MEETING OF COUNCIL
28 MARCH 2017
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#### 10. Council Reports

- **10.1** Representation on Statutory Authorities and Public Bodies

#### 11. Urgent Business

#### 12. Motions of Which Previous Notice has been Given

- **12.1** Local Planning Strategy Community Engagement
- **12.2** First Hour Free Parking Near Local Centres

#### 13. Confidential Reports

- **13.1** Lot 501 Omaroo Terrace

#### 14. Closure

1. OPENING

The meeting was declared open by the Mayor at 6.01 pm.

2. ATTENDANCE

Present:

Mayor: Keri Shannon

Councillors: Rod Bradley
           Louis Carr
           Sonia Grinceri
           Tracy King
           Corinne MacRae
           Jane Powell
           Pauline O’Connor JP
           Andres Timmermanis

Officers: Jason Lyon, Acting Chief Executive Officer
          Brett Jackson, Director Projects
          Chris Colyer, Director Infrastructure
          Cam Robbins, Director Community Development
          Marlaine Lavery, Director Planning & Development
          Jenny Bender, Acting Manager Development Assessment
          Stuart Hobley, Manager Governance & Contracts
          Denise Ribbands, Executive Assistant (Corporate Support)
          Karen Exley-Mead, PA to Chief Executive Officer

Apologies:

Nil

Leave of Absence:

Nil

Adjournments:

Nil
3. PUBLIC QUESTION TIME

The record of Public Question Time is a summary of the questions and answers provided at the Council meeting as per Section 11 (e) of the Local Government (Administration) Regulations 1996.

Questions Taken on Notice at 1 March 2016 Council Meeting

Frank Yujnovich, 8 Kinta St, City Beach
Re: Item DV17.22 - Lot 501 (No.15) Omaroo Terrace, City Beach

Question 1

Who in the Town of Cambridge authorised the advertisement by MMJ Real Estate of Lot 501 for $4.2m during 2014? This advertisement clearly states 'As a guide, we understand that previous development application not approved got close to approving 32 units'. Not 37, 32. Is this statement false or misleading? Was this brochure used when concluding the sale of Lot 501 to Big Deal Investment Pty Ltd when it was settled on 26 March 2014?

Response

The Mayor advised that she was sure the MMJ document she had seen had the figure of 37 in it.

The Chief Executive Officer confirmed that this was an extract off MMJ’s website. He was unable to confirm if the Town had endorsed those words on their website without further research.

This is an extract from the MMJ website. There is no record indicating the Town gave approval for the wording on the MMJ website.

Question 2

In 2001, the Stage One auction brochure was handed out by the Town of Cambridge sales representative from DTZ Mal Roberts. The brochure refers specifically to up to 25 units across the two sites, Lot 501 and Lot 560. At Stage 2 Auction, this brochure was heavily modified to delete the paragraph relating to the 25 units across the two sites. Along with that, they changed the advertising brochure on the two lots from ‘multi-residential’ to ‘group housing’. Who in the Town of Cambridge authorised these major changes to the brochures?

Response

The Chief Executive Officer advised that he could not confirm who made the changes as he did not have the documents in front of him. The question would therefore be taken on notice.

The Chief Executive Officer stated he was aware that the brochure stated 25 units on the cover page of the folder but that folder also included the design guidelines, which said minimum of 15 dwellings in it.

The contract refers specifically to the design guidelines as a minimum of 15 dwellings and there is also provisions in the contract which talk about reliance on advertising materials in relation to entering into a contract.
The Town has not specifically been provided with the marketing material referred to in the question. However, the Chief Executive Officer advises that most marketing material associated with the sales program and published on the Town's website and in print media, was presented to and approved by the CEO, in conjunction with the Ocean Mia Project Manager and/or the Property Agent.

Celia Dufall, 13 Alexander Street, Wembley

Question 5

So it wasn't a community consultation, people were forced to participate on the scenario they were allocated, and they didn't provide a preference?

Response

The scenario game workshops were a form of community engagement to help identify a preferred development direction and to inform the third stage of preparing the Wembley Activity Centre Plan, the Detailed Centre Plan. The scenario games were prepared around key themes and issues that arose from both an analysis of the centre and from stakeholder interviews, being the first stage of preparing the plan. Enhancing the liveliness and vibrancy of the centre and encouraging quality shops, hospitality uses and public spaces were key matters raised.

The scenario games were played in two rounds. The first round involved a discussion on how to create a unique identity for the Wembley Centre and was guided by the four themes: telling unique stories, adventurous shopping, activities and events and beautiful public places. The second round focused on actual development within and around the centre and each group were allocated a 'board' with a map of the Centre and 'pieces' they could place on the 'board'. Three ambition levels were set (basic, medium and high) and allocated randomly to each table. The purpose of the three ambition levels was to allow groups to explore how they would like to see the centre develop and identify their own trade-offs and consequences to the challenges and opportunities that each ambition level provided. The groups were free to fill their ambition level however they chose and after completion of the games each group presented their outcomes for open discussion. The outcomes of the scenario games led to the 'preferred scenario' which was adopted by Council.

Question

I know there is a suggestion of a two storey height limit on the Wembley Hotel site on areas facing Alexander Street, can you clarify how far that two storey height limit would extend into the site?

Response

It is proposed to modify the draft Wembley Activity Centre Plan to lower the street front height along Alexander Street from three storeys down to two storeys. It is also proposed to have a transitioning of the street setback towards the residential area to the north, as well as a gradual transition to higher storeys. The draft Wembley Precinct Policy designates the minimum first and second storey setbacks as 2 metres and the third storey 6 metres.

Question 6

Why wasn't the two storey limit extended to other residential streets facing these extensive development sites i.e. Simper, Jersey and Pangbourne? Why was it restricted to just Alexander Street?
Response

The change in height from three to two storeys applies only to the portion of Alexander Street opposite residential properties. This was to address submissions and concerns of residential properties opposite Anchor Site 1 in Alexander Street. The other streets referred to do not have significant frontages to low density residential properties opposite.

Question 9

Can you please confirm that the plot ratio for the Wembley Hotel site is going to be changed from 1:1 to 0.5 to 1?

Response

The Wembley Town Centre (including Anchor Site 1) and Nanson Street Local Centre will no longer be subject of plot ratio controls. Building bulk will be controlled by the height and setback controls. The 0.5 plot ratio would apply only to other local centres such as those on Grantham Street.

Question 11

So what will that mean in terms of development for the site? Why would you do it if you did not know what it would mean?

Response

Response to Question 11 is as per Question 10 above. The Wembley Precinct Policy is the mechanism that is updating the development controls while the rezoning would address land use. However, land use permissibilities can be expected to be similar to those for the current Local Centre zoning except that no multiple residential uses would be permitted at ground floor.

Question 12

In relation to the Wembley Activity Centre Plan Transport Impact Assessment the traffic study discusses that there will be a redistribution of traffic to other streets, particularly to Grantham Street. This has been raised by concerned residents before. Do you think that this should have been included as part of the community consultation process?

Response

This was a matter for Council’s discretion in its final adoption of the draft Wembley Activity Centre Plan. However, it is noted that the advertised Centre Plan (Detailed Plan document) had flagged that the realistic development scenario will attract additional traffic to Wembley area (increase of 1.1% to 1.5% per year). The conclusion of the Transport Impact Assessment did not raise the redistribution of traffic as a significant matter.

Question 13

The Traffic Assessment identifies Anchor Site 1 as being critical to ensuring future parking needs in the centre are met. I note this is why to date there have been development restrictions on this site to date, and consequently the rezoning will impact that. Given the Activity Centre Plan will be reducing existing parking by around 80% (my calculation) including the 100 spaces to be provided on the Wembley Hotel site, compared to what the Assessment concludes to be an acceptable 30% reduction. What will the Town do to ensure parking needs are met?
Response

The Town's Access and Parking Strategy (2011) identified the Wembley Hotel site as a preferred location for a public car parking station of 100 bays, and this requirement has been carried through to the adopted Wembley Activity Centre Plan. The Town is seeking to maintain this requirement in a future local development plan for the site. That aside, it is the responsibility of each developer to provide adequate parking for their own developments.

The Transport Impact Assessment makes the following comments regarding a reduction in parking supply at page 39: "a reduction of parking supply in the order of 32% [over full parking provision at the full build-out scenario] has been identified as sufficient to preserve the function of the road network, and ensure that it can still operate for the benefit of buses, service delivery and private vehicles, within the restrictions of road reserve constraints." To be clear, this means that less parking is required at full development to ensure the effective functioning of the road network. The Plan advocates means of ensuring this. This is not the same as losing existing parking.

Robert Hawthorn, 3 Balandi Way Ocean Mia

Question 1

It is against the guidelines to have access to this new development out of or into Balandi Way, which is only about 100 metres long and unable to deal with this excessive amount of traffic. Are Councillors aware of this?

Response

Council has been advised that the proposal for a second accessway for the development off Balandi Way is not as designated in the Ocean Mia Design Guidelines.

Graham Hornel, 91 Empire Avenue, City Beach

Question 5

Currently, the "Report IT" feature on the website generates an auto-response to a submission – but this appears to be the last that a submitter ever hears from Administration? Can the Town introduce a simple confirmation emessage that can be emailed to those residents who report Infrastructure-related concerns to confirm that repair work and similar has been completed?

Response

The suggestion is reasonable, however, there are a number of processes that will need to be amended to facilitate the 'close off' advice back to the originator of the request.

Implementing the automated 'close off' will be considered by the Town and we will publish a further response as part of next month’s questions from the public.

Further Response:

The initiative is linked to an upgrade to the Town's Customer Request Management System which is set to occur during the year and into next year. It also involves a system enhancement to integrate the CRM to the new website which is scheduled be launched around June this year.

As part of the upgrade of the Customer Request Management System, the Town will examine the processes for closing off "report it" requests.
Written Questions

Graham Hornel, 91 Empire Avenue, City Beach

Question 1

The initial answer provided to my Report It close off question as submitted to the 1 March, 2017 Council Meeting, described my initiative as "reasonable". The follow-up answer suggests that my initiative is not being taken either seriously, or as a priority.

Is the community-wide value of the early introduction of a simple, efficient close off esystem recognised as relevant in 2017?

Question 2

If enhanced Ratepayer communications are a genuine Town priority, is it also recognised that vague commitments on actively pursuing this initiative without delay again presents the clear appearance of unwarranted procrastination?

Response Questions 1 and 2

The examination of the “close off” for the esystem is recognised as relevant however as stated in the Further Response to Mr Hornel’s Question 5 from February 2017 the initiative is linked to an upgrade to the Town’s Customer Request Management System which is set to occur during 2017/18.

Major information technology upgrades and projects are planned in advance and often must be coordinated in a predetermined sequence.

This schedule is often not able to be accelerated due to the need to complete programmed upgrades that are essential to the operation of the Town.

The Town has to prioritise many important initiatives and allocated limited resources as it deems appropriate.

Question 3

Can the online publication of a well-presented summary of Council decisions that have Community-wide interest and relevance be compiled from the Draft Minutes and posted on the Town web site on the Tuesday Afternoon following each Ordinary Council Meeting?

Response

The Town already publishes “Council in Brief” on the front page of its website, which provides a summary of the items of interest from the Council Meeting. The summary is uploaded to the website as soon as practicable. The Town intends to make the “Council in Brief” link more prominent on the new website due to be launched later this year.

Question 4

If such decisions are not unanimous (e.g. the 1 March entry gateway signage vote), can these items also include the names of which Elected Members voted either for, or against; or who abstained.
Response

The Minutes provide the details of the Elected Members who voted for and against each Agenda Item. It is not considered necessary to reproduce this information.

Question 5

If not, why not, on both of these questions, please?

Response

See response above

Question 6

The current edition of UBD and similar resources clearly show that the Wembley Golf Complex is not in fact located in the Town of Cambridge suburb, City Beach, 6015 - but in the City of Stirling suburb, Wembley Downs, 6019. That suburb is even further from Wembley and is adjacent to City Beach, making Wembley GC an even more inappropriate name in 2017.

Given that over $20 Million of Cambridge funds has so far been invested in a quality facility in a suburb that is outside the Cambridge boundary, why is the Complex still branded as Wembley and not accurately as Wembley Downs?

Response

The Wembley Golf Course is not located in the suburb of City Beach but in the suburb of Wembley Downs.

Suburb boundaries do not necessarily coincide with Local Government boundaries. For example, the Town of Cambridge includes parts of Wembley Downs, Jolimont and Mount Claremont. The majority of these suburbs are located in other Local Governments.

The name "Wembley Downs" is actually derived from the name of the then 1933 golf course, Wembley Downs Public Golf Course and was officially approved as the Wembley Downs suburb in 1959. The golf course was named after the suburb of Wembley in 1946 which, originated from a town in England.

Question 7

What exactly is the ongoing financial arrangement between Cambridge and Stirling for the use of its land - and for how many years now has this been in place; and at what annual cost to Cambridge?

Response

There is no financial arrangement.

Question 8

At the time when the importance and significance of branding and positively presenting and promoting our Town, why have ratepayers not been fully and properly informed by Administration that, in reality, their $20 Million investment has been made on land belonging to Stirling?

Response

The Wembley Golf Course land is owned freehold by the Town of Cambridge.
Anne Lake, President West Leederville Residents Association

Question 1

We understand an LPS to be a 10 year working document. So why does the Local Planning Strategy need to have a planning horizon to 2050? Why does the Town have to refer to the State Government's *Perth and Peel at 3.5 million* document which looks to accommodate 3.5 million people by 2050?

Response

The Local Planning Strategy sets the strategic vision for the Town's planning framework and the clear actions (i.e. how the plan will be implemented) to realise the strategic vision. Actions can be identified for the short, medium or longer timeframe.

Whilst population and housing targets are forecast over a longer time period, it is important that the LPS acknowledges and address these longer-term strategic planning and development issues.

It ensures the Town is planning for the short to medium term but also looking ahead to future challenges and opportunities (i.e. future proofing the Town's planning).

It is anticipated that the sites allocated with the potential to achieve the housing target will not be developed over the 10 year period of the LPS but it is important to show that there is the potential to achieve the target of 6,900 additional dwellings.

The WAPC in assessing the Town's draft Local Planning Strategy for consent to publicly advertise, will be looking to see how the population and housing targets allocated to the Town of Cambridge have been addressed and whether this is sufficient. The plan is subject to review and updates at five year intervals to account for any changes in population and housing forecasts.

Question 2

We note that 2 out of the 3 scenarios have no changes in City Beach and only a small amount around the Floreat Forum. Scenario "C" has some changes proposed around the shops in City Beach and also mentions the possibility of corner lots subdivisions throughout the Town.

Did the WAPC and the former Ministers for Planning quarantine City Beach and Floreat from having to provide greater housing choices and diversity?

Response

No.

Scenario A, B and C all show locations to provide a greater mix of housing in Floreat, and Scenario C illustrates opportunities to provide housing choice in City Beach. The three scenarios are based on district centres, corridor growth and local opportunities and therefore only Scenario C shows development opportunities in City Beach as there are no district centres or corridors in City Beach.

Question 3

Could the administration please clarify whether people are being asked to 'choose' a preferred scenario? We cannot see such a question on the feedback sheet. What is the intent of the feedback sheet?
Response

The engagement materials including the feedback form do not ask respondents to choose a preferred scenario but ask for feedback on what is liked or disliked about the scenarios as well as any other opportunities.

The intent is to capture community sentiments on the various planning approaches to develop a draft LPS for further community comment.

Question 4

How will the responses be analysed and who will analyse them? Will it be a quantitative analysis (i.e. a numbers game) or a qualitative analysis?

Response

It is intended that project consultants Taylor Burrell Barnett will collate and analyse the submissions. The consultants will comment on key themes and it is also envisaged that there will be both a quantitative and qualitative aspect to the assessment.

Question 5

What will happen after this consultation period is over? Could you please tell us what the next steps are? Will an LPS be produced and adopted? Does an LPS actually mean that densities will change or is that to be done through a new Town Planning Scheme? When will a new Town Planning Scheme come into effect?

Response

Following the close of advertising on April 7, the feedback forms will be reviewed and the outcomes reported to Council. Council will then determine whether or not a draft LPS is to be prepared based on the outcomes of community engagement or whether further consultation and engagement is required.

Should Council decide to proceed, a draft Local Planning Strategy will be prepared.

Council will then determine whether or not the LPS should be submitted to the WAPC for consent to formally advertise. Council may choose to undertake further consultation on the draft LPS prior to submission to the WAPC for consent to formally advertise in accordance with the Planning and Development Act.

Following consent by the WAPC to advertise it will be formally advertised and the community will be invited to comment on the draft LPS.

A new scheme or scheme amendments will be required to implement any zoning or density proposals in the Local Planning Strategy. The draft Scheme will be drafted and advertised to the community and will require approval from the WAPC and Minister for Planning.

The Town will begin to draft a new scheme as soon as a clear direction for the LPS emerges.

Given the number of variables which could affect overall timeframes, including WAPC approvals, it is generally estimated that it would be a number of years before a new Town (Local) Planning Scheme would come into effect.
Question 6

Planning for schools requires that the ratio of dwellings to primary schools is 1,500:1 and high schools is 6,000-7,000:1. The space requirements for a primary school is 7ha. WLPS is 1.5 ha. As the proposed scenarios allocate growth of around an extra 5,800 dwellings in West Leederville and Wembley (but mostly in West Leederville), that equates to needing another 2-3 new primary schools.

Can the Town advise whether it will be seeking clarification from the Department of Education regarding future planning for new primary schools in the area to accommodate the additional population?

Response

The Department of Education is an identified stakeholder in the LPS project and have already received the relevant information on the proposed Local Planning Strategy. This will be followed by meetings between the project consultants and the State Government stakeholders.

The Department of Education has advised that when higher density housing has been identified they will require to be consulted on the specific dwelling types to enable analysis of the potential student yields that may emanate from them. This will assist in identifying the impact on the local primary schools. Future planning for primary school intake will then be based on the final plan containing the dwelling yields.

Question 7

What is the current state of play for a new high school?

Response

The former State Government had announced that City Beach College would be operational by 2020 and was progressing planning for the new school. There has been no announcement from the State Government on this matter since the State election.

Question 8

We have received a copy of a proforma email that the Coast Ward Ratepayers Association have sent out to their membership.

In it the CWRA asserts that in Scenario B, a reduction in density is proposed in West Leederville. We have looked at Scenario B carefully and can see no such reduction in density; instead an increase is proposed for the area bounded by McCourt, Cambridge, Blencowe Streets and Railway Parade.

This was not envisaged in the adopted West Leederville Activity Centre Plan. Could the administration please confirm that the CWRA’s assertion is incorrect?

Response

Under Scenario B, the development potential for the West Leederville Activity Centre remains as per the Activity Centre Plan, but does show an increase in development in the area bound by Cambridge Street, Blencowe Street, Railway Parade and McCourt Street.
Question 9

Given that there is a campaign by the Coastal ward to have all members of the family submit a pro forma questionnaire, could the administration tell us how these proformas will be counted, is it by number or residence?

Response

Proformas will be counted per respondent.

Celia Garmen, 13 Alexander Street, Wembley

Question 1

A concern with the traffic study for the Wembley Activity Centre Plan was that it did not address the impact of traffic turning into and out-of the high rise developments along Cambridge Street. This is of particular concern given the narrowing of Cambridge Street to one lane in this area. Would you please confirm why this was not considered as part of the study and what can be done to ensure any impact on residential side streets is minimised? Please note this question does not relate to total future traffic volumes which were assessed by the study.

Response

Major development applications would be required to be accompanied by a Transport Assessment which would address site specific access matters. More detailed design of Cambridge Street would also be required prior to any change to the street profile to single lane.

Question 2

Would you please confirm how many parking spaces are currently available to the public within the Wembley Activity Centre Plan area? Given the Wembley Activity Centre Plan only allows for 100 public parking spaces (noting that any requirements linked to developments will be taken up by purchases of properties within those developments), how do you propose to provide enough parking to ensure that the centre has enough parking to meet the requirements identified by the Town in their parking strategy?

Response

The existing parking around Cambridge Forum/Wembley Hotel, despite being publicly accessible, is not officially a public carpark and is under private ownership.

The 100 bay public parking under the Wembley Activity Centre Plan would be formal public parking.

In addition to this, the developer would need to provide parking for the development, the quantity of bays dependent on the types of uses as part of the development. Each Development within the site, (apart from residential which will have its own allocation) will have to provide parking for customers and visitors as is the case with the current parking for the Cambridge Forum/Wembley Hotel. The parking required for each development within Wembley Activity Centre will be in accordance with the Town's Parking Policy and each use has different requirements.
This may result in more parking than is currently available, however, until the Town is presented with a Development Application and accompanying Transport Assessment, the number cannot be calculated. This is the reason why the Town has asked for the additional 100 parking spaces.

Rita Bagini, 147 Tower Street, West Leederville

NUISANCE

"the Town has interpreted nuisance to constitute excessive noise, light smell beyond that which a reasonable person would endure" Council’s definition September 2014.

Question 1

Given there is an ongoing nuisance (by Council’s own definition) caused by the use of floodlights at Leederville Sporting Club (LSC), will the council agree to (on a without admission basis) either removing the existing floodlights and replacing with portable retractable lights, or at the minimum, placement of light shields on the northern lights, and adjustment downwards of the southern light beams?

Response

The Town will not be removing the lights or replacing them with portable retractable lights.

The Town engaged an independent lighting engineer to develop a solution that took into consideration the concerns of the residents and provide the required lighting, as per the Australian Standards.

To minimise the impact of light and glare to nearby residents, the spill of the lights is controlled through the design of the narrow beam floodlight that has been installed at the Club. The lights conform to the Australian Standards for outdoor lighting and light spillage into neighbouring residences.

The average lighting level for outdoor bowling green applications is 100 lux as per Australian Standard AS2560.2.8, and the average lighting spillage does not exceed 10 lux.

Question 2

If the answer is no, what if anything does the council intend to do to abate, ameliorate the nuisance, and restore and preserve affected resident’s amenity?

Response

The Town has met with Ms Bagini on numerous occasions to discuss options to minimise the impact of the lights on her property and is prepared to consider any reasonable proposals that may mitigate the glare from the lights.

NOISE

Section 117 Liquor Control Act : ".........noise emanating from the licensed premises ...... is unduly offensive, annoying, disturbing or inconvenient to persons who reside......in the vicinity"
Question 3
Does the council consider itself bound by its own definition of “Nuisance” as above?

Response
If the Town is made aware that it is in breach of this definition of nuisance, it would work to find a practical resolution where possible.

In this case, several meetings have been held between the Club and the effected resident.

The Club has implemented a House Management Plan, noise has been minimised to the extent possible by directing inward facing speakers and playing soft music, designing the lights to minimise the impact, stipulating that the lights be turned off at 10.00pm (with an automatic off switch) and erecting signs to encourage patrons to “please keep the noise down, respect our neighbours” and the club regularly liaises with the local community.

Question 4
Does the council as Lessor consider it has a duty to intervene if a s.117 complaint is made against LSC as lessor?

Response
No, a Section 117 complaint is made to the Department of Racing, Liquor and Gaming.

The Dept of RLG conducts an independent investigation into the allegation. The Town may be requested to provide information to the Department in its independent role as Lessor or in its legislative capacity through Health and Compliance.

Question 5
Can council explain why it did not attend the “mediation/meeting” in February 2016 with the Department, LSC, and the complainants?

Response
The Town was advised by the Department of Racing Gaming and Liquor that it was not required to attend the meeting.

Question 6
Can the council explain why it permits the leased portion of the Community Node to be used exclusively by Members and guests of LSC for meetings, seminars, functions, children’s playground, informal sports etc. when the Community Node already has facilities which could accommodate these types of events/activities with minimal impact on residents’ right to quiet enjoyment?

..and

Question 7
Given the Council has actively encouraged increase in numbers of people using LSC, and facilitated and permitted changes in the nature of use of the leased area, which has resulted in
even more noise issues, can the Council provide details of how it intends to restore and preserve residents' right to quiet enjoyment?

**Response Question 6 and 7**

The Leederville Sporting Club leases the Clubrooms, bowling green and adjacent car park from the Town. The Club has a 20 year lease that expires in 2031.

The site and the surrounding area have been used for various recreation purposes for over 100 years.

The Town has not changed the "nature of use" of the area or the purpose within the lease. The area is zoned Parks and Recreation and the current uses are consistent with this zoning. Neither has the Town actively encouraged an increase in the number of people using the Club.

**Question 8**

Will the Council agree (on a without admission basis) to meet with residents affected by noise and light to discuss residents' concerns in detail with a view to solving the issue of loss of amenity, and severe frequent loss of right to quiet enjoyment?

**Response**

The Town has always been willing to meet with residents and the Club to resolve any perceived issues, and has done so on a number of occasions.

The Town has not received any complaints about noise or lights emanating from the Leederville Sporting Club since April 2015.

In April 2015, the Club appointed a new Manager. At this time the Club has implemented a House Management Plan, A Responsible Service of Alcohol Plan and a Code of Conduct for its staff and members to abide by.

**Question 9**

If no to Q.8, what action does council suggest affected residents take to solving the long-standing problems; problems which the council is fully aware of and has created (albeit inadvertently) or, at the very least, permitted to continue for several years?

**Response**

See Response Question 8

**Jason Eftos, 43 Donegal Road, Floreat**

The Acting Chief Executive advised that 18 questions had been received this afternoon from Jason Eftos and these would be taken on notice. He further advised that the questions centred around the three local planning strategy scenarios and the dwelling yields from the different approaches.
Verbal Questions

Kerry Smith, 8 Asten Road, City Beach
Re: Beecroft Park Improvement Concept Plan

Question 1

Why do you use the word improvement when the park is lovely as it is?

Response

The Mayor advised that the Concept Plan is out for public consultation, however, at the Local Planning Strategy Open Day she was inundated with local residents telling her that they wanted the park left alone.

Question 2

When will the plan be released for public comment?

Response

The Director Infrastructure advised that the program is being managed in accordance with the resolution of the Council. The release will be coordinated with consultation that is occurring at the moment. It was indicated the public comment period had not yet been established.

Question 3

In the plan, is it planned to retain the old tree? It’s the very old bent over Malaluka?

Response

Mayor Shannon advised that yes it is going to be retained.

Question 4

Why have we planned to put parking in the park near the shed and to remove the trees? If we must go ahead with something on this park, why can’t we have the parking on the verge as is current practice?

Response

Mayor Shannon advised that she thought that was a comment she made at Committee as well.

Question 5

The comment was made in the documents that the major challenge is parking. I would assume and presume that that parking challenge is because we have got these gorgeous shops and I would have thought that the Town need to negotiate around that shopping centre for extra parking?

Response

The Acting Chief Executive Officer advised that a study has been undertaken into the parking and a report will be submitted to Council next month on that very matter.
Question 6

Who is The Coastal Playgroup?

Response

Mayor Shannon advised that they are an Incorporated Association that currently operate at the City Beach Oval and there has obviously been some issues with inconsistent use with other sporting associations so the decision was made that we could perhaps move them to an alternate Council owned facility. I think they were originally in City Beach.

The Acting Chief Executive Officer advised that they used to be located at an old Infant Health Clinic in Boronia Crescent and then relocated adjacent to the City Beach Oval Pavilion.

Question 7

So why are they receiving a special building?

Response

Mayor Shannon advised that the Clubhouse down at City Beach Oval was originally built with a section for them but the use has been inconsistent so the Town is looking at relocating them to an alternate place, which would be more consistent with the playgroup activities.

Question 8

So the proposed building where the shed is in the park is for other people to use as well as the City Beach Playgroup?

Response

Mayor Shannon advised that it has not been finalised yet, but the idea was that it would be for the Coastal Playgroup and also for other users.

Rebecca Faugno, 70 Tate Street, West Leederville
Re: Local Planning Strategy

Question 1

Can you please confirm whether the 10 year Local Planning Strategy (LPS), and in particular the 3 scenarios put forward by the Town in the LPS document issued for public comment, are based (generally or specifically) on a planning target of 6,900 additional dwellings for the Town by 2050?

Question 2

If so, and given I understand that the Town is well on track to meet its current 10 year target (of approx. 3,529 dwellings) through the continuation of its already recently implemented planning initiatives, such as the West Leederville Town Centre expansion etc, why is the Town consulting and potentially looking to implement an LPS which plans for a timeframe longer than 10 years?
Question 3

While I understand there may be a need to some degree to indicate in the Town's 10 year plan some general indications on planning beyond 10 years, does the Town think it prudent to make such premature longer term specific planning decisions, particularly given:

a. I understand the Perth and Peel@ 3.5 million plan was put in place by the previous State Government and is not yet approved and is only in draft form;

b. the recent change in State Government, and the significantly different election platform of the labor Government on infrastructure, which particularly in relation to changes to transport and schools, is not yet policy;

c. the State Government has not yet committed to provide any additional key community infrastructure in the Town, including in particular schools and transport. The Town will be aware for example that the West Leederville Primary School is already at full capacity and site footprint is close to maximum expansion yet the LPS proposal put forward for public consultation still involves significant density increase for West Leederville.

d. possibility of future development of the West Leederville/Subiaco rail area if there is a State government sale of Subiaco Oval and possible large redevelopment of that large area with significant housing increase.

Question 4

Does the Town believe that putting forward an LPS beyond 10 years, in light of the uncertain planning factors from the State government, may result in the Town taking an ill-considered planning position and/or planning strategy to the State government and other stakeholders which may be difficult to resile from later, particularly if key State government infrastructure and amenity is not later delivered by the State Government to the Town?

Question 5

Would it not be more prudent to hold and continue on with current planning initiatives for the next 10 years plan given it is already on track to meet 10 year target outcome, and to revisit additional planning objectives only once key State planning infrastructure commitments are clear or become clearer? I understand other Councils such as Victoria Park for example have refused to commit to a plan beyond 10 years and make any comment to planning beyond 10 years in their LPS given the lack of clarity and commitment on what important state infrastructure will be provided by the State Government to that Town.

Response

The Mayor advised that the Town does have to prepare a LPS and undertake a community consultation process. Whether it commits the Town to all that density is a separate issue.

The Director Planning and Development advised that local planning scheme regulations stipulate that any one who has a planning scheme prior to 2010 has to basically update that Scheme. A report has to be submitted to the Department this year showing how the Town is progressing that. The Local Planning Strategy and this community consultation is just the first step. We want to get on the front foot and plan for the future rather than someone else doing it for us.
Question 6

Do we need to commit to so much in this one 10 year plan given the target is for 2050 and given that there are so many uncertainties as to what will be happening in our Town over the next 30 years before that target becomes a reality?

Response

The Mayor advised that she thinks that the Town should be looking at doing a LPS for the first 10 years and having an idea about where we would like to go from 10 to 20 years and 20 to 30 years. The point of the LPS is to put the development controls in place. What we integrate into the scheme will reflect what we would like to see achieved in those next 10 years.

The Director Planning and Development advised that uncertainty is the reason why we plan for the 6,900 because it is not certain that some of the developments proposed will get off the ground. You therefore have to plan for other sites to happen if other ones fall down. That is why we are planning for the full amount.

Question 7

Do the planning scenarios and the LPS issued for public comment take into account key planning considerations such as availability of school infrastructure (primary and secondary) and capacity, heritage value of dwellings and heritage value and character of a suburb? I note there is no mention of these considerations in the information provided to residents for comment. Further on raising the issue with the Town's consultants they confirmed to me that no consideration was given at all to date on the information issued in developing the scenarios to schools and heritage. Are these important planning considerations going to be taken into account in the LPS?

Response

The Director Planning and Development advised that the strategy is looking to put the right infrastructure and educational needs in the right place. The Education Department are a key stakeholder and will be consulted and give the Town advice along the way. With regards to heritage, that is something that will be incorporated into the Town Planning Scheme and/or policies once we have established where the strategy is going. The Strategy is the overarching framework. If a development proposal came in when we are establishing the Town Planning Scheme, properties that are on the Municipal Heritage Inventory and State Heritage List will be considered and dealt with heritage properties. The impact of them will certainly be considered when assessing and determining any other developments.

The Mayor advised that the Town has engaged heritage consultants to undertake a review of heritage in the Town. It is not particularly related to the Local Planning Strategy but is running in tandem.
Conor Mallen, 79 McCourt Street, West Leederville  
Re: Item CR17.24 McCourt Woolwich Street Drainage Sump Proposal

Question 1

What is Council's approach to addressing flooding at my property at the bottom of McCourt Street? As a result of the flooding that has occurred at my property, can my situation be addressed on its merits?

Response

The Director Infrastructure advised that this matter will be discussed at tonight's meeting.

The Mayor advised that Council appreciates that Mr Mallen is in a very unusual predicament and would imagine that Council would consider his concerns versus people who are concerned about losing the trees. The trees will be replaced after the stormwater system is installed.

Question 2

I love trees but can Council also consider safety and the protection of property?

Response

The Mayor advised that Council has obviously recognised that as a report proposing a drainage project costing $600,000 is to be considered tonight.

Question 3

My other concern is subdivision. Will zoning of R35 for example be considered for McCourt Street?

Response

The Mayor advised that the scenarios presented to the community are not proposals. They simply identify how the State Planning Policy operates and lots were coloured in the scenarios according to that. If your lot is not currently affected then it is not within the residential transition zone. We will be looking at trying to balance density with retaining the character of the residential streets. The Council will be reviewing residents' submissions. Fill in the feedback form and raise any concerns with the planning staff.

Question 4

If there is to be more subdivision, then the drainage might not be able to cope especially if there is a large rainfall over a number of days. Will this be considered?

Response

The Director Infrastructure advised that it his understanding that planning and building guidelines require all developments to retain water on site. Technically there shouldn't be any emanate from the building structure but once the capacity is exceeded then it will flow onto the road. The proposed stormwater drainage should cope with any 1 in 100 year storm.
4. PETITIONS

A petition containing 130 signatures has been submitted by Liz Fisher, 104 Forrest Street, Cottesloe supporting the application for a Tavern (restricted) Licence requested by Clancy's Fish Bar, City Beach.

Moved by Cr MacRae, seconded by Cr Bradley

That in accordance with Clause 3.5 of the Standing Orders, the petition be received.

Carried 9/0

5. DEPUTATIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7. CONFIRMATION OF MINUTES

The Mayor advised that she would like to make an amendment to her response given to one of Mr Hornel's questions. The Mayor advised that Mr Hornel has brought it to her attention that he qualified his question to only relate to only questions received at her Town email address and therefore she would like to amend her response to be:

"The Mayor advised that no she had not adopted a policy of not responding to emails that she has received from ratepayers to her Town email. She always attempts to respond to her emails that require her attention. Her failure to respond has been an error and she would encourage ratepayers who have submitted emails that have not been responded to to resubmit those emails as she intends to respond to them promptly."

Moved by Cr O'Connor, seconded by Cr Bradley

That the Minutes of the Ordinary Meeting of the Council held on 1 March 2017 be confirmed subject to the above amendment.

Carried 9/0

8. ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

The Town had agreed with the previous Planning Minister Faragher to allow them to develop their Local Planning Strategy in a manner that was consistent with state planning policy and met the state government's density targets. The Town engaged external planners TBB who were given a very tight timeframe in which to develop the strategy. In truth, a rushed approach to such a major decision about how we want to live and grow is unreasonable. While the communities of City Beach and Floreat understood already the planning choices that must be made, the communities of West Leederville and Wembley have not been part of the information process that was A31.
I understand that West Leederville residents are concerned that they haven’t been given adequate notice of the Open Days. I have some reservations that Open Days are an appropriate way in which to educate people on the nuances of planning. A lot of thought has been given to the development of the state planning policies about the best ways to retrofit density into existing suburbs.

For West Leederville the Southport node can accommodate more density without bleeding density into the traditional streets of West Leederville. We are seeking to increase density in the Town over the next 30 years while protecting the character and liveability of the residential neighbourhoods in every suburb.

It is not necessary to upcode the residential streets in West Leederville in order to make our density targets. West Leederville isn’t being sacrificed at the expense of the coastal suburbs, and its disingenuous to say so.

We have already achieved 3,529 of the 6900 throughout the Town. We have another 33 years to incorporate the remaining 3,371 dwellings. That includes in Floreat and in City Beach. Each suburb has to choose how they will integrate density.

The A31 debate taught the Town that people want to preserve their lifestyle and their housing choice. And those considerations can be incorporated into West Leederville and Wembley just as much as it can be in City Beach and Floreat.

Scenario A and B were developed by external consultants and are consistent with state policy. The train station at West Leederville and the proximity to frequent transport and transport corridors means that the part of West Leederville nearest the train station is best positioned for an increase in density. We learnt from the A31 debate that protecting the traditional streets is the primary choice. In City Beach there are opportunities to develop large blocks for apartment living. In West Leederville the Southport Node and backing onto Cambridge Street and Railway Parade are likely opportunities where increases in density will have a reduced impact on residents.

In Wembley the obvious choice is the area between Cambridge Street and Salvado Road. In order to stop bleeding density into traditional streets, the Wembley Activity Centre plan of using the Wembley Hotel site as a hub may need to be changed. However if that is the best way to link the increased density to parkland at Henderson Park then the plan needs to be altered. It is far better to protect residential streets from increased traffic than to persist with the plan to put the density next to residential homes in the Wembley Activity Centre plan. The Town has to learn from its mistakes.

The increased density in the form of apartments in West Leederville should have and could have been contained to the lots abutting the commercial and business zone if the council had acted sooner by developing the Local Planning Strategy in 2010 when they started it. Instead they abandoned it, leaving the communities unprotected from opportunistic developers developing land as it became available. Make no mistake the pressure now to complete the LPS is because it wasn't done in 2010 like other local governments. We are now behind the eight ball.

I lived in West Leederville for 12 years. A lot longer that I have ever lived in City Beach and I have no intention of allowing the wholesale destruction of the suburb. I acknowledge West Leederville is already coping with a primary school that has run out of space. The children use Cowden Park and Lake Monger for sport activities. Any significant density would have to be accompanied by the provision of another primary school in the area. It may be that the state government has to look at moving the School for Distance Education from its current base in Leederville and reopening the
Leederville Primary School in response to increased numbers in the area. These are things that we have to consider and condition any further density increases upon.

So I encourage people in West Leederville and Wembley to think practically about how they want to live. They have lots in common with the A31 debate. People don't mind extra density as long as it doesn't change significantly the way they live and their residential amenity. We have to be cleverer with how we design the LPS. The fact that the debate was given the front page of the Post highlights the importance of the LPS to how we will live in the future so I encourage everyone to get informed and involved. If we have to push out the feedback closing date then that is exactly what we should do.

The 3 Scenarios are methods of doing density. We don't want people to select one. We want to hear how these different methods should be employed to form the LPS. The scenarios have been prepared by the consultants and the administration. They have not been endorsed as plans by the council. They are to provoke debate.

My opinion for what it is worth is that we hit the district centres hard and make the most efficient use of the land by building apartments with adequate gardens around them to improve liveability not zero setbacks to the streets, and transport corridors where they have adequate back laneway access - and protect residential streets with minimal residential transition zones. City Beach and Floreat have large development blocks for apartments. We have to do the LPS. Doing nothing isn't an option.

This is about finding the right plan for all residents in the Town.

9. COMMITTEE REPORTS

Prior to consideration of the following reports, members of the public present at the meeting were reminded by the Mayor that they should not act immediately on anything they hear at this meeting, without first seeking clarification of Council's position. They were advised to wait for written advice from the Council before taking any action on any matter that they may have before the Council.

Recommendations contained in the Committee reports were adopted en bloc, with the exception of the following items which were nominated for individual debate.

**Development:**
- Items DV17.32, 33, 35, 37, 38, 39, 40, 43 and 44

**Community and Resources:**
- Items CR17.23, 24, 27, 32, 36 and 43

**Declaration of Interest:**
- Item DV17.35 - Cr MacRae - Impartiality Interest
- Item DV17.39 - Cr O'Connor - Impartiality Interest
- Item DV17.44 - Cr O'Connor - Impartiality Interest
- Item CR17.27 - Cr Powell - Impartiality Interest
- Item 13.1 - Cr Carr - Impartiality Interest
- Item DV17.38 - Mayor Shannon, Crs Bradley and O'Connor

**Elected Member Contact with Developers**

The remainder of the items of the Development Committee, Community and Resources Committee and Audit Committee were then carried en bloc.
DEVELOPMENT COMMITTEE

The report of the Development Committee meeting held on Tuesday 21 March 2017 was submitted as under:

1. DECLARATION OF OPENING

The Presiding Member declared the meeting of the Development Committee open at 6.01 pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

<table>
<thead>
<tr>
<th>Present</th>
<th>Time of Entering</th>
<th>Time of Leaving</th>
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<tbody>
<tr>
<td><strong>Members:</strong></td>
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<tr>
<td>Cr Tracey King (Presiding Member)</td>
<td>6.01 pm</td>
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<td>Mayor Keri Shannon</td>
<td>6.01 pm</td>
<td>7.20 pm</td>
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<td>Cr Rod Bradley</td>
<td>6.01 pm</td>
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<tr>
<td>Cr Corinne MacRae</td>
<td>6.01 pm</td>
<td>7.20 pm</td>
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<tr>
<td>Cr Pauline O'Connor JP</td>
<td>6.01 pm</td>
<td>7.20 pm</td>
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</tbody>
</table>

**Observers:**

Cr Jane Powell

**Officers:**

Marlaine Lavery, Director, Planning and Development
Jenny Bender, Acting Manager Development Assessment
Denise Ribbands, Executive Assistant (Corporate Support)

**Adjournments:**

Nil

**Time meeting closed:**

7.20 pm

**APOLOGIES/LEAVE OF ABSENCE**

Nil

3. PUBLIC QUESTION TIME

Nil
4. DEPUTATIONS AND PETITIONS

Item DV17.31   Neil Salvia, on behalf of owner
Item DV17.32   Mark Williams, on behalf of neighbour
Item DV17.37   Pia Brammer, applicant
Item DV17.38   Jeremy Hofland, on behalf of applicant
Item DV17.40   Melanie Ambrose, owner
                Nic Brunsdon, Architect
Item DV17.41   Jeff Blades, neighbour
Item DV17.42   Peter O’Leary, applicant

5. CONFIRMATION OF MINUTES

That the Minutes of the Ordinary meeting of the Development Committee held on 21 February 2017 as contained in the February 2017 Council Notice Paper be confirmed.

6. DECLARATION OF MEMBERS' INTERESTS

Item DV17.35 - Cr MacRae - Impartiality Interest
Item DV17.39 - Cr O'Connor - Impartiality Interest
Item DV17.44 - Cr O'Connor - Impartiality Interest

7. REPORTS
SUMMARY:

The Town has received an application for a two storey dwelling at No. 78 Branksome Gardens, City Beach. The plans show a new two storey dwelling development on the subject site that, most significantly, encroaches into the 6 metre rear setback area of the property.

The application requires a Council determination as an assessment is required against the street setback, open space, building height and lot boundary setback design principles of the Residential Design Codes of WA (R-Codes), and objections have been received during the consultation period.

Whilst the proposal satisfies the relevant design principles for street setback and building height, the design is not considered to satisfy design principles for 'lot boundary setback' for the following reasons:-

- the proposal does not reduce the impacts of building bulk on adjoining properties because of the significant building encroachment into the rear setback area, particularly compared to the existing site and surrounding development contexts; and
- site coverage is worsened due to the extent of building within the rear setback area, therefore it is not considered that adequate open space is provided on site.

Accordingly, the proposal is recommended for refusal.

BACKGROUND:

Application: 0429DA-2016
Owner: Mr G and Ms K King
Applicant: Neil Salvia Building Designs
Zoning: Residential R12.5
Use class: Dwelling (single) ‘P’ – permitted
Land area: 903 m²

This application was originally submitted in November 2016 with plans showing variations to street setbacks, lot boundary setbacks, building height, site works, visual privacy, open space and landscaping. To address some of the concerns raised by the Town’s Administration and the owners of neighbouring properties, amended plans were submitted in January 2017 addressing some of the original variations identified in the assessment. The latter set of plans is the subject of this report.

DETAILS:

Development description

- The existing site contains a single storey brick and tile dwelling which is to be demolished. The property has an incremental slope of just over two metres from the front/north-eastern to the rear/south-western corners.
The proposed dwelling has most of its key living areas on the ground floor, designed in a ‘C’ shape with outdoor areas central to the site to take advantage of the northern aspect. The upper floor has a relatively small footprint and is positioned towards the front of the site.

A flat roof design has been employed for most of the building, however, the rear single storey portion includes a low pitched (5 degree) hipped roof.

A blade wall minor incursion is proposed with a setback of 4.2 metres from the front/street boundary. The remainder of the dwelling is set back at 6 metres or greater.

Landscaping has been assessed and comprises slightly less than 60 percent of the street setback area. As such, should Council be supportive of the application, a condition of approval should be included that requires the provision of at least 1 mature tree within the street setback area to ensure compliance with the Town’s Streetscape Policy.

Due to the footprint of the ground floor, open space provision has been assessed at approximately 51 percent of the site area (55 percent required).

Building height has been assessed as a maximum of 7.55 metres above natural ground level, 50 millimetres higher than the deemed-to-comply requirement. The roof height has been reduced by 200 millimetres over the originally submitted plans.

A minor visual privacy variation has been identified to the pool deck (northern side boundary), this matter was advertised to the adjoining landowner who did not raise any concerns regarding this specific matter (refer Neighbour Submission section below). The pool deck overlooks a service passageway on the neighbouring property and therefore is considered to satisfy design principles.

The building setbacks from the rear/western boundary are staggered, but generally achieve a setback of 1.5 metres, in lieu of the required 6 metres.

The Town’s Environmental Health Services have reviewed the proposal and have recommended conditions in respect to the provision of adequate effluent disposal systems within the property.

This site is located within the Bushfire Prone Area. If Council approves the application, a standard advice note should be included which covers this aspect.

**Applicant's justification**

The applicant has provided written justification for the variations to the deemed-to-comply provisions relating to the lot boundary setbacks and building height. The building designer has noted that the majority of the rear portion of the building is below natural ground level and not significantly higher than the dividing fence line, which assists in mitigating building bulk concerns for neighbours. The dwelling has been designed in such a way to screen the outdoor living areas from prevailing winds and to take advantage of the northern aspect. A summary of the applicant’s justification is attached to this agenda.

**Neighbour submission**

The Town notified the owners of properties surrounding the subject site, those being:

- No. 76 Branksome Gardens, City Beach (North)
- No. 79 Branksome Gardens, City Beach (North-East)
- No. 80 Branksome Gardens, City Beach (South)
- No. 81 Branksome Gardens, City Beach (East)
- No. 46 Challenger Parade, City Beach (West)
- No. 48 Challenger Parade, City Beach (West)
Submissions from neighbours were received objecting to the proposed height of the building. The property owner to the north raised concerns regarding the height and rear setback. In addition, this neighbour has raised concerns regarding privacy and overlooking from the proposed covered outdoor living areas, towards the centre of the site. It is noted that these areas, as shown on the plans, are not raised greater than 500 millimetres above natural ground level and are therefore not subject to a visual privacy assessment. As such, the applicant has not amended the plans to address privacy to these areas however has provided additional justification responding to the neighbour comments. One neighbour has written to the Town in support of the development. A summary of the submissions is attached to the agenda for the perusal of elected members.

Assessment against the design principles

Street setback

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<thead>
<tr>
<th>Deemed-to-comply provision</th>
<th>Proposed</th>
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<tbody>
<tr>
<td>Minor Incursions in the Street Setback Area (Architectural Features)</td>
<td>Max Width 0.5 metres</td>
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</table>

Design principles:

- Buildings set back from street boundaries an appropriate distance to ensure they:
  - contribute to, and are consistent with, an established streetscape;
  - provide adequate privacy and open space for dwellings;
  - accommodate site planning requirements such as parking, landscape and utilities; and
  - allow safety clearances for easements for essential service corridors.

- Buildings mass and form that:
  - uses design features to affect the size and scale of the building;
  - uses appropriate minor projections that do not detract from the character of the streetscape;
  - minimises the proportion of the façade at ground level taken up by building services, vehicle entries and parking supply, blank walls, servicing infrastructure access and meters and the like; and
  - positively contributes to the prevailing development context and streetscape.

The blade wall is a two storey high feature set back a minimum 4.2 metres from the street, exceeding the 4.0 metres permissible. Whilst the depth of the blade wall is 0.8 metres, its width is only 0.4 metres. Furthermore, the blade wall comprises a very small proportion of the front façade, well less than the 30 percent maximum width allowed under the policy. Because of this, the feature projection will have little impact upon the established streetscape in respect to bulk and scale. It is noted that only low fencing and retaining walls are proposed within the front setback area which ensures that perceived building mass is further reduced as viewed from the street.

Overall in view of the above comments, it is considered that the proposed width of the feature blade wall satisfies the relevant design principles for 'street setback'. However, further assessment is required in respect to the rear setback of the proposed development.
Lot boundary setback

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<tr>
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<th>Deemed-to-comply provision</th>
<th>Proposed</th>
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<tbody>
<tr>
<td>Rear setback (West)</td>
<td>Min 6 metres</td>
<td>Min 1.5 metres</td>
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**Design principles:**

**Buildings set back from lot boundaries so as to:**
- reduce impacts of building bulk on adjoining properties;
- provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and
- minimise the extent of overlooking and resultant loss of privacy on adjoining properties.

