



City of Perth

**Ordinary Council Meeting
Minutes**

**31 July 2018
6.00pm**

**Council Chamber
Level 9
Council House**

APPROVED FOR RELEASE

**MARTIN MILEHAM
CHIEF EXECUTIVE OFFICER**



City of Perth

**Ordinary Council Meeting
Minutes**

**31 July 2018
6.00pm**

**Council Chamber
Level 9
Council House**

Present

Chair of Commissioner Eric Lumsden
Commissioner Gaye McMath
Commissioner Andrew Hammond

Minutes to be confirmed at the next Ordinary Council meeting.

**THESE MINUTES ARE HEREBY CERTIFIED AS
CONFIRMED**

PRESIDING MEMBER'S SIGNATURE

DATE:-----

Minutes of the Ordinary Meeting of the Council of the City of Perth held in the Council Chamber, Ninth Floor, Council House, 27 St Georges Terrace, Perth, on Tuesday, 31 July 2018.

Presiding: **Chair of Commissioners, Eric Lumsden**

Commissioners in Attendance:

Commissioner Gaye McMath
Commissioner Andrew Hammond

Officers in Attendance:

Mr Mianich	Director Corporate Services
Ms Barrenger	Director Planning and Development
Mr Crosetta	Director Construction and Maintenance
Mr Fitzpatrick	Acting Director Economic Development and Activation
Ms Smith	Manager Development Approvals
Mr Ridgwell	Manager Governance
Mr Anastas	Personal Aide
Ms Obern	Governance Officer
Ms Rutigliano	Governance Officer

Observers:

4 members of the public
6 members of staff
2 members of the media

1. Prayer / Acknowledgment of Country

The Director Corporate Services read the prayer.

The Chair of Commissioners read the Acknowledgement of Country.

2. Declaration of Opening

6.00pm The Chair of Commissioners declared the meeting open.

3. Apologies

Mr Mileham – Chief Executive Officer
Ms Moore – Director Community and Commercial Services

4. Question Time for the Public and Notification of Deputations

4.1 Question Time for the Public

4.1.1 The following question was taken on notice at Ordinary Council Meeting held **26 June 2018**, the response provided is outlined below:

Question from Mrs Anna Vanderbom, 10B Monash Avenue Nedlands 6009 (CM 158120/18).

<p>Question 1:</p>	<p>The City of Perth’s P9 Precinct Residential Colleges reads ‘On site car parking facilities should be provided for all new development, to ensure vehicles are not forced onto nearby Crawley Residential Area or Kings Park. The number of bays to be provided may, however, be limited to encourage students to walk to university and use public transport.’</p> <p>In light of this, why have 30 parking bays and permits been allocated to each of the University colleges for use on residential streets of Hollywood and Crawley when residents pay rates but the colleges do not.</p>
<p>Answer:</p>	<p>Council Policy 22.6 (Schedule 2.13) was amended at the Council Meeting 27 August 2013 to allow for the 30 parking permits to be issued for residential colleges around Park Avenue.</p> <p>A number of temporary parking permits have been issued for St Catherines College until February 2019 whilst the new development is being built which includes an offstreet parking facility for students.</p>

4.1.2 Questions from Mrs Anne Bontempo, The Kings Street Precinct (CM 184009/18).

<p>Question 1:</p>	<p>Item 13.5 – Change to Parking Fees at Point Fraser Car Park</p> <p>It states the City is mindful of the impact of a drop in parking costs would have on revenue for the City’s budget:</p> <ol style="list-style-type: none"> a. What is the City doing to structurally alter its budget each year to reduce its reliance on parking fees as a source of revenue? b. If the decision is made to reduce parking fees at this location to ease the burden, will the City consider doing so across the whole of the local government area? c. Does the City believe its current approach to parking is sustainable from both a budget-setting perspective and from the perspective of retailers and ratepayers?
<p>Answer:</p>	<ol style="list-style-type: none"> a. Parking continues to be an important source of earnings for the City of Perth as it contributes to approximately 35% of the overall revenue. <p>The revenue earned is used to help and support various activities such as city maintenance, capital works, community services and community</p>

