



MINUTES

Ordinary Meeting of Council
27 September 2022

**MEETING OF COUNCIL
27 SEPTEMBER 2022
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MINUTES OF THE ORDINARY MEETING OF THE TOWN OF CAMBRIDGE HELD AT THE COUNCIL'S ADMINISTRATION/CIVIC CENTRE, 1 BOLD PARK DRIVE, FLOREAT ON TUESDAY, 27 SEPTEMBER 2022.

1. OPENING

The Presiding Member, Mayor Keri Shannon, declared the meeting open at 6:05 pm, advising that the meeting is being recorded, and that the recording would be placed on the Town's website. The following statement was then read by the Presiding Member, Mayor Keri Shannon:

"I would like to acknowledge the past and present traditional owners and custodians of the land on which this meeting is being held."

2. ATTENDANCE

Present:

Mayor: Keri Shannon (Presiding Member)

Councillors: Kate Barlow (Attended electronically)
Xavier Carr
Jane Cutler
Alaine Haddon-Casey (Until 8.23 pm)
Gary Mack
Ben Mayes
Georgie Randklev

Officers: Kelton Hincks, Acting Chief Executive Officer
Andrew Head, Acting Director Infrastructure and Works
Brett Cammell, Director Planning and Community Services
Roy Ruitenga, Director Corporate and Commercial Services
Cassandra Flanigan, Manager Governance
Denise Ribbands, Senior Governance Officer

Members of the Public:

Approx 22 persons

Media:

2 persons

Apologies:

Nil

Leave of Absence:

Nil

Adjournments:

7.57pm – 8.07 pm

Time meeting closed:

8.40 pm

3. PUBLIC QUESTION TIME

The record of Public Question Time is a summary of the questions and answers provided at the Council meeting in accordance with Regulation 11(e) of the *Local Government (Administration) Regulations 1996*.

The Presiding Member, Mayor Keri Shannon, advised that with regard to Public Question Time, in accordance with Council Policy No: 031 – ‘Council Meetings – Managing Public Question Time’, if a person who has submitted a question prior to the meeting is not present at the meeting, then the question will be treated as correspondence, and the questions and the Town’s response will not be read out at tonight’s meeting. However, a response will be sent and included in the next month’s Council Minutes. The questions are available in the Chamber if anyone in the Public Gallery, or any of the elected Members wish to read the questions.

QUESTIONS SUBMITTED TO 27 SEPTEMBER 2022 COUNCIL MEETING

Written Questions Submitted by Persons not Present at the Meeting

1. Pauline O’Connor, 1 Talgarth Way, City Beach (Submitted five (5) questions)
2. Geoff Owen, 46 Daglish Street, Wembley (Submitted one (1) question)
3. Sergey and Elena Shevenko, 29 Harborne Street, Wembley (5) questions)

Written Questions Submitted by Persons Present at the Meeting

Jack Columbera, 14A Pool Street, Dianella
Re: Item DV22.85 Lot 200 Hesperia Avenue, City Beach

Question 1

Are Councillors aware that we have lodged revised plans that address the neighbours concern as outlined at the Development Services Committee meeting in regard to the copper cladding on the southern elevation?

Question 2

Given we have addressed the neighbours’ concerns and changed the cladding on the southern elevation, with only a small section of 0.7m in width for copper cladding at the front corner of the house, down from 14 metres, would Council be willing to now approve this application.

Question 3

If the Town officers have not been able to contact the neighbour, would the Council be willing to defer consideration of this item until the October round of meetings to allow that consultation to occur by the Shire officers then determine the application at the next meeting?

Response provided by Mayor Shannon

Amended plans have been circulated to Elected Members and this matter will be considered at tonight’s meeting.

Martyn Cavanagh, 77 Pangborne Street, Wembley

Question 1

Given what Section 5.92 and 5.41 of the Local Government Act says is the matter that was dealt with by the Special Purpose Governance Committee in Item SG22.3 of the minutes of 24 May 2022 Council meeting within the Terms of Reference of that Committee?

Response provided by Mayor Shannon

The question will be taken 'on-notice'.

Question 2

My Question relates to Item SG22.3 of the minutes of 24 May 2022 OCM: 'Special Purpose Governance Committee' meeting of the Town of Cambridge held on 19 May 2022. Is the Second resolution in Item SG22.3, as was voted for by the members of the Special Governance Committee, a matter that is beyond the power of the Committee to resolve and if not then why not?

Response provided by Mayor Shannon

The question will be taken 'on-notice' as it relates to a May 2022 matter.

Question 3

On 6 September 2022 a Special Council meeting was held and there had been no publication on the Town's website of the Agenda. The first time the Agenda appeared was after the 12 September. Is the failure to advertise in accordance with Regulation 14 of the Administration Regulations, a factor which invalidates the meeting?

Response provided by Mayor Shannon

The question will be taken 'on-notice'.

VERBAL QUESTIONS

Basil Palassis, 6 Meelah Road, City Beach

Re: Coast Ward Extraordinary Election 19 November 2022

Question 1

To the Mayor, will every elector in the Coast Ward registered on the electoral roll receive an election kit by post including a reply paid envelope to mail back a completed ballot paper?

Response provided by Acting Chief Executive Officer

It is not a postal vote so no.

Phil Manning, 8 Drew Street, Wembley

Re: CR22.82 Greening of Laneways

Will the sealing of the laneways be completed by the end of the 2022/2023 financial year?

Response provided by Acting Chief Executive Officer

Depending on what happens tonight, we will endeavour to get them completed subject to the availability of contractors, materials.

QUESTIONS TAKEN 'ON NOTICE' AT 23 AUGUST 2022 COUNCIL MEETING

1. Martyn Cavanagh, 77 Pangbourne Street, Wembley (Three (3) questions)
2. Marian Bartsch, 453 Cambridge Street, Wembley (One (1) question)
3. Helen McNeill, 43 Dilkara Way, City Beach (Two (2) questions)
4. Hugh Wetters, 5 May Street (One (1) question)

In accordance with Council Policy No: 031 – 'Council Meetings – Manager Public Question Time', the questions were treated as correspondence and taken "on-notice". Responses to questions treated as correspondence are included in the Minutes at Item 10.7 – Information Bulletin.

4. PETITIONS

Nil

5. DEPUTATIONS

Nil

6. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Barlow has requested leave of absence from 13 to 20 October 2022 inclusive.

Cr Mayes has requested leave of absence from 29 September to 6 October 2022 inclusive.

Moved by Cr Carr, seconded by Cr Cutler

That in accordance with Clause 3.7 of the Town of Cambridge Meeting Procedures Local Law 2019, approval be given for Leave of Absence to be taken by:

- Cr Barlow from 13 to October 2022 inclusive; and
- Cr Mayes from 29 September to 6 October 2022 inclusive.

Motion put and CARRIED (8/0)

7. CONFIRMATION OF MINUTES

Moved by Cr Haddon-Casey, seconded by Cr Barlow

That the Minutes of the Ordinary Meeting of Council held on 23 August 2022 be confirmed.

Motion put and CARRIED (7/1)

For: Mayor Shannon, Crs Barlow, Carr, Cutler, Haddon-Casey, Mayes and Randklev

Against: Cr Mack

Special Meeting of Council 6 September 2022

Moved by Cr Barlow, seconded by Mayor Shannon

That the Minutes of the Special Meeting of Council held on 6 September be confirmed.

Motion put and CARRIED (7/1)

For: Mayor Shannon, Crs Barlow, Carr, Cutler, Haddon-Casey, Mayes and Randklev

Against: Cr Mack

Special Meeting of Council 20 September 2022

Moved by Cr Barlow, seconded by Cr Mayes

That the Minutes of the Special Meeting of Council held on 20 September 2022 be confirmed.

Motion put and CARRIED (8/0)

8. ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION

I would like to advise the meeting that I will be suspending the requirements of clause 8.9 of the Town of Cambridge Meeting Procedures Local Law 2019 which allows members to rise to speak. It has been drawn to my attention that such action may, in these COVID times, exacerbate the spread of airborne viruses so out of an abundance of caution I will be suspending the protocol that allows speakers to rise until further notice.

I would like to commend Cr Haddon-Casey on her representation of the Wembley Ward at a recent JDAP meeting in relation to the proposed day care centre at 413 Vincent Street West, West Leederville.

The West Leederville community were understandably concerned when a day care centre proposal was made on this small block of land that is positioned on the corner of a busy thoroughfare which is Kimberley Street in their suburb. At the bottom of Kimberley Street we have a known traffic black spot so it was always going to be a very difficult block for them to put a day care centre and the proposed number of drop offs and children going into the day care centre was going to be causing a significant amount of traffic moving in and out of that corner block. While the traffic study in the RAR said the numbers were acceptable, those living in the neighbourhood knew that the RAR, which is the Responsible Authority Report, did not reflect the true nature of the traffic flow or the level of vehicles parked on the side of the road in Kimberley Street, as was experienced by the residents in West Leederville.

Following the resignation of our other JDAP trained elected member, Cr Haddon-Casey was the lone voice on behalf of the Council on the JDAP. She managed to highlight the practical difficulties faced by this development for the other JDAP members and this actually amazingly resulted in a refusal of the application which was in no small part due to both the residents deputations but Cr Haddon-Casey's precise questions put to the proponent.

It was a very pleasing result for the West Leederville community as the commercial style of the building would have been a blight on the entrance to this character suburb and it would also have caused a multitude of traffic and parking issues at the very time when cars typically queue on Kimberley Street to exit and enter this suburb.

I would just like to commend and thank Cr Haddon-Casey for all her work on the JDAP as she was unfortunately the only member of our Council there as we hadn't managed to appoint anyone at that time.

9. COMMITTEE REPORTS

DECLARATIONS OF INTEREST SUMMARY:

In accordance with section 5.65 of the *Local Government Act 1995*:

A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member or officer must disclose the nature of the interest

-
- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter discussed.

Name	Item No.	Type of Interest	Nature of Interest
Cr Xavier Carr	DV22.80	Impartiality	He has had discussions with one of the proponents or developers or owners
Cr Gary Mack	DV22.80	Impartiality	He has had a conversation with the owner of the property
Cr Georgie Randklev	DV22.80	Impartiality	She has had a conversation with the owner
Cr Xavier Carr	DV22.82	Impartiality	He has an association with one of the people who made a deputation at the Development Committee meeting
Cr Gary Mack	DV22.82	Impartiality	He has spoken with the Town Planning Consultant representing the applicant
Cr Xavier Carr	DV22.83	Impartiality	He has had contact with the developer
Cr Xavier Carr	DV22.84	Impartiality	He has had contact with one of the developers for the project
Cr Kate Barlow	DV22.84	Impartiality	She was rung by the applicant
Cr Gary Mack	DV22.84	Impartiality	He has spoken to the owner of the property
Cr Ben Mayes	DV22.84	Impartiality	In 2017, prior to becoming an Elected Member, he had met with the developer as part of his marketing role with his former employer
Cr Gary Mack	DV22.85	Impartiality	Re 5 Chidley Rd, City Beach – He has spoken with the owner of the property
Cr Georgie Randklev	DV22.85	Impartiality	Re 5 Chidley Rd, City Beach - She has had a conversation with the owner Re 15 Teslin Rd, Mt Claremont – the Architect is known to her
Cr Georgie Randklev	DV22.88	Impartiality	The owner of 5 Camborne Ave is known to her
Cr Gary Mack	CR22.82	Impartiality	He has spoken to residents whose properties back onto the subject laneways
Cr Ben Mayes	CR22.82	Impartiality	He has spoken to the neighbours who live in the vicinity of the laneways subject to this report.
Cr Jane Cutler	CR22.87	Impartiality	She is a frequent use of the existing pathway and the property that abuts this stretch of road also abuts her property.
Cr Ben Mayes	CR22.92	Impartiality	He has spoken to the President of Wembley Athletic Club by telephone to discuss the report.
Cr Ben Mayes	10.2	Impartiality	He has spoken to the President of the Wembley Athletic Club by telephone to discuss CR22.92

Acting CEO, Kelton Hincks	10.3	Financial	The report directly relates to his employment and financially benefits him directly.
All Elected Members	10.3	Impartiality	They have an association with the person as he is A/CEO
Cr Kate Barlow	10.7	Proximity	Re: St John of God Hospital – She lives across the road
Cr Jane Cutler	10.7	Proximity	Re Register of Advertised Strategic Planning Proposals – She lives and owns a property across the road from one of the strategic planning proposals listed.
Cr Jane Cutler	11.1	Impartiality	She chairs a not for profit organisation that provides support to people affected by family and domestic violence in regional, rural and remote WA
Mayor Keri Shannon	13.1	Impartiality	She has had a conversation with one of the people mentioned in the report
Cr Jane Cutler	13.1	Impartiality	She knows of this person
Cr Georgie Randklev	13.1	Impartiality	The person is known to her

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

Recommendations contained in the Development Committee, Community and Resources Committee Reports were adopted En-bloc, with the exception of the following items which were nominated for individual debate, require an Absolute Majority decision, or an Elected Member has disclosed a financial or proximity interest.

Development: Items DV22.80 and 85
Community and Resources Items CR22.80, 81, 82, 87, 88, 89 and 92

DEVELOPMENT COMMITTEE

The report of the Development Committee meeting held on Tuesday 20 September 2022 was submitted as under:

1. DECLARATION OF OPENING

The Presiding Member declared the meeting of the Development Committee open at 6.32 pm.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Present:	Time of Entering	Time of Leaving
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Members:

Mayor Keri Shannon (Presiding Member)	6.32 pm	8.09 pm
Cr Xavier Carr	6.32 pm	8.09 pm
Cr Elaine Haddon-Casey	6.32 pm	8.09 pm
Cr Georgie Randklev	6.32 pm	8.09 pm
Cr Gary Mack	6.32 pm	8.09 pm

Observers:

Cr Ben Mayes

Officers:

Kelton Hincks, Acting Chief Executive Officer
Brett Cammell, Director Planning and Community Services
Christie Downie, Acting Manager Strategic Planning
Steve Laming, Acting Manager Statutory Planning
Melissa Meumann, Strategic Planning Officer
Cassandra Flanigan, Manager Governance
Denise Ribbands, Senior Governance Officer

Members of the Public:

Approx 20 persons

Media:

Nil

Adjournments:

Nil

Time meeting closed:

8.09 pm

APOLOGIES/LEAVE OF ABSENCE

Nil

3. PUBLIC QUESTION TIME

Nil

4. DEPUTATIONS

Item DV22.80 – Louise Pilkington, applicant

Item DV22.82 – Andra Biondi, on behalf of the owner

Item DV22.83 – Brian McMurdo, on behalf of the neighbours at 43 Dilkara Way and 16 Yaltara Road, City Beach

Helen McNeill, 1/43 Dilkara Way, City Beach

Tom Reef, Designer

Jillian Ray, 16 Yaltara Road, City Beach

Paul Simmons, Owner and Builder

Item DV22.85 Rosemary Royle, neighbour of 41 Hesperia Ave, City Beach

Amanda Butterworth, on behalf of owner of 41 Hesperia Ave, City Beach

Suzanne Stone, owner of 18 Sellenger Court, City Beach

5. CONFIRMATION OF MINUTES

Moved by Cr Haddon-Casey, seconded by Cr Randklev

That the Minutes of the Ordinary meeting of the Development Committee held on 16 August 2022 as contained in the August 2022 Council Notice Paper be confirmed.

Motion put and CARRIED (5/0)

6. DECLARATIONS OF INTEREST

Item DV22.80 – Crs Mack and Randklev– Impartiality Interest

Item DV22.82 – Crs Carr and Mack – Impartiality Interest

Item DV22.83 – Cr Carr – Impartiality Interest

Item DV22.85 – Crs Mack and Randklev – Impartiality Interest

Item DV22.88 – Cr Randklev – Impartiality Interest

7. REPORTS

DV22.80 LOT 265 (NO. 5) CHIDLEY ROAD, CITY BEACH – PROPOSED TWO-STOREY SINGLE HOUSE
--

PURPOSE OF REPORT:

The purpose of this report is for Council to consider a development application for a two-storey single house.

SUMMARY:

The proposal was initially presented to Development Committee on 16 August 2022 (refer DV22.71), where Committee recommended that the application be refused at the 23 August 2022 Council meeting, as it was considered that the proposed maximum building height did not respond to the natural topography of the site and that the visual bulk of the roof gables would have an adverse impact on the streetscape.

However, at the 23 August 2022 Council meeting, Council resolved to defer the application to enable the Town's officers to have further discussions with the applicant and owners regarding the proposed maximum building height and building bulk concerns.

Following the August Council meeting, the Town's officers met with the applicant and owners on 29 August 2022.

Amended plans were subsequently received on 1 September 2022, which Administration considers have addressed Council's concerns, as the roof gable end to the primary street has been removed and the overall maximum building height has been reduced, which is now deemed-to-comply.

While the proposal still proposes variations in relation to lot boundary setbacks, siteworks, sightlines, visual privacy, and roof colour, it is considered that these variations will not have an adverse impact on the streetscape or adjoining properties for the following reasons:

- The reduced side setbacks will not result in any adverse impact on the adjoining properties, as only relatively minor portions of walls project into the deemed-to-comply setback areas. The owners of the northern and southern adjoining properties have been in contact with the assessing officer throughout the course of the assessment process and do not object to the proposed reduced setbacks.
- The maximum heights of the development, including maximum retaining wall heights and finished ground levels, were required to be measured from the historical levels in the Town's *Local Planning Policy 3.24 – Determining natural ground levels* (LPP 3.24). However, these levels are up to approximately 2m below the existing retained site levels, which were established circa 1974 when the existing dwelling was constructed.
- Taking the above into account, while the proposed fill within the rear setback area will have a maximum height of 3.69m from the historical natural ground levels in LPP 3.24, the extent of fill is minimal and will not be more than 1.35m above the existing finished ground levels. The filling of the land to the rear of the lot meets the design principles and will not result in additional overlooking due to the rear adjoining neighbouring lots to the west being situated 2m-3m below the subject site.

- In addition, the proposed dwelling will be set back a minimum of 14.7m from the rear boundary, which will be far greater than the 7.6m rear setback to the existing dwelling. The increased rear setback will enhance access to the prevailing south-western views of the coast from the adjoining northern property.
- Town's Infrastructure Department confirmed that the reduced visual truncations are acceptable in this instance, due to the front fencing being 'open style' and the fact that there is no pedestrian footpath located on the verge of the subject property.
- The proposed overlooking to the southern and western adjoining properties is indirect and the line of sight is partially obscured by fencing. In addition, the proposed extent of overlooking to those properties is lesser than the extent of overlooking from the existing dwelling, and as such, the affected neighbours have confirmed that they have no objection to the proposal with regards to visual privacy.
- It is considered that the proposed dwelling is consistent with the Desired Future Character of the City Beach Precinct. The dwelling will be set back 8.5m to 10.5m from the primary street, which exceeds the minimum 7.5m street setback requirement of the Scheme. Additionally, the dwelling has a building footprint of 243m², which is less than 30% site coverage in lieu of the deemed-to-comply maximum of 45%.
- The Colorbond roof in 'Dune' colour will not result in excessive glare. The timber batten detailing and fibre cement cladding will create architectural interest and will result in a high-quality mix of materials to the façade of the development.

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:

As the application was originally referred to Development Committee, it is not considered appropriate for the Administration's delegation to be exercised on this occasion.

In addition to the above, 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 265 (No. 5) Chidley Road, City Beach
Report Date:	13 September 2022
File Reference:	DA22/0050
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	A/Manager Statutory Planning, Steven Laming
Contributing Officer:	Statutory Planning Officer, Jacob Corbould
Reporting Officer Interest:	Nil
Attachments:	1. Development Plans 2. Revised Schedule of Submissions 3. Applicant's Justification

Applicant:	Kensington Design WA Pty Ltd
Owner:	Louise Pilkington
Zoning:	Residential R12.5
Precinct:	P1: City Beach
Development Description:	Two-Storey Single House
Development Value:	\$1,400,000
Existing Land Use:	Single House
Proposed Land Use:	Single House
Land Area:	875m ²
Heritage Listing:	No
Application Date:	4 March 2022
Application Process Days:	207 days – applicant agreed to an extension

DETAILS:

Proposal

The proposal is to demolish the existing two-storey single house and for the construction of a new two-storey single house, which includes the following elements:

- i. The first floor on the northern elevation (WIR, Ensuite, Study) is set back a minimum of 1.26m from the northern boundary in lieu of 1.8m.
- ii. The ground floor on the southern elevation (Guest Room, Bath, Terrace) is set back a minimum of 1.5 from the southern boundary in lieu of 3.6m.
- iii. The 'Lower Western Terrace', has a proposed finished ground level that is up to 3.69m above the natural ground level, is proposed to be set back 1.5m from the western rear boundary in lieu of 3m.
- iv. The window to the first floor 'Great Room' on the southern elevation is set back 3.4m from the southern boundary within the cone-of-vision in lieu of 6m.
- v. The first floor balcony on the southern elevation is set back 6.1m from the southern boundary within the cone-of-vision in lieu of 7.5m.
- vi. The 'Lower Western Terrace' is set back 1.5m, and the 'Pool Terrace' is set back 5.2m, from the western boundary within the cone-of-vision in lieu of 7.5m.
- vii. The roof of the dwelling is proposed to be constructed of Colorbond metal sheeting in 'Dune' colour, which has a solar reflectivity index of 61% in lieu of 40%.

Application History

The proposal was initially presented to Development Committee on 16 August 2022, where Committee recommended that the application be refused at the 23 August 2022 Council meeting, as it was considered that the proposal did not respond to the natural topography of the site due to the proposed maximum building height and building bulk impacts on adjoining properties.

However, at the 23 August 2022 Council meeting, Council resolved to defer the application to enable the Town's officers to have further discussions with the applicant and owners regarding the maximum building height and building bulk concerns.

Following the August Development Committee meeting, the Town's officers met with the applicant and owners on 29 August 2022.

Amended plans were subsequently received on 1 September 2022, which include the changes detailed in the two below tables:

<i>R-Codes Clause 5.1.3 - Lot Boundary Setbacks</i>			
	Deemed-to-comply Requirement	Proposed	Amended plans
West - Rear Outbuilding (Store)	6m	1.5m	9.13m

<i>R-Codes Clause 5.1.6 - Building Height</i>			
Maximum external wall height	Deemed-to-comply Requirement	August Proposed	Amended plans
Dining Room wall on North (side) elevation	7m	7.6m	7m
Balcony wall on South (side) elevation	7m	7.8m	6.9m
Attic dormer window on East (front) elevation	7m	7.9m	N/A – Attic dormer window has been removed from plans
Attic roof gable on East (front) elevation	8m	9.1m	N/A – Attic roof gable has been removed from plans

The outbuilding (store) has been set back further from the rear boundary to meet the deemed-to-comply minimum rear set back in response to concerns raised by a neighbour during the public consultation period that the outbuilding was too close to the boundary.

At the August Development Committee meeting, Committee had concerns that the dwelling was situated at the highest point of the lot, which resulted in the dwelling appearing as three-storey and therefore the proposal did not respond to the natural topography of the site.

While the amended plans show the position of the dwelling has marginally been repositioned on the site 0.1m closer to the street, it is noted that the positioning of the dwelling is situated on a portion of the lot that is approximately 1.1m lower than the highest point of the site.

Notwithstanding the above, the amended plans have resulted in the proposal now meeting the deemed-to-comply maximum building height, which has been achieved by removing the Attic dormer window and roof gable, reducing the ground floor finished floor level of the dwelling by 0.2m, and reducing the first floor wall heights by 0.46m.

It is therefore considered that Committee's concerns regarding maximum building height and building bulk have been addressed.

It is the latest plans that are being presented to Council as part of this Report (refer **Attachment 1**).

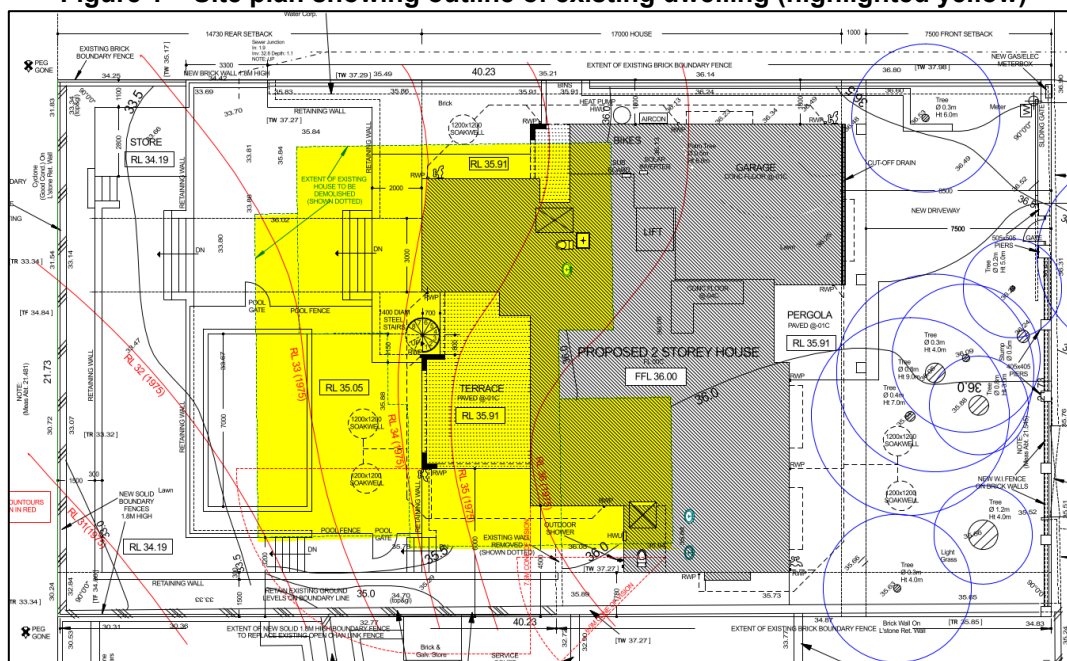
Site History

The site is currently occupied by a large two -storey single house. The existing single dwelling was approved by the City of Perth in 1974.

The original dwelling has a rear setback of 7.62m. Significant retaining and levelling at the rear of the lot formed part of the approval for the existing home.

As shown in **Figure 7** below, the existing dwelling (highlighted yellow) is set back a minimum of 7.6m from the rear boundary and has a finished floor level of 36 AHD.

Figure 1 – Site plan showing outline of existing dwelling (highlighted yellow)



Site Context

The site is located within the City Beach Precinct and is currently occupied by a large two-storey single house, which was constructed in 1974.

The site has a regular rectangular lot shape.

The natural topography of the site slopes down approximately 5.5m from the front to the rear boundary. Substantial retaining walls have been constructed on the lot to the western (rear) and southern (side) boundaries.

The immediately surrounding properties consist of large two-storey and three-storey single houses.

The aerial image below shows the subject property and the immediately surrounding area.

Figure 2 - Aerial image showing the subject property and the immediately surrounding area.



CONSULTATION:

Public Consultation

Prior to the 16 August 2022 Development Committee meeting, the application was advertised for 14 days in accordance with the Town's *Local Planning Policy 1.2 - Public Notification of Planning Proposals*.

In response, a total of 6 submissions were received, five of which objected to the proposal and one in support.

The main concerns raised during the consultation period are summarised as follows:

- i. Object to the increased maximum building heights.
- ii. Object to the visual privacy variations
- iii. Request additional information regarding the height of the gable roof
- iv. Concerns regarding impact of building height and roof line on views
- v. Object to the filling of land.
- vi. Object to the pool shed/store structure located within the rear setback area
- vii. Concerns regarding overlooking/ loss of privacy from loft/ attic space.

Following consultation and prior to the August Development Committee meeting, amended plans were received, which removed the two roof gables at the rear of the dwelling and reconfigured the first floor to reduce the extent over overlooking to the neighbouring properties.

In response to reviewing those amended plans, one of the neighbours withdrew their objection, as they no longer had any concerns with the proposal.

This resulted in there being only four objections to the proposal when it was presented to Committee in August.

Following the August Development Committee meeting, the applicant provided further amended plans to the Town and the neighbours that originally provided comment on the proposal. It is those amended plans that are the subject of this report.

In response to reviewing the latest amended plans, two of the neighbours also withdrew their objections to the proposal, which has resulted in only two objections to the proposal remaining. A Schedule of Submissions that includes the submissions in their entirety is attached to this Report (refer **Attachment 2**).

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 3**).

STATUTORY ASSESSMENT:

State Planning Policy 7.3 - Residential Design Codes Volume 1

5.1.3 Lot Boundary Setbacks		
	Deemed-to-comply Requirement	Proposed
North (side) First Floor (WIR, Ensuite, Study)	1.6m	1.26m
South (side) Ground Floor (Guest Room, Bath, Terrace)	3.6m	1.5m

Design Principles (of R-Codes):
"P3.1 Buildings set back from lot boundaries or adjacent buildings on the same lot so as to:

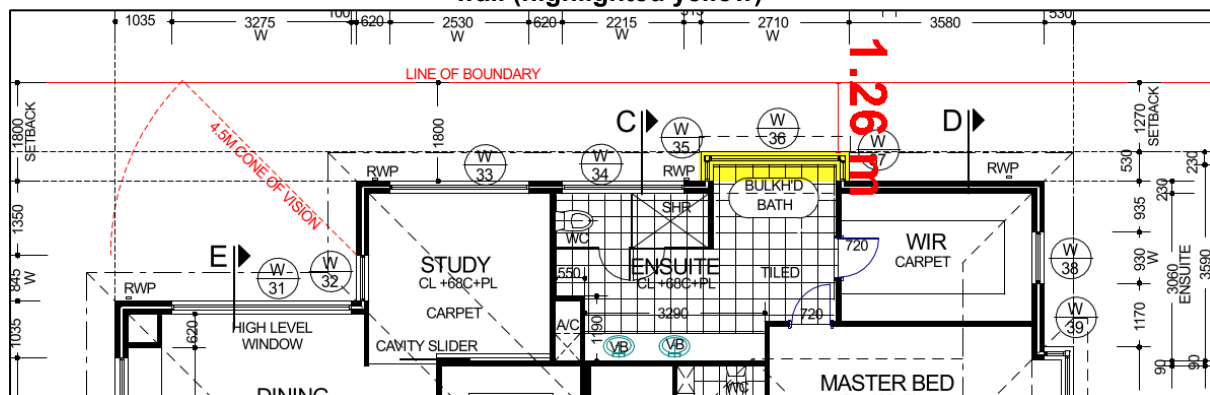
- reduce impacts of building bulk on adjoining properties;*
- provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and*
- minimise the extent of overlooking and resultant loss of privacy on adjoining properties".*

Design Principles Assessment

North (side) – First Floor – WIR, Ensuite, Study

The application proposes a minimum side boundary setback of 1.27m to the first floor Ensuite projecting wall, which forms part of the 'WIR, Ensuite, and Study' wall portion on the northern elevation, as shown in the marked-up first floor plan below.

Figure 3 – Marked-up first floor plan showing minimum side setback to the Ensuite projecting wall (highlighted yellow)



It is considered that the reduced side boundary setback will not have an adverse impact on the adjoining property, given that only a minor portion of the Ensuite projecting wall is set back

1.26m in lieu of 1.6m. It is noted that the remainder of the building on the northern elevation meets the deemed-to-comply setbacks.

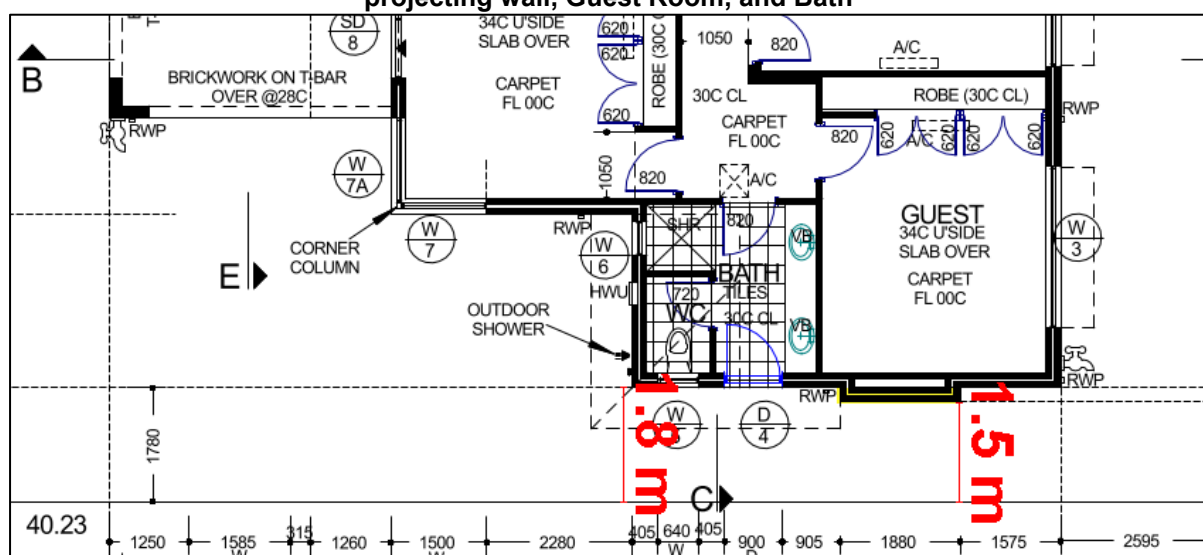
The minor setback variation is not considered to have any building bulk impact, and due to the lot orientation, will not affect the neighbours access to natural light. The proposed setbacks will provide adequate space for natural ventilation between the two properties, and there is no overlooking to the adjoining property.

It is also noted that no concerns were raised regarding the reduced lot boundary setbacks to the northern boundary.

South (side) – Ground Floor – Guest Room, Bath, Terrace

The application proposes a minimum side boundary setback of 1.5m -1.8m to the Guest Room, Bath and Terrace, as shown in the marked-up ground floor plan below.

Figure 4 – Marked-up ground floor plan showing minimum side setback to the Guest Room projecting wall, Guest Room, and Bath



It is considered that the reduced side boundary setback will not have an adverse impact on the adjoining southern property, given that the R-Codes requires the calculation for the deemed-to-comply setback to includes the Terrace in the total wall length, as it has a finished floor level greater than 0.5m from natural ground level, however, as the Terrace is open and without a wall or any roof cover, in practical terms, only the Guest Room and Bath will be visible to the neighbouring property.

If the setback requirement was based on the total wall length of the Guest Room and Bath only, the setback would be deemed-to-comply.

It is also noted that no concerns were raised regarding the reduced lot boundary setbacks to the southern boundary.

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

5.2.5 - Sightlines		
	Deemed-to-comply Requirement	Proposed
	Maximum solid wall height 0.75m within the 1.5m x 1.5m truncation areas	Fencing pier with a maximum height of 2m and a meterbox pier/wall with a maximum height of 1.7m within the truncation areas to each side of the driveway

Design Principles (of R-Codes):

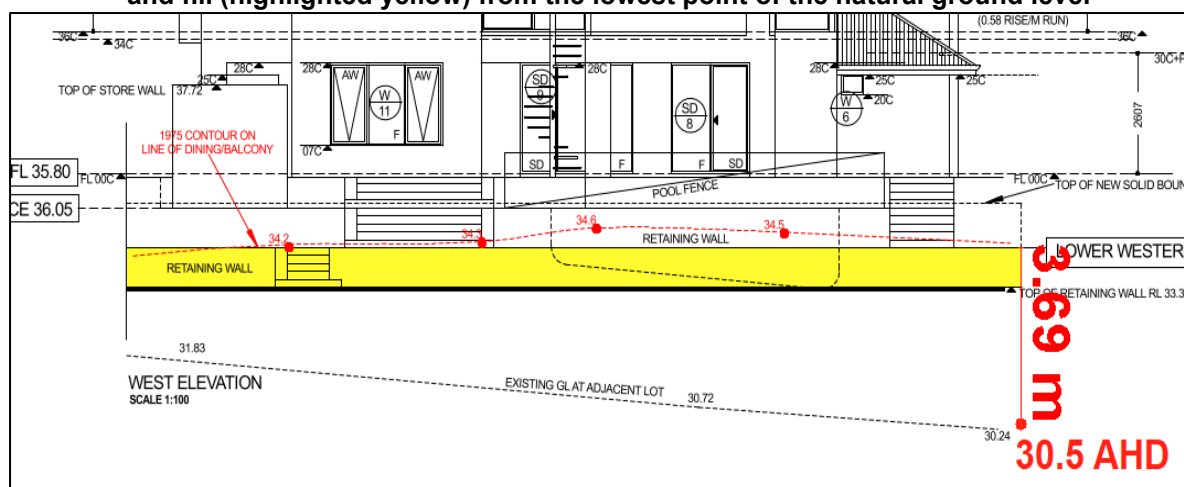
"P7.1 Development that considers and responds to the natural features of the site and requires minimal excavation/fill.

P7.2 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.

P7.3 Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to clause 5.3.7 and 5.4.1."

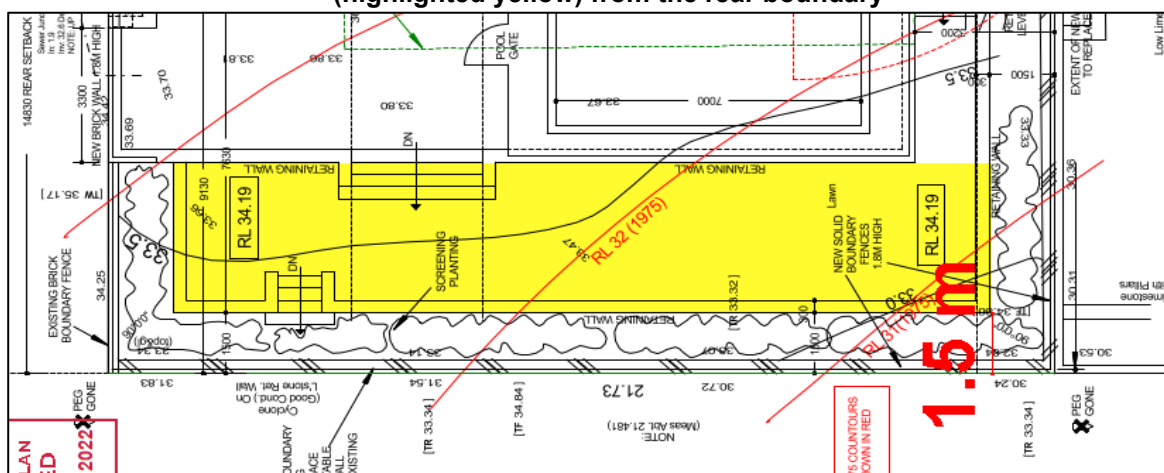
The 'Lower Western Terrace', has a finished ground level that is up to 3.69m above the lowest point of the LPP 3.24 historic natural ground levels, as shown in the below marked-up western elevation:

Figure 6 – Marked-up west elevation showing the maximum height of the proposed retaining and fill (highlighted yellow) from the lowest point of the natural ground level



As the finished ground level of the 'Lower Western Terrace' is greater than 3m above the natural ground level, the deemed-to-comply setback to the terrace is 3m, however, the terrace is set back 1.5m, as shown in the below marked-up site plan.

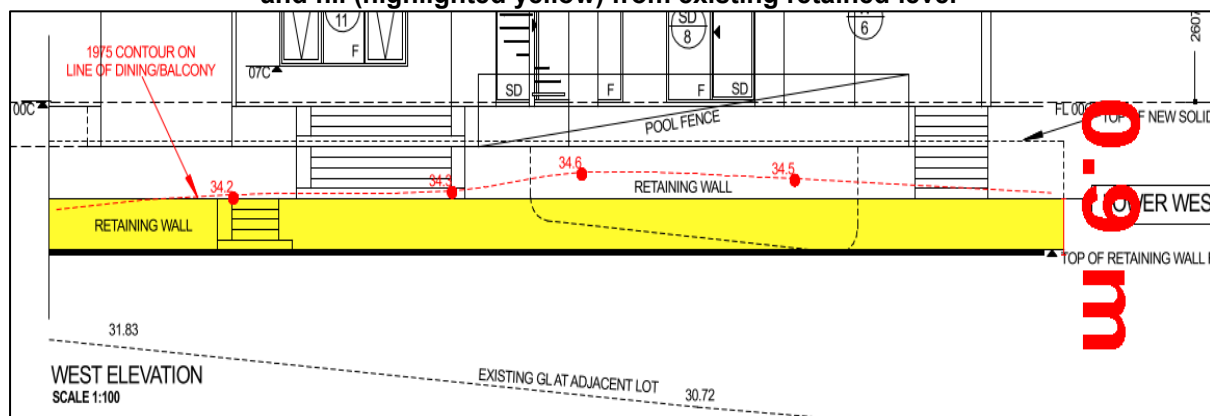
Figure 7 – Marked-up site plan showing the minimum setback of the proposed retaining and fill (highlighted yellow) from the rear boundary



The assessment is required to measure the maximum height of the finished ground level of the terrace from the natural ground level, which has resulted in a deemed-to-comply setback of 3m.

However, if the maximum height of the finished ground level of the terrace is measured from the existing retained level, the finished ground level would have a maximum height of only 0.9m, as shown in the below marked-up western elevation.

Figure 8 – Marked-up west elevation showing the maximum height of the proposed retaining and fill (highlighted yellow) from existing retained level



In that instance, the proposed setback of 1.5m would meet the deemed-to-comply setback of 1m.

Therefore, it is considered that, in practical terms, the reduced setback of the terrace to the rear boundary will not have an adverse impact on the neighbours.

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

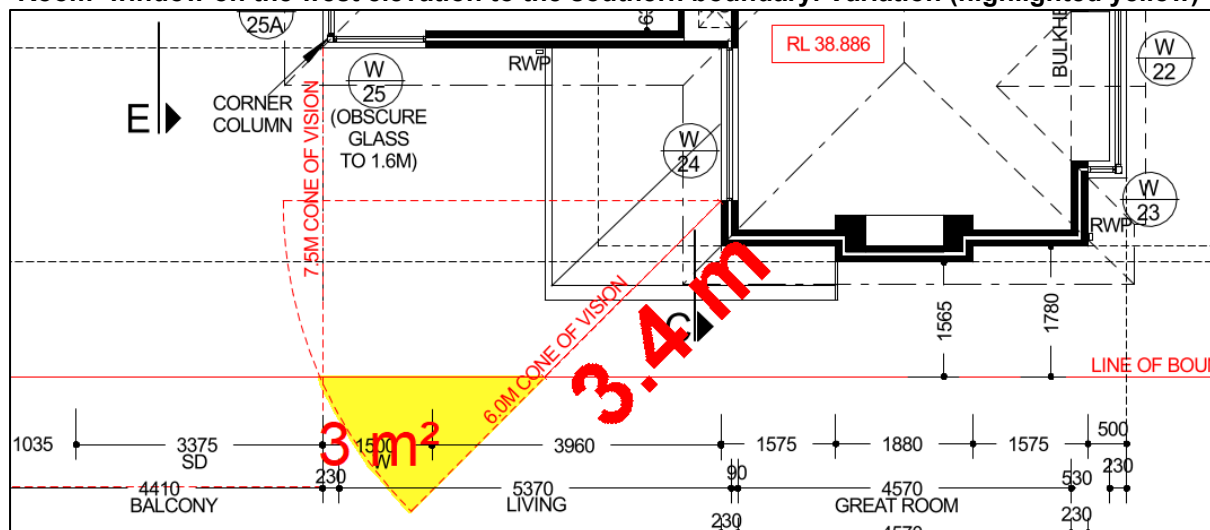
5.4.1 Visual Privacy		
Cone-of-vision setback	Deemed-to-comply Requirement	Proposed
South - First Floor (Great Room)	6m	3.4m
South - First Floor (Balcony)	7.5m	6.1m
West – Lower Western Terrace	7.5m	1.5m
West – Pool Terrace	7.5m	5.2m
Design Principles (of R-Codes): <i>"Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:</i> <ul style="list-style-type: none"> <i>building layout and location;</i> <i>design of major openings;</i> <i>landscape screening of outdoor active habitable spaces; and/or</i> <i>location of screening devices.</i> <i>Maximum visual privacy to side and rear boundaries through measures such as:</i> <ul style="list-style-type: none"> <i>offsetting the location of ground and first floor windows so that viewing is oblique rather than direct;</i> <i>building to the boundary where appropriate;</i> <i>setting back the first floor from the side boundary;</i> <i>providing higher or opaque and fixed windows; and/or</i> <i>screen devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters)."</i> 		

Design Principles Assessment

South (side) – First-Floor – ‘Great Room’

The application proposes a minimum cone-of-vision setback of 3.4m from the Great Room window on the western elevation to the southern boundary in lieu of 6m, as shown in the below marked-up first floor plan.

Figure 9 – Marked-first floor plan showing minimum cone of vision setback from the ‘Great Room’ window on the west elevation to the southern boundary. Variation (highlighted yellow)



As the major opening to the ‘Great Room’ is the line of sight to the southern adjoining property is indirect, resulting in only a 3m² incursion of overlooking within the cone-of-vision setback area, as shown in Figure 8 above.

It is considered that the reduced cone-of-vision setback from the ‘Great Room’ window will not have an adverse impact on the adjoining property, given that the extent of overlooking is to a wall on the adjoining southern property that has no major openings to habitable rooms, as shown in **Figure 10** below.

Figure 10: Area of overlooking from to adjoining southern neighbour

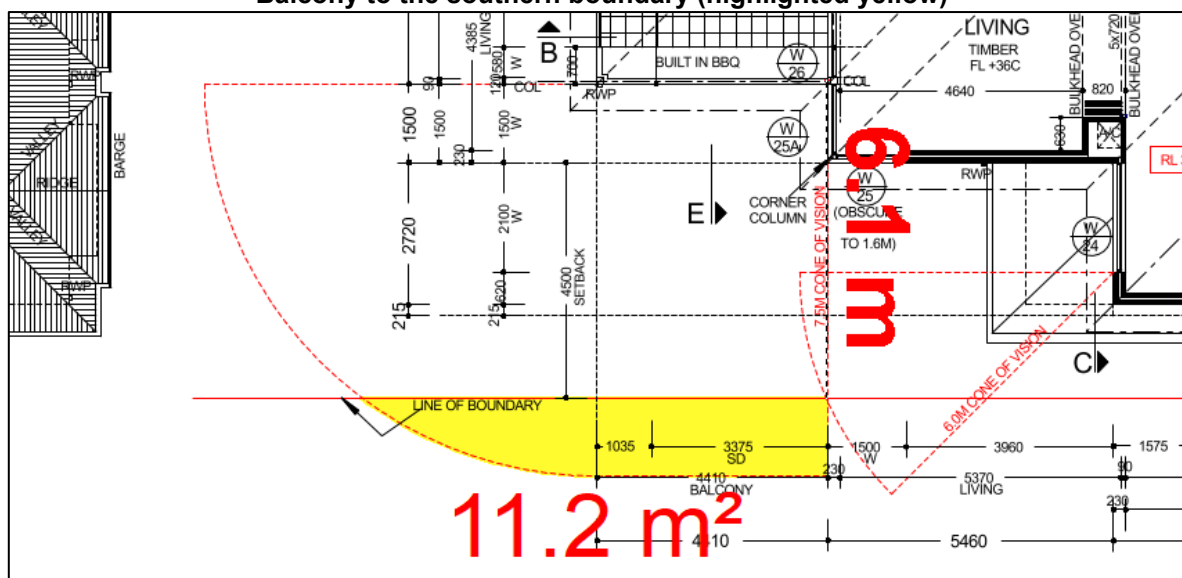


It is also noted that the adjoining southern neighbour has confirmed that they have no objections to the proposed extent of overlooking from the 'Great Room' window.

South (side) – First-Floor – Balcony

The first-floor balcony is proposed to be set back a minimum of 6.1m from the southern boundary within the cone-of-vision in lieu of the deemed-to-comply minimum of 7.5m, which results in 11.2m² of overlooking to the southern adjoining property.

Figure 11 – Marked-up first floor plan showing extent of overlooking from the first floor Balcony to the southern boundary (highlighted yellow)



Following the initial public consultation period, the applicant provided amended plans that show the Balcony includes a built-in BBQ cabinet along the southern wall of the Balcony, which has a width of 0.7m and a maximum height of 1.07m from the finished floor level.

While the 1.07m height of the BBQ cabinet does meet the deemed-to-comply minimum height of 1.6m for visual privacy screening, it is considered that the placement of the BBQ structure will assist in reducing the extent of overlooking from the Balcony to the southern adjoining property, as it will effectively result in the accessible area of the Balcony where a person could stand being set back a minimum of 6.8m from the southern boundary.

It is also noted that the adjoining southern neighbour has provided an evidence of non-objection letter supporting this aspect of the proposal.

West (Rear) – Terrace areas

As the “Lower Western Terrace” retained paved area can be used as an active habitable space and has a maximum finished ground level that is up to 3.69m from the LPP 3.24 historical natural ground levels, the deemed-to-comply visual privacy setback from neighbouring boundaries is 7.5m. However, the terrace is only set back 1.5m from the western rear boundary.

In addition, the “Pool Terrace” retained paved area, which has a maximum finished ground level of 1.58m from the LPP 3.24 historical natural ground levels, is set back 5.2m from the western rear boundary in lieu of 7.5m.



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

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

	Material Proposed
	Colorbond 'Dune' metal roofing has been proposed. This colour has a Solar Reflectivity Index (SRI) of 61% in lieu of 40%.
CL 8 Reflective Roofing <i>"The following the deemed-to-comply requirements apply to all buildings within the First Schedule (Residential Districts) area of Local Law 43. For the purpose of assessing the solar reflectivity index of materials, the Town considers a solar absorptance of less than or equal to 0.6 to exceed a 40% solar reflectivity index.</i> <i>i) C1.1 Metal roofing with a pitch of more than 5 degrees shall not be constructed with metal sheeting having a solar reflectivity index exceeding 40%.</i> <i>ii) C1.2 Other roofing with a pitch of more than 5 degrees shall not be constructed with materials such as polycarbonate, plastic, fibreglass or similar materials having a solar reflectivity index exceeding 40%."</i> Design Principles of Cl.8 <i>"Roofing materials shall not result in excessive glare upon neighbours and the streetscape due to the position, location, pitch, and finishes used."</i>	

Assessment

The application proposes the dwelling to have a Colorbond metal sheeting roof in Dune colour, which has a Solar Reflectivity Index (SRI) of 61% in lieu of 40%.

While Colorbond Dune exceeds the deemed-to-comply maximum SRI, it is considered to be a preferable metal sheeting colour compared to alternate lighter roof colours, such as 'Shale Grey', which has an SRI of 66%, or 'Surfmist', which has an SRI of 82%.

The proposed roof colour was advertised as part of the public consultation process and no submissions raised concerns regarding the roof colour.

The applicant has noted that the proposed Dune roof colour will assist in achieving a higher sustainability rating as compared to a darker roof colour. Additionally, it is noted that several properties within the vicinity, including the recently constructed dwelling located at the adjoining neighbours dwelling (No. 14 Baramba Road, City Beach), have pitched roofing with lighter toned roofing.

CONCLUSION:

It is considered that the amended plans, which are the subject of this report, have addressed Council's concerns raised at the August Council meeting, with regards to building height and bulk, as the proposal now meets the deemed-to-comply maximum building height.

While the proposal still proposes variations in relation to lot boundary setbacks, siteworks, sightlines, visual privacy, and roof colour, it is considered that these variations will not have an adverse impact on the streetscape or adjoining properties.

The dwelling is well articulated on the side elevations and therefore the reduced side setbacks are not considered to have an adverse impact on the adjoining properties, who have confirmed that they have no objection to the proposed reduced side setbacks.

While the proposed fill within the rear setback area will have a maximum height of 3.69m from the historical natural ground levels in LPP 3.24, the extent of fill will not be more than 1.35m above the existing finished ground levels. The proposed fill will also not result in additional overlooking due to the rear adjoining neighbouring properties, which are situated 2m-3m below the subject site.

Town's Infrastructure Department confirmed that the reduced visual truncations are acceptable in this instance, due to the front fencing being 'open style' and the fact that there is no pedestrian footpath located on the verge of the subject property.

The proposed extent of overlooking is indirect and partially obscured by dividing fencing. In addition the proposed overlooking is lesser than the extent of overlooking from the existing dwelling, and as such the affected neighbours have confirmed that they have no objection to the proposal with regards to visual privacy.

The proposed Colorbond Dune roof colour will not result in excessive glare to the adjoining neighbours, who did not object to the roof colour variation.

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

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 No: 019. 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 20 September 2022

Impartiality Interest Declaration – Cr Mack

Prior to consideration of the item, Cr Mack disclosed an interest affecting impartiality and declared as follows: “with regard to item DV22.80, I declare that I have spoken to the owners of the property and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Impartiality Interest Declaration – Cr Randklev

Prior to consideration of the item, Cr Randklev disclosed an interest affecting impartiality and declared as follows: “with regard to item DV22.80, I declare that the owner has contacted me in regard to the proposed plans and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Declaration of Contact with Developer

Prior to consideration of the following item, in accordance with Policy No. 039 – Elected Member Relationship with Developers, Cr Carr declared that he had had contact with the developer.

Council Meeting 27 September 2022

Impartiality Interest Declaration – Cr Carr

Prior to consideration of the item, Cr Carr disclosed an interest affecting impartiality and declared as follows: “with regard to item DV22.80, I declare that I have had discussions with one of the proponents or developers or owners and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Impartiality Interest Declaration – Cr Mack

Prior to consideration of the item, Cr Mack disclosed an interest affecting impartiality and declared as follows: “with regard to item DV22.80, I declare that I have had a conversation with the owner of the property and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Impartiality Interest Declaration – Cr Randklev

Prior to consideration of the item, Cr Randklev disclosed an interest affecting impartiality and declared as follows: “with regard to item DV22.80, I declare that I have had a conversation with the owner in regard to the proposed plans and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

COUNCIL DECISION: (COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by 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 two-storey single house at Lot 265 (No. 5) Chidley Road, City Beach as shown on the attached plans stamped received 1 September 2022, 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 structures (and associated footings) shall be contained within the lot boundaries of the subject site;**
- 3. Prior to practical completion of the development, the existing crossover shall be removed and the verge and kerb reinstated, and the new crossover, as shown on the approved plans, shall be constructed at the landowner's cost and thereafter maintained by the landowner(s) for the life of the development to the satisfaction of the Town;**
- 4. No verge trees shall be removed, pruned or disturbed in any way without further approval of the Town;**
- 5. The landscaping areas within the 7.5m primary street setback area shown on the approved plans shall be installed and reticulated within six months of practical completion of the development and thereafter maintained by the landowner(s) for the life of the development to the satisfaction of the Town;**
- 6. The infill panels of all fencing and gates within the 7.5m primary street setback area (which includes any side boundary fencing within this area) shall be “open style” (as defined by the Town’s Local Planning Policy 3.1 - Streetscape) and shall meet all other deemed-to-comply provisions of cl5.1 of the Town’s Local Planning Policy 3.1 – Streetscape;**

6. All stormwater shall be contained and disposed of on-site for the life of the development to the satisfaction of the Town; and
7. All privacy screening to major openings/unenclosed outdoor active habitable spaces, as shown on the approved plans, shall restrict views within the applicable cone of vision in accordance with Provision 5.4.1 of *State Planning Policy 7.3 - Residential Design Codes Volume 1*;

The privacy screening shall be installed prior to practical completion of the development and thereafter remain in place 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 BY AN ABSOLUTE MAJORITY (8/0)

DV22.81 LOT 46 (NO. 15) EVERTON STREET, FLOREAT – PROPOSED ALTERATIONS AND ADDITIONS TO EXISTING SINGLE HOUSE

PURPOSE OF REPORT:

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

SUMMARY:

The proposal includes alterations to the exiting front porch area, internal alterations to the existing dwelling, and a new front fence.