**Buildings built up to boundaries (other than the street boundary) where this:**
- makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas;
- does not compromise the design principle contained in 5.1.3 P3.1;
- does not have any adverse impact on the amenity of the adjoining property;
- ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and
- positively contributes to the prevailing development context and streetscape.

It is noted that there is a small degree of cut proposed toward the rear of the site (approx. 450mm maximum) that does reduce the perceived height of the building as viewed from the properties to the rear/west. Given the single storey scale of the building within the rear setback area, the portion of building visible from the rear properties will be mostly limited to the low-pitched roof. It is reiterated that the dwelling is predominantly single storey to the rear of the site with the two storey section over the front the dwelling.

Notwithstanding the above, the rear setback encroachment is significant. A minimum setback of 1.5 metres has been achieved, with no compensating ground floor setbacks in excess of 6 metres. The Town has favourably considered rear setback variations previously where such buildings are contained to the ground floor only and, generally, do not comprise more than half of the rear setback area. This proposal comprises a total of four rooms, and an open style porch, within the rear setback area, meaning there is little relief in respect to building bulk.

A review of surrounding properties reveals that there is very little existing development of dwellings within rear setback areas, (noting that outbuildings are exempt from 'rear setback' requirements). Where a dwelling is located closer than 6 metres to a rear boundary, it is generally limited to a smaller portion of the rear setback area so that a compensating area of open rear garden assists in reducing perception of building bulk.

It is also noted that an open space shortfall is proposed of 51 percent in lieu of 55 percent. This further exacerbates the significance of the rear setback reduction being sought particularly given the large lot size of 903sqm.
Overall in view of the above comments, it is considered that the proposed setback of the development from the rear/western boundary does not satisfy the relevant design principles for the following reasons:-

- the proposal does not reduce the impacts of building bulk on adjoining properties because of the significant building encroachment into the rear setback area, particularly compared to the existing site and surrounding development context.

**Open space**

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<tr>
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<th>Deemed-to-comply provision</th>
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<tbody>
<tr>
<td>Open space</td>
<td>Min 55 percent of site</td>
<td>Approximately 51 percent</td>
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**Design principles:**

*Development incorporates suitable open space for its context to:*
- reflect the existing and/or desired streetscape character or as outlined under the local planning framework;
- provide access to natural sunlight for the dwelling;
- reduce building bulk on the site, consistent with the expectations of the applicable density code and/or as outlined in the local planning framework;
- provide an attractive setting for the buildings, landscape, vegetation and streetscape;
- provide opportunities for residents to use space external to the dwelling for outdoor pursuits and access within/around the site; and
- provide space for external fixtures and essential facilities.

The proposal includes generous covered and uncovered outdoor living areas central to the site. Further, the orientation of the proposed dwelling ensures access to natural sunlight. Aside from the minor variation to the blade wall the design satisfies the Town's streetscape requirements.

Despite this, the rear setback and open space matters are interchangeable in this instance, given the significant building encroachment into the rear setback area. As discussed above, the rear setback of the proposal is not considered to reduce building bulk on the site. If additional setbacks were provided to the rear/western boundary, or a reduced building footprint proposed, this would be beneficial in improving open space provision commensurate to other surrounding properties.

The existing dwelling is set back at least 14.5 metres from the rear boundary, and taking into account the other points mentioned above, the proposal is not seen to reduce the impacts of building bulk on adjoining properties.

Overall in view of the above comments, it is considered that the proposed open space provision does not satisfy the relevant design principles for the following reasons:-

- site coverage is worsened due to the extent of building within the rear setback area, therefore it is not considered that adequate open space is provided on site.
Building height

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<tbody>
<tr>
<td>Roof height (Flat/Skillion)</td>
<td>Max 7.5 metres</td>
</tr>
</tbody>
</table>

Design principles:

Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:

- adequate access to direct sun into buildings and appurtenant open spaces;
- adequate daylight to major openings into habitable rooms; and
- access to views of significance.

The extent of this variation equates to 50 millimetres, which in itself is considered a minor variation that will have negligible impact upon access to views of significance. The over height sections occur at the front of the dwelling, particularly for the front vertical architectural features. It is noted that the upper floor roof form is split into two flat roof planes, ensuring that the majority of the proposal is well under the maximum height permitted. The applicant has provided amended plans reducing the overall height, originally assessed as 7.75 metres. It is noted that neighbouring dwellings contain pitched roofs and therefore as viewed from the street this dwelling, with a flat roof, would appear relatively sympathetic to the streetscape.

Overall in view of the above comments, it is considered that the proposed height of the development satisfies the relevant design principles for the following reason:-

- the extent of the height variation is minor, equating to 50 millimetres of additional height contained to a small portion of the roof form, resulting in no adverse impact upon the amenity of surrounding properties or the streetscape.

Notwithstanding the above, due to the rear setback matter previously discussed, this application is recommend for refusal.

POLICY/STATUTORY IMPLICATIONS:

There are no policy or statutory implications related to this report. The proposal was assessed against the provisions of the Residential Design Codes of Western Australia, Town Planning Scheme No.1, and the Town Planning Scheme Policy Manual.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

Consideration of this application is consistent with the Town's Strategic Community Plan 2013-2023 for the priority area 'Our Planned Neighbourhoods'.
COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the statutory provisions of the Town Planning Scheme.

ATTACHMENTS:

1. Summary neighbour comments.
2. Additional justification from planning consultant

ADMINISTRATION RECOMMENDATION:

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council REFUSES the application for a two storey dwelling submitted by Neil Salvia Building Designs at Lot 372 (No. 78) Branksome Gardens, City Beach, as shown on the plans dated 9 January 2017, for the following reasons:-

(i) the proposal does not satisfy the deemed-to-comply provisions and design principles of part 5.1.3 of the Residential Design Codes of Western Australia;

(ii) the proposal does not reduce the impacts of building bulk on adjoining properties because of the significant building encroachment into the rear setback area, particularly compared to the existing site and surrounding development context; and

(iii) site coverage is worsened due to the extent of building within the rear setback area, therefore it is not considered that adequate open space is provided on site.

Committee Meeting 21 February 2017

During discussion, Members noted that the applicant has requested that the item be deferred to enable amended plans to be submitted that address the rear setback non-compliance.

COUNCIL DECISION:

(COMMITTEE RECOMMENDATION)

That the item relating to Lot 372 (No. 78) Branksome Gardens, City Beach be deferred for further consideration.

FURTHER REPORT (Post Council Meeting)

Subsequent to the deferral of this item by the Council at its February 2017 meeting, the applicant has provided an amended set of plans in an attempt to address the issues noted by the Development Committee and in the original Administration report. Specifically, the following changes have been made to the plans:

- Deletion of the roofed porch area toward the southern boundary of the site, creating an additional building setback from the side and rear boundaries;
- Additional building setbacks to the rear/western boundary, resulting from numerous internal adjustments to the building design; and
- Inclusion of a planter to the rear/south-western corner of the property which will contain mature screen vegetation, in addition to the two existing areas of vegetation within the rear setback area.
The above changes have positively influenced the design by virtue of increasing the rear/western setback of the building. Specifically, where previously a 1.5 metre setback was proposed for the majority of the building, the setbacks now vary between 1.8 and 4.1 metres. These more varied boundary setbacks, being staggered across the width of the rear boundary, will assist with reducing the impact of building bulk on adjoining properties. Further, it is noted that the proposal now achieves a greater rear setback than the neighbouring dwelling to the north, ensuring consistency with the surrounding built context.

A further benefit of the additional setbacks, open space provision now satisfies the deemed-to-comply requirement of 55 percent of the site area. This change addresses the concerns outlined in the original report in respect to site coverage resulting from the rear setback encroachment. The inclusion of an additional planter will provide a more 'natural' screen between properties, further reducing the proximity of the building. A condition of approval is included with the recommendation which requires the establishment of the landscaping areas within the rear setback area with mature trees, to the satisfaction of the Town.

Taking into account the above, the amended plans are considered to adequately address the concerns outlined in the original report, and the proposal now satisfies the design principles for 'lot boundary setback' and 'open space'.

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council APPROVES the application for a two storey dwelling submitted by Neil Salvia Building Designs at Lot 372 (No. 78) Branksome Gardens, City Beach, as shown on the plans dated 3 March 2017, subject to the following conditions:-

(i) the roof material not to be zincalume, white or off-white Colorbond;

(ii) the 1.8 metre high screen wall to the swimming pool to be designed to restrict views to the neighbouring property to the north in accordance with the deemed-to-comply provisions of clause 5.4.1 ‘Visual Privacy’ of the Residential Design Codes of Western Australia and to be installed prior to the occupation of the dwelling;

(iii) the ground floor living room windows facing south to be obscure glazed and have a maximum opening of 300 millimetres;

(iv) mature screen planting with advanced growth vegetation, a minimum of 2.0 metres in height, being provided within the landscaping areas marked in red on the approved plans to the satisfaction of the Town. This landscaping is to be installed prior to the occupation of the dwelling;

(v) two (2) advanced growth trees, being a minimum 45 litre bag or a minimum of 2 metres in height and diameter, to be provided within the front setback area in accordance with the provisions of clause 3.1.9: Landscaping of the Town's Planning Policy 3.1: Streetscape;

(vi) the landscaping areas between the dwelling and the street boundary, as shown on the approved plan, to be installed and reticulated prior to the occupation of the building and thereafter maintained to the satisfaction of the Town; and

(vii) the crossover to be no wider than 6.0 metres (excluding splays).
Footnotes:

The applicant be advised that:-

1. The property is located within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and additional bushfire building construction requirements may apply at the Building Permit application stage. A Bushfire Attack Level (BAL) assessment may also be required at the Building Permit Stage.

2. In relation to the fencing proposed to be constructed along the side property boundaries, the applicant is advised to liaise with the owners of the adjoining properties in accordance with the Dividing Fences Act.

3. All works within the road reserve, such as vehicle crossovers, verge paving and landscaping require a separate application and approval by the Town’s Infrastructure Services. These works must conform to the Town’s specifications.

Carried  9/0
SUMMARY:

The Town has received an application for single storey additions and alterations at the above-mentioned property. The plans submitted show additions to an existing single storey dwelling on the subject site. The additions are split-level, to reflect the existing natural ground levels, and comprise of new bedrooms, bathrooms, as well as a scullery and laundry. A new carport is also shown on the plans.

The application requires a Council determination as an assessment is required against the lot boundary setback design principles of the Residential Design Codes of WA (R-Codes) and an objection has been received during the consultation period in relation to the rear setback of the proposed additions.

The proposal is not considered to satisfy the relevant design principles for the following reason:-

- the extent of the additions within the rear setback area, combined with reduced setbacks, has a negative impact upon the adjoining property to the rear/north in respect to building bulk.

Accordingly, the proposal is recommended for refusal.

BACKGROUND:

Application: 0441DA-2016
Owner: Mr PS Deleo and Mrs AJ Deleo
Applicant: Helen Marchesani Architect
Zoning: Residential R12.5
Use class: Dwelling (single) ‘P’ – permitted
Land area: 825sqm

DETAILS:

Development description

- The site is generally flat with a slope of just over 1 metre from front (south) to rear (north).
- A single storey brick and tile dwelling exists on the site at present, this dwelling currently has a setback of at least 9 metres from the front boundary and 15 metres from the rear boundary.
- The additions include low pitched Colorbond roofing and are single storey in nature, located toward the side/western boundary of the site. The additions are split-level to better reflect the natural ground levels on site. New rooms include four bedrooms, two bathrooms as well as a store, scullery and laundry. Areas of open space and outdoor living are shown central to the proposed additions.
A new flat roofed carport is also shown on the plans with the existing driveway and
crossover to be retained.

The dwelling additions satisfy all relevant deemed-to-comply provisions, aside from the
rear setback which is further discussed in the assessment section below.

**Applicant's justification**

The applicant has provided written justification for the variations to the deemed-to-comply
provisions relating to the rear setback of the proposal. The applicant has specifically designed
the additions to reflect the 'H shaped' form of the existing retained dwelling. It is stated that the
additions have been designed in such a way to allow for access to natural light and ventilation
into existing and proposed indoor and outdoor living areas. A rear setback encroachment is
necessary due to the desire of the client for a single storey addition to the existing dwelling. A
summary of the applicant's justification is attached to this agenda.

**Neighbour submission**

The Town notified the owners of three properties directly adjoining the boundaries of the
subject site, being No. 27 Cromarty Road, No. 28 Dumfries Road and No. 4 Creiff Street,
Floreat. One submission was received from the owner of the property to the rear of the site at
No. 27 Cromarty Road, Floreat. The neighbour has raised concerns regarding the proximity of
the proposed additions to their property boundary and how this reduced setback will have a
negative impact upon matters including, but not limited to, privacy and building bulk. A
summary of this submission is attached to the agenda.

**Assessment against the design principles**

<table>
<thead>
<tr>
<th>Lot boundary setback</th>
<th>Deemed-to-comply provision</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear setback</td>
<td>Min 6 metres</td>
<td>Min 1.5 metres</td>
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</tbody>
</table>

**Design principles:**

Buildings set back from lot boundaries so as to:
- reduce impacts of building bulk on adjoining properties;
- provide adequate direct sun and ventilation to the building and open spaces on the site and
  adjoining properties; and
- minimise the extent of overlooking and resultant loss of privacy on adjoining properties.

Buildings built up to boundaries (other than the street boundary) where this:
- makes more effective use of space for enhanced privacy for the occupant/s or outdoor living
  areas;
- does not compromise the design principle contained in 5.1.3 P3.1;
- does not have any adverse impact on the amenity of the adjoining property;
- ensures direct sun to major openings to habitable rooms and outdoor living areas for
  adjoining properties is not restricted; and
- positively contributes to the prevailing development context and streetscape.
It is noted that this proposal comprises of additions to an existing dwelling, meaning that it is more challenging to comply with all setback requirements, particularly given the single storey scale and existing 9 metre setback of the dwelling from the street. The proposal satisfies the deemed-to-comply requirement for open space (site coverage) and much of the existing outdoor living areas are to be retained. The existing streetscape presentation of the dwelling is to be retained and upgraded.

In spite of the above, the proposed rear setback variation of 1.5 metres is a significant deviation from the deemed-to-comply requirement of 6 metres. Regarding the setbacks specifically, minimal building variation within the rear setback area is proposed, meaning that there is very little relief from building bulk particularly as viewed from the rear/northern property.

There are a total of three rooms shown on the plans which are fully located within the rear setback area, comprising a significant proportion of this area, however, it is noted that lot boundary setbacks from the side boundaries are compliant. The neighbouring property to the north is also slightly lower than the subject site, meaning the proposed additions will appear more elevated as viewed from that side and will project well above the existing dividing fence line. Whilst there is no technical visual privacy variation proposed to the rear-facing bedrooms, the proximity of these rooms to the rear/northern boundary may have a detrimental impact in respect to perceived privacy.

Most dwellings within the vicinity of the subject site demonstrate compliance in respect to the rear setback, with the exception of the single storey dwelling on the neighbouring property to the west at No. 4 Creiff Street. That dwelling, however, comprises a smaller intrusion into the rear setback area than this proposal.

Overall in view of the above comments, it is considered that the proposed setback of the development from the rear/northern boundary does not satisfy the relevant design principles for the following reason:-

- the extent of the additions within the rear setback area, combined with reduced setbacks, has a negative impact upon the adjoining property to the rear/north in respect to building bulk.

POLICY/STATUTORY IMPLICATIONS:

There are no policy or statutory implications related to this report. The proposal was assessed against the provisions of the Residential Design Codes of Western Australia, Town Planning Scheme No.1, and the Town Planning Scheme Policy Manual.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

Consideration of this application is consistent with the Town's Strategic Community Plan 2013-2023 for the priority area 'Our Planned Neighbourhoods'.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the statutory provisions of the Town Planning Scheme.
ATTACHMENTS:

1. Summary of applicant's justification and neighbour comment.

ADMINISTRATION RECOMMENDATION:

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council REFUSES the application for additions and alterations submitted by Helen Marchesani Architect at Lot 1185 (No. 30) Dumfries Road, Floreat, as shown on the plans dated 7 November 2016, for the following reasons:-

(i) the proposal does not satisfy the deemed-to-comply provisions and design principles of part 5.1.3 of the Residential Design Codes of Western Australia; and

(ii) the extent of the additions within the rear setback area, combined with reduced setbacks, has a negative impact upon the adjoining property to the rear/north in respect to building bulk.

Committee Meeting 21 February 2017

During discussion, Members noted that the applicant has requested that the item be deferred to amended plans to be submitted which address the rear setback non-compliance.

COUNCIL DECISION:
(Committee Recommendation)

That the item relating to Lot 1185 (No.30) Dumfries Road, Floreat be deferred for further consideration.

FURTHER REPORT (Post Council Meeting)

Subsequent to the deferral of this item by Council at its February 2017 meeting, the applicant has submitted amended plans which aim to address concerns regarding the rear setback of the proposed development. The key amendments are as follows:

- The setback of the building to the rear/northern boundary has increased to achieve a setback range between 3 and 4.6 metres. Previously, the plans showed a flat 1.5 metre rear setback.
- Retention of existing mature trees along the rear/northern boundary, due to the above-mentioned increase in the rear setback of the building.
- Increase to the side/eastern setback to 1.5 metres, previously 1.1 metres.

The neighbour to the rear at No. 27 Cromarty Road, Floreat, has been informed in writing of the amended plans, however, as of writing has not viewed the plans or submitted any additional comments.

The increase to the rear setback of the dwelling is a significantly improved outcome that will reduce the impact of bulk and scale on adjoining properties, particularly to the northern side property given that existing mature trees along that boundary are now proposed to be retained. The removal of existing vegetation was cited by neighbours as a key concern in relation to a reduced rear setback. The additional setbacks also ensure that perceived privacy between properties will not be detrimentally impacted due to an improved separation between neighbouring dwellings, and retention of landscaping, which is more consistent with existing development in the vicinity of the site. Open space provision on site has also slightly improved
due to the amendments made, however, it is noted that this aspect was already compliant with the previous design.

It is also noted that the amended plans include a roofed service area along the western side boundary. This area comprises of a flat roof attached to an existing boundary parapet wall. The roof is positioned lower than this existing wall and therefore will not be visible from the adjoining property. Given the minor nature of this change, neighbour consultation for this aspect has not been undertaken.

The modifications made to the design, to increase the rear setback, ensure that the proposal now satisfies the design principles for 'lot boundary setback'. Subject to the conditions listed hereunder, including the retention of mature trees along the rear/northern boundary, the proposal is now recommended for approval.

ADMINISTRATION RECOMMENDATION:

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council APPROVES the application for additions and alterations submitted by Helen Marchesani Architect at Lot 1185 (No. 30) Dumfries Road, Floreat, as shown on the plans dated 9 November 2016, subject to the following conditions:-

(i) the existing mature trees located along the rear/northern boundary to be retained to the satisfaction of the Town, as indicated in red on the approved plans;

(ii) the roof material not to be zincalume, white or off-white Colorbond;

(iii) the carport to remain open on all sides. No solid door is to be installed;

(iv) a minimum of 60% of the front setback area to be landscaped to the satisfaction of the Town; and

(v) the crossover to be no wider than 6.0 metres (excluding splays).

Committee Meeting 21 March 2017

During discussion, Members noted that the applicant has increased the setback of the building to the rear/northern boundary to achieve a setback range between 3 and 4.6 metres, however, Members considered that the 6 metre rear setback requirement for Floreat should be adhered to.

The Administration recommendation was then voted upon and lost 1/4.

For: Cr O'Connor
Against: Mayor Shannon, Crs Bradley, King and MacRae
COUNCIL DECISION:
(COMMITTEE RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council REFUSES the application for additions and alterations submitted by Helen Marchesani Architect at Lot 1185 (No. 30) Dumfries Road, Floreat, as shown on the plans dated 9 November 2016, for the following reasons:-

(i) the proposal does not satisfy the deemed to comply provisions or the design principles of Clause 5.1.3 of the R Codes due to the reduced rear setback having an adverse impact on the amenity of the adjoining neighbours.

Carried 6/3

For: Crs Bradley, Carr, King and MacRae, Powell and Timmermanis
Against: Mayor Shannon, Crs Grinceri and O'Connor
**SUMMARY:**

The Town has received a retrospective application for a single carport, additional height on a dividing wall, additional hard surface in front of the dwelling and solid fencing along the front boundary.

The application requires a Council determination as an assessment is required against the street walls and fences and lot boundary setback design principles of the Residential Design Codes of WA (R-Codes) and the landscaping design principles of Policy 3.1 Streetscape.

The works are not considered to satisfy the relevant design principles for the following reasons:

- the landscaping does not enhance the presentation of the home and garden as viewed from the street;
- the landscaping is not predominantly garden, substantial plantings and/or the retention of existing vegetation;
- the landscaping does not minimise the amount of hard surfaces in the front setback area;
- the front fence is not low or restricted in height to permit surveillance or enhance the streetscape;
- the close proximity of the carport to the side boundary and its pitched roof has a bulk impact on the adjoining property to the south.

Accordingly, the application is recommended for refusal. The applicant should provide landscaping and front fencing that complies with the plan approved by Council, through a State Administrative Tribunal reconsideration, on 26 August 2014.

**BACKGROUND:**

<table>
<thead>
<tr>
<th>Application:</th>
<th>0008DA-2017</th>
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</thead>
<tbody>
<tr>
<td>Owner:</td>
<td>M and L Rammelt</td>
</tr>
<tr>
<td>Applicant:</td>
<td>M and L Rammelt</td>
</tr>
<tr>
<td>Zoning:</td>
<td>Residential R20</td>
</tr>
<tr>
<td>Use class:</td>
<td>Dwelling (single) ‘P’ – permitted</td>
</tr>
<tr>
<td>Land area:</td>
<td>653 m²</td>
</tr>
</tbody>
</table>

A development application for a double carport at the subject site, located parallel to the front boundary and within the front setback area was refused under delegated authority on 14 February 2014 on the grounds of non-compliance with the landscaping requirements and thereby not meeting the intent for development in the area, as well as non-compliance with lot boundary setback requirements.

An application for review of the Town’s refusal was submitted to the State Administrative Tribunal. Following mediation and the submission of amended plans, Council considered the amended plans at its meeting held on 24 June 2014 and was not prepared to approve the amended plans. Following further mediation and submission of amended plans, Council
Council minutes
Tuesday 28 March 2017

Decided to approve the application at its meeting held on 26 August 2014 subject to the following conditions:

(i) the landscaping areas, as shown on the approved plan, to be installed and reticulated prior to the occupation of the building and thereafter maintained to the satisfaction of the Town;

(ii) landscaping comprising of medium sized shrubs being provided to the satisfaction of the Town along the front boundary and adjacent to the front fence, to assist in screening the driveway and car bays;

(iii) the sizes of the two trees shown on the landscape plan shall be a minimum 45 litre bag or a minimum of 2 metres in height and diameter to comply with the provisions of clause 3.1.9: Landscaping of the Town of Cambridge Local Planning Policy 3.1: Streetscape;

(iv) the fencing in the front street setback area to be visually permeable and meet the deemed-to-comply provisions of clause 3.1.7 of the Town’s Planning Policy 3.1: Streetscape;

(v) two street trees being planted in the verge directly adjacent to the subject site.

A building permit for the carport was subsequently issued on 3 October 2014.

In February 2016, nearby residents requested the Town to assess whether the development was in accordance with the approval. After several months of site inspections, discussions, letters and a Direction under the Planning and Development Act 2005 to the owners, the Town received this retrospective application in January 2017.

Details:

Development description

- Single carport: constructed without planning approval or a building permit. This carport is located where a previous single flat roofed galvanised carport was constructed, behind the front setback and adjacent to the south side boundary.
- Additional height on a dividing wall: the brick dividing wall along the northern side boundary behind the front setback has been increased in height with 7c of additional brickwork. This does not require planning approval and is not further discussed.
- Front fence: the approved plan shows a low brick wall with open infill panels in accordance with the Town’s Streetscape Policy. The constructed wall is approximately 2.0 to 2.1 metres high and mostly solid, with two small open cut outs (approximately 0.44 metres high by 1.85 metres wide).
- Landscaping in front of the dwelling: the approved plan shows landscaping where possible in front of the dwelling, around the side loaded carport and between the porch and the southern side boundary. Instead, the area has been concreted, apart from some narrow cut outs adjacent to the southern side boundary and the front boundary.

Applicant’s justification

The applicant’s reasons why the fence and landscaping is not in accordance with the approved plans has been circulated with this agenda. The approved plans (26 August 2014) have also been circulated with this agenda.
Neighbour submission

The Town notified the owners of the two properties directly adjoining the side boundaries of the subject site, being No. 80 Reserve Street to the north and No. 76 Reserve Street to the south. No submissions were received during the consultation period, however, No. 80 Reserve Street has previously raised concerned about the stability of the masonry dividing wall which has the added brickwork. These matters can be dealt with through an application for a building approval certificate.

Assessment against the design principles

Front fence

The approved plans showed a new front fence in compliance with the Town’s Streetscape Policy, being a low solid wall with piers and open railings. This wall was to replace a solid wall approximately 2.0 to 2.1 metres high. A condition of approval was imposed by Council on 26 August 2014 requiring the fencing in the front setback area to be visually permeable and meet the provisions of the Town’s Streetscape Policy.

The front fence modification from a solid wall to visually permeable fence was one of the reasons why the carport application was re-considered and approved in August 2014, as it would enhance the streetscape, improve surveillance and allow views to the landscaping beyond.

The applicant has instead rendered and cut out two portions of the front wall, being approximately 1.85 metres wide and 0.44 metres high. Whilst this is an improvement on the previous solid wall, it is difficult to argue the fence as constructed satisfies the relevant R-Codes design principles, being:

Front fences are low or restricted in height to permit surveillance (as per Clause 5.2.3) and enhance streetscape (as per clause 5.1.2), with appropriate consideration to the need:

- for attenuation of traffic impacts where the street is designated as a primary or district distributor or integrator arterial; and
- for necessary privacy or noise screening for outdoor living areas where the street is designated as a primary or district distributor or integrator arterial.

The front wall is not low or restricted in height to permit surveillance. Whilst the wall is rendered, its solid component is not considered to enhance the streetscape. The wall is against the following objectives of the Town’s Streetscape Policy:

- maintain the openness of streetscapes to create a safe and attractive pedestrian environment through passive surveillance of the street and dwellings;
- reduce the dominance of garages, carports, driveways and hard surfacing, fences and other structures which detract from the street presentation of homes and gardens;
- ensure that dwellings are an integral part of the streetscape, connecting visually to the street as homes and are not isolated by fencing, retaining walls, garages or other features.
Landscaping

The approved plans show landscaping where possible around the carport in the front setback area and beyond the front setback area. This landscaping provision was an integral component of the approval of the carport which is reflected in the conditions imposed by Council on 26 August 2016.

The landscaping provided on site is minimal and is therefore not considered to satisfy the relevant design principles of the Town’s Streetscape Policy of:

- enhance the presentation of homes and gardens as viewed from the street; and
- be predominantly garden, substantial plantings and/or the retention of existing vegetation; and
- minimise the amount of hard surfaces in the front setback area.

Furthermore, the landscaping provided is against the following objectives of the Town’s Streetscape Policy:

- reduce the dominance of garages, carports, driveways and hard surfacing, fences and other structures which detract from the street presentation of homes and gardens;
- encourage the retention and improvement of plantings and landscaping in the front garden and on the verge, including the retention of healthy street trees;
- prohibit the excessive use of hard surfaces in the front setback, to retain the green character of our neighbourhoods.

In view of the above comments, it is recommended that the additional hard surface in front of the dwelling and the solid fencing along the front boundary be refused and the owner be required to comply with Council’s approval (plans and conditions) dated 26 August 2014.

Lot boundary setback - carport

<table>
<thead>
<tr>
<th>Deemed-to-comply provision</th>
<th>Proposed</th>
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</thead>
<tbody>
<tr>
<td>Side setback</td>
<td>Min 1.0 metre</td>
</tr>
</tbody>
</table>

Design principles:

Buildings set back from lot boundaries so as to:
- reduce impacts of building bulk on adjoining properties;
- provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and
- minimise the extent of overlooking and resultant loss of privacy on adjoining properties.

Buildings built up to boundaries (other than the street boundary) where this:
- makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas;
- does not compromise the design principle contained in 5.1.3 P3.1;
- does not have any adverse impact on the amenity of the adjoining property;
- ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and
- positively contributes to the prevailing development context and streetscape.
The constructed single carport has a setback from the southern side boundary ranging from 0.059 metres to 0.136 metres in lieu of the deemed-to-comply requirement of 1.0 metre. There was a previous flat roofed galvanised carport in the location of this carport. The carport is 3.2 metres wide, 6.7 metres long and with a post height of 2.6 to 2.8 metres and a roof height of 3.5 to 3.7 metres. The carport has been designed to match the dwelling with a feature gable facing the street and brick piers with rendered capping.

Assessing against the design principles, the main issue is whether the carport has any adverse impact on the amenity of the adjoining property to the south, in particular bulk, overshadowing and privacy.

The adjoining property to the south has a carport and driveway to a garage adjacent to the carport and a dwelling window facing north, towards the carport. The carport will cast a shadow onto the adjoining property's carport and driveway. Visual privacy is not a significant matter as a carport is not considered an active habitable space.

The proximity of the carport to the boundary and its pitched roof does, however, have a bulk impact on the adjoining property to the south. This could be addressed by replacing the fibre cement dividing fence, which extends from the low wall back to the neighbour's garage boundary wall, with a higher dividing wall to the height of the carport's gutter to assist in screening the structure from the adjoining property to the south. Modifications to the dividing fence would, however, require liaison with the owners of the adjoining property to the south.

Overall in view of the above comments, it is considered that the reduced setback of the carport from the southern side boundary does not satisfy the relevant design principles for the following reasons:-

- the close proximity of the carport to the side boundary and its pitched roof has a bulk impact on the adjoining property to the south.

POLICY/STATUTORY IMPLICATIONS:

There are no policy or statutory implications related to this report. The proposal was assessed against the provisions of the Residential Design Codes of Western Australia, Town Planning Scheme No.1, and the Town Planning Scheme Policy Manual.

FINANCIAL IMPLICATIONS:

If the owner does not comply with the Council’s decision, there will be costs associated with ensuring compliance with the Council’s decision.

STRATEGIC DIRECTION:

Consideration of this application is consistent with the Town's Strategic Community Plan 2013-2023 for the priority area 'Our Planned Neighbourhoods'.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the statutory provisions of the Town Planning Scheme.
ATTACHMENTS:

Nil

COUNCIL DECISION:
(CCOMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That:--

(i) in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council REFUSES the carport, additional hard surface in front of the dwelling and solid front fencing component of the retrospective application submitted by M and L Rammelt at Lot 668 (No. 78) Holland Street, Wembley as shown on the plans dated 13 January 2017, for the following reasons:-

(a) the landscaping does not enhance the presentation of the home and garden as viewed from the street;

(b) the landscaping is not predominantly garden, substantial plantings and/or the retention of existing vegetation;

(c) the landscaping does not minimise the amount of hard surfaces in the front setback area;

(d) the front fence is not low or restricted in height to permit surveillance or enhance the streetscape;

(e) the close proximity of the carport to the side boundary and its pitched roof has a bulk impact on the adjoining property to the south.

(ii) the Council direct the owner to comply with the following:-

(a) fencing in the front setback area and landscaping to be provided in accordance with the plans approved and conditions imposed by Council at its meeting held on 26 August 2016 within 90 days of Council’s decision; and

(b) carport to be removed within 60 days of the Council's decision.

Amendment

Moved by Cr Carr, seconded by Cr Bradley

That clause (ii)(b) be deleted.

Amendment lost 4/5

For: Mayor Shannon, Crs Bradley, Carr and Timmermanis
Against: Crs Grinceri, King, MacRae, O'Connor and Powell

The motion was then put and carried 6/3

For: Crs Carr, Grinceri, King, MacRae, O'Connor and Powell
Against: Mayor Shannon, Crs Bradley and Timmermanis
DV17.34 LOT 9, STRATA LOT 2 (NO. 18A) ALDERBURY STREET, FLOREAT - CONVERSION OF PERGOLA TO PATIO - RETROSPECTIVE

SUMMARY:

The Town has received an application for the conversion of the existing pergola to a patio at No. 18A Alderbury Street, Floreat. The plans show a 3.5 metre wide patio located with the posts on the rear boundary and the roof setback 0.5 metres from the rear boundary.

The application requires a Council determination as an assessment is required against the rear setback design principles of the Residential Design Codes of WA (R-Codes) and an objection has been received during the consultation period.

The proposal is considered to satisfy the relevant design principles for the following reasons:-

- little impact on the adjoining property's access to winter sunlight; and
- the proposed building height and open nature of the structure reduce the overall impact of building bulk as seen from the adjoining dwelling.

Accordingly, the proposal is recommended for approval.

BACKGROUND:

Application: 0204DA-2016
Owner: Mrs JM Mogyorosy
Applicant: Mrs JM Mogyorosy
Zoning: Residential R15
Use class: Dwelling (single) ‘P’ – permitted
Land area: 477m²

DETAILS:

Development description

- The subject site is a rear battle-axe unit with all outdoor living area located to the north of the dwelling.
- A flat roofed pergola has been evident on the site for some time (prior to 2007) with posts and roof to the boundary. A water-impermeable roof has been added to the existing pergola structure therefore changing the structure from a pergola to a patio.
- The pergola has also been modified from a flat roof to a 25 degree pitch.
- The patio is 4.04 metres by 6.5 metres (14.14m²) with a wall height of 2.28 metres, and overall height of 3.347 metres.
- Amended plans have been submitted amending the setback of the roof to 0.5 metres from the boundary.
- The application complies with the uncovered outdoor living area requirements of the R-Codes.
**Applicant's justification**

The applicant has provided written justification for the variations to the deemed-to-comply provisions relating to the rear setback variation. A summary of the applicant’s justification is attached to this agenda.

**Neighbour submission**

The Town notified the owner of the property directly adjoining the northern boundary of the subject site, being No. 17A Evandale Street, Floreat. A submission was received objecting on the grounds of water runoff, fire risk and loss of privacy and amenity. A summary of the submission is attached to this agenda.

**Assessment against the design principles**

**Lot boundary setback**

<table>
<thead>
<tr>
<th>Deemed-to-comply provision</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rear setback</td>
<td>Min 6.0 metres</td>
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</tbody>
</table>

**Design principles:**

Buildings set back from lot boundaries so as to:

- reduce impacts of building bulk on adjoining properties;
- provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and
- minimise the extent of overlooking and resultant loss of privacy on adjoining properties.

Buildings built up to boundaries (other than the street boundary) where this:

- makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas;
- does not compromise the design principle contained in 5.1.3 P3.1;
- does not have any adverse impact on the amenity of the adjoining property;
- ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and
- positively contributes to the prevailing development context and streetscape.

The patio currently has a nil setback to the northern boundary, consistent with the original pergola, however as the structure is now covered with a water impermeable roof and is attached to the roof of the dwelling, a minimum 0.5 metre setback is required from the boundary to the roof under the Building Codes of Australia. Amended plans have been submitted showing the roof setback 0.5 metres from the adjoining property boundary.

Due to the open nature of the structure, and height of 2.28 metres, it is considered that the patio will have little impact on sunlight or ventilation to the subject site or the adjoining property. As the patio is located to the south of the adjoining dwelling, there will be minimal overshadowing from the winter sun. The patio provides a useable outdoor living area on a site which was originally zoned Residential R20, requiring a minimum 1.0 metre rear setback. Whilst the structure does not meet the deemed-to-comply setback requirements for the current coding, it is consistent with other structures and developments located within this small 'pocket' of Residential R15 dwellings.
The patio spans 26% of the rear boundary, minimising the overall impact of the structure with regards to building bulk. The patio is offset from the adjoining property's outdoor living area, and with the addition of a screen, there is minimal increased impact on privacy between the adjoining properties.

Overall in view of the above comments, it is considered that the proposed amended setback of 0.5 metres from the roof to the northern (rear) boundary satisfies the relevant design principles for the following reasons:-

- little impact on the adjoining property's access to winter sunlight; and
- the proposed building height and open nature of the structure reduce the overall impact of building bulk as seen from the adjoining dwelling.

**POLICY/STATUTORY IMPLICATIONS:**

There are no policy or statutory implications related to this report. The proposal was assessed against the provisions of the Residential Design Codes of Western Australia, Town Planning Scheme No.1, and the Town Planning Scheme Policy Manual.

**FINANCIAL IMPLICATIONS:**

There are no financial implications related to this report.

**STRATEGIC DIRECTION:**

Consideration of this application is consistent with the Town's Strategic Community Plan 2013-2023 for the priority area 'Our Planned Neighbourhoods'.

**COMMUNITY ENGAGEMENT:**

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the statutory provisions of the Town Planning Scheme.

**ATTACHMENTS:**

1. Summary of applicant's justification and neighbour comment

**COUNCIL DECISION:**

( COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council APPROVES the retrospective application for a Patio submitted by Mrs J M Mogyorosy at 9, Strata Lot 2 (No. 18A) Alderbury Street, Floreat as shown on the plans dated 7 March 2017, subject to the following conditions:-

(i) the patio to remain unenclosed on all sides except where it abuts the dwelling;

(ii) all works are to be carried out within 60 days of the Council's decision;
(iii) the applicant is to submit an application for a Building Approval Certificate for the patio within 30 days of the date of this approval; and

(iv) water draining from roofs, driveways, paths and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the site for the effective retention of stormwater on site.

Carried 9/0
DV17.35 LOT 135 (NO. 54) MEAGHER DRIVE, CORNER TOMLINSON BOULEVARD, FLOREAT - EIGHT MULTIPLE DWELLINGS

SUMMARY:

The Town has received an application for eight multiple dwellings on a small apartment site in the Perry Lakes Estate, being No. 54 Meagher Drive, corner Tomlinson Boulevard, Floreat. The plans show a semi basement car park and three levels of dwellings above. Vehicular access is from Bronze Lane.

The application requires a Council determination as variations to the Perry Lakes Design Guidelines and Detailed Area Plans are proposed and an assessment is required against the visual privacy design principles of the Residential Design Codes of WA (R-Codes). It is noted that the plans have been endorsed by the Estate Architect CODA.

The proposal is supported for the following reasons:-

- the proposed height is consistent with the intent of the guidelines and unlikely to result in a significant detrimental impact on the streetscape or amenity of adjoining properties;
- the balconies, sun shades and stepped building form add interest to the Meagher Drive façade and overcome the minor setback variations from Meagher Drive; and
- the development provides a range of apartment sizes and therefore diversity in housing choice.

Accordingly, the proposal is recommended for approval subject to conditions.

BACKGROUND:

Application: 0024DA-2017
Owner: Famel Pty Ltd, Capital IV Pty Ltd, T Chung, N Au, C Lam
Applicant: Desique Homes
Zoning: Residential - Special Control Area No. 4
Use class: Dwelling (multiple) "AA": discretionary (as per the Perry Lakes Redevelopment Plan)
Land area: 846 m²

In September 2015, the Estate Architect forwarded to the Town a copy of plans for eight multiple dwellings on the subject site for comment. The Town provided comments relating to sightlines, car parking spaces, manoeuvring areas and waste management, and noted that the roof terrace (although not part of the Town’s assessment) appeared to be over height.

The applicant subsequently submitted to CODA a Design Endorsement application on 19 December 2016 and revised drawings on 20 January 2017. CODA provided design endorsement approval on 20 January 2017. The main differences between the 2015 and 2017 plans were an increase in the basement car park level by 1.2 metres, the removal of the roof terrace and an increase in dwelling floor area. The applicant advised that due to water table issues experienced on the adjoining site (No. 2 Champion Crescent), the basement had to be raised. To compensate for the additional height, the roof terrace has been removed. In addition, the ground and Level 1 floor areas (and therefore dwelling sizes) have increased to cover the exposed basement.
25 November 2016 was “Completion Day”, meaning the Town had resumed responsibility of the Perry Lakes Estate, including the assessment and approval of development applications. This was established by Amendment 32 to Town Planning Scheme No. 1, gazetted on 2 August 2016. On 30 January 2017, the applicant submitted an Application for Development Approval to the Town which is the subject of the following report.

DETAILS:

Development description

- A semi basement car park and eight multiple dwellings spread over three levels above:
  - Semi basement car park:
    - Accessed from Bronze Lane
    - 21 car bays, including 5 visitor bays and 8 tandem bays
    - Storage areas for each dwelling
    - Bin store area
  - Ground:
    - Apartment 1: 190m² (4 bed x 3 bath)
    - Apartment 2: 117m² (3 bed x 2 bath)
    - Apartment 3: 112m² (3 bed x 2 bath)
  - Level 1:
    - Apartment 4: 198m² (4 bed x 3 bath)
    - Apartment 5: 121m² (3 bed x 2 bath)
    - Apartment 6: 88m² (designated over 55s accommodation) (2 bed x 2 bath)
  - Level 2:
    - Apartment 7: 198m² (4 bed x 3 bath)
    - Apartment 8: 187m² (4 bed x 3 bath)

- The ground floor street setback areas comprise landscaped courtyards and raised terraces of the ground floor apartments. Hedging rather than fencing is proposed adjacent to the Meagher Drive and Tomlinson Boulevard boundaries. A communal drying court is proposed between the basement ramp and the north side boundary.

- The main entrance to the building and the letterboxes face Bronze Lane.

- The number of car parking bays (resident and visitor), open space, outdoor living areas, location of vehicular access and dwelling yield are in compliance with the Perry Lakes Design Guidelines and Detailed Area Plans.

Applicant’s justification

With regard to the dwelling size, the applicant has advised:

We understand that 3 of these units exceed the maximum 70m² and 100m² allowed but lessons learnt from Lot 136 due to water table issues (Perry Lakes) in excavating the basement required us to lift the basement up on Lot 135.

As a result the ground floor and upper floor design was required to follow the basement floor while also being constrained by the larger 6m truncation to the front and corner setback. These constraints resulted in unfavourable layouts without slight dispensation to the area size.
Prior to finalising the DA plans, we did meet with Council to discuss the design and the gazettal of Perry Lakes Estate to the Town of Cambridge and since then the plans have been endorsed by CODA. We would hope that you could consider these factors in your review of the design.

Neighbour submission

The Town is not required to formally notify neighbours in relation to this development. The subject site has one neighbouring property, being Lot 136 (No. 2) Champion Crescent, Floreat where a three level, eight multiple dwelling development is currently under construction.

Planning assessment

An application for development approval within the Perry Lakes Estate is assessed against the Perry Lakes Design Guidelines and Detailed Area Plans as well as the R-Codes.

Clause 60 of TPS 1 details the relevant provisions for Special Control Areas (SCAs) such as the Perry Lakes Redevelopment Area (SCA 4).

Sub Clause 4 Additional provisions of Clause 60 states:

(a) For the purpose of this clause 60:

(i) "Detailed Area Plans" means the detailed area plans prepared in accordance with the Redevelopment Plan and approved by the Western Australian Planning Commission on 17 September 2009;

(ii) "Design Guidelines" means design guidelines prepared in accordance with the Redevelopment Plan and approved by the Western Australian Planning Commission on 17 September 2009, as amended;

(iii) "Redevelopment Plan" means the redevelopment plan approved by the Minister for Planning under section 27 of the Perry Lakes Redevelopment Act 2005 on 10 July 2008 and gazetted on 18 July 2008; and

(b) When determining an application for development approval or making a recommendation on an application for subdivision approval, on or in relation to land within SCA No.4, the Council shall, in addition to the matters referred to in clause 67 of the deemed provisions, have due regard to:

(i) the objectives set out in the preceding subclause (3);

(ii) the Redevelopment Plan;

(iii) any applicable Detailed Area Plan; and

(iv) the Design Guidelines.

(c) Where a provision of this clause 60 is inconsistent with any other provision of the Scheme (excluding the deemed provisions), the provisions of this clause shall prevail to the extent of the inconsistency.

(d) For the purposes of the Planning and Development (Local Planning Schemes) Regulations 2015 a planning instrument referred to in column 1 of the following table is to be taken to be a planning instrument of the type referred to in column 2 of the table.
<table>
<thead>
<tr>
<th>Planning Instrument</th>
<th>Type of Planning Instrument</th>
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<tbody>
<tr>
<td>Redevelopment Plan</td>
<td>Structure Plan</td>
</tr>
<tr>
<td>Detailed Area Plan</td>
<td>Local Development Plan</td>
</tr>
<tr>
<td>Design Guidelines</td>
<td>Local Development Plan</td>
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</tbody>
</table>

(e) Residential density within Special Control Area No. 4 shall be as set out in the Detailed Area Plans;

(f) Not applicable;

(g) Not applicable.

Clause 27 of Schedule 2 (Deemed Provisions) states that a decision maker is to have due regard, but is not bound by, the structure plan (in this case, the Redevelopment Plan) when deciding a planning application. In addition, Clause 56 of Schedule 2 (Deemed Provisions) states that a decision maker is to have due regard to, but is not bound by, the local development plan (in this case the Detailed Area Plans and Design Guidelines) when deciding a planning application.

The Perry Lakes Design Guidelines and Detailed Area Plans state that in determining any application for planning approval, the WAPC will utilise the Detailed Area Plans as the primary assessment criteria. The document also states that it is to be read in conjunction with the current R-Codes and the Detailed Area Plans and Design Guidelines replace the requirements of the R-Codes unless where silent.

The following assessment identifies and discusses the variations to the relevant requirements. As the Design Guidelines and Detailed Area Plans do not contain design principles to assess variations, the relevant design principles of the R-Codes have been used.

**Perry Lakes Design Guidelines and Detailed Area Plans**

**Height**

The Detailed Area Plan for the site shows the majority being a three level site, but a portion parallel to Bronze Lane being restricted to two levels. There is no dimensioned setback from Bronze Lane where the height increases from two (max 10 metres) to three levels (max 14 metres). Advice from CODA is that this is an indicative line to assist in reducing bulk and overshadowing impacts on adjoining properties. It may therefore be the case that portions of the stairwell and building facing Bronze Lane are within the two level area even though the proposed height is over 10 metres.

In addition, the ground floor level should be within 0.3 metres of the existing lot level. The plans show a semi basement approximately 1.3 metres above the natural ground level.

Height variations can be assessed against the relevant design principles of the R-Codes, being:

- Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:
  - adequate access to direct sun into buildings and appurtenant open spaces;
  - adequate daylight to major openings into habitable rooms;
  - access to views of significance;
  - buildings present a human scale for pedestrians;
  - building façades designed to reduce the perception of height through design measures; and
  - podium style development is provided where appropriate.
The possible additional height facing Bronze Lane will have no adverse impact on the streetscape and will maintain access to direct sun for the subject site and adjoining properties. Almost half of Level 1’s eastern facade and all of Level 2’s eastern facade is set back further from the Bronze Lane boundary than the ground floor (between 3.7 and 4.3 metres), reducing bulk impact and presenting a human scale for pedestrians.

With regard to the ground finished floor level, the variation cannot be considered minor but is requested due to water table issues. The elevations show this basement level with vents facing the street rather than a bulky blank wall and compliance with the overall height requirement for the 3 level portion. Furthermore, a condition is imposed requiring advanced growth trees and medium sized plants to assist in screening the semi basement wall.

**Dwelling size**

A lot specific requirement for the subject site requires a minimum of 20% of the total number of dwellings development to be a maximum size of 70m² (plot ratio area) and a further 20% of the total number of dwellings to be a maximum of 100m² (plot ratio area).

20% of 8 dwellings is 1.6, or 2 dwellings. Therefore 2 dwellings should be 70m² or less and a further 2 dwellings should be 100m² or less. As listed above, there is only one dwelling less than 100m² in area, being Apartment 6 which is designated as over 55s accommodation.

Dwelling size variations can be assessed against the relevant design principle of the R-Codes:

*Each dwelling within the development is of a sufficient size to cater for the needs of the residents. The development must provide diversity in dwellings to ensure that a range of types and sizes is provided.*

The original plan submitted to CODA for assessment in 2015 showed two 67m² and two 98m² dwellings on the ground floor in accordance with the dwelling size requirements. This plan also had the finished ground floor level just slightly above natural ground level and the basement underground. Due to water table issues with the development to the north, the plans were amended to lift the basement approximately 1.3 metres above ground level. As the basement was now exposed, the ground floor plan was increased to cover the top of the basement, hence the larger dwellings.

The development is relatively small, with a total of 8 apartments. Within the development there is a mix of 4, 3 and 2 bedroom apartments which provides diversity in dwellings.

Should the Council be of a mind that the variation is not supportable, options to amend the drawings to comply with the dwelling size requirements could be to reduce the floor area of the dwellings and increase the size of the terraces to cover the exposed basement or to increase the dwelling yield by reconfiguring the floor space of the larger dwellings to create the two required 70m² or less dwelling and one additional 100m² or less dwelling.

The basement could also be reduced (which in turn reduces the area exposed) as an excess of parking is proposed, however, the guidelines recommend dwellings with a plot ratio area greater than 100m² in size in small apartment developments to be provided with two allocated car bays due to the parking issues experienced in the Perry Lakes Estate. The current parking provision accords with this recommendation.