	<p>events that benefit the public and businesses within the City.</p> <p>In addition to this, approximately \$17.8m of the parking revenue is paid by the City under State Government legislation as a CBD specific parking levy (tax) to allow the City to provide important parking to the public and businesses.</p> <p>The City on an ongoing basis continues to review and optimise its operations to minimise the required revenue needed from rates and parking and ensure the delivery of the City’s services to the public and businesses.</p> <p>b. The City of Perth is continually reviewing, monitoring and performing analysis on all parking within the City to strike the right balance of equal public access, price and its responsibilities to the rate-payers of the City of Perth. As a result of this continuous review the decision was made to adjust parking fees at Point Fraser.</p> <p>c. The City of Perth believes its current approach of continually reviewing parking across the City to strike the right balance for public and business access is sustainable. It is intended to balance the required earnings from parking, to provide support for community services maintenance and capital works within the City, whilst providing accessible parking to the public despite absorbing the parking levy imposed by the State Government.</p>
<p>Question 2:</p>	<p>Item 13.11 – Outdoor Dining – Policy and Guidelines</p> <p>1. Did the City of Perth engage any external consultant(s) to complete any work attached in this agenda?</p> <p>2. If so, which consultancy was engaged and how much was spent</p>
<p>Answer</p>	<p>The City can confirm that all works were undertaken by City staff and that consultants were not used.</p>
<p>Question 3</p>	<p>Item 13.11 – Outdoor Dining – Policy and Guidelines</p> <p>Please respond to the following questions regarding specific policy sections:</p> <p>Policy section 2.2c – Given consideration of granting a licence depends on an alfresco dining set up not impeding view of traffic or line of sight of pedestrians crossing a road, wouldn’t having the alfresco closer to the road rather than against the structure of the building increase this likelihood?</p> <p>Policy section 2.2d – How does the City decide on what is considered acceptable furniture?</p> <p>Policy section 2.2f – How does the City determine a location’s amenity, and how alfresco dining will either add or detract from it, before a</p>

	<p>licence is granted?</p> <p>Policy section 2.2j – What could fall into this category of ‘any other matters that the City of Perth considers to be relevant’?</p> <p>Policy section 3.1 (1) – <i>‘The alfresco dining area should be located directly adjacent to the eating house.’</i> is contradicted by the sections 3.1(2), 3.1(3) and 13.1(4).</p> <p>Policy section 13.2 (2) – <i>‘The alfresco dining area must be located adjacent to the kerb with a minimum kerb clearance of 600mm’.</i> It would be safer for the pedestrians and customers to first encourage alfresco areas to be located directly adjacent to the building, not the road. No matter the buffer distance you impose, it is far more attractive to open up the footpath for pedestrians on the side closest to the road while leaving space available for alfresco closest to the building.</p> <p>Policy section 4.3(3) – <i>‘In King Street, the provision of modern sympathetic designs are preferable to ‘period’ designs that are not authentic to the Precinct’</i> is on the whole contrary to the language used in the King Street Heritage Precinct Design Guidelines ‘Supplementary Notes Alfresco Dining’ (page 25) which states:</p> <p><i>“The design of tables, chairs and benches, and any applied advertising should be in keeping with the style and character of the host building and reflect the interior image of the eating place”.</i></p> <p><i>“This is a Heritage Precinct and an old commercial area, all furniture should reflect this. Metal, wood and textiles (canvas) are seen as appropriate materials. Moulded plastics and acrylics are not appropriate. Colours used on alfresco furniture should complement the overall yellow tones of the streetscape. Pure white is to be avoided on table tops where its glare can be unpleasant.”</i></p> <p>Outdoor Dining Guidelines – It states on page 13 that outdoor dining is most appropriate in amongst other locations ‘laneways’. Can the City please explain the relationship between a laneway which is open to vehicle traffic, and establishing alfresco dining, when the previous point on this page details the need to have a minimum 3.2m combined footpath and kerb width?</p>
<p>Answer:</p>	<p>The Outdoor Dining Policy and Guidelines are being considered by Council for public consultation purposes only. As such the City will be seeking feedback from all stakeholders about them prior to Council considering them for adoption. The matters raised in sections two to four will be considered by the City as part of this consultation process. That is, this letter will be included as a submission on the draft Policy and Guidelines. It is anticipated that improvements to the Policy and Guidelines will be made in response to the feedback received from all stakeholders.</p>