The proposed alterations to the existing porch area includes removing the existing lightweight flat roof cover and replacing it with a gable ended tiled pitched roof with stone clad brick piers. The new porch roof cover will have a minimum primary street setback of 7.9m to the porch piers and 7.7m to the porch roof eaves in lieu of 9m.

After consideration under the relevant planning provisions, it is recommended that the application is approved as:

- The porch is situated between the existing loungeroom and a bedroom, which have lesser street setbacks that assist in reducing the visual prominence of the porch within the street setback area.
- There is a large additional verge area along the north-eastern section of the front boundary, which creates the appearance of the site having a greater street setback area that results in the porch and existing dwelling seemingly being set back further from the street boundary.

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 cl12.1.4 of the Town's Delegation Register, Council is required to determine the application for the following reason:

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

BACKGROUND:

Address:	Lot 46 (No 15) Everton Street
Report Date:	13 September 2022
File Reference:	DA22/0144
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	A/Manager Statutory Planning, Steven Laming
Contributing Officer:	Senior Statutory Planning Officer, Morgan Hutton
Reporting Officer Interest:	Nil
Attachments:	1. Development Plans

Applicant:	Claudio Marino
Owner:	Steven Hulme and Emma Hulme
Zoning:	Residential R12.5
Precinct:	P3: Floreat
Development Description:	Alterations and Additions to Existing Single House
Development Value:	\$38,750
Existing Land Use:	Single House
Proposed Land Use:	N/A
Land Area:	873m ²
Heritage Listing:	No
Application Date:	15 July 2022
Application Process Days:	60 days

DETAILS:

Proposal

The proposal for alterations and additions to the existing single house includes the following elements:

- The porch piers are proposed to be set back a minimum of 7.9m from the primary street boundary in lieu of 9m
- The porch roof eaves are proposed to be set back a minimum of 7.7m from the primary street boundary in lieu of 9m.

History

In 1997, the Town issued a building permit for additions to the existing dwelling, which is the only record of approval for any development on the site.

Site Context

The development site is within the Floreat Planning Precinct on the corner of Everton Street and The Boulevard.

The site has an irregular shape with a primary street boundary to Everton Street that curves around to The Boulevard on the street corner, as shown in the below aerial image of the site and the surrounding locality.

Figure 1 - Aerial image showing the subject property and the immediately surrounding area.



Due to the site being on the street corner, the north-eastern portion of the curved front boundary adjoins additional verge area along the southern side of The Boulevard road reserve.

The front portions of the existing dwelling consists of a loungeroom, bedroom and a porch, which is situated in between the existing bedroom and loungeroom.

The existing loungeroom, bedroom, and porch are each set back a minimum of 8.2m, 6.2m, and 8.4m respectively from the primary street boundary, as shown in the below marked-up site plan.

Figure 2 - Aerial image showing the subject property and the immediately surrounding area.



The existing roof eaves to the loungeroom and bedroom are set back a minimum of 5.2m and 7.1m from the front 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.

APPLICANT'S COMMENTS:

The applicant has not provided any comments in support of those aspects of the application that do not meet the relevant requirements of Local Planning Scheme No. 1.

STATUTORY ASSESSMENT:

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

Clause 26(1)(b)		
	Required	Proposed
Primary Street Setback	9m	Porch Piers: 7.9m Porch Eaves: 7.7m

Clause 34 - Variations to Site and Development Requirements

"(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"; ...*

(2) *Subject to sub clause (3), the Council may refuse or approve a non-complying application with or without conditions".*

Local Planning Policy 3.1 – Streetscape

"1. Consideration of a non-complying application for street setbacks as prescribed in the Scheme

...Council may have due regard to the criteria below when considering a non-complying application under Clause 34 of the Scheme.

- a. The proposed development within the prescribed scheme setback area shall meet the Desired Future Character of the area;*
- b. Any building or part of the building (including a carport) in the prescribed scheme setback area shall be set back from side boundaries to preserve a streetscape of distinctly separate single residences separated by open space, and to preserve the amenity of neighbouring properties;*
- c. In relation to carports in the street setback area, where the dwelling is being retained and the dwelling was constructed prior to 1970 and as such is considered to form part of the historical character of the area:*
 - i. The existing dwelling presents to the street as single storey or the original dwelling is two-storey.*
 - ii. The existing garaging is sub-standard in terms of its internal dimensions and cannot provide cover for two vehicles.*
 - iii. A single carport is being replaced by a double carport that is open on all sides and in accordance with Clause 3.1 C1.5 of this policy.*
 - iv. If the existing dwelling is remaining, whether adequate space is available to be provide covered car space(s) behind the street setback area.*

- d. Retaining wall(s) proposed within the primary and/or secondary street setback may be permitted where:
- Do not detrimentally affect adjoining properties;
 - Are suitably landscaped to reduce the impact of building bulk; and
 - The natural topography of the land can still be interpreted, despite the retaining."

Assessment

As noted above, the existing dwelling has reduced primary street setbacks of 6.2m to the bedroom and 8.2m to the lounge room, and the roof eaves to those rooms are set back a minimum of 5.2m and 7.1m from the front boundary, in lieu of 9m.

The existing porch area, which is proposed to be altered by removing the existing lightweight flat roof and replacing it with a pitched tiled roof and stone clad brick piers, is situated between the existing bedroom and lounge room. The proposal also includes increasing the porch floor area and changing the edge of the porch floor from a curved to straight edges with new steps.

The proposed alterations will have minimum primary street setbacks of 7.9m to the new porch piers and 7.7m to the new porch roof eaves in lieu of 9m, as shown below in Figures 3 and 4.

Figure 2 – Marked-up floor plan showing minimum primary street setbacks to walls of the existing bedroom (yellow), lounge room (green), and the proposed new porch piers (blue).

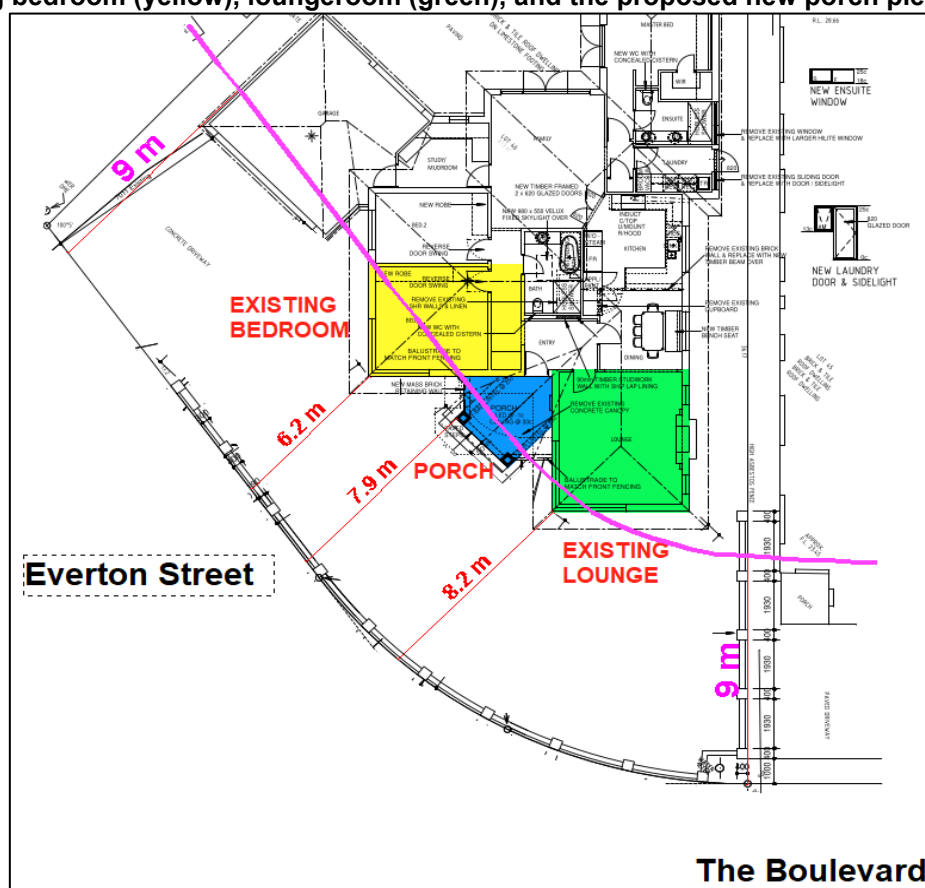
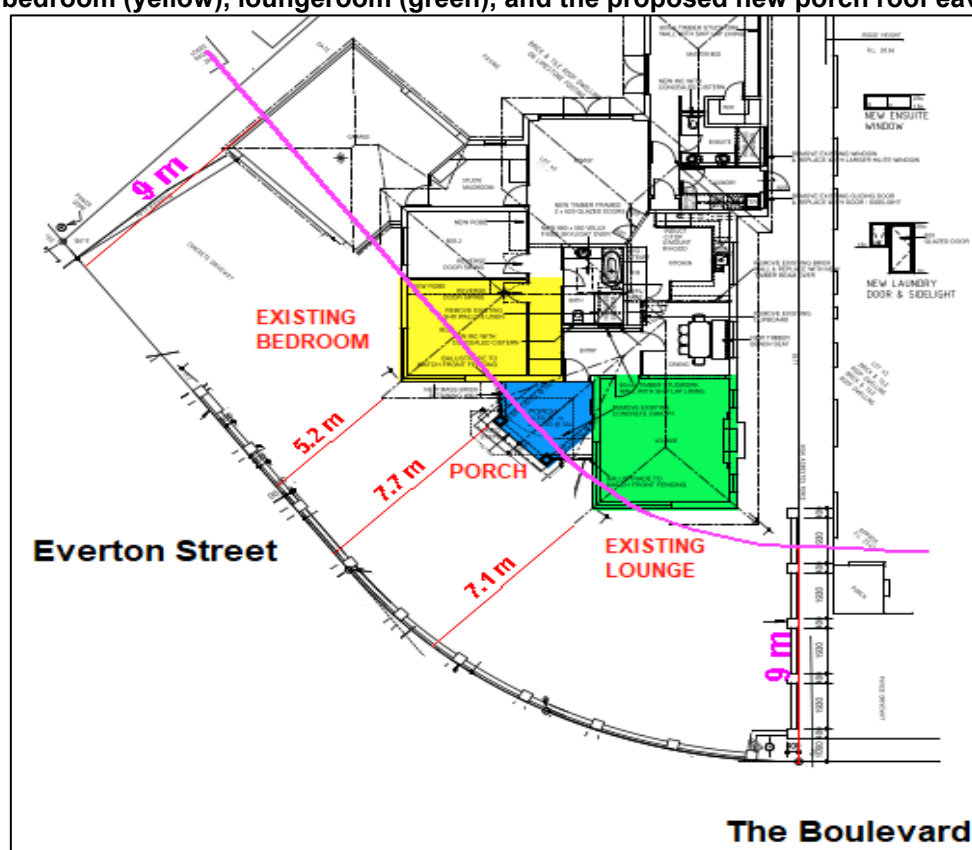


Figure 3 – Marked-up floor plan showing minimum primary street setbacks to roof eaves of the existing bedroom (yellow), loungeroom (green), and the proposed new porch roof eaves (blue).



It is considered that, due to the porch being located between the existing loungeroom and bedroom, which have lesser street setbacks, the proposed reduced street setbacks to the porch will not result in the porch having a dominant visual bulk within the street setback area.

In addition, as the porch is situated between the existing bedroom and loungeroom, the reduced street setbacks to the porch will not be obvious when viewed from the adjoining southern or northern properties.

It is also noted that the additional verge area along the north-eastern section of the of the front boundary assists in reducing any bulk impact the proposed reduced street setbacks to the porch may have, as the additional verge area creates the appearance of the site having a greater street setback area than the required street setback area of 9m in the Floreat Precinct.

It is also noted that no concerns were raised during the consultation period in relation to the proposed alterations to the existing porch area.

Having due consideration of the relevant sub-clauses of cl67 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, it is considered that the proposed alterations to the existing porch area, in this particular case, will not have a significant impact on the prevailing and desired development context due to the porch being situated between portions of the existing dwelling with lesser street setbacks, which assists in reducing the visual prominence of the porch within the street setback area. and the additional verge area along the north-eastern section of the site creating the appearance of a greater street setback area.

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

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*.

COUNCIL DECISION:

(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*, Council APPROVES the application for alterations and additions to the existing single house at Lot 46 (No. 15) Everton Street, Floreat as shown on the attached plans stamped received 15 July 2022, 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 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 EN-BLOC (8/0)

DV22.82 LOT 5 (NO. 16) BRANKSOME GARDENS, CITY BEACH – PROPOSED AMENDMENT TO APPROVED SINGLE HOUSE (DA21/0196) – CHANGE ROOF GARDEN TO ROOF TERRACE

PURPOSE OF REPORT:

The purpose of this report is for Council to consider a development application for an amendment to an approved single house for the addition of a roof terrace.

SUMMARY:

In January 2021, the Town approved a development application for a two-storey single house at the subject site.

The application proposes to amend the previous approval by changing the roof garden area into an accessible roof terrace.

The proposed roof terrace results in an increased maximum building height and visual privacy overlooking from the roof terrace stair landing.

After consideration under the relevant planning provisions, it is recommended that the application be approved as:

- The increased height of the development is to visually transparent clear glass balustrading and still presents as a two-storey dwelling from the street.
- The extent of overlooking from the small stair landing on the roof terrace is to a densely vegetated area of the adjoining northern property's side garden area, which is not considered to be an outdoor living area or active habitable space.

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:

The application is presented to Committee due to the extent of the proposed maximum building height. In this instance, it is not considered appropriate for the Administration's delegation to be exercised.

Clause 12.2.1 of the Town's Delegation Register enables the application to be determined by the Development Committee where four members cast the same vote.

BACKGROUND:

Address:	Lot 5 (No. 16) Branksome Garden, City Beach
Report Date:	13 September 2022
File Reference:	DA22/0067
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	A/Manager Statutory Planning, Steve Laming
Contributing Officer:	A/Coordinator Statutory Planning, Christian Parker
Reporting Officer Interest:	Nil
Attachments:	1. Development Plans 2. Applicant's Justification 3. Schedule of Submissions

Applicant:	Urbanista Town Planning
Owner:	HHB Investments Pty Ltd
Zoning:	Residential R12.5
Precinct:	P1: City Beach
Development Description:	Amendments to DA21/0196 (Roof Terrace)
Development Value:	Nil - Amendment
Existing Land Use:	Single House
Proposed Land Use:	Single House
Land Area:	911m ²
Heritage Listing:	No
Application Date:	4 May 2022
Application Process Days:	176 days – applicant agreed to an extension

DETAILS:

Proposal

The proposal is for an amendment to an approved two-storey single house to change the roof garden area into an accessible roof terrace, which includes the following elements:

- i. Maximum external wall height of 8.52m to the glass balustrading, in lieu of 8m.
- ii. The stair landing of the roof terrace is set back a minimum of 6.4m from the northern lot boundary within the cone-of-vision in lieu of 7.5m.

Site Context

The site, which is located within the City Beach Precinct and abuts the Challenger Park reserve to the west, has a regular lot shape and is currently vacant.

The natural topography of most of the site is relatively flat. However, along the north-eastern side boundary and the north-west rear boundary, the site slopes up approximately 1m – 1.5m.

The immediately surrounding properties consist of single-storey, two-storey, and three-storey single houses.

The aerial image below shows the subject property and the immediately surrounding area.

Figure 1 - Aerial image showing the subject property and the immediately surrounding area.



CONSULTATION:

Public Consultation

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

In response, a total of three submissions were received, all of which objected to the proposal.

The neighbour concerns raised during the consultation period are summarised as follows:

Building Height

- i. Object to the proposal exceeding the deemed-to-comply maximum building height*.
- ii. The additional height will be imposing on the streetscape and rear park.

*Administration notes that one of the submissions incorrectly referenced a deemed-to-comply maximum building height of 7m

Visual Privacy

- i. Object to the loss of privacy to south facing large windows and outdoor areas of adjoining properties.
- ii. Object to the proposed glass balustrading as it is transparent, which will allow for greater range of viewing angles.
- iii. The staircase landing cone-of-vision would be intrusive.

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

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 2**). The applicant's comments are summarised as follows:

Building Height

- i. The increased wall height (being a visually permeable balustrade) will not prohibit access to direct sun into buildings or open spaces particularly No. 18 Branksome Garden, City Beach. This is because the balustrade is setback at least 8.4 metres from the shared side boundary and 4.6 metres from the roof line of the dwelling itself. Given this, the balustrade will only overshadow the dwelling itself.
- ii. Similar to the above, the increased wall height will not prohibit access to daylight to major openings into habitable rooms for the neighbouring property, at No. 18 Branksome Gardens, as the balustrade is significantly setback from the side boundary and setback from the main building line of the dwelling.
- iii. The views from the properties located across the street that face in a westerly direction will not be impacted as they are already interrupted by the existing buildings along the street. A review of the locality's contours indicates that the street and surrounding properties are flat, meaning that views will not be impacted. Furthermore, the increased building height principally relates to the open style balustrade which is visually permeable.
- iv. In addition to the above, the proposed increase to the wall height will not have a detrimental impact on the existing streetscape. This is on the basis that the balustrade is set back approximately 15 metres from the primary street boundary. In addition, the balustrade is partially concealed by the landscape planting, which softens the façade and building bulk.

STATUTORY ASSESSMENT:

State Planning Policy 7.3 - Residential Design Codes Volume 1

5.1.6 Building Height		
	Deemed-to-comply Requirement	Proposed
Maximum height at top of glass balustrade	8m	8.52m
<p><u>Design Principles (of R-Codes):</u> <i>"Building height that creates no adverse impact on the amenity of adjoining properties or the streetscape, including road reserves and public open space reserves; and where appropriate maintains:</i></p> <ul style="list-style-type: none">• <i>adequate access to direct sun into buildings and appurtenant open spaces;</i>• <i>adequate daylight to major openings into habitable rooms; and</i>• <i>access to views of significance".</i> <p>In addition, the following considerations of <i>Local Planning Policy 3.3 - Building Height</i> (LPP 3.3) are applicable:</p> <ul style="list-style-type: none">• <i>"Whether the proposed building height is consistent with the predominant building height of the buildings within the surrounding area; and</i>• <i>The natural topography of the site and whether the proposed building height considers and responds to the topography".</i>		

Design Principles Assessment

The application proposes maximum building heights of 8.52m to the top of the roof at the rear of the building as measured from the LPP 3.24 historical natural ground levels.

The below marked-up elevations show the proposed maximum building heights from each elevation.

Figure 2 – Marked-up Eastern elevation showing the proposed maximum building height (highlighted green).

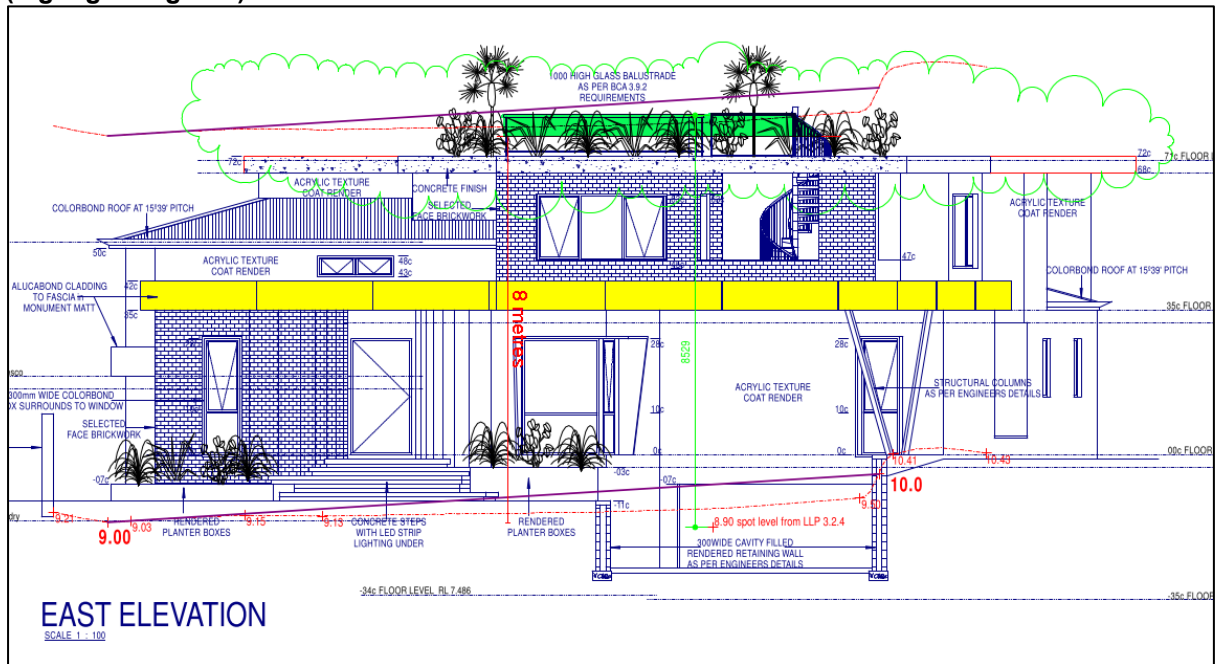


Figure 3 – Marked-up Northern elevation showing the proposed maximum building height (highlighted green).

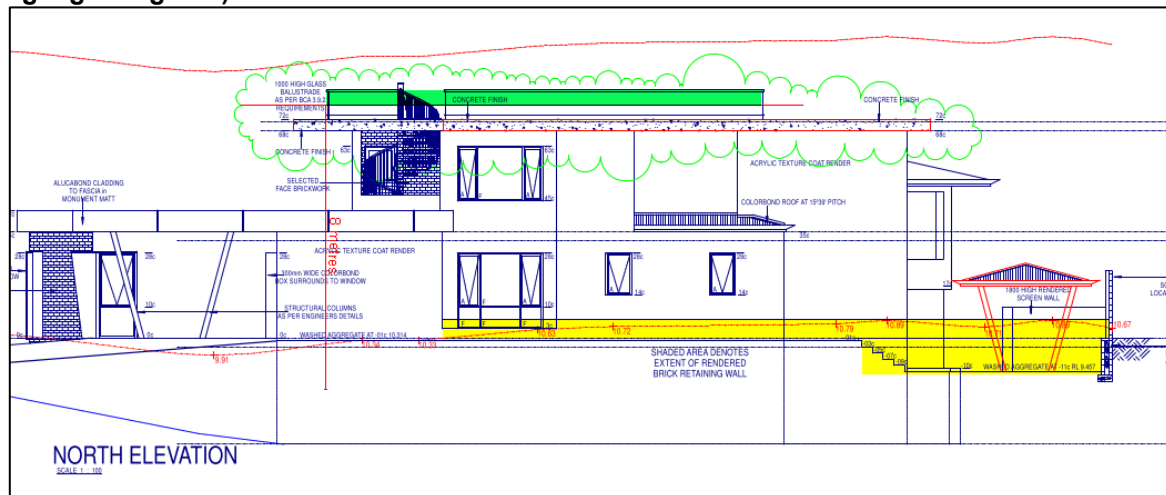


Figure 4 – Marked-up Western elevation showing the proposed maximum building height (highlighted green).

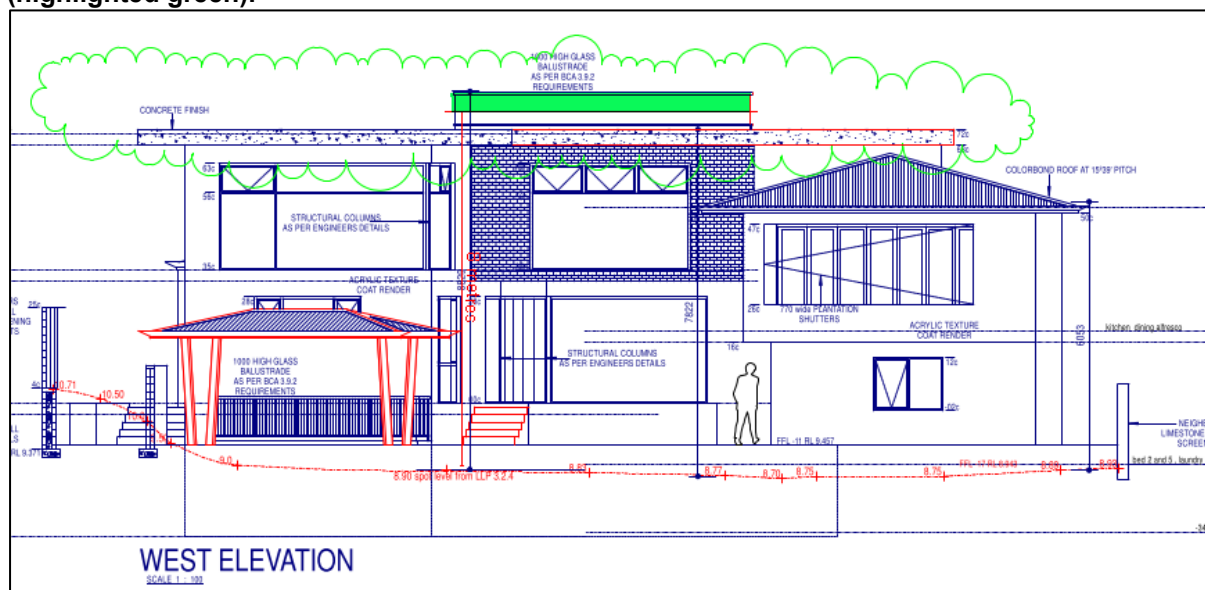
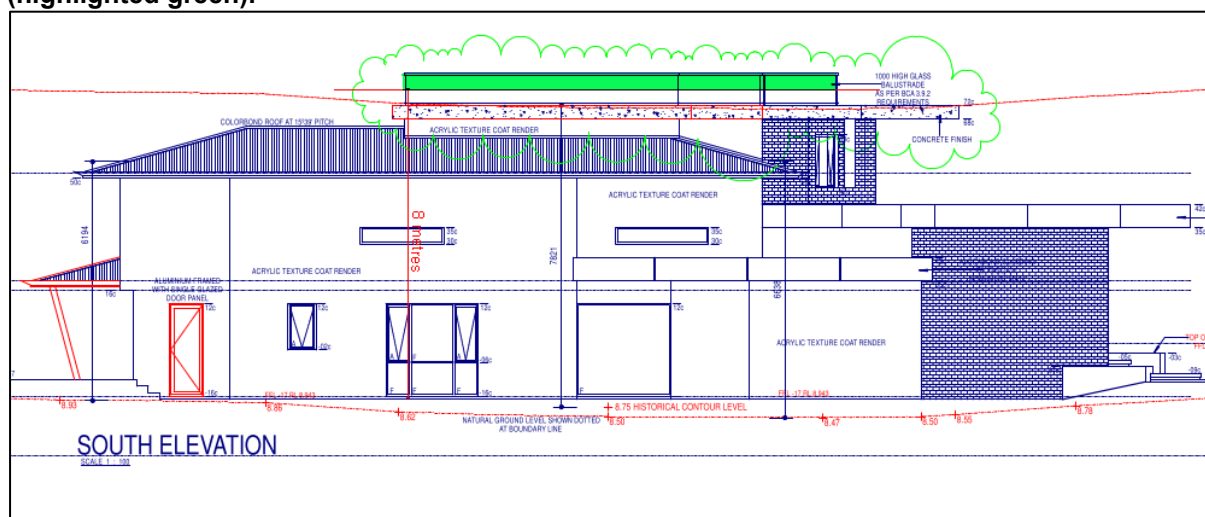


Figure 5 – Marked-up southern elevation showing the proposed maximum building height (highlighted green).



As the balustrading will be visually transparent clear glass, the approved dwelling will still present to the street, neighbouring properties, and rear park area as a two-storey dwelling.

It is therefore considered that the increased height to the top of the clear glass balustrading will not have an adverse bulk impact on the adjoining properties, streetscape, or rear park area.

The glass balustrading will have a negligible impact on the adjoining properties' daylight access and access to views of significance, as natural light will pass through the glass and it will not obstruct views due to it being visually transparent.

Using the most recent Google Street View photography, Administration has identified the properties annotated with a red star in Figure 6 below as being three-storey dwellings within the locality of the site.

Figure 8 – Marked-up aerial showing the overlooked area (highlighted yellow).



As the area highlighted area in Figure 8 above is densely vegetated, it is not considered to be an active habitable space or an outdoor living area that will be frequently used by the neighbours.

For all the reasons above, it is considered that the extent of overlooking from the small stair landing area will not be to any visually sensitive areas on the adjoining property and therefore the proposal will not have an adverse visual privacy impact on the neighbours.

For the above reasons, the application is considered to meet the associated design principles and as such, 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

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 No: 019. 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 20 September 2022

Impartiality Interest Declaration – Cr Mack

Prior to consideration of the item, Cr Mack disclosed an interest affecting impartiality and declared as follows: “with regard to item DV22.82, I declare that I have had a conversation with the Town Planning Consultant regarding the development and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Impartiality Interest Declaration – Cr Carr

Prior to consideration of the item, Cr Carr disclosed an interest affecting impartiality and declared as follows: “with regard to item DV22.82, I declare that I know some of the people involved or affected by this development through my role at the Herdsman Market and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Declaration of Contact with Developer – Cr Carr

Prior to consideration of the item, in accordance with Policy No. 039 – Elected Member Relationship with Developers, Cr Carr declared that he had had contact with the developer.

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 an amendment to the approved single house to change the roof garden to a roof terrace at Lot 5 (No. 16) Branksome Gardens, City Beach as shown on the attached plans stamped received 8 September 2022, 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 structures (and associated footings) shall be contained within the lot boundaries of the subject site;
3. All stormwater shall be contained and disposed of on-site for the life of the development to the satisfaction of the Town;
4. The glass balustrades are to remain opaque and clear of obstruction for the lifetime of the development to the satisfaction of the Town; and
5. The previous development approval (DA21/0196, dated 4 January 2022) and its conditions remain in effect (excluding the plans stamped as part of the previous approval).

Standard Advice Notes to be included by the Administration.

Committee Meeting 20 September 2022

During discussion, Mayor Shannon foreshadowed that she intended to move a refusal should the motion presently before Committee be lost due to its bulk and appearance of a 3 storey building and its impact on the visual amenity of adjoining properties.

Motion put and LOST (2/3)

For: Crs Carr and Mack
Against: Mayor Shannon, Crs Haddon-Casey and Randklev

Council Meeting 27 September 2022

Impartiality Interest Declaration – Cr Carr

Prior to consideration of the item, Cr Carr disclosed an interest affecting impartiality and declared as follows: “with regard to item DV22.82, I declare that I have an association with one of the people who made a deputation at the Development Committee meeting and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Impartiality Interest Declaration – Cr Mack

Prior to consideration of the item, Cr Mack disclosed an interest affecting impartiality and declared as follows: “with regard to item DV22.82, I declare that I have spoken with the Town Planning Consultant representing the applicant and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

COUNCIL DECISION:
(COMMITTEE RECOMMENDATION)

Moved by 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 REFUSES the application for an amendment to the approved single house to change the roof garden to a roof terrace at Lot 5 (No. 16) Branksome Gardens, City Beach as shown on the attached plans stamped received 22 July 2022, for the following reasons:

1. The proposal does not satisfy the matters for consideration of *Local Planning Policy 3.3 - Building Height*, as the building height is not consistent with the predominant building height of the buildings within the surrounding area, and the proposal does not consider and respond to the natural topography of the site.
2. The proposal does not meet the design principles under Clause 5.1.6 - Building Height of *State Planning Policy 7.3 – Residential Design Codes Volume 1*, as it will result in an adverse building bulk impact on adjoining properties and will not maintain adjoining properties' access to views of significance.
3. The proposal does not satisfy the design principles of Provision 5.4.1 – Visual Privacy of *State Planning Policy 7.3 – Residential Design Codes Volume 1*, as the reduced visual privacy setbacks will not provide adequate screening to surrounding neighbours.

Motion put and CARRIED EN-BLOC (8/0)

DV22.83 LOT 55 (NO 18) YALTARA ROAD, CITY BEACH – PROPOSED TWO GROUPED DWELLINGS

PURPOSE OF REPORT:

The purpose of this report is for Council to consider a development application for two grouped dwellings.

SUMMARY:

The proposal includes variations to the deemed-to-comply provisions for lot boundary setbacks, sightlines, outdoor living areas, and visual privacy.

After consideration under the relevant design principles, it is recommended that the application be approved as:

- The proposed lot boundary setback variations are to the common (internal) boundary between the two proposed dwellings and therefore will not have any impact on the adjoining properties. The setbacks between the two proposed dwellings include wall articulations, which assist to reduce the impact of building bulk and provide adequate space for natural light and ventilation access to each dwelling.
- The front fencing and gate within the visual truncation sightline areas to each side of the driveway will not have an adverse impact the safety of pedestrians, as pedestrians are most likely to use the footpath on the opposite side of the street. The Town's Infrastructure Department also confirmed that the reduced sightlines are acceptable in this instance, as Yaltara Road has relatively low traffic volumes.
- While the two separate outdoor living areas to Lot 1 do not meet all of the deemed-to-comply provisions, those areas are adequate in size and receive sufficient access to natural light and ventilation to be used for a range of outdoor pursuits for the occupants of the dwelling.
- The proposed overlooking is to the common (internal) boundary between the two proposed dwellings and therefore will not have any impact on the adjoining properties. The extent of overlooking is to non-habitable rooms and will therefore not have an adverse impact on the visual privacy of the occupants of each of the proposed dwelling.

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 cl12.1.4 of the Town's Delegation Register, the Council is required to determine the application for the following reasons:

- "1. *The granting of development approval where three or more submissions have been received:*
- during the advertising period of the development application that objects to the application on valid planning grounds; and*
 - which cannot be addressed by conditions of development approval."*

BACKGROUND:

Address:	Lot 55 (No 18) Yaltara Road, City Beach
Report Date:	13 September 2022
File Reference:	DA22/0109
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	A/Manager Statutory Planning, Steven Laming
Contributing Officer:	Statutory Planning Officer, Morgan Hutton
Reporting Officer Interest:	Nil
Attachments:	2. Development Plans 3. Schedule of Submissions 4. 3D Renders
Applicant:	888 Software Pty Ltd
Owners:	Mark Vermey & 888 Software Pty Ltd
Zoning:	Residential R20
Precinct:	P1: City Beach
Development Description:	Two Grouped Dwellings
Development Value:	\$400,000
Existing Land Use:	Vacant Land
Proposed Land Use:	Single House
Land Area:	871m ²
Heritage Listing:	No
Application Date:	12 May
Application Process Days:	124 days

DETAILS:

Proposal

The proposal is for two grouped dwellings, which will be located side by side so that each dwelling has street frontage to Chipping Road.

The proposal includes the following elements:

- Lot 1 proposes a minimum first floor lot boundary setback to the common boundary, between the two proposed dwellings of 1.5m in lieu of 1.8m.
- Lot 2 proposes a first floor lot boundary setback to the common boundary, between the two proposed dwellings of 2.8m in lieu of 3.3m.
- The proposed front fences and gates to Lot 1 and Lot 2 are located within the 1.5m x 1.5m sightline truncation areas to each side of the driveways.
- Lot 1 includes two separate outdoor living areas, but neither outdoor living area meets all the deemed-to-comply provisions (located behind the street setback area, minimum dimensions of 4m and is at least two-thirds without a roof).
- The Dining room to Lot 1 has a window on the western elevation that allows for overlooking across the common boundary to Lot 2 towards the upper floor ensuite window
- Bedroom 2 to Lot 2 has a window on the eastern Elevation that allows for overlooking across the common boundary to Lot 1 overlooks the passages on both floors on Lot 1.

History

Date of Decision/Event	Summary of Decision/Event	Comments
16 September 2016	The WAPC conditionally approved a subdivision application for two freehold lots.	The conditional subdivision approval lapsed on 16 September 2018 and therefore the subdivision was not created.
12 May 2022	The Town received the subject development application for the proposed two grouped dwellings.	
13 May 2022	The WAPC conditionally approved a subdivision application to subdivide the existing parent lot into two freehold lots.	The conditions of subdivision approval are required to be cleared in order for the subdivision to be created.
16 May 2022	The Town issued a demolition permit for the existing single house.	The existing single house has been demolished and the site is now vacant.
29 July 2022	The Town issued a building permit for retaining along the eastern boundary.	The works have been completed in accordance with the building permit.

Site Context

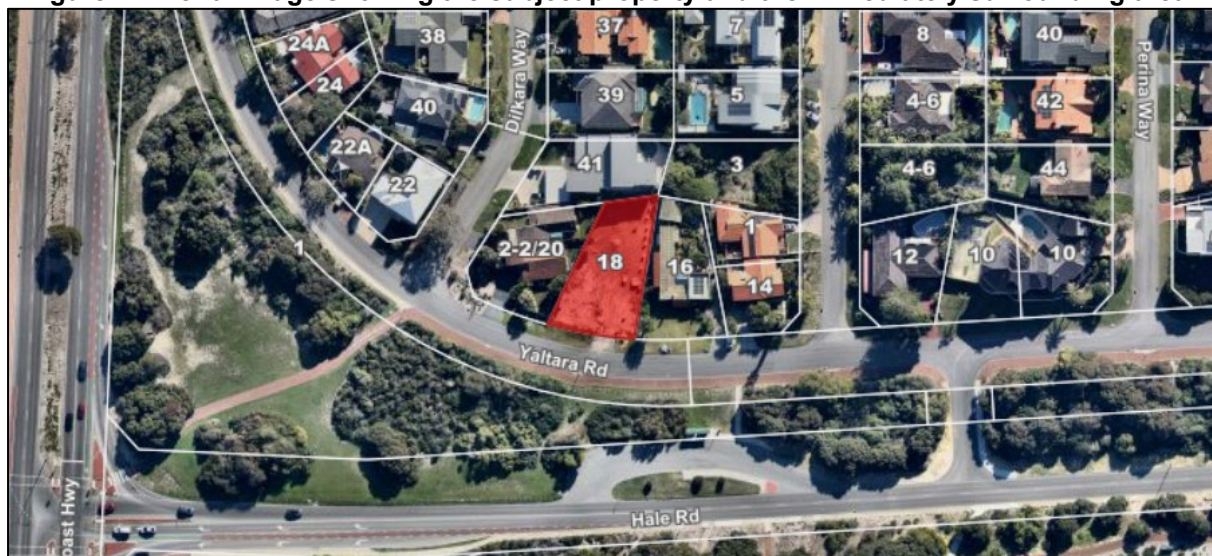
The site is in the City Beach Precinct and is located along the southern section of Yaltara Road where it is parallel to Hale Road.

The site is currently vacant, and the surrounding locality generally consists of single and two-storey single houses, except for the adjoining western properties at 2/20 Yaltara Way and 43 Dilkara Way, City Beach, which are grouped dwellings.

On the opposite side of Yaltara Road is the Park West Coast Park, which is a zoned Reserve for 'Parks and Recreation' in *Local Planning Scheme No. 1*.

The aerial image below shows the subject property and the immediately surrounding area.

Figure 1 – Aerial image showing the subject property and the immediately surrounding area



re-advertised for consultation in accordance with Clause 7(a) of the Town's *Local Planning Policy 1.2 – Public Notification of Planning Proposals*, Administration advertised the amended plans to ensure that the neighbouring properties were aware of the changes made on the amended plans.

On 2 September 2022, the following further amended plans were received, which corrected minor labelling errors shown on the same plans that were received on 9 August 2022:

- A.06 – Ground Floor Plan (Lot 1) – received 2 September 2022
- A.07 – First Floor Plan (Lot 1) – received 2 September 2022
- A.06 – Ground Floor Plan (Lot 2) – received 2 September 2022
- A.07 – First Floor Plan (Lot 2) – received 2 September 2022
- A.08 – Elevations (Lot 2) – received 2 September 2022
- A.09 – Landscape Plan (Lot 2) – received 2 September 2022

As the above further amended plans corrected labelling on the plans only, did not include any changes to the proposal, and did not result in any further variations, they were not required to be re-advertised for consultation.

It is the amended plans, which are a combination of the amended plans received 9 August 2022 and updated plans received 2 September 2022, that are being presented to Council (refer Attachment 1).

CONSULTATION:

Public Consultation

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

First period of consultation – 20 July 2022 to 2 August 2022

The first period of consultation was in relation to development plans received in May 2022. That consultation period was from 20 July 2022 to 2 August 2022. In response, a total of five submissions were received, all of which objected to the proposal.

The main concerns raised during the first period of public consultation period are summarised below.

Planning Concerns

- a. Detrimental impact on the amenity of the adjoining properties due to building bulk.
- b. Inconsistent with good design due to lack of open space and outdoor living area.
- c. Negative impact on the streetscape.
- d. Overshadowing blocking sunlight into adjoining properties, reducing amenity.
- e. Reduced privacy to adjoining properties.
- f. Increased noise pollution.
- g. Buildings too close to the side lot boundaries.
- h. Adverse impact on neighbours' enjoyment of adjoining properties.
- i. Not in-keeping with the built form of the surrounding locality.
- j. Yaltara Road exclusively single dwellings on large blocks. The proposal seeks to create two very large homes on smaller blocks of land.
- k. Proposed dwellings being too large for size of land parcel.
- l. Negative impact on future development opportunities for adjoining properties.

- m. Reduced outdoor living area, due to permanent roof cover, resulting in greater site coverage, and increased building bulk on adjoining properties.
- n. Setback from the road causes concern for traffic safety, negatively impacting sight lines for adjoining properties.
- o. Unsympathetic to the size of the blocks, amenity of the area, and adjoining properties.
- p. The proposed dwellings having reduced lot boundary setbacks and occupying a major portion of the length of the lot boundaries.
- q. Overlooking to outdoor living area and habitable rooms of adjoining properties.
- r. Lack of landscaping provided along lot boundaries, which may otherwise provide additional screening to mitigate building bulk and overlooking to adjoining properties.
- s. Lack of green space to enhance the streetscape to maintain the green vista of the suburb and enhance the neighbourhood.
- t. Detrimental impact to quality of living for adjoining properties.
- u. Negative impact on future infill projects in the Coastal Ward on a broader scale without any improvement to amenity.

Other Concerns

- a. Commencement of site works without prior planning approvals or building permits, including ground works, sink wells and retaining walls.
- b. Faulty construction of the retaining wall requiring urgent remediation and engineering inspections. Raises a concern regarding safety and security for adjoining properties for future construction works.

c.

The two above neighbour concerns (i.e. 'a' and 'b' under 'Other Concerns') in relation to site works and a retaining wall were addressed when the Town issued a building permit for a retaining wall and associated works in July 2022.

Following the first period of public consultation, in response to neighbour concerns about reduced first floor lot boundary setbacks amended plans to the eastern and western boundaries, amended plans were received on 9 August 2022 showing modifications to the eastern and western elevations, which resulted in the proposal meeting the deemed-to-comply setbacks to the eastern and western boundaries.

The calculations of the deemed-to-comply setbacks to the eastern and western lot boundaries for the original and amended plans are detailed in the below tables.

Lot 1 first floor eastern lot boundary setback calculations (to 16 Yaltara Road)						
Original plans						
Figure 4c wall portion	Wall length	Wall height	Opening type	Required setback	Proposed setback	Complies?
E	8.99m	5.83m	Minor	1.2m	1.22m	Yes
E	5.46m	5.7m	Minor	1.2m	1.52m	Yes
D	27.75m	5.92m	Minor	2.8m	1.52m	No
Amended plans						
Figure 4c wall portion	Wall length	Wall height	Opening type	Required setback	Proposed setback	Complies?
E	8.98m	5.9m	Minor	1.2m	1.22m	Yes
E	12.9m	5.74m	Minor	1.6m	1.62m	Yes
D	28.43m	5.78m	Minor	2.8m	2.8m	Yes

Lot 2 first floor western lot boundary setback calculations (to 20 Yaltara Road and 43 Dilkara Road)						
Original plans						
Figure 4b wall portion	Wall length	Wall height	Opening type	Required setback	Proposed setback	Complies?
E	5.15m	6.8m	Minor	1.2m	1.2m	Yes
D	24.48m	6.8m	Minor	3.3m	1.5m	No
Amended plans						
Figure 4c wall portion	Wall length	Wall height	Opening type	Required setback	Proposed setback	Complies?
E	9.5m	6.8m	Minor	1.2m	1.2m	Yes
E	10.99m	6.74m	Minor	1.5m	1.6m	Yes
D	24.83m	6.7m	Minor	3.3m	3.3m	Yes

As shown above in the 'proposed setback' column, the first floor setbacks to the eastern and western boundaries have not materially been changed from the original plans to the amended plans.

However, the Figure 4 series of the R-Codes allows deemed-to-comply setbacks for portions of walls on an elevation to be assessed independently if the walls are articulated with certain wall lengths, separations, recesses, and projections.

While the setbacks to the side boundaries are effectively almost the same as originally proposed, based on the Figure 4 series of the R-Codes the redesigned eastern and western elevations on the amended plans now meet the deemed-to-comply setbacks to the eastern and western boundaries.

It is noted that all side and rear lot boundary setbacks are deemed-to-comply, and the amended plans only propose reduced lot boundary setbacks to the common (internal) boundary between the two proposed dwellings.

It is also noted that, while the application proposes overlooking between the two proposed dwellings across the common (internal) boundary, the proposal meets all deemed-to-comply visual privacy provisions in relation to the adjoining properties.

Second period of consultation – 26 August 2022 to 8 September 2022

The second period of consultation was in relation to the amended plans received on 9 August 2022. That consultation period was from 26 August 2022 to 8 September 2022.

During the second consultation period, the Town received general correspondence from a lawyer on behalf of two neighbouring property owners. The correspondence:

- 1) requested that the public consultation period be extended, as the lawyer had concerns that the subdivision was incorrectly approved by the Western Australian Planning Commission (WAPC) due to the average lot size of the subdivision not meeting the deemed-to-comply average lot size provision for an R20 coded site in accordance with the R-Codes;
- 2) advised that an FOI application to the WAPC was still outstanding and that the WAPC confirmed that it would not be able to respond before 8 September 2022, which is when the consultation period for the subject development application ended; and
- 3) raised concerns about the impacts of the lot boundary setbacks to the neighbouring properties.

Administration considered that the public consultation period was not able to be extended for the following reasons:

- a. Subdivision applications are dealt with as a separate matter and due process to development applications. Therefore, the applicant's FOI application to the WAPC does not have any impact on the development application process;
- b. The amended plans show that all proposed lot boundary setbacks to the adjoining properties are now deemed-to-comply; and
- c. The Town has undertaken the advertising process in accordance with the statutory requirements.

The Administration responded to the lawyer's correspondence and advised that advertising could not be extended for the above reasons.

The Town subsequently received further letters from the lawyer, which included two separate submissions from the two neighbouring property owners, both objecting to the proposal. Those submissions are from two of the same neighbours that had objected to the proposal during the first consultation period.

Therefore, during the second period of public consultation, the Town received a total of two submissions, which object to the proposal.

The lawyer's and neighbours' letters also commented on the subdivision application, including that the subdivision application should have been advertised for public consultation and that Council should not determine the development application on the basis that the WAPC's approval of the subdivision requires investigation.

However, as the subdivision application is a separate matter that was submitted to and determined by the WAPC, which is the delegated authority, any concerns in relation to the subdivision cannot be considered as part of the subject development application.

The main planning concerns raised during the second period of public consultation are summarised below, together with Administration's comments regarding each concern.

	Concern	Administration's Comments
1	The setback calculations are misleading as the amended plans show a longer first floor wall than what was previously proposed, which was considered non-compliant, however the longer wall is now considered to be compliant.	<p>The proposed lot boundary setbacks have been calculated and assessed calculations in accordance with the provisions of the R-Codes, which includes the Figure 4 series that allows portions of walls to be assessed independently if those wall portions are articulated with certain wall lengths, heights, separations, projections and/or recesses.</p> <p>The original plans that were advertised during the first period of consultation required a greater setback to the first floor walls on the eastern and western elevations, due to the proposed articulations of those walls.</p> <p>The amended plans show the redesigned first floor walls on the eastern and western elevations have been articulated in a way that requires a lesser setback than was required for the original proposal, which has resulted in those walls now meeting the deemed-to-comply setbacks.</p>

2	The amended plans will result in a worse impact on the amenity of the adjoining property owners.	As the amended proposal now meets the deemed-to-comply setbacks to the eastern and western lot boundaries, those setbacks cannot be considered to have an impact on the adjoining properties.
3	The Council must not approve the current design of the proposed development.	The proposal complies with all development standards except those variations identified across the common boundary between the two new dwellings. Administration considers that, as the proposal meets all deemed-to-comply provisions in relation
4	Objection to the non-compliant setbacks between the two dwellings for the following reasons:	
a	Taking the scale of the proposal and the wall on the eastern boundary, the proposal is too packed in and visually diminishes the aesthetics of the local area, which is a breezy coastal area where there is adequate space between the dwellings	In accordance with Clause 1 of the Town's <i>Local Planning Policy 3.2 – Buildings on the Boundary</i> and Clause 5.1.3 of the R-Codes, the proposed wall on the eastern boundary is deemed-to-comply. The proposal meets the deemed-to-comply maximum building height.
b	The “packed in” design works against the architectural significant design in the locality.	It is considered that the proposed modern design is consistent with the emerging character of new developments within the R20 coding of the City Beach Precinct.
c	The proposal is in blocks smaller than permitted for R20.	The subdivision application was conditionally approved by the WAPC, which will result in the creation of the two new lots. As the subdivision has been conditionally approved, the Town is required to assess the proposed dwellings on the basis that those lots will be created.
5	Objection to sight line variation for the following reasons:	
a	Risk to children	It is considered that the fencing and gates partially within the sightlines areas will not have adverse safety impact on pedestrians, as the majority of pedestrians will use the existing pedestrian paths on the opposite side of the street. In addition, the fencing and gates are visually permeable, which will allow for vehicles exiting the site to see pedestrians, cyclists, and other users of the road reserve.
6	Object to Outdoor Living area variation because:	
a	Covered alfresco area and the outdoor living areas in the front setback area contribute to the “packed in” aspect of the development, which diminishes the architectural significance of the area	The combination of the two outdoor living areas will provide adequate space for the occupants to use for a range of outdoor pursuits, which can be used in conjunctions with other indoor and outdoor spaces.
b	Open space is needed for amenity and street appeal	The proposal meets the open space requirement of 50% for an R20 coded lot in the R-Codes.

c	Relaxation of outdoor living area provisions assist to cram development on the site	It is considered that the two outdoor living areas on Lot 1 will provide adequate space for the occupants to pursue a range of outdoor activities.
7	Objection to cone of vision intrusions over the common boundary between lots 1 and 2 for the following reasons:	
a	Relaxation of the privacy requirements allows for bulkier developments.	<p>The proposed visual privacy variations do not relate to the bulkiness off the development, as the windows from which the overlooking occurs could be screened, which would result in no visual privacy variations.</p> <p>It is noted that the proposed overlooking is between the two proposed dwellings and the owners have confirmed that agree to the extent of overlooking.</p>
8	In summary object to the size of the dwellings on smaller than expected lots	The proposal meets the development standards for R20 with the exception of some variations that will only affect the two new dwellings.
9	<p>The proposed windows along the western elevation of the proposed dwelling on Lot 2 will result in overlooking of a neighbouring rear garden/outdoor living space.</p> <p>Cone of visions and critical lines of sight as they affect the adjoining property have not been provided</p>	<p>The windows in question are openings to non-habitable spaces (passage). Under the R-codes openings to non-habitable spaces are deemed to be minor openings that do not have overlooking implications. The windows in the proposed locations comply.</p> <p>As minor openings there is not requirement to show cone of visions or critical lines of sight from the openings.</p>
10	Objection to setback variation between the new dwellings as they allow maximising building form	The proposed building form is not as a result of the proposed variations over the common boundary. With minor amendments to the design these variations could be eliminated but would not materially change the proposal's design. Any impact of the setback variations over the common boundary only affect the new dwellings.
11	Concern about drainage solutions for the site	The development will be required to connect to the Town's sewer system, and it is recommended that the standard condition of approval is imposed requiring stormwater drainage to be dealt with on site.
12	The proposal is contrary to the Town's vision under the Local Planning Strategy of well-considered integrated housing growth that does not diminish the liveability or privacy of adjacent sites	<p>A proposal that meets the deemed to comply provisions of the R-codes is considered to not have a negative impact on the liveability of an adjacent property.</p> <p>The proposal meets all the deemed to comply requirements in relation to the eastern and western boundary of the parent lot</p>

It is also noted that, on 2 September 2022, during the second period of consultation, the Town received further amended plans that corrected labelling that was shown on the amended plans received on 26 August 2022. As the further amended plans were submitted to correct labelling on the plans only and did not result in any further variations, they were not required to be advertised for consultation.

A Schedule of Submissions that includes each submission from the first and second periods of consultation in its entirety is attached to this Report (refer Attachment 2). As the submissions from the lawyer received during the second period of advertising included two parts for each submission (the lawyer's letters and a letter from each neighbour), those submissions are separated into 1A, 1B, 2A, and 2B.

APPLICANT'S COMMENTS:

The applicant has not provided any comments in support of those aspects of the application that do not meet the relevant deemed-to-comply requirements.

