



# **CITY OF BAYSWATER**

## **MINUTES**

### **FOR THE**

## **ORDINARY MEETING**

### **OF COUNCIL**

**25 August 2009**

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**CITY OF BAYSWATER**

**Minutes** of the Ordinary Meeting of the Bayswater City Council which took place in the Council Chambers, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Tuesday, 25 August 2009.

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**MINUTES**

**1 OFFICIAL OPENING**

The Chairperson, His Worship the Mayor, Cr Lou Magro, welcomed those in attendance and declared the meeting open for the ordinary business of Council at 6:03pm.

**2 RECORD OF ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE  
(PREVIOUSLY APPROVED)**

**2.1 Attendance and Apologies**

**COUNCIL RESOLUTION**

**CR TERRY BLANCHARD MOVED, CR SONIA TURKINGTON SECONDED that the following Attendance and Apologies be accepted:**

**Members**

North Ward

Cr Lou Magro, Mayor  
Cr Ian McClelland, JP  
Cr Mike Anderton, JP

*Chairperson*

Central Ward

Cr Michael Sabatino, Deputy Mayor  
Cr Barry McKenna  
Cr Sally Palmer

West Ward

Cr Terry Kenyon, JP  
Cr Terry Blanchard

South Ward

Cr Sylvan Albert  
Sonia Turkington

Officers

Ms Francesca Lefante	Chief Executive Officer
Mr Ted Budzinski	Director of Finance
Mr Des Abel	Director of Planning and Development Services
Ms Beverly Bridgland	A/Director of Administration and Community Services
Mr Doug Pearson	Director of Technical Services
Ms Kayleen Cohen	Executive Assistant
Mrs Nola Patricia	Minutes & Agenda Coordinator
Ms Carol Newport	PA – Director of Finance

Apologies

Observers

1 Press  
25 Public

**CARRIED**

**2.2 Leave of Absence (Previously Approved)**

**COUNCIL RESOLUTION**

**CR MIKE ANDERTON, JP MOVED, CR SYLVAN ALBERT SECONDED that the following Leave of Absence (Previously Approved) be accepted:**

Nil.

**CARRIED**

### 3 PUBLIC QUESTION TIME

In accordance with Section 5.24 of the *Local Government Act 1995*, time is allocated for questions to be raised by members of the public.

*Preamble and personal statements are placed on file, but do not form part of the minutes. Only public questions are included.*

**Public Question Time commenced at 6:05pm.  
The following questions were submitted both in writing and verbally:**

**1. Mr Tony Green, Bayswater City Residents Association (Inc.), PO Box 1639,  
Morley WA 6943**

Question 1:

Will there be any public meetings so that electors can have a voice in the findings of the Council Working Group on LG Reform?

*His Worship the Mayor, Cr Lou Magro advised that the Council has not yet resolved to have a Public Meeting. The Mayor further advised that there is to be workshop tomorrow on this matter and from there the Council will decide upon the best direction to take.*

Question 2:

Why is this non-transparent group the only voice on this important subject, and why are there no Community Representatives on this group, as any mergers will affect both residents and businesses through their rates?

*His Worship the Mayor, Cr Lou Magro advised that a Working Group consisting of neighbouring Local Authorities was selected by this Council, those being Bassendean, Vincent, Swan and Stirling. The Mayor further advised that no decisions were made by this group and that any recommendation they have is to come back to this Council for further direction.*

Question 3;

Will the electors have a chance to comment on the findings of this group before they are endorsed by Council?

*His Worship the Mayor, Cr Lou Magro advised that as mentioned previously the recommendations from the workshop tomorrow will be presented to Council and further direction on the issue will be resolved at that time.*

Question 4:

When will the findings of this group be made public so that the electors have something concrete to comment on?

*His Worship the Mayor, Cr Lou Magro advised that the Minister has set a timeline for comment in approximately one month's time (September) and then there will be an opportunity for the community and certain other Councils to make comment as to the position of this Council.*



Question 5:

Exactly when were talks held between the City of Bayswater and the bordering Councils, and what were the outcomes of these talks?

*His Worship the Mayor, Cr Lou Magro advised that as yet these meetings are still ongoing and that they are waiting upon community comment with regard to this issue prior to any decisions being made.*

A copy of Council's written responses to Q1-5 can be located at **Appendix 1**.

**2. Mr George Thomas Green, 95 Morley Drive East, Morley**

Question 1: *(Item 13.10) (Verbal)*

The proposed block of land used to belong to my Mother-In-Law, then it passed to my Brother-In-Law and now it belongs to the Department of Housing and Works. What I'm concerned about is this is proposed as one thing of the people that are being housed there. What I want to know is, as time goes by things can change and would be have types like 'Mr McGarry' who was recently released from Prison for pretty bad conduct, that type of person there. That's point one.

*The Chief Executive Officer advised that the Council has no control over the type of occupant the applicant may put into that residence. She further advised that the application before Council is for 'Two Dependant Persons Dwellings' and that these concerns would be better raised with the Department of Housing and Works.*

Question 2: *(Item 13.10) (Verbal)*

Point two is, we've had assurances from the Shire in the past, when they took land from my Mother-In-Law for one use and we find that it's being used for another use a little bit further down the line. Hence, they took land that was supposed to be for a Park and then in Aussat Drive, when we've gone away and come back a few years later it's residential in places there. And so I'm not exactly one hundred percent on what's proposed will be say up until three years time when the place is up and running.

*The Chief Executive Officer advised that a specific sites use can absolutely change over time dependant upon a specific application put to Council.*

**3. Mrs Maureen Green, Bayswater City Residents Association (Inc.), PO Box 1639, Morley WA 6943**

Question 1: *(Item 5)*

Why hasn't my question (Public Question Time 11 August 2009), that was typed onto a Public Question Time form, on behalf of the Bayswater City Residents Association, been copied in full both in the reply and in the COB Minutes of that Meeting? Why was only part of the first paragraph printed, and the two following paragraphs, including the question, omitted? Can you please answer this question correctly? My original question was as follows:

The Mayor, Cr Lou Magro acknowledged the resignation of the Director of Administration and Community Services, Mr Bob Jarvis from the City of Bayswater on 16 December 2008 in his Mayors Report. It is now 34 weeks (7½ months) since this position became vacant. What is the delay in filling this City Office position?

*The Chief Executive Officer advised that this matter will be further investigated with the staff concerned. His Worship the Mayor, Cr Lou Magro further advised that if in fact it is discovered that this question was omitted for any reason that it can be placed in the next minutes. The Mayor further stated that it was not necessary for Mrs Green to re-read out the question as it had been tabled and read out at the last meeting.*

A copy of Council's written response can be located at **Appendix 2**.

#### **4. Mr Harvey Tonkin, 31 Deschamp Road, Noranda**

Question 1: *(Verbal)*

Just on Mrs Greens question. Tonight you will be confirming the last minutes, is that correct? If her question isn't in the minutes how can you add it later on, once you've confirmed them?

*The Chief Executive Officer advised that the Minutes can be confirmed without Public Question Time included and that these questions can be added to the next set of minutes.*

Question 2: *(Verbal)*

I haven't seen the printed minutes here tonight. I asked a question at the last meeting, I did a quick browse through the Minutes the other night but I didn't see my question in there. The Director got back to me late Friday and I spoke with him on Monday, I was disappointed that it took so long to get back there because the issue was brought up well before but I'll wait for an answer. But my questions weren't in there either.

*The Chief Executive officer advised that this matter would be further investigated and a response provided in writing.*

A copy of Council's written response can be located at **Appendix 3**.

#### **5. Mr Alan Radford, 30 Holden Drive, Noranda**

Question 1:

As a North Ward Councillor you should be aware of the changes made to the flight path over the last six months, and planes now go along the northern boundary of the City of Bayswater, at low altitudes and create a lot of noise from 6am to late in night. Because the Council has received complaints, as recorded by Officer remarks at previous meetings, will the Council be putting in a formal complaint about the changes to the flight path? Perhaps they could be diverted to fly over Maylands, as far away from North Ward as possible and still be in the City of Bayswater.

*The Chief Executive Officer advised that to her recollection the City has sent through a complaint to the Westralian Airports Corporation. She further added that the City has been investigating the issue of flight paths over the City and that these paths are set by Air Services Australia and it appears that there was no consultation in relation to a flight path change. She added that the advice that the City has received is that CASA produced an 'Air Safety Report' in relation to the flight paths and as a result Air Services Australia changed the flight paths. This concern has been raised with the appropriate consultation groups.*

*His Worship the Mayor, Cr Lou Magro further advised that there was a presentation to Council from the Westralian Airports Corporation and that every resident does have the right to lodge their own complaint with this group.*

A copy of Council's written response can be located at **Appendix 4**.

**6. Mrs Pat Lim, 1 Johnson Road, Maylands**

*The first two questions lodged by Mrs Lim were lodged in writing, however they were not read out as Mrs Lim stated that she had spoken to the Chief Executive Officer prior to the meeting and that these two letters were forthcoming, to which she was satisfied. For the purposes of recording the Minutes these two questions have been included.*

**Question 1:**

Where is the follow up letter I was promised explaining the incorrect information in regard to the tenders. The one Turfmaster was given, re the percentages.

**Question 2:**

Where the answers to my questions regarding the information given to Council regarding Cr Blanchard's relationship with Turfmaster, not being a mutual friendship but a very positive one according to CCC information he gave at the inquest, which I read to Council.

**Question 3:**

What happened to your advice Mr Mayor 12 months ago that the grass covered as a pond where wildlife swim would be sand filled, the water and the ducks are still on the foreshore reserve in Maylands?

**Question 4:**

The park between Kathleen Avenue and Puntie Crescent, Maylands has needed a gaping hole in the cyclone fence repaired for over 3 months. I've been waiting to see how long it would remain there? Have the Councillors been away?

**Question 5:**

In the same park and approximately the same amount of time one of the poles for the shade cloth over the play equipment is leaning over almost touching the next corner. Can it be repaired ASAP. Duty of care Mr Mayor.

**Question 6:**

How dead does a tree need to be before Ward Councillors or staff of the City of Bayswater reports it. It is your Duty of Care thing you are always on about. Will you have something done about it? Its address is about 139 Peninsula Road, you wont' miss it, especially if you to bowls or golf.

**Question 7:**

The verges along Peninsula Road vested in Council are a disgrace. Can they be mowed so we can have the vibrant Maylands you always speak about?

**Question 8:**

The property next to Textile Traders in Morley is a disgrace to its Ward Councillors. Can someone arrange to have it cleaned up to an acceptable standard?

Question 9:

Councillors need to be informed every meeting Mr Mayor, as some don't see to know the Code of Conduct. Could this be done in future?

*His Worship the Mayor, Cr Lou Magro thanked Mrs Lim for her comments and advised her that he would the staff look into these matters.*

A copy of Council's written response can be located at Appendix 5.

<b>Public Question Time was closed at 6:23pm.</b>
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**4 APPLICATIONS FOR LEAVE OF ABSENCE**

**4.1 Applicant: Cr Terry Blanchard.**

Cr Terry Blanchard has requested leave of absence from 5 September 2009 through to 12 September 2009 inclusive.

**COUNCIL RESOLUTION**

**CR SYLVAN ALBERT MOVED, CR IAN MCCLELLAND, JP SECONDED that Leave of Absences be granted as follows:**

**Cr Terry Blanchard from 5 September 2009 - 12 September 2009 inclusive.**

**CARRIED**

**5 CONFIRMATION OF MINUTES**

**5.1 Ordinary Meeting : 11 August 2009**

**CR MICHAEL SABATINO MOVED, CR SONIA TURKINGTON SECONDED that the Minutes of the Ordinary Meeting of Council held on Tuesday, 11 August 2009 which have been distributed, are to be presented for confirmation as a true and correct record, with the removal of Item 3 'Public Question Time' which will be confirmed at the next Ordinary Meeting of Council.**

**CARRIED**

**6 DISCLOSURE OF INTEREST SUMMARY**

**6.1 Disclosures At Briefing Session**

**COUNCIL RESOLUTION**

**CR MICHAEL SABATINO MOVED, CR IAN MCCLELLAND, JP SECONDED that the following disclosures at Council Briefing Sessions be accepted:**

In accordance with Section 5.60A and 5.65 of the *Local Government Act 1995* the following disclosures of financial interest were made at the meeting:-

Nil.

In accordance with Section 5.60B and 5.65 of the *Local Government Act 1995* the following disclosures of proximity interest were made at the meeting:-

Nil.

In accordance with Clause 34C of the *Local Government (Administration) Regulations 1996* the following disclosure of interests affecting impartiality were made at the meeting:-

Nil.

**CARRIED**

**6.2 Disclosures At Council Meetings****COUNCIL RESOLUTION**

**CR TERRY BLANCHARD MOVED, CR MIKE ANDERTON, JP SECONDED that the following disclosures at Ordinary Council Meetings be accepted:**

In accordance with Section 5.60A and 5.65 of the *Local Government Act 1995* the following disclosures of financial interest were made at the meeting:-  
Nil.

In accordance with Section 5.60B and 5.65 of the *Local Government Act 1995* the following disclosures of proximity interest were made at the meeting:-  
Nil.

In accordance with Clause 34C of the *Local Government (Administration) Regulations 1996* the following disclosure of interests affecting impartiality were made at the meeting:-

<b>Date</b>	<b>Name</b>	<b>Item No.</b>
25 August 09	Cr Terry Kenyon, JP	Item 13.1 – Proposed Library and Multipurpose Hall to Existing Primary School.

**CARRIED**



**COUNCIL RESOLUTION**

**CR IAN MCCLELLAND, JP MOVED, CR MICHAEL SABATINO SECONDED that Item 7.1 be dealt with as Urgent Business.**

**CARRIED**

**7 URGENT BUSINESS****7.1 Donation - Noranda Primary School Fundraising P & C Quiz Night**

**Applicant: Noranda Primary School P & C**  
**Officer: Director of Finance**

**Application**

To consider an application for financial assistance to offset the cost of the hire of the Morley Sport and Recreation Centre in which the Noranda Primary School P & C held a fundraising "Shades for Shade" Quiz Night on Friday 21 August 2009.

**Background**

The Parents and Citizens Association at Noranda Primary School have committed to providing permanent shade structures over the school's two playground areas. The Association feels that this is an important cause as it will minimise the risk of harmful sun exposure to the children whilst they play as well as encouraging physical activity in all weather.

During the past 18 months, the Association has raised over \$30,000 towards shade covers to cover the playground areas, however a further \$20,000 - \$40,000 is still needed.

On Friday 7 August there was a devastating fire at Noranda Primary School which destroyed the assembly area, sports room, performing stage and P&C room which also ran as the uniform shop. Lots of items used to assist fundraising events such as the BBQ, utensils, storage containers, shelving units, refrigerator, food warmer, fathers' day gifts, etc. were stored in the P & C room. All of these were damaged by smoke and water, mostly beyond repair.

The P & C is committed to continuing with planned fundraising events like the Quiz Night, Fathers' Day stall, sports day and end-of-term disco and, whilst these items are gradually being replaced, necessary funds are having to be diverted away from the Association's primary goal of providing permanent shade structures over the school's two playground areas.

The Noranda Primary School P & C Association is now requesting Council Assistance by way of a donation of \$830 to offset the cost of the hire of the Morley Sport and Recreation Centre in which the fundraising quiz night was held on Friday 21 August.

**Comment**

Noranda Primary School has not sought financial assistance from Council since August 2004 when it was granted \$150 towards the painting of a mural in the undercover area of the school by Year 7 students as a parting gift.

Voting Requirements

Simple Majority Required.

**Officer's Recommendation**

That due to the unexpected loss of items because of the recent devastating fire which occurred at Noranda Primary School which has resulted in fundraising efforts being diverted to more urgent items, Council grant a donation of \$830 to Noranda Primary School P & C to offset the cost of the hire of the Morley Sport and Recreation Centre in which the fundraising "Shades for Shade" Quiz Night was held on Friday, 21 August 2009.

*Council Discussion:*

*Council discussed increasing the donation to the school to \$2,000 and that the use of this donation should be at the school's discretion and not necessarily to offset any costing for the hire of the Morley Sport and Recreation Centre.*

**AMENDMENT**

**CR IAN MCCLELLAND, JP MOVED, CR MARLENE ROBINSON SECONDED that the amount of the donation be increased to \$2,000 and the reference to the cost offsetting be removed, so that the recommendation reads as follows:**

**That due to the unexpected loss of items because of the recent devastating fire which occurred at Noranda Primary School which has resulted in fundraising efforts being diverted to more urgent items, Council grant a donation of \$2,000 to Noranda Primary School P & C.**

The Amendment was put and

**CARRIED**

The Amendment became the Substantive Motion.

**COUNCIL RESOLUTION**

**CR IAN MCCLELLAND, JP MOVED, CR MARLENE ROBINSON SECONDED that due to the unexpected loss of items because of the recent devastating fire which occurred at Noranda Primary School which has resulted in fundraising efforts being diverted to more urgent items, Council grant a donation of \$2,000 to Noranda Primary School P & C.**

**CARRIED**

**8 PETITIONS**

- 8.1 Cr Barry McKenna tabled a letter from Mr Nick Virgona of the Bayswater Little Athletic Centre, C/- 40 Drummond Street, Bedford re: Financial Support from the City of Bayswater for Bayswater Little Athletics.**

A copy of the letter can be located at Appendix 6.

- 8.2 Cr Terry Kenyon, JP tabled a letter from the Secretary of the Perth Radio Electric Car Club, PO Box 3200, Malaga re: Temporary Premises for Club Activities.**

A copy of the letter can be located at Appendix 7.

- 8.3 Cr Marlene Robinson tabled an email from Lisa Skrypichayko of 280 Timbertop Way, Stoneville re: Community Theatre in Maylands.**

A copy of the letter can be located at Appendix 8.

*At this time the Chief Executive Officer read out the results for the 2009/2010 Rates Prize Incentive Draw conducted by His Worship the Mayor, Cr Lou Magro on 25 August 2009.*

A copy of the 2009/2010 Rates Prize Incentive Draw can be located at Appendix 9.

- 8.4 Cr Lou Magro tabled a petition containing 286 signatures from J Caputo of 5c Elizabeth Street, Maylands re: Improving General Aesthetics to some of the Residential Areas in Maylands.**

A copy of the letter can be located at Appendix 10.

**9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****9.1 Proposed Re-Naming of the Netball Centre at Noranda Sporting Complex**

**HIS WORSHIP THE MAYOR, CR LOU MAGRO MOVED, CR IAN MCCLELLAND, JP SECONDED** that the City's Officers investigate the proposed re-naming of the Netball Centre at Noranda Sporting Complex after 'Sue Belcher', who was a committee member of the Noranda Netball Association for some 21 years. The investigations should give due consideration to the City's Policies, particularly '*Policy No. TP-P1.2 – Naming of parks, Reserves, Streets and Infrastructure*'. The outcome of the investigations, including a plan showing the location of the subject building, is to be addressed in a report presented to Council for its consideration.

**CARRIED**

**10 NOTICE OF MOTION FOR CONSIDERATION AT THE FOLLOWING  
MEETING IF GIVEN DURING THE MEETING**

Nil.

**COUNCIL DECISION - EN BLOC RESOLUTION**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED to en bloc the Committee / Officer's recommendations of Item 11.1 through to 11.2, Item 13.3 through to 13.7, Item 13.9 through to 13.10, Item 13.12 through to 13.13, Item 13.15, Item 14.1 through to 14.3, Item 14.5 through to 14.10 and Item 15.1 through to 15.4.**

*At 6:56pm, Cr Mike Anderton, JP withdrew from the meeting and returned at 6:58pm.*

*At 6:57pm, Cr Marlene Robinson withdrew from the meeting.*

**11 BUSINESS – ADMINISTRATION AND COMMUNITY SERVICES****11.1 Aquatic Facilities Report- July 2009**

**Attachments:** [Aquatic Facilities Report – July 2009](#)

**Officer:** Director of Administration and Community Services

Application

To consider the report of activities at the City of Bayswater aquatic facilities for July 2009.

Background

A copy of the report and operations undertaken in the Month of July 2009 (*refer to Attachment No 1*).

Comment

Signage has been erected on the grass area alongside the front entrance of the Aquatic Centre to advertise the upcoming Charity Golf Day Thursday, 29 October 2009 at the Maylands Peninsula Golf Course.

The Disability Service Commission organised a film shoot of a special need person entering the facility and swimming, this film is to encourage employment opportunities as a career within the Commission.

Policy Implications

Nil.

Financial Implications

Nil.

Voting Requirements

Simple Majority Required

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that the report of activities and operations for the City of Bayswater's aquatic facilities for July 2009 be received.**

**CARRIED BY EN BLOC RESOLUTION**

**11.2 Ranger Services Management Report – July 2009****Attachments:** [Ranger Services Management Report - July 2009](#)**Officer:** **Manager Rangers and Security**Application

To receive the monthly Ranger Services management report for July 2009.

Background

To keep Council informed on the activities of the Ranger Service section. A monthly summary report is provided (*refer to Attachment No. 1*).

Comment

The City Ranger Services are located at 25 King Street. The office is open to the public Monday to Friday 8:30am to 5:00pm.

Community Rangers are on duty from:

7:00am to 7:00pm Monday to Thursday

7:00am to 7:30pm Friday

8:30am to 5:30pm Saturday

9:30am to 4:30pm Sunday.

Policy Implications

Nil.

Financial Implications

Nil.

Voting Requirements

Simple Majority Required

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that the Ranger Services management report for July 2009 be received.**

**CARRIED BY EN BLOC RESOLUTION**

**11.3 Section 26 Exemption Application To Keep More Than Two Dogs****Attachments:** [1. Application Form](#)**Officer:** A/Director of Administration and Community ServicesApplication

To inform Council that Mr Robert and Mrs Tania Wells of 38 Roberts Street, Bayswater has submitted a Section 26 exemption application to keep more than two dogs (3) at that address.

Background

On 4 February 2009, Mr and Mrs Wells made application to the City of Bayswater under Section 26 of the *Dog Act* (as amended) in order to permit him to keep three dogs at their address of 38 Roberts Street, Bayswater (*refer to Attachment No. 1*).

As a result and upon receiving the application, City of Bayswater Ranger Ray McArthur conducted inquiries at the property, where the applicants have resided since December 2008 (*refer to Confidential Attachment No. 2*). The property is constructed on a 780 square meter block and the side fences are constructed of Super Six and brick 1.8 meters high. The front fence is constructed of brick and is 2.2 meters high.

Faecal disposal is carried out by bagging and placing in the rubbish bin.

The current status of the dogs currently residing at the property is as follows:

- 1 x German shepherd aged 10 years, female and sterilized.
- 1 x Golden retriever aged 10 years, female and sterilized.
- 1 x Golden retriever aged 3 years, female and sterilized.

All of the dogs appeared to be socialized; well behaved dogs and well cared for. They are kept inside a brick enclosure outside during the night and are in the backyard during the day and exercised daily. Both applicants have indicated they have done extensive training with their dogs and are extremely well natured.

Thirteen of the surrounding properties were surveyed; eight (8) in Roberts Street and five in Milne Street, but only five responses were received (*refer to Confidential Attachment No. 3*). Of those responses, two (2) were against the application and three (3) were in favour. Of the objections returned, one (1) was in Milne Street and one with no address given. The common objections in the two objections were excess dog faeces and excessive barking.

The three (3) letters in support of the application are all from Roberts Street. The common support factors were that dogs were good for security. The property is adequate to contain three dogs and they are dog lovers.

Support letters were received from either side and across the road from the applicants.



Comment

Ranger McArthur has commented on the behaviour of the dogs during his visit stating they were well behaved. He has further commented that although there are various reasons against the application, which must be taken into consideration, he does not believe that some of the reasons will apply in this case and in his opinion, the applicants appear to be responsible dog owners.

Two (2) of the dogs are of a mature age, both being ten (10) years and the younger one at three (3) years of age. All dogs are of a passive nature and well controlled.

Policy Implications

Nil.

Financial Implications

Nil.

Voting Requirements

Simple Majority Required.

*At 7:01pm, Cr Marlene Robinson returned to the meeting.*

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**CR TERRY KENYON, JP MOVED, CR TERRY BLANCHARD SECONDED the Officer recommendation that the Application is approved on the basis that the owner has adequate control over the dogs and there have been no previous complaints recorded.**

**CARRIED**

#### 11.4 2009 City of Bayswater Garden Awards & the 2009 Christmas Lights Competition

**Officer:** Acting Director of Administration and Community Services

##### Application

To seek Council's endorsement for arrangements for the 2009 City of Bayswater Garden Awards and the 2009 Christmas Lights Competition.

##### Background

This year will be Council's 28<sup>th</sup> Garden Awards to promote community participation and engender pride in living in the City of Bayswater. Gardens created by residents on their own property contribute immensely to the Garden City image of the City of Bayswater and enhance Council's efforts to create beautiful reserves and passive recreation areas for the benefit of the City's residents and those passing through.

In 2008, the Christmas Lights Competition was cancelled due to the decline of entrants over the past several years (one (1) entrant in 2007) and feedback from the community that suggested that daylight saving, which make optimal viewing much later and possibly too late for small children, had affected the display of Christmas lights. There has also been a suggestion that in these times of awareness of saving energy and increasing power costs, the popularity of Christmas light displays may continue to decline.

At the Council meeting held on 12 August 2008, Council resolved the following:

- "4. *The Christmas Lights competition not be held in 2008 and be reviewed when the future of daylight saving has been resolved.*"

As daylight savings has now been formally abolished, Officers seek Council's direction on the arrangements and prize allocation for the 2009 Christmas Lights competition.

##### Comment

Following discussion at the Briefing Session held on 18 August 2009, Council commented on combining the Garden Awards function with the Christmas Lights function. Officers have now included information regarding both events for Council's consideration,

#### **Garden Awards**

As in previous years the advertisements will invite interested persons who reside in the City of Bayswater to nominate in the following categories:

<b>BEST KEPT STREET OR PART STREET</b>	
<b>Prize</b>	<b>Specialised Street Sign</b>
<b>BEST RESIDENTIAL GARDEN</b>	
<b>1<sup>st</sup> Prize</b>	<b>\$500</b>
<b>2<sup>nd</sup> Prize</b>	<b>\$300</b>
<b>3<sup>rd</sup> Prize</b>	<b>\$150</b>
<b>Special Recognition</b>	<b>\$150 (at the discretion of the judges)</b>
<b>Best Waterwise Garden</b>	<b>\$300</b>
<b>Best Unit Development/Flat Complex</b>	<b>Plaque of recognition</b>

**BEST LANDSCAPED COMMERCIAL/INDUSTRIAL COMPLEX**

<b>1<sup>st</sup> Prize</b>	<b>\$300</b>
<b>2<sup>nd</sup> Prize</b>	<b>\$150</b>
<b>3<sup>rd</sup> Prize</b>	<b>\$100</b>

All categories are based on the following criteria:

- General impact, concept, layout and design
- Features, plant variety and selection
- General health and maintenance of the garden(s)
- Originality

Advertisements will be placed in the local papers (Tuesday) for four (4) weeks from 15 September 2009 to 22 September 2009 and 6 October 2009 to 13 October 2009. The advertisement contains the conditions of the competition and the entry form. This information will also be available on the City's website.

Applications close on Friday, 16 October 2009 and judging will take place on Wednesday, 11 November 2009. The starting time of the judging day will be determined on the number of entries received.

It is suggested that Council nominate two (2) representatives to be on the judging panel, which will comprise of the following:

- Two (2) Councillors
- Director of Administration and Community Services
- Manager Parks Operations

Councillors will be advised of the winners of the competition via the Information Bulletin.

The dates for advertising, selection of judging panel and function have been scheduled around the Local Government Election (17 October 2009) to allow the competition arrangements to proceed pre-election. Post election, a further report will be submitted to Council on 27 October 2009 to update Council on the progress of the competition and seek the nomination of Councillors to the judging panel.

In previous years, the Garden Awards function and the Christmas Lights Competition function had been combined and held in late December. It is proposed that the 2009 combined event be conducted in the Embleton Room on Wednesday, 16 December 2009 commencing at 7:00pm.

**Christmas Lights Competition**

Advertisements will invite interested persons who reside in the City of Bayswater to enter the competition with the following prizes being awarded to the winners:

<b>1<sup>st</sup> Place</b>	<b>\$300</b>
<b>2<sup>nd</sup> Place</b>	<b>\$200</b>
<b>3<sup>rd</sup> Place</b>	<b>\$100</b>

Advertising in local newspapers would be conducted over a four week period from 3 November 2009 to 24 November 2009. This information will also be available on the City's website. The competition to close Friday, 27 November 2009 and the entrant's displays judged on Wednesday, 2 December 2009 at a time to be confirmed. The Judging Committee would comprise of two (2) Councillors and the Director Administration and Community Services.

Councillors will be advised of the winners of the competition via the Information Bulletin.

In previous years, the Christmas Lights function had been combined with the Garden Awards function. It is proposed that the 2009 combined event be conducted in the Embleton Room on Wednesday, 16 December 2009 commencing at 7:00pm. The proposed date has been scheduled one (1) week prior to Christmas to enhance the Christmas atmosphere and has also been scheduled around other Council events at that time of year.

The conditions of entry state that no minimum be placed upon the amount of household entries received by the advertised closing date and that it would be at Council's discretion to award prizes.

#### Policy Implications

Policy No. AD-P07 Garden Awards.

#### Financial Implications

\$12,000 from account number 208317-4406-0000 has been allocated for the payment of advertising, prizes and function for the Garden Awards. The associated costs for the Christmas Lights Competition will also be drawn from this account.

#### Voting Requirements

Simple Majority Required.

### **COUNCIL RESOLUTION** **(OFFICER'S RECOMMENDATION)**

CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that:

1. Council endorse the arrangements and prizes for the 2009 City of Bayswater Garden Awards and Christmas Lights Competition.
2. The judging of the Garden Awards to be held on Wednesday, 11 November 2009.
3. The judging of the Christmas Lights Competition to be held Wednesday, 2 December 2009.
4. The Garden Awards and Christmas Light Competition prizes to be presented to the winners of both competitions at a function to be held in the Embleton Room on Wednesday, 16 December 2009 commencing at 7:00pm.
5. A further report be presented to Council following the Local Government Elections to nominate two (2) Councillors to the Garden Awards Judging Panel and two Councillors to the Christmas Lights Competition Judging Panel.

CARRIED BY EN BLOC RESOLUTION

**COUNCIL RESOLUTION**

**CR MARLENE ROBINSON MOVED, CR SALLY PALMER SECONDED** that Item 11.4 be recommitted so that an amendment may be made to the recommendation.

**CARRIED**

*Council Discussion:*

*Council originally carried this Item En Bloc. However, it was recommitted in order to discuss the removal of any reference to placing a minimum number of entries received to the conditions of entry within the Officer's report. This was also added as an extra condition within the resolution.*

**AMENDMENT**

**CR MARLENE ROBINSON MOVED, CR TERRY KENYON, JP SECONDED** that the reference to placing a minimum number of entries received to the conditions of entry within the Officer's report be removed and that a further point 6 be added to the Officer's recommendation to read as follows:

6. The conditions of entry state that no minimum be placed upon the amount of household entries received by the advertised closing date and that it would be at Council's discretion to award prizes.

The Amendment was put and

**CARRIED**

The Amendment became part of the Substantive Motion.

**COUNCIL RESOLUTION**

**CR MARLENE ROBINSON MOVED, CR LOU MAGRO SECONDED** that:

1. Council endorse the arrangements and prizes for the 2009 City of Bayswater Garden Awards and Christmas Lights Competition.
2. The judging of the Garden Awards to be held on Wednesday, 11 November 2009.
3. The judging of the Christmas Lights Competition to be held Wednesday, 2 December 2009.
4. The Garden Awards and Christmas Light Competition prizes to be presented to the winners of both competitions at a function to be held in the Embleton Room on Wednesday, 16 December 2009 commencing at 7:00pm.
5. A further report be presented to Council following the Local Government Elections to nominate two (2) Councillors to the Garden Awards Judging Panel and two Councillors to the Christmas Lights Competition Judging Panel.
6. The conditions of entry state that no minimum be placed upon the amount of household entries received by the advertised closing date and that it would be at Council's discretion to award prizes.

**CARRIED**

**12 BUSINESS – TECHNICAL SERVICES****COUNCIL RESOLUTION**

**CR TERRY BLANCHARD MOVED, CR TERRY KENYON, JP SECONDED that this Item be discussed behind closed doors at item 18.1.**

**CARRIED**

**12.1 Health Act Prosecution**

**Officer: Manager Environmental Health**  
**Refer: Item 12.1 OMC 10.02.09**

<b>CONFIDENTIAL ITEM</b>
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**Application**

To seek Council's endorsement for the prosecution of a food premise for non-compliance with Section 246O of the *Health Act 1911*.

In accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting is closed to members of the public for this item as the following sub-section applied:

- (e) (iii) A matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person where the trade secret or information is held by, or is about, a person other than the local government.

**Voting Requirements**

Simple Majority Required

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**CR MARLENE ROBINSON MOVED, CR MICHAEL SABATINO SECONDED the Officer recommendation that Council endorses the Manager Environmental Health's previous decision to pursue prosecution of the food proprietor at Lot 76 Marchant Way Morley, under Section 246O of the *Health Act 1911*.**

**CARRIED**

**13 BUSINESS – PLANNING & DEVELOPMENT SERVICES****13.1 Proposed Library and Multipurpose Hall to Existing Primary School**

**Location:** Lot 1, No. 32 Roberts Street, Bayswater  
**Attachments:** [No. 1 - Location Plan and Site Photo](#)  
[No. 2 - Detailed Plans](#)  
**File No:** DA09-0354  
**Applicant:** Parry & Rosenthal Architects  
**Owner:** Roman Catholic Archbishop of Perth  
**Officer:** Director of Planning and Development Services

***CR TERRY KENYON, JP DECLARED AN IMPARTIAL INTEREST***

*In accordance with Section 5.65 of the Local Government Act 1995, Cr Terry Kenyon, JP declared an impartial interest in this Item as he attends the church. Cr Kenyon remained present during discussion and voting on this Item.*

Application

MRS form 1 and plans dated 7 July 2009 have been received for a proposed library and multipurpose hall at St Columba's Primary School, Lot 1, No.32 Roberts Street, Bayswater.

1. The proposal comprises the following components:
  - a) Construction of a two storey building containing a library on the upper floor with a multipurpose hall on the ground level; and
  - b) Relocation of an existing bus bay, the associated bus carport and covered play area.
2. Council consideration is required for the following matters:
  - a) The wall height of the proposed building exceeds the permitted maximum height of buildings with a proposed height of 6.5 metres; and
  - b) Whether advertising of the proposal is required in accordance with Planning Policy *TP-P 1.4 Development Applications for Educational Facilities*, given the development is not considered to unduly impact on the neighbouring properties.