4.1.3 Questions from Mr Brent Fleeton, PO Box 7599 Cloisters Square, Perth WA 6850 (CM 191778/18).

Question 1:	<p>According to the City’s budget, at the end of the 2018/19 FY, it will hold \$21.9 million in the parking levy reserve and \$20.4 million in the parking facilities development reserve:</p> <ul style="list-style-type: none"> a. What is the percentage increase of \$822,000 in the Parking Levy Reserve from last year? b. Does this total reserve balance transfer to the State Government each year to pay the levy, or is this a buffer the City keeps? c. What is the plan for the \$20.4 million in the reserve for parking facilities development?
Answer:	Question taken on notice.
Question 2:	<p>On page 64 of the Agenda under the Parking report by Deloitte, it states:</p> <p>“The revenue raised through the licensing of parking bays is used to fund the Central Area Transit bus system, improving public transport access, enhancing the pedestrian environment, supporting bicycle access and other initiatives which support a balanced transport system.”</p> <ul style="list-style-type: none"> a. How does the City reconcile parking revenue as stated in this report with the expenditure listed in the 2018/2019 Budget? b. What amounts can be attributable to capital expenditure on new projects which fit the above-mentioned scope; c. what amounts go towards the maintenance of existing infrastructure in this scope; and d. what amounts go to other projects not listed above (inc. salaries)?.
Answer:	Question taken on notice.
Question 3	What are the patronage numbers for the CAT bus system for the past 5 financial years?
Answer:	Question taken on notice.
Question 4	For the past five financial years, how much has been spent each year on the CAT bus system, both in terms of capital expenditure and operating expenditure?
Answer:	Question taken on notice.

4.2 Notification of Deputations

Nil

5. Members on Leave of Absence and Applications for Leave of Absence

Nil

6. Confirmation of Minutes

Moved Commissioner Hammond, seconded Commissioner McMath

That the minutes of the Agenda Briefing Session held on 24 July 2018, minutes of the Ordinary Council Meeting held on 26 June 2018 and Special Council Meeting held on 3 July 2018 are confirmed as a true and correct record.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

7. Announcements by the Chair of Commissioners

The Chair of Commissioners made the following announcement in relation to Policy:

Notwithstanding the formal adoption of policy and guidelines, the legal ruling is any policy still has to be considered on its application and on its merits. Any application which may or may not form a policy still has to be considered, it cannot be automatically discounted, that is a ruling from past Chief Justice David Malcolm. A policy is a policy, it's not a hard and fast statute of yes and no. I welcome the input from people but it does not mean the formal adoption of policy would result in any application in the future, regardless of the format of the policy, would be automatically discounted just because it did not necessarily comply with policy, it has to be evaluated accordingly.

8. Disclosures of Members' Interests

Commissioner/Officer	Item No. and Title	Nature/Extent of Interest
Mark Ridgwell (Manager Governance) CM 184131/18	Item 13.9 - Tender 140 -17/18 Provision of the Promotion and Broadcast by a TV Station – Australia Day Long Weekend	Nature: Impartiality. Mr Ridgwell is a close friend of the Channel 9 Perth Managing Director. Extent: Minor - Removed from all matters related to the consideration of this tender.

9. Questions by Members of which due notice has been given

Nil

10. Correspondence

Correspondence received from Tony Ransom, Pearl Villa, 453 Murray Street, Perth WA 6000 (CM 191792/18).