STATUTORY ASSESSMENT:

State Planning Policy 7.3 – Residential Design Codes Volume 1

5.1.3 Lot boundary setback		
	Deemed-to-comply Requirement	Proposed
To common (internal) boundary between lots 1 and 2:		
Lot 1: First Floor	1.8m	1.5m
Lot 2: First Floor	3.3m	2.8m
<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> <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 proposed setback variations are to the common (internal) boundary between the two proposed dwellings and therefore the reduced setbacks do not impact the adjoining properties.

The first floors of the two dwellings on the elevations to the common boundary include varying setbacks and several windows, which assists in reducing the impact of building bulk on each adjoining property.

There is a separation of more than 3m between the first floor of the two proposed dwellings, which will allow for adequate light and natural ventilation to both buildings.

Although there is some extent overlooking from the dining area of Lot 1 to Lot 2 and from Bedroom 2 of Lot 2 to Lot 1, the owners of each dwelling have confirmed that they are agree to the extent of proposed overlooking.

Given the above it is considered that the reduced setbacks between the two proposed dwellings meets the associated design principles.

5.2.5. Sight Lines		
	Deemed-to-comply Requirement	Proposed
Lot 1 Western Side	Max solid wall height 0.75m within 1.5m sightlines truncation	Powdercoated steel battens above a 700mm high solid wall within the sight truncation
Eastern Side		A solid pier that contains the letter box that is 1.7m high and 0.8m wide
Lot 2 Western Side		A solid pier that contains the letter box that is 1.7m high and 0.8m wide
<u>Design Principles (of R-Codes):</u> “P5 Unobstructed sight lines provided at vehicle access points to ensure safety and visibility along vehicle access ways, street, right-of-ways, communal streets, crossovers, and footpaths.”		

Assessment

The front fencing and gate within the visual truncation sightline areas to each side of the driveway will not have an adverse impact the safety of pedestrians, as pedestrians are most likely to use the footpath on the opposite side of the street.

The Town's Infrastructure Department also confirmed that the reduced sightlines are acceptable in this instance, as Yaltara Road has relatively low traffic volumes.

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

5.1.3 – Outdoor Living Areas		
	Deemed-to-comply Requirement	Proposed
Lot 1	a. Min Area: 30m ² b. Location: - behind Street setback - accessible from living space c. Minimum dimension: 4m d. Roof Cover: Minimum 2/3 uncovered	2 outdoor living areas provided: 4) Ground floor 'Outdoor lounge' does not meet b and d 5) First floor 'Outdoor dining' does not meet a, c, and d
Design Principles (of R-Codes): <i>"P1.1 A consolidated outdoor living area is provided to each single house and grouped dwelling which provides space for entertaining, leisure and connection to the outdoors that is:</i> <ul style="list-style-type: none"> <i>• of sufficient size and dimension to be functional and usable;</i> <i>• capable of use in conjunction with a primary living space of the dwelling;</i> <i>• sufficient in uncovered area to allow for winter sun and natural ventilation into the dwelling;</i> <i>• sufficient in uncovered area to provide for landscaping, including the planting of a tree(s); and</i> <i>• optimises use of the northern aspect of the site."</i> 		

Assessment

The 'Outdoor Lounge' located at the front of the dwelling on the ground floor of Lot 1 is considered to be the primary outdoor living area for that lot. Although the 'Outdoor Lounge' is not accessible from the main living space (Living/Dining/Kitchen) of the dwelling and has more than two-thirds roof cover, it can be used in conjunction with the open pool area, which results

in a highly usable space for leisure and entertaining with sufficient access to natural light and ventilation.

The first floor 'Outdoor Dining' area is considered to be an additional outdoor living area, as it is essentially a large balcony that is accessed directly from the main living space (Living/Dining/Kitchen) of the dwelling. While the 'Outdoor Dining' has an area less than 30m², has a minimum dimension of less than 4m, and is completely roof covered, it is a functional outdoor area that can be used for dining and entertaining in conjunction with the primary living space.

As both areas are located to the southern side of the lot, neither are able to optimise use of the northern aspect of the site.

Notwithstanding that both outdoor living areas are located at the southern side of the lot and therefore do not optimise the northern aspect of the site, it is considered that the combination of both areas provides adequate space for a variety of outdoor activities and practical uses,

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

5.4.2 Visual Privacy		
	Deemed-to-comply Requirement	Proposed
Across common boundary between lots 1 and 2:		
Lot 1: First Floor Dining area	6m	2.5m
Lot 2: First Floor	4.5m	2.25m
<p><u>Design Principles (of R-Codes):</u> <i>"P1.1 Minimal direct overlooking of active habitable spaces and outdoor living areas of adjacent dwellings achieved through:</i> <ul style="list-style-type: none"> <i>• building layout and location;</i> <i>• design of major openings;</i> <i>• landscape screening of outdoor active habitable spaces; and/or</i> <i>• location of screening devices.</i> <i>P1.2 Maximum visual privacy to side and rear boundaries through measure such as:</i> <ul style="list-style-type: none"> <i>• offsetting the location of ground and first floor windows so that viewing is oblique rather the direct;</i> <i>• building to the boundary where appropriate;</i> <i>• setting back the first floor from the side boundary;</i> <i>• providing higher or opaque and fixed windows; and/or</i> <i>• screening devices (including landscaping, fencing, obscure glazing, timber screens, external blinds, window hoods and shutters).</i> </p>		

Assessment

The proposed overlooking is to the common (internal) boundary between the two proposed dwellings and therefore will not have any impact on the adjoining properties.

The overlooking from the window to the Dining area on Lot 1 is to the Ensuite window of Lot 2, which is not a 'habitable room' as per the definition in the R-Codes.

The overlooking from the Bedroom 2 window on Lot 2 is to the hallway/passageway areas on the ground and first floors of Lot 1, which are also not defined as habitable rooms.

As the extent of overlooking is to non-habitable rooms, the proposal will not have an adverse impact on the visual privacy of the occupants of each proposed dwelling. It is also noted that the owners of each proposed dwelling have confirmed that they agree to the extent of overlooking between each property.

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

CONCLUSION:

Although there are numerous variations, they only affect the proposed new dwellings, and have no impact on the streetscape, or adjoining properties.

The property owners are fully aware of the variations and consent to them and on this basis, it is recommended that the proposal is 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

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 20 September 2022

Impartiality Interest and Declaration of Contact with Developer– Cr Carr

Prior to consideration of the item, Cr Carr declared an impartiality interest and also that he had had contact with the developer.

Cr Carr left the meeting at 7.52 pm.

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 two x two-storey grouped dwellings at 18 Yaltara Road, City Beach as shown on the attached plans stamped received 9 August 2022 and 2 September 2022, 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. The plans approved under this approval are as follows:
 - A.03 – Existing Survey - received 9 August 2022
 - A.04 – Site Plan Precal - received 9 August 2022
 - A.05 – Site Plan (Lot 1) – received 9 August 2022
 - A.06 – Ground Floor Plan (Lot 1) – received 2 September 2022
 - A.07 – First Floor Plan (Lot 1) – received 2 September 2022
 - A.08 – Elevations (Lot 1) – received 9 August 2022
 - A.09 – Landscape Plan (Lot 1) – received 9 August 2022
 - A.05 – Site Plan (Lot 2) – received 9 August 2022
 - A.06 – Ground Floor Plan (Lot 2) – received 2 September 2022
 - A.07 – First Floor Plan (Lot 2) – received 2 September 2022
 - A.08 – Elevations (Lot 2) – received 2 September 2022
 - A.09 – Landscape Plan (Lot 2) – received 2 September 2022
2. The infill panels of all fencing/gates within the 6m primary street setback area (which includes any side boundary fencing within this area) shall be “open style” (as defined by the Town’s *Local Planning Policy 3.1 - Streetscape*) and shall meet all other deemed-to-comply provisions of cl5.1 of the Town’s *Local Planning Policy 3.1 – Streetscape*;
3. The privacy screening and obscure glazing to major openings/unenclosed outdoor active habitable spaces, as shown on the approved plans, shall restrict views within the applicable cone of vision in accordance with Provision 5.4.1 of *State Planning Policy 7.3 - Residential Design Codes Volume 1*;

The privacy screening and obscure glazing shall be installed prior to practical completion of the development and thereafter remain in place for the life of the development to the satisfaction of the Town privacy screens and obscure glazing shown on the approved plans shall be installed prior to occupation of the development and thereafter remain in place for the life of the development to the satisfaction of the Town;
4. The landscaping areas within the 6m primary street setback area shown on the approved plans shall be installed and reticulated within six months of practical completion of the development (and shall include a minimum of two advanced growth trees, being a 45L bag or a minimum of 2m in height and diameter, within the primary street setback area and thereafter maintained by the landowner(s) for the life of the development to the satisfaction of the Town; and

5. Prior to practical completion of the development, the existing redundant crossover shall be removed, and the verge and kerb reinstated, and the new the crossovers, as shown on the approved plans, shall be constructed at the landowner's cost and thereafter maintained by the landowner(s) for the life of the development to the satisfaction of the Town. at the landowner's cost to the satisfaction of the Town.

Impartiality Interest and Declaration of Contact with Developer– Cr Carr

Prior to consideration of the item, Cr Carr disclosed an interest affecting impartiality and declared as follows: "with regard to item mDV22.83, I declare that I have had contact with the developer and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

Also, in accordance with Policy No. 039 – Elected Member Relationship with Developers, Cr Carr declared he had had contact with the developer.

COUNCIL DECISION:
(COMMITTEE RECOMMENDATION)

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That Council DEFERS the item relating to 18 Yaltara Road, City Beach for one month to enable Elected Members to have further discussions regarding the development with the Administration.

Motion put and CARRIED EN-BLOC (8/0)

DV22.84 LOT 356 (NO 22) CHIPPING ROAD, CITY BEACH – PROPOSED AMENDMENT TO APPROVED SINGLE HOUSE (DA21/0204) – EAVES WITHIN PRIMARY STREET SETBACK AREA

PURPOSE OF REPORT:

The purpose of this report is for Council to consider a development application for an amendment to an approved single house for a 0.38m eave incursion into the primary street setback area.

SUMMARY:

In September 2021, the Town approved a development application for a two-storey single house at the subject site.

The applicant has subsequently applied to include roof eaves that project 380mm into the primary and secondary street setback areas and were not present on the initial approval.

It is considered the minor portion of the primary and secondary street setbacks occupied by the eaves will have a negligible impact on the streetscape, with the walls of the dwelling meeting the setback requirements under Clause 26 of *Local Planning Scheme No. 1* (the Scheme). The eaves will be light weight architectural features that will enhance the façade of the building on the street elevations.

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 cl12.1.4 of the Town's Delegation Register, the Council is required to determine the application for the following reason:

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

BACKGROUND:

Address:	Lot 356 (No 22) Chipping Road, City Beach
Report Date:	13 September 2022
File Reference:	DA22/0122
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	A/Manager Statutory Planning, Steven Laming
Contributing Officer:	Statutory Planning Officer, Morgan Hutton
Reporting Officer Interest:	Nil
Attachments:	1. Development Plans 2. Schedule of Submissions 3. Applicant's Comments
Applicant:	John Lewis Architects
Owner:	Guiseppe Robert Spadaccini & Maria Spadaccini
Zoning:	Residential R12.5
Precinct:	P1: City Beach
Development Description:	Amendment To Approved Single House (DA21/0204) – Eaves Within Primary Street Setback Area
Development Value:	\$0
Existing Land Use:	Vacant Land
Proposed Land Use:	Single house
Land Area:	974m ²
Heritage Listing:	No
Application Date:	23 June 2022
Application Process Days:	83 days

DETAILS:

Proposal

The proposal is for a minor amendment to an approved two-storey single house for the inclusion of roof eaves, which are set back from the primary and secondary street as follows:

- Primary Street Setback: 7.12 in lieu of 7.5m
- Secondary Street Setback: 3.37m in lieu of 3.75m.

At approximately 250mm in width, the eaves are relatively lightweight structures.

The proposal does not include any other changes to the approved dwelling.

Site History

Date of Decision/Event	Summary of Decision/Event	Comments
6 July 2020	Development application for a two-storey single house approved.	Approval granted under delegated authority.
20 November 2020	Issue of building permit.	Building permit associated with the development approval granted on 6 July 2022.
30 September 2021	Development application for a two-storey single house approved.	Approval granted under delegated authority.
May 2022	Issue of building permit.	Building permit associated with the development approval granted on 30 September 2021.

It is also noted that, in August 2022, at the request of the owner, the address of the property was changed from 14 Belford Road, City Beach to 22 Chipping Road, City Beach.

Site Context

The site is located in the City Beach Precinct on the corner of Chipping Road and Belford Road. On the opposite side of Chipping Road to the west is the Chipping Park reserve.

The site, which has been vacant since the original City Beach subdivision was created in the late 1960s, is currently under construction for the approved two-storey single house.

The natural topography of the site slopes up approximately 1m from the north-eastern corner on Chipping Road to the southern-eastern corner on Belford Road.

The image below shows the subject site and the immediately surrounding locality.

Figure 1 – Aerial image showing the subject property and the immediately surrounding 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*.

In response, one submission was received, which raised general concerns that are summarised as follows:

- i. A reduced street setback to the roof eaves would create a precedent; and
- ii. Existing dwellings along Belford Road meet the minimum primary street setback of 7.5m.

A Schedule of Submissions that includes each submission in its entirety is attached to this Report (refer **Attachment 2**).

Town's Comments

It is considered that, in this instance, the reduced street setbacks to the roof eaves will not result in a perceived precedent for future development in the locality to have reduced street setbacks, as the walls of the approved dwelling meet the minimum street setback requirements and the eaves are relatively lightweight structures that project only 380mm into the street setback areas.

APPLICANT'S COMMENTS:

The applicant provided initial comments in support of those aspects of the application that do not meet the relevant deemed-to-comply requirements and further comments after advertising. These comments are attached to this Report (refer Attachment 3).

STATUTORY ASSESSMENT:

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

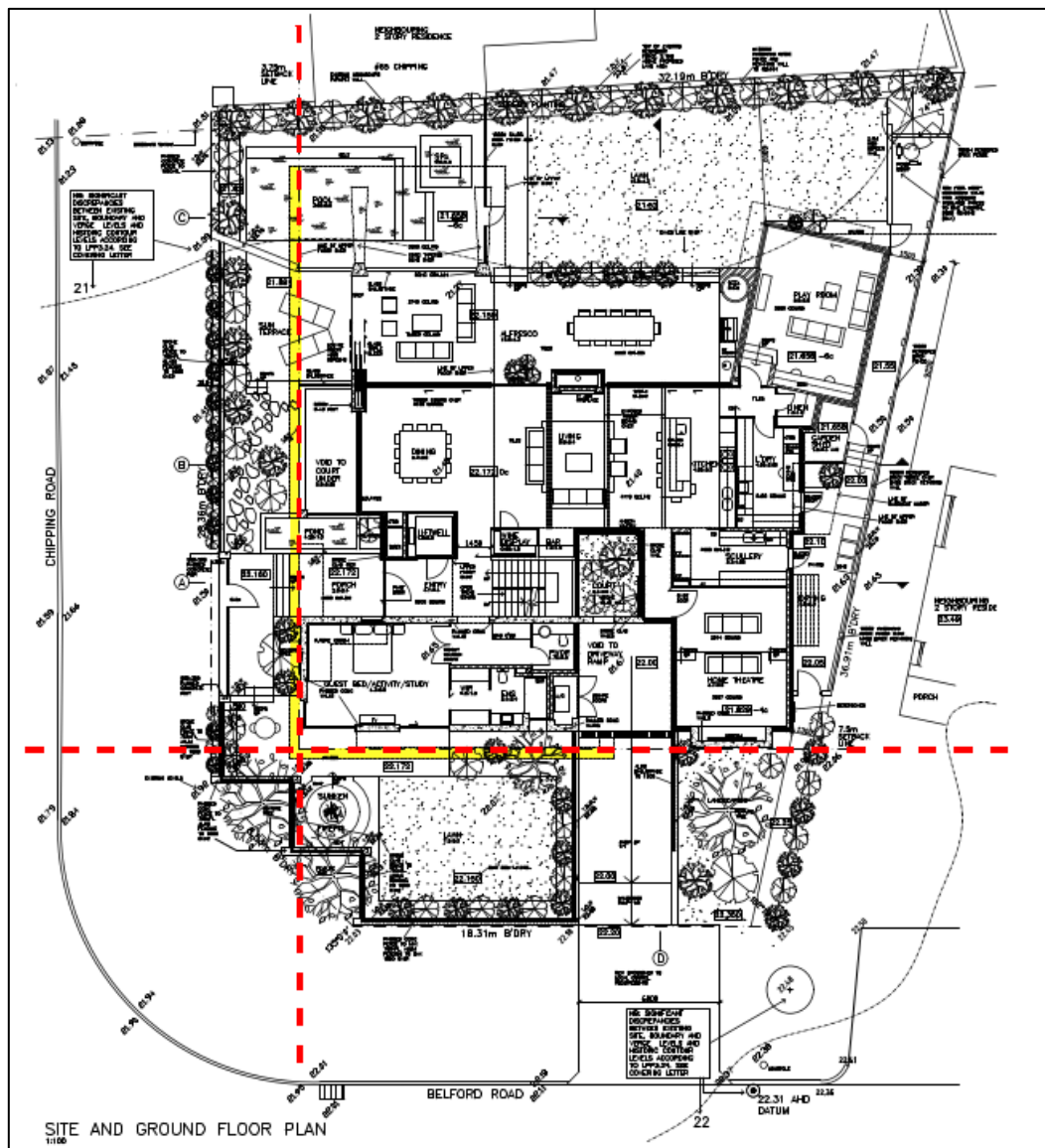
<i>Clause 26(1)(a) Modification of R-Codes</i>		
	Required	Proposed
Primary Street Setback	7.5m	7.12m
Secondary Street Setback	3.75m	3.37m
<p><u>Clause 34 - Variations to Site and Development Requirements</u></p> <p>"(1)(a) an application for planning approval which does not comply with a standard or 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> <p><u>Local Planning Policy 3.1 – Streetscape</u></p> <p>"1. Consideration of a non-complying application for street setbacks as prescribed in the Scheme</p> <p>...Council may have due regard to the criteria below when considering a non-complying application under Clause 34 of the Scheme.</p> <p>a. The proposed development within the prescribed scheme setback area shall meet the Desired Future Character of the area;</p> <p>b. Any building or part of the building (including a carport) in the prescribed scheme setback area shall be set back from side boundaries to preserve a streetscape of distinctly separate single residences separated by open space, and to preserve the amenity of neighbouring properties;</p> <p>c. In relation to carports in the street setback area, where the dwelling is being retained and the dwelling was constructed prior to 1970 and as such is considered to form part of the historical character of the area:</p> <p>i. The existing dwelling presents to the street as single storey or the original dwelling is two-storey.</p> <p>ii. The existing garaging is sub-standard in terms of its internal dimensions and cannot provide cover for two vehicles.</p> <p>iii. A single carport is being replaced by a double carport that is open on all sides and in accordance with Clause 3.1 C1.5 of this policy.</p> <p>iv. If the existing dwelling is remaining, whether adequate space is available to be provide covered car space(s) behind the street setback area.</p> <p>d. Retaining wall(s) proposed within the primary and/or secondary street setback may be permitted where:</p> <p>i. Do not detrimentally affect adjoining properties;</p> <p>ii. Are suitably landscaped to reduce the impact of building bulk; and</p> <p>iii. The natural topography of the land can still be interpreted, despite the retaining."</p>		

Assessment

The approved dwelling is set back behind the 7.5m primary street and 3.75m secondary street setback areas. The proposal is for the addition of ground and first floor roof eaves to project 380mm into the street setback areas.

The marked-up ground and first floor plans below shows the minimum primary street setbacks to the roof eaves (highlighted yellow).

Figure 2 – Marked-up ground floor plan showing the area of the roof eaves (highlighted yellow) within the primary and secondary street setbacks area (red dotted lines)



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*.

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 an amendment to the approved single house for eaves within the primary street setback area at Lot 356 (No. 22) Chipping Road, City Beach, as shown on the attached plans stamped received 8 September 2022, 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 previous development approval (DA21/0204, dated 30 September 2021) and its conditions remain in effect (excluding the plan(s) stamped as part of the previous approval); and
3. 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

Committee Meeting 20 September 2022

During discussion, Mayor Shannon foreshadowed that she intended to move a refusal should the motion presently before Committee be lost due to the reduced primary and secondary street setbacks.

Cr Carr returned to the meeting at 7.56 pm.

Motion was put and LOST (0/5)

Impartiality Interest Declaration – Cr Barlow

Prior to consideration of the item, Cr Barlow disclosed an interest affecting impartiality and declared as follows: “with regard to Item DV22.84, I declare that I was rung by the applicant and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Impartiality Interest Declaration – Cr Carr

Prior to consideration of the item, Cr Carr disclosed an interest affecting impartiality and declared as follows: “with regard to Item DV22.84, I declare that I have had contact with one of the developer for the project and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Impartiality Interest Declaration – Cr Mack

Prior to consideration of the item, Cr Mack disclosed an interest affecting impartiality and declared as follows: “with regard to Item DV22.84, I declare that I have spoken to the owner of the property and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Impartiality Interest Declaration – Cr Mayes

Prior to consideration of the item, Cr Mayes disclosed an interest affecting impartiality and declared as follows: “with regard to Item DV22.84, I declare that in 2017, prior to becoming an Elected Member, I had met with the developer as part of my marketing role with my former employer and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

COUNCIL DECISION: (COMMITTEE RECOMMENDATION)

Moved by 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 REFUSES the application for an amendment to the approved single house for eaves within the primary street setback area at Lot 356 (No. 22) Chipping Road, City Beach, as shown on the attached plans stamped received 8 September 2022, for the following reasons:

- 1. The proposal is a non-conforming application under Clause 26(1)(a) of *Local Planning Scheme No. 1*, as the proposed roof eaves of the single dwelling will be located within the 7.5m primary street and the 3.75m secondary street setback areas.**
- 2. The proposal does not satisfy Clause 67(m) and (n) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as the proposed reductions to the street boundary setbacks will have an adverse impact on the amenity of the surrounding properties, due to the increase in bulk that the eaves create within the street setback areas.**
- 3. The proposal does not satisfy Policy Objective 3 of the Town’s *Local Planning Policy 3.1 – Streetscape*, as the proposed reduced street setbacks will have an**

adverse impact on the local amenity due to the increased bulk of the dwelling within the street setback areas and will not be aligned with the Desired Future Character of the City Beach precinct, due to the development not maintaining the traditional street setbacks.

- 4. If the proposal is approved it may set a perceived precedent for similar street setback incursions to nearby properties, which would alter the existing character of the locality.**

Motion put and CARRIED EN-BLOC (8/0)

DV22.85 PROPOSED VARIATIONS TO LOCAL LAW 43

PURPOSE OF REPORT

The purpose of this report is for Council to determine applications which are required to be considered under cl7(b) of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43), is considered to meet the design principles of LPP3.1.

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 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:

Report Date:	13 September 2022
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	A/Manager Statutory Planning, Steven Laming
Contributing Officer:	A/Coordinator Statutory Planning, Christian Parker Strategic Planning Officer, Melissa Meumann A/Senior Statutory Planning Officer, Morgan Hutton Statutory Planning Officer, Luke Smith Statutory Planning Officer, Jacob Corbould
Reporting Officer Interest:	Nil
Attachments:	1. Development Plans for 15 Everton Street, Floreat 2. Development Plans for 41 Hesperia Avenue, City Beach 3. Schedule of Submissions for 41 Hesperia Avenue, City Beach 4. Applicant Justification for 41 Hesperia Avenue, City Beach 5. Development Plans for 18 Sellenger Court, City Beach 6. Schedule of Submissions for 18 Sellenger Court, City Beach 7. Development Plans for 10A Branksome Gardens, City Beach 8. Development Plans for 15 Teslin Road, Mount Claremont 9. Development Plans for 5 Chidley Road, City Beach Development 10. Development Plans for 19 Norbury Crescent, City Beach

Property	Applicant/Landowner(s)
15 Everton Street, Floreat	Owner: Steve Peter and Emma Louise Hulme Applicant: Claudio Marino
41 Hesperia Avenue, City Beach	Applicant: Contempo Design Landowners: Boaz Ben-Pelech & Hannah Ben-Pelech
18 Sellenger Court, City Beach	Applicant & Landowner: Suzanne Stone
10A Branksome Gardens, City Beach	Applicant & Landowner: Brian Gray
15 Teslin Road, Mount Claremont	Applicant & Landowner: Travis Blakeney and Nina Blakeney
5 Chidley Road, City Beach	Applicant: Hugh Whetters, Kensington Design Landowner: Louise Pilkington and Sean Reid
19 Norbury Crescent, City Beach	Applicant: Mark Turner, Perth Patios and Home Improvements Landowner: The Multiple Sclerosis Society of Western Australia

CONSULTATION:

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

Submissions were received in relation to 41 Hesperia Avenue & 18 Sellenger Court with details of these submissions updated within the sections of this report relating to each application.

STATUTORY ASSESSMENT:

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

Property Address	Material Proposed
15 Everton Street, Floreat	Hardiplank Weatherboard to gable end
41 Hesperia Avenue, City Beach	Copper Tile & Zinc Quartz Cladding
18 Sellenger Court, City Beach	Timber Panelling, 'Equitone Natura' Fibre Cement Cladding & Unitex Board cladding
10A Branksome Gardens, City Beach	Grey metallic Alucobond cladding
15 Teslin Road, Mount Claremont	Glass
5 Chidley Road, City Beach	Textured fibre cement cladding and timber batten detailing.
19 Norbury Crescent, City Beach	Outbuilding with a pitched roof, maximum height of 2.67m and constructed in Colorbond 'Paperbark'

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".*

15 Everton Street, Floreat

The application proposes to clad the gable end of the renovated porch with Hardiplank weatherboard.

The cladding will be visible mainly from the primary street and is an architectural feature to complement the proposed stone cladding of the piers of the new porch.

The proposed cladding is a high-quality, lightweight material, which creates architectural interest to complement the design of the established single house.

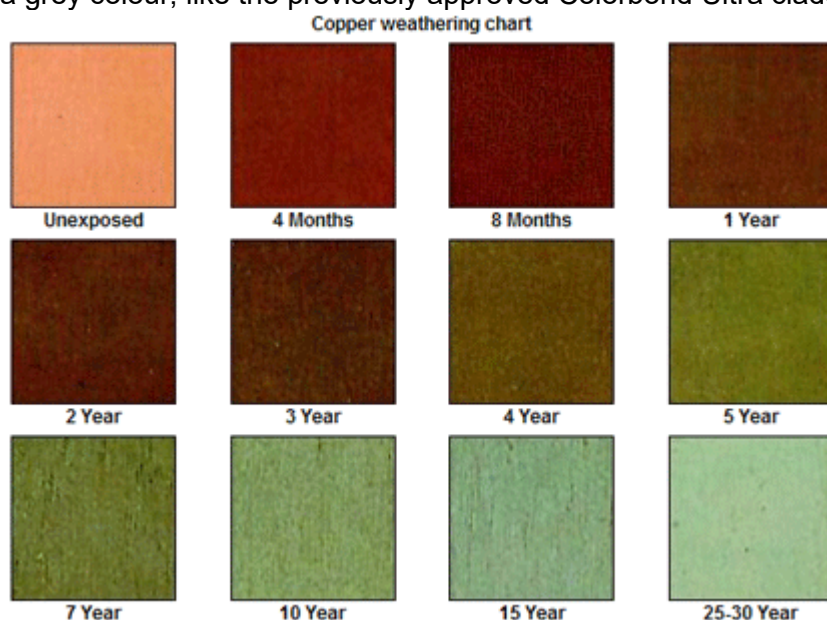
For this reason, it is recommended the application be approved.

41 Hesperia Avenue, City Beach

The application proposes a change in materials to the existing dwelling under construction. The materials are changing from a combination of rammed earth, linea board, unitex board and grey coloured Colorbond Ultra cladding, to featured portions of 'Copper Tile' and 'Zinc Quartz' cladding.

The original approval for the dwelling was granted in November 2018 by the State Administrative Tribunal (SAT). This was a decision to overturn Council's refusal of the administration's amended recommendation for approval at the July 2018 Council meeting. At the time of this original approval, Local Law 43 was not being administered and approval for materials was not required.

The Copper Tile cladding comprises a bronze metallic finish that shares a similar appearance to standard tiling but with an alternative colour which changes overtime (see Figure 1 – top). The Zinc Quartz cladding proposes a similar appearance to Colorbond panelling and proposes a grey colour, like the previously approved Colorbond Ultra cladding (see Figure 2 – bottom).





Figures 1 & 2: Copper weathering chart (top) and Zinc Quartz cladding (bottom).

The Copper Tile cladding is proposed to all elevations of the dwelling and makes up the minor feature section on the facades of three out of the four elevations and is the dominant material to the southern elevation.

The Zinc Quartz cladding is visible from the northern and southern side elevations and the eastern rear elevation.

The materials received three objections during the consultation period (refer **Attachment 4**) in relation to:

- Reflectivity of copper cladding
- Proximity to adjoining neighbours
- Amount of cladding proposed
- City Beach Character

It is noted that there were additional reasons for objection received, however, it is considered these are not concerns related to this application or are fully compliant. The other objections received related to issues with the previously approved residential build, and the cladding drawing more focus to the previously approved setbacks. In summary, while these concerns are acknowledged on the materials themselves the comments on the properties of the materials and other planning concerns are outside of the scope of assessment under Local Law 43 and this application.

In response to the concerns raised during the advertising period, the applicant has provided the attached justification (refer **Attachment 5**) with a summary of the primary concerns listed below:

Reflectivity of copper cladding

Various concerns outlined in the submissions referred to the potential that the copper cladding has to reflect and dazzle on surrounding properties.

The primary elevation that will contain the copper cladding will be the southern elevation which is largely shaded due to the location and shading provided by the adjoining property.

The current reflection to the southern property has also been flagged as an objection and this is coming from the red insulation panelling that will no longer be on the southern elevation once approval is gained for the copper therefore the red-light impact will be gone. The quick

weathering process of the material (see Figure 1) will further contribute to the reduction in reflectivity over time.

Furthermore, it was outlined in the applicant's justification that the copper material is less reflective than the previously approved Colorbond cladding and white acrylic paints.

Additionally, the Zinc cladding has a solar reflectivity reading of 30% which if assessed under the provisions for roofing would be compliant under the provisions of Local Law 43.

Proximity to adjoining neighbours

In response to the overall proximity of the cladding to adjoining neighbours, it is noted that no additional changes are being made to the dwelling under construction. Furthermore, in response to the neighbours' comments about overshadowing, it is considered that the materials will not create a further overshadowing impact to surrounding dwellings.

Amount of cladding proposed

The applicant outlines that the in terms of the setbacks themselves will not be changing and that the cladding used will create architectural interest due to the varied material palette. It is also considered that the zinc cladding while covering the majority of the northern elevation is not too unlike other forms of metal cladding and proposes a colour that has a reflectivity reading of 30% which would comply with Local Law 43 if the roofing standard was applied.

City Beach Character

It is considered that over time the character of the City Beach has developed to include a wider range of materials that provide architectural interest to residences while not compromising structural integrity. This was the concern in the original Local Law gazettal prior to the advent of more modern and sustainable construction materials. Recently, alternative finishes similar to the Copper Tiling and Zinc cladding have been approved by Council highlighting that the materials are not uncommon in the modern landscape of the precinct.

Summary

In terms of assessing the materials against Local Law 43 the non-masonry-based construction proposed by the cladding forms the variation to the Local Law.

When focusing on the variation proposed to the Local Law the only area of assessment for the materials is the type of construction and other facets including glare (that is exclusive to roofing), shadow and amount of cladding proposed are not considered in an assessment against the Local Law provisions only.

In this case, the cladding is flat to the walls and the Local Law provisions in relation to the walls seek to address the specific materials in terms of build quality, not glare.

The additional concerns outside of the jurisdiction of the Local Law regarding glare and coverage are therefore not substantive as the provisions of the Local Law do not include assessment criteria for the properties of materials.

It is considered that the proposed material provides architectural interest to the dwelling and offer a high-quality finish that is not dissimilar to other dwellings in the City Beach precinct proposing varying finishes, including metallic finishes. The Zinc Quartz with the copper cladding provides a mix of materials so neither material dominates.

It is understood originally when the Local Law was created (1920), the main objective of Local Law 43 was to ensure fibro shacks were not constructed in the area. It was considered having one type of material, such as the fibro material, on the dwellings, detrimentally affected the amenity of the area. This is not the case for this proposal as the character of the City Beach precinct has developed over time to have a varying range of materials including similar cladding.

For these reasons, it is recommended that this application be approved.

18 Sellenger Court, City Beach

The application proposes feature 'Equitone Natura' fibre cement cladding to the upper level of the additions facing the eastern and western side elevations.

The proposed timber feature panel will be visible from the primary street and takes up a very minor section of the frontage. This feature panel serves to increase architectural interest in the approach to the dwelling.

The proposed fibre cement materials will only be visible from side elevations and will be constructed of a composite material that aligns with the objectives of Local Law 43.

The Unitex Board cladding will be used on various elevations around the site primarily on the upper level. The cladding is widely used in the City Beach precinct and provides a lightweight construction alternative to masonry finishes and also will provide architectural interest to the upstairs additions.

The materials being proposed offer high-quality finishes that provide architectural interest to the new additions and provide a sturdy method of construction. The materials are also widely utilised across the Perth metropolitan area.

The applicant has also provided confirmation that the ground floor Colorbond roof at an 18 degree pitch will be 'Monument' coloured which has a solar reflectivity index reading of 26% which meets the provisions of Local Law 43.

One submission was received in objection to the materials (refer **Attachment 9**). The comments received have been addressed above.

For these reasons, it is recommended that the application be approved.

10A Branksome Gardens, City Beach

The application proposes grey metallic Alcuobond cladding to all elevations as an amendment to a previously approved development application (DA22/0037).

The cladding is high quality and will be visible mainly from the primary street to provide architectural interest to the front façade of the dwelling.

It is noted that no submissions were received during the public consultation period in relation to the proposed building materials.

For these reasons, it is recommended that the application be approved.

15 Teslin Road, Mount Claremont

The application proposes an external lift to be constructed with glass walls as an addition to an existing single dwelling.

The proposed lift will replace the existing steps and be used to increase the functionality for wheelchair access as the existing house is multi-level with stairs required to access each floor.

The lift is proposed to be enclosed with semi-frameless glass to provide protection during wet weather conditions.

The external lift will not be visible from the primary street however may be visible from adjoining properties.

It is noted that no submissions were received during the public consultation period in relation to the proposed building materials.

For these reasons, it is recommended that the application be approved.

5 Chidley Road, City Beach

The proposed dwelling will include textured fibre cement sheeting and timber batten detailing to the gable ends of the dwelling and to the bay windows in lieu of masonry building materials.

The proposed textured cladding and timber battens to the gable ends and bay windows to the front façade and sides of the dwelling are considered to provide a 'traditional' aesthetic to the dwelling, to break up the façade and to assist with mitigating building bulk.

The proposed cladding is a high quality, durable and lightweight material that is commonly used in construction in the City Beach Precinct.

No concerns were received during the advertising period with regards to the cladding materials.

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

Local Planning Policy 3.1 – Streetscape

Property Address	Material Proposed
19 Norbury Crescent, City Beach	Colorbond 'Paperbark'
<p>CL 8 Reflective Roofing <i>"The following the deemed-to-comply requirements apply to all buildings within the First Schedule (Residential Districts) area of Local Law 43. For the purpose of assessing the solar reflectivity index of materials, the Town considers a solar absorptance of less than or equal to 0.6 to exceed a 40% solar reflectivity index.</i></p> <p>i) C1.1 Metal roofing with a pitch of more than 5 degrees shall not be constructed with metal sheeting having a solar reflectivity index exceeding 40%.</p> <p>ii) C1.2 Other roofing with a pitch of more than 5 degrees shall not be constructed with materials such as polycarbonate, plastic, fibreglass or similar materials having a solar reflectivity index exceeding 40%."</p> <p>Design Principles of Cl.8 <i>"Roofing materials shall not result in excessive glare upon neighbours and the streetscape due to the position, location, pitch, and finishes used."</i></p>	

19 Norbury Crescent, City Beach

The application proposes a single storey outbuilding to be located in the south-eastern corner (rear) of the subject site with the external wall sheeting and roof material being proposed to be constructed of 'Colorbond' in 'Paperbark' which has a Solar Reflectivity Index (SRI) of 68%, in lieu of 40%. For reference, 'Shale Grey' has a SRI of 66%.

The outbuilding will be visible from the primary street and adjoining properties.

The proposed outbuilding meets the standards for wall height (2.4m) and ridge height (2.67m) pertaining to 'Large and Multiple Outbuildings' under the R-Codes. However, the outbuilding proposes to exceed the 2.4m maximum height requirement permitted under Local Law 43.

The outbuilding is proposed to have a pitched roof, in lieu of a skillion roof. A roof pitch of 10 degrees is being proposed which is considered to be a minor deviation from the requirement.

It is considered that a Colorbond construction is of lightweight material and the colour selected will not have an undue impact of glare on surrounding sites.

No concerns were received during the advertising period relating to the materials.

For this reason, it is recommended the application be approved.

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 20 September 2022

Impartiality Interest Declaration – Cr Randklev

Prior to consideration of the item, Cr Randklev disclosed an interest affecting impartiality and declared as follows: "with regard to Lot 26 (No.15) Teslin Road, Mount Claremont, I declare that the Architect is known to me and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

“Also, with regard to Lot 265 (No. 5) Chidley Road, City Beach, I declare that the owner has contacted me and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Impartiality Interest Declaration – Cr Mack

Prior to consideration of the item, Cr Mack disclosed an interest affecting impartiality and declared as follows: “with regard to Lot 265 (No. 5) Chidley Road, City Beach, I declare that I have had conversations with the landowner and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

ADMINISTRATION RECOMMENDATION:

That, in accordance with the provisions of *Local Planning Scheme No. 1* and the authority delegated to the Town under the provisions of the *Metropolitan Region Scheme* and *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43), Council APPROVES BY AN ABSOLUTE MAJORITY the following applications:

1. Lot 46 (No. 15) Everton Street, Floreat – Weatherboard Cladding.
2. Lot 901 (No. 41) Hesperia Avenue, City Beach – Copper Tile and Zinc Quartz Cladding.
3. Lot 1 (No. 18) Sellenger Court, City Beach – Timber Panelling, ‘Equitone Natura’ Fibre Cement Cladding and Unitex Board cladding.
4. Lot 37 (No. 10A) Branksome Gardens, City Beach – Grey metallic Alucobond cladding.
5. Lot 26 (No. 15) Teslin Road, Mount Claremont – Glass.
6. Lot 265 (No.5) Chidley Road, City Beach – Timber batten detailing and textured Fibre Cement sheeting.
7. Lot 64 (No. 19) Norbury Crescent, City Beach – Outbuilding with a pitched roof, maximum height of 2.67m and constructed of Colorbond ‘Paperbark’.

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 cladding/roofing where relevant shall be finished and maintained thereafter by the landowner to the satisfaction of the Town.
3. All stormwater shall be contained and disposed of on-site for the life of the development to the satisfaction of the Town.

During discussion, Mayor Shannon advised that, in accordance with clause 9.8 of the Town of Cambridge Meeting Procedures Local Law, the motion will be divided into separate motions.

COMMITTEE 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* and *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43), Council APPROVES BY AN ABSOLUTE MAJORITY the following applications:

1. Lot 46 (No. 15) Everton Street, Floreat – Weatherboard Cladding.

Motion put and CARRIED (5/0)

2. Lot 901 (No. 41) Hesperia Avenue, City Beach – Copper Tile and Zinc Quartz Cladding.

Motion put and LOST (1/4)

For: Cr Mack

Against: Mayor Shannon, Crs Barlow, Carr, Haddon-Casey and Randklev

3. Lot 1 (No. 18) Sellenger Court, City Beach – Timber Panelling, 'Equitone Natura' Fibre Cement Cladding and Unitex Board cladding.

Motion put and CARRIED (5/0)

4. Lot 37 (No. 10A) Branksome Gardens, City Beach – Grey metallic Alucobond cladding.

Motion put and CARRIED (5/0)

5. Lot 26 (No. 15) Teslin Road, Mount Claremont – Glass.

Motion put and CARRIED (5/0)

6. Lot 265 (No.5) Chidley Road, City Beach – Timber batten detailing and textured Fibre Cement sheeting.

Motion put and CARRIED (5/0)

7. Lot 64 (No. 19) Norbury Crescent, City Beach – Outbuilding with a pitched roof, maximum height of 2.67m and constructed of Colorbond 'Paperbark'.

Motion put and CARRIED (5/0)

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 cladding/roofing where relevant shall be finished and maintained thereafter by the landowner to the satisfaction of the Town.
3. All stormwater shall be contained and disposed of on-site for the life of the development to the satisfaction of the Town.

COMMITTEE RECOMMENDATION:

That, in accordance with the provisions of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43), Council REFUSES BY AN ABSOLUTE MAJORITY the applications at the following location:

1. Lot 901 (No. 41) Hesperia Avenue, City Beach – Copper Tile and Zinc Quartz Cladding.

For the following reasons:

1. The appearance of the building materials will likely result in an adverse impact on the amenity of the surrounding locality and, in accordance with Clause 2B of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*, is inconsistent with orderly and proper planning and the preservation of its amenities; and
2. The proposed materials of construction do not meet the Design Principles of cl.7 of Local Law 43 - Buildings on Endowment Lands & Limekilns Estate, as the materials will not result in a building of a high architectural and structural standard, and will result in reflective material inappropriate for the locality.

Motion put and CARRIED (4/1)

For: Mayor Shannon, Crs Carr, Haddon-Casey and Randklev
Against: Cr Mack

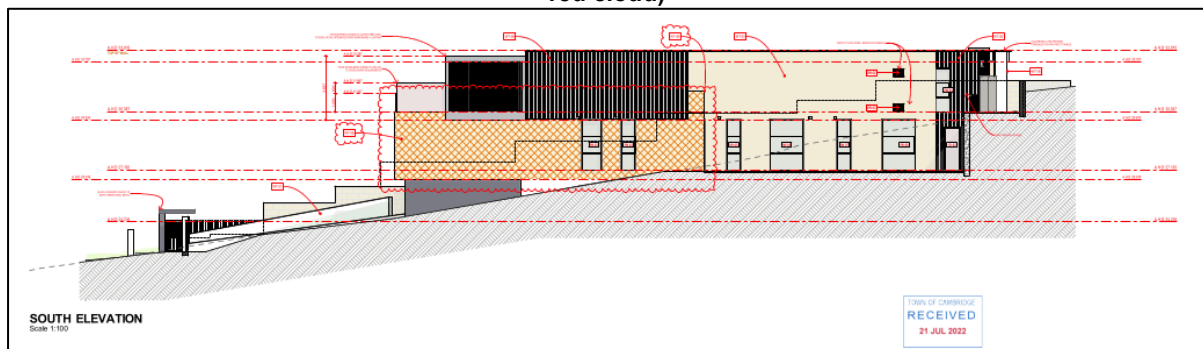
FURTHER REPORT (Post Committee Meeting 20 September 2022)

An application for copper tiles and zinc quartz cladding additions to the external walls of the approved dwelling under construction at 41 Hesperia Avenue, City Beach was presented to the 20 September 2022 Development Committee meeting, where Committee recommended that Council refuse the application at the 27 September 2022 Council meeting.

At the Development Committee meeting, one of the property owners of the adjoining southern property at 43 Hesperia Avenue, City Beach made a deputation outlining their objection to the extent of the proposed copper tiles on a 17.4m long wall on the southern elevation of the dwelling due to concerns that the material will have an adverse glare impact on their property.

The below image shows the proposed area of copper tiles (yellow hatching in red cloud) on the 17.4m long wall on the southern elevation, which was included in the original plans dated 21 July 2022 that were advertised for public consultation.

Figure 1 – South elevation dated 21 July 2022 showing proposed area of copper tiles (yellow hatching in red cloud)

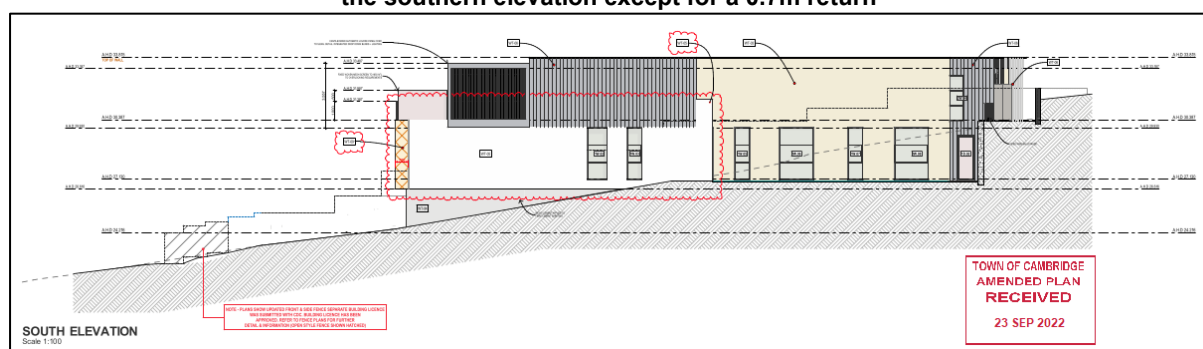


On 23 September 2022, in response to the southern neighbour's concerns raised at the Development Committee meeting, amended plans were received from the applicant. The applicant provided these plans to members of the Development Committee along with an email (refer to Attachments 1 and 2). The amended plans show the following changes:

- All copper tiles on the southern elevation have been removed, except for a 0.7m long return at the front of the wall, and replaced with acrylic exterior render in grey.
- Therefore, 16.7m of the 17.4m wall on the southern elevation will be acrylic render, with the 0.7m front section (being less than 5% of the wall) having copper tiles.

The below image shows the 17.4m long wall (red clouded) on the southern elevation in the amended plans dated 23 September 2022 is now acrylic render with a 0.7m return area of copper tiles.

Figure 2 – South elevation dated 23 September 2022 showing the copper tiles have been removed from the southern elevation except for a 0.7m return



The applicant has advised that the 0.7m return wall section on the southern elevation is required to finish the front corner and flash correctly.

It is also noted that the amended plans still have zinc quartz cladding on all elevations, and copper tiles to a portion of the northern elevation.

The applicant has requested that Administration consults with the southern neighbour regarding the amended plans prior to the 27 September 2022 Council meeting. However, there is insufficient time to consult with the neighbour prior to the Council meeting due to the amended plans being received on Friday 23 September and there being a public holiday on Monday 26 September.

Administration considers that the amended plans have largely addressed the southern neighbour's concerns, as the minor area of copper tiles in the return at the front of the wall on the southern elevation will not result in there being an adverse glare impact on their property.

Based on all the above, Administration recommends that Council approve the application. Alternatively, Council may consider deferral the application for one month to enable consultation with the affected neighbour.

Council Meeting 27 September 2022

Impartiality Interest Declaration – Cr Mack

Prior to consideration of the item, Cr Mack disclosed an interest affecting impartiality and declared as follows: "with regard to Lot 265 (No. 5) Chidley Road, City Beach, I declare that I have spoken with the owner of the property and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

Impartiality Interest Declaration – Cr Randklev

Prior to consideration of the item, Cr Randklev disclosed an interest affecting impartiality and declared as follows: “with regard to Lot 26 (No.15) Teslin Road, Mount Claremont, I declare that the Architect is known to me and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

“Also, with regard to Lot 265 (No. 5) Chidley Road, City Beach, I have had a conversation with the owner and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Mayor Shannon advised that, in accordance with clause 9.8 of the Town of Cambridge Meeting Procedures Local Law, the motion will be divided into separate motions.

COUNCIL DECISION: (COMMITTEE 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 *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate* (Local Law 43), Council APPROVES BY AN ABSOLUTE MAJORITY the following applications:

1. Lot 46 (No. 15) Everton Street, Floreat – Weatherboard Cladding.

Motion put and CARRIED (8/0)

2. Lot 1 (No. 18) Sellenger Court, City Beach – Timber Panelling, ‘Equitone Natura’ Fibre Cement Cladding and Unitex Board cladding.

Motion put and CARRIED (8/0)

3. Lot 37 (No. 10A) Branksome Gardens, City Beach – Grey metallic Alucobond cladding.

Motion put and CARRIED (8/0)

4. Lot 26 (No. 15) Teslin Road, Mount Claremont – Glass.

Motion put and CARRIED (8/0)

5. Lot 265 (No.5) Chidley Road, City Beach – Timber batten detailing and textured Fibre Cement sheeting.

Motion put and CARRIED (8/0)

6. Lot 64 (No. 19) Norbury Crescent, City Beach – Outbuilding with a pitched roof, maximum height of 2.67m and constructed of Colorbond ‘Paperbark’.

Motion put and CARRIED (8/0)

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 cladding/roofing where relevant shall be finished and maintained thereafter by the landowner to the satisfaction of the Town.**
- 3. All stormwater shall be contained and disposed of on-site for the life of the development to the satisfaction of the Town.**

COUNCIL DECISION:
(COMMITTEE 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 REFUSES BY AN ABSOLUTE MAJORITY the applications at the following location:

- 1. Lot 901 (No. 41) Hesperia Avenue, City Beach – Copper Tile and Zinc Quartz Cladding.**

For the following reasons:

- 1. The appearance of the building materials will likely result in an adverse impact on the amenity of the surrounding locality and, in accordance with Clause 2B of *Local Law 43 - Buildings on Endowment Lands & Limekilns Estate*, is inconsistent with orderly and proper planning and the preservation of its amenities; and**
- 2. The proposed materials of construction do not meet the Design Principles of cl.7 of Local Law 43 - Buildings on Endowment Lands & Limekilns Estate, as the materials will not result in a building of a high architectural and structural standard, and will result in reflective material inappropriate for the locality.**

Motion put and CARRIED (5/3)

For: Mayor Shannon, Crs Barlow, Carr, Haddon-Casey and Randklev
Against: Crs Cutler, Mack and Mayes

DV22.86 AMENDED LOCAL PLANNING POLICY 1.1: MINOR WORKS AND DEVELOPMENT EXEMPT FROM DEVELOPMENT APPROVAL - CONSIDERATION OF SUBMISSIONS AND FINAL ADOPTION

SUMMARY:

The purpose of this report is to present draft *Local Planning Policy 1.1: Minor Works and Development Exempt from Development Approval* (LPP1.1) for adoption following public consultation on the proposed amendments.

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. 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:	N/A
Report Date:	6 September 2022
File Reference:	N/A
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	Manager Strategic Planning, Aaron Augustson
Contributing Officer:	Senior Strategic Planning Officer, Karen Liddell
Reporting Officer Interest:	Nil
Attachment(s):	1. Local Planning Policy 1.1: Minor Use and Development Exempt from Development Approval.

BACKGROUND:

At its meeting held on 28 June 2022, Council resolved to advertise amendments to LLP1.1 (Item DV22.49). The proposed amendments sought to:

1. Make administrative changes relating to the use of consistent terminology and formatting;
2. Remove the duplication of provisions relating to forms of development and land use that are now exempt from requiring development approval under schedule 2, clause 61 of the *Planning and Development (Local Planning Schemes) Regulations 2015*; and
3. Include additional provisions to exempt public art/murals (on private land) and minor facade changes to non-residential buildings.

DETAILS:

The amended Policy was advertised between 22 July and 12 August 2022. No submissions were received during this period. As no submissions were received, it is recommended the amendments to the Policy (**Attachment 1**) be adopted without modification.

POLICY/STATUTORY IMPLICATIONS:

Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* enables the local government to adopt and modify local planning policies in respect of any matter related to the planning and development of the Scheme area.

A local planning policy does not form part of a Scheme and cannot bind the Council in respect of an application or planning matter. However, the Council is required to have due regard to the provisions and objectives of the policy in its decision making.

FINANCIAL IMPLICATIONS:

There are no financial implications associated with this report.

STRATEGIC DIRECTION:

The report recommendation is consistent with the following goals and strategies 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 4.1 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

Our Council

Goal 9: Transparent, accountable governance

Strategy 9.1 Implement initiatives that strengthen governance skills, transparency and knowledge.

COMMUNITY ENGAGEMENT:

In accordance with the local planning policy advertising requirements set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*, and *Local Planning Policy 1.2: Public Notification of Planning Proposals*.

The public advertising period ran for 21 days, commencing 22 July 2022 and concluding 12 August 2022. Notices were placed in the local newspaper circulating within the Town, the Town's website, and the Town's e-newsletter. At the conclusion of advertising period, no submissions had been received by the Town.

COUNCIL DECISION:
(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 1.1: Minor Works and Development Exempt from Development Approval* as shown in Attachment 1; and**
- 2. PUBLISHES a public notice in a local newspaper circulating within the district and on the Town's website, notifying of the adoption of the local planning policy.**

Motion put and CARRIED EN-BLOC (8/0)

DV22.87 PLANNING DELEGATED DECISIONS AND NOTIFICATIONS – AUGUST 2022

PURPOSE OF REPORT:

The purpose of this report is to receive the register of Planning Delegated decisions.

SUMMARY:

To report on matters which have been dealt with 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 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.

Report Date:	1 September 2022
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	Manager Statutory Planning, Jennifer Heyes
Contributing Officer:	Senior Administration Officer, Amanda Decke
Reporting Officer Interest:	Nil
Attachment(s):	1. Delegated Decisions and Notifications for August 2022

DETAILS:

The development applications listed in **Attachment 1** have been determined under delegated authority, in accordance with Function 1, cl. 12.1.4 of the Town's Register of Delegated Authority. In accordance with Section 5(4) of the Register, this record is provided for Council's information.

POLICY/STATUTORY IMPLICATIONS:

There are no Policy or Statutory Implications related to this report.

RISK IMPLICATIONS:

Nil. Risks associated with assessing and determining development applications have been considered, and are constantly monitored, in the Town's processes. No further risks have been identified in relation to the recommendation of this report.

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 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 10.1 | Ensure appropriate resources are allocated to the preparation and implementation of day to day decision making, broader strategic planning and major projects. |

COMMUNITY ENGAGEMENT:

This matter has been assessed under Council Policy No. 019 Community Engagement Policy. In accordance with the assessment criteria, it was considered that community engagement was not required.

COUNCIL DECISION: (COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That the Council RECEIVES the report on Planning Delegated Decisions and Notifications dealt with under delegated authority for the period of August 2022.