The option to split the larger dwellings and increase dwelling yield would require a variation to the dwelling yield requirement of the Detailed Area Plan. The Detailed Area Plan identifies the site to have a dwelling yield between three and eight dwellings. The Perry Lakes Residential Estate is almost completed and CODA has advised that the total dwelling yield for the Estate has not been maximised as the allowance for ancillary accommodation has not been taken up.
as anticipated. Therefore, there is scope for allowing an increase in yield of one dwelling for this particular site. The three ground floor dwellings have a total floor area of 419m², which could be modified to two 70m² dwellings, one 100m² and another at 179m², and therefore complying with the dwelling size requirements without modifying the building envelope. Car parking provision is also sufficient to accommodate an additional dwelling.

Setbacks

The setback of the development from the northern side, eastern (Bronze Lane) and southern (Tomlinson Boulevard) boundaries complies with the lot specific requirements. The majority of the development is set back the required distance from the western (Meagher Drive) boundary, apart from portions of Apartments 1 and 2 on the ground floor, Apartment 4 on Level 1 and Apartment 7 on Level 2.

Street setback variations can be assessed against the relevant design principles of the R-Codes:

- Buildings are set back from street boundaries (primary and secondary) an appropriate distance to ensure they:
  - contribute to the desired streetscape;
  - provide articulation of the building on the primary and secondary streets;
  - allow for minor projections that add interest and reflect the character of the street without impacting on the appearance of bulk over the site;
  - are appropriate to its location, respecting the adjoining development and existing streetscape; and
  - facilitate the provision of weather protection where appropriate.

The street setback variations are considered minor and unlikely to have a detrimental impact on the Meagher Drive streetscape. Due to the irregular front boundary, the building has a variety of setbacks from Meagher Drive which serve to reduce bulk impact. In addition, sun shades are proposed above the windows and across the balconies, further adding interest to the building. No fencing along Meagher Drive is proposed (or permitted), which increases the perception of distance from the street to the development.

It is noted that the guidelines allow minor horizontal incursions into the front setback of projections such as balconies (roofed or unroofed) provided the maximum depth of intrusion is 1.0 metre and a maximum of 30% of the elevation. The floor plans show the balconies of Apartments 4 and 7 extending forward to a minimum setback of 5.0 metres and comprising less than 30% of the elevation.

Visual privacy

The plans show unscreened balconies and clear glazed windows for bedrooms closer than the R-Codes minimum requirements of 6.0 metres and 3.0 metres respectively from the northern boundary on all three levels.

Visual privacy variations can be assessed against the relevant design principles of the R-Codes:

- Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:
  - building layout, location;
  - design of major openings;
  - landscape screening of outdoor active habitable spaces; and/or
  - location of screening devices.
Maximum visual privacy to side and rear boundaries through measures such as:

- offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;
- building to the boundary where appropriate;
- setting back the first floor from the side boundary;
- providing higher or opaque and fixed windows; and/or
- screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).

It is noted that the southern elevation of the development on the adjoining property to the north has privacy screening and obscure glazed windows facing the subject site, so direct overlooking from the subject site into active habitable spaces and outdoor living areas is likely to be minimal. However, given the proximity of the development to the neighbouring development to the north, conditions are imposed requiring screening for balconies and bedroom windows on the northern elevation. It may be the case that during construction, an amended plans application could be submitted requesting reconsideration of the condition if a site inspection can show no overlooking issues and compliance with the design principles above.

Apartment 4 on Level 1 and Apartment 7 on Level 2 both have a bedroom 4/theatre room corner window facing north-west and set back only 2.4 metres from the northern boundary. The Detailed Area Plan requires surveillance to be provided to Bronze Lane via major openings to living spaces or active areas. These corner windows are required to be clear glazed and therefore the privacy screening condition does not apply to these windows.

Vehicular access

The Town’s Infrastructure Services has assessed the plan and provided the following comments:

- as with Lot 136 to the north, the site will not have a crossover as the lot boundary directly adjoins the pavement of Bronze Lane;
- the only issue with access from Bronze Lane is possible stormwater inundation of the basement car park due to Bronze Lane being at a low point and therefore the apron of the driveway/ramp should rise a minimum of 125mm above the lane. The more height above the lane the better;
- access ramp of 3.6 metres is acceptable according to AS2890, given less than 25 car bays and therefore assuming less than 30 car movements per hour;
- the Town could recommend installation of indicator lights in the basement car park and at the entrance to the access ramp that light up when the gate is activated (if no gate some type of motion sensor) to warn of approaching vehicle. Also the basement wall north of access ramp could be aligned with the reversing area wall which would increase the width of the access ramp to 5.47 metres.

Conditions and advice notes are included addressing the above comments. The applicant is aware of some issues with the basement car park, particularly the width of the access ramp and manoeuvring into the car bays adjacent to the ramp, and will consider some design amendments prior to the submission of a building permit. It is noted that the car parking provided is currently in excess of minimum requirements by 11 bays (21 bays provided, 10 required [8 resident and 2 visitor]). Therefore if a car bay had to be modified to a turning bay or a small bay identified, the car parking would still comply with the minimum requirements of the Detailed Area Plan.
POLICY/STATUTORY IMPLICATIONS:

There are no policy or statutory implications related to this report. The proposal was assessed against the provisions of the Residential Design Codes of Western Australia, Town Planning Scheme No.1, and the Town Planning Scheme Policy Manual.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

Consideration of this application is consistent with the Town's Strategic Community Plan 2013-2023 for the priority area 'Our Planned Neighbourhoods'.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the statutory provisions of the Town Planning Scheme.

ATTACHMENTS:

Nil

Committee Meeting 21 March 2017

Prior to consideration of the item, Cr MacRae disclosed an interest affecting impartiality and declared as follows: "with regard to Lot 135 (No.54) Meagher Drive, Floreat, I declare that my daughter, who does not live with me, works for CODA, the Estate Architect for Perry Lakes and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

ADMINISTRATION RECOMMENDATION:

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council APPROVES the application for eight multiple dwellings submitted by Desique Homes at Lot 135 (No. 53) Meagher Drive, Floreat as shown on the plans dated 30 January 2017, subject to the following conditions:

Accommodation for over 55s

(i) Apartment 6 to be designated for over 55s accommodation, and to be designed respecting the intent of AS 1428 to the satisfaction of the Town;

(ii) prior to the issue of an Occupancy Permit, a notification, pursuant to section 70A of the Transfer of Land Act 1893 is to be placed on the certificate of title of Apartment 6 at the expense of the applicant. The notification is to state as follows: ‘The dwelling is to be occupied by at least one person over the age of 55 years’;
Landscaping

(iii) hard surface areas in the Meagher Drive and Tomlinson Boulevard setback areas to be restricted to terraces and entry paths and steps to the terraces;

(iv) landscaping comprising advanced growth trees and medium sized shrubs being provided in the Meagher Drive and Tomlinson Boulevard setback areas to assist in reducing the bulk impact of the basement walls on the streetscape to the satisfaction of the Town;

(v) a detailed landscaping and reticulation plan showing the location and type of proposed vegetation to be submitted and approved by the Town prior to the issue of a Building Permit;

(vi) the landscaping areas as shown on the approved plan are to be installed prior to the issue of an Occupancy Permit and thereafter maintained to the satisfaction of the Town;

Retention of street trees

(vii) the trees located on the verge directly adjacent to the subject site to be retained;

Visual privacy screening

(viii) permanent privacy screening to be provided on the:
   a. Apartment 1 terraces,
   b. Apartment 4 balcony, bedroom 2 and bedroom 4 windows (excluding corner window), and
   c. Apartment 7 balcony, bedroom 2 and bedroom 4 windows (excluding corner window)

   to restrict views into the adjoining property to the north in accordance with the deemed-to-comply provisions of clause 6.4.1 ‘Visual Privacy’ of the Residential Design Codes of Western Australia and to be installed prior to the issue of an Occupancy Permit;

Clear glass facing the public realm

(ix) clear glass only is permitted to openings facing the public realm. Tinted and reflective glass should not be visible from the streets or public realm;

Balustrading

(x) balustrading for the ground floor terraces and upper floor balconies to be in accordance with the Perry Lakes Design Guidelines and Detailed Areas Plans;

Environmental checklist

(xi) the Environmental Checklist of the Perry Lakes Design Guidelines and Detailed Area Plans to be adhered to, to the specification of the Estate Architect and the satisfaction of the Town. The Environmental Checklist is to be included with the Detail Design Endorsement application lodged with the Estate Architect;

Colour palette

(xii) external colours and finishes to comply with the Perry Lakes Design Guidelines and Detailed Area Plans to the satisfaction of the Town;
Lighting

(xiii) the installation of lighting to be integrated with the development to provide illumination of Bronze Lane at all times to the Town's satisfaction. The lighting is to be maintained on an ongoing basis by the property owners. The lighting design is to minimise light spillage and be in accordance with the requirements of Australian Standard AS1158. The lighting is to be activated on dusk and deactivated at dawn. The details of the design, placement, maintenance and operation of the lighting to be submitted and approved by the Town prior to the submission of a Building Permit application;

(xiv) adequate lighting to be provided to the parking and communal areas to the satisfaction of the Town. Details to be provided at the Building Permit stage;

External fixtures

(xv) media related services, are not to be visible from any public street to the satisfaction of the Town;

(xvi) all roof and wall mounted air conditioning units, pipes, hot water storage tanks and clothes drying areas to be concealed from the public realm to the satisfaction of the Town;

Stores

(xvii) each dwelling to have a storeroom and all storerooms to have a minimum dimension of 1.5 metres with a minimum internal area of 4.0 square metres;

Vehicle access point

(xviii) walls, fences and other structures truncated or reduced to no higher than 0.75 metres within 1.5 metres of where walls, fences, other structures adjoin vehicle access points, where the driveway meets Bronze Lane;

(xix) the apron of the driveway/ramp to rise a minimum of 125mm above Bronze Lane;

Parking

(xx) the car parking areas to be sealed, drained and line marked, and thereafter maintained in good repair, to the specifications and satisfaction of the Town. All car parking bays and manoeuvring areas are to be designed and provided in accordance with AS2890.1 (as amended), and shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development prior to the issue of an Occupancy Permit;

(xxii) a minimum of two (2) visitor car parking bays to be clearly delineated (marked/signed), available for use for the life of the development and indicated on the strata plan as common property prior to the issue of an Occupancy Permit;

(xxii) a minimum of three (3) resident bicycle spaces and (1) visitor bicycle spaces to be provided in accordance with clause 6.3.3 C3.1 of the Residential Design Codes of WA. The visitor bicycle space to be in a location indicated on the strata plan as common property prior to the issue of an Occupancy Permit;
Waste Management Plan

(xxiii) a Waste Management Plan that satisfies the requirements of the Town's Infrastructure Services to be submitted and approved by the Town prior to the submission of a Building Permit application;

(xxiv) the implementation of, and adherence to, the approved Waste Management Plan;

Construction Management Plan

(xxv) prior to the submission of an application for a Building Permit or the commencement of development, whichever is earlier, a Construction Management Plan must be submitted to, and approved by, the Town. The Construction Management Plan must address the following issues, where applicable:

a. public safety and amenity;
b. site plan and security;
c. contact details of essential site personnel, construction period and operating hours;
d. community information, consultation and complaints management Plan;
e. noise, vibration, air and dust management;
f. dilapidation reports of nearby properties;
g. traffic, access and parking management;
h. waste management and materials re-use;
i. earthworks, excavation, land retention/piling methods and associated matters;
j. stormwater and sediment control;
k. street tree management and protection; and/or
l. any other matter deemed relevant by the Town;

(xxvi) the Construction Management Plan as approved by the Town must be complied with at all times during development;

Earthworks contained on site

(xxvii) earthworks to be contained on-site and are not to extend over any lot boundaries to the satisfaction of the Town;

Stormwater

(xxviii) stormwater to be retained on-site and/or connected to the local drainage system to the specifications and satisfaction of the Town;

Footnotes:

The applicant be advised that:-

1. With regard to the narrow driveway width, the Town recommends the installation of indicator lights in the basement car park and at the entrance to the access ramp that light up when the gate is activated (if no gate some type of motion sensor) to warn of the approaching vehicle.

2. To encourage ageing in place, consideration should be given to a ramp rather than steps to the entry from Bronze Lane.

3. The property is located within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and additional bushfire building construction requirements may apply at the building permit application stage.
4. A percentage of all cement used within the building is to be substituted with fly ash or blast furnace slag to comply with the Perry Lakes Design Guidelines.

5. Detailed Design Endorsement is to be obtained from the Perry Lakes Architect (CODA) prior to the submission of a Building Permit application with the Town.

6. With regard to the street tree protection, this is to be documented in the Construction Management Plan. Protective fencing is to be installed around all street trees within the affected building development area. This protective fencing is to be maintained in good order at all times. The fence around the trees to be 2m high x 2m x 2m, with installation prior to commencement of any demolition or site works.

7. With regard to landscaping, all landscaping shall respond to the relevant character setting objectives contained within the Perry Lakes Design Guidelines and Detailed Area Plans.

8. With regard to the colour palette, a comprehensive external finishes and colours schedule is to be submitted at Detail Design Endorsement to accompany all coloured elevations.

9. With regard to the Waste Management Plan the bin storage area needs to accommodate four 240L waste bins and six 360L recycle bins. In addition, the plan needs to address how construction waste will be recycled.

10. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

During discussion, Members expressed concern with regard to the width of the access ramp to the basement car park and manoeuvring into the car bays adjacent to the ramp. The Mayor suggested that there should be condition added to the motion relating to the installation of indicator lights in the basement car park and at the entrance to the access ramp that light up when the gate is activated to warn of an approaching vehicle. In addition, the width of the access ramp could also be increased as suggested in the report.

Amendment

Moved by Cr MacRae, seconded by Cr O'Connor

That a further clause be added to the motion as follows:-

(xx) indicator lights be installed in the basement car park and at the entrance to the access ramp that light up when the gate is activated (if no gate, some type of sensor) to warn of approaching vehicle, and the basement wall north of access ramp be aligned with the reversing area wall to increase the width of the access ramp to 5.47 metres.

Amendment carried 5/0

Discussion ensued. The Administration was requested to confirm the number of visitor car parking bays provided prior to the next meeting of the Council.
FURTHER REPORT (Post Committee meeting 21 March 2017)

At the Development Committee meeting held on 21 March 2017, the following condition was added to the recommendation:

(xx) indicator lights be installed in the basement car park and at the entrance to the access ramp that light up when the gate is activated (if no gate, some type of sensor) to warn of approaching vehicle, and the basement wall north of access ramp be aligned with the reversing area wall to increase the width of the access ramp to 5.47 metres.

The applicant has since raised concerns with increasing the access ramp width, providing the following justification as to why this condition cannot be achieved without significant redesign and variations to the design guidelines:

(i) Prior to the revised design resubmission, we have considered increasing the driveway width but because of the additional council advice concerning providing extra parking within the estate, this could not be achieved without removing 2 car bays because of the setback requirement to the north and south boundaries.

An increase to 5.47m wide is an additional 1.87m on the proposed width of 3.6m. To the Northern boundary, this increase cannot be achieved as the maximum width increase to the north is only 800mm because of the constraint of the 1m x 1m envelope surrounding the street lamp post which is council property. This is notwithstanding an increase in width to the northern boundary would also impact the drying court requirement from CODA.

On the Southern boundary, increasing the width partially would either require the deletion of 2 tandem car bays or significant design variation for encroaching the 2m setback. Furthermore, a design variation will be required to further increasing the apartment sizes on the ground floor as the basement carpark is raised partially above natural ground level.

(ii) As the basement is raised approximately 1.3m above ground level, the slope of the ramp isn’t as steep as that of Lot 136. Having further consideration to manoeuvrability of the adjacent bays, this can be enhanced by reducing the adjacent wall length by 700mm or 800mm (ie. increase ramp slope) at the wall edge as well as increasing the ramp width from 3.6m to around 4m to the north (without impacting the drying court). This will also aid with visibility of approaching vehicles.

(iii) Under AS2890, there is no requirement for dual access driveways (5m+) for carpark bays of less than 25. The proposal of 3.6m wide driveway is consistent with that approved for a number of small apartment lots within the Perry Lakes estate (eg. Lot 136 Meagher, Lot 226, Lot 227 and Lot 228 Stadium Drive).

The above comments are noted and the following modification is proposed to condition (xx) to delete reference to increasing the width of the access ramp. The applicant has not raised a specific concern with installing indicator lights:

(xx) indicator lights be installed in the basement car park and at the entrance to the access ramp that light up when the gate is activated (if no gate, some type of sensor) to warn of approaching vehicle, and the basement wall north of access ramp be aligned with the reversing area wall to increase the width of the access ramp to 5.47 metres;
Council Meeting 21 March 2017

Prior to consideration of the item, Cr MacRae disclosed an interest affecting impartiality and declared as follows: "with regard to Lot 135 (No.54) Meagher Drive, Floreat, I declare that my daughter, who does not live with me, works for CODA, the Estate Architect for Perry Lakes and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

COUNCIL DECISION:
(COMMITTEE RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council APPROVES the application for eight multiple dwellings submitted by Desique Homes at Lot 135 (No. 54) Meagher Drive, Floreat as shown on the plans dated 30 January 2017, subject to the following conditions:

Accommodation for over 55s

(i) Apartment 6 to be designated for over 55s accommodation, and to be designed respecting the intent of AS 1428 to the satisfaction of the Town;

(ii) prior to the issue of an Occupancy Permit, a notification, pursuant to section 70A of the Transfer of Land Act 1893 is to be placed on the certificate of title of Apartment 6 at the expense of the applicant. The notification is to state as follows: ‘The dwelling is to be occupied by at least one person over the age of 55 years’;

Landscaping

(iii) hard surface areas in the Meagher Drive and Tomlinson Boulevard setback areas to be restricted to terraces and entry paths and steps to the terraces;

(iv) landscaping comprising advanced growth trees and medium sized shrubs being provided in the Meagher Drive and Tomlinson Boulevard setback areas to assist in reducing the bulk impact of the basement walls on the streetscape to the satisfaction of the Town;

(v) a detailed landscaping and reticulation plan showing the location and type of proposed vegetation to be submitted and approved by the Town prior to the issue of a Building Permit;

(vi) the landscaping areas as shown on the approved plan are to be installed prior to the issue of an Occupancy Permit and thereafter maintained to the satisfaction of the Town;

Retention of street trees

(vii) the trees located on the verge directly adjacent to the subject site to be retained;
Visual privacy screening

(viii) permanent privacy screening to be provided on the:
   a. Apartment 1 terraces,
   b. Apartment 4 balcony, bedroom 2 and bedroom 4 windows (excluding corner window), and
   c. Apartment 7 balcony, bedroom 2 and bedroom 4 windows (excluding corner window)

   to restrict views into the adjoining property to the north in accordance with the deemed-to-comply provisions of clause 6.4.1 ‘Visual Privacy’ of the Residential Design Codes of Western Australia and to be installed prior to the issue of an Occupancy Permit;

Clear glass facing the public realm

(ix) clear glass only is permitted to openings facing the public realm. Tinted and reflective glass should not be visible from the streets or public realm;

Balustrading

(x) balustrading for the ground floor terraces and upper floor balconies to be in accordance with the Perry Lakes Design Guidelines and Detailed Areas Plans;

Environmental checklist

(xi) the Environmental Checklist of the Perry Lakes Design Guidelines and Detailed Area Plans to be adhered to, to the specification of the Estate Architect and the satisfaction of the Town. The Environmental Checklist is to be included with the Detail Design Endorsement application lodged with the Estate Architect;

Colour palette

(xii) external colours and finishes to comply with the Perry Lakes Design Guidelines and Detailed Area Plans to the satisfaction of the Town;

Lighting

(xiii) the installation of lighting to be integrated with the development to provide illumination of Bronze Lane at all times to the Town's satisfaction. The lighting is to be maintained on an ongoing basis by the property owners. The lighting design is to minimise light spillage and be in accordance with the requirements of Australian Standard AS1158. The lighting is to be activated on dusk and deactivated at dawn. The details of the design, placement, maintenance and operation of the lighting to be submitted and approved by the Town prior to the submission of a Building Permit application;

(xiv) adequate lighting to be provided to the parking and communal areas to the satisfaction of the Town. Details to be provided at the Building Permit stage;

External fixtures

(xv) media related services, are not to be visible from any public street to the satisfaction of the Town;
(xvi) all roof and wall mounted air conditioning units, pipes, hot water storage tanks and
clothes drying areas to be concealed from the public realm to the satisfaction of
the Town;

Stores

(xvii) each dwelling to have a storeroom and all storerooms to have a minimum
dimension of 1.5 metres with a minimum internal area of 4.0 square metres;

Vehicle access point

(xviii) walls, fences and other structures truncated or reduced to no higher than 0.75
metres within 1.5 metres of where walls, fences, other structures adjoin vehicle
access points, where the driveway meets Bronze Lane;

(xix) the apron of the driveway/ramp to rise a minimum of 125mm above Bronze Lane;

(xx) indicator lights be installed in the basement car park and at the entrance to the
access ramp that light up when the gate is activated (if no gate, some type of
sensor) to warn of approaching vehicle, and the basement wall north of access
ramp be aligned with the reversing area wall to increase the width of the access
ramp to 5.47 metres;

Parking

(xxi) the car parking areas to be sealed, drained and line marked, and thereafter
maintained in good repair, to the specifications and satisfaction of the Town. All
car parking bays and manoeuvring areas are to be designed and provided in
accordance with AS2890.1 (as amended), and shall be clearly marked and
signposted for the exclusive use of the residents and visitors of the development
prior to the issue of an Occupancy Permit;

(xxii) a minimum of two (2) visitor car parking bays to be clearly delineated
(marked/signed), available for use for the life of the development and indicated on
the strata plan as common property prior to the issue of an Occupancy Permit;

(xxiii) a minimum of three (3) resident bicycle spaces and (1) visitor bicycle spaces to
be provided in accordance with clause 6.3.3 C3.1 of the Residential Design Codes
of WA. The visitor bicycle space to be in a location indicated on the strata plan as
common property prior to the issue of an Occupancy Permit;

Waste Management Plan

(xxiv) a Waste Management Plan that satisfies the requirements of the Town's
Infrastructure Services to be submitted and approved by the Town prior to the
submission of a Building Permit application;

(xxv) the implementation of, and adherence to, the approved Waste Management Plan;

Construction Management Plan

(xxvi) prior to the submission of an application for a Building Permit or the
commencement of development, whichever is earlier, a Construction Management
Plan must be submitted to, and approved by, the Town. The Construction
Management Plan must address the following issues, where applicable:
a. public safety and amenity;
b. site plan and security;
c. contact details of essential site personnel, construction period and operating hours;
d. community information, consultation and complaints management Plan;
e. noise, vibration, air and dust management;
f. dilapidation reports of nearby properties;
g. traffic, access and parking management;
h. waste management and materials re-use;
i. earthworks, excavation, land retention/piling methods and associated matters;
j. stormwater and sediment control;
k. street tree management and protection; and/or
l. any other matter deemed relevant by the Town;

(xxvii) the Construction Management Plan as approved by the Town must be complied with at all times during development;

Earthworks contained on site

(xxviii) earthworks to be contained on-site and are not to extend over any lot boundaries to the satisfaction of the Town;

Stormwater

(xxix) stormwater to be retained on-site and/or connected to the local drainage system to the specifications and satisfaction of the Town;

Footnotes:

The applicant be advised that:-

1. With regard to the narrow driveway width, the Town recommends the installation of indicator lights in the basement car park and at the entrance to the access ramp that light up when the gate is activated (if no gate some type of motion sensor) to warn of the approaching vehicle.

2. To encourage ageing in place, consideration should be given to a ramp rather than steps to the entry from Bronze Lane.

3. The property is located within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and additional bushfire building construction requirements may apply at the building permit application stage.

4. A percentage of all cement used within the building is to be substituted with fly ash or blast furnace slag to comply with the Perry Lakes Design Guidelines.

5. Detailed Design Endorsement is to be obtained from the Perry Lakes Architect (CODA) prior to the submission of a Building Permit application with the Town.

6. With regard to the street tree protection, this is to be documented in the Construction Management Plan. Protective fencing is to be installed around all street trees within the affected building development area. This protective fencing is to be maintained in good order at all times. The fence around the trees to be 2m
7. With regard to landscaping, all landscaping shall respond to the relevant character setting objectives contained within the Perry Lakes Design Guidelines and Detailed Area Plans.

8. With regard to the colour palette, a comprehensive external finishes and colours schedule is to be submitted at Detail Design Endorsement to accompany all coloured elevations.

9. With regard to the Waste Management Plan the bin storage area needs to accommodate four 240L waste bins and six 360L recycle bins. In addition, the plan needs to address how construction waste will be recycled.

10. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

Amendment

Moved by Cr King, seconded by Cr MacRae

That clause (xx) of the motion be amended to read as follows:-

(xx) indicator lights be installed in the basement car park and at the entrance to the access ramp that light up when the gate is activated (if no gate, some type of sensor) to warn of approaching vehicle.

Amendment carried 9/0

Discussion ensued. Cr Timmermanis stated that owners should not be restricted to the external colours and finishes that comply with the Perry Lakes Design Guidelines and Detailed Area Plans.

Amendment

Moved by Cr Timmermanis, seconded by Cr Carr

That clauses (xii) and footnotes 4 and 8 of the motion be deleted.

Amendment carried 5/4

For: Mayor Shannon, Crs Bradley, Carr, Grinceri and Timmermanis

Against: Crs King, MacRae, Powell and O'Connor
COUNCIL DECISION:

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council APPROVES the application for eight multiple dwellings submitted by Desique Homes at Lot 135 (No. 54) Meagher Drive, Floreat as shown on the plans dated 30 January 2017, subject to the following conditions:

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Landscaping

(iii) hard surface areas in the Meagher Drive and Tomlinson Boulevard setback areas to be restricted to terraces and entry paths and steps to the terraces;

(iv) landscaping comprising advanced growth trees and medium sized shrubs being provided in the Meagher Drive and Tomlinson Boulevard setback areas to assist in reducing the bulk impact of the basement walls on the streetscape to the satisfaction of the Town;

(v) a detailed landscaping and reticulation plan showing the location and type of proposed vegetation to be submitted and approved by the Town prior to the issue of a Building Permit;

(vi) the landscaping areas as shown on the approved plan are to be installed prior to the issue of an Occupancy Permit and thereafter maintained to the satisfaction of the Town;

Retention of street trees

(vii) the trees located on the verge directly adjacent to the subject site to be retained;

Visual privacy screening

(viii) permanent privacy screening to be provided on the:
   a. Apartment 1 terraces,
   b. Apartment 4 balcony, bedroom 2 and bedroom 4 windows (excluding corner window), and
   c. Apartment 7 balcony, bedroom 2 and bedroom 4 windows (excluding corner window)

   to restrict views into the adjoining property to the north in accordance with the deemed-to-comply provisions of clause 6.4.1 ‘Visual Privacy’ of the Residential Design Codes of Western Australia and to be installed prior to the issue of an Occupancy Permit;
Clear glass facing the public realm

(ix) clear glass only is permitted to openings facing the public realm. Tinted and reflective glass should not be visible from the streets or public realm;

Balustrading

(x) balustrading for the ground floor terraces and upper floor balconies to be in accordance with the Perry Lakes Design Guidelines and Detailed Areas Plans;

Environmental checklist

(xi) the Environmental Checklist of the Perry Lakes Design Guidelines and Detailed Area Plans to be adhered to, to the specification of the Estate Architect and the satisfaction of the Town. The Environmental Checklist is to be included with the Detail Design Endorsement application lodged with the Estate Architect;

Lighting

(xii) the installation of lighting to be integrated with the development to provide illumination of Bronze Lane at all times to the Town's satisfaction. The lighting is to be maintained on an ongoing basis by the property owners. The lighting design is to minimise light spillage and be in accordance with the requirements of Australian Standard AS1158. The lighting is to be activated on dusk and deactivated at dawn. The details of the design, placement, maintenance and operation of the lighting to be submitted and approved by the Town prior to the submission of a Building Permit application;

(xiii) adequate lighting to be provided to the parking and communal areas to the satisfaction of the Town. Details to be provided at the Building Permit stage;

External fixtures

(xiv) media related services, are not to be visible from any public street to the satisfaction of the Town;

(xv) all roof and wall mounted air conditioning units, pipes, hot water storage tanks and clothes drying areas to be concealed from the public realm to the satisfaction of the Town;

Stores

(xvi) each dwelling to have a storeroom and all storerooms to have a minimum dimension of 1.5 metres with a minimum internal area of 4.0 square metres;

Vehicle access point

(xvii) walls, fences and other structures truncated or reduced to no higher than 0.75 metres within 1.5 metres of where walls, fences, other structures adjoin vehicle access points, where the driveway meets Bronze Lane;

(xviii) the apron of the driveway/ramp to rise a minimum of 125mm above Bronze Lane;

(xix) indicator lights be installed in the basement car park and at the entrance to the access ramp that light up when the gate is activated (if no gate, some type of sensor) to warn of approaching vehicle.
Parking

(xx) the car parking areas to be sealed, drained and line marked, and thereafter maintained in good repair, to the specifications and satisfaction of the Town. All car parking bays and manoeuvring areas are to be designed and provided in accordance with AS2890.1 (as amended), and shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development prior to the issue of an Occupancy Permit;

(xxii) a minimum of two (2) visitor car parking bays to be clearly delineated (marked/signed), available for use for the life of the development and indicated on the strata plan as common property prior to the issue of an Occupancy Permit;

(xxii) a minimum of three (3) resident bicycle spaces and (1) visitor bicycle spaces to be provided in accordance with clause 6.3.3 C3.1 of the Residential Design Codes of WA. The visitor bicycle space to be in a location indicated on the strata plan as common property prior to the issue of an Occupancy Permit;

Waste Management Plan

(xxiii) a Waste Management Plan that satisfies the requirements of the Town's Infrastructure Services to be submitted and approved by the Town prior to the submission of a Building Permit application;

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Construction Management Plan

(xxv) prior to the submission of an application for a Building Permit or the commencement of development, whichever is earlier, a Construction Management Plan must be submitted to, and approved by, the Town. The Construction Management Plan must address the following issues, where applicable:

a. public safety and amenity;
b. site plan and security;
c. contact details of essential site personnel, construction period and operating hours;
d. community information, consultation and complaints management Plan;
e. noise, vibration, air and dust management;
f. dilapidation reports of nearby properties;
g. traffic, access and parking management;
h. waste management and materials re-use;
i. earthworks, excavation, land retention/piling methods and associated matters;
j. stormwater and sediment control;
k. street tree management and protection; and/or
l. any other matter deemed relevant by the Town;

(xxvi) the Construction Management Plan as approved by the Town must be complied with at all times during development;

Earthworks contained on site

(xxvii) earthworks to be contained on-site and are not to extend over any lot boundaries to the satisfaction of the Town;
Stormwater

(wwviii) stormwater to be retained on-site and/or connected to the local drainage system to the specifications and satisfaction of the Town;

Footnotes:

The applicant be advised that:-

1. With regard to the narrow driveway width, the Town recommends the installation of indicator lights in the basement car park and at the entrance to the access ramp that light up when the gate is activated (if no gate some type of motion sensor) to warn of the approaching vehicle.

2. To encourage ageing in place, consideration should be given to a ramp rather than steps to the entry from Bronze Lane.

3. The property is located within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and additional bushfire building construction requirements may apply at the building permit application stage.

4. Detailed Design Endorsement is to be obtained from the Perry Lakes Architect (CODA) prior to the submission of a Building Permit application with the Town.

5. With regard to the street tree protection, this is to be documented in the Construction Management Plan. Protective fencing is to be installed around all street trees within the affected building development area. This protective fencing is to be maintained in good order at all times. The fence around the trees to be 2m high x 2m x 2m, with installation prior to commencement of any demolition or site works.

6. With regard to landscaping, all landscaping shall respond to the relevant character setting objectives contained within the Perry Lakes Design Guidelines and Detailed Area Plans.

7. With regard to the Waste Management Plan the bin storage area needs to accommodate four 240L waste bins and six 360L recycle bins. In addition, the plan needs to address how construction waste will be recycled.

8. This decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.

Carried 6/3

For: Mayor Shannon, Crs Bradley, Carr, Grinceri, O'Connor and Timmermanis
Against: Crs King, MacRae and Powell
DV17.36 LOT 507 (NO. 20) MCCOURT STREET, WEST LEEDERVILLE - FOUR STOREY MEDICAL CONSULTING ROOMS - REQUEST FOR EXTENSION OF PLANNING APPROVAL PERIOD

SUMMARY:

The Council approved an application for a four storey medical centre at No. 20 McCourt Street, West Leederville at its meeting on 28 July 2015. The approval was issued on 3 August 2015 and is valid for 24 months from the date of the notice therefore expiring on 3 August 2017.

The applicant has requested an extension of this approval date until 3 August 2018 (an additional twelve months) in order to allow for the finalisation of building tenders and for the construction to be substantially commenced within the approval timeframe.

A Council decision is required to extend the approval as there is currently no delegated authority granted to officers to do so.

There are no changes proposed to the previously approved plan and the Planning Scheme, R Codes and/or Council policy and circumstances relating to the site and/or surrounding the site are unchanged since Council granted approval.

Accordingly the request is recommended for approval.

BACKGROUND:

Application: 213DA-2015
Owner: Reira Pty Ltd
Applicant: Doepel Marsh Architects
Zoning: Medical
Use class: Consulting Rooms (group) - ‘P’ (use not permitted unless Council grants approval)
Land area: 613 m²

The Council originally approved the proposed consulting rooms (group) at its meeting on 25 May 2011 (Item DV11.37) subject to a maximum of six (6) consulting rooms operating from the premises at any one time and the dressing clinics and laboratories only to be used in conjunction with the consulting rooms. The lecture/library and demonstrations rooms were also only to be used for training purposes when no consulting with patients occurs. A new approval with the same conditions was issued under delegated authority on 9 May 2013 on the basis of the application remaining the same (with some minor changes to car parking configurations) and no changes to regulations having been made in the meantime. The planning approval is still valid until 9 May 2015 but no building permit has been issued to date.

The Council considered an application to provide an additional storey to the building at its meeting on 25 November 2014 (Item DV14.147). The Council refused the application as it considered the additional storey would result in a building that is not considered to be of an appropriate height and scale for the precinct. The applicant lodged an Application for Review to the State Administrative Tribunal in response to the Council’s refusal. Amended plans resulting from this process were considered by Council in March 2015 and again refused.
A new application for a four storey consulting room (group) proposal was lodged in 2015 and approved by Council at their meeting on 26 July 2015 (DV15.82). A notice of planning approval was issued on 3 August 2015 and is valid for 24 months so therefore due to expire on 3 August 2017. The conditions of planning approval were as follows:

1. Maximum of six (6) consulting rooms to operate from the premises at any one time;

2. All windows facing the rear/east on levels 2 to 4 to be obscure glazed to the satisfaction of the Town;

3. A landscaping and reticulation plan, showing the location and type of vegetation, to the satisfaction of the Town to be submitted prior to the issue of a building permit;

4. The proposed landscaped planter boxes are to be planted with suitable plantings to the satisfaction of the Town prior to the issue of an Occupancy Permit and to be maintained thereafter to the satisfaction of the Town;

5. The provision of public art in accordance with the Town's Percent for Public Art Policy, prior to the issue of an occupancy permit;

6. The provision of a Public Art Report for consideration and approval by the Town's Public Art Committee prior to lodgement of a building permit application;

7. A cash in lieu of public art contribution to the value of no less than 1% of the construction value of the development to be paid to the Town prior to the issue of an Occupancy Permit should the Town determine the applicant cannot provide a piece of art on site;

8. A separate application to be submitted for any proposed signage that is not exempt from requiring planning approval;

9. Prior to the submission of an application for a building permit, a demolition permit, or the commencement of development, whichever is earlier, a Construction Management Plan must be submitted to, and approved by, the Town. The Construction Management Plan must address the following issues, where applicable:-

   (a) public safety and amenity;
   (b) site plan and security;
   (c) contact details of essential site personnel, construction period and operating hours;
   (d) community information, consultation and complaints management Plan;
   (e) noise, vibration, air and dust management;
   (f) dilapidation reports of nearby properties;
   (g) traffic, access and parking management;
   (h) waste management and materials re-use;
   (i) earthworks, excavation, land retention/piling methods and associated matters;
   (j) stormwater and sediment control;
   (k) street tree management and protection;
   (l) asbestos removal management Plan; and
   (m) any other matter deemed relevant by the Town.

10. The Construction Management Plan as approved by the Town must be complied with at all times during development;

11. An acoustic consultant's report is required to be submitted in conjunction with the Building Permit application to the satisfaction of the Town. The acoustic report shall address and provide advice on the location where the proposed pump room and any air-conditioner condenser units shall be installed to prevent future noise issues and to negate any claim
that the designer and owner were not aware of potential noise issues from the proposed installation;

12. A plan is to be provided to the satisfaction of the Town detailing how waste receptacles would be managed for the proposed development. This plan is to be provided in conjunction with the Building Permit application;

13. All waste storage and recycling bins are to be stored in the bin storage areas within the building and not in the McCourt Street road reserve or within Turvey Lane. Waste and recycling vehicles are only to access the site from Turvey Lane during the hours of 7am to 7pm, Monday to Saturday, exclusive of Public Holidays, to the satisfaction of the Town to ensure minimal disruption to the adjacent residential properties to the east; and

14. Signage to be installed in the car park area detailing the location of visitor car parking and staff parking to the satisfaction of the Town prior to occupation of the development.

DETAILS:

Development description

- No changes to plans approved on 3 August 2015.
- The building comprises a total of five levels, however, will present as four storeys in height as viewed from McCourt Street and the adjoining Turvey Lane due to the fall of the site from west to east and the large setback of the upper-most level from the rear/eastern boundary.
- Vehicle access is from both McCourt Street and the adjoining right-of-way. There is no requirement for vehicle access to be exclusively via a right of way in the Medical Precinct.
- A demolition permit for the property was issued in May 2016 and the site has subsequently been cleared.
- No building permit has been issued for the new building to date.

Comment

Land use

The site is zoned 'Medical' and is located in the West Leederville Precinct. The use of 'consulting rooms (group)' is discretionary in the 'Medical' zone, meaning they are not permitted unless the Council has granted planning approval. The use is considered compatible with surrounding land uses. The section of McCourt Street within the Medical zone (Cambridge Street to Railway Parade) in which this site is located contains a mix of residential and medical uses. Across McCourt Street is St John of God Hospital. On the corner of Railway Parade and McCourt Street, a four storey building containing 34 consulting rooms has been constructed.

Across Turvey Lane to the rear (east), the land is zoned Residential R30. Therefore while the use of consulting rooms (group) is considered compatible with the precinct and surrounding lands uses, the impact of the development on the Residential zone to the east needs to be taken into consideration.

No changes to the Planning Scheme, R Codes and/or Council policy have occurred since the proposal was considered in 2015 that would require a reassessment of the application.
Extension of Planning approval

The Town has not previously extended planning approvals and where an applicant wished to do so, a new application was required. Clause 1.5 of Planning Policy 2.6: Delegated authority grants authority to officers to:

"Approve, with or without conditions, applications for renewal of planning approval, provided such applications are in accordance with the application originally approved by the Council, and the Planning scheme, R Codes and/or Council policy and circumstances relating to the site or surrounding the site are unchanged since Council granted approval. Such application must be received within two (2) years of the expiration of the original approval".

There is now provision under the Planning and Development (Local Planning Schemes) extend the approval period within which any development approved must be substantially commenced.

Part 9 Clause 71 states:

"(a) the development must be substantially commenced -
(i) if no period is specified in the approval - within the period of 2 years commencing on the date on which the determination is made; or
(ii) if a period is specified in the approval - within that period; or:
(iii) in either case - within a longer period approved by the local government on application made under clause 77 (1) (a)."

Clause 77 (1) (a) states:

An owner of land in respect of which development approval has been granted by the local government may make an application to the local government requesting the local government to do any or all of the following -

"a) to amend the approval so as to extend the period within which any development approved must be substantially commenced".

In this instance, the applicant has requested an extension to the planning approval by an additional 12 months to prepare tender documentation, submit a building permit application which will then allow for substantial commencement of work on site within the approval period.

As there are no changes to the previously approved plan and the Planning Scheme, R Codes and/or Council policy and circumstances relating to the site or surrounding the site are unchanged since Council granted approval, the application is supported.

It is also recommended that Clause 1.5 of Planning Policy 2.6: Delegation of Authority be amended to grant delegated authority to officers to consider applications for extensions of planning approval for up to twelve months provided such applications are in accordance with the application originally approved by the Council and the Planning Scheme, R Codes and/or/Council policy and circumstances relating to the site or surrounding the site are unchanged since Council granted approval.

POLICY/STATUTORY IMPLICATIONS:

There are no policy or statutory implications related to this report. The proposal was assessed against the provisions of the Town Planning Scheme No. 1, the Town Planning Scheme Policy Manual, and the Residential Design Codes of Western Australia.
FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

Consideration of this application is consistent with the Town's Strategic Community Plan 2013-2023 for the priority area 'Our Planned Neighbourhoods'.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Consultation Policy. The requirements for consultation have been satisfied under the statutory provisions of the Town Planning Scheme.

ATTACHMENTS:

Summary of applicant's submission

ADMINISTRATION RECOMMENDATION:

That:-

(i) the applicant for the four storey medical consulting rooms (group) at Lot 507 (No. 20) McCourt Street, West Leederville be advised that Council APPROVES the application to extend the date of the expiry for the approval dated 3 August 2015 to 36 months from the date of the notice of approval and that all other conditions of the approval remain valid;

(ii) Clause 1.5 of Policy 2.6: Delegation of Authority be amended as follows:-

Renewal and extension of planning approval

Approve, with or without conditions, applications for renewal or extension of planning approval, provided such applications are in accordance with the application originally approved by the Council, and the Planning Scheme, R Codes and/or Council policy and circumstances relating to the site or surrounding the site are unchanged since Council granted approval.

Such application must be received within two (2) years of the expiration of the original approval. Extensions of planning approval are not to exceed an additional 12 months from the original approval date.

Committee Meeting 21 March 2017

During discussion, Members agreed that no further extensions are to be granted by the Town.

Amendment

Moved by Cr MacRae, seconded by Cr O'Connor

That a further clause be added to the motion as follows:-

(ii) the applicant be advised that no further extensions to the expiry date of the approval will be granted by the Town.

Amendment carried 5/0
COUNCIL DECISION:
(COMMITTEE RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That:-

(i) the applicant for the four storey medical consulting rooms (group) at Lot 507 (No. 20) McCourt Street, West Leederville be advised that Council APPROVES the application to extend the date of the expiry for the approval dated 3 August 2015 to 36 months from the date of the notice of approval and that all other conditions of the approval remain valid;

(ii) the applicant be advised that no further extensions to the expiry date of the approval will be granted by the Town;

(iii) Clause 1.5 of Policy 2.6: Delegation of Authority be amended as follows:-

Renewal and extension of planning approval

Approve, with or without conditions, applications for renewal or extension of planning approval, provided such applications are in accordance with the application originally approved by the Council, and the Planning Scheme, R Codes and/or Council policy and circumstances relating to the site or surrounding the site are unchanged since Council granted approval.

Such application must be received within two (2) years of the expiration of the original approval. Extensions of planning approval are not to exceed an additional 12 months from the original approval date.

Carried 9/0
DV17.37 LOT 6 (NO. 140) RAILWAY PARADE, WEST LEEDERVILLE - SIGNAGE

SUMMARY:

The Town has received an application for signage at No. 140 Railway Parade, West Leederville (Kidsafe Headquarters). The plans show four wall advertisement signs on the rear wall of the carport facing Bamford Lane.

The application requires a Council determination as a variation to the Town’s Advertising Signs Policy is required. In particular, the policy states that signage shall not advertise third parties for commercial gain. The intent of the proposal is for Kidsafe to sell the advertisement space on an annual basis for third party signage that aligns with Kidsafe’s vision, mission and business activities.

The proposal is considered to satisfy the objectives of the Advertising Signs policy, subject to a condition requiring the signage relate to Kidsafe’s services. The signage will not detract from the streetscape or amenity of the surrounding land or dominate the building or site.

Accordingly, the proposal is recommended for approval.

BACKGROUND:

Application: 0035DA-2017
Owner: Kidsafe WA
Applicant: Kidsafe WA
Zoning: Mixed use
Use class: Advertisement - D/P (13) “P” where exempt from the requirement to obtain planning approval under Clause 33 and “D” in all other cases
Land area: 567 m²

At the meeting held on 25 August 2015, Council approved an application for a change of use to an office and educational establishment, being the new premises for Kidsafe WA, at No. 140 Railway Parade, West Leederville. The plans showed a refurbishment of the existing two storey building and a part demolition at the rear to create additional parking. On 1 November 2016, an Occupancy Permit was issued.

DETAILS:

Development description

- Four advertising panels, each 3.0 metres wide and 2.3 metres high (6.9m²).
- Two panels to be located on the western wall of the carport and two panels to be located on the northern wall of the carport.
- The carport is where Kidsafe’s car restraint fitting service is undertaken.
- Kidsafe would like to offer these advertisement spaces for a yearly purchase for third party signage that aligns with Kidsafe’s vision, mission and business activities (e.g. a car child restraint company).
- The signage will not be illuminated or have any flood lighting of any kind.
Applicant’s submission

The applicant has provided written justification for the signage which is attached to this agenda.

Comment

Policy 5.2: Advertising Signs

The proposed signage is classed as wall signs. The signs satisfy the requirements for wall signs as they will be integral with the design of the building and flush mounted onto the building. The wall signs will not adversely impact on the character or amenity of the area as they will be located inside the carpark and therefore only be visible from Bamford Lane.

The main issue is that the policy does not allow advertisement of third parties for commercial gain. Kidsafe’s submission states that careful consideration will be made when accepting and displaying any advertisement signage. Signage must align with Kidsafe’s vision, mission and business activities and have a strong focus on lifestyle imagery and not pricing information. Signage will not be illuminated and it is not Kidsafe’s intention to detract from the current space nor cause disruption or distraction to customers or neighbouring businesses.

Kidsafe is a not-for-profit organisation and the signage would provide some additional income of $2000 per panel per year. Signage would be available on a yearly purchase basis with the intention they will be in place for the full year and not changed on a monthly or weekly basis.

In assessing a variation to a policy requirement, compliance with the aims of the policy are considered. The aims of Policy 5.2: Advertising Signs are:

- To ensure that signs only relate to the goods and services on the site and/or provide information directly relating to the site in order to identify the site and the activities which occur on the site.
- To ensure that signs do not adversely impact on the streetscape and amenity of surrounding land.
- To minimise the adverse impact that outdoor advertising can cause through proliferation or poorly located or designed signage.
- To ensure that signs do not detract from the level of safety for drivers, cyclists and pedestrians by obstructing sight lines and distracting road users.
- To ensure that signs do not dominate the building or site and should only form an incidental component of the development.

The signs will relate to the services on site and will identify the activities which occur on the site, for example the child restraint in vehicles fitting services. A condition can be imposed on any approval in regard to this.

The signs will not adversely impact on the streetscape or the amenity of surrounding land. The signs are visible only from Bamford Lane and located inside the property rather than on its external walls. The signs will not obstruct sight lines or detract users of the lane as they will be situated internal to the property and not be illuminated. A maximum of four signage panels within the large carport space is not considered to be a proliferation of signage and will not dominate the building.
Overall, for the reasons identified above, the proposed signage satisfies the intent of Policy 5.2: Advertising Signs as is therefore supported, subject to conditions relating to the nature of the signage.

POLICY/STATUTORY IMPLICATIONS:

There are no policy or statutory implications related to this report. The proposal was assessed against the provisions of the Town Planning Scheme No. 1, the Town Planning Scheme Policy Manual, and the Residential Design Codes of Western Australia.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

Consideration of this application is consistent with the Town's Strategic Community Plan 2013-2023 for the priority area 'Our Planned Neighbourhoods'.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Consultation Policy. The requirements for consultation have been satisfied under the statutory provisions of the Town Planning Scheme.

ATTACHMENTS:

1. Summary of applicant's submission

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council APPROVES the application for signage submitted by Kidsafe WA at Lot 6 (No. 140) Railway Parade, West Leederville, as shown on the plans dated 8 February 2017, subject to the following conditions:-

(i) the signage to display information relating to the activities of Kidsafe WA;
(ii) the signage shall not be illuminated;
(iii) a maximum of four advertising panels.

Carried 8/1

For: Mayor Shannon, Crs Bradley, Carr, Grinceri, King, MacRae, O'Connor and Powell
Against: Cr Timmermanis
DV17.38 LOT 83 (NO. 6) LOWANNA WAY, CITY BEACH - THREE STOREY DWELLING

SUMMARY:

The Town has received an application for a three storey dwelling at No. 6 Lowanna Way, City Beach. The application involves the demolition of the existing single storey dwelling with an undercroft garage on the subject property, and the construction of a new three storey residence.

The application requires a Council determination as an assessment is required against the building height and visual privacy design principles of the Residential Design Codes of WA (R-Codes), and objections have been received during the consultation period. A height variation is proposed along the eastern side of the dwelling that is the subject of neighbour concerns.