11. Petitions

Nil

12. Matters for which the Meeting may be Closed

The Director Corporate Services advised that in accordance with Section 5.23(2) of the *Local Government Act 1995*, the meeting will be required to be closed to the public prior to discussion of the following confidential attachments:

Attachment No.	Item No. and Title	Reason
Confidential Attachment 13.5A	Item 13.5 – Change to Parking Fees at Point Fraser Car Park	s5.23(2)(e)(ii) and s5.23(2)(e)(iii)
Confidential Attachment 13.9A, 13.9B and 13.9C	Item 13.9 – Tender 140-17/18 Provision of the Promotion and Broadcast by a TV Station – Australia Day Long Weekend	s5.23(2)(e)(ii) and s5.23 (2)(e)(iii)
Confidential Attachment 13.12B	Item 13.12 – Request for Reimbursement of Legal Expenses – Mr Gary Stevenson	s5.23(2)(b)

13. Reports**En Bloc Motion**

Moved Commissioner McMath, seconded Commissioner Hammond

That with the exception of items 13.1, 13.2, 13.4, 13.5, 13.6, 13.9, 13.11 and 13.13 which are to be considered separately, the Officer Recommendations for the remaining items (13.3, 13.7, 13.8, 13.10 and 13.12) be adopted by Council en bloc by an Absolute Majority decision.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Item 13.1 East Parade and Kensington Street Signalised Intersection Upgrade

Moved Commissioner McMath, seconded Commissioner Hammond

*That Council **APPROVES** by **ABSOLUTE MAJORITY** the allocation of \$24,000 additional budget to capital works project 'CW 12083 – Parallel Walks and Other Pedestrian Improvements'.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Item 13.2 Modernising Western Australia's Planning System – Green Paper Concepts for a Strategically-Led System

Officer Recommendation

That Council **ENDORSES** the submission to the Western Australian Planning Commission on 'Modernising Western Australia's Planning System – Green Paper Concepts for a Strategically – Led System' as detailed in Attachment 13.2A.

MOVED WITH AMENDMENT

Moved Commissioner Lumsden, seconded Commissioner Hammond

That Council amend the Officer Recommendation as follows:

*That Council **ENDORSES** the submission to the Western Australian Planning Commission on 'Modernising Western Australia's Planning System – Green Paper Concepts for a Strategically – Led System' as detailed in the revised Attachment 13.2A.*

PRIMARY MOTION AS AMENDED

That Council ENDORSES the submission to the Western Australian Planning Commission on 'Modernising Western Australia's Planning System – Green Paper Concepts for a Strategically – Led System' as detailed in the revised Attachment 13.2A.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Reason: To include the Commissioner's comments in the City's submission. Refer to Revised Attachment 13.2A.

Item 13.3 Telethon Partnership with City of Perth Parking – 20 and 21 October 2018

Moved Commissioner McMath, seconded Commissioner Hammond

That Council:

- 1. APPROVES cash and in-kind support donations to Telethon valued at \$82,669.49 excl GST;***
 - 1.1 a City of Perth cash donation to Telethon valued at \$40,000 to be presented on Telethon weekend;***
 - 1.2 security and staff services valued at \$3,245 excl GST; and***
 - 1.3 provision of subsidised parking (less applicable costs) at the Convention Centre Car Park to the value of \$39,424 excl GST;***
- 2. APPROVES the waiver of parking fees associated with the City's support for Telethon valued at \$17,507 excl GST which includes:***
 - 2.1 395 free bump passes for the use of the Telethon telephone room volunteers for parking at His Majesty's Car Park at night;***
 - 2.2 up to 107 free permits for the Convention Centre Car Park for employees of Channel 7; and***
 - 2.3 2 bays on street parking in Mill Street outside Parmelia Hilton for VIP parking;***

(Cont'd)

3. ***APPROVES subsidised parking of \$39,424 with the concessional fees for the Convention Centre Car Park, with these fees to apply only during the Telethon weekend as follows:***
 - 3.1 ***for 0 – 3 hours – \$5.00 flat fee per entry; and***
 - 3.2 ***for above 3 hours – \$10.00 flat fee per entry;***

