



Town of Cambridge

AGENDA

NOTICE OF ORDINARY MEETING OF COUNCIL

Notice is hereby given that the next Ordinary Meeting of the Council of the Town of Cambridge will be held in the Council Chamber at the Council's Administration/Civic Centre, 1 Bold Park Drive, Floreat, on **Tuesday 25 February 2020** commencing at **6.00 pm**.

JOHN GIORGI, JP
CHIEF EXECUTIVE OFFICER

21 February 2020

OUR VISION

Cambridge: the best liveable suburbs

The Town is endowed with a range of housing, employment, and lifestyle opportunities. Our inner-city charm, character laden suburbs, extensive parkland and quality streetscapes reflect who we are, what we value and what we offer. Our activity hubs, mixed-use areas and events create a sense of community, belonging and wellbeing for residents of all ages. These are all community values we seek to protect and enhance into the future.

OUR MISSION

We will maintain and enhance our very liveable suburbs, their streetscapes and character and our vibrant activity centres through strategic, cost effective management of resources and an enhanced community experience based on a "locals first" philosophy.

OUR VALUES

The values will guide our attitudes and behavior in everything we do to serve our community:

Integrity - we will act responsibly, place trust in each other and will be accountable for our actions.

Respect - we will acknowledge an individual's uniqueness and will treat them in a dignified and positive manner.

Friendly and Helpful - we value our community members and will assist them in the best way we can.

Teamwork - we believe teamwork is essential for improving our services and achieving our goals.

Creativity - we can improve the way we do business by challenging the status quo.

DISCLAIMER

Members of the public should note that in any discussion regarding any planning or other application that any statement or intimation of approval made by any Elected Member or Employee of the Town during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Town. No action should be taken on any item discussed at a Council or Committee meeting prior to written advice on the resolution of the Council being received.

Copyright:

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AGENDA

BUSINESS

- 1. Opening**
- 2. Attendance**
- 3. Public Question Time**
- 4. Petitions**
- 5. Deputations**
- 6. Applications for Leave of Absence**
- 7. Confirmation of Minutes**

7.1 Ordinary Meeting of Council 17 December 2019

8. Announcements by the Mayor without Discussion

9. Committee Reports

9.1 Development Committee 18 February 2020
9.2 Community and Resources Committee 17 February 2020
9.3 Audit Committee 12 February 2020

10. Council Reports

10.1 Monthly Financial Statements, Review and Variances – December 2019 and January 2020
10.2 Annual General Meeting of Electors 2018-2019 – Decisions

11. Urgent Business

11.1 State Administrative Tribunal Matter DR 277 of 2019 – Stuart Adrian Corp Versus Town of Cambridge

12. Motions of Which Notice has been Given

12.1 Cr Mack – Elected Member Forums
12.2 Cr Nelson – Divestment of Investments from Organisations Financing Fossil Fuel
12.3 Cr Everett – Actions and Progress Related to Authorised Inquiry - Confidential

13. Confidential Reports

13.1 DV20.6 - Land Not Subject to a Residential Density Code – Discussion
13.2 DV20.7 – Legal Advice Regarding the Merits of an Application for Judicial Review to the Supreme Court of Western Australia – JDAP Decision – Abbotsford Hospital
13.3 Wembley Golf Course Replacement of Driving Range Automation System
13.4 Floreat Beach Kiosk – Expressions of Interests – Consideration of Submissions
13.5 Superannuation Matter – Further Report

14. Closure

Visitors are reminded that mobile phones should be turned off during Council meetings

3. PUBLIC QUESTION TIME

Questions Taken 'on notice' at 17 December 2019 Council Meeting

Mr Graham Hornel, 91 Empire Avenue, City Beach
Re: Payment of Accounts - November 2019 CR19.125

Statement

I refer to the Payment of Accounts November CR19.125 for the following expenditure: Ervin Infrastructure - replace missing boards Odyssea Restaurant: \$938.48

Question 1

Exactly what was the purpose and use of these missing boards, why were they deemed as missing - and where are the replacement boards to be located?

Response

The missing boards as referred to in November 2019 Council report CR19.125 are boards located on the bin store doors, the bin store is located North of Odyssea Restaurant.

These boards were damaged as a result of strong winds which resulted in the boards being broken. Subsequently the boards were replaced and deadbolts and bollards fitted to prevent this from occurring again.

Question 2

As confirmed in the Minutes for the 26 November, 2019 OCM, generous funding support as approved by Council is being given to a group whose President is the owner of the Odyssea Restaurant for staging two events with clear commercial objectives - so, why are Ratepayers also paying to replace missing boards that appear to further benefit this business financially?

Response

The \$938.48 referred to in November 2019 Council report CR19.125 was paid by the Town out of the commercial lease outgoings account.

This account is funded by the commercial tenants for maintenance and repairs to any of the leased commercial buildings they occupy, including the bin store.

Re: Unbudgeted Expenditure - \$65,000.00

Statement

At the 26 November, 2019 OCM, by a 7-2 vote Council approved further Unbudgeted Expenditure of \$65,000 for the purchase of a 12 seater bus, including any modifications required to meet accessibility standards.

Question 3

Given known additional operating costs, such as Insurance, Maintenance and staff, or temporary hire, wages and benefits for a licensed driver, what is a fair and realistic estimate of the total cost to Ratepayers for this bus in its first year of operation alone?

Response

The Town has not yet purchased the bus, as such, the costs are yet to be specifically determined. Existing staff will be used and no additional staff costs have been approved.

Question 4

In the absence of any full explanation and transparency as to the intended purpose for and utilisation of, this bus - other than the Mayor's related Notices of Motion - will this now be clearly declared and explained to all Ratepayers, towards enabling those who pay rates to objectively assess if this further Unbudgeted Expenditure was in fact considered reasonable?

Response

The buses will be used for community related purposes and events, particularly for the Town's Seniors.

Re: Town of Cambridge Policy No. 1.2.6 - Council Logo

Statement

I refer firstly to the Town of Cambridge Policy No.1.2.6 Council Logo. OBJECTIVE: to provide for the protection of the use of the Council's Logo and to prohibit its use for unofficial purposes. Secondly, I refer to responses given by both the CEO and Councillor Mack to questions submitted online to the 26 November OCM regarding the latter's unauthorised use of the Council Logo on his personal LinkedIn page. According to the policy, no person without the written authority of the CEO, on behalf of the town of Cambridge, shall assume, or use, the Town of Cambridge Logo. The following questions are thus appropriately directed to the CEO:

Question 5

On what date did Cr Mack seek your approval to use the Town's Logo on his LinkedIn page?

Response

The logo was not used for personal gain or election purposes.
Cr Mack has provided information concerning this matter.
However, as the logo is no longer in use by him, no further action is required in this matter.

Question 6

On what date did you issue your written authority to Cr. Mack, allowing him to use the Town's logo on his LinkedIn page?

Response

Refer response in Question 5

Re: Non-compliance with Section 5.107(3) of the Act.

Statement:

In the firm belief that the responses which the CEO gave to the questions I submitted online to the 15 October, 2019 OCM were inaccurate and misleading, I submitted four follow-up questions online to the 26 November, 2019 OCM seeking both further clarification and confirmations from the CEO concerning his Non-Compliance with Section 5.107(3) of the Act. As shown in the November OCM Minutes, my statement supporting these four questions included the wording of two separate emails that I received from a DLGSC Deputy Director General - confirming his finding that there had indeed been a Technical Breach of the Act by the Town's Compliance Officer. The CEO - who is that Officer - offered the following response to three of my four questions: "A response has already been provided and no further information or response is deemed necessary"; and he responded "No" to my fourth question about it being he, and not the Town, who created that Breach?

Question 7

Will the CEO now confirm that, given his responses to reasonable questions from a Ratepayer seeking clarity and transparency, he actually disputes the stated Breach finding by that Deputy Director General?

Response

The Town has not received any correspondence from the Deputy Director General of the Department of Local Government, Sports and Cultural Industries, concerning this matter.

Question 8

If so, what is the CEO's explanation?

Response

Refer to response in Question 7.

Question 9

Given that this is understood to be The Season of Goodwill, will the CEO have the good grace to offer an apology - even one insincere - to me, not only as the Ratepayer upon whom his Breach was occasioned, but also as the Ratepayer whose reasonable questions have yet to receive reasonable responses?

Response

Refer to response in Question 7. As such, no apology is deemed necessary or required.

Hilary Pinerua, 8B, 131 Drabble Road, City Beach

Re: Elected Member Allowances - Online Register

I refer to the Elected Member Meeting Attendance, Meeting Fees & Allowances online register. According to the register Mayor Shannon receives the following fees and allowances:

- (a) Mayor- Meeting Attendance Fee - \$30,300.00*
- (b) Mayor- Local Government Allowance - \$62,000*
- (c) Telecommunication Allowance - all Elected Members - \$3,500*

This adds up to \$95,800.00 per annum or \$7983.33 per month.

In the Payment of Accounts November 2019 a payment has been made to Keri Liona Shannon - Councillors allowance - Nov 19 \$8,169.00.

This monthly payment of \$8,169.00 over 12 months equates to \$98,028.00 per annum and not \$95,800.00 as disclosed on the register.

Question 1

Why is the Mayor being paid more than what is disclosed on the register?

Response

On 1 July 2016 and in accordance with Salaries and Allowance Tribunal, Elected Members' Meeting Allowance Fee and Local Government Allowance were increased by 1.5%. The online register has been updated to reflect the increase. The Telecommunication Allowance remains the same. A Nomination fee of \$80.00 was also refunded in November for newly elected members and re-elected members in respect to the October elections.

Question 2

Is the register incorrect?

Response

The Register has now been updated.

Question 3

If yes, when was the Mayor granted an increase of \$2,228.00 per annum?

Response

See response to Question 1.

Question 4

Who approved the increase and why?

Response

See response to Question 1.

Re: November 2019 - Payment of Accounts

I refer to the November Payment of Accounts CR 19.125

WALGA Training Courses Various Oct 19 - \$2850.00

Question 5

What were the various training courses?

Response

\$2800 of the above amount relates to "Council Members Essential Training Courses" for the newly Elected Members Cr Elaine Haddon-Casey, Cr Gary Mack and Cr Kate Barlow. \$50.00 is for attendance at WALGA for 1 x Staff member for a seminar. held on 30 October 2019.

Question 6

Who attended these various training courses?

Response

See response to Question 5.

AIM Training Course Oct 19 - \$367.00

Question 7

What was the training course for?

Response

Word - Professional Document Design.

Question 8.

Who attended the training course?

Draft Response:

1 x Library staff member.

DEVELOPMENT COMMITTEE

18 FEBRUARY 2020

ORDER OF BUSINESS

- 1. DECLARATION OF OPENING**
- 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
- 3. PUBLIC QUESTION TIME**
- 4. DEPUTATIONS AND PETITIONS**
- 5. CONFIRMATION OF MINUTES**
- 6. DECLARATION OF MEMBERS' INTERESTS**
- 7. REPORTS**

Items to be determined by Committee

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DV20.4	Lot 24 (No.33) Boronia Crescent, City Beach – Proposed Addition (Patio) to Existing Single Dwelling	23

Items to be determined by Council

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9.	CLOSURE	

MINUTES OF THE MEETING OF THE DEVELOPMENT COMMITTEE OF THE TOWN OF CAMBRIDGE HELD AT THE ADMINISTRATION/CIVIC CENTRE, 1 BOLD PARK DRIVE, FLOREAT ON 18 FEBRUARY 2020.

1. DECLARATION OF OPENING

The Presiding Member declared the meeting of the Development Committee open at 6.00 pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Present:	Time of Entering	Time of Leaving
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Members:

Cr Ian Everett (Presiding Member)	6.00 pm	7.40 pm
Mayor Keri Shannon	6.00 pm	7.40 pm
Cr Alaine Haddon-Casey	6.00 pm	7.40 pm
Cr Kate McKerracher	6.00 pm	7.40 pm
Cr James Nelson	6.00 pm	7.40 pm

Observers:

Cr Rod Bradley

Officers:

John Giorgi, Chief Executive Officer (from 6.30 pm)
Marlaine Lavery, Director Planning and Development
Brett Cammell, Manager Strategic Planning
Jennifer Heyes, Manager Statutory Planning
Steve Cleaver, Manager Regulatory Services
Andrew Brately, Senior Statutory Planning Officer
Chris Della Bonna, Strategic Planning Officer
Denise Ribbands, Senior Governance Officer

Members of the Public:

6 persons

Media:

One person

Adjournments:

Nil

Time meeting closed:

7.40 pm

APOLOGIES/LEAVE OF ABSENCE

Nil

3. PUBLIC QUESTION TIME

Nil

4. DEPUTATIONS AND PETITIONS

Item DV20.9 David Turcato, applicant

5. CONFIRMATION OF MINUTES

Moved by Cr Haddon-Casey, seconded by Cr McKerracher

That the Minutes of the Ordinary meeting of the Development Committee held on 10 December 2019 as contained in the December 2020 Council Notice Paper be confirmed.

Motion put and CARRIED (5/0)

6. DECLARATIONS OF INTEREST

Item DV20.15 Cr Nelson - Proximity Interest

Item DV20.15 Cr Haddon-Casey – Financial Interest

Item DV20.16 Cr Everett – Financial Interest

Item DV20.17 – Cr Everett – Financial Interest

7. REPORTS

DV20.1 LOT 239 (NO. 13) HELSTON AVENUE, CITY BEACH – SITE WORKS, RETAINING WALLS AND PRIMARY STREET FENCING

PURPOSE OF REPORT:

This development application that has been submitted is for modification of the retrospective site works, retaining walls and primary street fencing.

SUMMARY:

By way of background, Council refused two previous applications for the site in 2019. One application related to a proposed carport whilst the second related to retrospective site works, retaining walls and solid front fencing all within the primary street setback area.

The site works and retaining walls are greater than 0.5m above natural ground level located within the primary street setback area and therefore the application does not comply with c126 of Local Planning Scheme No.1.

The site works and retaining walls also do not meet the deemed-to-comply provisions on the side west and east lot boundaries.

Overall, the modifications to the site works, retaining walls and fencing will improve the appearance of the works on the streetscape. The works will now respond more appropriately to the natural topography of the site and provide for the open fencing in the streetscape.

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

AUTHORITY/DISCRETION:

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input checked="" type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

DELEGATION:

In accordance with c19.1.2 of the Town's Delegation Register, the Development Committee is required to determine the application for the following reason:

- *The determination of a development application under Cl. 34 (2) of Local Planning Scheme No. 1.*

BACKGROUND:

Address:	Lot 239 (No. 13) Helston Avenue, City Beach
Report Date:	12 February 2020
File Reference:	DA19/0340
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Statutory Planning, Jennifer Heyes
Contributing Officer:	Planning Officer, Mackenzie Walmsley
Reporting Officer Interest:	Nil
Attachments:	1. Aerial Plan (1 page) 2. Development Plans (7 pages) 3. Site Photos (3 pages) 4. Applicant's Comments (2 pages)

Applicant:	Brett Priest, MPS Architects
Owner:	Robert Chatfield & Viktoria Dorosevits
Zoning:	Residential R12.5
Precinct:	P1: City Beach
Development Description:	Site Works, Retaining Walls and Primary Street Fencing
Development Value:	\$15 000
Existing Land Use:	Dwelling (Single) - 'P' (Permitted)
Proposed Land Use:	N/A - works incidental to existing use
Land Area:	850m ²
Heritage Listing:	No
Application Date:	8 November 2019
Application Process Days:	59 days

DETAILS:

Site History

Primary street setback fencing was approved in 1968 at a maximum height of 1.22m, however, solid fencing was constructed at 1.8m. In addition, unauthorised works were carried out in 2018 for retaining walls, extensive fill and demolition of a carport.

On 23 July 2019, Council at its meeting resolved to refuse two development applications for a proposed carport and the associated retrospective site works, retaining walls and solid fencing within the primary street setback area. The extent of the variations were deemed to be incompatible with the R12.5 zone and consequently refused for the following reasons:

- Contravenes the minimum front setback distance specified under cl20(1) [now Clause 26];
- Proposed reduced street boundary setback will result in building bulk which does not conserve the local amenity and will have an adverse effect on the likely future development of the area;
- Not considered to meet the intent of the City Beach Precinct policy as it is not in keeping with the existing local development context and therefore is not in accordance with orderly and proper planning in the locality; and
- The height and scale of the site works and retaining walls within the primary street setback area will adversely impact on the adjoining properties and character of the locality.

Accordingly, a new application was lodged with revised plans that respond to the above as follows:

- Reducing the extent of fill and retaining walls within the primary street setback area by redesigning the front yard with articulation and stepping.
- Removing the retrospective 3.24m high wall that had an east side common boundary variation to the deemed-to-comply provision.
- Reducing the height and scale of the site works and retaining walls to be more consistent with the established character of the area.

Site Context

The site is located within the P1: City Beach Precinct in a block bound by Camborne Avenue to the east, Callington Avenue to the south and Penryn Avenue to the west.

The site features an approximate 5.26m slope upwards from the east corner at the front boundary to the west corner at the rear of the site. The natural topography is generally consistent with that of surrounding properties, with retaining and site works responding accordingly.

The site is currently occupied by a single-storey dwelling. Surrounding development within the locality consists of single and two-storey dwellings within a traditional residential streetscape.

Proposal

Details of the development application are as follows:

- Fill within the primary street setback area with a maximum height of 0.83m above natural ground level in lieu of 0.5m.
- Retaining wall within the primary street setback area with a maximum height of 0.94m above natural ground level in lieu of 0.5m.
- Site works with a maximum height of 1.4m above natural ground level within 1m of the side east lot boundary in lieu of the deemed-to-comply 1m setback.
- Site works with a maximum height of 0.7m above natural ground level within 1m of the side west lot boundary in lieu of the deemed-to-comply 1m setback.
- Retaining wall with a maximum height of 1.33m above natural ground level within a nil setback along the side east lot boundary in lieu of the deemed-to-comply 1m setback.
- A crossover width of 6.12m in lieu of the deemed-to-comply 6m.

This new development application does not include a carport (a new carport was proposed in the front setback and refused in 2019).

As a result of these works, the only location for a carport would now be within the primary street setback area as was previously applied for.

Therefore, although Council is required to consider this development application for site works and retaining on its merits, it is recommended that an advice note is included to notify the owners that any future application for a carport in the primary street setback area would be a variation to Clause 26 of the Local Planning Scheme and as such may not be approved.

CONSULTATION:

Public Consultation

The application was advertised for a period of 28 days in accordance with the Town's *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

No submissions were received during the public consultation period.

APPLICANT'S COMMENTS:

The applicant has provided comments in support of those aspects of the application that do not meet the relevant deemed-to-comply requirements. These comments are attached to this Report (refer Attachment 4).

STATUTORY ASSESSMENT:

Local Planning Scheme No. 1 - Clause 26 - Modification of R-Codes

Clause 26(1)(a)	Modification of R-Codes	
	Required	Proposed
Primary Street Setback	0.5m height above natural ground level	Site Works at a maximum height of 0.83m above natural ground level. Retaining wall maximum height at 0.94m above natural ground level.
<p>Clause 34 - Variations to Site and Development Requirements</p> <p>"(1) ... a) an application for planning approval which does not comply with a standard or requirement of this Scheme, where the standard or requirement does not provide for any permitted variation, is called a "non-complying application"; ...</p> <p>(2) Subject to sub clause (3), the Council may refuse or approve a non-complying application with or without conditions".</p>		

Assessment

Having due consideration of the relevant sub-clauses of cl67 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the following is considered relevant:

Retaining Wall:

- The proposed 0.94m high retaining wall is located in the north west corner of the site, where the natural topography sharply increases.
- The proposal involves replacing the existing unauthorised site works and reinstating with a front yard and associated garden beds more consistent with the natural ground level and overall intent of the Town's Streetscape Policy. Consequently, this results in a change of levels stepped accordingly up from east to west. The retaining wall will retain the difference in levels respectively.
- The retaining wall will be screened by the boundary fence on the primary street alignment. Further to this, the retaining wall shall be situated perpendicular to the street, running parallel with the east side boundary. It is considered this configuration will minimise any impacts on the streetscape as the profile of the retaining wall will be less visible.

- The change in the natural topography requires management through retaining and this is evident along several of the existing properties in the locality, specifically No. 30 Camborne Avenue and Nos. 17, 19 and 21 Callington Avenue.
- In respect to clause 67(m) of the deemed provisions, the proposed retaining wall has been designed to integrate with the dwelling as the materials of construction are in-keeping with the existing dwelling style. Overall, it is considered that the approval of this development will not have any impact on the future development of this locality.

Site Works:

- The associated fill serves the purpose as a garden bed, located directly behind the primary street fencing, west of the driveway. The majority of the site works will be screened by the deemed-to-comply solid wall portion of primary street fencing. As the site works will not be prominent when viewed from the street, they are considered to adequately address cl67(n) of the deemed provisions.
- The site works and retaining wall follow the street level and as such provide the appearance of a natural slope which reduces the impact of the fill within the front setback.
- There are existing examples within the locality of similar extent retaining walls and site works that respond accordingly to the natural topography as the proposed, including Nos. 3, 6 and 9 Helston Avenue, No. 30 Camborne, No. 8, 17 and 21 Callington Avenue.
- The proposed fencing contains visually permeable infill panels in order to reduce the extent of building bulk as viewed from the streetscape. In addition, the visually permeable fencing provides opportunities for passive surveillance to the street.

The proposed non-complying application is therefore supported.

State Planning Policy 7.3 - Residential Design Codes Volume 1

5.3.7 Site Works		
	Deemed-to-comply Requirement	Proposed
Maximum Site Works Height	0.5m above natural ground level within 1m of the side east boundary	1.4m
	0.5m above natural ground level within 1m of the side west boundary	0.7m
<u>Design Principles (of R-Codes):</u> <ul style="list-style-type: none"> • <i>"Development that considers and responds to the natural features of the site and requires minimal excavation/fill.</i> • <i>Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street".</i> 		

Design Principles Assessment

Side East:

- The development acknowledges the natural slope of the land and minimises the impact on adjoining property.
- The front of the site is being extensively landscaped, with tiered retaining walls and planter boxes softening the impact of the development and reducing the overall building bulk as viewed from the street.
- The changes to site levels do not otherwise result in additional design principle assessments to relevant criteria such as building height and visual privacy.
- The proposed development is designed to minimise the amount of cut and fill required, resulting in a visually aesthetic front yard with landscaping interest.

Side West:

- As advised in the Applicant’s comments, the purpose of the site works are to structurally support the adjoining western property’s levels. The Applicant advises that permanent removal of the retaining and fill would destabilise the adjoining property’s house finished floor level, resulting in structural cracking and possible collapse. The Town’s Administration obtained a copy of the relevant archive documentation to confirm this structural dependency is indeed the case.
- The proposed site works are considered to have due regard to the topography of adjoining properties, preserving their structural integrity and amenity in accordance with the R-Codes Explanatory Guidelines. As such, the proposal is considered to address the intent of the design principles in this instance.

For the above reasons, the application is considered to meet the associated design principles.

State Planning Policy 7.3 - Residential Design Codes Volume 1

5.3.8 Retaining Walls		
	Deemed-to-comply Requirement	Proposed
Maximum Retaining Wall Height	0.5m above natural ground level within 1.0m of the side east boundary	1.33m
<p><u>Design Principles (of R-Codes):</u> <i>"Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties are designed, engineered and landscaped having due regard to clauses 5.3.7 and 5.4.1".</i></p>		

Design Principles Assessment

- The proposed retaining wall is located on the side east boundary where the natural ground level is at its lowest point on-site.
- The front yard design minimises the height and length of retaining through terracing and articulation, whilst being integrated into the surrounding landscaping, reducing the overall visual amenity impact.
- The retaining wall will be screened by the boundary fencing on the rear boundary and by the proposed fixed balustrade and handrail panels located behind the primary street setback area. As a result, the profile of the retaining wall will be less visible as viewed from the adjoining property and streetscape respectively. Therefore, the retaining wall is not considered to result in an adverse visual amenity impact on the neighbouring properties.
- The retaining wall will minimise the extent of re-contouring of the land and therefore is considered to respect the natural topography.
- The proposed retaining wall along the east boundary will be landscaped to reduce the impact of the wall on the established streetscape.

For the above reasons, the application is considered to meet the associated design principles.

Local Planning Policy 3.1 – Streetscape

3.1.12 – Access and Crossovers for Single and Grouped Dwellings		
	Deemed-to-comply Requirement	Proposed
Crossover Width	6m	6.12m
Design Principles (of R-Codes): <i>"P5.1 Vehicular access provided for each development site to provide:</i> <ul style="list-style-type: none">• <i>Vehicle access safety;</i>• <i>Reduced impacts of access points on the streetscape;</i>• <i>Legible access;</i>• <i>Pedestrian safety;</i>• <i>Minimal crossovers; and</i>• <i>High quality landscaping features."</i>		

Design Principles Assessment

- Support of the crossover width is not considered to address the intent of the Town's Streetscape Policy whereby large crossovers are not to dominate over the streetscape at the expense of landscaping, street trees and kerbside parking.
- There is ability for the crossover width to comply with the provision, by removing the non-compliant 1.2m portion.

For the above reasons, the application is considered to meet the associated design principles.

CONCLUSION:

The proposed site works and retaining walls are considered consistent with the predominant built form outcomes for the City Beach area and will not have an adverse impact on the streetscape and neighbouring properties due to its scale, height and design.

Accordingly, it is considered that the proposal, subject to the crossover width being reduced, will improve the existing street presentation by increasing the openness of the streetscape, creating a safe and attractive environment through passive surveillance of the street and dwelling.

For the above reasons, it is recommended that the application be approved, subject to conditions.

FINANCIAL IMPLICATIONS:

Costs may be incurred by the Town if the landowner requests a review of the determination from the State Administrative Tribunal (SAT).

LEGISLATIVE CONSIDERATIONS:

- *Metropolitan Region Scheme*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Local Planning Scheme No. 1*
- *State Planning Policy 7.3 - Residential Design Codes Volume 1*
- *Local Planning Policies*
- *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*

STRATEGIC DIRECTION:

The recommendations of this Report are consistent with the following aspects of the Town's Strategic Community Plan 2018 - 2028:-

Our Neighbourhoods

Goal 4: Neighbourhoods where individual character and quality is respected, and planning is responsive to residents

Strategy 4.3: Ensure new development is harmonious with established residences and respects our existing 'sense of place' and our unique character

Strategy 4.4: Enhance and respect our existing streetscapes, setbacks and green spaces.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the provisions of *Local Planning Scheme No. 1* and *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

COMMITTEE DECISION:

(ADMINISTRATION RECOMMENDATION)

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That, in accordance with the provisions of *Local Planning Scheme No. 1* and the authority delegated to the Town under the provisions of the *Metropolitan Region Scheme*, Council APPROVES the application for proposed site works, retaining walls and primary street fencing at Lot 239 (No. 13) Helston Avenue, City Beach as shown on the attached plans stamped received 28 January 2020, subject to the following conditions:

- 1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any conditions of this approval;**
- 2. All stormwater shall be contained and disposed of on-site at all times, to the satisfaction of the Town;**
- 3. All structures (and associated footings) shall be contained within the lot boundaries of the subject site;**
- 4. The infill panels of all fencing within the primary street setback area as shown on the plans shall have a minimum open-to-solid ratio of 4:1 (80%) in accordance with the deemed-to-comply provisions of c13.1.7 of the Town's *Local Planning Policy 3.1 – Streetscape* (as amended); and**
- 5. Prior to the lodgement of a building permit, revised plans shall be lodged and approved by the Town, demonstrating the crossover being constructed to a maximum width of 6m.**

Standard Advice Notes to be included by the Administration plus the following Non-Standard Advice Note.

- 1. The applicant/landowner is advised that any future development application for a carport in the primary street setback would require approval under Clause 34 (2) of Local Planning Scheme No.1 and as such may not be approved.**

Motion put and CARRIED (5/0)

**DV20.2 LOT 173 (NO. 52) TALGARTH WAY, CITY BEACH –
ALTERATIONS/ADDITIONS INCLUDING TWO-STOREY EXTENSION TO
EXISTING SINGLE HOUSE**

PURPOSE OF REPORT:

The purpose of this report is for Council to consider a development application for alterations and additions including a two-storey extension to the existing single house.

SUMMARY:

The proposed garage extension comprises fibre cement construction materials in lieu of masonry building materials.

The proposed pool gazebo is within the primary street setback area and the proposed extension to the existing garage is within the secondary street setback area and therefore the application does not comply with cl26 of LPS1.

Notwithstanding, it is considered that the fibre cement materials of the proposed garage extension will not have an adverse impact on the locality as the materials will provide architectural interest and texture to the structure, which will complement the streetscape.

It is also considered that, as only a 0.3m² portion of the proposed garage extension is within the secondary street setback area, and the adjoining northern property and the property on the opposite side of Bent Street have similar reduced street setbacks, the proposed reduced secondary street setback will not have an adverse impact on the streetscape or surrounding properties and will be in keeping with the character of the locality.

However, it is considered that the proposed pool gazebo entirely within the front setback area and with increased wall and ridge heights will have an adverse impact on the streetscape, due to the front setback area having existing retaining and fill with a finished floor level that is approximately 1.5m above the natural ground level at the front boundary, resulting in the pool gazebo having a maximum height of 5.85m above the natural ground level. The structure will therefore be a highly visible and prominent feature on the Talgarth Way streetscape.

Accordingly, it is recommended that the application be approved, subject to a condition being included that the pool gazebo does not form part of the approval.

AUTHORITY/DISCRETION:

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input checked="" type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

DELEGATION:

In accordance with cl9.1.2 of the Town's Delegation Register, the Council is required to determine the application for the following reason:

- *The determination of a development application under Cl. 34 (2) of Local Planning Scheme No. 1.*

Clause 2B of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43) requires Council to determine development applications which do not meet the requirements of Local Law 43.

BACKGROUND:

Address:	Lot 173 (No. 52) Talgarth Way, City Beach
Report Date:	12 February 2020
File Reference:	DA19/0361
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Statutory Planning, Jennifer Heyes
Contributing Officer:	Senior Statutory Planning Officer, Steven Laming
Reporting Officer Interest:	Nil
Attachments:	<ol style="list-style-type: none"> 1. Aerial Plan (1 page) 2. Latest Development Plans (6 pages) 3. Annotated Site Plan (1 page) 4. Applicant's Comments (4 pages) 5. Site Photos (5 pages) 6. Schedule of Submissions (1 page)

Applicant:	Adrian Sloan and Ann Howard
Owner:	Adrian Sloan and Ann Howard
Zoning:	Residential R12.5
Precinct:	P1 – City Beach
Development Description:	Alterations and Additions Including Two-Storey Extension to Existing Single House
Development Value:	\$350,000
Existing Land Use:	Dwelling (Single)
Proposed Land Use:	N/A – works associated with existing use
Land Area:	931m ²
Heritage Listing:	No
Application Date:	15 November 2019
Application Process Days:	95 days

DETAILS:

Site Context

The site is located within the City Beach Planning Precinct and is currently occupied by a two-storey single house.

The topography of the land slopes up approximately 3m from the western boundary at the front of the site to the eastern boundary at the rear.

The entire front setback area of the site is retained and filled with a finished floor level that is approximately 1.5m above the natural ground level at the front boundary. The retaining and fill in the front setback area was approved, as part of a development application for works to the existing dwelling, by the City of Perth Council at its 15 May 1972 meeting.

Proposal

Details of the application are as follows:

- Minimum primary street setback of 3.5m to the 'Pool Gazebo' in lieu of 7.5m.
- Minimum secondary street setback of 3.528m to the garage extension in lieu of 3.75m.
- Fibre cement construction materials to the garage extension in lieu of masonry building materials.

CONSULTATION:

Public Consultation

The application was advertised for a period of 14 days in accordance with the Town's *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

In response, one submission was received, which was in objection of the proposal.

The main concerns raised during the public consultation period are summarised below:

- The proposed reduced secondary street setback to the garage extension will have an adverse impact on the adjoining properties and will not be in keeping with the character of the City Beach locality.
- Suggest the garage should have a hipped roof form on the east elevation to reduce the impact of the extension on adjoining properties.

A Schedule of Submissions that includes the submission in its entirety is attached to this Report (refer to Attachment 6).

APPLICANT'S COMMENTS:

The applicant has provided comments in support of the proposed reduced secondary street setback. These comments are attached to this Report (refer Attachment 4).

STATUTORY ASSESSMENT:

Local Planning Scheme No. 1 - Clause 26 - Modification of R-Codes

<i>Clause 26(1)(a) Modification of R-Codes</i>		
	Required	Proposed
Primary Street Setback (Pool Gazebo)	7.5m	3.5m
Secondary Street Setback (Garage Extension)	3.75m	3.528m
Clause 34 - Variations to Site and Development Requirements		
"(1) ... b) <i>an application for planning approval which does not comply with a standard or requirement of this Scheme, where the standard or requirement does not provide for any permitted variation, is called a "non-complying application"; ...</i>		
(2) <i>Subject to sub clause (3), the Council may refuse or approve a non-complying application with or without conditions".</i>		

Assessment

Having due consideration of the relevant sub-clauses of cl67 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the following is considered relevant:

Primary Street Setback - Pool Gazebo

- The entire front setback area has existing retaining and fill that has a finished floor level that is approximately 1.5m above the natural ground level at the front boundary (refer to site photos in Attachment 5).
- The proposed pool gazebo will have a maximum wall height of 2.75m and a maximum overall height of 4.35m to the top of the pitched roof, as measured from the finished floor level of the fill within the front setback. The maximum height of the gazebo above the natural ground level will be approximately 5.85m.
- The Talgarth Way streetscape, on the same side of the street as the subject property, is characterised by dwellings set back minimum 7.5m from the front boundary. There are two other properties on the same side of Talgarth Way as the subject property that also have retaining and fill in the front setback area, however, those properties do not have any structures in the front setback.
- It is considered that the proposed pool gazebo, with a maximum height of 5.85m above the natural ground level, will be a highly visible and prominent feature on the Talgarth Way streetscape, would not be in keeping with the character of the locality, and would create an undesirable perceived precedent for future development in the locality.
- The pool gazebo in the proposed location is therefore not supported.

Secondary Street Setback - Garage Extension

- During advertising, concern was raised that the reduced secondary street setback of the garage extension will have an adverse impact on the adjoining properties and will not be in keeping with the City Beach character.
- However, as only a 0.3m² portion of the garage extension will be within the secondary street setback area (refer to Attachment 3), the adjoining northern property has a minimum secondary setback of 3.5m to a garage, and the property on the north side of Bent Street, directly opposite the subject property, has a minimum secondary street setback of 2.5m to the dwelling, it is considered that the reduced setback to the garage extension will not have an adverse impact on the Bent Street streetscape and will be in keeping with the character of the locality.
- During advertising, it was also suggested that the garage extension should have a hipped roof form on the east elevation, instead of a gabled roof as proposed, in order to reduce the impact of the garage extension on the adjoining properties.
- Due to the angle of the secondary street boundary, only a small portion in the centre of the garage extension is within the street setback area (refer to Attachment 3), and the eastern side of the garage extension, which will be visible from the adjoining properties, is setback further than the minimum street setback and meets all relevant deemed-to-comply provisions in the R-Codes and the Town's local planning policies. Therefore, in this instance, modification to the proposed roof form is not required under the planning framework. In addition, the applicant has stated that a gabled roof form has been chosen for the garage extension to match the gabled roof form of the first floor extension.
- For the reasons outlined above, it is considered that the proposed reduced setback to the garage extension is compatible with the surrounding development.

The proposed non-complying application is therefore supported on the basis that a condition be included that the pool gazebo does not form part of the approval.

Local Law 43 - Buildings on Endowment Lands & Limekilns Estate (Local Law 43)

Clause 7(b)		
	General Regulation	Proposed
Construction materials	<i>All other dwelling-houses [ie. non single-storey dwellings] shall be constructed of brick, stone, concrete or similar material.</i>	The proposed pool gazebo and elements of the proposed garage extension comprise fibre cement construction materials in lieu of masonry building materials
<p>Clause 2B <i>"In a residential district the Council may permit land to be developed subject to such conditions as the Council deems fit:–</i></p> <p><i>a) for use for a purpose which is not permitted in that district;</i></p> <p><i>b) notwithstanding that the developments will not comply with the standard or requirement prescribed by this by-law in that district.</i></p> <p><i>if the Council is satisfied by an absolute majority that:–</i></p> <p><i>i) the development would be consistent with the orderly and proper planning of the locality and the preservation of its amenities; and</i></p> <p><i>ii) the use to be made of the land and the non-compliance with the prescribed standard or requirement will not have any adverse effect upon the occupiers or users of the development or the property in or the inhabitants of the locality or the likely future development of the locality".</i></p>		

Assessment

- The proposal includes 'Hardiflex' fibre cement lining to the garage gables.
- The proposed fibre cement materials are considered consistent with building materials used in the construction of other dwellings in the locality, which is subject to Local Law 43 requirements.
- It is considered that the proposed materials are consistent with the overall intent of the Local Law and will provide a robust finish whilst using light weight construction materials.
- No submissions were received during consultation with regards to the proposed building materials.
- However, to ensure that the fibre cement lining is finished to a high standard, it is recommended that a condition be included requiring the lining to be painted, rendered, coated or similar and maintained by the owner for the life of the development.

For the above reasons, the application is considered to meet Clause 2B of Local Law 43 subject to the abovementioned condition being included should the application be approved.

CONCLUSION:

The proposed fibre cement lining materials to the garage gables will not have an adverse impact on the locality as the materials will provide architectural interest and texture to the structure, which will complement the streetscape. It is recommended a condition be included requiring the lining to be painted, rendered, coated or similar to ensure the fibre cement is finished to a high standard.

It is considered that the proposed reduced secondary street setback to the garage extension will be compatible with the surrounding development, as only a minor portion of the garage extension is within the setback area and the neighbouring properties have similar reduced setbacks.

However, in this instance it is considered that, as the pool gazebo within the front setback will have a maximum height of 5.85m above the natural ground level, the structure will be a highly visible and prominent feature on the Talgarth Way streetscape.

For the above reasons, it is recommended that the application be approved, subject to a condition being included that the pool gazebo does not form part of this approval and a condition requiring the fibre cement lining to the garage gables to be finished to a high standard.

FINANCIAL IMPLICATIONS:

Costs may be incurred by the Town if the landowner requests a review of the determination from the State Administrative Tribunal (SAT).

LEGISLATIVE CONSIDERATIONS:

- *Metropolitan Region Scheme*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Local Planning Scheme No. 1*
- *State Planning Policy 7.3 - Residential Design Codes Volume 1*
- *Local Planning Policies*
- *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*

STRATEGIC DIRECTION:

The recommendations of this Report are consistent with the following aspects of the Town's Strategic Community Plan 2018 - 2028:-

Our Neighbourhoods

Goal 4: Neighbourhoods where individual character and quality is respected, and planning is responsive to residents

Strategy 4.3: Ensure new development is harmonious with established residences and respects our existing 'sense of place' and our unique character

Strategy 4.4: Enhance and respect our existing streetscapes, setbacks and green spaces.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the provisions of *Local Planning Scheme No. 1* and *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That, in accordance with the provisions of *Local Planning Scheme No. 1* and the authority delegated to the Town under the provisions of the *Metropolitan Region Scheme* and the provisions of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*, Council **APPROVES BY AN ABSOLUTE MAJORITY** the application for a **Alterations/Additions including Two-Storey Extension to Existing Single House at Lot 173 (No. 52) Talgarth Way, City Beach as shown on the attached plans received 15 November 2019, subject to the following conditions:**

- 1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any conditions of this approval;**
- 2. The proposed pool gazebo does not form part of this approval;**
- 3. The roof material shall not be zincalume, white or off-white metal sheeting where the roof pitch exceeds five degrees; and**
- 4. The 'Hardiflex' fibre cement lining to the garage gables shall be finished (paint, render, coat or similar) and maintained by the owner to a high standard for the life of the development to the satisfaction of the Town.**

Standard Advice Notes to be included by the Administration.

Motion put and CARRIED (3/2)

For: Crs Everett, Haddon-Casey and McKerracher
Against: Mayor Shannon and Cr Nelson

DV20.3 LOT 5 (NO. 5) ELIMATTA WAY, CITY BEACH – PORCH ADDITION TO EXISTING SINGLE HOUSE

PURPOSE OF REPORT:

The purpose of this report is for Council to consider a development application for a porch addition to the existing single house. The proposed porch is within the primary street setback area and therefore the application does not comply with cl26 of LPS1.

SUMMARY:

The porch addition will replace an existing fabric awning. The Elimatta Way streetscape is characterised by reduced primary street building setbacks (7 out of 8 lots) and as such, given the small increase in building within the setback (5.6m²) and the existing solid fencing and lower site level of the porch area, it is considered that the proposal will not have an adverse impact on the amenity of the locality.

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

AUTHORITY/DISCRETION:

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input checked="" type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

DELEGATION:

In accordance with cl9.1.2 of the Town's Delegation Register, the Council is required to determine the application for the following reason:

- *The determination of a development application under Cl. 34 (2) of Local Planning Scheme No. 1.*

BACKGROUND:

Address:	Lot 5 (No. 5) Elimatta Way, City Beach
Report Date:	12 February 2020
File Reference:	DA19/0368
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Statutory Planning, Jennifer Heyes
Contributing Officer:	Senior Statutory Planning Officer, Steven Laming
Reporting Officer Interest:	Nil
Attachments:	1. Aerial Plan (1 page) 2. Development Plans (4 pages) 3. Annotated Site Plan (1 page) 4. Site Photos (3 pages)

Applicant:	Donald Eastwood and Karen Eastwood
Owner:	Donald Eastwood and Karen Eastwood
Zoning:	Residential R12.5
Precinct:	P1 – City Beach
Development Description:	Porch Addition to Existing Single House
Development Value:	\$4,000
Existing Land Use:	Dwelling (Single)
Proposed Land Use:	N/A – works associated with existing use
Land Area:	893m ²
Heritage Listing:	No
Application Date:	4 December 2019
Application Process Days:	76 days

DETAILS:

Site Context

The site is located within the City Beach planning precinct and is currently occupied by a two-storey single house. The topography of the land naturally slopes down approximately 4m from the north-west corner at the front boundary to the south boundary at the rear.

There is an existing fabric awning overhanging the front entry to the dwelling and an existing open-style carport along the east boundary, which is set back 3m from the front boundary.

Proposal

The application proposes a porch addition, to replace the existing fabric awning, which is set back 6.05m from the piers to the front boundary in lieu of minimum 7.5m.

The porch will have a maximum width of 3.525m as measured from pier to pier and will have an area of 5.6m², which is 3.21% of the total front setback area.

CONSULTATION:

Public Consultation

The application was advertised for a period of 14 days in accordance with the Town's *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

No submissions were received during the public consultation period.

STATUTORY ASSESSMENT:

Local Planning Scheme No. 1 - Clause 26 - Modification of R-Codes

<i>Clause 26(1)(a) Modification of R-Codes</i>		
	Required	Proposed
Primary Street Setback (Patio)	7.5m	6.05m
<i>Clause 34 - Variations to Site and Development Requirements</i>		
<i>"(1) ...</i>		
<i>c) an application for planning approval which does not comply with a standard or requirement of this Scheme, where the standard or requirement does not provide for any permitted variation, is called a "non-complying application"; ...</i>		
<i>(2) Subject to sub clause (3), the Council may refuse or approve a non-complying application with or without conditions".</i>		

Assessment

Having due consideration of the relevant sub-clauses of cl67 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the following is considered relevant:

- The Elimatta Way streetscape is characterised by all seven existing properties in the immediate street blocks on the north and south sides of the street, including the subject property, having reduced street setbacks ranging from 2.3m – 7.2m. The subject property has an existing carport that is setback 3m from the front boundary and therefore the proposed reduced setback to the porch will not look out of place or be a dominant structure in the streetscape.
- There is an approximately 1m site level difference between the street and the location of the proposed porch, the proposed porch has a skillion roof form, which angles down towards the street, and the front and side boundaries within the front setback area comprise solid fencing between 1.6m – 1.8m high, which in combination will result in the porch being partially obscured from view from the street and the adjoining properties.
- In addition, as the proposed porch will replace an existing fabric awning, the impact of the porch on the streetscape is not significant.
- For the reasons outlined above, it is considered that the proposed porch will be compatible with the surrounding development and will be consistent with the character of the locality.

The proposed non-complying application is therefore supported.

FINANCIAL IMPLICATIONS:

Costs may be incurred by the Town if the landowner requests a review of the determination from the State Administrative Tribunal (SAT).

LEGISLATIVE CONSIDERATIONS:

- *Metropolitan Region Scheme*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Local Planning Scheme No. 1*
- *State Planning Policy 7.3 - Residential Design Codes Volume 1*
- *Local Planning Policies*
- *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*

STRATEGIC DIRECTION:

The recommendations of this Report are consistent with the following aspects of the Town's Strategic Community Plan 2018 - 2028:-

Our Neighbourhoods

Goal 4: Neighbourhoods where individual character and quality is respected, and planning is responsive to residents

Strategy 4.3: Ensure new development is harmonious with established residences and respects our existing 'sense of place' and our unique character

Strategy 4.4: Enhance and respect our existing streetscapes, setbacks and green spaces.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the provisions of *Local Planning Scheme No. 1* and *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

COMMITTEE DECISION:
(ADMINISTRATION RECOMMENDATION)

That, in accordance with the provisions of *Local Planning Scheme No. 1* and the authority delegated to the Town under the provisions of the *Metropolitan Region Scheme*, Council **APPROVES** the application for a Porch Addition to Existing Single House at Lot 5 (No. 5) Elimatta Way, City Beach as shown on the attached plans stamped received 4 December 2019, subject to the following conditions:

1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any conditions of this approval; and
2. The roof material shall not be zincalume, white or off-white metal sheeting where the roof pitch exceeds five degrees.

Standard Advice Notes to be included by the Administration.

Motion put and **CARRIED** (5/0)

DV20.4 LOT 24 (NO.33) BORONIA CRESCENT, CITY BEACH – PROPOSED ADDITION (PATIO) TO EXISTING SINGLE DWELLING

PURPOSE OF REPORT:

The purpose of this report is for Council to consider a development application for an existing pergola at the front of the existing dwelling on the subject property to be roofed with Colorbond material, thereby changing the structure into a patio.

SUMMARY:

The existing pergola structure was approved in November 1986 and encroaches into the street setback area by 12m². The setbacks and overall height of the structure are proposed to remain unchanged under the current application.

The structure will be partially screened by landscaping, a solid street boundary wall and the existing pergola façade (refer to attachment 3 for site photographs).

It is therefore considered, that in this instance, the impact of the 12m² portion of patio which encroaches within the street setback area, on the character of the locality, will not be significant.

Accordingly, it is recommended that the application be approved.