Background

<b>Town Planning Scheme No. 24 Zoning:</b>	Local Scheme Reserve – Public Purposes
<b>Use Class:</b>	Primary School
<b>Lot Area:</b>	11,532 m <sup>2</sup>
<b>Existing Land Use:</b>	Primary School
<b>Surrounding Land Use:</b>	Residential, Bayswater Primary School
<b>Size/Nature of Proposed Development:</b>	Proposed Library and Multipurpose Hall

SCHEME PROVISIONS		REQUIRED	PROVIDED
<b>Setbacks</b>	<b>Front (Roberts St)</b>	13.5m	38m (Hall)
	<b>Rear (Milne St)</b>	6m	16m (Bus Shed/Play Area)
	<b>Side</b>	6m	50m
	<b>Side</b>	6m	44m
<b>Parking</b>		34 bays	21 bays on site 23 verge parking bays

1. As a result of the Federal Government's '*Building the Education Revolution*' economic stimulus package, government funding has been made available for school facilities provided certain timeframes are met to enable construction to commence in the 2009/2010 financial year.
2. The site is listed under the City's Municipal Heritage Inventory (MI) as a Classification 2 heritage site. The MI states that the building currently used as a library was the original St Columba's Church and is considered to have intrinsic heritage value.
3. The site is characterised by a slope that has resulted in the site being developed on two distinct levels, with an upper level facing Roberts Street that contained the heritage building and other improvements on the site, and a lower level that contains the school oval and the presbytery building. The proposed building straddles the change in level in the centre of the site such that the building is single storey when viewed from the northeast and increases to two storeys with the fall of the land when viewed from the southwest.

#### Comment

##### Compliance with Scheme Provisions

1. Assessment of the application indicates that the proposal complies with the provisions of Town Planning Scheme No.24 and Council policy with the exception of a variation to wall height and as the proposal has not been advertised to the local community.

##### Heritage considerations

2. The existing library building the subject of the heritage listing was constructed around the turn of the last century. More recent additions were constructed in 1935 (three additional classrooms constructed using red brick), 1939 (small extension), 1953 (additional classroom) with a new church and parish centre constructed on the site in 1957. After the construction of the new church and hall in 1957, the original church building was converted for use as a classroom and currently houses the school library. Further additions in 1979 resulted in the construction of new classrooms to the north and a toilet block central to the site.



3. The proposed library/multipurpose hall is a new separate building located in the centre of the site, which does not modify the existing buildings on site. The proposed building has a traditional form designed to integrate with the existing buildings on site. The proposed building will have a hipped and gabled roof with a traditional roof pitch of 30 degrees. Overhanging eaves provide shading and assist with creating a balance between the roof element and the walls. The north east elevation nearest the heritage building is single storey with a traditional style verandah along the full length of the building. The roof is proposed to be grey colourbond sheeting and whilst no colour schedule has been provided for the walls of the building, it is recommended that a heritage red brick colour be used to appropriately blend with the existing heritage building and other existing building on the site, which are predominately red brick.
4. The characteristics and design of the proposed building are considered to be sympathetic with that of the existing heritage building. The traditional roof form with eaves and gables is considered to complement the existing heritage building and the proposed roof material and colour is considered to blend appropriately with the heritage building and other buildings on the site. A condition has been included that a colour schedule be provided with a red heritage brick colour considered to be the most appropriate colour for the walls to the building.

#### Wall Height

5. The wall height of the proposed building has been measured at 6.5 metres from the natural ground level. Development on school sites that sit within residential areas is generally required to be consistent with the provisions of the Residential Design Codes, which limit wall heights to a maximum of 6.0 metres under the Acceptable Development standards. Council has endorsed a Town Planning Scheme Amendment that limits development within a residential setting to comply with 6.0m maximum wall heights.
6. The building is single storey where it faces the existing buildings and the heritage building on the site, and increases with the slope of the land to be two storeys where it abuts the school oval. The roof height complies with a maximum height of 8.0 metres.
7. The performance criteria of the R Codes states the following with regard to wall height:  
*“Building height consistent with the desired height of buildings in the locality, and to recognise the need to protect the amenities of adjoining properties, including, where appropriate:*
  - *Adequate direct sun to buildings and appurtenant open spaces;*
  - *Adequate daylight to major openings to habitable rooms; and*
  - *Access to views of significance.”*
8. The proposed wall height at 6.5 metres results from the building extending across the split levels on the site. The wall height allows adequate direct sun to adjacent buildings and to appurtenant open spaces. The building provides adequate daylight to major openings and the shadow from the building falls on a portion of the school oval and the existing play area, which is to be re-located with the bus bay and associated carport. The variation to height is not considered to affect views of significance given that the building is located central to the site. The proposed height is considered to meet with the performance criteria.

Parking

9. The applicant has advised that the school has a maximum of 240 students enrolled at the primary school. Under the provisions of Town Planning Scheme No.24, parking bays are required at a rate of 14 bays per 100 students, which equates to a requirement of 34 parking bays. A review of the plans indicates that 21 bays are provided on site, with an additional 23 bays and a student pickup and drop off area available on the Roberts Street verge.
10. A review of the history of the site has found that some parking concerns have been raised in relation to student drop off and pick up in 2005/2006. No further complaints have been received since this time, which broadly corresponds to the construction of the student drop off and collection area.
11. The number of students attending the school will not increase as a result of the current application for the library and multipurpose hall. Given that student numbers will remain the same and that the existing parking arrangements are considered to function without issue, the number of parking bays provided on site is considered adequate.

Advertising of Proposal

12. The proposal has not been advertised to the community for comment. Given the emphasis on expediting development approvals that fall under the category of the Federal Government's '*Building the Education Revolution*' programme, and the scale and nature of the current application before Council, it is considered warranted that Council consider the determination of the proposal, without advertising.
13. The City's Planning Policy *TP P 1.4 Development Applications for Educational Facilities* stipulates that advertising of proposals for educational facilities is required where the following is proposed:
  - a) Buildings with a height in excess of one storey (3 metres).
  - b) Setback variations.
  - c) Reconfiguration of parking, traffic and manoeuvring areas.
  - d) Any increase in the population of the educational establishment.
  - e) Proposal has impact on the streetscape.
14. Whilst the proposed library and multipurpose hall building presents as two storeys from Milne Street and reduces to single storey adjacent to the existing school buildings and heritage building, it is setback significantly from Milne Street (36 metres) which is considered to effectively mitigate the bulk and scale of the building in context with the existing buildings on site. The proposal complies with the relevant requirements with the exception of the wall height, which is considered to be a minor variation due to the site topography. The setbacks comply with the Scheme provisions and the only alteration to parking and manoeuvring areas is the re-location of the bus parking bay and shelter. The applicant has advised that the school population will not be affected by this proposal. The impact on the streetscape is considered to be minimal as the proposal is setback significantly from all boundaries.

Summary

The proposal for a library and multipurpose hall at St Columba's Primary School proposes a variation to wall height that is considered to meet with the performance criteria. Advertising of the proposal is not considered necessary as the building is centrally located within the site and the proposal does not unduly impact on the streetscape. The form and materials proposed for the new building is considered to be sympathetic to the existing heritage building and is considered to be appropriate subject to the provision of an appropriate colour schedule. Parking on site will not be affected as no increase in student numbers is proposed.

The proposal is recommended for approval.

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR IAN MCCLELLAND, JP MOVED, CR MICHAEL SABATINO SECONDED the Officer recommendation that:**

- 1. Planning Approval be granted for the proposed library and multipurpose hall at St Columba's Primary School at Lot 1, No.32 Roberts Street, Bayswater in accordance with the application DA09-0354 and plans dated 7 July 2009 subject to the following planning conditions:**
  - a) This approval is valid for a period of two (2) years from the date of this letter. If the development/use, the subject of this approval, is not SUBSTANTIALLY COMMENCED within two years, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.**
  - b) The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.**
  - c) The development complying with any details marked in red on the approved plans.**
  - d) In accordance with the *Local Government (Miscellaneous Provisions) Act 1960 and Building Regulations 1989*, a building licence application must be obtained prior to the commencement of any building works.**
  - e) This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should you wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, you must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.**
  - f) On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition.**

- g) All stormwater and drainage runoff produced onsite is to be disposed of onsite via the use of soakwells. The size of the soakwells are to be calculated by use of the formula  $VOL(m^3) = AREA (m^2) \times 0.0125$ , where VOL is total storage volume of soakwells and AREA is total roofed and paved areas. Connection to the City's stormwater system, where available, may be permitted as an overflow only if to the satisfaction of the City of Bayswater.
  - h) The vehicle parking area shall be sealed, kerbed, drained and line marked in accordance with the approved plans and specifications and shall be thereafter maintained to the satisfaction of the City of Bayswater.
  - i) The applicant to submit a proposed schedule of colours for the proposed building, to the satisfaction of the City of Bayswater, prior to the issuing of a building licence.
  - j) A maximum of 240 students to be enrolled at the school at any one time.
  - k) Adequate size bin compounds should be provided with a permanent water supply and drainage facility for wash down. The bin area must be screened to a height of not less than 1.8 metres.
  - l) The kitchen to comply with the requirements of the *Health (Food Hygiene) Regulations 1993*.
  - m) Noise emissions from the plant rooms and business operation to comply with the requirements of the *Environmental Protection (Noise) Regulations 1997* at all times.
2. The City notify the adjacent landowners of Council's approval for the proposed library and multipurpose hall at St Columba's Primary School.

**CARRIED**

### 13.2 Proposed Coventry Square Markets Scheme Amendment

<b>Location:</b>	<b>Lot 1, No. 243-253 Walter Road, Morley</b>
<b>Attachments:</b>	<a href="#">No. 1 - Location Plan and Site Photo</a> <a href="#">No. 2 - Concept plans</a> <a href="#">No. 3 - Submissions table</a> <a href="#">No. 4 - Submissions map</a> <a href="#">No. 5 - Extent of public advertising</a> <a href="#">No. 6 – Applicant response to objection</a>
<b>File No:</b>	<b>SCS08-0003</b>
<b>Applicant:</b>	<b>Strzelecki Holdings Pty Ltd</b>
<b>Owner:</b>	<b>SBSK Pty Ltd</b>
<b>Officer:</b>	<b>Director of Planning and Development Services</b>
<b>Refer:</b>	<b>Item 14.1: OMC : 11.11.2008</b> <b>Item 14.17: OMC : 28.10.2008</b> <b>Item 14.23: OMC : 26.08.2008</b> <b>Item 12.2.1: OMC : 24.6.2008</b> <b>Item 9.1: SMC : 29.4.2008</b>

#### Application

Council consideration is required for the final approval of Scheme Amendment No. 6 to Town Planning Scheme No. 23 following the completion of public advertising. The proposal seeks to amend the existing Scheme provisions for Lot 1, No. 243-253 Walter Road, Morley to enable markets to be developed on the site which includes uses such as markets, shops, restaurants, fast food outlets and a tavern.

#### Background

<b>Town Planning Scheme No. 23 Zoning:</b>	“Central City Area R80”
<b>Lot Area:</b>	46,672 m <sup>2</sup>
<b>Existing Land Use:</b>	Vacant Commercial
<b>Surrounding Land Use:</b>	Commercial/Residential/ Morley Sport and Recreation Centre
<b>Size/Nature of Proposed Development:</b>	Scheme amendment to facilitate the use of the site for markets and associated uses
<b>Parking</b>	Required – 778 bays Provided – 790 bays* (indicative only)

- At the meeting on 24 June 2008, Council resolved that the ‘Tourism Markets’ proposal was considered to have merit and is compatible with Council’s vision for Morley city centre. At this meeting Council resolved:-

*“That:*

1. *With regard to the proposed tourism/retail/residential development on Lot 1, No’s 243- 253 Walter Road, Morley, the applicant be advised that the proposal is considered to have merit and be compatible with the Council’s vision for Morley provided that:*
    - a) *It is well integrated with the surrounding area, particularly between the site and Progress Street;*
    - b) *Civic spaces and/or community facilities be incorporated into the proposal;*
    - c) *The Wellington Road frontage has a strong built and good urban design outcome;*
    - d) *That residential development is provided along Lennon Street and adjoining residential lots;*
    - e) *The buildings have iconic architectural qualities;*
    - f) *Traffic management and servicing, including impacts on the surrounding road network and residents are reconciled;*
    - g) *There is integration with Progress Street in terms of pedestrian links, urban design and access;*
    - h) *Parking is provided to the development in accordance with the Scheme; and*
    - i) *Enhances tourism within the Morley City Centre including but not limited to retail and entertainment experiences.*
  
  2. *The City advise the applicant to lodge an application to rezone Lot 1, No’s 243- 253 Walter Road, Morley, including all relevant documentation, studies, justifications and fees as required by the City of Bayswater. The application should include amongst others:*
    - a) *An Outline Development Plan to provide more certainty on how the site would be developed and incorporating the elements nominated by Council in Point 1 above;*
    - b) *A detailed examination of how the proposal would integrate with the surrounding area, particularly between the site and Progress Street;*
    - c) *The provision of civic spaces and/or community facilities on the site;*
    - d) *Supporting studies and information like a retail analysis and traffic impact study;*
    - e) *High quality urban design outcomes; and*
    - f) *The number of residential units proposed for the site.*
  
  3. *The City advise the applicant that the concurrent approval of the Western Australian Planning Commission (WAPC) is also required for the initiation of the amendment and that the applicant should liaise directly with the WAPC to ascertain the extent of the documentation required by them, which may include:*
    - a) *Provide a high level of retail justification by way of retail modelling;*
    - b) *Review the Morley City Structure Plan;*
    - c) *Demonstrate that the proposal meets with Network City and Transport Orientated Development (TOD) outcomes;*
    - d) *Provide a full review of traffic management for the Scheme 23 area;*
    - e) *Demonstrate that the proposal has good urban design outcomes; and*
    - f) *Provide an Outline Development Plan and a Centre Plan.*
-

4. *Upon consent for initiation of the amendment by WAPC, extensive public consultation will be undertaken.”*
  2. Council considered a number of strategic changes to the proposed development of the site at its meeting held on 28 October, 2008 and resolved in part that:
    - a) *“Council rescind Resolution 1c) (Wellington Road frontage has a strong built and good urban design outcome) and 1d) (residential development is provided along Lennon Street and adjoining residential lots) of Item 12.2.1 of its meeting of 24 June 2008;*
    - b) *The proponent be advised that:*
      - i) *Council accepts the proponent’s intention to not include residential development on the site at this time;*
      - ii) *Council accepts the proponent’s intention to not include a strong built form urban design outcome along the Wellington Road frontage at this time; and*
      - iii) *The City understands that the proponent’s potential funding contribution for traffic and pedestrian works to facilitate the development will be negotiated at a later time”.*
  3. Council resolved to initiate the proposed scheme amendment at its meeting of 11 November 2008.
  4. The proposal also required concurrent approval for Consent to Advertise from the Western Australian Planning Commission (WAPC) as per the Metropolitan Centres Policy (State Planning Policy 4.2). The proposal was subsequently considered by the WAPC which advised that it had provided consent to publicly advertise the amendment in correspondence to the City dated 4 June, 2009 subject to the following modifications being effected prior to advertising:
    - a) *“A revised economic impact assessment report which is based on the validated data to be provided by the Department for Planning and Infrastructure that incorporates the entire retail floorspace of the Morley Strategic Regional Centre”.*
    - b) *“Additional information relating to traffic impact that addresses the issue of trip generation and parking figures”.*
  5. A senior Department of Planning (DoP) Officer acting on behalf of the Western Australian Planning Commission advised in email correspondence dated 18 June, 2009 that the DoP was satisfied that the above modifications could be adequately effected and therefore public advertising could commence.
  6. The WAPC has also advised that prior to the finalisation of the amendment (but not necessarily prior to public advertising), it will be necessary to address the provision and requirement(s) of the draft Activity Centres Policy with particular regard to the guidelines in the Model Centre Framework for centres for achieving functional and design integration with the development in the Regional Centre.
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7. The applicant subsequently submitted a revised economic impact assessment report and additional information relating to traffic impact in accordance with the DoP's requirements. The applicant also submitted a report addressing the principles and issues raised in the WAPC's draft Activity Centres Policy as per the advice noted above.

#### Public Advertising

8. The proposed amendment was advertised for public comment for a period of forty-two (42) days from 24 June, 2009 to 4 August, 2009 by way of letters to nearby property owners, letters to public authorities, signs on the subject site and advertising in *The West Australian* and local newspapers.
9. As a result of the public advertising, seven (7) submissions were received which are summarised in Attachment 3. The submissions indicated that:
  - a) One (1) submission generally supported the proposal;
  - b) One (1) submission objected to the proposal; and
  - c) Five (5) submissions had no objections or no comments on the proposal.
10. One (1) late submission objecting to the proposal was also received following the completion of the public advertising period.
11. The City and the WAPC have no specific requirements on the number of advertising signs to be erected on the site, however, six (6) signs were placed on the subject site advertising the proposed scheme amendment with two on each road frontage (2 signs on Walter Road, 2 signs on Wellington Road and 2 signs on Lennon Street). Some of the signs were removed from the site (by a person or persons unknown) and were subsequently replaced during the advertising period. Some of the signs were again removed from the site (by a person or persons unknown) which were noticed as missing at the end of the advertising period and were consequently not replaced.
12. Notwithstanding, letters to surrounding residents (refer to Attachment No. 5), information on the City's website and newspaper advertisements were further methods used to advertise the proposal.

#### Comment

1. The proposal seeks to amend the Scheme by introducing new 'Permitted' and 'Discretionary' uses for the site and to modify relevant parts of the Scheme text accordingly. The textual amendments are proposed to facilitate the use of the site as 'Tourism Markets' including uses such as markets, shops, restaurants, fast food outlets and a tavern.
2. Council has considered on a number of occasions (meetings of 24 June 2008, 26 August 2008, 28 October 2008 and 11 November 2008) the potential uses of the site and the potential strategic implications for the Morley City Centre. Given that Council has previously considered the potential strategic implications of the proposal on a number of occasions, this report primarily discusses the detail of the scheme amendment proposal.



Appropriateness of Use

3. The basis of the proposed amendment is to facilitate the development of the site for markets, shops, restaurants, fast food outlets and a tavern. A table showing the proposed change of 'Permitted' and 'Discretionary' uses in Precinct 2A is shown below.

<b>CURRENT SCHEME</b>	<b>PROPOSAL</b>
<b>Permitted Uses</b>	<b>Permitted Uses</b>
Single Dwelling	Market
Grouped Dwelling	Shop
Multiple Dwelling	Restaurant
Single Bedroom Dwelling	Tavern
Office	Fast Food Outlet
Local Shop	Single Dwelling
Home Office	Grouped Dwelling
	Multiple Dwelling
<b>Discretionary Uses</b>	<b>Discretionary Uses</b>
Consulting Rooms	Office
Shop	Child Care Centre
Restaurant	Showroom
Home Occupation	Warehouse
Public Open Space	
Recreation facilities	

4. The Amendment fundamentally proposes a change of use on the site from a potential residential development (293 dwellings with some commercial uses previously approved on the site) to commercial uses (markets, shops, restaurants, taverns etc). As discussed above, Council has previously indicated its potential support for the proposed uses and understanding of the applicant's intention not to include residential development on the site at this time.
5. The proposed commercial uses - markets, shops, restaurants, fast food outlets and tavern - are considered to be consistent with the proposed redevelopment of the site and Council's vision for the area. The applicant has advised that including a 'Showroom' as a discretionary use provides some flexibility to consider some situations where market stalls may carry larger goods. The proposed 'Discretionary' uses of 'Office' and 'Child Care Centre' are also considered to be consistent with the proposal and are also supported.
6. The proposed 'Discretionary' use of 'Warehouse' potentially has more issues as it provides for bulky goods storage and wholesale sales only. A warehouse is not an active use, may have visual amenity impacts (as they are generally considered to be less visually attractive), may have delivery and traffic implications and would not be typically found in many markets. It should be noted that storage areas for market stall holders and shops are not considered 'Warehouses' as they are not the predominant use of the site and provide for day-to-day trading needs. Notwithstanding, such issues would be considered at the development application stage and there are no objections to 'Warehouse' being included as a 'Discretionary' use.

7. Home based business provisions are not considered necessary to be specifically mentioned for the Precinct as these are already dealt with by Clause 4.11 of Town Planning Scheme No. 23.
8. Given the discussion above, it is considered that the uses proposed are appropriate based on the strategic direction Council has provided for the area.

#### Issues Raised in Submissions

9. One (1) submission generally supported the proposal, five (5) submissions had no objections or no comments on the proposal and two (2) submissions objected to the proposal. The submission generally supporting the proposal did raise concerns with the interconnectivity of the development with the wider precinct, believed the sight of car parking in front of the building may detract from the attractiveness of the development, and suggested that mature trees should be planted to provide shade.
10. The issues raised in the submissions objecting to the proposal are discussed below and are further detailed in Attachment No. 3. The main issues raised include:
  - a) The existing adopted Outline Development Plan (ODP) and existing Scheme provisions providing for the mixed use redevelopment of the site including a substantial residential component represented a “desirable outcome” for the site and the Morley Regional Centre.

#### **Response**

Agreed. There was strong community support for the previously approved mixed use redevelopment. Notwithstanding, a ‘Markets’ proposal could also be a “desirable outcome” for the site and the Morley Regional Centre. At its meeting of 24 June 2008, Council resolved that the ‘Tourism Markets’ proposal was considered to have merit and is compatible with Council’s vision for the Morley city centre.

- b) The current proposal does not reflect the strong mixed use focus of the Department of Planning’s Draft Activity Centres Policy which seeks to increase residential densities in areas like the Morley city centre.

#### **Response**

The Draft Activity Centres Policy does have a strong mixed use focus. However, it is not intended that every site provide for a wide range of uses. The Policy looks more strategically at the centre as a whole and assesses whether the development would contribute to a mixed use centre. The current proposal contains a range of commercial and community activities, including a community piazza fronting Walter Road West. Council considered the applicant’s proposal to not include residential development on the site at its meeting of 28 October 2008 and resolved in part that:

*“Council accepts the proponent’s intention to not include residential development on the site at this time”.*

The current proposal does not include residential at this time, but the amendment provides for dwellings to be “Permitted” uses on the site.

- c) The proposed amendment should promote the development of “an iconic tourist precinct” in keeping with the ODP documentation. Instead, the predominant use of the site appears to be for retail sales, potentially in large formats not unlike a department store, showroom or supermarket. It is the submitter’s belief that the site will provide for local resident shopping needs rather than function as a tourist attraction. The submitter believes small retailers are appropriate for the site, provided that individual market stalls do not exceed 200m<sup>2</sup>.

**Response**

The submitter is concerned that the ODP plan closely resembles a traditional retail format as opposed to tourist markets, which are generally typified by a high number of small(er), independent stalls or tenancies. The amendment proposed to cap tenancy sizes to 500m<sup>2</sup> to prevent large department stores or supermarkets from dominating the markets. It is acknowledged that 500m<sup>2</sup> is a large size and could result in larger ‘shops’ rather than smaller ‘market stalls’ predominating in the future development.

The applicant has responded to these concerns regarding the maximum stall/shop sizes of 500m<sup>2</sup> and proposed that the amendment be modified to include a maximum stall/shop size of 350m<sup>2</sup>, except for 6 tenancies with a maximum size of 500m<sup>2</sup>. It is considered that there is merit in the applicant’s proposed amendment modification.

- d) Shops and retail uses should be limited to no more than 4500m<sup>2</sup> so that ‘Markets’ are the predominant use.

**Response**

The planning land uses ‘Market’ and ‘Shop’ are very similar in that both involve the retail sale of goods to customers. Given that both uses are very similar, they tend to have similar planning characteristics and potential impacts. The planning distinction between the two uses is therefore largely technical and at times it would be difficult to draw a clear distinction between the two uses. It would be highly problematic for both the market operator and the City of Bayswater as to whether a particular use is best described as a ‘Market’ or a ‘Shop’. This would involve ongoing compliance and enforcement issues, is open to interpretation and appeal and would potentially reduce the flexibility of the market operator. It is therefore proposed that ‘Market’ and ‘Shop’ are both Permitted uses without limiting their extent on the site up to a maximum floor area of 9300m<sup>2</sup>.

- e) The proposed site plan includes 1352m<sup>2</sup> of cottage industry land use, yet ‘Cottage Industry’ is not a suggested Permitted or Discretionary land use.

**Response**

The site plan submitted by the applicant showing the internal layout of the markets is highly conceptual at this stage. The final configuration and layout is likely to be influenced by market and tenant demand.

‘Cottage Industry’ has been used colloquially by the applicant to indicate small artisan-type uses such as jewellers or arts and crafts. However, the Model Scheme Text and Town Planning Scheme No. 23 definitions for the land use ‘Cottage Industry’ relate to small home-based businesses. Town Planning Scheme No. 23 defines ‘Cottage Industry’ as follows:

*“Cottage Industry” means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which:*

- a) does not cause injury to or adversely affect the amenity of the neighbourhood;’*
- b) where operated in a residential zone, does not employ any person other than a member of the occupier’s household;*
- c) is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put;*
- d) does not occupy an area in excess of 50 square metres; and*
- e) does not display a sign exceeding 0.2m<sup>2</sup> in area”.*

It would therefore not be correct to include ‘Cottage Industry’ as a Permitted or Discretionary land use for the subject development as the intended activity clearly does not relate to a home based business.

- f) Concern was raised regarding a lack of provision for on-site car parking for residents and staff of the markets. The submitter believed this may unduly affect surrounding businesses and residents.

**Response**

Parking issues would be more fully explored and analysed at the development application stage when a detailed and scaled site plan is provided. Notwithstanding, Town Planning Scheme No. 23 stipulates minimum standards for on-site car parking provision. There is no reason to suggest at this stage that all parking for customers, tenants, staff and deliveries could not be provided for on the subject site.

Traffic Analysis

- 11. The City’s Technical Services Department has analysed the Traffic Report and have made the following comments. The applicant has submitted a revised traffic impact assessment report with additional information that addresses the issue of trip generation and parking figures as required by the WAPC.

*Trip Generation*

- 12. The initial report provided the following trip generation rates taking into consideration the floor area and the type of development. In particular, the markets are assessed as retail shops.

<b>MARKET AS SHOPS</b>			
<b>Use</b>	<b>Area</b>	<b>Peak Hour Trip Rate</b>	<b>Daily Trip Rate</b>
Market as Shops	9,895m <sup>2</sup>	752	7,718
Restaurants, Cafes and Eateries	1,850 m <sup>2</sup>	93	1,110
Tavern	740 m <sup>2</sup>	74	444
<b>TOTAL</b>		<b>919</b>	<b>9,272</b>

13. The revised report provides trip generation rates for two scenarios:
- Market as stalls; and
  - Market as shops.
14. The indicative numbers of stalls for markets have been revised from 292 stalls to 125 stalls. The indicative floor areas have also been revised to:
- 9,000 m<sup>2</sup> for markets as shops;
  - 1,500 m<sup>2</sup> for restaurants, cafes and eateries; and
  - 800 m<sup>2</sup> for tavern.

<b>MARKETS AS STALLS (292 STALLS)</b>		
<b>Use</b>	<b>Peak Hour Trip Rate</b>	<b>Daily Trip Rate</b>
Market Stalls (292 Stalls)	1,168	5,256
Restaurants, Cafes and Eateries (1,500 m <sup>2</sup> )	75	900
Tavern (800 m <sup>2</sup> )	80	480
<b>TOTAL</b>	<b>1,323</b>	<b>6,636</b>

<b>MARKETS AS STALLS (125 STALLS)</b>		
<b>Use</b>	<b>Peak Hour Trip Rate</b>	<b>Daily Trip Rate</b>
Market Stalls (125 Stalls)	500	2,250
Restaurants, Cafes and Eateries (1,500 m <sup>2</sup> )	75	900
Tavern (800 m <sup>2</sup> )	80	480
<b>TOTAL</b>	<b>655</b>	<b>3,630</b>

<b>MARKET AS SHOPS</b>			
<b>Use</b>	<b>Area</b>	<b>Peak Hour Trip Rate</b>	<b>Daily Trip Rate</b>
Market as Shops	9,000 m <sup>2</sup>	684	7,020
Restaurants, Cafes and Eateries	1,500 m <sup>2</sup>	75	900
Tavern	800 m <sup>2</sup>	80	480
<b>TOTAL</b>		<b>839</b>	<b>8,400</b>

15. In considering the traffic report and the information above, it is clear that the trip generation rates are variable subject to the type of assessment of the development use of the markets, the number of stalls and the retail floor areas. The proposed reduction of number of stalls from 292 to 125 and the reduced retail floor area has lowered the trip generation rates. Considering the two scenarios for the development, it is considered that the trip generator rates for markets as shops are more appropriate with the peak hour trip rate of 839 vehicles and overall daily trip rate of 8,400 vehicles.
16. It is noted that the plans show parking over the existing drainage compensating basin at the rear of the site. The developer has been previously advised of the City's requirements that the basin be retained. The applicant is further researching this and will liaise with the City on a resolution to this issue at the development application stage.

#### Parking

17. The Scheme Amendment documentation proposes up to 9300m<sup>2</sup> for 'Markets' or 'Shops' and up to 2500m<sup>2</sup> for 'Restaurant', 'Fast Food Outlet', 'Tavern' and associated al fresco areas. Both these numbers are maximum floor space numbers and the total floor space of the total combined area cannot exceed 11,300m<sup>2</sup> without the further approval of Council and the Western Australian Planning Commission. Table 1 of the Scheme requires parking to be provided at the ratio of 6 bays/100m<sup>2</sup> for 'Shops', 10 bays/100m<sup>2</sup> for 'Restaurants' (including al fresco area) and 20 bays/100m<sup>2</sup> for the bar area of a 'Tavern'.
18. For the purposes of calculating on-site parking, the scenario requiring the maximum amount of parking as per the Scheme has been used, which is based on 8800m<sup>2</sup> of 'Markets' or 'Shops' and up to 2500m<sup>2</sup> for 'Restaurant', 'Fast Food Outlet', 'Tavern' and associated al fresco areas. Based on these numbers, the Scheme requirement is for a total of seven hundred and seventy-eight (778) on-site car bays.
19. The traffic report provided to support the ODP also provided an assessment based on the number of stalls as requested by the City. Two scenarios were modelled by the applicant, which indicated that:

- a) Two hundred and ninety-two (292) stalls which would require 1096 (804 was quoted in the traffic report, however this figure is incorrect) on-site car parking bays (an indicative shortfall of 318 bays); and
  - b) One hundred and twenty-five (125) stalls which would require 595 on-site car parking bays (an indicative surplus of 195 bays).
20. It is noted that a total area of 11,300m<sup>2</sup> could potentially have as few as 23 market stalls/shops of 500m<sup>2</sup> each, which would require 69 on-site car parking bays (a indicative surplus of 721 bays). Clearly, the assessment based on market stall numbers shows that a lesser number of stalls would require a significantly reduced onsite parking requirement. Whilst the number of stalls can inform car parking discussions, the number of stalls is not considered to be the most appropriate means of assessing car parking needs for the site.
21. The revised Outline Development Plan dated 10 July 2009 provides for seven hundred and ninety (790) on-site car bays, which is a parking surplus of twelve (12) on-site car bays as per the Scheme standards. However, the applicant also advised that the site plan provided may not be properly scaled and therefore seven hundred and ninety (790) on-site car bays may not be able to be provided at ground level in accordance with the relevant Australian parking standards.
22. The discussion above indicates that parking could be an issue on the site, but a full and proper assessment could only be done when the applicant provides properly scaled site plans and parking bays measured in accordance with the relevant Australian parking standards.
23. In support of the on-site car parking provided, the applicant provides the following justifications:
- a) Clause 4.6.2 of the Scheme allows Council to consider reciprocal parking arrangements. The mix of some of the proposed uses may allow for some form of reciprocal parking. For example, the peak times for the markets and shops will be during the day, while the peak times for the restaurants and tavern could be expected to be later in the evening;
  - b) The proponent expects to deliver people to the markets in 'tourist' coaches, reducing the need for on-site car parking;
  - c) There are public transport stops on Walter Road and the Morley bus station is approximately 500m to the south-east, reducing the reliance for cars; and
  - d) Clause 4.6.4 of the Scheme allows Council to consider parking provision variations subject to certain criteria, including, but not limited to:
    - a. *“such a relaxation will not prejudice the achievement of the objectives of the Scheme;*
    - b. *such a relaxation will not detract from the amenity of the locality of the proposed development or the streetscape; and*
    - c. *different uses on the land will generate parking demand at different times, allowing parking spaces to be shared...”.*
24. Parking issues would be more fully explored and analysed at the development application stage when a detailed and scaled site plan is provided.
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Proposed Modified Scheme Amendment

25. Council has previously considered the proposed scheme text for the site. One minor amendment is proposed to strengthen the wording as follows:

**Current Scheme Amendment text**

## 5.6.3 (d) Setbacks

New residential development shall be setback in accordance with the Residential Planning Codes with respect to the “R80” density code.

**Modified Scheme Amendment text**

## 5.6.3 (d) Setbacks

New ~~residential~~ development shall be setback in accordance with the Residential Design Codes in accordance with the “R80” density code.

Removing the word ‘residential’ from the current scheme amendment text is considered necessary in order to clarify the setbacks for both residential and non-residential development proposed on the site. The setbacks for non-residential development on the site would otherwise be unclear. This is considered to be a minor amendment that would not prejudice the proponent’s intent for the site.

26. There was also concern raised in a public submission that the maximum market stall/shop size of 500m<sup>2</sup> is too large. The amendment proposed to cap tenancy sizes to 500m<sup>2</sup> to prevent large department stores or supermarkets from dominating the markets. It is acknowledged that 500m<sup>2</sup> is a large size and could result in larger ‘shops’ rather than smaller ‘market stalls’ predominating in the future development.
27. The applicant has responded to these concerns regarding the maximum market stall/shop sizes of 500m<sup>2</sup> and proposed that the amendment be modified to include a maximum market stall/shop size of 350m<sup>2</sup>, except for 6 tenancies with a maximum size of 500m<sup>2</sup>. It is considered that there is merit in the applicant’s proposed amendment modification, which is recommended for approval.
28. Given the discussion above and the previous direction from Council, it is recommended that Council give final approval to the scheme amendment subject to the modifications discussed above.