Motion put and CARRIED EN-BLOC (8/0)

**DV22.88 BUILDING PERMITS APPROVED UNDER DELEGATED AUTHORITY-
AUGUST 2022**

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 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:	Various
Report Date:	2 September 2022
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	Manager Regulatory Services, Steve Cleaver
Contributing Officer:	N/A
Reporting Officer Interest:	Nil
Attachment(s):	1. Building Approvals

BACKGROUND:

Listed below are the total numbers of permits issued for the month of July 2022. Also shown are the comparative figures of the numbers of permits issued on the same month of the previous year and year to date fields.

	August 2022	August 2021	Financial Year to date 2022/2023	Corresponding Financial Year to 2021/2022
Building Permits (Certified)	32	38	35	79
Building Permits (Uncertified)	8	16	4	25
Demolition Permits	5	6	3	10

Building Approval Certificate (Unauthorised Work)	0	3	4	4
Building Approval Certificate (Strata)	0	2	0	2
Occupancy Permits	0	0	1	1
Occupancy Permits (strata)	0	0	0	0
Total	45	65	47	121
Value of Construction	\$51,728,970.04	\$9,252,859.58	\$65,305,057.39	\$18,210,608.52

DETAILS:

Nil

POLICY/STATUTORY IMPLICATIONS:

Building Act 2011.

RISK MANAGEMENT IMPLICATIONS:

Low: As the 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

COMMUNITY ENGAGEMENT:

This matter has been assessed under Council Policy No: 019 – 'Community Engagement Policy'. In accordance with the assessment criteria, it was considered that community engagement was not required.

Impartiality Interest Declaration – Cr Randklev

Prior to consideration of the item, Cr Randklev disclosed an interest affecting impartiality and declared as follows: “with regard to 5 Camborne Ave, City Beach, I declare that the owner is known to me and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Mayor Shannon, seconded by Cr Haddon-Casey

That Council RECEIVES the Schedule of Building and Demolition Permits approved under delegated authority for the month of August 2022, as shown in Attachment 1.

Motion put and CARRIED EN-BLOC (8/0)

COMMUNITY AND RESOURCES COMMITTEE

The report of the Community and Resources Committee meeting held on Tuesday 20 September 2022 was submitted as under:

1. DECLARATION OF OPENING

The Acting Chief Executive Officer declared the meeting of the Community and Resources Committee open at 5.00 pm.

2. ELECTION OF PRESIDING MEMBER

In the absence of Cr Cutler, the Acting Chief Executive Officer called for nominations for Presiding Member. Cr Barlow nominated herself.

As there were no other nominations, Cr Barlow was declared Presiding Member for the September 2022 meeting of the Community and Resources Committee.

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Present:	Time of Entering	Time of Leaving
-----------------	-----------------------------	----------------------------

Members:

Cr Kate Barlow (Presiding Member)	5.00 pm	6.20 pm
Mayor Keri Shannon	5.00 pm	6.20 pm
Cr Ben Mayes	5.00 pm	6.20 pm

Observers:

Cr Gary Mack

Officers:

Kelton Hincks, Acting Chief Executive Officer
Brett, Cammell, Director Planning and Community Services
Roy Ruitenga, Director Corporate and Commercial Services
Anthony Booth, Acting Director Infrastructure and Works
Andrew Head, Manager Parks and Natural Environment
Andrew Shorter, Acting Manager Engineering Services
Nicholas Craven, Coordinator Manager Projects
Josh Madden, General Manager Wembley Golf Course
Priya Narula, Manager Community Services
Cassandra Flanigan, Manager Governance
Denise Ribbands, Senior Governance Officer

Members of the Public:

11 persons

Media:

2 persons

Adjournments:

Nil

Time meeting closed:

6.20 pm

APOLOGIES/LEAVE OF ABSENCE

Leave of Absence – Cr Cutler

3. PUBLIC QUESTION TIME

Nil

4. DEPUTATIONS AND PETITIONS

Deputations

Item CR22.88 Darren Holscher, President City Beach Activation Committee

Item CR22.91 Ryan Hathrill, Vice President Wembley Districts Junior Cricket Club

Item CR22.92 Colin Webb, President Wembley Athletic Club

Anderson Claxon, Acting President West Coast Amateur Football Club

5. CONFIRMATION OF MINUTES

Moved by Mayor Shannon, seconded by Cr Mayes

That the Minutes of the Ordinary meeting of the Community and Resources Committee held on 15 August 2022 as contained in the August 2022 Council Notice Paper be confirmed.

Motion put and CARRIED (3/0)

6. DECLARATION OF MEMBERS' INTERESTS

Item CR22.95 – Mayor Shannon – Financial Interest

Item CR22.82 – Cr Mayes – Impartiality Interest

7. REPORTS

CR22.78 COASTAL HAZARD RISK MANAGEMENT AND ADAPTATION PLAN – COMMUNITY CONSULTATION OUTCOMES AND FINAL PLAN

PURPOSE OF REPORT:

The purpose of this report is to inform Council of the feedback received from the Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) community consultation and seek Council adoption of the final draft of the CHRMAP.

SUMMARY:

This report presents the results of the CHRMAP survey, which was open from 8 July to 5 August 2022. The survey outcome was to determine community understanding of coastal hazards along the Town's coastline and the purpose of the CHRMAP. Results from the survey are summarised in this report. A final draft of the CHRMAP incorporating the community feedback is also presented for Council adoption.

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.
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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 type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	1 Bold Park Drive, Floreat
Report Date:	24 August 2022
Responsible Officer:	Acting Director Infrastructure and Works, Anthony Booth
Reporting Officer:	Manager Parks and Natural Environment, Andrew Head
Contributing Officer:	Coordinator Parks, Mark Williams Natural Environment Officer, Sue Waite
Reporting Officer Interest:	Nil
Attachment(s):	1. Final draft CHRMAP 2. Marked up draft CHRMAP 3. CHRMAP Community Feedback 4. CHRMAP Stakeholder Feedback

BACKGROUND:

At the Ordinary Council Meeting of 28 June 2022, a draft CHRMAP was presented to Council and approval was sought to consult the community on the plan. At the meeting, it was determined that Council:

- "1. *APPROVES the Town to conduct community consultation on the Coastal Hazard Risk Management and Adaptation Plan; and*

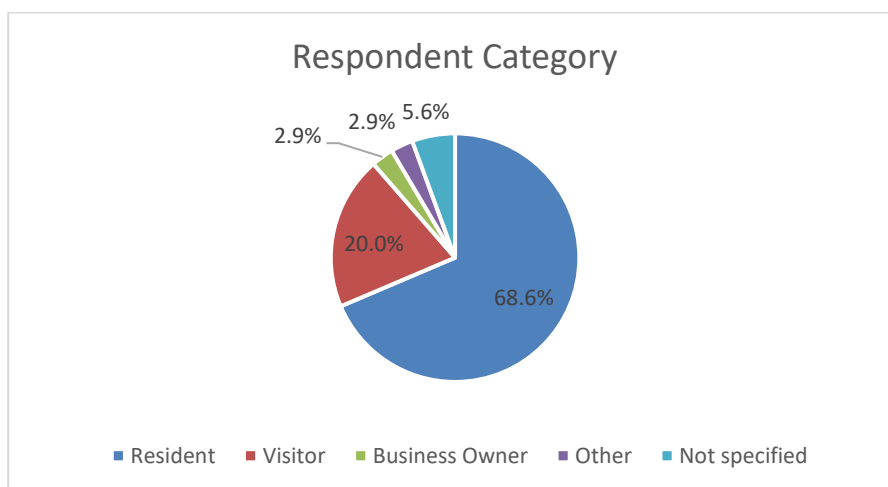
2. *REQUESTS a further report be presented to Council on the consultation outcomes, along with the proposed final draft Coastal Hazard Risk Management and Adaptation Plan for adoption.*"

DETAILS:

Public feedback on the CHRMAP was sought through a community survey, which was opened from 8 July 2022 to 5 August 2022. In total, 35 responses were received (**refer Attachment 3**), the results for each question are summarised below.

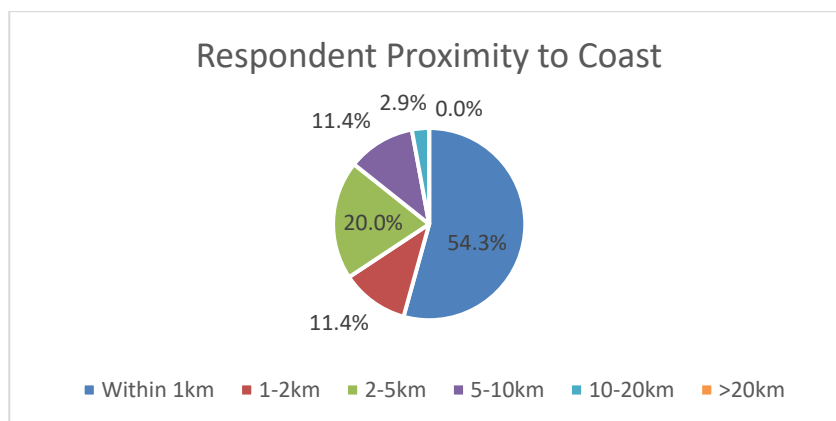
Q1. Respondent Category

Most respondents were residents of the Town.



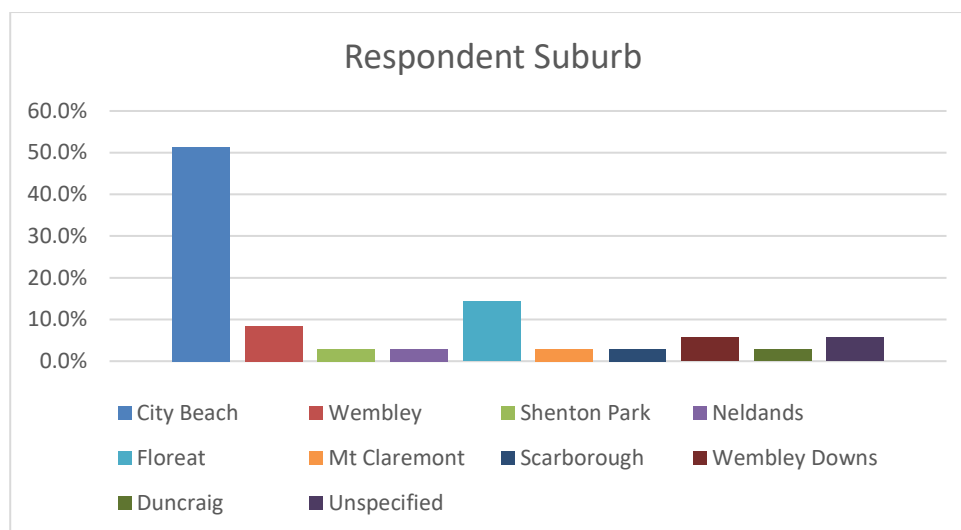
Q2. Respondent Proximity to Coast

Over half of the respondents live within 1km of the coast and 85% of residents live within 5km of the coast.



Q3. Respondent Suburb

Just over half of the respondents live in City Beach.



Q4. Is the purpose and objectives of the CHRMAP clear?

The purpose and objectives of the CHRMAP were generally clear, with 91% of respondents affirming this to be the case. Of those that disagreed, one commented that the CHRMAP is a futile endeavour with another stating that it is too verbose.

Q5. Does the plan clearly explain the coastal hazards facing the Town's coastline and the coastal hazard planning timeframes?

Most respondents found that the CHRMAP explains the Town's coastal hazards and coastal hazard planning timeframes clearly, as affirmed by 88% of respondents. Comments from those who disagreed, focused on improving the accuracy and clarity of the hazard line images.

Q6. Are the outcomes of the vulnerability analysis clear?

The outcomes of the vulnerability analysis were generally clear, with 91% of respondents affirming this to be the case. One was unclear about what the impact vulnerability may have on facilities, and another commented it was too verbose.

Q7. Do you understand the management options for addressing vulnerability to coastal erosion (avoid, managed retreat, accommodate, protect)?

The management options for addressing vulnerability to coastal erosion were understood by 91% of respondents, with three people suggesting protective planning is useless and the exercise is futile.

Q8. The CHRMAP outlines various pathways as a way of responding to the risks of coastal erosion. Are the pathways for adapting across planning timeframes clear?

Many respondents found the pathways to be clear, however 17% did not. Some respondents found the table representing the adaption pathways to be difficult to interpret, and others felt the exercise is unnecessary.

Q9. Do you understand the key recommendations for implementing the CHRMAP provided at the end of the document?

The key recommendations for implementing the CHRMAP were understood by 94% of respondents, with one commenting that the recommendations were unnecessary.

Q10. Further comments

Respondents provided a range of comments which can be grouped into several broad themes. Some supported the CHRMAP and the Town's initiative in addressing coastal erosion along the coastline. Others commented that the CHRMAP is a concise document, which sets out a good framework for managing coastal hazards and that action should be taken soon to maintain or improve the coastal environment.

Some respondents questioned the asset risk ratings, seeking greater clarity where impacts on residential properties are predicted over the next 100 years. The consultant has addressed these queries by referring to the technical reports which inform the final draft CHRMAP.

Funding of mitigation options was raised by several respondents. Some rejected rate payer funding options and asserted that State and Federal government should fund any mitigation. One respondent recognised that funding mitigation will be contentious and suggested it requires a whole of government approach. Others suggested that those who are likely to be impacted by coastal erosion should bear some of the cost of mitigation options, which would protect their homes or businesses.

Two respondents suggested that the Town consider an offshore reef or breakwater as a mitigation option. They believe this would not only mitigate erosion but would also foster water sports and local fishing.

Other comments suggested consulting Whadjuk Noongar people and increasing public awareness to encourage the whole community to care for the coastal dunes.

Stakeholder Feedback

Stakeholder feedback (**refer Attachment 4**) was also provided by Cambridge Coastcare Committee, City of Stirling, and Department of Transport.

Cambridge Coastcare raised that sand fencing loss during storm events hasn't been captured in the document. The Town consider these fences as sacrificial and therefore is still considered a suitable management option. Further fencing may be positioned further back to minimise loss during these events.

The group wanted to see more details around the sand renourishment. The recommended action includes undertaking sand back passing around structures such as groynes to replicate the gradual movement of sediments that become trapped by those structures. This is work already undertaken by the Town for the existing two groynes at City Beach.

Coastcare also mentioned there needs to be greater coordinated response by Local, State and Federal Governments in relation to funding of the mitigation measures. This document will assist the Town, State and Federal Government in justifying the need for funding and help inform funding priorities and activities nationwide.

City of Stirling has mentioned they are also working on their own CHRMAP and welcome feedback from the Town of Cambridge when open for comment. They also keen to initiate

collaboration with the Town on erosion mitigation measures which impact Cambridge and Stirling coastlines.

Department of Transport feedback related to the presentation of information, refining triggers for management action and incorporation of planning controls for managed retreat or risk accommodation in adaptation pathways.

The Department noted that both State and Federal Governments offer coastal adaptation funding programs contrary to a statement in the draft CHRMAP which stated State and Federal funding is not currently available (**refer Attachment 2**).

Final Draft CHRMAP

The community and stakeholder feedback has been incorporated into the final draft CHRMAP (**refer Attachment 1**) ready for adoption by Council.

POLICY/STATUTORY IMPLICATIONS:

State Planning Policy 2.6 Coastal Planning Policy

RISK MANAGEMENT IMPLICATIONS:

Medium: The CHRMAP will help inform long-term decision making regarding new assets, asset location and design. Given the significant value of the public assets affected and Floreat Beach being identified as a coastal erosion hotspot, this document is critical to help guide strategic decision making across the coastal areas within the Town.

FINANCIAL IMPLICATIONS:

The CHRMAP has been co-funded by the Town and Department of Planning, Lands and Heritage. The budget allocated is sufficient to complete the remainder of the project including the review and update of the final document.

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 1.2 | 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 2.2 | 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 has been undertaken in accordance with the assessment criteria under Council Policy No. 019: 'Community Engagement'.

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council:

- 1. RECEIVES the community consultation results for the Coastal Hazard Risk Management and Adaptation Plan survey; and**
- 2. ADOPTS the Coastal Hazard Risk Management and Adaptation Plan as outlined in Attachment 1.**

Motion put and CARRIED EN-BLOC (8/0)

CR22.79 CITY BEACH NORTH PLAYGROUND CONSULTATION

PURPOSE OF REPORT:

The purpose of this report is to inform Council of the results of the recent consultation and seek Council approval for future development principles for upcoming playground upgrades in the City Beach North area.

SUMMARY:

This report presents results from the recent City Beach North Playground survey, undertaken by playground users and local primary school students. The survey relates to future playground upgrades in the area and includes questions about playground use, equipment, surfacing and locations. Results from the survey are summarised and interpreted within this report with key development principles for future playgrounds planning in the City Beach North area.

Recommended actions include the retention of playground locations, variation of each play space to provide a range of equipment and improve linkage between each space through connective paths.

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:	Various Parks, City Beach (North)
Report Date:	6 September 2022
Responsible Officer:	Acting Director Infrastructure and Works, Anthony Booth
Reporting Officer:	Manager Parks and Natural Environment, Andrew Head
Contributing Officer:	Coordinator Parks, Mark Williams Senior Landscape Officer, Patrick Bewley
Reporting Officer Interest:	Nil
Attachment(s):	1. City Beach North Playground public survey 2. City Beach North Playground schools survey

BACKGROUND:

Based on the expected lifespan of playground assets in the City Beach North area (north of The Boulevard), there are eight playgrounds which require upgrade over the next four years. The Town undertook research and presented a report to Council to seek community feedback prior to the planned replacement of these assets.

The survey area was extended to include Tilton Park and Gifford Gardens Park, as assets within these playgrounds are due for replacement in the coming years. The survey was designed to collect data to assist in decision making around playground use, preferred equipment, surfacing and access.

At the Ordinary Council Meeting of 26 April 2022, it was resolved that Council:

1. *“APPROVES the Town to consult with the north City Beach community to better understand the demographics and demand for playground infrastructure within Ocean Village Park, Maloney and Bent Park to ensure desired service levels are met; and*
2. *NOTES a report will be presented to Council on the results following consultation.”*

DETAILS:

The web-based survey was split between members of public and student participants. The public survey was sent to residents of the study area, which is shown in **Figure 1**, in a letter with a link to the survey. Signage was also installed in the areas of the ten playgrounds, with a QR Code to the survey. The public survey was live between 23 June 2022 to 21 July 2022 and received 230 responses.



Figure 1 - Survey Area

The two primary schools located in the area, Holy Spirit Primary and City Beach Primary Schools, participated in the school-based survey. A total of 73 Holy Spirit Primary students provided responses directly into the web survey and 56 City Beach Primary students provided paper-based responses. Paper responses were entered manually into the main spreadsheet to correctly compare the data.

Survey Results and Interpretation

The survey contained a variety of multiple-choice selection and open-ended questions. Multiple choice questions were presented based on the number of responses for each option. Questions which were preference-based generated a weighted average score which is shown graphically. Open ended questions are presented in summary form below with full results available on the attached spreadsheets (**refer Attachment 1 and 2**).

Each survey question and response are summarised below:

Q1. Your name?

This generic question is asked for all surveys, this information has been removed from the attachments for confidentiality.

Q2. What is your suburb? (Public survey only)

This question was included in the public survey only as it was not deemed relevant to primary school students. Most public survey participants are from City Beach and neighbouring suburb Wembley Downs, which suggests that playgrounds in the study area are generally used by local residents only (**refer Figure 2**).

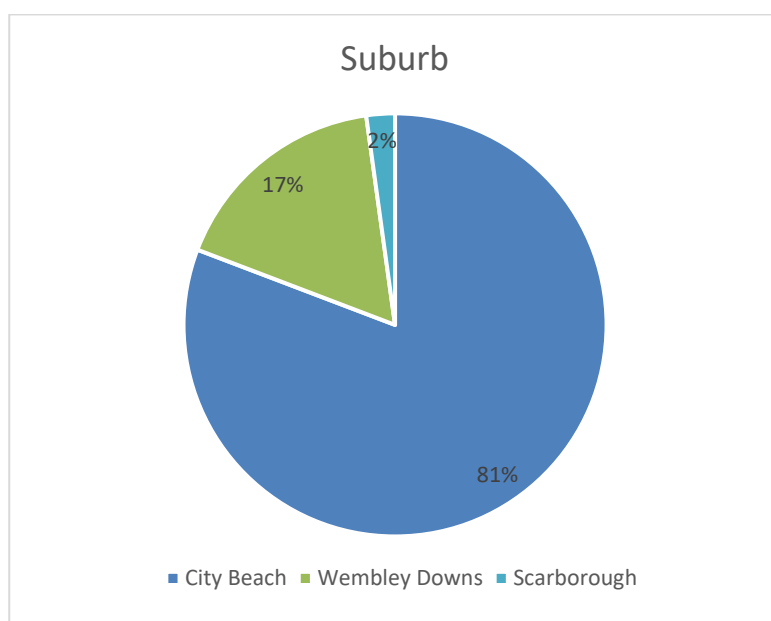


Figure 2 – Resident Location

Q3. (Public) What are the ages of the playground users when you visit the playground / What school year are you in?

Results from the public (**refer Figure 3**) and schools (**refer Figure 4**) survey indicate a good spread of ages represented in this survey.

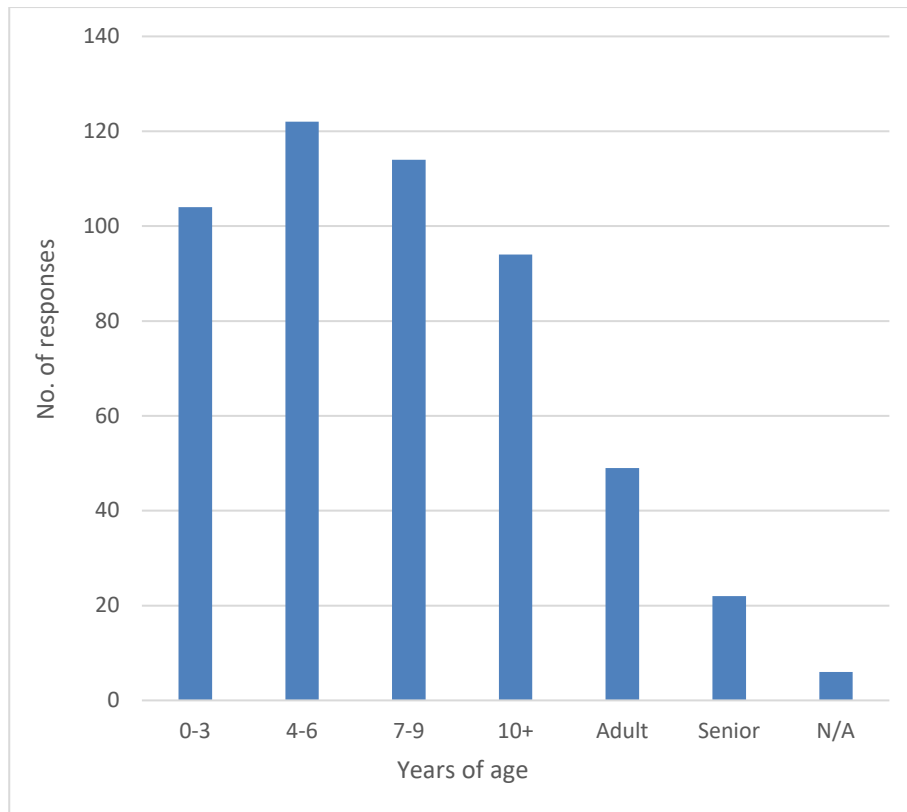


Figure 3 – Public Survey Demographics

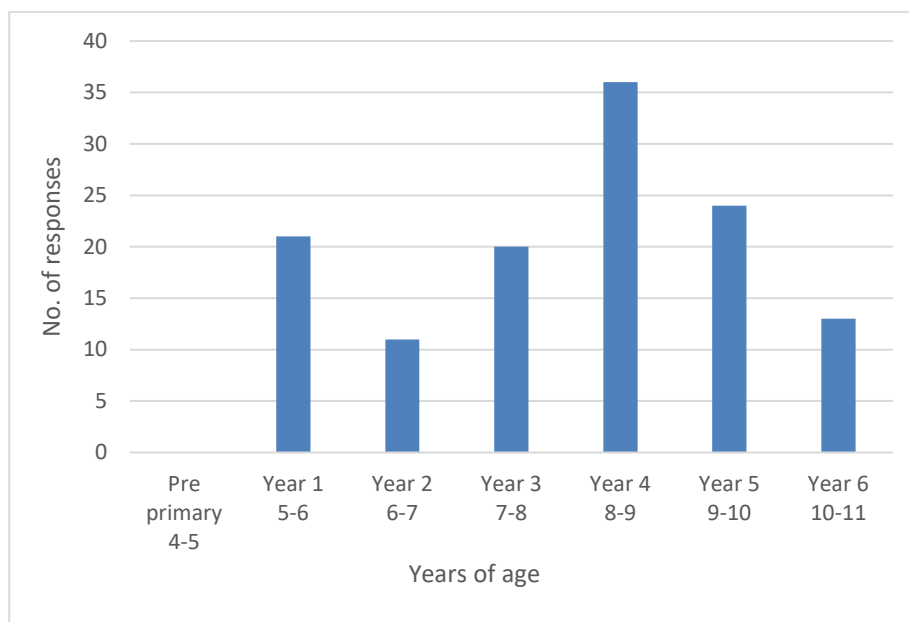


Figure 4 – School Survey Demographics

Q4. Refer to the map above. Which of the following playgrounds do you visit?

Results from the public survey suggest the most frequented playgrounds within the study area are Bent Park East, Bent Park Central and Bent Park West (**refer Figure 5**). This is reflected in the school survey, however in a different order.

Results suggest the least frequented playgrounds include Gifford Gardens Park, Maloney Park East and West. These results were consistent for both the public and school surveys.

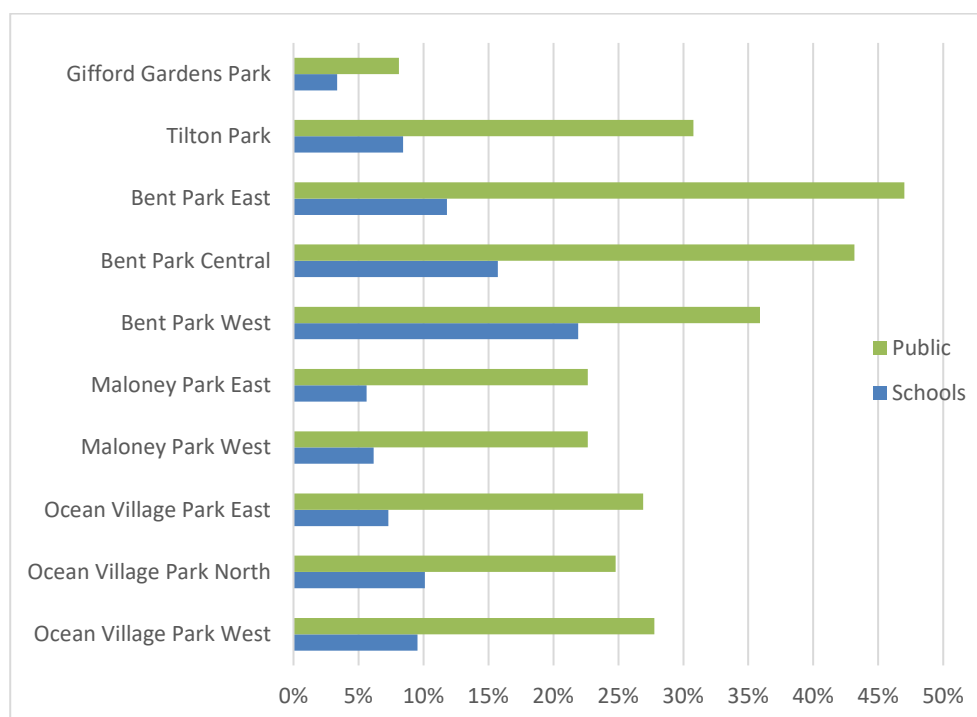


Figure 5 – Playground Use

Q5. How often do you visit your favourite playground from Q4?

Results from the public survey suggest a high frequency of playground visits, with most participants visiting playgrounds daily or weekly (refer Figure 6). This suggests that the playgrounds within the study area are an important asset to the community.

Results from the school survey do not reflect this with several students selecting 'Rarely', 'Never' or 'None of the above'. This may suggest that school aged children are less attracted to the play opportunities provided within playgrounds as they develop stronger connections with sport through their school.

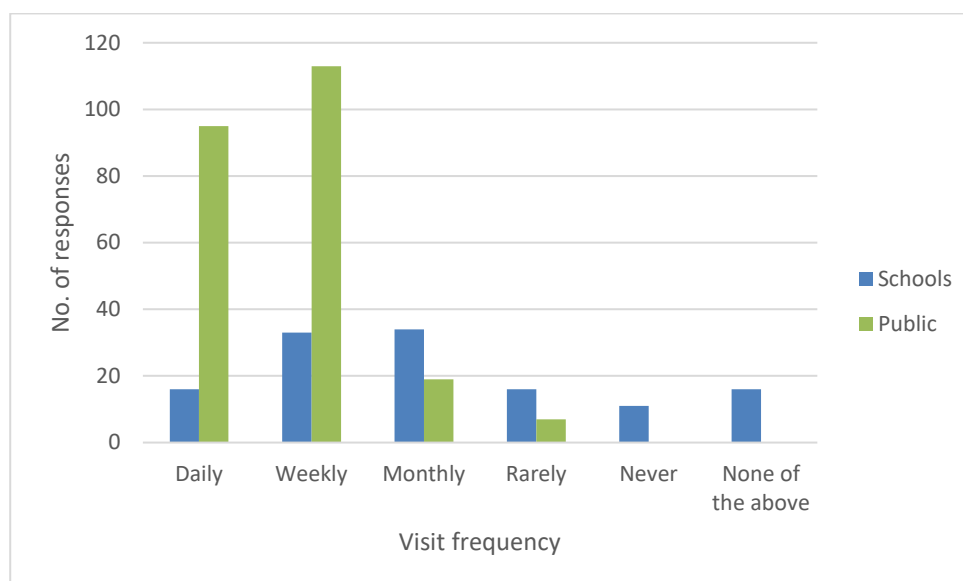


Figure 6 - Frequency

Q6. What equipment would you like to see in your favourite playground? Rank the following items from most preferred to least preferred.

The selection of equipment reflects traditional playground equipment provisions such as those found in the existing City Beach North Playgrounds. The exception to this was the Flying Fox, which is not a common item and is generally only provided in larger playgrounds where space is available. Results found that traditional play items such as swings and slides are still popular with both parents and playground users (**refer Figure 7**).

The most popular items in both the public and the school survey were Flying Fox, Climbing Elements, Big Slide and Swings. The least popular items on the list were the See-Saw and Rockers.

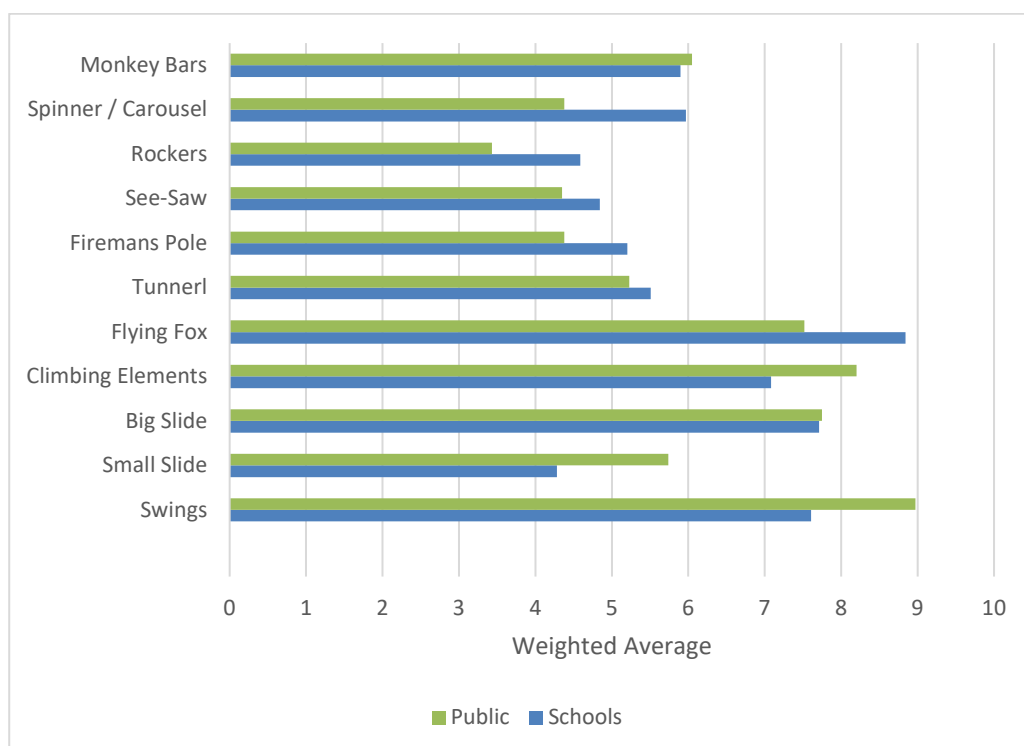


Figure 7 – Weighting of Elements

Q7. What else would you like to see in your favourite playground?

This question was designed to gather ideas on potential non-traditional play items. We received 165 responses to this question from the public survey and 114 responses from the school survey. The most common response to the public survey was for nature play or natural materials. Some public survey participants nominated non-play items such as shade, fencing and exercise equipment. Sports equipment and obstacle courses (such as Ninja or Parkour) were common in both the public and school surveys.

Common responses are summarised below:

Public	School
Nature play / natural materials	Swings (basket, rope, tyre)
Shade	Climbing elements (rock, wall, rope, tree)
Exercise equipment	Tree house
Fence	Trampoline
Sports equipment (basketball, netball, etc)	Nature play / natural elements
Ninja / parkour	Ninja / obstacle course
Themed play	Ball sports

Q8. Rank your preference for the following playground softfall materials from most preferred to least preferred.

The most popular softfall surface for both the public and school survey was sand (refer Figure 8). Mulch and rubber surfacing shared similar weighted average scores, with a slight preference towards rubber for public participants, despite the caveat noting that rubber is up to eight times the price of mulch and sand.

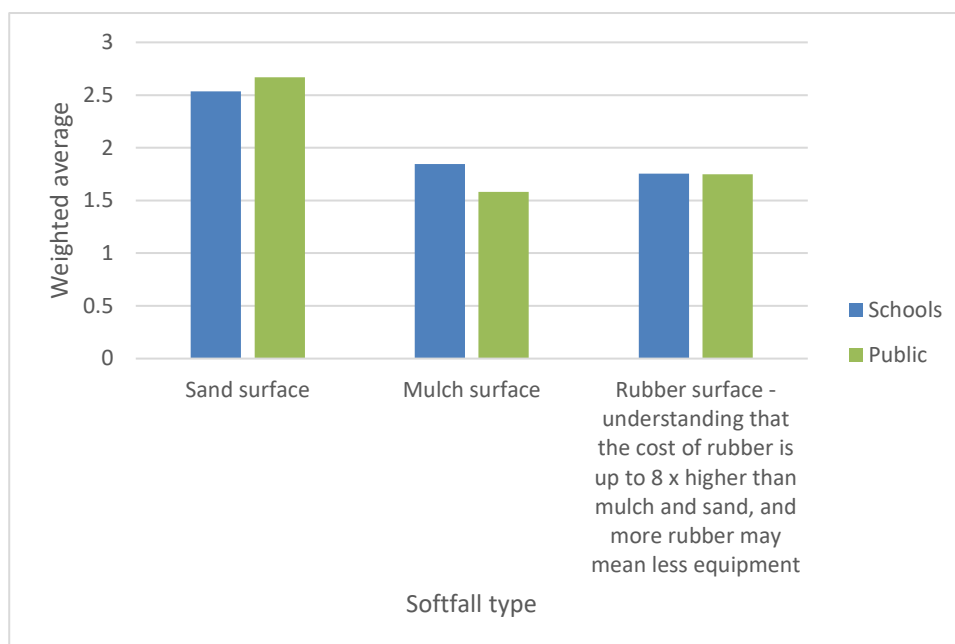


Figure 8 – Softfall surface

Q9. How important are the following elements for a playground?

This question was designed to gather data about the ancillary items of playgrounds such as shade structures, drinking fountains. These items can be costly to install and maintain, so the data generated regarding community perception of their importance can be used to direct future decision making.

Results suggest that all six items were deemed as important, with differing levels (refer Figure 11). The items deemed most important were drinking fountains, shade sails and natural shade provided by trees. Seating and accessible pathways were found to have a mid-level of importance and play options for adults and seniors were found to be of the least importance when compared to other item's scores.

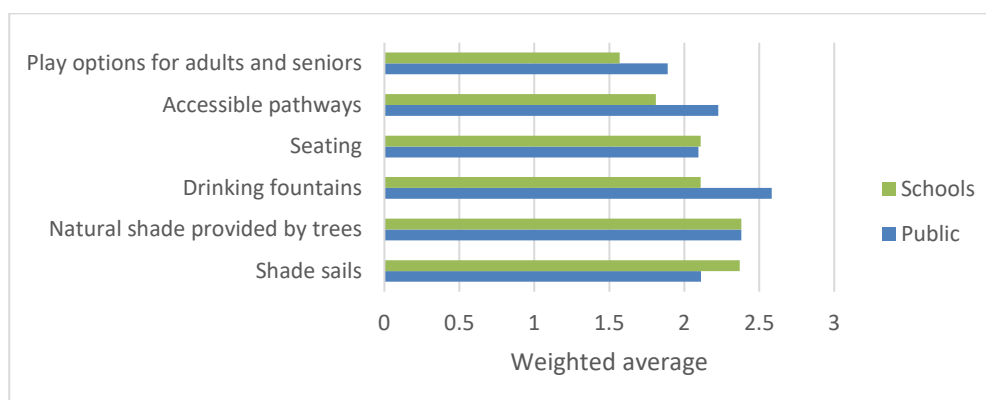


Figure 11 – Supporting Infrastructure

Q10. Context: The Town has a limited amount of funds for park infrastructure replacements and upgrades. To obtain the best value from the limited funds, the Town would like to understand what quality and quantity of play equipment the community would like to see within their local parks. Please rank the following playground scenarios that best suits you. (From most preferred to least preferred).

This question was designed to determine community interest in the option of rationalising some of the study areas playgrounds. This option would involve removing some lesser used playground facilities for the sake of improving the quality and offering at more frequented playgrounds. Results received suggest this would not be a popular program, with both public and school surveys indicating their preference is to retain the current playground locations, with different equipment at each park.

Public survey results indicated a strong preference for both options which involved retaining the current playground locations, with Option Four involving 'no change to my park' as the second preferred option.

School survey results suggest participants were more open to the idea of reducing the number of playgrounds for the sake of more quality, with Option One and Two as the second and third preferred options.

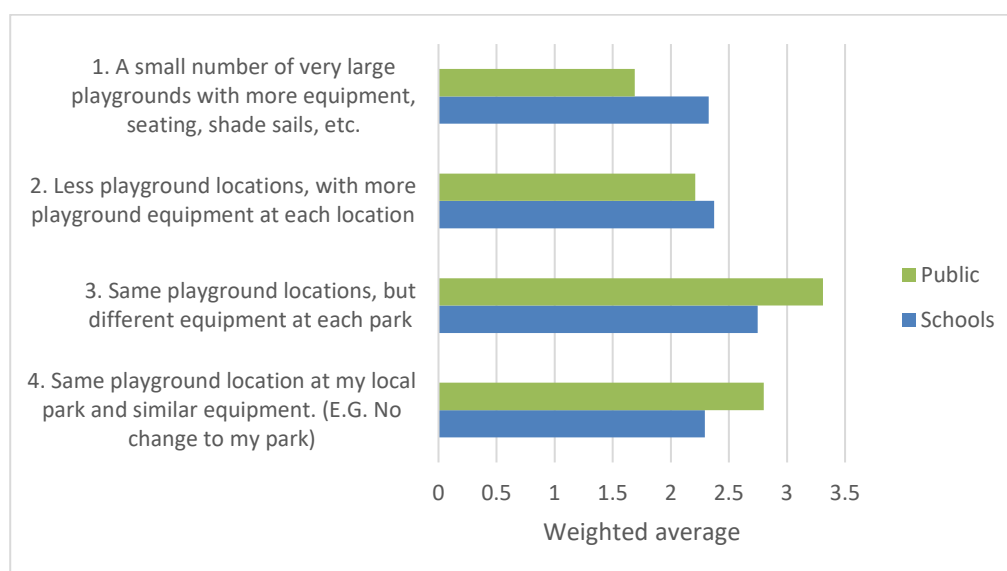


Figure 12 – Future strategy

Q11. What are your reasons for the answer to Question 10?

The Town received 86 public and 77 school survey responses to this optional question. These responses can be read in full on **Attachments 1 and 2**.

Some common responses to this question are tabled below:

Public	School
Existing playground locations allow for walkability	If it's the same, it can get boring
Small playgrounds develop community	Good quality equipment
The area lacks large feature playgrounds such as Lake Monger nature playground	I like big parks
	So everyone can play

Comments

Based on interpretation of the survey results, the below principles should be introduced when designing new playground facilities for the City Beach North area.

Allocation of funding for upgrades is to be weighted towards the more visited playgrounds of each park, such as Bent Park East and Ocean Village West, as indicated in the results to Question Four. These playgrounds are to include core traditional play items such as swings, a larger climbing fort with slides as well as feature equipment which characterises the playgrounds. Feature items would be generated from those suggested in Question Seven, such as larger nature play items, an obstacle course, scooter trail or a flying fox.

Playgrounds which have less patronage to receive sufficient funding for core traditional play items with some diversification of equipment between each playground. This may include or an alteration of traditional equipment such, as a rope climbing net rather than a traditional fort, a bird's nest swing rather than a traditional double swing, or incorporating some minor nature play elements such as logs, and boulders as identified in Question seven.

Results from Question Three indicate that users aged from zero-ten years old use playgrounds in the area. New playground development is to ensure all age groups are catered for sufficiently, sites that appeal more to a specific age group are to be determined by their location. For example, playgrounds that appeal to older users should be located near sporting facilities such as Bent Park West. Locally accessible parks need to consider pram access, such as Bent Park Central which could include toddler focused elements.

Ancillary items identified in Question Nine, which are to be included as a minimum standard, are shade sails, tree shade, drinking fountains (for the larger playgrounds where scheme water is available) and seating. Intergenerational play opportunities should be integrated where possible, with the incorporation of accessible pathways where existing grades allow.

The results from Question Ten indicate little community interest in rationalising playgrounds. A strong preference was found to retain the existing playground locations, but to develop diverse equipment.

Linking playgrounds together with an accessible pathway can connect users to different play spaces, amenity, and features. This idea could be applied to playgrounds which are in close proximity, such as Bent Park West and Bent Park Central playgrounds. Paths can connect playgrounds together, increasing their use and diversification and allow pram and scooter access. Improvements to accessibility can allow new user groups such as the elderly or disabled to access and utilise the play equipment. Play trails can also be linked by interactive signage, include educational opportunities and link features such as seating and barbecue facilities.

POLICY/STATUTORY IMPLICATIONS:

Policy No: 006 – Asset Management Policy.

RISK MANAGEMENT IMPLICATIONS:

Medium: The Town will continue to undertake the immediate urgent repairs to keep the play facilities in use until a decision is resolved following a public consultation. In the long term, the Town must continue to review its level of infrastructure provision to ensure financial sustainability.

FINANCIAL IMPLICATIONS:

The Capital Works Budget includes a carry forward amount of \$145,600 for the replacement of Beecroft Park playground and \$29,500 for Ocean Village Park. It also includes another \$176,000 for the replacements of two playgrounds in Ocean Village Park, one in Maloney Park and one in Gifford Gardens.

Based on the feedback received the Town will develop plans for each park including full costings. Additional funds will be requested as required to link popular play nodes such as those in Bent and Ocean Village Parks to create play trails.

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 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
- Strategy 3.3 Encourage a range of activities that better align with the diverse needs of ratepayers of all ages, cultures and abilities
- 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 of the character and responsive to future needs

- Strategy 4.3 Make neighbourhoods green and pleasant

COMMUNITY ENGAGEMENT:

Further community consultation will be undertaken in the development of the specific playground elements within each play space by reserve. This will ensure all community expectations are achieved where possible.

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council:

- 1. RECEIVES the community consultation results for the City Beach North playground survey; and**
- 2. SUPPORTS the development of concept designs for playground upgrades within the Town in line with these consultation results.**

Motion put and CARRIED EN-BLOC (8/0)

CR22.80 DRAFT NATURAL AREAS STRATEGY – COMMUNITY CONSULTATION

PURPOSE OF REPORT:

The purpose of this report is to seek Council approval for the Town to consult the community on the draft Natural Areas Strategy (**refer Attachment 1**).

SUMMARY:

The Town has several plans which govern the management of the Town's coastal, wetland and bushland remnant environments. The draft Natural Areas Strategy (NAS) provides an overarching strategic direction for the Town's natural area management over the next ten years. The Town seeks community feedback on the plan prior to Council adoption of the final 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. 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:	7 September 2022
Responsible Officer:	Acting Director Infrastructure and Works, Anthony Booth
Reporting Officer:	Manager Parks and Natural Environment, Andrew Head
Contributing Officer:	Coordinator Parks, Mark Williams Natural Environment Officer, Sue Waite
Reporting Officer Interest:	Nil
Attachment(s):	1. Draft Natural Areas Strategy 2022 - 2032

BACKGROUND:

The Town has developed several plans for the management of coastal, wetland and bushland remnant environments, however there is no overall plan for natural area management in the Town. The draft NAS provides strategic direction for the management of the Town's natural areas over the next ten years. The document sets out the context for the management of the Town's natural areas and describes the key threats to biodiversity, it also provides management recommendations to address these threats and the framework for environmental management across the Town.

DETAILS:

To date, some of the Town's natural areas have been managed under individual environmental management plans, a biodiversity strategy, and a biodiversity action plan. These individual plans

provide site specific management, whilst the biodiversity strategy and biodiversity action plan addresses threats to biodiversity in the Town's key remnant bushland.

The NAS will provide overarching strategic direction for the management of all natural areas in the Town over the next ten years, including coastal, wetland and remnant bushland environments. The NAS sits above and informs the environmental management plans and monitoring programs as shown on page 30 of the NAS (**refer Attachment1**).

The broad objectives of the strategy include:

- Provide strategic direction for management of the Town's natural areas including coastal, wetland and remnant bushland environments;
- Describe the context for management of the Town's natural areas including the history, biophysical environment and key environmental values;
- Describe the key threats to the Town's natural areas and their impact on biodiversity;
- Provide management recommendations to address key environmental threats;
- Facilitate the development of management plans for coastal, wetland and bushland environments and associated monitoring programs; and
- Identify opportunities to engage the community in natural area management.

The strategy summarises the land tenure, history and biophysical environment of the Town and provides management recommendations for addressing key threats to the Town's biodiversity. Management recommendations are incorporated in an implementation program, these target each of the key threats to biodiversity, including weed invasion, uncontrolled access, littering, rubbish dumping, invasive fauna, diseases, pests and pathogens, altered hydrology and bushfire.

A report will be presented following community feedback along with any proposed changes to the final NAS for adoption by Council.

POLICY/STATUTORY IMPLICATIONS:

Nil

RISK MANAGEMENT IMPLICATIONS:

Medium: The Natural Areas Strategy will guide how the Town addresses threats to biodiversity and will inform the development and implementation of specific environmental management plans and monitoring programs.

FINANCIAL IMPLICATIONS:

There are no financial implications related to this report.

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 1.2 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 2.2 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 Policy No: 019 'Community Engagement.' The Natural Areas Strategy is a strategic document requiring community consultation prior to final adoption.

COUNCIL DECISION: (COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council:

- 1. APPROVES the Town to consult with the community on the draft Natural Areas Strategy; and**
- 2. REQUESTS a further report be presented to Council on the consultation outcomes together with the final draft Natural Areas Strategy for adoption.**

Motion put and CARRIED (8/0)

CR22.81 ELECTRIC VEHICLE CHARGING STATIONS FEASIBILITY INVESTIGATION

PURPOSE OF REPORT

The purpose of this report is to inform Council of the results of the investigation, to determine the feasibility of installing additional electric vehicle (EV) charging stations and provide a recommendation to consider the installation of additional Type-Two chargers.

SUMMARY:

Currently, two Type-Two public electrical vehicle charging stations are installed at Floreat Beach and the Memorial Gardens carpark in West Leederville. The Type-Two charging stations are slow charging stations and can take up to an hour for a vehicle to achieve a full charge.

This report investigates the feasibility of installing additional public charging station infrastructure and the role Local Government Authorities (LGAs) play in providing the service. The installation of two further public Type-Two charging stations are recommended to service the local urban network over the next five to ten years. Further investigation and considerations for the installation of corporate charging stations are also discussed.

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.
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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:	1 Bold Park Drive, Floreat
Report Date:	8 September 2022
Responsible Officer:	Acting Director Infrastructure and Works, Anthony Booth
Reporting Officer:	Manager Asset Services, Seema Karami
Contributing Officer:	Senior Sustainability Officer, Janine Roets
Reporting Officer Interest:	Nil
Attachment(s):	Nil

BACKGROUND:

The Town's Sustainability Strategy 2019-2023 identifies the need for the minimum installation of two charging stations, under action 4.11. Therefore, the installation of two electrical vehicle charging stations was approved at the Ordinary Council Meeting held on 25 June 2019 (CR19.64). The stations were installed during 2020, one in Floreat Beach, opposite the Floreat Surf Life Saving Club, and the other at the Memorial Gardens carpark in West Leederville.

At the Ordinary Council Meeting held on 28 June 2022 (CR22.47), a further report was submitted requesting approval to apply fees for the consumption of electricity. Applying charges at

\$0.35/kWh was approved and, in addition, Council requested a report to investigate the feasibility of installing additional charging stations.

DETAILS:

This report aims to investigate the feasibility and necessity of installing additional public charging stations, including the role LGAs play in the supply network. The type and locations of additional stations are proposed, and further investigations are highlighted.

Public Charging Stations

Role of LGAs and Future Forces

Increasing the adoption of EVs has been prioritised by the WA State Government under the 'State Electric Vehicle Strategy of Western Australia' and the 'Electric Vehicle Action Plan' to reduce carbon emissions and reduce the reliance on imported fuels.

(<https://www.wa.gov.au/service/environment/environment-information-services/electric-vehicle-strategy>; <https://www.wa.gov.au/government/publications/electric-vehicle-action-plan-preparing-was-electricity-system-evs>)

Range anxiety and the cost of EVs have been identified as the main barriers preventing the uptake of EVs. It is predicted that the price of EVs will decrease as demand increases and more makes and models become available. By decreasing range anxiety, EV demand will potentially be stimulated. Hence the installation of charging stations in strategic locations has become essential in the network.

There are three types of chargers, the Type-One at-home single phase chargers allow for overnight charging and can be plugged into a wall socket. Type-Two chargers allow for a vehicle to be fully charged from empty in about an hour and are known as slow-chargers. Finally, the Type-Three chargers are known as fast-chargers and can charge a vehicle within minutes, however, are more expensive by \$52,000 against a standard Type-Two installation based on an average cost for both.

Commercial entities and the WA State Government tend to focus on Type-Three chargers. The RAC has established a regional network of fast-chargers, and by October 2023 Ampol will establish a fast-charging network of 120 stations, across the nation. Both BP and Shell have announced their intentions to establish a fast-charging network. By the end of 2024 Western Australia will have the longest, state owned, electric vehicle fast-charging highway in the world.

The State Government is monitoring at-home charging uptake to ensure that the electrical network can cope with the additional needs. They are also developing planning regulations to ensure charging facilities are installed at new residential complexes.

Very little commercial, for-profit interest has been shown in installing Type-One or Type-Two charging stations. This is shown within the Town's immediate surrounds, slow-chargers have been installed by neighbouring LGAs, Synergy, the RAC and vehicle dealerships with the purpose of encouraging uptake (**refer Figure 1**).

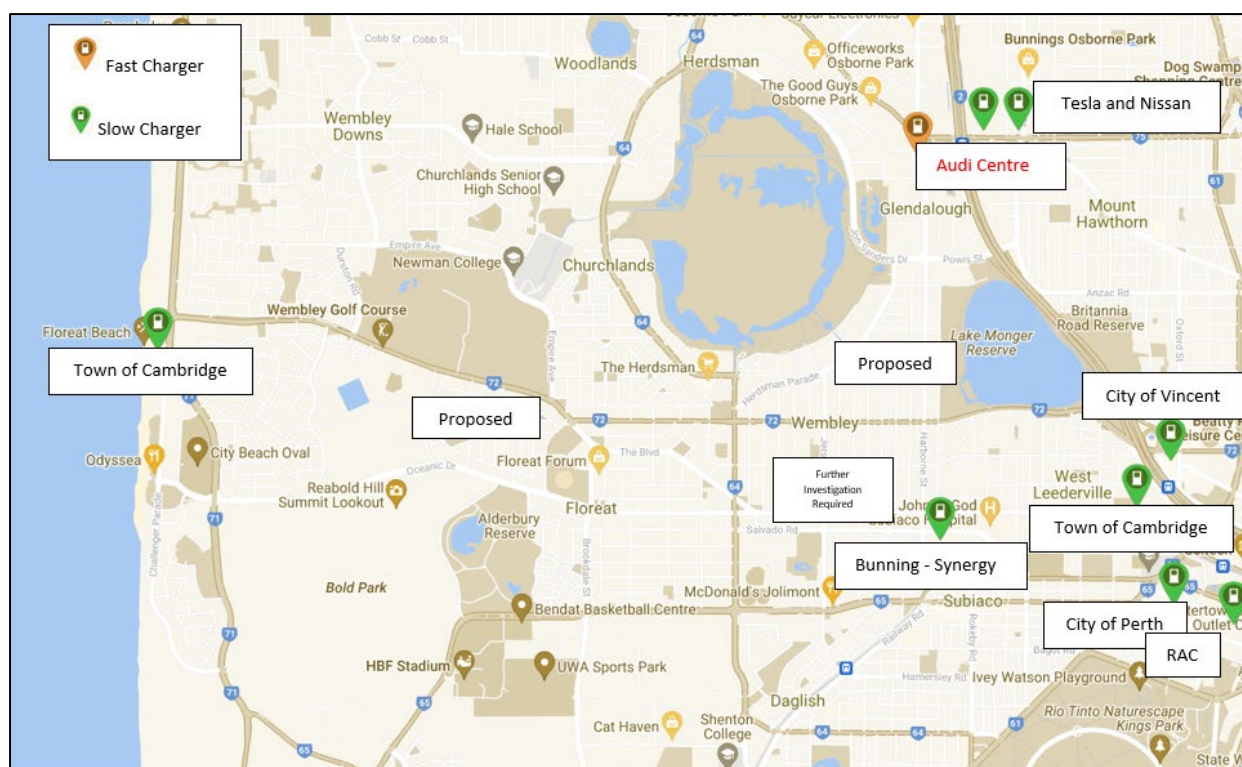


Figure 1 – Fast and slow charging stations surrounding the Town, including proposed locations and areas requiring further investigation

Usually, LGAs have early on identified the need for the provision of Type-Two slow-charging stations to allow for top-up charging near local attractions, also known as destination chargers. Destination chargers are situated near locations where vehicle drivers can spend an hour in a restaurant, café, shopping centre or undertake recreational activity.