AUTHORITY/DISCRETION:

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input checked="" type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

DELEGATION:

In accordance with cl9.1.2 of the Town's Delegation Register, the Council is required to determine the application for the following reason:

- *“The determination of a development application under Cl. 34 (2) of Local Planning Scheme No. 1.”*

BACKGROUND:

Address:	Lot 24 (No.33) Boronia Crescent, City Beach
Report Date:	12 February 2020
File Reference:	DA19/0334
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Statutory Planning, Jennifer Heyes
Contributing Officer:	Senior Statutory Planning, Andrew Bratley
Reporting Officer Interest:	Nil
Attachments:	1. Aerial Plan (1 page) 2. Development Plans (2 pages) 3. Site Photos (3 pages) 4. Annotated Site Plan (1 page)

Applicant:	Perth Patio Designs
Owner:	Rochelle and Bradley King
Zoning:	Residential R12.5
Precinct:	P1: City Beach
Development Description:	Addition (patio) to existing single dwelling
Development Value:	\$13,950
Existing Land Use:	Dwelling - Single
Proposed Land Use:	Dwelling - Single
Land Area:	787m ²
Heritage Listing:	No
Application Date:	30 October 2019
Application Process Days:	111 days (Applicant consented to a time extension)

DETAILS:

Site Context

The subject site is located within the P1: City Beach Planning Precinct. The site currently contains a single dwelling, a ground floor portion of which encroaches within the street setback area in addition to a carport, a raised outdoor living area and a pergola structure, all of which were approved previously in this location.

Properties nearby contain single dwellings, some of which include a carport within their street setback area.

Proposal

A 12m² area of existing pergola across the front of the existing dwelling is proposed to be roofed with water impermeable (solid) material, thus becoming a patio. The existing posts and façade for the structure and its overall height are to remain unchanged. In addition to this, the existing finished floor level of the area beneath the structure is to also remain unchanged.

At the nearest point the pergola is set back 3.66m from the primary street boundary, and is set back 0.5m from the southern lot boundary.

CONSULTATION:

Public Consultation

The application was advertised for a period of 14 days in accordance with the Town's *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

No submissions were received during the public consultation period.

STATUTORY ASSESSMENT:

Local Planning Scheme No. 1 - Clause 26 - Modification of R-Codes

<i>Clause 26(1)(a) Modification of R-Codes</i>		
	Required	Proposed
Primary Street Setback (Patio)	7.5m	3.66m
<u>Clause 34 - Variations to Site and Development Requirements</u>		
<p>"(1) ... d) <i>an application for planning approval which does not comply with a standard or requirement of this Scheme, where the standard or requirement does not provide for any permitted variation, is called a "non-complying application"; ...</i></p> <p>(2) <i>Subject to sub clause (3), the Council may refuse or approve a non-complying application with or without conditions".</i></p>		

Assessment

Having due consideration of the relevant sub-clauses of cl67 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the following is considered relevant:

- A 12m² portion of the structure encroaches within the street setback area. The proposal will not result in the structure encroaching into the street setback area further.
- The existing posts for the structure and its overall height are to remain unchanged. The majority of the proposed roof will not be visible when viewed from street level due to the existing façade and the pitch of the roof (which is less than 5 degrees).
- It is considered the re-roofing of the structure which encroaches into the front setback, in this particular case will not have a significant impact on the prevailing and desired development context due to being sufficiently screened by landscaping, a solid street boundary wall and the existing façade.

The proposed non-complying application is therefore supported.

State Planning Policy 7.3 - Residential Design Codes Volume 1

<i>5.1.3 Lot boundary setback</i>		
	Deemed-to-comply Provision	Proposed
Patio	1.8m from the southern (side) lot boundary	0.5m
<u>Design Principles</u>		
<p>"P3.1 <i>Buildings set back from lot boundaries or adjacent buildings on the same lot so as to:</i></p> <ul style="list-style-type: none"> • <i>Reduce impacts of building bulk on adjoining properties.</i> • <i>Provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and</i> • <i>Minimise the extent of overlooking and resultant loss of privacy on adjoining properties."</i> <p>P3.2 <i>Buildings built up to boundaries (other than street boundary) where this:</i></p> <ul style="list-style-type: none"> • <i>Makes effective use of space for enhanced privacy for the occupant/s or outdoor living areas;</i> • <i>Does not compromise the design principle contained in clause 5.1.3 P3.1;</i> • <i>Does not have any adverse impact on the amenity of the adjoining property;</i> • <i>Ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and</i> • <i>Positively contributes to the prevailing or future development context and streetscape as outlined in the local policy framework.</i> 		

Design Principles Assessment

- The section of the patio concerned is to remain the same distance from the lot boundary as what the existing (authorised) pergola structure is currently.
- A portion of the dwelling on the adjoining lot (6 Kingsland Avenue) which contains no openings has been built up to the lot boundary where the patio is proposed.
- The location of the patio in comparison to the nearest portion of the dwelling on the adjoining lot means that it will not result in building bulk having a significant impact on the neighbour, and will not reduce the amount of direct sun and ventilation entering the neighbour's dwelling.
- The reduced setback of the existing dwelling on the adjoining lot means that the patio contributes to the prevailing development context.

Considering the above, the proposal meets the design principles.

CONCLUSION:

Given the reasonably small extent to which the existing structure encroaches within the street setback area, and its overall height, setbacks and finished floor level are to remain unchanged, it is considered, the impact of the re-roofing on the prevailing development and the desired streetscape of the locality will not be significant.

Considering the above, it is recommended that the application be approved.

FINANCIAL IMPLICATIONS:

Costs may be incurred by the Town if the landowner requests a review of the determination from the State Administrative Tribunal (SAT).

LEGISLATIVE CONSIDERATIONS:

- *Metropolitan Region Scheme*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Local Planning Scheme No. 1*
- *State Planning Policy 7.3 - Residential Design Codes Volume 1*
- *Local Planning Policies*

STRATEGIC DIRECTION:

The recommendations of this Report are consistent with the following aspects of the Town's Strategic Community Plan 2018 - 2028:-

Our Neighbourhoods

Goal 4: Neighbourhoods where individual character and quality is respected, and planning is responsive to residents

Strategy 4.3: Ensure new development is harmonious with established residences and respects our existing 'sense of place' and our unique character

Strategy 4.4: Enhance and respect our existing streetscapes, setbacks and green spaces.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the provisions of *Local Planning Scheme No. 1* and *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

COMMITTEE DECISION:
(ADMINISTRATION RECOMMENDATION)

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That, in accordance with the provisions of *Local Planning Scheme No. 1* and the authority delegated to the Town under the provisions of the *Metropolitan Region Scheme*, Council **APPROVES** the application for an addition (patio) to the existing single dwelling at Lot 24 (No.33) Boronia Crescent, City Beach, as shown on the attached plans stamped received 30 October 2019, subject to the following conditions:

1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any conditions of this approval; and
2. All stormwater shall be contained and disposed of on-site for the life of the development to the satisfaction of the Town.

Standard Advice Notes to be included by the Administration.

Motion put and CARRIED (5/0)

DV20.5 LOT 809 (NO.1) TURRIFF ROAD, FLOREAT – ANCILLARY DWELLING

PURPOSE OF REPORT:

The purpose of this report is for Council to consider an application for an existing garage on the subject property to be converted to an ancillary dwelling. Works have already commenced to convert the building from a garage to an ancillary dwelling.

SUMMARY:

The works already undertaken include the external cladding of the existing single leaf brick garage. The external cladding, comprising polyfreezer panels and blue board lining, has already been installed and is to be rendered using a rockcote acrylic based render to match the existing dwelling. The cladding and proposed render does not comply with *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43) which requires dwelling to be constructed of brick, stone, concrete or similar masonry materials.

In light of the ancillary dwelling already being proposed by way of converting an existing structure on site, and the existing structure being located at the rear of the site and not visible from the street, it is considered that the variations sought will not have a significant impact on the character of the locality or the amenity of the adjoining properties. Accordingly, it is recommended that the application be approved.

AUTHORITY/DISCRETION:

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input checked="" type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

DELEGATION:

Clause 2B of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43) requires Council to determine development applications which do not meet the requirements of Local Law 43.

BACKGROUND:

Address:	Lot 809 (No.1) Turriff Road, Floreat
Report Date:	12 February 2020
File Reference:	DA19/0244
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Statutory Planning, Jennifer Heyes
Contributing Officer:	Senior Statutory Planning Officer, Karen Liddell
Reporting Officer Interest:	Nil
Attachments:	1. Aerial Plan (1 page) 2. Development Plans (2 pages) 3. Site Photos (3 pages)

Applicant:	Buildinglines Approvals Pty Ltd
Owner:	Mr Francis Kwa
Zoning:	Residential R12.5
Precinct:	P3: Floreat
Development Description:	Conversion of existing garage to ancillary dwelling
Development Value:	\$3,000
Existing Land Use:	Dwelling - Single
Proposed Land Use:	Dwelling - Single
Land Area:	1052m ²
Heritage Listing:	No
Application Date:	2 September 2019
Application Process Days:	170 days (80 day time extension agreed to by the applicant)

DETAILS:

Site History

The Town's records indicate that there has been a number of planning applications made to the Town in respect to this property. A summary of key recent applications is provided below.

Application Date	Proposal	Determination
March 2013	Additions (meals room, bedroom and additional kitchen)	Approved
February 2015	Second storey additions (lounge, library, master bedroom, bathroom, balcony)	Approved
November 2017	Ancillary dwelling	Approved (expired) Landowner has confirmed in writing to the Town that he does not intend to pursue this approval.
February 2018	Retrospective Application (extension of second storey to include an extra 3 bedrooms and 3 bathrooms along with a balcony that altered primary street setbacks)	Refused (SAT review)
	S31 reconsideration of above application.	Approved (February 2019)

It should be noted that there are several structures and buildings on the site that have been the subject of compliance issues and prosecutions.

Site Context

The subject site is located on the south-western corner of Turriff Road and Pearson Place, Floreat within the P3: Floreat Planning Precinct. To the east of Pearson Place is the road reserve to Pearson Street/Flynn Street. There is a mix of single and two storey dwellings in the locality of the subject site.

The site can be described as flat and currently contains a single two-storey dwelling, various carports/garage and a number of outbuildings.

Application History

The application was received 2 September 2019. The Town has liaised with the applicant throughout the assessment process to attempt to address the proposed cladding to the existing building which included a meeting on-site with the applicant.

At this site meeting the Town became aware that the works to convert the garage to an ancillary dwelling had already commenced. The landowner was then advised that the application was for retrospective approval for development already commenced.

The applicant agreed to an extension to the determination timeframe to accommodate the site visit and to resolve the issue of render/external cladding to the building.

Proposal

An existing garage to the rear of the dwelling is proposed to be converted to an ancillary dwelling. At its meeting on 23 October 2018, DV18.152, the Council determined “...*the land use Ancillary Dwelling as incidental to the land use Dwelling (Single), and therefore reasonably falls within the Dwelling (Single) use class.*”, thereby making it a permitted use in accordance with the Town’s Local Planning Scheme No. 1.

The existing garage was approved in 1955. The setbacks and overall height of the structure are to remain unchanged under the current application.

The garage is set back 1.05m from the rear (eastern) lot boundary, and at the nearest point is set back 5.265m from the side (southern) lot boundary.

Car parking required for the ancillary dwelling is provided on-site within the existing driveway.

The existing single leaf brick walls of the garage have already been externally clad with insulation panels and blue board lining. It is proposed that the blue board lining is to be rendered using a rockcote acrylic based render.

Other internal works have also commenced on the building including the installation of a new ceiling, painting/plastering of walls and the installation of a kitchenette.

CONSULTATION:

Public Consultation

The application was advertised for a period of 14 days in accordance with the Town's *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

No submissions were received during the public consultation period.

STATUTORY ASSESSMENT:

State Planning Policy 7.3 - Residential Design Codes Volume 1 / Local Planning Policies

5.1.3 Lot boundary setback		
	Deemed-to-comply Requirement	Proposed
Setbacks of buildings from lot boundaries.	Rear (eastern) lot boundary 6m	1m
<p><u>Design Principles (of R-Codes):</u> <i>"P3.1 Buildings set back from lot boundaries or adjacent buildings on the same lot so as to :</i></p> <ul style="list-style-type: none"> • <i>reduce impacts of building bulk on adjoining properties;</i> • <i>provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and</i> • <i>minimise the extent of overlooking and resultant loss of privacy on adjoining properties".</i> 		

Design Principles Assessment

- The ancillary dwelling is proposed within an existing authorised garage (1955) at the rear of the existing dwelling on the subject property. The existing building footprint and its overall height are to remain unchanged.
- The reduced setback associated with the ancillary dwelling is not considered to result in any further adverse impact of building bulk on the adjoining property to the east given it is an existing approved structure (garage) that has been on the subject site since 1955.
- The reduced setback has no additional impact on overshadowing or loss of direct sun and ventilation to the buildings or open space to the adjoining property, to what currently exists as there is no proposed change to the building footprint or height.
- The proposed ancillary dwelling does not result in any non-compliant overlooking or loss of privacy from the reduced setback. There are no windows proposed to the eastern boundary.
- The ancillary dwelling does not directly adjoin areas on neighbouring properties which are outdoor living areas, therefore the proposal is unlikely to have a significant impact on the neighbours' amenity. The neighbouring dwelling is setback approximately 1.5m from the subject site's eastern lot boundary.
- Whilst this element of the proposal has been assessed as a rear setback, being a corner lot, it presents as a side setback when viewed from Pearson Place. It also presents as the side setback to the adjoining property to the east. Therefore, in this instance, it is appropriate to consider the eastern boundary setback in the context of a side setback. In this instance, the proposed setback would meet the deemed-to-comply provisions.
- No comments/objections were received during advertising.

For the above reasons, the application is considered to meet the associated design principles.

The proposed non-complying application is therefore supported.

Local Law 43 - Buildings on Endowment Lands & Limekilns Estate (Local Law 43)

Clause 7(a)		
	General Regulation	Proposed
Construction materials	<i>All single storey single occupancy dwelling-houses and all buildings other than dwelling-houses shall be co tone, concrete or similar material, or of brick veneer.</i>	Single leaf brick walls externally clad with rockcote acrylic render applied to blue board lining.

Clause 2B

"In a residential district the Council may permit land to be developed subject to such conditions as the Council deems fit:–

- a) for use for a purpose which is not permitted in that district;*
- b) notwithstanding that the developments will not comply with the standard or requirement prescribed by this by-law in that district.*

if the Council is satisfied by an absolute majority that:–

- i) the development would be consistent with the orderly and proper planning of the locality and the preservation of its amenities; and*
- ii) the use to be made of the land and the non-compliance with the prescribed standard or requirement will not have any adverse effect upon the occupiers or users of the development or the property in or the inhabitants of the locality or the likely future development of the locality".*

Assessment

- The existing single leaf brick walls have already been clad with poly freezer panelling and blue board lining. It is proposed to cover the blue board lining with rockcote acrylic rendered. This will match the appearance of the existing two-storey dwelling.
- The cladding is proposed to be a cream colour to match the render on the existing two-storey dwelling, resulting in the local amenity not being significantly impacted by the appearance of the material proposed.
- It will not be possible to tell from looking at the render if it has been applied to cladding or applied to brick. The appearance of the render will not look any different.
- Notwithstanding the above, the ancillary dwelling is proposed at the rear of the site and will not be visible from the street or the majority of neighbouring properties.

For the above reasons, the application is considered to meet Clause 2B of Local Law 43.

The proposed non-complying application is therefore supported.

CONCLUSION:

Given the application involves the conversion of an existing building to a permitted residential use, and its overall height, setbacks and finished floor level are to remain unchanged, the extent to which the existing structure encroaches within the rear setback area is not considered to adversely impact on the amenity of the adjoining property.

The works that have already commenced on-site have not yet been completed, specifically the external cladding of the building. Whilst the Local Law does not allow for external cladding to be applied to dwellings, the Town does allow for a rendered finish to be applied to brick/masonry walls. When looking at the render once applied to the dwelling, it will not be possible to determine if the underlying structure is masonry or another construction material. In addition, the ancillary dwelling in this instance is not visible from the public realm.

Therefore, it is considered the impact of the proposed construction materials on the streetscape and character of the locality, whilst non-compliant with Clause 2B Local Law 43, is not significant given the appearance of the rendered finish and the location of the ancillary dwelling.

Considering the above, it is recommended that the application be approved.

FINANCIAL IMPLICATIONS:

Costs may be incurred by the Town if the landowner requests a review of the determination from the State Administrative Tribunal (SAT).

LEGISLATIVE CONSIDERATIONS:

- *Metropolitan Region Scheme*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Local Planning Scheme No. 1*
- *State Planning Policy 7.3 - Residential Design Codes Volume 1*
- *Local Planning Policies*
- *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*

STRATEGIC DIRECTION:

The recommendations of this Report are consistent with the following aspects of the Town's Strategic Community Plan 2018 - 2028:-

Our Neighbourhoods

Goal 4: Neighbourhoods where individual character and quality is respected, and planning is responsive to residents

Strategy 4.3: Ensure new development is harmonious with established residences and respects our existing 'sense of place' and our unique character

Strategy 4.4: Enhance and respect our existing streetscapes, setbacks and green spaces.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the provisions of *Local Planning Scheme No. 1* and *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That, in accordance with the provisions of *Local Planning Scheme No. 1*, the authority delegated to the Town under the provisions of the *Metropolitan Region Scheme* and the provisions of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*, Council APPROVES BY AN ABSOLUTE MAJORITY the application for an ancillary dwelling [development commenced] at Lot 809 as shown on the attached plans stamped received 14 and 22 January 2020 subject to the following conditions:

- 1. The development shall at all times comply with the application and the approved plans, subject to any modifications required as a consequence of any conditions of this approval;**
- 2. This development approval only pertains to the ancillary dwelling, as shown on the approved plans, which is adjacent to the eastern (rear) boundary;**
- 3. The Ancillary Dwelling shall not be used as Short-term Accommodation without further approval of the Town;**

4. **The existing external blue board cladding to the building shall be rendered as shown on the approved plans, within 3 months from the date of this approval; and**
5. **All stormwater shall be contained and disposed of on-site for the life of the development to the satisfaction of the Town.**

The following advice notes will be included by Administration in addition to the Standard Advice Notes:

1. **The applicant is advised that any future application for an ancillary dwelling, or extension of time of development approval 0192DA-2017, on the subject property in addition to the ancillary dwelling which this development approval relates to, will not be supported by the Town as it would be an 'X' use under the Local Planning Scheme No. 1**

Motion put and CARRIED (5/0)

DV20.6 LOT 454 (NO. 116) BROOKDALE STREET, FLOREAT – TWO-STOREY SINGLE HOUSE (AMENDMENT TO DA19/0257) – VARIATION TO LOCAL LAW 43

SUMMARY:

The purpose of this report is for Council to determine an application which does not comply with cl7(b) of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43) as the construction materials of the alterations/additions to the roof gables of the existing dwelling will be a timber-stud frame construction with “Scyon Linea” cladding in lieu of brick, stone, concrete or similar masonry materials.

It is recommended that Council approves the application.

AUTHORITY/DISCRETION:

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input checked="" type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

DELEGATION:

Clause 2B of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43) requires Council to determine development applications which do not meet the requirements of Local Law 43.

BACKGROUND:

Address:	Lot 454 (No. 116) Brookdale Street, Floreat
Report Date:	12 February 2020
File Reference:	DA19/0392
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Statutory Planning, Jennifer Heyes
Contributing Officer:	Senior Statutory Planning Officer, Steven Laming
Reporting Officer Interest:	Nil
Attachments:	1. Aerial Plan (1 page) 2. Development Plans (5 pages)

Applicant:	Coast Homes WA Pty Ltd
Owner:	Chad Ziegler and Judit Szito
Zoning:	Residential R12.5
Precinct:	P3 - Floreat
Development Description:	Two-Storey Single House (Amendment to DA19/0257)
Development Value:	\$568,941
Existing Land Use:	Vacant
Proposed Land Use:	N/A – Works associated with existing use
Land Area:	837m ²
Heritage Listing:	No
Application Date:	2 January 2020
Application Process Days:	47 days

DETAILS:

Site History

On 4 November 2019 the Town under delegation approved development application DA19/0257 for a two-storey single house at the subject property.

Site Context

The site is located within the Floreat Planning Precinct and the approved two-storey single house (DA19/0257) is currently under construction on the vacant lot.

Proposal

The application proposes to amend DA19/0257 to include timber-stud framework with fibre cement 'Scyon Linea' cladding to the roof gables.

CONSULTATION:

Public Consultation

The application was advertised for a period of 14 days in accordance with the Town's *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

No submissions were received during the public consultation period.

STATUTORY ASSESSMENT:

Local Law 43 - Buildings on Endowment Lands & Limekilns Estate (Local Law 43)

Clause 7(b)		
	General Regulation	Proposed
Construction materials	<i>All other dwelling-houses [ie. non single-storey dwellings] shall be constructed of brick, stone, concrete or similar material.</i>	Timber-stud frame construction with fibre cement 'Scyon Linea' cladding.

Clause 2B

"In a residential district the Council may permit land to be developed subject to such conditions as the Council deems fit:-

- a) for use for a purpose which is not permitted in that district;*
- b) notwithstanding that the developments will not comply with the standard or requirement prescribed by this by-law in that district.*

if the Council is satisfied by an absolute majority that:-

- i) the development would be consistent with the orderly and proper planning of the locality and the preservation of its amenities; and*
- ii) the use to be made of the land and the non-compliance with the prescribed standard or requirement will not have any adverse effect upon the occupiers or users of the development or the property in or the inhabitants of the locality or the likely future development of the locality".*

Assessment

- The application proposes a timber-stud frame construction with fibre cement 'Scyon Linea' cladding to the first floor roof gables. The external walls of the dwelling will remain as rendered brickwork.
- The cladding will result in there being a variety of materials on the Brookdale Street façade, which will positively contribute to the streetscape.
- The proposed cladding materials are considered consistent with building materials used in the construction of other dwellings in the locality, which is subject to Local Law 43 requirements.
- It is considered that the proposed materials are consistent with the overall intent of the Local Law and will provide a robust finish whilst using light weight construction materials.
- No submissions were received during consultation with regards to the proposed building materials.

For the above reasons, the application is considered to meet Clause 2B of Local Law 43 and it is therefore recommended that the application be approved with nil conditions.

FINANCIAL IMPLICATIONS:

Costs may be incurred by the Town if the landowner requests a review of the determination from the State Administrative Tribunal (SAT).

LEGISLATIVE CONSIDERATIONS:

- *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*

STRATEGIC DIRECTION:

The recommendations of this Report are consistent with the following aspects of the Town's Strategic Community Plan 2018 - 2028:-

Our Neighbourhoods

Goal 4: Neighbourhoods where individual character and quality is respected, and planning is responsive to residents

Strategy 4.3: Ensure new development is harmonious with established residences and respects our existing 'sense of place' and our unique character

Strategy 4.4: Enhance and respect our existing streetscapes, setbacks and green spaces.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the provisions of *Local Planning Scheme No. 1* and *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That, in accordance with the provisions of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43) Council APPROVES BY AN ABSOLUTE MAJORITY the application for variations to Local Law 43 at Lot 454 (No. 116) Brookdale Street, Floreat as shown on the attached plans stamped received 23 December 2019, subject to nil conditions.

Motion put and CARRIED (5/0)

DV20.7 LOT 1537 (NO. 18) TULLOW ROAD, FLOREAT - EXTENSION TO EXISTING 'HOBBY ROOM' – VARIATION TO LOCAL LAW 43

PURPOSE OF REPORT:

The purpose of this report is for Council to determine an application which does not comply with cl7(a) of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43) as the construction materials of the hobby room extension will be metal-stud frame with “Colortex Cladding” on the external walls in lieu of brick, stone, concrete or similar masonry materials.

It is recommended that Council approves the application.

AUTHORITY/DISCRETION:

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input checked="" type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

DELEGATION:

Clause 2B of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43) requires Council to determine development applications which do not meet the requirements of Local Law 43.

BACKGROUND:

Address:	Lot 1537 (No. 18) Tullow Road, Floreat
Report Date:	12 February 2019
File Reference:	DA19/0331
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Statutory Planning, Jennifer Heyes
Contributing Officer:	Senior Statutory Planning Officer, Ryan Munyard
Reporting Officer Interest:	Nil
Attachments:	1. Aerial Plan (1 page) 2. Development Plans (3 pages) 3. Schedule of Submissions (1 page)

Applicant:	Classic Home and Garage Innovations Pty Ltd
Owner:	Grazia Burwash
Zoning:	Residential R12.5
Precinct:	P3: Floreat
Development Description:	Extension to Existing 'Hobby Room'
Development Value:	\$29,600
Existing Land Use:	Dwelling (Single)
Proposed Land Use:	Extension to Dwelling (Single)
Land Area:	880m ²
Heritage Listing:	No
Application Date:	29 October 2019
Application Process Days:	112 days (Applicant consented to a time extension)

DETAILS:

Site Context

The site currently contains a single-storey dwelling, associated garage and an existing hobby room (which forms an extension to the Dwelling (Single) use). Surrounding development is a mix of both single and two-storey dwellings. The topography of the land falls approximately 3m from the intersection of Tullow Road and Roscommon Road to the south-east rear corner of the lot.

Application History

In January 2020, the Town approved a development application for an extension to the existing hobby room on the site.

Proposal

The application proposes a 16.5m² extension to the existing hobby room, which is located at the rear of the existing dwelling, near the western side lot boundary. The extension is to be of metal-stud frame construction with "Colortex Cladding" on the external walls in lieu of brick, stone, concrete or similar masonry materials.

CONSULTATION:

Public Consultation

The application was advertised for a period of 28 days over the Christmas period in accordance with the Town's *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

In response, one submission was received which raised no-objection to the proposal.

A Schedule of Submissions that includes the submission in its entirety is attached to this Report (refer Attachment 3).

STATUTORY ASSESSMENT:

Local Law 43 - Buildings on Endowment Lands & Limekilns Estate (Local Law 43)

Clause 7(a)		
	General Regulation	Proposed
Construction materials	<i>All single storey single occupancy dwelling-houses and all buildings other than dwelling-houses shall be co tone, concrete or similar material, or of brick veneer.</i>	Metal-stud frame construction with "Colortex Cladding" to external walls.
Clause 2B <i>"In a residential district the Council may permit land to be developed subject to such conditions as the Council deems fit:-</i> a) <i>for use for a purpose which is not permitted in that district;</i> b) <i>notwithstanding that the developments will not comply with the standard or requirement prescribed by this by-law in that district.</i> <i>if the Council is satisfied by an absolute majority that:-</i> i) <i>the development would be consistent with the orderly and proper planning of the locality and the preservation of its amenities; and</i> ii) <i>the use to be made of the land and the non-compliance with the prescribed standard or requirement will not have any adverse effect upon the occupiers or users of the development or the property in or the inhabitants of the locality or the likely future development of the locality".</i>		

Assessment

- The application proposes a metal-stud frame construction with "Colortex Cladding" to external walls to match the cladding of the existing hobby room.
- The cladding is proposed to be a cream colour to match the rest of the hobby room, resulting in the local amenity not being significantly impacted by the appearance of the material proposed.
- Notwithstanding the above, the extension is proposed at the rear of the site and will not be visible from the street or the majority of neighbouring properties.

For the above reasons, the application is considered to meet Clause 2B of Local Law 43 and it is therefore recommended that the application be approved with nil conditions.

FINANCIAL IMPLICATIONS:

Costs may be incurred by the Town if the landowner requests a review of the determination from the State Administrative Tribunal (SAT).

LEGISLATIVE CONSIDERATIONS:

- *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*

STRATEGIC DIRECTION:

The recommendations of this Report are consistent with the following aspects of the Town's Strategic Community Plan 2018 - 2028:-

Our Neighbourhoods

Goal 4: Neighbourhoods where individual character and quality is respected, and planning is responsive to residents

Strategy 4.3: Ensure new development is harmonious with established residences and respects our existing 'sense of place' and our unique character

Strategy 4.4: Enhance and respect our existing streetscapes, setbacks and green spaces.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the provisions of *Local Planning Scheme No. 1* and *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That, in accordance with the provisions of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*, Council APPROVES BY AN ABSOLUTE MAJORITY the application for an Extension to Existing 'Hobby Room' at Lot 1537 (No. 18) Tullow Road, Floreat as shown on the attached plans stamped received 6 January 2020, subject to nil conditions.

Motion put and CARRIED (5/0)

**DV20.8 LOT 1719 (NO. 31) GLENGARIFF DRIVE, FLOREAT -
ALTERATIONS/ADDITIONS TO EXISTING TWO-STOREY DWELLING -
VARIATION TO LOCAL LAW 43**

PURPOSE OF REPORT:

The purpose of this report is for Council to determine an application which does not comply with cl7(b) of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43) as the construction materials of the alterations/additions to the existing dwelling will be a timber-stud frame construction with "Hebel Powerpanel" cladding with an acrylic texture coating (ie. rendered-looking finish) applied to in lieu of brick, stone, concrete or similar masonry materials.

It is recommended that Council approves the application.

AUTHORITY/DISCRETION:

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input checked="" type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

DELEGATION:

Clause 2B of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43) requires Council to determine development applications which do not meet the requirements of Local Law 43.

BACKGROUND:

Address:	Lot 1719 (No. 31) Glengariff Drive, Floreat
Report Date:	12 February 2019
File Reference:	DA19/0332
Responsible Officer:	Director Planning and Development, Marlaine Laver,
Reporting Officer:	Manager Statutory Planning, Jennifer Heyes
Contributing Officer:	Senior Statutory Planning Officer, Ryan Munyard
Reporting Officer Interest:	Nil
Attachments:	<ol style="list-style-type: none"> 1. Aerial Plan (1 page) 2. Development Plans (5 pages) 3. Cladding Product Specification Documentation (56 pages) 4. Schedule of Submissions (4 pages)

Applicant:	Glenway Homes
Owner:	Anuj Patel
Zoning:	Residential R12.5
Precinct:	P1: City Beach
Development Description:	Alterations/Additions to Existing Two-storey Dwelling
Development Value:	\$150,000
Existing Land Use:	Dwelling (Single)
Proposed Land Use:	N/A
Land Area:	809m ²
Heritage Listing:	No
Application Date:	31 October 2019
Application Process Days:	110 days (Applicant consented to a time extension)

DETAILS:

Site Context

The site currently contains a two-storey dwelling and is surrounded by a mix of both single and two-storey dwellings. The topography of the land falls approximately 1.5m from the street to the south-east rear corner of the lot.

Application History

In January 2020, the Town approved a development application for alterations/additions to the second floor above the garage and at the rear of the existing dwelling on the site.

Proposal

The application proposes a second floor addition above the garage and at the rear of the existing dwelling, near the western side lot boundary. The addition is to be of timber-stud frame construction with an acrylic texture coating applied to it lieu of brick, stone, concrete or similar masonry materials. The acrylic texture coating will present as a rendered finish for the proposed alterations/additions.

CONSULTATION:

Public Consultation

The application was advertised for a period of 14 days in accordance with the Town's *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

In response, one submission was received; which objected to the application. The main concern raised during the public consultation period related to the proposed windows on the western elevation of the addition.

In response, the applicant submitted amended plans, which are the subject of this report which clarified that all windows are high light, resulting in no loss of privacy to the abutting western lot (ie. No. 33 Glengariff Drive). These amended plans addressed the submitter's concerns.

Notwithstanding, a Schedule of Submissions that includes the submission in its entirety is attached to this Report (refer Attachment 4).

STATUTORY ASSESSMENT:

Local Law 43 - Buildings on Endowment Lands & Limekilns Estate (Local Law 43)

Clause 7(b)		
	General Regulation	Proposed
Construction materials	<i>All other dwelling-houses [ie. non single-storey dwellings] shall be constructed of brick, stone, concrete or similar material.</i>	Timber-stud frame construction with acrylic texture coating applied to external surfaces
<p>Clause 2B <i>"In a residential district the Council may permit land to be developed subject to such conditions as the Council deems fit:–</i></p> <p><i>a) for use for a purpose which is not permitted in that district;</i></p> <p><i>b) notwithstanding that the developments will not comply with the standard or requirement prescribed by this by-law in that district.</i></p> <p><i>if the Council is satisfied by an absolute majority that:–</i></p> <p><i>i) the development would be consistent with the orderly and proper planning of the locality and the preservation of its amenities; and</i></p> <p><i>ii) the use to be made of the land and the non-compliance with the prescribed standard or requirement will not have any adverse effect upon the occupiers or users of the development or the property in or the inhabitants of the locality or the likely future development of the locality".</i></p>		

Assessment

- The application proposes a timber-stud frame construction with acrylic texture coating (ie. rendered-looking finish) applied to external surfaces for the second storey addition. The rest of the existing dwelling will remain a rendered finish, similar to that of many other dwellings on Glengariff Drive.
- The cladding is proposed to be a similar colour to the rest of the dwelling, resulting in the local amenity not being significantly impacted by the appearance of the material proposed.
- Notwithstanding the above, the majority of the additions is at the rear of the site and will not be visible from the street or the majority of neighbouring properties.

For the above reasons, the application is considered to meet Clause 2B of Local Law 43 and it is therefore recommended that the application be approved with nil conditions.

FINANCIAL IMPLICATIONS:

Costs may be incurred by the Town if the landowner requests a review of the determination from the State Administrative Tribunal (SAT).

LEGISLATIVE CONSIDERATIONS:

- *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*

STRATEGIC DIRECTION:

The recommendations of this Report are consistent with the following aspects of the Town's Strategic Community Plan 2018 - 2028:-

Our Neighbourhoods

Goal 4: Neighbourhoods where individual character and quality is respected, and planning is responsive to residents

Strategy 4.3: Ensure new development is harmonious with established residences and respects our existing 'sense of place' and our unique character

Strategy 4.4: Enhance and respect our existing streetscapes, setbacks and green spaces.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the provisions of *Local Planning Scheme No. 1* and *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That, in accordance with the provisions of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43), Council APPROVES BY AN ABSOLUTE MAJORITY the application for variations to Local Law 43 at Lot 1719 (No. 31) Glengariff Drive, Floreat as shown on the attached plans stamped received 10 January 2020, subject to nil conditions.

Motion put and CARRIED (5/0)

DV20.9 LOT 201 (NO. 39) HESPERIA AVENUE, CITY BEACH - TWO-STOREY DWELLING WITH UNDERCROFT GARAGE - VARIATION TO LOCAL LAW 43

PURPOSE OF REPORT:

The purpose of this report is for Council to determine an application which does not comply with cl7(b) of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43) as the dwelling is to contain Colorbond metal cladding in lieu of a masonry finish.

It is recommended that Council approves the application.

AUTHORITY/DISCRETION:

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input checked="" type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

DELEGATION:

Clause 2B of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43) requires Council to determine development applications which do not meet the requirements of Local Law 43.

BACKGROUND:

Address:	Lot 201 (No.39) Hesperia Avenue, City Beach
Report Date:	12 February 2019
File Reference:	DA19/0258
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Statutory Planning, Jennifer Heyes
Contributing Officer:	Senior Statutory Planning Officer, Ryan Munyard
Reporting Officer Interest:	Nil
Attachments:	1. Aerial Plan (1 page) 2. Development Plans (8 pages)
Applicant:	Motivo Design Studio
Owner:	Kelley Shaughnessy
Zoning:	Residential R12.5
Precinct:	P1: City Beach
Development Description:	Two-Storey Dwelling with Undercroft Garage
Development Value:	\$150,000
Existing Land Use:	N/A
Proposed Land Use:	Dwelling (Single)
Land Area:	867m ²
Heritage Listing:	No
Application Date:	12 September 2019
Application Process Days:	159 days (Applicant consented to a time extension)

DETAILS:

Site Context

The site is currently vacant as a result of a seven lot subdivision approved by the Western Australian Planning Commission in August 2015. To date, construction of dwellings on five of the seven respective lots has commenced.

The site slopes upwards from the road by approximately 7.5m to the rear of the property. Surrounding development within the locality generally consists of single or two storey dwellings with undercroft carparking.

Application History

In February 2020, the Town approved a development application for a two-storey dwelling with undercroft garage on the site.

Proposal

The application proposes a two-storey dwelling with undercroft garage on the site. The dwelling is to be of a masonry construction, with portions of its elevations clad in Colorbond material, in lieu of a masonry finish.

CONSULTATION:

Public Consultation

The application was advertised for a period of 14 days in accordance with the Town's *Local Planning Policy 1.2 - Public Notification of Planning Proposals*. No submissions were received in response to the application.

STATUTORY ASSESSMENT:

Local Law 43 - Buildings on Endowment Lands & Limekilns Estate (Local Law 43)

Clause 7(b)		
	General Regulation	Proposed
Construction materials	<i>All other dwelling-houses [ie. non single-storey dwellings] shall be constructed of brick, stone, concrete or similar material.</i>	Colorbond metal cladding
Clause 2B <i>"In a residential district the Council may permit land to be developed subject to such conditions as the Council deems fit:-</i> a) <i>for use for a purpose which is not permitted in that district;</i> b) <i>notwithstanding that the developments will not comply with the standard or requirement prescribed by this by-law in that district.</i> <i>if the Council is satisfied by an absolute majority that:-</i> i) <i>the development would be consistent with the orderly and proper planning of the locality and the preservation of its amenities; and</i> ii) <i>the use to be made of the land and the non-compliance with the prescribed standard or requirement will not have any adverse effect upon the occupiers or users of the development or the property in or the inhabitants of the locality or the likely future development of the locality".</i>		

Assessment

- The application proposes a masonry construction with Colorbond metal materials to clad portions of the external surfaces of the dwelling.
- The cladding is proposed to be a similar colour to the rest of the dwelling, resulting in the local amenity not being significantly impacted by the appearance of the material proposed.
- The portions of the dwelling that are to be clad are located behind the front balcony, which has a rendered masonry finish. It is considered that the clad portions of the dwelling set back in relation to the front balcony assists in minimising any aesthetic concerns to the street.

For the above reasons, the application is considered to meet Clause 2B of Local Law 43 and it is therefore recommended that the application be approved with a condition prohibiting zincalume, white or off-white for the cladding due to potential reflectivity issues.

FINANCIAL IMPLICATIONS:

Costs may be incurred by the Town if the landowner requests a review of the determination from the State Administrative Tribunal (SAT).

LEGISLATIVE CONSIDERATIONS:

- *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*

STRATEGIC DIRECTION:

The recommendations of this Report are consistent with the following aspects of the Town's Strategic Community Plan 2018 - 2028:-

Our Neighbourhoods

Goal 4: Neighbourhoods where individual character and quality is respected, and planning is responsive to residents

Strategy 4.3: Ensure new development is harmonious with established residences and respects our existing 'sense of place' and our unique character

Strategy 4.4: Enhance and respect our existing streetscapes, setbacks and green spaces.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy. The requirements for consultation have been satisfied under the provisions of *Local Planning Scheme No. 1* and *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

Committee Meeting 18 February 2020

During discussion, Mayor Shannon expressed concern regarding the colour of the proposed cladding. The Administration was requested to provide further information on how much of the dwelling presenting to the street will consist of the dark coloured cladding, prior to the next meeting of Council.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That, in accordance with the provisions of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43), Council APPROVES BY AN ABSOLUTE MAJORITY the application for variations to Local Law 43 at Lot 201 (No. 39) Hesperia Avenue, City Beach as shown on the attached plans stamped received 23 January 2020, subject to the following condition.

- 1. The cladding colour shall not be zincalume, white or off-white.**

Motion put and CARRIED (3/2)

For: Crs Everett, McKerracher and Nelson
Against: Mayor Shannon and Cr Haddon-Casey

DV20.10 LOCAL PLANNING POLICY 2.4: P4: WEMBLEY – RESULTS OF ADVERTISING AND FINAL ADOPTION

PURPOSE OF REPORT:

The purpose of this report is to present the results of advertising of draft Local Planning Policy 2.4: Wembley (Policy) and recommend that the Policy be adopted with no further modification.

SUMMARY:

At its meeting held on 17 December 2019, Council resolved to advertise draft Local Planning Policy 2.4: Wembley (10.8). The draft Policy was advertised between 30 November 2019 and 20 January 2020. The Town received one (1) submission during this period.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	N/A
Report Date:	21 January 2020
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Strategic Planning, Brett Cammell
Contributing Officer:	Strategic Planning Officer, Chris Della Bona
Reporting Officer Interest:	Nil
Attachments:	1. Draft LPP2.4 – For adoption 2. Schedule of submissions

BACKGROUND:

Relevant recent background to this report is provided as follows:

- 25 June 2019:
 - Council resolved to adopt an amended Local Planning Policy 2.4: Wembley Precinct for the purposes of public advertising (DV19.72).
- 6 July 2019 to 26 August 2019:
 - Amended LPP2.4 was publically advertised, seven submissions received, four supportive with comment submissions, and three submissions providing comment.

- 30 August 2019:
 - Amendment 38 to the Local Planning Scheme No. 1 (the Scheme) was gazetted, introducing zone objectives, including objectives for the Local Centre Zone.
- 24 September 2019:
 - Submissions received and a modified LPP2.4 were presented to Council for adoption (DV19.125).
 - Council resolved to '*defer the item ... for one month to enable further legal advice to be obtained*'.
- 26 November 2019
 - Legal advice obtained and a new amended Local Planning Policy 2.4: Wembley Precinct was prepared.
 - Council resolved to adopt the new amended Local Planning Policy 2.4: Wembley Precinct for the purposes of public advertising (10.8).

CONSULTATION:

The Policy was advertised in accordance with Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Policy 1.2: Public Notification of Planning Proposals. The submission period ran for an extended period due to the holiday period and to allow additional time for the public to provide comment. The submission period was 51 days, commencing 30 November 2019 and concluding 20 January 2020.

At the conclusion of the submission period, one submission was received. The submission neither supported nor objected to the draft Policy, providing a general comment on residential development in Wembley.

DETAILS:

Consideration of submissions

Attachment 2 to this report is the full schedule of submissions. The submission received made observations about the compatibility of the character of new residential developments in Simper Street, with the existing character of the streetscape.

A specific action of the Town's Local Planning Strategy (LPS) is to '*undertake analysis and prepare a Character and Heritage Strategy to guide new development within identified character precincts and streets.*' The Town has commenced work on a project called Character Study for Suburbs which will analyse each of Wembley's sub-precincts and produce development standards for each of the sub-precincts. As such, the defining of precinct character and subsequent development standards has not been included in the draft Policy, at this stage. This action aligns directly with these submissions, and the suggestions made by the submission will be incorporated into this work.

As such, it is recommended that the draft LPP2.4 that was publically advertised (Attachment 1) be adopted without further modifications.

POLICY/STATUTORY IMPLICATIONS:

Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* outlines the requirements relating to the preparation of local planning policies.

A local planning policy is a discretionary instrument which may address strategic and operational considerations in relation to the assessment and determination of development applications. It does not form part of a Scheme and cannot bind the council in respect of an application or planning matter. A local planning policy adopted under a town planning scheme also cannot vary or override any legislative or regulatory requirement. If Council resolves to adopt the Policy, future decisions on development applications in the Local Centre Zone must have due regard to the intent and provisions of the Policy.

RISK MANAGEMENT IMPLICATIONS:

Medium: Finalising the advertised amendments to the Policy is important to ensure appropriate consideration is given to the Policy by decision makers.

FINANCIAL IMPLICATIONS:

There are no direct financial implications associated with the recommendations of this report. Costs incurred preparing and advertising the Policy were spent from the Town's Operating Budget for FY2019/20.

STRATEGIC DIRECTION:

The recommendations of this report are consistent with the following aspects of the Town's Strategic Community Plan 2018 - 2028 as follows:

Our Neighbourhoods

Goal 4: Neighbourhoods where individual character and quality is respected, and planning is responsive to residents

Strategy 4.1 Examine and better identify through planning and consultation those features and qualities which define our individual neighbourhoods

Strategy 4.3 Ensure new development is harmonious with established residences and respects our existing 'sense of place' and our unique character

COMMUNITY ENGAGEMENT:

The Policy was advertised in accordance with Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Local Planning Policy 1.2: Public Notification of Planning Proposals which is considered to meet the requirements of the Town's Community Engagement Policy.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That Council, in accordance with Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:-

- 1. ADOPTS the draft Local Planning Policy 2.4: Wembley, as shown in Attachment 1; and**
- 2. PUBLISHES a public notice of the adopted Policy in a local newspaper and on the Town's website and NOTIFIES persons who made a submission on the advertised Policy of Council's resolution.**

Motion put and CARRIED (5/0)

DV20.11 DRAFT LOCAL PLANNING POLICY 3.24: DETERMINING NATURAL GROUND LEVELS – ADOPTION FOR THE PURPOSE OF ADVERTISING

PURPOSE OF REPORT:

This report presents a new draft local planning policy for Council's consideration.

SUMMARY:

A number of development standards in the Town's local planning framework utilise natural ground level as a method for calculating the height of buildings and structures for assessment. While the Residential Design Codes (R-Codes) defines natural ground level, there is a level of ambiguity and uncertainty in establishing the natural ground levels of land preceding development. The draft Local Planning Policy (Attachment 1) establishes how the Town will determine natural ground levels of land preceding development, using the Department of Lands & Surveys 1975 Perth BG34 1:2000 contour levels (Attachment 2) as a baseline data for determining the levels. The purpose of this report is to present the draft Local Planning Policy 3.24: Determining Natural Ground Levels for adoption for the purpose of advertising.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input checked="" type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	N/A
Report Date:	24 January 2020
Responsible Officer:	Director Planning and Development, Marlane Lavery
Reporting Officer:	Manager Strategic Planning, Brett Cammell
Contributing Officer:	Strategic Planning Officer, Chris Della Bona
Reporting Officer Interest:	Nil
Attachments:	<ol style="list-style-type: none"> 1. Draft LPP3.24: Determining Natural Ground Levels 2. Department of Lands & Surveys 1975 Perth BG34 1:2000 series maps

BACKGROUND:

The R-Codes defines natural ground level as 'the levels on a site which precede the proposed development, excluding any site works unless approved by the decision-maker or established as part of the subdivision of the land preceding development'. In *Lee and City of Cockburn [2008] WASAT 268*, the SAT considered the application of the R-Codes definition of natural ground level to be the ground level of a building site in its natural state existing at the date of the proposed development, as opposed to an artificially modified state.

It can sometimes be difficult to determine pre-development natural ground level, as the Town does not always have data for these levels and while the Lee case indicated levels can be interpolated using various methods, they may be costly and impractical to apply in many situations. As such, the Town has prepared Local Planning Policy 3.24: Determining Natural Ground Levels (Attachment 1) to clarify what the Town considers appropriate to determine pre-development natural ground levels.

DETAILS:

Introduction

The introduction of the draft policy highlights the necessity of the policy, referencing the Lee decision and clarifying the role of the policy in providing certainty to applicants about how the Town will determine natural ground levels preceding development.

Application

The draft policy will be applicable to all development in the Town.

Objectives

The objectives section of the draft policy identifies the expected outcomes of the policy, largely that the policy is to provide guidance and to ensure that development is reflective of the natural slope of the land.

Definitions

The draft policy does not modify the R-Codes definition of natural ground level, as this is not a section that can specifically amended by a local planning policy without WAPC approval, as per clause 7.3 of the R-Codes. However, for non-residential development, where the R-Codes do not apply, the Town's framework does not contain a definition of natural ground level, as such the R-Codes definition of natural ground level has been replicated for non-residential development.