4. ***NOTES that Telethon will provide the following free promotional opportunities for City of Perth Parking (CPP) as a financial offset to the costs associated with parts 3 and 4 above:***
 - 4.1 ***an opportunity for a City representative to present the City’s cheque to Telethon;***
 - 4.2 ***CPP logo recognition during broadcast along with other non-conflicting sponsors;***
 - 4.3 ***CPP support of Telethon verbally referred to by on air talent during Telethon broadcast;***
 - 4.4 ***CPP Parking offer mentioned in Telethon Diary column in The West Australian; lead up to the Telethon Weekend;***
 - 4.5 ***CPP Parking offer mentioned in Telethon Diary Email to Telethon database of over 60,000 inboxes in lead up to the Telethon weekend;***
 - 4.6 ***Display of City of Perth and CPP logos on the Telethon Weekend partners page of the Telethon website;***
 - 4.7 ***CPP portable banners to be displayed at Telethon Information Desk; and***
 - 4.8 ***CPP promotional merchandise/giveaways supplied by CPP to be used/ displayed by Telethon at both the Call Centre and PCEC at their discretion.***

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Item 13.4 Business Plan for City of Perth Parking Major Trading UndertakingOfficer Recommendation

That Council:

1. ADOPTS Attachment 13.4A the Business Plan for the City of Perth Parking Major Trading Undertaking and proceeds with the undertaking as proposed; and
2. NOTES that no submissions were received in response to the state wide public notice.

ALTERNATE MOTION

Council resolved to adopt an alternate motion as follows:

Moved Commissioner Hammond, seconded Commissioner McMath

*That Council **NOT ENDORSE** the Business Plan as detailed in Attachment 13.4A and seeks a more comprehensive business plan that addresses all aspects of the City of Perth Parking Business including, but not limited to, the current and future net financial impacts on the City, strategic and operational risks, and the application of competitive neutrality principles.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Reason: To ensure that such a significant driver of revenue for the City, is also covered by a comprehensive business plan that not only complies with the *Local Government Act 1995* but is able to inform the Commissioners and the community of the very important role parking plays in providing revenue for the City.

Item 13.5 Change to Parking Fees at Point Fraser Car Park

Moved Commissioner Hammond, seconded Commissioner McMath

*That Council **APPROVES** by **ABSOLUTE MAJORITY** the proposed change to parking fees, as detailed in this report, for City of Perth Parking's Point Fraser Car Park.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Item 13.6 Financial Statements and Financial Activity Statement for the Period Ended 31 May 2018

Officer Recommendation

That Council RECEIVES the Financial Statements and the Financial Activity Statement for the period ended 31 May 2018, as detailed in Attachment 13.6A of this Report.

MOVED WITH AMENDMENT

Moved Commissioner McMath, seconded Commissioner Hammond

That Council amend the Officer Recommendation as follows:

That Council:

1. **RECEIVES the Financial Statements and the Financial Activity Statement for the period ended 31 May 2018, as detailed in Attachment 13.6A of this Report; and**
2. **REVIEW the process for closing out and accounting for capital works projects as soon as they are completed rather than waiting for the end of the financial year.**

PRIMARY MOTION AS AMENDED

That Council:

1. **RECEIVES the Financial Statements and the Financial Activity Statement for the period ended 31 May 2018, as detailed in Attachment 13.6A of this Report; and**
2. **REVIEW the process for closing out and accounting for capital works projects as soon as they are completed rather than waiting for the end of the financial year.**

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Reason: To ensure transparent and accurate reporting.

Item 13.7 Payments from Municipal and Trust Funds – May 2018

Moved Commissioner McMath, seconded Commissioner Hammond

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 31 May 2018, be RECEIVED and recorded in the Minutes of the Council, the summary of which is as follows:

<i>FUND</i>	<i>PAID</i>
<i>Municipal Fund</i>	<i>\$ 18,445,291.16</i>
<i>Trust Fund</i>	<i>\$ 5,038.03</i>
<i>TOTAL:</i>	<u><u><i>\$ 18,450,329.19</i></u></u>

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Item 13.8 Payments from Municipal and Trust Funds – June 2018

Moved Commissioner McMath, seconded Commissioner Hammond

That in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, the list of payments made under delegated authority for the month ended 30 June 2018, be RECEIVED and recorded in the Minutes of the Council, the summary of which is as follows:

(Cont'd)

<i>FUND</i>	<i>PAID</i>
<i>Municipal Fund</i>	<i>\$ 18,934,506.04</i>
<i>Trust Fund</i>	<i>\$ 0.00</i>
<i>TOTAL:</i>	<i>\$ 18,934,506.04</i>

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Item 13.9 Tender 140-17/18 Provision of the Promotion and Broadcast by a TV Station – Australia Day Long Weekend

The Director Corporate Services advised Council this report has been withdrawn for consideration at this Council meeting.