Outline Development Plan

29. The applicant provided an Outline Development Plan (ODP) to accompany the Scheme Amendment. Clause 5.4.2 of Town Planning Scheme No. 23 outlines the requirement to produce an ODP for various Precincts including the subject site. Clause 5.4.2 a) states that:



*“The Council shall not approve any application for Development Approval and shall not support any application for subdivision of land within the Morley City Centre Precincts 2A, 2B 3, 6, 8, 9 and 10 until the Council and, in the case of proposals which include the subdivision of land, the Western Australian Planning Commission have approved an Outline Development Plan relating to the land in accordance with the provisions of this paragraph”.*

30. The ODP generally provides support for and further elaborates on the Scheme Amendment documentation. Therefore there are no specific comments on the ODP which are not included in other sections of this report.
31. The proposed scheme amendment would need to be approved by Council and the Western Australian Planning Commission and officially gazetted prior to the ODP being formally considered by Council. The applicant would require approval for the ODP prior to or concurrently with any development approval.

#### Deputation to Council Briefing Session – 18 August 2009

32. Three representatives on behalf of the applicant presented a deputation to Council at its Briefing Session of 18 August, 2009. The main points raised by the representatives in the deputation are summarised below:
  - a) Revised concept plans were presented for the market layout which is provided in pages 2-5 of Attachment No. 2;
  - b) The indicative number of market stalls has been reduced from 292 stalls to between 120 and 135 stalls. The final number and configuration of the market stalls will be determined at a later date based on tenant demand;
  - c) Concern has been raised in one submission on the size of the market stalls. The applicant therefore proposes to reduce the maximum market stall size to 350m<sup>2</sup>, except for no more than 6 stalls which would have a maximum size of 500m<sup>2</sup>;
  - d) The larger stalls up to a maximum size of 500m<sup>2</sup> are likely to be fruit and vegetable stalls, other fresh food-type and/or gourmet deli businesses;
  - e) Stalls are likely to be relatively permanent with 5 year plus 5 year lease terms. Stalls are also likely to be constructed in brick. The demand for more permanent stalls is being driven by tenant demand;
  - f) The hours of operation are likely to be between the hours of 9am to 11pm, 7 days a week for the whole complex. The market stalls are expected to operate mainly in the morning and afternoon, with restaurant and entertainment businesses open for the afternoon and evening periods;
  - g) The proposed ‘Discretionary’ uses of ‘Showroom’ and ‘Warehouse’ are not proposed to be enacted in the current plans for the development; and
  - h) A 1000m<sup>2</sup> entertainment area is proposed for the centre of the building.

#### Summary

1. There was concern raised in a public submission that the maximum market stall/shop size of 500m<sup>2</sup> is too large. The amendment originally proposed to cap tenancy sizes to 500m<sup>2</sup> to prevent large department stores or supermarkets from dominating the markets. It is acknowledged that 500m<sup>2</sup> is a large size and could result in larger ‘shops’ rather than smaller ‘market stalls’ predominating in the future development.

2. The applicant has responded to these concerns regarding the maximum market stall/shop size of 500m<sup>2</sup> and proposed that the amendment be modified to include a maximum market stall/shop size of 350m<sup>2</sup>, except for 6 tenancies with a maximum size of 500m<sup>2</sup>. It is considered that there is merit in the applicant's proposed amendment modification, which is recommended for approval.
3. Based on the previous direction from Council, it is recommended that Council give final approval to the modified scheme amendment.

#### Policy Implications

Nil.

#### Financial Implications

The financial implications for the City regarding the future road and traffic works required for Walter Road West and Wellington Road will be negotiated with the applicant prior to and during the development application stage.

#### Voting Requirements

Simple Majority Required.

#### **Officer Recommendation**

That:

1. Council adopt the modified Amendment No. 6 to Town Planning Scheme No. 23 as follows:
  - a) Delete the current Clause 5.6 of Town Planning Scheme No. 23; and
  - b) Insert a new Clause 5.6 into Town Planning Scheme No. 23 to read as follows:
    - 5.6 Precinct 2A: Coventry's Central
      - 5.6.1 Permitted Uses
        - Market
        - Shop
        - Restaurant
        - Tavern
        - Fast Food Outlet
        - Single Dwelling
        - Grouped Dwelling
        - Multiple Dwelling
      - 5.6.2 Discretionary Uses
        - Office
        - Child Care Centre
        - Showroom
        - Warehouse
      - 5.6.3 Development Requirements
        - (a) Residential Development

- (i) Residential development shall be undertaken having due regard to the provisions of Planning Policy 5 and in accordance with the requirements of the Residential Design Codes with respect to the “R80” provisions.
- (ii) Residential Density

The precinct is to be considered as a single development site for the purpose of calculating the total permissible number of dwellings (residential density).
- (b) Non-residential development
  - (i) Coventry’s Square Tourism development
    - The net leasable area (NLA) of the markets, shop(s), restaurant(s), tavern and other uses associated with the Coventry’s Square Tourism development shall not exceed 11,300m<sup>2</sup> unless approved by the Council and the Western Australian Planning Commission.
    - Subject to the above, the Coventry’s Square Tourism development uses shall not exceed the following NLA limits:
      - Markets/shop – 9300m<sup>2</sup>
      - Restaurant/Fast food outlet (including al fresco area) – 1700m<sup>2</sup>
      - Tavern (including al fresco area) – 800m<sup>2</sup>unless approved by the Council.
    - The building containing the Coventry’s Square Tourism development and associated uses shall not be subdivided or strata-titled and is to remain in the ownership of one ownership grouping.
    - The net leasable area (NLA) of the market stalls and shops shall comprise of separate leaseholders up to a maximum individual leasehold size of 350m<sup>2</sup> NLA, with the exception of no more than six (6) separate leaseholds with maximum size of up to 500m<sup>2</sup> NLA.
  - (ii) Public space interaction

The ground floor wall (up to 2.4 metres above pavement level) of the existing building facing Walter Road shall have a minimum of 75% of the wall area devoted to visually permeable, full height glazing to provide for visual interaction with exterior public spaces. At least 50% of the total wall area noted above shall be openable to encourage interaction with the exterior of the building.
- (c) Plot Ratio

The precinct is to be considered as a single development site for the purpose of calculating the permissible plot ratio.

  - (i) Residential

The plot ratio for residential development shall be in accordance with the Residential Planning Codes with respect to the “R80” density code.

## (ii) Non-Residential

The plot ratio of non-residential development shall not exceed 1.0:1 across the precinct, calculated independently of plot ratio for any residential development.

## (iii) Total

The total plot ratio shall not exceed 2.0:1 across the precinct, inclusive of residential and non-residential uses.

## (d) Setbacks

New development shall be setback in accordance with the Residential Design Codes in accordance with the “R80” density code.

## (e) Car Parking

Car parking shall generally be provided in accordance with the requirement stipulated by Table 1 of the Scheme with respect to the proposed use(s), unless it is in compliance with an approved Outline Development Plan.

## (f) Building Height

(i) Buildings shall not exceed a height of three storeys unless in compliance with an approved Outline Development Plan or Detailed Site Plan, in which case buildings up to six storeys may be permitted.

(ii) For the purposes of this calculating building height, a storey shall not include:

- a full basement or a semi-basement that does not protrude any further than 1.4 metres above ground level;
- lift overruns, water tanks, or other roof plant.

## (g) Landscaping

A minimum of 10% of the precinct shall be designed, developed and maintained as a landscaped area to the satisfaction of Council.

A reduction in the required landscaping may be considered by the Council if an applicant can demonstrate that the proposed landscaping will be of a high quality and will incorporate mature trees and significant vegetation or other landscape features.

## (h) Façades and Materials

(i) Building facades are to be articulated and detailed (broken into distinct visual elements). Projections such as verandahs, awnings, canopies and bay windows are encouraged.

(ii) The creation of expansive blank walls is not permitted.

(ii) Building materials and finishes are to be to Council’s satisfaction.

2. Modified amendment documentation to be prepared by the applicant to the satisfaction of the Manager of Planning Services.

3. Authority be granted for the affixing of the Common Seal to the modified amendment documents and the documents be forwarded to the Western Australian Planning Commission for approval.

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4. The applicant be advised that:
- a) The City does not support the installation of tourist bus bays on the Wellington Road road reserve.
  - b) The applicant will be responsible for the following traffic modification works associated with the development:
    - Traffic signals at Walter Road/Progress Street.
    - Traffic signals at Wellington Road/site access/Morley Recreation Centre access; and
    - 50% of the cost to create a dual carriageway in Wellington Road from Walter Road to a point 45 metres north of the development site in accordance with the Metropolitan Region Scheme.

***Council Discussion:***

***Discussion was held with regard to the beautification of the 3,500 square metres of land in front of Walter Road. Council resolved to add a condition that a working party be formed to work with the developer on a design for this area. Cr Robinson requested that her vote against clause 5.6.2 be recorded concerning the 'Showroom' and 'Warehouse' only.***

**AMENDMENT**

**CR LOU MAGRO MOVED, CR TERRY KENYON, JP SECONDED that a point 5 be added to the Officer's recommendation to read as follows:**

- 5. A working party from Council work with the developers to create a design for the land fronting Walter Road that will be part of the café precinct.**

**The Amendment was put and**

**CARRIED**

**The Amendment became part of the Substantive Motion.**

**COUNCIL RESOLUTION**

**CR LOU MAGRO MOVED, CR TERRY KENYON, JP SECONDED that:**

- 1. Council adopt the modified Amendment No. 6 to Town Planning Scheme No. 23 as follows:**
  - a) Delete the current Clause 5.6 of Town Planning Scheme No. 23; and**
  - b) Insert a new Clause 5.6 into Town Planning Scheme No. 23 to read as follows:**
    - 5.6 Precinct 2A: Coventry's Central**
    - 5.6.1 Permitted Uses**
      - Market**
      - Shop**
      - Restaurant**
      - Tavern**
      - Fast Food Outlet**
      - Single Dwelling**

**Grouped Dwelling**

**Multiple Dwelling**

**5.6.2 Discretionary Uses**

**Office**

**Child Care Centre**

**Showroom**

**Warehouse**

**5.6.3 Development Requirements**

**(a) Residential Development**

**(i) Residential development shall be undertaken having due regard to the provisions of Planning Policy 5 and in accordance with the requirements of the Residential Design Codes with respect to the “R80” provisions.**

**(ii) Residential Density**

**The precinct is to be considered as a single development site for the purpose of calculating the total permissible number of dwellings (residential density).**

**(b) Non-residential development**

**(i) Coventry’s Square Tourism development**

- **The net leasable area (NLA) of the markets, shop(s), restaurant(s), tavern and other uses associated with the Coventry’s Square Tourism development shall not exceed 11,300m<sup>2</sup> unless approved by the Council and the Western Australian Planning Commission.**
- **Subject to the above, the Coventry’s Square Tourism development uses shall not exceed the following NLA limits:**
  - **Markets/shop – 9300m<sup>2</sup>**
  - **Restaurant/Fast food outlet (including al fresco area) – 1700m<sup>2</sup>**
  - **Tavern (including al fresco area) – 800m<sup>2</sup>****unless approved by the Council.**
- **The building containing the Coventry’s Square Tourism development and associated uses shall not be subdivided or strata-titled and is to remain in the ownership of one ownership grouping.**
- **The net leasable area (NLA) of the market stalls and shops shall comprise of separate leaseholders up to a maximum individual leasehold size of 350m<sup>2</sup> NLA, with the exception of no more than six (6) separate leaseholds with maximum size of up to 500m<sup>2</sup> NLA.**

**(ii) Public space interaction**

The ground floor wall (up to 2.4 metres above pavement level) of the existing building facing Walter Road shall have a minimum of 75% of the wall area devoted to visually permeable, full height glazing to provide for visual interaction with exterior public spaces. At least 50% of the total wall area noted above shall be openable to encourage interaction with the exterior of the building.

**(c) Plot Ratio**

The precinct is to be considered as a single development site for the purpose of calculating the permissible plot ratio.

**(i) Residential**

The plot ratio for residential development shall be in accordance with the Residential Planning Codes with respect to the "R80" density code.

**(ii) Non-Residential**

The plot ratio of non-residential development shall not exceed 1.0:1 across the precinct, calculated independently of plot ratio for any residential development.

**(iii) Total**

The total plot ratio shall not exceed 2.0:1 across the precinct, inclusive of residential and non-residential uses.

**(d) Setbacks**

New development shall be setback in accordance with the Residential Design Codes in accordance with the "R80" density code.

**(e) Car Parking**

Car parking shall generally be provided in accordance with the requirement stipulated by Table 1 of the Scheme with respect to the proposed use(s), unless it is in compliance with an approved Outline Development Plan.

**(f) Building Height**

**(i) Buildings shall not exceed a height of three storeys unless in compliance with an approved Outline Development Plan or Detailed Site Plan, in which case buildings up to six storeys may be permitted.**

**(ii) For the purposes of this calculating building height, a storey shall not include:**

- a full basement or a semi-basement that does not protrude any further than 1.4 metres above ground level;
- lift overruns, water tanks, or other roof plant.

(g) **Landscaping**

A minimum of 10% of the precinct shall be designed, developed and maintained as a landscaped area to the satisfaction of Council.

A reduction in the required landscaping may be considered by the Council if an applicant can demonstrate that the proposed landscaping will be of a high quality and will incorporate mature trees and significant vegetation or other landscape features.

(h) **Façades and Materials**

(i) **Building facades are to be articulated and detailed (broken into distinct visual elements). Projections such as verandahs, awnings, canopies and bay windows are encouraged.**

(ii) **The creation of expansive blank walls is not permitted.**

(ii) **Building materials and finishes are to be to Council's satisfaction.**

2. **Modified amendment documentation to be prepared by the applicant to the satisfaction of the Manager of Planning Services.**

3. **Authority be granted for the affixing of the Common Seal to the modified amendment documents and the documents be forwarded to the Western Australian Planning Commission for approval.**

4. **The applicant be advised that:**

a) **The City does not support the installation of tourist bus bays on the Wellington Road road reserve.**

b) **The applicant will be responsible for the following traffic modification works associated with the development:**

- **Traffic signals at Walter Road/Progress Street.**
- **Traffic signals at Wellington Road/site access/Morley Recreation Centre access; and**
- **50% of the cost to create a dual carriageway in Wellington Road from Walter Road to a point 45 metres north of the development site in accordance with the Metropolitan Region Scheme.**

5. **A working party from Council work with the developers to create a design for the land fronting Walter Road that will be part of the café precinct.**

**CARRIED**

*Cr Marlene Robinson requested that her vote against clause '5.6.2 Showroom and Warehouse' of the resolution be recorded.*



**13.3 Building Licences Issued under Council's Policy for Single Residential Development**

**Attachment:** [Delegated Authority - 01//07/2009 - 31/07/2009](#)  
**Officer:** **Director of Planning and Development Services**

Application

The following building applications have been issued with a building licence in accordance with the Building Code of Australia, *Residential Design Codes 2008* and Council's policies. ***(Refer to attachment)***

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that the approvals issued through the City's Building Services Section, in accordance with the Building Code of Australia, *Residential Design Codes 2008* and Council's policies, be received.**

**CARRIED BY EN BLOC RESOLUTION**

**13.4 Council Ratification of Planning Determinations under Delegated Authority****Attachment:** [Delegated Authority - 01/07/2009 – 31/07/2009](#)**Officer:** Director of Planning and Development ServicesApplication

The following development applications have been determined in accordance with the Scheme requirements, *Residential Design Codes 2008* and Council's policies **(Refer to attachment)**.

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that the Planning Determinations issued by the City's Director of Planning and Development Services and Manager Planning Services in accordance with Council's Policy – Delegated Authority, be received.**

**CARRIED BY EN BLOC RESOLUTION**

**13.5 Proposed Bingo Nights for Filipino Australian Club of Perth Inc.**

**Location:** 1 Catherine Street, Morley  
**Attachments:** [No. 1 - Location Plan and Site Photo](#)  
**Applicant:** Filipino Australian Club of Perth Inc.  
**Owner:** State of Western Australia  
**Officer:** Director of Planning and Development Services  
**Refer:** Item 13.18 OCM 24.2.2009

Application

1. A request for proposed ongoing bingo events on Friday nights between 7:30pm and 11:00 pm was received on 16 July 2009.
2. The application requires Council consideration as the site has been previously the source of anti-social behaviour and general disturbance to the surrounding residences.

Background

1. The Filipino Australian Club of Perth Inc commenced leasing the Bedford Districts Youth Club Hall on 1 May 1998. The lease agreement is for 21 years expiring on 30 April 2019 with an option of renewal of 21 years.
2. The lease agreement states:

- Clause 4 (B):

*“Not to use or permit to be used the demised premises for any purpose whatsoever other than for the purposes an objects for which the land is developed – Clubhouse for Filipino Australia Club of Perth.”*

- Clause 4 (R):

*“Not to make, do or suffer upon the demised premises any act, matter or thing that may be or become a nuisance or annoyance to the Lessor or to the owners or occupiers of property in the neighbourhood.”*

3. The City has previously received three complaints in relation to excessive noise and anti-social behaviour on 12 February 2008, 17 September 2008 and 24 November 2008. The formal complaint received 17 September 2008 was due to a fund raiser event for the Filipino Australian Club of Perth Inc (FACPI).
4. Subsequently the City received new Terms and Conditions of Use for the FACPI on 20 February 2009 for the hire of venue. Condition 17 of the Terms and Conditions of Use address noise issues and explicitly states:

*“The use of FACPI Hall must not cause inconvenience to nearby residents. Noise must not exceed the acceptable level after 10pm. Band/DJ music must cease at 11pm. The responsible PACPI Hall manager’s will have total discretion as to appropriate noise levels. If the instructions of the responsible FACPI Hall manager’s to lower the level of noise area not complied with; the cleaning and damage deposit may be withheld and further bookings may not be accepted”*

In addition the 24 February 2009 Ordinary Council Meeting Minutes states the FACPI have indicated it will refuse bookings for 18<sup>th</sup> and 21<sup>st</sup> birthday and youth functions.

Gaming and Wagering Commission Act 1987

5. Gaming permits are issued by the Department of Racing, Gaming and Liquor under the *Gaming and Wagering Commission Act 1987* (the Act). The Act provides for the issue of gaming permits to charitable, social, sporting and community based organisations. Funds raised are audited by the Department and must benefit the club.
6. Under the Act, a premises may be approved for gaming for either a specific function (one playing date only) or for a permit of a continuing nature (up to 5 years). Prior to granting a permit, approval from the owner of the land is required.
7. The Department has advised that once a permit of a continuing nature is granted the club can apply for up to one gaming function per week in accordance with their internal policies.

Comment

1. Various community groups and sporting organisations raise funds to improve facilities or upgrade equipment through a variety of mechanisms including sponsorship signage, 'sausage sizzles', quiz nights and raffles. From time to time some groups occasionally apply for one-off gaming nights to raise funds. The occasional gaming night is considered to be an acceptable part of normal fundraising activities.
2. The FACPI have requested to hold bingo events and have stated the purpose of the bingo nights is to raise funds for the FACPI to continue contribution of youth, homeless and elderly projects supported by the club.
3. Previous dialogue with the FACPI was in relation to sub-letting for functions. This request for bingo nights at the Bedford Districts Youth Club Hall on Friday evenings is not for a sub-letting user and will be run by FACPI. Therefore the lease does not prohibit the hours of operation if the event is managed and operated by FACPI.
4. Notwithstanding Clause 4 (R) of the lease requires activities within the subject site do not cause nuisance or disturbances to the surrounding neighbourhood whilst ensuring quiet enjoyment. Bingo is considered to be an audible activity which has potential to cause undue impact upon the surrounding neighbourhood and given the previous noise complaints, the City's Environmental Health Department have recommended that all activities within the venue to cease by 10:00pm to protect the local amenity.
5. In addition the applicant has advised the bingo nights are a fund raiser event and no alcohol will be served or present at the bingo function. The bingo nights are proposed to be ongoing and the City considers a weekly club event excessive and has potential to cause undue impact towards the local area.

6. The use of the site for occasional gaming nights is considered to be acceptable, and as such restrictions may be imposed on the permit. It is considered that a maximum of one gaming activity per calendar month is reasonable as this restriction aims to balance against potential amenity impacts whereas unrestricted bingo events would regularly attract people to the club.
7. A condition should be applied to ensure the bingo nights are held once a month between 7:30pm and 10:00pm.

#### Health Comments

8. The City's Environmental Health Service have advised bingo nights conducted by private organisations have presented few problems to Council regarding impact upon the local amenity and have always been supported by Environmental Health Services. Furthermore any organisation holding a public event must comply with the Environmental Protection (Noise) Regulations 1997 and the Health Act.
9. The Environmental Health Services have recommended support of the proposal.

#### Summary

1. Whilst the FACPI club premises have received previous complaints of excessive noise and anti-social behaviour in relation to club events, the FACPI has implemented new Terms and Conditions to ensure event organisers do not unduly impact the local neighbourhood and alcohol will not be present at the bingo events.
2. The occasional gaming function held by community groups and sporting organisations is considered to be one of a combination of options available to raise funds. However, it is considered that more regular use of gaming (monthly or weekly) to raise funds is in excess of normal fundraising activities. Therefore the proposed bingo nights should be limited to one function a month and held between 7:30pm and 10:00pm.

#### Voting Requirements

Simple Majority Required.

#### **COUNCIL RESOLUTION** **(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that Council support the application by the Filipino Australian Club of Perth Inc for a gaming permit to hold bingo events, subject to the following conditions:**

1. **The gaming permit be issued to the Filipino Australian Club of Perth Inc for a maximum period of two (2) years.**
2. **A maximum of one gaming function including bingo events per calendar month be permitted.**
3. **The gaming functions, including bingo events to comply with the Environmental Protection (Noise) Regulations 1997.**
4. **Gaming functions, including bingo events, only to operate between 7:30pm and 10:00pm.**

**CARRIED BY EN BLOC RESOLUTION**

**13.6 Additions to Existing Warehouse**

**Location:** Lot 7, No. 17 - 19 King Street, Bayswater

**Attachments:** [No. 1 - Location Plan and Site Photo](#)  
[No. 2 - Detailed Plans](#)

**File No:** DA08-0570

**Applicant:** Ullrich United Holdings Pty Ltd

**Owner:** Ullrich United Holdings Pty Ltd

**Officer:** Director of Planning and Development Services

**Refer:** Item 12.5.2 : OMC : 26.04.05

Application

MRS Form 1 and plans dated 27 October 2008 and amended plans have been received for additions to the existing warehouse at Lot 7, No. 17 – 19 King Street, Bayswater.

1. The proposal comprises construction of a new canopy and awning for the existing warehouse.
2. Council consideration is required as the applicant has requested a variation to the requirements of the City's Town Planning Scheme No. 24 in relation to site coverage and parking.
3. In support of the proposal, the applicant has advised:
  - a) The proposed canopy and awning is a Worksafe requirement, relating to the unloading of a container which arrives every 6 to 8 weeks, and is to provide shelter from the elements.
  - b) The proposal will not increase the building area.
  - c) The total number of employees at the site is 14 people (3 cycle and 4 car pool leaving only 7 staff with car parking requirements).
  - d) The business operated from the site is wholesale aluminium supplies and has very little "call in" traffic.
  - e) Customers normally phone in orders which are then delivered on trucks.

Background

<b>Town Planning Scheme No. 24 Zoning:</b>	General Industry
<b>Use Class:</b>	Warehouse – 'P'
<b>Lot Area:</b>	5059 m <sup>2</sup>
<b>Existing Land Use:</b>	Warehouse
<b>Surrounding Land Use:</b>	General industry
<b>Size/Nature of Proposed Development:</b>	Canopy and awning for existing warehouse

SCHEME PROVISIONS		REQUIRED	PROVIDED
<b>Setbacks</b>	Front	13.5m	10m (previously approved)
	Side (east)	0m	0.25m
	Side (west)	0m	0m (previously approved)
	Rear	0m	0m (previously approved)
<b>Maximum Site Cover</b>		50%	67% (57.6% previously approved )
<b>Parking</b>		74 bays	51 bays ( 52 bays previously approved)
<b>Landscaping</b>		10%	5.75% (previously approved)

Planning approval was granted by Council on 26 April 2005 for an extension to the existing warehouse. A site cover of 57.6% was approved, as well as a shortfall in parking and landscaping.

#### Comment

##### Compliance with the Scheme and R Code Requirements

1. Assessment of the application indicates that the proposed development complies with the City's Town Planning Scheme No. 24 with the exception of site cover and car parking.

##### Site Cover

2. The proposed canopy and awning additions will increase the subject site cover from 56% to 67%. The overall size of the property would allow for maximum site coverage of 2529.5m<sup>2</sup>. The current application proposes a total 3409.9m<sup>2</sup>. The proposal will result in the development exceeding the maximum site coverage permissible by 880.4m<sup>2</sup>.
3. The site cover calculated for this site is inclusive of the existing warehouse and covered parking, as well as the proposed awning and canopy. The covered parking and proposed awnings and canopy are open structures provided for shelter from the elements.
4. An extension to the existing warehouse was granted by Council on 26 April 2005. This extension was to enable large containers to be unloaded as soon as possible to avoid the containers being left overnight and the goods being stolen. The proposed canopy is to compliment this existing working area, by providing shelter for employees while transferring goods from the containers to the warehouse.
5. Furthermore, the existing landscaping for the site (approximately 5.75%) is considered adequate and will not be impacted on by the proposed canopy and awnings. The open and landscaped areas that have been provided are considered to be functional. It is not considered in this instance that an increase in the level of site coverage will have a detrimental impact on the surrounding industrial uses.

Car Parking

6. Under the provisions of Town Planning Scheme No 24 and car parking is to be provided at a rate of 2 bays per 100m<sup>2</sup> GLA for the warehouse use, and 4 bays per 100m<sup>2</sup> for the office use.
7. Under the standards of Town Planning Scheme No. 24, the proposal results in the requirement of 74 bays. The site currently has 52 bays; however one will be lost as a result of the current proposal, leaving 51 bays available. This represents a shortfall of 23 bays.
8. While the provision of 2 bays per 100m<sup>2</sup> GLA is considered an appropriate standard, the specific circumstances relative to an application are required to be considered on its merit. The applicant has advised there is a total of 14 staff employed at the premises, and this will not increase as a result of this application. In this instance, a direct calculation of parking required based on floor area is not representative of the employment created by the site, and hence the number of bays required.
9. It is not considered that the proposed canopy and awning additions will have an undue impact on the subject site or surrounding areas. A total of 14 staff work at the premises and ample parking for the staff has been provided. Given the nature of the use, it is considered that 51 bays will adequately cater for onsite demand.

Summary

The proposal generally complies with the Scheme provisions with the exception of a shortfall in open space and car parking. It is considered that the variations are acceptable in this instance, given the nature of the proposed canopy and awning additions and the use onsite, and are required in order for the development to comply with Worksafe requirements.

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that Planning Approval be granted for the construction of canopy and awning additions to the existing warehouse at Lot 7 No. 17-19 King Street, Bayswater in accordance with the application dated 27 October 2008 and subject to the following planning conditions:**

1. **This approval is valid for a period of two (2) years from the date of this letter. If the development/use, the subject of this approval, is not SUBSTANTIALLY COMMENCED within two years, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.**
  2. **The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan, including any notations in red on the approved plan.**
  3. **In accordance with the *Local Government (Miscellaneous Provisions) Act 1960* and *Building Regulations 1989*, a building licence application must be obtained prior to the commencement of any building works.**
-



- 4. All stormwater and drainage runoff produced onsite is to be disposed of onsite via the use of soakwells. The size of the soakwells are to be calculated by use of the formula  $VOL(m^3) = AREA (m^2) \times 0.0125$ , where VOL is total storage volume of soakwells and AREA is total roofed and paved areas. Connection to the City's stormwater system, where available, may be permitted as an overflow only if to the satisfaction of the City of Bayswater.**
- 5. The vehicle parking area shall be sealed, kerbed, drained and line marked in accordance with the approved plans and specifications and shall be thereafter maintained to the satisfaction of the City of Bayswater.**

**CARRIED BY EN BLOC RESOLUTION**

**13.7 Proposed Ancillary Accommodation**

**Location:** Lot 903, No. 205 Lawrence Street, Bedford  
**Attachments:** [No. 1 - Location Plan and Site Photo](#)  
[No. 2 - Detailed Plans](#)  
**File No:** DA09-0296  
**Applicant:** C Micheli  
**Owner:** JG and C Micheli  
**Officer:** Director of Planning and Development Services

Application

1. MRS Form 1 and plans dated 11 June 2009 have been received for ancillary accommodation at Lot 903, No. 205 Lawrence Street, Bedford.
2. The proposal comprises ancillary accommodation with an area of approximately 102m<sup>2</sup>.
3. Council consideration is required as the ancillary accommodation is over the acceptable development provision of the maximum floor area of 60m<sup>2</sup>.

Background

<b>Town Planning Scheme No. 24 Zoning:</b>	Residential R20/25
<b>Use Class:</b>	Single House – ‘P’
<b>Lot Area:</b>	903 m <sup>2</sup>
<b>Existing Land Use:</b>	Residential
<b>Surrounding Land Use:</b>	Residential
<b>Size/Nature of Proposed Development:</b>	Single Storey Ancillary Accommodation

SCHEME PROVISIONS		REQUIRED	PROVIDED
<b>Setbacks</b>	<b>Side (NW)</b>	1.5m	8m
	<b>Side (SE)</b>	1.5m	1.5m
	<b>Rear (SW)</b>	1.5m	1.5
<b>Minimum Lot Area to Permit Ancillary Accommodation</b>		450m <sup>2</sup>	903m <sup>2</sup>
<b>Maximum Site Cover</b>		50%	44%
<b>Maximum Floor Area of Ancillary Accommodation</b>		60m <sup>2</sup>	102m <sup>2</sup> *
<b>Parking</b>	<b>Existing Dwelling</b>	2 bays	2 bays
	<b>Ancillary Accommodation</b>	1 bay	1 bay

\* The applicant proposes to construct a custom built dwelling to accommodate the current and future needs of the owner's adult son, who is principally independent but requires the use of a wheelchair. The applicant has advised the family member is well proportioned and requires a large electric wheelchair, which in turn necessitates greater than normal internal space for manoeuvring.

#### Comment

##### Compliance with the Scheme and R-Code Requirements

1. Assessment of the application indicates that the proposed development complies with the Town Planning Scheme No. 24 and R-Code requirements, with the exception of the maximum permitted floor area of 60m<sup>2</sup> for ancillary accommodation.

##### Ancillary Accommodation

2. The proposed ancillary accommodation comprises a bedroom, bathroom, study, kitchen / living / dining area, laundry and toilet.
3. The ancillary accommodation is proposed in order to house one additional family member and has been especially designed to accommodate a family member of the main dwelling who has special needs, including the provision of adequate area within the building for the manoeuvring of a large wheelchair.
4. The applicant requests a variation to the maximum 60m<sup>2</sup> floor area on the basis that the intended occupant and the use of proposed ancillary accommodation requires slightly larger room sizes, door ways and greater manoeuvring space.
5. The application includes correspondence from Ann O'Brien Consulting, Occupational Therapist and Access Consultant. The correspondence raises the following points:
  - *"Mr Micheli is a big man who presently moves around in a large battery operated wheelchair";*
  - *The wheelchair, at times, is kept in a recline position for postural support, resulting in a larger floor space requirement for tight turning circles and access throughout the building and doorways; and,*
  - *The building is designed to accommodate current needs and possible future requirements including additional and larger mobility aids, with particular reference to the bathroom and bedroom areas for equipment such as commodes, showering chairs and hoists etc.'*
6. The acceptable development provision of the R-Codes relating to ancillary accommodation state that ancillary accommodation shall have a maximum floor area of 60m<sup>2</sup>. The application proposes a floor area of approximately 102m<sup>2</sup>.
7. The relevant performance criteria of the R-Codes state:

*"Ancillary dwellings that accommodate the needs of large or extended families without compromising the amenity of adjoining properties."*

8. The additional floor area of the proposed ancillary accommodation is not considered to compromise the amenity of the subject lot or adjoining properties.
9. The subject site is zoned for and is of adequate size to allow for two grouped dwellings on the lot.
10. The proposed ancillary accommodation generally complies with the necessary requirements for a grouped dwelling under the R-Codes in terms of lot size, boundary setbacks, minimum open space, and minimum outdoor living area.
11. Approval is recommended.

#### Summary

An assessment of the proposal indicates that it complies with the R-Codes, Town Planning Scheme No. 24 and Council Policy with the exception of the proposed floor area being greater than the permitted 60m<sup>2</sup>. The proposed use of the ancillary accommodation is customised for a specific family member's current and possible future needs. The proposed ancillary accommodation is not seen to create any undue impact on the subject lot or adjoining area. Accordingly, the proposal is recommended for approval.

#### Voting Requirements

Simple Majority Required.

#### **COUNCIL RESOLUTION** **(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that Planning Approval be granted for the development of ancillary accommodation at Lot 903 No. 205 Lawrence Street, Bedford in accordance with the plans dated 11 June 2009, subject to the following planning conditions:**

1. **This approval is valid for a period of two (2) years from the date of this letter. If the development/use, the subject of this approval, is not SUBSTANTIALLY COMMENCED within two years, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.**
2. **The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.**
3. **The development complying with any details marked in red on the approved plans.**
4. **In accordance with the *Local Government (Miscellaneous Provisions) Act 1960* and *Building Regulations 1989*, a building licence application must be obtained prior to the commencement of any building works.**
5. **This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should you wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, you must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.**
6. **On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition.**

7. The applicant is to make arrangements to the satisfaction of the Water Corporation for the provision of reticulated sewerage to all lots/units within the subdivision/development. Where the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations and the Government Sewerage Policy Perth Metropolitan Region.
8. Any existing septic system is to be decommissioned to the satisfaction of the City of Bayswater and in accordance with the Treatment of Sewage and Disposal of Effluent and *Liquid Waste Amendment Regulations (No.2) 1997*.
9. All stormwater and drainage runoff produced onsite is to be disposed of onsite via the use of soakwells. The size of the soakwells are to be calculated by use of the formula  $VOL(m^3) = AREA (m^2) \times 0.0125$ , where VOL is total storage volume of soakwells and AREA is total roofed and paved areas. Connection to the City's stormwater system, where available, may be permitted as an overflow only if to the satisfaction of the City of Bayswater.
10. Occupation of the ancillary accommodation dwelling shall be restricted to members of the same family as the occupiers of the main dwelling on the land, the subject of this approval.
11. Prior to issue of a building licence for the development the owner shall execute and provide to the City of Bayswater a notification pursuant to Section 70A of the Transfer of Land Act to be registered on the title of the land as notification to prospective purchasers that the use of the ancillary accommodation is subject to the restriction outlined in Condition 10 above. The Section 70A Notification shall be prepared by the City's Solicitors to the satisfaction of the City of Bayswater and all costs of and associated with the preparation of and registration of the Section 70A Notification including the City's Solicitor's costs shall be met by the applicant or owner of the land.