Provisions

The draft LPP3.24 outlines that the standard natural ground levels the Town will use to establish the natural ground level of a site preceding development are the Department of Lands & Surveys 1975 Perth BG34 1:2000 (Attachment 2). These are the oldest contour maps the Town currently has available in order to determine site levels preceding development and as such are considered to be the most appropriate. Other local governments also use maps from this same series for natural ground level calculation (eg. Town of Mosman Park and City of Melville).

The draft LPP3.24 does, however, allow for some circumstances where the Department of Lands & Surveys 1975 Perth BG34 1:2000 contour levels are not necessarily appropriate. Those circumstances are as follows:

- Where a more appropriate district-wide survey level is considered by the Town to be more appropriate;
- Where a planning or land tool (eg. A Local Development Plan) specifies a nominated natural ground level; or
- Where an applicant has demonstrated, through an interpolation method conducted by a licensed surveyor.

By providing these other options to applicants, this allows the policy to be flexible in its approach in calculating the natural ground levels preceding development.

POLICY/STATUTORY IMPLICATIONS:

Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* outlines the requirements relating to the preparation of local planning policies.

A local planning policy is a discretionary instrument which may address strategic and operational considerations in relation to the assessment and determination of development applications. It does not form part of a Scheme, and cannot bind the Council in respect of an application or planning matter. A local planning policy adopted under a town planning scheme also cannot vary or override any legislative or regulatory requirement. If Council resolves to adopt the Policy, future decisions on development applications must have due regard to the intent and provisions of the policy.

RISK MANAGEMENT IMPLICATIONS:

Medium: It is important to be clear how the Town determines natural ground level to ensure appropriate application and measurement of building height in assessing and determining development applications.

FINANCIAL IMPLICATIONS:

There are no direct financial implications associated with the recommendations of this report.

STRATEGIC DIRECTION:

The recommendations of this report are consistent with the following aspects of the Town's Strategic Community Plan 2018 - 2028 as follows:

Our Neighbourhoods

Goal 4: Neighbourhoods where individual character and quality is respected, and planning is responsive to residents

Strategy 4.3 Ensure new development is harmonious with established residences and respects our existing 'sense of place' and our unique character

Strategy 4.4 Enhance and respect our existing streetscapes, setbacks and green spaces

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Town's Community Engagement Policy. The requirements for consultation will be satisfied by the following statutory requirements.

The draft LPP3.24 will be advertised pursuant to the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2, Part 2 Clause 5. Advertising will consist of the following:

- Advertisements be placed in the local newspaper under the Cambridge noticeboard; and
- A notice and copy of the draft amended policy on the Town's website.

Following the conclusion of the advertising period, the *Planning and Development (Local Planning Schemes) Regulations 2015* require the Town to review the draft policy in light of any submissions made and resolve to:

- Proceed with the policy without modifications; or
- Proceed with the policy with modifications; or
- Not to proceed with the policy.

If the Council resolves to proceed, LPP3.24 will be updated.

ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That Council, in accordance with Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:-

- 1. ADOPTS draft Local Planning Policy 3.24: Determining Natural Ground Levels, as shown in Attachment 1, for the purpose of advertising; and**
- 2. ADVERTISES the draft Local Planning Policy 3.24: Determining Natural Ground Levels, as shown in Attachment 1, by publication of a notice in the local newspaper circulating within the Town and on the Town's website.**

Committee Meeting 18 February 2020

AMENDMENT:

Moved by Cr McKerracher, seconded by Mayor Shannon

That clause 1 of the Local Planning Policy 3.24 be amended to read as follows:-

1. Natural Ground Level Preceding Development

For the purpose of establishing the *natural ground level of a site*, 'the levels on a site which precede the proposed development' means the levels shown on the Department of Lands & Surveys 1975 Perth BG34 1:2000 series maps unless the Town determines that:

- 1.1 a particular district-wide survey level is more appropriate, in which case these levels are considered to be the level on a site preceding development; or**

Amendment put and CARRIED (4/1)

For: Mayor Shannon, Crs Haddon-Casey, McKerracher and Nelson
Against: Cr Everett

COMMITTEE RECOMMENDATION:

That Council, in accordance with Schedule 2, Part 2, Clause 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:-

- 1. ADOPTS draft Local Planning Policy 3.24: Determining Natural Ground Levels, as shown in Attachment 1, for the purpose of advertising, subject to clause 1 of the Policy being amended to read as follows:-**

Natural Ground Level Preceding Development

For the purpose of establishing the natural ground level of a site, 'the levels on a site which precede the proposed development' means the levels shown on the Department of Lands & Surveys 1975 Perth BG34 1:2000 series maps unless the Town determines that:

- 1.1 a particular district-wide survey level is more appropriate, in which case these levels are considered to be the level on a site preceding development;
or***
- 2. ADVERTISES the draft Local Planning Policy 3.24: Determining Natural Ground Levels, as shown in Attachment 1, by publication of a notice in the local newspaper circulating within the Town and on the Town's website.**

Motion put and CARRIED (5/0)

DV20.12 OPEN SPACE AND COMMUNITY INFRASTRUCTURE STRATEGY – PROJECT PLAN AND RESOURCING

PURPOSE OF REPORT:

The purpose of this report is for Council to consider an outline project plan and resourcing implications for the preparation of an Open Space and Community Infrastructure Strategy in 2020.

SUMMARY:

It is recommended that the project plan outlined in this report be endorsed in principle, and that a consultant be sourced to deliver the project, due mainly to capacity and skills limitations within the Town.

AUTHORITY / DISCRETION

- Advocacy When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes & policies.
- Review When the Council operates as a review authority on decisions made by Officers for appeal purposes.
- Quasi-Judicial When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
- Information For the Council/Committee to note.

Address/Property Location:	N/A
Report Date:	28 January 2020
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Strategic Planning, Brett Cammell
Contributing Officers:	Manager Parks and Natural Environment, Andrew Head Manager Community Services, Priya Narula
Reporting Officer Interest:	Nil
Attachments:	Nil

BACKGROUND:

Preparation of an open space strategy and community infrastructure strategy have been identified as key projects for the Town, as evidenced in the following excerpts from the Town's corporate and strategic documents.

Strategic Community Plan 2018-2028

'Our Community' four year priorities:

- Public Open Space Strategy
- Progressively review and revitalise community facilities

Strategy 2.1: Adopt a more strategic and coordinated approach to the planning of our parks and greenspaces recognising their diverse roles and local community preferences.

Draft Local Planning Strategy 2019 (LPS)

The Town's draft LPS will be formally advertised during the first half of 2020 and it is hoped that the LPS will be given final approval by the Minister for Planning by the end of 2020.

The draft LPS identifies six supporting strategies for more specific areas of the Town, including an 'Open Space and Community Infrastructure Strategy':



The LPS also identifies eight guiding planning principles, with accompanying objectives. The 'principle' and 'objectives' for Public Realm and Open Space and Community Infrastructure and Facilities are as follows:

Public Realm and Open Space: Improve the usability and accessibility of open space areas and the public realm to improve amenity and encourage active lifestyles and community wellbeing.

Proximity and Usability: To improve the usability, accessibility and amenity of the public realm and open space areas.

Regional Accessibility: Maintain and enhance current usability and accessibility for residents and visitors throughout the Town to regional open space and sporting facilities.

Tree canopy: To maintain and expand upon the tree canopy throughout all suburban and urban precincts.

Community Infrastructure and Facilities: Ensure the provision of high quality community infrastructure and facilities that are responsive to the changing needs of the community and reinforce a sense of place within that community.

Meeting Community Need: To respond to the changing demographic needs of the Town with community infrastructure designed to meet those needs.

Activation of Places: To encourage activation of places within the town through integration and delivery of community infrastructure and facilities.

Sustainable Funding Mechanism: To ensure that community infrastructure planning is supported by sustainable funding mechanisms that attribute costs equitably amongst beneficiaries.

Strategic Planning priority projects

The preparation of a Public Open Space Strategy (also incorporating Community Infrastructure) is identified as a 'priority project' for the Strategic Planning business unit for financial year 2019/20 (refer Council minutes 25 June 2019, DV19.74).

DETAILS:

Desktop level audit and analysis of the Town's open spaces and community infrastructure facilities was undertaken during the preparation of the LPS, contained in Part 2 of that document. This information is still valid and can be incorporated into the Open Space and Community Infrastructure Strategy (OS&CI Strategy).

The University of Western Australia's Australian Urban Design Research Centre (AUDRC) were also engaged to undertake more detailed mapping of the Town's open spaces, including walkability and access analysis, during 2019. This work is now complete and can be used in the OS&CI Strategy however unfortunately took longer than anticipated due largely to discrepancies in the available geographic information systems (GIS) data.

The following table outlines the proposed project plan for the OS&CI Strategy, for Council's consideration.

	Task	Resources
1.	<p>Audit and analysis of current facilities</p> <p>1. Open Space</p> <p style="padding-left: 20px;">a. Classification into Department of Sport and Recreation categories – Sport, Recreation and Nature</p> <p style="padding-left: 20px;">b. Classification into Local, Neighbourhood, District and Regional</p> <p style="padding-left: 20px;">c. Mapping of catchments associated with the above</p> <p style="padding-left: 20px;">d. Gap analysis</p> <p style="padding-left: 20px;">e. Functionality of spaces – what facilities are provided eg. playground, BBQs, soccer pitch etc</p> <p>2. Community Infrastructure</p> <p style="padding-left: 20px;">a. Listing of assets and functionality within Town.</p> <p style="padding-left: 20px;">b. Listing of infrastructure outside of Town but still within 'usable' proximity to Town's residents.</p>	<p>Mapping audit undertaken by AUDRC.</p> <p>Asset management records for facilities.</p> <p>Partially complete.</p>
2.	<p>Review of relevant plans, including but not limited to:</p> <p>1. ToC Bicycle Plan</p> <p>2. Alderbury Reserve Masterplan</p> <p>3. Lake Monger Activity Plan</p> <p>4. Disability, Access and Inclusion Plan</p> <p>5. Age-Friendly Community Plan</p> <p>6. Local Planning Strategy</p> <p>7. West Leederville Activity Centre Plan</p> <p>8. Perry Lakes Management Plan</p> <p>9. Lake Monger Management Plan</p> <p>10. Adjoining local government's Open Space and Community Infrastructure Plans</p>	<p>Data collection and literature review of current documents.</p>

3.	Identification of stakeholders	Database of sporting clubs and users of facilities. Department of Sport and Recreation. Parks and Leisure Australia. Department of Education (school areas). Adjoining local governments. Stakeholder list has been prepared for the open spaces, however is incomplete for community facilities at this stage.
4.	Review current usage levels and trends. Identify issues. Community and club input is important at this stage.	Census data Club membership data Community facility usage data Engagement with clubs and associated users – workshops and/or surveys. Community survey / workshops to capture informal usage Literature review
5.	Project population and demographic changes and trends	Population ID WA Tomorrow forecasts Local Planning Strategy
6.	Determine benchmark service provision for the Town 1. Open Space a. Walkability and accessibility targets b. Quality and type of facilities to be provided per park classification 2. Community Infrastructure a. Facility per population and needs	Department of Sport and Recreation benchmarks. Parks and Leisure Australia benchmarks. Heart Foundation publications. Local Planning Strategy Review of other comparable local government benchmarks.
7.	Apply benchmarking to projected population and demographic changes.	
8.	Identify and address overprovision and/or gaps.	Mapping
9.	Develop action plan	
10.	Prepare final Strategy	Graphic design, mapping
11.	Consultation on final Strategy	Contact with previous participants. Preference for online responses.
12.	Consideration of submissions and final adoption	

Resourcing

The scope of this project is considerable and will involve a number of stakeholders, including all Directorates of the Town as well as the many sporting and community groups who use the facilities. Due largely to existing workload and similar priority projects being undertaken within the Strategic Planning business unit, it is considered beyond the capacity of the Town to undertake this project in-house. Even if workloads and priorities could be addressed, there are limitations within the organisation's capacity that will impact on the delivery of this project. These limitations are outlined as follows:

- Project management – a dedicated officer is not available for this task within the Town, rather the project will be managed alongside other strategic planning priority projects.
- Community engagement and facilitation – whilst planning staff have some experience and exposure to community engagement, consultation at this level is considered more appropriately and efficiently undertaken by an external engagement professional. Such professionals have the expertise and resources to manage consultation events, conduct workshops and seek valid and quality feedback. There is also an advantage to having an ‘independent’ facilitator for such consultation to avoid perceptions that the Town may have already determined an outcome or where there may have been prior disagreement or conflict that may impact on the engagement process.
- Graphical and mapping capacity – the Town does not possess suitable capacity in this area in-house to prepare graphical material for this project – either audit mapping, scenario mapping, presentation of consultation material or documents.

It is considered the most effective and efficient method to deliver this project will be to engage a consultancy that specialises in community infrastructure and open space planning, as well as community engagement. Engagement of speciality consultants has worked well to deliver the Economic Development Strategy, Sustainability Strategy and Local Planning Strategy in recent years and a review of other local government’s equivalent open space strategies shows many also seek consultancy assistance. As detailed below, there are sufficient funds allocated within the current 2019/20 Budget to engage a consultant to lead this project.

Town of Cambridge staff will attend and be actively involved in the community engagement stages of the project to ensure the community’s views are heard first hand and to build upon (and establish) relationships with the many stakeholders.

Procurement

Subject to Council’s resolution, the Town will proceed to engage an appropriate consultant based generally on this project plan, in accordance with the Town’s procurement policy and processes. It is considered appropriate to invite alternative or modified approaches to the project plan from consultants in order to formulate the best approach. It is for this reason that the resolution recommends Council endorse the project plan ‘*in principle*’ to allow for such alternatives or modifications.

The value of the consultancy is expected to be well less than the tender threshold and can therefore be advertised as a ‘Request for Quotation’ and the consultant appointed by the Town’s administration.

POLICY/STATUTORY IMPLICATIONS:

There are no identified Policy/Statutory Implications associated with the recommendations of this report.

RISK MANAGEMENT IMPLICATIONS:

Low: It is important to set a strategic direction for this matter, however there are not considered any notable immediate risks to the Town should this project not proceed at this time.

FINANCIAL IMPLICATIONS:

The 2019/20 Budget allocates \$300,000 for 'Strategic Projects' under 'Planning', including \$100,000 of carry forwards from contracts entered into during the 2018/19 financial year. A sufficient amount from this budget line has been apportioned to engage a consultancy for the OS&CI Strategy.

The 2019/20 Budget also allocates \$30,000 for 'Public Area Open Space Strategy – Phase 1 Framework' under 'Parks and Reserves'.

STRATEGIC DIRECTION:

The recommendations of this report are consistent with the following aspects of the Town's Strategic Community Plan 2018 - 2028 as follows:

Our Community

Four year priority: Public Open Space Strategy

Goal 2: Quality local parks and open spaces for the community to enjoy

Strategy 2.1 Adopt a more strategic and coordinated approach to the planning of our parks and greenspaces recognising their diverse roles and local community preferences.

Strategy 2.2 Improve the maintenance and provision of amenities in our local parks and district open spaces reflecting local values and priorities and the broader regional demand on facilities.

COMMUNITY ENGAGEMENT:

No community engagement on the content of this report is required at this stage, having regard to Policy 1.2.11 'Community Engagement' and Local Planning Policy 1.2 'Public Notification and Advertising Procedures'.

Considerable community engagement will be undertaken during the preparation of the OS&CI Strategy as outlined above. Consultation material will be provided to Elected Members for review prior to consultation events in accordance with Policy 1.2.15 'Public Consultation Material'.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That Council APPROVES, in principle, the Project Plan and resourcing recommendation outlined in this report for the preparation of an Open Space and Community Infrastructure Strategy during 2020.

Motion put and CARRIED (5/0)

DV20.13 ST JOHN WA MEMORANDUM OF UNDERSTANDING – REVIEW AND FUTURE INITIATIVES

PURPOSE OF REPORT:

The purpose of this report is for Council to note the work undertaken to date with St John WA partnership since 2018 and to approve continuing this worthwhile arrangement for next financial year.

SUMMARY:

It is recommended to continue the partnership with St John WA through the ongoing maintenance of Town First Aid supplies, utilising the free community engagement activities and engaging St John WA for all the Town's event first aid services. All staff first aid training and accreditation will continue to be run through St John WA and the Town will also promote the St John WA Community Transport Services to the local community.

AUTHORITY / DISCRETION

- Advocacy When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes & policies.
- Review When the Council operates as a review authority on decisions made by Officers for appeal purposes.
- Quasi-Judicial When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
- Information For the Council/Committee to note.

Address/Property Location:	N/A
Report Date:	12 February 2020
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Regulatory Services, Steve Cleaver
Contributing Officer:	Community Safety Officer – Claire Turnbull
Reporting Officer Interest:	NIL
Attachment(s):	1. MOU between Town and St John WA 2. Defibrillator Coverage Map 2020

BACKGROUND:

Council, at its meeting on 22 May 2018, endorsed a two year Memorandum of Understanding (MOU) between the Town and St John WA which outlined key outcomes to make the Town a "St John WA Safe Town". The initiatives identified were:

1. Training
2. Safe Assessments
3. Defibrillators
4. Event Health Services
5. Community Transport Services
6. Marketing and cross promotional activities

Council resolved that:-

- (i) the St John WA Safe Cambridge Town program be endorsed for a two year period;*
- (ii) a Memorandum of Understanding (MOU) between St John WA be finalised by the Town's Chief Executive Officer;*
- (iii) a total amount of \$35,000 be allocated in Year 1 to accommodate various St John WA - Cambridge Safe Town programs/initiatives which represents an additional amount of \$18,000 being required for inclusion in the 2018/2019 Draft Budget; and*
- (iv) further funds be included in the 2019/2020 financial year and reviewed as part of the Town's budget deliberation process.*

DETAILS:

Access Defibrillators:

Since 2018, the Town has installed 13 external 24/7 Access Defibrillators and associated cabinets at the following venues:-

1. Leederville Sporting Club (also covers Leederville Town Hall and vicinity)
2. Wembley Community Centre
3. Lake Monger Reserve (3)
4. Perry Lakes Reserve (2)
5. Wembley Sports Park/Pat Goodridge Reserve
6. Cambridge Croquet Club
7. Lake Monger Recreation Club
8. Floreat Oval
9. Beecroft Park
10. Grantham/Selby Reserve
11. Cowden Park
12. Floreat Beach (Surf Club)
13. City Beach (Clancy's)

Prior to the defibrillators being installed an audit was undertaken of locations that already had defibrillators and from this St John WA recommended where the Town needed to provide extra coverage.

Training:

As part of the MOU, Town staff also accessed relevant St John WA First Aid Training at a discount, with 43 staff members having undertaken training since 1 July 2018. First Aid training will continue as required when staff qualifications need renewing.

Safe Assessments:

Safe Assessments were undertaken at all Town venues and recommendations were made in relation to First Aid equipment and subsequently additional first aid supplies and cabinets were installed.

Event Health Assessments:

Event Health Services provided at Town events including Christmas at Lake Monger, Australia Day, Music in the Park engaged St John WA to provide First Aid at these events. These costs were already incorporated in the annual event budgets.

The St John WA Community Engagement team also provided their engagement activities at all Town events and provided opportunities throughout school holidays including at the Floreat Forum and the Boulevard Centre, where a Teen Driver First Aid session was held. They have also provided First Aid Awareness activities at the Cambridge Library for children from Kindy up to under 12's.

Future Direction:

The direction for January to June 2020 is to provide defibrillators in north City Beach which is one of the areas that still requires coverage and 5 other areas as identified by St John WA (Defibrillator Map - Attachment 2). Once this is completed the Town will have a Community First Responder Service Defibrillator within a 500m radius throughout the entire Town, which was the goal of the St John WA Safe Town. Ongoing costs for financial year 2020/2021 would then only consist of maintenance of the defibrillators and minor consumables.

Community Engagement will also provide the following engagement activities:-

1. Primary age First Aid
2. New Driver session
3. Seniors Session
4. Snake bite session
5. Sprains & Strains - targeting local sporting clubs
6. Choking and Anaphylaxis - targeting parents

It is proposed for 2020/2021 the following is included in the MOU;

1. Ongoing maintenance budget for annual first aid box checks and additional first aid supplies
2. First Aid Training to continue on a as needs basis (individual department training budget)
3. Community Engagement (no cost)
4. Event Health Services (event budget)

POLICY/STATUTORY IMPLICATIONS:

Local Government Act 1995

RISK MANAGEMENT IMPLICATIONS:

Low: The partnership arrangements with St John WA improves community safety and has been well received by the community to date. The risks to the Town of Cambridge is regarded as low.

FINANCIAL IMPLICATIONS:

It is proposed that a budget of \$5,000 be included in the 2020/2021 draft budget to cover the cost of ongoing first aid supplies/checks. It should be noted that other St John Ambulance costs will be incorporated into training and event expenditure accounts in the budget making the total expenditure with St Johns approximately \$20000 for financial year 2020/2021.

STRATEGIC DIRECTION:

This report recommendation is consistent with the following strategies of the Town's Strategic Community Plan 2018-2028:-

Our Community Life

Goal 3: An active and, safe and inclusive community.

Strategy 3.4 Act to create and maintain safe, friendly and open environments that residents can access and enjoy

COMMUNITY ENGAGEMENT:

The recommendation of this report has been assessed against the Community Engagement Policy and Community Engagement Framework. No specific consultation on the content or recommendation of this report is required.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That Council:-

- 1. RECEIVES the report relating to the review of St John WA Memorandum of Understanding; and**
- 2. APPROVES an amount of \$5,000 to be listed for consideration in the 2020/2021 Draft Budget for ongoing St John WA services.**

Motion put and CARRIED (5/0)

DV20.14 BENT PARK, CITY BEACH – REPORTING OF STATUTORY CONSULTATION AND APPROVAL OF CHANGES TO DOG OFF LEASH TIME

PURPOSE OF REPORT:

The purpose of this report is to advise Council that no submissions were received at the close of the statutory consultation period and for Council to approve of the changes for dogs to be permitted to be 'off-leash'.

SUMMARY:

Following the required twenty eight day advertising period stipulated in the Dog Act 1976 Council should note that no submissions have been received and that Bent Park, City Beach dog on leash times shall be amended to be on leash 10.00 am to 4.00 pm weekdays excluding public holidays.

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input checked="" type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	Bent Park, Bent St, City Beach
Report Date:	12 February 2020
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Regulatory Services, Steve Cleaver
Contributing Officer:	A/Coordinator Rangers & Community Safety Services, Mark Allies
Reporting Officer Interest:	Nil
Attachment(s):	Nil

BACKGROUND:

At the August 2019 Ordinary Council meeting, a petition from local residents was presented to Council requesting that "*Council removes all on-leash time restrictions and make Bent Park a 24/7 off-leash dog park*". Council subsequently resolved that the Administration investigate the matter and report back.

The Administration subsequently surveyed 265 adjoining residents with the majority of residents supporting a relaxation of the on leash requirements. At the November 2019 meeting, Council further considered the matter in relation to the number of dog attacks that occur in the park and resolved to reduce the on leash times for dogs utilising Bent Park to 10am - 4pm.

The Dog Act 1976 requires statutory advertising to be carried out prior to Council approving of any changes.

DETAILS:

A statutory notice was therefore advertised on 12 December 2019 in the Western Suburbs Weekly and 14 December 2019 in the Post newspaper for a period exceeding 28 Days with a closing date for written submissions of 31 January 2020. This is a statutory requirement of the Dog Act 1976. At the close of the advertising period, no objections were received.

Given that there were no objections for the minor change, it is therefore recommended that Council now resolves to extend the hours available to dog owners to exercise their dogs off leash be implemented. Signage has been updated and will be deployed as soon as is practicable to reflect the changes.

POLICY/STATUTORY IMPLICATIONS:

The Dog Act 1976 section 31(3A)

FINANCIAL IMPLICATIONS:

Funds are included in the Budget 2019-20 for signage.

RISK MANAGEMENT IMPLICATIONS:

Low Changes to Dog off leash times at Bent Park are minor changes to the existing current arrangements. Risk to the Town are therefore low.

STRATEGIC DIRECTION:

The recommendations of this report are consistent with the following aspects of the Town's Strategic Community Plan 2018-2028:-

Goal 2: Quality local parks and open spaces for the community to enjoy

Strategy 2.1 Adopt a more strategic and coordinated approach to the planning of our parks and greenspaces recognising their diverse roles and local community preferences

Strategy 2.2 Improve the maintenance and provision of amenities in our local parks and district open spaces reflecting local values and priorities and the broader regional demand on facilities

Goal 3: An active, safe and inclusive community

Strategy 3.1 Focus on improving and expanding those places where community groups interact to encourage greater participation

COMMUNITY ENGAGEMENT:

It is recommended that the Town's Rangers implement a one (1) month period of issuing 'Cautions' and educating the community.

Information to the community is also required to ensure they are informed of the changes.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That Council:

- 1. NOTES that no submissions were received as a result of the statutory advertising the proposed changes to the Bent Street Park dog exercise areas;**
- 2. APPROVES BY AN ABSOLUTE MAJORITY, pursuant to section 31 of the *Dog Act 1976*, the changes to the Dog Off Leash times at Bent Street Park, City Beach as follows:**
 - 2.1 Dogs required to be 'on-leash' from 10am to 4pm weekdays (excluding public holidays);**
 - 2.2 Permitted to be 'off-leash' at all times on Saturday, Sunday and public holidays; and**
- 3. APPROVES:**
 - 3.1 the Bent Street Park signage to be upgraded to reflect the changes;**
 - 3.2 the advertising of the changes to the Bent Street Park Dog exercise area, to inform the community of the changes; and**
 - 3.3 the Town's Rangers to implement a period of issuing cautions and providing education for a one month period.**

Motion put and CARRIED BY AN ABSOLUTE MAJORITY (5/0)

**DV20.15 BUILDING PERMITS APPROVED UNDER DELEGATED AUTHORITY
DECEMBER 2019 AND JANUARY 2020**

PURPOSE OF REPORT:

The purpose of this report is to receive the register of Building Permits issued under delegated Authority.

SUMMARY:

The report details building approvals issued under delegated authority

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input checked="" type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	N/A
Report Date:	4/02/2020
File Reference:	N/A
Responsible Officer:	Director Planning and Development, Marlaine Lavery
Reporting Officer:	Manager Regulatory Services, Steven Cleaver
Contributing Officer:	N/A
Reporting Officer Interest:	Nil
Attachment(s):	1. Building Approvals (9 pages)

BACKGROUND:

Listed below are the total numbers of permits issued for the months of December 2019 and January 2020. Also shown are the comparative figures of the numbers of permits issued on the same months of the previous year and year to date fields.

	December 2019 & January 2020	December 2018 & January 2019	Financial Year to date 2019/2020	Corresponding Financial Year to date 2018/2019
Building Permits (Certified)	65	51	241	140
Building Permits (Uncertified)	18	21	64	59
Demolition Permits	10	14	27	25
Building Approval Certificate (Unauthorised Work)	2	1	11	4
Building Approval Certificate (Strata)	2		3	1
Occupancy Permits	0		7	3
Occupancy Permits (strata)	0		0	3
Total	97	87	353	235
Value of Construction	\$ 55,314,671.68	\$16,371,671.20	\$94,978,562.56	\$47,326,509.20

POLICY/STATUTORY IMPLICATIONS:

Building Act 2011.

RISK MANAGEMENT IMPLICATIONS:

Low As Approvals have already been issued under delegated authority by the Town's Building surveyor the risks to the Council are low.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

STRATEGIC DIRECTION:

The recommendations of this report are consistent with the following aspects of the Town's Strategic Community Plan 2018-2028:-

Our Community Life

Goal 3 An active and, safe and inclusive community.

Strategy 3.4 Act to create and maintain safe, friendly and open environments that residents can access and enjoy

Our Council

Goal 11 An efficient local government

Strategy 11.3 Embrace innovation and continuously strive to improve services delivered to the community

Committee Meeting 18 February 2020

Proximity Interest Declaration – Cr Nelson

Prior to consideration of the item, Cr Nelson, in accordance with Section 5.65 of the Local Government Act 1995, declared a proximity interest in the matter as his neighbour had a building permit approved under delegated authority. Cr Nelson left the meeting at 7.04 pm.

Financial Interest Declaration – Cr Haddon-Casey

Prior to consideration of the item, Cr Haddon-Casey, in accordance with Section 5.65 of the Local Government Act 1995, declared a financial interest in the matter as her husband had a building permit approved under delegated authority. Cr Haddon-Casey left the meeting at 7.04 pm.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That Council RECEIVES the Schedule of Building and Demolition Permits approved under delegated authority for the months of December 2019 and January 2020 as attached to and forming part of the notice paper.

Motion put and CARRIED (3/0)

(Crs Haddon-Casey and Cr Nelson not present in the Council Chamber)

Crs Haddon-Casey and Cr Nelson returned to the meeting at 7.06 pm.

8. CONFIDENTIAL REPORTS

PROCEDURAL MOTION:

Meeting Behind Closed Doors

Moved by Cr McKerracher, seconded by Mayor Shannon

That the following matters be regarded as confidential in accordance with Section 5.23 (2)(d) of the *Local Government Act 1995*.

Motion put and CARRIED (5/0)

At 7.06 pm, the Presiding Member requested all persons other than Elected Members and Council Officers to leave the Council Chamber.

DV20.16 LAND NOT SUBJECT TO A RESIDENTIAL DENSITY CODE - DISCUSSION
--

Financial Interest Declaration – Cr Everett

Prior to consideration of the item, Cr Everett, in accordance with Section 5.65 of the *Local Government Act 1995*, declared a financial interest in this matter as he owns a property within one of those areas not covered by a density code. Cr Everett left the meeting at 7.07 pm.

Mayor Shannon assumed the chair during Cr Everett's absence from the Council Chamber.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That Council:

- 1. NOTES the information and legal advice contained and attached to this report; and**
- 2. RESOLVES to incorporate further review of the land not subject to a residential density code into the preparation of a new local planning scheme and map, scheduled to occur later in 2020.**

Motion put and CARRIED (3/1)

(Cr Everett was not present in the Council Chamber)

For: Mayor Shannon, Crs Haddon-Casey and Nelson
Against: Cr McKerracher

DV20.17 LEGAL ADVICE REGARDING THE MERITS OF AN APPLICATION FOR JUDICIAL REVIEW TO THE SUPREME COURT OF WESTERN AUSTRALIA – JDAP DECISION – ABBOTSFORD HOSPITAL

Financial Interest Declaration – Cr Everett

Prior to consideration of the item, Cr Everett, in accordance with Section 5.65 of the *Local Government Act 1995*, declared a financial interest in this matter as he has lodged a submission on the development proposal considered by JDAP at 61 Cambridge Street. Cr Everett left the meeting at 7.07 pm.

Mayor Shannon assumed the chair during Cr Everett's absence from the Council Chamber.

COMMITTEE RECOMMENDATION:

Moved by Cr Haddon-Casey, seconded by Cr McKerracher

That the item be submitted to Council for determination.

Motion put and CARRIED (4/0)
(Cr Everett was not present in the Council chamber)

PROCEDURAL MOTION:

Moved by Cr Nelson, seconded by Cr McKerracher

That Council RESUMES as an open meeting.

Motion put and CARRIED (4/0)
(Cr Everett was not present in the Council chamber)

COMMUNITY AND RESOURCES COMMITTEE

17 FEBRUARY 2020

ORDER OF BUSINESS

- 1. DECLARATION OF OPENING**
- 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
- 3. PUBLIC QUESTION TIME**
- 4. DEPUTATIONS AND PETITIONS**
- 5. CONFIRMATION OF MINUTES**
- 6. DECLARATION OF MEMBERS' INTERESTS**
- 7. REPORTS**

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7.2 COMMUNITY SERVICES

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7.3 CORPORATE BUSINESS

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8. CLOSURE

MINUTES OF THE MEETING OF COMMUNITY AND RESOURCES COMMITTEE OF THE TOWN OF CAMBRIDGE HELD AT THE ADMINISTRATION/CIVIC CENTRE, 1 BOLD PARK DRIVE, FLOREAT ON 17 FEBRUARY 2020.

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

Present:	Time of Entering	Time of Leaving
Members:		
Cr Andres Timmermanis (Presiding Member)	6.00 pm	8.22 pm
Mayor Keri Shannon	6.00 pm	8.22 pm
Cr Kate Barlow	6.00 pm	8.22 pm
Cr Rod Bradley	6.00 pm	8.22 pm
Cr Gary Mack	6.00 pm	8.22 pm

Observers:

Nil

Officers:

John Giorgi, JP, Chief Executive Officer
Kelton Hincks, Director Infrastructure & Works
Cam Robbins, Director Corporate & Community Services
Roy Ruitenga, Manager Finance
Peter Foxcroft, Manager Technical Services & Works (until 7.20 pm)
Andrew Head, Manager Parks & Natural Environment (until 7.47 pm)
Priya Narula, Manager Community Development (until 7.48 pm)
Denise Ribbands, Senior Governance Officer

Members of the Public:

Approximately 12 persons

Media:

1 person (Until 8.06 pm)

Adjournments:

Nil

Time meeting closed:

8.22 pm

APOLOGIES/LEAVE OF ABSENCE

Nil

3. PUBLIC QUESTION TIME

Daniel Israel, 7A Newry Street, Floreat

Question 1

Why were residents of Newry Street East not included in the decision to install parking restrictions on Newry Street East?

Response

The Director Infrastructure advised that further community consultation to determine a long term solution for the parking issue in the area will be undertaken.

Question 2

What is the scheme at the western end of Newry Street supposed to do and why was it implemented? What was the rationale for it? Is it to protect residents from parking at the Forum? Why was the same consideration not given to residents at the eastern end of Newry Street?

Response

The Chief Executive Officer advised that the question would be 'taken on notice' and a response will be sent.

Question 3

When was it decided by Council that Newry Street East would be a designated car park for the City?

Response

The Chief Executive Officer advised that the question would be 'taken on notice' and a response will be sent.

Leslie Howe, 80 Newry Street, Floreat

Question 1

If 350 letters were sent out to residents affected by the proposed Birkdale/Cambridge Street intersection works, why did I not receive one?

Response

The Presiding Member advised that letters were sent out to residents within a 400m radius of the intersection.

Question 2

I understand from talking to businesses on Cambridge Street and Birkdale Street that they do not want these works, so why are we changing the intersection?

Response

The Chief Executive Officer advised that it was as a result of two requests from residents in Newry Street East. A site inspection was carried out by the Administration and some Elected Members following which some options were prepared which went out for community consultation, and that is the subject of the report tonight. Council will determine whether any of the options will be proceeded with. One of the options at this stage is that they do nothing other than some traffic calming works on Cambridge Street.

Question 3

With all these changes, are people still going to have the convenience of going to the chemist shop, the corner shop, the fish and chip shop? From what I have seen, it does not look like this is going to happen.

Response

The Presiding Member advised that, as outlined in the report, there are a number of options upon which Elected Members will have to decide upon. Elected Members will be taking on board the views of the community very seriously.

Lisa Van Erp, 7A Newry Street, Floreat

Question 1

I am pleased to read that there will be further community consultation taking place. What is the timeline for the execution of the community consultation?

Response

The Director Infrastructure advised that the question would be 'taken on notice' and a response will be sent.

The Presiding Members advised that the Administration is not able to act without a decision of Council but once the decision is made, it will be enacted as quickly as possible.

4. DEPUTATIONS AND PETITIONS

A petition containing 51 signatures has been submitted by Denise Murphy, 33 Newry Street and Stephanie Alderman, 46 Newry Street, Floreat requesting that the Council resolve an alternative solution to the planned changes to parking restrictions along the eastern end of Newry Street.

Moved by Cr Mack, seconded by Cr Barlow

That in accordance with Clause 3.5 of the Town of Cambridge *Meeting Procedures Local Law 2019*, the petition be received.

Motion put and CARRIED (5/0)

5. CONFIRMATION OF MINUTES

Moved by Mayor Shannon, seconded by Cr Mack

That the Minutes of the Ordinary meeting of the Community and Resources Committee held on 9 December 2019 as contained in the December 2019 Council Notice Paper be confirmed.

Motion put and CARRIED (5/0)

6. DECLARATION OF MEMBERS' INTERESTS

Nil

7. REPORTS

CR20.1 PROPOSED STREETScape IMPROVEMENTS AT CAMBRIDGE AND BIRKDALE STREET INTERSECTION – CONSIDERATION OF SUBMISSIONS

PURPOSE OF REPORT:

The purpose of this report is to inform Council of the submissions received and seek approval of action to be taken, as detailed in the report.

SUMMARY:

This report details the results of the community consultation for the proposed streetscape improvements options at the Cambridge Street and Birkdale Street intersection.

The report also seeks Council approval to continue engaging with the community to find an acceptable outcome to address the community concerns on the type of improvements that will create a safer environment for the area as well as pursuing an outcome with Main Roads WA on the installation of speed limiting signs.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	Cambridge and Birkdale Street, Floreat
Report Date:	14 February 2020
Responsible Officer:	Director Infrastructure and Works, Kelton Hincks
Reporting Officer:	Manager Technical Services and Works, Peter Foxcroft
Contributing Officer:	Coordinator Design, Waste and Technical Services, Kevin White
Reporting Officer Interest:	Nil
Attachment(s):	1. Concept Options for Cambridge and Birkdale Street Intersection 2. Powerpoint presentation to Businesses and Residents

BACKGROUND:

The intersection of Cambridge Street and Birkdale Street is a small commercial area that occupies approximately 100 metres of Cambridge Street and 100 metres of Birkdale Street. The western approach has a long, steep slope down to Birkdale Street that appears to encourage higher traffic speeds.

Prior to 2003, Cambridge Street was four lanes between Howtree Place and Selby Street. The intersection at Birkdale Street was a traffic blackspot with 23 crashes having been reported to Police over a five year period between 1996 and 2000.

In 2003/2004, improvement works were carried out which reduced Cambridge Street to two traffic lanes and two parking lanes, resulting with an improvement in traffic and pedestrian safety.

In 2012/2013, right-angle parking bays and brick-paved footpaths were added to the commercial section of Birkdale Street, north of Cambridge Street partly funded by a contribution from the developer of the child care facility.

In the five year period 2013-2017, Police crash data reports 5 crashes with another reported crash occurring at the intersection in December 2019.

The Town has proposed for future budget consideration, the construction of angled parking bays within Birkdale Street, south of Cambridge Street.

Since 2003, the businesses in this area have steadily developed, with the alfresco areas becoming popular with residents. As a result, the Town has received requests concerning:

1. Perception of high traffic speeds of east-bound traffic on Cambridge Street;
2. Parking being difficult at the right angled bays;
3. Insufficient parking;
4. No accessibility parking available;
5. Crossing Cambridge Street is difficult;
6. Requests for barricades to protect pedestrians and diners from possible car crashes;
7. Street-scaping and right angle parking of Birkdale Street south of Cambridge Street; and
8. Verge paving on Birkdale Street south of Cambridge Street

A study of traffic, pedestrian and cycle movements at the intersection was carried out in November 2018, which confirmed that a significant amount of pedestrian, cyclist and traffic movements occur at this intersection.

In April 2019, Main Roads WA installed pedestrian crossing warning signs on the median islands at the intersection.

Community consultation was undertaken in accordance with Council's decision on 15 October 2019 (CR10.7) as follows:-

That Council:-

1. *APPROVES community consultation to be carried out with the business operators and residents in the vicinity of the intersection of Cambridge Street/Birkdale Street, Floreat business precinct to obtain feedback associated with four concept designs for the Cambridge Street/Birkdale Street intersection;*
2. *REQUESTS:*
 - 2.1 *The following Concept Options to be included in the community consultation:*
 - 2.1.1 *Option 1A - Birkdale Street Cul-de-sac with extended alfresco;*
 - 2.1.2 *Option 1B - Birkdale Street Cul-de-sac with parking;*

2.1.3 Option 2 - Birkdale Street Cul-de-sac with restricted access to Cambridge Street;

2.1.4 Option 3 - Left-In and Left-Out from Birkdale Street with narrow road lanes; and

2.1.5 General feedback on consideration of speed control on Cambridge Street/Birkdale Street, Floreat; and

2.2 That a further report be submitted to Council by no later than February 2020, with results of the community consultation and indicative cost estimates for the various options, for possible inclusion in the Draft Budget 2020-21.

DETAILS:

The Town's Administration undertook community consultation on 11 November 2020 with business operators and residents in the vicinity of the Cambridge and Birkdale Street intersection.

The consultation period ended on 13 December 2020.

Four developed concept design options were approved by Council to be included in the consultation which addressed the community concerns of:

1. Traffic speeds on Cambridge Street;
2. Pedestrian crossing safety;
3. Traffic safety; and
4. Amenity of the area as a commercial area.

A fifth option was included in the community consultation that was to "do nothing" with a general comments section.

Results of the Community Consultation Survey

Options

1. Birkdale Street Cul-de-sac with extended alfresco;
2. Birkdale Street Cul-de-sac with parking;
3. Birkdale Street Cul-de-sac with restricted access to Cambridge Street;
4. Left-In and Left-Out from Birkdale Street with narrow road lanes; and
5. Do nothing and general feedback.

Results	Total No. in Support	Total No. in Support (from town residents)
Option 1	63	59
Option 2	23	19
Option 3	17	15
Option 4	79	69
Option 5	45	40
Suggested Alternate Option	82	69
Total	309	271

Suggested Alternate Option	Suggestions provided
	Reduce speed to 40km
	Reduce speed to 50km
	Roundabout
	Speed humps
	Traffic Calming
	Pedestrian crossing
	Crossing with lights
	Reduce speed sign with lights
	Traffic light at intersection

General feedback - 57 responses supported speed reduction along Cambridge Street.

Separate Petitions Received

Petition 1

Submitted 12 December 2019.

All signature are dated from **November 2019 to December 2019**.

- Oppose the proposed partial or total closure of the Cambridge-Birkdale Street Intersection; and
- Respectfully request slowing the speed limit on Cambridge Street in the vicinity from Lissadell Street to Selby Street to 40kph.

	All Signatories	Residents Only	Non-Residents
Petition Numbers	37	21	16

Petition 2

Submitted 13 December 2019.

All signature are dated from **November 2019 to December 2019**.

- Oppose the proposed partial or total closure of the Cambridge-Birkdale Street Intersection; and
- Respectfully request slowing the speed limit on Cambridge Street in the vicinity from Lissadell Street to Selby Street to 40kph.

	All Signatories	Residents Only	Non-Residents
Petition Numbers	432	241	191

Estimated construction costs for proposed Options 1 - 4

Option 1 - Birkdale Street Cul-de-sac with extended alfresco = \$150,000;
Option 2 - Birkdale Street Cul-de-sac with parking = \$150,000;
Option 3 - Birkdale Street Cul-de-sac with restricted access to Cambridge Street = \$160,000;
Option 4 - Left-In and Left-Out from Birkdale Street with narrow road lanes = \$165,000; and
Option 5 – Do nothing and general feedback.

Discussion with Main Roads WA

The Town contacted Main Roads WA on 9 December 2019 requesting Main Roads WA considers 40kp/h speed limiting signs along Cambridge Street located east of Birkdale Street and Lissadell Street.

Response from Main Roads on 9 December 2019 stated this speed reduction would be inappropriate and listed the criteria required to be considered for the installation of 40kp/h speed limiting signs along Cambridge Street.

Criteria conditions are as follows:

4.1.2 Linear Speed Zones of 40 km/h

The road section shall be fully contained within a recognisable and dedicated tourist, recreation, conservation, shopping, commercial or industrial area / precinct / reserve subject to the following:

Two-way single carriageway roads shall have a seal width of at least 5.0 metres;

Traffic volumes shall exceed 100 vpd on a typical weekday;

The start and end of the road section should have a threshold treatment;

Minimum length of the speed zone shall be 400 metres;

Mid-block speed-reducing devices shall be provided where the length exceeds 400 metres or where devices are necessary to create a speed environment consistent with the speed zone; and

The 85th percentile speed for motor vehicles on existing roads, or expected on new roads, shall not be greater than 50 km/h or less than 30 km/h.

The Town submitted a second request on 20 December 2019 for the installation of 40kp/h speed limiting signs along Cambridge Street and seeking clarification of the criteria conditions to satisfy the signs installation. The Town also requested a meeting with Main Roads WA to discuss the issue.

A meeting with Main Roads WA was held on 14 January 2020 to discuss the issue with the Town proposing solutions to satisfy the criteria conditions to reduce vehicle speed along Cambridge Street in the vicinity of Birkdale Street.

Main Roads WA still held the position that, due to the road classification of Cambridge Street being a “district distributor” and the 85th percentile recorded speed was below the current posted 60 km/h speed limiting signage, they would not support the request.

Main Roads WA did inform the Town that Cambridge Street came under the control of the Town and, as such, could not stop the Town from undertaking measures to reduce traffic speed in the area with the future view of installing variable speed signs at the Town’s cost. There would be six variable speed signs required, four along Cambridge Street and two in Birkdale Street at a cost of approximately \$10,000 each for solar powered signs or \$20,000 each connected to the underground power supply.

Main Roads WA formally responded to the Town on 20 January 2020 not supporting the 40km/h speed limiting signs being installed along Cambridge Street in the vicinity of Birkdale Street.

POLICY/STATUTORY IMPLICATIONS:

This report is guided by Policy 5.2.21 Road Traffic Policy.

RISK MANAGEMENT IMPLICATIONS:

Low: The Town will mitigate risk by designing and constructing the agreed streetscaping works in accordance with the appropriate Australian Standards and good work practices.

FINANCIAL IMPLICATIONS:

There are no funds in the 2019-20 Budget, as this matter arose after the adoption of the 2019-20 Budget.

The cost of the preferred option will be determined following further public consultation. Funding will be requested for possible inclusion as part of the draft 2020-21 Budget submission.

STRATEGIC DIRECTION:

The report recommendation embraces the following strategies of the Town's Strategic Community Plan 2018-2028:-

Goal 1: A sense of community, pride and belonging

Strategy 1.1 Encourage and support participation in a range of public activities and events where residents can gather and interact

Strategy 1.2 Promote our strong community identity and focus our responses on the needs of local residents, businesses and ratepayers

Goal 5: Successful commercial, retail and residential hubs

Strategy 5.1 Ensure future planning recognises the emerging diverse role, mixed use potential and opportunities of our centres, and integrates change and growth with surrounding local areas.

COMMUNITY ENGAGEMENT:

Extensive community consultation with affected business operators and residents along this section of Cambridge Street and Birkdale Street has been undertaken to provide this report. A meeting regarding this intersection was held with the directly affected business owners of this intersect on Thursday, 6 February 2020, with approximately 30 business proprietors in attendance. A meeting was also held with directly affected residents on Thursday, 13 February 2020, with approximately 50 residents in attendance.

It is proposed that a Project Reference Group be established to provide advice to the Town and to receive input from business proprietors and local residents, with the following Terms of Reference:

Cambridge and Birkdale Street Precinct Project Reference Group Terms of Reference

1. Title:

The name of the Working shall be the ' Cambridge and Birkdale Street Precinct Project Reference Group (the Reference Group).