Subject to modifications, the proposal is considered to satisfy the relevant design principles for the following reasons:-

- the building design is stepped upwards to follow the natural slope of the site, which in turn reduces its overall height as well as the perception of bulk and scale on adjoining properties;
- the over-height portion of the dwelling, comprising the lift shaft situated over an existing area of cut, will not significantly impact views given that the majority of the eastern side of the dwelling complies with the 7.5 metre height maximum;
- neighbouring properties to the rear are elevated well above the subject site, meaning there will be negligible impact on privacy from the proposed sun deck; and
- the front-facing terrace will mostly overlook the front yard area within the subject site and driveways of the adjoining properties.

Accordingly, the proposal is recommended for approval, subject to conditions, which include lowering the overall height of the building by 400 millimetres.

BACKGROUND:

Application: 0390DA-2016
Owner: Doctor DM Gurumoorthy and Mrs VM Gurumoorthy
Applicant: Mercedes Group Pty Ltd Trading As Grandwood Personal Builders
Zoning: Residential R12.5
Use class: Dwelling (single) ‘P’ – permitted
Land area: 1186m²

This application was originally submitted in October 2016 with plans showing a number of variations to lot boundary setbacks, site works, visual privacy and building height. To address some of the concerns raised by the Town’s Administration and the owners of neighbouring properties, amended plans were submitted in November 2016 showing various minor amendments addressing a number of the previously identified variations. Additional plans and justification specifically relating to the height issue were submitted by a planning consultant, representing the applicant, in January 2017.
DETAILS:

Development description

- The subject site is very steep sloping upwards over 10 metres from front (south) to rear (north). An existing single storey dwelling with two undercroft garages is situated on the site.
- The proposed dwelling is set back 21 metres from the street and has been designed over three levels which step back to reflect the slope of the site. The dwelling employs a flat roof design.
- The street setback area and beyond is to be landscaped, with new fencing and retaining also proposed. It is noted that solid walls are proposed which are visible from the street however these are set back beyond the street setback area and therefore are not subject to the Streetscape Policy. Street surveillance is not impacted by the solid walls given the elevation of the dwelling above the street.
- A swimming pool with decking is proposed within the rear setback area. Existing stepped retaining walls within the rear setback area are to be modified and upgraded.
- A visitor parking bay is proposed within the front setback area of the property, however, it is noted that landscaping provision satisfies the Town's requirements subject to the provision of 1 mature tree. A condition is included to this effect.
- Minor side setback variations are proposed along the side/eastern boundary, specifically for the library and stair walls. The adjoining property owner was consulted on these matters with no objections received. The dwelling is generally well set back from all side boundaries, with no boundary walls proposed, and therefore satisfies design principles.
- An extent of fill exceeding 500 millimetres is proposed along the eastern side boundary. This is due to the existing cut levels along that side and the requirement for a ramped side access pathway. The adjoining property owner was consulted on this matter, with no objections received. The proposal, on balance, reflects the natural contours of the site with minimal excavation or fill proposed, and as such satisfies the applicable design principles.
- Visual privacy variations have been identified to the front-facing terrace and rear-facing sundeck. Neighbour concerns have been raised in respect to privacy. This aspect is addressed below.
- The key issue pertaining to this application is the overall height of the development. A maximum building height of 8.76 metres has been assessed based on a 'natural' ground level of approximately 26.00 AHD along the eastern side of the site. This matter is further discussed below.

Applicant's justification

The applicant has provided written justification for the variations to the deemed-to-comply provisions relating to the overall height of the development. The applicant argues that existing cut levels on the site, resulting from previous development, exacerbates the overall building height of the proposal. The additional height required along the eastern side of the building is also in part due to the provision of a lift shaft. A summary of the applicant's justification is attached to this agenda.

Neighbour submission

In accordance with the provisions of the Residential Design Codes of Western Australia, the Town notified the owners of the properties directly adjoining the subject site, those being:

- No. 4 Lowanna Way, City Beach (East)
- No. 8 Lowanna Way, City Beach (West)
- No. 7 Dodonia Gardens, City Beach (North)
Submissions were received from three of the above-mentioned properties, all of these raised concerns regarding the proposed building height, with an additional objection to the visual privacy of the sun deck. In addition, a further submission from the property owners of No. 10 Hovea Crescent was received objecting to the height and raising concerns regarding views. Further, it is noted that the owner of No. 12 Hovea Crescent viewed the plans at the Town's offices, however, to date has not submitted anything in writing to the Town. A summary of the above submissions is attached to the agenda.

Assessment against the design principles

Building height

<table>
<thead>
<tr>
<th>Deemed-to-comply provision</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Max 7.5 metres</td>
<td>Between 4.41 and 8.72 metres above the existing 'natural' ground levels (eastern side only)</td>
</tr>
</tbody>
</table>

**Design principles:**

- Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:
  - adequate access to direct sun into buildings and appurtenant open spaces;
  - adequate daylight to major openings into habitable rooms; and
  - access to views of significance.

Given the 10 metre slope from front to rear, this is seen as a challenging site to develop even by City Beach standards. It is noted that the overall envelope of the building follows the natural slope of the site, that being, it steps upwards over three levels from front (south) to rear (north) and therefore a range of building heights are proposed between 4.41 and 8.72 metres. The intent of the Town's Building Height Policy is to achieve this style of development, where a building is designed in response to the existing site feature contours.

The dwelling is set back a minimum of 21 metres from the street, and is elevated well above street level, with the upper-most floor set back a further 14 metres. Because of this, the upper level of the dwelling where the height issue occurs will not be visible from the street as it will be obscured by the floor below. As such, there will be no detrimental impact upon the streetscape resulting from the additional height.

Given the orientation of the site, there will also be no issues regarding access to direct sunlight on adjoining properties. The building design employs a number of different materials, finishes, heights and setbacks which are seen to collectively reduce the perceived impact of bulk and scale on the immediately adjoining properties. It is noted that the height variation only occurs along the eastern side of the building where natural ground levels are at least 0.5 metres lower than on the western side.

Whilst the extent of the height variation, as assessed, seems significant it is noted that some of the additional height along the eastern side of the building results from measurements being taken from the existing cut levels. Due to the requirement for a lift shaft and lobby along the eastern side of the building, the variation to the height requirement is further exacerbated,
however, it is acknowledged that the majority of the building sits well under the permitted 7.5 metre height maximum. The designer has previously advised that the location of the lift shaft has been dictated by the current site levels, specifically the existing area of cut where the 'natural' ground level is shown as approximately 26.00 AHD.

Whilst there are available ocean views to the west, surrounding properties and dwellings to the east are elevated up to 5 metres above the subject site. Further, it is acknowledged that the vast majority of the eastern elevation achieves the required 7.5 metre height maximum, and the entire western side complies in respect to building height. Given this, requiring the building to be fully compliant with height requirements would have negligible benefit to neighbours in respect to maintaining access to views. The stepped nature of the building envelope is seen to be beneficial in this regard and may assist with the retention of some view lines to the west. It is also noted that a pitched roof dwelling, permitted up to 9 metres in height as-of-right, would potentially have a more detrimental impact upon neighbours in respect to views and building bulk when compared with this proposed flat roof design.

As part of the assessment, the original Water Corporation contour levels were contrasted with the existing 'cut' levels, as shown on the provided site feature survey. The original levels are at least 0.5 metres higher than the levels shown on site along the eastern side, meaning natural ground levels of 26.50 - 27.00 AHD would apply. If these levels were used to calculate the height of this proposal, it would bring the maximum overall height down to approximately 8.3 metres (as opposed to 8.72 metres).

The applicant has indicated that they are prepared to reduce the overall height of the dwelling by a further 400 millimetres. If this were done, the maximum height of the lift shaft, as measured above the original Water Corporation site contours, would be less than 8 metres at its worst point and would also mean that an even greater majority of the dwelling would achieve a height less than the permitted 7.5 metre building height. Given this, a condition is included with the recommendation requiring the height of the building to be reduced by 400 millimetres with the change to be reflected in the plans at the Building Permit stage. The attachment to this report includes diagrams showing the extent of building exceeding the required height limit for the existing proposal and for a design lowered by 400 millimetres, illustrating a much improved outcome once the height is reduced.

Whilst the plans show installation of solar collectors which project above the roof line, it is noted these features are exempt from building height calculations under the R-Codes, and therefore have not been included as part of this assessment.

Overall in view of the above comments, subject to the overall height of the building being reduced by 400 millimetres, it is considered that the proposed height of the development satisfies the relevant design principles for the following reasons:-

- the building design is stepped upwards to follow the natural slope of the site, which in turn reduces its overall height as well as the perception of bulk and scale on adjoining properties; and
- the over-height portion of the dwelling, comprising the lift shaft situated over an existing area of cut, will not significantly impact views given that the majority of the eastern side of the dwelling complies with the 7.5 metre height maximum.
Visual privacy

<table>
<thead>
<tr>
<th>Unenclosed outdoor active habitable spaces</th>
<th>Deemed-to-comply provision</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Min 7.5 metres from the lot boundary</td>
<td>Rear Sun Deck - 4 metres (North)</td>
<td></td>
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<tr>
<td></td>
<td>Front Ground Floor Terrace - 5.9m (West)</td>
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<tr>
<td></td>
<td>4.6m (East)</td>
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</tr>
</tbody>
</table>

Design principles:

Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:
- building layout and location;
- design of major openings;
- landscape screening of outdoor active habitable spaces; and/or
- location of screening devices.

Maximum visual privacy to side and rear boundaries through measures such as:
- offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;
- building to the boundary where appropriate;
- setting back the first floor from the side boundary;
- providing higher or opaque and fixed windows; and/or
- screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).

The rear sun deck, despite being raised higher than 500 millimetres above ground level at certain points, is still lower than the rear boundary levels of adjoining properties. Dwellings to the north are well set back from the rear boundary and are situated much higher than the subject site. Taking this into consideration, the proposed sun deck does not pose an overlooking risk to neighbouring properties, particularly when taking into account the height of a standard dividing fence which would act as an effective privacy screen. Due to the existing retaining levels, there are some sections of deck which sit well below 500 millimetres above natural ground level and hence are deemed-to-comply in respect to visual privacy.

The front facing terrace will mostly overlook the front yard areas and driveways within the subject site and the adjoining properties, given the large street setbacks of neighbouring dwellings. The terrace will also provide opportunity for ground floor street surveillance. It is also noted that no neighbours have formally objected to this front-facing terrace.

Overall in view of the above comments, it is considered that the location of the proposed sun deck from the rear/northern boundary satisfies the relevant design principles for the following reasons:-
- neighbouring properties to the rear are elevated well above the subject site, meaning there will be negligible impact on privacy from the proposed sun deck; and
- the front facing terrace will mostly overlook the front yard area within the subject site and driveways of the adjoining properties.
POLICY/STATUTORY IMPLICATIONS:

There are no policy or statutory implications related to this report. The proposal was assessed against the provisions of the Residential Design Codes of Western Australia, Town Planning Scheme No.1, and the Town Planning Scheme Policy Manual.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

Consideration of this application is consistent with the Town's Strategic Community Plan 2013-2023 for the priority area 'Our Planned Neighbourhoods'.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the statutory provisions of the Town Planning Scheme.

ATTACHMENTS:

1. Summary of applicant's justification and neighbour comment.

Committee Meeting 21 March 2017

Prior to consideration of the following item, in accordance with Policy No.1.1.11 - Elected Member Relationship with Developers, Mayor Shannon, Crs Bradley and O'Connor declared they had met with the developer.

Council Meeting 28 March 2017

Prior to consideration of the following item, in accordance with Policy No.1.1.11 - Elected Member Relationship with Developers, Mayor Shannon, Crs Bradley and O'Connor declared they had met with the developer.

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council APPROVES the application for a three storey dwelling submitted by Mercedes Group Pty Ltd at Lot 86 (No. 6) Lowanna Way, City Beach as shown on the plans dated 17 November 2016, subject to the following conditions:-

(i) the overall height of the building to be reduced by 400 millimetres. This change is to be indicated on the plans at the Building Permit Stage to the satisfaction of the Town;

(ii) the visual privacy screens for the second floor balcony, third floor balcony and third floor bedrooms are to be designed to restrict views to the neighbouring
properties to the east and west in accordance with the deemed-to-comply provisions of clause 5.4.1 ‘Visual Privacy’ of the Residential Design Codes of Western Australia and to be installed prior to the occupation of the dwelling;

(iii) a minimum of 55% of the front setback area to be landscaped to the satisfaction of the Town;

(iv) one (1) advanced growth tree, being a minimum 45 litre bag or a minimum of 2 metres in height and diameter, to be provided within the front setback area in accordance with the provisions of clause 3.1.9: Landscaping of the Town’s Planning Policy 3.1: Streetscape;

(v) the trees located on the verge directly adjacent to the subject site to be retained;

(vi) the driveway crossover to have a minimum clearance of 1.5 metres from the base of the street tree;

(vii) the crossover to be no wider than 6.0 metres (excluding splays); and

(viii) the redundant vehicle crossover outside the subject property to be removed and the kerbing, verge and footpath to be reinstated to the specifications and satisfaction of the Town prior to the occupation of the dwelling.

Carried 9/0
DV17.39 LOT 66 (NO. 38) TALGARTH WAY, CITY BEACH - THREE STOREY DWELLING, FRONT FENCING AND GATE HOUSE - AMENDED PLANS

SUMMARY:

The Town has received an amended planning application for a three storey dwelling at No.38 Talgarth Way, City Beach. The plans show modifications to the front fence and gatehouse with the depth of all piers of the gate house and vehicular access gate being 2.5 metres and the width of one pier of the vehicular access gate being 800mm.

The application requires a Council determination as an assessment is required against the design principles of front fencing requirements of the Town's Streetscape Policy and the proposal contravenes the conditions of the previous Council resolution dated 24 February 2015.

The proposal is considered to satisfy the relevant design principles for the following reasons:-

- the proposed fencing maintains permeability and surveillance between the dwelling and the street; and
- the variation to 1 pier for width and depth of all piers is not considered as a negative impact on the streetscape due to the 6.5m setback and also the proposed vegetation; and
- proposed landscaping will help reduce any impact on the streetscape.

BACKGROUND:

Application: 0339DA-2014.01
Owner: Mr CJ Tien
Applicant: Palazzo Exclusive Homes Pty Ltd
Zoning: R12.5
Use class: Dwelling (single) ‘P’ – permitted
Land area: 855m²

An application was originally submitted in August 2014 with plans showing a chimney that was visually obtrusive and front fencing piers that did not comply with Clause 3.1.7 of the Town's Planning Policy 3.1 Streetscape. At its meeting held on 24 February 2015 (Item DV15.7), Council approved the dwelling subject to the following conditions:

(i) the study and piano room windows facing south to be modified to meet the deemed-to-comply provisions of clause 5.4.1 'Visual Privacy' of the Residential Design Codes of Western Australia;

(ii) the entry statement arch to be modified so that the piers are not greater than 0.5 metres in width and depth and no higher than 3.5 metres;

(iii) the chimney being reduced in height by 1.0 metre and being no greater than 6.0 metres in length;

(iv) the fencing in the front/primary street setback area to be visually permeable and meet the deemed-to-comply provisions of clause 3.1.7 of the Town's Planning Policy 3.1: Streetscape.
DETAILS:

Development description

Amended plans have been received with the following changes:-

- Reduced width and length of the proposed chimney. The chimney is now considered a minor projection and does not require development approval and is not discussed further.
- Proposed variations to the width and depth of the proposed piers of the gate house and vehicular access gate within the front fencing.
- Minor changes to windows/terraces of the dwelling. These amendments have been advertised to neighbours with no objections received and meet design principles and are not discussed further.
- As the variation to the gatehouse only affects the streetscape, no neighbour comments have been sought.

Applicant's justification

The applicant has provided written justification for the variations to the deemed-to-comply provisions relating to the depth and width of the front fencing piers. A summary of the applicant’s justification is attached to this agenda.

Assessment against the design principles

Street walls and fences

<table>
<thead>
<tr>
<th></th>
<th>Deemed-to-comply provision</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depth of piers</td>
<td>0.5 metres</td>
<td>0.8 metres width to one pier</td>
</tr>
<tr>
<td></td>
<td>0.5 millimetres</td>
<td>2.5 metres depth for all piers</td>
</tr>
</tbody>
</table>

Design principles:

Front fences are low or restricted in height to permit surveillance (as per Clause 5.2.3) and enhance streetscape (as per clause 5.1.2), with appropriate consideration to the need:

- for attenuation of traffic impacts where the street is designated as a primary or district distributor or integrator arterial; and
- for necessary privacy or noise screening for outdoor living areas where the street is designated as a primary or district distributor or integrator arterial.

Comment

- The total visual permeability of front fence complies as the area of permeable panels are approximately 80% of the total length of the fencing within the front setback area. This complies with the requirements of the Town's Streetscape Policy Clause 3.1.7 in terms of maintaining adequate surveillance between the dwelling and the street.
- The variation to one pier for width and depth of all piers is not considered as a negative impact on the streetscape due to the 6.5 metres setback from the verge and also the fact that it is only four piers and the building bulk is not considered substantial to have an impact on the streetscape.
- The proposed dwelling is also set back approximately 16 metres from the front boundary and much higher than street level hence not contributing to additional building bulk fronting the street.
• A comprehensive landscape plan can further reduce any impact on the streetscape and is conditioned as part of the recommendation for approval.
• The neighbouring property to the north is setback approximately 11 metres and the neighbouring property to the south is setback approximately 2.5 metres. This is also the southern neighbours side/rear boundary with a setback to the dwelling in excess of 20 metres and therefore minimal impact on both neighbours.

Overall in view of the above comments, it is considered that the proposed variation does not pose a negative impact on the streetscape, the neighbouring properties or the amenity of the neighbourhood.

POLICY/STATUTORY IMPLICATIONS:

There are no policy or statutory implications related to this report. The proposal was assessed against the provisions of the Residential Design Codes of Western Australia, Town Planning Scheme No.1, and the Town Planning Scheme Policy Manual.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

Consideration of this application is consistent with the Town's Strategic Community Plan 2013-2023 for the priority area 'Our Planned Neighbourhoods'.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the statutory provisions of the Town Planning Scheme.

ATTACHMENTS:

1. Summary of applicant's justification

Committee Meeting 21 March 2017

Prior to consideration of the item, Cr O'Connor disclosed an interest affecting impartiality and declared as follows: "with respect to Lot 166 (No.38) Talgarth Way, City Beach, I declare that I am a resident of Talgarth Way and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

Council Meeting 28 March 2017

Prior to consideration of the item, Cr O'Connor disclosed an interest affecting impartiality and declared as follows: "with respect to Lot 166 (No.38) Talgarth Way, City Beach, I declare that I am a resident of Talgarth Way and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."
COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council APPROVES the amended plans for a three storey dwelling submitted by Pavlo Szyjan at Lot 166 (No.38 Talgarth Way, City beach as shown on the plans dated 3 February 2017 subject to the following conditions:-

(i) the fencing in the front/primary street setback area to be visually permeable and meet the deemed-to-comply provisions of clause 3.1.7 of the Town’s Planning Policy 3.1: Streetscape;

(ii) the study and piano room window facing south to be modified to meet the deemed-to-comply provisions of Clause 5.4.1 ‘Visual Privacy’ of the residential Design Codes of Western Australia;

(iii) landscaping in the front setback area to comply with the provisions of clause 3.1.9: Landscaping of the Town’s Planning Policy 3.1: Streetscape.

Carried 9/0
SUMMARY:

The Town has received an application for a two storey dwelling at No. 200 Daglish Street, Wembley. The proposal involves the demolition of the existing single storey dwelling and the construction of a new two storey dwelling. The design of the proposed dwelling is unconventional in that it comprises a skillion roof which rises from front to rear, concealing a second storey within the roof form. Vehicle access is to be via the adjoining right-of-way (Wolfenden Lane).

The application requires a Council determination as an assessment is required against the roof pitch design principles of the Town's Streetscape Policy (Part 3.1.10).

The proposal is not considered to satisfy the relevant design principles for the following reasons:-

- the skillion roof form does not respect the roof pitches of existing houses within the street and immediate locality, which are predominantly hipped and/or gabled in style; and
- the proposed dwelling will project forward of neighbouring side dwellings, meaning the skillion roof form will be visible and exposed to the street, particularly when approaching the property along Daglish Street from the south.

Accordingly, the proposal is recommended for refusal.

BACKGROUND:

Application: 0014DA-2017
Owner: Mr TL Kenzle and Ms MD Ambrose
Applicant: Post Architecture
Zoning: Residential R20
Use class: Dwelling (single) ‘P’ – permitted
Land area: 670m²

This application was originally submitted in January 2017. Amended plans were submitted in March 2017 showing minor amendments to lot boundary setbacks, as well as to the garage boundary wall and finished floor level, responding to feedback from the Town's Infrastructure Services. It is the latter set of plans which are the subject of the following report.

DETAILS:

Development description

- The subject site is generally flat with a slope of just over 0.5 metres from front (west) to rear (east). A single storey brick and tile dwelling exists on the site at present. The site has access to a sealed right-of-way (Wolfenden Lane), which is proposed to be utilised for vehicle access.
- The proposed dwelling comprises an unconventional skillion roof design with a pitch of approximately 7 degrees. The roof form rises up from front to rear and conceals a second storey within. A double garage and store is to be accessed from Wolfenden Lane.
• An overall roof height of 7.21 metres has been assessed, in lieu of the required 7 metres for a skillion roof. The additional height occurs at the very peak of the roof toward the rear of the site and as such amounts to a very small proportion of the building. It is also noted that overshadowing of the adjoining property satisfies the relevant deemed-to-comply requirements. Neighbours have also not expressed any objections to the proposed height of the development. The building height is therefore considered to satisfy design principles.

• Side setback variations occur on both the northern and southern sides of the proposed dwelling. These are partly due to the unconventional design and shape of the building. Neighbours have been consulted on these setback matters with no objections raised. The setbacks of the proposal are considered to satisfy the relevant design principles given the effective use of space on site, and given that a range of boundary setbacks and wall heights are proposed due to the irregular building design which in turn reduces perceived bulk and scale.

• Aside from the roof pitch, the proposal satisfies all relevant requirements of the Streetscape Policy, including landscaping, street surveillance and vehicle access.

• The plans have been reviewed by the Town's Infrastructure Services, who raised concerns regarding the finished floor level of the garage. The plans have been amended to show the level of the garage being consistent with the levels within the right-of-way, reducing the chance of stormwater inundation within the garage.

Applicant’s justification

The applicant has provided written justification for the variations to the deemed-to-comply provisions relating to the roof pitching of the proposed development. It is stated that as the building presents as single storey from the street, it will be sympathetic to the established streetscape. A summary of the applicant’s justification is attached to this agenda.

Neighbour submission

The applicant has consulted adjoining property owners to the north, east, south and west regarding the building height and lot boundary setback matters. Neighbours have provided signed copies of the plans noting the variations proposed and indicating no objections to the proposal. Further, the Town sent a letter to the property owner to the south at No. 198 Daglish Street as the applicant was not able to contact all property owners. To date, this neighbour has not submitted any comments.

Assessment against the design principles

Roof pitch in Wembley and West Leederville

<table>
<thead>
<tr>
<th></th>
<th>Deemed-to-comply provision</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roof pitch in Wembley</td>
<td>Between 22 and 35 degrees</td>
<td>Skillion roof pitch at approximately 7 degrees</td>
</tr>
</tbody>
</table>

*Design principles:*

• *Buildings which respect the height, massing and roof pitches of existing housing in the street and immediate locality;*

• *Buildings which respect the architectural styles which characterise the immediate locality;* and

• *Buildings which relate to the palette of materials and colours which are characteristic of housing in the immediate locality.*
The dwelling presents as single storey from the street, and as such does respect the height and massing of existing houses in the street. Whilst the materials of construction have not been confirmed with this application, the applicant has indicated that materials will be chosen to generally reflect those of surrounding dwellings. As viewed front-on from the street, the dwelling will appear relatively complementary to the streetscape, particularly as the skillion roof design presents the illusion of a hipped roof when viewed from this perspective; this is demonstrated in the applicant's 3-D perspective drawings. The fact that this design has been conceptualised as a contemporary interpretation of surrounding character dwellings is acknowledged.

A review of the existing streetscape has revealed that Daglish Street comprises a number of old and new dwellings which present to the street with a 'traditional' hipped and/or gabled roof form. The proposed dwelling, with its skillion roof, is considered unconventional and out of context when looked at in this regard.

Whilst the roof shape is not as evident when viewed front-on from the street (i.e. toward the east), the skillion roof will be more prominent when viewed from the sides, particularly when approaching the property from the south given the 10 metre street setback of the neighbouring dwelling and the 6 metre setback of this proposal. The proposed dwelling will project forward of neighbouring side dwellings, meaning the skillion roof form will be visible and exposed to the street. This is an outcome that is not seen to be respectful to roof pitches of existing housing in the street and immediate locality.

Overall in view of the above comments, it is considered that the proposed roof pitch does not satisfy the relevant design principles for the following reasons:-

- the skillion roof form does not respect the roof pitches of existing houses within the street and immediate locality, which are predominantly hipped and/or gabled in style; and
- the proposed dwelling will project forward of neighbouring side dwellings, meaning the skillion roof form will be visible and exposed to the street, particularly when approaching the property along Daglish Street from the south.

POLICY/STATUTORY IMPLICATIONS:

There are no policy or statutory implications related to this report. The proposal was assessed against the provisions of the Residential Design Codes of Western Australia, Town Planning Scheme No.1, and the Town Planning Scheme Policy Manual.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

Consideration of this application is consistent with the Town's Strategic Community Plan 2013-2023 for the priority area 'Our Planned Neighbourhoods'.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the statutory provisions of the Town Planning Scheme.
ATTACHMENTS:
1. Original Applicant Justification.
2. Additional Supporting Letter from Applicant.

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council REFUSES the application for a two storey dwelling submitted by Post Architecture at Lot 1203 (No. 200) Daglish Street, Wembley, as shown on the plans dated 13 March 2017, for the following reasons:-

(i) the proposal does not satisfy the deemed-to-comply provisions and design principles of the Town's Policy 3.1: Streetscape for 'Roof Pitch';

(ii) the skillion roof form does not respect the roof pitches of existing houses within the street and immediate locality, which are predominantly hipped and/or gabled in style; and

(iii) the proposed dwelling will project forward of neighbouring side dwellings, meaning the skillion roof form will be visible and exposed to the street, particularly when approaching the property along Daglish Street from the south.

During discussion, Members noted that the applicant has requested that the application be referred back to the Development Committee.

Motion to Refer Back

Moved by Cr Bradley, seconded by Cr Grinceri

That the item relating to Lot 1203 (No.200) Daglish Street, Wembley be referred back to the Development Committee for further consideration.

Lost 3/6

For: Mayor Shannon, Crs Bradley and Grinceri
Against: Cr Carr, King, MacRae, O'Connor, Powell and Timmermanis

The original motion was then put and carried 7/2

For: Crs Carr, Grinceri, King, MacRae, O'Connor, Powell and Timmermanis
Against: Mayor Shannon and Cr Bradley
SUMMARY:
The Town has received an application for additions and alterations to the existing dwelling at No. 34 Aruma Way, City Beach. The plans show a vergola to be constructed at the rear of the dwelling with a nil setback to the rear/north-eastern boundary and TV room to the side of the dwelling with a nil setback to the side south/western boundary.

The application requires a Council determination as an assessment is required against the side setback design principles of the Residential Design Codes of WA (R-Codes) and an objection has been received during the consultation period.

The proposal is considered to satisfy the relevant design principles for the following reasons:-

- the location of the boundary wall does not have any significant impact on the amenity of the adjoining landowner in terms of building bulk and does not significantly impact on access to direct sun to habitable rooms or outdoor living areas.

Accordingly, the proposal is recommended for approval.

BACKGROUND:
Application: 0498DA-2016
Owner: Ms JT Driscoll
Applicant: Kyria Design
Zoning: Residential R12.5
Use class: Dwelling (single) ‘P’ – permitted
Land area: 732 m²

DETAILS:
Development description

- Existing two storey dwelling on subject site.
- The site is an unusual triangular shape with a large curved frontage so that it does not have a clearly defined rear boundary. For the purpose of this application, the north-eastern boundary has been nominated as the rear setback and the south-eastern boundary as a side setback. The justification for this is that it reflects the configuration of the dwelling on the site and also is consistent with the assessment done for the recent development of No. 30 Aruma Way which is a similar shaped lot.
- A vergola is proposed within the rear setback space with a nil setback to the north-eastern boundary. The vergola extends for 4.3 metres along the boundary and has a height of 2.74 metres. It is considered to meet design principles and the adjoining landowner has viewed the plans and has not objected to the proposed variation. Hence the vergola is not discussed further in this report.
- A new screen wall and bifold louvres are also proposed on the side of front balcony of the dwelling. As this is well set back from the street and does not impact on setback or privacy issues it is not further discussed in this report.
• A TV room is proposed along the south-eastern boundary with a nil setback.
• Some minor internal modifications to the laundry are also proposed to provide an entry point to the new TV room.

Applicant's justification

The applicant has provided written justification for the variations to the deemed-to-comply provisions relating to the setback variation for the TV room. A summary of the applicant’s justification is attached to this agenda.

Neighbour submission

The Town notified the owners of the two properties directly adjoining the side and rear boundaries of the subject site, being No. 44 Aruma Way to the north-east (rear boundary) and No. 32 Aruma Way to the south-east (side boundary). One submission was received from the owners of No. 32 Aruma Way objecting to the nil setback to the TV room due to loss of amenity. A summary of the submission is attached to this agenda.

Assessment against the design principles

Lot boundary setback

<table>
<thead>
<tr>
<th>Deemed-to-comply provision</th>
<th>Proposed</th>
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<tbody>
<tr>
<td>Side setback</td>
<td>Min 1.0 metre</td>
</tr>
</tbody>
</table>

Design principles:

Buildings set back from lot boundaries so as to:
• reduce impacts of building bulk on adjoining properties;
• provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and
• minimise the extent of overlooking and resultant loss of privacy on adjoining properties.

Buildings built up to boundaries (other than the street boundary) where this:
• makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas;
• does not compromise the design principle contained in 5.1.3 P3.1;
• does not have any adverse impact on the amenity of the adjoining property;
• ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and
• positively contributes to the prevailing development context and streetscape.

The proposed TV room has a wall length of 4.931 metres and a wall height of 2.914 metres measured from the existing ground floor level on the subject property being 30.33 metres AHD. A pitched roof which pitches up to a maximum height of 3.5 metres and 3.0 metres from the boundary is proposed over the TV room.

The natural ground level on the neighbour’s side of the relevant portion of boundary ranges in height from 30.74 to 30.81 metres AHD so that the proposed wall is 2.5 metres high as viewed from the adjoining property. The proposed wall is set behind the existing 2.0 metre high dividing fence which is a limestone wall so that it is predominantly screened from view from the
adjoining property and will project approximately 562mm above the height of the existing dividing fence/wall for a length of 4.9 metres.

The proposed wall sits adjacent to a grassed area and garden beds on the side of the adjoining property. The swimming pool for this dwelling is at the rear with the alfresco area (active outdoor habitable space) on the rear corner of the dwelling and well setback from the side boundary. Therefore it is unlikely that direct sun to major openings and outdoor living areas would be restricted by the proposed nil setback. In addition, the angled boundary means that the northern sun would be at an angle across the adjoining property and predominantly would fall over the garden beds at winter solstice.

The applicant is making effective use of space in positioning the TV room to the side of the dwelling and it is noted that the wall has no major or minor openings facing the adjoining property that would impact on the adjoining landowner in terms of privacy. Indeed, requiring a 1.0 metre setback to meet deemed to comply requirements could allow for the introduction of a highlight window which may also impact on the amenity of the adjoining landowner in terms of increased noise.

Overall in view of the above comments, it is considered that the proposed setback of the development from the south-eastern side boundary satisfies the relevant design principles for the following reason:-

• the location of the boundary wall does not have any significant impact on the amenity of the adjoining landowner in terms of building bulk and does not significantly impact on access to direct sun to habitable rooms or outdoor living areas.

POLICY/STATUTORY IMPLICATIONS:

There are no policy or statutory implications related to this report. The proposal was assessed against the provisions of the Residential Design Codes of Western Australia, Town Planning Scheme No.1, and the Town Planning Scheme Policy Manual.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

Consideration of this application is consistent with the Town's Strategic Community Plan 2013-2023 for the priority area 'Our Planned Neighbourhoods'.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the statutory provisions of the Town Planning Scheme.

ATTACHMENTS:

1. Summary of applicant's justification and neighbour comment
ADMINISTRATION RECOMMENDATION:

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council APPROVES the application for additions and alterations to the existing dwelling as submitted by Kyria Design at Lot 355 (No.34) Aruma Way, City Beach as shown on the plans dated 19 December 2016, subject to the following conditions:-

(i) the surface finish of the boundary wall to the TV room facing the adjoining property to the south-east to be rendered, painted or face brickworks prior to the occupation of the dwelling addition and to the satisfaction of the Town; and

(ii) water draining from roofs, driveways, paths and other impermeable surfaces shall be directed to garden areas, sumps and rainwater tanks within the site for the effective retention of stormwater on site.

Committee Meeting 21 March 2017

During discussion, Members agreed that areas of open space around buildings should be able to be retained on large residential properties.

Amendment

Moved by Cr O'Connor, seconded by Cr MacRae

That clause (i) of the motion be amended to read as follows:-

(i) the tv room to be set be a minimum of 1 metre from the boundary.

Amendment carried 5/0

COUNCIL DECISION:

(COMMITTEE RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council APPROVES the application for additions and alterations to the existing dwelling as submitted by Kyria Design at Lot 355 (No.34) Aruma Way, City Beach as shown on the plans dated 19 December 2016, subject to the following conditions:-

(i) the tv room to be set back a minimum of 1 metre from the boundary;

(ii) water draining from roofs, driveways, paths and other impermeable surfaces shall be directed to garden areas, sumps and rainwater tanks within the site for the effective retention of stormwater on site.

Carried 9/0
DV17.42  LOT 1849 (NO. 64) ALEXANDER STREET, CORNER GRANTHAM STREET, WEMBLEY - CARPORT

SUMMARY:

The Town has received an application for a carport at Lot 1849 (No. 64) Alexander Street, Wembley. The plans show a double carport located 1.0 metre from the northern (left) boundary and 1.5 metres from the Primary Street (Alexander Street) boundary.

The application requires a Council determination as an assessment is required against the sightlines design principles of the Residential Design Codes of WA (R-Codes).

The proposal is considered to satisfy the relevant design principles (with the condition of the posts being 0.5 metres from the northern (left) boundary) for the following reasons:-

- the proposed setback of the carport and existing open fence will allow visibility to and from the site.

Accordingly, the proposal is recommended for approval.

BACKGROUND:

Application: 0012DA-2017
Owner: Mrs AJ Marian
Applicant: Peter O'Leary
Zoning: Residential R20
Use class: Dwelling (single) ‘P’ – permitted
Land area: 721m²

DETAILS:

Development description

- The subject site is located on the corner of Alexander Street and Grantham Street.
- The applicant is preparing the subject site for future subdivision, with an additional lot to be created to the east at the corner of Grantham Street and the right-of-way.
- Two sections of a low wall with 1.8 metre high pillars and no infill panels is located with the front setback area (Alexander Street), the remainder is solid from the truncation to the secondary street (Grantham Street).
- The applicant proposes a double carport within the front setback area.
- The carport will be 6.0 metres by 6.0 metres with a post height of 2.4 metres and overall ridge height of 3.7 metres.
- The carport is located 1.0 metre from the northern (left) boundary and 1.5 metres from the front (Alexander Street) boundary.
- A portion of the carport will sit behind the last pillar of the existing fence restricting access and resulting in potential sightline issues.
Applicant's justification

The applicant has provided written justification for the variations to the deemed-to-comply provisions relating to sightlines. A summary of the applicant’s justification is attached to this agenda.

Assessment against the design principles

Sight lines

<table>
<thead>
<tr>
<th>Walls, fences, other structures</th>
<th>Deemed-to-comply provision</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Truncated or reduced in height to 0.75 metres within 1.5 metres of where walls, fences, other structures adjoin vehicle access points.</td>
<td>1.5 metres x 0 metres</td>
</tr>
</tbody>
</table>

*Design principle:*

*Unobstructed sight lines provided at vehicle access points to ensure safety and visibility along vehicle access ways, streets, rights-of-way, communal streets, crossovers, and footpaths.*

The applicant proposes to remove an existing large tree on the site to construct a double carport in the front setback area. With a setback of 1.0 metre from the boundary, it is considered that sightlines will not be adequate as there is a footpath directly in front of the property, with an underpass across the road, and an existing fence restricting access to the carport that impedes sightlines.

It is recommended that the carport be relocated north on the site with the posts of the carport be set back 0.5 metres from the northern boundary. This will allow greater sightlines to and from the property. Although the carport posts will still be located behind the fence pier, the fence is open style, and the carport is wider than the minimum width of 4.8 metres for a double carport. The additional width will allow greater manoeuvring.

Whilst the carport will be located closer than the required 1.0 metre setback to the northern boundary, it will be abutting a garage and driveway to the adjoining lot, and will have little impact on sunlight to outdoor living areas or habitable room windows. The carport is also located to the south of the adjoining property and will therefore not overshadow.

Overall in view of the above comments, it is considered that the proposed sight lines with the amended setback to the carport satisfies the relevant design principles for the following reasons:-

- the proposed setback of the carport and existing open fence will allow visibility to and from the site.

**POLICY/STATUTORY IMPLICATIONS:**

There are no policy or statutory implications related to this report. The proposal was assessed against the provisions of the Residential Design Codes of Western Australia, Town Planning Scheme No.1, and the Town Planning Scheme Policy Manual.
FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

Consideration of this application is consistent with the Town’s Strategic Community Plan 2013-2023 for the priority area ‘Our Planned Neighbourhoods’.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the statutory provisions of the Town Planning Scheme.

ATTACHMENTS:

1. Summary of applicant's justification.

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That, in accordance with Clause 68(2) of the Deemed Provisions of the Town of Cambridge Town Planning Scheme No. 1, Council APPROVES the application for a carport submitted by Peter O'Leary at 1849 (No. 64) Alexander Street, Wembley as shown on the plans dated 17 January and 27 February 2017, subject to the following conditions:-

(i) the carport being relocated 0.5 metres towards the northern (left) boundary;

(ii) the carport to remain open on all sides. No solid door is to be installed;

(iii) the crossover to be no wider than 4.5 metres (including splays); and

(iv) water draining from roofs, driveways, paths and other impermeable surfaces shall be directed to garden areas, sumps or rainwater tanks within the site for the effective retention of stormwater on site.

Carried 9/0
PURPOSE OF REPORT:

To report on matters which have been dealt with under delegated authority and notify the Council of other proceedings in relation to Planning and Development matters.

DETAILS:

The following items (for the months of February 2017) have been dealt with under delegated authority, in accordance with Council’s policy, as they were deemed to comply in all respects with the requirements of the Town Planning Scheme and Council Policy:-

City Beach
- 292 The Boulevard, City Beach - Single storey dwelling
- 29 Kalinda Drive, City Beach - Additions and alterations to existing dwelling
- 132 Drabble Road, City Beach - Patio and awning
- 14 Lowanna Way, City Beach - Additions and alterations to existing dwelling
- 24 Alkoomie Terrace, City Beach - Front fence

Mount Claremont
- 42 Biara Gardens, Mt Claremont - Two storey dwelling

Floreat
- 237 Salvado Road, Floreat - Patio
- 32 The Boulevard, Floreat - Single storey dwelling with swimming pool
- 18 Highbury Street, Floreat - Alfresco, gazebo and fence
- 46 Oceanic Drive, Floreat - Two storey dwelling

Wembley
- 208 Harborne Street, Wembley - Single storey dwelling, ancillary dwelling and carport
- 211 Harborne Street, Wembley - Additions and alterations to existing dwelling
- 252 Cambridge Street, Wembley - Change of use (office to shop)
- 27 Bath Street, Wembley - Single storey dwelling
- 230-232 Cambridge Street, Wembley - Change of use from community club to restaurant
- 1b Dodd Street, Wembley - Patio

Subiaco
- 12 Salvado Road, Subiaco - Pylon sign to St John of God Hospital

West Leederville
- 9 St Leonards Avenue, West Leederville - Additions and alterations to rear of existing dwelling
The following items were referred to the Western Australian Planning Commission with a recommendation for approval:-

- 16 Jukes Way, Wembley - Two lot subdivision

The following items are notifications of applications for review and decisions for Council's information:-

**Applications for Review (Appeals) - received**

No applications for review were lodged with the State Administrative Tribunal against decisions of the Council during February 2017:

Applications still being reviewed by the State Administrative Tribunal include:

- 14 Alkoomie Terrace, City Beach - to full hearing on 26-28 April 2017 (pending SAT orders at time of this report)
- 15 Omaroo Terrace, City Beach - directions hearing on 17 March 2017 to schedule for final hearing (pending SAT orders)
- 17 Harborne Street, Wembley - directions hearing on 17 March 2017 to schedule for final hearing
- 22 Joseph Street, West Leederville - further mediation to be held on 30 March 2017.
- 20 Bendigo Way, City Beach - listed for final hearing on 23 March 2017.

**Applications for Review (Appeals) - determined**

No applications for review were determined by the State Administrative Tribunal during February 2017.

**COUNCIL DECISION:**  
(COMmittee and Administration ReCommendation)

**Moved by Cr King, seconded by Cr Bradley**

That the report on Delegated Decisions and Notifications dealt with under delegated authority for the period commencing 1 February and ending 28 February 2017 be received.

Carried 9/0
DV17.44 BUILDING PERMITS APPROVED UNDER DELEGATED APPROVAL - FEBRUARY 2017

SUMMARY:

To provide monthly statistics and comparative data of building permits approved under delegated authority in February 2017.

BACKGROUND:

Listed below are the total numbers of permits issued in the month of February 2017. Also shown are the comparative figures of the number of permits issued on the same month of the previous year and year to date totals.

<table>
<thead>
<tr>
<th>Building Type</th>
<th>February 2017</th>
<th>February 2016</th>
<th>Financial Year to Date 2016/2017</th>
<th>Corresponding Financial Year to Date 2015/2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Permits (Certified)</td>
<td>32</td>
<td>21</td>
<td>271</td>
<td>224</td>
</tr>
<tr>
<td>Building Permits (Uncertified)</td>
<td>16</td>
<td>16</td>
<td>146</td>
<td>163</td>
</tr>
<tr>
<td>Demolition Permits</td>
<td>5</td>
<td>8</td>
<td>38</td>
<td>49</td>
</tr>
<tr>
<td>Building Approval Certificate (unauthorised work)</td>
<td>1</td>
<td>1</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>Building Approval Certificate (Strata Development)</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Occupancy Permits (Classes 2-9 only)</td>
<td>2</td>
<td>3</td>
<td>29</td>
<td>16</td>
</tr>
<tr>
<td>Occupancy Permits (Strata Development)</td>
<td>0</td>
<td>1</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>56</td>
<td>51</td>
<td>497</td>
<td>466</td>
</tr>
<tr>
<td>Value of Construction</td>
<td>$10,716,980</td>
<td>$11,490,136</td>
<td>$131,166,306</td>
<td>$131,407,831</td>
</tr>
</tbody>
</table>

Committee Meeting 21 March 2017

Prior to consideration of the item, Cr O’Connor disclosed an interest affecting impartiality and declared as follows: “with respect to Lot 166 (No.38) Talgarth Way, City Beach, I declare that I am a resident of Talgarth Way and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”
Council Meeting 28 March 2017

Prior to consideration of the item, Cr O'Connor disclosed an interest affecting impartiality and declared as follows: "with respect to Lot 166 (No.38) Talgarth Way, City Beach, I declare that I am a resident of Talgarth Way and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr King, seconded by Cr Bradley

That the Schedule of Building and Demolition Permits approved under delegated authority for the month of February 2017 as attached to and forming part of the notice paper, be received.

Carried 9/0
COMMUNITY AND RESOURCES COMMITTEE

The report of the Community and Resources Committee meeting held on Monday 20 March 2017 was submitted as under:-

1. DECLARATION OF OPENING

The Presiding Member declared the meeting of the Community and Resources Committee open at 6.00 pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

<table>
<thead>
<tr>
<th>Present</th>
<th>Time of Entering</th>
<th>Time of Leaving</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cr Louis Carr (Presiding Member)</td>
<td>6.00 pm</td>
<td>7.53 pm</td>
</tr>
<tr>
<td>Mayor Keri Shannon</td>
<td>6.02 pm</td>
<td>7.53 pm</td>
</tr>
<tr>
<td>Cr Sonia Grinceri</td>
<td>6.00 pm</td>
<td>7.53 pm</td>
</tr>
<tr>
<td>Cr Jane Powell</td>
<td>6.00 pm</td>
<td>7.53 pm</td>
</tr>
<tr>
<td>Observers:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cr Rod Bradley</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Officers:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jason Buckley, Chief Executive Officer</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jason Lyon, Director Corporate and Strategic</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chris Colyer, Director Infrastructure</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cam Robbins, Director Community Development</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brett Jackson, Director Projects</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jon Bell, Manager Infrastructure Works</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peter Maloney, Manager Infrastructure Assets</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Walter Van Der Loo, Manager Infrastructure Parks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frank Strever, Coordinator Assets and Design</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carole Lambert, Manager Community Development</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Diana Allen, Senior Community Development Officer (Senior Services)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Matthew Day, General Manager, Wembley Golf Course</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roy Ruitenga, Manager Finance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stuart Hobley, Manager Governance &amp; Contracts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tess Jackson, Administration Officer Property &amp; Governance</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adjournments:</td>
<td>Nil</td>
<td></td>
</tr>
<tr>
<td>Time meeting closed:</td>
<td>7.53 pm</td>
<td></td>
</tr>
</tbody>
</table>

APOLOGIES/LEAVE OF ABSENCE

Apology - Cr Timmermanis
3. PUBLIC QUESTION TIME

Jim Ashenden, 47 Orrel Avenue, Floreat on behalf of Cambridge Residents Association
Re: Water in Perry Lakes

Question 1

Does the Council have a plan for the filling of Perry Lakes with water?

Question 2

Does the Council Intend to allocate appropriate money in the forthcoming 2017/18 budget?

Question 3

If the answer to either of the above is in the negative, please can we be advised of what the intended actions are?

Response

The Director Projects advised that the Town has just commenced the study into the high level options for providing water into the Perry Lakes. Until the works have been completed and Council has had the opportunity to consider the report, it is premature at this stage to identify how much money, if any, would be allocated to the 2017/2018 Budget. It is hopeful that the report will be able to be considered by Council prior to adoption of the budget to allow any necessary action to be taken.

Question 4

We have been in discussion with both Councillors and the Executive in relation the Perry Lakes and there's a lot of anecdotal conversations that tend to support the filling of the lakes, but there is nothing I can see on record other than an item in the request for quotation for the current consultancy which has just been awarded which actually stipulates that the Council is in favour of filling the lakes with water.

Response

The Director Projects advised that the Council requested we look at the options for providing water in Perry Lakes which gives you a clear indication that they are interested in providing water in Perry Lakes, but until such time that Council is apprised on the high level operating and capital costs and other issues it would be premature to say that they're committed to putting water in Perry Lakes at this time.

4. DEPUTATIONS AND PETITIONS

Deputations

Item CR17.37 Rod Hicks, Streetside Advertising
Item CR17.27 Tony Glass, President Reabold Tennis Club
5. CONFIRMATION OF MINUTES

That the Minutes of the Ordinary meeting of the Community and Resources Committee held on 20 February 2017 as contained in the February 2017 Council Notice Paper be confirmed.

6. DECLARATION OF MEMBERS’ INTERESTS

Item CR17.27  Cr Powell - Impartiality Interest

7. REPORTS
CR17.23 INFRASTRUCTURE PARKS PROPOSED 2017 2018 BUDGET CAPITAL AND NON-CAPITAL WORKS

SUMMARY:

This report outlines the strategic drivers for Infrastructure Parks capital and non-capital works and summarises proposed non-discretionary and discretionary works for the 2017/18 financial year to ensure appropriate service level provisions to the community whilst managing assets in a sustainable manner.

Proposed works are for Council consideration and feedback to help inform the formal budget process.

BACKGROUND:

Infrastructure Parks currently manages over 475 hectares of parks, sportsgrounds, landscaped road reserves, remnant bushland areas, wetlands and coastal dunes (excluding the Wembley Golf Course).

Expenditure in Infrastructure Parks falls within three category types:

- Capital Works (Capital Budget) - non-recurrent expenditure over a particular value to upgrade or renew assets
- Non-capital Works (Operating Budget) - program expenditure or non-recurrent expenditure
- Maintenance (Operating Budget) - recurrent expenditure to service and maintain the open space or asset

Previously a report has been submitted to Council each year to identify and prioritise proposed Infrastructure Parks capital and non-capital works items. The purpose of the report was to provide forward notice of the works items being submitted to the draft budget.

Many of the Infrastructure Parks works items listed were generated from numerous asset management and improvement implementation schedules. Some of the schedules were informed by strategies and programs endorsed by Council.

Other proposed works were developed as part of the "normal practice" of providing and managing assets as best possible within the context of the existing asset base, ad-hoc requests not covered by above mentioned endorsed programs and resourcing constraints of the time.