**CARRIED BY EN BLOC RESOLUTION**

**13.8 Proposed Grouped Dwelling**

**Location:** Lot 102 No. 29 Fitzgerald Road Morley  
**Attachments:** [No. 1 - Location Plan and Site Photo](#)  
[No. 2 - Detailed Plans](#)  
**File No:** DA08-0367  
**Applicant:** Gemmill Homes Group  
**Owner:** Lilian Chit  
**Officer:** Director of Planning and Development Services

Application

1. MRS Form 1 and plans dated 9 July 2008 and revised plans dated 6 July 2009 have been received for a grouped dwelling at Lot 102 No. 29 Fitzgerald Road, Morley.
2. Council consideration is required as an objection has been received in relation to a boundary wall.

Background

<b>Town Planning Scheme No. 24 Zoning:</b>	Residential R20/25
<b>Use Class:</b>	Grouped Dwelling – ‘P’
<b>Lot Area:</b>	846 m <sup>2</sup>
<b>Existing Land Use:</b>	Grouped Dwelling
<b>Surrounding Land Use:</b>	Residential
<b>Size/Nature of Proposed Development:</b>	Single Storey Grouped Dwelling

SCHEME PROVISIONS		REQUIRED	PROVIDED
Setbacks	North	1.5m	1.55m
	West	1m/1.5m	0m*/5.62m
	East	1.5m	1.5m
	South	1m/1.5m	1m/4m

PARAPET WALL ACCEPTABLE DEVELOPMENT	REQUIRED	PROVIDED
<b>Max. Wall Height</b>	3.0m	2.98m
<b>Max. Average Wall Height</b>	2.7m	2.98m
<b>Max. Wall Length</b>	9m	6.59m

\*Neighbour objection received

Submission

1. As the proposal incorporates a garage boundary wall, comment was sought from the adjoining neighbouring landowner at Lot 103 No. 27 Fitzgerald Road, Morley. One objection was received with regards to the proposed boundary wall.
2. The main issues raised in the submission were:
  - a) The proposed garage boundary wall would affect potential redevelopment at Lot 103 No. 27 Fitzgerald Road, Morley.
  - b) The proposed garage boundary wall will reduce light and ventilation to the adjoining residence.

CommentCompliance with Scheme Requirements

1. Assessment of the application indicates that the proposed development meets with the Acceptable Development standards of the Residential Design Codes (R-Codes) with exception to average wall height.
2. The proposed garage boundary wall is located on the western boundary and proposes a nil setback, a length of 6.59 metres and a height of 2.98 metres.
3. Clause 6.3.2 of the R-Codes “Building on Boundary” requires boundary walls to comply with the provisions except where otherwise provided for in a local planning policy. The City’s policy for boundary walls states that any wall within 1.0m of a boundary requires neighbour’s comment. Where an objection is received the development is required to be determined under the performance criteria by Council.
4. The proposed development provides a garage boundary wall height of 2.98m and any undue overshadowing from the proposed wall falls from north to south. The objector resides west of the proposed development and will experience minimal overshadowing in terms of the R-Codes. Further to this the garage boundary wall complies with overall height.
5. Whilst the application has received an objection to the boundary wall, the proposed boundary wall is required to be assessed against the Performance Criteria of the Residential Design Codes.
6. The Performance Criteria relating to Boundary Wall states:

*“Buildings built up to the boundaries other than the street boundary where it is desirable to do so in order to:*

- *make effective use of space; or*
  - *enhance privacy; or*
  - *otherwise enhance the amenity of the development;*
  - *not have any significant adverse effect on the amenity of the adjoining property; and*
  - *ensure that direct sun to major openings to habitable rooms and outdoor living areas of adjoining properties is not restricted.”*
-

7. Potential reasons against the proposed garage boundary wall include:
- a) The objector believes the boundary wall will reduce redevelopment potential of Lot 103 No. 27 Fitzgerald Road, Morley.
  - b) The boundary wall will reduce light and ventilation to the adjoining residence.
8. In support of the proposed garage boundary wall, the following points are listed below:
- a) The proposed positioning of the garage boundary wall is not considered to effect direct sunlight to major openings of habitable rooms in terms of the R-Codes. Therefore the boundary wall height does not demonstrate overshadowing upon the neighbouring property and will not cause undue effect on the adjoining neighbour's outdoor living area. This is considered to not have any undue effect on the amenity of the adjoining property.
  - b) The proposed garage boundary wall does not have any major openings and is considered to make effective use of space on the subject lot and allows for privacy for both neighbours.
  - c) Further to this the position of the garage boundary wall is not adjacent to any habitable rooms and also does not obstruct light and ventilation to the neighbour's outdoor living area.
9. The proposed wall is considered to make effective use of open space and adequate privacy is provided. The garage boundary wall is not considered to have any undue impact on the neighbouring property. Therefore the proposed boundary wall is considered to meet the Performance Criteria of the Residential Design Codes and is supported.
10. Given the points raised above the proposal is recommended for approval.

#### Summary

The application complies with the Town Planning Scheme No. 24, Council Policy and Acceptable Development standards and the Performance Criteria of the Residential Design Codes and is not considered to cause an undue impact on the amenity of the adjoining property. On this basis the proposal is recommended for approval.

#### Voting Requirements

Simple Majority Required.



**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR IAN MCCLELLAND, JP MOVED, CR MIKE ANDERTON, JP SECONDED the Officer recommendation that Planning Approval be granted for the proposed single storey grouped dwelling at Lot 102, No 29 Fitzgerald Road, Morley in accordance with the application dated 9 July 2008, subject to standard planning conditions:**

- 1. This approval is valid for a period of two (2) years from the date of this letter. If the development/use, the subject of this approval, is not SUBSTANTIALLY COMMENCED within two years, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.**
- 2. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.**
- 3. The development complying with any details marked in red on the approved plans.**
- 4. In accordance with the Local Government (Miscellaneous Provisions) Act 1960 and Building Regulations 1989, a building licence application must be obtained prior to the commencement of any building works.**
- 5. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should you wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, you must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the Dividing Fences Act 1961.**
- 6. The approved garage parapet/boundary wall and footings abutting the boundary must be constructed wholly within the subject allotment. The external surface of the parapet/boundary wall shall be finished to a professional standard to complement the dwelling on the adjoining lot, to the satisfaction of the City of Bayswater.**
- 7. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition.**
- 8. The applicant is to make arrangements to the satisfaction of the Water Corporation for the provision of reticulated sewerage to all lots/units within the subdivision/development. Where the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations and the Government Sewerage Policy Perth Metropolitan Region.**
- 9. Any existing septic system is to be decommissioned to the satisfaction of the City of Bayswater and in accordance with the Treatment of Sewage and Disposal of Effluent and Liquid Waste Amendment Regulations (No.2) 1997.**

10. All stormwater and drainage runoff produced onsite is to be disposed of onsite via the use of soakwells. The size of the soakwells are to be calculated by use of the formula  $VOL(m^3) = AREA (m^2) \times 0.0125$ , where VOL is total storage volume of soakwells and AREA is total roofed and paved areas. Connection to the City's stormwater system, where available, may be permitted as an overflow only if to the satisfaction of the City of Bayswater.
11. All vehicle crossings being upgraded, designed and constructed to the satisfaction City of Bayswater. Payment for the crossover is required prior to the issue of a building licence.
12. The existing and/or proposed driveways being constructed to the satisfaction of the City of Bayswater.

**CARRIED**

*Cr Marlene Robinson requested that her vote against the resolution be recorded.*

**13.9 Proposed Two Grouped Dwellings**

**Location:** Lot 24, No. 83 Wylde Road. Morley  
**Attachments:** [No. 1 - Aerial photo](#)  
[No. 2 - Location Plan and Site Photo](#)  
[No. 3 - Detailed Plans](#)  
**File No:** DA09-0226  
**Applicant:** John Trec  
**Owner:** John and Josephina Trec  
**Officer:** Director of Planning and Development Services

Application

1. MRS Form 1 and plans dated 12 May 2009 and amended plans dated 12 August 2009 have been received for two grouped dwellings at Lot 24, No. 83 Wylde Road, Morley.
2. The proposal comprises construction of two single storey grouped dwellings.
3. Council consideration is required as:
  - a) One (1) objection has been received from an adjoining landowner in relation to a boundary wall;
  - b) A garage setback variation for Unit 1; and
  - c) A variation to the minimum open space requirements.

Background

<b>Town Planning Scheme No. 24 Zoning:</b>	Residential (R20/25)
<b>Use Class:</b>	Grouped Dwelling 'P'
<b>Lot Area:</b>	805 m <sup>2</sup>
<b>Existing Land Use:</b>	Single House
<b>Surrounding Land Use:</b>	Residential
<b>Size/Nature of Proposed Development:</b>	Two Single Storey Grouped Dwellings

SCHEME PROVISIONS		REQUIRED	PROVIDED
<b>Setbacks</b>	<b>Front</b>	3/6m (Unit 1) 2.5m (Unit 2)	8m 3.2m
	<b>Rear</b>	1m/1.5m (Unit 1) 1.5m (unit 2)	1.097m/1.617m (Unit 1) 4.4m (Unit 2)
	<b>Side</b>	1m ( Unit 1) 1m (Unit 2)	0.2m*/1m (Unit 1) 0m**
	<b>Side</b>	1.5m (Unit 1) 1m/1.5m	1.528m (Unit 1) 0.2m***/2.2m
<b>Minimum Lot Area</b>		320m <sup>2</sup>	336m <sup>2</sup>
<b>Maximum Site Cover</b>		50%	51.63% (Unit 1) 45.40% (Unit 2)
<b>Parking</b>		2 spaces	2 spaces (Units 1 and 2)

\* Objection received

\*\* Internal boundary wall

\*\*\* Letter of non objection received

BOUNDARY WALL ACCEPTABLE DEVELOPMENT	REQUIRED	PROVIDED
<b>Maximum Wall Height</b>	3m	3.2m (Unit 1) 2.75m (Unit 2)
<b>Maximum Average Wall Height</b>	2.7m	3.15(Unit 1) 2.75m (Unit 2)
<b>Max. Wall Length</b>	9m	6m (Unit 1) 6.95m (Unit 2)

- As the proposal incorporates a boundary wall on the eastern and southern lot boundaries, comment was sought from the adjoining landowners at 85 Wylde Road and 50 Cooper Road. No objection to the boundary wall was received from the landowner at 85 Wylde Road.

#### Submissions

- The City received one (1) objection to the proposal from an adjoining landowner of 50 Cooper Road. The concerns raised are as follows:
  - The proposed boundary wall would face the main bedroom window of the adjoining property and would adversely impact on ventilation to the habitable room.
  - The proposed boundary wall would compromise future development potential on the adjoining property.

CommentCompliance with the Scheme and R Code Requirements

1. Assessment of the application indicates that the proposed development complies with the acceptable development standards of the *Residential Design Codes 2008*, the City's Town Planning Scheme No. 24 and Council Policies, with the exception of an objection received in regards to the boundary wall on the southern boundary for Unit 1, a front setback variation to the garage for Unit 2 and open space variation for Unit 2.

Boundary Wall

2. The proposal incorporates two boundary walls. The boundary wall for Unit 1 abuts the southern lot boundary and has a length of 6.049m and a height of 3.2m and the boundary wall for Unit 2 which abuts the eastern lot boundary has a length of 6.95m and a height of 2.75m above natural ground level.
3. Clause 3.3.2 of the R Codes "Buildings on Boundaries" requires boundary walls to comply with the provisions except where otherwise provided for in a local planning policy. The City's policy for boundary walls states that any wall within 1.0 metre of a boundary requires neighbour's comment. Where an objection is received the development is required to be determined under performance criteria by Council.
4. The acceptable development standards of the R Codes permit the construction of parapet/boundary walls behind the front setback line subject to the following limits:

*"Where the walls abut a similar or simultaneously constructed wall of similar or greater dimension; or*

*In areas coded R20 and R25, walls not higher than 3.0m, with an average of 2.7m for up to 9m in length to one side boundary; or*

*In areas coded R30 and higher, walls not higher than 3.5m, with an average of 3m for 2/3 the length of the balance of the boundary behind the front setback to one side of boundary".*

5. The dimensions of the boundary walls indicate that that both walls do not comply with the acceptable development standards. Furthermore, an objection to the proposed wall has been received and the proposed boundary walls requires assessment under the relevant performance criteria, which state:

*"Buildings built up to boundaries other than the street boundary where it is desirable to do so in order to:*

- *make effective use of space; or*
- *enhance privacy; or*
- *otherwise enhance the amenity of the development;*
- *not have any significant adverse effect on the amenity of the adjoining property;*  
*and*
- *ensure that direct sun to major openings to habitable rooms and outdoor living area of adjoining properties is not restricted."*

6. Potential reasons against the Unit 1 garage southern boundary wall include:
- a) The objector believes that a boundary wall would restrict ventilation to the adjoining affected property;
  - b) The objector believes that a boundary wall would adversely impact upon the development potential of the adjoining affected property;
  - c) The proposed wall does not meet the acceptable development standards for maximum height and maximum average height in areas coded R25.
7. In support of the garage southern boundary wall, the following points are relevant:
- a) The proposed boundary wall is considered to make effective use of space;
  - b) The proposed boundary wall is not considered to have any undue impact on the amenity of the adjoining property;
  - c) The dwelling on the adjoining property is setback a distance of approximately 2m from the property boundary, with the bedroom window setback a distance in excess of 3m from the proposed boundary wall. It is considered that a boundary wall would not unduly impact on the ventilation of the habitable room to the adjoining property.
  - d) The proposed boundary wall is not considered to unduly impact on solar access to major openings of habitable rooms and the outdoor living area of the adjoining property.
8. The proposed southern boundary wall is considered to make effective use of open space and adequate privacy is provided. The boundary wall is not considered to have any significant impact on the neighbouring properties, including solar access. In addition to this, further correspondence from the applicant has indicated that the applicant is willing to comply with the acceptable development provisions for the proposed boundary walls if it is imposed as a condition of development approval. Therefore, subject to a maximum height of 3m, the proposed boundary walls are considered to meet the performance criteria of the R Codes and are supported.

#### Setback of Garage

9. The acceptable development provisions of the R-Codes require:
- *Garages to be setback behind the street setback line;*
  - *Garages to be setback 1.5m from a secondary street;*
  - *Carports within the street setback area to not exceed 50% of the lot frontage at the building line; and*
  - *Garages to be setback 4.5m from the primary street, or at 0.5m behind the dwelling alignment.*
10. The proposed Unit 2 garage has a setback of 3.351m and is not 500mm behind the dwelling alignment. Given that the setback of the proposed garage does not meet the acceptable development criteria, it has been assessed under the relevant performance criteria, which requires:

*“The setting back of carports and garages so as to not detract from the streetscape or appearance of dwelling, or obstruct views of dwellings from the street and vice versa.”*

11. The proposed garage setback variation is not considered to detract from the streetscape as the garage is 720mm behind the front portico and 120mm behind the main building while the setback of the dwelling is greater than the minimum requirement under the R-Codes, thereby reducing the impact of building bulk and scale of the garage. It is considered that the garage does not present as a visually dominant feature in relation to the rest of the dwelling and does not detract from the appearance of the streetscape nor does it obstruct views between the dwelling and street. Therefore the proposed variation is considered to meet the performance criteria of the R-Codes and is supported.

#### Open Space

12. The acceptable development requirements of the R-Codes require a minimum 50% open space for areas coded R25. The application proposes the provision of 45% for Unit 2, which equates to approximately 152m<sup>2</sup>. Given that the open space does not meet the acceptable development criteria, it has been assessed under the performance criteria.

The relevant performance criteria of the Residential Design Codes require:

*“Sufficient open space around buildings:*

- a) to complement the building;*
- b) to allow attractive streetscapes;*
- c) to suit the future needs of residents, having regard to the type and density of the dwelling”*

13. The proposed development provides an appropriate and functional outdoor living area for Unit 2. The proposed open space is considered to complement the building and has no undue effect on the streetscape. It is considered that the provided open space will also meet the future needs of residents of the dwelling.

#### Summary

Assessment of the application indicates that the proposed development complies with the acceptable development standards of the Residential Design Codes 2008, the City’s Town Planning Scheme No. 24 and Council policies, with the exception of an objection to the proposed garage boundary wall for Unit 1, a front setback variation to the garage for Unit 2 and a variation to the minimum open space requirements for Unit 2. The garage boundary wall and variation to minimum open space requirements are considered to meet the performance criteria of the R Codes and is not considered to unduly impact on the adjoining property and streetscape character. On this basis, the proposal is recommended for approval.

#### Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED** the Officer recommendation that Planning Approval be granted for the construction of two (2) grouped dwellings at Lot 24, No. 83 Wylde Road, Morley in accordance with the application dated 12 May 2009 and amended plans dated 12 August 2009 subject to the following standard planning conditions:

1. The boundary wall along the southern and eastern boundaries to be no greater than 3m in height.
2. This approval is valid for a period of two (2) years from the date of this letter. If the development/use, the subject of this approval, is not **SUBSTANTIALLY COMMENCED** within two years, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.
3. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
4. The development complying with any details marked in red on the approved plans.
5. In accordance with the Local Government (Miscellaneous Provisions) Act 1960 and Building Regulations 1989, a building licence application must be obtained prior to the commencement of any building works.
6. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should you wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, you must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.
7. The approved parapet/boundary walls and footings abutting the eastern and southern boundaries must be constructed wholly within the subject allotment. The external surface of the parapet/boundary walls shall be finished to a professional standard to complement the dwelling on the adjoining lot, to the satisfaction of the City of Bayswater.
8. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition.
9. The applicant is to make arrangements to the satisfaction of the Water Corporation for the provision of reticulated sewerage to all lots/units within the subdivision/development. Where the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations and the Government Sewerage Policy Perth Metropolitan Region.
10. Any existing septic system is to be decommissioned to the satisfaction of the City of Bayswater and in accordance with the Treatment of Sewage and Disposal of Effluent and Liquid Waste Amendment Regulations (No.2) 1997.



- 11. All stormwater and drainage runoff produced onsite is to be disposed of onsite via the use of soakwells. The size of the soakwells are to be calculated by use of the formula  $VOL(m^3) = AREA (m^2) \times 0.0125$ , where VOL is total storage volume of soakwells and AREA is total roofed and paved areas. Connection to the City's stormwater system, where available, may be permitted as an overflow only if to the satisfaction of the City of Bayswater.**
- 12. All vehicle crossings being upgraded, designed and constructed to the satisfaction City of Bayswater. Payment for the crossover is required prior to the issue of a building licence.**
- 13. The existing and/or proposed driveways being constructed with brick paving or concrete to the satisfaction of the City of Bayswater.**

**CARRIED BY EN BLOC RESOLUTION**

**13.10 Proposed Dependent Persons' Dwellings**

**Location:** Lot 313, No. 93 Morley Drive East, Morley  
**Attachments:** [No. 1 - Location Plan and Site Photo](#)  
[No. 2 - Detailed Plan](#)  
**File No:** DA09-0106  
**Applicant:** Colin G Cockram Architect  
**Owner:** Department of Housing  
**Officer:** Director of Planning and Development Services

Application

The Western Australian Planning Commission (WAPC) has requested the City provide comments on plans dated 9 March 2009 and amended plans dated 11 June 2009 for proposed dependent persons' dwellings at Lot 313, No. 93 Morley Drive East, Morley.

1. The proposal comprises:
  - a) Two single storey dwellings comprising six (6) bedrooms in each dwelling; and
  - b) Vehicle access via a common property driveway including provision for visitor parking bays.
2. Council consideration is required as:
  - a) The proposal does not comply with Clause 7.1.2 dependent persons' dwellings A2 i) of the R-Codes in regard to the floor area of the proposed dwelling. The applicant proposed 218m<sup>2</sup> floor area in lieu of the acceptable 100m<sup>2</sup>.
  - b) The proposal does not comply with Clause 7.1.2 dependent persons' dwellings A2 ii) of the R-Codes. The applicant has provided only two dwellings in lieu of the required five.
  - c) One (1) objection has been received from an adjoining landowner.
3. In support of the proposal the applicant has advised:
  - a) The proposed dependent persons' dwellings are intended to permanently accommodate 4 to 5 residents;
  - b) One overnight carer is required in each dwelling;
  - c) One additional carer may be required during the day; and
  - d) Visitors to the site are generally not long term. Typically, family members take the resident home for visits as opposed to meeting on site.

Background

1. Given the proposed dwellings do not comply with the R-Codes requirements for dependent persons and the fact that the buildings have been designed to accommodate several unrelated persons, neighbour consultation was undertaken by the City on behalf of the applicant.

<b>Town Planning Scheme No. 24 Zoning:</b>	Residential R17.5/25
<b>Use Class:</b>	Dependent Persons Dwelling – ‘P’
<b>Lot Area:</b>	1154 m <sup>2</sup>
<b>Existing Land Use:</b>	Vacant
<b>Surrounding Land Use:</b>	Residential
<b>Size/Nature of Proposed Development:</b>	Two Dependent Persons’ Dwellings

SCHEME PROVISIONS		REQUIRED	PROVIDED
<b>Setbacks</b>	<b>Dwelling One</b>		
	<b>Front</b>	3m min, 6m average	3.5m min, 6.2 average
	<b>Rear</b>	1.5m	1m *
	<b>Side (W)</b>	1.5m	1.5m
	<b>Side (E)</b>	1.5m	7.4m
	<b>Dwelling Two</b>		
	<b>Rear</b>	1.5m	1.5m
	<b>Side (W)</b>	1.5m	1.5m
	<b>Side (E)</b>	1.5m	1.5m
	<b>Minimum Lot Area</b>	166m <sup>2</sup>	500m <sup>2</sup> and 572m <sup>2</sup>
<b>Minimum Open Space</b>	50%	66% and 68%	
<b>Maximum Plot Ratio</b>	100m <sup>2</sup> per dwelling	218m <sup>2</sup> per dwelling **	
<b>Minimum Number of Dwellings</b>	5	2 ***	
<b>Parking</b>		2 bays per dwelling	2 bays per dwelling
		1 visitor bay	3 visitor bays
		5 bays total	7 bays total

\* Variation to the internal strata boundary setback from 1.5m to 1m is required. Currently the proposed Lot 1 and Lot 2 are owned by the same landowner (Department of Housing and Works).

\*\* Variation to plot ratio requested.

\*\*\* Variation to minimum number of dwellings requested.

Submission

2. The proposed development was advertised to the owners of adjoining properties. The City received one (1) submission objecting to the proposal.

The submission opposing the proposal raised the following concerns:

- a) Concern regarding type of occupants;
  - b) Concern regarding rowdy, unruly or criminal behaviour;
  - c) Loss of property value; and
  - d) Concern regarding lack of consultation by the applicant.
3. In response to the concerns raised, the following is provided by the City:
- a) The applicant has advised occupants are typically persons with physical and/or mental disabilities. The occupants will be supervised by carer(s) during the day and night.
  - b) Anti-social behaviour is not a significant land-use planning matter. Given the intended use of the dwellings anti-social behaviour is not considered a concern.
  - c) Property value is not a significant land-use planning matter and the proposed development is not considered to unduly impact on the amenity of surrounding residents. The dwellings' appearance is that of a normal residential building.
  - d) The City undertook neighbour consultation on behalf of the applicant.

CommentCompliance with the Scheme and R Code Requirements

1. Assessment of the application indicates that the proposed development complies with the acceptable development criteria of the *Residential Design Codes 2008*, the City's Town Planning Scheme No. 24 and Council Policies, with the exception of the requirements relating to rear setback of Dwelling One, the plot ratio and number of dwellings.

Maximum Floor Area

2. The acceptable development criteria of the R-Codes require a maximum plot ratio floor area of 100m<sup>2</sup> for each dwelling. The proposed dwellings provide a floor area of 218m<sup>2</sup>.
3. The proposed dwellings are specifically designed to house 4 to 5 permanent residents and provides for one overnight carer. Given the intention to house 6 occupants and the site has the development potential to accommodate 3 grouped dwellings which could each accommodate six unrelated persons the floor area of 218m<sup>2</sup> is not seen as excessive.
4. The variation to maximum floor area is therefore supported.

Number of Dwellings

5. The acceptable development criteria of the R-Codes require at least five dwellings within the development in order for the dependent persons' dwellings provisions to apply.

6. The proposed development comprises only two dwellings. Given that the proposed development does not meet the acceptable development criteria in relation to the number of dwellings, it has been assessed under the relevant performance criteria, which state:

*“Dwellings that accommodate the special needs of Dependent persons and which:*

- *are designed to meet the need of Dependent persons;*
- *are located in proximity to public transport and convenience shopping;*
- *have due regard to the topography of the locality in which the site is located; and,*
- *satisfy a demand for Dependent persons’ accommodation.”*

7. In terms of an assessment against the performance criteria:
- a) the proposed development consists of two dwellings that have been designed to meet the needs of dependent persons.
  - b) the applicant has advised it is unlikely the residents will utilise public transport or shopping facilities. Notwithstanding, the proposed location provides for easy access to public transport on Morley Drive East to nearby community facilities.
  - c) the topography of the subject site and surrounding locality is generally flat, thereby providing easy pedestrian access away to/from the site.
  - d) The dwellings are proposed by the Department for Housing for use by the Hills Community Support Group.
  - e) The R Codes restrict the total number of occupants in each dwelling to be a maximum of six (6) persons who do not comprise a single family.
8. It is considered that the site is appropriate for the development of dependent persons dwellings. The requested relaxation in the number of dwellings is considered to meet the performance criteria and is therefore supported.

#### Rear Setback

9. The acceptable development criteria of the R-Codes require the rear wall of Dwelling One to be setback 1.5m. The plans show the wall being set back 1m. Given that the building setback does not meet the acceptable development criteria, it has been assessed under the performance criteria of the R-Codes.

The relevant performance criteria of the R-Codes state:

*“Buildings setback from boundaries other than street boundaries so as to:*

- *provide adequate direct sun and ventilation to the building;*
- *ensure adequate direct sun and ventilation being available to adjoining properties;*
- *provide adequate direct sun to the building and appurtenant open spaces;*
- *assist with protection of access to direct sun for adjoining properties;*
- *assist in ameliorating the impact of building bulk on adjoining properties; and*
- *assist in protecting privacy between adjoining properties.”*

10. The proposed variation is not considered to unduly impact direct sun and ventilation to the building, adjoining properties and open spaces. The setback variation is not considered to unduly impact upon the adjoining property in terms of building bulk and privacy.
11. The proposed setback variation impacts on the internal strata boundary only. Both sites are owned by the Department of Housing.
12. The proposed setback variation is therefore supported.

#### Summary

An assessment of the proposal indicates that it complies with the R-Codes, Town Planning Scheme No. 24 and Council Policy, with the exception of the requirements relating to floor area, number of dwellings and rear setback to the internal strata boundary. The proposed variations are considered to meet the performance criteria of the R-Codes and are not seen to create any undue impact on the subject lot or adjoining area. Accordingly, the proposal is recommended for approval.

#### Voting Requirements

Simple Majority Required.

### **COUNCIL RESOLUTION**

#### **(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that Council advise the Western Australian Planning Commission and Department of Housing that the Council has no objections to the proposed dependent persons' dwellings at Lot 313 No. 93 Morley Drive East, Morley in accordance with the plans dated 9 March 2009 and amended plans dated 11 June 2009, subject to the following planning conditions:**

1. Each dwelling is to be occupied by no more than six (6) persons who do not comprise a single family.
2. This approval is valid for a period of two (2) years from the date of this letter. If the development/use, the subject of this approval, is not **SUBSTANTIALLY COMMENCED** within two years, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.
3. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
4. The development complying with any details marked in red on the approved plans.
5. In accordance with the *Local Government (Miscellaneous Provisions) Act 1960* and *Building Regulations 1989*, a building licence application must be obtained prior to the commencement of any building works.
6. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should you wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, you must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.

7. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition.
8. The applicant is to make arrangements to the satisfaction of the Water Corporation for the provision of reticulated sewerage to all lots/units within the subdivision/development. Where the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations and the Government Sewerage Policy Perth Metropolitan Region.
9. Any existing septic system is to be decommissioned to the satisfaction of the City of Bayswater and in accordance with the Treatment of Sewage and Disposal of Effluent and *Liquid Waste Amendment Regulations (No.2) 1997*.
10. All stormwater and drainage runoff produced onsite is to be disposed of onsite via the use of soakwells. The size of the soakwells are to be calculated by use of the formula  $VOL(m^3) = AREA (m^2) \times 0.0125$ , where VOL is total storage volume of soakwells and AREA is total roofed and paved areas. Connection to the City's stormwater system, where available, may be permitted as an overflow only if to the satisfaction of the City of Bayswater.
11. Openings less than 3m from a firesource feature require acceptable protection in accordance with the BCA Clause C3.4.

**CARRIED BY EN BLOC RESOLUTION**

**13.11 Proposed Two Storey House**

**Location:** Lot 117, No. 11 Bellevue Street, Bayswater  
**Attachments:** [No. 1 - Aerial Photo](#)  
[No. 2 - Location Plan and Site Photo](#)  
[No. 3 - Detailed plans](#)  
**File No:** DA09-0211  
**Applicant:** John Ierace  
**Owner:** John and Gina Ierace  
**Officer:** Director of Planning and Development Services

Application

1. MRS Form 1 and plans dated 1 May 2009, and amended plans dated Friday 24 July 2009 have been received for a two storey house at Lot 117, No. 11 Bellevue Street, Bayswater.
2. The proposal comprises construction of a two storey house with boundary walls proposed to run along both side boundaries.
3. Council consideration is required as follows:
  - a) an objection has been received from an adjoining landowner in relation to the wall height of the south western boundary wall;
  - b) the height and length variation of the boundary walls;
  - c) building wall height variation;
  - d) building setback variation to the south western and north eastern walls
  - e) visual privacy variation; and
  - f) open space variation.
4. In support of the proposal, the applicant advised that the proposal incorporates boundary walls on each side in order to make more effective use of space with the subject lot being narrow (11.5m wide).

Background

<b>Town Planning Scheme No. 24 Zoning:</b>	Residential R17.5/25
<b>Use Class:</b>	Single House – ‘P’
<b>Lot Area:</b>	362 m <sup>2</sup>
<b>Existing Land Use:</b>	Vacant Lot
<b>Surrounding Land Use:</b>	Residential / Reserve
<b>Size/Nature of Proposed Development:</b>	Single House



SCHEME PROVISIONS	REQUIRED	PROVIDED
<b>Minimum Lot Area</b>	320m <sup>2</sup>	362m <sup>2</sup>
<b>Setbacks Front</b>	3m/6m	6m
<b>Rear</b>	1m/1.2m	3.59m
<b>Side (SW)</b>	(1m/1.5m)(1.2m/3.4m)	0m/3m/2.35m*
<b>Side (NE)</b>	(1m/1.2m)(1.7m/2.7m)	0m/1.5m/2.5m**
<b>Maximum Site Coverage</b>	50%	50.6%
<b>Parking</b>	2 bays	2 bays

BOUNDARY WALL	REQUIRED	PROVIDED
<b>Maximum Wall Height</b>	3.0m	5.414m (SW Elevation)* 6.442m (NE Elevation) **
<b>Maximum Average Wall Height</b>	2.7m	5.414m (SW Elevation) 6.442m (NE Elevation) **
<b>Maximum Wall Length</b>	9.0m	5.55m (SW Elevation) 12.3m (NE Elevation)**

\* Objection received. \*\* Letter of non-objection received

#### Submissions

1. Neighbour comments were sought from the adjoining owners at 9 and 13 Bellevue Street with regard to wall height and the boundary walls. Both neighbours provided non-objections to the wall heights.
2. With regard to the boundary walls, both neighbours initially objected to the proposal. A meeting was held with the proponents, objectors and City Officers to attempt to reconcile the issues. At this meeting discussion centred around the standard R Codes requirements, and the desire for the objector to develop 9 Bellevue Street also with a boundary wall which could potentially be longer than the current proposal. The City's officers indicated that future development was not a matter that could be reconciled by the City with regards to non objections. The City's officers did indicate however that the matter could be canvassed from a "civil" perspective.
3. Following this meeting a written non-objection to the boundary walls was provided by the owners of 13 Bellevue Street. The owners at 9 Bellevue Street did not provide a written withdrawal to the City and as such the objection stands. The grounds for this objection being that the neighbour wants the proposed boundary wall to "comply with the acceptable development provisions regarding boundary walls".

#### Comment

##### Compliance with the Scheme and R Code Requirements

1. Assessment of the application indicates that the proposed development complies with the acceptable development standards of the Residential Design Codes 2008, the City's Town Planning Scheme No. 24 and Council Policies, with the exception of boundary walls along both sides exceeding the acceptable development standards for height and length, wall height, visual privacy and open space.

2. The subject property abuts Riverside Gardens West which is a parks and recreation reserve under the Metropolitan Reserve Scheme. Along the rear of the subject property is a sewerage easement measuring approximately 3.05m in width.

#### Boundary Walls

3. The proposal incorporates boundary walls along either side boundary. The boundary wall on the north eastern boundary is 12.3m in length and 6.4m in height and the boundary wall on the south western boundary is 5.5m in length and 5.4m in height. The dimensions of the boundary walls indicate that the boundary walls do not comply with the acceptable development standards. In addition to this, an objection to the proposed wall on the south western boundary has been received and the proposed boundary walls require assessment under the performance criteria which state:

*“Buildings built up to boundaries other than the street boundary where it is desirable to do so in order to:*

- *make effective use of space; or*
- *enhance privacy; or*
- *otherwise enhance the amenity of the development;*
- *not have any significant adverse effect on the amenity of the adjoining property;*  
*and*
- *ensure that direct sun to major openings to habitable rooms and outdoor living area of adjoining properties is not restricted.”*

4. Potential reasons against the proposed boundary walls include:
- a) The height and length for the proposed boundary wall on the north eastern boundary is substantially more than the maximum length of 9m and the maximum height of 3m under the relevant acceptable development provisions;
  - b) The height of the boundary wall on the south-western boundary is substantially more than the maximum height of 3m under the relevant acceptable development provisions;
  - c) The boundary wall abutting the north-eastern boundary is higher than the maximum external wall height for category ‘B’ buildings;
  - d) Both proposed boundary walls are considerably higher than the acceptable development provisions and provide extra building bulk and scale;
  - e) A development comprising 2 boundary walls which do not meet the acceptable development provisions is considered excessive in terms of building design;
  - f) The boundary walls may create an undue amenity impact on the adjoining properties due to the building bulk noted above ; and
  - g) The proposed building with two storey boundary walls on each side may result in all buildings on Bellevue Street seeking two storey boundary walls which may result in an undesirable streetscape outcome.