2. Purpose:

The Purpose of the Reference Group is to provide guidance, assistance and comments on matters relating to the Cambridge and Birkdale streets intersection and local precinct. On completion of the Project, the Reference Group will cease to exist.

3. Relevant/Guiding Legislation:

All relevant Federal and State Legislation, Town of Cambridge Local Laws and Policies, which are applicable to the role and/or functions of the Reference Group.

4. Membership

- 4.1 The Reference Group will comprise of the appointments approved by Council.
- 4.2 Invitations will be extended to two (2) Business Proprietors and two (2) residents from the locality.
- 4.3 Appointments to the Reference Group will be for the duration of the project or until the ordinary local government elections in October 2021.
- 4.4 Vacant Elected Member positions will be filled by Council Resolution.
- 4.5 The Chief Executive Officer and Director Infrastructure and Works may attend Reference Group Meetings. Other Town Officers, as nominated by the Chief Executive Officer, may also attend.

5. Meetings

- 5.1 A quorum must be present before a meeting can proceed, with the quorum consisting of at least half of the total number of voting Members, ie three (3).
- 5.2 The Chair (or deputy Chair if Chair is unavailable) will preside at Reference Group Meetings.
- 5.3 Members will elect a Deputy chair.
- 5.4 Recommendations from the Reference Group will be reported to the Community and Resources Committee.
- 5.5 In addition to the relevant provisions of the Local Government Act 1995, Reference Group Members will cease to be a Member, if they:
 - (a) Resign from the Reference Group;
 - (b) Fail to attend 3 consecutive meetings without submitting an apology;
 - (c) Resign from Elected Office or employment with the Town of Cambridge; or
 - (d) Breach confidentiality, or the Code of Conduct.
- 5.6 Meetings shall be held bi-monthly, or as required, at the discretion of the Chair.

6. Role of Chair:

The Chair will:

- 6.1 Schedule meetings and provide notification to all Reference Group Members.
- 6.2 Liaise with the Town of Cambridge's Administrative representatives.
- 6.3 Chair and guide meetings according to the agenda.

7. Administrative Support:

The Chief Executive Officer and/or his/her nominee will provide administrative support and advice to the Reference Group as follows:

- 7.1 Issue meeting notices.
- 7.2 Prepare agendas, including all necessary documentation required for discussion or comment.
- 7.3 Distribute agendas not less than 72 hours prior to the meeting.
- 7.4 Prepare and distribute Minutes within 10 working days of the meeting.

8. Delegation:

The Reference Group is an advisory group only. In accordance with the status of similar groups, the Reference Group does not have delegated decision making powers, and will report its recommendations through Administration to the Community and Resources Committee for ultimate consideration by the Council.

9. General:

Neither the Reference Group nor its individual Members shall direct Town of Cambridge Staff, nor incur or approve any expenditure. Staff participating in Reference Group meetings may however, provide administrative support to, and information for, the Reference Group, provided the requests do not impact on Council resources or inhibit or prevent Staff from performing their duties. Any tasks requiring a major commitment from Staff must be approved by the Chief Executive Officer or Council.

The Chief Executive Officer shall determine the appropriate level of Staff involvement in the Reference Group's work.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council:

- 1. CONSIDERS the submissions of the community consultation conducted for the proposed streetscape improvements options at the Cambridge and Birkdale Streets intersection;**
- 2. APPROVES the establishment of a 'Cambridge and Birkdale Street Precinct' Project Reference Group;**

3. **APPROVES** the Terms of Reference for the 'Cambridge and Birkdale Street Precinct' Reference Group, as detailed in this report, and appoints the following to the Steering Committee:
 - (a) (Chair) -
 - (b) Cr
 - (c) Cr
 - (d) Chief Executive Officer
 - (e) Director Infrastructure and Works
 - (f) Two Business Proprietors, as determined by the Council
 - (g) Two local Residents, as determined by the Council
 - (h) Other Town of Cambridge Officers, as nominated by the Chief Executive Officer;
4. **ENDORSES** further community engagement to find an acceptable outcome for the business operators and residents in the locality;
5. **NOTES** the discussions held to date with Main Roads WA to install 40km/h speed limiting signs along Cambridge Street in the vicinity of Birkdale Street;
6. **LISTS FOR CONSIDERATION** the Cambridge and Birkdale Street Precinct Project in the draft Budget 2020-21; and
7. **REQUESTS** that a further report be submitted to Council no later than May 2020 with preferred design options and cost estimates, following further community consultation.

Motion put and **CARRIED** (5/0)

CR20.2 NEWRY STREET, FLOREAT- PARKING RESTRICTION PROGRESS REPORT

PURPOSE OF REPORT:

The purpose of this report is to inform Council of the feedback received and seek Council approval for further engagement with the community.

SUMMARY:

As per the 15 October 2019 Council decision (CR10.6), this report updates the Council on its decision to install 22 marked car bays on the northern side of Newry Street East with “no parking on verge” and “2P parking restriction” signs (business and resident permits excepted).

This report also seeks Council approval to continue engaging with the community to find an acceptable parking outcome for residents and business operators in the vicinity that have been affected by the introduction of the parking restrictions.

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input checked="" type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	Newry Street, Floreat
Report Date:	10 February 2020
Responsible Officer:	Director Infrastructure and Works, Kelton Hincks
Reporting Officer:	Manager Technical Services and Works, Peter Foxcroft
Contributing Officer:	Coordinator Design, Waste and Technical Services, Kevin White
Reporting Officer Interest:	Nil
Attachment(s):	Nil

BACKGROUND:

In April 2019, the Administration received separate requests from two residents in Newry Street east of Birkdale Street, for the Town to consider parking restrictions in Newry Street East. The request was for a "No Parking - Resident Permit Parking Excepted" parking restriction to be implemented due to the number of vehicles parking all day that restricted parking for the residents' visitors.

On 15 October 2019 (CR10.6), the Council decided to introduce new parking times and conditions to Newry Street East, This included “No Parking Verge” on the northern side, marked parking bays on the northern side with a two hour time restriction, signed “2P Residential and Business Parking Permit Excepted” and “No Parking” on the south side of the road.

In early January 2020, the Administration installed 22 marked car bays and “No Parking Verge” and “2P Residential and Business Permit Excepted” parking restriction signs on the northern side and “No Parking” on the south side of Newry Street East.

DETAILS:

After the implementation of the parking restrictions in Newry Street East, a Town Officer conducted a site inspection and reported that no vehicles were parking in the marked bays but an increase in vehicles parking in Newry Street West was noted. The Town received shortly after the introduction of the parking restrictions negative feedback from the local businesses in the Cambridge/Birkdale Street precinct and residents of Newry Street West.

Businesses:

The concerns of the businesses were:

1. No Business Permits were available from the Town, only Commercial Permits which at a cost to the business;
2. Employees had been displaced from parking in Newry Street East and had moved to parking in Newry Street West;
3. Residents in Newry Street West were upset with the employees parking in Newry Street West;
4. A Newry Street West resident had informed an employee that the residents had decided that they could not park in Newry Street West and requested the employee to move their vehicle; and
5. An employee vehicle had been allegedly vandalised while parked in Newry Street West.

Residents:

The concerns of the Newry Street West residents were:

1. Increase in the number of vehicles parking on both side of Newry Street West;
2. Newry Street West being reduced to a single lane with vehicles having difficulty passing each other;
3. Bin truck have difficulty picking up verge bins;
4. Safety concerns for children playing in the street;
5. Safety concerns for cars reversing out of driveways; and
6. No vehicles were parking in the marked bays in Newry Street East.

On 20 January 2020, following a meeting at the Town between Councillors and the Administration, the CEO requested a “parking needs” survey to be conducted on the businesses in the area (Cambridge and Birkdale Streets precinct). The “parking needs” survey was conducted on 21 January 2020 and the results of the survey revealed that of the 27 businesses that were open at the time of the survey, there was a need for 111 parking bays for employees.

A number of employee’s park onsite and the survey highlighted that the business location on Cambridge Street determined where the employees parked, if they could not park on site.

Business employees south of Cambridge Street parked in Birkdale Street South and Salvado Road. Employees north of Cambridge Street parked in Newry Street. Of the businesses located north of Cambridge Street, 44 employees drove to work and required a place to park their vehicle. 12 employees parked on site with 32 employees requiring parking in the surrounding area. Of the 32 employees, some employees worked different hours depending on shifts and work appointments and required parking to suit those times.

On 22 January 2020, following a meeting between a Councillor and the Administration, the CEO instructed that the parking restriction signs in Newry Street East be temporarily covered to alleviate the parking situation in Newry Street West and to advise the businesses that the car bays in Newry Street East would be available to be used and if full, overflow parking would be available at the Floreat Tennis Club car park. The arrangement will be available until March so that the Administration can better understand the parking requirements for the area. The Rangers Department will undertake periodic inspections to determine if the temporary arrangement is working to the Town's satisfaction.

On 23 January 2020, the Town covered the parking restriction signs in Newry Street East and instructed the businesses that the 22 marked cars bays were available to be used by the businesses, residents and visitors to the precinct and if full, overflow parking would be available at the Floreat Tennis Club car park.

The short term solution above allows the Town to undertake further community consultation to determine a long term solution for the parking issue in the area which will be reported to the May 2020 Council meeting.

POLICY/STATUTORY IMPLICATIONS:

This report is guided by Council Parking Restrictions Policy 5.2.22

RISK MANAGEMENT IMPLICATIONS:

Low: The Council's preferred parking outcome will be designed in accordance with the appropriate Australian Standards.

FINANCIAL IMPLICATIONS:

The cost will be determined following further community consultation.

STRATEGIC DIRECTION:

The report recommendation embraces the following strategies of the Town's Strategic Community Plan 2018-2028:-

Goal 1: A sense of community, pride and belonging

Strategy 1.1 Encourage and support participation in a range of public activities and events where residents can gather and interact

Strategy 1.2 Promote our strong community identity and focus our responses on the needs of local residents, businesses and ratepayers

Goal 5: Successful commercial, retail and residential hubs

Strategy 5.1 Ensure future planning recognises the emerging diverse role, mixed use potential and opportunities of our centres, and integrates change and growth with surrounding local areas.

COMMUNITY ENGAGEMENT:

Further community consultation with affected Cambridge Street and Birkdale Street business operators and Newry Street residents to be undertaken.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council:

- 1. RECEIVES the Newry Street progress report following the implementation of parking restrictions at Birkdale East;**
- 2. APPROVES further community engagement to find an acceptable long term solution for the business proprietors and residents; and**
- 3. REQUESTS that a further report be submitted to Council by no later than May 2020 with results of further community feedback, together with various options.**

Motion put and CARRIED (5/0)

CR20.3 CITY OF SUBIACO – PRINCIPLE SHARED PATH - SALVADO ROAD

PURPOSE OF REPORT:

The purpose of this report is to inform Council of the shared path agreement with the City of Subiaco and list funds in the draft 2020-2021 Budget.

SUMMARY:

The City of Subiaco received Department of Transport's (DoT) Western Australian Bicycle Network (WABN) grant funding in 2018/19 & 2019/20 to design and construct a Principle Shared Path on Salvado Road between Bishop Street and Harborne Street.

The Town of Cambridge and the City of Subiaco had previously agreed in principle to provide a financial contribution towards the construction cost of a Principle Shared Path on approval of the grant application.

The construction cost was estimated to be \$659,800, with the Department of Transport providing a contribution of \$290,826 towards the construction costs. Both the City of Subiaco and the Town of Cambridge were to fund the remainder of the costs.

The pre design construction cost for the Town of Cambridge is estimated to be \$184,487 and the Administration now seeks Council support for the allocation of funding towards the construction of the Principal Shared Path for inclusion in the 2020/2021 annual budget.

The construction cost will be confirmed once the detailed design has been completed and a pre-tender estimate has been determined.

The purpose of this report is also to provide Council with an update in terms of progress and advise that Community Consultation will be undertaken by the City of Subiaco in February 2020. It is anticipated that the works shall commence in April 2020 and completed in June 2020.

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input checked="" type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	Salvado Road, Floreat
Report Date:	10 February 2020
Responsible Officer:	Director Infrastructure and Works, Kelton Hincks
Reporting Officer:	Manager Technical Services and Works, Peter Foxcroft
Contributing Officer:	Coordinator Design, Waste and Technical Services, Kevin White
Reporting Officer Interest:	Nil
Attachment(s):	1. Salvado Road Principle Shared Path Plans 2. Community Consultation Letter 3. Frequently Asked Questions sheet

BACKGROUND:

The Town of Cambridge's Bike Plan 2017 identified the Perth to City Beach link as a priority one cycling route. Section 4.3 of the Salvado Road Principle Shared Path plan (**See Attachment 1**) lists the Perth to City Beach route as a strategic commuter and recreational cycling route that would connect the western suburbs to Subiaco, Perth Central Business District and the Fremantle Railway line Principle Shared Path.

The Perth to City Beach route is proposed to traverse along Oceanic Drive, Alderbury Street, Salvado Road, Haydn Bunton Drive and Railway Parade on its way to the Perth Central Business District.

DETAILS:

Presently, the Salvado Road section of the Principle Shared Path has been constructed on the southern verge area of Salvado Road from Selby Street to Bishop Street.

The City of Subiaco has been successful in applying for Department of Transport and Western Australian Bicycle Network grant funding to design and construct the next section of the Principle Shared Path on the southern side of Salvado Road from Bishop Street to Harborne Street.

The City of Subiaco, Town of Cambridge and the Civil Consultant have been working together in preparing the detailed design. The detailed design has reached the 50% phase and as part of the Department of Transport funding agreement the two Local Governments are required to undertake community consultation as part of the funding agreement.

The community consultation will be undertaken in February 2020 by the City of Subiaco to all affected stakeholders in the vicinity of the proposed works. After the consultation, the feedback will be analysed and any agreed changes between the two Local Governments will be incorporated into the finalised design.

The detailed design will be completed and a construction estimate and tender documentation will be prepared for the works, it is anticipated that the works will commence in April 2020 as the Department of Transport funding agreement requires the proposed works to be constructed in the 2019/20 financial year or the remainder of the funds are to be returned to the Department of Transport.

The original construction cost for this section of the Principle Shared Path was estimated to be \$659,800 with the Department of Transport committing to provide \$290,826 towards the construction cost with the understanding that the City of Subiaco and the Town of Cambridge fund the remainder. The project scope has been amended from the original Department of Transport funding submission for the Principle Shared Path to be constructed from Bishop Street to Haydn Bunton Drive.

This amendment was due to the City of Subiaco having difficulty securing an agreement with a land lessee to construct a section of the proposed Principle Shared Path east of Harborne Street. As such, the City of Subiaco and Department of Transport agreed to the project scope change without a reduction in Department of Transport funding contribution.

The City of Subiaco has made allowance in their capital works budget to fund the remaining project cost and will request a 50% contribution from the Town. The cost will be confirmed once the detailed design has been completed.

As this project has not been included in the Town of Cambridge 2019/2020 Capital Works budget, the Town of Cambridge project contribution will be proposed for inclusion in the Town of Cambridge 2020/2021 budget.

POLICY/STATUTORY IMPLICATIONS:

This report is guided by Policy 5.2.21 Road Traffic Policy.

RISK MANAGEMENT IMPLICATIONS:

Low: The Town of Cambridge and City of Subiaco will mitigate risk by designing and constructing the agreed Principle Shared Path works in accordance with the appropriate Australian Standards and good work practices.

FINANCIAL IMPLICATIONS:

As part of the Western Australian Bicycle Network grant, the Department of Transport will fund 50% of the project with the City of Subiaco and Town of Cambridge co-funding the remaining 50% of the project costs. The City of Subiaco are prepared to fund and construct the works this financial year and have requested to seek reimbursement from the Town for the co-contribution in the following financial year. Cost of the contribution will be included for consideration in the 2020/21 budget.

STRATEGIC DIRECTION:

This report recommendation embraces the following strategies of the Town's Strategic Community Plan 2018-2028:-

Goal 3: An active, safe and inclusive community
Strategy 3.4 Act to create and maintain safe, friendly and open environments that residents can access and enjoy

Goal 4: Neighbourhoods where individual character and quality is respected, and planning is responsive to residents
Strategy 4.4 Enhance and respect our existing streetscapes, setbacks and green spaces

Goal 6: Efficient transport networks
Strategy 6.1 Coordinate our approach to transport planning, acknowledge transport pressures and respond to local needs and broader district and regional initiatives
Strategy 6.2 Engage with surrounding local governments to ensure a more coordinated response to land use and transport planning and noise impacts

Goal 7: The Town is environmentally responsible and leads by example
Strategy 7.5 Promote our environmental assets and opportunities and recognise the impacts of climate change in our strategies

Goal 10: The Town is a proactive local government that provides financially sustainable public assets, services and facilities
Strategy 10.1 Ensure appropriate resources are allocated to the preparation and implementation of day to day decision making, broader strategic planning and major projects
Strategy 10.2 Promote equity and transparency in the provision of infrastructure and services throughout the Town

Goal 12: Advocacy for the Community
Strategy 12.1 Foster key relationships with all levels of government and other major stakeholders
Strategy 12.2 Engage with surrounding local governments on key district and regional strategies and decision making

COMMUNITY ENGAGEMENT:

Community consultation with affected stakeholders will be conducted as part of the Department of Transport Western Australian Bicycle Network funding agreement, Activation, Consultation and Evaluation plan.

ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council:

- 1. RECEIVES the progress report associated with the Salvado Road Principle Shared Path as part of the Perth to City Beach route;**
- 2. APPROVES a Council commitment to progress the implementation of the Town of Cambridge Bike Plan 2017;**
- 3. SUPPORTS an allocation of \$184,487 towards the construction of the Principal Shared Path for inclusion in the 2020-2021 draft annual budget; and**
- 4. NOTES that an amendment to the existing parking restrictions will be required on the northern side of Salvado Road between Harborne and Denton Street to accommodate the works.**

Committee Meeting 17 February 2020

During discussion, Members expressed concern regarding contributing 50/50 towards the path and the loss of parking for the Town's residents on Salvado Road. In addition, the Presiding Member requested information concerning whether there was a previous commitment (Council decision, letters, documents) from the Town with the City of Subiaco.

Motion put and LOST (1/4)

For: Cr Mack
Against: Mayor Shannon, Crs Barlow, Bradley and Timmermanis

Cr Bradley departed the meeting at 7.09 pm.

The Presiding Member agreed that the item be recommitted to enable the motion to be divided into separate motions in accordance with clause 9.8 of the Town of Cambridge *Meeting Procedures Local Law 2019*.

That Council:

- 1. RECEIVES the progress report associated with the Salvado Road Principle Shared Path as part of the Perth to City Beach route;**

Motion put and CARRIED (4/0)
(Cr Bradley not present in the Council Chamber)

- 2. APPROVES a Council commitment to progress the implementation of the Town of Cambridge Bike Plan 2017;**

Discussion ensued. Cr Mack suggested that clause 2 of the motion be amended so that Council only notes its commitment to progress the implementation of the Town of Cambridge Bike Plan 2017.

In accordance with Clause 9.11 of the Town of Cambridge *Meeting Procedures Local Law 2019*, the mover of the motion with the consent of the seconder agreed to amend the motion to read as follows:

- 2. NOTES Council's commitment to progress the implementation of the Town of Cambridge Bike Plan 2017;**

Motion put and CARRIED (4/0)
(Cr Bradley not present in the Council Chamber)

- 3. SUPPORTS an allocation of \$184,487 towards the construction of the Principal Shared Path for inclusion in the 2020-2021 draft annual budget;**

Motion put and LOST (0/4)
(Cr Bradley not present in the Council Chamber)

- 4. NOTES that an amendment to the existing parking restrictions will be required on the northern side of Salvado Road between Harborne and Denton Street to accommodate the works.**

Motion put and CARRIED (4/0)
(Cr Bradley not present in the Council Chamber)

COMMITTEE RECOMMENDATION:

That Council:

- 1. RECEIVES the progress report associated with the Salvado Road Principle Shared Path as part of the Perth to City Beach route;**
- 2. NOTES Council's commitment to progress the implementation of the Town of Cambridge Bike Plan 2017; and**
- 3. NOTES that an amendment to the existing parking restrictions will be required on the northern side of Salvado Road between Harborne and Denton Street to accommodate the works.**

Cr Bradley returned to the meeting at 7.13 pm.

CR20.4 THE BOULEVARD DRAFT LANDSCAPE CONCEPT AND OTHER ICONIC ROADS

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the draft landscape plan for The Boulevard.

SUMMARY:

The enclosed plan has been prepared to address the Council decision of 23 October 2018, that the Town:

“Prepare a draft Landscape Concept Plans for the north side of The Boulevard, between Durston Road and Grantham Street, including medians and roundabouts; and the south side between Bold Park Drive and Kalinda Drive.”

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	The Boulevard
Report Date:	10 February 2020
Responsible Officer:	Director Infrastructure and Works, Kelton Hincks
Reporting Officer:	Manager Parks and Natural Environment, Andrew Head
Contributing Officer:	Senior Landscape Officer, Patrick Bewley
Reporting Officer Interest:	Nil
Attachment(s):	1. Iconic Roads – The Boulevard Draft Landscape Concept

BACKGROUND:

The Boulevard Landscape Concept was prepared to address a motion proposed and carried by the Council at its meeting held on 23 October 2018 (CR12.2), that the Town:

1. *Prepare draft Landscape Concept Plans for the following sections of The Boulevard verge: North side between Durston Road and Empire Avenue; and South side between Bold Park Drive and Kalinda Drive;*
2. *These Plans be presented in draft form in a Elected member Forum for subsequent presentation to the Development Committee and Council within two months of that Forum;*

3. *The draft Landscape Concept Plans identify (but not be limited to):*
 - *The location and type of trees proposed;*
 - *The rationale behind their selection and placement;*
 - *Relationship to the Treescape Plan;*
 - *Location of pedestrian paths and other paths (including cycle);*
 - *Areas suitable for other plantings (ie; eco zones, woodchips etc)*
 - *Potential staging and sequencing and budget implications;*
 - *Other essential public structures and infrastructure required or proposed;*
 - *Any other relevant engineering constraints/opportunities;*
4. *A programme be compiled for the preparation of further Landscape Concept Plans for other iconic roads and verges in the Town based on need and urgency, for discussion at same Elected member Forum ; and*
5. *Any current planting initiatives considered consistent with the Treescape Plan continue to be implemented and then reflected in any subsequent Concept Plan preparation.*

A background to this request was provided by Cr Everett in the 23 October 2018 Council report.

DETAILS:

Introduction

The Boulevard is an iconic Perth road and one of the Town of Cambridge's key east-west connectors, transitioning in character from urban to coastal and weaving through several key open spaces, natural areas and local centres. The Boulevard consists of several gateways which express specific landscape characters.

This landscape concept study area is flanked by Wembley Golf Course to the north and Bold Park to the south, as well as suburban areas of Floreat and City Beach.

Objectives / Vision

1. To increase tree canopy to open areas of The Boulevard, improving comfort for pedestrians, cyclists and public transport users;
2. To rationalise the landscape journey of The Boulevard through the study area and embellish key gateways;
3. To improve sense of place and accentuate existing landscape qualities of The Boulevard through native plantings;
4. To provide cost and maintenance efficient proposals with staging incorporated into the Towns works where possible ;
5. To relate proposals with existing Town strategy such as the Street Tree Masterplan (draft) and the Urban Forest Strategy (draft);
6. To develop a design template that can be applied to all the Towns iconic roads; and
7. To reduce the need for irrigation and improve the Towns water wise standards.

Context/Site Analysis

The Boulevard is an iconic roadway connecting urban areas of the Town to the coastline. The road passes through key landscapes of Bold Park and Wembley Golf Course and affluent suburbs of Floreat to City Beach. Connections with the re-established Empire Village shopping centre, key bicycle networks and sweeping ocean views are some of the key features of the drive.

The northern side of The Boulevard adjacent to Wembley Golf Course does not reflect a cohesive planting scheme, with several species of different form and character arranged sporadically along the verge. This includes plantings of Date Palm, Jacaranda, Smooth Barked Apple, Tuart, Norfolk Island and Monterey Pines.

The majority of the Southern verge of The Boulevard within the study area is adjacent to the natural areas of Bold Park and Bold Park Aquatic Centre. The surface treatment of this area is grass that is not irrigated with sporadic tree canopy cover. These areas of the southern verge contain insufficient shade cover to facilitate comfortable pedestrian use.

Entry to two of the Town's key recreational facilities - Wembley Golf Course and Bold Park Aquatic centre exist within the study area. Both of these contain significant entry statements. Bold Park Aquatic Centre which entry signage would be strengthened through additional landscaping and tree planting near the entry.

This area of The Boulevard contains key cycle links include the Perth Bicycle Network number NWP12 and bus stops to access the residential areas, golf course and aquatic centre. Additional tree canopy cover is required to improve comfort levels for cyclists and pedestrians during hot weather.

As the juvenile and semi-mature tree plantings develop along the northern verge, they will provide streetscape character and shade coverage to the verge and dual use pathway. The Southern verge currently contains insufficient tree canopy coverage to provide a comfortable pedestrian environment.

Residential development to the east of the study area include native tree and garden plantings which are well established along the verge. There are also some irrigated grass areas along the verge which are being maintained by the Town.

Key Design Proposals

1. Accentuate roundabouts as Gateways

The roundabouts within the study area represent gateways to surrounding suburbs. This includes the roundabouts of Durston St and Empire Ave which connect with Wembley Downs and Bold Park Drive which connects to Floreat and Perry Lakes open spaces. Key design proposals can be applied to these roundabouts to accentuate them as gateways. This includes:

- a) Tall white barked Gum tree planting as a gateway symbol (i.e. Eucalyptus, Cladocalyx, Corymbia Citriodora) visually links with roundabouts to the east (Grantham Street and Empire Ave); and
- b) Irrigated shrub and groundcover with seasonal flowering and foliage colour.

As a by-product, these proposals can slow vehicular, cycle and pedestrian speed and assist crossing of the road.

2. Supplementary Tree planting

There are significant areas along the Southern verge of The Boulevard which contain insufficient tree cover. This results in an uncomfortable environment for pedestrians, cyclists and drivers and discourages use of the cycleway, pedestrian path, bus stop and entry to Bold Park Aquatic and adjacent park.

The selected tree species are Tuart, Jarrah and WA Peppermint appropriate as they are well adapted to the conditions, provide suitable shade cover, and blend thematically with the existing landscape of The Boulevard.

3. Median Tree Planting

Existing median islands along The Boulevard will be subject tree planting in a continuation of the successful median planting to the east. This will form a cohesive element along the length of The Boulevard visually linking Floreat with City Beach. This will in turn increase tree canopy cover and improve the wildlife corridor between Wembley Golf Course and Bold Park natural areas.

The selected species of Spotted Gum is utilised through the Town in similar median islands and is consistent with the Treescape Plan and Street Tree Masterplan.

4. Intersection Landscaping

An attractive intersection design theme can be incorporated to improve cohesiveness and sense of place along The Boulevard journey. These interventions can include areas of flowering shrub and groundcover planting providing seasonal colour and interest. Locating these at intersections emphasizes the arrival to The Boulevard and creates a rhythm for the journey.

These works can be supplementary to the existing gardens within these areas and can be coordinated with Town winter planting works. Successful design features can be utilized as a common element through iconic roads and gateways throughout the Town.

5. Dry turf area replanting

Existing dry turf areas are to be converted to unirrigated groundcover planting in various stages. Priority areas for this treatment are the verges showing degraded turf and entrances to city assets i.e. Bold Park Aquatic Centre driveway and Wembley Golf Course. Works to be coordinated with the Town winter planting works.

6. Eco-zone planting

Existing irrigated turf areas are to be converted to irrigated planting with watering being phased out over 2-3 years. Works to be coordinated with the Town's winter planting works.

POLICY/STATUTORY IMPLICATIONS:

Policy or Statutory Implications related to this report are as follows:

Local Planning Policy 3.1 Streetscape

Policy 5.1.3 Management of Street Trees

Policy 5.2.19 Street Trees - Landscaping and Maintenance

RISK MANAGEMENT IMPLICATIONS

Low: This project does not impact the local residents to any great extent due to the majority of works identified being on verges which adjoin public land.

FINANCIAL IMPLICATIONS:

There is no financial implication in the preparation of the landscape concept as the works will be undertaken in-house.

Listed below is an Opinion of Probable Cost which details the approximate costs for the site works indicated in the draft landscape concept.

Stage #	Description	Cost
Stage 1	Accentuate Roundabouts as gateways	\$142,945
Stage 2	Supplementary tree planting	\$9,900
Stage 3	Median Tree Planting	\$33,000
Stage 4	Intersection Planting	\$78,210
Stage 5	Dry Turf Replanting	\$52,800
Stage 6	Eco-zone Planting	\$22,440
Total Cost		\$339,295
Detailed Design (5%)		16,965

Note: The above costs includes 10% contingency, and no allowance has been made for traffic management.

A portion of these works can be incorporated into the Town’s existing contracted works such as tree planting, mulching, winter groundcover planting. However, more detailed works such as gravel works surrounding roundabouts and median island trees may be required to be individual contracts.

Financial implications also include additional costs for the establishment of trees, including tree watering for a minimum of 2 years. These works can be incorporated into the Town’s maintenance works.

STRATEGIC DIRECTION:

The Landscape Concept relates to the following goals and strategies from the Town’s Community Strategic Plan 2018.

- Goal 4** **Neighbourhoods that are well planned, attractive, respectful of the character and responsive to future needs**
- Strategy 4.2 Guide new development which is in harmony with the surrounding area and retains a sense of place
- Strategy 4.3 Make neighbourhoods green and pleasant

- Goal 6** **Efficient transport networks**
- Strategy 6.1 Develop an integrated transport strategy in response to population changes

- Goal 7** **Efficient transport networks**
- Strategy 7.2 Optimise our use of ground water and improve the efficiency of our clean water consumption

COMMUNITY ENGAGEMENT:

As the tree planting works proposed do not include deviations from the Treescape Plan, a community engagement plan is not required to be prepared in accordance with policy 1.2.11 Community Engagement.

Certain works proposed in the concept may affect specific stakeholder groups such as cyclists. As such, the Town may consult with these stakeholder groups.

ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council:

- 1. APPROVES The Boulevard Landscape Concept as shown in Attachment 1;**
- 2. LISTS FOR CONSIDERATION an allocation of \$340,000 into 2020-2021 budget for detailed design and implementation on site; and**
- 3. REQUESTS Landscape Concepts be developed for the Town's other iconic roads.**

Committee Meeting 17 February 2020

During discussion, Members agreed that consideration be given to the removal of some of the medians on The Boulevard.

AMENDMENT:

Moved by Mayor Shannon, seconded by Cr Bradley

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

- 4. REQUESTS that the Administration develops a plan for the removal or rationalisation of some of the medians on The Boulevard, and submit a further report to Council.**

Amendment put and CARRIED (5/0)

COMMITTEE RECOMMENDATION:

That Council:

- 1. APPROVES The Boulevard Landscape Concept as shown in Attachment 1;**
- 2. LISTS FOR CONSIDERATION an allocation of \$340,000 into 2020-2021 budget for detailed design and implementation on site;**
- 3. REQUESTS Landscape Concepts be developed for the Town's other iconic roads; and**
- 4. REQUESTS that the Administration develops a plan for the removal or rationalisation of some of the medians on The Boulevard, and submit a further report to Council.**

Motion put and CARRIED (5/0)

CR20.5 URBAN FOREST STRATEGY – ADOPTION FOR CONSULTATION

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the draft Urban Forrestr Strategy and seek approval for community consultation.

SUMMARY:

A review of the Town's Treescape Plan was commenced in September 2018 as it was coming to the end of its 10 year life span. The review found a benefit in revisiting the plan and separating it into three separate documents: 'The Urban Forest Strategy', the 'Street Tree Masterplan' and an 'Internal Procedures Manual'.

The Urban Forest Strategy will be the first of these documents to be taken to public consultation, followed by the Street Tree Masterplan. As the internal procedures manual will contain operational information, it will not require public consultation.

The Urban Forest Strategy reviews the benefits of the urban forest, analyses the context and trends of the Town's urban forest and provides strategies and actions to ensure a healthy urban forest for the Town. It is proposed that the revised Urban Forest Strategy is taken to public consultation, and that feedback is tabled and reported to the Council.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	N/A
Report Date:	10 February 2020
Responsible Officer:	Director Infrastructure and Works, Kelton Hincks
Reporting Officer:	Manager Parks and Natural Environment, Andrew Head
Contributing Officer:	Senior Landscape Officer, Patrick Bewley
Reporting Officer Interest:	Nil
Attachment(s):	1. Draft Urban Forest Strategy

BACKGROUND:

The need for an Urban Forest Strategy was first raised with the Council in June 2017 (CR17.90) as a requirement to "address the trees and vegetation on public and private land in a manner that positively impacts our lives, enhances the green visual amenity, contributes to the health of the natural environment and helps create a more resilient sustainable future for the Town".

More recently, the Council has expressed interest in the Town developing an Urban Forest Strategy as identified in the Community Strategic Community Plan 2017-27 under Strategy 7.5 'Prepare for the effects of Climate Change'.

A review of the Town's Treescape Plan was approved by the Council in September 2018 (CR18.143), and it was found that there was a benefit in revisiting and creating three separate documents:

1. The Urban Forest Strategy;
2. The Street Tree Masterplan; and
3. Internal Procedures Manual.

The proposal for the three separate documents was discussed at a presentation to the Elected Members forum in November 2019 and was supported by the Elected Members for presentation at the February 2020 Ordinary Council Meeting.

The Town undertook a review of the Draft Urban Forest Strategy in October 2019, with feedback raised at the Elected Members Forum on 12 November 2019. These comments have been incorporated into the revised Draft Urban Forest Strategy.

DETAILS:

It has been established that healthy tree canopy and vegetation can provide many benefits to the community such as mitigating heat island effect and factors of climate change.

The Urban Forest Strategy provides a vision to strengthen this: *To ensure the sustainability of the Towns urban forest and to retain & strengthen the existing tree canopy within the Town through development of key strategies & actions.*

Key Goals of the Strategy are to:

1. To protect and enhance the Town's urban forest;
2. To foster an appreciation and pride for our urban forest;
3. To ensure the resilience of our urban forest; and
4. To implement green infrastructure initiatives to improve the Town's spaces.

The Strategy presents findings of a Town commissioned Analysis of Canopy Cover from 2012 - 2018. This report presented aerial survey data and analysing the trends and patterns of the Towns urban forest, including the decline in tree canopy in some areas.

The Strategy lists the challenges facing the urban forest and promotes areas that the Town can develop tree canopy cover and vegetation, and concludes with strategies, actions and KPI's for the Town to address the vision of the Urban Forest Strategy over the coming 5 years.

Initial comments from the Council have been addressed in the revised Urban Forest Strategy. These include:

1. A tree selection table and several tree species which were not included in the Town's Treescape Plan species list;
2. Removal of some tree species found to be problematic in the aforementioned list;
3. Several actions to improve the Town's tree cover (e.g. greening laneways, removing unnecessary hardscape, etc);
4. Promotion of the Town's urban forest; and
5. Enhancing the Town's iconic streets.

POLICY/STATUTORY IMPLICATIONS:

Policy or Statutory Implications related to this report are as follows:

Local Planning Policy 3.1 Streetscape

Policy 5.1.3 – ‘Management of Street Trees’

Policy 5.1.5 – ‘Street Tree Protection during Property Development’

Policy 5.2.19 – ‘Street Trees - Landscaping and Maintenance’

RISK MANAGEMENT IMPLICATIONS

Low: This strategy will help guide the monitoring and decision making regarding the urban forest within Cambridge, without it the Town may risk losing further vegetation cover through increased density of development of private land and through natural attrition.

FINANCIAL IMPLICATIONS:

\$25,000 in funds has been allocated to the Urban Forest Scoping Study in the 2018-2019 budget for consultancy work. As it stands, there has not been any consultancy works undertaken for the Urban Forest Strategy.

It is proposed that the funds be used to engage a consultant to update the Street and Park Tree Inventory on to GIS / Intramaps and collect data on missing tree assets such as on West Coast Highway.

A key vision of the Urban Forest Strategy is to continue to monitor the urban forest through assessment and analysis, and an inventory of park trees which would enable us to monitor the health and condition of these assets.

STRATEGIC DIRECTION:

The Urban Forest Strategy

Goal 1: A sense of community, pride and belonging

Strategy 1.1 Encourage and support participation in a range of public activities and events where residents can gather and interact

Strategy 1.2 Promote our strong community identity and focus our responses on the needs of local residents, businesses and ratepayers

Goal 2: Quality local parks and open spaces for the community to enjoy

Strategy 2.1 Focus on activating our major public open spaces

Strategy 2.2 Improve the maintenance and provision of amenities in our local parks and district open spaces reflecting local values and priorities and the broader regional demand on facilities

Goal 3 An active, safe and inclusive community

Strategy 3.1 Create and improve the places where community groups can attend

Strategy 3.4 Act to create and maintain safe, friendly and open environments that residents can access and enjoy

Goal 4 Neighbourhoods that are well planned, attractive, respectful og the character and responsive to future needs

Strategy 4.2 Guide new development which is in harmony with the surrounding area and retains a sense of place

Strategy 4.3 Make neighbourhoods green and pleasant

Goal 5 Successful commercial, retain and social hubs

Strategy 5.2 Ensure a high standard of public infrastructure in our main precincts across the Town

Strategy 5.3 Develop and implement Activity Centre and Local Development Plans which reflect community's expectations for hubs of activity

Goal 6 Efficient transport networks

Strategy 6.1 Develop an integrated transport strategy in response to population changes

Goal 7 The Town is environmentally responsible and leads by example

Strategy 7.1 Conserve our plants and animals

Strategy 7.2 Optimise our use of groundwater and improve the efficiency of our clean water consumption

Strategy 7.5 Prepare for the effects of climate change

Goal 8 A Community that embraces environmentally responsible practices

Strategy 8.1 Encourage the community to self-manage minimizing energy consumption, water use and waste

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Consultation Policy. In accordance with the assessment criteria it was rated at Level 3, for which community consultation is required.

It is proposed that the community consultation is structured as follows:

1. A four week public comment period in 2020 to be advertised in the Town's community news page and website;
2. The Strategy is made available for review/collection at the Town of Cambridge Administration Centre, Cambridge Library and the Town's website; and
3. Feedback is summarised and proposed changes are presented to the Council for approval before the Strategy is completed.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council:

1. APPROVES:-

1.1 the revised Draft Urban Forest Strategy as shown in Attachment 1;

1.2 the Draft Urban Forest Strategy for public consultation; and

2. REQUESTS that a report be presented to Council following public consultation.

Motion put and CARRIED (5/0)

CR20.6 COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN

PURPOSE OF REPORT:

The purpose of this report is to inform the Council about coastal hazard management.

SUMMARY:

It is recommended that Council approves the development of a Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) to assess vulnerability to coastal erosion between City Beach and Floreat. The plan will inform short, medium and long term asset management and financial planning and will aid in the protection of the Coastal Environment and Infrastructure. The development of a CHRMAP is encouraged by the Department of Transport and the Department of Planning, Lands and Heritage to manage coastal hazards.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	1 Bold Park Drive, Floreat
Report Date:	10 February 2020
Responsible Officer:	Director Infrastructure and Works, Kelton Hincks
Reporting Officer:	Manager Parks and Natural Environment, Andrew Head
Contributing Officer:	Natural Environment Officer, Sue Waite
Reporting Officer Interest:	Nil
Attachment(s):	1. Assessment of Coastal Erosion Hotspots in Western Australia, Appendix D Floreat Beach 2. Coastal Processes and Vulnerability Assessment, 2013

BACKGROUND:

State Government Assessment of Coastal Erosion Hotspots in Western Australia

The State Government commissioned Seashore Engineering Pty Ltd to undertake a study to assess the scale and extent of coastal erosion in Western Australia. The report, published in March 2019, identifies 'hotspots' where it is anticipated that coastal erosion will impact on public and private assets requiring management and mitigation action within 25 years. A hotspot is defined with reference to the following characteristics:

1. Proximity: Infrastructure close the existing shore, or landward of progressively and rapidly eroding coast;

2. Instability: Typically subject to progressive or episodic erosion;
3. Mitigation cost: Costs of likely forms of erosion mitigation are high;
4. Transfer: Limited capacity to manage future erosion using existing coastal protection measures or extensions of existing coastal protection is likely to exacerbate coastal erosion transfer; and
5. Community: Highly valued by the community.

Floreat Beach has been identified as a coastal erosion hotspot where characteristics one, two, three and five have been identified. The management importance of Floreat as a coastal erosion hot spot is rated as medium in the short-term (0-5 years), and high for both the medium (5-25 years) and long term (25+ years). These ratings consider the vulnerability of physical assets and recreational values. Vulnerable asset classes include:

1. Recreational assets in the short, medium and long term;
2. Leasehold buildings and surf lifesaving assets in the medium term and long term; and
3. Services in the long term.

Suggested mitigation options include retreat and accommodation options in the imminent time frame up to five years and retreat options over the medium (5-25 years) and longer term (25+ years). Retreat options include carpark realignment, modification of the vehicle access ramp and shifting of some lease buildings (**Attachment 1**).

Coastal Processes and Vulnerability Assessment

The Town appointed MP Rogers and Associates to undertake a coastal processes and vulnerability assessment. A report was completed in April 2013. The entire shoreline within the Town's boundaries was assessed extending from Challenger Parade at the southern end to Peasholm Street car park in the north. The report identified coastal vulnerability of the Town's coastline over 10, 50 and 100 year planning timeframes (**Attachment 2**).

Risk rating of infrastructure up to 2022 indicates that:

1. The boardwalk and Floreat car park to the north of the Floreat Groyne and south of the Floreat drain are at high risk of impacts from shoreline recession; and
2. The kiosk, toilet block etc located to the south of City Beach Groyne and Floreat SLSC are at medium risk of shoreline recession.

Risk rating of infrastructure up to 2062 indicates that:

1. The rating of the boardwalk and Floreat car park to the north of the Floreat Groyne and Floreat drain increases to extreme risk;
2. The rating of the kiosk, toilet block etc located to the south of City Beach Groyne and Floreat Surf Life Saving Club risk increases to high risk; and
3. The car park immediately to the south of City Beach Groyne is rated as at medium risk of shoreline recession.

By 2110, all major infrastructure assets are at medium risk or greater from the impacts of shoreline recession with the boardwalk, Floreat car park, Floreat SLSC and Floreat Kiosk at extreme risk of impacts.

Moderate risk equates to significant financial loss (\$50,000 - \$500,000) and moderate impact on beach amenity reversible through low intensity management efforts, with beaches of similar amenity nearby. High risk equates to major financial loss (\$500,000 - \$1m) and major impact on beach amenity reversible only through intense management effort, with beaches of similar amenity nearby. Extreme risk is associated with extensive financial loss (>\$1m) and an extreme and widespread long term impact and complete loss of sandy beach with no similar beaches nearby.

City Beach Surf Lifesaving Club Coastal Vulnerability Assessment

The Town also engaged MP Rogers and Associates (MRA) to undertake a coastal vulnerability assessment of the City Beach Surf Life Saving Club (SLSC) in 2013 ahead of the surf club redevelopment and construction of new leasehold buildings. The report was completed in August 2013 and was the second part of an assessment of the coastal processes and vulnerability of the Town's coastline. The broader assessment of the Town's shoreline was completed by MP Rogers in November 2012.

The City Beach coastal development node comprises public and leasehold infrastructure managed by the Town and is an important point of public access to the beaches adjacent to the City Beach and Floreat Groynes. MRA considered the potential impacts of coastal processes over 24, 75 and 100 year timeframes, the risks to the development node and mitigation options.

A risk management and adaptation strategy was developed for the SLSC. The strategy identified that a sea wall would need to be installed prior to the construction of the SLSC to protect the development over its 50 year design life. The sea wall was installed in 2014. Other key outcomes of the risk management and adaptation strategy include coastal monitoring to track shoreline recession, sand nourishment or modification of the City Beach and Floreat Groynes to help maintain the beach in front of the development, maintenance and upgrades of the Groynes to maintain shoreline stability and likely relocation of the City Beach SLSC at the end of its 50 year design life taking into account coastal form and shoreline movement projections.

DETAILS:

A Coastal Hazard Risk Management and Adaptation Plan will identify key threats to coastal infrastructure and the coastal environment and actions to mitigate these threats. It will assist the Town in making decisions regarding the protection of assets and the coastal environment in the short and medium term and the placement of assets over the longer term. The Town was identified as the only coastal metropolitan council without one already in place.

Key aspects of a Coastal Hazard Risk Management and Adaptation Plan include:

1. Development of implementation plans and funding mechanisms;
2. Identification of appropriate triggers for changing management phases;
3. Community and stakeholder engagement regarding proposed solutions outlining funding impacts on coastal values and residents;
4. Emphasis on dominant erosion processes;
5. Long-term monitoring of coastal movements;
6. Consideration of alternative sites for infrastructure susceptible to coastal erosion including planning where possible for truncation or redirection of traffic where feasible;
7. A review of lease agreements to support adaptation where leasehold assets are susceptible to erosion; and
8. Development of a detail asset register of vulnerable infrastructure identifying ownership, asset value and replacement costs of individual assets susceptible to erosion.

Consideration should be given to the effect of existing modifications, adjacent structures, rock control and ongoing sand management and the effect of storm events. In addition, the socio-economic value of City and Floreat beaches and their associated foreshore reserves should be considered when assessing management options to address vulnerability to coastal processes.

The development of a Coastal Hazard Risk Management and Adaptation Plan can be informed by any available coastal monitoring data (Cambridge Coastcare undertook drone monitoring of Floreat Beach during 2018-19); a review of the demand for, cost and availability of raw materials for coastal protection; development of management histories of vulnerable coastal spots to determine coastal trends and forecast future trends; and a review of retreat case studies undertaken by other local coastal managers.

The Coastal Hazard Risk Management and Adaptation Plan will address threats to key physical, environmental and recreational assets such as those identified below.

Asset	Potential Actions
Physical Assets	
City Beach of Perth SLSC, lease buildings: high value assets protected by sea wall	Undertake beach monitoring, consider re-nourishment and structure extension/modification
Floreat SLSC - high value asset with no protection South City Beach Kiosk	Identify triggers for intervention, trampling dunes in front of the surf club requiring dune fencing and stabilisation works, consider retreat option for southern carpark
Waste water systems - high value asset with partial tolerance	Identify existing capacity and develop a plan for maintenance and adaptation
Environmental Assets	
Coastal dunes	Investigate benefits of stabilisation works to manage increasing vulnerability to blow-outs and mobility
Recreational Assets	
Beach width	Evaluate likelihood of an increase in access choke points which may require modification of beach access
Beach access paths	Consider rationalising access to fewer points to manage increasing mobility
Beach access roads and car parks	Consider retreat inland if required over the longer term

A Coastal Hazard Risk Management and Adaptation Plan will enable the Town to plan for asset protection in the short, medium and long term and inform budget forecasting particularly where significant expenditure is required. A detailed plan which models options setbacks under a range of hazard scenarios and considers associated costs and community values will allow the Town to develop an economic case for options cognisant of community views.