The aim of the report was to obtain early feedback to inform the formal draft budget preparation.
DETAILS:

Preparation of the proposed Infrastructure Parks capital and non-capital works items for the 2017/18 budget is impacted by a number of key considerations:

1. A key phase in the implementation of the Integrated Planning and Reporting framework is currently underway:
   a. A major review of the Town’s Community Strategic Plan and Corporate Business Plan is being undertaken. The plans will be informed by direction and feedback from the community, including regarding service levels. The community engagement phase is currently underway. Outcomes of the consultation and subsequent Council consideration may have an impact on strategic directions, key initiatives and service levels that are likely to impact Infrastructure Parks projects; and
   b. The development of an Asset Management Plan is underway and is being informed in part by a core asset database for all the Town’s assets compiled in AssetFinda. The database captures critical information regarding existing assets including life expectancy, asset condition and replacement value. Asset management programs will become better informed as this database is refined over the next twelve months;

2. Two of the Town’s most significant park assets - Lake Monger and Perry Lakes - are currently or shortly to be the subject of consultancies which will influence future management and development works in these areas;

3. City Beach and Floreat Beach are major destinations in the Town and master plans for the open space areas are required to be prepared or reviewed to help inform any proposed major works in these areas; and

4. A number of informing strategies or strategic frameworks need to be developed and will likely influence future capital and non-capital works requirements. These include:
   a. Local Planning Strategy (underway);
   b. Public Open Space Strategy (potential development);
   c. Urban Forest Strategy (potential development); and
   d. Natural Areas Strategy (bushland, wetlands and coastal areas).

This report aims to provide an overview of directions for Infrastructure Parks works in 2017/18 and key initiatives and projects believed to be of the highest priority for consideration during the budget process.

The key theme for Infrastructure Parks for 2017/18 will be "consolidation". It is proposed the Infrastructure Parks works be restricted to areas of focus already informed by current and ongoing strategies and initiatives that are unlikely to be affected by potential shifts in strategic direction resulting from the matters raised above. The proposed works will also include one-off items that have been deemed of high importance.

Works can be generally broken into two categories:

1. Non-discretionary Works - These are works required to sustainably maintain appropriate service levels of the Town’s assets. These works comprise primarily of asset replacement programmes and major maintenance works not normally allowed for as part of programmed and reactive maintenance operations. Assets include both built elements and natural elements i.e. trees, gardens, etc. There are several potential direct and indirect impacts if non-discretionary works are not carried out or delayed including:
a. reduction in service levels;
b. increase in maintenance costs;
c. increase in reactionary work impacting resources; and
d. backlog of works putting upward pressure on future budgets.

2. Discretionary Works - These are optional works the Council may choose to carry out to greatly improve service levels and/or develop a more sustainable, robust and resilient asset base. These works tend to be the result of improvement or upgrade programmes or where totally new works are required.

Non-discretionary Works

Preliminary data collection for all Infrastructure Parks assets has been carried out up to 2016 and is included in the AssetFinda database. Assets created in the 2016/17 financial year are yet to be included, notably, Wembley Sports Park Playground and Rutter Park improvements. The AssetFinda database is under ongoing review and refinement to ensure all assets have been picked up and critical information regarding asset condition, expected asset life and replacement value is as up-to-date as possible.

The current data in AssetFinda, whilst not 100% complete, is useful in gaining an insight into the Town’s asset replacement requirements. The data is broken down below into several broad related asset groups, indicating their approximate average base life expectancy (i.e. how long they are expected to last from new) and their replacement value.

<table>
<thead>
<tr>
<th>Infrastructure Parks Asset Category¹</th>
<th>Average Life Expectancy (x)</th>
<th>Total Asset Category Value (y)</th>
<th>Average Yearly Replacement Value (y/x)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Irrigation</td>
<td>20 years</td>
<td>$8.99M</td>
<td>$450,000</td>
</tr>
<tr>
<td>Car parks²</td>
<td>50 years</td>
<td>$8.56M</td>
<td>See note below</td>
</tr>
<tr>
<td>Paths</td>
<td>50 years</td>
<td>$5.60M</td>
<td>$112,000</td>
</tr>
<tr>
<td>Sports Facilities</td>
<td>25 years</td>
<td>$2.34M</td>
<td>$94,000</td>
</tr>
<tr>
<td>Lighting</td>
<td>20 years</td>
<td>$1.81M</td>
<td>$91,000</td>
</tr>
<tr>
<td>Furniture (Inc. shade/ shelters)</td>
<td>15 years</td>
<td>$1.76M</td>
<td>$117,000</td>
</tr>
<tr>
<td>Play Equipment</td>
<td>15 years</td>
<td>$1.53M</td>
<td>$102,000</td>
</tr>
<tr>
<td>Fencing/Walls</td>
<td>30 years</td>
<td>$0.48M</td>
<td>$16,000</td>
</tr>
<tr>
<td>Other/Miscellaneous</td>
<td>20 years</td>
<td>$0.04M</td>
<td>$2,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>$31.11M</td>
<td>$984,000</td>
</tr>
</tbody>
</table>

¹ Trees and other natural assets are not currently captured as an asset category in Assetfinda, however, there are several asset management programs associated with this category that are allowed for as non-discretionary work in the budget.

² Values shown are a preliminary estimate based on initial transfer and input of data into AssetFinda. The database is in its infancy and requires further verification and refinement to achieve greater confidence in the accuracy of the data.

³ Value shown for car parks is for total replacement. In reality, only resurfacing is required to maintain the asset. A separate report has been prepared for Council Consideration in February 2017 dealing with car park resurfacing of car parks throughout the Town i.e. not just in parks.

The average yearly replacement value figures provided in the table above are somewhat hypothetical as they do not take into account current condition and whether replacement programmes in the past have been adequate. Also, the above values assume that assets have been installed regularly over time and are due for replacement in a consistent manner. They do not consider whether a lot of assets in the same category were installed or renewed over a condensed period creating potential replacement peaks in the future. An aim of asset management programs is to smooth out costs, where possible, in the long term financial plan and future budgets to help reduce peaks and troughs in required expenditure.
The renewal of some asset classes also needs to take into account the requirement to replace assets to a higher standard. This may be due to changes in regulations and industry standards or in response to community expectations or strategic plans. This can result in higher costs than allowed for in the asset data base which assumes like-for-like replacement. Asset management plans need to be prepared for each asset class to address the above issues among other asset management considerations.

Following are the proposed non-discretionary works for the 2017/18 financial year. For ease of reference, works are grouped according to their asset category and combined costs are provided where numerous items/projects are grouped together. Budget items will be created to suit the budget template as required during the budget development process. Costs shown are approximate only and will be developed prior to and during the budget process.

<table>
<thead>
<tr>
<th>Program/Initiative</th>
<th>Works Element</th>
<th>Approx. Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Irrigation</td>
<td>• Bores and pumps renewals</td>
<td>$305,000</td>
</tr>
<tr>
<td></td>
<td>• Iron bacteria treatments</td>
<td>$15,000</td>
</tr>
<tr>
<td></td>
<td>• Calibrate and replace water metres (DoW requirement)</td>
<td>$25,000</td>
</tr>
<tr>
<td></td>
<td>• Irrigation - Helston Park and WCH median - Oceanic to Rochdale (MRWA funding - $80,000)</td>
<td>$240,000</td>
</tr>
<tr>
<td></td>
<td>• Groundwater monitoring</td>
<td>$15,000</td>
</tr>
<tr>
<td></td>
<td>• Contingency - emergency bore/pump/retic. replacement</td>
<td>$10,000</td>
</tr>
<tr>
<td></td>
<td>Subtotal</td>
<td>$610,000</td>
</tr>
<tr>
<td>Car Parks</td>
<td>• Resurfacing (refer separate report - CR17.4 February 2017)</td>
<td>TBA</td>
</tr>
<tr>
<td></td>
<td>• Various parks - remarking and repairs</td>
<td>$10,000</td>
</tr>
<tr>
<td></td>
<td>Subtotal</td>
<td>$10,000</td>
</tr>
<tr>
<td>Paths</td>
<td>• Floreat Beach groyne path</td>
<td>$50,000</td>
</tr>
<tr>
<td></td>
<td>• Floreat Beach Park shower and lookout decking replacement</td>
<td>$40,000</td>
</tr>
<tr>
<td></td>
<td>• Various - minor critical replacements</td>
<td>$50,000</td>
</tr>
<tr>
<td></td>
<td>Subtotal</td>
<td>$140,000</td>
</tr>
<tr>
<td>Sports Facilities</td>
<td>• Various - renovate active turf areas</td>
<td>$35,000</td>
</tr>
<tr>
<td></td>
<td>• Various - replace sports facilities e.g. wickets, goals etc.</td>
<td>$50,000</td>
</tr>
<tr>
<td></td>
<td>Subtotal</td>
<td>$85,000</td>
</tr>
<tr>
<td>Lighting</td>
<td>• City Beach lighting review (refer separate report)</td>
<td>$40,000</td>
</tr>
<tr>
<td></td>
<td>February 2017.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Existing parks lighting review</td>
<td>$30,000</td>
</tr>
<tr>
<td></td>
<td>• Various - minor critical replacements</td>
<td>$25,000</td>
</tr>
<tr>
<td></td>
<td>Subtotal</td>
<td>$95,000</td>
</tr>
<tr>
<td>Furniture</td>
<td>• Various - focus on seats, picnic tables, drinking fountains signs and shelters</td>
<td>$100,000</td>
</tr>
<tr>
<td></td>
<td>• Various - Repair/replace damaged shade sails</td>
<td>$20,000</td>
</tr>
<tr>
<td></td>
<td>Subtotal</td>
<td>$120,000</td>
</tr>
<tr>
<td>Fencing</td>
<td>• Coastal beach access paths</td>
<td>$25,000</td>
</tr>
<tr>
<td></td>
<td>• Various - minor critical replacements</td>
<td>$25,000</td>
</tr>
<tr>
<td></td>
<td>Subtotal</td>
<td>$50,000</td>
</tr>
<tr>
<td>Play Equipment</td>
<td>• Two to three playgrounds - locations TBC</td>
<td>$100,000</td>
</tr>
<tr>
<td></td>
<td>• Replace soft fall material (sand/mulch/rubber) and minor play items</td>
<td>$20,000</td>
</tr>
<tr>
<td></td>
<td>• Shade sail structural risk management assessment</td>
<td>$5,000</td>
</tr>
<tr>
<td></td>
<td>• Playground soft fall risk assessment</td>
<td>$5,000</td>
</tr>
<tr>
<td></td>
<td>Subtotal</td>
<td>$130,000</td>
</tr>
</tbody>
</table>
Trees, Garden Beds and Natural Areas
- General arboricultural risk management works (pending outcomes of current Parks Tree Inventory consultancy) $60,000
- Pine/Ficus/Palm trees management $70,000
- Road reserves garden bed renewals $25,000
- Park garden bed renewals $15,000
- Rehabilitation works with Cambridge Coastcare $10,000
Subtotal $180,000

Other
- Feral animal control $5,000
- Lake Monger Christmas Tree Lights $15,000
Subtotal $20,000

TOTAL $1.44M

Discretionary Works

Discretionary works proposed for the 2017/18 financial year budget are mostly limited to implementation of key strategic initiatives that are unlikely to be affected by strategic reviews currently underway or proposed for 2017. The works also include works recommended to "properly finish off" major works recently completed or underway. Lastly, the proposed works include a number of additional informing strategies and studies.

As for the non-discretionary work, budget items for the discretionary works will be created to suit the budget template as required during the budget development process. Costs shown are approximate only and will be developed prior to and during the budget process.

<table>
<thead>
<tr>
<th>Program/Initiative</th>
<th>Works Element</th>
<th>Approx. Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Park Improvement Program</td>
<td>Beecroft Park (refer separate report) February 2017</td>
<td>$1.4M¹</td>
</tr>
<tr>
<td></td>
<td>Rutter Park (public toilet)</td>
<td>$125,000</td>
</tr>
<tr>
<td></td>
<td>Concept Design (park to be confirmed pending review)</td>
<td>$15,000</td>
</tr>
<tr>
<td>Wembley Sports Park</td>
<td>Infill play equipment</td>
<td>$70,000</td>
</tr>
<tr>
<td>Lake Monger</td>
<td>Ongoing rehabilitation of Eastern zone (part funded by MRWA and City of Vincent - $26,000)</td>
<td>$40,000</td>
</tr>
<tr>
<td></td>
<td>Ongoing rehabilitation of Western zone</td>
<td>$15,000</td>
</tr>
<tr>
<td>Perry Lakes</td>
<td>Meagher Dv. playground - toilet, car park and path upgrade</td>
<td>$230,000</td>
</tr>
<tr>
<td></td>
<td>Landscape works around skate park</td>
<td>$40,000</td>
</tr>
<tr>
<td>Ecozone Program²</td>
<td>Various - focus on roads &amp; and parks due for irrigation renewal and subsequent stages to current projects</td>
<td>$300,000²</td>
</tr>
<tr>
<td>Trees</td>
<td>Park tree planting - approx. 200 additional trees</td>
<td>$30,000</td>
</tr>
<tr>
<td></td>
<td>Priority and Precinct street tree planting - approx. 550 trees</td>
<td>$100,000</td>
</tr>
<tr>
<td>Beach Showers</td>
<td>Beach Path 12 north of Floreat Surf Club - Third location for installation in this program</td>
<td>$45,000</td>
</tr>
<tr>
<td>City Beach</td>
<td>Improve garden bed with some paving and extra planting on the roof garden above the Surf Club</td>
<td>$5,000</td>
</tr>
<tr>
<td>Requests</td>
<td>Minor capital requests (less than $10K) - assessed for suitability before being approved</td>
<td>$50,000</td>
</tr>
<tr>
<td>DAIP</td>
<td>Play spaces audit for access and inclusion</td>
<td>$25,000</td>
</tr>
<tr>
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</tr>
</tbody>
</table>

TOTAL $2.60M

¹ Cost is for park improvements only. Does not include costs for new multi-purpose pavilion and Coastal Playgroup facility.
² Proposed ecozone projects locations for 2017/18 are to follow on from current ecozone and irrigation projects to be carried out under the 2016/17 budget. A separate report will be prepared for Council providing an update on the ecozoning initiative.
The following potential initiatives were considered for inclusion in the proposed Infrastructure Parks works for the 2017/18 financial year:

- Outdoor fitness equipment; and
- Retrofitting existing paved areas with trees and planting.

At this stage these initiatives have been deferred to allow proper development of the scope and potential costs. These will be addressed in 2017 and presented to Council for consideration prior to being developed for inclusion in the 2018/19 financial year budget.

**Comment:**

The proper management and funding of the above works ensure that Council’s significant assets are maintained and upgraded on with the aim of maintaining an appropriate service level and quality standard of assets throughout the Town’s parks and other open spaces that comply to appropriate safety and health standards, as well as meeting community expectations.

**POLICY/STATUTORY IMPLICATIONS:**

There is no Policy or Statutory Implication related to this report.

**FINANCIAL IMPLICATIONS:**

The proposed works need to consider demands that may be placed on Council for spending in other areas and potential revenue constraints.

Past funding of Infrastructure Parks capital and non-capital works has been supplemented from Council’s Reserve Accounts, in particular, the Area Improvement Reserve and Endowment Lands Account. The continued use of funds from these accounts will be subject to the availability of funds from within those reserves. Funding will also be influenced by rates levied, other funding sources and the level of expenditure required by the Town in other areas of operation.

The proposed list of projects for funding for 2017/18 are summarised financially:

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>Grants</th>
<th>Net</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Discretionary</td>
<td>1,440,000</td>
<td>80,000</td>
<td>1,360,000</td>
</tr>
<tr>
<td>Discretionary</td>
<td>2,600,000</td>
<td>26,000</td>
<td>2,574,000</td>
</tr>
<tr>
<td>Total</td>
<td>4,040,000</td>
<td>106,000</td>
<td>3,934,000</td>
</tr>
</tbody>
</table>

The 2016/17 adopted budget included the following allocations:

<table>
<thead>
<tr>
<th>Capital</th>
<th>Total</th>
<th>Carry Forward/Grants/Endowment</th>
<th>Rates Funded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parks Construction</td>
<td>1,995,000</td>
<td>962,000</td>
<td>1,033,000</td>
</tr>
<tr>
<td>Sports Grounds</td>
<td>815,000</td>
<td>685,500</td>
<td>129,500</td>
</tr>
<tr>
<td>Ocean Beaches</td>
<td>803,000</td>
<td>638,000</td>
<td>165,000</td>
</tr>
<tr>
<td>Road Reserves</td>
<td>140,000</td>
<td>-</td>
<td>140,000</td>
</tr>
</tbody>
</table>
In order to complete some capital items, Reserve funds may be considered, especially for the following new Capital Works projects:

<table>
<thead>
<tr>
<th>Project</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beecroft Park</td>
<td>$1,400,000</td>
</tr>
<tr>
<td>Rutter Park Toilet</td>
<td>$125,000</td>
</tr>
<tr>
<td>Meagher Drive Toilet, Playground, Carpark</td>
<td>230,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,755,000</strong></td>
</tr>
</tbody>
</table>

Note: Based on Rate Funding levels for 2016/17, $1.68m is required to fully fund the 2017/18 project proposals.

Council has previously been successful in securing grant funding for eligible projects. Grant applications will again be submitted as they become available for those projects considered eligible.

**STRATEGIC DIRECTION:**

This report recommendation embraces the following strategies of the Town's Strategic Community Plan 2013-2023:-

**Our Community Life**

Goal: Quality local parks and open spaces for community to enjoy
Strategy: Focus on activating our major public open spaces.
Strategy: Improve the amenities of our local parks and sports grounds.
Strategy: Improve the amenities of our bushland and coastal reserves.

**Our Natural Environment**

Goal: Council is environmentally responsible and leads by example
Strategy: Optimise our use of ground water and improve the efficiency of our clean water consumption.
Strategy: Care for and conserve our flora and fauna.

**Our Council**

Goal: The Town is a proactive local government that gets things done
Strategy: Ensure appropriate resources are allocated to our strategies and projects.

**COMMUNITY ENGAGEMENT:**

This report is for information purposes and therefore an assessment in relation to the Town's Community Engagement Policy No. 1.2.11 was not undertaken.

The Town engages with sporting clubs, user groups, community groups, residents, businesses and visitors in accordance with the Community Engagement Policy No. 1.2.11 depending on the program, or projects once they are adopted in the budget by Council.
COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Cr Carr, seconded by Cr Powell

That the proposed Infrastructure Parks 2017/18 proposed budget works program, as below, be fully costed and included in the 2017/18 draft budget collation as part of the budget development process:-

Discretionary Works

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- General arboricultural risk management works (pending outcomes of current Parks Tree Inventory consultancy)
- Pine/Ficus/Palm trees management
- Road reserves garden bed renewals
- Park garden bed renewals
- Rehabilitation works with Cambridge Coastcare

| Subtotal | $180,000 |

Other
- Feral animal control
- Lake Monger Christmas Tree Lights

| Subtotal | $20,000 |

TOTAL

$1.44M

Non - Discretionary Works

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TOTAL

$2.60M

During discussion, Cr Timmermanis advised of a technical error in the headings of the tables in the recommendation in that 'Discretionary Works' should read 'Non-Discretionary Works' and vice versa.

Amendment

Moved by Cr Timmermanis, seconded by Cr Bradley

That the motion be amended by deleting the words "Discretionary Works" and insert "Non - Discretionary Works" and vice versa.

Amendment carried 9/0
Amendment

Moved by Cr Timmermanis

That the Ecozone Program be deleted from the proposed discretionary works program.

Amendment lapsed for want of a seconder

COUNCIL DECISION:

That the proposed Infrastructure Parks 2017/18 proposed budget works program, as below, be fully costed and included in the 2017/18 draft budget collation as part of the budget development process:-

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**Subtotal** $180,000

### Other
- Feral animal control **$5,000**
- Lake Monger Christmas Tree Lights **$15,000**

**Subtotal** $20,000

**TOTAL** $1.44M

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**Carried 8/1**

For: Mayor Shannon, Crs Bradley, Carr, Grinceri, King, MacRae, O'Connor and Powell

Against: Cr Timmermanis
CR17.24  MCCOURT WOOLWICH STREET DRAINAGE SUMP PROPOSAL

SUMMARY:

In order to address future potential property damage caused by stormwater, Council has previously in April 2015 assessed a preliminary list of options for design.

The catalyst for the improved drainage requirements was from property damage incurred from a storm on 22 March 2010 and subsequent storms. Civil drainage designs and landscaping designs have now been prepared for Council consideration.

The design concept was initially presented to Council in April 2015 and involved:

- Excavation of the McCourt Park playground area to accommodate underground storage capacity of 1,154 m³. This will unfortunately require removal of two large trees from the current park;
- Backfill to a level where a drainage swale is formed; and
- As construction requires removal of the existing playground and two large trees, a landscape plan incorporating improved playground facilities and trees has been prepared for consideration.

The Administration seeks Council approval on the proposed plans and specifically the landscape plan such as to conduct a four-week public consultation period. All consultation comments will be assessed and a further report will be presented to Council.

BACKGROUND:

Council at its meeting held in April 2015 (Item CR15.32) decided that:

(i) an amount of $30,000 for design and consultation costs be included within the draft 2015/2016 budget;

(ii) design and consultation be completed within the 2015/2016 financial year for a landscaped swale over a storm storage system in McCourt Park and that a playground be reinstated; and

(iii) the Town’s 5 year Drainage forward works plan be updated to include in 2016/2017 the construction of a landscaped swale over a storm storage system in McCourt Park and that a playground be reinstated.

The intersection of McCourt Street and Woolwich Street is located at a topographic low point within a catchment from Cambridge Street in the south to Ruislip Street in the north and Northwood Street in the east to Connolly Street in the west equating to an overall catchment area of 31.8 hectares with approximately 8.9 hectares of road reserve. To the north/west of this intersection is McCourt Park which is situated on Lots 549 and 550 at the street address of 75 McCourt Street, West Leederville.

Historically, prior to 2004, these lots were vacant and utilised for drainage disposal. Around 2004 the Town developed the lots into an open play area known as McCourt Park.

The properties near the intersection suffered excessive flooding in March 2010 and subsequent other storms have affected the intersection in other less extreme storm events. As a result of
the March 2010 storm event, the Town has completed some preventative measures by increasing footpath heights in McCourt Street to contain stormwater on the road easement and have constructed additional drainage collection points in front of affected properties in McCourt Street. These preventative actions would be considered to have negligible benefit for major storm events (i.e. 1:50 year plus events) and would not have prevented flooding and property damage in the March 2010 storm. Accordingly, extra capital works are required.

There remains considerable ponding and flooding on the road and intersection even after installation of preventative measures. The outlet drain for the topographic low is provided by the Water Corporation. The 750mm diameter stormwater drainage main as advised by the Water Corporation is in accordance with the Water Corporation’s operating license and deals with a five year level of service storm. More extreme storm events above the five-year storm event is not able to enter this Water Corporation system due to capacity constraints of the 750mm stormwater pipe and is trapped within the topographic low area. Therefore, a major drainage upgrade is proposed in McCourt Park, which is the low point of the catchment, in order to mitigate the risk of ongoing flooding and property damage during extreme storm events.

Within report CR15.32 April 2015, a number of options were considered:

- Construct a traditional drainage detention basin which would mean removing the playground altogether and fencing off the site. A typical basin like this is located at 420 Cambridge Street immediately west of Selby Street.

- Pumping Station - an examination of this option is not viable due to the basic requirements of a nearby discharge point not being available given the constraints imposed by the Water Corporation. The Water Corporation have indicated responsibility for only the five year rainfall event.

- Extensive infill installations of soak wells and retrofitting of the existing underground drainage system throughout the catchment. This would require approximately 369 soak wells. This solution is really an adjunct to the main solution of dealing with the storm water flow at the topographic low.

- An administration and council endorsed preferred option is to construct a swale over an underground storage system with a capacity of 1,154m³ within McCourt Park that mitigates the effects of extreme storm events while also replacing the playground. It is noted that the two mature trees (Corymbia maculate and Corymbia sp) will require removal to allow construction and so that the Town can safely manage the 1:100 year storm event.

The Administration has worked collaboratively with Civil Consulting Engineers and a Landscape Architect to develop a design which addresses the drainage requirements and the playground reinstatement after drainage installations.

A civil engineering design has now been prepared in accordance with the resolutions from CR15.32 for the site which addresses the 1 in 100 year storm within the 31.8ha catchment which concentrates stormwater at the low point being McCourt Park.

In addition, a landscaping design for the playground replacement and associated infrastructure contained within McCourt Park has also been designed, costed and detailed for Council to consider.

The adopted budget for 2016/17 has an allocation of $100,000 to commence this project. As no works will be completed before July 2017 the full $100,000 will be available to carry forward into the 2017/2018 budget program.
DETAILS:

1. Drainage Design

The drainage and infrastructure within the immediate area of the McCourt Street/Woolwich Street intersection is presented by the consultant engineers drawings which are included within the Report attachment. This indicates that there is extensive stormwater drainage leading to the topographic low and that the road verges contain a significant number of essential services.

Historically, it appears that there was some form of shallow basin located on the north west corner of Woolwich Street and McCourt Street that has now been replaced with a local park (McCourt Park) and playground in 2004 by the Town. Sufficient allowance for any stormwater detention was made not when the area was converted to a local park and playground. However, when a flooding problem became evident, the addition of a number of road verge soak wells in the catchment have been installed in the past few years to assist in stormwater disposal. These additions are a proactive measure for the lower intensity events and are insufficient in managing the large storm events. The gutter flows bypass these pits and the cumulative flows collect at the low point of McCourt Street/Woolwich Street.

Given the importance of a parks amenity in this area, the Town's proposal is to design a landscaped swale over a storm storage system with a capacity to store 1,154m³ and reinstate the Park playground facility provision.

It is envisaged that the construction process will be to:-

1. Fence off site works and take possession of site;
2. Tree removals;
3. Removal and storage of parks infrastructure for reuse or disposal;
4. Earthworks;
5. Construct drainage pits and pipework;
6. Build modular underground storage system;
7. Connect up to underground system;
8. Top up with soil and compact leaving a small swale;
9. Install reticulation and associated infrastructure;
10. Rebuild new playground;
11. Replant new trees and landscaping; and
12. Opening the facility to the public.

In terms of the time required to complete the project, a program is as follows:-

- Remove and clear site infrastructure - 1 week;
- Excavate and install the underground drainage system - 3 weeks;
- Backfill and grading - 1 week;
- Park facilities, landscaping and associated reinstatement works - 12 weeks
- Total estimated indicative project - 17 weeks.

The design detail options associated for landscaping is provided latter within this report and included within the report attachment.

The previous report CR15.32 April 2015 identified that two mature trees will require removal in order to acquire the sufficient storage to mitigate the 100 year storm event.

The Infrastructure Parks staff has confirmed that the two trees requiring removal are as follows:

- tree closest to McCourt Street - Spotted Gum (Corymbia maculata); and
- tree closest to Woolwich Street - Hybrid Gum (Corymbia sp)
The advantage of the proposed design is that in the case of a major event like the March 2010 storm that the overflow path into McCourt Park would be directed to the underground cells, even with the street drainage being blocked at inlets on the road. Nevertheless, a maintenance regime working together with advance warnings from the Bureau of Meteorology would ensure that inlets on the road and in the park would be allowed to operate unencumbered. The three proposed high capacity inlets have a typical capacity some 8 times greater than a typical side entry drainage pit seen on roads. Furthermore, the design has made additional allowances for 50% blockage to these three high capacity inlet pits for the 1:100 year storm event.

The Administration and the appointed Consulting Engineers explored a range of material types for underground drainage detention storage. The EcoBloc system of stormwater management was chosen primarily for the following reasons:

- Low cost versus traditional mass concrete materials;
- Achieved the required volume of 1,154m³ with minimal footprint and extent of likely excavations which will reduce risks to adjacent properties and infrastructure;
- Quick and easy to install;
- Light and durable;
- Minimum 50 year design life;
- Ideally contained within a Town owned park land setting and with management guidelines near 0% chance of being impacted by extremely heavy loadings; and
- Reduces turnaround time for the playground to be made available to the public.

The design choice of the EcoBloc storage material for the underground detention provides underground capacity as detailed in the following photograph.
The indicative civil construction costs for the Council preferred design using the EcoBloc product and based on drawings 15-11-189/100 Rev B, 15-11-189/101 Rev C, 15-11-189/400 Rev C, 15-11-189/600 Rev B (The first two drawings are included in report attachment) are as follows:-

**INDICATIVE CIVIL ENGINEERING COSTS**

<table>
<thead>
<tr>
<th>CONSTRUCTION COSTS</th>
<th>TOTAL COST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminaries</td>
<td>18,000</td>
</tr>
<tr>
<td>Earthworks and Site works</td>
<td>8,000</td>
</tr>
<tr>
<td>Excavation and Backfill for underground structures</td>
<td>19,250</td>
</tr>
<tr>
<td>ECOBLOC underground drainage structures (By GRAFF)</td>
<td>203,200</td>
</tr>
<tr>
<td>Gross Pollutant Trap (GPT)</td>
<td>20,000</td>
</tr>
<tr>
<td>Drainage</td>
<td>9,200</td>
</tr>
<tr>
<td>Roads, Paths, Traffic Management</td>
<td>12,000</td>
</tr>
<tr>
<td>Landscaping (costs to be determined by others or Cambridge)</td>
<td>-</td>
</tr>
<tr>
<td>Construction Contingency Sum (5%)</td>
<td>15,000</td>
</tr>
<tr>
<td></td>
<td><strong>305,550</strong></td>
</tr>
</tbody>
</table>

The advantages of this product include provision for all excavations to be contained within McCourt Park and the required stormwater detention volume of 1,154 m3 for 100yr event is achieved.

2. **Playground Design**

Current planning guidance by the Department of Sport and Recreation would classify McCourt Park a Local Open Space. It currently services a catchment considered greater than that would be expected of a Local Open Space and hence, is very popular with local residents and is well
utilised. The park is irrigated and turfed and contains play equipment, shade sails, park benches, barbeque, picnic table, bin and drinking fountain. The park is currently fenced along the property boundary. The verges are unirrigated. Two large trees provide significant additional shade to the Park.

The proposed landscape design for McCourt Park once the drainage works are complete aims to at least replicate the service provision currently available to the Park users. The design also takes into consideration the potential perceived loss of amenity due to removal of the two large mature shade trees and open level lawn areas. The design also considers the fact that the surrounding area already has limited public open space provision and that the Park is currently very well utilised.

The design aims to mitigate potential negative impacts and provide a facility that overall has net improvements to the current facility. Key features that contribute to the improvements include:

- New play equipment including nature based play areas;
- Features that take advantage of the level changes in the basin;
- New shade sails;
- Reused barbeque and additional picnic facilities;
- Extension of the Park into the Woolwich road easement to incorporate the currently unirrigated verge to provide additional irrigated level lawn areas within the fenced boundary;
- Accessible paths and play elements;
- Extensive tree planting to provide future natural shade and overall greening; and
- Integration of engineering elements into the landscape to minimise impact to users

The preliminary estimate of costs to reinstate the Park and playground is $275,000 excluding GST. A copy of the proposed landscape design proposal, together with the detailed summary, opinion of probably costs, is provided in the report attachment.

The reuse of the play equipment and shade sails to save costs has been considered but at this stage it is not clear if the structural integrity and longevity of the equipment will be compromised if it has to be removed from site and stored for a period before reinstalling. The costs and benefits of reuse will be weighed up during the detailed design phase.

POLICY/STATUTORY IMPLICATIONS:

There is no policy or statutory Implications related to this report. It is recognised that from a risk management perspective, the Town is being proactive in minimising potential flooding issues at the intersection of Woolwich and McCourt streets by exercising current Local Government standards in employing the IPWEA subdivision guide lines 2012 for the drainage design.

FINANCIAL IMPLICATIONS:

There are no direct financial implications associated with this report in the 2016/2017 budget period. There are two existing accounts for this project within the 2016-2017 budget period. One project has an allocation of $100,000 which can be carried forward into the 2017-2018 budget period as no construction works are forecast to be commenced prior to July 2017.

Report CR16.179 in November 2016 (Five Year Program Drainage) indicated an indicative project cost of $600,000 would be required in the 2017-2018 budget year for the McCourt Street/Woolwich Street drainage project.
The latest civil and landscaping designs have been revised and estimated indicatively at $581,000 exclusive of GST.

STRATEGIC DIRECTION:

The report recommendation embraces the following strategies in the Town's Strategic Plan 2013-2023:

- continuously adopt and improve our service; and
- develop, renew, rationalise and consolidate capital and environmental assets to ensure their sustainability for future generations.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Town's Community Engagement Policy 1.2.11 as "consult" with the objective "to provide the community with balanced and objective information to assist them in understanding the problem, alternatives and/or solutions".

This process will involve collaborative feedback from residents in order to provide Council will information regarding concerns and suggestions, and will take place in the 2016/17 financial year.

ATTACHMENTS:

1. Landscape Concept Plan
2. Photos from 22 March 2010
3. Woolwich McCourt Civil Plans

COUNCIL DECISION:
(Committee and Administration Recommendation)

Moved by Cr Carr, seconded by Cr Powell

That:

(i) the proposed civil and landscaping plans for the process of a public comment period of four weeks be approved. The consultation be undertaken with the owner/residents within 400 metres of McCourt Park and other users of the Park; and

(ii) a further report on the McCourt Park underground drainage proposal and landscaping improvements which summarises the results of the public comment period be submitted to Council.

Carried 8/1

For: Mayor Shannon, Crs Bradley, Carr, Grinceri, King, MacRae, O’Connor and Powell
Against: Cr Timmermanis
SUMMARY:

To report on items considered at the Mindarie Regional Council meeting on 9 February 2017.

BACKGROUND:

The purpose of the Mindarie Regional Council (MRC) is to provide waste disposal facilities at least for its members within the Mindarie region. The MRC generally meets on six or seven occasions each year for Ordinary meetings and holds Special meetings when required to progress specific initiatives and strategy workshops.

In setting the dates for 2017, consideration was given to the following:

- Six Council meetings be held in the 2017 calendar year.
- The third meeting needs to be held early in July 2017 to accommodate the swearing in of Councillors, and the appointment of Chairman and Deputy Chairman. This assumes that current rules will still apply.
- The meeting scheduled for December 2017 needs to be held relatively early in the month to accommodate other commitments of the festive season.
- The Tamala Park Regional Council meeting dates for 2017 need to be considered.
- The WALGA Metropolitan Zone meeting dates for 2017 need to be considered.
- Meetings need to be scheduled taking into account the availability of Member Councils Chambers.

In addition to the above, two Strategy Workshops are included in the meeting schedule. These workshops are important as they provide the Councillors, member Council CEO’s and representatives on the Strategic Working Group and MRC management an opportunity to review and discuss the MRC’s strategic direction.

The Ordinary Council meeting scheduled early in November 2017 is required to swear in new members after the 2017 Local Government Elections.

Given the above, the adopted schedule of Council meetings for 2017, commencing at 5.30pm, is as follows:

- Ordinary Council Meeting – 9 February 2017 (City of Joondalup)
- Ordinary Council Meeting – 6 April 2017 (City of Wanneroo)
- Ordinary Council Meeting – 6 July 2017 (City of Stirling)
- Ordinary Council Meeting – 14 September 2017 (City of Vincent)
- Ordinary Council Meeting – 9 November 2017 (City of Perth)
- Ordinary Council Meeting - 14 December 2017 (Town of Victoria Park)

The Strategy Workshops for 2017 will be held after the following Council meetings:-

- 9 February 2017
- 14 September 2017
DETAILS

Item 1 - Mid-Year Budget Review

The major matter for consideration was a significant forecast reduction in members tonnes for processing. This totalled a reduction of 6.2% or 21,030 tonnes on budget tonnes. The result is a forecast reduction in income which has resulted in $2,100,000 negative impact on the profit and loss statement.

The bulk of the reduced tonnages are from the City of Stirling and City of Joondalup and are resultant from increased recycling and green waste separate collections.

While the income received is significantly reduced, the members processing fee of $165 per tonne will not be increased to cover the loss of income. Members participant Reserve funds will be used to cover the funding shortfall.

Item 2 - Adoption of 2016 Annual Compliance Return

Lead governments are required to carry out a compliance audit for each calendar year. The return was presented to Council and endorsed for submission to the Director General, Local Government Department.

Item 3 - Tender Assessment for Consultancy to Undertake Risk Assessment of Environmental and Health Impacts of Landfill Generated Gas and Leachate at Tamala Park - 13/134

The Council at its meeting on 1 December 2016 considered a request from the Tamala Park Regional Council (TPRC) to have the fence between the two properties realigned and to undertake earthworks for the proposed school grounds at the Catalina Development (a large residential suburb adjacent to the landfill to the north). The request was supported with conditions. However, the development moving into the buffer zone between the two properties gave the Mindarie Regional Council (MRC) cause for concern as this buffer zone provides the MRC with the ability to address the known emissions from landfill operations and that the conditions of the sub terrain of the site means that any migrating leachate and gas is likely to head North towards the Catalina. In supporting the TPRC’s request the Council also resolved to undertake an environmental site specific risk assessment investigation. The resolution reads, in part, as follows:

“THAT THE COUNCIL

2. Undertake a Site Specific Risk Assessment Investigation to assess the risk of migrating gas and groundwater on development within the approved buffer zone.

3. the cost of the Assessment detailed in 2. above be funded by the MRC in the half yearly budget review.”

The MRC has been proactive in undertaking monitoring of landfill gas and leachate migration around the landfill. This monitoring data has recently been used to compile a Conceptual Site Model of the site and to predict possible off-site environmental and health impacts.
Due to the development of Catalina and the significant potential liabilities associated with the off-site migration of predominantly landfill gas, the MRC is now at a stage where there is a need to more accurately quantify the risks associated with the landfill development in conjunction with all adjacent receptors (not just the residential development to the north).

It is understood that a risk assessment is not an exact science and hence, the investigation process and output data will require a degree of interpretation and be reliant on numerous assumptions in order to arrive at a reasonable conclusion and recommendations. Consequently, the MRC is looking to appoint a suitable qualified Consultant that has past experience in similar risk assessments. Additionally the Consultant is suitably qualified to undertake the appropriate site risk assessment to quantify the potential environmental and health impacts and to recommend a reasonable way forward to protect the MRC and adjacent receptors from future potential environmental and health impacts and liability.

Six tenders were evaluated with DLA Environmental Services awarded the consultancy.

POLICY/STATUTORY IMPLICATIONS:

There are no Policy or Statutory Implications related to this report.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

The report reflects the following Goals and Strategies of the Town's Strategic Community Plan 2013/2023:-

Our Natural Environment

Goal: Council is environmentally responsible and leads by example.
Strategy: Minimise waste to landfill and increase recycling

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy 1.2.11. In accordance with the assessment criteria, no community engagement is required as this report is purely administrative in providing information to Council.

ATTACHMENTS:

Nil
COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That the report relating to items considered by Mindarie Regional Council at the meeting held on 9 February 2017 be received.

Cr Bradley left the meeting at 8.26 pm.

Carried 7/1

For: Mayor Shannon, Crs Carr, Grinceri, King, MacRae, O'Connor and Powell
Against: Cr Timmermanis
SUMMARY:

A petition containing 41 signatures was received on 24 February 2017 from social golf clubs that use the Wembley Golf Course. Of the 41 signatures, 4 reside in the Town of Cambridge.

It is believed that the signatories are predominantly from two social clubs playing on Saturday mornings. This is peak time and the demand for tee times outweighs supply.

The petition requested an exclusive area for Social Golf Clubs at Wembley Golf Course Hospitality area (300 Acres or Ambrose Estate) and re-installation of old trophies/shields.

BACKGROUND:

A petition containing 41 signatures was received on 24 February 2017 from social golf clubs that use the Wembley Golf Course. The petition states:

"We the members of weekly social golf clubs playing at the Wembley Golf Complex request that the Wembley Golf Complex Tavern provides a private room for the sole use of the many social golf clubs who use the Complex on a daily basis for the following reasons:-

1. A quiet area is essential to allow the club captain or other official to present the day's results and any other business required
2. The current space for clubs is located in the main bar and subject to much noise and disturbance from the public patrons rendering it virtually impossible to conduct a meeting or make a speech to our members; and
3. There is also very little space for the displays of the many wooden plaques the clubs have accumulated over the years, this is our history and deserves to be on display"

Wembley Golf Course (WGC) is a public golf course (not private course) that accommodates 22 social golf clubs over the space of the week, many of whom have long term tenure at the WGC. Club needs and wants are managed alongside the needs and wants of the general public and non-golfers attending the facility.

Prior to the redevelopment of facilities most of the social golf groups after their game met and socialised at the old 'Fairway Tavern' (located at the Wembley Golf Course) and an area accommodated various trophies and shields (84 in total). The tavern was not heavily patronised by the general public which allowed the social golf clubs to have ample space to meet and socialise (noting that no club had exclusive use of an area).

The tavern was demolished in July 2015 to allow for the construction of the new hospitality facilities at WGC.

Leading up to completion of the new facilities, three briefing sessions were held by the General Manager Wembley Golf Course and General Manager Spices Group for social golf clubs (July 2015, October 2015 and April 2016) to provide information on the facilities being built and how they would operate as part of the new Hospitality facilities. During the briefings, it was explained that on most days, as there are multiple social golf clubs playing at similar times, the request for exclusive access to an area was not feasible.
In addition to the briefing sessions, the Town undertook a comprehensive community consultation process in relation to the Wembley Golf Course Hospitality Concept Design (CR13.122, September 2013). The community’s views were sought from early June and mid July 2013 with a number of consultations mechanism’s used, including:

- Direct mail to 10,000 households surrounding the Wembley Golf Course
- Direct mail to 6,800 Wembley Golf Course news subscribers
- Direct mail to 700 Cambridge News Subscribers
- Advertisements in local press
- Banner advertisement on the Town’s web site, with online survey
- Information forum and workshop at the Wembley Golf course held on 26 June 2016; and
- Open day at the Wembley Golf Course held on 29 June 2016.

The Town received 373 written responses with 76% of respondents supporting the facilities being expanded to cater for the broader community and 72% of respondents were in favour of the development proposed. Of the respondents not in favour of expanding the facilities 70% were aged 51 to 64.

DETAILS:

The Wembley Golf Course is one of the busiest public golf courses in Australia and accommodates a number of social golf clubs/groups (22). These clubs/groups receive the benefit of booking in advance of the general public.

Providing an exclusive area for the social golf clubs/groups to meet after their game is not practical in regards to space available, construction cost to build and operating costs for the tenant. No other public golf facility in Perth provides space exclusively for social clubs.

However, a non-exclusive area for the social golf clubs was incorporated as part of the design of the new Hospitality facilities, specifically as part of the restaurant facility known as 300 Acres. This allowed the clubs to have a meeting area whilst providing the tenant and other customers an opportunity to use the same area at other times.

The significant number of trophies/shields and the varying size, quality and condition associated with the various clubs meant that they weren’t suitable to be part of the modern Hospitality facilities fit out. The open plan design of 300 Acres had limited wall space available to display trophies. However, a dedicated area within 300 Acres is provided as a trophy wall to recognise the history of each social golf club with engraving provided at no charge.

Prior to the development, all trophies were removed and boxed and stored for each club (if required) at no charge.

POLICY/STATUTORY IMPLICATIONS:

The Town has a long term lease with Spices Groups for the Wembley Golf Course Hospitality area (300 Acres restaurant and bar, Ambrose Estate function room and the Swing View Room). Within the lease there is a schedule outlining the tenant’s responsibilities in relation to Social Clubs, specifically:

"the Tenant (Spices Group) must ….provide a non-exclusive area for Social Clubs to meet on a regular basis for the duration of their post round presentation or meeting". Social clubs are defined as "organised groups of golf participants playing regular social golf which are included on the Wembley Golf Course Social Club Register held and maintained by the General Manager".
The tenant is meeting this obligation by providing this space and regularly communicating to clubs in relation to their requirements and works with clubs when issues have arisen to try and provide suitable alternatives for club meetings and post-game presentations. Some of the clubs are now using the Peppermint Room adjacent to the Swing Driving Range for their post-match meetings.

**FINANCIAL IMPLICATIONS:**

Nil. The social golf clubs have not financially contributed to the redeveloped facilities at the Wembley Golf Course although it is acknowledged that revenue is derived from green fees and percentage of turnover from 300 Acres and Ambrose Estate.

**STRATEGIC DIRECTION:**

The Wembley Golf Course supports the following Goals and Strategies of the Town's Strategic Community Plan 2013 - 2023 and Corporate Business Plan 2013-2018:

**Our Council**

Goal 11: A Strong Performing Local Government

Strategy 11.1 Invest our wealth wisely so that current and future generations benefit

Project: Invest in Wembley Golf Course

**COMMUNITY ENGAGEMENT:**

This matter has been assessed under the Community Engagement Policy. In accordance with the assessment criteria, no community consultation is required.

Previous consultation was undertaken in September 2013 and briefing sessions with social groups in relation to the redeveloped Wembley Golf Course hospitality precinct.

**ATTACHMENTS:**

Nil

**ADMINISTRATION RECOMMENDATION:**

That:-

(i) the petition received on 24 February 2017 in relation to the request for a private room for the sole use of social golf clubs at the Wembley Golf Course be acknowledged;

(ii) an exclusive area for Social Golf Clubs at Wembley Golf Course Hospitality area (300 Acres or Ambrose Estate) and re-installation of old trophies/shields is not supported; and

(iii) the Town and the tenant, will work with the social golf groups to accommodate their after games needs as best as possible.
Committee Meeting 20 March 2017

During discussion, Members were not prepared to support having an exclusive area for Social Golf Clubs at Wembley Golf Course but agreed that old trophies/shields could be displayed on the first floor of the driving range.

Amendment

Moved by Cr Grinceri, seconded by Mayor Shannon

That the motion be amended to read as follows:-

That:-

(i) the petition received on 24 February 2017 in relation to the request for a private room for the sole use of social golf clubs at the Wembley Golf Course be acknowledged;

(ii) an exclusive area for Social Golf Clubs at Wembley Golf Course Hospitality area (300 Acres or Ambrose Estate) is not supported;

(iii) an exclusive area for display of trophies be provided on the first floor of the Driving Range;

(iv) the Town and the tenant, will work with the social golf groups to accommodate their after games needs as best as possible.

Amendment carried 4/0

COUNCIL DECISION: (COMMITTEE RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That:-

(i) the petition received on 24 February 2017 in relation to the request for a private room for the sole use of social golf clubs at the Wembley Golf Course be acknowledged;

(ii) an exclusive area for Social Golf Clubs at Wembley Golf Course Hospitality area (300 Acres or Ambrose Estate) is not supported;

(iii) an exclusive area for display of trophies be provided on the first floor of the Driving Range;

(iv) the Town and the tenant, will work with the social golf groups to accommodate their after games needs as best as possible.

Carried 9/0
CR17.27 2017-2018 COMMUNITY SPORTING AND RECREATION FACILITIES FUND
SMALL GRANT ROUND APPLICATION

SUMMARY:

The Department of Sport and Recreation (DSR) is seeking 2017/2018 Community Sporting and Recreation Facilities Fund (CSRFF) Small Grant applications. The Town has received one application from Reabold Tennis Club which requires prioritisation, recommendation and funding allocation.

The application from the Reabold Tennis Club is for a need analysis and feasibility study for a multi-purpose squash court facility. The Town (in accordance with the DSR rating guideline) has ranked the application D - needed by applicant, more planning required. No financial contribution from the Town is recommended.

BACKGROUND:

The purpose of the Community Sport and Recreation Facilities Fund (CSRFF) program is to provide financial assistance to community groups and Local Government Authorities to develop infrastructure for sport and recreation. The program aims to increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities.

The State Government, through DSR advised Local Governments that there is $12 million available for allocation in the 2017/18 funding round with $500,000 of this allocated to remote Aboriginal communities and regional communities with a significant aboriginal population.

The CSRFF Small Grant applications were publicly advertised through DSR in February 2017. The closing date for applications made by the Town was 24 February 2017, to allow time for administration to assess applications before completing a report to Council for consideration.

The completed CSRFF application and corresponding Council report are then required to be forwarded to DSR by the end March 2017 for assessment.

The outcome of the grants will be known by May 2017.

Priority Rating of Applications

The Town's role in the provision of CSRFF funding is to call for applications and assess them in priority order, rating each application according to the following guidelines:

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

All applications are then forwarded to DSR for assessment on a state wide basis.
Small Grants

$2,500–$66,666 (GST exc) will be allocated to projects involving a basic level of planning. The total project cost for small grants must not exceed $200,000. Grants given in this category must be claimed in the financial year following the date of approval. For projects with a grant request below $2,500 it is expected that the applicant should be able to fully fund these.

Examples of Small Grant projects:

- Cricket pitch and practice wickets.
- Safety fences for sport and recreation facilities, i.e. motor sports.
- Minor upgrade to swimming pool.
- Small floodlighting project.
- Court resurfacing or upgrade.
- Construction of or upgrade to shade shelters.
- Large scale dams, water collection systems and pipelines for distribution (maximum grant offered is $60,000).
- Various planning studies to a maximum grant amount of $25,000.

The maximum CSRFF grant offered for standard grant applications is one third of the total estimated applicant's project cost (excluding GST). Furthermore, the Western Australian State Government’s contribution must be at least matched by the applicant's own cash contribution, with the balance of funds required being sourced by the applicant. Variations will occur for Special Assistance Grants.