5. In support of the boundary walls, the following points are relevant:
- The adjoining landowner at 13 Bellevue Street has provided a letter of non-objection to the proposal;
  - A boundary wall(s) allows for more effective use of space on the subject lot, given its narrow frontage;
  - It is envisaged that the adjoining landowners will also incorporate boundary walls into future development proposals;
  - The provision of boundary walls will increase privacy amongst landowners; and
  - The surrounding lots are currently undeveloped and no streetscape precedent has been set so far.
6. Considering the above, it is recognised that some level of boundary wall is acceptable. However, a development proposal comprising 2 two storey boundary walls which do not meet the acceptable development provision in terms of height and length is considered to be excessive in terms of building bulk and impacts on the adjoining landowners and streetscape. Reducing the south western boundary wall to comply with the maximum length and height acceptable development provisions for a single storey boundary wall would address the issues of building bulk and excessive development while accommodating the need to provide for effective use of space on the subject lot.

#### Building Setbacks

7. The acceptable development standards of the R Codes require the south western wall to be setback 3.4m and a portion of the north eastern wall to be setback 2.7m to the respective side boundaries. The plans show a portion of the south western wall setback 2.35m and a portion of the north eastern wall setback 2.5m. Given that the building setback does not meet the acceptable development, it has been assessed under the relevant performance criteria which state:

*Buildings setback from boundaries other than street boundaries so as to:*

- provide adequate direct sun and ventilation to the building;*
  - ensure adequate direct sun and ventilation being available to adjoining properties;*
  - provide adequate direct sun to the building and appurtenant open spaces;*
  - assist with protection to access to direct sun for adjoining properties;*
  - assist in ameliorating the impacts of building bulk on adjoining properties; and*
  - assist in protecting privacy between adjoining properties.*
8. The proposed setback variation is considered to provide adequate direct sun and ventilation to the building, adjoining properties and open spaces. The setback variation is not considered to unduly impact upon the adjoining property in terms of building bulk and privacy.
9. Given the proposed setbacks meet with the relevant performance criteria and no objection was received from the adjoining neighbours with regards to the reduced setback, the proposed variations are supported.

Visual Privacy

10. The acceptable development standards of the R Codes require the following setbacks for open space and rooms with a floor level higher than 0.5m above natural ground level, unless appropriate screening has been provided:
- 4.5m for bedrooms;
  - 6.0m for habitable rooms; and
  - 7.5m for balconies.
11. The applicant has requested a variation to the privacy provisions of 6.3m in lieu of 7.5m to the upper floor balcony. Given that the proposed development does not meet the acceptable development standards in relation to visual privacy, it has been assessed against the relevant performance criteria, which state:

*“Direct overlooking of active habitable spaces and outdoor living areas of other dwellings is minimised by building layout, location and design of major openings and outdoor active habitable spaces, screening devices and landscape, or remoteness. Effective location of major openings and outdoor active habitable spaces to avoid overlooking is preferred to the use of screening devices or obscured glass.”*

12. With regard to the proposed upper floor balcony, the cone of vision is oriented towards the south eastern corner of the adjoining vacant lot at 9 Bellevue Street. Given that the visual privacy is restricted to a minor portion of the adjoining lot and the neighbour has signed a letter of non-objection, it is considered that the proposal complies with the performance criteria of the R Codes.

Wall Height

13. The acceptable development standards of the R Codes requires that wall and building height do not exceed the following requirements:
- 6m in external wall height for pitched roofs;
  - 7m external wall heights for concealed roofs; and
  - 9m total building height to the top of a pitched roof.
14. The proposal incorporates a wall height of 6.4m for the north eastern, north western and south eastern side elevations which do not meet the acceptable development standards. Given that the wall height does not meet the acceptable development standards, it has been assessed under the relevant performance criteria which state that:

*“Building height consistent with the desired height of buildings in the locality, and to recognise the need to protect the amenities of adjoining properties, including where appropriate:*

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

15. The proposed wall height is considered not to unduly affect solar access or access to views of significance and does not affect the amenity of adjoining properties. The owners of the affected neighbouring properties have provided a letters of non-objection to the proposed variation. Therefore, it is considered that the proposed variation meets the performance criteria and is supported.

#### Open Space

16. The acceptable development requirements of the R Codes require a minimum of 50% open space for areas coded R17.5/25. The application proposes the provision of 49.4%, open space. Given that the open space does not meet the acceptable development standard, it has been assessed under the relevant performance criteria which states that:

*“Sufficient open space around buildings:*

- *to complement the building;*
- *to allow attractive streetscapes;*
- *to suit the future needs of residents, having regard to the type and density of the dwelling.”*

17. The proposed development provides an appropriate outdoor living area and is considered not to have any undue impact on the streetscape, due to the marginal variation in the provision of open space. It is considered that the provided open space will meet the future needs of residents of the dwelling.

#### Summary

An assessment of the proposal indicates that it complies with the R Codes, Town Planning Scheme No. 24 and Council Policy with the exception of requirements relating to boundary walls, wall height, visual privacy and open space and an objection received in relation to the south western boundary wall. The building wall heights, visual privacy and variation to open space are considered to meet with the performance criteria of the R Codes. However, the design incorporating two storey boundary walls which exceed the acceptable development provisions for height and length is considered to unduly impact on the amenity of the adjoining south western property in terms of scale and building bulk. It is therefore considered that a development condition requiring the south western boundary wall to comply with the acceptable development provisions is necessary.

#### Voting Requirements

Simple Majority Required.

#### Officer's Recommendation

CR TERRY BLANCHARD MOVED, CR MICHAEL SABATINO SECONDED that Planning Approval be granted for the proposed two storey dwelling at Lot No 117, No. 11 Bellevue Street Bayswater in accordance with the application dated 1 May 2009 and amended plans dated 24 July 2009 subject to the following planning conditions:

1. The boundary wall along the south western boundary being no greater than 3m in height and 9m in length.
  2. This approval is valid for a period of two (2) years from the date of this letter. If the development/use, the subject of this approval, is not SUBSTANTIALLY COMMENCED within two years, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development/use shall be carried out without the further approval of the City having first been sought and obtained.
-

3. The development shall be carried out only in accordance with the terms of the application as approved herein, and any approved plan.
4. The development complying with any details marked in red on the approved plans.
5. In accordance with the Local Government (Miscellaneous Provisions) Act 1960 and Building Regulations 1989, a building licence application must be obtained prior to the commencement of any building works.
6. This approval does not authorise any interference with dividing fences, nor entry onto neighbouring land. Accordingly, should you wish to remove or replace any portion of a dividing fence, or enter onto neighbouring land, you must first come to a satisfactory arrangement with the adjoining property owner. Please refer to the *Dividing Fences Act 1961*.
7. The approved parapet/boundary walls and footings abutting the north eastern and south western boundaries must be constructed wholly within the subject allotment. The external surface of the parapet/boundary walls shall be finished to a professional standard to complement the dwelling on the adjoining lot, to the satisfaction of the City of Bayswater.
8. On completion of construction, all excess articles, equipment, rubbish and materials being removed from the site and the site left in an orderly and tidy condition.
9. The applicant is to make arrangements to the satisfaction of the Water Corporation for the provision of reticulated sewerage to all lots/units within the subdivision/development. Where the Water Corporation reticulated sewer is not available the premises are to be connected to an approved wastewater treatment system which complies with the requirements of the Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations and the Government Sewerage Policy Perth Metropolitan Region.
10. Any existing septic system is to be decommissioned to the satisfaction of the City of Bayswater and in accordance with the Treatment of Sewage and Disposal of Effluent and Liquid Waste Amendment Regulations (No.2) 1997.
11. All stormwater and drainage runoff produced onsite is to be disposed of onsite via the use of soakwells. The size of the soakwells are to be calculated by use of the formula  $VOL(m^3) = AREA (m^2) \times 0.0125$ , where VOL is total storage volume of soakwells and AREA is total roofed and paved areas. Connection to the City's stormwater system, where available, may be permitted as an overflow only if to the satisfaction of the City of Bayswater.
12. All vehicle crossings being upgraded designed and constructed to the satisfaction of the City of Bayswater. Payment for the crossover is required prior to the issue of a building licence.
13. The existing and/or proposed driveways being constructed with brick paving or concrete to the satisfaction of the City of Bayswater.

LOST

**COUNCIL RESOLUTION**

**CR TERRY BLANCHARD MOVED, CR IAN MCCLELLAND SECONDED that this Item be deferred for further clarification regarding the objection received regarding the length and height of the boundary/building wall proposed.**

**CARRIED**

*Cr Marlene Robinson and Cr Terry Kenyon, JP requested that their vote against the resolution be recorded.*

**13.12 Subdivision & Amalgamation Responses under Delegated Authority**

**Attachment:** [Delegated Authority Subdivisions - 01/07/2009 – 31/07/2009](#)  
**Officer:** Director of Planning and Development Services

Application

The subdivision and amalgamation applications listed below, and which comply with the provisions of the City's District Zoning Scheme No 24, have been processed accordingly, and a recommendation returned to the Western Australian Planning Commission. *(Refer to attachment).*

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that Council receive the schedule of subdivision and amalgamation applications for which comment has been provided to the Western Australian Planning Commission.**

**CARRIED BY EN BLOC RESOLUTION**



**13.13 Status Report - Planning Complaints/Zoning Breaches**

**Officer: Director of Planning and Development Services**

<b>CONFIDENTIAL ITEM</b>
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Application

To advise Council of the status of unauthorised planning activities within the City.

In accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting is closed to members of the public for this item as the following sub-section applied:

- (b) The personal affairs of any person.

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**

**(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that the status report on the complaints regarding unauthorised planning activities be received.**

**CARRIED BY EN BLOC RESOLUTION**

**13.14 PAW- Kirkpatrick Crescent and Widgee Road, Noranda**

**Location:** PAW between Kirkpatrick Crescent and Widgee Road, Noranda

**Attachments:** [No. 1- Location Plan and Site Photo](#)  
[No. 2- Submissions Summary](#)  
[No. 3- Submissions Map](#)  
[No.4 - Extent of Public Advertising](#)

**Applicant:** Peter Young

**Owner:** The Crown

**Officer:** Director of Planning and Development Services

**Refer:** Item 13.16 : OMC 23.05.09

Application

1. Correspondence dated 23 April 2009 has been received from a landowner adjoining the pedestrian access way (PAW) between Kirkpatrick Crescent and Widgee Road, Noranda requesting that the PAW be closed. The reasons for the request are as follows:
  - a) Rocks being thrown by offenders from the PAW and property damage;
  - b) Anti-social behaviour emanating from the PAW; and
  - c) Previous graffiti attacks.
2. The City installed gates and a security camera at the subject PAW in 2008.
3. Council consideration is required to determine the status of the subject PAW. The options include:
  - a) Permanently close the PAW;
  - b) Maintain the status quo with security cameras and gates; and/or
  - c) Provide extra security features such as lighting or more security patrols.

Background

1. Council, at its meeting of 25 September, 2007 resolved to advertise a proposal (from the same applicant) to place gates across the subject PAW. Public advertising finished on 29 October, 2007.
2. A total of nine (9) submissions were received during the advertising period in 2007, comprising three (3) submissions objecting to the gates and two (2) submissions supporting the gates and four (4) comments from service agencies. One (1) submission was also originally received from the applicant requesting the gates be installed.
3. Council considered the matter at its meeting of 29 January 2008, where it resolved (in part) that:
  - a) *Council resolve that the request to place gates across the Pedestrian Access Way (PAW) be supported.*
  - b) *The City to make suitable arrangements to trim any trees encroaching into the Pedestrian Access Way.*
  - c) *Cameras be installed at the Kirkpatrick Crescent end of the PAW, until such a time as they are removed by Council.*

4. PAW gates and a security camera were installed in 2008 in accordance with Council's resolution. The City's Security Watch Service attended the subject site twice and met with the applicant, Mr. Peter Young, regarding the concerns.
5. Council, at its meeting of 26 May 2009, resolved to advertise the proposal to close the PAW before considering the matter further. Public advertising finished on 22 July 2009.

#### Submissions

6. A total of twenty one (21) submissions were received during the advertising period (***Refer to Attachment No. 2***), comprising one (1) petition with 4 signatures supporting the closure, one (1) petition with 97 signatures objecting to the closure, fourteen (14) submissions objecting to the closure and five (5) submissions from government agencies stating no objections to closure.

#### ***Supporting Closure***

7. The applicant and petition with 4 signatures requested closure of the PAW due to:
  - a) Rocks being thrown by offenders from the PAW and property damage;
  - b) Intruders utilising the PAW for access;
  - c) People jumping over the gates and using the PAW at night;
  - d) Rubbish in the PAW, including syringes;
  - e) Trail bikes using the PAW;
  - f) Anti-social behaviour emanating from the PAW;
  - g) Previous graffiti attacks; and
  - h) Adequate alternative access routes in the area.

#### ***Objecting to Closure***

8. The 14 submissions and a petition with 97 signatures objecting to closure of the PAW raised the following points:
  - a) The PAW provides access to bus stops on Widgee Road, and other services and facilities within the neighbourhood;
  - b) The PAW provides access to Kirkpatrick Reserve;
  - c) Closure of the PAW would restrict many people from accessing church;
  - d) The PAW provides safe access in comparison to alternative routes;
  - e) The PAW provides an important access route for people with disabilities;
  - f) The PAW should remain open for the benefit of the wider community; and
  - g) Extra lighting could be provided in the PAW.

#### ***Other submissions***

9. Submissions were also received from the City of Swan, Public Transport Authority, Western Power, Fire and Emergency Services of Western Australia and WestNet Energy which did not object to the proposed gates.

Comment

1. Requests to close pedestrian access ways (PAW's) are often made on the grounds of security, safety and amenity. However, PAW's were created to provide improved pedestrian access to services and facilities within a neighbourhood. In considering closure requests, a balance needs to be found between pedestrian access and concerns regarding residents' amenity and security.
2. The PAW between Kirkpatrick Crescent and Widgee Road is strategically located and is considered to form an important part of the pedestrian network in the area. It provides pedestrian access for the residents of Kirkpatrick Crescent to bus stops on Widgee Road and areas within the City of Swan to the north. It also provides access from Widgee Road to the park at Kirkpatrick Reserve. The PAW also provides an important access route for people with disabilities.
3. Alternative access routes via Bramwell and Camboon Roads or Quinn Court and a PAW next to Morley Senior High School would involve a detour of approximately 500 metres. As such, the PAW is considered to be important to the daytime local pedestrian network.
4. Public advertising of the proposed closure of the PAW revealed strong community support for the PAW to remain open. This included fourteen (14) submissions and a ninety seven (97) signature petition objecting to the closure. Whilst the concerns of those in support of the PAW closure are acknowledged, it is considered that the PAW provides an important access route for the community. Given the above, it is considered that the PAW should remain open.

Security Camera

5. Queries regarding the operation of the security camera in the PAW were raised at the Council Briefing Session held on 18 August 2009. The City's Administration and Community Services have advised the following:
  - a) The security camera is currently operating in the PAW;
  - b) The security camera stores images on a memory card, which is retrieved every four weeks and checked by the City's Security Coordinator. However, if the City's Security Services are aware of any situations in the PAW, the images are retrieved the following day;
  - c) The security camera captured an image of a youth throwing a rock approximately five months ago, however this occurred at the opposite end of the PAW and the image was not clear;
  - d) There are no other security reports arising from the operation of the security camera. The resident requesting closure of the PAW has been advised by the City's Security Coordinator to contact the police immediately following any situations in the PAW, as previously the resident only notified the City's Security Services; and
  - e) The subject PAW is a 'hot spot' for anti-social behaviour, and security patrols are therefore more frequent.

6. The City's Administration and Community Services have also advised that:

*'It should also be noted that the bollard camera has needed to be replaced due to vandalism and the past few months have not resulted in any incidents. The camera is only effective if the youth can be identified. Most images are young people walking down the PAW. Unless there is a witness to any offence and they are prepared to make a statement to the police plus identify who the offender is there is little more that security can do. A pro active option for hot spots within the City could be similar to Stirling whereby the security officer is parked in an unmarked car with (a) video camera, this footage can be forwarded to the police with the officers statement. This process would require additional resources in regards to the vehicle and staffing costs. This option can be discussed further at the security watch committee meeting'.*

#### Summary

Public advertising of the proposed PAW closure revealed strong community support for the PAW to remain open. This included fourteen (14) submissions and a ninety seven (97) signature petition objecting to the closure. One petition with four (4) signatures was received in support of the closure. Whilst the concerns of those in support of the PAW closure are acknowledged, it is considered that the PAW provides an important access route for the community. It is therefore recommended that the request to close the PAW be declined on the grounds that the PAW provides an important access route for the community. In regards to the operation of the security camera in the PAW, the City's Administration and Community Services have advised that the security camera is currently in operation in the PAW, and that the subject adjoining resident has been advised by the City's Security Coordinator to contact police immediately following any incidents in the PAW.

#### Policy Implications

Nil

#### Financial Implications

Should the closure process proceed, the land would be offered equally to all adjacent landowners and all the PAW land is required to be sold. If all the PAW land is not sold, the PAW closure cannot proceed. The land is owned by the Crown, so there are no financial implications for the City.

#### Voting Requirements

Simple Majority Required.

#### Officer's Recommendation

That:

1. Council note the submissions received in relation to the request to close the Pedestrian Access Way (PAW) between Kirkpatrick Crescent and Widgee Road, Noranda.
2. Council resolve that the request to close the Pedestrian Access Way (PAW) between Kirkpatrick Crescent and Widgee Road, Noranda be declined on the grounds that the PAW provides an important access route for the community.

*Council Discussion:*

*Council discussed the ramifications of closing Pedestrian Access Ways (PAW) within the City and resolved that PAW's are needed for ease of access to schools and shops etc. The Mayor discussed the increased anti-social behaviour associated with PAW's and the possibility of installing appropriate CCTV cameras at both ends of the subject PAW in order to identify any possible offenders as well as recording the level of pedestrian usage.*

**AMENDMENT**

**CR LOU MAGRO MOVED, CR IAN MCCLELLAND, JP SECONDED that a further point 3 be added to the Officer's recommendation:**

- 3. Council place appropriate cameras at both ends of the PAW to properly monitor for anti-social behaviour.**

The Amendment was put and

**CARRIED**

The Amendment became part of the Substantive Motion.

*At 8:21pm, the Deputy Mayor, Cr Michael Sabatino, withdrew from the meeting and returned at 8:24pm.*

*At 8:24pm, Cr Terry Blanchard withdrew from the meeting.*

**COUNCIL RESOLUTION**

**CR TERRY KENYON, JP MOVED, CR LOU MAGRO SECONDED that:**

- 1. Council note the submissions received in relation to the request to close the Pedestrian Access Way (PAW) between Kirkpatrick Crescent and Widgee Road, Noranda.**
- 2. Council resolve that the request to close the Pedestrian Access Way (PAW) between Kirkpatrick Crescent and Widgee Road, Noranda be declined on the grounds that the PAW provides an important access route for the community.**
- 3. Council place appropriate cameras at both ends of the PAW to properly monitor for anti-social behaviour.**

**CARRIED**

*Cr Ian McCelland, JP requested that his vote against the resolution be recorded.*

**13.15 Draft Amended State Planning Policy 4.1 - State Industrial Buffer Policy****Attachments:** [Policy](#)**Officer:** Director of Planning and Development ServicesApplication

1. The Western Australian Planning Commission (WAPC) has released an amended draft State Planning Policy No. 4.1 entitled 'State Industrial Buffer Policy', July 2009, which is released for public comment until Monday 14 September 2009.
2. Council consideration is required to:
  - a) Receive the information in this report; and
  - b) Consider the City's comments on the draft 'State Industrial Buffer Policy'.

Background

1. State Planning Policy (SPP) 4.1 was first gazetted in 1997 and has undergone amendment following further consultation with stakeholders and a public submission process undertaken in 2004.
2. The draft amended Policy provides a consistent state wide approach to the consideration of buffer issues during planning decision making. It facilitates the protection of industrial activities and essential infrastructure and provides for the safety and amenity of surrounding land uses. The objectives of the draft amended Policy are as follows:
  - a) Avoid conflict between industry and/or essential infrastructure and sensitive land uses;
  - b) Protect industry and/or essential infrastructure from encroachment by those land uses that would be sensitive to impacts and adversely impact the efficient operations;
  - c) Provide for the development of industry and/or the provision of essential infrastructure in a way that maximises the amenity, minimises environmental and health impacts and takes account of risk to nearby sensitive land uses; and
  - d) Promote compatible uses in areas affected by off-site impacts of industry and/or essential infrastructure.
3. It is also noted that a separate annexure of the Policy deals with requirements relating to wastewater infrastructure.

Comment

1. It is considered that the draft amended Policy provides clear guidance for new industrial areas, however lacks clear guidance on how and when the Policy will be triggered with respect to existing industrial areas such as those in the suburbs of Bayswater, Morley and Maylands.
2. In addition to the above, it is considered that the draft amended Policy does not provide guidance with respect to new development in existing residential areas adjacent to present industrial areas or new development in existing industrial areas, which are existent within the City. It is considered that the Policy should address how it will impact on the following development scenarios:

- (a) Small to medium subdivisions within residential areas adjacent to existing industrial areas;
- (b) Development applications for residential development adjacent to existing industrial areas;
- (c) The rezoning of land adjacent to existing industrial areas; and
- (d) Development applications for existing non-industrial uses within or adjacent to existing industrial areas, such as schools.

#### Summary

1. It is considered appropriate that the WAPC be advised that the Council provide in principle support to the draft amended State Planning Policy 4.1 subject to the Policy addressing how the Policy will impact on the following development scenarios:
  - a) Small to medium subdivisions within residential areas adjacent to existing industrial areas;
  - b) Development applications for residential development adjacent to existing industrial areas;
  - c) The rezoning of land adjacent to existing industrial areas; and
  - d) Development applications for existing non-industrial uses within or adjacent to existing industrial areas, such as schools.

#### Voting Requirements

Simple Majority Required.

#### COUNCIL RESOLUTION (OFFICER'S RECOMMENDATION)

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that:**

1. **The Council receive the information in this report relating to draft amended 'State Planning Policy 4.1 – State Industrial Buffer', Western Australian Planning Commission, July 2009.**
2. **The City advise the Western Australian Planning Commission (WAPC) that Council support in principle the draft amended State Planning Policy 4.1 State Industrial Buffer subject to the Policy addressing how the Policy will impact on the following development scenarios:**
  - a) **Small to medium subdivisions within residential areas adjacent to existing industrial areas;**
  - b) **Development applications for residential development adjacent to existing industrial areas;**
  - c) **The rezoning of land adjacent to existing industrial areas; and**
  - d) **Development applications for existing non-industrial uses within or adjacent to existing industrial areas, such as schools.**

**CARRIED BY EN BLOC RESOLUTION**



**14 BUSINESS – FINANCIAL SERVICES****14.1 Financial Reports for Period Ending 31 July 2009****Officer: Director of Finance**Application

To inform Council of the financial statements for the period ending 31 July 2009.

Background

The financial statements for the reporting period are submitted in the form of :

- Rate Setting Statement
- Financial Activity Statement Report
- Net Current Asset Position
- Reserve Fund Statement
- Summary Schedule of Divisional Financial Activity
- Divisional Summaries

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that the financial reports for the period ending 31 July 2009 be received.**

**CARRIED BY EN BLOC RESOLUTION**

<b>CITY OF BAYSWATER</b>			
<b>FINANCIAL ACTIVITY STATEMENT REPORT</b>			
<b>FOR THE PERIOD 1 JULY 2009 TO 31 JULY 2009</b>			
			<b>% OF YEAR 8.49%</b>
<b>REVENUE</b>	<b>ADOPTED BUDGET 2009-2010</b>	<b>ACTUAL</b>	<b>% BUDGET</b>
General Purpose Funding	29,248,977	26,416,253	90.32
Law Order & Public Safety	220,650	13,315	6.03
Health	74,000	650	0.88
Welfare & Education	7,576,897	721,586	9.52
Housing	71,215	8,803	12.36
Community Amenities	7,590,367	6,829,076	89.97
Recreation & Culture	4,967,940	349,150	7.03
Transport	295,500	25,820	8.74
Economic Services	526,700	68,820	13.07
Other Property & Services	101,500	33,528	33.03
<b>LESS</b>	<b>\$50,673,746</b>	<b>\$34,467,001</b>	<b>68.02</b>
<b>OPERATING EXPENDITURE</b>			
General Purpose Funding	585,210	95,088	16.25
Governance/Admin	4,622,661	243,404	5.27
Law Order & Public Safety	1,669,663	117,668	7.05
Health	1,177,046	69,772	5.93
Welfare & Education	11,563,077	677,223	5.86
Housing	211,350	20,092	9.51
Community Amenities	8,353,701	625,812	7.49
Recreation & Culture	22,852,033	1,322,809	5.79
Transport	5,960,745	445,419	7.47
Economic Services	1,975,825	113,306	5.73
Other Property & Services	1,873,375	138,951	7.42
	<b>\$60,844,686</b>	<b>\$3,869,544</b>	<b>6.36</b>
<b>ADD</b>			
<b>CONTRIBUTIONS/GRANTS FOR THE DEVELOPMENT OF ASSETS</b>			
General Purpose Funding	472,438		
Recreation & Culture	10,171,495		
Transport	1,039,506		
Economic Services	180,000		
	<b>\$11,863,439</b>	<b>\$0</b>	
<b>Funding for Operations</b>	<b>\$1,692,499</b>	<b>\$30,597,457</b>	
<b>ADD</b>			
<b>DISPOSAL OF ASSETS</b>	\$441,000	\$49,839	
<b>RESERVES MOVEMENT</b>	\$5,956,752	(\$34,250)	
<b>PRINCIPAL LOAN RECOVERIES</b>	\$58,040		
<b>EMPLOYEE PROVISIONS</b>	\$294,500		
<b>DEPRECIATION</b>	\$16,029,661	\$1,019,369	
	<b>\$22,779,953</b>	<b>\$1,034,958</b>	
<b>LESS</b>			
<b>CAPITAL EXPENDITURE</b>	\$28,394,163	\$343,870	
<b>REPAYMENT OF DEBT</b>	\$409,151	\$4,591	
<b>PROFIT/LOSS ON DISPOSAL OF ASSETS</b>	(\$96,162)		
	<b>\$28,707,152</b>	<b>\$348,461</b>	
<b>OPENING BALANCE</b>	<b>\$4,234,700</b>	<b>\$12,775,729</b>	
<b>CLOSING BALANCE</b>	<b>\$0</b>	<b>\$44,059,683</b>	

<b>NET CURRENT ASSET POSITION AS AT 31 JULY 2009</b>		
	<b>2009/2010</b>	<b>2008/2009</b>
<b>SURPLUS SUMMARY REPRESENTED BY</b>		
CASH AT BANK AS AT 31 JULY 2009	\$21,240,900	\$17,808,710
DEBTORS/INCOME DUE NOT RECEIVED	\$39,356,889	\$32,655,896
STOCK	\$115,225	\$134,003
PREPAID EXPENSES	<u>\$189,491</u>	<u>\$259,436</u>
	\$60,902,505	\$50,858,045
G.S.T. CLEARING ACCOUNT (Cleared at time of lodging B.A.S. return )	\$343,892	\$318,899
FIRE & SERVICES LEVY CREDITORS	(\$4,961,192) (\$1,986,319)	(\$4,570,851) (\$3,851,114)
Deferred Movement - Pensioners/Other		\$10,698
Aged Persons Homes	\$2,815,161	\$58,095
<b>BALANCE AS AT 31 July 2009 As Per Summary of Divisional Activity</b>	<b>\$57,114,047</b>	<b>\$42,823,772</b>
<b>LESS RESTRICTED ASSETS</b>		
RESERVES - GENERAL	\$10,201,103	\$8,479,733
RESERVES - AGED	\$2,853,261	
<b>CLOSING BALANCE AS AT 31 July 2009 AS PER FINANCIAL ACTIVITY REPORT</b>	<b>\$44,059,683</b>	<b>\$34,344,039</b>

**RESERVE FUND BUDGET 2009-2010**

TITLE	OPENING BALANCE 01-Jul-09		INTEREST EARNED		TRANSFERS TO RESERVES		REQUIREMENTS		BALANCE 30-June-10	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Property Building & Equipment	42,544	42,624	1,702	145	254,500		219,500		79,246	42,769
Bore & Reticulation	97,295	97,385	6,885	331					104,180	97,716
Grounds Facilities Lighting	195,500	121,305		412			180,080		15,420	121,717
Long Service Leave	305,739	206,095	12,230	412					317,969	206,507
Plant & Equipment					1,083,000					
Building Upgrade	379,704	328,629	15,188	1,116			267,543		127,349	329,745
Workers Compensation	851,602	851,590	34,064	2,893					885,666	854,483
Morley Recreation Centre										
Major Capital Works	8,671,695	8,397,332	250,000	28,528	2,194,390		8,898,601		2,217,484	8,425,860
Alma Vennille Rec Centre	37,356	37,452	1,494	127					38,850	37,579
Bayswater Aquatic Centre Replacements	1,602	1,602	61	5					1,663	1,607
Maylands Waterland	13,051	13,046	522	44					13,573	13,090
Gratuity Reserve	69,674	69,793	2,787	237					72,461	70,030
Computer, PC, Laptop Replacements										
<b>Total Municipal Operations</b>	<b>\$ 10,665,762</b>	<b>\$ 10,166,853</b>	<b>\$ 324,933</b>	<b>\$ 34,250</b>	<b>\$ 3,531,890</b>	<b>\$ -</b>	<b>\$ 10,648,724</b>	<b>\$ -</b>	<b>\$ 3,873,961</b>	<b>\$ 10,201,103</b>



**BUDGET 2009-2010**  
**CHIEF EXECUTIVE OFFICE**  
**31-Jul-09**

Description	% OF YEAR				8.49%
	Revised Budget	Actual	Committed	Total	%
<u>Operating Income</u>					
SS10100 Members of Council	-\$10,000	-\$23	\$0		0.00%
<b>Total Operating Income</b>	<b>-\$10,000</b>	<b>-\$23</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00%</b>
<u>Operating Expenditure</u>					
SS10100 Members of Council	\$902,380	\$20,749	\$17,820	\$38,569	4.27%
SS10120 Chief Executive Officer's Office	\$931,824	\$24,935	\$1,387	\$26,321	2.82%
SS10200 Human Resources	\$473,301	\$24,655	\$1,388	\$26,043	5.50%
SS10210 Occupational Health & Safety	\$102,502	\$5,249	\$318	\$5,567	5.43%
<u>Maintenance Costs</u>					
<b>Total Operating Expenditure</b>	<b>\$2,410,007</b>	<b>\$75,588</b>	<b>\$20,913</b>	<b>\$96,501</b>	<b>4.00%</b>
<b>Total Chief Executive Office</b>	<b>\$2,400,007</b>	<b>\$75,565</b>	<b>\$20,913</b>	<b>\$96,501</b>	<b>4.02%</b>