The Department of Transport offers Coastal Adaptation and Protection (CAP) funding annually which assist local governments to identify and manage coastal hazards. The grants open in February and close at the beginning of April each year. It is recommended that the Town apply for a grant with a view to obtaining a matching contribution to Town funding for the development of Coastal Hazard Risk Management and Adaptation Plan.

POLICY/STATUTORY IMPLICATIONS:

Local governments are responsible for the development and maintenance of physical, environmental and recreational public assets as per the *Local Government Act 1995*. The development and implementation of a Coastal Hazard Risk Management and Adaptation Plan will assist the Town to fulfil this obligation. Development of the plan also requires community consultation under the Town's Community Engagement Policy 1.2.11.

RISK MANAGEMENT IMPLICATIONS

Medium: The report will help inform long term decision making in regards to significant new asset (Both public and private), position and design.

FINANCIAL IMPLICATIONS:

The Administration would like to undertake the RFQ process to confirm the Budget amount required to undertake the development of a Coastal Hazard Risk Management and Adaptation Plan. The Town could apply for a Department of Transport CAP grant to co-fund the development of a Coastal Hazard Risk Management and Adaptation Plan and if successful could effectively halve the cost to the Town.

STRATEGIC DIRECTION:

The report recommendation embraces the following strategies of the Town's Strategic Community Plan 2018-2028:

- Goal 2: Quality local parks and open spaces for the community to enjoy**
Strategy 2.2 Improve the maintenance and provision of amenities in our local parks and district open spaces reflecting local values and priorities and the broader regional demand on facilities
- Goal 3: An active, safe and inclusive community**
Strategy 3.4 Act to create and maintain safe, friendly and open environments that residents can access and enjoy
- Goal 7: The Town is environmentally responsible and leads by example**
Strategy 7.5 Promote our environmental assets and opportunities and recognise the impacts of climate change in our strategies

COMMUNITY ENGAGEMENT:

Community engagement is required under the Town's Community Engagement Policy 1.2.11 as a Coastal Hazard Risk Management and Adaptation Plan is a strategic document community requiring community input.

ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council:

- 1. APPROVES the development of a Coastal Hazard Risk Management and Adaptation Plan;**
- 2. APPROVES the Administration to submit an application for Coastal Adaptation and Protection grant; and**
- 3. APPROVES the Administration to undertake the RFQ process and subsequently list for consideration in the Draft 2020-2021 Budget.**

Committee Meeting 17 February 2020

During discussion, Members agreed that the Coastal Hazard Risk Management and Adaptation Plan should also be submitted to the Audit Committee as coastal erosion is a risk to the Town.

AMENDMENT:

Moved by Mayor Shannon, seconded by Cr Mack

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

- 4. REQUESTS that the Coastal Hazard Risk Management and Adaptation Plan be submitted to the Audit Committee.**

Amendment put and CARRIED (5/0)

COMMITTEE RECOMMENDATION:

That Council:

- 1. APPROVES the development of a Coastal Hazard Risk Management and Adaptation Plan;**
- 2. APPROVES the Administration to submit an application for Coastal Adaptation and Protection grant;**
- 3. APPROVES the Administration to undertake the RFQ process and subsequently list for consideration in the Draft 2020-2021 Budget; and**
- 4. REQUESTS that the Coastal Hazard Risk Management and Adaptation Plan be submitted to the Audit Committee.**

Motion put and CARRIED (5/0)

CR20.7 LAKE MONGER SOUTH EAST AREA 4 - PROPOSED CONCEPT DESIGN PROJECT

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the Lake Monger Area 4 Upgrade Concept Plan.

SUMMARY:

The study area has been identified as Area 4 in the Council approved Lake Monger Activity Plan 2018 (**Attachment 2**). The concept design plan has been prepared to address the items identified within the Lake Monger Activity Plan in (**Attachment 1**) which includes new toilet and carpark facilities, improvements to playground and exercise equipment, and a pop up coffee van location.

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input checked="" type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	Lake Monger
Report Date:	10 February 2020
Responsible Officer:	Director Infrastructure and Works, Kelton Hincks
Reporting Officer:	Manager Parks and Natural Environment, Andrew Head
Contributing Officer:	Senior Landscape Officer, Patrick Bewley
Reporting Officer Interest:	Nil
Attachment(s):	1. Lake Monger Area 4 – Concept design 2. Lake Monger Activity Plan 2018

BACKGROUND:

A Council report summarising the outcomes of community consultation for the Lake Monger Activity Plan was presented to Council in September 2018 (CR18.144). Recommendations for this part of Area 4 included:

AREA 4	ACTIVITY	TIMESCALE
4a	Construct fenced dog exercise area	1-2 years
4b	Investigate Feasibility for temporary/pop-up food and beverage options for Lake Monger	1-2 years
4c	Construct expanded playground and exercise, picnic/BBQ and toilet facilities	2-4 years
4d	Construct new car park	2-4 years

4e	Enhance vegetated edge along freeway and investigate new fencing to prevent turtles accessing the freeway	2-4 years
4f	Investigate path improvements to better suit, commuter cyclist, leisure cyclists and pedestrians	5+ years

A site visit and analysis was undertaken in December 2019 which reviewed the existing facilities against the recommended actions from the Lake Monger Activity Plan. Council officers reviewed the site and prepared the attached concept design plan to address the Activity Plan outcomes (**Attachment 2**).

DETAILS:

Introduction

Lake Monger reserve contains some of the Town's most popular trails for running, cycling and walking. As per the Lake Monger Activity Plan, this proposal aims to improve and enhance the existing activity node at the south east corner of Lake Monger with the upgrade of existing fitness, play and recreation facilities, and a new carpark and toilet.

Context/Site Analysis

The south east corner of Lake Monger Reserve contains large established trees, open turf areas and panoramic views across the lake. The site is accessed via the main Lake Monger perimeter pathway, which attracts users from car parking facilities to the west of the site and the pedestrian bridge across Mitchel Freeway on the east.

A semi-enclosed fenced dog exercise area exists to the east with a drinking fountain, lighting and seating, which was recently completed. There is also a public toilet approximately 300m to the west, but this has been identified for removal.

The current facilities include:

1. Small shaded playground with a play fort in sand;
2. Exercise station with three items on a rubber softfall;
3. Basketball hoop;
4. BBQ;
5. Timber picnic tables;
6. Drinking fountain; and
7. Some lighting.

There are also some large established gum trees and date palms and a pathway connecting to a crossing point at Lake Monger Drive.

Key Design Proposals

The site is in a prime location for an activity node with high levels of pedestrian exposure and active fitness groups. With improved facilities and access, this area would attract different user groups such as young families, birthday parties, and elderly bus tours.

New Carpark

To provide better access to Lake Monger, a new carpark with approximately fifty car bays is proposed. This is located between the dog exercise area and the upgraded foreshore facilities.

This carpark will further activate the dog exercise area, new park facilities and the Lake Monger pathway.

The location of the entry to the carpark is via an existing crossover along Lake Monger Drive and adjacent an existing pedestrian crossing point. Given the high level of traffic moving towards Leederville and the Freeway, traffic calming and safe road crossing initiatives are to be investigated.

The proposed carpark design is to incorporate sufficient tree planting to provide minimum 30% shade cover, and disabled parking access to ensure universal access to Lake Monger.

New Toilet Facilities

A new modular toilet facility with three cubicles (one ambulant and two universal) is proposed to be located adjacent the new carpark.

The location of the toilet is to take advantage of light spill from Lake Monger Drive street lights and high visibility from the road. This should reduce anti-social behaviour that is common with public toilets.

Improved Play Space

The existing play space can be updated with a scooter track, new swing and some incidental nature play opportunities.

Existing play fort and shade sails are to be retained and incorporated into the design. The unit is in fair condition and contains sliding, climbing amenity and elevated tunnel and platforms. The shade sail is also in fair condition and provides important shade to the play space.

A concrete scooter trail forms a hard edge around the perimeter of the sand softfall, replacing the degraded timber edge which exists. Formed humps are located along the straight sections of the journey and berms are located at sharp corners

A new double swing will bring a new element to the play space, and nature play elements such as boulders and logs are located within garden beds provide incidental play opportunities

Improved Park Facilities

With the installation of toilets and improved car parking, it is likely this area will attract different user groups such as families and to improve connectivity and usability of the existing assets a general upgrade of facilities and pathways is proposed.

A new large picnic shelter and double length banquet table settings are proposed to cater for groups. The shelter will be situated adjacent to the existing BBQ and lighting, and oriented to with a panoramic backdrop of the lake.

New picnic settings are proposed to replace the degraded timber, and are connected via a meandering path under the existing eucalyptus shade cover.

Exercise and Sport Facilities

New exercise facilities are proposed along the main Lake Monger pathway on a rubber surface. Equipment will be focused on bodyweight and callisthenic challenges as per current demand. The new equipment will also be static to reduce maintenance and overall cost.

The existing exercise equipment is to be relocated to form a second station along the main lake monger path with new rubber surfacing.

The existing basketball facility will be extended to allow 3 on 3 games. This will involve removal of the current concrete surfacing and construction of a new coloured concrete pad and line marking. A seating wall is to have a dual use of protecting ball runoff and providing seating for the basketball user groups.

Coffee/Food Van Location

To cater for the high recreational use, allowance for a coffee / ice cream / food van is proposed along the main pathway. The van can be set up on the grass and vehicle access to this can be from the carpark to the west.

POLICY/STATUTORY IMPLICATIONS:

Policy 1.2.11 Community Engagement

RISK MANAGEMENT IMPLICATIONS

Low: This project is not influenced by asset deterioration but through actions identified in the Lake Monger Activity Plan 2018.

FINANCIAL IMPLICATIONS:

There is no financial implication in the preparation of the landscape concept as the works were carried out in-house.

Represented below are the approximate costs for the site works indicated in the draft landscape concept.

Item #	Description	Cost
1	Carpark	\$150,000
2	Toilet and facilities	\$250,000
3	Earthworks & Prelim	\$7,500
4	Softscapes	\$16,220
5	Paving and edging	\$46,450
6	Exercise nodes	\$33,800
7	Furniture including shelter	\$51,500
8	Play equipment and softfall	\$16,400
9	Contingency (5%)	\$23,593
10	Detailed design (5%)	\$23,593
Total Cost		\$619,056

Note: Includes 10% contingency, no allowance for traffic management.

It is proposed to include the above costs in the Draft 2020-2021 Budget for Council consideration.

STRATEGIC DIRECTION:

The Landscape Concept relates to the following goals and strategies from the Town's Strategic Community Plan 2018-2028.

- Goal 2** **Quality local parks and open spaces for the community to enjoy**
Strategy 2.1 Focus on activating our major public open spaces
Strategy 2.2 Improve the amenities of our local parks and sports grounds

Goal 3 An active, safe and inclusive community

Strategy 3.2 Encourage activity that meets the needs of people of all ages, cultures and abilities

Strategy 3.3 Create and maintain safe environments

Goal 4 Neighbourhoods that are well planned, attractive, respectful of the character and responsive to future needs

Strategy 4.3 Make neighbourhoods green and pleasant

COMMUNITY ENGAGEMENT:

This matter has been assessed in accordance with policy 1.2.11 Community Engagement as a medium level of impact or risk. To appropriately engage with the community, the concept plan will be made available on the Towns website for a period of four weeks, and a social media release should be posted to inform the community that the concept plan is available for comment.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council:

- 1. RECEIVES the Lake Monger Area 4 Upgrade Concept Design as shown in Attachment 1; and**
- 2. LISTS FOR CONSIDERATION the project in the Draft Budget 2020-2021.**

Motion put and CARRIED (5/0)

CR20.8 LAKE MONGER SOUTH WEST (AREA 3) INCLUSIVE PLAYGROUND PROJECT

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the Lake Monger South West Area 3 (Inclusive Playground) Project.

SUMMARY:

As shown in the Lake Monger Activity Plan 2018, the playground next to Lake Monger Drive is identified for expansion/upgrade. This report is to seek support for a Lotterywest grant application and development of a concept plan which can be used to consult the various stakeholders and seek the co-contribution funding with.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	Lake Monger
Report Date:	10 February 2020
Responsible Officer:	Director Infrastructure and Works, Kelton Hincks
Reporting Officer:	Manager Parks and Natural Environment, Andrew Head
Contributing Officer:	Nil
Reporting Officer Interest:	Nil
Attachment(s):	1. Lake Monger Reserve (S-West) – Nov 2019

BACKGROUND:

Council report summarising the outcomes of community consultation for the Lake Monger Activity Plan was presented to Council in September 2018 (CR18.144). Recommendations for this part of Area 3 included:

AREA 3	ACTIVITY	TIME SCALE
3a	Investigate pedestrian crossing options in conjunction with parking alterations to improve access and safety	1-2 years
3b	Investigate potential for sporting and/or community infrastructure in the open lawn area (part of broader Public Open Space Strategy for the entire Town)	2-4 years
3c	Tree planting along paths	1-2 years
3d	Extension and improvements to existing playground and picnic areas	2-4 years

3e	Formalise 90 degree parking on Gregory Street Verge (pending outcomes of broader Public Open Space Strategy for the entire Town)	2-4 years
3f	Install attractive buffer planting along verge of Lake Monger Drive	2-4 years
3g	Plant native plants along the lake edge (in consideration of Lake Monger Environmental Management Plan requirements)	Ongoing (staged)
3h	Decommission and demolish existing toilet following construction of new toilet in Area 4	5+ years
3i	Construct short sections of boardwalk along lake edge (to be coordinated with native planting)	5+ years

Below is a brief overview of the current status of each item;

1. Item 3a (Lake Monger Drive pedestrian crossings) is currently under investigation and will be considered as a separate item;
2. Item 3b will be considered as part of the broader public open space strategy which is currently underway;
3. Item 3c has already been identified as part of the park tree planting program for this coming winter and will include local species appropriate to the location such as Flooded Gum, Freshwater Paperbark and Tuart. Planting within this area will be identified in the playground concept plan;
4. Item 3d is the main item addressed in this report due to the poor condition of the playground and fitness equipment in this high profile location;
5. Item 3e will be considered alongside 3b as part of the public open space strategy;
6. Item 3f is outside of the study area being considered as part of this project, however, some planting will be incorporated into the new playspace;
7. Item 3g is an ongoing revegetation program to improve the existing buffer area;
8. Item 3h is being included in consideration of Area 4 which includes provision for a new toilet. This existing toilet would be decommissioned once the toilet is built and opened; and
9. Item 3i is a longer term project which is outside the area being considered for upgrade as part of this report.

DETAILS:

In November 2019 the Town undertook a condition audit of all playgrounds within the Town which found that the playground at Lake Monger has a number of issues which need addressing both with the playground and fitness equipment. Please refer to the condition report (**Attachment 1**).

To negate spending significant amounts of the maintenance budget to repair the existing units which will only extend their life a few years it is proposed to replace and upgrade this facility. Rubber soft fall is now non-compliant from an impact attenuation point of view and should be replaced, however, the report also questions if this should occur given the limited life of the playground units.

Careful consideration is given to its current user groups which include mobility impaired, vision impaired and use by toddlers to grandparents. Given the high profile location and popularity of Lake Monger, and in particular this playground, it is proposed to replace the existing facility with one which will become iconic in the local community as one for people of all ages and abilities.

Lotterywest has been contacted to see if this project would meet the criteria for consideration of co-funding and there is an appetite to sponsor this project if it meets the accessibility and intergenerational needs of the community. Accessible playgrounds are inherently more expensive than traditional playgrounds due to the need for additional ramps, rubber soft fall and the unique pieces of equipment required such as accessible roundabouts, swings and hand rails.

The Administration is proposing to use a number of recycled power poles which have been donated to the Town as part of the underground power project (Similar to the City Beach Oval Playground) to increase the size and scale of the facility while adding additional play value and doubling up as shade sail uprights.

It is proposed to develop a detailed concept design, consult with the various stakeholders for letters of support, then develop cost estimates for the project and submit an application for a Lotterywest grant prior to bringing it back to Council to seek a budget allocation for the 2021-2022 budget.

POLICY/STATUTORY IMPLICATIONS:

There are no Policy or Statutory Implications related to this report.

RISK MANAGEMENT IMPLICATIONS:

Low: The Town will undertake the immediate minor repairs to keep the playground in use until next budget cycle. Given the high use and profile of this location Council may choose to bring forward this project, however, as funding value and approval has not been finalised the recommendation is to address those details prior to seeking a final budget allocation.

FINANCIAL IMPLICATIONS:

It is anticipated that this playground will require a minimum spend of around \$300,000 for the equipment, surfacing, shade sails and fence. The other items such as picnic tables, landscaping and exercise equipment will require an additional \$50,000. It is anticipated that if the grant application is successful that up to 50% contribution may be possible to reduce the financial burden to Council.

STRATEGIC DIRECTION:

The report recommendation embraces the following strategies of the Town's Strategic Community Plan 2018-2028:

Goal 2	Quality local parks and open spaces for the community to enjoy
Strategy 2.1	Focus on activating our major public open spaces
Strategy 2.2	Improve the amenities of our local parks and sports grounds

Goal 3 An active, safe and inclusive community

Strategy 3.2 Encourage activity that meets the needs of people of all ages, cultures and abilities

Strategy 3.3 Create and maintain safe environments

Goal 4 Neighbourhoods that are well planned, attractive, respectful of the character and responsive to future needs

Strategy 4.3 Make neighbourhoods green and pleasant

COMMUNITY ENGAGEMENT:

This matter has been assessed in accordance with policy 1.2.11 Community Engagement as a medium level of impact or risk. To appropriately engage with the community the concept plan will be made available on the Towns website for a period of four weeks, and a social media release should be posted to inform the community that the concept plan is available for comment.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council:

- 1. APPROVES the development of a concept design so that consultation can be undertaken and the feedback presented back to Council for consideration; and**
- 2. AUTHORISES the Administration to apply for a Lotterwest Grant of \$175,000 for co-funding a new inclusive multigenerational playground at Lake Monger.**

Motion put and CARRIED (5/0)

CR20.9 UPDATE ON THE OBAN ROAD ART MURAL PROJECT

PURPOSE OF REPORT:

To provide Council with an update of the Oban Road Water Corporation Sewer Pump Station Art Mural Project (CR10.2, 24 September 2019) and seek endorsement to progress the project according to the Water Corporation 'Splash of Colour' program guidelines.

SUMMARY:

The Oban Road Parking and Landscaping Improvement - Concept Plan (CR18.70) was endorsed by Council on 22 May 2018. One improvement endorsed from the Plan was to create a mural on the Oban Road Water Corporation Sewer Pump Station.

In September 2019, Council received a report providing options to complete the art mural (CR10.2), with Council approving "Option 1 – City Beach Primary School and Kapinara School to provide a design and the Town to commission an artist."

The mural project cannot be completed in the 2019/2020 financial year, as is not included in the Water Corporation 2019/2020 program of works. This report provides an update to Council on the project.

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input checked="" type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	Oban Road, City Beach
Report Date:	7 February 2020
Responsible Officer:	Director Corporate and Community Services, Cam Robbins
Reporting Officer:	Manager Community Services, Priya Narula
Contributing Officer:	Co-ordinator Community Development, Susan McGuane
Reporting Officer Interest	Nil
Attachment(s):	Nil

BACKGROUND:

On 22 May 2018, Council considered the Oban Road Parking and Landscaping Improvement - Concept Plan (CR18.70). Through this report, Council endorsed a number of items including, "Council ENDORSES for community comment the proposed design of the mural design to assist with the compliance with the "Water Corporation Community Art Project Request Form."

A number of challenges were faced with the initial project and a subsequent report was presented to Council on 24 September 2019 outlining options to complete the art mural (CR10.2) where “Council “NOTED the three (3) options proposed in this report for the completion of the Oban Road Water Corporation Sewer Pump Station public art mural; and APPROVES Option 1 – City Beach Primary School and Kapinara School to provide a design and the Town to commission an artist.”

DETAILS:

The Oban Road Water Corporation Sewer Pump Station is an accessible location to create an art piece which can be experienced by the community. As the Oban Road Sewer Pump Station is a Water Corporation owned asset, the Town has liaised with the Water Corporation to progress the art mural project.

In ongoing discussions with the Water Corporation regarding this project, some considerations of the ‘Splash of Colour’ project include:

1. The Water Corporation have a limited amount of projects and funding that is available each financial year;
2. There is a high level of risk assessment and risk management that the Water Corporation must complete on any building approved for the program, which can take some time;
3. The Water Corporation manages the program including but not limited to:
 - a. Conducting the thorough risk assessment on the building (Water Corporation asset);
 - b. Working with the local community where the project is located (including schools) in conjunction with the Local Government;
 - c. Sourcing and acquiring the artist, in conjunction with the Local Government; and
 - d. Funding the project.

Although the Water Corporation is supportive of the project, it is not possible to complete the Oban Road project in the 2019/2020 financial year as they have assigned the ‘Splash of Colour’ projects and expended all funding for 2019-2020.

The Town’s Administration has been in contact with the Water Corporation and they have indicated that:

1. The Oban Road project is listed as a high priority and will be considered to be carried out as a priority project after 1 July 2020, when further funding becomes available;
2. There is a possibility that the project may commence in May 2020, but this is dependent upon funding (e.g. if another project does not proceed.); and
3. The Water Corporation will fully fund this project.

City Beach Primary School and Kapinara Primary School were both contacted regarding the project. The Water Corporation and the Town will continue to stay in contact with these schools to provide them with updates and their potential involvement with the project.

POLICY/STATUTORY IMPLICATIONS:

Policy 2.1.29 Art and Culture

FINANCIAL IMPLICATIONS:

An amount of \$12,000 is included in the 2019/2020 adopted budget to complete this public art project. These funds are no longer required, with the Water Corporation assuming all costs involved with the project.

This will be highlighted in the March 2020 mid-year financial review.

STRATEGIC DIRECTION:

The Oban Road Art Mural Project strongly supports a number of the goals of the Town's 2018-2028 Strategic Plan, namely:-

Goal 1: A sense of community, pride and belonging

Strategy: Encourage and support participation in a range of public activities and events where residents can gather and interact

Strategy: Promote our strong community identity and focus our responses on the needs of local residents, businesses and ratepayers.

Goal 3: An active, safe and inclusive community

Strategy: Continue to deliver more programs which support local clubs and community groups and their capacity to run their community activities.

Strategy: Encourage a range of activities that better align with the diverse needs of ratepayers of all ages, cultures and abilities.

Further it supports the following goals of the Town's Economic Development Strategy 2018-2022:

Goal 3: Manage the activation and our centres and shared public spaces

Strategy 3.2: Build on the Town's current community, recreation and cultural events schedule by further integrating local businesses and content.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy No 1.2.11 as CONSULT. The Water Corporation will consult with the local community in conjunction with Town.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council:-

- 1. APPROVES the Oban Road Water Corporation Sewer Pump Station art mural project following the Water Corporation 'Splash of Colour' program guidelines; and**
- 2. NOTES:-**
 - 2.1 the costs associated with the Mural will be met by the Water Corporation; and**
 - 2.2 the Town and the Water Corporation will continue to engage with both the City Beach and Kapinara Primary Schools.**

Motion put and CARRIED (5/0)

CR20.10 WEMBLEY GOLF COURSE - ONLINE BOOKING STATISTICS (JANUARY 2020)

PURPOSE OF REPORT:

To provide an update on the number of golfing patrons booking online since this new strategy was implemented as part of the annual Fees and Charges review, December 2019, CR19.123 refers.

SUMMARY:

Online booking figures and overall numbers for Wembley Golf Course (WGC) golfers were monitored and measured throughout January 2020 to ascertain if any detrimental effect to player numbers occurred.

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input checked="" type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	Wembley Golf Course
Report Date:	6 February 2020
Responsible Officer:	Director Corporate and Community Services, Cam Robbins
Reporting Officer:	General Manager Wembley Golf Course, Josh Madden
Contributing Officer:	N/A
Reporting Officer Interest	Nil
Attachment(s):	Nil

BACKGROUND:

Through the WGC 2019 annual fee review (a price freeze for online bookings only) strategy was recommended and endorsed by Council on the proviso that WGC monitors the outcomes and keep an eye out for declines in revenue relating to green fees.

Goals of this strategy was to increase the WGC data acquisition, improve the pro-Shop customer service and incentive patrons to book on line.

DETAILS:

The on-line booking statistics during the month of January 2020 were 84.7% of patron booking on line with 15.3% booking in person or on the phone.

Interestingly that the WGC also surveyed their database (35,000) in December 2019 and requested their preferred booking preferences. The results were that:

1. 72% preferred to book online with
2. 10% over the phone and
3. 18% in person.

POLICY/STATUTORY IMPLICATIONS:

There are no Policy or Statutory Implications related to this report.

RISK MANAGEMENT IMPLICATIONS:

Low: The adoption of the fees and charges is a statutory requirement, in accordance with the Local Government Act 1995.

There is/was some risk that making changes to our booking system could affect our green fee revenue. Specifically, with customers who might not embrace change.

FINANCIAL IMPLICATIONS:

On a positive, green fee revenue rose 6.7% in comparison to the same time frame in January 2019.

This equated to 14,701 rounds played which was 9.14% up on last year. Which is the most rounds played in January across the last 7 years.

STRATEGIC DIRECTION:

The Wembley Golf Course proposed fees and charges effective from 1 January 2020 supports the following Goals and Strategies of the Town's Strategic Community Plan 2018-2028

Our Community

Goal 1 A sense of community, pride and belonging

Our Council

Goal 11 An efficient local government

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.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council NOTES the Online Booking numbers for the Wembley Golf Course for the month of January 2020.

Motion put and CARRIED (5/0)

CR20.11 PAYMENT OF ACCOUNTS - DECEMBER 2019 AND JANUARY 2020

PURPOSE OF REPORT:

To provide and confirm the schedule of payments for the months of December 2019 and January 2020 in accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*.

SUMMARY:

Under the Local Government (*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.

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
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| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. |
| <input checked="" type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	N/A
Report Date:	3 February 2020
Responsible Officer:	Director Corporate and Community Services, Cam Robbins
Reporting Officer:	Manager Finance, Roy Ruitenga
Contributing Officer:	N/A
Reporting Officer Interest:	Nil
Attachment(s):	1. Account Payment Listing

BACKGROUND:

Section 6.10 of the *Local Government Act 1995* requires the keeping of financial records and general management of payments, which is further specified in regulation 13 of the *Local Government (Financial Management) Regulation 1996*. A list of accounts is to be prepared each month which is to be presented to the Ordinary meeting of Council showing the payee's name, the amount of payment, the date of the payment and sufficient information to identify the transaction.

DETAILS:

A list of the cheques raised and Electronic Funds Transfers for the payment of accounts from the Municipal Account (and Trust Account where applicable) for the past two months.

POLICY/STATUTORY IMPLICATIONS:

Payments are in accordance with Policy No. 3.2.3 “Council Bank Accounts and Payments”.

RISK MANAGEMENT IMPLICATIONS:

High: The failure to submit the payment of accounts to Council represents a high risk, as it would be a breach of the *Local Government (Financial Management) Regulations 1996*.

FINANCIAL IMPLICATIONS:

Expenses incurred are charged to the appropriate items included in the annual budget.

STRATEGIC DIRECTION:

This report recommendation embraces the following strategies of the Town's Community Plan 2018-2028:-

Our Council

Goal 9: Transparent, accountable governance

Strategy 9.1 Implement initiatives that strengthen governance skills, transparency and knowledge

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.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council CONFIRMS, in accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, the schedule of accounts, as detailed below and attached.

(i) CHEQUE PAYMENTS

	Date From	Date To	Details	Amount
Municipal Fund	05-December-2019	06-December-2019	057045 - 057082	\$74,120.28
Municipal Fund	10-December-2019	13-December-2019	057083 - 057104	\$31,353.30
Municipal Fund	16-December-2019	18-December-2019	057105 - 057108	\$1,608.40
Municipal Fund	20-December-2019	23-December-2019	057109 - 057111	\$128,831.30
Municipal Fund	06-January-2020	06-January-2020	057112 - 057125	\$70,890.93
Municipal Fund	10-January-2020	10-January-2020	057126 - 057148	\$115,939.87
Municipal Fund	17-January-2020	17-January-2020	057149 - 057183	\$47,758.45
Municipal Fund	24-January-2020	24-January-2020	057184 - 057257	\$61,779.34
Municipal Fund	31-January-2020	31-January-2020	057258 - 057282	\$49,155.07
Wembley Golf Course	01-December-2019	31-January-2020	00696 - 00714	\$46,084.27
				\$627,521.21

(ii) ELECTRONIC FUND TRANSFERS (EFT'S)

	Date From	Date To	Details	Amount
Investments	01-December-2019	31-January-2020	INV1146- INV1154	\$14,033,015.63
Direct Bank Charges	01-December-2019	31-January-2020	Sup532 - Sup538	\$55,165.82
Accounts Payable	03-December-2019	03-December-2019	E39709 - E39806	\$1,263,097.40
Accounts Payable	03-December-2019	03-December-2019	E39807 - E39818	\$29,555.93
Accounts Payable	06-December-2019	13-December-2019	E39819 - E39911	\$435,314.81
Accounts Payable	18-December-2019	23-December-2019	E39912 - E40045	\$3,084,083.48
Accounts Payable	23-December-2019	30-December-2019	E40046 - E40168	\$729,900.49
Accounts Payable	06-January-2020	06-January-2020	E40169 - E40214	\$212,966.85
Accounts Payable	08-January-2020	10-January-2020	E40215 - E40316	\$526,439.25
Accounts Payable	11-January-2020	17-January-2020	E40317 - E40388	\$308,528.32
Accounts Payable	24-January-2020	31-January-2020	E40389 - E40462	\$510,790.29
Payroll	01-December-2019	31-January-2020	Pay1194 - Pay1199	\$2,140,760.06
Wembley Golf Course	01-December-2019	31-January-2020	EP000434 - EP000448	\$418,552.19
				\$23,748,170.52
Total EFT Payments				
				\$24,375,691.73

Motion put and CARRIED (5/0)

CR20.12 INVESTMENT SCHEDULE – JANUARY 2020

PURPOSE OF REPORT:

To provide information to Council in relation to its investment portfolio performance during the month of January 2020.

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.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
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<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
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<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input checked="" type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	N/A
Report Date:	5 February 2020
Responsible Officer:	Director Corporate and Community Services, Cam Robbins
Reporting Officer:	Manager Finance, Roy Ruitenga
Contributing Officer:	N/A
Reporting Officer Interest	Nil
Attachment(s):	1. Prudential Consolidated Investment Report - December 2019 and January 2020

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 February 2020 meeting, the Reserve Bank of Australia decided to leave the cash rate unchanged at 0.75%.

The global economy remains reasonable with global growth expected to be a little stronger this year compared to last year. One uncertainty is the trade and technologies disputes between US and China which has impacted international trade and investment markets. Another source of uncertainty is the coronavirus, which is having a significant effect on the Chinese economy at present, however it is too early to determine how long-lasting the impact will be.

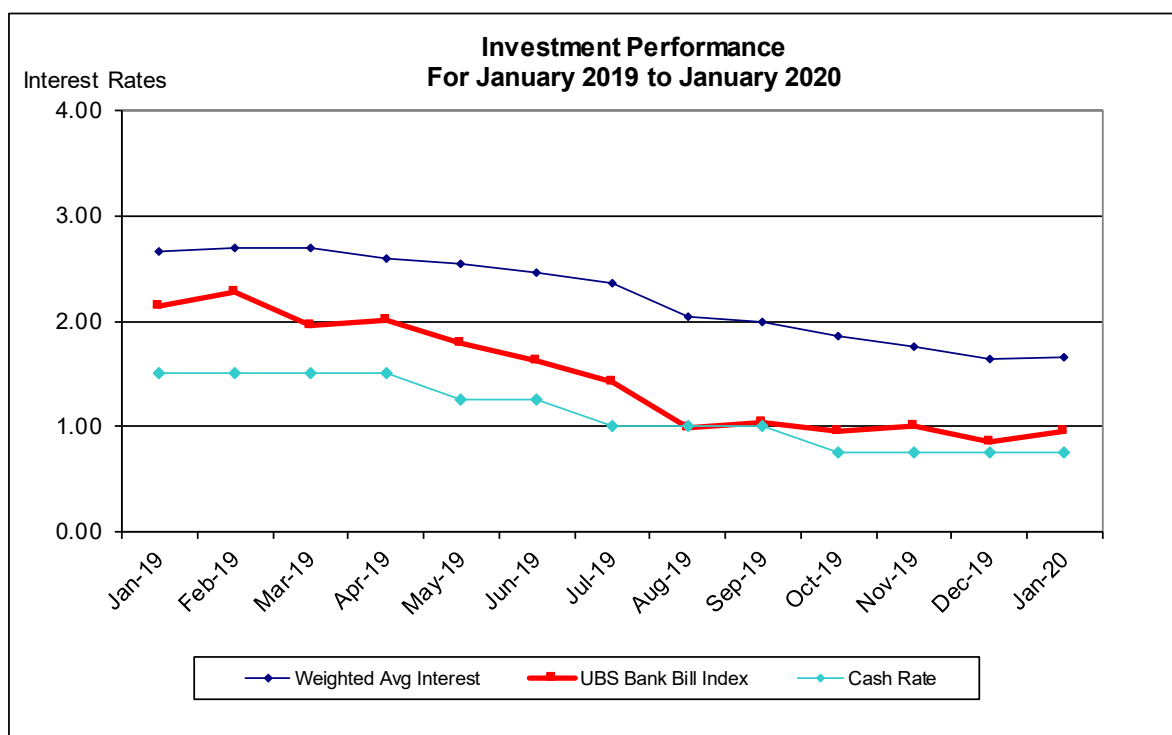
With respect to the local economy, the expectation is that the economy will grow by around 2.75 per cent this year and 3 per cent in 2021. The bushfires and the coronavirus outbreak will temporarily weigh on domestic growth. The unemployment rate declined in December 19 and is expected to remain steady at around 5.1 per cent. Inflation remains low and is expected to pick up gradually to 2 per cent over the next couple of years. The positive economic outlook is supported by ongoing low interest rates which should lead to increased stimulus in consumption growth.

Looking forward, in terms of the Town's investment portfolio, interest rates have declined as a result of the Reserve Bank's cash rate cut. The major banks rates for one to three month terms are on average 1.20%, for terms of four to six months on average 1.45% and for terms of seven months to nine months on average 1.42%. The UBS Bank Bill Index rate (an index measuring performance of interest rates over a 90 day period) was 0.96% for January 2019. The 90 days BBSW or Bank Bill Swap rate (a measure of future interest rates) was 0.88% as at 31 January 2020. As Council's investment portfolio is predominantly short term cash products, the cash rate of 0.75% for January 2020 is the more appropriate performance measure.

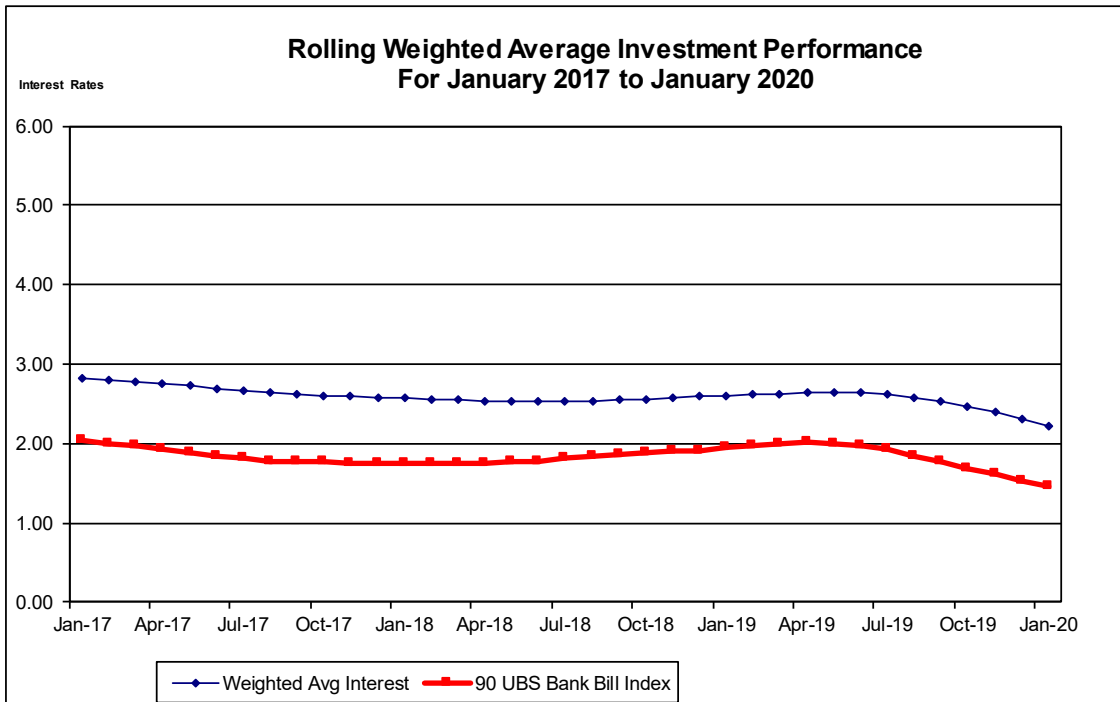
Against these interest rate indicators, the Town's investment portfolio outperformed the cash rate with a weighted average interest rate of 1.66%. The weighted average investment period of 177 days (approximately six months) is consistent with term deposit rates (with the major Australian banks) which for this period were an average of 1.43%.

Investment Portfolio Performance for January 2020

The graphs below show the interest rate performance of the Town's investment portfolio for the 12 month period, specifically January 2019 to January 2020.

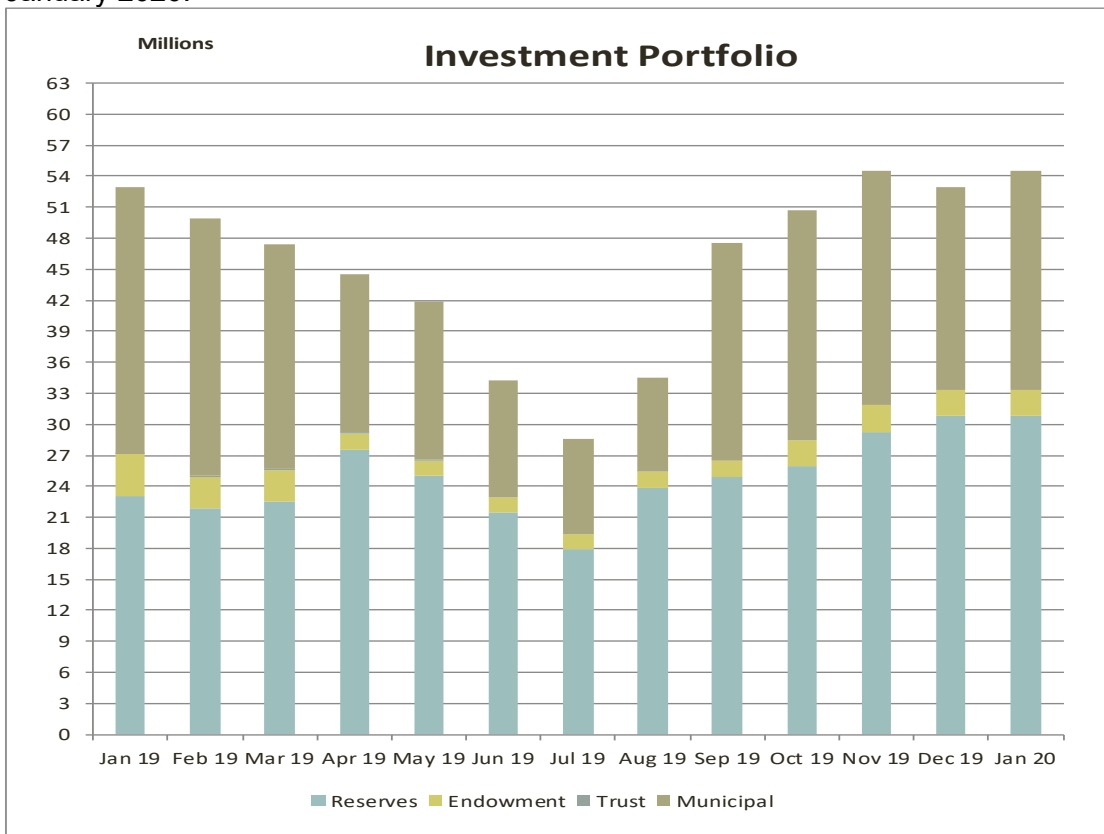


The graph below shows the rolling 12 month weighted average investment performance of the Town's investment portfolio, since January 2017.



The total investment at the end of January 2020 is \$54.6 million which consists of Municipal Funds of \$21.2 million, Reserve Funds of \$30.9 million and Endowment Lands Funds of \$2.5 million.

The graph below represents the total investment portfolio of the Town from January 2019 to January 2020.



The Managed Cash Funds performance as at the end of January 2020 is as follows:

	Term (Days)	Rating	Current Interest Rate	January 2020 Income	Total Amount Invested	% of Funds Invested	Weighted Average Interest	
Floating Rate Notes								
Emerald Reverse Mortgage		"AA"	1.34%	\$640	\$560,510	1.03%	0.01%	
Sub-total				\$640	\$560,510	1.03%	0.01%	
Term Deposits and Bank Bills								
ANZ - Term Deposit		196	"A1+"	1.55%	\$2,633	\$2,006,879	3.68%	0.06%
ANZ - Term Deposit		210	"A1+"	1.55%	\$2,633	\$2,006,879	3.68%	0.06%
ANZ - Term Deposit		224	"A1+"	1.55%	\$1,316	\$1,003,440	1.84%	0.03%
NAB - Term Deposit		182	"A1+"	1.60%	\$3,554	\$2,628,160	4.81%	0.08%
NAB - Term Deposit		126	"A1+"	1.58%	\$1,354	\$1,011,092	1.85%	0.03%
NAB - Term Deposit		154	"A1+"	1.58%	\$1,636	\$1,513,669	2.77%	0.04%
NAB - Term Deposit		126	"A1+"	1.60%	\$1,102	\$1,006,902	1.84%	0.03%
NAB - Term Deposit		154	"A1+"	1.57%	\$476	\$1,006,882	1.84%	0.03%
NAB - Term Deposit		175	"A1+"	1.72%	\$2,191	\$1,510,179	2.77%	0.05%
NAB - Term Deposit		161	"A1+"	1.60%	\$1,359	\$1,004,778	1.84%	0.03%
NAB - Term Deposit		161	"A1+"	1.60%	\$1,359	\$1,004,778	1.84%	0.03%
NAB - Term Deposit		161	"A1+"	1.60%	\$1,359	\$1,004,778	1.84%	0.03%
NAB - Term Deposit		182	"A1+"	1.54%	\$2,628	\$2,016,237	3.69%	0.06%
NAB - Term Deposit		155	"A1+"	1.58%	\$1,342	\$1,001,732	1.83%	0.03%
NAB - Term Deposit		160	"A1+"	1.57%	\$946	\$2,000,946	3.66%	0.06%
Westpac - Term Deposit		186	"A1+"	1.85%	\$3,142	\$2,016,422	3.69%	0.07%
Westpac - Term Deposit		189	"A1+"	1.80%	\$3,058	\$2,015,584	3.69%	0.07%
Westpac - Term Deposit		151	"A1+"	1.84%	\$1,563	\$1,007,158	1.84%	0.03%
Macquarie - Term Deposit		194	"A1"	1.80%	\$1,529	\$1,006,658	1.84%	0.03%
Macquarie - Term Deposit		180	"A1"	1.80%	\$1,529	\$1,006,658	1.84%	0.03%
Macquarie - Term Deposit		208	"A1"	1.80%	\$1,529	\$1,006,658	1.84%	0.03%
Macquarie - Term Deposit		214	"A1"	1.80%	\$2,293	\$1,509,912	2.77%	0.05%
Macquarie - Term Deposit		179	"A1"	1.80%	\$1,529	\$1,006,608	1.84%	0.03%
Macquarie - Term Deposit		151	"A1"	1.80%	\$1,529	\$1,006,608	1.84%	0.03%
Macquarie - Term Deposit		214	"A1"	1.75%	\$3,716	\$2,515,223	4.61%	0.08%
Macquarie - Term Deposit		160	"A1"	1.65%	\$2,102	\$1,504,475	2.76%	0.05%
Macquarie - Term Deposit		174	"A1"	1.65%	\$2,102	\$1,504,475	2.76%	0.05%
Macquarie - Term Deposit		180	"A1"	1.65%	\$4,204	\$3,007,866	5.51%	0.09%
Macquarie - Term Deposit		180	"A1"	1.65%	\$2,803	\$2,005,244	3.67%	0.06%
Macquarie - Term Deposit		84	"A1"	1.73%	\$284	\$1,500,284	2.75%	0.05%
Suncorp - Term Deposit		161	"A1"	1.62%	\$2,767	\$2,025,423	3.71%	0.06%
Suncorp - Term Deposit		181	"A1"	1.65%	\$1,408	\$1,011,892	1.85%	0.03%
Suncorp - Term Deposit		182	"A1"	1.60%	\$2,056	\$1,521,043	2.79%	0.04%
Suncorp - Term Deposit		210	"A1"	1.58%	\$2,767	\$2,070,327	3.79%	0.06%
Suncorp - Term Deposit		273	"A1"	1.55%	\$2,707	\$2,063,135	3.78%	0.06%
TD Matured in January					\$3,615			
Sub-total				\$74,122	\$54,038,984	98.97%	1.65%	
Total Investments				\$74,761	\$54,599,494	100.00%	1.66%	
Weighted Average		177		1.66%				

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.

RISK MANAGEMENT IMPLICATIONS:

Low: The failure to report the investment portfolio performance to Council represents a low risk, as it would be contrary to the Council's policy.

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:

	Actual as at June 2019	Budget 2019/2020	YTD Budget January 2020	Actual as at January 2020	%
General *	672,617	460,000	235,800	201,496	43.8%
Reserves	710,931	497,600	302,900	297,284	59.7%
Endowment Lands	125,727	100,000	52,900	21,385	21.4%
External Investments	1,509,275	1,057,600	591,600	520,164	49.2%
Reserve (Internal Loan)	327,232	228,300	133,400	151,379	66.3%
Endowment Lands (Internal Loan)	767,541	653,400	381,800	416,432	63.7%
Internal Loans	1,094,773	881,700	515,200	567,811	64.4%
Total Investments	2,604,048	1,939,300	1,106,800	1,087,975	56.1%

* Includes Bank Account Interest of \$11,932.

STRATEGIC DIRECTION:

The investment of Council funds is consistent with the Town's Strategic Community Plan, specifically:

Our Council

Goal: 11 An efficient local government.

Strategy: 11.1 Invest our wealth wisely so that current and future generations benefit.

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.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council RECEIVES the Investment Schedule for 31 January 2020, as attached.