It is recommended that, like the two existing charging facilities within the Town, Type-Two charging stations are considered for installation at two public locations. One location being Lake Monger in the southwestern carpark and the other in the Floreat Sports Precinct surrounds. This will ensure an even distribution across the Town. Further investigation is required for additional locations such as the Wembley Town Activity Centre are discussed later in this report.

Costing

The installation of a Type-Two destination charger is estimated at approximately \$22,000 each. \$8,000 for the supply of the charging station with two charging ports; approximately \$10,000 for the electrical supply installations, and \$4,000 for signage and road markings. An additional subscription fee is charged to access the usage data and billing system at a cost of \$924 per annum. The costing proposals for this report is detailed under the financial implications.

Note that installation costs can vary significantly, depending on the proximity to electricity supply points with the required installed capacity.

Feasibility

The feasibility of the installation of Type-Two charging stations is determined by the requirements discussed below. These requirements minimise the costs and risks to the Town and make the process as straightforward as possible. The social implications are also consolidated by considering convenience, proximity and reducing the impact on existing infrastructure.

Access to Power and Connectivity

Type-Two stations require a three-phase electricity supply and separate circuit board. The power supply capacity must be sufficient to cope with the additional loads. Therefore, locations within close proximity to an electricity distribution box will reduce installation fees, including trenching cabling, and reinstatement. For example, at the Memorial Gardens charging station, an optimal location was selected, where the electricity distribution box is adjacent the charging point, allowing for minimal digging and installation (**refer Figure 2**).

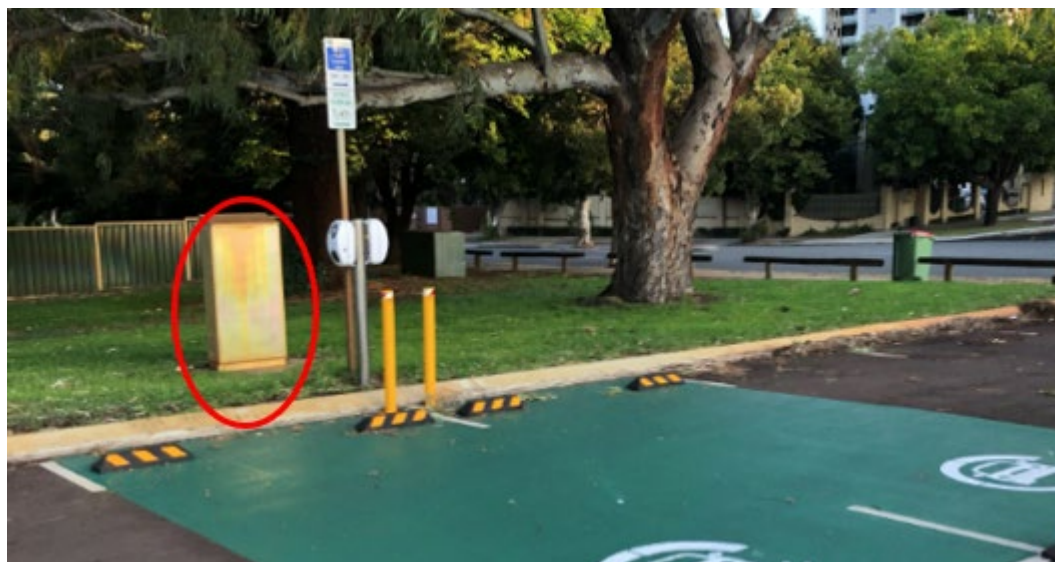


Figure 2 – West Leederville Memorial Gardens EV charging station – located opposite electricity distribution box, shown in red

Preferred Location

Off-street parking is preferred, due to the different locations of charging points on electrical vehicles and cable lengths. On-street locations have the potential to create tripping hazards on footpaths, and vehicles might be required to park against oncoming traffic, which is illegal in Western Australia (**refer Figure 3**).

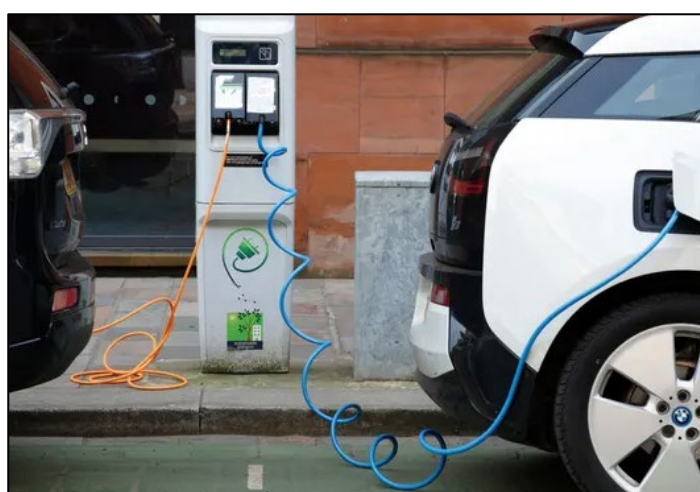


Figure 3 – On-street charging points can cause tripping hazards and illegal parking (overseas example)

Town owned property is preferred, such as public car parks, as it reduces the need for external agreements, approvals, and potential lease payments. Parking areas below full capacity, but still close to facilities are considered optimal, this will reduce the impact on current infrastructure and

usage patterns. Non-leased car bays are preferred, to avoid impeding on lease arrangements with clubs.

Carpark locations with no parking fees are preferred. Parking bays adjacent to charging stations tend to be exclusively allocated for charging and can lead to a loss of income. For example, at the Memorial Gardens carpark it is estimated that an income of approximately \$3,000 per bay is lost per annum due to the existing charging stations.

Recommended Additional Public Locations and Further Investigation

Two public locations are recommended, with another requiring further investigation. These locations are:

1. Lake Monger Reserve – Southwest

Two locations were considered along the southwest of Lake Monger, either at the Community Shed/Lake Monger Recreation Club, or to incorporate a station and bays into the proposed new southwestern carpark.

The location at the Community Shed will require extensive cabling, significantly increasing costs and be in a location with limited clientele. The preferred option would be to incorporate a charging station into the new southwestern carpark, allowing for infrastructure to be installed with minimal additional costs, optimal layout, and positioning.

2. Floreat Sports Precinct

Locations along the Floreat sports precinct is preferred, with the potential location identified in the public carpark near Reabold Tennis Club. However, extensive cabling will be required, along with the reallocations of bays.

3. Wembley Town Activity Centre – Further investigation required

Along Cambridge Street, near the Jersey Street intersection a gap was identified in the network. As there are currently no ideal Town owned carparks located in the area, further investigation will be required. This can be done by identifying locations of low risks, i.e., existing on-street bays in locations where tripping hazards can be reduced and managed.

In addition to above, local commercial landowners could be approached to encourage the installation of charging stations, or incentives could be considered. However, the Shell petrol station is in this immediate area. And as mentioned, these facilities are likely installing fast charging infrastructure within the next five years, reducing the need for slow-charging stations in the area.

Future Trends

Charging infrastructure is being incorporated into existing structures, for example chargers can be incorporated into parking meters and light poles, however, **(refer Figure 2)**, the layout and risks must be considered.

Over the next five to ten years, petrol stations will incorporate fast charging infrastructure; at-home charging will improve; and battery technology will improve, thereby increasing vehicle ranges and reducing the need for additional charging. The proposal presented in this report serves as a short to medium term transition measure to encourage the uptake of EVs, and ongoing assessments of the service will be undertaken.

Corporate Charging Stations

The future demand for corporate charging infrastructure must be considered, to allow for the establishment and support of a sustainable fleet. The procurement of six EVs is recommended during the 2024/2025 financial year. The installation of either Type-Two slow-charging stations, or Type-Three fast-charging stations at the Administration Centre and/or the Works Depot will be investigated.

This will run, parallel with the WALGA group expression of interest to the Australian Renewable Energy Agency (ARENA) Future Fuels Program. The program supports the procurement of fleet EVs and the installation of corporate charging infrastructure. The Town has submitted a request to partake in the funding opportunity.

A combined LGA submission was made via WALGA, as the minimum amount required for a grant submission is \$500,000. WALGA will present the proposal to ARENA during September 2022 and further updates will be provided to Council.

If successful, the combined LGA project is planned over a two-year time frame with the majority of on-ground works to take place during the 2023/2024 financial year. Due to the uncertainty of the submission outcomes and co-funding amounts, the required budget submissions will be made during the next financial year's budget process to allow for the installation of corporate EV chargers.

COMMENTS

The necessity for installing local urban charging stations by LGAs was identified to be important in the metropolitan areas over the next five years to reduce range anxiety and facilitate the uptake of EVs. At the two locations recommended, the installation of Type-Two destination charging stations meet the requirements identified and are feasible options. However, further installations should be considered with caution and alternatives should be investigated first, such as communicating with commercial landowners or making use of alternative infrastructure.

In addition, the long-term necessity of installing slow-chargers and the role of LGAs must be considered. Over the next five to ten years, it is predicted that more commercial, for-profit, entities will enter the market with more efficient charging methods, vehicle range will improve, and at-home charging will become common practice. However, in the medium term the proposal presented in this report will be feasible and provide an essential service to the community and allow for a transition period.

Corporate charging infrastructure will be further investigated in conjunction with the ARENA Future Funds project. The project aims to increase corporate fleet investment in battery electric vehicles; hence no funding is available under the program for public chargers. The need for at least two Type-Two charging stations will be necessitated, with the possible addition of a fast-charging station to support the procurement of fleet EVs. Co-funding of 50 percent is required under the funding agreement.

POLICY/STATUTORY IMPLICATIONS:

There are no Policy or Statutory Implications related to this report.

RISK MANAGEMENT IMPLICATIONS:

Low: The risks are considered to be low with the current proposals.

FINANCIAL IMPLICATIONS:

The inclusion of the following public infrastructure is recommended for the 2023/2024 Draft Budget:

Location	Indicative purchase cost (excl. GST)	*Indicative installation cost (excl. GST) Depends on proximity of the electrical supply	Signage and road markings (excl. GST)	Estimated Total – Per location (excl. GST)
Lake Monger southwestern new carpark	\$8,000	\$10,000	\$4,000	\$22,000
Floreat Sport Precinct	\$8,000	\$20,000 (Additional cabling)	\$4,000	\$32,000
Total				\$54,000

The following indicative costing is highlighted for information to take into consideration the installation of corporate charging stations in the 2023/2024 Draft Budget, however, is subject to change depending on the outcomes of the ARENA Future Fuels Fund grant application:

Type and Location	Indicative purchase cost (excl. GST)	*Indicative installation cost (excl. GST) Depends on proximity of electrical supply	Signage and road markings (excl. GST)	Estimated Total – Per location (excl. GST)
Administration Centre/Works Depot – Two Slow-charging stations	\$16,000	\$20,000	\$2,000	\$38,000
Depot – One Fast-charging station	\$45,000	\$25,000	n/a	\$70,000
Total				\$108,000

An annual subscription fee of \$924 is currently charged allowing access to a fee portal and consumption data. Revenue from each charging station is via the recently adopted fee of \$0.35/kWh.

STRATEGIC DIRECTION:

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

Our Environment

- Goal 7: The Town is environmentally responsible and leads by example**
- Strategy 7.3 Improve energy efficiency
- Strategy 7.5 Promote our environmental assets and opportunities and recognise the impacts of climate change in our strategies
- Goal 8: A community that embraces environmentally responsible practices**
- Strategy 8.1 Encourage the community to self-manage minimising energy consumption, water use, emissions and waste

COMMUNITY ENGAGEMENT:

This matter has been assessed under Council Policy No. 019: 'Community Engagement'. In accordance with the assessment criteria, it was considered that community engagement was not required.

ADMINISTRATION RECOMMENDATION:

That Council:

1. RECEIVES the investigation results into the feasibility of installing additional electric vehicle charging stations; and
2. CONSIDERS the recommendation for the installation of two additional Type-Two public charging stations at Lake Monger southwestern carpark and the Floreat Sports Precinct in the 2023/2024 Draft Budget.

AMENDMENT:

Moved by Cr Mayes, seconded by Mayor Shannon

That clause 2 of the motion be amended to read as follows:

2. CONSIDERS the recommendation for the installation of one additional Type-Two public charging station at Lake Monger southwestern car park in the 2023/2024 Draft Budget.

Amendment put and CARRIED (3/0)

COUNCIL DECISION: (COMMITTEE RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council:

1. RECEIVES the investigation results into the feasibility of installing additional electric vehicle charging stations; and
2. CONSIDERS the recommendation for the installation of one additional Type-Two public charging station at Lake Monger southwestern car park in the 2023/2024 Draft Budget.

Motion put and CARRIED (8/0)

CR22.82 GREENING OF LANEWAYS - UPDATE

PURPOSE OF REPORT:

To provide Council with information on alternative treatments for upgrading Yates Lane, Lund Lane, and O'Hara Lane (the lanes) by considering planting of trees and vegetation with a centralised bitumen surface.

SUMMARY:

The sealing of the lanes was deferred in April 2022, for the Administration to investigate alternative treatments with vegetation and tree planting.

The investigation has resulted in the recommendation of certain tree species that can be suitable for laneway planting, however, their effectiveness for shading is limited. Use of red asphalt, rather than black, can assist with reducing the heat island effect.

This can provide an outcome where residents still have traditional vehicle access to their property. But also provide a more comfortable treatment for those using the lanes to walk pets and other recreational activities.

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:	2 September 2022
Responsible Officer:	Acting Director Infrastructure and Works, Anthony Booth
Reporting Officer:	Acting Manager Engineering Services, Andrew Shorter
Contributing Officer:	Technical Officer Trees, Michael Doust
Reporting Officer Interest	Nil
Attachment(s):	Nil

BACKGROUND:

In February 2018 Council requested the Administration to prepare a report to consider installing deep soil wells in laneways for the purpose of tree planting as part of laneway upgrades. The report (CR18.30), Deep Soil Tree Wells in Laneways, was presented at the Ordinary Council Meeting held on 18 March 2018 where it was resolved that Council:

- (i) "details on deep soil tree well systems and estimate of costs be noted;

- (ii) *trees not be planted in Clohessy Lane and Connor Lane;*
- (iii) *the Town proceed with programmed sealing of Clohessy Lane and Connor Lane; and*
- (iv) *the Town investigate opportunities for deep soil tree well installation in other potential projects in the Town to enable establishment of larger, healthier shade canopy trees, and present the outcomes to Council for further consideration;*
- (v) *prior to sealing the laneways the Town write to all residents backing onto the laneways and offer them the option of a minimum 300mm rear laneway garden bed through installation of a flush concrete beam to support the carriageway. The resident would have to agree to plant with vegetation to the satisfaction to the Town and maintain vegetation so as to not negatively impact other laneway users."*

The 2021/2022 Budget listed the upgrading of Yates Lane, Lund Lane and O'Hara Lane for improvements with an amount of \$340,000 listed in the 2021/2022 Budget and was scheduled to commence in March 2022. The Administration held off commencement of the works to provide further information to Council from a survey undertaken by the Administration.

This survey was undertaken in March 2022. Residents were surveyed to understand if there was an appetite to undertake planting responsibility. Most respondents answered "no" to undertaking planting in the laneways and the majority of residents desired to see the upgrading of the lanes in the same style as previous laneways.

At its Ordinary Council Meeting on 26 April 2022 a Notice of Motion (Item 11.5) resolved that Council:

1. *"DEFERS the scheduled upgrade of O'Hara, Lund and Yates Lane; and*
2. *PROVIDES a report to Council within 4 months outlining alternatives treatments to the complete sealing of the laneways which will provide for planting in the laneways including the investigation of a central bituminised surface with flat kerbing and drainage to allow the planting of trees in the rear strips behind properties."*

DETAILS:

Tree Planting in Laneways

The Administration has reviewed the viability of tree planting in laneways and considers certain species a potential suitable fit for planting. Tree species selection will be limited to smaller trees due to several constraints including vehicle access and mitigation of damage to both public and private infrastructure.

Accommodating the planting of smaller trees is achieved by widening the kerbing to a minimum of one and a half metres at the planting location. These locations would be proposed at the boundary where two properties meet, like what has been achieved in other local government areas. Below is an image of Paperbark Lane in the City of Cockburn with tree planting.



Paperbark Lane Tree planting

Surface Treatments

Previous laneway upgrade works has involved the installation of an asphalt surface in the standard colour of black. In testing, black asphalt reflects 4% of solar radiation. The same testing for red asphalt shows a 27% solar radiation reflection, thus creating a lower temperature surface on red treatments compared with black treatments.

The use of red asphalt treatment in laneway upgrades will assist in reducing the heat island effect through greater reflection of solar radiation. This is a benefit to those members of the community using the laneways to walk pets, and other recreational activities.

Landscaping and Drainage

Under the Town's Policy No: 079 – Rights-of-Way Development Policy, upgrading of laneways offers residents an opportunity to plant and maintain a 300-millimetre strip of verge between kerb and property in laneways. In past laneway upgrades, very few numbers of properties have taken up this offer.

Drainage in the laneway upgrades has included the use of raised kerbing to channel stormwater away from properties into soakwells placed in the ground. These soakwells assist in containing and allowing the water to recharge the water table.

Comments

Moving forward, the Administration recommends the following treatments for the laneways:

1. Upgrade works in line with previous laneway upgrades;
2. Raised kerbing and soakwells to effectively manage stormwater;
3. Installation of a red asphalt surface to reduce the heat island effect; and
4. Planting of suitable tree species at locations that do not restrict existing vehicle access.

Although the desire to increase tree canopy coverage with its subsequent shading may not be achieved in many of the narrow laneways in the Town, the above treatment is considered a practical outcome to minimise potential issues with planting of larger tree species. It is also an outcome that can be amenable to most residents seeking an outcome of a formed and sealed access point to their property.

POLICY/STATUTORY IMPLICATIONS:

Policy No: 079 – Rights-of-Way Development Policy.

RISK MANAGEMENT IMPLICATIONS:

Low: The risk associated with the incorporation of vegetation in laneways is considered low.

FINANCIAL IMPLICATIONS:

An amount of \$300,000 from the Area Improvement Reserves funds is required for the upgrade works of the lanes. The cost for each lane is:

1. Yates Lane \$140,000;
2. O'Hara Lane \$80,000; and
3. Lund Lane \$80,000.

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 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 line with the Council Policy No. 019: 'Community Engagement'. The Town will inform residents of the treatment and consult regarding laneway planting options and tree planting placement.

Committee Meeting 20 September 2022

Impartiality Interest Declaration – Cr Mayes

Prior to consideration of the item, Cr Mayes disclosed an interest affecting impartiality and declared as follows: “with regard to item CR22.82, I declare that I have spoken to neighbours in the area of the laneways during my election campaign and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

ADMINISTRATION RECOMMENDATION:

That Council:

1. NOTES the proposed treatment of Yates Lane, Lund Lane, and O’Hara Lane; and
2. APPROVE BY AN ABSOLUTE MAJORITY the allocation of \$300,000 from the Area Improvement Reserve for the upgrade of Yates Lane, Lund Lane, and O’Hara Lane in the 2022/2023 Annual Budget.

AMENDMENT:

Moved by Cr Mayes, seconded by Mayor Shannon

That clause 2 of the motion amended to read as follows:

2. APPROVES BY AN ABSOLUTE MAJORITY the allocation of \$450,000 from the Area Improvement Reserve for the upgrade of Yates Lane, Lund Lane, O’Hara Lane, and Spear Lane in the 2022/2023 Annual Budget.

Amendment put and CARRIED (3/0)

FURTHER REPORT (Post Committee Meeting 20 September 2022)

Address/Property Location:	1 Bold Park Drive, Floreat
Report Date:	23 September 2022
Responsible Officer:	Acting Director Infrastructure and Works, Anthony Booth
Reporting Officer:	Acting Manager Engineering Services, Andrew Shorter
Contributing Officer:	Technical Officer Trees, Michael Doust
Reporting Officer Interest	Nil
Attachment(s):	No new attachments

The Town has five remaining lanes with vehicle access that have not been upgraded. These are:

1. O’Hara Lane;
2. Lund Lane;
3. Yates Lane;
4. Spear Lane; and
5. Rogers Lane.

The costing for each lane is as follows:

1. O’Hara Lane - \$80,000;
2. Lund Lane - \$80,000;
3. Yates Lane - \$140,000;
4. Spear Lane - \$150,000; and
5. Rogers Lane - \$80,000.

Comments

The report recommended allocation of funds for the upgrading of O'Hara, Lund, and Yates Lanes in the 2022/2023 budget. An alternative recommendation at the 20 September 2022 Community & Resources Committee Meeting requested the inclusion of Spear Lane.

If Spear Lane is to be included, there would only be one lane left requiring upgrade works. It would be advantageous to include Rogers Lane within the allocation in order to complete the laneways upgrades in the Town.

RECOMMENDATION IMPLICATIONS

Currently, the Engineering team is working with its contractors to find availability for plant and materials to undertake the laneways upgrade. It is likely that works would commence no earlier than February 2023.

When previously undertaking these works, the Town has done so during April to June. This is due to issues with dust suppression and working so close to residential properties. Measures can be implemented if undertaking the works sooner, but they are not full proof in eliminating the issue.

ALTERNATE ADMINISTRATION RECOMMENDATION:

That Council:

1. *NOTES the proposed treatment of Yates Lane, Lund Lane, and O'Hara Lane; and*
2. *APPROVE BY AN ABSOLUTE MAJORITY the allocation of \$530,000 from the Area Improvement Reserves funds for the upgrade of Yates Lane, Lund Lane, O'Hara Lane, Spear Lane, and Rogers Lane in the 2022/2023 Budget.*

Council Meeting 27 September 2022

Impartiality Interest Declaration – Cr Mack

Prior to consideration of the item, Cr Mack disclosed an interest affecting impartiality and declared as follows: "with regard to item CR22.82, I declare that I have spoken to residents whose properties back onto the subject laneways and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

Impartiality Interest Declaration – Cr Mayes

Prior to consideration of the item, Cr Mayes disclosed an interest affecting impartiality and declared as follows: "with regard to item CR22.82, I declare that I have spoken to the neighbours who live in the vicinity of the laneways subject to this report and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

COMMITTEE RECOMMENDATION:

Moved by Cr Barlow, seconded by Cr Mack

That Council:

- 1. NOTES the proposed treatment of Yates Lane, Lund Lane, and O'Hara Lane; and**
- 2. APPROVES BY AN ABSOLUTE MAJORITY the allocation of \$450,000 from the Area Improvement Reserve for the upgrade of Yates Lane, Lund Lane, O'Hara Lane, and Spear Lane in the 2022/2023 Annual Budget.**

Motion put and LOST (0/8)

COUNCIL DECISION:

Moved by Cr Mayes, seconded by Cr Barlow

That Council:

- 1. NOTES the proposed treatment of Yates Lane, Lund Lane, and O'Hara Lane; and**
- 2. APPROVE BY AN ABSOLUTE MAJORITY the allocation of \$530,000 from the Area Improvement Reserves funds for the upgrade of Yates Lane, Lund Lane, O'Hara Lane, Spear Lane, and Rogers Lane in the 2022/2023 Budget.**

Motion put and CARRIED BY AN ABSOLUTE MAJORITY (7/1)

For: Mayor Shannon, Crs Barlow, Carr, Cutler, Haddon-Casey, Mack and Mayes
Against: Cr Randklev

CR22.83 NAMING OF PARK – MCCOURT STREET

PURPOSE OF REPORT:

The purpose of this report is to provide Council with information relating to the criteria relating to the naming of the park on McCourt Street, West Leederville after local fallen war hero, Minnie Ivy Hodgson and seek approval to lodge a request to Landgate.

SUMMARY:

This report seeks to inform Council of the criteria required to name the park located on McCourt Street, West Leederville after fallen war hero and Registered Nurse, Minnie Ivy Hodgson. As this park has no officially recorded name and the name is of a fallen war hero there is no barrier to applying for a name change through Landgate. However, the proposed name will require a minor change to comply with the guidelines refer - - <https://www0.landgate.wa.gov.au/?a=46421> .

AUTHORITY / DISCRETION

<input checked="" 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 type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	75-77 McCourt Street, West Leederville
Report Date:	2 September 2022
Responsible Officer:	Acting Director Infrastructure and Works, Anthony Booth
Reporting Officer:	Manager Parks and Natural Environment, Andrew Head
Contributing Officer:	Nil
Reporting Officer Interest:	Nil
Attachment(s):	Nil

BACKGROUND:

At the Ordinary Council Meeting on 23 August 2022, under the Council carried a resolution (6/0) on the Notice of Motion in report 11.4:

"That Council REQUESTS the Administration to investigate the renaming of McCourt Park to Minnie Ivy Hodgson Park and submit a report to Council for consideration."

Following the council resolution, a review of the *Policies and Standards for Geographical Naming in Western Australia* was undertaken to ensure that an application for naming would meet the criteria for approval by Landgate.

DETAILS:

As per the provisions in the Land Administration Act 1997, the Minister for Lands (the Minister) has the authority for officially naming and un-naming all local parks and recreational reserves in Western Australia. Through delegated authority, Landgate acts on the Minister's behalf to undertake the administrative responsibilities, including the development of policies and procedures, required for the formal approval of local parks and recreational reserve names.

All the criteria held within *Policies and Standards for Geographical Naming in Western Australia* see - - <https://www0.landgate.wa.gov.au/?a=46421>, that must be considered when naming a park are provided below.

Unnecessary Name Change

'Any change to an existing approved name is discouraged. As all official names are meant to be enduring, any proposals to change the name of a feature, administrative boundary or road must include evidence of a compelling reason for such a change, for example the proposal is deemed to be in the public interest for safety reasons. The changing of a name merely to correct or re-establish historical usage shall not be considered in itself a reason to change a name.'

Pronunciation And Use

"Names should be easy to pronounce, spell and write. They shall not exceed more than three (3) words including the generic for a topographical feature; three (3) words including the road type for roads; and one (1) word for localities. Names used for roads and localities should be short. All name submissions should include pronunciation. An exception to this policy is in the use of Aboriginal words. It is accepted that whilst the traditional names may appear to be complex at first, they will over time become familiar and easier to use within the community"

Name Duplication

'Local park or recreational reserve naming submissions requesting names other than the adjacent road name, will not be accepted if the suggested name exists as a road name within 10km of the proposed local park or recreational reserve or within the same local government area.'

Commemorative Names

"A commemorative name applied to a locality shall only use the surname of a person posthumously. A commemorative name applied to a road should use the surname of a person posthumously; although it is preferable that only the surname is used, consideration may be given to using the first name. For example, Alma Road in Donnybrook was approved to commemorate Alma Williams where the surname was deemed non-compliant due to overuse and duplication in the area.

Where the first name is not suitable, consideration may be given to applying both the first name and surname to the road. For example, Barry Marshall Parade was approved to commemorate Barry Marshall where both the first name and surname were deemed non-compliant due to overuse and duplication in the area of similar sounding names.

A commemorative name applied to local parks and recreational reserves may use the first name and surname of a person; although, it is preferred that only the surname is used."

Recommended Sources for New Names

"It is expected that all new local parks or recreational reserves will be named after an adjoining road name. If, due to duplication, an alternate name is required the following are considered suitable sources for such submissions:

- *names from Aboriginal languages formerly identified with the general area*
- *names of pioneers who were relevant to the area*
- *names of persons who died during war service*
- *names associated with historical events connected with the immediate area."*

Comments

This park has no official name registered at Landgate therefore it is eligible for naming. On Google Maps it is shown as Woolwich Park however Woolwich Park is located at the eastern end of the street next to Southport Street, once officially named this will be corrected to avoid confusion.

It is encouraged to use only one name (Given or Surname) for commemorating posthumously. However, where the Surname has been used for naming within proximity consideration may be given to using first names. Hodgson Street already exists within Tuart Hill which is less than ten kilometres from this park but is outside the Town of Cambridge. Ivy Park or Minnie Park does not provide adequate clarity that it is named after a local resident who died during war service.

There would be greater justification for the two names being used to name this park. The intent is to also recognise the important part that many women have made to the country through War Service. Minnie Ivy Hodgson paid the ultimate price for her service on the beach at Bangka Island and was a local resident, therefore, it is likely the name change would be supported.

The original Notice of Motion was to change the name to Minnie Ivy Hodgson Park. As the name should not exceed three words it is suggested that the Town apply for naming of this park as to be either Minnie Hodgson Park or Ivy Hodgson Park. No community consultation would be required but it would be good to promote the park naming and story of Minnie Ivy in the Cambridge News.

Landgate has provided a checklist at Appendix 5A in the Guidelines to assist with submission of naming requests for local parks and recreational reserves. Incomplete applications will not be progressed until all the necessary information has been provided.

POLICY/STATUTORY IMPLICATIONS:

Land Administration Act 1997

RISK MANAGEMENT IMPLICATIONS:

Low: This report has been assessed as having a low risk to the Town.

FINANCIAL IMPLICATIONS:

A new sign will be developed using the historical information gathered about Minnie Ivy Hodgson so it can be included on the signage, the new signs will be based on the new designs installed within Woolwich and Ruislip Parks, and cost in the order of \$4,000.

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 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 line with the Council Policy No: 019 – Community Engagement' as needing to inform the community via the Cambridge News.

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council REQUESTS the Administration to apply to Landgate for renaming of the park on Lots 549 and 551 (Number 75 and 77) McCourt Street, West Leederville to Minnie Hodgson Park.

Motion put and CARRIED EN-BLOC (8/0)

CR22.84 PARKS BASKETBALL INFRASTRUCTURE AUDIT

PURPOSE OF REPORT:

The purpose of this report is to inform Council of the current condition and compliance of basketball court infrastructure, propose an upgrade and new facility required to meet the community demand.

SUMMARY:

This report seeks to inform Council of the outcomes of the basketball courts inspection audits undertaken in relation to compliance and condition of facilities within the Town's parks and reserves. In addition, this report identifies two locations for consideration next budget cycle, being Bent and Rutter Park.

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:	1 Bold Park Drive, Floreat
Report Date:	8 September 2022
Responsible Officer:	Acting Director Infrastructure and Works, Anthony Booth
Reporting Officer:	Manager Parks and Natural Environment, Andrew Head
Contributing Officer:	Coordinator Parks, Mark Williams Senior Landscape Officer, Patrick Bewley
Reporting Officer Interest:	Nil
Attachment(s):	1. Basketball Court Inspections

BACKGROUND:

At the Ordinary Council Meeting on 28 June 2022, it was resolved that Council:

1. *"RECEIVES the community consultation results for the proposed basketball half-court at City Beach Oval;*
2. *APPROVES the construction of the new basketball half-court at City Beach Ovals, and upgrade of the existing court at Helston Park;*
3. *REQUESTS the CEO to prepare a report on the condition of the Town's basketball court infrastructure, including compliance with standards and estimated costs to rectify."*

Following the Council resolution, the Town's Asset Management team undertook inspections on all outdoor basketball courts and produced a Basketball Courts Inspection report (**refer Attachment 1**).

DETAILS:

The standard for full and half basketball courts is shown below in **Table 1**. These standard facilities should be located in larger parks and reserves near other supporting infrastructure such as drink fountains and public toilets.

		Park classification	Court dimensions	Hoop height	Line marking	Surfacing
Standard Court	Full	Regional	28x15m	3.05m	✓	Acrylic
Standard Court (3x3)	Half	Regional/District	11x15m	3.05m	✓	Acrylic

Table 1 – Standard Court dimensions and hoop heights.

The Town has a number of basketball facilities within parks and reserves. Some of which are below the minimum standard for pad size and have a non-conforming hoop heights.

During July 2022, an inspection was undertaken on the Towns 13 basketball courts located in parks and reserves. The condition of the facility relates to the court size, hoop height, line marking and structural condition. The inspection reported on the condition of each court and are shown below in **Table 2**.

	Park classification	Court dimensions	Hoop height	Line marking	Surfacing
Lake Monger Reserve (SE)	Regional	11x15m	3.05m	✓	Acrylic
Lake Monger Reserve (SW)	Regional	12 x 7m	3.05m	✓	Concrete
Lothian Park	Local	12.1 x 7.1m	3.05m	x	Concrete
Beecroft Park	Neighbourhood	12.2 x 8m	3.05m	✓	Concrete
Helston Park*	Local	8 x 6m	3.05m	x	Concrete
Winmarley Park	Local	10 x 6m	3.05m	x	Concrete
Holyrood Park	Local	7 x 6m	3.05m	x	Concrete
Maloney Park	Local	9 x 7.5	3.05m	x	Concrete
Ocean Village Park	Local	7 x 13m	3.15m	X	Concrete
Donegal Park	Local	5 x 7.5m	3.05m	x	Concrete
Bent Park	Local	7.2 x 9.5	2.8m	✓	Concrete
Alderbury Sportsground/ Perry Lakes	Regional	28 x 15m	3.05m	✓	Acrylic
Grantham Park	District	12 x 7m	3.05m	x	Concrete
Bold Park Aquatic	N/A	15 x 15m	3.05m	✓	Acrylic

Table 2 – Basketball infrastructure standard compliance

**Helston Park basketball pad is planned to be upgraded with a new pad and line marking this financial year.*

The inspection indicates that most basketball courts meet the standard hoop height of 3.05 metres (10 feet), but do not meet standard size for either half or full court surface area. Court dimensions are not consistent with each other, and line marking is missing from several facilities.

The condition of the court surfaces are generally good; however, some backboards, hoops and poles require repair or upgrades. In addition to this, safety signage is to be installed at all facilities where the hoop height is not to the standard 3.05 metres.

The Town has one junior sized ring (280 centimetres) at Bent Park which is used by the local primary school children however this height is only suitable for 11 year old age groups.

Comments

The Town has 13 public outdoor basketball courts, which is a good level of service to the community. Basketball facilities within parks are generally not required to be compliant with standard, full or half basketball courts. However, with the increasing level of demand for basketball facilities, the Town should seek to meet this demand in several key locations and ensure local park courts are fit for purpose.

A minimum standard court size for local parks should be established for upgrades. An eight and a half by 13.5 metre pad allows for a three-point line area, which would be an ideal size for a local park and reduce localised turf wear as seen in Bent Park. Line marking and a full height hoop should also be provided as a minimum standard for local park courts. Junior rings should be provided at local primary schools while public rings should be set to full height to maximise utilisation.

To bring existing local park courts up to standard, upgrades should be proposed for assets deemed to be in poor or very poor condition, these conditions will be based of biannual conditions assessments. Replacement of existing concrete pads should be considered whilst performing other upgrade works to align with the defined standard size of eight and a half by 13.5 metre pad, with line marking.

To meet increasing community demand, a good distribution of basketball half court facilities should be provided in the Towns district and regional parks. Existing basketball half or full court facilities include Lake Monger Reserve, West Leederville, Alderbury Reserve, Floreat and another under construction at City Beach Ovals. A fourth facility has been requested for Rutter Park, Wembley, progressing this ensures each of the Towns four main suburbs are serviced with basketball half-court facilities.

New pads would only be installed as poles or pads reach end of life. Based on condition (**refer table 3**) and compliance (**refer table 2**) it is recommended that Bent Park be identified for replacement and Rutter Park be considered for a new half court next budget cycle. All other non-compliance would be addressed at the stage they reach end of useful life.

POLICY/STATUTORY IMPLICATIONS:

There are no Policy or Statutory Implications related to this report.

RISK MANAGEMENT IMPLICATIONS:

Low: This report has been assessed as having a low risk to the Town.

FINANCIAL IMPLICATIONS:

Based on recent cost estimates the following costs should apply to basketball infrastructure upgrades and new facilities:

Local Park court upgrades

Eight and a half by 13.5 metre basketball concrete pad works	\$10,000
New hoop and tower	\$4,000
Line marking	\$1,100
Full upgrade	\$15,100

Half court upgrades

11 x 15m basketball pad reinforced concrete	\$15,000
New hoop and tower	\$4,000
Acrylic surfacing and line marking	\$5,500
Full upgrade	\$24,500

Table 3 below lists all basketball court assets found to be in poor, or very poor condition. The table also provides the associated cost for the repair and construction of new basketball pads.

	Poor condition	Very poor condition	Cost	Cost including new pad eight and a half by 13.5metre
Lothian Park	Pole, hoop and line marking		\$5,100	\$15,100
Beecroft Park	Line marking and backboard		\$2,000	\$12,000
Winmarley Park		Line marking	\$1,100	\$11,100
Holyrood Park		Line marking	\$1,100	\$11,100
Maloney Park		Line marking	\$1,100	\$11,100
Ocean Village Park		Line marking	\$1,100	\$11,100
Donegal Park		Line marking	\$1,100	\$11,100
Bent Park		Pole, hoop and backboard	\$4,000	\$15,100
Grantham Park		Line marking	\$1,100	\$11,100
Total			\$17,700	\$108,800

Table 3 – Court condition assessment

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 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 line with the Council Policy No: 019 – Community Engagement' as not requiring community consultation.

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council:

- 1. RECEIVES the outcomes of the basketball court inspections; and**
- 2. CONSIDERS the inclusion of a new half court facility at Rutter Park and renewal of the local facility at Bent Park in the 2023/2024 Draft Annual Budget.**

Motion put and CARRIED EN-BLOC (8/0)

CR22.85 SOUTH CITY BEACH KIOSK – FUTURE OPTIONS

PURPOSE OF REPORT:

To provide Council with the Design Review Panel (DRP) feedback regarding the South City Beach Kiosk (the Kiosk) concept design options (**refer Attachment 1**), the Conservation Management Plan (CMP) (**refer Attachment 2**), and seek approval for the Town to undertake Expressions of Interest (EOI) on future usage of the Kiosk.

SUMMARY

The Kiosk was constructed in 1970 and operated by various lessees over the years up until October 2013 and was closed to the public in 2015 due to concerns about the integrity of the concrete structure. The Town carried out a major repair project on the Kiosk in the 2020/2021 financial year which rectified the issues.

The concept design options (**refer Attachment 1**) were presented to Council and the Town's DRP in 2021. The key outcomes from the DRP were the design work be put on hold, and that a CMP (**refer Attachment 2**) for the Kiosk be developed before any future works take place.

Now that a CMP has been developed the Town proposes advertising an EOI for the future use of the Kiosk in the coming months. The result of the EOI will be presented to Elected Members before community consultation.

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:	Challenger Parade, South City Beach Foreshore
Report Date:	9 September 2022
Responsible Officer:	Acting Director Infrastructure and Works, Anthony Booth
Reporting Officer:	Manager Asset Services, Seema Karami
Contributing Officers:	Coordinator Asset Management, Roger Lee
Reporting Officer Interest:	Nil
Attachment(s):	1. South City Beach Kiosk Concept Design Options 2. South City Beach Kiosk Conservation Management Plan 3. South City Beach Kiosk Action Plan

BACKGROUND:

The Kiosk is a concrete structure that was designed by Tony Brand and constructed in 1970. It was listed as a Category 2 building in the Local Government Heritage inventory list in 2018.

The Kiosk was operated by various lessees up until October 2013. The toilets and change rooms were closed in 2015, due to concerns about the spalling of the concrete roof soffit. Corrosion of the steel reinforcement within the concrete was due to the aggressive nature of the coastal environment and was found to be increasing in intensity.

In late 2020 repair works were carried out to the Kiosk's concrete roof soffit. These works commenced in November 2020 and included:

1. Removal of the concrete walls and roller shutters around the Kiosk portion of the building;
2. Disconnection of mains water and electrical supply;
3. Removal of plumbing and sanitary fixtures from the toilet/change rooms area of the building, and undertaking of measures to prevent access to that area;
4. Removal of some suspected asbestos containing materials;
5. Removal of sewer pumps and control panel;
6. Removal of spalled concrete and corroded reinforcement and repair with an epoxy mortar; and
7. Painting of building to protect concrete from the aggressive coastal environment.

Following completion of the works, the building was deemed structurally sound and members of the public can access the open area on the north side of the structure that was formerly the Kiosk.

Concept designs (**refer Attachment 1**) were drawn up in 2021. At the Ordinary Council Meeting on 25 May 2021, it was resolved that Council:

1. "NOTES:-
 - 1.1 *the urgent concrete repair work to the South City Beach Kiosk has been completed;*
 - 1.2 *the proposed concept designs that will improve the functionality of the asset by converting it to a pavilion style structure;*
2. REQUESTS:-
 - 2.1 *the Town to seek comment from the Design Review Panel prior to progressing to public consultation on the proposed designs;*
 - 2.2 *a further report to be presented to Council detailing the Design Review Panel's feedback."*

DETAILS:

Design Review Panel Meeting

The meeting was held on 9 July 2021 for the Kiosk, with the designs (**refer Attachment 1**) presented to the DRP. The key issues and recommendations have been summarised below:

1. The Panel does not believe that the proposed options keep within the guidelines of the heritage listing;
2. That minimal intervention be made to the current building and the structure, walls should not be removed. If any have to be removed, then it was suggested that only partial removal be made; and
3. The Kiosk should be designed in a way that creates more useful spaces for the public and not just as a seating area.

As a result, the DRP did not support any of the design options that were proposed, and provided the following suggestions:

1. Minimal intervention, no walls removed, or columns installed, and nothing should be affixed externally that will change the appearance of the Kiosk too dramatically;
2. Minor additions can be made to the building to deter youths from accessing and skating on the roof. These additions can be subtle and not visible to the public;
3. The textures, colours and shape/design of the Kiosk are unique and should not be changed;
4. Encourages adaptive reuse and urges the Council not to resell the Kiosk. Panel suggested leasing out as its original purpose or something similar. Apply for external funding to manage the running costs as corrosion is going to be an ongoing issue;
5. Possibility to reuse as an outdoor bar or coffee shop;
6. Add furniture to the surrounding area instead of attaching to the structure. Deck chairs are an option if the Kiosk was used as originally designed and it was turned into an outdoor bar. Fremantle have a similar bar (Bathers Restaurant);
7. A BBQ should not be installed as this will only lead to foul odours from fatty food waste. The sand will also make the BBQ hard to keep clean for public use;
8. Panel suggested the idea of the Kiosk being a storage place for beach equipment;
9. It was advised that a Conservation Strategy Plan would be useful before any permanent decisions are made. Conservation Strategy Plan's usually cost between \$5,000.00 - \$10,000.00; and
10. A business plan is required before consulting a heritage architect or other external sources.

Key outcomes of the DRP were that none of the designs (**refer Attachment 1**) were acceptable, and that the CMP (**refer Attachment 2**) for the Kiosk should be undertaken before any future works take place.

A CMP (**refer Attachment 2**) was completed for the Kiosk on 24 August 2022. The CMP provides a list of recommended works and routine maintenance which have been summarised into an action plan (**refer Attachment 3**).

Comments

The Town recommends the Council receives the Kiosk's CMP (**refer Attachment 2**). The Town will implement the action plan outlined in **Attachment 3**, to ensure the Kiosk remains in a suitable condition for future use.

The Town requests approval to advertise an EOI to determine future use of the Kiosk. The EOI will then be evaluated by the Town and presented to Elected Members.

POLICY/STATUTORY IMPLICATIONS:

There are no policy or statutory implications related to this report.

RISK MANAGEMENT IMPLICATIONS:

Medium: There is a medium risk of further deterioration and vandalism to the Kiosk if the facility is not activated. There is a medium risk of reputational damage if the Town does not determine the future of the facility, given the current costs to date to repair the facility are around \$300,000.

FINANCIAL IMPLICATIONS:

It is estimated that the routine maintenance in the action plan for the Kiosk will total around \$15,000 per annum. The cost is allocated in the Building Maintenance budget for this asset.

STRATEGIC DIRECTION:

The recommendations embrace the following strategies of the Town's Strategic Plan 2018 - 2028:

- Goal 5: Successful commercial, retail, and residential hubs**
Strategy 5.3 Ensure a high standard of public infrastructure is maintained in and around our centres throughout the Town
- Goal 10: The Town is a proactive local government that provides financially sustainable public assets, services, and facilities**
Strategy 10.2 Promote equity and transparency in the provision of infrastructure and services throughout the Town
Strategy 10.3 Ensure sound and sustainable financial planning, management, and reporting

COMMUNITY ENGAGEMENT:

This matter has been assessed under Council Policy No. 019: 'Community Engagement'. In accordance with the assessment criteria, it was considered that community engagement was not required at this stage.

FURTHER REPORT (Post Committee Meeting 20 September 2022)

Address/Property Location:	Challenger Parade, South City Beach Foreshore
Report Date:	23 September 2022
Responsible Officer:	Acting Director Infrastructure and Works, Anthony Booth
Reporting Officer:	Manager Asset Services, Seema Karami
Contributing Officers:	Coordinator Asset Management, Roger Lee
Reporting Officer Interest:	Nil
Attachment(s):	No new attachments

This addendum is prepared to provide additional information regarding report CR22.85 to Elected Member.

The facility has an existing electricity and water connection. Future development of the electrical system is likely to need the addition of a distribution board, but this is expected to be minor in costs. The facility has a water line running into the building which is capped off. Any future development requiring water will need to consider piping.

There is no current sewer connection to the facility. Previously the facility dealt with sewer waste through a pump to leach drain system. This system has been decommissioned and it is considered almost impossible to recommission again for future use. Any future development requiring a sewer system will need to consider installation of a new sewer line to the existing mains sewer line on Oceanic Drive. The estimated cost would be in the vicinity of \$200,000.

The Conservation Management Plan was undertaken as part of the recommendation from the Design Review Panel. The cost for the Conservation Management Plan was \$10,037.50.

RECOMMENDATION IMPLICATIONS

The current site constraints with sewer services presents an issue with possible future use as part of the Expression of Interest process. This site constraint will have to form part of the scope or brief so any party submitting are aware of potential cost implications surrounding sewer connection.

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council:

- 1. NOTES the Design Review Panel suggestions and recommendations as outlined in the report;**
- 2. RECEIVES the Conservation Management Plan as outlined in Attachment 2;**
- 3. APPROVES an Expressions of Interest process from the open market for future use of the South City Beach Kiosk; and**
- 4. REQUESTS the results of the Expressions of Interest be presented to an Elected Member Forum.**

Motion put and CARRIED EN-BLOC (8/0)

CR22.86 SYDNEY CHEEK PAVILION UPGRADE - GRANT APPLICATION

PURPOSE OF REPORT:

The purpose of the report is to provide Council with the concept design (**refer Attachment 1**) for Sydney Cheek Pavilion (SCP) and seek approval to apply for a Community Sporting and Recreation Facilities Fund (CSRFF) grant application to upgrade the toilets and change rooms at the SCP.

SUMMARY:

This project will modernise the changerooms, make them suitable for unisex use, as well as improve disabled access to and within the facility. A concept design (**refer Attachment 1**) was finalised in March 2022 and is deemed to have a strong alignment with the criteria in the CSRFF.

The Town is willing to apply for a CSRFF grant application prior to the 30 September 2022 deadline, including a written confirmation of 2023/2024 financial commitment (pending budget approval). The outcome of the grant, once confirmed, will be communicated to Council and approval sought to proceed with engaging a suitable builder to implement the works in the 2023/2024 financial 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 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:	Sydney Cheek Pavilion, Floreat
Report Date:	9 September 2022
Responsible Officer:	Acting Director Infrastructure and Works, Anthony Booth
Reporting Officer:	Manager Asset Services, Seema Karami
Contributing Officer:	Coordinator Major Projects, Nicholas Craven
Reporting Officer Interest:	Nil
Attachment(s):	1. Sydney Cheek Concept Design Plans

BACKGROUND:

The Wembley Lacrosse Club (WLC) and Subiaco Floreat Cricket Club (SFCC) currently share a lease of the facility for the winter and summer sporting seasons respectively. Since 2017, the clubs have expressed their desire to modernise the changerooms to be suitable for unisex use due to the significant number of current female members and projected increase.

In 2019, SFCC applied for \$50,000 of funding from the Australian Cricket Infrastructure Fund (ACIF), they successfully received the grant for renovation of the changerooms and adjoining bathrooms at the SCP. In the same year, the Town's Disability Access and Inclusion Plan (DAIP) also identified the facility as a priority for disability access upgrades.

In 2021, Bollig Design Group were awarded the contract to complete the concept design, detailed design and consultancy during construction. The Town has been working with Bollig Design Group, the Design Review Panel (DRP), and the clubs to produce a concept design (**refer Attachment 1**) that makes the SCP fit for purpose and in-line with the Town's DAIP.

DETAILS:

The SCP currently has two changerooms, each with an adjoining, washroom that are unsuitable for unisex use. This is due to each containing a floor recessed slab urinal, two toilets and no privacy screening for the showers. Additionally, the exhaust systems in the changerooms and toilets on both floor levels are non-compliant with current building regulations due to insufficient ventilation flow rate and outlets located within pedestrian areas.

The only current universal accessible toilet (UAT) is located on the upper floor. However, there is no compliant disability provision to access this UAT from ground to the upper floor. The toilets on the ground floor, which can be utilised by the public, are rarely used due to concealment of its current design layout.

The current storage space used by each club is at capacity and additional space is needed to support continued activities and growth.

The existing balcony deck surface is at the end of its useful life with the timber floorboards in average condition. The floorboards are spaced at approximately 5 millimetres in-between each which results in water dripping below during rainfall events. This is not ideal as underneath the balcony provides the only undercover viewing area.

Project Description

The proposed upgrades will address the needs of the clubs, as well as adding a publicly accessible UAT for park users. Bollig Design Group's concept design was finalised in March 2022 following input from the Town, the clubs, and the DRP.

As SFCC participates in regional competition cricket, Cricket Australia's Community Cricket Facility Guidelines have also been considered as part of the design process to meet Premier/Regional grade facility requirements.

As well as identifying additional National Construction Code non-compliances, this process has resulted in an increase from the original scope of works. The detailed design is currently in progress and estimated to be completed in September 2022.

In line with CSRFF criteria, the detailed design is being completed according to three separable portions of work summarised as follows (in priority order):

1. Lower floor works (considered the most important portion of works):
 - a) Upgrade changerooms and ventilation to make them suitable for all users;
 - b) Demolish and rebuild new umpires/first aid room and UAT;
 - c) Increase size of existing storeroom by 15sqm; and
 - d) Add a new publicly accessible UAT.

2. Upper floor works:
 - a) Replace the main entrance double doors with new compliant doors;
 - b) Reconfigure the male and female toilets to include ambulant toilets and add another female toilet;
 - c) Rebuild and increase the size of the UAT;
 - d) Reconfigure the duct to also serve as a cleaner's storeroom;
 - e) Replace the balcony deck floor; and
 - f) Replace the staircase with a new compliant staircase.
3. External works:
 - a) Add a new external ramp to provide compliant access between the upper and lower floors; and
 - b) Add two ACROD parking bays.

It is worth noting that to achieve the best outcome, in terms of functionality and aesthetics, significant input has been provided by the DRP, particularly with respect to the external ramp (**refer Attachment 1**).

External Funding

In March 2022, the Town received a high-level Quantity Surveyor (QS) estimate of \$1,330,000 for construction costs, with a more accurate estimate expected in September 2022. The maximum contribution from CSRFF is one third of the total estimated project cost, with the total eligible cost of the project assessed by DLGSCI from the information provided to them.

With a project value greater than \$500,000, this project comes under the Forward Planning grant category of CSRFF, for which the application requirements are extensive. The Town has engaged a consultant to develop a formal business case and assist with the grant application to maximise the likelihood of a successful outcome. DLGSCI have confirmed that including an excerpt from the Town's long term financial plan, which was presented in an Elected Member forum in May 2022, will be acceptable to meet application requirements. Confirmation of a successful outcome is expected by February 2023.

In order to remain eligible, the construction contract must not be awarded before receiving confirmation of a successful application. Should the Town be successful, the construction tender will need to be advertised before the 2023/2024 financial year. This will ensure construction can commence and be completed within an intended project schedule, that minimises disruption to the SCP clubs activities.

The Club Night Lights Program is also administered by DLGSCI, with a separate pool of funds. The application for Club Night Lights funding to support proposed floodlighting projects at City Beach Oval Upper and Pat Goodridge Reserve (approved in April CR22.26) will not in any way impact the outcome of the CSRFF grant application for upgrades to SCP and vice versa.

Comments

The Sydney Cheek Pavilion - Upgrade Toilets and Change Rooms is a project with outcomes strongly aligned with both the Town's DAIP, the Town's Strategic Community Plan 2018-2028 and the DLGSCI's CSRFF.

The planning for the project has taken several years and increased in scope. The Town is seeking Council's in principle support to submit a CSRFF grant application by the 30 September 2022 deadline. The outcome of the grant, once confirmed, will be communicated to Council and approval sought to proceed with tender advertisement shortly after.

POLICY/STATUTORY IMPLICATIONS:

There are no Policy or Statutory Implications related to this report.

RISK MANAGEMENT IMPLICATIONS:

Medium: Failure to support this project and associated grant application for delivery in the 2023/2024 financial year carries reputational risk to the Town and will likely result in the SFCC having to return the \$50,000 contribution from ACIF, which was awarded in 2019. The path access, UAT provision and sanitary facilities are non-compliant with the DAIP and building regulations.

FINANCIAL IMPLICATIONS:

Based on the initial \$1,330,000 construction cost estimate, there is potential to receive CSRFF funding upwards of \$440,000 towards this project. The earliest that CSRFF funding can be released for the Forward Planning grant is in the 2023/2024 financial year, with claims to be made at three construction milestones: commencement, 50% progress and completion of the project respectively.

The \$50,000 contribution from ACIF, which has already been received by the Club, will be paid to the Town once the project proceeds.

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 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

COMMUNITY ENGAGEMENT:

The extent of community engagement has been limited to the two Clubs that use the SCP, who are deemed the only community stakeholders who are significantly affected by the project and its delivery.