In addition to CSRFF assistance, organisations often apply to Council for financial assistance towards the project. Council has a Community Funding Program (Policy No. 2.1.15) which declares Council’s willingness to consider funding allocations for facilities and services to sporting, welfare, cultural, musical, and educational or other community organisations. The purpose of one of the specific categories within this program - Financial Assistance for Community Facilities - is to provide financial assistance to organisations to enhance the provisions of facilities within the Town (such as new facilities, building extensions, provision or replacement of sporting/community facilities). However, there is no obligation on the Local Government Authority to make any contribution to a community group project.

The Town received one CSRFF small grant application. Reabold Tennis Club is requesting funding to complete a needs analysis and feasibility study for the addition of a multi-purpose squash court facility.

DETAILS:

Application 1: Reabold Tennis Club - Complete a needs analysis and feasibility study for the addition of a multi-purpose squash court facility.

Project Details

Reabold Tennis Club is requesting funding to complete a needs analysis and feasibility study for the addition of a multi-purpose squash court facility within their leased premises.

The club has identified some potential sites, within their leased premises for a multi-purpose facility which could potentially accommodate squash courts, badminton, paddle tennis, dance, aerobics, Pilates, yoga and indoor floorball. The club has some anecdotal evidence to support the need for squash courts and a multi-purpose facility within the Town and also sees a potential opportunity for the club to increase
membership, physical activity, provide an additional source of revenue. It would also assist in the long-term financial viability of the club.

The Town's Administration has met with Reabold Tennis Club to discuss the project and has raised some potential issues that need to be considered and addressed including, but not limited to:

- Providing evidence for the need for squash courts and multi-purpose facility in the area;
- Expanding the core business for a tennis club to provide a multi-purpose squash court facility;
- The total cost of the project;
- Sources of capital funding - external grants, fundraising, club loan, Council contribution;
- The ongoing operational costs of the facility, including increase to the building maintenance fund; and
- The management of the facility.

The Club would like to undertake a needs assessment and feasibility study to investigate these issues and explore the viability of constructing a multi-purpose squash court facility with the aim of the club becoming a multi-purpose racquet club.

### Project Cost Request

<table>
<thead>
<tr>
<th>Funding Sources</th>
<th>Cost (excl GST)</th>
<th>GST applicable</th>
<th>Cost (incl GST)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Government (LGA) contribution requested</td>
<td>$10,000</td>
<td>$1,000</td>
<td>$11,000</td>
<td>Maximum of 1/3 total project cost up to $50,000. No GST is applicable to voluntary labour.</td>
</tr>
<tr>
<td>Applicant cash</td>
<td>$10,000</td>
<td>$1,000</td>
<td>$11,000</td>
<td>No limit but cannot exceed the sum of applicant cash and LGA contribution. No GST is applicable to donated materials.</td>
</tr>
<tr>
<td>Voluntary labour</td>
<td>N/A</td>
<td></td>
<td></td>
<td>e.g. Lotteries Commission, Office of Youth Affair etc. (please provide details)</td>
</tr>
<tr>
<td>Donated materials</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other State Government contributions</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other funding</td>
<td>N/A</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CSRFF Grant Requested</td>
<td>$10,000</td>
<td>$1,000</td>
<td>$11,000</td>
<td>Cannot exceed 1/3 of the total Project Cost exclusive of GST. Refer to Guidelines</td>
</tr>
</tbody>
</table>

**Total Project Cost**

$30,000 $3,000 $33,000
Summary

The Town has no evidence that there is a community need for a multi-purpose squash court facility within the Town and therefore does not rate the project as a high priority. Reabold Tennis Club has some anecdotal evidence to support doing a needs analysis and feasibility study and are keen to explore the potential opportunity for the club to increase membership and revenue. However due to the lack of evidence supporting the need for more squash courts within the Town the Administration does not support the Town contributing financially to the study. Due to these reasons it is recommended that this project be given a D rating (Needed by applicant, more planning required) as per the DSR rating guidelines.

POLICY/STATUTORY IMPLICATIONS:

Policy Number 2.1.15 - Community Grant Program

FINANCIAL IMPLICATIONS:

Reabold Tennis Club is requesting a $10,000 contribution from the Town towards the cost of a needs analysis and feasibility study for the addition of a multi-purpose squash court facility. If supported by Council $10,000 would need to be included in the draft 2017/2018 budget.

STRATEGIC DIRECTION:

Reabold Tennis Club's needs analysis and feasibility study supports the following Goals and Strategies of the Town's Strategic Community Plan 2013-2023 and Corporate Business Plan 2013-2018:

Our Community Life

Goal 1: A sense of community, pride and belonging
Strategy 1.1 Encourage and support a range of activities and events at which communities can gather and interact.

Goal 3: An active, safe and inclusive community
Strategy 3.1 Create and improve the places where community groups can interact.
Strategy 3.3 Encourage activity that meets the needs of people of all ages, cultures and abilities.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Consultation Policy. In accordance with the assessment criteria it was rated at Level 1, for which no community consultation is required.

ATTACHMENTS:

1. Nil
Committee Meeting 20 March 2017

Prior to consideration of this item, Cr Powell disclosed an interest affecting impartiality and declared as follows: "with regard to the 2017/2018 CSRFF small grant applications, I declare that I am a member of Reabold Tennis Club and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

Council Meeting 20 March 2017

Prior to consideration of this item, Cr Powell disclosed an interest affecting impartiality and declared as follows: "with regard to the 2017/2018 CSRFF small grant applications, I declare that I am a member of Reabold Tennis Club and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That:-

(i) the Department of Sport and Recreation be advised of the following priority, together with the rating awarded to the 2017/2018 CSRFF small grant application:

<table>
<thead>
<tr>
<th>Priority</th>
<th>Applicant</th>
<th>Project</th>
<th>Priority Rating</th>
<th>Project Cost (ex GST)</th>
<th>DSR Contribution (ex GST)</th>
<th>Applicant Contribution (ex GST)</th>
<th>Council Contribution (ex GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Reabold Tennis Club</td>
<td>Needs analysis and feasibility study</td>
<td>D</td>
<td>$30,000</td>
<td>$10,000</td>
<td>$20,000</td>
<td>$0</td>
</tr>
</tbody>
</table>

(ii) all supporting documentation, including the completed application form be forwarded to the Department of Sport and Recreation by the deadline of 31 March 2017; and

(iii) the applicant be advised of the priority together with the rating awarded by Council.

Carried 8/0
CR17.28  CITY BEACH LIGHTING CHARGE

SUMMARY:

Lighting charges at the City Beach oval were previously managed by the West Coast Sporting Association (WCSA). The WCSA had an exclusive lease over the City Beach Pavilion and the lights at City Beach oval. As part of the voluntary winding up of the WCSA in 2016, the WCSA transferred the asset of the lights to the Town.

With the lights now managed by the Town, a fee for the use of the lights at City Beach needs to be introduced and advertised in accordance with Section 6.19 of the Local Government Act 1995.

A charge of $33 per hour has been calculated based on actual consumption costs, asset management and globe replacement.

BACKGROUND:

The lights at City Beach oval are used by a number of seasonal hirers, including the West Coast Cowan Football Club, West Coast Junior Football Club (winter months), Greenrange Cricket Club - Seniors and Juniors, City Beach Teeball Club (summer months). The lights at the City Beach oval were upgraded in 2015 and officially opened on 19 June 2015. The cost of the upgrade was approximately $180,000 with contributions being received from Department of Sport and Recreation (28%), West Coast Sporting Association (32%) and West Australian Football Commission (3%), with the remaining contribution from the Town (37%).

Previously the management of the lights was undertaken by the WCSA. However with the WCSA voluntarily winding up and the responsibility and management reverting to the Town, a new fee for the lights at City Beach needs to be introduced, advertised and implemented.

DETAILS:

An hourly cost for the lights at City Beach oval of $33 has been calculated (taken into consideration consumption, asset management and globe replacement)

To alleviate any doubt in relation to users of the lights, an integrated control system based a swipe card system will be implemented. A similar system is used at a number of other Local Governments - Stirling and Joondalup.

The aim of the system is to provide easier access to the external lighting facilities for the various users without having to enter the building to activate the lights. It will also provide efficient monitoring and control by the Town.

Hirers of the lights are provided with a unique pin number that enables them to control the lights directly. Changes in schedules due to weather, times extensions and unforeseen circumstances area controlled by the users themselves directly with minimal administrative involvement by the Town.
POLICY/STATUTORY IMPLICATIONS:

Policy No. 2.1.17 - Lighting

Controls will be put in the control system to ensure lights will be turned off by 10.30pm which is in accordance with the Policy

Section 6.16 of the *Local Government Act 1995* provides the authority for Council to levy fees and charges for the provision of goods and services. Council’s decision to levy a fee or charge must be made by an absolute majority.

According to section 6.19 of the *Local Government Act 1995*, if the Council proposes to impose any fees or charges after the Annual Budget has been adopted, then the Council is to give local public notice of its intention to do so and advise the effective date of change.

Accordingly, it is recommended that statutory advertising as required by *Section 6.19 of the Local Government Act 1995* are undertaken in the Post Newspaper, Council and WGC website and noticeboards.

FINANCIAL IMPLICATIONS:

The adoption of this fee pertaining to the lighting charges at the City Beach oval will have a direct impact on the Sports Ground revenue in this financial year.

STRATEGIC DIRECTION:

The adoption of the proposed fee for City Beach lights supports a number of goals within the Town's Strategic Community Plan 2013 - 2023 specifically;

**Goal 3:** An active, safe and inclusive community
- Strategy 3.1: Create and improve the places where community groups can interact.
- Strategy 3.3: Encourage Activity that meets the needs of people of all ages, cultures and abilities.

**Goal 11** A Strong performing local government
- Strategy 11.5: Continuously strive to improve services delivered to the community.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. In accordance with the assessment criteria it was determined that community engagement is not required as the matter is purely administrative in nature with no external impacts envisaged.

West Coast Amateur Football Club and the West Coast Junior Football Club have been advised (verbally) of the proposed charge of $33 per hour for the use of the lights at City Beach oval.

ATTACHMENTS:

Nil
COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That:-

(i) a fee of $33 (ex GST) per hour for the exclusive use of the City Beach oval lights be adopted effective from 28 March 2017;

(ii) should special circumstances apply, the Chief Executive Officer be authorised to waive fees and charges in accordance with the provision of Section 6.12 of the Local Government Act 1995; and

(iii) the intention to impose an exclusive use of the City Beach oval lights of $33 (ex GST) per hour be advertised in accordance with Section 6.19 of the Local Government Act 1995.

Carried 9/0
CR17.29 AGED FRIENDLY COMMUNITY PLAN

SUMMARY:

The Town currently provides Home and Community Care (HACC) services to eligible seniors living within the Town. However, impending government changes to HACC funding and service delivery models, together with an aging population, provide an opportunity for the Town to review its role in the provision of Senior Services.

It is proposed to undertake an Aged Friendly Community Plan in 2017-18 to research community needs for senior services within the Town and inform a senior services strategy for the next five years.

BACKGROUND:

The Town has a service agreement with the Department of Health (WA) to deliver Home and Community Care (HACC) services. The agreement provides the Town with a subsidy of approximately $1,000,000 per year (ex GST) to provide the following services to approximately 300 eligible seniors who reside in the Town:

- Domestic Assistance;
- Personal Care;
- Respite;
- Social Support;
- Allied Health (Podiatry);
- Centre Based Day Care;
- Transport; and
- Meals.

In January 2011, the Department of Health (WA) introduced the Regional Assessment Services (RAS) which changed the way service users were referred to service providers and as a result, the number of referrals to the Town's HACC service has continued to decline. Prior to 2011, the Town's senior services team completed the client assessments and provided services for many of the Town's residents.

As a result of State and National Aged Care Reforms over the past 10 years and the introduction of the RAS in 2011, the impact on the Town's Senior Services is as follows:

- The Regional Assessment Services that complete the referrals for our residents are:
  - Access Care Network Australia (Silver Chain);
  - Independent Living Centre; and
  - City of Stirling.
- The above listed RAS also provide HACC services;
- Many new service providers have moved into the Town of Cambridge including but not limited to Rise, Amana Living, Brightwater and People Who Care;
- There has been an increase in retirement villages that coordinate support services for their residents;
- The Town's Senior Services ceased providing cooked meals for service users in 2012;
- Meals on Wheels services have been provided by Home Chef since 2008, the City of Subiaco from 2012 - 2016, and the City of Stirling since 2016;
Podiatry service users have declined due to the decrease in referrals and the introduction of the Medicare Enhanced Primary Care (EPC) program. Service users can access 5 x Podiatry services per year that are bulk billed. A total of 88 service users accessed Podiatry services in 2015-2016 at $30 per service. In comparison, in 2010 - 2012 prior to the introduction of the EPC program there were a total of 460 service users at $25 per service.

There are more than 15 Podiatry Services available within the Town to service the community need and the cost varies depending on bulk billing or private health insurance rates for the customer.

It should be noted that there are a number of other agencies that also provide HACC services in and around the Town (i.e. City of Stirling, Mercycare, Bethanie, Silver Chain, Independent Living Centre and many more). Some of the larger service providers specialise in aged care and consequently can provide services more efficiently than the Town.

The Town's HACC service agreement has been extended a number of times and is due to expire on 30 June 2017. However the Town has been advised verbally by the Department of Health HACC Project Officer that the Town should expect one final extension of the agreement to 30 June 2018.

**Government Aged Care Reform Agenda**

Over the past 12 months, the Town has been informed by the Department of Health (WA) that further changes are expected in relation to the WA HACC funding and service delivery model as it will transition to the My Aged Care, National Program from 1 July 2018.

The introduction of Consumer Directed Care, providing choice and control over what services are delivered and where and when they are delivered is the biggest change in the aged care sector. The introduction of Home Care Packages from February 2017 will provide more choices and the process is directed by the consumer in partnership with the service provider. This initiative has not impacted on the Town's Senior Services as we continue to operate under the WA HACC program.

The implementation of the National Program will see funding provided to the service user to purchase the relevant services, rather than the current model of a funding service agreement with the Service Provider. Many service providers have implemented Case Managers to address the new model in aged care and all HACC service agreements will be administered by the Commonwealth.

To date, Western Australia is the only state that has not joined the National program. However, on 13 February 2017, the Town received written advice from the Department of Health (WA) confirming that:

- The Commonwealth and Western Australian Governments have signed an agreement to transition responsibilities for aged care services and disability services for older people in Western Australia to the Commonwealth from 1 July 2018.
- As part of this agreement, HACC services will transition to the Commonwealth. The transition of HACC services will occur from 1 July 2018.
- It will be 'business as usual' for HACC service providers and service users up to the transition date of 1 July 2018.
- From 1 July 2018 the Western Australian Government will continue to fund and manage HACC services for people aged under 65 years, however some HACC services and service users will transfer to the National Disability Insurance Scheme (NDIS) as it rolls out in Western Australia.
The Commonwealth and Western Australian Governments are committed to implementing a smooth transition process with minimal disruption to service providers and their service users. Both governments have agreed to a minimum twelve months funds stability period from 1 July 2018 to 30 June 2019 for existing HACC service delivery for older people, ensuring certainty of funding for providers throughout this period.

With the abovementioned changes occurring, and with an aging population, it is timely for the Town to review its role in the provision of Senior Services.

It is proposed that the Town undertakes an Aged Friendly Community Plan in 2017/18 to research the need for senior services within the Town and to inform a senior services provision strategy for the next five years.

DETAILS:

An Age-Friendly Community Plan is one that:

- Recognises the great diversity among older people
- Promotes their inclusion and contribution in all areas of community life
- Respects their decisions and lifestyle choices, and
- Anticipates and responds to age-related needs and preferences.

The Department of Local Government and Communities provides grants for local governments to develop or implement age-friendly policies, services and structures that improve the quality of life of community members as they age. To date, 70 Western Australian local governments have received age-friendly funding through the grant program to help them undertake age friendly planning. Local Governments in our locality that have undertaken Aged Friendly Community Plans (AFCPs) include City of Subiaco, City of Vincent, Town of Mosman Park (included Claremont, Peppermint Grove and Cottesloe), and the City of Fremantle. The cities of Stirling, Joondalup and Wanneroo combined their resources to undertake an AFCP in 2016/17 (currently in progress).

Grants of up to $10,000 are now available to local governments that have not previously received funds through the program to undertake age friendly and community engagement planning. Applications for the next funding round close 31 March 2017. The Town has met with the Department of Local Government and Communities who suggested the Town for grant to undertake an Aged Friendly Community Plan.

Study Methodology

Typically, the research method for an age friendly community plan is taken from the Department of Local Government and Communities AFC guidelines and includes the World Health Organisation's eight essential domains: outdoor spaces and buildings, transport, housing, social participation, respect and social inclusion, civic participation and employment, communication and information and community support and health services. The research methodology typically comprises the following:

- Establish an AFC Reference Group
- Develop a community profile with current and predicted demographic information
- Literature and trends review
- Review of existing seniors services and facilities
- Identify key stakeholders for consultation
- Community engagement to identify seniors needs (survey, focus groups, etc.); and
- Analysis of key research findings to identify AFC features and barriers with suggestions for improvement.
It is proposed to appoint an experienced consultant to research and prepare the aged friendly community plan which is expected to be completed by December 2017.

POLICY/STATUTORY IMPLICATIONS:

The proposed AFCP supports the following Town policy:

- Policy 2.1.20 Seniors Needs aims to ensure that the Town of Cambridge remains a supportive and inclusive community, fostering a local environment where seniors are able to live meaningful and independent lives, while being valued for their knowledge, skills and life experience.  

The Town also has one other policy that relates to the provision of HACC services:

- Policy 2.1.4 Cambridge Senior Services Fees and Financial Safeguards provides a mechanism by which fee contributions from eligible service users towards the cost of Home and Community Care (HACC) services provided by the Town of Cambridge is at a level that is fair, affordable and conforms to the WA HACC Fees Policy (2013).

Pending the recommendations of the AFCP and the implications for the future provision of HACC services, the above policies may need to be reviewed and amended accordingly.

FINANCIAL IMPLICATIONS:

The cost to appoint a consultant to undertake an AFCP is approximately $25,000. However it is expected that this cost would be offset by a $10,000 grant from the Department of Local Government and Communities. The net cost to the Town would be $15,000.

STRATEGIC DIRECTION:

The proposed Aged Friendly Community Plan supports a number of goals within the Town's Strategic Community Plan 2013 - 2023 specifically:

**Goal 3:** An active, safe and inclusive community
- **Strategy 3.1:** Create and improve the places where community groups can interact.
- **Strategy 3.2:** Deliver programs supporting local clubs and community groups' capacity to run their community activities.
- **Strategy 3.3:** Encourage activity that meets the needs of people of all ages, cultures and abilities.

**Goal 4** Neighbourhoods that are well planned, attractive, respectful of the character and responsive to future needs.
- **Strategy 4.1:** Create opportunities for housing options to suit community needs.

**Goal 10** The Town is a proactive local government that gets things done.
- **Strategy 10.1:** Ensure appropriate resources are allocated to our strategies and projects.

**Goal 11** A strong performing local government
- **Strategy 11.5:** Continuously strive to improve services delivered to the community.
COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy and Community Engagement Framework. Community consultation and engagement will occur in developing an age-friendly community plan. Consultation would normally include a reference group, focus group sessions (seniors; carers, service providers), key stakeholder interviews, and a survey (hardcopy, downloadable and online).

ATTACHMENTS:

Nil

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That:--

(i) an Age Friendly Community Plan be undertaken during the 2017/2018 financial year;

(ii) an amount of $25,000 be included in the 2017/2018 Draft Budget to undertake an Age Friendly Community Plan; and

(iii) a funding application be submitted to the Department of Local Government and Communities for $10,000 towards the cost of completing an Age Friendly Community Plan.

Carried 9/0
SUMMARY:

A proposal has been developed for the Department of Water to undertake a detailed study into options for restoring groundwater levels in the Western Suburbs. This study is proposed to be jointly funded by the Department of Water, the member councils of WESROC and the Town of Cambridge.

This study will provide valuable information to guide future actions in being able to continue to use bore water as irrigation for the Town's open spaces, parks, gardens and Wembley Golf Course.

It is recommended that Council approves entering into this agreement.

BACKGROUND:

The Town, along with most other Councils, draws bore water from the superficial aquifer to irrigate public open spaces such as parks and gardens and Wembley Golf Course. Allocation licenses are granted by the Department of Water authorising capped volume of bore water that can be used by Councils.

The superficial aquifer groundwater levels are falling due to many circumstances (including a drying climate) resulting in reduction in bore allocations undertaken previously and the risk that the Department of Water will further reduce allocations to Councils. Salinity of the bore water is also proving problematic for Councils closer to the coast. The Town has, at present, minor salinity issues with bore water drawn in Floreat.

The Western Suburbs Regional Organisation of Councils (WESROC - representing the Town of Claremont, the Town of Cottesloe, Town of Mosman Park, City of Nedlands, Shire of Peppermint Grove and City of Subiaco), the Town of Cambridge and the Department of Water have considered that suitable studies need to be undertaken to determine how best to address this issue.

DETAILS:

Phase 1 Study

The Department of Water engaged GHD Consultants to undertake a pre-feasibility study of using treated waste water (TWW) to be infiltrated into the aquifer as a Managed Aquifer Recharge (MAR) project to determine benefits it may provide in:-

- increasing the groundwater levels in the superficial aquifer;
- reducing salinity of groundwater;
- providing capability for continued bore water extraction in a drying climate; and
- potentially raising standing water levels at some exposed lakes in the Western Suburbs (e.g. Perry Lakes).
The study examined, at high level, the forecast demand for irrigation water for parks and gardens, the quality of waste water at various sources (including Herdsman Main Drain and Subiaco Treated Waste Water Plant - WWTP), high level health and environmental risks of using TWW and potential options (including costs) of MAR projects.

This study was conducted on behalf of WESROC and the Town of Cambridge as an indicator of options available.

It concluded that a large infiltration site close to Subiaco WWTP injecting between 8 ML and 18 ML per day could increase the superficial aquifer levels by 2.2m immediately proximate to the injection site through to an increase of 0.2m 5km up gradient and 3km down gradient of the injection site.

The capital cost of such a system varied from ~$18m (8 ML/day recharge) to ~ $35m (18 ML / day recharge) with operating costs of ~ $1.83m and ~ $3.2m respectively per annum. There has been no discussion to date with the participants as to how these costs would be apportioned. It is noted that the Town appears to be ~ 25% to 30% of total forecast bore water usage of the relevant Councils and this may be relevant at that time.

Phase 1 works underway also include studies by the Department of Water in the hydrogeology of the local area with a focus on the interaction between the superficial and deeper aquifers, as there is some conjecture that the Kings Park formation that forms part of the geological separation for the lower level confined aquifers may in fact be porous in some areas. This could be a contributing factor to the declining superficial aquifer levels.

This study will require some test bores to be installed at Lake Monger and Wembley Golf Course by the Department of Water. Discussions are underway as to agreement on suitable locations.

Finally, Phase 1 works also included a desktop review of the capability to harvest stormwater as means of localised infiltration to the superficial aquifer.

The Town contributed $9,870 to WESROC for the Phase 1 Study as part of the 2015/2016 Budget.

**Phase 2 Study**

It is proposed that the WESROC Councils and the Town of Cambridge continue the partnership with the Department of Water to implement the next Phase of this project which would see the high level Phase 1 works improved to a more robust and reliable predictor of the benefits of a MAR scheme in the area.

This Phase 2 project is estimated to cost $1.53m funded as follows:

<table>
<thead>
<tr>
<th>Department of Water:</th>
<th>$1,300,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>WESROC:</td>
<td>$ 182,000</td>
</tr>
<tr>
<td>Town of Cambridge:</td>
<td>$  48,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$ 1,530,000</strong></td>
</tr>
</tbody>
</table>

Phase 2 will result in the production of 5 reports:-

- evaluation of generic water recycling options for green spaces - April 2017;
- conceptual and regulatory requirements for MAR supply options - July 2017;
- groundwater model and calibration - August 2018;
- predictive model - October 2018; and
- final report and supporting data bringing together the previous works - December 2018.
Phase 2 is scheduled to commence at the end of March 2017 and be completed by end December 2018 (i.e. spanning 3 financial years).

A collaboration agreement between the Department of Water and the relevant Local Government is required to be executed to proceed with the works. This agreement has been discussed with Chief Executive Officers of the WESROC member councils and the Town of Cambridge and final editing changes being made.

**Benefits of Supporting the Phase 2 Study**

It is believed that the Town should support this Phase 2 Study on the basis that:–

- the Town will have information provided that can be used in response to any potential reductions in water allocation for our parks and gardens;
- a greater understanding of localised groundwater improvements will be provided (with potential for Perry Lakes); and
- it is part of a shared response to the impacts of a drying climate.

**Interaction with Perry Lakes Study**

The Town is also undertaking this year a high level study into the options available to improve the standing water levels at Perry Lakes. The consultant undertaking this study will use the information from the Phase 1 works as part of his analysis in considering options.

Council will recall that the previous 2011 project to undertake a MAR at Perry Lakes considered using TWW from the Subiaco WWTP (similar to this overall Western Suburbs project) but at a lower infiltration rate (5 ML / day) than proposed at present.

**POLICY/STATUTORY IMPLICATIONS:**

There are no Policy or Statutory Implications related to this report.

**FINANCIAL IMPLICATIONS:**

The Town's approved 2016/2017 budget had allocated $48,000 as the Town's share of this Phase 2 study. The funding would need to be carried forward as necessary for the next two financial years in line with the study program.

**STRATEGIC DIRECTION:**

This proposal is most closely aligned to the following Goals and Strategies of the Town's Strategic Community Plan 2013/2023:–

**Our Natural Environment**

Goal 7: Council is environmentally responsible and leads by example; and

Strategy 7.5 Prepare for the effects of climate change.

**COMMUNITY ENGAGEMENT:**

This matter had been assessed under the Community Engagement Policy No 1.2.11 and determined that consultation is not required as the matter is purely administrative in nature with no external impacts envisaged.
ATTACHMENTS:

Nil.

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That the Chief Executive Officer be authorised to execute a Collaboration Agreement between the Department of Water and the relevant Local Councils on behalf of the Town of Cambridge.

Carried 9/0
CR17.31 DOCUMENTS SEALED - MARCH 2017

SUMMARY:

To advise Council of documents that have been affixed with the Common Seal of the Town of Cambridge.

DETAILS:

There is no statutory requirement for the Council to give prior approval for the Seal of the Municipality to be placed on documents, however, Council Policy directs the type of documentation to which the seal may be affixed, and requires a subsequent report to Council.

A schedule of documents affixed with the Common Seal of the Town of Cambridge appears below:

<table>
<thead>
<tr>
<th>Date Sealed</th>
<th>Document Details</th>
<th>Purpose</th>
<th>No. Copies</th>
</tr>
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<tbody>
<tr>
<td>23-Feb 2017</td>
<td>Execution of Lease - Tenancy B, City Beach Commercial Precinct - Held in Escrow.</td>
<td>Signing of Leases Held in Escrow, to Include Bin Store - Town of Cambridge; Fabio Hupfer &amp; Eleanor Hupfer - Hospitality Operators at Odyssea Beach Café.</td>
<td>3</td>
</tr>
<tr>
<td>13-Mar 2017</td>
<td>Variation of Community Lease Floreat Surf Lifesaving Club (Inc.), Challenger Parade City Beach</td>
<td>Cambridge Coastcare shed completed - Variation to Community Lease - Floreat SLSC required.</td>
<td>3</td>
</tr>
<tr>
<td>13-Mar 2017</td>
<td>Withdrawal of Caveat - Floreat Forum Shopping Centre.</td>
<td>Registration of new leases and lease extensions on CT Vol 2217 Folio 70 require the Town's Caveats to be temporarily lifted then to be reinstated.</td>
<td>2</td>
</tr>
</tbody>
</table>

POLICY/STATUTORY IMPLICATIONS:

There are no Policy or Statutory Implications related to this report.

FINANCIAL IMPLICATIONS:

There are no Financial Implications related to this report.
STRATEGIC DIRECTION:

Sealing of Council documents is consistent with the Strategic Community Plan 2013-2023 priority area of Capacity to Deliver and goal of transparent, accountable governance.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. In accordance with the assessment criteria it was rated at Level 1, for which no community consultation is required.

ATTACHMENTS:

1. Nil.

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That it be noted that the Common Seal of the Town of Cambridge has been affixed to the documents as listed in the schedule as it appears in this report.

Carried 9/0
SUMMARY:

The Board of Ocean Gardens (Inc.) (the Board) has advised that the term of Director, Mr Lee Verios is due to expire on 31 March 2017 and in accordance with Clause 10(4) the Board nominates and recommends the reappointment of Mr Lee Verios for an additional three year term, effective from 1 April 2017 and expiring on 31 March 2020.

Clause 10(3) of the Ocean Garden's Constitution requires the nomination for reappointment of its Directors by the Board and appointment by the Town. The nomination for the reappointment of Mr Verios is now submitted for the Council's consideration and approval.

BACKGROUND:

Clause 10 of the Ocean Gardens (Inc.) constitution provides (inter alia) that:-

(3)(a) The Directors shall be nominated by the Board and appointed by the Town in accordance with this clause.

(b) The Board shall determine the eligibility requirements for the selection of those persons to be nominated by the Board as Directors and notify the Town of those requirements from time to time.

(c) The Town must, within 60 days of the date of receipt of the nomination from the Board, in its absolute discretion appoint or reject any person nominated by the Board by notice to the Board in writing.

(d) If the Town does not within 60 days appoint or reject any person nominated under this clause, the Town will be deemed to have appointed that person as a Director.

(4)(a) Subject to clause 10(4)(b), the term of appointment for each Director is up to three (3) years. If no term is specified at the time of appointment, a Director's appointment shall expire on the third anniversary of their appointment.

(b) A Director is eligible for reappointment but a person may not be a Director for more than nine (9) years in aggregate.

(c) A Director seeking reappointment may be nominated and reappointed under clause 10(3) at any time within 3 months before the expiry of their current term in which case the reappointed Director's new term of office commences on the first day after the expiry of their current term.

The competency assessment framework that is used to determine the eligibility requirements for selection of persons to be nominated as determined by the Board in accordance with Clause 10(3)(b) is detailed below.
Board Composition and Director Competencies

1. Competencies

(i) **Strategy and Business Leadership** - the ability to review and develop strategy, particularly in relation to the future needs of and demands upon the village, and in the context of the changes taking place in the retirement living and care sectors;

(ii) **Corporate Governance** - experience as a Director and/or senior executive of public or large private companies or Government Instrumentalities in either the For Profit or Not for Profit sectors;

(iii) **Financial Acumen** - the ability to understand the economics of the Village (at ownership and operational levels), the financial consequences of decisions, financial material presented to the Board, financial reporting requirements and an understanding of corporate finance;

(iv) **Legal** - the knowledge and experience to oversee all requisite compliance and to understand a director's legal duties and responsibilities including how to properly manage potential conflict of interests;

(v) **Managing risk** - experience in identifying and managing areas of major risk to the organisation;

(vi) **Managing people** - an appreciation of the importance of human and cultural development and experience of effectively managing organisational change.

(vii) **Community** - an understanding of and an interest in relevant community matters and expectations; and

(viii) **Industry knowledge** - experience in one or more similar or relevant organisations or industries including: Retirement villages; Property Sector (House building construction Facilities Management); Hospitality; Health Care including Aged Care; Marketing and Public Relations; Finance and/or banking; and Technology and Communications.

2. The effect on the Board of this appointment

(i) **Corporate knowledge** - what impact will the appointment of the Director have on the retention of knowledge?

(ii) **Diversity** - what impact will the appointment of the Director have on the range and diversity of experience, age, skills, backgrounds and gender of Board members?

(iii) **Independence** - Is the proposed Director an independent thinker? Does any aspect of the proposed Director's personal circumstances or their roles affect their independence?

(iv) **Evolution** - Does the proposed Director's skills and experience add to and complement the existing skills and experience of the Board? Will the new balance of skills and experience in the Board be appropriate for the future challenges facing the organisation?

(v) **Experience** - Does the proposed Director bring appropriate links to industry, government and the community?

3. What Personal Qualities Should Board Members Have?

(i) **Integrity** - a director must display integrity in fulfilling a director's duties and responsibilities, putting the organisation's interests before personal interests, and, at all times, acting ethically;

(ii) **Curiosity and courage** - a director must have the curiosity to ask questions and the courage to persist in asking or to challenge management and fellow board members where necessary;

(iii) **Interpersonal skills** - a director must work well in a group, listen well, be tactful and prepared to listen but able to communicate their point of view frankly;
(iv) **Instinct** - a director must have good business instincts and acumen, and an ability to get to the crux of the issue quickly;

(v) **Active contributor** - each director must have a genuine interest in the organisation and be willing to actively engage in the conduct of the Board’s affairs;

(vi) **Commercial common sense** - a director must be able to make decisions on a sensible and commercial basis; and

(vii) **Commitment** - a director must ensure he/she has adequate time to devote to the organisation’s affairs.

Under Clause 10 of the constitution, the Board shall comprise up to six Directors, with a quorum of four Directors. The term of appointment for each Director is three years and a person may not be a Director for more than nine years in aggregate.

The table below provides details on the terms of the current Directors and their maximum nine year term.

<table>
<thead>
<tr>
<th>Director</th>
<th>Expiry of Current Term</th>
<th>Maximum Term 9 Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Lee Verios</td>
<td>29 April 2017</td>
<td>29 April 2023</td>
</tr>
<tr>
<td>2. Eric Hooper</td>
<td>23 August 2017</td>
<td>23 August 2017</td>
</tr>
<tr>
<td>3. Anthony Kinder</td>
<td>23 October 2018</td>
<td>23 January 2021</td>
</tr>
<tr>
<td>4. Ray Glickman</td>
<td>26 April 2019</td>
<td>26 April 2025</td>
</tr>
<tr>
<td>5. Felicite Black</td>
<td>19 October 2019</td>
<td>19 October 2025</td>
</tr>
</tbody>
</table>

**DETAILS:**

The Board has advised that the term of Director, Mr Lee Verios is due to expire on 31 March 2017 and in accordance with Clause 10(4) the Board nominates and recommends the reappointment of Mr Lee Verios an additional three year term, effective from 1 April 2017 and expiring on 31 March 2020.

The Board has completed a review of the skills and experience necessary to competently perform its duties and obligations into the future. Following the review the Board has approved the nomination for the reappointment of Mr Lee Verios.

In support of the nomination for reappointment, the Board has submitted a confidential assessment of the Board Composition and Director Competencies for the nominee. The confidential assessment is attached. The Board has advised that an appropriate level of investigation has been undertaken to confirm the accuracy of the details contained in the competency profile and resume.

The reappointment of Mr Verios is supported by the Ocean Gardens Residents Association and the nomination included a copy of a letter from the President of the Association confirming the support.

The nomination for director appointment request was received on 7 March 2017 and, in accordance with the OGRV constitution the Town has 60 days to make its decision to accept or reject the nominations. Should a decision not be made within the specified time, the Town will be deemed to have appointed that person as a Director.

The nomination for reappointment of Director, Mr Lee Verios has been reviewed against the eligibility criteria submitted and it is considered that the nominee satisfies the requirements and is therefore recommended for reappointment as a Director of Ocean Gardens (Inc.) in accordance with the provisions of Clauses 10(3) and 10(4) of the Ocean Gardens (Inc.) Constitution.
POLICY/STATUTORY IMPLICATIONS:

Clause 10(3) of the Ocean Gardens (Inc.) constitution requires that reappointment of Directors shall be nominated by the Board and appointed by the Town.

FINANCIAL IMPLICATIONS:

There are no Financial Implications related to this report.

STRATEGIC DIRECTION:

There is no specific strategy in the Town’s strategic Community Plan to reappoint to the board of Ocean Gardens. However, it is consistent with the goal for transparent and accountable governance.

COMMUNITY CONSULTATION:

This matter has been assessed under the Community Consultation Policy No. 1.2.11. Consultation is not proposed as it is an administrative matter for Council to consider and decide.

ATTACHMENTS:

1. CONFIDENTIAL Copy of the nomination for the reappointment of Director, Mr Lee Verios and the competency assessment, as completed by the Board.

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That in accordance with the provisions of clause 10(3) and 10(4) of the Ocean Gardens (Inc.) Constitution Mr Lee Verios be reappointed as a Director of the Ocean Gardens (Inc.) Board for a three year period effective from 30 April 2017 and expiring on 29 April 2020.

Cr Bradley returned to the meeting at 8.29 pm.

Carried 7/2

For: Crs Bradley, Carr, Grinceri, King, MacRae, O’Connor and Powell
Against: Mayor Shannon and Cr Timmermanis
SUMMARY:

In November 2016, the Council established performance criteria for the Chief Executive Officer with one of the criteria to *develop a metric reporting system for Council to endorse by end of March 2017*.

A literature review of performance measurement frameworks has been undertaken and a preferred model is proposed.

This report seeks endorsement of a strategy and performance model, setting the basis for the metric system.

BACKGROUND:

In November 2016, the Council established performance criteria for the Chief Executive Officer for the ensuing twelve month period. A performance outcome was set to *develop a metric reporting system for Council to endorse by end of March 2017*, to support the governance and compliance role of the Council.

The current reporting regime for Council is primarily focused on financial performance. Council has not adopted an overall framework for measuring non-financial performance across the organisation to meet its governance objectives around strategy, service and performance. This is understandable given the focus on the delivery of major projects and on the State Government's local government reform agenda over the last few years.

In the advent of the decision by the State Government not to proceed with local government reform, it is now opportune to shift the focus to organisational systems - including a framework for a metric reporting system.

DETAILS:

Frameworks/Models

A review of the literature on reporting frameworks for Local Government and not-for-profit organisations has indicated that most approaches are based on a hybrid of the Balanced Scorecard model.

This model is popular and well utilised, as it looks at both financial and non-financial dimensions and is useful for aligning strategy with performance and results (outcomes).

The Victorian Department of Transport, Planning and Local Infrastructure has produced a "Local Government Performance Reporting Framework" workbook, which followed a review by the Productivity Commission and the Essential Services Commission.

The **Victorian model** sets a performance framework, centred around four key indicator sets:

- Service Performance;
- Financial Performance;
- Sustainability Performance; and
- Governance & Management.

The NSW Government produced a discussion paper for "Building a new framework for measuring performance in Local Government". Due to the NSW reform program, the project has not advanced to the guideline/workbook stage, however the discussion paper suggested the framework measure four key areas of:

- Financial Performance;
- Asset Management;
- Governance; and
- Service Delivery.

The discussion paper also made reference to underlying principles and the target audience of the reporting framework. These aspects will be introduced later in this report.


This paper proposed a model closely linked to the balanced scorecard model and proposed measurements around:

- Financial Stewardship;
- Community and Stakeholder Responsiveness;
- Internal Processes; and
- Human Capital.


Other literature reviewed includes:

- the Australian Institute of Company Directors Good Governance Principles and Guidance, Principle 3 & 5; and
- the Public Sector Commission Good Governance Principles, Principle 5.

**Preferred Model for Strategy and Performance**

Following review, it is considered that the balanced scorecard presents the most suitable basis for linking strategy and performance to measurement.

The proposed model therefore features four distinct perspectives and is useful for understanding ‘purpose’ and where ‘things fit’:

1. Value perspective - Key financial outcomes, future capability, well-managed assets and public value;
2. Customer/Community perspective - engaged and satisfied community, effective community programs and good customer service;
3. Delivery perspective - Governance and business planning, efficiency, effectiveness of business processes and service delivery; and
4. Knowledge and Learning Perspective - people, culture and innovation.
Using this model, the relationships/interplay between each segment can be more clearly documented and understood to fully comprehend cause and effect (e.g. the effect of culture, skills and resourcing, in-house versus outsourcing service delivery, governance systems, data integrity, market segments, community outcomes etc.). Refer to the diagram on the following page.

Reference: The Institute Way: Simplify Strategic Planning & Management with the Balanced Scorecard.
Local Government Performance Excellence Program

The Town recently participated in a benchmarking program run in conjunction with the Local Government Professionals Associations of WA, NSW and New Zealand, and Price Waterhouse Coopers.

This year was the inaugural year for WA Local Governments with 35 WA LGAs participating, in addition to 69 from NSW and 30 from New Zealand.

Results are currently being analysed, however it is useful to highlight some of the benchmarking data types against the proposed model.

<table>
<thead>
<tr>
<th>VALUE PERSPECTIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost of finance as a percentage of revenue</td>
</tr>
<tr>
<td>Rates and annual charge collected by end of quarter 2</td>
</tr>
<tr>
<td>Capital expenditure per resident</td>
</tr>
<tr>
<td>Dedicated asset management systems in road networks, bridges, footpaths and cycleways</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>CUSTOMER/COMMUNITY PERSPECTIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer service staff per 100 employees</td>
</tr>
<tr>
<td>Customer service FTE per 10,000 residents</td>
</tr>
<tr>
<td>Corporate performance results</td>
</tr>
<tr>
<td>Improved community satisfaction levels</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DELIVERY PERSPECTIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Median council resolutions passed</td>
</tr>
<tr>
<td>Use of key risk indicators to analyse and report risks</td>
</tr>
<tr>
<td>Effectiveness of IT Systems</td>
</tr>
<tr>
<td>IT spend per employee</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>KNOWLEDGE AND LEARNING PERSPECTIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff turnover rate</td>
</tr>
<tr>
<td>Staff turnover rate in first year of employment</td>
</tr>
<tr>
<td>Actual training spend per FTE</td>
</tr>
<tr>
<td>Lost time injury days per 100 employees</td>
</tr>
</tbody>
</table>

Scope and Context of the Program

Ordinarily, once Council has decided on its vision and strategies for the strategic community plan, it should as part of the planning process, choose measures or indicators that enable Council to track progress i.e. the key performance indicators (KPIs) to measure the organisation's performance on execution of its strategy and achievement of its purpose.

Given the Town is currently undertaking a major review of its planning strategies, the establishment of key metrics will dovetail into this process.

In addition, the Council’s good governance role would require indicators on the “health” and performance of the organisation to focusing on as part of the council’s regular monitoring. This includes the financial health of the organisation, material risk updates, and any important regulatory, compliance and reporting obligation matters.

In essence, the above context sets the scope for the project in terms of measurements of progress towards strategic outcomes, quality of outputs, efficiencies of services and effectiveness of delivery.
Approach for Principles and Perspective Framework

The literature reviewed suggests that in formulating performance measurements, a set of principles should be established, underpinned by a framework for each perspective. This is generally the approach that is proposed to be adopted.

The proposed principles encapsulate the following:
- be a meaningful, balanced picture of council performance;
- be supported by benchmarks and targets, where achievable;
- encourage continuous improvement rather than just compliance;
- drive positive behaviours;
- be ‘SMART’; that is: Specific, Measurable, Aligned to the project objectives, Relevant and Time-specific;
- be supported by benchmarks and targets, where achievable;
- evolve as better measures are identified and collected;
- align with Integrated Planning and Reporting; and
- minimise the resource and reporting burden.

A further example of a framework for a service delivery perspective is illustrated below, from the Victorian Performance Framework.

Figure 1. Services Framework

Next Steps

The following steps are proposed to develop the performance management framework:
1. Council adopt the model based on a modified Balanced Scorecard;
2. documentation of what data/indicators the Town has available under each of the categories;
3. review requirements from other Town of Cambridge planning frameworks/models, including the SCP/CBP/Governance Model (to be proposed)/Risk framework;
4. document required data set (for Council/for management);
5. consider the reporting parameters - dashboards frequency, level;
6. identify critical gaps and Prioritise reporting metrics and program for implementation; and
7. consider resourcing.
Resourcing the project

There are no current resources available to undertake the devolvement of this framework at this stage due to existing staff resources being required on other major projects such as the Strategic Corporate Plan under the Integrated Planning Framework and Local Planning Strategy. The Performance Management Framework is an integral element of integrated planning and its development is supported.

To enable the Town to undertake the next steps outlined above it is recommended that a consultant be engaged to be funded in the 2017/18 Budget. A scope will be developed and quotes obtained to determine an appropriate budget amount.

POLICY/STATUTORY IMPLICATIONS:

The Performance Management Framework will lead to a policy being developed to provide ongoing guidance of the purpose and function of the framework.

FINANCIAL IMPLICATIONS:

Funds to be allocated in the 2017/18 Budget to engage a consultant to assist in developing the performance management framework based on a scope and quotes to be obtained.

STRATEGIC DIRECTION:

**Goal 9 Transparent, accountable governance**
Strategy 9.1 - Implement initiatives that strengthen governance skills and knowledge.
Strategy 9.2 - Keep the community informed and consult on local matters that affect them.

**Goal 11 A strong performing local government**
Strategy 11.5 - Continuously strive to improve services delivered to the community.
- Improve the integration of our strategic and business planning.

COMMUNITY CONSULTATION:

This matter has been assessed under the Community Consultation Policy No. 1.2.11. Consultation is not proposed as it is an administrative matter for Council to consider and decide.

ATTACHMENTS:

Nil
COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That:-

(i) a Performance Measurement Framework be developed based on a modified Balanced Scorecard with the following perspectives and principles:

Perspectives
a) Value;
b) Customer/Community;
c) Delivery; and
d) Knowledge and Learning.

Principles

The performance measurement framework will:

a) be a meaningful, balanced picture of council performance;
b) be supported by benchmarks and targets, where achievable;
c) encourage continuous improvement rather than just compliance;
d) drive positive behaviours,
e) be 'SMART'; that is: Specific, Measurable, Aligned to the project objectives, Relevant and Time-specific;
f) be supported by benchmarks and targets, where achievable;
g) evolve as better measures are identified and collected;
h) align with Integrated Planning and Reporting; and
i) minimise the resource and reporting burden.

(ii) the performance measurement framework be developed in conjunction with the Community Strategic Plan and Corporate Business Plan; and

(iii) a consultant be engaged to assist with the review outlined in the next steps with funds to be included in the 2017/18 Budget.

Carried 9/0
SUMMARY:

An interim review on the Town’s Community Facilities Asset Management Policy was received by Council in June 2014.

A further report was received in September 2016 detailing the process of the review and proposing that a consultant be engaged to assist with the review. A scope for the consultant was to be provided in a further report to Council.

This report details the scope for the consultant and seeks approval for an allocation in the 2017/18 draft budget for consultation and analysis, including stakeholder and community surveys.

BACKGROUND:

This report refers to the following reports:

April 2011 10.3 Community Facilities Asset Management and Leasing Policy

The Town’s Community Facilities Asset Management Asset Policy (the Policy) was adopted in April 2011. The objectives of the policy are to ensure:

- Good Asset Management - community facilities are maintained to a reasonable standard, are functional and fit for purpose.
- Club/Community Group Longevity - community facilities are provided at a subsidised cost, to support the long term survival of Clubs and Community Groups, where there is sufficient community demand.
- Intergenerational Equity – The cost of maintaining community facilities is shared between all users over the life of the facilities.
- Reasonable User Contributions - To encourage responsibility and ownership, and to ease the burden on the ratepayer, a reasonable contribution towards maintaining community facilities is made from the users of those facilities.

A five year review of the policy is pending, and the approach and funding of the review forms part of this report to Council.

An interim review of the Policy was reported to Council in June 2014 (CR14.96).

A further report was received by Council in September 2016 (CR16.148) proposing that the review will be undertaken in two components - Club engagement and Asset Management and that a consultant be engaged to assist with the Club engagement. The Council resolved:

"a further report be submitted to Council on the scope of the Club Engagement and Evaluation consultancy."

DETAILS:

The proposal below is fairly broad in scope.

Fundamentally, a review of the effectiveness of the Town's Community Facilities Leasing Policy should address two principal questions:

1. Is the funding model sufficient to sustain the Club and the asset into the future?; and
2. How is the Town's asset being put to use for community value?

This report recommends this review not only inform the leasing policy review, but also the strategic direction for the Town in terms of its provision of assets and services to support community groups.

In this regard, it will be important to consider the strategic directions and financial health of clubs and associations, review their activities, and ask the wider community where they see the value in clubs/association - and what they are prepared to pay.

It is proposed the review will be undertaken in two components - Club engagement and Asset Management.

Club Engagement

The intent of the Club engagement component is to focus on engaging with the respective Clubs and the community to determine how the leasing policy has impacted the clubs in all aspects.

Scope

1. Documented feedback from the Clubs and Associations (survey and interviews)
   - What has been the impact of the policy on the sustainability of Clubs and Associations?
   - Analysis of the Clubs/Association financial position.
   - Analysis of the Clubs/Associations future plan.
   - Analysis of Club Membership and activities.
   - Feedback from Clubs on the pros and cons, what's worked, what hasn’t, what can be improved.

2. Documented feedback from internal sections of the organisation (survey and interviews)
   - Impact on planned and coordinated maintenance
   - Relationships with Clubs and Associations
   - Policy administration and implementation.
   - Roles and responsibilities

3. Revised financial modelling of the Building Maintenance Fund
   - Incorporating revised maintenance plan
   - Gap analysis

4. Policy review
   - Recommended changes

5. Club Sustainability
   - Identification of alternative income sources
   - Acceptable profit making activities from leased premises
6. Other Operating Models
   • Who else is doing this successfully?
   • What makes a successful Club?