Motion put and CARRIED (5/0)

CR20.13 BUDGET 2020/2021 – ADOPTION OF INDICATIVE TIMELINE

AUTHORITY / DISCRETION

- Advocacy When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes & policies.
- Review When the Council operates as a review authority on decisions made by Officers for appeal purposes.
- Quasi-Judicial When the Council determines an application/matter that directly affects a person's right and interests.
- Information For the Council/Committee to note.

Address/Property Location:	N/A
Report Date:	10 February 2020
Responsible Officer:	Chief Executive Officer, John Giorgi, JP
Reporting Officers:	Director Corporate and Community Services, Cam Robbins Manager Finance, Roy Ruitenga
Reporting Officer Interest:	Nil
Contributing Officer:	Nil
Attachment(s):	Nil

PURPOSE OF REPORT:

The purpose of this report is to inform the Council and seek approval of the Budget 2020/21 Indicative Timeline.

SUMMARY:

The Town is required to adopt an Annual Budget in accordance with Section 6.2 of the *Local Government Act 1995*. The budget is to be adopted by Council prior to 31 August each year.

It is proposed to adopt an Indicative Timeline for the Draft Budget 2020/2021.

BACKGROUND:

The Town's Administration undertakes a comprehensive and thorough budget preparation process each year. As part of the process for the 2020/2021 Budget, it is proposed for Council to adopt an indicative timeline.

As part of the initial 2020/2021 Budget process, a Capital Item Budget template for completion by staff and Elected Members. The completed list will be reviewed and priorities rated in accordance to the 5 criterion as outlined in Table 1.

Elected Member Requests:

Elected Members will be encouraged to submit any requests by no later than 2 April 2020, preferably using the Capital Item Form.

Table 1: Capital Item Priority Rating and Criteria

Priority Rating	Criteria
1	Non Compliance/ Statutory obligation/requirement, health and safety requirement, high risk exposure to Town if not carried out,
2	Aligned with Council Strategic Objectives.
3	Proposal will achieve cost savings, significant improvement or benefit to the community and environment or more efficient work processes,
4	Proposal is in accordance with best practice, whole of life cycle Asset Management principles.
5.	Submission from Elected Members or community Desirable but not essential proposal

In addition, it is proposed to have an Elected Members Forum in March 2020 to discuss the Town's Long Term Financial Plan.

DETAILS:

It is proposed for Council to adopt an indicative timeframe for the 2020/2021 Budget as outlined in Table 2 below:

Table 2: 2020/2021 Draft Budget Timeline

No:	Item	Indicative Date
1.	Council meeting to adopt Budget timeline	25 February 2020
2.	Preparation of Capital Items	20 Feb- 13 March 2020
3.	Preparation of Operating Budget	25 February 2020 onwards
4.	Elected Member Briefing- Capital Items	Saturday 9 May 2020
5.	Elected Member Briefing - Operating Draft Budget	Saturday 30 May 2020
6.	Council meeting to adopt Draft Budget	23 June 2020
7.	Community Consultation - 2 weeks	29 June - 13 July 2020
8.	Consideration of Submissions	13 July- 17 July 2020
9.	Council meeting to adopt Budget	28 July 2020

Note: Town of Cambridge receives annual valuations from the Valuer General which are not received until mid-June. These are necessary to complete rate modelling which forms part of the budget process.

POLICY/STATUTORY IMPLICATIONS:

The Town is required to adopt an Annual Budget in accordance with Section 6.2 of the Local Government Act 1995. The budget is to be adopted by Council prior to 31 August each year".

RISK MANAGEMENT IMPLICATIONS:

Medium: The failure to not have an Indicative Timeline has a medium risk, as it may lead to a delay in preparing and adopting an Annual Budget by the prescribed date of 31 August.

FINANCIAL IMPLICATIONS:

Nil

This report recommendation embraces the following strategies of the Town's Community Plan 2018-2028:-

Our Council

Goal 9: Transparent, accountable governance

Strategy 9.1 Implement initiatives that strengthen governance skills, transparency and knowledge

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Matrix Consultation Level - Inform – To provide the public with balanced and objective information to assist them in understanding the problem, alternatives and/or solutions.

Community Consultation will be undertaken for a period of 2 weeks during June 2020 and submissions received will be considered as part of the adoption of the 2020/2021 Budget by Council.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council APPROVES the proposed Budget 2020/2021 Indicative Timeline, as follows:

No:	Item	Indicative Date
1.	Council meeting to adopt Budget timeline	25 February 2020
2.	Preparation of Capital Items	20 February - 13 March 2020
3.	Preparation of Operating Budget	25 February 2020 onwards
4.	Elected Member Briefing- Capital Items	Saturday 9 May 2020
5.	Elected Member Briefing - Operating Draft Budget	Saturday 30 May 2020
6.	Council meeting to adopt Draft Budget	23 June 2020
7.	Community Consultation - 2 weeks	29 June - 13 July 2020
8.	Consideration of Submissions	13 July- 17 July 2020
9.	Council meeting to adopt Budget	28 July 2020

* Monday 8 June 2020, Queens Birthday Holiday and hence long weekend

Motion put and CARRIED (5/0)

CR20.14	REVIEW OF COUNCIL AND COMMITTEE SYSTEM AND ELECTED MEMBER FORUMS
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PURPOSE OF REPORT:

The purpose of this report is to seek the Council’s approval to conduct a review of the Council, Committee meeting system and the holding of the Elected Member Forums.

SUMMARY:

The Council’s current Council and Committee meeting system and holding of Elected Member Forums has been in place since the creation of the Town in 1994. It is considered appropriate to conduct a review to ascertain whether there are efficiencies to be gained and improvements to be made.

AUTHORITY / DISCRETION

- Advocacy When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies.
- Review When the Council operates as a review authority on decisions made by Officers for appeal purposes.
- Quasi-Judicial When the Council determines an application/matter that directly affects a person’s right and interests.
- Information For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration, 1 Bold Park Drive, Floreat
Report Date:	10 February 2020
Responsible Officer:	Chief Executive Officer, John Giorgi, JP
Reporting Officer:	Chief Executive Officer, John Giorgi, JP
Contributing Officer:	Nil.
Reporting Officer Interest:	Nil
Attachments:	Nil.

BACKGROUND:

The Council’s current Council and Committee meeting system and holding of Elected Member Forums has been in place since the creation of the Town in 1994. There has not been a comprehensive review for many years and it is considered appropriate to conduct a review.

DETAILS:

Current Meetings:

The Council currently meets on the fourth (4th) Tuesday of each month. A meeting is held in January, if there are sufficient to consider.

Committee Meetings:

The Community and Resources Committee meeting currently meets on the third (3rd) Tuesday of each month.

The Development Committee meeting currently meets on the third (3rd) Wednesday of each month.

The Audit Committee meeting currently meets on a quarterly basis, with meeting dates and times being set to accommodate the availability of Members.

Elected Member Forums:

An Elected Member Forum is held on the second (2nd) Tuesday of each month, commencing at 6pm and lasting until 9pm.

Review:

The review will be carried out by the Chief Executive Officer and Governance Team.

The review will consider (but not limited) to the following matters:

1. Options for the meeting and briefings cycle;
2. The date and time;
3. Delegations to the Committees;
4. Meeting composition;
5. Support to meetings;
6. Meal time;
7. Costing;
8. Reducing duplication;

Review Methodology:

1. Research and collect statistics and other relevant information.
2. Written Survey of Elected members
3. Research of other local governments
4. Presentation of findings and options to an Elected Member Forum.
5. Report to Council.

POLICY/STATUTORY IMPLICATIONS:

Local Government Act 1995

Local Government (Administration) Regulations 1996

Town of Cambridge Meeting Procedures Local Law 2019.

The following Policies relate to the Council meeting system:

- Policy No: 1.1.1 – Provision of Refreshments after Meetings of Council
Policy No: 1.1.2 – Recording and Access to Recordings of Council Meetings
Policy No: 1.1.7 – Public Representations at Committee Meetings
Policy No: 1.1.13 – Managing Public Question Time at Council meetings

The Chief Executive Officer has the following key performance indicator (No: 5.1.3) 'Review the Council, Committee Meeting and briefing forums and provide options by 31 December 2019')

RISK MANAGEMENT IMPLICATIONS:

Low: The failure to review the Council and committee system presents a low risk to the Town.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report, as the review will be conducted by the Town's Administration.

STRATEGIC DIRECTION:

Our Council

Goal 9: **Transparent, accountable governance.**
Strategy 9.1 Implement initiatives that strengthen governance skills, transparency and knowledge.

Goal 10: **The Town is a proactive local government that provides financially sustainable public assets, services and facilities.**
Strategy 10.3 Ensure sound and sustainable financial planning, management and reporting.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 - Community Engagement criteria, and no community consultation is required as it is an administrative matter.

ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council:

- 1. AUTHORISES the Chief Executive Officer to conduct a review of the Council , and Committee system and Elected Member Forums;**
- 2. APPROVES of the Terms of Reference and Methodology as detailed in this report; and**
- 3. REQUESTS a report be submitted to the Council by no later than 30 June 2020.**

Committee Meeting 17 February 2020

During discussion, Cr Mack stated that he would prefer the start time for Elected Member Forums to return to 6 pm as the new starting time of 7.30 am is proving difficult for him to attend.

PROCEDURAL MOTION:

Moved by Cr Mack, seconded by

That the item be submitted to Council for determination.

Motion lapsed for want of a Seconder

Discussion ensued. Mayor Shannon questioned the need for a review to be undertaken at this time as the current system works satisfactorily and there are other strategic and operational matters which are considered to be more of a priority.

AMENDMENT:

Moved by Mayor Shannon, seconded by Cr Barlow

That clause 3 of the motion be amended to read as follows:-

- 3. REQUESTS that a review does not commence prior to the adoption of the Budget in July 2020 and a report be submitted to Council by no later than December 2020.**

Amendment put and CARRIED (4/1)

For: Mayor Shannon, Crs Barlow, Bradley and Timmermanis
Against: Cr Mack

The motion, as AMENDED, was put and LOST (1/4)

For: Cr Bradley
Against: Mayor Shannon, Crs Barlow, Mack and Timmermanis

REASON FOR CHANGING THE ADMINISTRATION RECOMMENDATION:

It was considered that the current Council and Committee system works well and a review of the system is not seen as a priority at this stage.

COMMITTEE RECOMMENDATION:

Moved by Cr Timmermanis, seconded by Mayor Shannon

That Council DOES NOT UNDERTAKE a review of the Council and Committee system as the current system is considered satisfactory.

Motion put and CARRIED (4/1)

For: Mayor Shannon, Crs Barlow, Mack and Timmermanis
Against: Cr Bradley

CR20.15 TOWN OF CAMBRIDGE LEGAL EXPENSES FOR PERIOD 1 JULY 2019 – 22 JANUARY 2020 - PROGRESS REPORT

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the legal expenses incurred by the Town of Cambridge and details of current legal action/matters.

SUMMARY:

As a local government, the Town administers numerous Acts, regulations and local laws. As such, it incurs legal expenses in performing its statutory role.

AUTHORITY / DISCRETION

- Advocacy When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies.
- Review When the Council operates as a review authority on decisions made by Officers for appeal purposes.
- Quasi-Judicial When the Council determines an application/matter that directly affects a person's right and interests.
- Information For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration, 1 Bold Park Drive, Floreat
Report Date:	10 February 2020
Responsible Officer:	Chief Executive Officer, John Giorgi, JP
Reporting Officer:	Chief Executive Officer, John Giorgi, JP
Contributing Officer:	Finance Officers
Reporting Officer Interest:	Nil
Attachments:	<ol style="list-style-type: none"> 1. Confidential Attachment 1 – Summary of legal expenses itemised by each Legal Firm for 2012- 2019. 2. Confidential Attachment 2 – Details of legal expenses incurred shown by Activity Centre and each Legal Firm. 3. Confidential Register of current legal matters and actions.

BACKGROUND:

At its meeting held on 15 October 2019, Council resolved to request corporate information and statistics relating to certain aspects of the Town's operations. One of the requested items is the Town's legal expenses, which is reported on a confidential basis, so as to protect the privacy of affected parties and also so as not to compromise or jeopardise the Town's legal position.

DETAILS:

The Town's Administration incurs legal expenses including, but not limited to, the following:

1. Prosecution and administration of various Acts, regulations and local laws;
2. Advice to clarify legislative requirements or clarification of statutes eg planning advice;
3. Property advice (eg leases, caveats, Contracts, Agreements,)
4. Defending actions taken against the Town;
5. Appeals, injunctions and applications to the Courts;
6. Recovery of debts and monies owed to the Town.
7. Advice concerning employment and staff matters;
8. Legal representation in the State Administrative Tribunal concerning appeals involving development applications;
9. Protection of the Town's assets;
10. Advice pertaining to the Authorised Inquiry and other governance matters (eg FOI); and
11. 'One-off' legal matters.

POLICY/STATUTORY IMPLICATIONS:

There are no policy implications in relation to this report. Information is considered confidential, as it concerns third parties, employees, or is the subject of current legal action or is of a commercially sensitive nature.

RISK MANAGEMENT IMPLICATIONS:

High: The Town's legal expenses has a high risk, as it involves expenditure of funds and in some cases, the action taken does not fully recover costs and/or the outcome of the action taken is unsuccessful.

FINANCIAL IMPLICATIONS:

There Town's Annual Budget 2019-20 contains funds to cover the legal expenses, as follows:

SECTION – ACTIVITY COST CENTRE	BUDGET 2019/2020
Members Expenses	0.00
Governance Management	2,000
Governance Management - Program	0.00
Animal Control	12,000
Compliance	8,000
Planning - Appeals	40,000
Planning - Legal Expenses	30,000
Other Property	65,000
Underground Power Project	0.00
Wembley Sports Park – Latent Defects	0.00
City Beach Surf Club Building - Latent Defects	0.00
Parking Control	5,000
Wembley Golf Course	2,000
Total	\$164,000

Legal Expenses – Progress Report as at 22 January 2020:

The Town's legal expenses are shown in the **Confidential Attachments 1 and 2**.

Summary of Current Legal Action/Matters:

A summary of the Town's current legal action/matters is shown in **Confidential Attachment 3**.

The reason for confidentiality is because a number of matters are active and on-going and it is essential to provide privacy of matters/parties involved and also so as to not jeopardise the Town's legal position.

There has been recent media publicity concerning the high legal costs incurred by a number of local governments (which mentioned the Town of Cambridge).

The Town's legal expenses from 1 July 2019 to 22 January 2020 is \$266,637.

STRATEGIC DIRECTION:

Our Council

Goal 9: **Transparent, accountable governance.**
Strategy 9.1 Implement initiatives that strengthen governance skills, transparency and knowledge.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 - Community Engagement criteria, and no community consultation is required as it is an administrative matter.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council RECEIVES the Town of Cambridge Legal Expenses Reports for the period 1 July 2019 – 22 January 2020, as shown in confidential Attachments 1, 2 and 3.

Motion put and CARRIED (5/0)

**CR20.16 CORPORATE STATISTICS - PERFORMANCE REPORTING FOR PERIOD
1 JULY – 31 DECEMBER 2019**

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of Corporate Information for the period 1 July 2019 – 31 December 2019.

SUMMARY:

The purpose of this report is to inform the Council of the Town of Cambridge Corporate statistics, as requested by the Council.

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes and policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. |
| <input checked="" type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	Town of Cambridge Administration, 1 Bold Park Drive, Floreat
Report Date:	10 February 2020
Responsible Officer:	Chief Executive Officer, John Giorgi, JP
Reporting Officer:	Chief Executive Officer, John Giorgi, JP
Contributing Officer:	Not Applicable
Reporting Officer Interest:	Nil
Attachments:	1. Performance Benchmarking 2. Confidential 2 (Circulated to Elected Members only) 3. Confidential Attachment 2 (Circulated to Elected Members only)

BACKGROUND:

At its meeting held on 15 October 2019, Council resolved to request corporate statistics relating to certain aspects of the Town's operations, and resolved as follows:

"That:-

- The CEO be **REQUESTED** to prepare a report for the November 2019 meeting which provides in a table format data, regarding the following performance metrics:

Item	Performance Indicator
Development applications	Number of DA's Number of days to process
Legal actions	Legal costs incurred – Confidential

Events or seminars run by Town	<ol style="list-style-type: none"> 1. No of persons attending 2. Where attendees have registered, the post codes of attendees 3. Feedback survey results from emails-summary of the 4 issues raised in the Survey Monkey questionnaire
Insurance claim notifications over \$10,000	Number of claims reported to LGIS
Workers compensation claims	Number of claims reported by Directorate
Training	<ol style="list-style-type: none"> 1. Number of training modules delivered to staff 2. Subject matter of training modules 3. Date of training 4. Number of attendees
Sick Leave used	Average days per employee, listed for each Directorate
Annual leave accrued	Number of days per employee, listed for each Directorate
Staff turnover	Number of terminations, listed for each Directorate
Occupational Safety & Health	Number of incident reports, listed by each directorate
Customer service satisfaction	<p>Satisfaction levels. A survey monkey questionnaire that gets emailed to event participants or is on our website for people to give feedback on public events that asks:</p> <ol style="list-style-type: none"> 1. Was the content of the event appropriate? rated 1-5 2. How satisfied were you with the quality of the presenter? 1-5 3. How satisfied were you with the information provided? 1-5 4. Can you recommend any changes we can make to improve the event?

2. *Customer satisfaction surveys should be administered to all attendees at the events or seminars run by the Town and posters displayed at all Town facilities encouraging customers to lodge feedback about service satisfaction via the Town's website."*

Motion put and CARRIED (8/0)

DETAILS:

The Town's Administration has collected statistics and other requested information as follows:

Item	Performance Indicator	Comment
Development applications	Number of DA's Number of days to process	Refer Attachment 1
Legal actions	Legal costs incurred – Confidential	Refer Confidential Attachment 2
Events or seminars run by Town	<ol style="list-style-type: none"> 1. No of persons attending 2. Where attendees have registered, the post codes of attendees 3. Feedback survey results from emails-summary of the 4 issues raised in the Survey Monkey questionnaire 	Refer Attachment 3
Insurance claim notifications over \$10,000	Number of claims reported to LGIS	Refer Confidential Attachment 1

Workers compensation claims	Number of claims reported by Directorate	Refer Confidential Attachment 3
Training	1. Number of training modules delivered to staff 2. Subject matter of training modules 3. Date of training 4. Number of attendees	Refer Confidential Attachment 3
Sick Leave used	Average days per employee, listed for each Directorate	Refer Confidential Attachment 3
Annual leave accrued	Number of days per employee, listed for each Directorate	Refer Confidential Attachment 3
Staff turnover	Number of terminations, listed for each Directorate	Refer Confidential Attachment 3
Occupational Safety & Health	Number of incident reports, listed by each directorate	Refer Confidential Attachment 3
Customer service satisfaction	Satisfaction levels. A survey monkey questionnaire that gets emailed to event participants or is on our website for people to give feedback on public events that asks: 1. Was the content of the event appropriate? rated 1-5 2. How satisfied were you with the quality of the presenter? 1-5 3. How satisfied were you with the information provided? 1-5 4. Can you recommend any changes we can make to improve the event?	Nil information for period of review

POLICY/STATUTORY IMPLICATIONS:

There are no policy implications in relation to this report. Some information is considered confidential, as it concerns some employees, or is the subject of current legal action or is of a commercially sensitive nature.

RISK MANAGEMENT IMPLICATIONS:

Low: The failure to provide the requested information has minimal impact on the Council or the Town's operations.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report, as the Town's Administration has collected the statistical information in-house, using the Town's current employees.

STRATEGIC DIRECTION:

Our Council

Goal 9: **Transparent, accountable governance.**
Strategy 9.1 Implement initiatives that strengthen governance skills, transparency and knowledge.

Goal 10: The Town is a proactive local government that provides financially sustainable public assets, services and facilities.

Strategy 10.3 Ensure sound and sustainable financial planning, management and reporting.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 - Community Engagement criteria, and no community consultation is required as it is an administrative matter.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council RECEIVES the Town of Cambridge Corporate Statistics Reports for the period 1 July 2019 – 31 December 2019, as shown in Attachments 1 and confidential Attachment 2.

Motion put and CARRIED (5/0)

CR20.17 POLICY NO: 3.2.10 – CORPORATE CREDIT CARD POLICY - ADOPTION

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the requirement to adopt a Policy relating to Corporate Credit Cards.

SUMMARY:

Council is requested to give consideration to adopting a revised Policy No: 3.2.10 – '*Corporate Credit Cards*', as presented at **Attachment 1**.

The Council currently does not have a policy concerning Corporate Credit Cards, although it has a management Practice, which is used by the Administration

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input checked="" type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	Town of Cambridge - 1 Bold Park Drive, Floreat
Report Date:	10 February 2020
Responsible Officer:	Chief Executive Officer, John Giorgi, JP
Reporting Officer:	Chief Executive Officer, John Giorgi, JP
Contributing Officers:	Director Corporate and Community Services, Cam Robbins Manager Finance, Roy Ruitenga Manager Corporate Business, Rob Andrews
Reporting Officers Interest	Nil
Attachments:	1. Draft Council Policy 3.2.10 – ' <i>Corporate Credit Cards</i> ' 2. Department of Local Government, Sports and Cultural Industries Guidelines – ' <i>Corporate Credit Cards</i> '

BACKGROUND:

In accordance with Sections 5.3(1), 5.22 and 5.23(1) of the *Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996*, Councils are required to adopt a policy relating to Corporate Credit Cards.

The Town's Administration has previously adopted a Management Practice relating to Corporate Credit Cards and this was reviewed in July 2018.

DETAILS:

Research and Comparison with other Local Governments

In researching this matter, a review was made a number of local government policies.

The research revealed that some local government have adopted a Council policy, whilst a smaller number has continued to use a Policy- but not adopted by the Council. (ie an internal policy/management practice.

The Department of Local Government, Sports and Cultural Industries has produce a Model Guideline Policy relating to Corporate Credit Cards. The Guidelines state:

“Advantages of corporate credit cards

When used correctly, a credit card can:

- (a) eliminate or reduce time spent on paper based ordering and payments;*
- (b) reduce administrative costs;*
- (c) reduce the number of payments made per month;*
- (d) provide a useful resource in remote and emergency situations;*
- (e) reduce the need to carry cash on the premises; and*
- (f) provide an effective audit trail of expenditures.*

Policies and procedures governing the use of corporate credit cards

The following matters should be considered when developing policies and procedures for controlling the use of credit cards:

General:

- (a) an agreement should be signed by the cardholder and the local government which sets out the cardholder's responsibilities and legal obligations when using the credit card;*
- (b) a register of all current cardholders should be kept which includes card number, expiry date of the credit card, credit limit and details of goods and services the cardholder has authority to purchase;*
- (c) all new and existing cardholders should be provided with a copy of the policies relating to the use of credit cards;*
- (d) what the cardholder should do in the event their employment ceases, an extended period of leave is taken or they are moved to a position which does not require the use of a credit card;*
- (e) what the cardholder should do if they lose or misplace their credit card;*
- (f) credit cards should not be transferred to other users;*
- (g) how reward schemes, such as Fly Buys, will be treated;*
- (h) the arrangements for destruction of all surrendered credit cards; and*
- (i) what action is to be taken in the event that a cardholder fails to comply with the policies.*

Purchasing

- (a) *credit cards should only be used for purchasing goods and services on behalf of the local government;*
- (b) *personal expenditure should be prohibited;*
- (c) *a credit card should not be used for cash withdrawals;*
- (d) *maximum credit limits should be based on the cardholder's need; and*
- (e) *how purchases by facsimile, telephone or over the Internet are to be dealt with.*

Payments

- (a) *time frames for payment of accounts should be monitored to ensure that credit charges are minimised;*
- (b) *establish strict guidelines for expenditure on entertainment; and*
- (c) *cardholders cannot approve expenditure incurred on their own credit cards*

Issuing of corporate credit cards to elected members

The Act does not make provision for the issuing of credit cards to elected members. A local government can only pay allowances or reimburse expenses to an elected member. There are no provisions within the Act which allow an elected member to incur a debt, as would be the case with a credit card.

Who should approve corporate credit card applications?

The CEO should approve an application by a local government employee for a corporate credit card. In the case of the CEO, the council should approve the application."

Town of Cambridge Proposed Policy

As the policies for each local government varies, it is up to each local government Council to determine what is best for its own circumstances. The draft Policy includes all of the requirements in the DLGSCI Guidelines and also other information to supplement the Policy to provide stricter control measures and to provide further guidance to the Administration.

Number of Cards:

The Town currently has two (2) credit cards, as follows:

- (a) Manager Finance - \$10,000 limit
- (b) Manager Wembley Golf Course - \$5,000 limit

It is considered that operation benefits and costs savings can be achieved by introducing more credit cards into the Administration and it is proposed to trial the provision of one card for each Directorate and carry out a review in twelve months. The maximum limit will be \$5,000.

POLICY/STATUTORY IMPLICATIONS:

Local Government Act 1995 -

- Section 2.7(2)(a) and (b) of the Act requires the council to oversee the allocation of the local government's finances and resources and to determine the policies of the local government.

- Section 6.5(a) of the Act requires the Chief Executive Officer (CEO) to ensure that proper accounts and records of the transactions and affairs of the local government are kept in accordance with regulations.

Local Government (Financial Management) Regulations 1996 11(1)(a) requires local governments to develop procedures for the authorisation and payment of accounts to ensure that there is effective security and appropriate authorisations in place for the use of credit cards.

RISK MANAGEMENT IMPLICATIONS:

High: The failure to not have a Policy has a high risk, as it would be a breach of legislative requirements and exposes the Town to potential misuse by the card holders.

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC DIRECTION:

Our Council

Goal 9: Transparent, accountable governance

Strategy 9.1: Implement initiatives that strengthen governance skills and knowledge

COMMUNITY ENGAGEMENT:

The adoption of a Policy will provide guidance to the Council, Administration and general public concerning Corporate Credit Cards.

This matter has been assessed under the Community Engagement Policy No.1.2.11 and does not require community consultation, as this matter is administrative in nature.

ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That the Council APPROVES BY AN ABSOLUTE MAJORITY to adopt Policy No: 3.2.10 – ‘Corporate Credit Cards’, as shown in Attachment 1.

Committee Meeting 17 February 2020

During discussion, Mayor Shannon suggested that all credit cards issued should have a maximum credit limit of \$5,000.

In accordance with clause 9.11 of the Town of Cambridge *Meeting Procedures Local Law 2019*, the Mayor, with the consent of the seconder, amended the policy accordingly.

COMMITTEE RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY to adopt Policy No: 3.2.10 – ‘Corporate Credit Cards’, as amended and shown in Attachment 1, subject to all credit cards having a maximum credit limit of \$5,000.

Motion put and CARRIED (5/0)

CR20.18 POLICY NO: 1.1.15 – ATTENDANCE AT EVENTS - ADOPTION

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of amendments to the *Local Government Act 1995*, which requires all local governments to adopt a Policy relating to Attendance at Events.

SUMMARY:

Council is requested to give consideration to adopting Policy No: 1.1.15 – *Attendance at Events*, as presented at **Attachment 1**.

The Council currently does not have a policy concerning attendance at events.

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input checked="" type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	Town of Cambridge - 1 Bold Park Drive, Floreat
Report Date:	10 February 2020
Responsible Officer:	Chief Executive Officer, John Giorgi, JP
Reporting Officer:	Chief Executive Officer, John Giorgi, JP
Contributing Officer:	Nil
Reporting Officers Interest	Nil
Attachments:	<ol style="list-style-type: none"> 1. Council Policy 1.1.15 – <i>'Attendance at Events'</i> 2. Department of Local Government, Sports and Cultural Industries Guidelines – <i>'Attendance at Events'</i>

BACKGROUND:

In 2017, a review of the *Local Government Act 1995* (the Act) was announced. On 27 June 2019, the *Local Government Legislation Amendment Act 2019* was passed in Parliament.

The amendments to the Act included a new gifts framework and the requirement for all local governments to develop and publish a policy covering the attendance of the Mayor, Elected

Members and the Chief Executive Officer at events. The Department of Local Government, Sport and Cultural Industries explained the reasons for change:-

“It is important that council members and CEOs make decisions – and are seen to be making decisions – free from influence.

The amendments also recognise that there is a valid role for council members in attending events, but makes this a decision of council in accordance with a published policy.”

Functions

The Town of Cambridge has historically held Civic functions to:-

- (a) Encourage club officials and members to keep abreast of future challenges, trends and innovations through interactive information sessions;
- (b) Recognise contributions made by members of the community, including volunteers; and
- (c) Conduct regular citizenship ceremonies, processing up to 60 recipients at each ceremony.

In accordance with Sections 5.90A of the *Local Government Act 1995*, Councils are required to adopt a policy relating to attendance at events.

DETAILS:

Section 5.90A of the Local Government Act requires that local governments have an attendance at events policy. The purpose of the policy is for the council to actively consider the purpose of and benefits to the community from council members and the CEO attending events. The Department of Local Government, Sports and Cultural Industries (DLGSCI) has produced Guidelines and a Policy Template to provide guidance to local governments.

The Department of Local Government, Sports and Cultural Industries (DLGSCI) policy provides a framework for the acceptance of invitations to various events, clarifies who will pay for tickets or the equivalent value of the invitation. Refer **Attachment 2**.

The DLGSCI guidelines state:

“The tickets should be provided to the local government and not individual council members.

A ticket or invitation provided by a donor to an individual in their capacity as a council member or CEO is to be treated as a gift to that person, unless the tickets or invitation is referred to the local government to be considered in accordance with the policy.

Matters for consideration in developing the policy

In developing the policy, there are a number of matters which need to be considered. Principally, the council needs to consider what is the benefit to the community or local government in having members of council or the CEO attend the event.

The Attendance at Events policy is to enable council members to attend events as a representative of council without restricting their ability to participate in council meetings. It is not intended to be used as a mechanism to avoid conflict of interest provisions where significant matters are likely to come before council from the provider of the invitation.

While attending events is generally considered an important function for council members and the CEO to represent the local government, if there are costs involved, especially significant costs, it can lead to criticism from the community for spending ratepayer's money if the tangible benefits are not identified. Similarly, if the council is accepting tickets, including those as a result of sponsorship, there can be a perception of bias when matters affecting that organisation come before council.

The policy should consider the role that the person attending will have at the event - for example, speaking, giving an award or being a member of the audience - especially if there are significant costs associated with attendance. The community perception will be different for a person attending to undertake a specific role or function versus being a member of the audience.

Note that examples are provided in the legislation of what constitutes an event: concerts, conferences, functions and sporting events. This is not an exhaustive list and councils should consider the full range of events that may be relevant to their local government, such as agricultural shows, field days, school awards nights and cultural events.

Ultimately, it is the decision of the council as to what is contained within the policy and this will vary between local governments.

Matters that could be included are:

- a) *To whom invitations are to be directed,*
- b) *Who authorises attendance at an event, including how the decision is made for a council member or CEO to attend an event,*
- c) *How many people are authorised to attend an event,*
- d) *Who is responsible for the cost of attending (if any), including whether there is a requirement for the council member or CEO to contribute to the cost, particularly if the person's partner is also attending;*
- e) *Whether there are any events that are authorised in advance by council (pre-authorised events),*
- f) *Whether the location of the event is within the district,*
- g) *Attendance at sponsored events, and*
- h) *Attendance at events that are outside the policy.*

The policy may provide authorisation for the CEO to be the decision maker where decisions align with the policy intent. In that case, the policy must set out clear criteria by which the CEO may make such determinations.

Concluding remarks:

In developing the Attendance at Events policy, councils need to actively consider the purpose of and benefits to the community from council members and CEOs attending events. The policy should not be used to intentionally circumvent conflict of interests which may arise from attending events hosted by a provider who will have a significant matter before council.

Local governments are encouraged to use the DLGSCI template as a guide and to adapt it to reflect the needs and expectations of their communities. The policy can also be adapted to include attendance at events by employees other than the CEO.

The community's trust in local government is crucial to its success."

Town of Cambridge Proposed Policy:

As the policies for each local government varies, it is up to each local government Council to determine what is best for its own circumstances. The draft Policy includes all of the requirements in the DLGSCI Guidelines and also other information to supplement the Policy to provide stricter control measures and to provide further guidance to the Administration.

The policy will affect all Elected Members and the Chief Executive Officer. More broadly the policy will affect the way the City invites and registers the attendance of Elected Members to events, in particular the provision of tickets and who approves the attendance.

The Act classifies an event as:-

- (a) a concert;
- (b) a conference;
- (c) a function;
- (d) a sporting event; and
- (e) an occasion of a kind prescribed for the purposes of this definition.

The policy must:-

- (a) List any Town events that Elected Members and the Chief Executive Officer may attend;
- (b) List any Town events that Elected Members and the Chief Executive Officer may attend;
- (c) State an approval process for events which includes the criteria for approval; and
- (d) Consider matters including payment in respect of attendance.

The following are key events that have been identified as appropriate for attendance:-

- (a) Opening or launch of an event or facility;
- (b) Annual general meetings of clubs or organisations;
- (c) Awards nights/dinners;
- (d) Town run tournaments or events;
- (e) Town hosted ceremonies and functions including stakeholder engagement;
- (f) Events run by local schools and educational institutions;
- (g) Australian or West Australian Local Government events;
- (h) Advocacy lobbying or Ministerial briefings;
- (i) Major professional bodies associated with local government at a local, state and federal level such as Conventions, Expos or Symposiums; and
- (j) Where Mayoral or Chief Executive Officer representation has been formally requested.

It is proposed that the above events are approved in lieu of the approval process detailed below to reduce the amount of administrative burden. The events listed within the policy will be excluded from the new gift provisions and if Elected Members or the Chief Executive Officer attend an event in accordance with the policy, there is no conflict of interest.

If the event is not mentioned within the policy, the Town will adopt the following approval process:-

- (a) Events for the Mayor will be approved by the Deputy Mayor;
- (b) Events for Councillors will be approved by the Mayor; and
- (c) Events for the Chief Executive Officer will be approved by the Mayor.

If a cost is associated with the attendance of an event, the Town will cover the costs for the Elected Member or the Chief Executive Officer if the event is within the policy or approved by the abovementioned method.

In the event the Elected Member or the Chief Executive Officer pays in full for attendance at an event with their own funds, and does not seek reimbursement, the policy will not apply.

Tickets to events provided directly to the Elected Members or the Chief Executive Officer must be recorded in a register on the Town's website within 10 days and include the date, event and the number of tickets provided.

Lunch and/or dinner sessions to engage with the community may be held throughout the year. Consideration could be given to the following when arranging these events:-

- (a) recognise or reward the community;
- (b) facilitate networking; or
- (c) to present on relevant matters of interest.

POLICY/STATUTORY IMPLICATIONS:

Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine policies. Council is required to adopt an Attendance at Events Policy as determined by the Section 5.90A(2) of the *Local Government Act 1995*.

Local Government Act 1995 –

Section 5.90A. - Policy for attendance at events states:

(1) *In this section —*

event *includes the following —*

- (a) *a concert;*
- (b) *a conference;*
- (c) *a function;*
- (d) *a sporting event;*
- (e) *an occasion of a kind prescribed for the purposes of this definition.*

(2) *A local government must prepare and adopt* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —*

- (a) *the provision of tickets to events; and*
- (b) *payments in respect of attendance; and*
- (c) *approval of attendance by the local government and criteria for approval; and*
- (d) *any prescribed matter.*

** Absolute majority required.*

(3) *A local government may amend* the policy.*

** Absolute majority required.*

(4) *When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*

(5) *The CEO must publish an up-to-date version of the policy on the local government's official website.*

Town of Cambridge Code of Conduct

The Town of Cambridge Code of Conduct states:

8.3 Town of Cambridge employees are not permitted to accept gifts or hospitality of any kind as part of their employment with the Town. [Adopted at Council meeting 26 February 2019]

Council Decision 19 December 2017

At the Council meeting held on 19 December 2017, the Council resolved as follows:

“That:-

- (i) the Town’s Elected Members agree to abide by a policy to not accept gifts given to them in their capacity as Elected members, excluding where an Elected member is required to attend an event in a representative capacity on behalf of the Town. In this circumstance the cost of the event or the cost of the meal or refreshments provided shall be declared in accordance with the Local Government Act and Regulations;*
- (ii) The CEO publish a note on the Town’s website with the Gifts Register that states the Town’s Elected Members do not accept gifts given in the service of their public duties.”*

RISK MANAGEMENT IMPLICATIONS:

High: The failure to not have a Policy has a medium/high risk, as it would be a breach of legislative requirements and exposes the Town to potential misuse.

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC DIRECTION:

Our Council

Goal 9: Transparent, accountable governance

Strategy 9.1: Implement initiatives that strengthen governance skills and knowledge

COMMUNITY ENGAGEMENT:

The adoption of a Policy will provide guidance to the Council, Administration and the general public.

This matter has been assessed under the Community Engagement Policy No.1.2.11 and does not require community consultation, as this matter is administrative in nature.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That the Council APPROVES BY AN ABSOLUTE MAJORITY to ADOPT Policy No: 1.1.15 – ‘Attendance at Events’ as shown in Attachment 1.

Motion put and CARRIED (5/0)

CR20.19 POLICY NO: 1.1.9 – ELECTED MEMBER PROFESSIONAL DEVELOPMENT – REVIEW AND AMENDMENT - ADOPTION

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of amendments to the *Local Government Act 1995*, which requires all local governments to adopt a Policy relating to Elected Member professional development.

SUMMARY:

Council is requested to give consideration to adopting a revised Policy No: 1.1.9 – *Elected Member Professional Development*, to reflect the requirements of the *Local Government Act 1995*, as presented at **Attachment 1**.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes & policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests.
<input type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	Town of Cambridge - 1 Bold Park Drive, Floreat
Report Date:	10 February 2020
Responsible Officer:	Chief Executive Officer John Giorgi, JP
Reporting Officer:	Chief Executive Officer - John Giorgi, JP
Contributing Officer:	Nil
Reporting Officers Interest	Nil
Attachments:	1. Council Policy 1.1.9 –'Elected Member Professional Development' 2. Confidential Register of current Elected Member Training

BACKGROUND:

In 2017, a review of the *Local Government Act 1995* (the Act) was announced. On 27 June 2019, the *Local Government Legislation Amendment Act 2019* was passed in Parliament. The amendments to the Act included a number of significant changes, including:-

- (a) a new gifts framework;
- (b) the requirement for all local governments to develop and publish a policy covering the attendance of the Mayor, Elected Members and the Chief Executive Officer at events; and
- (c) the requirement of all newly elected Elected Members to undertake compulsory training within twelve (12) months of being elected to Council; and
- (d) also to adopt a Policy relating to Elected Member Professional Development.

In accordance with Sections 5.128A of the *Local Government Act 1995*, Councils are required to adopt a policy relating to Elected Member Professional development.

Changes to the Council current policy are shown in RED font and strike-thru.

DETAILS:

The Mayor and Elected Members of the Town of Cambridge will be required to undertake compulsory training within twelve (12) months of being elected to Council. The compulsory training focuses on five core units:-

1. Understanding Local Government;
2. Serving on Council;
3. Meeting Procedures;
4. Conflicts of Interests; and
5. Understanding financial reports and budgets.

The training will take approximately five days to complete 'face to face' or online. Once completed the training is valid for five years so the requirement for training is after every second election.

Elected Members will be exempt from undertaking compulsory training if they have completed any of the following courses within the last five years:-

- (a) Council Member Essentials;
- (b) Diploma of Local Government (Elected member); or
- (c) Elected Member Skill Set.

The policy requires continuing professional development opportunities to be provided to the Town's Elected Members. The opportunities will be in line with the strategic direction of the Town:-

1. Our Community (Social);
2. Our Services (Economic);
3. Our Neighbourhood (Built Environment);
4. Our Environment; and/or
5. Our Council (Governance and Leadership).

In addition to the strategic objectives of the Town, it is important to recognise the following categories as opportunities:-

- (a) Leadership and management;
- (b) Governance; and
- (c) Professional skill development associated with the role of an Elected Member. (eg budgeting, finance, planning)

The Town will investigate opportunities for professional skill development based on the direction of Council or individual Elected Member requests.

Existing Elected Member policies may need to be reviewed and amended in light of this new policy. These policies will be submitted to Council for review in 2020, with the aim by 30 June 2020.

Reporting Requirements:

The Town is required to report annually on completed training. Completed training must be published on the City's website for that financial year. This will include the Council Member Essentials Course and any continuing professional development undertaken by Elected Members.

A Register will be maintained in the Office of the Chief Executive of all Elected Member training.

POLICY/STATUTORY IMPLICATIONS:

Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine policies.

Council is required to adopt an '*Elected Member Professional Development Policy*', as determined by the Section 5.128A of the *Local Government Act 1995*.

RISK MANAGEMENT IMPLICATIONS:

High: The failure to not have a Policy has a medium risk, as it would be a breach of legislative requirements and exposes the Town to potential misuse.

FINANCIAL IMPLICATIONS:

The training contained within the policy will have a financial cost.

Funding for Elected Member training is included in the approved 2019/2020 Annual Budget.

STRATEGIC DIRECTION:

Our Council

Goal 9: Transparent, accountable governance

Strategy 9.1: Implement initiatives that strengthen governance skills and knowledge

COMMUNITY ENGAGEMENT:

The adoption of a Policy will provide guidance to the Council, Administration and general public.

This matter has been assessed under the Community Engagement Policy No.1.2.11 and does not require community consultation, as this matter is administrative in nature.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council APPROVES BY AN ABSOLUTE MAJORITY to ADOPT amended Policy No: 1.1.9 – '*Elected Member Professional Development*', as shown in Attachment 1.

Motion put and CARRIED (5/0)

CR20.20 AUSTRALIAN CITIZENSHIP CEREMONY DRESS CODE

PURPOSE OF REPORT:

The purpose of this report is to seek Council’s endorsement of a Dress Code for Citizenship Ceremonies, as required by the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, the Hon David Coleman MP (the Minister).

SUMMARY:

Correspondence received from the Minister, dated 19 September 2019, details that it is a requirement of the Department of Home Affairs (the Department) that Local Government Councils must ensure Citizenship Ceremonies are conducted in accordance with the new Australian Citizenship Ceremonies Code (the Code), and that each Local Government establishes a Dress Code for the occasion, and notifies the Department of that Dress Code.

AUTHORITY / DISCRETION

- Advocacy When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive The substantial direction setting and oversight role of the Council, eg: adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies.
- Review When the Council operates as a review authority on decisions made by Officers for appeal purposes.
- Quasi-Judicial When the Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
- Information For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration, 1 Bold Park Drive, Floreat
Report Date:	12 February 2020
Responsible Officer:	Chief Executive Officer, John Giorgi, JP
Reporting Officer:	Coordinator Governance and Office of the CEO, Lee Gyomorei
Contributing Officer:	Not Applicable
Reporting Officer Interest	Nil
Attachment(s):	1. Correspondence from the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs, Dated 19 September 2019.

BACKGROUND:

Citizenship Ceremonies are public, ceremonial occasions, which fulfil legal requirements prescribed by the *Citizenship Act 2007*, and the *Australian Citizenship Regulations 2016*, by enabling Conferees to make the Australian Citizenship Pledge. The Town of Cambridge conducts up to five Citizenship Ceremonies annually.

DETAILS:

Correspondence received from the Minister, dated 19 September 2019, details that it is a requirement of the Department that Local Government Councils must ensure Citizenship Ceremonies are conducted in accordance with the new Australian Citizenship Ceremonies Code (the Code), which includes:

1. A requirement to hold a Citizenship Ceremony on Australia Day, 26 January, each year. Councils that conferred citizenship on less than 20 people in the previous year are considered exempt from this requirement. The Town confers approximately 200 people annually.
2. Federal Members of Parliament, if attending a Citizenship Ceremony, should read the Minister's Message.
3. Individual Councils are to establish a Dress Code for Ceremonies, to reflect the significance of the occasion, and provide a copy of their Dress Code to the Department of Home Affairs.

The Department provides the following statement on their web site relating to dress requirements for Citizenship Ceremonies:

"What to wear

The ceremony is an important event where you make a commitment to Australia. You and your guests should be dressed in formal or smart casual clothing, and groomed to reflect its significance.

If the ceremony is being held outdoors, you may want to take a hat and some sunscreen.

Your invitation to the ceremony may include additional information regarding the standard of dress required for the ceremony."

Dress Code

Research undertaken of other Local Governments has revealed that the majority of Councils simply restate the Department's first paragraph above, or provide a brief statement to the effect that smart attire is required, and that national or cultural dress is welcomed.

A small number of Local Governments also state what attire is not permitted, such as beach wear, rubber thongs, sleepwear, etc, and that attendees in breach of the respective Dress Code may be requested to remove themselves from the venue until the ceremony concludes.

The Town's experience to date has been that Conferees regard Citizenship Ceremonies as something of great importance to them, and dress appropriately for the occasion.

It is therefore proposed that the Town adopt the following Dress Code statement to be included in correspondence to Conferees, and to be placed on the Town's website. Should issues arise in relation to the standard of dress, the Town will review and present a further report to Council to adopt a more detailed approach to the Dress Code.

POLICY/STATUTORY IMPLICATIONS:

1. *Citizenship Act 2007.*
2. *Australian Citizenship Regulations 2016.*

RISK MANAGEMENT IMPLICATIONS:

Low: Adoption of the recommendation detailed in this report presents a low risk to Council, as it is in accordance with the legislative requirements placed upon the Town of Cambridge in conducting Citizenship Ceremonies. Non adoption of the recommendation could present a higher risk to Council through non-compliance.

FINANCIAL IMPLICATIONS:

There are no Financial Implications related to this report.

STRATEGIC DIRECTION:

The recommendation detailed in this report embraces the following goals of the Town's Strategic Community Plan 2018-2028:

Our Council

Goal 9 Transparent, accountable governance.

Goal 11 A strong performing local government.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 – Community Engagement, and does not require community consultation, as this matter is administrative in nature.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council:

- 1. NOTES the new Australian Citizenship Ceremonies Code, and its requirements for Councils to hold Citizenship Ceremonies on Australia Day, 26 January, each year;**
- 2. NOTES that Federal Members of Parliament, if attending a Citizenship Ceremony, should read the Minister's Message; and**
- 3. ADOPTS the dress code, as follows:-**

"Town of Cambridge Australian Citizenship Dress Code:

- *Citizenship Ceremonies are an important event where recipients make a commitment to Australia.***
 - *Recipients and their guests should be dressed in formal or smart casual clothing to reflect its significance.***
 - *National or cultural dress is welcomed."***
- 4. ADVISES the Department of Home Affairs of the Council decision.**

Motion put and CARRIED (5/0)

CR20.21 REGISTER OF PETITIONS – PROGRESS REPORT

PURPOSE OF REPORT:

This report provides an update on Petitions received by Council, as at 12 February 2020.

SUMMARY:

Report 10.2 – Status of Petitions – 1 July 2018 to 26 November 2019 was presented to the Ordinary Council Meeting of 17 December 2019. Report 10.2 was the first report presented to Council on the topic of Petitions, and therefore detailed an extended timeframe from July 2018. This report details petitions received to date. The next report will be presented to Council in March, and will detail all active petitions.