**BUDGET 2009-2010**  
**ADMINISTRATION & COMMUNITY SERVICES**

**31-Jul-09**

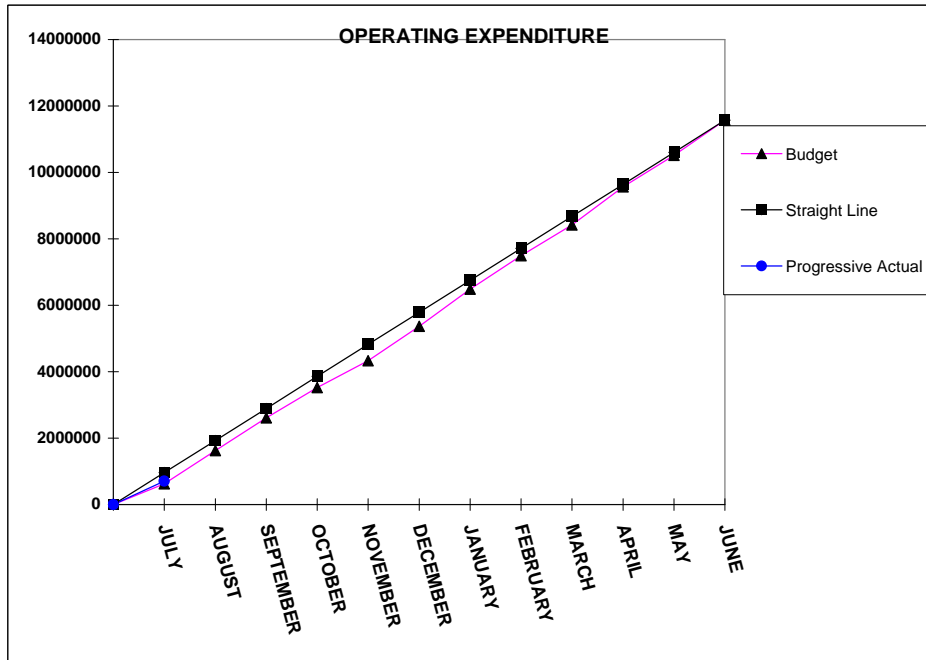
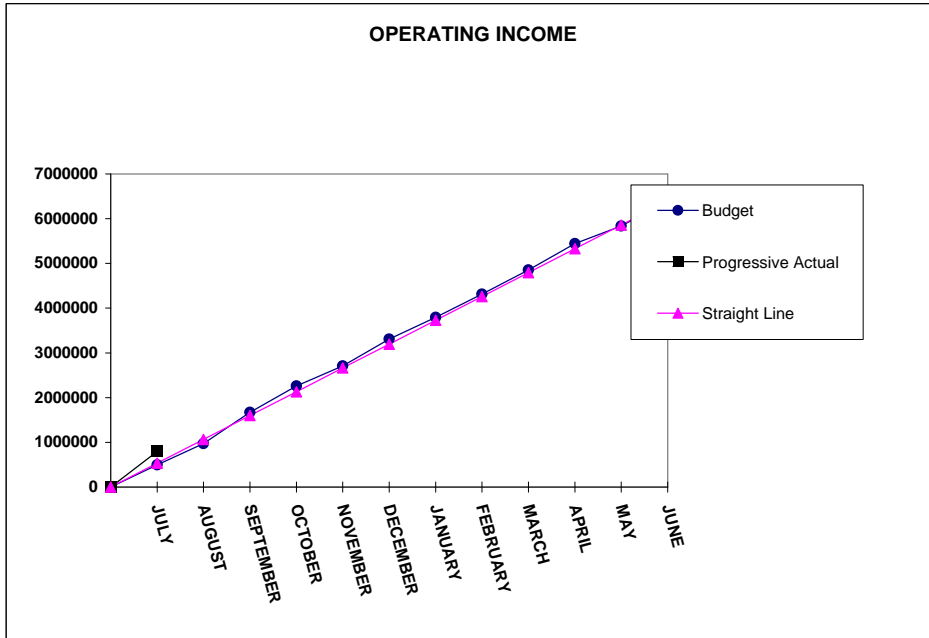
Description	% OF YEAR				8.49%
	Revised Budget	Actual	Committed	Total	
<b>Operating Income</b>					
SS10300 General Administration	-\$42,700	-\$23	\$0	-\$23	0.05%
SS10301 Records Administration	-\$450	-\$60	\$0	-\$60	13.33%
SS10400 Rangers	-\$20,000	-\$2,491	\$0	-\$2,491	12.46%
SS10405 Security Watch	-\$80,000	\$0	\$0	\$0	0.00%
SS10410 Animal Control	-\$81,000	-\$3,824	\$0	-\$3,824	4.72%
SS10420 Parking Facilities	-\$72,500	-\$3,413	\$0	-\$3,413	4.71%
SS10600 Bayswater Waves	-\$2,811,290	-\$186,449	\$0	-\$186,449	6.63%
SS10610 Maylands Waterland	-\$131,000	\$0	\$0	\$0	0.00%
SS10700 Bayswater Library	-\$5,200	-\$819	\$0	-\$819	15.75%
SS10705 Maylands Library	-\$8,300	-\$1,316	\$0	-\$1,316	15.86%
SS10710 Morley Library	-\$22,375	-\$2,678	\$0	-\$2,678	11.97%
SS10801 Other Recreation & Sport	-\$171,495	\$0	\$0	\$0	0.00%
SS10805 Embleton Golf Course	-\$425,000	-\$28,045	\$0	-\$28,045	6.60%
SS10810 Maylands Golf Course	-\$1,102,200	-\$84,611	\$0	-\$84,611	7.68%
SS11000 Community Programmes	-\$149,000	-\$347	\$0	-\$347	0.23%
SS11105 Bayswater Senior Citizens	-\$5,000	-\$355	\$0	-\$355	7.09%
SS11106 Morley Senior Cits	-\$5,300	-\$782	\$0	-\$782	14.75%
SS11107 Maylands Autumn Ctre	-\$4,500	-\$284	\$0	-\$284	6.30%
SS11110 Bayswater Podiatry	-\$28,392	-\$1,703	\$0	-\$1,703	6.00%
SS11111 Morley Podiatry	-\$52,052	-\$2,914	\$0	-\$2,914	5.60%
SS11112 Maylands Podiatry	-\$20,280	-\$754	\$0	-\$754	3.72%
SS11115 Community Housing	-\$650	\$0	\$0	\$0	0.00%
SS11130 Community Bus	-\$2,000	-\$509	\$0	-\$509	25.44%
SS11145 Other Community Services	-\$7,500	\$0	\$0	\$0	0.00%
SS11210 Other Admin & Comm Service	-\$20,000	-\$5,185	\$0	-\$5,185	25.93%
SS11300 HAAC Program - Administratio	-\$124,729	-\$10,405	\$0	-\$10,405	8.34%
SS11301 Meals on Wheels	-\$386,136	-\$44,103	\$0	-\$44,103	11.42%
SS11302 Adult Day Services	-\$220,775	-\$58,444	\$0	-\$58,444	26.47%
SS11303 Aged in Home Care	-\$256,966	-\$60,479	\$0	-\$60,479	23.54%
SS11305 BLIS	-\$178,659	-\$38,359	\$0	-\$38,359	21.47%
SS11306 Social Support Prg	-\$295,193	-\$69,235	\$0	-\$69,235	23.45%
SS11307 HACC Program Transport	-\$165,687	-\$46,145	\$0	-\$46,145	27.85%
SS11308 Food Preparation	-\$91,981	-\$27,570	\$0	-\$27,570	29.97%
SS11310 Counselling Support	-\$68,611	-\$20,565	\$0	-\$20,565	29.97%
SS11311 Client Care	-\$10,243	-\$3,070	\$0	-\$3,070	29.97%
SS10800 Recreation & Sport	-\$176,400	-\$78,561	\$0	-\$78,561	44.54%
SS11115 Community Housing	-\$60,865	-\$7,955	\$0	-\$7,955	13.07%
SS11120 Rental Council Properties	-\$9,700	-\$2,844	\$0	-\$2,844	29.32%
SS11201 Pre-Schools	-\$26,600	-\$1,684	\$0	-\$1,684	6.33%
<b>Total Operating Income</b>	<b>-\$7,340,729</b>	<b>-\$795,981</b>	<b>\$0</b>	<b>-\$795,981</b>	<b>10.84%</b>

**BUDGET 2009-2010**  
**ADMINISTRATION & COMMUNITY SERVICES**  
**31-Jul-09**

Description	% OF YEAR				
	Revised Budget	Actual	Committed	Total	%
<b>Operating Expenditure</b>					
SS10300 General Administration	\$1,035,351	\$58,997	\$48,139	\$107,137	10.35%
SS10301 Records Administration	\$448,584	\$22,706	\$2,414	\$25,120	5.60%
SS10400 Rangers	\$216,927	\$21,807	\$3,400	\$25,207	11.62%
SS10405 Security Watch	\$895,436	\$71,484	\$1,551	\$73,035	8.16%
SS10410 Animal Control	\$200,407	\$9,923	\$256	\$10,179	5.08%
SS10420 Parking Facilities	\$171,457	\$8,326	\$0	\$8,326	4.86%
SS10600 Bayswater Waves	\$2,920,151	\$214,623	\$112,447	\$327,070	11.20%
SS10610 Maylands Waterland	\$161,638	\$5,250	\$21,511	\$26,761	16.56%
SS10700 Bayswater Library	\$413,641	\$26,291	\$8,783	\$35,073	8.48%
SS10705 Maylands Library	\$419,266	\$27,710	\$6,663	\$34,373	8.20%
SS10710 Morley Library	\$752,772	\$47,528	\$12,429	\$59,956	7.96%
SS10800 Recreation & Sport	\$6,920	\$2,882	\$0	\$2,882	41.65%
SS10801 Other Recreation & Sport	\$570,973	\$29,336	\$2,809	\$32,145	5.63%
SS10805 Embleton Golf Course	\$102,490	\$43	\$251	\$294	0.29%
SS10810 Maylands Golf Course	\$115,200	\$256	\$251	\$506	0.44%
SS11000 Community Programmes	\$359,600	\$19,029	\$71,210	\$90,239	25.09%
SS11100 Community Services Administr	\$194,467	\$11,293	\$96	\$11,389	5.86%
SS11105 Bayswater Senior Citizens	\$46,837	\$3,293	\$0	\$3,293	7.03%
SS11106 Morley Senior Cits	\$46,583	\$3,262	\$159	\$3,422	7.35%
SS11107 Maylands Autumn Ctre	\$45,106	\$3,168	\$0	\$3,168	7.02%
SS11110 Bayswater Podiatry	\$26,826	\$926	\$5,403	\$6,330	23.59%
SS11111 Morley Podiatry	\$44,560	\$1,387	\$10,750	\$12,137	27.24%
SS11112 Maylands Podiatry	\$28,600	\$60	\$7,015	\$7,075	24.74%
SS11115 Community Housing	\$66,664	\$8,834	\$0	\$8,834	13.25%
SS11125 Youth Services	\$223,200	\$136	\$13,918	\$14,054	6.30%
SS11130 Community Bus	\$33,200	\$992	\$490	\$1,482	4.46%
SS11140 Community Events	\$119,500	\$1,772	\$0	\$1,772	1.48%
SS11145 Other Community Services	\$7,500	\$145	\$0	\$145	1.93%
SS11200 Education	\$13,100	\$0	\$0	\$0	0.00%
SS11210 Other Admin & Comm Service	\$15,450	\$47	\$4,985	\$5,032	32.57%
SS11300 HAAC Program - Administratio	\$172,835	\$18,773	\$0	\$18,773	10.86%
SS11301 Meals on Wheels	\$400,059	\$18,669	\$34,655	\$53,324	13.33%
SS11302 Adult Day Services	\$314,833	\$9,695	\$2,811	\$12,506	3.97%
SS11303 Aged in Home Care	\$321,778	\$16,860	\$512	\$17,372	5.40%
SS11304 Volunteers	\$0	\$0	\$2,180	\$2,180	
SS11305 BLIS	\$256,139	\$14,594	\$891	\$15,485	6.05%
SS11306 Social Support Prg	\$70,743	\$4,119	\$0	\$4,119	5.82%
SS11307 HACC Program Transport	\$100,958	\$7,187	\$150	\$7,337	7.27%
SS11308 Food Preparation	\$98,782	\$5,389	\$0	\$5,389	5.46%
SS11310 Counselling Support	\$79,696	\$5,180	\$0	\$5,180	6.50%
SS11311 Client Care	\$51,992	\$3,226	\$0	\$3,226	6.21%
<b>Maintenance Costs</b>					
<b>Total Operating Expenditure</b>	<b>\$11,570,221</b>	<b>\$705,198</b>	<b>\$376,129</b>	<b>\$1,081,327</b>	<b>9.35%</b>
<b>Total Admin &amp; Community Services</b>	<b>\$4,229,492</b>	<b>-\$90,782</b>	<b>\$376,129</b>	<b>\$285,346</b>	



ADMINISTRATION & COMMUNITY SERVICES



## Capital Works Expenditure as at 31 July 2009

Description	Budget	Revised Budget	Actuals	Commtiments	Total	% Variance
<b>Division: 10 - Administration &amp; Community Services</b>						
<b>SS18000 - Furniture &amp; Equipment</b>						
F10000 - Honour Board	10,000	10,000	0	0	0	0%
F10100 - PA Remote Paging Console	5,500	5,500	0	0	0	0%
<b>Sub Total</b>	<b>15,500</b>	<b>15,500</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>SS18010 - Computer Development</b>						
F10300 - COMPUTING	254,500	254,500	0	93,896	93,896	37%
<b>Sub Total</b>	<b>254,500</b>	<b>254,500</b>	<b>0</b>	<b>93,896</b>	<b>93,896</b>	<b>37%</b>
<b>SS18015 - Ranger &amp; Security Services</b>						
F10200 - Dog Exercise Signs City Wide	8,000	8,000	0	0	0	0%
F10400 - Cctv Installation	72,000	72,000	0	0	0	0%
<b>Sub Total</b>	<b>80,000</b>	<b>80,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>SS18020 - Recreation Development</b>						
F10500 - Noranda Sporting Complex	12,000	12,000	0	0	0	0%
F10600 - Wotton/Crimea Skate Park	20,000	20,000	0	0	0	0%
F10700 - Wotton/Crimea Skate Park	10,000	10,000	0	0	0	0%
F10800 - Playground Upgrades	170,000	170,000	7,500	0	7,500	4%
F10900 - Bayswater Bowling Club	12,000	12,000	0	0	0	0%
F11000 - Soccer Goal Replacement Programme	10,000	10,000	0	0	0	0%
F11100 - Lower Hillcrest, Shearn, RA Cooke, De-Lacy	10,000	10,000	0	0	0	0%
F11200 - Maylands Bowling Club	15,000	15,000	0	0	0	0%
F11300 - Noranda Sporting Complex	260,000	260,000	0	0	0	0%
F11400 - Houghton Reserve	300,000	300,000	0	0	0	0%
F11500 - Robert Thompson Reserve	140,000	140,000	0	0	0	0%
F11600 - Events Infrastructure Tents	6,000	6,000	0	0	0	0%
F11700 - Les hansman	15,000	15,000	0	0	0	0%
F34100 - Bedford Mens Softball	6,000	6,000	0	0	0	0%
<b>Sub Total</b>	<b>986,000</b>	<b>986,000</b>	<b>7,500</b>	<b>0</b>	<b>7,500</b>	<b>1%</b>

## Capital Works Expenditure as at 31 July 2009

<i>Description</i>	<i>Budget</i>	<i>Revised Budget</i>	<i>Actuals</i>	<i>Committments</i>	<i>Total</i>	<i>% Variance</i>
<b>Division: 10 - Administration &amp; Community Services</b>						
<b>SS18030 - Bayswater Waves - Furniture &amp; Equipment</b>						
F11800 - Scum Grates	39,000	39,000	0	0	0	0%
F11900 - Auto Pool Cleaner	14,545	14,545	0	0	0	0%
F12000 - First Aid Equipment	1,950	1,950	0	1,633	1,633	84%
F12100 - Free Weight Discs	9,988	9,988	0	0	0	0%
F12200 - Rubber Floor Tiles	2,000	2,000	0	0	0	0%
F12300 - Stereo System	7,920	7,920	0	0	0	0%
F12400 - Treadmills (10)	161,400	161,400	0	0	0	0%
<b>Sub Total</b>	<b>236,803</b>	<b>236,803</b>	<b>0</b>	<b>1,633</b>	<b>1,633</b>	<b>1%</b>
<b>SS18040 - Bayswater Library Furniture &amp; Equipment</b>						
F12900 - Signage	1,650	1,650	0	0	0	0%
F13000 - Childrens Play Panels	1,300	1,300	0	0	0	0%
<b>Sub Total</b>	<b>2,950</b>	<b>2,950</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>SS18050 - Morley Library Furniture &amp; Equipment</b>						
F12700 - Data Projector	2,100	2,100	0	0	0	0%
F12800 - Customer Service Desk	17,800	17,800	0	0	0	0%
<b>Sub Total</b>	<b>19,900</b>	<b>19,900</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>SS18060 - Maylands Library Furniture &amp; Equipment</b>						
F13100 - LCD Television	1,100	1,100	0	0	0	0%
<b>Sub Total</b>	<b>1,100</b>	<b>1,100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>SS20150 - Community Services - Capital</b>						
F33800 - Noranda Senior Citizens Feasibility	10,000	10,000	0	0	0	0%
<b>Sub Total</b>	<b>10,000</b>	<b>10,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>SS20190 - Maylands Waterland - Equipment</b>						
F12500 - Mini Golf	12,100	12,100	0	0	0	0%
F12600 - Park Furniture	30,000	30,000	0	30,300	30,300	101%
<b>Sub Total</b>	<b>42,100</b>	<b>42,100</b>	<b>0</b>	<b>30,300</b>	<b>30,300</b>	<b>72%</b>
<b>Administration &amp; Community Services Total</b>	<b>1,648,853</b>	<b>1,648,853</b>	<b>7,500</b>	<b>125,829</b>	<b>133,329</b>	<b>8%</b>

## CAPITAL WORKS PROGRAMME BROUGHT FORWARD 1 JULY 2009

Cap Ex	Natur.	Description	Adopted Budget	Revised Budget (Subject to Audit)	Actual	Committed	Total
<b>C=2006/2007, D = 2007/2008, E= 2008/2009</b>							
<b>Administration &amp; Community Services</b>							
<b>Sub Section: SS18010 - Computer Development</b>							
D33200	6999	Computing	\$41,895	\$0	\$0	\$11,886	\$11,886
E10300	6999	COMPUTING	\$0	\$0	\$0	\$0	\$0
Sub Total			\$41,895	\$0	\$0	\$11,886	\$11,886
<b>Sub Section: SS18020 - Recreation Development</b>							
D11400	6999	Grand Prom Lighting Upgrade	\$0	\$11,280	\$0	\$11,280	\$11,280
D11700	6999	Frank Drago Pitch and Lighting upgrade	\$20,000	\$17,873	\$0	\$8,933	\$8,933
E11000	6999	Wotton Reserve lighting	\$10,000	\$84,281	\$0	\$110,008	\$110,008
E11400	6999	Dirt Jump Maintenance/Audit	\$10,000	\$0	\$0	\$0	\$0
E11700	6999	Maylands Bowling Club – green upgrad	\$0	\$2,764	\$2,764	\$0	\$2,764
E11800	6999	Trim Trail Equipment	\$40,040	\$50,000	\$0	\$9,960	\$9,960
E12100	6999	Riverside Gardens - Exercise Stations	\$50,000	\$0	\$0	\$50,000	\$50,000
Sub Total			\$130,040	\$166,198	\$2,764	\$190,181	\$192,945
<b>Sub Section: SS18030 - Bayswater Waves - Furniture &amp; Equipment</b>							
D12400	6999	Health Equipment	\$88,712	\$0	\$0	\$0	\$0
Sub Total			\$88,712	\$0	\$0	\$0	\$0
<b>Sub Section: SS18070 - Public Open Space Capital Development</b>							
C17100	6999	POS Silverwood Reserve	\$1,029	\$0	\$0	\$0	\$0
C17500	6999	POS Puntie Cres Reserve	\$14,024	\$0	\$0	\$0	\$0
C17600	6999	POS Anchorage Park Resv	\$524	\$0	\$0	\$0	\$0
Sub Total			\$15,577	\$0	\$0	\$0	\$0
<b>Sub Section: SS20180 - Security Services</b>							
E25300	6999	2 x Bollard camera packs inclusive of in	\$22,387	\$0	\$0	\$0	\$0
Sub Total			\$22,387	\$0	\$0	\$0	\$0
<b>Total</b>			<b>\$298,611</b>	<b>\$166,198</b>	<b>\$2,764</b>	<b>\$202,067</b>	<b>\$204,831</b>

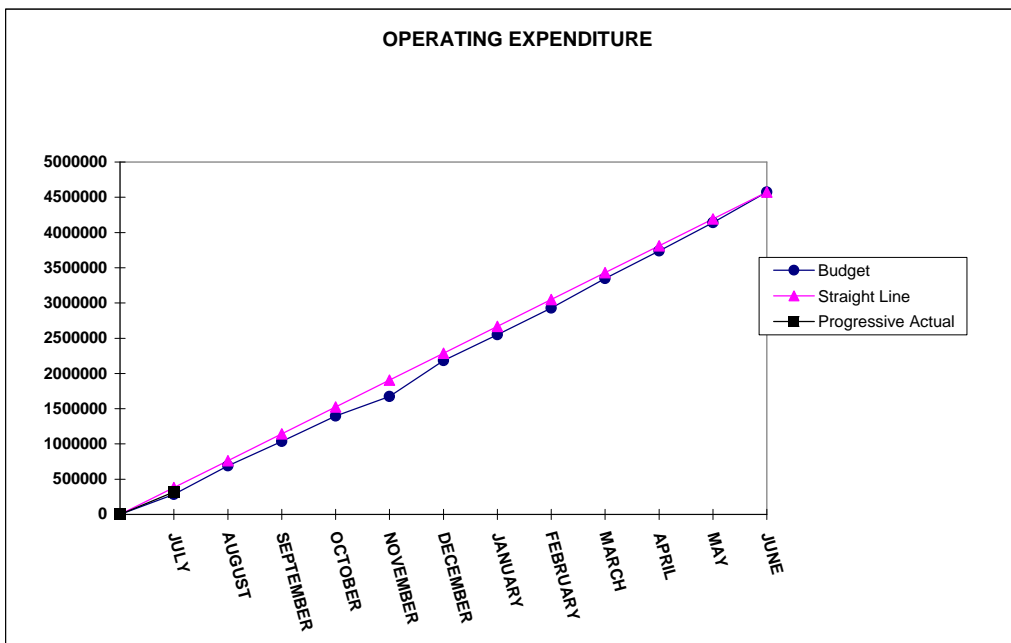
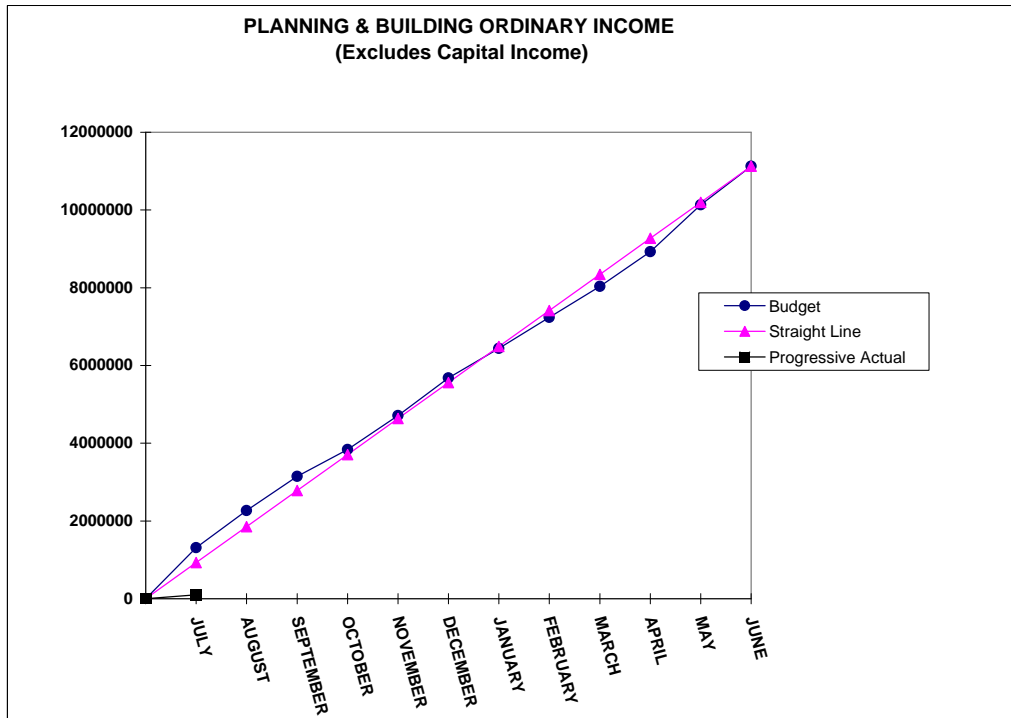
**BUDGET 2009-2010  
PLANNING & DEVELOPMENT SERVICES**

**31-Jul-09**

**% OF YEAR      8.49%**

<i>Description</i>	<i>Revised Budget</i>	<i>YTD Actual</i>	<i>Committed</i>	<i>Total_1</i>	<i>%</i>
<b>Operating Revenue</b>					
SS11700 - Planning & Building Services	-10,218,000	0	0	0	0.00%
SS13500 - Planning Department	-381,100	-34,439	0	-34,439	9.04%
SS13600 - Building Department	-525,200	-68,820	0	-68,820	13.10%
Revenue Sub Total	<b>-\$11,124,300</b>	<b>-\$103,259</b>	<b>\$0</b>	<b>-\$103,259</b>	<b>0.93%</b>
<b>Operating Expenditure</b>					
700 - Building Maintenance	419,900	6,589	19,807	26,397	6.29%
750 - Special Building Mntce	305,500	13,647	48,975	62,622	20.50%
800 - Cleaning Maintenance	428,800	34,030	8,257	42,287	9.86%
900 - Preventative Maintenance	477,580	9,417	34,905	44,322	9.28%
4123 - Electricity Charges	564,177	12,071	0	12,071	2.14%
4125 - Water	144,809	98,084	0	98,084	67.73%
4126 - Gas	12,828	196	0	196	1.53%
SS13500 - Planning Department	1,234,430	76,825	35,393	112,219	9.09%
SS13600 - Building Department	986,848	66,584	1,137	67,722	6.86%
Expenditure Sub Total	<b>\$4,574,872</b>	<b>\$317,442</b>	<b>\$148,475</b>	<b>\$465,917</b>	<b>10.18%</b>
<b>Total Planning &amp; Development Services</b>					
	<b>-6,549,428</b>	<b>214,183</b>	<b>148,475</b>	<b>362,658</b>	

PLANNING & DEVELOPMENT SERVICES



## Capital Works Expenditure as at 31 July 2009

Description	Budget	Revised Budget	Actuals	Commitments	Total	Variance	%	
<b>Division: 20 - Planning &amp; Development Services</b>								
<b>SS19010 - Bayswater Waves Building Improvements</b>								
F18400	Bayswater Waves	Paint grandstand	85,000	85,000	0	0	0%	
F18500	Bayswater Waves	Re-carpet office sp	5,000	5,000	0	0	0%	
F18600	Bayswater Waves	Upgrade showers -	40,000	40,000	0	0	0%	
F18700	Bayswater Waves	Upgrade urinals – €	20,000	20,000	0	0	0%	
F18800	Bayswater Waves	Fridge cabinet (Caf	8,000	8,000	0	0	0%	
<b>Sub Total</b>			<b>158,000</b>	<b>158,000</b>	<b>0</b>	<b>0</b>	<b>0%</b>	
<b>SS19020 - Building Constructuon/Upgrades</b>								
F14200	Administration	Safety rails near pc	8,000	8,000	0	0	0%	
F14300	Bayswater Family Centre	New stove	6,000	6,000	0	0	0%	
F14400	Bayswater Infant Health	New airconditioner	2,000	2,000	1,200	364	78%	
F14500	Halliday Park	Upgrade external f	50,000	50,000	0	0	0%	
F14600	Bayswater Library	New sign at front of	2,000	2,000	0	0	0%	
F14700	Bayswater Senior Citizens	New roof	30,000	30,000	0	0	0%	
F14800	Bayswater Senior Citizens	New vinyl in hairdre	2,500	2,500	0	0	0%	
F14900	Bayswater Senior Citizens	Repaint internal wa	4,000	4,000	0	0	0%	
F15000	Bayswater Senior Citizens	Bliss Centre – new	1,000	1,000	0	0	0%	
F15100	Bayswater Tennis Club	New doors	15,000	15,000	0	0	0%	
F15200	Bayswater Post Office	Paint exterior	37,000	37,000	0	0	0%	
F15400	Carramar Community Centre	New airconditioner	17,000	17,000	0	0	0%	
F15500	Crimea Reserve	Upgrade electrical	3,000	3,000	0	0	0%	
F15600	Drill Hall	New airconditioner	10,000	10,000	0	0	0%	
F15800	Embleton Golf Course	Airconditioner	8,000	8,000	0	0	0%	
F15900	Embleton Golf Course	Repair damp in wal	2,000	2,000	0	0	0%	
F16000	Embleton Golf Course	Redirect drainage &	10,000	10,000	0	0	0%	
F16100	Frank Drago	Structural repairs	30,000	30,000	0	0	0%	
F16200	Halliday House	Tuck point exterior	8,000	8,000	0	0	0%	
F16300	Hampton Square	Sewer connection	6,000	6,000	0	0	0%	
F16400	Hinds Reserve – Rowing Shed	New faade	15,000	15,000	0	0	0%	
F16500	Les Hansman	Security roller shutt	1,000	1,000	0	0	0%	
F16600	Lightning Park	urinals	8,000	8,000	0	0	0%	
F16700	Maylands Autumn Centre	New pergola outsid	7,060	7,060	0	0	0%	
F16800	Maylands Autumn Centre	New roof to cover s	7,060	7,060	0	0	0%	
F16900	Maylands Autumn Centre	New windows treat	8,000	8,000	0	0	0%	
F17000	Maylands Autumn Centre	New curtains for st	15,000	15,000	0	0	0%	
F17100	Maylands Brickworks	Structural Audit	8,000	8,000	0	0	0%	
F17200	Maylands Brickworks	Coat exterior face t	10,000	10,000	0	0	0%	
F17300	Maylands Golf Course	Airconditioner in of	15,000	15,000	0	0	0%	
F17400	Maylands Golf Course	Repair post	35,000	35,000	0	17,888	51%	
F17500	Maylands Sport & Recreation C	Upgrade kitchen	32,000	32,000	0	0	0%	
F17600	Maylands Sport & Recreation C	Upgrade Entry Stat	50,000	50,000	0	0	0%	
F17800	Morley Library	Upgrade exterior lic	3,000	3,000	0	0	0%	
F17900	Morley Library	New exterior signa	2,000	2,000	0	0	0%	
F18000	Morley Senior Citizens	Glass sliding doors	2,500	2,500	0	0	0%	
F18100	Morley Senior Citizens	Renovate disabled	5,000	5,000	0	0	0%	
F18200	Olive Tree House	Audio intercom	1,500	1,500	0	0	0%	
F33100	Hampton Sq Scout Hall	Floor	10,000	10,000	0	0	0%	
<b>Sub Total</b>			<b>486,620</b>	<b>486,620</b>	<b>1,200</b>	<b>18,251</b>	<b>4%</b>	
<b>SS19030 - Major Capital Works</b>								
F13500	Bardon Park Precinct Plan Studies		50,000	50,000	0	0	0%	
F13600	Bardon Park Café	Tender	50,000	50,000	0	0	0%	
F13700	Riverside Gardens Café	Tender	50,000	50,000	0	0	0%	
F13800	Maylands Town Centre	Detailed Streetscap	0	0	0	0	0%	
F13900	Bayswater/Maylands Town Cen	Heritage Trails	50,000	50,000	0	0	0%	
F14000	Morley Town Centre	Detailed Streetscap	0	0	0	0	0%	
F14100	Maylands Multipurpose Centre		10,180,000	10,180,000	0	0	0%	
F32800	Beechboro Rd Drake st	Design	20,000	20,000	0	0	0%	
F32900	Walter Rd/Grand Prom	Investigate	20,000	20,000	0	0	0%	
F33000	Noranda Senior Citizens		0	0	0	0	0%	
Z10000	Maylands Multipurpose Centre		0	0	27,000	151,528	178,528	0%
<b>Sub Total</b>			<b>10,420,000</b>	<b>10,420,000</b>	<b>27,000</b>	<b>151,528</b>	<b>178,528</b>	<b>2%</b>
<b>Planning &amp; Development Services Total</b>			<b>11,064,620</b>	<b>11,064,620</b>	<b>28,200</b>	<b>169,780</b>	<b>197,980</b>	<b>2%</b>

## CAPITAL WORKS PROGRAMME BROUGHT FORWARD 1 JULY 2009

Cap Ex	Natur	Description	Adopted Budget	Revised Budget (Subject to Audit)	Actual	Committed	Total
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C=2006/2007, D = 2007/2008, E= 2008/2009

**Planning & Development Services****Sub Section: SS19010 - Bayswater Waves Building Improvements**

C40200	6999	Bayswater Waves - Major Improvement	\$292,704	\$497,958	\$159,633	\$341,665	\$501,298
E16200	6999	Fence	\$150,000	\$111,700	\$0	\$90,700	\$90,700
Sub Total			\$442,704	\$609,658	\$159,633	\$432,365	\$591,998

**Sub Section: SS19020 - Building Constructioun/Upgrades**

D13500	6999	Bayswater Senior Citizens	\$105,000	\$0	\$0	\$0	\$0
D14400	6999	Frank Drago Grandstand	\$45,831	\$34,169	\$0	\$34,724	\$34,724
D14800	6999	Les Hansman	\$26,400	\$0	\$0	\$0	\$0
D15800	6999	Peninsula Hotel	\$80,000	\$0	\$0	\$0	\$0
D35900	6999	Strutt Way Resv	\$13,091	\$0	\$0	\$0	\$0
D36400	6999	Cloughton Reserve Reserve - Toilets	\$30,537	\$0	\$0	\$0	\$0
D36500	6999	Maylands Library - Toilets	\$46,352	\$0	\$35,328	\$0	\$35,328
E11100	6999	Halliday Reserve upgrade	\$207,000	\$0	\$0	\$0	\$0
E15300	6999	Bedford Bowling Club	\$20,000	\$0	\$4,800	\$0	\$4,800
E15400	6999	Bayswater Tennis	\$10,000	\$0	\$0	\$18,182	\$18,182
E15500	6999	Bedford Bowling Club	\$2,310	\$1,768	\$0	\$0	\$0
E15600	6999	Robert Thompson Reserve	\$30,000	\$25,028	\$0	\$0	\$0
E15700	6999	Strutt Reserve	\$30,000	\$0	\$0	\$0	\$0
E15800	6999	Maylands Sportsmans (Bowling) Club	\$50,000	\$46,249	\$0	\$0	\$0
E16000	6999	Building Audit	\$50,000	\$0	\$0	\$0	\$0
Sub Total			\$746,521	\$107,214	\$40,128	\$52,905	\$93,033

**Sub Section: SS19030 - Major Capital Works**

C32300	6999	Henley Brook - Consulting	\$28,789	\$25,774	\$0	\$14,250	\$14,250
D12500	6999	Residential Density Review/Housing Str	\$100,000	\$0	\$0	\$0	\$0
D12600	6999	Town Planning Schemes	\$100,000	\$0	\$0	\$0	\$0
Sub Total			\$228,789	\$25,774	\$0	\$14,250	\$14,250

**Sub Section: SS19040 - Works Bfwd Planning & Development**

C33700	6999	Bayswater Senior Citizens - Replace Rc	\$10,000	\$0	\$0	\$0	\$0
C33800	6999	Bayswater Tennis Club - Retaining Wal	\$16,805	\$0	\$0	\$31,514	\$31,514
C36300	6999	Houghton Reserve (Upper) Upgrades	\$51,045	\$0	\$0	\$0	\$0
C38500	6999	Bardon Park Toilets	\$136,544	\$0	\$0	\$65,070	\$65,070
Sub Total			\$214,394	\$0	\$0	\$96,584	\$96,584