Officer Recommendation

That Council ACCEPTS the most suitable tender submission, being that submitted by Nine Entertainment Co. Holdings Limited (trading as Channel 9 Perth) for the Promotion and Broadcast by a TV Station – Australia Day Long Weekend (Tender 140 – 17/18), for an initial period of one year (2019) with the option to extend to 2020 and 2021.

MOTION TO NOTE WITHDRAWAL

Moved Commissioner McMath, seconded Commissioner Hammond

That Council NOTE the withdrawal of the report titled Tender 140-17/18 Provision of the Promotion and Broadcast by a TV Station – Australia Day Long Weekend to enable an independent review of the tender assessment which requires further clarification and review.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Reason: To enable an independent review of the tender assessment which requires further clarification and review.

Item 13.10 Amendments to Council Policy 6.20 ‘Comment and Recommendations on Development Proposals Referred to the City by Statutory Authorities’

Moved Commissioner McMath, seconded Commissioner Hammond

That Council ENDORSE amendments to Council Policy 6.20 ‘Comment and Recommendations on Development Proposals referred to the City by Statutory Authorities’ as detailed in Attachment 13.10B.

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Item 13.11 Outdoor Dining – Policy and Guidelines

Officer Recommendation

That Council:

1. APPROVES the draft Council Policy 14.1 Outdoor Dining Policy (as detailed in Attachment 13.11B) for consultation purposes;
2. NOTES that a review of the Outdoor Dining Policy will be undertaken after the first year and then updated every three years;
3. ENDORSES the draft Outdoor Dining Guidelines (as detailed in Attachment 13.11C) for consultation purposes; and
4. NOTES that the results of the consultation will be presented to Council at a future meeting.

MOVED WITH AMENDMENT

Moved Commissioner McMath, seconded Commissioner Hammond

That Council amend the Officer Recommendation as follows:

That Council:

1. **APPROVES** the draft Council Policy 14.1 Outdoor Dining Policy (as detailed in Attachment 13.11B) for consultation purposes;
2. **NOTES** that a review of the Outdoor Dining Policy will be undertaken after the first year and then updated every three years;
3. **ENDORSES** the draft Outdoor Dining Guidelines (as detailed in Attachment 13.11C) for consultation purposes; ~~and~~
4. **NOTES** that the results of the consultation will be presented to Council at a future meeting as soon as is possible;
5. **REVIEWS** the proposed fee structure endorsed by Council 21 November 2017 item 1.1 which read endorsed: “the implementation of an annual alfresco dining fee of \$40 per square metre from 1 January 2018 as detailed in this report” to ensure that the City of Perth fee structure be competitive with other Perth local government fee structures;
6. **The City INVESTIGATES** the development of an online self-service function to facilitate the efficient and effective processing and management of applications; and
7. **Following the consultation process a revised policy and guidelines will be presented to Council for approval as soon as possible and no later than December 2018.**

PRIMARY MOTION AS AMENDED

That Council:

1. **APPROVES** the draft Council Policy 14.1 Outdoor Dining Policy (as detailed in Attachment 13.11B) for consultation purposes;
2. **NOTES** that a review of the Outdoor Dining Policy will be undertaken after the first year and then updated every three years;
3. **ENDORSES** the draft Outdoor Dining Guidelines (as detailed in Attachment 13.11C) for consultation purposes;
4. **NOTES** that the results of the consultation will be presented to Council at a future meeting as soon as is possible;

(Cont'd)

5. ***REVIEWS*** the proposed fee structure endorsed by Council 21 November 2017 item 1.1 which read endorsed: “the implementation of an annual alfresco dining fee of \$40 per square metre from 1 January 2018 as detailed in this report” to ensure that the City of Perth fee structure be competitive with other Perth local government fee structures;
6. ***INVESTIGATES*** the development of an online self-service function to facilitate the efficient and effective processing and management of applications; and
7. ***Following the consultation process a revised policy and guidelines will be presented to Council for approval as soon as possible and no later than December 2018.***

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Reason: To support the consultation process going forward.