AUTHORITY / DISCRETION

- Advocacy When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive The substantial direction setting and oversight role of the Council, eg: adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies.
- Review When the Council operates as a review authority on decisions made by Officers for appeal purposes.
- Quasi-Judicial When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
- Information For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration, 1 Bold Park Drive, Floreat
Report Date:	12 February 2020
Responsible Officer:	Chief Executive Officer, John Giorgi, JP
Reporting Officer:	Coordinator Governance and Office of the CEO, Lee Gyomorei
Contributing Officer:	Not Applicable
Reporting Officer Interest	Nil
Attachment(s):	1. Register of Petitions.

BACKGROUND:

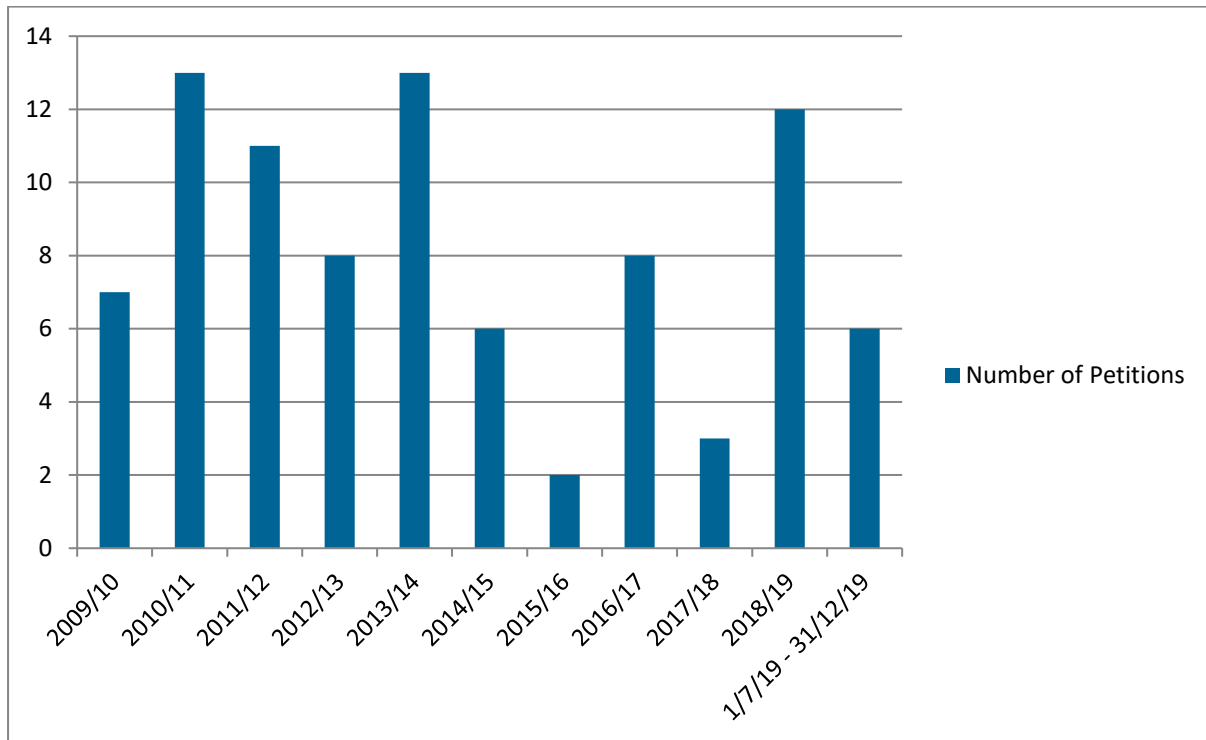
As part of the Town's ongoing governance improvements, it was determined to provide Council with an update report on Petitions received on a regular basis.

DETAILS:

Presentations presented at Ordinary Meetings are considered by Council, and if received, are actioned by the Town's Administration. **Attachment 1** details Petitions received to date. Attachments to further reports will only detail active petitions until completion.

A total of 18 Petitions were received by Council in 2019, with the following outcomes:

The following is a Table showing the number of petitions for the period 2009-2019:



POLICY/STATUTORY IMPLICATIONS:

1. *Town of Cambridge Meeting Procedures Local Law 2019.*

RISK MANAGEMENT IMPLICATIONS:

Low: Reporting on the status of Petitions, and adoption of the Administration’s recommendation detailed in this report, provides for good governance and transparency. Risks will vary for reports on each individual Petitions.

FINANCIAL IMPLICATIONS:

There is no financial impact through adoption of the recommendation, however separate reports on each individual Petition may have financial implications.

STRATEGIC DIRECTION:

The recommendation detailed in this report embraces the following goals of the Town’s Strategic Community Plan 2018-2028:

Our Council

Goal 9 **Transparent, accountable governance.**
Strategy 9.1: Implement initiatives that strengthen governance skills, transparency and knowledge.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 – Community Engagement, and does not require community consultation, as this matter is administrative in nature.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council NOTES the status of Petitions progress report, as at 12 February 2020.

Motion put and CARRIED (5/0)

CR20.22 REGISTER OF NOTICES OF MOTION – STATUS AS AT 1 JANUARY 2019 TO 31 DECEMBER 2019

PURPOSE OF REPORT:

This report provides an update on Notices of Motion presented to Council for the period 1 January 2019 to 31 December 2019.

SUMMARY:

Report 10.3 – Status of Notices of Motion – 1 July 2018 to 26 November 2019, was presented to the Ordinary Council Meeting of 17 December 2019. Report 10.3 was the first report presented to Council on the topic of Notices of Motion, and therefore detailed an extended timeframe from July 2018. This report details the full calendar year of 2019 in order to capture the December Ordinary Council Meeting. The next report will be presented to Council in March, and will commence with the 2020 calendar year. Subsequent reports will provide a monthly update to Council until the conclusion of each calendar year.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council, eg: adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input checked="" type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration, 1 Bold Park Drive, Floreat
Report Date:	12 February 2020
Responsible Officer:	Chief Executive Officer, John Giorgi, JP
Reporting Officer:	Coordinator Governance and Office of the CEO, Lee Gyomorei
Contributing Officer:	Not Applicable
Reporting Officer Interest	Nil
Attachment(s):	1. Register of Notices of Motion – 1 January 2019 – 31 December 2019.

BACKGROUND:

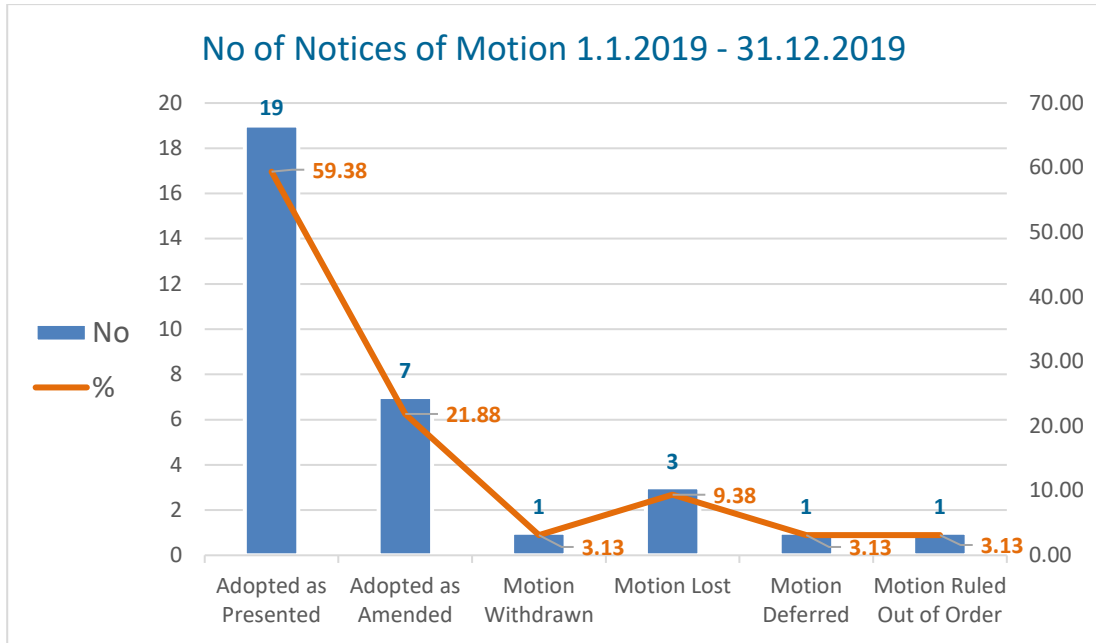
As part of the Town's ongoing governance improvements, it was determined to provide Council with an update report on Notices of Motion on a regular basis.

DETAILS:

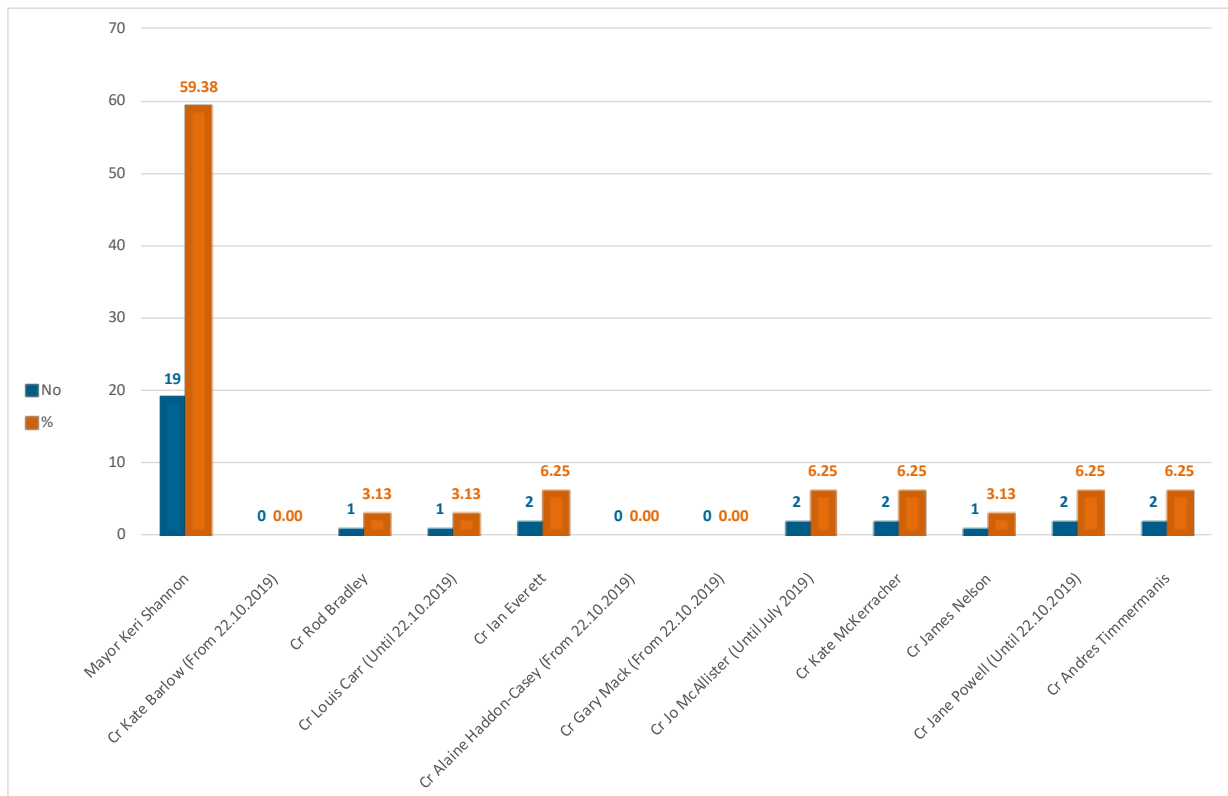
Notices of Motion presented at Ordinary Meetings are considered by Council, and if adopted, are actioned by the Town’s Administration. **Attachment 1** details Notices of Motion presented from 1 January 2019 to 31 December 2019.

A total of 32 Notices of Motion were presented to Council in 2019, with the following outcomes:

Notices of Motion by Council Resolution

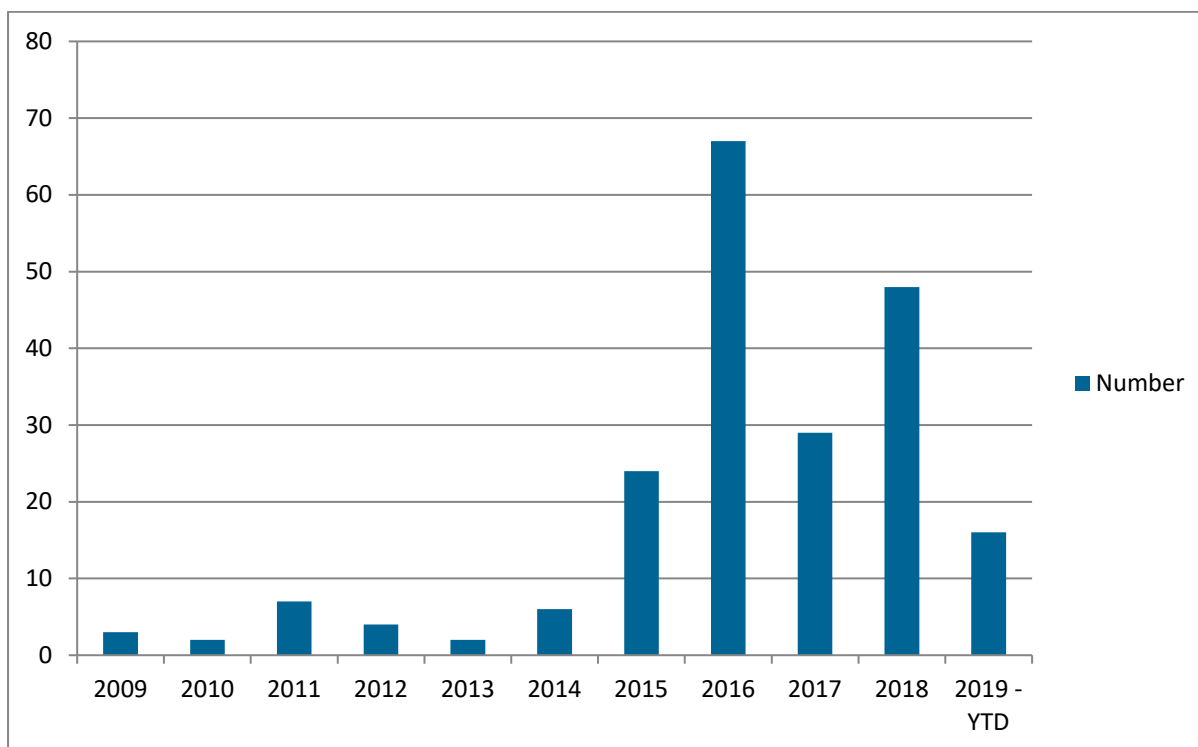


Notices of Motion by Elected Member



Summary of Notices of Motion:

The following is a summary of the Notices of Motion for the period from 2009 to 31 December 2019:



POLICY/STATUTORY IMPLICATIONS:

1. *Town of Cambridge Meeting Procedures Local Law 2019.*

RISK MANAGEMENT IMPLICATIONS:

Low Reporting on the status of Notices of Motion, and adoption of the Administration's recommendation detailed in this report, provides for good governance and transparency. Risks will vary for reports on each individual Notice of Motion.

FINANCIAL IMPLICATIONS:

There is no financial impact through adoption of the recommendation, however separate reports on each individual adopted Notice of Motion may have financial implications.

STRATEGIC DIRECTION:

The recommendation detailed in this report embraces the following goals of the Town's Strategic Community Plan 2018-2028:

Our Council

Goal 9 **Transparent, accountable governance.**
Strategy 9.1: Implement initiatives that strengthen governance skills, transparency and knowledge.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 – Community Engagement, and does not require community consultation, as this matter is administrative in nature.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That Council NOTES the status of Notices of Motion for the period 1 January 2019 to 31 December 2019.

Motion put and CARRIED (5/0)

AUDIT COMMITTEE
12 FEBRUARY 2020
ORDER OF BUSINESS

- 1. DECLARATION OF OPENING**
- 2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
- 3. CONFIRMATION OF MINUTES**
- 4. DECLARATION OF MEMBERS' INTERESTS**

5. REPORTS

AU20.1	Register of Outstanding Audit Matters – Progress Report as at 12 February 2020	1
AU20.2	Audit Committee – Appointment of External Community Representatives	3
AU20.3	Compliance Audit Return 2019	6
AU20.4	Public Sector Commission – Integrity Strategy for WA Public Authorities 2020-2023 and Associated Integrity Snapshot Tool	9
AU20.5	Bonds Interest Refund – Progress Report No: 3 as at 12 February 2020	12
AU20.6	Office of the Auditor General’s Report - Records Management in Local Government - Approval	15
AU20.7	Office of the Auditor General’s Report – Verifying Employee Identity Credentials – Progress Report No. 2	18
AU20.8	Business Continuity Plans – Progress Report No: 1	22
AU20.9	RFQ43-19 Provision of Internal Audit Services - Appointment	25

6. CLOSURE

**MINUTES OF THE MEETING OF THE AUDIT COMMITTEE OF THE TOWN OF CAMBRIDGE
HELD AT THE ADMINISTRATION/CIVIC CENTRE, 1 BOLD PARK DRIVE, FLOREAT ON
WEDNESDAY 12 FEBRUARY 2019**

1. DECLARATION OF OPENING

The Presiding Member, Mayor Keri Shannon, declared the meeting of the Audit Committee open at 6:02 pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Present:	Time of Entering	Time of Leaving
-----------------	-------------------------	------------------------

Members:

Mayor Keri Shannon (Presiding Member)	6.02 pm	7.26 pm
Cr Rod Bradley	6.02 pm	7.26 pm
Cr Alaine Haddon-Casey	6.02 pm	7.26 pm
Cr Kate McKerracher (Deputy Mayor)	6.02 pm	7.26 pm
Cr Gary Mack	6.02 pm	7.26 pm

Observers:

Nil

Officers:

John Giorgi, JP, Chief Executive Officer	6.02 pm	7.26 pm
Cam Robbins, Director Corporate and Community Services	6.02 pm	7.26 pm
Roy Ruitenga, Manager Finance	6.02 pm	7.26 pm
Lee Gyomorei, Coordinator Governance and Office of the CEO	6.02 pm	7.26 pm
Denise Ribbands, Senior Governance Officer	6.02 pm	7.26 pm

Also in attendance:

Cameron Palassis, Paxon Group (until 7.09 pm)

Media:

Nil

Public:

Nil

Adjournments:

Nil

Time meeting closed:

7.26 pm

APOLOGIES/LEAVE OF ABSENCE

Nil

3. CONFIRMATION OF MINUTES

Moved by Cr Haddon-Casey, seconded by Cr Bradley

That the Minutes of the Ordinary meeting of the Audit Committee held on 18 November 2019 be confirmed.

Motion put and CARRIED (5/0)

4. DECLARATION OF MEMBERS' INTERESTS

Item AU20.9 Director Corporate and Community Services, Cam Robbins and Manager Finance, Roy Ruitenga – Impartiality Interest

5. REPORTS

**AU20.1 REGISTER OF OUTSTANDING AUDIT MATTERS – PROGRESS REPORT AS AT
12 FEBRUARY 2020**

PURPOSE:

The purpose of this report is to provide the Audit Committee and Council with an update on any outstanding audit matters, and the status of each item.

SUMMARY:

Outstanding audit matters were first reported to Committee and Council in October 2019. This report provides an update to the October report, including additional detail on action taken or proposed, as requested by Elected Members.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration Building 1 Bold Park Drive, Floreat
Report Date:	6 February 2020
Responsible Officer:	Chief Executive Officer – John Giorgi, JP
Reporting Officer:	Coordinator Governance and Office of the CEO – Lee Gyomorei
Contributing Officer:	Not Applicable
Reporting Officer Interest	Nil.
Attachment(s):	1. Outstanding Audit Matters Register – 2018 Onwards.

BACKGROUND:

The Audit Committee requested the Chief Executive Officer to present a report to each Committee Meeting detailing outstanding audit matters and the status of each in order to provide additional oversight.

A Register of Outstanding Audit Matters was developed and presented to Committee and Council in October 2019. The Register details all matters presented to Committee and Council from January 2018, and the status of each item.

DETAILS:

The Register of Outstanding Audit Matters shown at **Attachment 1** provides the status of each item, and contains additional detail, as requested by Council in October 2019. Matters where no further action is required will not be detailed in future progress reports.

POLICY/STATUTORY IMPLICATIONS:

1. *Local Government Act 1995.*
2. *Local Government (Financial Management) Regulations 1996.*
3. *Local Government (Audit) Regulations 1996.*

RISK MANAGEMENT IMPLICATIONS:

Medium: Reporting outstanding audit matters demonstrates improved governance and transparency, whilst providing Committee and Council with greater oversight of such matters. Failure to adopt the recommendation to receive Report AU20.1 presents medium risk.

FINANCIAL IMPLICATIONS:

There are no Financial Implications related to this report.

STRATEGIC DIRECTION:

The recommendation detailed in this report embraces the following goals of the Town's Strategic Community Plan 2018-2028:

Our Council

- Goal 9** Transparent, accountable governance.
Goal 11 A strong performing local government.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 – Community Engagement, and does not require community consultation, as this matter is administrative in nature.

ADMINISTRATION RECOMMENDATION:

Moved by Cr Mack, seconded by Cr McKerracher

That Council RECEIVES Report AU20.1 – Outstanding Audit Matters – Progress Report as at 12 February 2020, and shown at Attachment 1.

Committee Meeting 12 February 2019

During discussion, Mayor Shannon suggested that Register Items 16, 19, 22, 24, 25, 26, 27, 28, 29, 30 and 31 should not be recorded as complete but to be open until the item is submitted to the Audit Committee.

AMENDMENT:

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That the Outstanding Audit Matters Register be amended to read that Register Items 16, 19, 22, 24, 25, 26, 27, 28, 29, 30 and 31 are still open and not complete.

Amendment put and CARRIED (5/0)

COMMITTEE RECOMMENDATION:

That Council RECEIVES Report AU20.1 – Outstanding Audit Matters – Progress Report as at 12 February 2020, as amended, and shown at Attachment 1.

Motion put and CARRIED (5/0)

AU20.2 AUDIT COMMITTEE – APPOINTMENT OF EXTERNAL COMMUNITY MEMBERS

PURPOSE:

The purpose of this report is to seek appointment of two external Community Members to the Town of Cambridge Audit Committee.

SUMMARY:

In accordance with Council’s resolution of 26 November 2019, an advertisement was placed in a locally circulating newspaper seeking expressions of interest for the two vacant external Community Member positions on the Town’s Audit Committee.

The Council appointed Panel, comprising the Mayor, Deputy Mayor and Chief Executive Officer met on Thursday, 6 February 2020, in order to shortlist applicants.

In accordance with Council’s resolution of 26 November 2019, the Panel shortlisted the expressions of interest, and unanimously agreed on two preferred applicants, as shown in **Confidential Attachment 1**.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration Building 1 Bold Park Drive, Floreat
Report Date:	6 February 2020
Responsible Officer:	Chief Executive Officer – John Giorgi, JP
Reporting Officer:	Coordinator Governance and Office of the CEO – Lee Gyomorei
Contributing Officer:	Not Applicable
Reporting Officer Interest	Nil.
Attachment(s):	1. Expressions of Interest Received (Confidential).

BACKGROUND:

Council gave consideration to Report CR19.117 – Appointment of Community Representatives to the Audit Committee, at its Ordinary Meeting of 26 November 2019, and resolved as follows:

- “1. *AUTHORISES the CEO to advertise locally for two (2) new external Community Members of the Town of Cambridge Audit Committee;*
2. *APPROVES of a panel comprising of the Mayor, Deputy Mayor and Chief Executive Officer to interview shortlisted applicants for the role;*

3. *EXPRESSES its appreciation to the current Audit Committee Members, Mr James Cottrill and Ms Meg Ankelsaria, for their services on the Audit Committee for the past two years; and*
4. *AMENDS the Terms of Reference of the Audit Committee in relation to the terms of membership of the community representatives from 2 years to 4 years, with their term expiring concurrently with the October 2023 elections.”*

The term of appointment for the immediate past external Community Members of the Audit Committee expired in October 2019. The two vacancies were advertised for a two week period in December which sought expressions of interest to be submitted to the Chief Executive Officer by 20 December 2019.

It is noted that the Town’s newspaper advertisement stated a period of appointment of two years, however, Council’s resolution of 26 November 2019 stipulated a four year term. Applicants have been made aware of the extended term.

DETAILS:

Nine (9) expressions of interest were received from persons with appropriate qualifications and experience, and whom had an interest in the Town, either through them being a resident or through employment. The standard of the applicants was very high. Expressions of interest received are detailed at **Confidential Attachment 1**.

In accordance with Council’s resolution of 26 November 2019, the Panel shortlisted the expressions of interest, and unanimously agreed on two preferred applicants.

The Audit Committee aims to meet at least four times per year. The Community Representatives are paid an amount of \$500 per meeting for reimbursement of expenses, commensurate with the expertise and knowledge such people bring to the Committee. The participation of an external Member to the Audit Committee has proven to be of significant value.

POLICY/STATUTORY IMPLICATIONS:

1. Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996*, states that:

“The CEO is to undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than one in every 3 financial years) and report to the local government the results of those reviews.

2. Regulation 16(c) of the *Local Government (Audit) Regulations 1996*, states that:

“An Audit Committee is to review a report given to it by the CEO under regulation 17(3) (the CEO’s report) and is to:

- (i) report to the council the results of that review; and*
- (ii) give a copy of the CEO’s report to the council.”*

3. The *Local Government Act 1995*, Section 5.11 – Committee membership, tenure of, states:

- “(1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person’s membership of the committee continues until –*
(b) the person resigns from membership of the committee; or
(d) the next ordinary elections day,”

4. The Town’s Audit Charter stipulates:

“3.3 External persons appointed to the Committee will have business or financial management/reporting knowledge and experience, and be conversant with financial and other reporting requirements.

3.4 Appointment of external persons shall be made by Council by way of a public advertisement and be for a maximum term of four years, with the term to expire concurrently with the October local government ordinary elections. The terms of the appointment should be arranged to ensure an orderly rotation and continuity of membership despite changes to Council’s elected representatives.”

RISK MANAGEMENT IMPLICATIONS:

Low: Adoption of the recommendation to appoint two external Community Members to the Town of Cambridge Audit Committee presents a low risk. The recommendation is in accordance with statutory requirements, and provides for good governance.

FINANCIAL IMPLICATIONS:

The Annual Budget includes provision for internal audit matters.

STRATEGIC DIRECTION:

The recommendation detailed in this report embraces the following goals of the Town’s Strategic Community Plan 2018-2028:

Our Council

Goal 9 Transparent, accountable governance.

Goal 11 A strong performing local government.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 – Community Engagement, and in accordance with the assessment criteria it was related at Level 1, for which no community consultation is required.

ADMINISTRATION RECOMMENDATION:

Moved by Cr Bradley, seconded by Cr Mack

That Council:

- 1. APPOINTS preferred applicantsand, as external Community Members to the Town of Cambridge Audit Committee, as shown on Confidential Attachment 1; and**
- 2. DETERMINES that the four (4) year term of appointment will expire on 21 October 2023, to coincide with the Local Government Ordinary Elections.**

Committee Meeting 12 February 2020

During discussion, Members agreed that Meg Anklesaria and Peter Evans be appointed as external Community Members and that the tenure of the community members is to be until October 2021 to coincide with the Local Government Ordinary Elections.

AMENDMENT:

Moved by Cr McKerracher, seconded by Cr Mack

That the motion be amended to read as follows:-

That Council:

- 1. APPOINTS preferred applicants Meg Anklesaria and Peter Evans, as external Community Members to the Town of Cambridge Audit Committee, as shown on Confidential Attachment 1; and**
- 2. DETERMINES that the term of appointment will expire in October 2021, to coincide with the Local Government Ordinary Elections.**

Amendment put and CARRIED (5/0)

COMMITTEE RECOMMENDATION:

That Council:

- 1. APPOINTS preferred applicants Meg Anklesaria and Peter Evans, as external Community Members to the Town of Cambridge Audit Committee, as shown on Confidential Attachment 1; and**
- 2. DETERMINES that the term of appointment will expire in October 2021, to coincide with the Local Government Ordinary Elections.**

Motion put and CARRIED (5/0)

AU20.3 COMPLIANCE AUDIT RETURN 2019

PURPOSE:

The purpose of this report is to seek Council's endorsement and adoption of the Compliance Audit Return 2019.

SUMMARY:

In accordance with the statutory requirements placed on the Town of Cambridge, the Town's Audit Committee is required to give consideration to receiving the 2019 Compliance Audit Return, and to refer the Return to Council for adoption at Ordinary Council Meeting scheduled for 25 February 2019, prior to submission to the Department of Local Government, Sport and Cultural Industries (the Department) by 31 March 2020.

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input checked="" type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes and policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	Town of Cambridge Administration, 1 Bold Park Drive, Floreat
Report Date:	5 February 2020
Responsible Officer:	Chief Executive Officer – John Giorgi, JP
Reporting Officer:	Coordinator Governance and Office of the CEO – Lee Gyomorei
Contributing Officers:	Chief Executive Officer – John Giorgi, JP Director Corporate and Community Services – Cam Robbins Manager Finance – Roy Ruitenga Manager People and Culture – Natasha King
Reporting Officer Interest	Nil.
Attachment(s):	1. Compliance Audit Return 2019. 2. 2019 Annual Compliance Audit Return Review – Paxon Group.

BACKGROUND:

Western Australian local governments are required to carry out a compliance audit against the requirements of the Compliance Audit Return (CAR), in accordance with the provisions of the *Local Government (Audit) Regulations 1996* (Regulations). The reporting period for the CAR is 1 January to 31 December, and the Return must be submitted to the Department by 31 March each year.

Section 7.13(1)(i) of the *Local Government Act 1995* (the Act) contains provisions for the making of regulations requiring local governments to carry out, in the manner and form prescribed, an audit of compliance, whether financial in nature or not.

The CAR assists the Town in monitoring legislative compliance by examining a range of prescribed requirements under Regulation 13, with the questions detailed focusing on high risk areas of compliance and statutory reporting.

The period examined by this audit is 1 January 2019 to 31 December 2019, with Regulations 14 and 15 requiring that the CAR is to be:

1. Reviewed by the Audit Committee;
2. Considered and adopted by Council;
3. Certified by the Mayor and Chief Executive Officer following Council adoption; and
4. Submitted together with a copy of the Council Minute to the Department by Tuesday, 31 March 2020.

DETAILS:

The CAR forms part of the Department's monitoring program, and is one tool available to Council in its governance monitoring role. It places emphasis on the need for Council to be aware of, and acknowledge instances of non-compliance, or where full compliance has not been achieved. In addition, the CAR also requires Council to endorse the details of remedial action, either taken or proposed, to prevent future occurrences.

The 2019 CAR has been completed by management, and is presented as **Attachment 1** to this report for consideration by Committee prior to being submitted to Council.

Council's Internal Auditor, Paxon Group (Paxon) were requested to undertake an independent quality assurance review of the Return, which determined that the process followed in its compilation was appropriate, and in line with the requirements of Regulation 13. Paxon's report is shown at **Attachment 2**.

Paxon's review noted that the Town has responded 'No' to a small number of questions, however, where this has occurred, supporting comments have been provided. Paxon have confirmed that the comments provided are adequate, based on the requirements set by the Department. It is Paxon's view that the Return completed by the Town does not require any adjustments.

POLICY/STATUTORY IMPLICATIONS:

1. *Local Government Act 1995* – Section 7.13(1)(i).
2. *Local Government (Audit) Regulations 1996* – Regulations 13, 14 and 15.
3. There are no Council Policy implications relating to this report.

RISK MANAGEMENT IMPLICATIONS:

High: The failure of the Committee and Council's consideration of the Compliance Audit Return 2019, and recommendation to Council to adopt the Return presents high risk. The recommendation meets statutory requirements and timeframes placed upon the Town.

FINANCIAL IMPLICATIONS:

There are no financial implications relating to this report.

STRATEGIC DIRECTION:

The recommendation detailed in this report embraces the following goals of the Town's Strategic Community Plan 2018-2028:

Our Council

Goal 9 Transparent, accountable governance.

Goal 11 A strong performing local government.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 – Community Engagement, and does not require community consultation, as this matter is administrative in nature.

Committee Meeting 12 February 2020

During discussion, the Administration was requested to provide further information on whether the Town was required to invite tenders for the provision of insurance services as the contract is over \$150,000.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Cr McKerracher, seconded by Cr Mack

That Council:

- 1. RECEIVES the completed 2019 Compliance Audit Return, as shown in Attachment 1, and:**
- 2. REFERS the Compliance Audit Return 2019 to Council for adoption at the Ordinary Council Meeting of Tuesday, 25 February 2020.**

Motion put and CARRIED (5/0)

AU20.4 PUBLIC SECTOR COMMISSION – INTEGRITY STRATEGY FOR WA PUBLIC AUTHORITIES 2020-2023 AND ASSOCIATED INTEGRITY SNAPSHOT TOOL

PURPOSE:

The purpose of this report is draw Council’s attention to the Public Sector Commission’s “Integrity Strategy for WA Public Authorities 2020-2023” (Integrity Strategy), and to seek Council’s endorsement for the Chief Executive Officer to complete the associated Integrity Snapshot Tool (Snapshot) to be submitted to the Commission.

SUMMARY:

The Public Sector Commission has developed and released an Integrity Strategy for Public Authorities 2020-2023, with the stated expectation for “*every public authority – and those within – to commit to implementing this strategy*”.

AUTHORITY / DISCRETION

- Advocacy When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies.
- Review When the Council operates as a review authority on decisions made by Officers for appeal purposes.
- Quasi-Judicial When the Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
- Information For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration Building 1 Bold Park Drive, Floreat
Report Date:	6 February 2020
Responsible Officer:	Chief Executive Officer – John Giorgi, JP
Reporting Officer:	Coordinator Governance and Office of the CEO – Lee Gyomorei
Contributing Officer:	Not Applicable
Reporting Officer Interest	Nil.
Attachment(s):	1. Public Sector Commission Integrity Strategy for WA Public Authorities 2020-2023. 2. Integrity Snapshot Tool for WA Public Authorities.

BACKGROUND:

The Public Sector Commission has developed and released an Integrity Strategy for WA Public Authorities with the aim of improving integrity throughout the public sector. Commissioner Sharyn O’Neill has expressed her expectation that every public authority, and those within, will commit to implementing this Strategy.

DETAILS:

The Strategy determines that:

1. Improved integrity requires sustained effort.
2. All public authorities are expected to commit to implementing the Strategy.
3. Integrity is embedded in all aspects of governance and administration, systems and controls, culture and attitude, accountabilities and responses.
4. Public authorities should view the Strategy as an opportunity to demonstrate their commitment to the community.

It is important to note that there are no additional compliance obligations for public authorities arising from the Strategy, however changes may be made to the compliance framework to ensure it is contemporary and fit for purpose.

The Strategy provides an Integrity model for WA Public Authorities (detailed at Page 5 of **Attachment 1**).

The Strategy outlines actions for the Commission, public authorities and individuals for each of the following key actions:

1. *Plan and Act to Improve Integrity:* Effective governance systems and frameworks are established.
2. *Model and Embody a Culture of Integrity:* A culture of integrity exists and is reinforced and communicated by leaders.
3. *Lean and Develop Integrity Knowledge and Skills:* Individual and authority integrity knowledge, skills and competence are grown.
4. *Be Accountable for Integrity:* Prevention, detection and response to integrity matters are everyone's personal and professional responsibilities.

Integrity Snapshot Tool

The Snapshot has been developed to support the Strategy, and to provide public authorities with a clear view of what they have in place to support integrity. The Snapshot is not intended to be an exhaustive list of items to consider, however should be used in a manner that best suit the public authority's context, and is not intended to replace more detailed or specific risk management activities.

POLICY/STATUTORY IMPLICATIONS:

1. *Public Sector Management Act 1994*, and associated Regulations.
2. *Local Government Act 1995*, and associated Regulations.

RISK MANAGEMENT IMPLICATIONS:

Low: Adoption of the recommendation to receive the Integrity Strategy for WA Public Authorities 2020-2023, and completion and submission of the Integrity Snapshot Tool, presents a low risk. The recommendation provides for improvement governance measures and reporting.

FINANCIAL IMPLICATIONS:

There are no Financial Implications related to this report.

STRATEGIC DIRECTION:

The recommendation detailed in this report embraces the following goals of the Town's Strategic Community Plan 2018-2028:

Our Council

Goal 9 Transparent, accountable governance.

Goal 11 A strong performing local government.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 – Community Engagement, and does not require community consultation, as this matter is administrative in nature.

ADMINISTRATION RECOMMENDATION:

Moved by Cr Bradley, seconded by Cr Haddon-Casey

That Council:

1. **NOTES** the Public Sector Commission's Integrity Strategy for WA Public Authorities 2020-2023; and
2. **AUTHORISES** the Chief Executive Officer to complete and submit the associated Integrity Snapshot Tool for WA Public Authorities to the Commission on behalf of the Town of Cambridge.

Committee Meeting 12 February 2020

AMENDMENT:

Moved by Cr Haddon-Casey, seconded by Cr Bradley

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

3. **REQUESTS** the Chief Executive Officer write to the Public Sector Commission seeking further information on the integrity sessions and tools which are available.

Amendment put and CARRIED (5/0)

Discussion ensued.

AMENDMENT:

Moved by Mayor Shannon, seconded by Cr Bradley

That clause 2 of the motion be amended to read as follows:-

- 2. REQUESTS the Chief Executive Officer to complete and submit to Council the completed Integrity Snapshot Tool for WA Public Authorities which he prepares on behalf of the Town of Cambridge.**

Amendment put and CARRIED (5/0)

COMMITTEE RECOMMENDATION:

That Council:

- 1. NOTES the Public Sector Commission's Integrity Strategy for WA Public Authorities 2020-2023;**
- 2. REQUESTS the Chief Executive Officer to complete and submit to Council the completed Integrity Snapshot Tool for WA Public Authorities which he prepares on behalf of the Town of Cambridge; and**
- 3. REQUESTS the Chief Executive Officer write to the Public Sector Commission seeking further information on the integrity sessions and tools which are available.**

Motion put and CARRIED (5/0)

AU20.5 BOND INTEREST REFUNDS – PROGRESS REPORT NO: 3 AS AT 12 FEBRUARY 2020

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the progress of the refunding of bonds, as required by the *Local Government Act 1995*.

SUMMARY:

At the October 2019 Council meeting it was advised that the total amount of interest to be refunded to depositors was \$309,211, which excludes interest earned from bonds held in the Municipal Fund and bond interest refund amounts of less than twenty dollars (report AU19.11 refers).

An amount of \$127,780 has been refunded to date, with all depositors with interest amounts owing in excess of \$200 contacted. Depositors yet to be contacted, those with bond interest amounts owing of less than \$200, are owed \$90,802 in total, and letters will be sent to these depositors over the coming months. Refunds owing to those depositors contacted, and from which no response has been received, will be left in trust until further follow up action can be undertaken. It is expected to commence once all depositors have been contacted and all potential refunds have been made.

AUTHORITY / DISCRETION

- Advocacy When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies.
- Review When the Council operates as a review authority on decisions made by Officers for appeal purposes.
- Quasi-Judicial When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice
- Information For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration, 1 Bold Park, Floreat
Report Date:	6 February 2020
Responsible Officer:	Director Corporate and Community Services, Cam Robbins
Reporting Officer:	Manager Finance, Roy Ruitenga
Contributing Officer:	Not Applicable
Reporting Officer Interest:	Not Applicable
Attachment(s):	Nil

BACKGROUND:

A report was presented to the October 2019 Audit committee, (Report AU19.20 refers) on the revised bond interest model which excluded:

- 1) Bond interest earned on bond monies held in the municipal fund for those depositors or bond holders who have not as yet been contacted; and
- 2) Bond interest amounts of below twenty dollars in total.

The model was subsequently amended with the revised total amount of bond interest to be refunded being \$309,211.

DETAILS:

Progress to date:

Following the adoption of the revised bond interest refund model at the October 2019 Council meeting, letters have continued to be sent out over the subsequent months. To date, all depositors owed a total bond interest amount of in excess of \$200 have been contacted, which equates to 329 depositors with a total bond interest amount owing of \$218,409.

The Town has received responses so far from 167 depositors and subsequently has refunded an amount of \$127,780. In addition, the Town has received 27 letters with “return to sender”, which will require to be followed up.

Letters yet to be issued:

Letters are yet to be sent out to depositors with bond interest amounts owing of less than \$200 and more than \$20. This equates to 1,050 depositors to be contacted with an overall bond interest amount owing of \$90,802. This exercise will be commenced shortly and will be carried out in two stages.

Stage 1

Stage one being those depositors owed more than \$100. This will allow the Town to manage the volume of replies and refunds. It is envisaged that all depositors will have been contacted by letter within the next three months.

Stage 2

This will then leave the task of following up depositors who have not as yet replied, which will be a time consuming task as reasons for not responding may include the depositor having moved address.

Table 1: Summary of Bond Interest Amounts

Payment Denomination Range	Depositor Count	% of Total	Interest Due
Between \$20.00 and \$50.00	318	3.43%	\$ 10,617.91
Between \$50.00 and \$100.00	328	7.52%	\$ 23,240.51
Between \$100 and \$200	404	18.42%	\$ 56,944.00
Over \$200.00	329	70.63%	\$ 218,408.70
Total Due	1379	100.00%	\$ 309,211.12

POLICY/STATUTORY IMPLICATIONS:

The Town is complying with section 6.9 (3) of the *Local Government Act 1995*.

RISK MANAGEMENT IMPLICATIONS:

High: Failure to refund bond monies presents a high risk to the Town, as it will be contrary to the Audit Committee's and Council's decision.

FINANCIAL IMPLICATIONS:

The Town will be potentially be refunding an amount of \$309,211 of interest earned in relation to Bond monies. These monies have been previously set aside in a holding account and therefore do not impact this year's financial operations, with the exception of any costs involved in the refund administration process.

STRATEGIC DIRECTION:

The recommendation detailed in this Report in respect of refunding interest earned on Bond monies held by the Town embraces the following goals of the Town's Community Plan 2018-2028:-

Our Council

Goal 9: Transparent, accountable governance.
Goal 11: A strong performing local government.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 - Community Engagement and does not require community consultation, as this matter is administrative in nature.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Cr Bradley, seconded by Cr Mack

That Council NOTES the progress report as at 12 February 2020 concerning refunding of bond interest to depositors.

Motion put and CARRIED (5/0)

**AU20.6 OFFICE OF THE AUDITOR GENERAL'S REPORT - RECORDS MANAGEMENT
IN LOCAL GOVERNMENT - APPROVAL**

PURPOSE OF REPORT:

The purpose of this report is to seek Council approval of the Town of Cambridge Recordkeeping Plan dated 5 February 2020.

SUMMARY:

At its 31 July 2019 meeting, the Audit Committee recommended:

"That Council:

1. *RECEIVES the report of the Office of the Auditor General's Report on "Records Management in Local Government", dated 17 April 2019;*
2. *NOTES the Town's Administration will conduct a review of its Recordkeeping Plan in 2019-2020; and*
3. *REQUESTS a further report to the Audit Committee by no later than 31 December 2019.*

This report recommends Committee approves the Town's amended Recordkeeping Plan and its submission to the State Records Office.

AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input checked="" type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes and policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	Town of Cambridge Administration, 1 Bold Park, Floreat
Report Date:	6 February 2020
Responsible Officer:	Chief Executive Officer - John Giorgi, JP
Reporting Officer:	Director Corporate and Community Services - Cam Robbins
Contributing Officer:	Manager Corporate Business - Rob Andrews
Reporting Officer Interest:	Not Applicable
Attachment(s):	1. Town of Cambridge - Recordkeeping Plan (5 February 2020).

BACKGROUND:

The Office of the Auditor General's (OAG) "Performance Audit Report on Record Management in Local Government" was tabled in Parliament on 9 April 2019.

The OAG's Audit Report findings included recommendations for Local Governments to:

1. Review record keeping policies and procedures to ensure they adequately support Record Keeping Plan compliance;
2. Undertake regular reviews of staff record keeping practices (internal audits);
3. Authorise and action Record Disposals in a timely manner – recognising the cost and resource implications of retaining records beyond the Local Government's business requirements; and
4. Implement adequate protection over digital records, including disaster recovery planning.

The OAG submitted its "Performance Audit Report on Record Management in Local Government" to Parliament on 9 April 2019. The basis for the Report was an audit of 137 local governments and 9 regional councils in relation to records management.

The objective of the OAG's audit was to determine if local government entities effectively managed their respective records in an accountable and transparent manner to enable effective decision making processes.

The OAG's Report overall key findings were:

1. Recordkeeping Plans are approved but lack supporting policies and procedures;
2. Implementation of Recordkeeping Plans is poor;
3. Important records are not properly managed; and
4. Protection of records is mixed.

Based on its findings, the OAG recommends all local government entities should review their recordkeeping policies and procedures to ensure they adequately support their respective Recordkeeping Plan and should also implement:

1. Regular and thorough records training;
2. Regular review of staff recordkeeping practices;
3. Timely disposal of records; and
4. Adequate protection over digital records.

DETAILS:

At its 31 July 2019 meeting, the Audit Committee recommended the Town's Administration to review the current Recordkeeping Plan and report back by no later than 31 December 2019.

The Town's Recordkeeping Plan (**Attachment 1**) has been reviewed, updated and amended accordingly, however, as there was no Audit Committee Meeting in December 2019, the Plan is being submitted for approval at the February 2020 meeting.

Once approved by Council, the Chief Executive Officer will endorse the Plan on behalf of the Town of Cambridge.

POLICY/STATUTORY IMPLICATIONS:

- *Local Government Act 1995*
- *State Records Act 2000*
- Town of Cambridge Recordkeeping Plan (Reference RKP2018017 - Accepted by State Records Office on 10 August 2018)
- Recordkeeping Policy.

RISK MANAGEMENT IMPLICATIONS:

High: The failure to prepare and adopt a Recordkeeping Plan would be a breach of the State Records Act 2000.

FINANCIAL IMPLICATIONS:

Nil.

STRATEGIC DIRECTION:

The report recommendation embraces the following goals of the Town's Strategic Community Plan 2018-2028:-

Our Council

Goal 9: Transparent, accountable governance.
Goal 11: A strong performing local government.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy No.1.2.11 and does not require community consultation, as this matter is administrative in nature.

ADMINISTRATION RECOMMENDATION:

Moved by Cr Mack, seconded by Cr Bradley

That Council:

1. **APPROVES** the Town's updated and amended Recordkeeping Plan dated 5 February 2020 as shown in Attachment 1;
2. **NOTES:**
 - 2.1 a copy of the Recordkeeping Plan will be submitted and lodged at the State Records Office (SRO); and
 - 2.2 in accordance with Section 28 of the *State Records Act 2000*, the Town's Recordkeeping Plan is to be reviewed within five (5) years of its approval date, with a report of the review submitted to the SRO by 10 August 2023.