7. Community Service Perspective (survey and interview the wider community)
   • Value that clubs provide to the community, i.e. social return on investment.
   • Level of service provided by Clubs.
   • Community expectation on the role of clubs and how important they are.
   • Price sensitivity of club activities
   • What is the acceptable level of rates allocated to support clubs and associations.

Asset Management

Work continues on data collection for the Town's community buildings, including the cost elements, condition ratings and the predictive maintenance over the next ten years. It is anticipated that this will be completed by the end of this financial year.

Subsequently, the asset condition and predictive maintenance will be drawn together in a report to Council on Strategic Asset Management - Assets. Council will need to decide on the acceptable functionality and condition of the buildings, the priority of planned works and to signal its position on the anticipated life spans or future plans and ultimately some significant funding allocation decisions.

Once this process has concluded the fundamental aspects of the Community Facilities Asset Management policy can be tested - particularly the calculation of the required contribution, and whether it is sufficient or deficient.

POLICY/STATUTORY IMPLICATIONS:

Town of Cambridge - Community and Facilities Asset Management Policy No.3.1.10

FINANCIAL IMPLICATIONS:

It is anticipated that the consultation and community engagement could cost up to $80,000 due to the broad scope of the review.

The Town's leased community facilities have a value of approximately $50M. Both the Town and the Clubs and Associations contribute annually towards the maintenance of the facilities using the 2/3 (Town), 1/3 (Clubs) formula. The amount raised annually equates to $470,000 (buildings only).

There is significant investment in this community infrastructure by the Clubs and the town and this doesn’t take into account volunteer hours.

It seems reasonable to set a broad scope for this review so that the Council can be satisfied with the level of investment and the return in the form of community value.
STRATEGIC DIRECTION:

Goal 3  An active, safe and inclusive community

Strategy 3.1  Create and improve the places where community groups can interact

Key Actions
•  Develop a plan to renew aging club facilities. This includes the surf club at City Beach and Wembley Sports Park pavilion.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. In accordance with the assessment criteria it was rated as INVOLVE - to work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

ATTACHMENTS:

Nil

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That:-

(i)  the report on the Community Facilities Asset Management Policy Review be noted;

(ii)  quotes be sought on the scope of the review and that an amount be submitted to the draft 2017/18 budget for Council consideration.

Carried  9/0
CR17.35  CLANCYS FISH BAR - LIQUOR LICENCE

SUMMARY:

Clancy's Fish Bar currently operates under a Restaurant Licence with an Extended Trading Permit (ETP) to allow a number of patrons to purchase alcoholic beverages without a meal.

The Business (via the Licensee) is applying to the Department of Racing, Gaming and Liquor to change their current licence to a Restricted Tavern Licence.

This report seeks consent to support and endorse Clancy's Fish Bar's application for the granting of a Restricted Tavern Licence as the landowner. The application is also subject to separate Health, Building and Planning approval requirements.

BACKGROUND:

The Department of Racing Gaming and Liquor (DRGL) issues Liquor Licenses to premises in order to sell liquor to the public. An application for a liquor licence cannot be approved by the Department if the Local Government planning approval has not been granted.

In accordance with sections 39 and 40 of the Act, an applicant for a licence is required to submit local government certificates demonstrating compliance with:-

- the Health Act;
- the Local Government Act;
- the Local Government (Miscellaneous Provisions ) Act;
- any other written law relating to sewerage and drainage; and
- specific town planning scheme matters.

Section 39 and 40 certificates apply to:-

- the granting or removal of a licence;
- the altering or redefinition of a venue;
- an application for an alfresco area; and
- applications for 'liquor without a meal' permits.

The Section 39 certificate assesses the building's suitability and is a matter of fact, dealt with by the Administration (Health Services). The Section 40 certificate relates to planning matters - permitted use, trading hours etc. and is a matter for Council to determine (for new or amended applications).

This report only deals with the approval as the landowner. Clancy's leases the premises from the Town for the purpose of operating a café/restaurant. There are no specific clauses in the lease dealing with the liquor licence conditions, other than a general clause that the tenant must comply with all laws at all times.
In April 2009 (DV09.35), when the restaurant was operating as Oceanus, Council supported an application to amend the liquor license as follows:-

The Extended Trading Permit application under Section 60(4)(ca) of the Liquor Control Act lodged by G D Crocket and Co on behalf of Saruman Holdings Pty Ltd, the licensee of Oceanus Restaurant, 195 Challenger Parade, City Beach be supported subject to a limit of no more than 200 patrons being permitted to consume liquor without the consumption of a meal within a defined area comprising no more than 50% of the licenced area;

In September 2014, the DRLG re-issued Clancy's with a Section 40 ETP that permitted them to sell liquor to up to 200 patrons in the defined area comprising no more than 50% of the licenced area.

In August 2015, Clancy's applied to the DRLG to extend the permitted area to incorporate the entire upper floor restaurant area. They did not apply to increase the number of people able to consume liquor without the consumption of a meal. Clancy's required the Town's support of the application.

At its meeting held on the 25 August 2015, the Council decided that:

(i) the application by the licensee of Clancy's Fish Bar, 195 Challenger Parade, City Beach to extend the licensed area being permitted to consume liquor without the consumption of meals to the whole of the upper floor area, be supported subject to:-

(a) no more than 200 patrons being permitted to consume liquor without the consumption of a meal;

(ii) the Section 40 Certificate be signed and the Director of Liquor Licencing be advised of Council's decision.

DETAILS:

Currently, Clancy's has a Restaurant Liquor License and an ETP that allows a limit of no more than 200 patrons to consume liquor without the consumption of a meal within a defined area.

Clancy's Fish Bar have approached the Town (via the Licensee) to support an application to change the existing Restaurant Licence with an Extended Trading Permit to a Restricted Tavern Licence.

Clancy's have advised they require a change of licence due to the following reasons:

- It would enable a more diverse range of service offering at Clancy's i.e. ability to service functions and group bookings.
- It would ensure long term competitive edge by allowing for a restructure /streamlining of service which leads to wage reduction and overall profitability to the business.
- Brand uniformity. - All other Clancy's venues have Tavern licences – all operate with a heavy emphasis on food, seating and families.
- There would be minimal change to the way Clancy's operate, provide service and appear if successfully in granting a Tavern licence. i.e. Clancy's would continue to operate and look like a restaurant.
The Liquor Licensing Act provides that the following restrictions are on a Restricted Tavern License:-

- the sale and supply of liquor for consumption on the premises; (no takeaway alcohol)
- The permitted trading hours for a tavern licence are as follows:

<table>
<thead>
<tr>
<th>Day</th>
<th>When</th>
<th>General Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday to Saturday</td>
<td>6.00am</td>
<td>midnight</td>
</tr>
<tr>
<td>Sunday</td>
<td>10.00am</td>
<td>midnight</td>
</tr>
<tr>
<td>New Year's Eve (Monday - Saturday)</td>
<td>6.00am</td>
<td>2.00am New Year's Day</td>
</tr>
<tr>
<td>New Year's Eve (Sunday)</td>
<td>10.00am</td>
<td>2.00am New Year's Day</td>
</tr>
<tr>
<td>Good Friday</td>
<td>12.00pm</td>
<td>10.00pm</td>
</tr>
<tr>
<td>Christmas Day</td>
<td>12.00pm</td>
<td>10.00pm</td>
</tr>
<tr>
<td>ANZAC Day</td>
<td>12.00pm</td>
<td>midnight</td>
</tr>
</tbody>
</table>

The DRLG has advised that there has been no liquor related incidents reported concerning Clancy's in the past eight years. The Department of Racing, Gaming and Liquor has also confirmed that Clancy's have complied with all of their liquor licencing requirements when inspected by the Department. A check of Town's records reveals that no liquor related incidents were reported in the past eight years.

The Town's intent for the City Beach precinct is to maintain its broad appeal to families and people of all ages who are in pursuit of recreational opportunities. The consumption of liquor is ancillary to those primary activities (such as dining) and is considered sufficient to safeguard the Town's intent.

The other City Beach Precinct tenancies have the following licences:

- Hamptons - Tavern Restricted Liquor Licence
- Rise Pizza - Restaurant Liquor Licence
- Odyssea - Restaurant Liquor Licence
- Floreat Beach Kiosk - Restaurant Liquor Licence

With respect to the lease to Hamptons, the Council imposed its own conditions under the lease (as the Landlord), which is shown at attachment two. This report recommends the same conditions be established with the Council's approval as the Landlord. The conditions include a clause which stipulates:

At least 50% of the enclosed patron floor space (excluding kitchen, back of house areas and public toilets) shall be provided with tables and chairs at all times the premises are open, which cannot be removed or rearranged to create dance floors or the like. (This does not preclude the remaining 50% of the fully enclosed patron floor space from being temporarily rearranged to create open floor space).

It is recommended the Council's consent (as the landowner) to change the Liquor Licence from Restaurant to Restricted Tavern is given with the conditions attached.
POLICY/STATUTORY IMPLICATIONS:

Lease

The lease between the Town and Clancy's stipulates that:

"7.2 Comply with Legislation & Rules
The Tenant will comply with all Acts regulations and by laws and all requirements of any statutory public or other competent authority which relate to the Premises.

"7.10 Use of Premises
The Tenant will not use the Premises other than for the Permitted Use

Item 10 - Permitted use (clause 7.10)
(a) Café restaurant
(b) Kiosk
(c) Public Toilet and Change rooms"

The use of the premises is currently a Licensed Restaurant and this complies with the permitted use under the lease. In order to incorporate a Restricted Tavern Licence the permitted use may need to change to "Restaurant and Bar, operating under a tavern restricted liquor licence". This will be determined when the planning application is being assessed.

Liquor Licensing Act

The provisions of the Liquor Control Act 1988 govern the granting of Liquor Licenses and enable the Town to act under the legislation.

The Director of Liquor Licensing, in assessing any changes to an existing licence, would consider the views of the relevant Local Government Authority in that regard. The Town is able to make recommendations for conditions of liquor licence.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

This project supports the following Goals and Strategies of the Town's Strategic Community Plan 2013 - 2023 and Corporate Business Plan 2013-2018,

Our Planned Neighbourhoods
Goal 5 Successful commercial, retail and social hubs
Strategy 5.1 Facilitate commercial development within the Town

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. In accordance with the assessment criteria it was rated as CONSULT - to obtain public feedback on analysis, alternatives and/or decisions.

Community consultation will occur as part of the Section 40 application.
ATTACHMENTS:

1. Letter from Clancy's Fish Bar seeking endorsement
2. Liquor Licencing Conditions Hamptons Lease

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That:-

(i) the Town as the owner of the property support the application by the licensee of Clancy's Fish Bar, 195 Challenger Parade, City Beach to change the existing Restaurant Licence to a Restricted Tavern Licence and be subject to compliance with Health, Building and Planning approval requirements;

(ii) the Chief Executive Officer be delegated authority to approve a variation of the lease between the Town of Cambridge and City Beach Hospitality Services Pty Ltd at the property know as Clancy's to include:

   (a) the Liquor Licencing Conditions in Attachment 2;

   (b) amend the Permitted Use to "Restaurant and Bar, operating under a tavern restricted liquor licence".

Carried 9/0
CR17.36 ODYSSEA RESTAURANT CITY BEACH EXTERNAL WIND SCREENS

SUMMARY:

The Town has received requests from the three restaurant operators (Odyssea, Hamptons and Rise) at City Beach for permission to provide wind and rain screens on the edge of the alfresco decks which would be used in inclement weather and folded away when not needed.

A design has been provided by the project architect for the Surf Club Building and Commercial Development at City Beach, which would be in keeping with the overall aesthetic intent of the project.

Odyssea wishes to proceed with the works at their cost. Hamptons have agreed that, if they want to also proceed with the screens, they will use this design. Rise does not agree with the design (should they wish to install screens at a future point) and discussions with them are ongoing.

It is recommended that Council approves this design.

BACKGROUND:

The original design intent of the restaurant buildings was that the alfresco decks would be used in fine weather. Odyssea in particular has developed their restaurant layout that maximises table space on the alfresco decks. During last winter, they suffered significant trading downturn during rainy days which, in their view, would not have occurred if suitable (used when needed) wind and rain screens could be deployed to allow the al fresco deck to be occupied.

The Town agreed to allow Odyssea to work with the project architect to see if a suitable solution could be developed.

DETAILS:

Options

The project architect and the Town agreed that any solution had to look consistent with the structure of the restaurants rather than ‘flimsy’ or similar pull down screens. It was also necessary to have these screens able to be as out of sight as possible when not in use.

Two main options for framed glazing screens were developed: -

1. Sliding panels that went full height and slid in sections to create the barrier
2. Sash type pull up windows that would be raised from the floor to ceiling

The sash type windows are not preferred due to their excessive weight to be pulled up vertically (rather than have sliding panels which slide horizontally) and the intricacy of the fixings.

The preferred solution is a combination of fixed and sliding window panels which are stacked vertically and slide horizontally between the columns of the decks.

The photo image below illustrates this solution:
Image 1 - Sliding Windows Stacked Behind a Fixed Pane

Image 2 - Sliding Windows Deployed
Discussion

Both Odyssea and Hamptons agree to this design. Odyssea is keen to have the works implemented by the start of this winter and are seeking the Town's approval.

Rise has agreed to this system for the ends of their deck area however do not wish to implement any scheme at this stage on the longer western edge of the deck area. They are keen on the sash type solution. It is proposed that if Rise wishes to proceed, that design discussions continue separately to determine if there is a suitable outcome.

Cost

The cost for installation would be the responsibility of the tenant. Therefore the Town has no outlay, but may have a slight uplift in rent if turnover increases.

However the primary consideration in this matter has not been increasing the return to the Town, rather it has been to ensure that the design intent is maintained and that there is community benefit (utility) in the proposal.

POLICY/STATUTORY IMPLICATIONS:

Town approval of these works is a condition of the leases in place.

FINANCIAL IMPLICATIONS:

All design and construction costs will be met directly by the Tenants. The Town is not funding any works.

STRATEGIC DIRECTION:

This proposal is most closely aligned to the following Goals and Strategies of the Town's Strategic Community Plan 2013/2023:-

Our Planned Neighbourhoods

Goal 5: Successful commercial retail and social hubs

Strategy 5.1 Facilitate commercial development within the Town

COMMUNITY ENGAGEMENT:

This matter had been assessed under the Community Engagement Policy No 1.2.11 and determined that consultation is not required as the matter is purely administrative in nature with no external impacts envisaged

ATTACHMENTS:

Nil
COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That approval be given for the style of external screens for the al fresco decks for Odyssea and Hamptons with discussions to continue for Rise.

Carried 8/1

For: Mayor Shannon, Crs Bradley, Carr, Grinceri, King, MacRae, O'Connor and Powell

Against: Cr Timmermanis
CR17.37  RFT48-16 PROVISION AND MAINTENANCE OF BUS SHELTERS IN RETURN FOR ADVERTISING RIGHTS

SUMMARY:

Tender submissions were received on 13 December 2016 for Tender RFT 48-16 for "Provision Maintenance of Bus Shelters in Return for Advertising Rights".

This report includes the successful organisation that will be engaged to carry out maintenance on the Town's existing 20 Bus shelters for income for advertising rights.

BACKGROUND:

At its meeting held on Tuesday 27 February 2001, Council decided that:-

"(i) subject to agreement by Council of the specific location of the 20 bus shelters, the tender submitted by Perth Sign Company’s for the supply, installation, maintenance and operation of bus shelters with seats, lights and advertising be accepted,

(ii) Perth Sign Company’s modern design be accepted as the style of bus shelter and the choice will be site specific based on heritage and aesthetics amenity, versatility and footpath user access;

The Agreement was for a period of 10 Years with an option for an additional 5 Years, The original contract was awarded to Perth Sign Company who was eventually taken over by Adshel. The Contract with Adshel expired in November 2016.

DETAILS:

Tender Development/ Advertising

The Tender was advertised in the West Australian newspaper on Saturday 26 November 2016.

Tender Closure/ Tenders Received

The Tender closed at 2.00pm on 13 December 2016 with tenders received from the following organisations:-

- Claude Outdoor
- Streetside Advertising
- YStop
- Natsales
- QMS
- Adshel

Tender Evaluation Criteria

All tenders were evaluated using the WALGA Purchasing and Tender Guide.

- The evaluation considers weighted and non-weighted criteria which identify a preferred organisation to award the tender to. The confidential attachment to this report details the
assessment applied to the tenders received, together with a summarised copy of estimated expenditure for each tenderer.

- The result of the evaluation, against the tender selection criteria, identified Claude Outdoor (Conforming tender), as the preferred organisation for the following reasons:-

  1. The tender satisfies the Compliance Criteria and is a conforming tender;
  2. The tender is ranked first on the qualitative criteria; and
  3. Represents the best income for the Town.

Based on this assessment, it is recommended that the conforming tender submitted by Claude Outdoor be selected as the preferred tenderer to award a contract.

POLICY/STATUTORY IMPLICATIONS:

There are no Policy Implications related to this report.

Public tenders are required where the provision of goods and services exceeds $150,000 (excl. GST).

FINANCIAL IMPLICATIONS:

Claude Outdoor were evaluated as representing the best income for the Town over the course of the 10 year contract period. Further details are provided in the confidential attachment.

STRATEGIC DIRECTION:

The report reflects the following Goals and Strategies of the Town's Strategic Community Plan 2013/2023:-

Our Council

Goal: A strong performing local government.
Strategy: Build capacity to maintain assets to an acceptable standard.
Strategy: Develop and embed a systems-based approach to risk.
Strategy: Continuously strive to improve services delivered to the community.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy No 1.2.11.

Following consideration of the “Not Required” Engagement Assessment criteria listed in the policy, consultation is not recommended due to this matter being administrative in nature with no external impacts envisaged. The statutory advertising undertaken for this tender has provided public information in relation to the tender proposal.

ATTACHMENTS:

1. Confidential Evaluation and Recommendation Report
COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That Tender RFT 48-16 for Provision Maintenance of Bus Shelters in Return for Advertising Rights be awarded to Claude Outdoor for a ten year period ending 1 April 2027 in accordance with the tender documents and qualitative criteria

Carried 9/0
CR17.38 TENDER RFT53-16 GRAPHIC DESIGN AND PRINTING SERVICES

**SUMMARY:**

Tenders have been assessed for the provision of graphic design and printing services for the Town (RFT53-16). Twenty six (26) tenders were received.

The tender sought to establish a panel of graphic designers and a panel of printers to provide design and print services to the Town for a period of three years, with an option to extend for a further one year plus one year period at the Town's absolute discretion.

Following assessment of qualitative and quantitative criteria, the tenderers who met all criteria and provided the best value for money were:

**Graphic Design**
- Advance Press
- Fuel Creative
- Key2Creative
- Stormbox
- Westcare

**Printers**
- BrandStand (Expo Group)
- Picton
- Scott Print

These respondents were selected as offering the lowest prices of selected elements for graphic design and printing services to provide best value outcomes, and are able to provide the complete suite of services to the Town in a timely and cost effective manner.

It is proposed to award the tender for graphic design and print services to the following panel of graphic designers and printers.

**BACKGROUND:**

In 2014, the Town tendered to appoint a panel of graphic design and print companies to provide graphic design and printing services for the Town. As a result of that tender process, four graphic design companies and three printers were appointed to the panel and since then have been providing design and print services to the Town.

Over the three year term of the previous graphic design and print services tender, approximately $250,000 has been spent on these services.

As the three year term of the previous tender has now expired, a new tender was called to appoint a panel of graphic design and print companies to continue providing services to the Town.

**DETAILS:**

Request for Tender 53-16 called for organisations to provide Graphic Design and Printing services for the Town. The tender was advertised on 13 January 2017 and closed on 3 February 2017. Twenty six (26) tenders received.
All tenders received were deemed compliant when assessed against:-

- tender compliance criteria;
- capacity to meet the requirements of the contract;
- experience in completing similar projects; and
- understanding of required tasks.

Tenders were further assessed for lowest price that offers the best value outcomes for the Town.

The Evaluation and Recommendation Report Executive Summary and Price Comparisons are included as confidential attachments to this report.

POLICY/STATUTORY IMPLICATIONS:

There are no Policy Implications related to this report.

Public tenders are required where the provision of goods and services exceeds $150,000 per annum (excl. GST).

FINANCIAL IMPLICATIONS:

The tender will be funded by service areas allocating funding for graphic design and print requirements against specific projects.

STRATEGIC DIRECTION:

This tender supports the goals and strategies of the Town's Strategic Community Plan 2013-2023 and Corporate Business Plan 2014-2018:

Our Council

Goal: A strong performing local government
Strategy 11.5: Continuously strive to improve services delivered to the community.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy No 1.2.11.

Following consideration of the “Not Required” Consultation Assessment criteria listed in the policy, consultation is not recommended due to this matter being administrative in nature with no external impacts envisaged. The statutory advertising undertaken for this tender has provided public information in relation to the tender proposal.

ATTACHMENTS:

1. Evaluation and Recommendation Report Executive Summary (Confidential)
2. Price Comparisons (Confidential)
COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That Tender RFT53-16 (Graphic Design and Printing Services) be awarded to the following panel of graphic design companies and printers for a period of three 3 years with an option to extend for a further one year plus one year period at the Town’s absolute discretion.

Graphic Design
- Advance Press
- Fuel Creative
- Key2Creative
- Stormbox
- Westcare

Printers
- Scott Print
- Picton
- Brandstand (Expo Group)

Carried 9/0
CR17.39 PAYMENT OF ACCOUNTS - FEBRUARY 2017

SUMMARY:

Under the Local Government Act (Financial Management) Regulations 1996, payments of accounts made by the Town are to be submitted to Council. The report contains a summary of payments made for the month with detailed payment listings attached providing more information.

DETAILS:

Regulation 13 of the Local Government (Financial Management) Regulations 1996 requires a list of accounts to be prepared and presented to Council. Below is a list of the cheques raised and Electronic Funds Transfers for the payment of accounts from the Municipal Account (and Trust Account where applicable). Included as an attachment to this report is a listing of all payments issued for the past month.

POLICY/STATUTORY IMPLICATIONS:

Payments are in accordance with Policy No. 3.2.3 “Council Bank Accounts and Payments”.

FINANCIAL IMPLICATIONS:

Expenses incurred are charged to the appropriate items included in the annual budget.

STRATEGIC DIRECTION:

The presentation of details of accounts is consistent with the Town’s Strategic Community Plan’s goal of transparent, accountable governance.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Consultation Matrix Consultation Level - Inform - To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, and/or solutions.

ATTACHMENTS:

1. Account Payment Listing
COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That in accordance with Regulation 13 of the Local Government (Financial Management) Regulations 1996, the schedule of accounts, as detailed below and attached, be confirmed:

(i) CHEQUE PAYMENTS

<table>
<thead>
<tr>
<th>Date From</th>
<th>Date To</th>
<th>Details</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Municipal Fund</td>
<td>01-February-2017</td>
<td>03-February-2017</td>
<td>$22,658.41</td>
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<tr>
<td>Municipal Fund</td>
<td>09-February-2017</td>
<td>09-February-2017</td>
<td>$20,815.04</td>
</tr>
<tr>
<td>Municipal Fund</td>
<td>16-February-2017</td>
<td>16-February-2017</td>
<td>$95,680.60</td>
</tr>
</tbody>
</table>

Total Cheque Payments $381,672.55

(ii) ELECTRONIC FUND TRANSFERS (EFT'S)

<table>
<thead>
<tr>
<th>Date From</th>
<th>Date To</th>
<th>Details</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investments</td>
<td>01-February-2017</td>
<td>28-February-2017</td>
<td>$5,035,452.06</td>
</tr>
<tr>
<td>Direct Bank Charges</td>
<td>01-February-2017</td>
<td>28-February-2017</td>
<td>$107,211.98</td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>01-February-2017</td>
<td>02-February-2017</td>
<td>$338,448.07</td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>03-February-2017</td>
<td>09-February-2017</td>
<td>$781,598.62</td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>10-February-2017</td>
<td>10-February-2017</td>
<td>$259,375.33</td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>17-February-2017</td>
<td>17-February-2017</td>
<td>$421,064.96</td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>24-February-2017</td>
<td>28-February-2017</td>
<td>$175,916.69</td>
</tr>
<tr>
<td>Payroll</td>
<td>01-February-2017</td>
<td>28-February-2017</td>
<td>$1,316,171.86</td>
</tr>
<tr>
<td>Golf Course</td>
<td>02-February-2017</td>
<td>02-February-2017</td>
<td>$46,943.32</td>
</tr>
<tr>
<td>Golf Course</td>
<td>06-February-2017</td>
<td>06-February-2017</td>
<td>$1,750.90</td>
</tr>
<tr>
<td>Golf Course</td>
<td>09-February-2017</td>
<td>09-February-2017</td>
<td>$44,530.26</td>
</tr>
<tr>
<td>Golf Course</td>
<td>16-February-2017</td>
<td>16-February-2017</td>
<td>$47,484.46</td>
</tr>
<tr>
<td>Golf Course</td>
<td>21-February-2017</td>
<td>21-February-2017</td>
<td>$8,051.77</td>
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<tr>
<td>Golf Course</td>
<td>24-February-2017</td>
<td>24-February-2017</td>
<td>$37,461.76</td>
</tr>
<tr>
<td>Golf Course</td>
<td>27-February-2017</td>
<td>27-February-2017</td>
<td>$263.00</td>
</tr>
</tbody>
</table>

Total EFT Payments $8,621,725.04

TOTAL PAYMENTS $9,003,397.59

Carried 9/0
CR17.40 INVESTMENT SCHEDULE - FEBRUARY 17

SUMMARY:

The Council invests funds that are surplus to operational requirements with various financial institutions and reports on the amounts invested, the distribution of those funds and the financial performance of each investment, being interest earned, against year to date budget.

BACKGROUND:

Council’s Investment Policy No. 3.2.5 allows for investing of funds into direct investment products and managed funds which comply with both the credit risk rating and terms to maturity guidelines as set out in the policy.

DETAILS:

Investment Portfolio Performance

At its March meeting, the Reserve Bank of Australia decided to leave the cash rate unchanged at 1.50% as expected.

The global economy has improved in recent months with signs that this may continue with above-trend growth expected in a number of advanced economies. In China, growth is being supported by the higher spending on infrastructure and property construction.

Improvement in the global economy has contributed to higher commodity prices, which are providing a boost to Australia’s national income. The Australian economy is continuing its transition following the end of the mining boom, expanding by approximately 2.5% last year. The outlook continues to be supported by low interest rates. Labour market indicators continue to be mixed and vary across the country. The unemployment rate has stabilised at around 5.75% over the past year.

Looking forward, in terms of the Town’s investment portfolio, interest rates remain much the same. Rates for one to three month terms are on average 2.15% with the major banks. Interest rates for investment terms of four to six months range average around 2.48%. The UBS Bank Bill Index rate (an index measuring performance of interest rates over a 90 day period) was 1.77% for February 2017. The 90 days BBSW or Bank Bill Swap rate (a measure of future interest rates) was 1.78% at 28 February 2017. As Council’s investment portfolio is predominantly short term cash products, the cash rate of 1.50% for February 2017 is the more appropriate performance measure.

Against these interest rate indicators, the Town’s investment portfolio outperformed the cash rate with a weighted average interest rate of 2.68%. The weighted average investment period of 200 days (approximately six months) is consistent with term deposit rates (with the major Australian banks) which for this period was an average of 2.53%.
Investment Portfolio Performance for February 2017

The graphs below show the interest rate performance of the Town's investment portfolio for the 12 month period February 2016 to February 2017.

The graph below shows the rolling 12 month weighted average investment performance of the Town's investment portfolio, since February 2014.
The total investment at the end of February 2017 is $46.5 million which consists of Municipal Funds of $16.2 million, Reserve Funds of $27.9 million, Endowment Lands Funds of $700k and Trust Funds of $1.7 million.

The graph below represents the total investment portfolio of the Town from February 2016 to February 2017.
The Managed Cash Funds performance as at the end of February 2017 is as follows:

<table>
<thead>
<tr>
<th>Term (Days)</th>
<th>Rating</th>
<th>Current Interest Rate</th>
<th>February 2017 Income</th>
<th>Total Amount Invested</th>
<th>% of Funds Invested</th>
<th>Weighted Average Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Floating Rate Notes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emerald Reverse Mortgage</td>
<td>&quot;AAA&quot;</td>
<td>2.21%</td>
<td>$1,132</td>
<td>$657,265</td>
<td>1.41%</td>
<td>0.03%</td>
</tr>
<tr>
<td>Sub-total</td>
<td></td>
<td></td>
<td>$1,132</td>
<td>$657,265</td>
<td>1.41%</td>
<td>0.03%</td>
</tr>
<tr>
<td>Term Deposits and Bank Bills</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ANZ - Term Deposit</td>
<td>168</td>
<td>&quot;A1+&quot;</td>
<td>2.63%</td>
<td>$2,018</td>
<td>$1,007,638</td>
<td>2.17%</td>
</tr>
<tr>
<td>ANZ - Term Deposit</td>
<td>123</td>
<td>&quot;A1+&quot;</td>
<td>2.56%</td>
<td>$3,928</td>
<td>$2,013,466</td>
<td>4.33%</td>
</tr>
<tr>
<td>ANZ - Term Deposit</td>
<td>137</td>
<td>&quot;A1+&quot;</td>
<td>2.57%</td>
<td>$3,943</td>
<td>$2,013,519</td>
<td>4.33%</td>
</tr>
<tr>
<td>ANZ - Term Deposit</td>
<td>186</td>
<td>&quot;A1+&quot;</td>
<td>2.58%</td>
<td>$3,958</td>
<td>$2,013,572</td>
<td>4.33%</td>
</tr>
<tr>
<td>BANKWEST - Term Deposit</td>
<td>362</td>
<td>&quot;A1+&quot;</td>
<td>2.70%</td>
<td>$201</td>
<td>$98,835</td>
<td>0.21%</td>
</tr>
<tr>
<td>BANKWEST - Term Deposit</td>
<td>182</td>
<td>&quot;A1+&quot;</td>
<td>2.55%</td>
<td>$1,099</td>
<td>$565,664</td>
<td>1.22%</td>
</tr>
<tr>
<td>BANKWEST - Term Deposit</td>
<td>182</td>
<td>&quot;A1+&quot;</td>
<td>2.55%</td>
<td>$2,008</td>
<td>$1,030,088</td>
<td>2.11%</td>
</tr>
<tr>
<td>BANKWEST - Term Deposit</td>
<td>112</td>
<td>&quot;A1+&quot;</td>
<td>2.50%</td>
<td>$1,927</td>
<td>$1,011,596</td>
<td>2.17%</td>
</tr>
<tr>
<td>BANKWEST - Term Deposit</td>
<td>154</td>
<td>&quot;A1+&quot;</td>
<td>2.55%</td>
<td>$986</td>
<td>$505,680</td>
<td>1.09%</td>
</tr>
<tr>
<td>BANKWEST - Term Deposit</td>
<td>154</td>
<td>&quot;A1+&quot;</td>
<td>2.60%</td>
<td>$143</td>
<td>$2,013,157</td>
<td>4.33%</td>
</tr>
<tr>
<td>BANKWEST - Term Deposit</td>
<td>147</td>
<td>&quot;A1+&quot;</td>
<td>2.55%</td>
<td>$5,181</td>
<td>$2,654,071</td>
<td>5.70%</td>
</tr>
<tr>
<td>BANKWEST - Term Deposit</td>
<td>154</td>
<td>&quot;A1+&quot;</td>
<td>2.55%</td>
<td>$951</td>
<td>$1,002,515</td>
<td>2.15%</td>
</tr>
<tr>
<td>BANKWEST - Term Deposit</td>
<td>154</td>
<td>&quot;A1+&quot;</td>
<td>2.60%</td>
<td>$570</td>
<td>$1,000,570</td>
<td>2.15%</td>
</tr>
<tr>
<td>NAB - Term Deposit</td>
<td>216</td>
<td>&quot;A1+&quot;</td>
<td>2.70%</td>
<td>$1,114</td>
<td>$543,607</td>
<td>1.75%</td>
</tr>
<tr>
<td>NAB - Term Deposit</td>
<td>112</td>
<td>&quot;A1+&quot;</td>
<td>2.70%</td>
<td>$1,083</td>
<td>$516,740</td>
<td>1.11%</td>
</tr>
<tr>
<td>NAB - Term Deposit</td>
<td>182</td>
<td>&quot;A1+&quot;</td>
<td>2.66%</td>
<td>$1,041</td>
<td>$512,975</td>
<td>1.10%</td>
</tr>
<tr>
<td>NAB - Term Deposit</td>
<td>182</td>
<td>&quot;A1+&quot;</td>
<td>2.66%</td>
<td>$2,057</td>
<td>$1,013,708</td>
<td>2.18%</td>
</tr>
<tr>
<td>NAB - Term Deposit</td>
<td>182</td>
<td>&quot;A1+&quot;</td>
<td>2.70%</td>
<td>$2,085</td>
<td>$1,012,811</td>
<td>2.18%</td>
</tr>
<tr>
<td>NAB - Term Deposit</td>
<td>154</td>
<td>&quot;A1+&quot;</td>
<td>2.55%</td>
<td>$1,975</td>
<td>$509,338</td>
<td>1.09%</td>
</tr>
<tr>
<td>NAB - Term Deposit</td>
<td>224</td>
<td>&quot;A1+&quot;</td>
<td>2.60%</td>
<td>$576</td>
<td>$1,012,045</td>
<td>2.17%</td>
</tr>
<tr>
<td>NAB - Term Deposit</td>
<td>210</td>
<td>&quot;A1+&quot;</td>
<td>2.62%</td>
<td>$2,010</td>
<td>$1,011,628</td>
<td>2.17%</td>
</tr>
<tr>
<td>NAB - Term Deposit</td>
<td>303</td>
<td>&quot;A1+&quot;</td>
<td>2.66%</td>
<td>$1,428</td>
<td>$707,907</td>
<td>1.52%</td>
</tr>
<tr>
<td>NAB - Term Deposit</td>
<td>221</td>
<td>&quot;A1+&quot;</td>
<td>2.73%</td>
<td>$4,188</td>
<td>$2,014,361</td>
<td>4.33%</td>
</tr>
<tr>
<td>NAB - Term Deposit</td>
<td>270</td>
<td>&quot;A1+&quot;</td>
<td>2.75%</td>
<td>$4,219</td>
<td>$2,014,466</td>
<td>4.33%</td>
</tr>
<tr>
<td>NAB - Term Deposit</td>
<td>361</td>
<td>&quot;A1+&quot;</td>
<td>2.78%</td>
<td>$4,265</td>
<td>$2,014,624</td>
<td>4.33%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>182</td>
<td>&quot;A1&quot;</td>
<td>2.75%</td>
<td>$1,706</td>
<td>$815,382</td>
<td>1.75%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>210</td>
<td>&quot;A1&quot;</td>
<td>2.80%</td>
<td>$2,176</td>
<td>$1,019,587</td>
<td>2.19%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>182</td>
<td>&quot;A1&quot;</td>
<td>2.60%</td>
<td>$3,191</td>
<td>$1,607,180</td>
<td>3.45%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>182</td>
<td>&quot;A1&quot;</td>
<td>2.62%</td>
<td>$1,013</td>
<td>$509,179</td>
<td>1.09%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>188</td>
<td>&quot;A1&quot;</td>
<td>2.65%</td>
<td>$1,025</td>
<td>$509,338</td>
<td>1.09%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>182</td>
<td>&quot;A1&quot;</td>
<td>2.60%</td>
<td>$2,012</td>
<td>$1,012,569</td>
<td>2.18%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>186</td>
<td>&quot;A1&quot;</td>
<td>2.60%</td>
<td>$1,995</td>
<td>$1,011,825</td>
<td>2.17%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>172</td>
<td>&quot;A1&quot;</td>
<td>2.60%</td>
<td>$1,995</td>
<td>$1,011,825</td>
<td>2.17%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>224</td>
<td>&quot;A1&quot;</td>
<td>2.63%</td>
<td>$583</td>
<td>$1,011,553</td>
<td>2.17%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>182</td>
<td>&quot;A1&quot;</td>
<td>2.75%</td>
<td>$2,110</td>
<td>$1,007,986</td>
<td>2.17%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>242</td>
<td>&quot;A1&quot;</td>
<td>2.76%</td>
<td>$4,235</td>
<td>$2,014,518</td>
<td>4.33%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>305</td>
<td>&quot;A1&quot;</td>
<td>2.76%</td>
<td>$4,235</td>
<td>$2,014,518</td>
<td>4.33%</td>
</tr>
<tr>
<td>Suncorp - Term Deposit</td>
<td>333</td>
<td>&quot;A1&quot;</td>
<td>2.76%</td>
<td>$4,235</td>
<td>$2,014,518</td>
<td>4.33%</td>
</tr>
<tr>
<td>Term Deposit Matured in February</td>
<td></td>
<td></td>
<td></td>
<td>$6,984</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sub-total</td>
<td></td>
<td></td>
<td>$91,432</td>
<td>$45,877,233</td>
<td>98.59%</td>
<td>2.65%</td>
</tr>
<tr>
<td>Total Investments</td>
<td></td>
<td></td>
<td>$92,564</td>
<td>$46,534,498</td>
<td>100.00%</td>
<td>2.68%</td>
</tr>
<tr>
<td>Weighted Average</td>
<td>200</td>
<td></td>
<td></td>
<td>2.68%</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**POLICY/STATUTORY IMPLICATIONS:**

The general, reserves and Endowment Lands funds are invested in accordance with the guidelines set down in the Town’s Policy No. 3.2.5 – Investment.
FINANCIAL IMPLICATIONS:

Interest from investments represents a significant revenue item in the Council’s Budget and it is therefore important that the Council’s investment performance is monitored closely. Detailed monthly reports together with detailed policy investment guidelines support this.

The Investment Schedule, as circulated, provides details of the performance of each individual investment to date. A summary of the investment performance to budget is provided below:

<table>
<thead>
<tr>
<th></th>
<th>Actual as at 30 June 2016</th>
<th>Budget 2016/2017</th>
<th>YTD Budget as at February 2017</th>
<th>Actual as at February 2017</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>General *</td>
<td>$475,111</td>
<td>$447,000</td>
<td>$300,000</td>
<td>$303,122</td>
<td>67.8%</td>
</tr>
<tr>
<td>Reserves</td>
<td>$157,048</td>
<td>$290,000</td>
<td>$174,500</td>
<td>$244,032</td>
<td>84.1%</td>
</tr>
<tr>
<td>Endowment Lands</td>
<td>$262,677</td>
<td>$22,000</td>
<td>$14,600</td>
<td>$13,337</td>
<td>60.6%</td>
</tr>
<tr>
<td>External Investments</td>
<td>$894,836</td>
<td>$759,000</td>
<td>$489,100</td>
<td>$560,491</td>
<td>73.9%</td>
</tr>
<tr>
<td>Endowment Lands (Internal Loans)</td>
<td>$251,829</td>
<td>$578,500</td>
<td>$379,000</td>
<td>$378,013</td>
<td>65.3%</td>
</tr>
<tr>
<td>Total Investments</td>
<td>$1,146,665</td>
<td>$1,337,500</td>
<td>$868,100</td>
<td>$938,504</td>
<td>70.2%</td>
</tr>
</tbody>
</table>

* Includes Bank Account Interest of $23,637

STRATEGIC DIRECTION:

The investment of Council funds is consistent with the Town’s Strategic Community Plan 2013-2023, specifically:

Goal: 11 A strong performing local government.

Strategy: 11.1 - Invest our wealth wisely so that current and future generations benefit

COMMUNITY CONSULTATION:

This matter has been assessed under the Community Consultation Policy No.1.2.11 and consultation is not required as this matter is administrative in nature with no external impacts envisaged.

ATTACHMENTS:

1. Prudential Consolidated Investment Report - February 2017

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That the Investment Schedule as at 28 February 2017, as attached, be received.

Carried 9/0
CR17.41 MONTHLY FINANCIAL STATEMENTS, REVIEW AND VARIANCES - FEBRUARY 2017

PURPOSE OF REPORT:
To review the financial position for the period ended 28 February 2017 and to comment on both permanent and timing variances that have occurred during the period and their impact on financial results.

EXECUTIVE SUMMARY:
Charts of key financial indicators are provided below comparing year to date actual figures against the year to date budget.

<table>
<thead>
<tr>
<th></th>
<th>Amended Budget</th>
<th>YTD Budget</th>
<th>YTD Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>$89,436</td>
<td>$64,632</td>
<td>$64,820</td>
</tr>
<tr>
<td>Expenditure</td>
<td>$47,963</td>
<td>$31,541</td>
<td>$29,756</td>
</tr>
<tr>
<td>Operating Profit/(Loss)</td>
<td>$41,473</td>
<td>$33,091</td>
<td>$35,064</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Amended Budget (Major Project)</th>
<th>YTD Budget</th>
<th>YTD Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure</td>
<td>$5,660</td>
<td>$13,864</td>
<td>$11,179</td>
</tr>
<tr>
<td>Capital Expenditure (excl Major Projects)</td>
<td>$14,290</td>
<td>$13,864</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Amended Budget</th>
<th>YTD Budget</th>
<th>YTD Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transfers to/(from) Reserves</td>
<td>$52</td>
<td>$20.70</td>
<td>$21.90</td>
</tr>
<tr>
<td>Transfers to/(from) Endowment Lands</td>
<td>$7</td>
<td>-$0.61</td>
<td>-$1.05</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Current Assets ($'000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Liabilities</td>
<td>$11,949</td>
</tr>
<tr>
<td>Current Assets</td>
<td>$78,782</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Endowment Trust, $1,706</th>
<th>General Funds $16,243</th>
<th>Reserves $27,877</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Investments ($'000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Endowment Lands, $708</td>
<td>Reserves $27,877</td>
</tr>
</tbody>
</table>
The following observations are made and should be read in conjunction with the Statement of Financial Activity (Rate Setting Statement) in attachment 1.

**Operating Revenue**

Operating revenue year to date is $63.7 million compared to year to date budget of $63.4 million, giving a favourable variance of $305k. Significant variances are as follows:

**Fees and Charges**

Actual revenue of $12.8 million is in line with year to date budget. Revenue generating cost centres, including parking control, building control, the Bold Park Aquatic Centre and Quarry Amphitheatre are generally tracking well against budget. Favourable and unfavourable variances include:

- Planning fee revenue currently over budget with a favourable variance of $46k.
- Commercial property lease revenue over budget with a favourable variance of $31k.
- Overall golf course revenue, a combination of results across the course rounds, driving range, hospitality and miniature golf operational areas is currently $88k under the year to date budget of $5.57 million. The construction program and unseasonal weather have had some impact.

**Interest Earnings**

Interest revenue is currently $86k over YTD budget. This variance is predominantly due to interest on the $22 million received from State Government in relation to the Perry Lakes Redevelopment, earlier than anticipated. This favourable variance is expected to remain for the duration of the financial year and is a permanent variance.

**Operating Expenses**

Operating expenses year to date is $29.7 million compared to budget of $31.5 million, giving a favourable variance of $1.8 million. Significant variances are as follows:

**Materials and contracts**

Actual expenditure for February YTD is $8.7 million against year to date budget of $10 million, giving a favourable variance of $1.3 million.

The following timing variances contribute towards this variance:

- Parks ground non-capital works $221k under budget;
- Ocean beaches building maintenance $48k under budget;
- Waste management operational and program expenses $246k under budget;
- Road reserves non-capital works $73k under YTD budget;
- Clubs leased premises non capital works $87k under YTD budget;
- Asset Management non capital works $32k under YTD budget;
- Golf course operations non-capital works $75k under YTD budget.
- Commercial property infrastructure maintenance $68k under YTD budget;
- Sports grounds non-capital works $65k under YTD budget;
- Ticket machine operations $59k over YTD budget;
- Bold Park Aquatic Centre - non capital works $38k under YTD budget;
Utilities

A permanent difference is anticipated within the Bold Park Aquatic Centre budget for power consumption. This was reported at previous meetings. The variance is currently $54k over budget with indications that this may slightly increase over the remainder of this financial year as consumption increases.

Net Operating Result

The net operating surplus from operations is $39.5 million compared to budget of $37.6 million, giving a favourable variance of $1.9 million.

Non-Operating Revenue

Capital grants and contributions are currently $225k under YTD budget, a timing difference with a number of road infrastructure grants yet to be claimed whilst road infrastructure works are in progress or nearing completion.

Capital contributions are currently $108k over year to date budget with parking in lieu contributions received of $210k, which is $150k over the budget and represents a permanent favourable variance. These contributions are transferred to the Cash in Lieu Reserve.

Capital Works Programs

The total amount of funds spent on the Town’s capital works program for the period ended 28 February 2017 is $11.2 million against budget of $13.9 million, a variance of $2.7 million.

A brief overview of the capital works programs at year end shows the following variances:

- Buildings - $3.1 million against year to date budget of $2.9 million. The Major Projects (Wembley Golf Course Hospitality and Wembley Sports Park Pavilion) final projections are currently being finalised as part of the budget review process and will be presented to Council this month;
- Furniture and Equipment - $381k against year to date budget of $1 million, the variance representing timing differences with respect to some key I.T. related projects;
- Plant and Equipment - $443k against year to date budget of $971k, the variance representing a timing variance with respect to light fleet vehicle and heavy plant purchases and trade-ins;
• Parks and Reserves - $4.5 million against year to date budget of $4.9 million;
• Roads and Lanes - $2 million against year to date budget of $2.9 million, represents a timing difference with projects in progress;
• Footpaths - $472k against year to date budget of $517k.

Cash Surplus (Closing Funds)

The cash surplus as at 28 February 2017 is $14.5 million which is above the year to date budget of $11.2 million, a $3.3 million variance. The surplus is predominantly due to the under expenditure with respect to materials and contracts and capital works. The budget review has identified a number of projects which may be carried forward into the 2017/2018 financial year.

This surplus will decline as the year progresses with day to day operational expenditure and the carrying out of budgeted capital works.

Cash Surplus ($ millions)

Material Variances

Permanent variances above $30k and timing variances above $100k for specific line items are normally reported upon. As at 28 February 2017, the following material permanent variances exist:

• Bold Park Aquatic Centre - utilities, currently $54k over budget and being closely monitored with consumption expected to increase over the remainder of the year. Additional heating pumps, installed earlier in the year to address the water temperature issue have contributed towards the variance.
• Parking control - Ticket machine operations $59k over budget with the purchase of 3G modems at a cost of $57k for parking ticket machines delayed and installed this financial year. This has been offset by higher ticket machine revenue over budget.
• Other property - other income over budget with payment received of $55k from the Water Corporation with respect to the granting of an easement on Lot 6000. This will be offset by expenditure incurred on the former quarry site in implementing the site management plan through test bores.
• Major projects - following finalisation of the year end accounts, the 2016 major project budgets require adjustment to reflect the project life-to-date spend at the 30 June 2016 and the remaining balance which needs to be budgeted in 2016/2017. The required budget amendments will be detailed in the budget review agenda to be presented this month.

POLICY/STATUTORY IMPLICATIONS:

The Local Government Act 1995, Section 6.4 requires the preparation of financial reports. The Local Government (Financial Management) Regulations 1996, in particular Regulation 34, expands on this requirement to include a monthly financial report to be prepared identifying significant variations between actual and budget. This report complies with this requirement.

FINANCIAL IMPLICATIONS:

The variations in expenditure and revenue line items, compared to budget, may have an impact on Council funds.

STRATEGIC DIRECTION:

The management of budgeted funds is consistent with the Strategic Community Plan’s goals of transparent, accountable governance and a strong performing local government.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Matrix Level - Inform - To provide the public with balanced and objective information to assist them in understanding the problem, alternatives and/or solutions.

ATTACHMENTS:

1. Monthly Financial Statements - February 2017

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That the report on the Financial Statements as at 28 February 2017 be received.

Carried 9/0
CR17.42  BUDGET REVIEW 2016-17

**SUMMARY:**

A revision of this financial year's 2016/2017 budget projects a small $112k surplus for year-end based on current known events. This is the culmination of variations forecast for year-end across both revenue and expenditure budget items both favourable and unfavourable.

Whilst there are some variations to operating revenues within business unit areas, overall operating revenue is tracking to budget.

Non-operating revenue in the form of land proceeds will increase as a result of an additional $700k from land sales at the St Johns Wood Estate.

Variations to operating expenditure is generally a result of timing differences, with a current underspend of $1.2M compared with the year to date budget expected to come in line at 30th June.

The capital program will likely vary by net $1M, as a result of a $1.5M adjustment to the annual budget for the Major Projects, and a reduction of $2.5 million of other works carried forward into next year.

**BACKGROUND:**

Under Regulation 33A of the Financial Management Regulation 1996, Council is required to conduct a budget review of its adopted annual budget after considering changes in its operating environment since the beginning of the financial year with a view to forecasting the financial impacts likely to arise for the remainder of the year.