FURTHER REPORT (Post Committee Meeting 20 September 2022)

Address/Property Location:	Sydney Cheek Pavilion, Floreat
Report Date:	23 September 2022
Responsible Officer:	Acting Director Infrastructure and Works, Anthony Booth
Reporting Officer:	Manager Asset Services, Seema Karami
Contributing Officer:	Coordinator Major Projects, Nicholas Craven
Reporting Officer Interest:	Nil
Attachment(s):	No new attachments

This addendum has been prepared to provide additional information regarding report CR22.86 to Elected Members that was requested during the Community and Resources Committee Meeting held on 20 September 2022.

The Administration was requested to provide a breakdown of estimated costs associated with the separable portions of project scope. A pre-tender quantity surveyor cost estimate was provided to the Town on 13 September 2022, the breakdown of pricing for the separable portions of the project scope is shown in **Table 1** below (this includes the costs anticipated at the estimated time of tendering for construction):

Description of Works	Cost Escalation to Tender (estimated 8 months)	Maximum CSRFF Grant Contribution
Lower floor works (expected to attract grant funding 1/3 of cost):		
Upgrade changerooms, adjoining washrooms and ventilation	\$ 448,823	\$ 149,608
Increase size of existing storeroom by 15sqm		
Demolish and rebuild new umpires/first aid room and UAT	\$ 246,629	\$ 82,210
Add a new publicly accessible UAT		
Separable Portion Total	\$ 695,452	\$ 231,818
Upper floor works (may attract grant funding less than 1/3 of cost):		
Replace the main entrance double doors with new compliant doors	\$ 12,566	\$ 4,189
Reconfigure the male and female toilets to include ambulant toilets, add another female toilet and upgrade ventilation	\$ 247,983	\$ 82,661
Rebuild and increase the size of the UAT		
Reconfigure the duct to also serve as a cleaner's storeroom		
Replace the balcony deck floor	\$ 44,702	\$ 14,901
Replace the staircase with a new compliant staircase	\$ 53,307	\$ 17,769
Separable Portion Total	\$ 358,557	\$ 119,519
External works (may attract grant funding less than 1/3 of cost):		
Add a new external ramp to provide compliant access between the upper and lower floors Add two ACROD parking bays	\$ 312,596	\$ 104,199
Separable Portion Total	\$ 312,596	\$ 104,199
Total for all Works	\$ 1,366,605	\$ 455,535

The breakdown has been grouped into three distinct sub projects as per the table above to clarify how the project could be staged depending on outcome of CSRFF grant.

COMMENTS

As well as being considered the most important part of this project, the lower floor works is deemed to have strongest alignment with the intended outcomes of CSRFF and is therefore expected to attract the maximum one third grant contribution. The upper floor and external works may attract a reduced funding amount.

If CSRFF supports only some of the proposed scope of works, it will be possible to remove or delay unsupported portions of the scope without compromising the CSRFF contribution that is offered.

RECOMMENDATION IMPLICATIONS:

The Administration therefore suggests that Council approve the current Administration recommendation and await the outcome of the CSRFF grant application before making any decision to reduce the proposed scope or stage the works over multiple years.

A report will come to Council following the outcome of the grant application to further refine scope should it be required.

COUNCIL DECISION: **(COMMITTEE AND ADMINISTRATION RECOMMENDATION)**

Moved by Cr Barlow, seconded by Cr Mack

That Council:

- 1. ENDORSES the concept design in Attachment 1 for the upgrade of toilets and changerooms at the Sydney Cheek Pavilion;**
- 2. APPROVES the submission of a Community Sporting and Recreation Facilities Fund grant application to the Department of Local Government, Sport and Cultural Industries for the project; and**
- 3. CONSIDERS the inclusion of \$1,400,000 for the Sydney Cheek Pavilion upgrade in the 2023/2024 Draft Budget, subject to a successful Community Sporting and Recreation Facilities Fund grant outcome.**

Motion put and CARRIED EN-BLOC (8/0)

CR22.87 WEST COAST HIGHWAY PRINCIPAL SHARED PATH – MAIN ROADS WESTERN AUSTRALIA

PURPOSE OF REPORT:

The purpose of this report is to respond to a request from Main Roads Western Australia (MRWA) for the Town to take ownership and responsibility for a future Principal Shared Path (PSP) and path along the West Coast highway.

SUMMARY:

The Town received a request from MRWA seeking Council approval for the operation and maintenance of a proposed PSP and path within the Town's boundary (**refer Attachment 1**). The PSP and path are to be constructed as part of MRWA's proposed West Coast Highway duplication between Alfred Road and Rochdale Road.

The proposed alignment of the PSP and path runs along the existing shared path under the Town's responsibility. Approximately 450 metres is to be constructed as part of the works and both the PSP and path will tie into the existing shared path where the West Coast Highway separates into dual carriageway south of Rochdale Road (**refer Attachment 2**).

As the Town is responsible for the existing shared path in this location, it is recommended that the Council approves the future operation and maintenance of the PSP by the Town.

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:	West Coast Highway, Mt Claremont
Report Date:	2 September 2022
Responsible Officer:	Acting Director Infrastructure & Works, Anthony Booth
Reporting Officer:	Acting Manager Engineering Services, Andrew Shorter
Contributing Officer:	Nil
Reporting Officer Interest:	Nil
Attachment(s):	1. Locality Plan 2. Design Drawing

DETAILS:

The PSP and path forms part of the proposed West Coast Highway duplication works by MRWA between Alfred Road and Rochdale Road. The duplication works is utilising the existing footprint of the West Coast Highway in this area as the future southbound carriageway. A northbound carriage way is to be built on the coast side of the existing road with a PSP and path following the alignment of this new carriageway.

The PSP is to be a four-metre-wide asphalt path with two metre lane widths facilitating cycling and other wheeled activity suitable for a shared path. The path is to be a one point eight metres wide concrete path to facilitate pedestrian traffic. Independent lighting from the roads' own lighting is proposed for the PSP and path, it has also been requested that this form part of the Town's responsibility.

Comment

The Town's Bicycle Plan 2018-2022 identified the need to upgrade the existing shared path along the West Coast highway to a separated cycle path and pedestrian footpath.

This was prioritised as a future project, planned for beyond ten years. However, this presents a good opportunity to fast track part of this project by accepting the PSP and path once the works and its defects liability period is complete.

The Town is not expected to contribute to the capital expenditure of constructing the PSP and path as part of the project. However, once under the Town's responsibility, ongoing operational and renewal costs will be expected.

It is not known yet when the project construction will go ahead, therefore, the associated costs can be included in future budget allocations and projections once known.

POLICY/STATUTORY IMPLICATIONS:

Nil

RISK MANAGEMENT IMPLICATIONS:

Low: The recommendation contained in this report is considered a low risk to the Town in terms of financial, reputational, and operational risk.

FINANCIAL IMPLICATIONS:

The below is the proposed operational and capital expenditure for the PSP and path. Operational expenditure includes sweeping, and electricity costs for lighting. Capital expenditure is the cost of asset renewal.

Component	Operational Expenditure	Operational Frequency	Capital Expenditure	Capital Frequency
PSP	\$1,000	Annually	\$40,000	15-25 years
Path	-	-	\$65,000	50 years
Lighting	\$1,600	Annually	\$10,000	9 years

The total cost of the asset over a fifty-year life cycle is \$290,000 or \$5,980 per annum.

STRATEGIC DIRECTION:

The following aspects of the Town's Strategic Community Plan 2018-2028 are relevant to this report:

- Goal 1: A sense of community, pride and belonging**
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 5.3 Ensure a high standard of public infrastructure is maintained in and around our centres throughout the Town
Strategy 5.4 Develop and implement activity centre planning and/or local development plans for all centres to reflect the community's expectations for these nodes and corridors for activity
- 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

COMMUNITY ENGAGEMENT:

This matter has been assessed in line with the Town's Policy No: 019 – 'Community Engagement' and no consultation is required.

Impartiality Interest Declaration – Cr Cutler

Prior to consideration of the item, Cr Cutler disclosed an interest affecting impartiality and declared as follows: "with regard to Item CR22.87, I declare that I am a frequent user of the existing pathway and the property that abuts this stretch of road also abuts my property and, as such, there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

COUNCIL DECISION: (COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council:

- 1. APPROVES the transfer of the Principal Shared Path asset along West Coast Highway from Main Roads Western Australia to the Town's at the conclusion of the projects' defects liability period; and**
- 2. NOTES Main Roads Western Australia will be advised of Council's decision.**

Motion put and CARRIED (7/1)

For: Mayor Shannon, Crs Barlow, Cutler, Haddon-Casey, Mack, Mayes and Randklev
Against: Cr Carr

CR22.88 CITY BEACH ACTIVATION COMMITTEE – REQUEST FOR FUNDING OF NEW YEAR'S EVE FIREWORKS DISPLAY

PURPOSE OF REPORT:

This report seeks Council's direction in relation to the approval, funding and management of the proposed 2022 New Year's Eve fireworks at City Beach foreshore. It also requests Council's consideration for a review of Policy 016 Community Funding Programs and the development of a Place Activation and Events Strategy.

SUMMARY:

The Town has received a written request from the City Beach Activation Committee (CBAC) also known as Visit City Beach, in relation to the Town approving and funding the New Year's Eve fireworks display at City Beach foreshore on Saturday, 31 December 2022, along with the expenses associated with managing the public attendance and traffic management for the event.

This request has also highlighted the need to review Policy 016 Community Funding Programs to support event sponsorship requests and the development of Place Activation and Events Strategy to inform the consideration of future funding proposals from both community and commercial parties and the development of future events plans.

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:	City Beach Foreshore, Challenger Parade City Beach Jubilee Park, Challenger Parade City Beach
Report Date:	9 September 2022
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	Manager Community Services, Priya Narula
Contributing Officer:	Coordinator Community Development, Renee McIntosh Place Development Officer, Lauren Resnick
Reporting Officer Interest	Nil
Attachment(s):	1. City Beach Activation Committee Event Application Form for New Year's Eve Fireworks Display 2. Sponsorship Proposal City Beach Activation Committee (Visit City Beach)

BACKGROUND:

In 2022 CBAC, with approval from the Town, organised a New Year's Eve fireworks display for the City Beach foreshore precinct, where they engaged Cardile International Fireworks to provide the display. The event was a success, with the main demographic being families and seniors.

There were some minor issues with traffic congestion at the conclusion of the fireworks, however it is not uncommon to experience some delays with these types of events. Other feedback was, that to coincide with public transport and to make it more family friendly, the time of the fireworks be brought forward to 9:00pm as 10:00pm was a bit late for younger children and did not coincide with the Transperth bus schedule.

The Town contributed \$2,000 in grant funding to the event, as well as \$1,180 (GST Ex) for the hire of temporary lighting towers for the overflow parking area on Jubilee Park and the waiver of \$3,240 in hire fees for the City Beach foreshore area and Jubilee Park as overflow parking.

On Tuesday, 26 April 2022 the Town received an event application (Attachment 1) from CBAC to hold the New Year's Eve fireworks at City Beach foreshore once again. This application indicated that CBAC wished to request that the Town fund the event in its entirety as a community initiative with the cost estimated to be \$30,000. Administration advised CBAC that to consider such a request a sponsorship proposal would be required to be presented to Council for their determination. On Monday, 15 August the Town received a formal sponsorship proposal (Attachment 2).

DETAILS:

The 2022 event is proposed to be conducted similar to the 2021 event where patrons are encouraged to come down from 4:00pm and to bring a picnic to enjoy the foreshore area with family and friends, before the 10-minute fireworks display at 10:00pm. The fireworks display is proposed to be launched from the shoreline in front of the grassed area between Clancy's and Odyssey as per 2021. Anticipated numbers over the course of the six-hour period are anticipated to be around 5000. There are currently no complimentary activities planned for the proposed 2022 New Year's Eve fireworks display.

The details for the proposed event have once again been referred to the relevant Town business areas (Health and Compliance, Parks and Ranger Services) for feedback which have been outlined below.

1. Feedback from 2021 Fireworks Event

The Town did not receive any formal feedback from the general public or local residents in relation to the 2021 Fireworks Event. There was general anecdotal feedback from attendees that there was some traffic congestion at the end of the evening and that the timing of the fireworks could be brought forward in future years to be more family friendly and align with public transport timetables. Overall the feedback was very positive and the issues of previous years with parking and excess rubbish were not evident.

2. Parking and Traffic Management

As City Beach is a very popular beach on New Year's Eve and New Year's Day from early morning to late evening, car parking is at a premium. The closure of the central carpark, to reduce vehicles mixing with the increased number of pedestrians during peak time of the event, displaces approximately 120 vehicles, however to mitigate the closure of this carpark and the increased numbers to the area, Jubilee Park would once again be utilised as overflow parking. Management of Jubilee Park as an overflow parking area would be undertaken by the traffic management

company engaged to provide and implement the traffic management plan for the event. Lighting towers would again need to be provided to ensure safe movement of vehicles entering, exiting and moving around Jubilee Park at night.

To assist with safe pedestrian access to the event site and ease of traffic flow during and after the event, a traffic management plan would need to be developed and implemented. All traffic management plans would need to be prepared in accordance with Main Roads Traffic Management for Works on Road Code of Practice and AS 1742.3.2009. The Traffic Management Plan would need to take into consideration the congestion experienced at the end of the event last year and ways to mitigate or reduce this.

3. Fireworks

Although no issues were experienced in relation to the fireworks display at the 2021 event, there are still ongoing concerns regarding the fireworks display for this location. Concerns are still ongoing in relation to the exclusion zone for fireworks and the impact this has on access to the beach area for beach users/general public.

An initial 40m x 40m exclusion zone has previously been set up from 3:00pm around the firing location and manned by a security guard. As patrons depart the beach area the exclusion zone is increased to the point that the required exclusion zone is vacated, which is generally completed by 6:00pm. This process has been undertaken by Cardile International Fireworks previously without impact or complaints from the general public, however with increased numbers to the foreshore area given the success of the 2021 event there is potential for larger numbers on the beach to manage.

In the event the wind direction is westerly (which is common for this time of year) it risks pushing shells and potential sparks into the crowd and dunes, which then become a fire risk and falling shells becoming a public safety and littering issue. If winds are in an easterly direction the shells and ash fall into the ocean which have the potential to cause pollution and nutrient build up which becomes an environmental issue.

Due to the length and size of the fireworks display it is unlikely to cause a significant environmental issue, however no specific research or documentation such as an Environment Management Plan has been provided to substantiate this. The risk management arrangements provided in 2021 by Cardile International Fireworks do however address the arrangements in place to mitigate potential fire risks and the clean-up of falling shells.

Cardile International Fireworks have previously been approved by the Town to provide fireworks displays at this location and this has occurred without environmental impact (litter, fire or pollution) or public incident. If the event is to see an increase in attendance, alternative options such as close proximity pyrotechnics should possibly be considered, such as those that are used at stadiums or on stages or possibly even the option of a drone show (dependent on cost). This would still be exciting to watch but potentially reduce the risk and environmental impact associated with a traditional fireworks display, as well as the noise associated with fireworks which often creates distress in animals and young children. It would also alleviate the need for the substantial exclusion zone required which impacts a significant portion of the beach.

4. Antisocial Behaviour

There were no reports of antisocial behaviour at the 2021 event, with the majority of participants being families and seniors. Security guards were employed to patrol the area as a presence and to provide assistance in the event of antisocial behaviour. St John's Ambulance were engaged to provide first aid throughout the evening if required. All relevant Emergency Services including WA Police, DFES and St John's Ambulance were notified of the event.

Request for financial commitment to the event.

Although the 2021 event was very successful, CBAC cannot continue to financially support the New Year's Eve fireworks display and believe the Town should be more invested in it as a community event given its attendance numbers.

On Tuesday, 26 April 2022 the Town received an event application (Attachment 1) from CBAC to hold the New Year's Eve fireworks at City Beach foreshore once again. This application indicated that CBAC wished to request that the Town fund the event as a community initiative. Administration advised CBAC that to consider such a request a sponsorship proposal would be required to be presented to Council for their determination. On Monday, 15 August the Town received a formal sponsorship proposal (Attachment 2).

The original proposal CBAC submitted (Attachment 1) requested the Town fund the event in its entirety with CBAC to run the event. CBAC were advised via email on 23 August 2022 that if this was to occur, that the Town would then become the Owner of the event as it is no longer a sponsorship arrangement. Sponsorship arrangements generally entail only partial funding of an event or program, not 100% of all costs. Complete sponsorship would not be consistent with the Town's commitment to accountability and transparency and would effectively be a contract for CBAC to deliver the event which is not in accordance the Town's Purchasing and Procurement Policy.

CBAC considered the above information and provided the following two options for the Town to consider: Both of these options would still see the Town as being the 'Owner' of the event due to providing the majority of financial commitment.

Option 1 - The Town of Cambridge takes on the event and cost with administrative and event support from CBAC.

If Council was to consider taking over the event, it would require the engagement of an event management company through the request for quotation process. Council has endorsed an Events Plan to be delivered by Administration in 2022/2023 (CR22.39, May 2022) which is reflective of the current staffing resources. An additional event of this size particularly at that time of year, would not be possible to deliver under the current resources of a 0.4 FTE due to delivering Council approved events to the community both in December and January. The quotation process can take some time, however it is achievable. The only issue that may be faced is the availability of an event management company to take on the event due to the short delivery timeframe and the time of year.

Option 2 - The Town of Cambridge financially backs the event and the CBAC organizes and runs the event contributing \$5,000 to the costs.

Option 2 is not viable without going to market to source three quotes for event management as accepting the \$5,000 for services provided by CBAC would be against the Town's procurement guidelines. If this arrangement was to be considered Council would have to accept the sponsorship proposal and event application as a quote for the purposes of satisfying the Town's Procurement Policy, and then seek comparative quotes for the provision of the New Year's Eve Fireworks event at City Beach.

CBAC's proposal estimates that the cost to run the event is approximately \$30,000, therefore the Town would also still be required to contribute the remaining \$25,000, as an unbudgeted expense.

Council has endorsed an Events Plan to be delivered by Administration in 2022/2023 which is reflective of the tight budget environment and current staffing resources. The New Year's Eve fireworks display, and associated management costs, are estimated to be approximately \$30,000, which represents just over 26% of the total of the Towns allocated Festivals and Events budget.

Funding the City Beach New Year's Eve fireworks could set a precedent for similar community groups to apply to the Town to cover the majority of costs required to run their proposed events.

It should be noted that there are other groups within the Town like the City Beach Activation Committee which involve both business and community members with the objective to activate and connect with their local areas.

The Flower District for example ran the very successful Northwood Street Festival in October 2021, attracting around 2,500 people over the duration of the event. The event cost just under \$20,000 with the Town contributing \$2,000 via the Community Development grant.

Additionally, the Town has recently received a number of inquiries from commercial applicants, seeking advice on the opportunity to launch a variety of activations in the City Beach precinct and at Perry Lakes, including but not limited to;

- Pedal Car Hire;
- Electric Scooters;
- Regular busking;
- Markets – in a variety of styles and formats and
- Pop-up Outdoor Cinemas.

Proposed Review of Policy 016 Community Funding Programs, supported by the development of a Place Activation and Events Strategy

If the Town is to continue to consider community applications for significant financial and administrative support, it is recommended that Administration undertake a review of **Policy 016 - Community Funding Programs** to support sponsorship requests and develop a supporting Place Activation and Events Strategy. By doing this it would ensure adequate community consultation is undertaken, relative to the funding and resources being allocated by the Town for events and activations. Further benefits would also include;

- That the Town's (limited) event venues are prioritised for proposals that are most consistent with the local community's aspirations and values, and which provide the greatest return on investment for the Town;
- Clear and equitable application terms and criteria for success are established, ensuring probity and compliance with Legislative requirements in procurement;
- A clear matrix of liability is established, ensuring that, in the case of poor delivery or financial management of an event, risk is not unreasonably or unpredictably transferred to the Town;
- The Town is better able to coordinate resources and maintain service levels, by working more proactively, instead of reactively;
- The Town minimises the risk of over-activating public areas, resulting in the reduction of passive public enjoyment; and
- There is greater opportunity to build social capital and capacity within the community.

Regardless of the Council's decision to fund the CBAC New Years Eve Fireworks event in part or full, assessing these applications on an ad-hoc basis is not efficient or competitive, nor does it provide the Town sufficient context to make an informed decision.

A Place Activation and Events Strategy would inform the consideration of community and commercial proposals and the development of future events plans. If developed, this would assist Council and Administration in the determination of these applications and associated funding requests and provide clear guidelines and expectations to groups seeking funding and support from the Town. It would also provide for clearer direction regarding the activation of the Town, and the sought-after City Beach Precinct in particular.

POLICY/STATUTORY IMPLICATIONS:

This report is guided by the following Council Policies:

No. 028 – Open Space Bookings and Events under Category 5 Events.

No. 016 – Community Funding Programs.

No. 072 – Purchasing Policy

RISK MANAGEMENT IMPLICATIONS:

Low: If engaging a professional event management company, the risk of the event not being successful would be low.

Medium: Should Council choose not to fund and manage the New Year's Eve fireworks event at City Beach foreshore on Saturday, 31 December 2022, there may be a reputational risk that Council is not supporting a well patronised community event.

High: Should Council choose to fund and manage the New Year's Eve fireworks event at City Beach foreshore on Saturday, 31 December 2022 there is a high risk that it will leave the Town in a position where similar community groups will have an expectation that the Town will cover the majority of costs required to run their events.

FINANCIAL IMPLICATIONS:

There is currently no provision for the CBAC New Year's Eve fireworks event in the 2022/2023 adopted Budget. If Council choose to fund the event, an unbudgeted amount of **\$30,000** will need to be included.

There is currently no provision for the review of Policy 016 - Community Funding Programs or the development of a Place Activation and Events Strategy in the 2022/2023 adopted Budget. If Council adopt the recommendations for the review of Policy 016 - Community Funding Programs and the development of a Place Activation and Events Strategy, Administration can undertake the work required within the current staffing and program resources allocated in the 2022/2023 Budget.

Staffing and program resources may be requested in the draft 2023/2024 Budget to support the requirements or recommendations that come out of the Community Funding review and the development of the Place Activation and Events Strategy.

STRATEGIC DIRECTION:

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

Our Community Life

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 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.
- Strategy 3.3 Encourage a range of activities that better align with the diverse needs of rate payers of all ages, culture and abilities.
- Strategy 3.4 Act to create and maintain safe, friendly and open environments that residents can access and enjoy.

Our Council

Goal 10: The Town is a proactive local government that provides financially sustainable public assets, services and facilities

- Strategy 10.2 Promote equity and transparency in the provision of infrastructure and services throughout the Town
- Strategy 10.3 Ensure sound and sustainable financial planning, management and reporting

Further, it supports the goals of the Town's Economic Development Strategy 2018-2022:

Goal 3: Manage the activation of 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 business and content.

COMMUNITY ENGAGEMENT:

The request from City Beach Activation Committee for the Town to finance and manage the City Beach New Years Eve fireworks has been assessed under the Council Policy No. 019 – Community Engagement Policy as INFORM, with the requirement of providing notification a minimum of four weeks prior to the event to the surrounding residents and businesses located near the City Beach foreshore precinct.

The recommendation to the review the Community Funding Policy and develop a Place Activation and Events Strategy has been assessed under the Council Policy No. 019 – Community Engagement Policy as COLLABORATE. The Town would be required to review the Policy and develop the Strategy together with the community and stakeholders to formulate solutions and incorporate advice and recommendations into the decisions to the maximum extent possible.

ADMINISTRATION RECOMMENDATION:

That Council:

1. EITHER

- (a) APPROVES the request from the City Beach Activation Committee for the Town to fund and manage the New Year's Eve fireworks event at City Beach foreshore on Saturday, 31 December 2022;

OR

- (b) DOES NOT APPROVE the request from the City Beach Activation Committee to fund and manage the New Year's Eve fireworks event at City Beach foreshore on Saturday, 31 December 2022;

2. SUBJECT TO Option 1 (a) being endorsed: -

- (a) AUTHORISES Administration to undertake a Request for Quotation process to secure an Event Management company to undertake the management of the New Year's Eve fireworks at City Beach foreshore on Saturday, 31 December 2022;
- (b) APPROVES BY AN ABSOLUTE MAJORITY an unbudgeted expense of \$30,000 for the New Year's Eve fireworks event at City Beach foreshore on Saturday, 31 December 2022; and
- (c) NOTES that if no responses are received for the Request for Quotation that the event will be postponed and reviewed for 2023;

2. SUBJECT TO Option 1 (b) being endorsed: -

- (a) APPROVES City Beach Activation Committee (CBAC) to conduct a New Year's Eve fireworks at City Beach foreshore, from 10:00am Saturday, 31 December 2021 to 12:00am Sunday, 1 January 2022 (including bump-in and bump-out) if CBAC choose to finance and manage the event themselves. Approval is subject to;
 - (i) Compliance with legislative requirements including Town policies, local laws and regulations in particular conditions of Council Policy No: 028 – Open Space Bookings and Events (category 5);
 - (ii) The provision of more detailed information specific to the event by City Beach Activation Committee as part of a Memorandum of Understanding;
 - (iii) Cardile International Fireworks undertaking the formal application process for undertaking a fireworks display;
- (b) AUTHORISES the Chief Executive Officer to sign a Memorandum of Understanding, in accordance with a Category 5 event as outlined in Council Policy No: 028 – 'Open Space Bookings and Events' and detailing matters identified in items i-iii of 2a above, for the City Beach New Year's Eve fireworks on City Beach Foreshore conducted by City Beach Activation Committee;

3. REQUESTS the CEO to undertake a review of Policy No: 016 Community Funding Programs; and

4. REQUESTS the CEO to develop a Place Activation and Events Strategy to inform the consideration of future funding proposals from both community and commercial parties and the development of future events plans.

Committee Meeting 20 September 2022

AMENDMENT:

Moved by Mayor Shannon, seconded by Cr Mayes

That clause 1(a) be approved and the motion be amended as follows:

That Council:

1. APPROVES the request from the City Beach Activation Committee for the Town to fund and manage the New Year's Eve fireworks event at City Beach foreshore on Saturday, 31 December 2022;
2.
 - (a) AUTHORISES Administration to undertake a Request for Quotation process to secure an Event Management company to undertake the management of the New Year's Eve fireworks at City Beach foreshore on Saturday, 31 December 2022;
 - (b) APPROVES BY AN ABSOLUTE MAJORITY an unbudgeted expense of \$30,000 for the New Year's Eve fireworks event at City Beach foreshore on Saturday, 31 December 2022;
 - (c) NOTES that if no responses are received for the Request for Quotation that the event will be postponed and reviewed for 2023.
3. REQUESTS the CEO to undertake a review of Policy No: 016 Community Funding Programs; and
4. REQUESTS the CEO to develop a Place Activation and Events Strategy to inform the consideration of future funding proposals from both community and commercial parties and the development of future events plans.

Amendment put and CARRIED (3/0)

COMMITTEE RECOMMENDATION:

Moved by Cr Barlow, seconded by Cr Mack

That Council:

1. APPROVES the request from the City Beach Activation Committee for the Town to fund and manage the New Year's Eve fireworks event at City Beach foreshore on Saturday, 31 December 2022;
2.
 - (a) AUTHORISES Administration to undertake a Request for Quotation process to secure an Event Management company to undertake the management of the New Year's Eve fireworks at City Beach foreshore on Saturday, 31 December 2022;
 - (b) APPROVES BY AN ABSOLUTE MAJORITY an unbudgeted expense of \$30,000 for the New Year's Eve fireworks event at City Beach foreshore on Saturday, 31 December 2022;
 - (c) NOTES that if no responses are received for the Request for Quotation that the event will be postponed and reviewed for 2023.

3. **REQUESTS the CEO to undertake a review of Policy No: 016 Community Funding Programs; and**
4. **REQUESTS the CEO to develop a Place Activation and Events Strategy to inform the consideration of future funding proposals from both community and commercial parties and the development of future events plans.**

AMENDMENT:

Moved by Cr Carr, seconded by Cr Haddon-Casey

That clause 4 of the motion be amended to read as follows:

4. **REQUESTS the CEO to develop a Place Activation and Events Strategy to inform the consideration of future funding proposals from both community and commercial parties and the development of future events plans and to investigate the possibility of the use of drones for next year's New Year's Eve event.**

Amendment put and CARRIED (6/2)

For: Mayor Shannon, Crs Barlow, Carr, Haddon-Casey, Mack and Mayes
Against: Crs Cutler and Randklev

Discussion ensued

AMENDMENT:

Moved by Cr Mayes, seconded by Cr Carr

That clauses 1, 2(a) and (b) be amended by deleting the work 'fireworks'.

Amendment put and CARRIED (6/2)

For: Mayor Shannon, Crs Barlow, Carr, Haddon-Casey, Mack and Mayes
Against: Crs Cutler and Randklev

COUNCIL DECISION:

That Council:

1. **APPROVES the request from the City Beach Activation Committee for the Town to fund and manage the New Year's Eve event at City Beach foreshore on Saturday, 31 December 2022;**
2.
 - (a) **AUTHORISES Administration to undertake a Request for Quotation process to secure an Event Management company to undertake the management of the New Year's Eve event at City Beach foreshore on Saturday, 31 December 2022;**
 - (b) **APPROVES BY AN ABSOLUTE MAJORITY an unbudgeted expense of \$30,000 for the New Year's Eve event at City Beach foreshore on Saturday, 31 December 2022;**
 - (c) **NOTES that if no responses are received for the Request for Quotation that the event will be postponed and reviewed for 2023.**

3. **REQUESTS the CEO to undertake a review of Policy No: 016 Community Funding Programs; and**
4. **REQUESTS the CEO to develop a Place Activation and Events Strategy to inform the consideration of future funding proposals from both community and commercial parties and the development of future events plans and to investigate the possibility of the use of drones for next year's New Year's Eve event.**

Motion, as AMENDED, put and CARRIED (6/2)

For: Mayor Shannon, Crs Barlow, Carr, Haddon-Casey, Mack and Mayes
Against: Crs Cutler and Randklev

CR22.89 DISABILITY ACCESS AND INCLUSION PLAN 2023-2028 – WORKING GROUP

PURPOSE OF REPORT:

To seek Council endorsement of the four nominees for the DAIP Review Working Group and seek Elected Member representation on the Disability Access and Inclusion Plan review working group.

SUMMARY:

As part of the Town's overall review of the current DAIP 2018-2021 and the development of the new DAIP 2023-2028, community consultation was undertaken with a survey which included a request for individuals to register their interest in the DAIP Review Working Group.

The inclusion of a Community Working Group, with individuals with a lived experience and professionals working in the sector, will enable the Town to develop meaningful programs and services. The nominees will provide important and relevant input into the development of the new Disability Access and Inclusion Plan 2023-2028, which will ensure the needs of people with a disability, their carers and families continue to be met across all seven (7) DAIP outcome areas.

It is recommended that ALL four nominees be endorsed by Council to assist the Town in the DAIP Review Working Group. As per the Terms of Reference (attachment two) it is also requested that Council nominate up to two (2) Elected Members to sit on the DAIP Review Working Group.

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:	Various
Report Date:	10 September 2022
Responsible Officer:	Brett Cammell, Director Planning and Community Services
Reporting Officer:	Priya Narula, Manager Community Services
Contributing Officer:	Claire Turnbull, Community Development Officer
Reporting Officer Interest	Nil
Attachment(s):	1. CONFIDENTIAL DAIP Review Working Group Nominees 2. DAIP Review Working Group – Terms of Reference

BACKGROUND:

The Disability Services Act 1993 (amended 2004) requires all local governments to develop and implement a Disability Access and Inclusion Plan (DAIP) to assist in planning and implementing

improvements to access and inclusion. These plans can benefit many people in the community including people with disability, the elderly, parents and carers with young children and people from culturally and linguistically diverse backgrounds.

The Town's current DAIP 2018-2021 has now come to an end and the process of reviewing this plan and developing a new DAIP, which will set out the strategies for the next 5 years (2021-2028), has started.

DETAILS:

At the Elected Members Forum held on 10 May 2022, the DAIP community consultation plan was presented for comment and feedback. Elected Members requested that a Community Working Group to be formed after the consultation period. The purpose of this group is to assist in developing strategies for the seven (7) outcome areas as required in the DAIP namely,

People with a disability have the same opportunities as other people to access;

1. Services and events
2. Buildings and facilities
3. Information
4. Quality of service
5. Complaints
6. Consultation processes
7. Employment

A Terms of Reference – *Disability Access and Inclusion Review Working Group* (Attachment 2), was developed to provide a framework for members to guide them through the process and was distributed for information to Elected Members via email on the 29 June 2022.

The DAIP Community Survey was distributed and promoted extensively through the Town via various methods including email, the Town's website, social media, hard copies and DL flyers. Question Eight asked participants if they would like to register for the DAIP Review Working Group.

The Town received six nominations for the Working Group, however only four responded to contact via email and phone after the survey closed. The nominees and a brief outline of their interest in Disability Access and Inclusion in the Town is included in Attachment 1. The Administration recommends that all four nominees be endorsed as members of the working group.

POLICY/STATUTORY IMPLICATIONS:

Council Policy No. 002 Access to services and facilities for people with a disability

RISK MANAGEMENT IMPLICATIONS:

Low: Nominations were called for through the community survey process. All nominees were contacted to confirm their interest in participating.

The working group will be guided by the Terms of Reference, which will be overseen by the Administration.

FINANCIAL IMPLICATIONS:

Nil

STRATEGIC DIRECTION:

The development of the DAIP Review Working Group supports a number of goals within the Towns Strategic Community Plan 2018 - 2028. These include:

Priority Area: Our Community

Goal 1: A sense of community, pride and belonging

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

Goal 3: An active, safe and inclusive community

Strategy 3.3 Encourage a range of activities that better align with the diverse needs of ratepayers of all ages, cultures and abilities.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Council Policy No. 019 Community Engagement Policy.

The community was consulted, and nominees for the working group sought, through a community survey.

Endorsement of the working group is administrative in nature, and community consultation is not required.

Committee Meeting 20 September 2022

PROCEDURAL MOTION:

Moved by Mayor Shannon, seconded by Cr Mayes

That the item be submitted to Council for determination.

Motion put and CARRIED (3/0)

ADMINISTRATION RECOMMENDATION:

Moved by Cr Barlow, seconded by Cr Mack

That Council: -

1. **ENDORSES** the community nominations for the Disability Access and Inclusion Plan Review Working Group as outlines in Confidential Attachment 1; and
2. **APPROVES** two Elected Members for the DAIP Review Working Group, being:
 - a. **Elected Member 1**
 - b. **Elected Member 2**

Cr Carr departed the meeting at 7.26 pm.

Crs Barlow and Haddon-Casey were nominated for the DAIP Review Working Group.

COUNCIL DECISION:

That Council: -

- 1. ENDORSES the community nominations for the Disability Access and Inclusion Plan Review Working Group as outlines in Confidential Attachment 1; and**
- 2. APPROVES two Elected Members for the DAIP Review Working Group, being:**
 - a. Cr Barlow**
 - b. Cr Haddon-Casey**

Motion put and CARRIED (7/0)

CR22.90 FUTURE DIRECTION OF VOLUNTEER AWARDS AND RECOGNITION

PURPOSE:

This report seeks to inform Council of the review undertaken on the Town's Community Awards and Recognition program (refer CR22.27) and provide recommendations from the results of the review.

SUMMARY:

Administration has undertaken a review of the Town's Community Awards and Recognition program with a survey (Attachment 1) sent out to the Town's Clubs and Community Groups. The survey requested feedback on the existing program, and the changes they would like to see implemented in the future, as well as general information about their organisation and how the Town could best support them. A total of 23 responses were received from the 51 local community and sporting groups, which included 14 Sport & Recreation Clubs and 9 Community Groups.

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:	19 September 2022
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	Manager Community Services, Priya Narula
Contributing Officers:	Coordinator Community Development, Renee McIntosh Community Development Officer, Thomas Gosling
Reporting Officer Interest:	Nil
Attachments:	1. 2022 Club and Community Group Survey

BACKGROUND:

The Town's Volunteer Awards and Recognition program is an annual event which invites all clubs and community groups and individuals to recognise the efforts of volunteers within the community. This annual event has occurred in its current form since 2017, with volunteers being celebrated in 2020 with alternative arrangements due to COVID-19.

There are four major categories recognised as a part of the recognition program, where members of the community are asked to nominate volunteers in their most relevant category:

- Community Service Volunteer Award,
- Sport and Recreation Volunteer Award;
- Youth Volunteer Award; and
- Community Art and Culture Volunteer Award

The recipient of each of the volunteer awards is presented with a \$750 gift card in recognition of their contribution at an annual Awards function held in National Volunteers Week at The Boulevard Centre.

DETAILS:

The Town has seen limited interest from the community to nominate volunteers for these Awards as highlighted in **Table 1**, with a maximum of 10 nominations (2020) and a minimum of 5 (2019) across the four categories on any one year.

Table 1 Volunteer nominations

Year	Community Service Award	Sport and Recreation Volunteer Award	Youth Volunteer Award	Community Art and Culture Volunteer Award	Total Nominations
2017	3	4	2	N/A	9
2018	4	3	1	N/A	8
2019	3	2	0	N/A	5
2020	2	6	2	0	10
2021	3	3	0	0	6
2022	2	1	1	3	7
TOTAL	17	19	6	3	45

The feedback survey (Attachment 1) undertaken over June/July 2022, to review the Town's Community Awards and Recognition program received a total of 23 responses, which included 14 sport and recreation clubs and 9 community groups. The clubs and community groups who responded are listed in **Table 2**.

Table 2 Club responses

	Club Name
1	A Cappella Go Harmony Chorus
2	Ballet Workshop Inc
3	Bold Park Masters Swimming Club
4	Cambridge Croquet Club
5	City of Perth Surf Life Saving Club
6	Coast Playgroup
7	Floreat Force Netball Club
8	Floreat Surf Life Saving Club
9	Lake Monger Recreation Club
10	Leederville Sporting Club
11	Perth Netball Association
12	Perth Tango Club

13	Reabold Tennis Club
14	Rotary Club of Cambridge
15	Subiaco Floreat Cricket Club
16	The Flower District West Leederville
17	Wembley Athletic Club
18	Wembley Districts Cricket Club
19	Wembley Lacrosse Club
20	Wembley Playgroup
21	Wembley Theatre Company
22	West Coast Bridge Club
23	YMCA Hockey Club

Clubs and community groups provided several factors as to why they did not nominate any volunteers with the main considerations being:

1. The difficult decision to choose one volunteer over another within an organisation. Often many individuals have meaningful impacts in the community.
2. Limited time and high workloads don't allow volunteers to nominate other volunteers.
3. Clubs and Community Groups feel discouraged when their nominee doesn't win.
4. Those who receive the nomination details and undertake the nominations, are often the ones who should be nominated and are therefore rarely recognised.

The Town's Volunteer Recognition program mirrors several organisations who look to recognise volunteering in the community. State Sporting Organisations have similar events and awards which are strategically aligned to opportune times of a given sports season, the State Government has annual volunteer awards which vary year to year to meet topical trends in society and at times volunteer organisations run their own forms of recognition programs as well.

The volunteer recognition space can be saturated with the number of opportunities to recognise volunteers, which provides the Town an opportunity to provide an alternative means of recognition which may also have the added benefit of streamlining the process.

Proposed new community awards and recognition program

1. Review of Volunteer Recognition Categories

As club and community groups find it very difficult to nominate one volunteer over another, and those who do get nominated believe that their efforts are only a reflection of the wonderful work their club or group do within the community, providing a means to nominate an entire volunteer organisation will alleviate many of these concerns around individual nominations. **Table 3.** provides each of the existing categories with a revised means to recognise the entire organisation.

Table 3 Volunteer recognition categories

Individual Category (existing)	Organisation Category (proposed)
Community Art & Culture Volunteer Award	Community Art & Culture Organisation of the Year
Sport and Recreation Volunteer Award	Community Sports Club of the Year
Community Service Volunteer Award	Community Service Organisation of the Year

The process for choosing the winning organisation under each of the new categories would be as follows:

- A ten (10) month promotion period of the program directly to the Town's Clubs and Community Groups through direct email and to the wider community through the Town's Social Media channels, Website and Cambridge News.
- Administration to review submissions for suitability and forward to Council for final determination. Criteria for selection would include the following:
 - (i) A local not-for-profit volunteer run Community Art & Culture, Sports and Recreation or Community Service organisation, operating within the Town of Cambridge who has made a significant contribution to benefit the local community through its operations.
 - (ii) Has demonstrated significant initiative, innovation or creativity in their operations, which has brought about positive change and/or
 - (iii) Raised awareness of volunteering and encouraged others to volunteer and achieve their potential.

Along with the above three "organisation" categories, Administration would run a monthly "Spotlight on Volunteers" to recognise individual volunteers within the community on a less formal scale than the existing method. The process for choosing these individuals would be as follows:

- Advertise the program directly to the Town's Clubs and Community Groups through direct email and to the wider community through the Town's Social Media channels, Website and Cambridge News.
- Administration to review nominations for suitability with final sign off from the Chief Executive Officer. Criteria for selection would include the following:
 - (i)
 - (a) A Town of Cambridge resident who has made a significant voluntary contribution either within or outside the Town of Cambridge;
 - (b) An individual (not necessarily a resident) who has made a significant voluntary contribution to benefit either Cambridge residents or a community group/organisation, operating within the Town of Cambridge;
 - (ii) the individuals time and effort is above the standard expected of any citizen (hours of time volunteered, range of tasks undertaken and length of service) and sets an example for others;
- Each nominations received would be allocated a month each and receive recognition via the Town's Social Media channels, Website and Cambridge News over that month.
- Additional call-outs would be undertaken over the year if not enough nominations were received in the first instance.

Each of the volunteers featured in the "Spotlight on Volunteers" would receive a voucher for \$100 to spend at a local business of their choice. These individual volunteers would be invited to attend and be recognised at the reviewed annual Volunteers' Function.

It is proposed to launch the new look awards format in the 2023 National Volunteers Week (15-21 May), with a view to holding the corresponding function in the March or April of 2024. This will give a full year to run the "Spotlight on Volunteers" recognition program and provide plenty of opportunity to promote the new format Volunteer Organisation Awards. Details of the reviewed function are outlined below.

2. Reviewed Volunteers Function

The Community Awards and Recognition function has historically been held annually at The Boulevard Centre in May to align with National Volunteers week. There has been a steady decline in attendance since 2017 as demonstrated in Table 4. with several factors contributing to this including time of the event, format of the awards and COVID related interruptions.

Table 4 Awards function attendance

Year	Number of Attendees
2017	92
2018	53
2019	63
2020	No Function due to COVID
2021	48

As the 2022 Volunteer Awards function was postponed due to ongoing Covid concerns, it is proposed to trial a refreshed Awards Function as a Friday afternoon ‘sundowner’ style event in the Town’s Reception Room and Courtyard area in November 2022. It is hoped the change in venue, warmer time of the year and the Friday afternoon timeslot may rejuvenate interest for volunteers to attend the event. The success of this new format will be reviewed after the event, for future Volunteers functions.

3. Honour Board

The current Volunteer Awards and Recognition program, provides for limited means of recognition for volunteers beyond the annual function. It is proposed that honour boards are introduced and displayed at the Town’s Administration building to provide a more permanent, long-lasting form of recognition for past and future winners. Subject to the final determination by Council on the proposed new award categories, it is proposed two honour boards are purchased as outlined below:

1. Retrospective winners of the volunteer awards since 2017; and
2. New categories from 2024, (subject to final determination by Council)

POLICY/STATUTORY IMPLICATIONS:

Policy No. 017 Community Awards and Recognition Program.

RISK MANAGEMENT IMPLICATIONS:

Low: There is no risk associated in reviewing the Town’s Volunteer Recognition Program.

FINANCIAL IMPLICATIONS:

\$10,000 is allocated to the Community Awards and Volunteers Function in the 2022/2023 adopted budget which will be sufficient to service the 2022 function and cost of the Honour Board for award recipients from 2017-2022.

The budget for future years will be dependent on the success of the Volunteers Function being held at the Town’s Reception Area at the Administration Building. However, it is unlikely that any increase over the \$10,000 currently allocated will be required.

STRATEGIC DIRECTION:

The Town's Community Recognition Awards Program supports a number of goals within the Town's Strategic Community Plan 2018-2028 including:

Priority Area: Our Community Life

Goal 1: A sense of community, pride and belonging

- Strategy 1.1 Encourage and support a range of activities and events at which communities can gather and interact
- Strategy 1.2 Promotion of a strong community identity

Goal 3: An active, safe and inclusive community

- Strategy 3.2 Deliver programs supporting local clubs and community groups' capacity to run their community activities
- Strategy 3.3 Encourage activity that meets the needs of people of all ages, cultures and abilities

COMMUNITY ENGAGEMENT:

This matter has been assessed with the Town's Policy No. 019 Community Engagement. In accordance with the assessment criteria, a "Consult" level of assessment has been made. Consultation was in the form of a survey (Attachment 1) to all of the Town's clubs and community groups requesting feedback on general information about their organisation and more specifically on the Community Awards and Recognition Program.

Email communication was sent out to all clubs and community regarding the survey on Thursday, 23 June 2022 with follow up reminders on 30 June and 7, 19 and 22 July 2022.

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council: -

- 1. APPROVES the proposed Community Awards and Recognition program categories**
 - a. Community Art & Culture Organisation of the Year**
 - b. Community Sports Club of the Year**
 - c. Community Service Organisation of the Year****to recognise voluntary organisations within the Town of Cambridge community;**
- 2. APPROVES the proposed "Spotlight on Volunteers" program to recognise residents who have made a significant voluntary contribution either within or outside the Town of Cambridge or an individual from outside the Town who has made a significant voluntary contribution to benefit Town of Cambridge residents or its community groups;**
- 3. APPROVES the introduction of an honour board to recognise Volunteer Award recipients on a more permanent and ongoing basis, including retrospective recognition of 2017-2022 recipients; and**
- 4. APPROVES the relocation of the Volunteer Awards Function from The Boulevard Centre to the Reception Room and Courtyard of the Town's Administration Centre as a trial for 2022.**

Motion put and CARRIED EN-BLOC (8/0)

CR22.91 REQUEST FOR ADDITIONAL CRICKET FACILITIES FOR WEMBLEY DISTRICTS JUNIOR CRICKET CLUB

PURPOSE OF REPORT:

The purpose of this report is to inform Council of the request from Wembley Districts Junior Cricket Club (WDJCC) for an additional cricket facility at Henderson Park to meet the club's continued growth; and to seek Council approval to install one cricket pitch at Henderson Park.

SUMMARY:

Wembley Districts Junior Cricket Club has requested an additional cricket playing facility at Henderson Park to cater for the continued growth in participation seen in recent seasons.

In season 2021/2022 WDJCC utilised seven of the nine active sporting reserves the Town offers to summer seasonal hirers and have formally requested an additional playing facility at Henderson Park in season 2022/2023 to support the growth expected in Stage 2 Junior Cricket (under 12s/under 13s Boys and 15s Girls competitions).

The Club have requested the Town approve the installation of two synthetic cricket pitches at Henderson Park for competition. However, this will have implications for the Town's existing AFL Football users and will potentially impact the ability to introduce sporting codes played on rectangular fields (Soccer and Rugby).

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:	Henderson Park, Salvado Road, Wembley
Report Date:	9 September 2022
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	Manager Community Services, Priya Narula
Contributing Officer:	Community Development Officer, Thomas Gosling
Reporting Officer Interest	Nil
Attachment(s):	1. Wembley Districts Junior Cricket Club request 2. Wembley Junior Football Club – Project Comments

BACKGROUND:

The State Sporting Association, WA Cricket, consider WDJCC one of the biggest junior cricket clubs in Western Australia per registered participants. WDJCC fielded 53 junior teams in season 2021/2022 and expects this number to increase given the continued expansion in female cricket.

Year	Girls Teams
2020/2021	5
2021/2022	11
2022/2023	11 – 15*

**Figure to be confirmed once registrations are closed in late September 2022.*

The club utilises 77% of the Town's active reserves during the summer season (seven of the nine active reserves, with at least one booking per reserve each week) and holds 46% of all seasonal bookings on active reserves during the summer season which includes 61% of available reserves on a Saturday and Sunday morning (traditionally the most requested times for junior sport competition). The club also utilise grounds in adjoining Local Government Authorities including the City of Subiaco, City of Nedlands, and the City of Stirling.

WDJCC have expressed that the existing arrangement with the Town is not sufficient given the continued growth in participation the club has seen in previous seasons. The driver for this is the growth in female participation, with the club fielding five junior girls' teams in 2020/2021, 11 in 2021/2022 and expectations this number will rise again in 2022/2023.

WA Cricket

Town officers have met with WA Cricket who indicate that they are confident a new competition administration model to be operated by WA Cricket, that will be introduced in the coming month, will maximise existing venues WDJCC has access to, and support a better fixturing system. This is a change from the previous fixturing model which was operated by Central Junior Cricket Association volunteers and often resulted in changes to fixtures to resolve the high number of ground clashes. The new model should support WDJCC to manage its existing teams and provide clarity in how many grounds will be required to cater any further growth.

WA Cricket has also suggested as the sport continues to grow there is a need for its clubs and associations to investigate flexible playing arrangements to ensure it can continue to service all. Ideas suggested include Sunday afternoon fixtures, Friday night fixtures and investigating agreements with the Education Department to utilise school ovals.

Request for additional facilities - City Beach Oval - Lower and Wembley Oval

WDJCC have requested (**refer Attachment 1**) two amendments to the Town's seasonal hire schedule to support the club managing its weekend fixtures, one at City Beach Oval – Lower and two at Wembley Oval.

WDJCC requested the Town move City Beach Teeball Club from City Beach Oval – Lower on a Saturday morning to allow them to utilise the cricket pitch on the reserve. The Administration has informed WDJCC that this will not be possible given the longstanding seasonal hire arrangement the Town has had with City Beach Teeball Club and the clubs continued need of the reserve. It was also noted that the cricket pitch on the reserve was primarily provided for City Beach Green Range Cricket Club who are the senior cricket seasonal hirer at the venue.

In addition, WDJCC requested use of Wembley Oval on a Saturday and Sunday morning as Wembley Baseball Club has moved away from the venue. The Administration has informed WDJCC that it is supportive of this request which has been added to the preliminary 2022/2023 seasonal hire schedule.

Request for additional facilities - Henderson Park

WDJCC have requested two synthetic cricket pitches be installed at Henderson Park (**refer Attachment 1**), primarily to service Stage two Junior Cricket (under12s/under13s Boys and 15s Girls competitions) where the growth is expected this coming season.

Installing two synthetic pitches at Henderson Park has implications on existing hirers, as pitches in the middle of their playing field may limit the ability to utilise the venue for competition due to safety requirements. AFL Football for example will be unable to utilise the reserve as an uncovered synthetic pitch will make the venue unsuitable for competition and undesirable for training, however, pitches can be covered with rubber matting to avoid this situation. Additional pitches will also reduce the Town's ability to accommodate other sports codes in the future, particularly those played on a rectangular field (Soccer, Rugby League, and Rugby Union).

Below illustrates the cricket field dimensions to service the different stages of junior cricket. Figure 1.1 represents a cricket field with a boundary of 45m which is the required boundary size for Stage two Junior Cricket (under12s/under13s Boys and under15s Girls). This shows that Henderson Park could sufficiently fit two cricket pitches to service Stage two Junior Cricket. When comparing this to Figure 1.2 which represents the required field dimensions for Stage three Junior Cricket (under15s/under17s Boys and under18s Girls) which requires a 50m boundary, Henderson Park would not be sufficient to fit two pitches on the venue. This would be further exacerbated for Senior Cricket with boundaries being up to 65m.

As Figure 1.1 and 1.2 illustrates, Henderson Park would only be suitable for two pitches if Stage two Junior Cricket (and below) were to be played at the venue. To maximise the number of users who could use the venue for cricket it is recommended that only one cricket pitch be approved at Henderson Park which would allow all formats of Junior and Senior cricket be played at the venue.

Figure 1.1 Stage 2 Junior Cricket Field – Henderson Park



Figure 1.2 Stage 3 Junior Cricket Field – Henderson Park

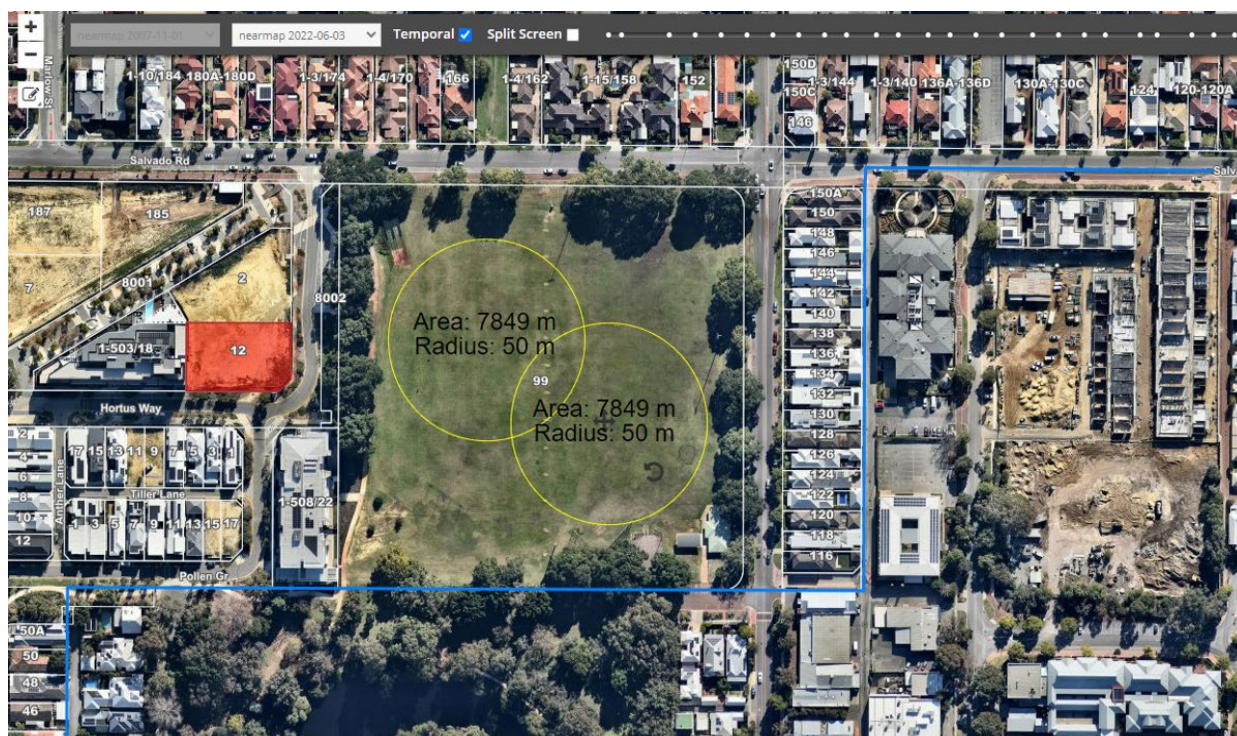


Figure 1.3 illustrates the dimensions of an AFL Football field while Figure 1.4 illustrates a Soccer field. Both show how a cricket pitch would impact on existing and potential users. AFL Football is the existing Winter user of Henderson Park, utilising the reserve for training four times a week to service both junior and senior football. The Town does not service Soccer (or other rectangular sports such as Rugby Union or Rugby League), however numerous requests are received from clubs and groups outside the Town to utilise its reserves for rectangular sports.