<b>Total</b>			<b>\$1,632,408</b>	<b>\$742,646</b>	<b>\$199,760</b>	<b>\$596,104</b>	<b>\$795,865</b>
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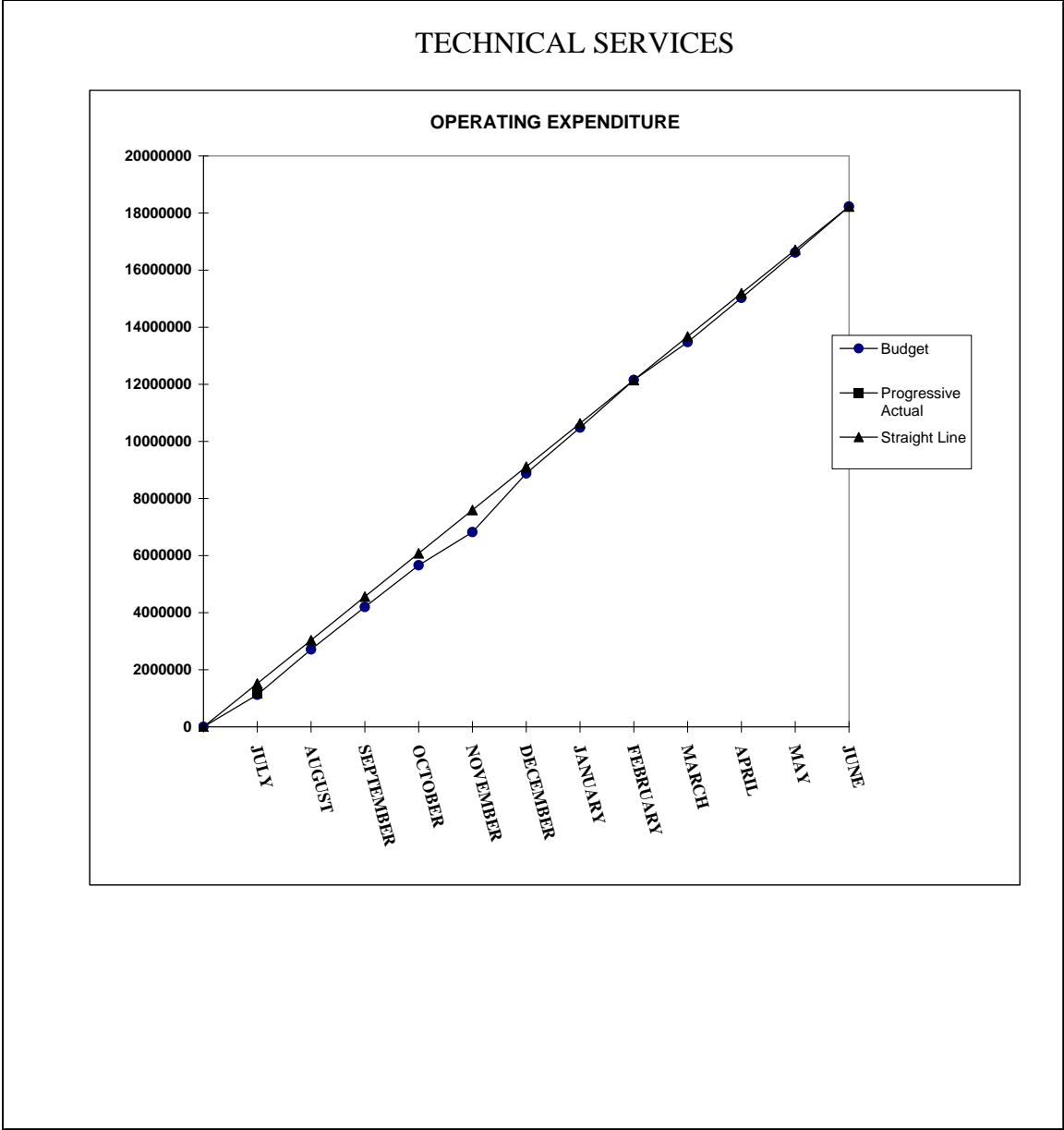
## DIVISIONAL BUDGET 2009-2010 TECHNICAL SERVICES

31-Jul-09

% OF YEAR

8.49%

Description	Budget 2008/2009	Actual	Committed	Total	%
<b>Income</b>					
SS11905 Health - Other	-1,800	0	0	0	0.00%
SS11910 BVES	-47,650	-9,566	0	-9,566	20.08%
SS11915 Prevent SVC. Immunisation	-41,000	-300	0	-300	0.73%
SS11916 Prevent SVC. Administration	-33,000	-350	0	-350	1.06%
SS12000 Public Works	0	-18,650	1,481	-17,169	
SS12100 Tech Serv Administration	-1,500	0	0	0	0.00%
SS12110 Other Technical Services	-1,893,944	14,440	0	14,440	-0.76%
SS13200 Sanitation - Domestic	-6,894,927	-6,440,691	0	-6,440,691	93.41%
SS13205 Recycling	-486,600	0	0	0	0.00%
SS13206 Sanitation - Commercial	-363,140	-351,455	0	-351,455	96.78%
SS13900 GIS	-1,000	0	0	0	0.00%
<b>SUB TOTAL</b>	<b>-\$9,764,561</b>	<b>-\$6,806,573</b>	<b>\$1,481</b>	<b>-\$6,805,092</b>	<b>69.69%</b>
<b>Expenditure</b>					
100 General Maintenance	2,949,377	172,291	222,050	394,341	13.37%
300 Median Maintenance	408,020	26,809	565	27,373	6.71%
400 Grounds Maintenance	4,634,476	229,767	221,716	451,482	9.74%
540 Verges	240,400	0	0	0	0.00%
560 Roundabouts	163,797	0	0	0	0.00%
570 Entry Statements	8,160	0	0	0	0.00%
SS10820 Golf Courses - Plant Costs Emb	21,300	643	139	782	3.67%
SS10825 Golf Course Plant Cost - Maylan	31,125	1,854	200	2,054	6.60%
SS11600 Other	0	2,848	455	3,302	
SS11610 TennisCourt/Wicket	5,820	211	0	211	3.62%
SS11905 Health - Other	116,374	4,660	4,351	9,011	7.74%
SS11906 Sustainable Environment Servic	378,973	3,411	429	3,839	1.01%
SS11910 BVES	47,675	0	0	0	0.00%
SS11911 Mat&Infant Hlth Ctres	4,000	367	0	367	9.17%
SS11915 Prevent SVC. Immunisation	82,967	1,313	1,080	2,393	2.88%
SS11916 Prevent SVC. Administration	760,197	46,750	284	47,034	6.19%
SS12000 Public Works	5,530	100,678	12,531	113,209	
SS12001 Plant Operation	0	-16,171	13,682	-2,489	
SS12100 Tech Serv Administration	630,987	55,414	3,502	58,916	9.34%
SS12101 Depot	26,000	426	3,582	4,008	15.41%
SS12110 Other Technical Services	100,000	4,612	7,626	12,238	12.24%
SS13200 Sanitation - Domestic	6,079,575	445,124	0	445,124	7.32%
SS13205 Recycling	486,600	37,304	0	37,304	7.67%
SS13206 Sanitation - Commercial	346,210	24,939	0	24,939	7.20%
SS13207 Litter Control	329,876	4,471	0	4,471	1.36%
SS13208 Environmental Maintenance	35,000	10,303	0	10,303	29.44%
SS13900 GIS	337,172	25,604	10,242	35,846	10.63%
<b>SUB TOTAL</b>	<b>\$18,229,611</b>	<b>\$1,183,627</b>	<b>\$502,433</b>	<b>\$1,686,060</b>	<b>9.25%</b>
<b>Maintenance Costs</b>					
<b>SUB TOTAL</b>	<b>\$18,229,611</b>	<b>\$1,183,627</b>	<b>\$502,433</b>	<b>\$1,686,060</b>	<b>9.25%</b>
<b>TOTAL TECHNICAL SERVICES</b>	<b>\$8,465,050</b>	<b>-\$5,622,946</b>	<b>\$503,914</b>	<b>-\$5,119,032</b>	



## Capital Works Expenditure as at 31 July 2009

Description	Budget	Revised Budget	Actuals	Committments	Total	% Variance
<b>Division: 30 - Technical Services</b>						
<b>SS20050 - Footpath/Slab Replacement Programme</b>						
F23300	East Street	1,000	1,000	0	0	0%
F23400	Clarkson Reserve	1,280	1,280	0	0	0%
F23500	PAW Near Ivanhoe Place	0	0	0	0	0%
F23600	Percy Road	1,470	1,470	0	0	0%
F23700	Roberts Street	1,504	1,504	0	0	0%
F23800	Cox Street	1,540	1,540	0	0	0%
F23900	Stone Street	0	0	0	0	0%
F24000	Station Street	1,770	1,770	0	0	0%
F24100	Shearn Park	1,840	1,840	0	0	0%
F24200	Silverwood Street	2,130	2,130	0	0	0%
F24300	Railway Parade	0	0	0	0	0%
F24400	Clarkson Reserve	2,820	2,820	0	0	0%
F24500	Foyle Road	3,280	3,280	0	0	0%
F24600	Shearn Park	3,930	3,930	0	0	0%
F24700	Traylen Road	4,140	4,140	0	0	0%
F24800	Lee Street	18,000	18,000	0	0	0%
F24900	Fairs Street	4,260	4,260	0	0	0%
F25000	PAW Mirador Road - Morley Drive	0	0	0	0	0%
F25100	Crowther Street	4,880	4,880	0	0	0%
F25200	Salisbury Street	5,120	5,120	0	0	0%
F25300	Clement St New Pt Grand Prom to Sali	16,000	16,000	0	0	0%
F25400	PAW Garratt Road - Donald Square	0	0	0	0	0%
F25500	Hollet Street	5,280	5,280	0	0	0%
F25600	McKenzie St	36,000	36,000	0	0	0%
F25700	Cox Street	5,568	5,568	0	0	0%
F25800	Gordon Street	5,760	5,760	0	0	0%
F25900	Clavering Road Ne Beechboro to Aven	10,000	10,000	0	0	0%
F26000	Veitch Street	0	0	0	0	0%
F26100	Traylen Road	6,400	6,400	0	0	0%
F26200	Milne Street	6,640	6,640	0	0	0%
F26300	Priestley Street	6,660	6,660	0	0	0%
F26400	Dormans Street	6,900	6,900	0	0	0%
F26500	Percy Road	7,500	7,500	0	0	0%
F26600	Mills Avenue	2,460	2,460	0	0	0%
F26700	Drake Street	7,813	7,813	0	0	0%
F26800	New Path Lee St	0	0	0	0	0%
F26900	Roberts Street	8,640	8,640	0	0	0%
F27000	Catherine Street	8,700	8,700	0	7,436	85%
F27100	Drake Street	9,330	9,330	0	0	0%
F27200	Perth Street	9,500	9,500	0	0	0%
F27300	Hotham Street	9,588	9,588	0	0	0%
F27400	Noranda Avenue	10,860	10,860	0	0	0%
F27500	Charnwood Street	11,400	11,400	0	0	0%
F27600	Leake Street	11,880	11,880	0	0	0%
F27700	Deeley Street	11,940	11,940	0	0	0%
F27800	View Street	0	0	0	0	0%
F27900	Georgina Street	12,840	12,840	0	0	0%
F28000	Darby Street	13,038	13,038	0	0	0%
F28100	Sixth Avenue	0	0	0	0	0%
F28200	Milne Street	13,920	13,920	0	0	0%
F28300	Kenilworth Street	17,820	17,820	0	0	0%
F28400	Wisbech Street	28,599	28,599	0	0	0%
<b>Sub Total</b>		<b>360,000</b>	<b>360,000</b>	<b>0</b>	<b>7,436</b>	<b>2%</b>

## Capital Works Expenditure as at 31 July 2009

Description	Budget	Revised Budget	Actuals	Committments	Total	% Variance
<b>Division: 30 - Technical Services</b>						
<b>SS20060 - Parks Development</b>						
F28500	General Reserve Bore Pump Inspect	127,500	127,500	0	14,727	14,727 12%
F28600	General Reserve Turbine Replacem	200,000	200,000	2,075	0	2,075 1%
F28800	General Reserve Repalce Redundan	50,000	50,000	0	30,909	30,909 62%
F28900	Halliday Park Replace Irrigation €	80,000	80,000	1,052	0	1,052 1%
F29000	Maylands Bowling Irrigation Upgrade	155,000	155,000	0	0	0 0%
F30000	Park Furniture	30,000	30,000	0	0	0 0%
F33200	Bayswater Primary Reticulation	10,000	10,000	0	0	0 0%
<b>Sub Total</b>		<b>652,500</b>	<b>652,500</b>	<b>3,127</b>	<b>45,636</b>	<b>48,763 7%</b>
<b>SS20065 - City Wide Landscaping</b>						
F30100	Street Beautification	2,000,000	2,000,000	0	0	0 0%
F30200	Foreshore Beautification	2,000,000	2,000,000	0	0	0 0%
<b>Sub Total</b>		<b>4,000,000</b>	<b>4,000,000</b>	<b>0</b>	<b>0</b>	<b>0 0%</b>
<b>SS20070 - Environmental Development</b>						
F30700	Cloughton Reserve Indigenous Consult	10,000	10,000	0	0	0 0%
F30800	Swan Lake restoration	55,000	55,000	0	0	0 0%
F30900	Lightning Park Concept Plan	10,000	10,000	0	0	0 0%
F31000	Solar Cities Solar Panels	130,000	130,000	0	0	0 0%
F33300	Baigup	60,000	60,000	0	0	0 0%
<b>Sub Total</b>		<b>265,000</b>	<b>265,000</b>	<b>0</b>	<b>0</b>	<b>0 0%</b>
<b>SS20080 - Traffic Management</b>						
F30300	Traffic Management	20,000	20,000	0	0	0 0%
F30400	Traffic Managemer Paving	40,000	40,000	0	0	0 0%
F30500	Traffic Managemer Roadwise	10,000	10,000	0	0	0 0%
F30600	Traffic Managemer Slade STREET	200,000	200,000	0	0	0 0%
F33400	Salisbury Street	120,000	120,000	0	0	0 0%
<b>Sub Total</b>		<b>390,000</b>	<b>390,000</b>	<b>0</b>	<b>0</b>	<b>0 0%</b>
<b>SS20100 - Plant/Fleet Equipment Purchases</b>						
F33000	Plant Replacement	1,524,000	1,524,000	0	0	0 0%
<b>Sub Total</b>		<b>1,524,000</b>	<b>1,524,000</b>	<b>0</b>	<b>0</b>	<b>0 0%</b>
<b>SS20110 - Other Technical Services Capital</b>						
F31100	Frank Drago Reser 40 Bays	120,000	120,000	0	0	0 0%
F31300	Various PAW Gates Securi	10,000	10,000	0	0	0 0%
F31800	Bus Shelters	10,000	10,000	0	0	0 0%
F31900	Sundry Works	20,000	20,000	0	0	0 0%
F32000	Street Lighting	60,000	60,000	7,440	7,208	14,648 24%
F32100	Crossovers Salisbury	360,000	360,000	12,501	22,610	35,111 10%
F32400	WAAMI Programme	15,000	15,000	0	0	0 0%
F32500	Lightning Park Car Park Extension	40,000	40,000	0	0	0 0%
F33500	Entry Statement GuidfordRd/Whatle	20,000	20,000	0	0	0 0%
F33600	Kelvin St Primary SPaving/Parking	0	0	0	0	0 0%
F33700	ROW Guildford Kitchner Ave	0	0	0	0	0 0%
F33900	Morley Training Centre Paving	4,000	4,000	0	0	0 0%
F34000	Kelvin Primary Schook Paving	10,000	10,000	0	0	0 0%
<b>Sub Total</b>		<b>669,000</b>	<b>669,000</b>	<b>19,941</b>	<b>29,819</b>	<b>49,760 7%</b>

## Capital Works Expenditure as at 31 July 2009

<i>Description</i>	<i>Budget</i>	<i>Revised Budget</i>	<i>Actuals</i>	<i>Commitments</i>	<i>Total</i>	<i>% Variance</i>		
<b>Division: 30 - Technical Services</b>								
<b>SS20140 - Health Dept Capital</b>								
F32600	Rion NA -28 Sounc	Statutory requirem€	26,702	26,702	0	0	0	0%
<b>Sub Total</b>			<b>26,702</b>	<b>26,702</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>SS20160 - Plant &amp; Equipment</b>								
F33000	Plant/Equipment Replacement		0	0	0	68,723	68,723	0%
<b>Sub Total</b>			<b>0</b>	<b>0</b>	<b>0</b>	<b>68,723</b>	<b>68,723</b>	<b>0%</b>
<b>SS20165 - Golf Course Development - Maylands Peninsula</b>								
F32300	Golf Course Development		100,000	100,000	0	0	0	0%
<b>Sub Total</b>			<b>100,000</b>	<b>100,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>SS20200 - GIS Capital</b>								
F32700	Geodetic Surveying Equipment		52,000	52,000	0	0	0	0%
<b>Sub Total</b>			<b>52,000</b>	<b>52,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0%</b>
<b>Technical Services Total</b>			<b>10,146,658</b>	<b>10,146,658</b>	<b>23,068</b>	<b>151,614</b>	<b>174,682</b>	<b>2%</b>

## CAPITAL WORKS PROGRAMME BROUGHT FORWARD 1 JULY 2009

Cap Ex	Natur.	Description	Adopted Budget	Revised Budget (Subject to Audit)	Actual	Committed	Total
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C=2006/2007, D = 2007/2008, E= 2008/2009

**Technical Services**

C=2006/2007, D = 2007/2008, E= 2008/2009

**Sub Section: SS20000 - Arterial Road Construction**

D20100	6999	Whatley Crs	\$36,000	\$86,296	\$0	\$107,604	\$107,604
D20300	6999	Coode St	\$104,019	\$0	\$0	\$0	\$0
E17300	6999	Whatley Crescent (Extra Funds)	\$65,000	\$60,135	\$52,216	\$4,105	\$56,321
Sub Total			\$205,019	\$146,431	\$52,216	\$111,709	\$163,925

**Sub Section: SS20010 - Black Spot**

C51000	6999	Whatley Crescent - King William/ Coodr	\$20,529	\$21,879	\$1,350	\$0	\$1,350
E16600	6999	Crimea St (Collier to Walter)	\$189,991	\$0	\$0	\$0	\$0
E16700	6999	Russell St/Marchant Way	\$160,000	\$0	\$0	\$0	\$0
Sub Total			\$370,520	\$21,879	\$1,350	\$0	\$1,350

**Sub Section: SS20030 - Base Grant Road Reconstruction**

D20900	6999	Kirkham Hill Tce	\$94,916	\$0	\$0	\$0	\$0
D21000	6999	Peninsular Rd	\$49,198	\$0	\$0	\$0	\$0
E19200	6999	Coode St (Extra Funds)	\$60,000	\$0	\$0	\$0	\$0
E19300	6999	Thomas St ROW Lighting	\$15,000	\$0	\$0	\$0	\$0
Sub Total			\$219,114	\$0	\$0	\$0	\$0

**Sub Section: SS20040 - Roads to Recovery**

D23600	6999	Charles Street - Ferguson to Holm Stre	\$0	\$0	\$1,548	\$6,113	\$7,661
Sub Total			\$0	\$0	\$1,548	\$6,113	\$7,661

**Sub Section: SS20050 - Footpath/Slab Replacement Programme**

D26700	6999	NEVILLE	\$0	\$0	\$477	\$0	\$477
D29100	6999	Kirkham Hill Tce	\$8,375	\$2,479	\$0	\$0	\$0
Sub Total			\$8,375	\$2,479	\$477	\$0	\$477

**Sub Section: SS20060 - Parks Development**

C78900	6999	Parks Development-Gobba Lake 05/06	\$7,176	\$25,522	\$0	\$0	\$0
C92800	6999	Maylands Foreshore	\$53,782	\$0	\$0	\$0	\$0
C93000	6999	River Area Beautification	\$9,375	\$0	\$0	\$0	\$0
D30100	6999	Grand Promenade Median	\$246,124	\$246,010	\$0	\$0	\$0
D35500	6999	Gibbney Resv Rehabilitation	\$0	\$1,367	\$0	\$5,782	\$5,782
E22300	6999	Shearn Park Reticulation	\$0	\$23,075	\$0	\$11,147	\$11,147
E22400	6999	Joan Rycroft (Lawn)	\$0	\$13,716	\$0	\$16,725	\$16,725
E22500	6999	Aviation Park	\$10,000	\$0	\$0	\$0	\$0
E22600	6999	Kelvin,Swanview Lookout	\$15,000	\$0	\$0	\$0	\$0
E35800	6999	Halliday House Landscaping	\$0	\$23,129	\$0	\$11,468	\$11,468
Sub Total			\$341,457	\$332,819	\$0	\$45,121	\$45,121

## CAPITAL WORKS PROGRAMME BROUGHT FORWARD 1 JULY 2009

Cap Ex	Natur	Description	Adopted Budget	Revised Budget (Subject to Audit)	Actual	Committed	Total
<b>C=2006/2007, D = 2007/2008, E= 2008/2009</b>							
<b>Sub Section: SS20070 - Environmental Development</b>							
C78100	6999	Parks Development-Foreshore Restora	\$71,296	\$0	\$0	\$0	\$0
D31400	6999	Lightning Swamp	\$71,121	\$0	\$0	\$0	\$0
D31500	6999	Bardon Park	\$67,018	\$63,053	\$0	\$0	\$0
D31700	6999	Tranby	\$56,904	\$48,990	\$1,704	\$0	\$1,704
D36600	6999	Chisolm College	\$45,455	\$0	\$0	\$0	\$0
E23600	6999	Tranby Foreshore Restoration Project	\$70,000	NIL CFWD	\$0	\$0	\$0
E23800	6999	Bayswater Brook	\$73,132	\$93,132	\$0	\$0	\$0
E23900	4307	Lightning Park Environmental Area	\$0	\$0	\$422	\$1,750	\$2,172
E24000	6999	Eric Singleton Bird Sanctuary	\$96,798	\$85,147	\$0	\$18,838	\$18,838
E25400	6999	Swan Lake Restoration Project	\$19,652	\$49,587	\$0	\$0	\$0
E33800	6999	Lighting Swamp - Boardwalk	\$60,000	\$0	\$0	\$0	\$0
E33900	6999	Claughton Resv - Melaleuca Swamp	\$2,862	\$0	\$0	\$0	\$0
E34000	6999	Gobba Lake - Swan Alcoa Landcare Pr	\$7,273	\$0	\$1,049	\$0	\$1,049
Sub Total			\$641,511	\$339,909	\$3,175	\$20,588	\$23,763
<b>Sub Section: SS20080 - Traffic Management</b>							
D31000	6999	Roadwise	\$15,737	\$0	\$0	\$0	\$0
D31100	6999	Kirkham Hill Tce/Elizabeth	\$15,000	\$0	\$0	\$0	\$0
D31200	6999	Catherine St Cul de sacs	\$16,112	\$9,477	\$0	\$0	\$0
D31300	6999	Russell/Catherine R/B	\$80,000	\$0	\$0	\$0	\$0
D35700	6999	Kirkham Hill Tce/Watson Place	\$30,000	\$0	\$0	\$0	\$0
E23000	6999	Bath Road	\$80,000	\$0	\$0	\$0	\$0
E23100	6999	Railway/Beechboro Rd South	\$20,000	\$17,684	\$760	\$2,271	\$3,031
E23200	6999	Beaufort St/Nelson Parking	\$18,000	\$0	\$0	\$0	\$0
E23500	6999	Puntie Crescent cul-de-sac	\$20,000	\$0	\$0	\$0	\$0
E31000	6999	Roadwise	\$9,700	\$0	\$0	\$0	\$0
Sub Total			\$304,549	\$27,161	\$760	\$2,271	\$3,031
<b>Sub Section: SS20110 - Other Technical Services Capital</b>							
C90200	4307	Street Light Upgrades	\$0	\$0	\$910	\$91	\$1,001
C90600	6999	Underground Power	\$27,769	\$0	\$0	\$0	\$0
C91200	6999	Claughton Reserve Jetty/Car Park	\$73,124	\$87,506	\$0	\$14,471	\$14,471
C91400	6999	Whatley/Guildford (Brick Pave Entry an	\$54,915	\$0	\$0	\$668	\$668
C91500	6999	Whatley Crescent Lighting	\$14,952	\$0	\$0	\$0	\$0
D12900	6999	Administration Centre	\$89,497	\$0	\$0	\$0	\$0
E23700	6999	Entry Statements	\$54,773	\$56,695	\$15,317	\$9,778	\$25,095
E24100	6999	Entry Statements - Industrial Areas	\$20,861	\$0	\$0	\$0	\$0
E24300	6999	Morley Senior Citizens	\$6,000	\$0	\$0	\$0	\$0
E24400	6999	Bayswater Senior Citizens	\$3,500	\$0	\$0	\$0	\$0
E24600	6999	Depot Storage - Asphalt	\$32,590	\$0	\$0	\$0	\$0
E24700	6999	Wright Crescent On-Street Parking	\$15,000	\$0	\$0	\$0	\$0
E32100	6999	Crossovers	\$0	\$0	\$5,880	\$4,707	\$10,587
Sub Total			\$392,981	\$144,201	\$22,108	\$29,715	\$51,823
<b>Sub Section: SS20120 - Works Bfwd Technical Services Grants</b>							
C58900	6999	Kelvin ST - Mephan to Swan View Tce (	\$0	\$0	\$0	\$1,036	\$1,036
C59500	6999	Claughton Res-Access Rd 05/06	\$25,999	\$0	\$0	\$0	\$0
Sub Total			\$25,999	\$0	\$0	\$1,036	\$1,036

## CAPITAL WORKS PROGRAMME BROUGHT FORWARD 1 JULY 2009

Cap Ex	Natur.	Description	Adopted Budget	Revised Budget (Subject to Audit)	Actual	Committed	Total
<b>C=2006/2007, D = 2007/2008, E= 2008/2009</b>							
<b>Sub Section: SS20130 - Works Bfwd Other Technical Services</b>							
C92100	6999	Beaufort St Improvement Works - 05/06	\$41,416	\$0	\$0	\$0	\$0
C92400	6999	Riverside Gardens Jetty - 05/06	\$109,300	\$0	\$0	\$0	\$0
C92500	6999	Transby House Jetty - 05/06	\$87,295	\$0	\$0	\$0	\$0
Sub Total			\$238,011	\$0	\$0	\$0	\$0
<b>Sub Section: SS20135 - Golf Course Development - Embleton</b>							
D33400	6999	Replacement Green Keepers Shed	\$105,396	\$0	\$0	\$0	\$0
D33700	6999	Expansion Of Carpark	\$19,800	\$0	\$0	\$0	\$0
E32300	6999	Golf Course Development	\$0	\$0	\$945	\$0	\$945
Sub Total			\$125,196	\$0	\$945	\$0	\$945
<b>Sub Section: SS20165 - Golf Course Development - Maylands Peninsula</b>							
D34100	6999	Lift Bottom Tier 5 th Green	\$18,000	\$16,160	\$0	\$0	\$0
D34200	6999	Fence Storage Compound Survey Bour	\$12,100	\$0	\$0	\$0	\$0
D34300	6999	Reticulation Upgrade	\$15,000	\$0	\$0	\$0	\$0
D34600	6999	Air Condition Function Room	\$0	\$0	\$0	\$4,920	\$4,920
Sub Total			\$45,100	\$16,160	\$0	\$4,920	\$4,920
<b>Sub Section: SS20170 - Public Open Space - Tech Services</b>							
C17800	6999	POS Gobba Lake	\$86,916	\$0	\$0	\$0	\$0
Sub Total			\$86,916	\$0	\$0	\$0	\$0
<b>Sub Section: SS20200 - GIS Capital</b>							
E25200	6999	Plant Replacement	\$13,120	NIL CFWD	\$0	\$0	\$0
Sub Total			\$13,120	\$0	\$0	\$0	\$0
<b>Total</b>			<b>\$3,017,868</b>	<b>\$1,031,039</b>	<b>\$82,578</b>	<b>\$221,473</b>	<b>\$304,052</b>

<b>TOTAL WORKS CFWD FROM 08/09</b>	<b>\$4,948,887</b>	<b>\$1,939,883</b>	<b>\$285,103</b>	<b>\$1,019,645</b>	<b>\$1,304,747</b>
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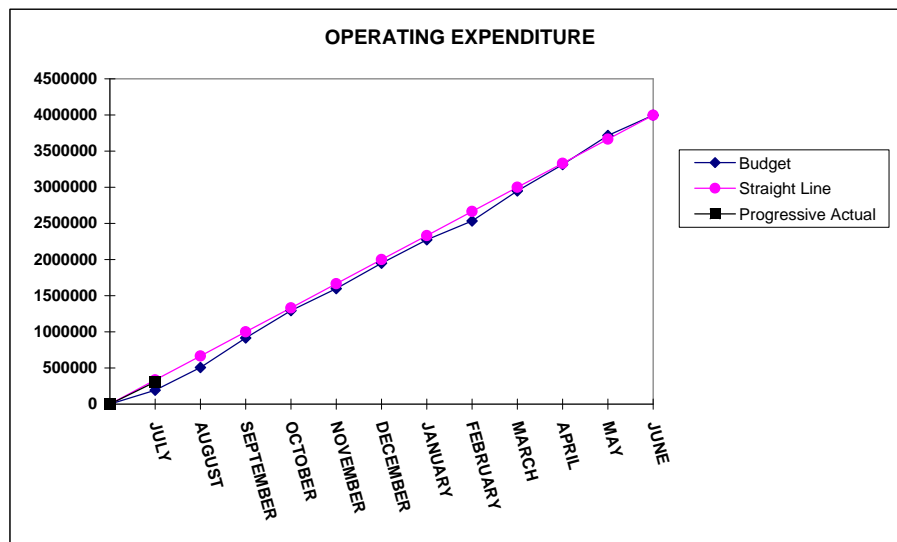
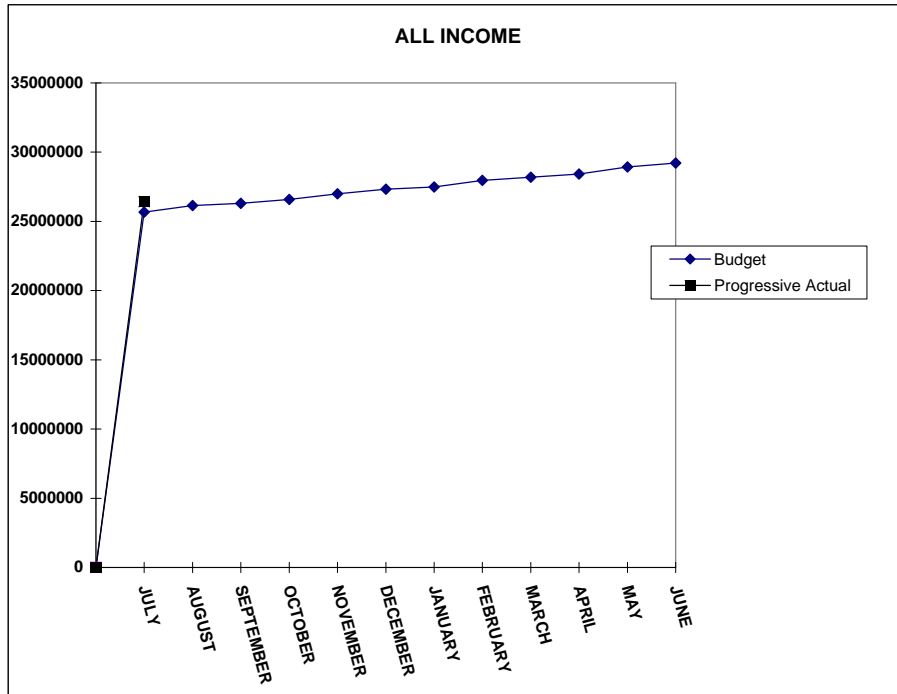


## FINANCIAL SERVICES BUDGET 2009-2010

### 31-July-2009

Description	Revised Budget	Actual	Committed	% OF YEAR	
				TOTAL	%
<b>8.49%</b>					
<b>Operating Income</b>					
201201 EDP - General	-1,500	0	0	\$0	0.00%
235700 Galleria Morley Shop	-750	-90	0	-\$90	12.06%
235600 Financial Services Adr	-282,000	-10,883	0	-\$10,883	3.86%
235813 Levy	-23,926,537	-23,998,965	0	-\$23,998,965	100.30%
235912 Minimums	-2,469,001	-2,414,718	0	-\$2,414,718	97.80%
236012 Interims	-376,500	4,193	0	\$4,193	-1.11%
236100 Other Rates	-305,000	-285	0	-\$285	0.09%
236200 AlmaVenville RecCtre	-12,000	0	0	\$0	0.00%
236300 MorleySprt&RecCentre	-10,000	0	0	\$0	0.00%
236400 M'IndsWaterPlaygrnd	-675	0	0	\$0	0.00%
250000 Other Financial Service	-1,836,039	-6,477	0	-\$6,477	0.35%
	<b>-\$29,220,002</b>	<b>-\$26,427,226</b>	<b>\$0</b>	<b>-\$26,427,226</b>	<b>90.44%</b>
<b>Total Financial Services Revenue</b>	<b>-\$29,220,002</b>	<b>-\$26,427,226</b>	<b>\$0</b>	<b>-\$26,427,226</b>	<b>90.44%</b>
<b>Operating Expenditure</b>					
235700 Insurance	422,210	35,180	0	\$35,180	8.33%
250100 Workers Comp Premiu	15,905	1,327	0	\$1,327	8.34%
	<b>\$438,115</b>	<b>\$36,507</b>	<b>\$0</b>		
201201 EDP - General	198,733	5,672	0	\$5,672	2.85%
201202 EDP - Communication	14,000	0	1,045	\$1,045	7.46%
201101 EDP - Eastern Metro R	22,546	0	0	\$0	0.00%
201204 EDP OTHER	68,000	0	2,273	\$2,273	3.34%
235700 Galleria Morley Shop	141,888	10,942	1,980	\$12,922	9.11%
F11402 Computer Services	689,311	126,289	49,924	\$176,213	25.56%
F11902 Financial Services Adr	1,421,297	66,591	14,224	\$80,816	5.69%
F14400 Rates	312,990	43,908	21,119	\$65,027	20.78%
999700 Stock Clearing Accoun	0	-630	12,207	\$11,577	
252400 Other Financial Service	311,222	50,871	1,568	\$52,439	16.85%
201501 Fire prevention	68,000	0	0	\$0	0.00%
999600 Suspense	0	0	14,512	\$14,512	
999800 Suspense	0	17,355	0	\$17,355	
236200 AlmaVenville RecCtre	104,988	-21,751	0	-\$21,751	-20.72%
236300 MorleySprt&RecCentre	194,819	-28,674	0	-\$28,674	-14.72%
236400 M'IndsWaterPlaygrnd	11,967	1,273	0	\$1,273	10.64%
	<b>\$3,559,761</b>	<b>\$271,846</b>	<b>\$118,852</b>	<b>\$390,698</b>	<b>10.98%</b>
<b>Total Financial Services Expenditure</b>	<b>\$3,997,876</b>	<b>\$308,353</b>	<b>\$118,852</b>	<b>\$427,205</b>	

FINANCIAL SERVICES



**14.2 Accounts Payable as at 25 August 2009**

**Attachments:** [Schedule of Accounts Submitted 25 August 2009 for Treasurer's Advance A/c](#)

**Officer:** Director of Finance

Application

To consider the schedule of accounts to be paid as at 25 August 2009.