The following tasks have been undertaken:

- conducting an assessment of material variances to determine whether they are permanent or timing differences;
- identify any offsetting increases in income or reductions in expenditure that will help reduce major variances;
- establish whether the budget review process and recommendations have a material impact on the long term plans;
- establish whether at the close of the financial year there is sufficient working capital to meet current commitments before the following year’s budget is adopted;
- identify projects that may not be completed and which will need to be carried forward into the new financial year for inclusion in the following year’s budget;
- identify grants and contributions received that are likely to remain unspent at the close of the financial year.
DETAILS:

<table>
<thead>
<tr>
<th>Revised Budget 2016/2017 $'000</th>
<th>YTD Budget 31-Jan-17 $'000</th>
<th>YTD Actual 31-Jan-17 $'000</th>
<th>YTD Variance $'000</th>
<th>YTD Variance %</th>
<th>Forecast 30-Jun-17 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>CASH SURPLUS/(DEFICIT) FROM OPERATIONS</td>
<td>31,185</td>
<td>38,906</td>
<td>40,271</td>
<td>1,364</td>
<td>3.5%</td>
</tr>
<tr>
<td>NON OPERATING ACTIVITIES SURPLUS/(DEFICIT)</td>
<td>24,004</td>
<td>(8,729)</td>
<td>(6,686)</td>
<td>2,042</td>
<td>(23.4)%</td>
</tr>
<tr>
<td>SURPLUS/(DEFICIT) FROM ALL ACTIVITIES</td>
<td>55,189</td>
<td>30,178</td>
<td>33,584</td>
<td>3,407</td>
<td>11.3%</td>
</tr>
<tr>
<td>OPENING FUNDS/CASH RESERVES UTILISED (NET)</td>
<td>(55,276)</td>
<td>(16,624)</td>
<td>(17,721)</td>
<td>(1,097)</td>
<td>(6.6)%</td>
</tr>
<tr>
<td>CLOSING FUNDS</td>
<td>(87)</td>
<td>13,554</td>
<td>15,863</td>
<td>2,309</td>
<td>17%</td>
</tr>
</tbody>
</table>

The end of year result is expected to finish plus or minus $200k from a balanced budget position carried forward from last year.

The following commentary should be read in conjunction with the revised rate setting statement contained in attachment one.

Operations

The surplus from operations was estimated to be $31.2 million, after adjusting for non-cash movements. The forecast variance is $400k, projecting a surplus of $31.6 million. This is a combination of the following variances:

- Interest reserve earnings are projected to be up by $130k for year end with $22 million received from State Government in respect of the Perry Lakes development received much earlier than anticipated.
- Materials and contracts expenditure forecast to be down ($220k) a favourable variance. This is a combination of projected savings and a number of operating programmes and projects expected to be carried forward at year end.

Other areas of revenue and expenditure are forecast to only experience minor fluctuations from budget for year end.

Major Projects, Land Sales and Cash Reserves

The budget areas of Major Projects, Land Sales and Cash Reserves are intrinsically linked by the project cashflows, project funding sources and capital financing.

A number of amendments are proposed, which are in response to:

1. Adjusting the project cashflow to the final year end position at 30 June 2017 and amending the annual budget accordingly;
2. Adjusting the overall project budget as a result of project variations;
3. Adjusting the project cashflows and financing as a result of deferred land sale proceeds.
These are discussed below.

**Proceeds from St John's Wood**

Sale proceeds of $10.5M were budgeted to be received in the financial year. All lots have now been sold and it is expected that the Town is due a further $700,000 - a total of $11.2M under the contract. It is proposed to amend the budget accordingly. Whilst it is expected that the State Government will pay the proceeds by 30th June, there is a possibility that payment may occur early next financial year.

<table>
<thead>
<tr>
<th>Original Annual Budget</th>
<th>Amended Annual Budget</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Proceeds $10.5M</td>
<td>$11.2M</td>
<td>$0.7M</td>
</tr>
<tr>
<td>Transfer to ELA $10.5M</td>
<td>$11.2M</td>
<td>$0.7M</td>
</tr>
</tbody>
</table>

**City Beach Surf Club & Commercial Development**

The project budget has increased by 5% from $18.0M to $18.9M as a result of project variations. This was recently reported in the post project review to the Strategic Planning & Major Projects Committee.

An increase in the ELA internal loan from $7.6M to $8.5M, serviced by higher than anticipated rent proceeds, is incorporated. The additional annual debt servicing commitment (to the internal loan) is $55,000.

The business case for the project budget was established on base rent only. It is expected that in addition to the base rent, turnover rent of $400,000 per annum is expected based on current trading figures.

Note that the internal loan finances the three restaurants, the additional bin store and 50% of the Town's contribution towards the $7M Surf Club building.

In the variation above, internal labour costs allocated to the project was $118k, and this is to be funded by a portion of last year's surplus, which was deposited in the Asset Reserves.

From a cashflow perspective, the final payment under this project is $660k, which will be provisioned in next year's budget.

<table>
<thead>
<tr>
<th>Original Annual Budget</th>
<th>Amended Annual Budget</th>
<th>Variance</th>
<th>2017/18 Annual Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure $500k</td>
<td>$674k</td>
<td>$174k</td>
<td>$660k</td>
</tr>
<tr>
<td>Transfer from ELA (Loan) $500k</td>
<td>$556k</td>
<td>$56k</td>
<td>$660k</td>
</tr>
<tr>
<td>Transfer from Reserves $0</td>
<td>$118k</td>
<td>$118k</td>
<td></td>
</tr>
</tbody>
</table>

**Wembley Golf Course Hospitality**

The project budget is increased by 6% from $11.0M to $11.72M as a result of project variations. This was recently reported in the post project review to the Strategic Planning & Major Projects Committee.

To fund the $0.72M variation, an increase in the ELA internal loan of $0.6M to $11.6M, and a transfer from Asset Reserves of a portion of last year's surplus of $0.12M funds the additional amount.
In addition to the project variation above, an adjustment between financial years of $0.25M is required to reflect the timing difference in project cash flows.

<table>
<thead>
<tr>
<th>Original Annual Budget</th>
<th>Amended Annual Budget</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure</td>
<td>$500k</td>
<td>$1.47M</td>
</tr>
<tr>
<td>Transfer from ELA (Loan)</td>
<td>$500k</td>
<td>$1.35M</td>
</tr>
<tr>
<td>Transfer from Reserves</td>
<td>$0</td>
<td>$0.12M</td>
</tr>
</tbody>
</table>

**Wembley Golf Course Miniature Golf**
A final project report on the Wembley Golf Course miniature golf project is pending.

The current forecast is that the project will require a further $300k for project variations, taking the total project budget from $3.5M to $3.8M. It is proposed to fund this via an increase in the internal loan from the ELA.

Higher than expected patronage of miniature golf will fund the additional annual debt service requirement of $20,000.

In addition to the project variation above, a downward adjustment this financial year is required to reflect the timing difference in project cash flows (i.e. the actual project-to-date expenditure at the 30 June 2016 was greater than the estimated).

When added to the $300k overall project budget adjustment, the net difference to the current year budget is (100k).

<table>
<thead>
<tr>
<th>Original Annual Budget</th>
<th>Amended Annual Budget</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expenditure</td>
<td>$2.8M</td>
<td>$2.7M</td>
</tr>
<tr>
<td>Loan Funding</td>
<td>$2.8M</td>
<td>$2.7M</td>
</tr>
</tbody>
</table>

**Non-Operating Revenue**

Non-operating revenue is forecast to be above budget by $350k with $49.9 million projected for year end. The increase in revenue is a mixture of the following adjustments:

- An additional $700k land sale as proceeds from the St Johns Wood Estate land sales, taking the total amount to $11.2M.
- Contributions for cash in lieu of parking of $210k exceeding annual budget by $150k. (favourable). This amount is transferred to the Cash in Lieu reserve, and therefore has no impact on general purpose funding;
- Grant funding of $420k from Main Roads for capital road works project "Grantham/Harborne Street intersection safety" deferred to 2017/2018. Project design is currently awaiting Main Roads approval.
Non-Operating Expenditure

Non-operating expenditure is $2M below the $12M year to date budget and is expected to finish the year around $19.5M (including the adjustments to the major project budgets). The following works are identified to be carried forward into next financial year:

<table>
<thead>
<tr>
<th>Carry Forwards</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Buildings</strong></td>
<td></td>
</tr>
<tr>
<td>City Beach Surf Club</td>
<td>660</td>
</tr>
<tr>
<td>Coastal Playgroup Building</td>
<td>200</td>
</tr>
<tr>
<td>Quarry Amphitheatre - Fire Management Assets</td>
<td>110</td>
</tr>
<tr>
<td><strong>Drainage</strong></td>
<td></td>
</tr>
<tr>
<td>77-79 McCourt St - Design and Construct</td>
<td>118</td>
</tr>
<tr>
<td><strong>Roadworks</strong></td>
<td></td>
</tr>
<tr>
<td>Grantham St/Harborne St - Intersection Safety</td>
<td>664</td>
</tr>
<tr>
<td>Bold Park Dr/Oceanic Dr - Install Splitter Island</td>
<td>23</td>
</tr>
<tr>
<td>Marapana Road (Templetonia - Patonga) - Improve safety</td>
<td>90</td>
</tr>
<tr>
<td>Oceanic Dr/Marapana Rd - Install traffic islands</td>
<td>108</td>
</tr>
<tr>
<td><strong>Parks</strong></td>
<td></td>
</tr>
<tr>
<td>Bent Park - Replace Irrigation System</td>
<td>250</td>
</tr>
<tr>
<td>City Beach Oval South (Playground with shade)</td>
<td>80</td>
</tr>
<tr>
<td>Oceanic Drive Median - Replace Irrigation System</td>
<td>60</td>
</tr>
<tr>
<td>The Boulevard median - Replace Irrigation System</td>
<td>70</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,433</td>
</tr>
</tbody>
</table>

Reserve and Endowment Lands Account Transfers

Overall there is expected to be a net transfer to reserves of $70k and net transfer from the Endowment Lands Account of $190k primarily due changes to the major project budgets and cashflows, and additional parking in lieu contributions

Estimated Year End Financial Position for 2016/17

An analysis of the variations to date, indicate that the year-end position will fall within plus or minus $200,000 (0.5% of the overall net budget). The current projection based on trends to date indicates a small surplus of $112k.
Budget Amendments

The following budget amendments have been received:

1. Interest Earnings

More reserve funds are now available for investment with $22 million recently received from State Government in relation to the Perry Lakes Redevelopment. These funds were originally budgeted to be received in June 2017. It is recommended that reserve interest earnings be revised upwards by $130,000 in light of this.

Recommendation - that budget line items "Interest on Investments - Reserve" and "Area Improvement - Interest on Investment - Perry Lakes Land Sales" be amended by $130,000.

2. Parking Control Operations

The following changes are proposed based on current activity trends. Parking fines are down partially due to the parking inspector positions having been vacant for a couple of months. This is offset by an increase in ticket machine operating revenue with additional machines installed last year and increased activity. Associated, ticket machine operations are likewise more than budget but include $57k for upgrading to 3G modems, which were delayed and installed this financial year. There is no net overall impact of the proposed changes on general purpose funding. Other fees and charges revenue is currently $60,000 over budget and is forecast to exceed annual budget by this amount based on current trends.

Recommendation - Revenue budget line items "Parking Fines" and "Ticket Machine Income" be amended by $100,000 respectively, budget line item "Other fees and charges revenue" be amended by $60,000. Expenditure budget line item "Ticket Machine Operations" be amended by $60,000. An overall "nil" impact on the operational net result.

3. Major Projects

These items were outlined in detail earlier in this report:

Sales Proceeds
- St Johns Wood $700k
- Transfer to Endowment Lands Account $700k

Project Expenditure
- City Beach Surf Club and Commercial Development $174k
- Transfer from Endowment Lands Account $56k
- Transfer from Reserves $118k
- Wembley Golf Course Hospitality $970k
- Transfer from Endowment lands Account (Loan) $852k
- Transfer from Reserves $118k
- Wembley Golf Course Miniature Golf ($100k)
- Transfer from Endowment Lands Account (Loan) ($100k)

Recommendation - that the budgets for the major projects be amended by the amounts listed above to reflect major project cash flows.
POLICY/STATUTORY IMPLICATIONS:

The Local Government Act (1995)

Section 6.4 requires the preparation of financial reports. The Local Government (Financial Management) Regulations 1996, in particular Regulation 33A, which has effect as from 1 July 2005, expands on this requirement to include an annual budget review to be carried out between 1 January and 31 March for each financial year. The intention is to ensure local governments conduct at least one budget review each financial year. This report complies with this requirement.

In accordance with the Regulations, the results of the budget review are to be submitted to Council within thirty days of the review being completed. Council is then required to consider the results of the review and determine whether or not to adopt the review, any part of the review or any recommendations made in the review. As per Regulation 33A, a copy of both the review and Council’s determination are then to be provided to the Department of Local Government within thirty days.

Budget Implementation and Management Policy 3.2.2

It is the function of the Chief Executive Officer to cause Council decisions to be implemented and manage the day-to-day operations of the Town. To ensure the Chief Executive Officer has the capacity to undertake this role, the Chief Executive Officer may reallocate funding to accommodate over expenditure variances. The reallocation of funds shall result in a revised budget for the purpose of producing the monthly financial report and accordingly be reported as a permanent variance.

FINANCIAL IMPLICATIONS:

The projected budget for year-end indicates a small surplus position of $112,000.

STRATEGIC DIRECTION:

The management of budgeted funds is consistent with the Strategic Plan’s goal of financial sustainability, by ensuring the Town’s expenditure is matched by its revenue.

COMMUNITY CONSULTATION:

This matter has been assessed under the Community Consultation Policy. In accordance with the assessment criteria, it was rated at Level 1, for which no community consultation is required.

ATTACHMENTS:

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Carr, seconded by Cr Powell

That:–

(i) the report on the budget review for the 2016/2017 financial year be received and the variances to the budget be noted;

(ii) the following budget amendments be approved as listed below:

<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Original Budget</th>
<th>Revised Budget</th>
<th>Change Increase (Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Earnings</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest Earning - Reserve</td>
<td>290,000</td>
<td>420,000</td>
<td>130,000</td>
</tr>
<tr>
<td>Area Improvement Reserve - Perry Lakes Land Sales</td>
<td>59,500</td>
<td>189,500</td>
<td>130,000</td>
</tr>
<tr>
<td>Parking Control</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenue</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Fines</td>
<td>900,000</td>
<td>800,000</td>
<td>(100,000)</td>
</tr>
<tr>
<td>Parking Ticket Machine Revenue</td>
<td>1,285,000</td>
<td>1,385,000</td>
<td>100,000</td>
</tr>
<tr>
<td>Other Fees and Charges Revenue</td>
<td>30,000</td>
<td>90,000</td>
<td>60,000</td>
</tr>
<tr>
<td></td>
<td>2,215,000</td>
<td>2,275,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Expenditure</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ticket Machine Operations Expenditure</td>
<td>125,000</td>
<td>185,000</td>
<td>60,000</td>
</tr>
<tr>
<td></td>
<td>125,000</td>
<td>185,000</td>
<td>60,000</td>
</tr>
<tr>
<td>Capital Proceeds</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>St John's Wood Land Sales</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>St John's Wood Land Sale Proceeds</td>
<td>10,500,000</td>
<td>11,200,000</td>
<td>700,000</td>
</tr>
<tr>
<td>Transfer to ELA</td>
<td>10,500,000</td>
<td>11,200,000</td>
<td>700,000</td>
</tr>
<tr>
<td>Major Projects Expenditure</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Beach Surf Club and Commercial</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>City Beach Surf Club and Commercial</td>
<td>500,000</td>
<td>674,000</td>
<td>174,000</td>
</tr>
<tr>
<td>Transfer from ELA (loan)</td>
<td>500,000</td>
<td>556,000</td>
<td>56,000</td>
</tr>
<tr>
<td>Transfer from Reserves</td>
<td>0</td>
<td>118,000</td>
<td>118,000</td>
</tr>
<tr>
<td>Wembley Golf Course Hospitality</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wembley Golf Course Hospitality</td>
<td>500,000</td>
<td>1,147,000</td>
<td>970,000</td>
</tr>
<tr>
<td>Transfer from ELA (Loan)</td>
<td>500,000</td>
<td>1,352,000</td>
<td>852,000</td>
</tr>
<tr>
<td>Transfer from Reserves</td>
<td>0</td>
<td>118,000</td>
<td>118,000</td>
</tr>
<tr>
<td>Wembley Golf Course Miniature Golf</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wembley Golf Course Miniature Golf</td>
<td>2,800,000</td>
<td>2,700,000</td>
<td>(100,000)</td>
</tr>
<tr>
<td>Transfer from ELA (Loan)/External Loan</td>
<td>2,800,000</td>
<td>2,700,000</td>
<td>(100,000)</td>
</tr>
</tbody>
</table>

Carried 9/0
CR17.43 TAMALA PARK REGIONAL COUNCIL MEETING - FEBRUARY 2017

SUMMARY:

To report on items considered at the Tamala Park Regional Council (TPRC) Ordinary Meeting held on the 23 February 2017.

BACKGROUND:

The Town of Cambridge is one of seven members of the Tamala Park Regional Council (TPRC). The complete membership and equity ownership varies between members as follows:-

<table>
<thead>
<tr>
<th>Member</th>
<th>Equity</th>
<th>Member Representation</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Stirling</td>
<td>4/12</td>
<td>4</td>
</tr>
<tr>
<td>City of Joondalup</td>
<td>2/12</td>
<td>3</td>
</tr>
<tr>
<td>City of Wanneroo</td>
<td>2/12</td>
<td>3</td>
</tr>
<tr>
<td>Town of Cambridge</td>
<td>1/12</td>
<td>1</td>
</tr>
<tr>
<td>Town of Vincent</td>
<td>1/12</td>
<td>1</td>
</tr>
<tr>
<td>Town of Victoria Park</td>
<td>1/12</td>
<td>1</td>
</tr>
<tr>
<td>City of Perth</td>
<td>1/12</td>
<td>1</td>
</tr>
</tbody>
</table>

The purpose of the TPRC is to undertake, in accordance with the Establishment Agreement objectives, the rezoning, subdivision, development, marketing and sale of the Tamala Park land. The objectives of the TPRC are:-

- to develop and improve the value of the land;
- to maximise within prudent risk parameters, the financial return to the participants;
- to balance economic, social and environmental issues; and
- to produce a quality development demonstrating the best urban design and development practice.

Over 2,700 dwellings (2,400 lots) will be developed, establishing a population of 6,500. The dwellings are likely to comprise of:

- Single Residential 1,955
- Town Houses 555
- Flats/Apartments 310
At its Ordinary Meeting in June 2016, the TPRC considered a revised project cash flow. The following summarises the revised project budgets:

<table>
<thead>
<tr>
<th>Project Duration:</th>
<th>PTD 2015</th>
<th>Forecast 2016</th>
<th>Budget 2017</th>
<th>Projected 2018 to 2029</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>No of Lots Settled:</td>
<td>634</td>
<td>104</td>
<td>93</td>
<td>1571</td>
<td>2402</td>
</tr>
<tr>
<td>Gross Income:</td>
<td>146.77M</td>
<td>23.71M</td>
<td>27.27M</td>
<td>494.9M</td>
<td>692.65M</td>
</tr>
<tr>
<td>Development Costs:</td>
<td>73.84M</td>
<td>17.54M</td>
<td>28.68M</td>
<td>219.84M</td>
<td>339.89M</td>
</tr>
<tr>
<td>Net Cashflow:</td>
<td>72.93M</td>
<td>6.17M</td>
<td>-1.4M</td>
<td>275.06M</td>
<td>352.76M</td>
</tr>
<tr>
<td>Town of Cambridge Share*:</td>
<td>2.31M</td>
<td>1.25M</td>
<td>.92M</td>
<td>24.92M</td>
<td>29.4M</td>
</tr>
</tbody>
</table>

** Due to a Watercorp refundable finance bond.

The following shows the Owners capital injections and profit distributions for the project, in accordance with the revised project plan:

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Distributions ’000</th>
<th>Cambridge Share ’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>FYE2012*</td>
<td>-$13,300</td>
<td>-$1,108</td>
</tr>
<tr>
<td>FYE2013 Actual</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FYE2014 Actual</td>
<td>$10,000</td>
<td>$833</td>
</tr>
<tr>
<td>FYE2015 Actual</td>
<td>$31,000</td>
<td>$2,583</td>
</tr>
<tr>
<td>FYE2016 Forecast</td>
<td>$15,000</td>
<td>$1,250</td>
</tr>
<tr>
<td>FYE2017 Budget</td>
<td>$11,000</td>
<td>$917</td>
</tr>
<tr>
<td>FYE2018 Projection</td>
<td>$4,000</td>
<td>$333</td>
</tr>
<tr>
<td>FYE2019 Projection</td>
<td>$15,000</td>
<td>$1,250</td>
</tr>
<tr>
<td>FYE2020 Projection</td>
<td>$21,000</td>
<td>$1,750</td>
</tr>
<tr>
<td>FYE2021 Projection</td>
<td>$36,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>FYE2022 Projection</td>
<td>$39,000</td>
<td>$3,250</td>
</tr>
<tr>
<td>FYE2023 Projection</td>
<td>$34,000</td>
<td>$2,833</td>
</tr>
<tr>
<td>FYE2024 Projection</td>
<td>$35,000</td>
<td>$2,917</td>
</tr>
<tr>
<td>FYE2025 Projection</td>
<td>$25,000</td>
<td>$2,083</td>
</tr>
<tr>
<td>FYE2026 Projection</td>
<td>$51,000</td>
<td>$4,250</td>
</tr>
<tr>
<td>FYE2027 Projection</td>
<td>$26,000</td>
<td>$2,167</td>
</tr>
<tr>
<td>FYE2028 Projection</td>
<td>$13,057</td>
<td>$1,088</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$352,757</td>
<td>$29,396</td>
</tr>
</tbody>
</table>

The current Sales Strategy for 2017 incorporates a 6 staged sales release, varying in size from 10 to 21 residential lots and intended to satisfy sales demand.
The strategy seeks to maximise the efficient use of existing services and infrastructure by releasing land within the Central Precinct and introducing sales releases for the Western Precinct. It includes a Builders Release of 15 lots in Stage 25 prior to the first public release of 21 lots.

Sales Stages

The project budget for the FYE 17 year anticipates $27.3M in gross sales revenue and an outlay 28.7M in development costs. The resulting cash flow is -$1.4M due to the payment of a $1.76M refundable finance bond to Watercorp; however, distributions to member Councils are planned at $11M.

The budget has been based on the following key activities and key assumptions:

- **Sales/Settlements** - 119 sales; additional titles created in stages 14B and 25 - 68 lots; and 93 settlements overall; Gross Income of $31M, net income of $27.3M
- **Bulk Earthworks /Civil Construction** -
  - Civil construction Stages 17A, 18B & 25 - 120 lots;
  - Bulk earthworks completion of the Central Precinct Primary School site and Western Precinct. Anticipated budget of $14.5M
- **Infrastructure** – Waste Water Pump Station, totalling $1.5M;
- **Landscape Construction** – Stages 10 - 15 Public Open Space areas; Marmion Avenue Eastern Verge Upgrade; Marmion Avenue Catalina Beach Entry Statement; Biodiversity Conservation Area (South), totalling $6.8M
- **Marketing** - Completion of second Builders Display village, Land Sales office and upgrade signage and Continue Catalina branding, $0.66M;

Operations Stages
DETAILS:

1. **Civil Construction - Status**

   The following table provides the status of current civil works:

<table>
<thead>
<tr>
<th>Stage</th>
<th>Lots</th>
<th>Commenced Construction</th>
<th>Practical Completion Date</th>
<th>Works Status</th>
<th>Titles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stage 17A Civil Construction</td>
<td>25</td>
<td>24 October 2016</td>
<td>8 February 2017</td>
<td>100% complete</td>
<td>February 2017</td>
</tr>
<tr>
<td>Stage 25 Civil Construction</td>
<td>59</td>
<td>24 October 2016</td>
<td>5 May 2017</td>
<td>55% complete</td>
<td>May 2017</td>
</tr>
<tr>
<td>Stage 18B Civil Construction</td>
<td>33</td>
<td>13 February 2017</td>
<td>29 May 2017</td>
<td>0% complete</td>
<td>June 2017</td>
</tr>
</tbody>
</table>
2. Catalina Beach - Status

Bulk Earthworks for Stages 25-27 have commenced and are programmed to be completed in early November 2016. Civil engineering design for Stages 25 and 26 has been finalised and approved by the City of Wanneroo.

A recommendation for the award of the civil works contract for Stage 25 has been received from the Satterley Property Group. The Stage 25 Civil works were programmed to be completed by December 2016.

3. Local Centre Site - Update

At its meeting of 20 October 2016 the Council approved a tender submission for the sale of the Local Centre site, within the Central Precinct. The site was to be used for residential, commercial mixed-use and child care purposes.

The tender was approved subject to a number of requirements including the progression of a Legal Agreement. The Local Centre Heads of Agreement is in the process of being finalised and is anticipated to be signed by the end of February 2017. Once signed, the Heads of Agreement will form the basis of a formal legal agreement for the sale and development of the Local Centre site.

4. Builders Display Village 3 (Catalina Beach)

The tender for the allocation of 15 display home lots in the Catalina Beach Display Village was released on 1 February 2017 with the tender closing on 22 February 2017. The Catalina Beach Builders Display Village is due to open in September 2018 at the conclusion of the operation of the Builders Display Village 2 (Central Precinct).

5. Waste Management Program

Instant Waste Management is providing end-of-month reports identifying recycling achieved from waste collected from the Catalina Estate. The January 2017 report identified 165 participating building sites to date, with a waste recovery rate of 96% (by weight) being achieved. A total of 3,658 tonnes of waste has been recycled through the Waste Management Program.

The Satterley Property Group has forwarded correspondence to all builders participating in Catalina detailing the benefits of participation in the Waste Management Program. The SPG is liaising with builders to achieve greater participation in the Waste Management Program.
6. **Sale of Aged Stock - Early Construction Rebate**

   The current level of “Aged Stock” is 10 lots. It was reported that the Early Construction Rebate has achieved good results to date and provides an incentive that creates a sense of urgency on the lots. The TPRC agreed that the Early Construction Rebate be extended a further 6 months until 30 June 2017.

7. **Catalina Housing and Built Form Strategy**

   A report was received on further amendments to the Housing and Built form Strategy which includes design outcomes, lot typology and implementation plans. The TPRC decided the strategy sufficiently addresses landmark sites and mixed use, however further work is required on how the strategies built form outcomes with respect to aged housing, and adaptable housing and innovation are to be achieved.

8. **Catalina Grove Precinct Plan - Feasibility Analysis**

   At its December meeting, the TPRC had indicated its support for 'option 3' of the Catalina Grove Precinct Plan.

   A report to the February meeting provided a feasibility analysis of that option in terms of gross income, development costs and gross profit. There was a slight variation to the current budget forecast for that precinct.

   However most of the discussion revolved around tree canopy, retaining significant trees and what might achieve in terms of lot value. At this stage 15% of the significant tress are proposed to be retained, but the TPRC is seeking a higher percentage.

9. **Other Items considered by the TPRC**

   - TPRC Budget Review
   - Local Government Compliance Audit
   - Code of Conduct for Councillors and staff

**POLICY/STATUTORY IMPLICATIONS:**

Section 3.61(1) of the Local Government Act deals with the establishment of Regional Local Government by two or more Local Governments, for any purpose for which a Local Government can do things under the Local Government or any other Act.

**FINANCIAL IMPLICATIONS:**

The Town is set to receive over $30M over the life of the project and for the current year is set to receive $920,000.

**STRATEGIC DIRECTION:**

Ensure appropriate resources are allocated to strategies and projects - part of a land and property strategy to enable the Town to be a proactive local government that gets things done.
COMMUNITY ENGAGEMENT:
Consultation is being undertaken progressively by the Tamala Park Regional Council, and in accordance with statutory requirements.

ATTACHMENTS:
Nil

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)
Moved by Cr Carr, seconded by Cr Powell
That the report relating to items considered at the Ordinary Meeting of the Tamala Park Regional Council held on the 23 February 2017 be received.
Carried 8/1
For: Mayor Shannon, Crs Bradley, Carr, Grineri, King, MacRae, O'Connor and Powell
Against: Cr Timmermanis
AUDIT COMMITTEE

The report of the Audit Committee meeting held on Monday 20 March 2017 was submitted as under:

1. DECLARATION OF OPENING

The Presiding Member declared the meeting of the Audit Committee open at 5.00 pm

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Present : Time of Entering Time of Leaving

Members:

Cr Pauline O'Connor JP (Presiding Member) 5.00 pm 5.30 pm
Mayor Keri Shannon 5.00 pm 5.30 pm
Cr Rod Bradley 5.00 pm 5.30 pm
Cr Louis Carr 5.00 pm 5.30 pm
Cr Jane Powell 5.02 pm 5.30 pm
Conley Manifis (Community Representative) 5.00 pm 5.30 pm
Jon Petelczyc (Community Representative) 5.00 pm 5.30 pm

Observers:

Nil

Officers:

Jason Buckley, Chief Executive Officer
Jason Lyon, Director Corporate and Strategic
Roy Ruitenga, Manager Finance
Stuart Hobley, Manager Governance & Contracts

Also in attendance:

Cameron Palassis, Paxon Consulting

Adjournments: Nil

Time meeting closed: 4.45 pm

APOLOGIES/LEAVE OF ABSENCE

Nil
3. CONFIRMATION OF MINUTES

That the Minutes of the Ordinary meeting of the Audit Committee held on 12 December 2017 be confirmed.

4. DECLARATION OF MEMBERS’ INTERESTS

Nil

5. REPORTS
SUMMARY:

This report seeks adoption of the 2016 Compliance Audit Return (CAR). The CAR is compulsory return that is issued by the Department of Local Government to indicate whether the Town has complied with legislation in conducting its operations during the year.

The Audit Committee is required to review and approve CAR the before it is adopted by Council.

BACKGROUND:

Western Australian local governments are required to complete an annual Compliance Audit Return (CAR) in accordance with the provisions of the Local Government (Audit) Regulations 1996 (Regulations). The CAR must be submitted to the Department of Local Government and Communities (Department) by 31 March of the following year.

The period examined by this audit is 1 January to 31 December 2016. The completed return is required to be:

- Reviewed by the Audit Committee
- Considered and adopted by Council
- Certified by the Mayor and CEO following Council adoption
- Submitted together with a copy of the Council Minutes to the Department by 31 March 2017.

The CAR assists the Town to monitor legislative compliance by examining a range of prescribed requirements under Regulation 13 of the Regulations in detail.

DETAILS:

The CAR is one of the tools available to Council in its governance monitoring role. The CAR also forms part of the Department of Local Government’s monitoring program.

It places emphasis on the need for Council to be aware and acknowledge instances of non-compliance or where full compliance was not achieved. In addition, the CAR also requires Council to endorse details of remedial action either taken or proposed, to prevent future like occurrences.

The 2016 CAR has been completed by Management and is presented as an attachment to this report for consideration/review by Committee, prior to it being submitted to Council.

Councils Internal Auditor has reviewed the 2016 CAR and his report is attached. The Audit concluded that the 2016 CAR information was satisfactorily compiled.

The 2016 CAR identifies no instances of non-compliance.
POLICY/STATUTORY IMPLICATIONS:

Section 7.13(i) of the Local Government Act 1995 requires local governments to carry out an audit of compliance with statutory requirements prescribed in the Local Government (Audit) Regulations 1996, in the prescribed manner and in the form approved by the Minister.

Regulation 13 of the Local Government (Audit) Regulations 1996 sets out the statutory requirements which may be included in the compliance audit.

Regulation 14 provides that the Compliance Audit is for the period 1 January to 31 December in each year and that after carrying out the audit, the local government is to prepare a Compliance Audit Return in the form approved by the Minister for Local Government. The local government's Audit Committee is then to review the Compliance Audit Return and is to report the results of that review to Council, for adoption.

Regulation 15 requires that after the Return has been adopted by Council, it must be certified by the Mayor and the Chief Executive Officer and forwarded to the Executive Director of the Department, with a copy of the relevant Council Minutes, by 31 March following the period to which the return relates.

FINANCIAL IMPLICATIONS:

There are no Financial Implications related to this report.

STRATEGIC DIRECTION:

This report is consistent with the strategic plan’s priority area of ‘Capacity to Delivery’ and corresponding goal of ‘Open and Transparent Governance’.

COMMUNITY ENGAGEMENT:

The report has been assessed in line with the Town’s Community Consultation Policy 1.2.11 as not requiring community consultation as it is purely administrative in nature.

ATTACHMENTS:

1. 2016 Compliance Audit Return
2. Internal Audit Report - 2016 Compliance Audit Return

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr O'Connor, seconded by Cr Bradley

That the completed 2016 Compliance Audit Return (Attachment 1) be received and adopted for certification by the Mayor and the Chief Executive Officer and submission to the Department of Local Government and Communities.

Carried 9/0
SUMMARY:

The Town is required to review the appropriateness and effectiveness of its systems and processes in relation to Risk Management. The Audit Committee is required to be advised on the progress made towards the development, implementation and review of the Town's Risk Management systems.

This report seeks to update Council on the Risk Management process already undertaken by Blue Zoo, outline the process going forward and confirm the new Risk Matrix.

BACKGROUND:

Council adopted the risk management framework at its August 2015 ordinary meeting, via the Audit and Risk Committee (Report AU15.6 refers). The risk framework incorporated a risk matrix, which is the basis for assessing and reporting risks.

Subsequently, when undertaking an organisational risk review, it was evident that the Town's management team required coaching on risk appetite and the process of risk identification/mitigation and control, largely due to the value of personal risk appetites versus organisational risk appetites.

The Town engaged Blue Zoo to embark on an improvement program to meet its risk management objectives and deliver the following outcomes:

- Coach management staff to understand risk management and properly define, assess and develop mitigation strategies for risks.
- Assess the Risk Management Framework and Policy and produce guidance tools to meet policy in a clear, unambiguous manner which is pragmatic in its approach.
- Facilitate workshops with Elected Members and the Management Group.
- Provide guidance and documentation for risk management systems and processes.
- Produce a risk management gap analysis and action plan.
- Articulate strategies for embedding a risk management culture in the organisation.

Blue Zoo undertook an assessment of the Town's risk systems against ISO 31000 (the international risk standard) and developed an improvement program for the Town. This has included (amongst other things):

- Fostering an understanding of the concepts and value of risk management.
- Facilitating a common understanding of risk appetite and the measurement of risk.
- Supporting the revision to the Risk Matrix in alignment with Risk Appetite.

Workshops have been held over the past few months with the management team and more recently, with Elected Members to progress the above aims.
DETAILS:

A key action for the Council is to establish its risk appetite and its risk tolerances with respect to controls and reporting.

The concept of the length of the 'ruler' was proposed when considering risk consequences and just as importantly, defining the escalation points (scores) that sees higher level risks reported to the Executive and the Council.

The interplay with appetite and risk reporting is important. To lower a tolerance would see too many operational items escalate, too few would not provide enough information on the strategic risks the Council ought to be concerned about.

The art of risk management in this regard is to not bring personal risk appetites to the table, ensure that the organisational risk appetite is agreed and get the balance right.

The feedback from the risk session with elected members suggests the risk appetite is relatively conservative, but aligned with the general position of most local government entities. There was a recognition that the Town is required to conduct many risky activities by its very purpose, but that controls are expected to be considered and robust. The Risk Matrix was used as a reference point to generate discussion on what tolerance levels and acceptable risk areas the Elected Members would be comfortable with.

There was an acknowledgement that most of the Town’s risks connect back to reputation, in some form or other, although the appetite for controls was focused on those risks which occur before reputation is impacted. There was an underlying theme to the discussions which suggested a perception that the public expects the Town to have already identified and controlled material risks.

This position was further illuminated by a discussion on reporting, which demonstrated a desire for greater visibility of information, tempered by recognition of quality of information and not just the quantity. Further work will be done to develop an appropriate review and reporting cycle that will be tested with Elected Members for suitability and refined as necessary.

In a further report to Council the Risk Appetite Statement in the Town’s Risk Framework will be amended to reflect to sentiment of the Elected Member risk session.

The matrix will be reviewed on a biannual basis in accordance with the Chief Executives Officer's Risk Report required under the Audit Regulation (Reg 17).

A final point emanating out of the recent sessions was to develop clarity around the system of risk identification and control (forward looking) and risk event review (backward looking). Further work needs to be done in that regard, particular to clearly define when a risk event is reported to Council.

The next steps on the journey are to:

- Submit Risk Appetite definition and Risk Matrix to Audit Committee for endorsement (the subject of this report).
- Facilitate one-on-one sessions with the Business Unit Managers to identify and rate Business Unit Risks.
- Facilitate Executive session to identify and rate strategic risks.
- Develop the system for reviewing and reporting incidents (past), and subsequently reviewing risks (future).
- Update the Risk Framework for the reporting system, appetite and matrix.
• Report to the Audit Committee the revised Risk Framework and Strategic Risks
• Using the Business Unit and Strategic Risks, and the Risk Framework, develop the three year Internal Audit Plan.
• Roll out training and development to supervisory/operational level staff
• Facilitate training and workshops with staff to identify and rate Operational Risks
• Review risk roles, responsibilities and resourcing.

POLICY/STATUTORY IMPLICATIONS:

The Local Government (Audit) Regulations 1996 - Regulation 17 requires the Chief Executive Officer to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to:

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

The Audit Committee itself has scope in the Audit Charter to

• Review the effectiveness of the local government's systems in regard to risk management, internal control and legislative compliance;

FINANCIAL IMPLICATIONS:

There are no Financial Implications related to this report.

STRATEGIC DIRECTION:

Goal 9 Transparent, accountable governance

Strategy 9.1 Implement initiatives that strengthen governance skills and knowledge

Provide professional development opportunities for elected members and develop a knowledge base to support their roles and responsibilities.

COMMUNITY ENGAGEMENT:

The report has been assessed in line with the Town’s Community Consultation Policy 1.2.11 as not requiring community consultation as it is purely administrative in nature.

ATTACHMENTS:

1. Risk Matrix
ADMINISTRATION RECOMMENDATION:

That:-

(i) the report on Risk Management for March 2017 be noted;

(ii) the process identified in the report in order to continue to improve the Town's Risk Management process and systems be noted;

(iii) the Risk Matrix (Attachment 1) be confirmed and that it be incorporated into the Town Risk Framework.

Committee Meeting 21 March 2017

Amendment

Moved by Mayor Shannon, seconded by Cr Bradley

That a further clause be added to the motion as follows:-

(iv) a further workshop with Elected Members be conducted by Blue Zoo to look at strategic risk and the improvement report.

Amendment carried 7/0

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr O’Connor, seconded by Cr Bradley

That:-

(i) the report on Risk Management for March 2017 be noted;

(ii) the process identified in the report in order to continue to improve the Town's Risk Management process and systems be noted;

(iii) the Risk Matrix (Attachment 1) be confirmed and that it be incorporated into the Town Risk Framework;

(iv) a further workshop with Elected Members be conducted by Blue Zoo to look at strategic risk and the improvement report.

Carried 9/0
10. COUNCIL REPORTS

10.1 REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

PURPOSE OF REPORT:

To seek nominations for Council representation on various statutory authorities and public bodies.

BACKGROUND:

The WA Local Government Association invites Member Councils to submit nominations for appointment to various bodies as vacancies arise.

DETAILS:

The Council has been invited to submit nominations for the following appointment:-

- Local Health Authority Analytical Committee

Details of the above vacancies are attached to and forms part of the notice paper.

ADMINISTRATION RECOMMENDATION:

Moved by Cr Bradley, seconded by Cr O'Connor

That:-

(i) the request for the nomination of a representative to:-

- Local Health Authority Analytical Committee;

be received;

(ii) consideration be given to the nomination of a representative as detailed in (i) above.

During discussion, no nominations were received.

COUNCIL DECISION:

That the request for the nomination of a representative to Local Health Authority Analytical Committee be received.

Carried 9/0
11. URGENT BUSINESS

Nil

12. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

12.1 LOCAL PLANNING STRATEGY COMMUNITY ENGAGEMENT

Submission by Mayor Shannon

That the Town immediately withdraw the consultation materials labelled Scenario A, B and C and cease all community engagement activities until materials are prepared and approved by council which clearly communicate the need for a Local Planning Strategy and the suggested methods of achieving the density targets under Directions 2031.

BACKGROUND:

The materials distributed by the Town as part of the consultation process are likely to be misleading and encourage respondents to choose between scenarios A, B and C. These are not scenarios and have been labelled as such by the administration without any support from elected members.

Scenario C was never endorsed by the Council for distribution and was prepared by the administration using a list of other methods of implementing density in specific options.

Elected members attended a workshop setting in February 2017 and there was no decision of council which supported the widespread distribution of the individual methods as scenarios nor was there any decision of council endorsing the distribution of ideas proferred in a workshop session as methods by which density should be undertaken (Scenario C).

Scenario C contains “residential transition zones” that were prepared by the administration and similarly were not endorsed by council. The residential transition zones are larger and therefore inconsistent with state planning policy relating to District Centre transitions.

As such the community engagement process has been tainted and will result in an outcome that will not meet the dwelling targets, as required by Directions 2031, and will not reflect an informed community engagement.

ADMINISTRATION COMMENT:


The approach taken to date is consistent with the Community Engagement Strategy adopted by Council in November 2016 and has been developed within the confines of the Local Planning Strategy project program, which has a 30th June deadline.

Elected Members were provided with the notes emanating out of the February LPS Engagement workshop on 3rd March and the engagement material was finalised on 15th March. It was acknowledged at the Elected Member workshop that the program did not allow for the formal adoption by the Council of the materials, as this would have pushed out the engagement into April (and the Easter Holiday period). There was (limited) opportunity to comment on the workshop notes.
The Town has revised the online material to improve the clarity that people may comment on and pick the best parts of the different approaches.

Ceasing the engagement activities at this point is not recommended and would have a number of negative connotations attached to such action, particularly from a reputational risk perspective. The Town has committed to the engagement and should conclude the process as planned. Importantly, it is open to Council, when it considers the outcomes from the Opend Day engagement to seek further engagement, through different modes and on particular points of interest. This would of course require the deadline for the Local Planning Strategy to be revised and may require further funds for engagement, however it is essential that the Council is comfortable with the extent of the engagement and the quality and reliability of the feedback.

At the Elected Members workshop held on 14th February, Elected Members were presented with an Activity Centre Scenario and a Corridor Growth Scenario. The Scenario's forming part of the engagement package are in essence the same, with a downscaled future development potential around West Leederville and Wembley district centres so that it remains as per the existing Activity Centre Plans.

A third scenario evolved from the 'local opportunities' map and reflects the comments from the Elected Members workshop, that the Activity Centre and Corridor Growth scenarios were generally not considered to provide sufficient diversification.

**POLICY:**

Nil

**BUDGET:**

If the Council were to commit to further engagement activities, there are sufficient funds in this year's budget. However it will affect the budget submission for 2017/18 to complete the Local Planning Strategy, Heritage Study and Wembley Activity Centre Plan.

**LAW:**

Nil

**COUNCIL DECISION:**

Moved by Mayor Shannon, seconded by Cr Bradley

That:-

(i) the Town immediately withdraw the consultation materials labelled Scenario A, B and C and amend the Consultation materials to:

(a) delete the reference to Scenarios A, B and C ;and
(b) show the areas that have already contributed to the density targets such as Perry Lakes, Ocean Mia and St John’s Wood estates;
(ii) the Town extend the detailed community engagement stage (Stage 2) noted in report in DV16.172 until the Town is satisfied that it has adequately informed and discussed the consultation materials with the community and received feedback from them and at least until 30 June 2017.

Lost 3/6

For: Mayor Shannon, Crs Bradley and Timmermanis
Against: Crs Carr, Grinceri, King, MacRae, O’Connor and Powell
12.2 FIRST HOUR FREE PARKING NEAR LOCAL CENTRES

Submission by Mayor Shannon

That for areas within a 150m radius of local centres the Town introduce parking tickets which allow the first hour free of charge.

BACKGROUND:

In order to support the operation of local businesses, the Town should provide the first hour free parking to encourage people to use local businesses.

ADMINISTRATION COMMENT:

The Town has five general zones where paid parking is operational:

<table>
<thead>
<tr>
<th>Paid Parking Machine Zones</th>
<th>Fee (Inc GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Medical Precinct</strong></td>
<td>$3.20 p/hour</td>
</tr>
<tr>
<td>McCourt Street, Cambridge Street (between Tate and Gregory Streets), Station Street (north &amp; south), Salvado Road, Joseph Street, Connolly Street and Railway Parade (between McCourt St and St Leonards Ave)</td>
<td></td>
</tr>
<tr>
<td>In accordance with time restriction signs</td>
<td></td>
</tr>
<tr>
<td><strong>Southport Precinct</strong></td>
<td>$2.60 p/hour</td>
</tr>
<tr>
<td>Southport Street, Oxford Close, Harrogate Street, MacEwan Street and Railway Parade</td>
<td>$20.00 (all day)</td>
</tr>
<tr>
<td>All day parking in Harrogate Street</td>
<td></td>
</tr>
<tr>
<td>In accordance with time restriction signs</td>
<td></td>
</tr>
<tr>
<td><strong>Cambridge High Street Precinct</strong></td>
<td>$2.60 p/hour</td>
</tr>
<tr>
<td>Railway Parade and Northwood Street</td>
<td></td>
</tr>
<tr>
<td>In accordance with time restriction signs (Note: Coles car park is paid parking with basement &amp; first floor offering first 2 hours free)</td>
<td></td>
</tr>
<tr>
<td><strong>West Leederville Town Hall Car Park &amp; Holyrood Street</strong></td>
<td>$2.60 p/hour</td>
</tr>
<tr>
<td>In accordance with time restriction signs</td>
<td>$20.00 (all day)</td>
</tr>
<tr>
<td>Valid ACROD parking - free of charge</td>
<td></td>
</tr>
<tr>
<td><strong>Wembley Town Centre</strong></td>
<td>$2.60 p/hour</td>
</tr>
<tr>
<td>Cambridge Street (between Selby and Simper Streets) and Alexander Street, with the first half hour free and subject to display of a valid ticket</td>
<td>(first half hour free)</td>
</tr>
</tbody>
</table>
As indicated in the table above, the Town presently offers the first half hour free of charge for on-street parking bays in the Wembley Town Centre.

Late 2012, the Town endorsed the Access and Parking Strategy as a guiding document for the future control and management of parking and access for centres within West Leederville, the Medical Precinct and Wembley. More recently, a review of the Access and Parking Strategy was undertaken in 2016 with the outcomes reported to Council in October. The Town also undertakes parking occupancy surveys to monitor the demand for parking in each of the centres.

The matter of introducing the ‘first hour of parking free of charge’ across the Town's centres would require further consideration and investigation, particularly to gain an understanding of the implications for each centre and the impact this may have on demand for parking and managing availability. This was recognised in preparing the Access and Parking Strategy and more specifically, the Precinct Parking Management Plans for each respective centre, that a tailored response to managing parking needs and demand is required for each centre and a one-solution-fits all may not be suitable. As an example, it was observed recently in West Leederville many employees of businesses are utilising on-street parking, limiting its availability for use by visitors/customers of the businesses in the area.

The strategic approach adopted under the Town's Access and Parking Strategy is towards management of parking demand through the incremental introduction of time-restricted paid parking. This is to encourage turnover (or churn) of parking and make the most effective and efficient use of the Town's on-street parking bays.

For the Wembley Town Centre and the Cambridge High Street Node (which serve more of a retail function), visitors and customers to these centres presently have access to a number of free parking options.

Any decision of Council to introduce changes to its parking approach should be preceded by community consultation within the affected area.

POLICY:

Nil

BUDGET:

There will be some reduction in parking revenue if the first hour free charge is introduced. However this is too difficult to quantify at this point.

LAW:

Nil

COUNCIL DECISION:

Moved by Mayor Shannon, seconded by Cr Timmermanis

That for areas within a 150m radius of local centres the Town introduce parking tickets which allow the first hour free of charge.

Lost: 3/6

For: Mayor Shannon, Crs Bradley and Timmermanis
Against: Crs Carr, Grinceri, King, MacRae, O’Connor and Powell
13. CONFIDENTIAL REPORTS

Cr O’Connor left the meeting at 9.33 pm.

Meeting Behind Closed Doors

Moved by Cr Bradley, seconded by Cr Grinceri

That the following matter be regarded as confidential in accordance with Section 5.23(2)(d) and (e) of the Local Government Act 1995.

Carried 8/0

At 9.34 pm, the Mayor requested all persons other than Elected Members and Council Officers to leave the Council Chamber.

Cr MacRae left the meeting at 9.36 pm and returned to the meeting at 9.37 pm.

Cr O’Connor returned to the meeting at 9.37 pm.

Prior to consideration of the item, Cr Carr disclosed an interest affecting impartiality and declared as follows:- "with regard to Lot 501 (No. 15) Omaroo Terrace, City Beach, I declare that I have known the applicant for 35 years and as a consequence there may be a perception that my impartiality may be affected."

Cr Carr left the meeting at 9.37 pm.

13.1 LOT 501 OMAROO TERRACE

ADMINISTRATION RECOMMENDATION:

Moved by Cr Grinceri, seconded by Cr Bradley

That Council give consideration to the options presented in this report

Discussion ensued.

COUNCIL DECISION:

Moved by Cr Timmermanis, seconded by Cr Grinceri

That Option 1, as outlined in the report, be adopted.

Carried 5/3

For: Mayor Shannon, Crs Bradley, Grinceri, O’Connor and Timmermanis

Against: Crs King, MacRae and Powell
14. CLOSURE

There being no further business, the Mayor thanked those present for their attendance and declared the meeting closed at 10.27 pm.