Assuming that the cricket pitch was placed in the middle of the reserve, it would encroach on both the AFL and Soccer fields. Community AFL fields often have a cricket pitch in the middle of the reserve (as seen at McLean Park, Pat Goodridge Reserve and City Beach Ovals). This allows venues to be multi-purpose, however the cricket pitch must have rubber matting over the top during the AFL season (Winter) as a venue safety requirement. Given the varying boundary sizes in junior and senior cricket it would be most logical to keep it as central as possible on the reserve.

Soccer (and many other rectangular sports) cannot have a cricket pitch anywhere on their field due to safety and facility requirements. As represented in figure 1.2 a full-sized soccer pitch (including spectator requirements) could not co-exist with a cricket pitch at Henderson Park. This therefore would suggest if a cricket pitch was added to Henderson Park, it would limit the Town's ability to service rectangular sports on the reserve, however, could facilitate an arrangement with AFL Football, albeit for training purposes only and not competition.

Figure 1.3 AFL Field alignment with Cricket Field



Figure 1.4 Soccer Field alignment with Cricket Field



Current Ground Hirers Feedbacks

The three existing seasonal hirers of Henderson Park are Wembley Junior Football Club, Wembley Amateur Football Club and St Finbarrs Gaelic Football Club who were consulted on two scenarios at Henderson Park.

1. If one pitch was installed at Henderson Park; and
2. If two pitches were installed at Henderson Park

The results are as followed:

	Wembley Amateur Football Club	Wembley Junior Football Club	St Finbarrs Gaelic Football Club
<i>Scenario 1: One pitch at Henderson Park</i>	There are very few ovals left without cricket pitches in the middle. A hard pitch with rubber matting over it is still quite dangerous in my eyes if the oval is going to be used for football by seniors and juniors.	Attachment 2	The one pitch would be less restricting & would hopefully be able to work ok.
<i>Scenario 2: Two pitches at Henderson Park</i>	If Wembley Sports Park (WSP) is not available for pre-season training, then I can't support pitches being installed at Henderson Park. I would be concerned by the risk of injury to players running across the pitches.	Attachment 2	The hard surface area that is installed will most likely reduce the playable area due to it being a possible slip hazard, with the 2 teams training we may need to access the available training area if these are to be installed.

Henderson Park previously had a synthetic pitch at the venue, however, once Wembley Districts Cricket Club moved to Pat Goodridge Reserve in 2002 the pitch was no longer required and subsequently removed. It is noted that albeit unfavourable responses were provided by the above seasonal hirers, they all use Henderson Park through the winter season (April – September), whilst Wembley Districts Junior Cricket Club are the only user during the summer season (October – March). This means that Wembley Districts Junior Cricket Club use Henderson Park for the same amount of time as the above hirers on any given year.

Both Wembley Amateur Football Club and Wembley Junior Football Club have referred to their concerns with the rubber matting placed on the pitch during the winter months. This rubber matting arrangement is the same across all the Town's reserves which have multi-purpose arrangements with AFL Football and Cricket (Pat Goodridge Reserve, City Beach Ovals and McLean Park). However, the Administration acknowledges these concerns and will consult with other Local Governments to source possible alternative covers.

POLICY/STATUTORY IMPLICATIONS:

Policy No. 007 Asset Management - Community Facilities
Policy No. 014 Community Facilities, Parks and Reserves – Conditions of Hire

Delegation 1.2.13: Private works on, over or under public places. The CEO is delegated authority to approve works on public places, subject to conditions.

RISK MANAGEMENT IMPLICATIONS:

Medium: The Town's Strategic Community Plan 2018-2028 outlines a commitment to support local clubs and their capacity to run community activities. Failure to support some clubs over others through strategic facility provision will significantly compromise additional sporting codes to service the community. Junior Cricket alone service 46% of the Town's Summer Seasonal booking, which provides little opportunity for other sports to utilise the Town's sporting reserves.
If additional cricket facilities are provided at Henderson Park, this may risk the Town's ability to service other sporting codes, and possibly obstruct other sporting users of the reserve.

FINANCIAL IMPLICATIONS:

The cost to install a pitch on a reserve with no existing infrastructure (concrete base and synthetic grass surface) will cost between \$8,000 and \$15,000 dependent on several factors relating to the ground condition, width and length of the pitch and concrete base required to service the infrastructure. Once the pitch is installed rubber matting would be required to protect the pitch and allow sports to be played on the reserve over the winter months. This would cost a further \$2,000 - \$5,000.

Item	Cost
Cricket Pitch Installation	\$8,000 - \$15,000
Cricket Pitch protection matting	\$2,000 - \$5,000
Total	\$10,000 - \$20,000

No funding was allocated for these works in the Town's 2022/23 Adopted Budget.

WDJCC have suggested they are prepared to fully financially fund the Henderson Park project and have also suggested this will be supported by WA Cricket through, the Australian Cricket Infrastructure Fund (ACIF).

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 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.
- Strategy 3.2 Continue to deliver more programs which support local clubs and community groups and their capacity to run their community activities.
- Strategy 3.3 Encourage a range of activities that better align with the diverse needs of ratepayers of all ages, cultures and abilities.
- Strategy 3.4 Act to create and maintain safe, friendly and open environments that residents can access and enjoy.

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.
- Strategy 10.3 Ensure sound and sustainable financial planning, management and reporting.

COMMUNITY ENGAGEMENT:

As regular users of Henderson Park, Wembley Junior Football Club, Wembley Amateur Football Club and St Finbarrs Gaelic Football Club have been consulted on this proposed project however following the Council's decision the clubs will be informed of the outcome.

ADMINISTRATION RECOMMENDATION:

That Council APPROVES the installation of one cricket pitch, and provision of suitable winter matting, at Henderson Park to be funded in full by Wembley Districts Junior Cricket Club, in a location to be approved by the CEO.

COUNCIL DECISION:
(COMMITTEE RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council DEFERS the item for one month to investigate the availability of alternative ovals within the Town with existing cricket facilities.

Motion put and CARRIED EN-BLOC (8/0)

CR22.92 COMMUNITY SPORTING AND RECREATION FACILITIES FUND (CSRFF) CLUB NIGHT LIGHTS - CITY BEACH OVAL (UPPER) & PAT GOODRIDGE RESERVE – COMMUNITY CONSULTATION AND REVIEW
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PURPOSE OF REPORT:

The purpose of this report is to update Council on the community consultation and proposed projects to be submitted for the Club Night Lights Program for Floodlighting at City Beach Oval – Upper and Pat Goodridge Reserve.

SUMMARY:

In April 2022 Council approved a proposal to install floodlights at City Beach Oval (Upper) in partnership with West Coast Amateur Football Club; and Pat Goodridge Reserve in partnership with Wembley Athletic Club (CR22.26). As a part of the Town's Club Capital Works Request process completed in October 2021, both projects were rated as Must Do, and proposed for the 2022/2023 budget.

Council also endorsed the Administration to submit a grant application to the Department of Local Government, Sport and Cultural Industries (DLGSCI) for the Club Night Lights program (CR22.26).

The total cost of City Beach Oval – Upper was estimated at \$414,040.28 (ex GST) and the total cost of Pat Goodridge Reserve was estimated at \$414,040.28 (ex GST). The two proposals sought from Council \$138,013.43 (ex GST) for the City Beach Oval – Upper project and \$138,013.43 (ex GST) for the Pat Goodridge Reserve project.

The total cost for both projects was originally estimated at \$828,080.56 (ex GST) to be split 1/3 by the Town, 1/3 by Respective Club/s, 1/3 by DLGSCI with the Town's contribution being \$276,026.85 (ex GST).

The Town has now received a revised cost based on a completed design and specification of \$364,958.21 (ex GST) for the City Beach Oval – Upper project and \$483,190.78 (ex GST) for the Pat Goodridge Reserve project, with the total cost of both projects \$848,148.99 (ex GST).

West Coast Amateur Football Club and West Coast Junior Football Club have confirmed between both clubs they can commit \$40,000 towards the City Beach Oval – Upper project, and the rest of their 1/3 contribution will hinge on the availability of additional external grant funding (West Australian Football Commission and WA Cricket). This leaves a total shortfall of \$81,652.74 to meet the clubs 1/3 contribution to the project. The clubs have requested Council commit the remaining \$81,652.74.

Wembley Athletic Club have confirmed that the club could commit \$80,000 towards the Pat Goodridge Reserve project, and the rest of their 1/3 contribution will also hinge on the availability of additional external grant funding (West Australian Football Commission and WA Cricket). This leaves a total of \$81,063.59 short of the clubs 1/3 contribution to the project. The club has requested Council commit the remaining \$81,063.59.

Subsequent to the report to Council in April 2022 Community Consultation has been undertaken on both projects.

The City Beach Oval – Upper project had a total of 68 respondents with a unanimous majority in support of the project.

The Pat Goodridge Reserve floodlighting project had a total of 52 respondents where a clear majority were in support of 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 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:	City Beach Oval – Upper & Pat Goodridge Reserve
Report Date:	9 September 2022
Responsible Officer:	Director Planning and Community Services, Brett Cammell
Reporting Officer:	Manager Community Services, Priya Narula
Contributing Officer:	Community Development Officer, Thomas Gosling
Reporting Officer Interest	Nil
Attachment(s):	1. Community Consultation Results City Beach Oval – Upper 2. Community Consultation Results Pat Goodridge Reserve 3. Town of Cambridge Financial Contribution Breakdown 4. Wembley Athletic Club – Letter of Financial Commitment

BACKGROUND:

The Administration proposed two floodlighting projects to Council in April 2022, at City Beach Oval – Upper in partnership with West Coast Amateur Football Club and West Coast Junior Football Club, and at Pat Goodridge Reserve in partnership with the Wembley Athletic Club (CR22.26). These projects will be supported by an application for the 2022 Club Night Lights Program, run by the Department of Sport, Local Government and Cultural Industries (DLGSCI). The Club Night Lights Program can fund up to 1/3 of sport floodlighting projects.

The initial cost of the City Beach Oval – Upper project was originally quoted at \$414,040.28 (ex GST), with Council approving a 1/3 contribution to the project to a maximum of \$138,013.43 (ex GST), with West Coast Amateur Football Club and West Coast Junior Football Club to fund a second third, and the Administration submitting an application to the Club Night Lights Program to fund the final third

The initial cost of the Pat Goodridge Reserve project was originally quoted at \$414,040.28 (ex GST), with Council approving a 1/3 contribution to the project to a maximum of \$138,013.43 (ex GST), with the Wembley Athletic Club to fund a second third, and the Administration submitting an application to the Club Night Lights Program to fund the final third.

DETAILS:

City Beach Oval – Upper – West Coast AFC and West Coast JFC

The Administration engaged Anser Technical to provide a specification and design for the City Beach Oval – Upper project with the quote provided being \$364,958.21 (ex GST) which includes a 20% contingency. The Town's revised 1/3 contribution would be \$121,652.21 with the clubs and Club Night Lights Program to fund the final 2/3 (pending a successful application).

In addition to the Club Night Lights funding program the West Australian Football Commission (WAFC) have advised of the Australian Football Facilities Fund (AFFF) available for 10% of projects or a maximum of \$50,000 if deemed a significant need for continued participation. The WAFC has indicated funding applications will be available by the end of the 2022 calendar year.

The Administration has also enquired about funding from WA Cricket who have advised the Town can apply for up to \$30,000 through the Australian Cricket Infrastructure Fund (ACIF) and have indicated applications will be available October or November 2022.

West Coast Amateur Football Club and West Coast Junior Football Club have advised that they can contribute \$40,000 towards the project, with the remaining \$81,652.74 dependent on external funding. The club's contribution was always going to hinge on additional funding opportunities, however the true financial strain of COVID 19 has come to light in the last few months, particularly for West Coast Amateur Football Club. West Coast Junior Football Club will commit \$30,000 towards the project, whilst West Coast Amateur Football Club will commit \$10,000 towards the project.

The clubs have requested Council commit the remaining \$81,652.74 until the result of additional funding sources is known. Any additional grant funding would fund the remaining \$81,652.74 to meet West Coast Amateur Football Club and West Coast Junior Football Club 1/3 contribution.

Overleaf is a comparative table of the funding breakdown approved in CR22.26 (Figure 1.1), and the revised funding breakdown (Figure 1.2) proposed with the specification, design, and clubs' contribution information now confirmed.

COMPARATIVE TABLE

Table 1.1 Approved Funding Breakdown CR22.26 - City Beach Oval - Upper

Funding Sources	Cost (exc GST)	GST Applicable	Cost (inc GST)	Notes
Local Government (LGA) contribution	\$138,013.43	\$13,801.34	\$151,814.77	
Club Contribution	\$138,013.43	\$13,801.34	\$151,814.77	
DLGSCI Grant Requested	\$138,013.43	\$13,801.34	\$151,814.77	Cannot exceed 1/3 of the total Project Cost
Total Project Cost	\$414,040.28	\$41,404.03	\$455,444.31	
Australian Football Facilities Fund (AFFF)	\$40,000-\$50,000			Likely to subsidise cost from Town & Club/s

Table 1.2: Revised Funding Breakdown and Cost Estimate - City Beach Oval - Upper

Funding Sources	Cost (exc GST)	GST Applicable	Cost (inc GST)	Notes	Difference from CR22.26 (ex GST)
Local Government (LGA) contribution	\$121,652.74	\$12,165.27	\$133,818.01		-\$16,360.69
Club Contribution	\$40,000.00 (Shortfall of \$81,652.73)			Club's will rely on additional funding sources to fund the rest of their 1/3 contribution	-\$98,013.43
DLGSCI Grant Requested	\$121,652.74	\$12,165.27	\$133,818.01	Cannot exceed 1/3 of the total Project Cost	-\$16,360.69
TOTAL	\$283,305.48				
Total Project Cost	\$364,958.21 (inc 20% contingency)	\$36,495.82	\$401,454.03		-\$49,082.07
Shortfall	\$81,652.73				
Additional Sources of Funding					
Australian Football Facilitates Fund (AFFF)	\$20,000 - \$40,000			Likely to subsidise cost from Town & Club/s	
Australian Cricket Infrastructure Fund (ACIF)	\$10,001 - \$30,000			Likely to subsidise cost from Town & Club/s	

Community Consultation: City Beach Oval – Upper

Approximately 25 letters were delivered to residents who live directly adjacent to City Beach Oval – Upper, this included residents and homes within 200 metres of the City Beach Oval site who had a direct view of the reserve. All regular users of City Beach Oval precinct were invited by email to provide feedback, and a link was shared on the Town's social media accounts to invite members of the public to provide comment on the project. The survey period was from 15 August 2022 to 29 August 2022 and included the below plan indicating the proposed location.

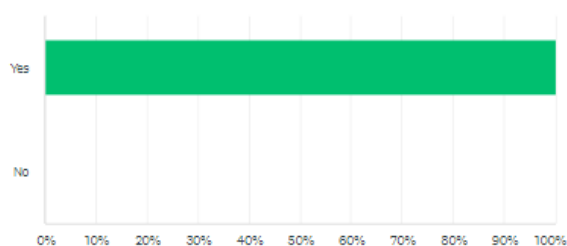


The survey resulted in 68 responses during the consultation period. Responses to Q4 indicate a unanimous majority of respondents are for the project to go ahead with 66 of the respondents selecting 'Yes, refer to the graph below.

City Beach Upper Oval Floodlight Feedback

Q4 Do you support the proposed plans?

Answered: 66 Skipped: 2



ANSWER CHOICES	RESPONSES
Yes	100.00% 66
No	0.00% 0
TOTAL	66

Responses to Q4

Comments:

Results from this consultation indicate a strong level of support for the project. Results were largely from club members, however there was no significant concerns from the any other respondents (**Attachment 1**).

The City Beach Oval – Upper floodlighting would be a significant asset to the City Beach area, and wider Cambridge community. It will enable users to structure training sessions at more accessible times, and encourage further competition opportunities, particularly on Friday and Saturday nights.

Pat Goodridge Reserve – Wembley Athletic Club

The Administration engaged Anser Technical to provide a specification and design for the Pat Goodridge Reserve project with the quote provided being \$483,190.78 (ex GST) which includes a 20% contingency. The Town's revised 1/3 contribution would be \$161,063.78 (ex GST) with the club and DLGSCI to fund the final 2/3.

In addition to the Club Night Lights funding program the West Australian Football Commission (WAFC) have advised of the Australian Football Facilities Fund (AFFF) available for 10% of projects or a maximum of \$50,000 if deemed a significant need for continued participation. The WAFC has indicated funding applications will be available by the end of 2022. The Town has also enquired about funding from WA Cricket who have advised the Town can apply for up to \$30,000 through the Australian Cricket Infrastructure Fund (ACIF) and have indicated applications will be available October or November 2022.

The Pat Goodridge Reserve project has increased from the originally budgeted \$414,040.28 (ex GST) to a revised cost of \$483,190.78 (ex GST). This increase is largely due to available power at the site, and work required to ensure the safety and longevity of the floodlights. There is also additional infrastructure required to house the floodlights LED driver to mitigate the risk of overheating during the summer months.

Wembley Athletic Club have advised that they can contribute \$80,000 towards the project, with the remaining \$81,063.22 hinging on external funding. The club has said it will pay \$40,000 of its contribution with reserve funds, however, will apply for a loan to fund the other \$40,000 and has requested the Town be guarantor. Wembley Athletic Club has entered into a similar agreement with the Town before and has never defaulted on a loan commitment.

The club has suggested given the recent projects it has supported the Town on (Henderson Park Floodlighting and Wembley Sport Park Pavilion) and the reduction in revenue because of COVID 19 it would not be able to fully fund its 1/3 contribution, and thus requiring support from the additional funding sources. The club has requested Council commit the remaining \$81,063.22 until additional the result of additional funding sources is known. Any additional grant funding would fund the remaining \$81,063.22 to meet Wembley Athletic Club's 1/3 contribution.

Overleaf is a comparative table of the funding breakdown approved in CR22.26 (Figure 1.1), and the revised funding breakdown proposed with the specification, design, and club's contribution information now available.

Table 2.1 Approved Funding Breakdown CR22.26 – Pat Goodridge Reserve

Funding Sources	Cost (exc GST)	GST Applicable	Cost (inc GST)	Notes
Local Government (LGA) contribution	\$138,013.43	\$13,801.34	\$151,814.77	
Club Contribution	\$138,013.43	\$13,801.34	\$151,814.77	
DLGSCI Grant Requested	\$138,013.43	\$13,801.34	\$151,814.77	Cannot exceed 1/3 of the total Project Cost
Total Project Cost	\$414,040.28	\$41,404.03	\$455,444.31	
Australian Football Facilitates Fund (AFFF)	\$40,000-\$50,000			Likely to subsidise cost from Town & Club/s

Table 2.2: Revised Funding Breakdown and Cost Estimate – Pat Goodridge Reserve

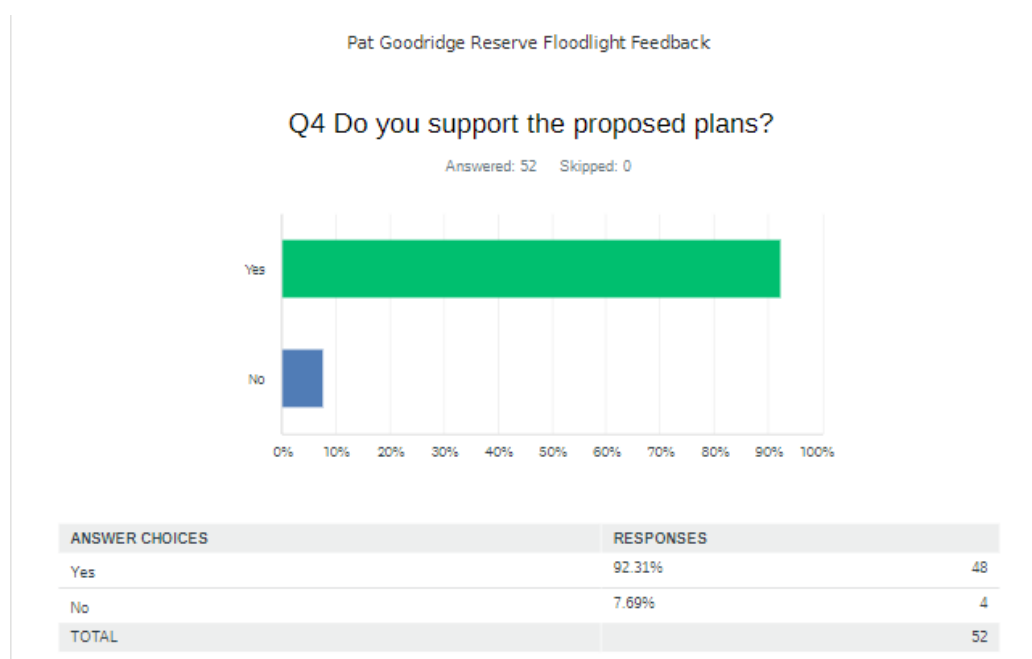
Funding Sources	Cost (exc GST)	GST Applicable	Cost (inc GST)	Notes	Difference from CR22.26 (ex GST)
Local Government (LGA) contribution	\$161,063.78	\$16,106.38	\$177,170.16		+\$23,050.35
Club Contribution	\$80,000.00 (Shortall of \$81,063.22)			Club will rely on additional funding sources to fund the rest of the project	-58,013.43
DLGSCI Grant Requested	\$161,063.78	\$16,106.38	\$177,170.16	Cannot exceed 1/3 of the total Project Cost	+\$23,050.35
TOTAL	\$402,127.56				
Total Project Cost	\$483,190.78 (inc 20% contingency)	\$48,319.08	\$531,509.86		+69,150.35
Shortfall	\$81,063.22				
Additional Funding Sources					
Australian Football Facilitates Fund (AFFF)	\$20,000 - \$40,000			Likely to subsidise cost from Town & Club/s	
Australian Cricket Infrastructure Fund (ACIF)	\$10,001 - \$30,000			Likely to subsidise cost from Town & Club/s	

Community Consultation: Pat Goodridge Reserve

Approximately 35 letters were delivered to residents who live directly adjacent to Pat Goodridge Reserve. This included residents and homes within 200 metres of the Pat Goodridge Reserve site who had a direct view of the reserve, including approximately 12 residents who live outside the Town. A link was shared on the Town's social media accounts to invite members of the public to provide comment on the project, in addition to all regular users of the Wembley Sports precinct were also given this opportunity. The survey period was from 15 August 2022 to 29 August 2022 and included the below plan indicating the proposed location.



The survey resulted in 52 responses during the consultation period. Responses to Q4 indicate a significant majority of respondents are for project to go ahead with 48 of the respondents selecting 'Yes, refer to the graph below.



Responses to Q4

Comments:

Results from this consultation indicate a strong level of support for the project. Like City Beach Oval, Pat Goodridge was largely from club members, however there were some neighbouring residents who were concerned light spill would impact them at night. The Town's policy No 014 – Community Facilities, Parks – Conditions of Hire states that all floodlighting must be turned off by 10pm. The Town does not have any current seasonal hirers who require floodlighting beyond 8:45pm. The lighting design of the project also suggests any light spill outside side of the immediate playing area will be minimal (**Attachment 2**).

The Pat Goodridge Reserve floodlighting would be a significant asset to the Wembley Sports Precinct, and wider Cambridge community. It will enable users to structure training sessions at more accessible times, and encourage further competition opportunities, particularly on Friday and Saturday nights.

Club Night Lights Funding – Reimbursement Process

The Administration's recommendation in CR22.26 requested \$276,026.86 (ex GST) for the City Beach Oval – Upper project and \$276,026.86 (ex GST) for the Pat Goodridge Reserve project. This accounted for 2/3 of the original cost of both projects.

This was to account for the Club Night Lights Program operating on a reimbursement system where the Town would need to fund an additional third prior to the commencement of both projects, with the Club Night Lights funding reimbursed at the completion of the project.

If Club Night Lights Funding is successful construction of both projects will likely fall in 2023/2024 financial year, therefore it is recommended that an additional third of the revised project cost of City Beach Oval – Upper \$121,652.74 be added to the draft 2023/2024 budget and an additional third of the revised project cost of Pat Goodridge Reserve \$161,063.78 be added to the draft 2023/2024 budget.

Action on this is not required now, but can be revisited early in 2023 once the outcome of grant funding is confirmed.

POLICY/STATUTORY IMPLICATIONS:

Policy No. 006 Asset Management
Policy No. 014 Community Facilities, Parks - Conditions of Hire
Policy No. 016 Community Funding Programs

RISK MANAGEMENT IMPLICATIONS:

Medium: The Town's Strategic Community Plan 2018-2028 outlines a commitment to support local clubs and their capacity to run community activities. Failure to support the Clubs through facility provision will significantly compromise the Club's ability to operate effectively. If the additional funds requested from Council are not committed the projects will not be able to proceed

In addition, failure to implement this project will affect the Town's ability to effectively manage to an optimal level the wear on the ground surface at City Beach Oval - Upper and Pat Goodridge Reserve.

FINANCIAL IMPLICATIONS:

City Beach Oval - Upper

Should Council support the floodlighting project at City Beach Oval, Upper an amount of \$81,652.73 in unbudgeted expenditure is required to fund the shortfall of the Club's 1/3 contribution. This can be funded from the Endowment Lands reserve account.

The total project cost figure of \$364,958.21 (ex GST) provided by Anser Technical (Electrical Engineer) includes a 20% cost contingency.

Outlined in **Attachment 3** is the breakdown of the Town's additional contribution of \$65,292.05 required for the City Beach Oval – Upper project to go ahead. This accounts for the revised project cost coming under the original budget for the project and the additional funds required to fund West Coast Amateur Football Club and West Coast Junior Football Clubs shortfall.

Pat Goodridge Reserve

Should Council support the floodlighting project at Pat Goodridge Reserve, an amount of \$81,063.22 in unbudgeted expenditure is required to fund the shortfall of the Club's 1/3 contribution. This can be funded from the Area Improvement Reserve account.

The total project cost figure of \$483,190.78 (ex GST) provided by Anser Technical (Electrical Engineer) includes a 20% cost contingency.

Outlined in **Attachment 3** is the breakdown of the Town's additional contribution of \$103,050.17 required for the Pat Goodridge project to go ahead. This accounts for the revised project cost going over the original budget for the project and the additional funds required to fund Wembley Athletic Clubs shortfall.

Funding

The Club Night Lights Program if successful will fund 1/3 of the total project cost of City Beach Oval – Upper to a maximum of \$138,013.43 (ex GST) and if successful will fund 1/3 of the total project cost of Pat Goodridge Reserve to a maximum of \$161,063.78 (ex GST)

The WA Football Commission have suggested the Town in partnership with the respective Football Club can apply for up to \$50,000 per project through the Australian Football Facilities Fund (AFFF) and WA Cricket have indicated up to \$30,000 may be available per project through the Australian Cricket Infrastructure Fund (ACIF).

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 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

Strategy 3.2 Continue to deliver more programs which support local clubs and community groups and their capacity to run their community activities

Strategy 3.3 Encourage a range of activities that better align with the diverse needs of ratepayers of all ages, cultures and abilities

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

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

Strategy 10.3 Ensure sound and sustainable financial planning, management and reporting

COMMUNITY ENGAGEMENT:

This matter has been assessed in line with the Town's Policy No. 019 Community Engagement and determined as 'Inform'.

Committee Meeting 20 September 2022

PROCEDURAL MOTION:

Moved by Cr Barlow, seconded by Mayor Shannon

That the item be submitted to Council for determination.

Motion put and CARRIED (3/0)

Council Meeting 27 September 2022

Impartiality Interest Declaration – Cr Mayes

Prior to consideration of the item, Cr Mayes disclosed an interest affecting impartiality and declared as follows: "with regard to Item CR22.92, I declare that I have spoken to the President of Wembley Athletic Club by telephone today to discuss the report and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

Cr Carr returned to the meeting at 7.30 pm.

COUNCIL DECISION:
(ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council:

- 1. APPROVES BY AN ABSOLUTE MAJORITY, in accordance with section 6.8 of the Local Government Act 1995, an amount of \$64,292.05 (ex GST) as unbudgeted expenditure to cover the shortfall of West Coast Amateur Football Club and West Coast Junior Football Club 1/3 contribution to the City Beach Oval – Upper project, to be funded from the Endowment Lands Reserve account;**
- 2. APPROVES BY AN ABSOLUTE MAJORITY in accordance with section 6.8 of the Local Government Act 1995, an amount of \$103,050.17 (ex GST) as unbudgeted expenditure to cover the shortfall of Wembley Athletic Club's 1/3 contribution and additional funds required for the Pat Goodridge Reserve project, to be funded from the Area Improvement Reserve account;**
- 3. APPROVES the Town to be guarantor for Wembley Athletic Club's \$40,000 loan subject to clause 2 in accordance with Policy No. 016 – Community Funding Programs; and**
- 4. NOTES the community consultation for the proposed floodlighting projects at City Beach Oval – Upper and Pat Goodridge Reserve.**

Motion put and CARRIED BY AN ABSOLUTE MAJORITY (8/0)

CR22.93 BOLD PARK COMMUNITY SCHOOL – PROPOSAL TO CONSTRUCT A PATIO

PURPOSE OF REPORT:

To support Bold Park Community School's (BPCS) proposal to construct a new patio, which requires approval from the West Australian Planning Commission and Town's Regulatory Services

SUMMARY:

This report recommends that Council, as the Landlord, approves the BPCS proposal to install a patio that will provide shade and shelter to students and staff of the school. It is noted that appropriate approval from the Western Australian Planning Commission and Town's Regulatory Services is required, prior to commencement.

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:	36 Dodd Street, Wembley
Report Date:	31 August 2022
Responsible Officer:	Director Corporate & Commercial Services, Roy Ruitenga
Reporting Officer:	Acting Senior Property & Leasing Officer, Sarah Gould
Contributing Officer:	Nil
Reporting Officer Interest	Nil
Attachment(s):	1. Quote, Sketch and Location of Proposed Patio; and 2. Project Endorsement from Telethon Speech and Hearing

BACKGROUND:

The Town has received a request from the sub-lessee (BPCS) of Telethon Speech and Hearing (TSH) seeking permission to install a patio within the primary school grounds. TSH have provided a letter to the Town supporting the proposal and requests Council approval subject to regulatory approvals.

DETAILS:

Bold Park Community School have requested approval to construct a patio that would provide shade and shelter to students and staff using the school facilities.

This report includes detailed sketches and photographs provided by the appointed contractor, Advanced Patios of the proposed works. BPCS is working towards a project completion date of December 2022, in preparation for the hot summer months ahead.

POLICY/STATUTORY IMPLICATIONS:

In accordance with the lease between the Town of Cambridge and Telethon Speech & Hearing Ltd for the land situated at and known as 36 Dodd Street, Wembley, the Sub-lessee BPCS must first receive support from the primary lease holder before applying for Council approval.

RISK MANAGEMENT IMPLICATIONS:

Low: The construction and future maintenance of the proposed patio will be borne by Bold Park Primary School who have engaged a licenced patio contractor to undertake the works.

FINANCIAL IMPLICATIONS:

There are no financial Implications related to this report, noting that the construction and future maintenance of the proposed patio will be borne by Bold Park Primary School.

STRATEGIC DIRECTION:

This proposal supports the following Goals and Strategies of the Town's Strategic Community Plan 2018/2028:-

Our Council

Goal 3: An active, safe and inclusive community

Strategy 3.4 Create and maintain safe environments

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy No: 019. In accordance with the assessment criteria, it was determined that community engagement is not required.

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That:

- 1. APPROVES Bold Park Primary School's request to construct a patio within school grounds;**
- 2. NOTES the proposed patio, as outlined in the attached plans, are subject to:**
 - 2.1. All relevant statutory approvals being obtained, prior to the commencement of the proposed works; and**
 - 2.2. All construction and maintenance costs associated with the patio are to be borne by Bold Park Primary School.**

Motion put and CARRIED EN-BLOC (8/0)

CR22.94 WEMBLEY GOLF COURSE - SUPPLY AND IMPLEMENTATION OF I.T. SUPPORT SYSTEMS 2022

PURPOSE OF REPORT:

To provide Council with the details of submissions received for Request for Quote (RFQ 2022-07) ICT Support as a Service for Wembley Golf Course (WGC), provide the results of the assessments, and recommend a preferred supplier for the services.

SUMMARY:

The Town of Cambridge (Town) issued a request for quote, RFQ 2022-07, ICT Support as a Service for WGC, for the provision of ongoing information and communication technology support services at the Wembley Golf Course. Given the unique nature of golf course operations, volume of patrons and their wide span of operating hours, it required a service provider with bespoke solutions and capacity to accommodate future growth in system requirements and compliance. Three submissions were received in response to the RFQ.

Submissions were evaluated against the criteria set out in the RFQ, with the evaluation outcome identifying Silverfern as the preferred contractor, presenting the best overall solution at the cost of services to be provided. The contract is for a period of three years, with two one-year extension options at the Town's discretion.

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:	Wembley Golf Course
Report Date:	13 September 2022
Responsible Officer:	Director Corporate and Commercial, Roy Ruitenga
Reporting Officer:	General Manager WGC, Joshua Madden
Contributing Officer:	Operations Manager WGC, Jason Roach, Co-ordinator Information Technology, Henry Ng
Reporting Officer Interest	Nil
Attachment(s):	1. Confidential Scoring Matrix

BACKGROUND:

Over the past years, Wembley Golf Course has continued to grow and consolidate itself in the golfing industry as a market leader for and venue for golf activities. Ongoing development and expansion of its services to patrons, including online booking systems, website development, mobile phone apps and online lesson capabilities, have meant an ever increasing reliance on

information and communication systems and reliable service providers with the capacity to deliver those services and information technology platforms. It was also identified that going forward over the long term, there was a requirement to ultimately integrate with the Town's systems and ITC strategy.

Following on from this, the need was identified to go out to market to secure an ICT service provider who had the knowledge and expertise, capacity, and resources to deliver as and when required the ongoing demand by the Wembley Golf Course in the provision of ICT support services.

DETAILS:

All submissions were evaluated by a panel comprising of three Town Officers, in accordance with the Town's Purchasing Policy, Procurement Business Rules and the RFQ documentation.

An assessment of the submissions was performed against the following qualitative criteria:

1. Value for Money.
2. Demonstrated understanding of the required tasks.
3. Capacity to supply goods and/or services.
4. Demonstrated record of delivering similar projects.

The Town received three submissions from the following organisations:

1. ES2
2. Healthy PC
3. Silverfern

All respondents were qualified to undertake the role of ICT support at Wembley Golf Course. The following summaries helped to solidify the recommendation as per the confidential scoring matrix model (attached) to support the final recommendation.

ES2

Demonstrated Understanding of the required tasks – The submission from ES2 was thorough and professional. The respondent displayed a comprehensive understanding of the required tasks, fully addressing the required scope, standards, and KPIs. They also delivered escalation paths, ticket management examples, decision tree for incident resolution and monitoring/alerting examples.

- **Value for money** - The panel were less confident in this space because ES2 was significantly higher (38% up) than the recommended provider across the term of the contract. This did impact the value for money proposition as the two highest ranked submissions were similar.
- **Capacity to supply goods and or services** - As a large company with significant resources it was clear that ES2 has the capacity to deliver goods and services at the required level for WGC. The panel did however discuss that companies of this size can also be slow to react based on their scope of operations. To counter this they delivered strong escalation plans which the panel recognised. This can help to hold the provider accountable with timelines and actions demonstrated through a decision tree.
- **Demonstrated experience in completing similar projects** - ES2 displays a significant client base across a wide range of industries. It was noted however, that none of the instances provided were commercial operations that have face to face customer interactions to the tune of 1500 - 2000 per day. Rather they were large companies / councils / government departments etc.

Healthy PC

- **Demonstrated Understanding of the required tasks** - As our current provider Healthy PC was able to display a sound understanding of our required tasks based on work performed. Although their submission was deemed non-compliant and significantly limited in comparison to the larger more established companies.
- **Value for money** - Healthy PC's submission was in the middle of the three provided and given their work thus far was deemed fair and equitable. The value for money was questioned however when capacity was questioned as per below in regard to workload escalation.
- **Capacity to supply goods and or services** - Although the service received to date has been satisfactory, Healthy PC's capacity moving forward was deemed to be an issue. As a small team with recent staffing issues, it was deemed a risk moving forward. The market is clearly quite competitive and Healthy PC didn't demonstrate the capacity to grow with WGC and had been behind on projects requested by WGC due to lack of staff.
- **Demonstrated experience in completing similar projects** - Healthy PC did have similar venues that required quick response times and had been proven to deliver in this space. As above there was concern from the panel that as WGC's requirements and scope change, that Healthy PC might struggle to provide the personnel required.

Silverfern

- **Demonstrated Understanding of the required tasks** - Silverfern displayed a comprehensive understanding of the required tasks, fully addressing the Required Scope, Standards, and KPIs. Their submission was deemed compliant. Reference checks with similar venues received high praise when it came to understanding of required tasks.
- **Value for money** - Silverfern was the best value for money given their size and scope as a company, capacity to supply goods and price.
- **Capacity to supply goods and or services** - Silverfern provided a full company background and structure of their business and engagement model. They also provided three staff as the support / project team with escalation paths along with technical capabilities. Overall, their ability to supply and services was deemed fully capable.
- **Demonstrated experience in completing similar projects** - In this instance Silverfern has a demonstrated history of working with our booking system provider via another golf course. They also provide for a diverse offering of multiple clientele. They clearly deliver across varied structures and business models. which provided the panel with reassurance that they understand our deliver / service needs and expectations.

Overall consensus was reached by the evaluation team, with Silverfern being the preferred supplier. (Confidential Scoring Matrix attached)

POLICY/STATUTORY IMPLICATIONS:

There are no Policy or Statutory Implications related to this report.

RISK MANAGEMENT IMPLICATIONS:

Medium: Medium Risk is associated with the ongoing provision of ICT support services at the Wembley Golf Course to ensure information and communication technology systems are supported and online access is maintained for both internal and external stakeholders with an emphasis on and robust security.

FINANCIAL IMPLICATIONS:

Provision of these services at the Wembley Golf Course has been budgeted for within the current 2022/2023 budget.

STRATEGIC DIRECTION:

- Strategy 5.3 Ensure a high standard of public infrastructure is maintained in and around our centres throughout the Town
- Strategy 9.1 Implement initiatives that strengthen governance skills, transparency and knowledge

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy No. 019. In accordance with the assessment criteria it was determined that community engagement is not required.

COUNCIL DECISION:
(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council APPROVES the award of Contract RFQ 2022-07 Information Communication Technology Support as a Service for Wembley Golf Course to Silverfern, for a period of three years, with the option of two one-year extensions at the Town's discretion.

Motion put and CARRIED EN-BLOC (8/0)

CR22.95 PAYMENT OF ACCOUNTS – AUGUST 2022

PURPOSE OF REPORT:

To provide and confirm the schedule of payments for the month of August 2022 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. |
| <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. |
| <input checked="" type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	N/A
Report Date:	6 September 2022
Responsible Officer:	Director Corporate and Commercial Services, Roy Ruitenga
Reporting Officer:	Director Corporate and Commercial Services, 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 month.

POLICY/STATUTORY IMPLICATIONS:

Payments are in accordance with Policy No: 008 "Bank Accounts and Payments".

RISK MANAGEMENT IMPLICATIONS:

Low: The schedule of payments has been produced in accordance with applicable local government legislation.

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 No: 019. In accordance with the assessment criteria, it was determined that community engagement is not required.

Committee Meeting 20 September 2022

Financial Interest Declaration – Mayor Shannon

Prior to consideration of the item, Mayor Shannon, in accordance with Section 5.65 of the Local Government Act 1995, declared a financial interest in this matter as she is listed in the schedule as having received a payment.

The item was not considered by Committee as there would not be a quorum if Mayor Shannon departed the meeting due to her interest.

COUNCIL DECISION:
(ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, 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	01-August-2022	08-August-2022	60429-60450	\$39,840.35
Municipal Fund	08-August-2022	19-August-2022	60451-60464	\$20,478.30
Municipal Fund	19-August-2022	24-August-2022	60465-60474	\$10,512.67
Municipal Fund	24-August-2022	31-August-2022	60475-60484	\$20,587.59
Wembley Golf Course	01-August-2022	31-August-2022	000097-000100	\$6,715.75
				\$98,134.66

(ii) ELECTRONIC FUND TRANSFERS (EFT'S)

	Date From	Date To	Details	Amount
Investments	01-August-2022	31-August-2022	INV1281 - INV1283	\$3,504,386.99
Direct Bank Charges	01-August-2022	31-August-2022	Sup 666 - Sup 670	\$326,581.92
WGC Direct Debits	01-August-2022	31-August-2022	DD740-DD745	\$45,843.48
Accounts Payable	01-August-2022	05-August-2022	E54650-E54750	\$1,424,693.31
Accounts Payable	05-August-2022	12-August-2022	E54751-E54849	\$353,079.03
Accounts Payable	12-August-2022	19-August-2022	E54850-E54948	\$588,691.75
Accounts Payable	19-August-2022	22-August-2022	E54949-E55057	\$775,089.53
Accounts Payable	22-August-2022	31-August-2022	E55058-E55177	\$1,002,398.14
Payroll	01-August-2022	31-August-2022	1311-1316	\$1,520,819.06
Total EFT Payments				\$9,541,583.21
TOTAL PAYMENTS				\$9,639,717.87

Motion put and CARRIED EN-BLOC (8/0)

CR22.96 INVESTMENT SCHEDULE – AUGUST 2022

PURPOSE OF REPORT:

To provide information to Council in relation to its investment portfolio performance during the month of August 2022.

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

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<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.
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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 September 2022
Responsible Officer:	Director Corporate and Commercial Services, Roy Ruitenga
Reporting Officer:	N/A
Contributing Officer:	N/A
Reporting Officer Interest	Nil
Attachment(s):	1. Laminar Investment Report – August 2022

BACKGROUND:

Council's Investment Policy No. 052 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 September 2022 meeting, the Reserve Bank of Australia decided to increase the official cash rate by 0.50% to 2.35%.

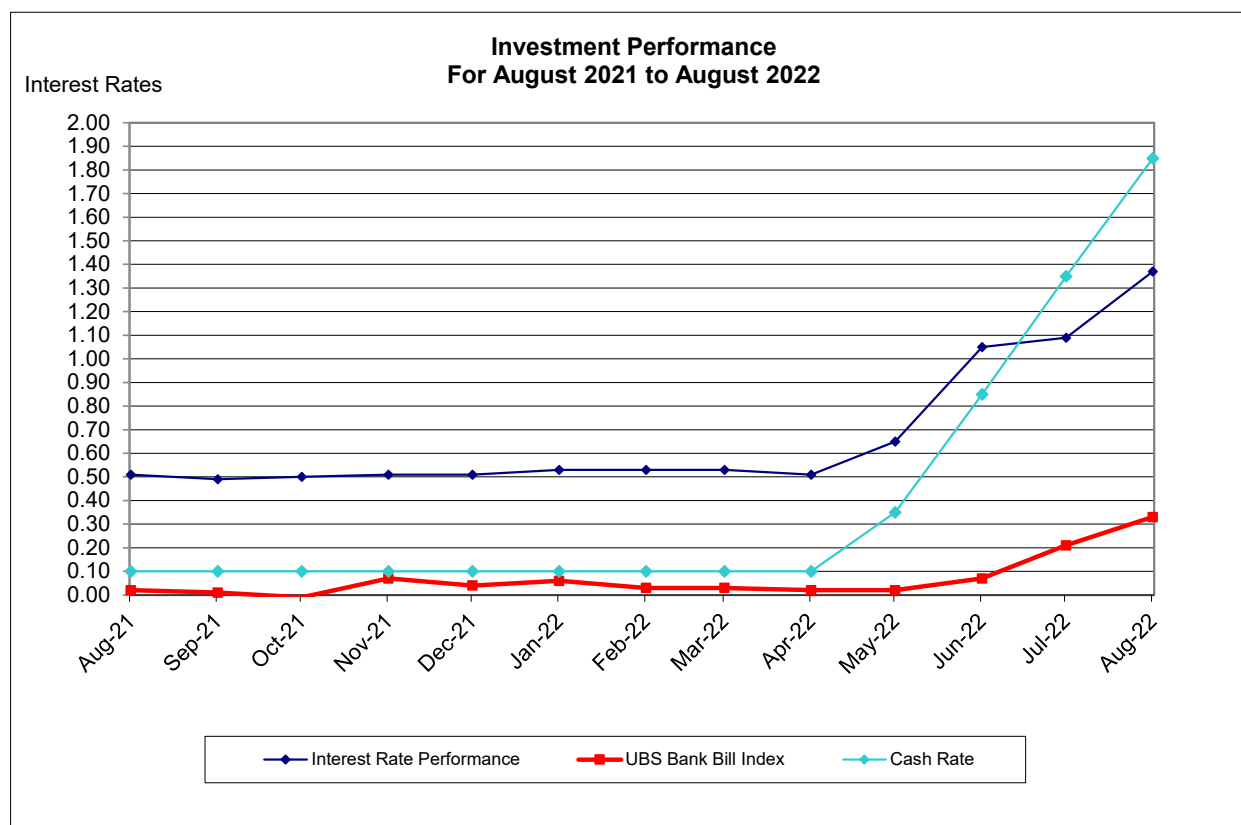
Looking forward, in terms of the Town's investment portfolio, interest rates have increased as a result of the Reserve Bank's higher cash rate. Although rates increased in August, this may take some time before the higher interest rates will flow through the market. The Bloomberg Ausbond

Bank Bill UBS Bank Bill Index rate was 0.33% for August 2022. The 90 days BBSW or Bank Bill Swap rate (a measure of future interest rates) was 2.25% as of 31 August 2022. As Council's investment portfolio is predominantly short-term cash products, the cash rate of 1.85% for August 2022 is the more appropriate performance measure.

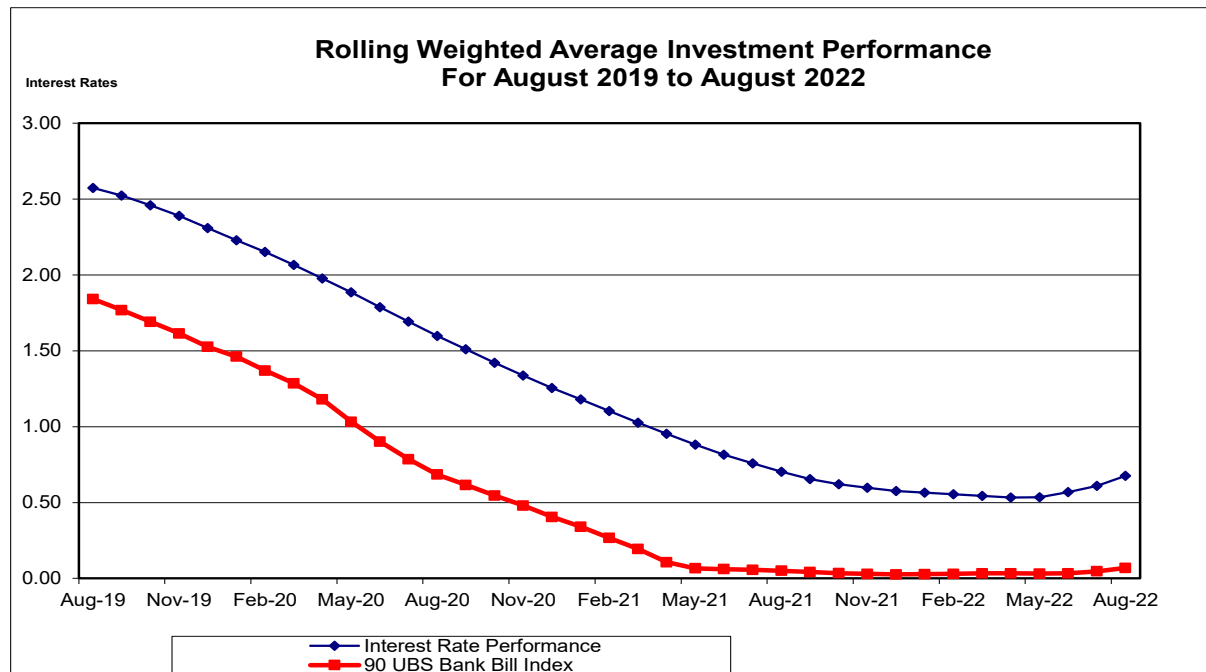
Against these interest rate indicators, the Town's investment portfolio returned a weighted average interest rate of 1.37%. The weighted average investment period of 329 days (approximately eleven months), the term deposit rates (with the major Australian banks) which for this period were an average of 3.87%, with the market experiencing rapid interest rate rises. It is anticipated that as the Town continues to reinvest in new term deposits over the forth coming months, that the average interest earnings for the portfolio will increase.

Investment Portfolio Performance for August 2022

The graph below shows the interest rate performance of the Town's investment portfolio for the 12 month period, August 2021 to August 2022.

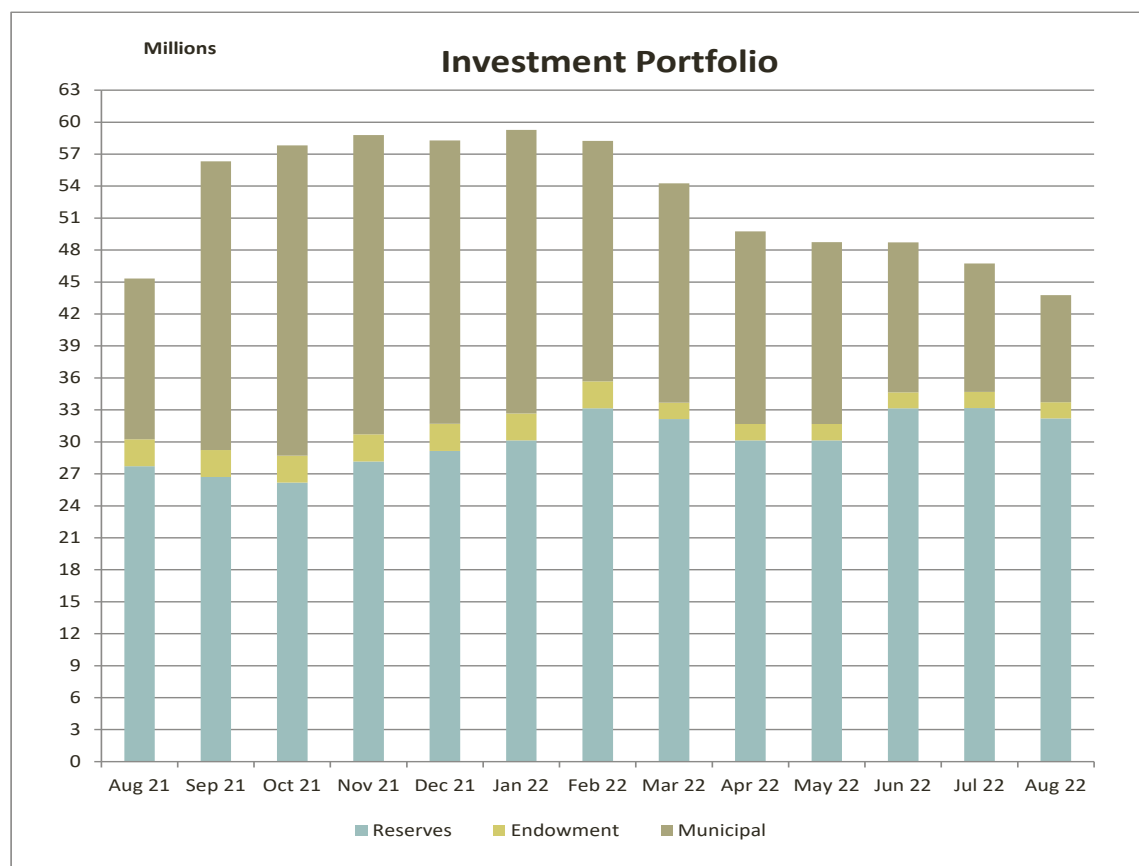


The graph below shows the rolling 12 month weighted average investment performance of the Town's investment portfolio, since August 2019.



The total investment at the end of August 2022 is \$43.8 million which consists of Municipal Funds of \$10.1 million, Reserve Funds of \$32.2 million and Endowment Lands Funds of \$1.5 million

The graph below represents the total investment portfolio of the Town from August 2021 to August 2022.



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. 052 – Investment.

RISK MANAGEMENT IMPLICATIONS:

Low: The investments are in accordance with Council's adopted Investment Policy 052 and applicable local government legislation.

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 2022	Budget 2022/2023	YTD Budget August 2022	Actual as at August 2022	%
General *	105,125	415,700	23,000	17,603	4.2%
Reserves	161,608	397,400	66,200	70,798	17.8%
Endowment Lands	8,327	59,000	9,900	10,013	17.0%
Total Investments	275,059	872,100	99,100	98,415	11.3%

* Includes Bank Account Interest of \$6,355.

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.

COUNCIL DECISION:

(COMMITTEE AND ADMINISTRATION RECOMMENDATION)

Moved by Cr Barlow, seconded by Cr Mack

That Council RECEIVES the Investment Schedule for 31 August 2022, as attached.

Motion put and CARRIED EN-BLOC (8/0)

10. COUNCIL REPORTS

10.1 MONTHLY FINANCIAL STATEMENTS, REVIEW AND VARIANCES – AUGUST 2022

PURPOSE OF REPORT:

To receive the Financial Statements for period ended 31 July 2022 and 31 August 2022.

SUMMARY:

The July and August 2022 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 for the period year to date 31 August 2022. Financial statements for July 2022 have also been produced and are attached.