Background**CERTIFICATE OF TREASURER****SUMMARY OF SCHEDULE OF ACCOUNTS PAID**

<b>FUND</b>	<b>VOUCHER NO.</b>	<b>AMOUNT</b>	<b>CANCELLED CHEQUES FROM PREVIOUS MONTH</b>
ELECTRONIC FUND TRANSFERS		\$3,088,833.00	
TREASURER'S ADVANCE ACCOUNT FUND	151711 - 152312 EF000102 - EF000106	\$13,982,227.63	150147 151394 151479 151488 151494 151496 151548 151548 151655 – 151687 151700

which was submitted to each member of the Council on 21 August 2009 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which has been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings and the amounts shown are due for payment.

**TOTAL OF ALL OTHER ACCOUNTS OUTSTANDING AS AT 31 JULY 2009**

TREASURER'S ADVANCE ACCOUNT FUND \$82,223

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**DIRECTOR OF FINANCE**

**CERTIFICATE OF MAYOR****SUMMARY OF SCHEDULE OF ACCOUNTS PAID**

<b>FUND</b>	<b>VOUCHER NO.</b>	<b>AMOUNT</b>	<b>CANCELLED CHEQUES FROM PREVIOUS MONTH</b>
ELECTRONIC FUND TRANSFERS		\$3,088,833.00	
TREASURER'S ADVANCE ACCOUNT FUND	151711 - 152312 EF000102 - EF000106	\$13,982,227.63	150147 151394 151479 151488 151494 151496 151548 151655 – 151687 151700

which was submitted to each member of the Council on 21 August 2009 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which has been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings and the amounts shown are due for payment.

**TOTAL OF ALL OTHER ACCOUNTS OUTSTANDING AS AT 31 JULY 2009**

TREASURER'S ADVANCE ACCOUNT FUND	\$82,223
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**MAYOR**

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that the Schedule of Accounts be passed for payment.**

**CARRIED BY EN BLOC RESOLUTION**

ELECTRONIC FUND TRANSFERS		
01 July 2009 to 31 July 2009		
<u>Date</u>	<u>Amount</u>	<u>Details</u>
<b>MUNICIPAL FUND</b>		
01-Jul-09	0.00	To Advance Account
02-Jul-09	0.00	To Advance Account
03-Jul-09	760,000.00	To Advance Account
06-Jul-09	0.00	To Advance Account
07-Jul-09	0.00	To Advance Account
08-Jul-09	209,000.00	To Advance Account
09-Jul-09	148,000.00	To Advance Account
10-Jul-09	0.00	To Advance Account
13-Jul-09	0.00	To Advance Account
14-Jul-09	119,000.00	To Advance Account
15-Jul-09	447,000.00	To Advance Account
16-Jul-09	567,000.00	To Advance Account
17-Jul-09	0.00	To Advance Account
20-Jul-09	0.00	To Advance Account
21-Jul-09	0.00	To Advance Account
22-Jul-09	0.00	To Advance Account
23-Jul-09	930,000.00	To Advance Account
24-Jul-09	733,000.00	To Advance Account
27-Jul-09	497,000.00	To Advance Account
28-Jul-09	562,000.00	To Advance Account
29-Jul-09	613,000.00	To Advance Account
30-Jul-09	493,000.00	To Advance Account
31-Jul-09	320,000.00	To Advance Account
<b>Total</b>	<b>\$ 2,163,308.13</b>	
<b>RATES - DIRECT DEPOSITS CLEARING ACCOUNT</b>		
01-Jul-09	0.00	Transfer to Municipal Fund
02-Jul-09	0.00	Transfer to Municipal Fund
03-Jul-09	27,542.90	Transfer to Municipal Fund
06-Jul-09	0.00	Transfer to Municipal Fund
07-Jul-09	0.00	Transfer to Municipal Fund
08-Jul-09	3,874.11	Transfer to Municipal Fund
09-Jul-09	2,890.10	Transfer to Municipal Fund
10-Jul-09	0.00	Transfer to Municipal Fund
13-Jul-09	0.00	Transfer to Municipal Fund
14-Jul-09	35,002.19	Transfer to Municipal Fund
15-Jul-09	262,910.14	Transfer to Municipal Fund
16-Jul-09	360,308.13	Transfer to Municipal Fund
17-Jul-09	0.00	Transfer to Municipal Fund
20-Jul-09	483,266.65	Transfer to Municipal Fund
21-Jul-09	270,169.49	Transfer to Municipal Fund
22-Jul-09	270,169.49	Transfer to Municipal Fund
23-Jul-09	473,418.72	Transfer to Municipal Fund
24-Jul-09	261,601.80	Transfer to Municipal Fund
27-Jul-09	204,126.19	Transfer to Municipal Fund
28-Jul-09	340,190.61	Transfer to Municipal Fund
29-Jul-09	328,749.47	Transfer to Municipal Fund
30-Jul-09	261,295.11	Transfer to Municipal Fund
31-Jul-09	230,906.97	Transfer to Municipal Fund
<b>Total</b>	<b>\$ 692,527.57</b>	
<b>TREASURER'S ADVANCE ACCOUNT</b>		
15-Jul-09	495,907.44	Net Payroll - City of Bayswater/Waves
16-Jul-09	143,412.00	ATO - PAYG Taxation -
29-Jul-09	500,375.71	Net Payroll - City of Bayswater/Waves
<b>Total</b>	<b>\$ 1,139,695.15</b>	
<b>TOTAL</b>	<b>\$ 3,088,833.00</b>	

**14.3 Investment Portfolio as at 31 July 2009****Officer: Director of Finance**Application

To present the investment portfolio as at 31 July 2009 for Council consideration.

Background

Comparison of Council's investments with previous year:

	31 July 2009			31 July 2008		
	\$	Average Rate %	%	\$	Average Rate %	%
General Funds	27,705,761	3.92	90.57	24,840,260	7.88	90.00
Trust	2,883,786	3.94	9.43	2,766,411	7.89	10.00
	<b>\$30,589,547</b>		<b>100.00%</b>	<b>\$27,606,671</b>		<b>100.00%</b>

Council's investments are currently placed with financial institutions as follows :

ANZ Bank	20,863,956	68.20%
Bendigo Bank	5,138,272	16.80%
National Bank	3,503,020	11.45%
Bank West	567,597	1.86%
Westpac	<u>516,702</u>	<u>1.69%</u>
<b>Total</b>	<b>\$30,589,547</b>	<b>100.00%</b>

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)****CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that the report on the investment portfolio as at 31 July 2009 be received.****CARRIED BY EN BLOC RESOLUTION**

Invest.No.	Lodged through - date	Borrower	%	Term	Mature	Inv.Amount	Inv. Yield	Curr.Yield
INVESTMENT REGISTER								
Maturity from 31 Jul 09								
AGED PERSONS - CARRAMAR RESERVE								
40638	40578	30Jul09 ANZ BANK	4	32	31-Aug-09	1,485,942.75	5,162.29	1,139.90
TOTAL AGED PERSONS - CARRAMAR RESERVE						1,485,942.75	5,162.29	1,139.90
AGED PERSONS - MUNICIPAL								
72601	58347	24Jul09 ANZ BANK	3.9	30	23-Aug-09	500,000.00	1,602.74	694.52
61713	30Jul09	BENDIGO BANK	3.9	27	26-Aug-09	1,000,000.00	2,884.93	747.95
71702	41116	30Jul09 ANZ BANK	4	27	26-Aug-09	808,695.99	2,392.85	620.37
72202	30Jul09	BENDIGO BANK	3.9	27	26-Aug-09	1,604,984.09	4,630.27	1,200.44
72701	30Jul09	BENDIGO BANK	3.9	27	26-Aug-09	2,835.62	8.18	2.12
71602	33163	02Jul09 ANZ BANK	4	62	02-Sep-09	506,958.90	3,411.17	1,928.44
TOTAL AGED PERSONS - MUNICIPAL						4,423,474.60	14,930.14	5,193.84
AGED HOMES - MERTOME CAPS								
61608	33104	02Jul09 ANZ BANK	4	62	02-Sep-09	148,816.11	1,001.34	566.08
TOTAL AGED HOMES - MERTOME CAPS						148,816.11	1,001.34	566.08
MERTOME RESERVE								
40339	40973	30Jul09 ANZ BANK	4	32	31-Aug-09	134,389.93	466.89	103.09
TOTAL MERTOME RESERVE						134,389.93	466.89	103.09
AGED PRUDENTIAL RESERVE								
40437	332022	02Jul09 ANZ BANK	4	62	02-Sep-09	374,651.35	2,520.91	1,425.15
TOTAL AGED PRUDENTIAL RESERVE						374,651.35	2,520.91	1,425.15
AGED UNIT VILLAGES RESERVE								
40238	41036	30Jul09 ANZ BANK	4	32	31-Aug-09	37,318.71	129.65	28.63
TOTAL AGED UNIT VILLAGES RESERVE						37,318.71	129.65	28.63
AGED LEAVE LIABILITY RESERVE								
40134	127695	30Jul09 BENDIGO BANK	3.9	29	28-Aug-09	295,294.61	915.01	220.86
TOTAL AGED LEAVE LIABILITY RESERVE						295,294.61	915.01	220.86
CITY OF BAYSWATER HOSTEL RESERVE								
62507	41087	30Jul09 ANZ BANK	4	32	31-Aug-09	438,675.79	1,524.00	336.52
TOTAL CITY OF BAYSWATER HOSTEL RESERVE						438,675.79	1,524.00	336.52
PRUDENTIAL RESERVE - ILU								
62604	33147	02Jul09 ANZ BANK	4	62	02-Sep-09	926,969.89	6,237.29	3,526.13
TOTAL PRUDENTIAL RESERVE - ILU						926,969.89	6,237.29	3,526.13
COMMUNITY INFRASTRUCTURE								
72003	9994	30Jul09 NATIONAL BANK	3.43	32	31-Aug-09	1,002,013.70	2,955.14	659.13
72102	8072	30Jul09 NATIONAL BANK	3.43	32	31-Aug-09	501,006.85	1,477.57	329.57
71901	30Jun09	NATIONAL BANK	4.18	90	28-Sep-09	1,000,000.00	10,162.89	4,156.49
71801	30Jun09	NATIONAL BANK	4.21	120	28-Oct-09	1,000,000.00	13,850.90	4,261.99
TOTAL COMMUNITY INFRASTRUCTURE						3,503,020.55	28,446.50	9,407.18
GENERAL								
72301	33748	23Jul09 ANZ BANK	3.9	30	22-Aug-09	500,000.00	1,602.74	747.95
72401	33879	23Jul09 ANZ BANK	3.9	30	22-Aug-09	500,000.00	1,602.74	747.95
72501	58072	24Jul09 ANZ BANK	3.9	30	23-Aug-09	500,000.00	1,602.74	694.52
63804	29061	29Jul09 ANZ BANK	4	30	27-Aug-09	2,028,694.23	6,447.36	1,778.58
70807	29125	29Jul09 ANZ BANK	4	30	27-Aug-09	1,021,768.75	3,247.27	895.8
71103	766721	30Jun09 BANK WEST	4	120	28-Oct-09	567,596.97	7,425.23	2,283.92
25520	11AM AT CA	22Jul09 BENDIGO BANK	2.95	12m	30-Jun-10	2,235,157.37	61,239.70	2,709.75
TOTAL GENERAL						7,353,217.32	83,167.78	9,858.47
MUNICIPAL - RESTRICTED CASH								
70502	DIRECT	30Jun09 ANZ BANK	4.21	4m	31-Oct-09	64,967.86	926.18	276.89
TOTAL MUNICIPAL - RESTRICTED CASH						64,967.86	926.18	276.89
RESERVE								
71403	29168	29Jul09 ANZ BANK	4	30	27-Aug-09	1,013,676.08	3,221.55	888.7
71503	29205	29Jul09 ANZ BANK	4	30	27-Aug-09	5,008,271.13	15,916.70	4,390.81
71302	30Jun09	ANZ BANK	4.21	4m	31-Oct-09	2,497,074.33	35,598.15	10,642.51
TOTAL RESERVE						8,519,021.54	54,736.40	15,922.02
TRUST - GENERAL								
41021	221781	29Jun09 WESTPAC	3.85	90	27-Sep-09	61,415.12	583.21	245.81
41221	221773	29Jun09 WESTPAC	3.85	90	27-Sep-09	75,976.43	721.49	304.09
59309	221822	29Jun09 WESTPAC	3.85	90	27-Sep-09	379,310.49	3,602.00	1,518.16
70704	44012	30Jun09 ANZ BANK	4.21	4m	31-Oct-09	2,367,084.39	33,745.02	10,088.50
TOTAL TRUST - GENERAL						2,883,786.43	38,651.71	12,156.56
<b>TOTAL INVESTMENTS</b>						<b>30,589,547.44</b>	<b>238,816.08</b>	<b>60,161.33</b>

INTEREST EARNINGS FOR YEAR 2008/2009						
	Date:	31-Jul-09				
MONTHLY PROGRESSIVE INTEREST EARNINGS						
			Percentage of year elapsed:			100.00
Month		Municipal	Reserve	Trust	Total	Progressive % of Budget
Jul-09		19,543	34,250	12,157	65,949	7.91
Aug-09						
Sep-09						
Oct-09						
Nov-09						
Dec-09						
Jan-10						
Feb-10						
Mar-10						
Apr-10						
May-10						
Jun-10						
FULL YEAR BUDGET ESTIMATES						
		Municipal	Reserve	Trust	Total	
BUDGET	\$	\$ 458,749	\$ 350,000	\$ 25,000	\$ 833,749	



**14.4 Donation - Australian Paralympic Team - 2010 Paralympic Games**

**Applicant:** Australian Paralympic Committee  
**Officer:** Director of Finance

Application

To consider an application from the Australian Paralympic Committee for financial assistance towards its fundraising efforts to send athletes to the Winter Paralympic Games being held in Canada in 2010.

Background

The Australian Paralympic Committee intends to send up to 12 athletes to the 2010 Paralympic Games which will be held in Canada in March 2010, which would be one of the biggest Australian Winter teams in history.

The applicant states that Australia has a proud record at the Paralympic Games having competed at every Summer and Winter Paralympics since the first Games in 1976 and continues to prove to the world's winter sporting nations that our athletes are not to be underestimated.

Team members have been practising their various sports around the world.

Comment

This organisation has not sought financial assistance from Council in the past.

Voting Requirements

Simple Majority Required.

*At 8:27pm, Cr Terry Kenyon, JP withdrew from the meeting.*

**Officer's Recommendation**

That Council grants a donation of \$150 to the Australian Paralympic Committee towards its fundraising efforts to send athletes to the Winter Paralympic Games being held in Canada in 2010.

***Council Discussion:***

*Council resolved to increase the donation to \$500 for this worthy cause.*

**AMENDMENT**

**CR SALLY PALMER MOVED, CR MARLENE ROBINSON SECONDED that the donation amount be increased to \$500.**

**The Amendment was put and**

**CARRIED**

**The Amendment formed the Substantive Motion.**

**COUNCIL RESOLUTION**

**CR SALLY PALMER MOVED, CR MARLENE ROBINSON SECONDED that Council grants a donation of \$500 to the Australian Paralympic Committee towards its fundraising efforts to send athletes to the Winter Paralympic Games being held in Canada in 2010.**

**CARRIED**

**14.5 Donation - Australian Red Cross**

**Applicant: Australian Red Cross**  
**Officer: Director of Finance**

Application

To consider an application for financial assistance towards its ongoing fundraising campaign which has been received from Australian Red Cross.

Background

While Red Cross has completed major projects in Sri Lanka and the Maldives, the largest portion of its work has been undertaken in Indonesia. For the past four years, it has worked together with local communities to build strong, safe and earthquake –resistant houses.

The organisation continues to assist people affected by disasters and others who rely on its community assistance programs.

Comment

In the past, Council has made the following donations to Australian Red Cross and Australian Red Cross Western Australia :

- October 1998 - \$100
- September 2001 - \$1,048.42 - to the American tragedy.
- September 2002 - \$100 - to the Australian Red Cross Tracing Service.
- January 2005 - \$5,000 - towards the Tsunami appeal.
- February 2009 - \$20,000 towards the Victorian Bushfire Appeal.

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that Council grants a donation of \$150 to Australian Red Cross towards its ongoing fundraising campaign to assist those less fortunate.**

**CARRIED BY EN BLOC RESOLUTION**

**14.6 Donation - Dennis Lillee Sports Foundation**

**Applicant: Dennis Lillee Sports Foundation**  
**Officer: Director of Finance**

Application

To consider an application for financial assistance towards its current fundraising appeal which has been received from Dennis Lillee Disabled Sports Foundation.

Background

Dennis Lillee Disabled Sports Foundation, a not-for-profit charitable organisation, is seeking financial assistance from Council towards its current fundraising appeal.

The Foundation supports sporting activities for children with disabilities. These children are either intellectually disabled, amputees, blind or deaf, and the Foundation gives them a chance to participate in events that other children may take for granted. It also has adaptive equipment demonstrations, expo's, school activities and education sessions for teachers, parents and carers.

Comment

In May 2005, Council granted a donation of \$150 to Dennis Lillee Sports Foundation's fundraising appeal to enable disabled children to participate in sports such as Indoor Cricket Championships and Track and Field State Championships, and also to enable continuation of its ongoing Water Awareness Programs.

In October 2008, Council donated \$150 to the Foundation.

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that Council grants a donation of \$150 to Dennis Lillee Sports Foundation for People with Disabilities towards its ongoing fundraising campaign to support sporting activities for children with disabilities.**

**CARRIED BY EN BLOC RESOLUTION**

**14.7 Donation - Haemophilia Foundation Australia**

**Applicant: Haemophilia Foundation Australia**  
**Officer: Director of Finance**

Application

To consider an application for financial assistance towards its ongoing fundraising campaign which has been received from Haemophilia Foundation Australia (HFA).

Background

The Haemophilia Foundation Research Fund was established in 1994 to support Australian based medical, scientific and social research to benefit the treatment and care of people with haemophilia and related bleeding disorders.

Haemophilia is a rare blood clotting disorder in which one of the essential clotting factors is deficient or missing. It is incurable and, without treatment with replacement clotting factor, it can be life threatening.

Haemophilia is hereditary, but in one third of cases it appears in families with no previous history of the disorder. It affects males almost exclusively and is passed on through females who carry the defective gene. Some women are symptomatic carriers of the haemophilia gene and may also experience bleeding problems. Currently in Australia there are approximately 2,000 people with varied degrees of severity.

Haemophilia Foundation Australia assists the community in many way, including providing :

- Resources and publications which give the community up-to-date information on bleeding disorders and relevant topics.
- Consultation with members of the bleeding disorders community and health professionals for feedback about the Foundation's hepatitis C education last year.
- New fact sheets on hepatitis C/liver health tests and treatment.
- Sharing personal stories of people with bleeding disorders and hepatitis C in Haemophilia Foundation newsletters.
- Education sessions on hepatitis C issues for the community and haemophilia health professionals at the Foundation's national Haemophilia Conference.
- Successful advocacy to government for access to subsidised hepatitis C retreatment for people with bleeding disorders and hepatitis C.
- The Haemophilia Foundation Research Fund has provided for 21 research projects over its 13-year history, representing a total amount of \$467,592.

HFA supported 25 different programmes and activities around Australia via State and Territory Foundation programmes including :

- Camps
- Family, men's women's and youth groups
- HIV and hepatitis C peer support groups
- Carers' and partners' support groups
- Rural visits.

Comment

Council was donating \$100 annually to Haemophilia Foundation Australia, then \$150 until December 2004. No further request for financial assistance was received until June 2008 when Council granted a donation of \$150. A donation of \$150 was granted in February 2009.

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**

**(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that Council grants a donation of \$150 to Haemophilia Foundation Australia towards its ongoing fundraising campaign to assist people with haemophilia and their families.**

**CARRIED BY EN BLOC RESOLUTION**

**14.8 Donation - Juvenile Diabetes Research Fund Walk**

**Applicant:** Kristy McGlew  
**Officer:** Director of Finance

Application

To consider an application for financial assistance towards the Juvenile Diabetes Research Fund Walk being held this year on 18 October.

Background

Kristy McGlew is a resident of the City and last year was diagnosed with Type 2 Diabetes. Her father and grandfather also suffer from Type 2 Diabetes.

Kristy is aware of what lifestyle changes she has had to make and is particularly concerned about young children having to deal with diabetes, especially Type 1, as they have to have insulin injections, which is a good reason to research more into diabetes to find a cure.

She is putting her efforts into the annual fundraising Juvenile Diabetes Research Fund Walk which is being held on 18 October and is requesting financial assistance from Council in this regard.

Comment

Council donated \$100 to the Juvenile Diabetes Research Foundation via Walk to Cure Diabetes in 1999 and 2002.

In June 2006, Council donated \$150 to the Juvenile Diabetes Research Foundation towards its Walk to Cure Diabetes fundraising campaign for that year.

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that Council grants a donation of \$150 to the Walk to Cure Diabetes fundraising campaign of Juvenile Diabetes Research Fund.**

**CARRIED BY EN BLOC RESOLUTION**

**14.9 Review of Rate Exemption Status - Apostolic Church Trust**

**Location:** 7 Slade Street, Bayswater  
**Officer:** Director of Finance

Application

For Council to consider withdrawing the rate exemption granted for the property located at 7 Slade Street, Bayswater.

Background

The property located at 7 Slade Street Bayswater is owned by the Apostolic Church Trust and has been granted a rate exemption from general rates for many years.

On the 7 May 2009 a submission was received from Jacaranda Childcare for a retrospective change of use for a child day care centre (after school and vacation care) at the church hall located at the property, and the submission was considered at the Council meeting held on 28 July 2009.

In light of the facts highlighted in the submission to Council and the City's subsequent investigations, a letter was sent to the Apostolic Church Trust on 30 July 2009 advising of Council's obligation to review the current rate exemption status and requested details of the agreement between Jacaranda Childcare and the Church.

On the 6 August 2009 a spokesperson from the Apostolic Church Trust responded and advised the City that there was a formal agreement between the Church and Jacaranda Childcare for the use of its hall to provide after school and vacation care services. The lease fee was minimal and was based on a cost recovery basis only, and that Jacaranda Childcare had been operating from the premises for approx 12 months.

Comment

Under the provisions of section 6.26 (2) (d) of the *Local Government Act 1995* land is not rateable if the land is used exclusively by a religious body as a public place of worship.

On consultation with the Department for Local Government in relation to the matter a mutual conclusion was agreed that the premises are not used exclusively for religious purposes as there is a commercial undertaking at the property between Jacaranda Childcare and the Apostolic Church Trust. Therefore, the use of the property no longer meets the requirement of section 6.26 (2) (d) of the *Local Government Act 1995* to be eligible to receive a rates exemption.

In light of these facts the rate exemption status should be revoked.

The current gross rental valuation of the property is \$40,000 and the annual general rates would be \$2,620.

Voting Requirements

Simple Majority Required.



**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that Council withdraw the rate exemption from the property located at 7 Slade Street Bayswater effective 1 July 2009 under Section 6.26 (2) (d) of the *Local Government Act 1995*, as the property is no longer used exclusively as a place of public worship.**

**CARRIED BY EN BLOC RESOLUTION**

**14.10 Outstanding Rates and Service Charges**

**Officer: Director of Finance**

<b>CONFIDENTIAL ITEM</b>
--------------------------

Application

To consider placing a caveat on the land title of the properties listed on the attached schedule due to unpaid rates in excess of three years, and in accordance with Council Policy FS-P16.

In accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to members of the public for this item as the following sub-section applied:

- (b) The personal affairs of any person.

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that Council register a caveat on all properties listed within the confidential report in accordance Section 6.64 (3) of the *Local Government Act 1995*.**

**CARRIED BY EN BLOC RESOLUTION**

**15 REPORTS OF MANAGEMENT/ADVISORY COMMITTEES****15.1 Minutes of the Security Watch Advisory Committee – August 2009****Attachments:** [Minutes Security Watch Advisory Committee - August 2009](#)**Officer:** A/Director of Administration and Community ServicesApplication

To inform Council of the minutes of the Security Watch Advisory Committee Meeting held on 10 August 2009.

Background

Attached is a copy of the minutes of the Security Watch Advisory Committee meeting which was held on 10 August 2009 (*refer to Attachment No. 1*).

A copy of the confidential minutes is attached (*refer to confidential Attachment*).

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that the minutes of the meeting of the Security Watch Advisory Committee which was held on 10 August 2009 be received and the recommendations contained therein and listed hereunder be approved:**

**1.1 Security Watch Services Report**

**That:**

- 1. The Security Watch Services Report for the month of July 2009 be received.**
- 2. The Chairperson of the Security Watch Advisory Committee to send a letter of thanks to Mr Colman Ring, thanking him for his contribution to the Committee.**

**1.2 Police Crime Statistics**

**That:**

- 1. The Verbal reports by the Officers in charge of the Bayswater Police Stations for the month of July 2009 be received.**
- 2. The Crime statistics reports for the month of May and June 2008/2009 be received.**

**1.3 Graffiti Programme Status**

**That:**

- 1. The Graffiti Programme Status Report for the period 1 June 2009 to 30 June 2009 be received.**
- 2. The Community Safety and Crime Prevention Plan – Graffiti Action Plans with particular reference to items 7.2 Joint Graffiti Community Safety and Crime Prevention Plan 2010-2012, and 9.1 Priority and Strategies – City of Bayswater be adopted and implemented by the City.**

**1.4 CCTV Cameras**

**That the information contained within the City of Bayswater CCTV Report be received.**

**CARRIED BY EN BLOC RESOLUTION**

**15.2 Minutes of the Meeting of the YMCA Management Advisory Committee**

**Attachments:** [Minutes of the Meeting held on 12 August 2009](#)  
[Agenda of the Meeting held on 12 August 2009](#)

**Officer:** Director of Finance

Application

To inform the Council of the minutes of the meeting of the YMCA Management Advisory Committee which was held on 12 August 2009.

Background

A copy of both the minutes (*refer Attachment 1*) and agenda (*refer Attachment 2*) of the meeting of the YMCA Management Advisory Committee, which was held on 12 August 2009, are attached

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that the minutes of the meeting of the YMCA Management Advisory Committee which was held on Wednesday, 12 August 2009 be received and the recommendations contained therein be approved:**

**5.0 Financial/Manager's Reports (June 2009)****5.1 Morley Sport and Recreation Centre****5.1.1 June 2009**

**That the financial/management reports for June 2009 for the Morley Sport and Recreation Centre be received.**

**5.2 Alma Venville Recreation Centre****5.2.1 June 2009**

**That the financial/management reports for June 2009 for the Alma Venville Recreation Centre be received.**

**CARRIED BY EN BLOC RESOLUTION**

**15.3 Minutes of the Trader Group Advisory Committee**

**Attachments:** [Minutes of the Meeting held on 3 August 2009](#)  
**Officer:** Director of Finance

Application

To inform the Council of the minutes of the Trader Group Advisory Committee which was held on Monday 3 August 2009.

Background

A copy of the minutes of the meeting of the Trader Group Advisory Committee which was held on Monday 3 August 2009 is attached (*refer Attachment 1*).

Voting Requirements

Simple Majority Required.

**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that the minutes of the meeting of the Trader Group Advisory Committee which was held on Monday 3 August 2009 be received and the recommendations contained therein be approved:**

**1. Outstanding Business**

Nil.

**2. General Business****2.1 Deputation by the Manager Rangers and Security Services**

That the deputation by the Manager Rangers and Security Services be noted.

**2.2 Feedback to the Security Watch Committee**

That the report seeking assistance from business representatives on the Trader Group Advisory Committee in obtaining feedback from local traders in the Morley, Bayswater and Maylands business precincts on matters concerning antisocial behaviour, be received.

**2.3 CEBA Business Awards**

That the report on the Central Eastern Business Association's and City of Bayswater's Small Business Awards 2009 function be received.

**2.4 Bayswater Village Retail Traders Report**

That the report on the recent activities of the Bayswater Village Retail Traders Association be received.

**2.5 Maylands Business Group Report**

That the report on the recent activities of the Maylands Business Group be noted.

**2.6 Morley Business Group**

That the report on the status of the Morley Business Group be received.

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**2.7 Industrial Group Report**

**That :**

- 1. The report on the recent activities of the Industrial Group be received.**
- 2. Council consider the provision of secretarial support to the Industrial Group, including the option of outsourcing this work.**
- 3. A report be presented to Council pertaining to the management of business identification signs in the industrial area.**

**CARRIED BY EN BLOC RESOLUTION**

**15.4 Minutes of the Meeting of the Residential Aged Care Facilities Governance Committee****Attachments:** [Minutes of the Meeting held 20 July 2009](#)**Officer:** Director of FinanceApplication

To inform the Council of the minutes of the meeting of the Residential Aged Care Facilities Governance Committee which was held on 20 July 2009.

Background

A copy of the minutes of the meeting of the Residential Aged Care Facilities Governance Committee, which was held on 20 July 2009, are attached (*refer Attachment 1*).

Voting Requirements

**ABSOLUTE MAJORITY REQUIRED.**

**COUNCIL RESOLUTION****(OFFICER'S RECOMMENDATION)**

**CR MICHAEL SABATINO MOVED, CR SALLY PALMER SECONDED the Officer recommendation that the minutes of the meeting of the Residential Aged Care Facilities Governance Committee which was held on Monday, 20 July 2009 be received and the recommendations contained therein be approved:**

**1.1 City of Bayswater Aged Persons Homes 2009/2010 Budget**

**That:**

- 1. The 2009/2010 Budget with a total operating income of \$6.069million and operating expenditure of \$5.664million showing an operating surplus of \$404,835 be adopted (as shown on *Attachment 1*).**
- 2. The Schedule of Fees for 2009/2010 covering rental and ingoing contributions as per *Attachment 2* of this report is adopted.**
- 3. The 2009/2010 capital expenditure budget as per *Attachment 3* be adopted and the expenditure be funded from the Reserves as summarised in *Attachment 3*.**
- 4. The 2009/2010 Reserve Statement as per (*Attachment 4*) be adopted.**

**1.2 Loan Status Report**

**That Loans 220 and 221 for the City of Bayswater Hostel for \$3,174,812 (as at 30 June 2009) be repaid at the amount applicable at the date of repayment.**

**1.3 Review of Prudential Reserve Requirements for 2009/2010 for the Hostel**

**That:**

- 1. The Liquidity Management Strategy be reaffirmed.**
- 2. A transfer of \$45,274 from surplus be made to the cash-backed prudential reserve resulting in increasing the cash-backed reserve from the current level of \$374,652 to \$419,926.**

**CARRIED BY EN BLOC RESOLUTION WITH AN ABSOLUTE MAJORITY**



16            **MAYOR’S REPORT**

*At 8:30pm, Cr Sylvan Albert withdrew from the meeting and returned at 8:30pm.*

**CENTRAL EASTERN BUSINESS ASSOCIATION & CITY OF BAYSWATER  
2009 SMALL BUSINESS AWARDS**

On Friday night, 19 June 2009, the Central Eastern Business Association in association with the City of Bayswater held their inaugural Small Business Awards.

The City of Bayswater was delighted to have been given the opportunity to support this inaugural event and sponsor the prestigious City of Bayswater Business of the Year Award.

Small business make a vital contribution to our community and any initiative that recognises that contribution celebrates outstanding achievement and encourages business excellence is an initiative to be welcomed and applauded.

**MAYLANDS MULTIPURPOSE CENTRE**

On Friday, 19 June 2009, the City of Bayswater took the next step in relation to the Maylands Multipurpose Centre and signed the formal agreement with the Federal Government.

This agreement binds the Council in progressing forward with this project and the Federal Government to expend the \$10 million granted to the City of Bayswater.

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I would like to take this opportunity to thank my fellow Councillors for attending functions on behalf of the City of Bayswater.

**17 AFFIXING OF COMMON SEAL****17.1 Authorisation for Affixing of the Common Seal****COUNCIL RESOLUTION**

**CR TERRY BLANCHARD MOVED, CR MICHAEL SABATINO SECONDED that approval be granted for affixing of the common seal to the following documents:**

<b>Document Details</b>	<b>No. of Documents</b>	<b>Council Resolution</b>	<b>For Approval or Ratification</b>
Public Access Easement	1	Approved OMC 27 March 07	Ratification
Withdrawal of Caveat Property at 46/81 King William St Bayswater due to be transferred 9/9/09. Caveat to be lifted in exchange for bank cheque for full amount of outstanding rates at settlement	1	-	Ratification
Contract agreement - tender No. 18-2009 supplemental weed control	2	Item 2.8 OMC 14 July 2009	Ratification

**CARRIED**

**18 DISCUSSION OF MATTERS BEHIND CLOSED DOORS**

*At 8:31pm, the doors were closed to the public, and those present in the public gallery left the meeting.*

**COUNCIL RESOLUTION**

**CR TERRY BLANCHARD MOVED, CR MIKE ANDERTON, JP SECONDED that this Item is discussed behind closed doors.**

**CARRIED**

**18.1 Health Act Prosecution**

**Officer: Manager Environmental Health**  
**Refer: Item 12.1 OMC 10.02.09**

**CONFIDENTIAL ITEM**

**Application**

To seek Council's endorsement for the prosecution of a food premise for non-compliance with Section 246O of the *Health Act 1911*.

In accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting is closed to members of the public for this item as the following sub-section applied:

- (e) (iii) A matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person where the trade secret or information is held by, or is about, a person other than the local government.

**Voting Requirements**

Simple Majority Required

*At 8:34pm, Cr Terry Kenyon, JP returned to the meeting.*

*At 8:51pm, Cr Terry Blanchard withdrew from the meeting and returned at 8:51pm.*

*At 8:51pm, Cr Sylvan Albert withdrew from the meeting and returned at 8:52pm.*

**COUNCIL RESOLUTION**  
**(OFFICER'S RECOMMENDATION)**

**CR MARLENE ROBINSON MOVED, CR MICHAEL SABATINO SECONDED the Officer recommendation that Council endorses the Manager Environmental Health's previous decision to pursue prosecution of the food proprietor at Lot 76 Marchant Way Morley, under Section 246O of the *Health Act 1911*.**

**CARRIED**

**COUNCIL RESOLUTION**

**CR TERRY BLANCHARD MOVED, CR MIKE ANDERTON, JP SECONDED that the doors be re-opened to the public.**

**CARRIED**

*At 8:55pm, the doors were re-opened to the public, only three (3) of those previously present in the public gallery returned to the meeting.*

**19 CLOSURE**

**THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE CHAIRPERSON,  
HIS WORSHIP THE MAYOR, CR LOU MAGRO DECLARED THE MEETING  
CLOSED AT 8:54PM.**