Item 13.12 Request for Reimbursement of Legal Expenses – Mr Gary Stevenson

Moved Commissioner McMath, seconded Commissioner Hammond

That Council APPROVES the request dated 16 April 2018 by Mr Gary Stevenson for reimbursement for legal expenses incurred in his capacity as Chief Executive Officer of the City of Perth subject to payment being limited to \$2,200 (including GST).

The motion was put and carried en bloc

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Item 13.13 Amendment to Council Policy 10.6 Elected Members – Reimbursement of Expenses and Council Policy 10.3 Elected Members – Interstate and Overseas Travel and Expenses

Officer Recommendation

That Council ENDORSE for public consultation:

1. Draft Council Policy 10.6 – “Elected Members – Reimbursement of Expenses” (draft policy 10.6) as detailed in Attachment 13.13B; and
2. Draft Council Policy 10.3 – “Elected Members – Interstate and Overseas Travel and Expenses” (draft policy 10.3) as detailed in Attachment 13.13D.

MOVED WITH AMENDMENT

Moved Commissioner Hammond, seconded Commissioner McMath

That Council amend the Officer Recommendation as follows:

That Council ENDORSE for public consultation:

1. *Draft Council Policy 10.6 – “Elected Members – Reimbursement of Expenses” (draft policy 10.6) as detailed in the revised tabled attachment 13.13B; and*
2. *Draft Council Policy 10.3 – “Elected Members – Interstate and Overseas Travel and Expenses” (draft policy 10.3) as detailed in Attachment 13.13D.*

PRIMARY MOTION AS AMENDED

That Council ENDORSE for public consultation:

1. *Draft Council Policy 10.6 – “Elected Members – Reimbursement of Expenses” (draft policy 10.6) as detailed in the revised tabled attachment 13.13B; and*
2. *Draft Council Policy 10.3 – “Elected Members – Interstate and Overseas Travel and Expenses” (draft policy 10.3) as detailed in Attachment 13.13D.*

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Reason: To ensure transparency and a nexus between expenses paid by the City and the functions of an Elected Member.

14. Motions of which Previous Notice has been given

Nil

15. Urgent Business

15.1 Nomination of Voting Delegates – Western Australian Local Government Association Annual General Meeting

Officer Recommendation

That Council APPOINT Commissioner Lumsden and Commissioner Hammond as its voting delegates at the Western Australia Local Government Association Annual General Meeting 2018.

MOVED WITH AMENDMENT

Moved Commissioner McMath, seconded Commissioner Hammond

That Council amend the Officer Recommendation as follows:

That Council APPOINT Commissioner Lumsden and Commissioner Hammond as its voting delegates and Commissioner McMath as proxy at the Western Australia Local Government Association Annual General Meeting 2018.

PRIMARY MOTION AS AMENDED

That Council APPOINT Commissioner Lumsden and Commissioner Hammond as its voting delegates and Commissioner McMath as proxy at the Western Australia Local Government Association Annual General Meeting 2018.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

Reason: To ensure voting delegates are appointed to the WALGA AGM.

15.2 Attendance at the Mindarie Regional Council meeting to be held on 6 September 2018

Moved Commissioner Lumsden, seconded Commissioner McMath

That Council NOTES the apology of the Chair of Commissioners Lumsden and APPOINTS Commissioner Hammond as deputy at the Mindarie Regional Council meeting to be held on 6 September 2018.

The motion was put and carried

The votes were recorded as follows:

For: Commissioners Lumsden, Hammond and McMath

Against: Nil

16. Closure

7.00pm The Chair of Commissioners declared the meeting closed.

Green Paper – Proposals for modernising the planning system

City of Perth Response

General comments as per the report to Council on 31 July 2018.

Response Template

This response template is intended to assist industry groups, local governments and practitioners respond in detail to the proposals outlined in the paper. The template is structured in accordance with the reform Proposals and the subheading and recommendations within those.

Completed templates may be submitted via the online survey at www.planning.wa.gov.au/planningreform. You will be directed to an upload page after the first two pages of identifying questions.

Submissions close on 20 July 2018.