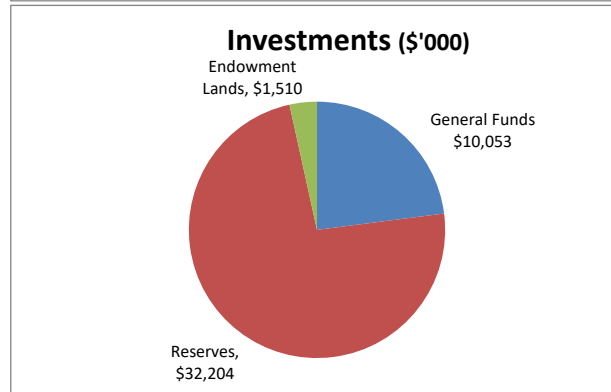
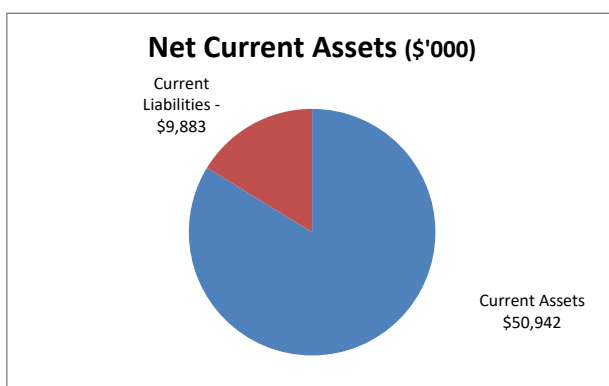
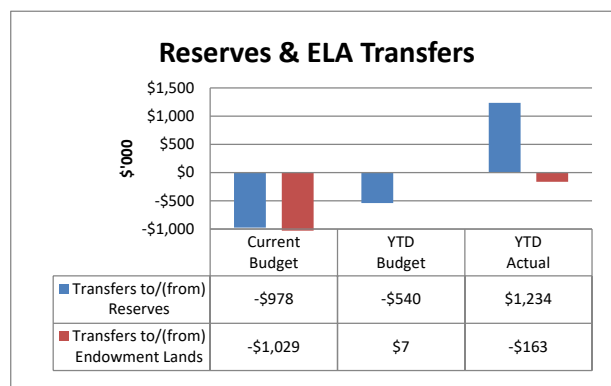
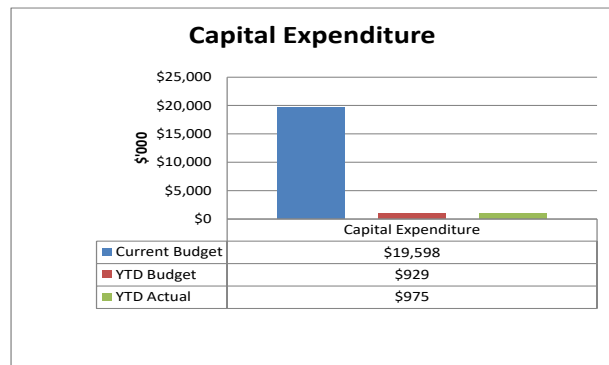
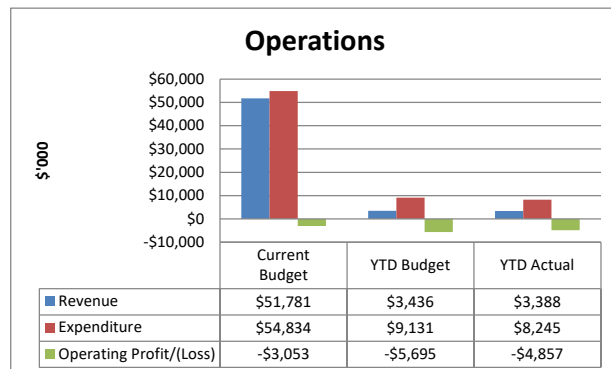
AUTHORITY / DISCRETION

- | | | |
|-------------------------------------|----------------|--|
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| <input checked="" type="checkbox"/> | Information | For the Council/Committee to note. |

Address/Property Location:	N/A
Report Date:	19 September 2022
Responsible Officer:	Director Corporate and Commercial Services, Roy Ruitenga
Reporting Officer:	Acting Manager Finance, Jie Chen
Contributing Officer	Acting Co-ordinator Finance, Teck Ang
Reporting Officer Interest:	Nil
Attachments:	1. Financial Statements August 2022 2. Financial Statements July 2022

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 August 2022 (Rate Setting Statement) in Attachment 1.

1. Operating Revenue

Operating revenue year to date is \$3.4 million compared to YTD budget of \$3.4 million, in-line with budget. Significant variances are as follow:

a. Fees and Charges

Actual fees and charges for August 2022 YTD is \$3.1 million compared to YTD budget of \$3 million, giving a favourable variance of \$89k or 2.9%.

The following variances exist:

Fees & Charges

Items	YTD Budget \$'000	31 August Actual \$'000	Variance \$'000	Variance %
WGC - Driving Range Fees & Teaching Fee	700	974	274	39%
WGC - Golf Shop	279	260	(19)	-7%
BPAC Fees	240	123	(117)	-49%
Total	1,219	1,358	139	

b. Operating Grants, Subsidies and Contributions

Actual Operating Grants for August 2022 YTD is \$62k compared to YTD budget of \$186k, giving an unfavourable variance of \$124k. The variance is due to the First Quarter Financial Assistance Grant from Department of Local Government, Sport, and Cultural Industries yet to be received.

2. Operating Expenses

Operating expenses year to date is \$8.2 million compared to YTD budget of \$9.1 million, giving a favourable variance of \$887k or 9.7%. Significant variances are as follows:

a. Materials and Contracts

Actual expenditure for August YTD is \$2.6 million against YTD budget of \$3.2 million, giving a favourable variance of \$551k or 17.4%.

The following variances exist:

Material & Contracts

Items	YTD Budget \$'000	31 August Actual \$'000	Variance \$'000	Variance %
Parks Grounds Maintenance	447	304	(143)	-32%
Wembley Golf Course - Course Mtce	373	255	(119)	-32%
Human Resources	42	4	(38)	-90%
Planning	90	39	(51)	-57%
Road Infrastructure Maintenance	435	378	(57)	-13%
Total	1,388	980	(408)	

b. Legal Expenses

Actual expenditure for August YTD is \$79k compared to YTD budget of \$61k.

Legal Expenses

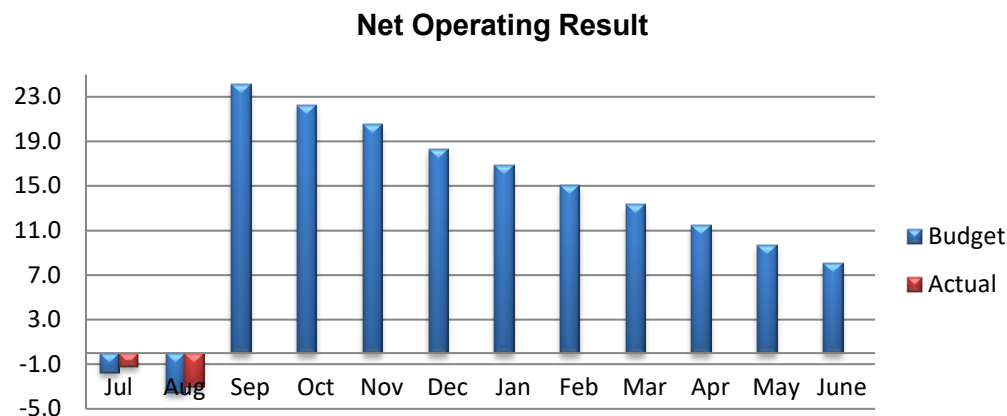
Items	Budget \$'000	YTD Budget \$'000	31 August Actual \$'000	Variance \$'000	Variance %
Governance Management	150	25	63	38	154%
Animal Control	10	2	0	(2)	-100%
Compliance	10	2	1	(0)	-25%
Planning - Appeals	100	17	11	(5)	-32%
Planning - Legal Expenses	45	8	2	(6)	-77%
Wembley Sports Park	5	4	0	(4)	-100%
Parking Control	25	1	1	0	52%
Other Property	20	4	0	(4)	-100%
Total	365	61	79	18	29%

c. Other Expenditure

Actual expenditure for August YTD is \$93k compared to YTD budget of \$203k, giving a favourable variance of \$110k or 54.3%.

3. Net Operating Result

The net operating deficit from operations is \$3 million compared to YTD budget of \$3.8 million, giving a favourable variance of \$803k.



4. Capital Works Programs

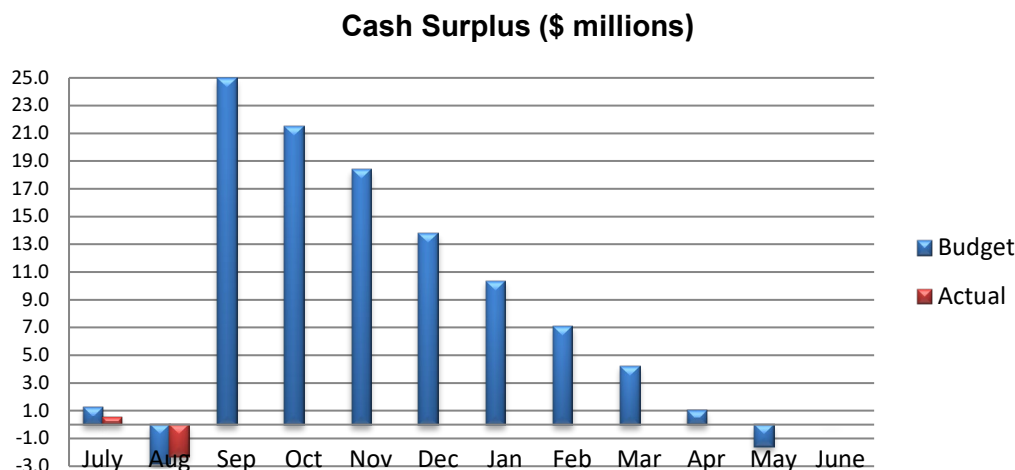
The total amount of funds spent on the Town's capital works program for the period ended 31 August 2022 is \$975k against budget of \$929k, slightly above budget.

A brief overview of the capital works programs at year end shows the following timing variances:

1. Buildings - \$115k spent against year to date budget of \$80k;
2. Parks and Reserves - \$545k spent against year to date budget of \$37k;
3. Roads and Lanes - \$44k spent against year to date budget of \$21k;
4. Footpaths - \$223k spent against year to date budget of \$568k.

5. Cash Deficit (Closing Funds)

The cash deficit as at 31 August 2022 is \$2.3 million which is below the year to date budget of \$2.8 million, giving a favourable variance of \$472k. The deficit is predominantly due revenue not as yet recognised from rates and waste service fees & charges which were raised in September 2022.



6. Material Variances

Permanent variances above \$30k and timing variances above \$100k for specific line items are normally reported upon. As at 31 August 2022, there are a few material permanent and timing variances to report upon as follows:

- Financial Assistance Grant income \$117k under YTD budget due to timing variance, First Quarter payment expected in September;
- The Boulevard Centre office configuration \$71k over YTD budget;
- Ocean Village Park – Lighting replacement \$166k over YTD budget;
- Perry Lakes – Irrigation System upgrade \$120k over budget; and
- Ruislip Street Safe Active Street \$344k under YTD budget;

In summary, apart from the variance noted above, the YTD budget is generally tracking to the actual results. 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 2022/2023 financial year and in accordance with applicable local government legislation.

FINANCIAL IMPLICATIONS:

The variations in expenditure and revenue line items, compared to budget, may have an impact on Council funds.

STRATEGIC DIRECTION:

The management of budgeted funds is consistent with the Town's Strategic Community Plan's goals of:

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: 019. 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.

COUNCIL DECISION:
(ADMINISTRATION RECOMMENDATION)

Moved by Cr Haddon-Casey, seconded by Cr Barlow

That Council RECEIVES the report on the Financial Statements for period ended 31 July and 31 August 2022.

Motion put and CARRIED (8/0)

10.2 WEMBLEY ATHLETIC CLUB - REQUEST FOR VARIATION TO LIQUOR LICENCE

PURPOSE OF REPORT:

The purpose of this report is to seek Council direction regarding an application from the Wembley Athletic Club to extend their liquor licence hours and report on the feedback received during the community consultation process.

SUMMARY:

Wembley Athletic Club ('WAC') lodged a request in February 2022 to amend their current liquor licence and permanently extend their Liquor Licence hours from 10.00pm to 11.30pm on Friday and Saturdays. Following a Council decision in May 2022 (CR22.40) the Town was authorised to undertake community consultation to inform the decision. Residents within a 300m radius of Wembley Sports Park Pavilion were consulted by letter drop regarding the extension of liquor hours.

A total of 672 letters were distributed to residents surrounding Wembley Sports Park Pavilion with a total of 34 (5%) responses received. Of the responses received, 25 (73.5%) objected to the extension of liquor licencing hours at WAC. The primary reasons for objection included concerns over increased noise, antisocial behaviour, and rubbish. The primary reasons for support of the extension of hours were cited as increased club viability and promotion of social connectivity.

<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 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:	Wembley Sports Park Pavilion 180 Selby Street, Jolimont
Report Date:	20 September 2022
Responsible Officer:	Director Corporate and Commercial, Roy Ruitenga
Reporting Officer:	Senior Property and Leasing Officer, Henry Burke
Contributing Officer:	Corporate Support Officer, Jaye Parker
Reporting Officer Interest	Nil
Attachment(s):	1. Register of Consultation – Extension of Liquor Licence 2. Wembley Sports Park Pavilion – 200 m buffer 3. Wembley Sports Park Pavilion - 300 m buffer 4. Community Consultation Letter 5. Request from Wembley Athletic Club

BACKGROUND:

In 2016, Council received a similar request from WAC to amend its trading hours which including weekend trading hours. (Report CR16.129 refers). Consultation with the community was undertaken during July and August 2016, with a letter drop to 215 residents within a 200 metre

boundary from the Wembley Sports Pavilion. Some 24 responses were received with 23 of the 24 responses against an increase in hours, with one (1) supporting an increase in hours. Five (5) further written responses supporting an increase in hours were received from residents outside the 200 metre boundary.

Common concerns raised included that the increase in requested trading hours would lead to an increase in anti-social behaviour and disturbances to nearby residents, an increase in noise and an increase in kerbside parking.

WAC acknowledged the concerns of nearby residents and wrote to the Town suggesting a compromise in operating liquor licence hours for Friday 5 pm till 10 pm, Saturday 12 noon till 11 pm and Sunday 12 noon till 10 pm.

The Council Decision at the August 2016 Ordinary Council Meeting was to approve that the following weekend liquor trading hours (12 months of the year, except Good Friday, Christmas Day), for the Wembley Athletic Club at Wembley Sports Park Pavilion as follows:

- *Friday 5pm to 10pm*
- *Saturday 12 noon to 10pm*
- *Sunday 12 noon to 9pm*

And that the doors be closed at 9pm to restrict social activities to inside the premises.

Following on from this, another request for extended trading hours was received from WAC in February 2022 to extend their closing time on Fridays and Saturdays from 10pm to 11:30 pm.

A report was presented to the May 2022 Ordinary Council Meeting (Report CR22.40 refers) seeking approval from Council to carry out a community consultation, given that there has been objection from the community to this in the past.

DETAILS:

The community consultation process with residents within the vicinity of the Wembley Sports Pavilion occurred in two stages as follows:

1. Stage One: 20 June 2022 to 4 July 2022

Letters were delivered to 656 residents within a 200m buffer of Wembley Sports Park Pavilion (refer Attachment 2. Community Consultation Letter and Buffer Maps). Residents were invited to provide feedback by email and/or in writing with submissions open for a period of 14 days. Responses were received from 32 residents during this period (including three responses received after closing date).

At the completion of Stage One, it was recognised that properties within the City of Nedlands also bordered the Wembley Sports Park Pavilion precinct. A decision was made to widen the original buffer from 200m to 300m to capture feedback from residents who were not consulted originally.

2. Stage Two: 1 September 2022 to 14 September 2022

Letters were delivered to 16 residents (including City of Nedlands residents) within a 300m buffer of Wembley Sports Park Pavilion (refer Attachment 2).

Residents were invited to provide feedback by email and/or in writing with submissions open for

a period of 14 days. Four responses were received during this period, however, it was identified that two of the responses were duplications of submissions received during Stage One, and they were therefore removed from the data for reasons pertaining to accuracy.

The following table summarises the responses received:

	Letters Sent	Responses	Support	Object
Stage One	656	32	9	23
Stage Two	16	2	0	2
TOTAL	672	34	9	25

A brief overview of the issues raised by residents within the 300 metre buffer from the Club's premises is as follows:

An extract of the main points raised for support to extend weekend trading hours

- Most clubs these days find it difficult to remain viable and the increase in the trading hours should assist the club financially as well as socially.
- Support the application with the condition that the noise level is kept to a minimum and at no time is the music or any announcements other than genuine sporting activities be made over the external speaker systems during the evenings.
- These clubs provide the backbone to our community and the development of children into recreational activities. Importantly it provides adults within our community a place together and enjoy social recreational activities that others enjoy in hotels and bars throughout the town of Cambridge.
- I am generally supportive of the extension but I do have concerns regarding noise.

An extract of the main points raised objecting to extend weekend trading hours

- Club can already apply to vary hours on a needs basis. Permanent changes would encourage the Club to hold more events which in turn encourages excessive drinking, bad behaviour, noise and littering, than currently occurs. If the club only holds about 15 events that require extended hours, this can hardly be seen as a chore for them to apply for those events.
- 11:30pm is too late and the current trading hours are adequate for any functions.
- We have enough noise and inconvenience from the netball and the footy as it is, further increasing these hours I feel are inappropriate. Night time noise carries further and I think 10pm is an appropriate cut off time.
- We find it unnecessary considering the nearby pubs and bars that are already operational and need support in Floreat, Wembley and Subiaco.
- It seems a poor argument to request a permanent shift in trading hours which would enable 104 nights of an additional 1.5hrs of trading for the club when the estimate is 15 events requiring an additional 1.5hrs.

A more detailed verbatim table of responses is provided as an attachment to this report (refer **Attachment 1**. Register of Consultation – Extension of Liquor Licence).

POLICY/STATUTORY IMPLICATIONS:

Policy No: 085 - Restricted Club Licences on Leases Premises

Restricted club licences enable clubs and associations to serve alcoholic beverages in a contained area to members and their guests only. The Council supports the issue of restricted club licences to those clubs and associations which lease premises from the Council.

Liquor Control Act 1988

The provisions of the *Liquor Control Act 1988* govern the granting of liquor licenses and enable the Town to act under the legislation. The Director of Liquor Licensing, in assessing any licence, would consider the views of the relevant Local Government Authority in that regard. The Town can make recommendations for conditions of liquor licence.

Environmental Protection (Noise) Regulations 1997

These Regulations implement the *Environmental Protection Act 1986* by providing for prescribed standards for noise emissions from any premises or public places. The Regulations assign noise levels for all premises which must not be exceeded.

Lease

This report only deals with the approval as the landowner. There are no specific clauses in the lease dealing with the liquor licence conditions, other than a general clause that the tenant must always comply with all laws.

RISK MANAGEMENT IMPLICATIONS:

Medium: The Town may suffer reputational risk by not considering feedback from the community regarding the request for an extension to liquor licencing hours.

FINANCIAL IMPLICATIONS:

There are no Financial Implications related to this report.

STRATEGIC DIRECTION:

A variation to the WAC'S Liquor Licence at the Wembley Sports Park Pavilion supports a number of goals in a number of Priority Areas within the Town's Strategic Community Plan 2018 - 2028 specifically:

Priority Area: Our Community

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.

Strategy 3.3: Encourage a range of activities that better align with the diverse needs of ratepayers of all ages, cultures, and abilities.

COMMUNITY ENGAGEMENT:

A total of 672 letters were distributed to residents surrounding Wembley Sports Park Pavilion which was conducted in two stages, with a letter drop to residents within the Town of Cambridge undertaken in June/July 2022 and a further letter drop to those nearby residents in the City of Nedlands in September 2022.

Impartiality Interest Declaration – Cr Mayes

Prior to consideration of the item, Cr Mayes disclosed an interest affecting impartiality and declared as follows: "with regard to Item 10.2, I declare that I have spoken to the President of the Wembley Athletic Club by telephone to discuss CR22.92 and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

COUNCIL DECISION:
(ADMINISTRATION RECOMMENDATION)

Moved by Cr Mayes, seconded by Cr Haddon-Casey

That Council:

- 1. RECEIVES the community feedback from the consultation process and notes the comments from residents supporting and objecting to the extension of trading hours on the weekend; and**
- 2. REJECTS Wembley Athletic Club's request for a permanent extension to current liquor licencing hours to 11.30pm on Friday and Saturday given the feedback received from the community consultation conducted.**

Motion put and CARRIED (7/1)

For: Mayor Shannon, Crs Barlow, Carr, Cutler, Haddon-Casey, Mack and Mayes
Against: Cr Randklev

PROCEDURAL MOTION:

Moved by Cr Cutler, seconded by Cr Haddon-Casey

That the item be recommitted.

Motion put and CARRIED (8/0)

The item was recommitted at 7.34 pm.

COUNCIL DECISION:
(ADMINISTRATION RECOMMENDATION)

Moved by Cr Mayes, seconded by Cr Haddon-Casey

That Council:

- 1. RECEIVES the community feedback from the consultation process and notes the comments from residents supporting and objecting to the extension of trading hours on the weekend; and**
- 2. REJECTS Wembley Athletic Club's request for a permanent extension to current liquor licencing hours to 11.30pm on Friday and Saturday given the feedback received from the community consultation conducted.**

Motion put and CARRIED (5/3)

For: Mayor Shannon, Crs Barlow, Carr, Haddon-Casey and Mack
Against: Crs Cutler, Mayes and Randklev

10.3 EXTENSION OF ACTING CEO

PURPOSE OF REPORT:

The purpose of this report is to extend the Acting CEO arrangements until a new permanent CEO is appointed and commences with the Town.

SUMMARY:

At the Special Council Meeting on 21 July 2022, Council appointed the Director Works and Infrastructure, Mr Kelton Hincks, as Acting CEO from 22 July 2022 to 30 September 2022. As the end date for the acting arrangement is approaching and Council has yet to appoint a new CEO, Council may wish to consider extending Mr Hincks' acting arrangements.

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:	Town of Cambridge – 1 Bold Park Drive, Floreat
Report Date:	20 September 2022
Responsible Officer:	Mayor Shannon and Council
Reporting Officer:	Manager Governance, Cassandra Flanigan
Contributing Officer:	
Reporting Officer Interest	Nil
Attachment(s):	

BACKGROUND:

At the Special Council Meeting on 21 July 2022, Council resolved as follows:

That Council:

1. *ACCEPTS the resignation of CEO, Mr Karl Heiden on 21 July 2022; and*
2. *APPOINTS Kelton Hincks as Acting Chief Executive Officer from 22 July 2022 until 30 September 2022.*

DETAILS:

As the end date for Mr Hincks' acting period is approaching, and taking note that Council is still in the CEO recruitment process, it is recommended that Mr Hincks be extended as Acting CEO until a new CEO is appointed and commences with the Town. This will allow for continuity for both staff and Elected Members and will ensure that there is an Acting CEO in place until a new CEO commences.

POLICY/STATUTORY IMPLICATIONS:

Policy 12: Chief Executive Officer- Taking of Leave and Acting Roles Policy provides the following:

...

3. For periods of leave more than four weeks:

3.1 *The Chief Executive Officer will submit a report to Council for planned leave of more than four weeks for approval at least one month prior to the leave commencing.*

3.2 *An Acting Chief Executive Officer will be appointed by Council.*

4. Acting Chief Executive Officer Arrangements:

4.1 *Directors acting in the role of Chief Executive Officer will be delegated the powers and be able to discharge the duties of the Chief Executive Officer, other than the power of delegation, as provided in Section 5.44 of the Local Government Act 1995 during the period of acting.*

4.2 *The Chief Executive Officer will provide delegations in writing with any limitations to the Acting Chief Executive Officer.*

4.3 *Directors acting in the role of Chief Executive Officer will be eligible to be paid higher duties for the period of acting.*

4.4 *The following employees are eligible to be appointed to the role of Acting Chief Executive Officer:-*

(a) Director Corporate and Community Services;

(b) Director Infrastructure and Works; or

(c) Director Planning and Development; or

(d) any other employee deemed suitably qualified and experienced by the Council.

6. Remuneration:

Unless Council otherwise resolves and the acting CEO agrees, a person acting as CEO shall be remunerated at the following rates:-

(a) At 80% of the substantive CEO's base salary, if acting for periods of less than four weeks;

(b) At 90% of the substantive CEO's base salary, if acting for periods of more than four weeks.

RISK MANAGEMENT IMPLICATIONS:

Low: The extension of the Acting CEO arrangements will ensure there are no operational impacts whilst the recruitment process is undertaken.

FINANCIAL IMPLICATIONS:

As outlined in Policy 12, the Acting CEO will be remuneration at 90% of the substantive CEO's base salary for acting periods of more than four weeks.

STRATEGIC DIRECTION:

- Goal 9: Transparent, accountable governance
- Strategy 9.1 Implement initiatives that strengthen governance skills, transparency and knowledge
- Strategy 9.2: Consult with the community using techniques that engage more widely to inform and be informed on local matters of priority.

COMMUNITY ENGAGEMENT:

This recommendation has been assessed in line with the Town's Policy No: 019 'Community Engagement' and community consultation is not required as it is administrative in nature.

Financial Interest Declaration – Acting Chief Executive Officer, Mr Kelton Hincks

Prior to consideration of the item, the Acting Chief Executive Officer, in accordance with Section s5.65 of the Local Government Act 1995, declared a financial interest in this matter as the report directly relates to his employment and financially benefits him directly. The Acting CEO left the meeting at 7.41 pm

Impartiality Interest Declaration – All Elected Members

Prior to consideration of the item, all Elected Members disclosed an interest affecting impartiality and declared as follows: "with regard to item 10.3, I declare that I have an association with the person as he is currently Acting CEO and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly."

ADMINISTRATION RECOMMENDATION:

Moved by Cr Barlow, seconded by Cr Randklev

That Council APPOINTS Kelton Hincks as Acting Chief Executive Officer from 30 September 2022 until a permanent CEO is appointed and commences with the Town.

During discussion, 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 seconded amended the motion by adding 'and no later than 21 June 2023'.

COUNCIL DECISION:

That Council APPOINTS Kelton Hincks as Acting Chief Executive Officer from 30 September 2022 until a permanent CEO is appointed and commences with the Town and by no later than 21 June 2023.

Motion, as AMENDED, put and CARRIED (8/0)

The Acting CEO returned to the meeting at 7.44 pm.

10.4 APPOINTMENT OF MEMBER AND ALTERNATE MEMBERS TO THE JOINT DEVELOPMENT ASSESSMENT PANEL

PURPOSE OF REPORT:

This report seeks to obtain Council approval by absolute majority decision to appoint Cr Barlow and Cr Cutler to the Joint Development Assessment Panel as member and alternate member respectively for the remainder of the current term.

SUMMARY:

The Town of Cambridge forms part of the Metropolitan West Joint Development Assessment Panel. The term of the current local members will conclude on 26 January 2024. Two of the four positions have become vacant and requires Council, by absolute majority decision, to appoint to the vacant positions to fulfil the remainder of the current term.

It is noted that Cr Cutler replaced former Cr Timmermanis on a number of external committees following his resignation however it has been noted that the appointment to JDAP has not been endorsed by Council.

Council previously considered the appointment of Cr Barlow to the JDAP to replace former Cr Bradley however it due to procedural issues with the resolution it is recommended that Council reconsider the matter.

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 checked="" 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 type="checkbox"/>	Information	For the Council/Committee to note.

Address/Property Location:	Town of Cambridge - 1 Bold Park Drive, Floreat
Report Date:	20 September 2022
Responsible Officer:	A/Chief Executive Officer, Kelton Hincks
Reporting Officer:	Manager Governance, Cassandra Flanigan
Contributing Officer:	Governance Officer, Wendy Cowley
Reporting Officer Interest	Nil
Attachment(s):	Nil

BACKGROUND:

Following Council's consideration of the matter in October 2021, former Crs Bradley (Local Member 1) and Cr Timmermanis (Alternate Member 1) have resigned. The Town's current representatives on JDAP are as follows:

Position	Appointed Members
Local Member 1	Vacant
Local Member 2	Cr Haddon-Casey
Alternate Local Member 1	Vacant
Alternate Local Member 2	Cr Xavier Carr

DETAILS:

The Town is required to nominate four elected Council Members (two local members and two alternates) to be appointed for a term ending **26 January 2024**.

It is recommended that Council appoint Crs Barlow and Cutler as outlined below.

Position	Appointed Members
Local Member 1	Cr Barlow
Local Member 2	Cr Haddon-Casey
Alternate Local Member 1	Cr Cutler
Alternate Local Member 2	Cr Xavier Carr

Previous appointments

Following former Cr Timmermanis' resignation it is noted that Cr Cutler replaced him on a number of committees as the remaining Coast Ward member at the time. Following a review of Town records, it has been identified that Council did not specifically consider an appointment to JDAP. It is therefore presented to Council to ensure that Cr Cutler has been appropriately appointed.

It is noted that at a Special Council Meeting on 6 September 2022, Council considered a motion to appoint Cr Barlow to the JDAP in light of Cr Bradley's resignation. A number of procedural issues have been identified in relation to the meeting so for the avoidance of doubt, the appointment of Cr Barlow is re-presented to Council for consideration.

Mandatory training

It is noted that Cr Barlow has previously been a member of JDAP and therefore is not required to re-sit the mandatory JDAP training. Cr Cutler has not yet undertaken the mandatory training.

If the Town fails to nominate four representatives, the Minister has the power to appoint community residents as a local member to ensure local representation is available.

Meeting Details

JDAP meets monthly or as required and are open to the public. Meeting locations are rotated around the member Council Administration Centres.

A meeting fee is paid by directly by the Department of Planning, Lands and Heritage to members.

POLICY/STATUTORY IMPLICATIONS:

There are no Policy or Statutory Implications related to this report.

RISK MANAGEMENT IMPLICATIONS:

Low: This report seeks to formally appoint representatives to JDAP to ensure that Council has full representation and is considered low risk.

FINANCIAL IMPLICATIONS:

There are no Financial Implications related to this report.

STRATEGIC DIRECTION:

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

Our Council

Goal 12 Advocacy for the Community

Strategy 12.1 Foster key relationships with all levels of government and other major stakeholders

COMMUNITY ENGAGEMENT:

This matter has been assessed under the Community Engagement Policy and consultation is not required as this matter is administrative in nature.

ADMINISTRATION RECOMMENDATION:

Moved by Cr Haddon-Casey, seconded by Cr Barlow

That Council APPROVES BY AN ABSOLUTE MAJORITY, in accordance with Sections 5.10 and 5.11 of the *Local Government Act 1995*, to APPOINT Cr Kate Barlow and Cr Jane Cutler to the Joint Development Assessment Panel for the period 27 September 2022 to 26 January 2024.

AMENDMENT:

Moved by Cr Mack, seconded by Cr Carr

That Cr Cutler be deleted from the motion and nominations be sought.

Amendment put and CARRIED (5/4)

For: Crs Carr, Cutler, Mack and Mayes

Against: Mayor Shannon, Crs Barlow, Haddon-Casey and Ranklev

Mayor Shannon used her casting vote in favour of the amendment.

Mayor Shannon called for nominations.

Crs Carr and Cutler nominated for Alternate Member 1 to the Joint Development Assessment Panel.

Cr Randklev departed the meeting at 7.57 pm.

Mayor Shannon adjourned the meeting at 7.57 pm for 10 minutes.

Cr Randklev returned to the meeting at 8.01 pm.

Mayor Shannon resumed the meeting at 8.07 pm.

As two nominations had been received, a secret ballot was conducted. Following the secret ballot, the Acting Chief Executive Officer advised that Cr Cutler had been elected to Alternate Member 1 and Cr Carr to Alternate Member 2.

COUNCIL DECISION:

That Council APPROVES BY AN ABSOLUTE MAJORITY, in accordance with Sections 5.10 and 5.11 of the *Local Government Act 1995*, to APPOINT Cr Kate Barlow and Cr Jane Cutler (Alternate Member 1) and Cr Xavier Carr (Alternate Member 2) to the Joint Development Assessment Panel for the period 27 September 2022 to 26 January 2024.

Motion put and CARRIED BY AN ABSOLUTE MAJORITY (8/0)

10.5 TAMALA PARK REGIONAL COUNCIL – APPOINTMENT OF MEMBER

PURPOSE OF REPORT:

For Council to appoint the Town's Member of the Tamala Park Regional Council ('TPRC').

SUMMARY:

The TPRC comprise of representatives of the seven local government owner Councils. The establishment agreement of the TPRC provide that the membership is to align with the local government election cycle. Following former Cr Timmermanis' resignation, Cr Cutler was appointed as the Town's Member for the period 22 March 2022 to 7 July 2022. This period was again extended at the Special Council Meeting on 6 July 2022 until 30 September 2022.

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:	Town of Cambridge, 1 Bold Park Drive Floreat
Report Date:	20 September 2022
Responsible Officer:	A/Chief Executive Officer, Kelton Hincks
Reporting Officer:	Manager Governance, Cassandra Flanigan
Contributing Officer:	Nil.
Reporting Officer Interest	Nil.
Attachment(s):	Nil.

BACKGROUND:

Council's Delegate to the TPRC, Cr Timmermanis, resigned in March 2022. It is therefore necessary to appoint a new member.

At the Ordinary Council Meeting on 22 March 2022, Council considered the appointment of a new Member and Deputy Member to the TPRC and resolved as follows:

"That Council APPOINTS BY AN ABSOLUTE MAJORITY Cr Cutler as the Member to the Tamala Park Regional Council for the period 22 March 2022 to 7 July 2022 then a fresh ballot will be held."

Council extended Cr Cutler's period as member at the Special Council Meeting on 6 July 2022 as follows:

"That Council APPOINTS BY AN ABSOLUTE MAJORITY Cr Cutler as the Member to the Tamala Park Regional Council for the period 8 July 2022 to 30 September 2022."

DETAILS:

The TPRC comprises Delegates from each member Local Government on a basis of the acknowledged equity held within the landfill enterprise. This currently constitutes the following representation:

- Town of Cambridge - 1 Delegate
- City of Joondalup - 2 Delegates
- City of Perth - 1 Delegate
- City of Stirling - 4 Delegates
- Town of Victoria Park - 1 Delegate
- City of Vincent - 1 Delegate
- City of Wanneroo - 2 Delegates

Due to the resignation of Cr Timmermanis, Council was required to consider the appointment of a replacement Member.

Council resolved to appoint Cr Cutler for the period 22 March 2022 to 7 July 2022, which was then extended to 30 September 2022.

Council may wish to appoint Cr Cutler as the Town's member for the remainder of the TPRC term or consider appointing a new member to TRPC.

POLICY/STATUTORY IMPLICATIONS:

Local Government Act 1995 (WA) s 5.10(1)

RISK MANAGEMENT IMPLICATIONS:

Low: This matter has been assessed as low risk.

FINANCIAL IMPLICATIONS:

Meeting attendance fees or expense reimbursements are the responsibility of the Tamala Park Regional Council, and as such there are no financial implications on the Town.

STRATEGIC DIRECTION:

This report reflects the following Goals and Strategies of the Town' Strategic Community Plan 2018-2028:

Goal 7: The Town is environmentally responsible and leads by example.

Strategy 7.4: Minimise waste to landfill and increase recycling.

Goal 8: A community that embraces environmentally responsible practices.

Strategy 8.1: Encourage the community to self-manage minimising energy consumption, water use, emissions and waste.

COMMUNITY ENGAGEMENT:

This matter has been assessed under Community Engagement Policy No: 019. In accordance with the assessment criteria, it was determined that community engagement is not required as the matter is administrative in nature with no external impacts envisaged.

ADMINISTRATION RECOMMENDATION:

Moved by Cr Barlow, seconded by Cr Haddon-Casey

That Council APPOINTS BY AN ABSOLUTE MAJORITY _____ as the Member to the Tamala Park Regional Council for the period 1 October 2022 to 21 October 2023.

Mayor Shannon called for nominations for a Member to the Tamala Park Regional Council.

Cr Barlow nominated Cr Haddon-Casey.

Crs Carr, Cutler and Mack nominated themselves.

As four nominations had been received, a secret ballot was conducted. Following the secret ballot, the Acting Chief Executive Officer advised that Cr Haddon-Casey had been elected as the Member to the Tamala Park Regional Council.

COUNCIL DECISION:

That Council APPOINTS BY AN ABSOLUTE MAJORITY Cr Haddon-Casey as the Member to the Tamala Park Regional Council for the period 1 October 2022 to October 2023.

Motion put and CARRIED BY AN ABSOLUTE MAJORITY (8/0)

10.6 WALGA AGM 2022 MOTIONS AND TOWN ENDORSED POSITION

PURPOSE OF REPORT:

For Council to endorse a position on each of the motions to be considered at the Western Australian Local Government Association (WALGA) Annual General Meeting on 3 October 2022.

SUMMARY:

The WALGA AGM will be held on 3 October 2022 where two delegates (Cr Barlow and Cr Haddon-Casey) will attend and vote on a number of motions on behalf of the Town. The Administration has reviewed the motions and made a recommendation on each one for Council's consideration.

AUTHORITY / DISCRETION

<input checked="" 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.
<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, 1 Bold Park Drive Floreat
Report Date:	21 September 2022
Responsible Officer:	A/Chief Executive Officer, Kelton Hincks
Reporting Officer:	Manager Governance, Cassandra Flanigan
Contributing Officer:	Director Corporate and Commercial Services, Roy Ruitenga A/Director Works and Infrastructure, Anthony Booth Manager Regulatory Services, Steve Cleaver
Reporting Officer Interest	Nil.
Attachment(s):	1. WALGA 2022 AGM Agenda

BACKGROUND:

The WALGA AGM will be held on Monday 3 October 2022 at Crown Perth during the 2022 WA Local Government Convention.

There are 11 motions lodged by Member Councils and the WALGA Executive for consideration at the AGM as follows:

1. Motion 3.1 – Road Traffic Issues (Shire of Dardanup Delegate to move)
2. Motion 3.2 – Car Parking and Traffic Congestion around Schools (City of Wanneroo Delegate to move)
3. Motion 3.3 – Proposal for Regional Road Maintenance Contracts with Main Roads WA (Shire of Dundas Delegate to move)
4. Motion 3.4 – Northern Australia Beef Roads Program (Shire of Dundas Delegate to move)
5. Motion 3.5 – 3D House Printing Building Compliance (Shire of Dundas Delegate to move)
6. Motion 3.6 – South West Native Title Settlement (Shire of Gingin Delegate to move)
7. Motion 3.7 – Land Offset Compensation to Local Governments (Shire of Gingin Delegate to move)
8. Motion 3.8 – Review of the Rating Methodology used by the Valuer-General (Shire of Serpentine Jarrahdale Delegate to move)
9. Motion 3.9 – WA Local Government Rating Model (Shire of Gingin Delegate to move)
10. Motion 3.10 – Reform of the Cat Act 2011 (Shire of Capel Delegate to move)
11. Motion 3.11 – WALGA Best Practice Governance Review – Principles (Executive Member to move)

DETAILS:

Delegates are entitled to vote on the motions presented for consideration at the AGM. Council may wish to decide whether or not to support the motions or propose amendments.

The details of the motions are outlined in the agenda for the AGM on 3 October 2022 which is included at Attachment 1 of this report.

Motion 3.1 – Road Traffic Issues

Without understanding the specific requests from the Shire of Dardanup to Main Roads South West and Main Roads Metropolitan, the Town cannot comment specifically on their motion. The Town has a good history of working with Main Roads Traffic Services in reviewing and submitting treatment options to deal with traffic issues in its locality. The Town understands that Main Roads Speed Policy factors in all types of crashes but does tend to lean towards speed reduction measures mainly in killed or seriously injured crash outcomes. However, speed reduction may only be applicable where previous treatments have still not managed to effect the desired result of reducing crashes.

It is noted that the motion is a request for advocacy and whilst the details of individual circumstances would need to be examined, in principle the Town recommends supporting the motion.

Motion 3.2 – Car Parking and Traffic Congestion around Schools

The Town supports the City of Wanneroo's motion for greater responsibility to be on schools and state government to manage traffic flow and parking around schools. The Town experiences same issues surrounding:

1. Lack of onsite parking for school employees;
2. Lack of onsite traffic facilities for drop-off, and pick-up of children;
3. Parking compliance issues in surrounding streets of school locations;
4. Non-compliant traffic movement by parents posing a potential hazard to all road users; and
5. Complex parking restriction signage in order to balance 'kiss and drive' facilities whilst also supporting local residential and commercial on-street parking need.

Schools also need to participate and be active within their school boards and P&C groups in managing driver behaviour and 'kiss and drive' facilities either within or outside of school grounds. The Town's parking enforcement area is sometimes directing traffic at school locations during drop-off and pick-up times to facilitate the operation.

Motion 3.8 – Review of the Rating Methodology used by the Valuer-General

The Town supports in principle a review of the rating methodology to identify if the current model is the most equitable way of raising rates.

Motion 3.9 – WA Local Government Rating Model

The Town currently uses unimproved valuation (**UV**) as the rating basis for the endowment lands within the Town. It is noted that a review of the rating system that results in one rating method across all properties would not only provide for equity across ratepayers but also provide operational efficiencies and the Town therefore recommends supporting the motion to advocate for a full rating review process with a focus on the UV rates.

It is noted that should the UV be removed, the Town would need to liaise with the State Government for revocation of the legislation relating to the endowment lands.

Motion 3.10 – Reform of the Cat Act 2011

The Town has received very few complaints relating to cats, noting that most complaints relate to dogs. The Town supports cat registration, sterilisation and limits to number of cats and therefore recommends support of the Shire of Capel's motion to prioritise reforms to the *Cat Act 2011*.

Motion 3.11 – WALGA Best Practice Governance Review – Principles

The WALGA State Council commissioned a best practice governance review, with a steering committee established. Periodical governance reviews provide the opportunity for a review and refresh of current structures within organisations to ensure they are effective and, in the case of WALGA, meet the needs of their members.

The Committee has put forward principles for adoption at the AGM which have been endorsed by the State Council, being representative, responsive and results oriented. Following consideration at the AGM, a consultation and engagement process will be undertaken with members Councils. Part of this engagement process will look at the size of the governing body and potential alterations to zone arrangements.

It is noted that the motion at the AGM is to allow the process to continue to the next step, which is member engagement. It is therefore recommended that the Town support the motion from WALGA.

Remaining motions

The remaining motions (3.3, 3.4, 3.5 and 3.6) are not directly relevant to the Town, however, it is recommended that Council support them on the basis of general sector advocacy.

POLICY/STATUTORY IMPLICATIONS:

WALGA Constitution

RISK MANAGEMENT IMPLICATIONS:

Low: This matter has been assessed as low risk.

FINANCIAL IMPLICATIONS:

Nil.

STRATEGIC DIRECTION:

This report reflects the following Goals and Strategies of the Town' Strategic Community Plan 2018-2028:

Goal 12: Advocacy for the Community

Strategy 12.1: Foster key relationships withal 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:

This matter has been assessed under Community Engagement Policy No: 019. In accordance with the assessment criteria, it was determined that community engagement is not required as the matter is administrative in nature with no external impacts envisaged.

COUNCIL DECISION:
(ADMINISTRATION RECOMMENDATION)

Moved by Cr Cutler, seconded by Cr Haddon-Casey

That Council SUPPORTS the motions to be presented by delegates at the WALGA Annual General Meeting on 3 October 2022.

Motion put and CARRIED (8/0)

10.7 INFORMATION BULLETIN – SEPTEMBER 2022

PURPOSE:

The purpose of this report is to provide information to the Community and Elected Members, which does not require a Council decision or any action to be taken.

SUMMARY:

This report details information for the Community and Elected Members which is ongoing.

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:	Town of Cambridge, 1 Bold Park Drive, Floreat.
Report Date:	21 September 2022
Responsible Officer:	Acting Chief Executive Officer, Kelton Hincks
Reporting Officer:	Executive Officer, Tracey Jackson
Contributing Officer:	Nil
Reporting Officer Interest:	Nil
Attachment(s):	<ol style="list-style-type: none">1. Register of State Administrative Tribunal (SAT) Appeals;2. Register of Development Assessment Panel (DAP) Proposals;3. Register of Advertised Development Applications;4. Register of Advertised Strategic Planning Proposals;5. Register of Applications referred from the State Development Assessment Panel;6. Statutory Planning Statistics;7. Surf Life Saving Cambridge Monthly Reports;8. Register of Design Review (DRP) Panel Proposals;9. Director of Infrastructure & Works Register of Current Projects; and10. Public Question Time – Responses to Questions Submitted to Council but treated as correspondence, not all responses attached as some are under investigation.

BACKGROUND:

An Elected Member Confidential Information Bulletin was introduced, effective from 1 July 2018, as an additional form of communication between the Town of Cambridge Administration and Elected Members.

DETAILS:

The attached information is considered to be of interest to Elected Members; however, the items do not require Council to make a decision.

POLICY/STATUTORY IMPLICATIONS:

There are no Policy or Statutory Implications related to this report.

RISK MANAGEMENT IMPLICATIONS:

Low: The risk in this matter has been assessed as low.

FINANCIAL IMPLICATIONS:

There are no Financial Implications related to this report.

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 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.

Proximity Interest Declaration – Cr Barlow

Prior to consideration of the item, Cr Barlow, in accordance with Section 5.65 of the Local Government Act 1995, declared a proximity interest in the matter. With regard to the Register of Development Applications, she lives across the road to St John of God hospital. Cr Barlow departed the meeting at 8.12 pm.

Proximity Interest Declaration – Cr Cutler

Prior to consideration of the item, Cr Cutler, in accordance with Section 5.65 of the Local Government Act 1995, declared a proximity interest in the matter. With regard to the Register of Advertised Strategic Planning Proposals, she lives and owns a property across the road to one of the strategic planning proposals listed. Cr Cutler departed the meeting at 8.12 pm.

COUNCIL DECISION: **(ADMINISTRATION RECOMMENDATION)**

Moved by Cr Haddon-Casey, seconded by Cr Carr

That Council RECEIVES the Information Bulletin dated September 2022.

Motion put and CARRIED (6/0)

Crs Barlow and Cutler returned to the meeting at 8.13 pm.

11. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

11.1 PROMOTE AWARENESS OF VIOLENCE AGAINST WOMEN AND FAMILIES

BACKGROUND INFORMATION PROVIDED BY CR BARLOW:

The United Nations Elimination of Violence against Women and families is the 25th November.

Violence may take many forms the common one that society is frequently aware of is physical violence as the victim frequently has physical scars that are able to be seen.

Other forms are financial, spiritual, passive aggressive behaviour, controlling behaviour, sexual behaviour forcing a person into sexual acts without consent.

Western Australia in 2021 displayed the highest overall rate of family and domestic violence sitting at 1,254 per 100,000 females.

Compared to other states NSW was 720 per 100,000 with a much bigger population.

Female victims of domestic violence related to sexual assault has also increased in recent years. It is up 48.5 victims per 100,00 females in 2021.

These figures are quite staggering.

In the wider community outside of the home, the perception of safety remains a concern for Women here in Western Australia.

As a Local Government Authority I pose the question of What responsibility the Town of Cambridge has to ensure our Residents are aware of the resources and assistance that are available to those who are living in some form of Domestic Violence.

The Town has purple benches in parks and at City Beach.

United Nations Elimination Day Elimination of Violence against Women is the 25th November.

Researching this UN recommends that this be an extended period for a month.

I urge all to support this motion and welcome other suggestions of how to promote awareness of Violence against Women in the Community.

ADMINISTRATION COMMENT:

Council adopted the 2022/2023 Town of Cambridge Festivals and Events program on 24 May 2022. The program included 8 events with a budget allocation of \$114,000 that was confirmed in the FY2022/23 budget. There is no budget allocation available for the requested event.

Staff resourcing has been planned around the above events program and there is limited capacity to deliver an additional 'major' event (especially with the 'By the C' concert endorsed Council on 20 September 2022 and the likely added City Beach New Year's Eve Fireworks event on this Council agenda). Despite the above, there is some capacity to organise a morning tea type event through the Community Safety program, with details discussed further below. Casual staff would be employed to assist catering for the event, and it is recommended that the Boulevard Centre be utilised.

The Town does not hold a Charitable Collections Licence required to undertake fundraising activities. The Town would need to partner with an organisation such as the Centre for Women's Safety and Wellbeing. The Town has partnered with other organisations in the past for fundraising activities – eg. Wembley Golf Course and Perron Institute for the 'Play with the Pros Day for Telethon'.

Town support for the cause and alignment with the UN Elimination of Violence against Women and Families Day is important and certainly worthy. However, given the day is a Friday, and the UN Day is not a broadly recognised day amongst the community, there is some uncertainty as to the expected interest and turnout. Town Administration staff suggest that catering for 50 people would likely suffice, however this is difficult to gauge. It is suggested that the event be free, instead of paid tickets, and that the fundraising objective be achieved by encouraging donations throughout the event.

If Council were to support the notice of motion, it is requested that certain details be confirmed in the resolution to ensure appropriate resourcing allocation. A draft resolution is provided to this extent.

Council may also wish to make an unbudgeted donation to the selected partnered charity; words to that effect could be added to part 3 of the below recommendation.

That Council:

1. *APPROVES an event to raise awareness and funding to fight Violence against Women and Families, to be held on 25 November 2022.*
2. *ENDORSES the following guidelines for the event:*
 - a. *A free morning tea event to be held at the Boulevard Centre;*
 - b. *To cater for approximately 50 attendees;*
 - c. *To be promoted through print and social media;*
 - d. *That donations will be encouraged from attendees and that fundraising would be through a partnership with an appropriate organisation, eg. The Centre for Women's Safety and Wellbeing;*
 - e. *That guest speaker(s) be arranged and confirmed following email consultation with Elected Members.*
3. *APPROVES BY AN ABSOLUTE MAJORITY unbudgeted funds of \$3,000 for the above event.*

Moved by Cr Barlow, seconded by Cr Haddon-Casey

That Council REQUESTS the Acting CEO to:

1. **Use the Town Social Media platforms to draw the Community attention to violence against women and where to seek assistance; and**
2. **Conduct a major Community Event such as a Morning Tea at one of our venues with a guest speaker who will speak on relevant topic and the funds raised be the donated and to an organisation who assists those who have suffered and carry the traumatic scars of domestic violence.**

Cr Haddon-Casey left the meeting at 8.23 pm and did not return.

AMENDMENT:

Moved by Randklev, seconded by Cr Carr

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

- 3. Add the event to the Town's yearly Events Program for future budget consideration.**

Amendment put and CARRIED (7/0)

AMENDMENT:

Moved by Cr Mayes, seconded by Cr Cutler

That clause 1 of the motion be amended to read as follows:

- 1. Use the Town Social Media platforms and the Town's Call Waiting System to draw the Community attention to violence against women and where to seek assistance;**

Amendment put and CARRIED (7/0)

COUNCIL DECISION:

That Council REQUESTS the Acting CEO to:

- 1. Use the Town Social Media platforms and the Town's Call Waiting System to draw the Community attention to violence against women and where to seek assistance;**
- 2. Conduct a major Community Event such as a Morning Tea at one of our venues with a guest speaker who will speak on relevant topic and the funds raised be the donated and to an organisation who assists those who have suffered and carry the traumatic scars of domestic violence; and**
- 3. Add the event to the Town's yearly Events Program for future budget consideration.**

Motion put and CARRIED (7/0)

12. QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Question submitted by Cr Mack

At the Special Council Meeting of 3 August 2022, Council resolved:

Moved by Cr Barlow, seconded by Cr Haddon-Casey

In accordance with clause 8.5 of the Town of Cambridge Meeting Procedures Local Law 2019, the livestreaming of the meeting be stopped on the AV technology on the basis that it is not complying with clause 5 of Policy No: 32 – Council and Committee Meetings – Recording and Livestreaming Policy. The request is for it to cease until Council moves a motion to recommence livestreaming once the chamber has the updated technology to permit the full recording.

Motion put and CARRIED (7/0)

Question 1

Does the Audio Visual (AV) technology now comply with clause 5 of Policy No: 32 – Council and Committee Meetings – Recording and Livestreaming Policy?

Response

Yes.

Question 2

If not, what is required to ensure compliance?

Response

Not applicable.

13. URGENT BUSINESS

13.1 APPOINTMENT OF INDEPENDENT MEMBER TO THE CEO RECRUITMENT PANEL
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Meeting Behind Closed Doors

Moved by Cr Mayes, seconded by Cr Carr

That the following matter be regarded as confidential in accordance with Section 5.23 of the Local Government Act 1995.

Motion put and CARRIED (7/0)

At 8.29 pm, the Mayor requested all persons other than Elected Members and Council Officers to leave the Council Chamber.

Impartiality Interest Declaration – Mayor Shannon

Prior to consideration of the item, Mayor Shannon disclosed an interest affecting impartiality and declared as follows: “with regard to Item 13.1, I declare that I have had a conversation with one of the people mentioned in the report and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Impartiality Interest Declaration – Cr Cutler

Prior to consideration of the item, Mayor Shannon, Cr Cutler disclosed an interest affecting impartiality and declared as follows: “with regard to Item 13.1, I declare that I know of this person and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

Impartiality Interest Declaration – Cr Randklev

Prior to consideration of the item, Mayor Shannon, Cr Randklev disclosed an interest affecting impartiality and declared as follows: “with regard to Item 13.1, I declare that the person is known to me and as a consequence there may be a perception that my impartiality may be affected. I declare that I will consider this matter on its merits and vote accordingly.”

COUNCIL DECISION: (ADMINISTRATION RECOMMENDATION)

Moved by Cr Mayes, seconded by Cr Carr

That Council APPROVES the Confidential Recommendation as outlined in the Confidential Report.

Motion put and CARRIED (7/0)

14. CONFIDENTIAL REPORTS

Nil

PROCEDURAL MOTION:

Meeting Behind Closed Doors

Moved by Cr Carr, seconded by Cr Mayes

That the meeting be reopened to the public.

Motion put and CARRIED (7/0)

15. CLOSURE

There being no further business, Mayor Shannon thanked those present for their attendance and declared the meeting closed at 8.40 pm.