Committee Meeting 12 February 2020

During discussion, the Mayor suggested that section 5.7 of the Recordkeeping Plan be amended to include the Fair Work Act 2009. The Mayor requested that the Administration seek clarification on whether the Privacy Act 1988 should be included as she considered that the Town was a Constitutional Corporation. Depending on the advice received, the Mayor also suggested that section 6.3.6 Electronic Mail (email) management may need to be amended.

AMENDMENT:

Moved by Mayor Shannon, seconded by Cr Bradley

That the Recordkeeping Plan be amended as follows:-

- **Section 5.7 to include *Fair Work Act 2009***
- **Appendix 2 – Corporate Business, Property Management – to include a comment on the Town’s commercial leases.**

Amendment put and CARRIED (5/0)

COMMITTEE RECOMMENDATION:

That Council:

1. **APPROVES** the Town's updated and amended Recordkeeping Plan dated 5 February 2020 as shown in Attachment 1, and as further amended at the Audit Committee held on Wednesday 12 February 2020;
2. **NOTES:**
 - 2.1 **a copy of the Recordkeeping Plan will be submitted and lodged at the State Records Office (SRO); and**
 - 2.2 **in accordance with Section 28 of the *State Records Act 2000*, the Town’s Recordkeeping Plan is to be reviewed within five (5) years of its approval date, with a report of the review submitted to the SRO by 10 August 2023.**

Motion put and CARRIED (5/0)

AU20.7 OFFICE OF THE AUDITOR GENERAL'S REPORT – VERIFYING EMPLOYEE IDENTITY CREDENTIALS – PROGRESS REPORT NO 2

PURPOSE:

To provide Council with a further progress report, as specified in Report AU19.21 – Office of the Auditor General's Report – Verifying Employee Identity Credentials – Progress Report No 1, presented to Council in October 2019.

SUMMARY:

This report outlines a summary of the Town's progress in response to the Western Australian Auditor General Report 24: June 2018-19 – Verifying Employee Identity and Credentials.

AUTHORITY / DISCRETION

- Advocacy When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies.
- Review When the Council operates as a review authority on decisions made by Officers for appeal purposes.
- Quasi-Judicial When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
- Information For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration, 1 Bold Park Drive, Floreat
Report Date:	6 February 2020
Responsible Officer:	Chief Executive Officer – John Giorgi, JP
Reporting Officer:	Manager People and Culture – Natasha King
Contributing Officers:	Not Applicable.
Reporting Officer Interest	Nil.
Attachment(s):	<ol style="list-style-type: none"> 1. Office of the Auditor General's Report – Verifying Employee Identity and Credentials. 2. Report AU19.21 – Office of the Auditor General's Report – Verifying Employee Identity Credentials – Progress.

BACKGROUND:

Seven (7) recommendations were detailed in relation to verifying employee identity and credentials, and these have been examined in the context of the management practices, guidelines and processes that the Town of Cambridge currently implements.

Areas of improvement were identified, and reported to the Audit Committee on 31 July 2019, and subsequently to Council at its Ordinary Meeting of 27 August 2019. An initial progress report was provided at the Ordinary Council Meeting of 17 December 2019.

DETAILS:

OAG Recommendation		Town's Response
1.	<p>Have approved policies and procedures for verifying employee identity and credentials which cover:</p> <ul style="list-style-type: none"> - Using a 100 point identity check; - Criminal background checks, based on the risks associated with the position; and - Periodic monitoring of existing employees. 	<p>In progress.</p> <p>The Management Practice and Guidelines are currently in final draft form and include updates to reflect the collection of professional qualifications and memberships prior to appointment.</p> <p>It is important to note that the practices have already been implemented, with all new staff and a qualifications and certificates audit is underway to collect this information from any current staff where there is no record.</p> <p>Updating of the Management Practice has been identified on the project plan for People and Culture in 2020, and scheduled for completion in March 2020.</p>
2.	<p>Assess the positions which may require a criminal background or working with children check, and ensure that these requirements are clearly documented in position description forms.</p>	<p>Completed.</p> <p>As detailed in Report AU19.21, the Management Practice and Guidelines, and the position descriptions, clearly delineate which positions require criminal background or working with children checks.</p>
3.	<p>For high risk positions, or positions where there is an ongoing requirement to hold a licence or professional qualification, obtain regular declarations from employees that there is not a significant change in their circumstances.</p>	<p>In progress.</p> <p>The Town's Organisational Safety and Development Officer is currently conducting a qualifications and certificates audit and a matrix is being developed to assess gaps. Employees are now being contacted to provide any documentation that is outstanding.</p> <p>The new Human Resources and Payroll system being implemented, commencing in February 2020, will provide the functionality to record dates and expiries. It is envisaged that the training and development module will be implemented in phase two of the project in 2121. In the meantime, this data will be captured on the matrix and regular manual checks will take place.</p>
4.	<p>Ensure that sufficient documentary evidence is obtained prior to appointment. which supports an employee's:</p> <ul style="list-style-type: none"> - Identification and right to work in Australia; - Professional qualifications and memberships; and - Criminal background or capacity to work with children (where necessary). 	<p>In progress.</p> <p>The Management Practice and Guidelines are currently in final draft form and now reflect the collection of professional qualifications and memberships.</p> <p>A project plan has now been developed and the new People and Culture Coordinator has commenced as of January 2020. Finalisation of the Management Practice and Guidelines has been allocated to the People and Culture Coordinator, and due for completion by 31 March 2020.</p>

5.	Perform appropriate referee checks for all potential employees and ensure that all employees' reference checks are retained in their employee or recruitment file.	<p>In progress.</p> <p>The Management Practice and Guidelines are currently in final draft form and include provision of a reference check pro forma for casual staff, envisaged to be completed by 31 March 2020.</p> <p>The reference check process for permanent and fixed-term employees is in place and complete.</p>
6.	Develop a procedure for monitoring the expiry dates of licences, certificates, or working with children checks, so that they can be followed up with the employee close to the expiry date.	<p>In progress.</p> <p>The Organisation Safety and Development Officer manages the process of monitoring licences, certificates and working with children check expiry dates.</p> <p>A project plan has now been developed and includes a project to develop a procedure for monitoring expiry dates. This project has been scheduled for completion by 31 May 2020.</p>
7.	Perform periodic criminal background checks for positions which require it.	<p>In progress.</p> <p>The Management Practice and Guidelines are currently in final draft form and include a process for periodic checks for positions that require it. This is scheduled to be completed by 31 March 2020.</p>

POLICY/STATUTORY IMPLICATIONS:

1. *Local Government Act 1995.*
2. Town of Cambridge Human Resource Policies, Procedures, Management Practices and Guidelines.
3. Code of Conduct.

RISK MANAGEMENT IMPLICATIONS:

Medium: The failure to comply with this requirement presents a medium risk. This is based on potential likelihood of an incident, and associated Budget implications.

FINANCIAL IMPLICATIONS:

There are no financial implications relating to this report.

STRATEGIC DIRECTION:

The recommendation detailed in this report embraces the following goals of the Town's Strategic Community Plan 2018-2028:

Our Council

- Goal 9** Transparent, accountable governance.
Goal 11 A strong performing local government.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 – Community Engagement, and does not require community consultation, as this matter is administrative in nature.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Cr Bradley, seconded by Cr McKerracher

That Council RECEIVES Report AU20.07 – Office of the Auditor General’s Report – Verifying Employee Identity Credentials – Progress Report No 2.

Motion put and CARRIED (5/0)

AU20.8 BUSINESS CONTINUITY PLANS – PROGRESS REPORT NO: 1

PURPOSE:

The purpose of this report is to inform the Council of the status of the Town's Business Continuity Plan.

SUMMARY:

This report recommends Committee approves the Town's proposed approach and methodology in developing a relevant and up-to-date Business Continuity Plan.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration, 1 Bold Park, Floreat
Report Date:	6 February 2020
Responsible Officer:	Chief Executive Officer – John Giorgi, JP
Reporting Officer:	Director Corporate and Community Services – Cam Robbins
Contributing Officer:	Manager Corporate Business – Rob Andrews
Reporting Officer Interest:	Not Applicable
Attachment(s):	Nil

BACKGROUND:

The Office of the Auditor General's (OAG) Interim Audit Findings for the period 1 July 2017 to 30 June 2018, noted that despite the Town's Business Continuity Plans (BCPs) appearing to be in draft or unfinished, a Risk Rating of Moderate was provided.

The OAG noted BCPs were submitted to both Council and Audit Committee in 2013 and 2014. The Town undertook to complete BCPs for all 25 individual Business Areas in 2015, with each left in Draft, however, for reasons unknown, the matter was not progressed further.

Given the OAG completed their Interim Audit in mid-late 2018, with the Organisational Review commencing around the same time, the completion of these BCPs appear to have been put on hold, pending the completion and implementation of the new Organisational structure as a result of the Review.

DETAILS:

At present, there are 25 Draft BCPs. However, with the Organisational Structure completed, with new Business Areas and services, these Draft BCPs are obsolete.

The creation of a current and relevant BCP (to the new Organisational Structure) is a large body of work and the intention is to produce one BCP for the entire Town with Appendices attached in relation to each Business Area.

In order to capture the criticality of services provided and resources required during a period of significant/catastrophic disruption to the Town, a Business Impact Analysis (BIA) must be developed and distributed to each Business Area for input regarding critical services and Maximum Tolerable Periods of Disruption (MTPDs). The BIA is key to developing a robust and relevant BCP and without this, there is limited reasoning backing up the BCP content.

Once the BIA data is captured and collated, the creation of the BCP can commence as the BIA data will feed into it. The concept of BIA input/completion first, prior to BCP production/completion should be applied to ensure the Town produces a robust BCP.

It is anticipated this entire exercise could take up to 12 months to complete.

In order to keep the Audit Committee and Council informed of its progress, BIA/BCP Status Reports will be provided quarterly.

POLICY/STATUTORY IMPLICATIONS:

There is no statutory requirement to have a Business Continuity Plan. However, it is considered Best Practice and significantly reduces the Town's risk.

RISK MANAGEMENT IMPLICATIONS:

Medium: The Audit Committee has ruled this matter as a medium priority. It is considered that this matter presents a medium risk.

FINANCIAL IMPLICATIONS:

There are no further financial implications associated with the BCP, beyond its delivery through the Town's resourcing and day-to-day business as usual activities.

STRATEGIC DIRECTION:

This appointment of the recommended Respondent supports the following goals within the Town's Strategic Community Plan 2018 - 2028, specifically:

Our Council

Goal 9 Transparent, accountable governance

Strategy 9.1 Implement initiatives that strengthen governance skills, transparency and knowledge.

Goal 11 An efficient local government

Strategy 11.3 Embrace innovation and 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 and does not require community consultation, as this matter is administrative in nature.

COMMITTEE AND ADMINISTRATION RECOMMENDATION:

Moved by Cr McKerracher, seconded by Cr Bradley

That Council:

- 1. APPROVES the Town's methodology in relation to the creation of the Town's Business Continuity Plan, based on the data obtained from the Business Impact Analysis; and**
- 2. NOTES interim status reports will be provided to the Audit Committee on the progression of the Business Impact Analysis and Business Continuity Plan.**

Motion put and CARRIED (5/0)

AU20.9 RFQ 43-19 - PROVISION OF INTERNAL AUDIT SERVICES - APPOINTMENT

PURPOSE:

The purpose of this report is to seek the Council’s approval of internal audit services.

SUMMARY:

On 24 October 2019, the Town issued a Request for Quote (RFQ) 43-19 through the Department of Finance's Common Use Arrangement (CUA) process, using CUA AFA 2018, seeking submissions from providers for the provision of Internal Audit Services.

The CUA Quote was sent to twelve providers listed under CUA AFA2018, seeking the services of a qualified auditor to conduct Internal Audit Services as and when required by the Town over a three (3) year period of engagement.

The CUA Quote submission period closed on 7 November 2019, with five (5) submissions received. The recommendation is to award RFQ 43-19 Provision of Internal Audit Services to Respondent Number 3 as outlined in the **Confidential Attachment 1**.

AUTHORITY / DISCRETION

- Advocacy When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
- Executive The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
- Legislative Includes adopting local laws, town planning schemes and policies.
- Review When the Council operates as a review authority on decisions made by Officers for appeal purposes.
- Quasi-Judicial When the Council determines an application/matter that directly affects a person’s right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
- Information For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration, 1 Bold Park, Floreat
Report Date:	5 February 2020
Responsible Officer:	Chief Executive Officer – John Giorgi, JP
Reporting Officer:	Director Corporate and Community Services – Cam Robbins
Contributing Officer:	Manager Finance – Roy Ruitenga Manager Corporate Business – Rob Andrews
Reporting Officer Interest:	Cam Robbins and Roy Ruitenga both have past and professional dealings with 3 of the respondents
Attachment(s):	1. Confidential Evaluation and Recommendation Report.

BACKGROUND:

The internal auditor is appointed by the Town of Cambridge’s Audit Committee and then subsequently appointed by Council.

The Reports seeks the Audit Committee’s approval to put the recommended Respondent for the Provision of Internal Audit Services, to Council for approval and subsequent appointment.

DETAILS:

Confidentiality

In accordance with s5.23(2) (c) of the *Local Government Act 1995* , consideration of these matters can be held behind closed doors as the matter relates to " *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.*"

These confidential matters are contained within a Confidential Attachment to this report.

An Evaluation Panel comprising Cam Robbins, Director Corporate and Community Services; Roy Ruitenga, Manager Finance; and Rob Andrews, Manager Corporate Business assessed and evaluated all submissions received against the following Qualitative Criteria:

- | | |
|---|---------------|
| a) Demonstrated understanding of the required tasks | Weighting 35% |
| b) Capacity | Weighting 30% |
| c) Demonstrated Experience in completing similar projects | Weighting 35% |

A Confidential Evaluation and Recommendation Report (**Attachment 1**) and accompanying Confidential Evaluation Matrix was completed, with a Recommended Respondent selected, specifically Number 3.

POLICY/STATUTORY IMPLICATIONS:

Pursuant to Regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996*, "The Chief Executive Officer is to undertake review of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the Local Government the results of those reviews".

Furthermore, Regulation 17 of the *Local Government (Audit) Regulations 1996*, states that "The Chief Executive Officer is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to (a) risk management, (b) internal control and (c) legislative compliance not less than once in every 3 financial years and report the results of those reviews to the Audit Committee".

The appointment of an internal auditor to undertake this review satisfies the legislative requirement.

RISK MANAGEMENT IMPLICATIONS:

High: The failure to appoint an auditor for internal audit services presents a high risk.

FINANCIAL IMPLICATIONS:

The financial implications to the Town over three (3) years is outlined within the attached Confidential Evaluation and Recommendation Report.

STRATEGIC DIRECTION:

This appointment of the recommended Respondent supports the following goals within the Town's Strategic Community Plan 2018 - 2028, specifically:

Our Council

Goal 9 Transparent, accountable governance

Strategy 9.1 Implement initiatives that strengthen governance skills, transparency and knowledge.

Goal 11 An efficient local government

Strategy 11.1 Invest our wealth wisely so that current and future generations benefit.

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy No.1.2.11 and does not require community consultation, as this matter is administrative in nature.

Committee Meeting 12 February 2020

Impartiality Interest Declaration – Director Corporate and Community Services and Manager Finance

Prior to consideration of the item, the Director Corporate and Community Services, Mr Cam Robbins and Manager Finance, Mr Roy Ruitenga disclosed an interest affecting impartiality and declares as follows: "with regard to Item AU20.9, I declare that I have an association with Respondent Numbers 1, 3 and 5."

Mr Cameron Palassis departed the meeting at 7.09 pm and did not return to the meeting.

ADMINISTRATION RECOMMENDATION:

Moved by Cr Bradley, seconded by Cr Mack

That Council APPROVES BY AN ABSOLUTE MAJORITY Respondent Number 3 as the Town of Cambridge Internal Auditor for a period of three (3) years, commencing from 1 April 2020 to 31 March 2023, as stated in the attached Confidential Evaluation Report.

PROCEDURAL MOTION:

Meeting Behind Closed Doors

Moved by Cr McKerracher, seconded by Cr Bradley

That discussion of the item be held behind closed doors in accordance with Section 5.23(2)(c) and (e) of the *Local Government Act 1995*.

Motion put and CARRIED (5/0)

During discussion, the Mayor requested the Administration to obtain further information and qualifications on key personnel of Respondent Number 4, in comparison to the preferred recommended tenderer, prior to the next meeting of Council.

COMMITTEE RECOMMENDATION:

Moved by Mayor Shannon, seconded by Cr Mack

That the item relating to RFQ 43-19 Provision of Internal Audit Services – Appointment be submitted to Council for determination.

Motion put and CARRIED (5/0)

PROCEDURAL MOTION:

Moved by Cr McKerracher, seconded by Cr Mack

That Council RESUMES as an open meeting.

Motion put and CARRIED (5/0)

10. COUNCIL REPORTS

10.1 MONTHLY FINANCIAL STATEMENTS, REVIEW AND VARIANCES – DECEMBER 2019 AND JANUARY 2020

ADMINISTRATION RECOMMENDATION:

That Council **RECEIVES** the report on the Financial Statements for period ended 31 December 2019 and 31 January 2020.

PURPOSE OF REPORT:

To receive the Financial Statements for period ended 31 December 2019 and 31 January 2020.

SUMMARY:

The December 2019 and January 2020 financial statements have been completed. Comments have been provided on the financial position compared to budget including any permanent and timing variances that have occurred during the period and their impact on financial results with respect up to 31 January 2020. Financial statements for December 2019 have also been produced and are attached.

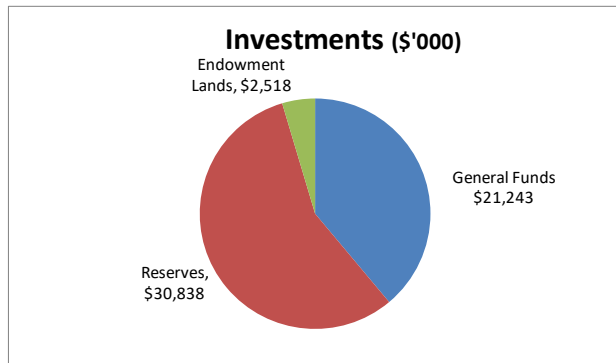
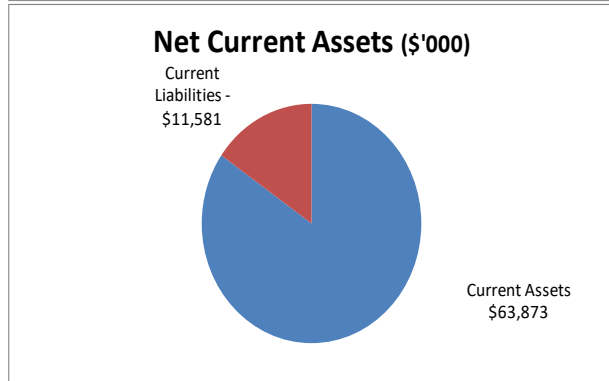
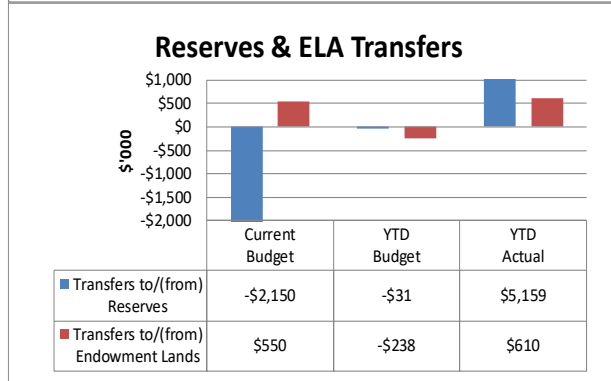
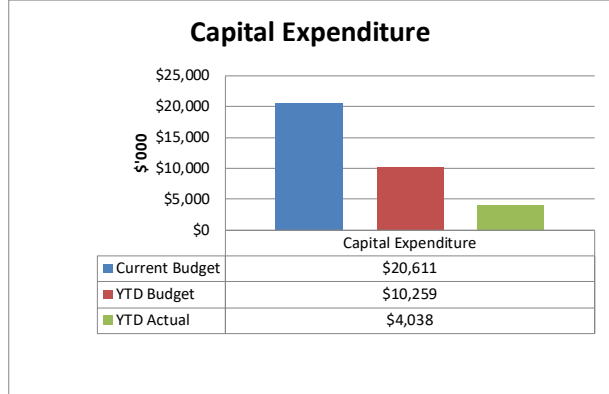
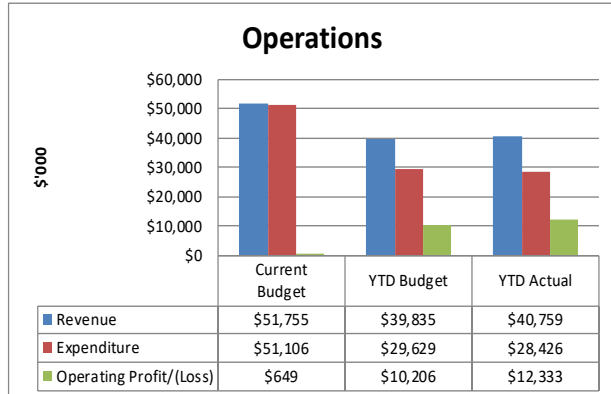
AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
| <input type="checkbox"/> | Advocacy | When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency. |
| <input type="checkbox"/> | Executive | The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. |
| <input type="checkbox"/> | Legislative | Includes adopting local laws, town planning schemes & policies. |
| <input type="checkbox"/> | Review | When the Council operates as a review authority on decisions made by Officers for appeal purposes. |
| <input type="checkbox"/> | Quasi-Judicial | When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. |
| <input checked="" type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	N/A
Report Date:	20 February 2020
Responsible Officer:	Cam Robbins, Director Corporate and Community Services
Reporting Officer:	Roy Ruitenga, Manager Finance
Contributing Officer:	N/A
Reporting Officer Interest	Nil
Attachments:	1. Financial Statements December 2019 2. Financial Statements January 2020

DETAILS:

Charts of key financial indicators are provided below comparing year to date actual figures against the year to date budget.



The following comments are provided and should be read in conjunction with the Statement of Financial Activity for January 2020 (Rate Setting Statement) in Attachment 1.

1. Operating Revenue

Operating revenue year to date is \$40.8 million compared to YTD budget of \$39.8 million, giving a favourable variance of \$923k. Significant variances are as follows:

a. Fees and Charges

Actual fees and charges for January 2020 YTD is \$12.6 million compared to YTD budget of \$12.1 million, giving a favourable variance of \$488k or 4.0%. The variance is mainly a result of fees and charges being above YTD budget across several operational areas including the golf course green and driving range fees, (\$327k), building fees (\$54k), parking control (\$35k) and other property services (\$73k).

b. Operating Grants, Subsidies and Contributions

Actual Operating Grants, Subsidies and Contributions for January 2020 YTD is \$993k compared to YTD budget of \$719k, giving a favourable variance of \$274k or 38.1%. The favourable variance is mainly due to the reimbursement of underground power in kind costs \$112k.

2. Operating Expenses

Operating expenses year to date is \$28.4 million compared to budget of \$29.6 million, giving a favourable variance of \$1.2 million or 4.1%. Significant variances are as follows:

a. Materials and Contracts

Actual expenditure for January YTD is \$9.3 million against YTD budget of \$10.2 million, giving a favourable variance of \$906k or 8.9%.

The following timing variances exist:

- Parks grounds non capital works \$137k under YTD budget;
- Clubs leased premises non-capital works \$231k under YTD budget;
- Other Property non capital works \$93k under YTD budget;
- Road maintenance and non-capital works \$101k under YTD budget;
- Road Reserves non-capital works \$118k under YTD budget;
- Sports Ground grounds non-capital works \$43k under YTD budget;
- Planning program expenditure \$142k under YTD budget;

b. Employee Costs

Actual expenditure for January 2020 YTD is \$11.1 million against YTD budget of \$11.5 million, giving a favourable variance of \$390k, or 3.4% with some vacancies across operational areas contributing to the result.

c. Depreciation on Non-current Assets

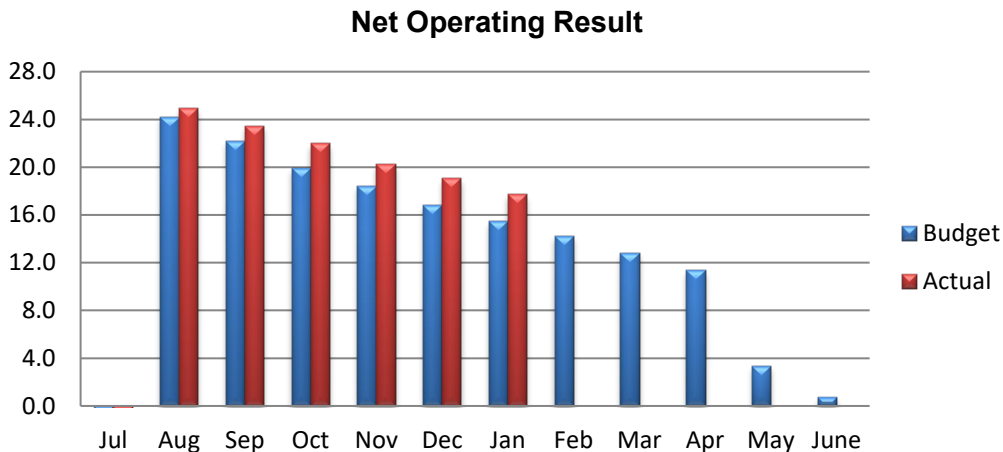
Actual expenditure for January 2020 YTD is \$5.4 million against YTD budget of \$5.3 million giving an unfavourable variance of \$114k, or 2.2%.

d. Legal Expenses

Refer to February 2020, Community and Resources Committee CR.20.15 – Town of Cambridge Legal Expenses for Period 1 July 2019 – 22 January 2020 – Progress report.

3. Net Operating Result

The net operating surplus from operations is \$17.7 million compared to YTD budget of \$15.5 million, giving a favourable variance of \$2.2 million.



4. Capital Grants, Subsidies and Contributions

The total amount of funds received for the Town's capital works program for the period ended 31 January 2020 is currently under budget by \$1.2 million. This is predominantly due a timing variance with respect to grant funded capital road infrastructure projects (\$881k) which are currently in progress and will be claimed over the forthcoming months.

5. Capital Works Programs

The total amount of funds spent on the Town's capital works program for the period ended 31 January 2020 is \$4.0 million against budget of \$10.3 million, giving a favourable variance of \$6.2 million. Capital projects are currently in various stages of progress with the roads and infrastructure typically carried out over the summer season. In addition, a number of projects have been identified as potential carry forward projects for the 2020/2021 financial year, from the mid-year budget review, currently in progress and which will be reported to Council next month.

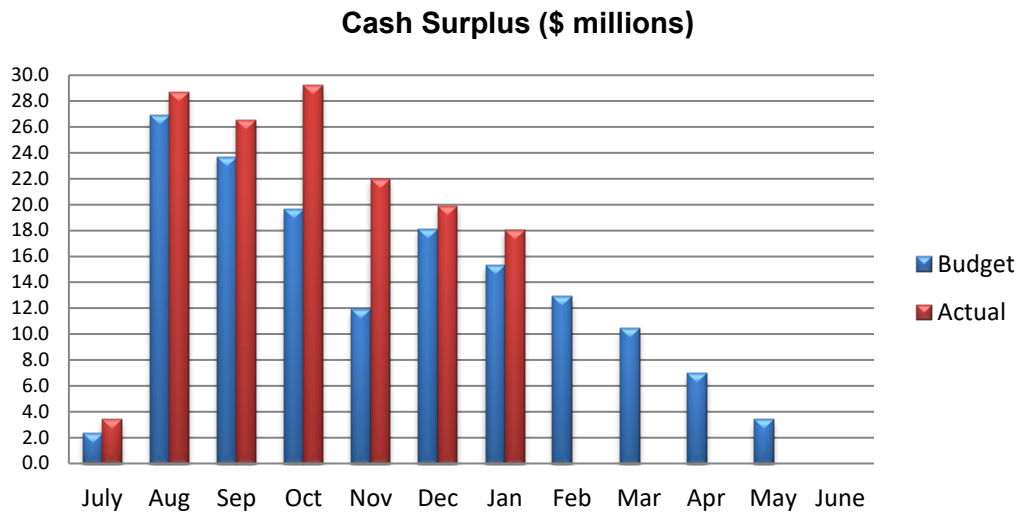
A brief overview of the capital works programs shows the following timing variances:

- Buildings - \$747k spent against year to date budget of \$1.8 million;
- Parks and Reserves - \$703k spent against year to date budget of \$2.2 million;
- Roads and Lanes - \$1.8 million spent against year to date budget of \$3.7 million;
- Carparks - \$13k spent against year to date budget of \$585k;
- Footpaths - \$136k spent against year to date budget of \$858k.

6. Cash Surplus (Closing Funds)

The cash surplus as at 31 January 2020 is \$18.0 million which is above the year to date budget of \$11.8 million, giving a favourable variance of \$6.2 million. The surplus is predominantly due to the under expenditure with respect to materials and contracts and capital works.

This surplus will decline as the year progresses with day to day operational expenditure and the carrying out of budgeted capital works.



7. Material Variances

Permanent variances above \$30k and timing variances above \$100k for specific line items are normally reported upon. As at 31 January 2020, there are a few material timing variances to report upon as follows:

- Building capital works (\$1.1 million) under YTD budget with Lake Monger Community shed (\$169k) and Wembley Golf Course Machinery Shed (\$763k) projects under budget;
- Parks and reserves capital works (\$1.4 million) under YTD budget predominantly due to the Perth Netball Association – conversion of court install light (\$574k) under budget, Perry Lakes Water Replenishment project (\$243k) under budget, various parks playground equipment (\$222k) under budget, City Beach Tennis Club – hard court surface refurbishment (\$120k) under budget and Beecroft Park improvement program (\$100k) under budget.
- Roads and lanes capital works (\$1.9 million) under YTD budget predominantly due to road surfacing projects Oceanic Drive (Sunnyside – Cale) (\$204k), Windarra Drive (\$198k) and Rochdale Rd (McClemans - Boundary) (\$115k), Ruislip St (Gregory - Kimberley) (\$128k) under budget and various road works projects (\$581k) under budget.
- Planning - Leederville Hub Planning and Strategic Projects are currently \$143k and \$147K under YTD budget.
- Governance Management - Legal Expenses \$66k over budget, relates to legal advice on a number of matters.

The variances noted are generally attributable to timing differences or the profile of the monthly distribution of the budget, over the year.

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.

RISK MANAGEMENT IMPLICATIONS:

Low: The financial statements have been produced in accordance with the adopted budget for the 2019/2020 financial year and in accordance with applicable local government legislation.

FINANCIAL IMPLICATIONS:

The variations in expenditure and revenue line items, compared to budget, January have an impact on Council funds.

STRATEGIC DIRECTION:

The management of budgeted funds is consistent with the Town's Strategic Community Plan 2018-2028:

Goal 9: Transparent, accountable governance

Goal 11: A strong performing local government

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.

10.2 ANNUAL GENERAL MEETING OF ELECTORS 2018-2019 - DECISIONS

ADMINISTRATION RECOMMENDATION:

That Council:

1. **RECEIVES** the Minutes of the Annual General Meeting of Electors, held on Wednesday, 5 February 2020, shown at Attachment 1; and
2. **NOTES** there were no decisions made at the Annual General Meeting of Electors which required the consideration of Council.

PURPOSE OF REPORT:

The purpose of this report is to seek Council's receipt of the Minutes of the Annual General Meeting of Electors (AGM) held on Wednesday, 5 February 2020.

SUMMARY:

The Town of Cambridge has a statutory requirement to report on decisions made at the AGM under Section 5.33 of the *Local Government Act 1995*. This report addresses the Town's statutory obligations.

AUTHORITY / DISCRETION

<input type="checkbox"/>	Advocacy	When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.
<input checked="" type="checkbox"/>	Executive	The substantial direction setting and oversight role of the Council, eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<input type="checkbox"/>	Legislative	Includes adopting local laws, town planning schemes and policies.
<input type="checkbox"/>	Review	When the Council operates as a review authority on decisions made by Officers for appeal purposes.
<input type="checkbox"/>	Quasi-Judicial	When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice.
<input type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	Town of Cambridge Administration Building, 1 Bold Park Drive, Floreat.
Report Date:	19 February 2020
Responsible Officer:	Chief Executive Officer, John Giorgi, JP
Reporting Officer:	Coordinator Governance and Office of the CEO, Lee Gyomorei
Contributing Officer:	Not Applicable.
Reporting Officer Interest	Nil.
Attachment(s):	<ol style="list-style-type: none"> 1. Minutes of the Annual General Meeting of Electors – Wednesday, 5 February 2020. 2. Written questions submitted to the Annual General Meeting of Electors, and responses provided.

BACKGROUND:

Section 5.27 of the *Local Government Act 1995* determines that an Electors' General Meeting is to be held once every financial year. The General Meeting is to be held on a day selected by the Town, but not more than 56 days after the local government accepts the Annual Report for the previous financial year.

Council gave consideration to Report CR19.128 – Annual Report 2018-2019 and Annual General Meeting of Electors at the Ordinary Council Meeting of 17 December 2019. In accordance with its statutory obligations, Council resolved to receive the Annual Report and to hold the AGM on Wednesday, 5 February 2020 at 5:00pm.

Section 5.33 of the *Local Government Act 1995* requires all decisions made at an Electors' Meeting to be considered at the next Ordinary Council Meeting after that Meeting, or at a Special Meeting called for that purpose, whichever comes first. This report addresses the Town's statutory obligation under Section 5.22.

DETAILS:

The Town's AGM commenced at 5:14pm, with one resident/ratepayer in attendance, and concluded at 5:19pm.

In accordance with the advertised Agenda, the business before the AGM included the Mayor's Report, Chief Executive Officer's Report, Financial Statements for the period ending 30 June 2019, Independent Auditor's Report, and General Business. The Town's 2018-2019 Annual Report was adopted at the AGM.

No decisions requiring the consideration of Council were made at the AGM.

There were no verbal questions raised at the AGM, however written questions were submitted by two ratepayers. As the two ratepayers did not attend the meeting, the questions were treated in accordance with Council Policy No: 1.1.13 '*Managing Public Question Time at Council Meetings*' and the questions were taken on-notice' and treated as correspondence. The questions are detailed in the Minutes of the AGM, with the questions and responses shown at **Attachment 2**.

POLICY/STATUTORY IMPLICATIONS:

1. Sections 5.27 and 5.33 of the *Local Government Act 1995*.

RISK MANAGEMENT IMPLICATIONS:

Low: Reporting the outcomes of the Annual General Meeting of Electors meets the Town's statutory obligations under the *Local Government Act 1995*. Failure to adopt the recommendation to receive the Minutes of the Annual General Meeting of Electors held on Wednesday, 5 February 2020 presents low risk.

FINANCIAL IMPLICATIONS:

There are no Financial Implications related to this report.

STRATEGIC DIRECTION:

The recommendation detailed in this report embraces the following strategies of the Town's Strategic Community Plan 2018-2028:

Our Council

Goal 9 Transparent, accountable governance.

Goal 11 A strong performing local government.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Policy 1.2.11 – Community Engagement, and does not require community consultation, as this matter is administrative in nature.

11. URGENT BUSINESS

11.1 STATE ADMINISTRATIVE TRIBUNAL MATTER DR 277 OF 2029 – STUART ADRIAN CORP VERSUS TOWN OF CAMBRIDGE

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the Local Government Act 1995 which permits the meeting to be closed to the public for business relating to the following reasons:

- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.*

12. MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

12.1 ELECTED MEMBER FORUMS

Submission by Cr Mack

That Council **APPROVES** that when Elected Member Forums are to be convened, they are to commence no sooner than 6 pm on the day they are scheduled.

BACKGROUND PROVIDED BY CR MACK:

Nil

12.2 DIVESTMENT OF INVESTMENTS FROM ORGANISATIONS FINANCING FOSSIL FUEL

Submission by Cr Nelson

That Town of Cambridge **PROVIDES** a report into:-

1. **Potential implications of divestment of investments from institutions that fund fossil fuel industry growth, including potential change in return on investments, potential impediments to commencing a transition and timeframes over which such a transition could occur;**
2. **The report shall consider any current Council investment policies, financials areas such banking, superannuation and insurances, with recommendations to required steps to achieve an orderly transition to divestment of financial support from organisations financing new fossil fuel investments;**

3. **The report shall recommend developments and/or amendments to investment policy to ensure that monthly reporting identifies which organisations invest or don't invest in or finance the fossil fuel industry expansion, recommend method tracking of percentage of investments remaining with fossil fuel financing organisations, incorporates deliberate preference for investment with financial institutions that do not invest in or finance the fossil fuel industry, and detail requirements to ensure that investments are compliant with Council's investment policy with regards to risk management guidelines.; and**
4. **The report shall be presented to Council for consideration in April 2020.**

BACKGROUND PROVIDED BY CR NELSON:

The ongoing development of new fossil fuel extraction based industries forms a contradiction between our future well being, amenity, biodiversity and inter-generational equity.

By divesting, organisations send a market based signal to financial institutions and the wider community about the environmental and financial risks posed by investing in high-carbon sectors. Many financial institutions and investment vehicles do not fund the fossil fuel industry, reallocation of investments away from organisations supporting fossil fuel industry may promote investments in alternative energy sources.

Although currently not stated as an action in the next four year of The Town of Cambridge Sustainability Strategy, this motion clearly aligns with key themes of natural environment, energy and transport, climate resilience and Leadership Governance. It is counter productive for Town of Cambridge to be supporting sustainability outcomes whilst placing investments that could be used to finance the cause of the many of the problems that the sustainability strategy attempts to address.

Currently 15 Local Governments councils in Western Australia, representing about 30% of WA residents and ratepayers and over half a billion dollars are already amending investment policies to preference fossil fuel free banking.

<https://climate.nasa.gov/scientific-consensus/>

<https://www.climatechangeinaustralia.gov.au/en/>

<https://www.agric.wa.gov.au/climate-change/climate-trends-western-australia>

<https://www.theguardian.com/environment/2015/mar/09/10-myths-about-fossil-fuel-divestment-put-to-the-sword>

<https://www.theguardian.com/australia-news/2020/jan/02/2019-australia-hottest-year-record-temperature-15c-above-average-temperature>

<https://abcnews.go.com/International/climate-change-supercharge-wildfires-australia-extreme-heat-drought/story?id=68096029>

ADMINISTRATION COMMENT:

Current Investment Profile

Council's investment portfolio of \$54 million in term deposits as at 31 January 2019, consists of investments in institutions with a short term credit rating of A-1, a Standard and Poor's rating given to those institutions with an extremely strong capacity to pay. This is in accordance with Council's current investment policy.

Investments are predominantly held with the major Australian Banks, namely ANZ (\$5 million), Westpac (\$5 million) and National Australia Bank (\$16.7 million), which have the highest short term credit rating (A-1 +). Given their size and net worth, these institutions are fossil fuel aligned banks.

Other deposits are held with Macquarie Bank (\$18.6 million) with an A-1 short term credit rating, also fossil fuel aligned and Suncorp Bank (\$8.7 million) with an A-1 short term credit rating, a none fossil fuel aligned bank.

Therefore approximately 16% of the Town's investment portfolio is held with a non-fossil fuel institution.

Issues to Consider with Respect to Investing in Non-Fossil Fuel Institutions

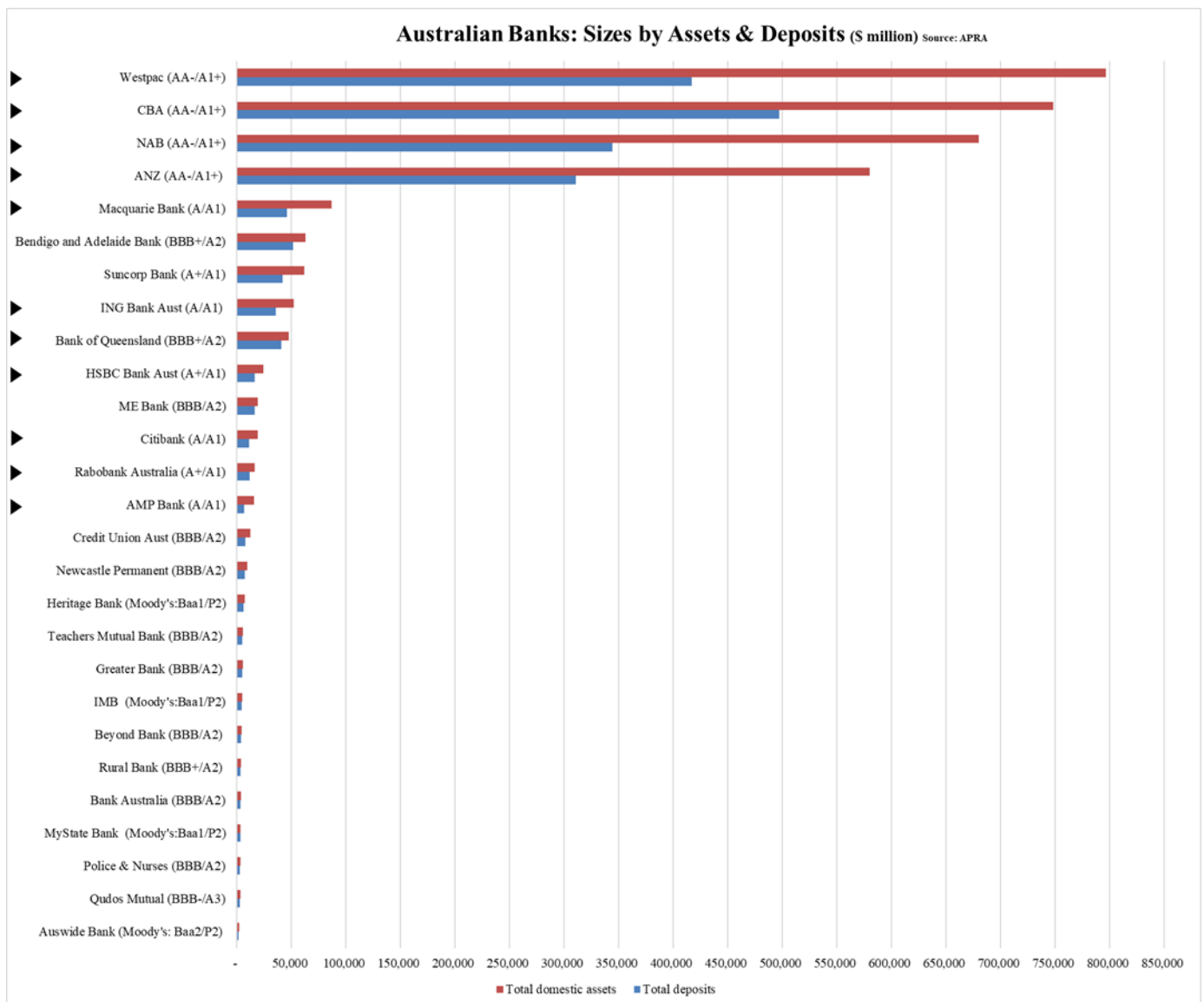
The following points need to be considered when investing in non-fossil fuel institutions as follows:

1. Limited Asset Base and Capacity - Non-fossil fuel aligned institutions largely consist of smaller, regional banks and therefore do not have the scope of business to be involved in fossil fuel industry lending and investment. There are over 150 banks/institutions in the market, of which over 50% are very small credit unions, many with asset sizes of less than \$2 billion, and approximately 25% are branches of foreign banks. Branches of foreign banks do not have the same level of intensive regulatory oversight by APRA (Australian Prudential Regulation Authority) that the other ADI (Authorised Deposit-Taking Institution) categories have and these banks are ultimately more dependent upon conditions in their parent-countries resulting in increased risk given their exposure to both local and global investment market conditions.

It should be noted that Suncorp has an asset base of \$70 billion. The only institution with an A1 credit rating not fossil fuel aligned (refer graph below)

2. Risk exposure - smaller institutions have unique risks of their own, typically surrounding business and geographic concentrations. Due to these institutions' small size and concentrated business risks, they have lower credit ratings than the larger well diversified financial institutions.
3. Interest Rates - Any favourable difference in interest term deposit rates on offer between the larger fossil fuel lending banks and the smaller non fossil fuel aligned banks are modest and do not reflect the increased risk exposure for such monies invested.
4. Capacity for taking deposits - Not all banks are competitively seeking deposits at any given time. On a day to day basis, many of the smaller banks do not want large, institutional sized deposits (greater than \$500,000). In those situations, if they accept the funds the rates offered will often be non-competitive.

The graph below gives a clearer picture of the market capitalisation and deposits on hand by each financial institution, with Standard and Poor Credit Risk rating next to each institutions name. Those indicated by a black pointer are fossil fuel aligned.



Conclusion

Given that the vast majority of non-fossil fuel aligned banks are in the lower rated categories, Council will need to shift its current investment holdings in the highest rated Australian banks (AA long term and (A-1+, A-1 short term) to a significant holding in BBB (long term) and A-2 (short-term) rated banks to give preference to non-fossil fuel bank deposits, increasing its risk exposure to market conditions.

It is also evident from the above graph that these non-fossil fuel aligned institutions are very small (many with asset sizes of less than \$2 billion) in comparison to the major institutions. Council has its current investment holdings in, with Suncorp, having an asset size of approximately \$70 billion, being the smallest institution.

12.3 ACTIONS AND PROGRESS RELATED TO AUTHORISED INQUIRY - CONFIDENTIAL

Submission by Cr Everett

Confidential information to be circulated under separate cover.

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the Local Government Act 1995 which permits the meeting to be closed to the public for business relating to the following reasons:

“(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.”

13. CONFIDENTIAL REPORTS

13.1 DV20.16 – LAND NOT SUBJECT TO A RESIDENTIAL DENSITY CODE - DISCUSSION

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following reasons:

(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting...

13.2 DV20.17 - LEGAL ADVICE REGARDING THE MERITS OF AN APPLICATION FOR JUDICIAL REVIEW TO THE SUPREME COURT OF WESTERN AUSTRALIA. - JDAP DECISION - ABBOTSFORD HOSPITAL
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REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following reasons:

“(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.”

13.3 WEMBLEY GOLF COURSE REPLACEMENT OF DRIVING RANGE AUTOMATION SYSTEM
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REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following reasons:

“(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;

(e) a matter that if disclosed, would reveal information about a business.”

13.4 FLOREAT BEACH KIOSK - EXPRESSION OF INTERESTS – CONSIDERATION OF SUBMISSIONS

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 5.23 (2) (c) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following reasons:

- "(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."*

13.5 SUPERANNUATION MATTER – FURTHER REPORT

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following reasons:

- "(a) a matter affecting an employee or employees"; and*
- (d) "legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting."*

14. CLOSURE