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
1.0	A STRATEGICALLY-LED SYSTEM		
1.1	Prominence of Strategic Planning		
1.1.1	Provide in the PD Act that strategic planning is a purpose of the Act and provide a definition of strategic planning.	Yes	
1.1.2	Provide in the LPS Regulations that the review of a local planning scheme must be informed by, and respond to, a review of the local planning strategy.	Yes	
1.1.3	Provide in the LPS Regulations that a complex scheme amendment must be accompanied by a proposed amendment to the Local Planning Strategy.	In part	This should be dependent on the nature of the complex amendment. Agree that if the complex amendment addresses a major strategic issue or provides for a major change in strategic direction, then the strategy should be amended to reflect this. In these instances, a complex scheme amendment document should be supported by a strategy amendment document and processed in parallel for efficiency purposes.

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			If a complex amendment however only addresses an isolated site and does not address a major strategic issue or provide a major change in strategic direction, it is questioned as to whether the strategy needs to be amended as it generally does not provide direction for individual sites.
1.2	Need to Explain Sustainability for Land Use Planning		
1.2.1	<p>An overarching State Planning Policy be developed which:</p> <ul style="list-style-type: none"> i Provides a definition of sustainability for the planning system which reflects a balancing of economic development, environmental considerations, and social needs; ii Reinforces sustainability as an essential element required to be taken into account in the making of any strategy or policy; and iii Indicates the particular steps related to how economic, social and environmental factors are balanced. 	Yes – in part	<p>Agree with the preparation of an overarching sustainability SPP addressing the matters listed. It is important to emphasise that the balancing of economic, environmental and social objectives does not mean that they are mutually exclusive and that trade-offs will be required, but rather that synergies and integrated outcomes should be sought.</p> <p>In this regard, the reference in the Green Paper to the UK Planning Policy 1 – Delivering Sustainable Development, (para. 24) is considered to capture the consideration of sustainability in land use planning well, particularly in relation to the integration aspects.</p> <p>Sustainable development could be defined as ‘development which supports economic productivity, is in harmony with the natural environment and addresses social needs.’</p> <p>The UK’s sustainability appraisal and strategic environmental assessment (local development framework) may provide a useful guide to integrating sustainability into the planning process. This will require new skills which are generally not currently available in government. If the State Government were to follow the UK model it would require capacity building as well as the development of clear and consistent processes to demonstrate how this can be achieved.</p>
1.3	Housing Distribution		
1.3.1	Provide that every local planning strategy include a local housing strategy, except for low growth and small regional local governments which only require basic local planning scheme requirements.	Yes	Likewise, regional planning strategies should also include regional housing strategies which set housing targets (including social and affordable housing) for individual local governments.

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
1.3.2	The DPLH to provide guidance for local government in the Local Planning Manual on how to prepare a Local Housing Strategy, including a methodology for local housing analysis.	Yes	
2.0	A LEGIBLE PLANNING SYSTEM		
2.2	Arranging State Planning Policies for Brevity and Simplicity		
2.2.1	State Planning Policies be consolidated into a single state planning policy framework with supplementary technical guidance.	Yes – in part	Guidelines should also be prepared for the preparation of State Planning Policies and regional and sub-regional strategies/plans.
2.3	Line of Sight		
2.3.1	WAPC to establish common strategic “elements” for the State Planning Framework including but not limited to: <ul style="list-style-type: none"> • A “sustainability” element • A “land use element” that includes the distribution of uses of land as well as density • A “housing element” that includes the types of housing • An “environmental element” • An “open space element” • An “urban form and design element” • An infrastructure element. and prepare Technical Guidance for the details of each element to be included.	Yes – in part	Support the establishment of common strategic elements. Believe however that the following additional elements should also be included: economic development/employment, transport infrastructure, social infrastructure and governance. It is considered that density would be better linked to urban form rather than land use.
2.3.2	Provide that every State Planning Policy, Regional or sub-regional plan and the local planning strategy must follow these elements, unless otherwise agreed to by the WAPC.	Yes – in part	Generally agree however question how these might be applied to every State Planning Policy as these are often single issue focussed. The relevant strategic element should however be referenced.
2.3.3	Provide that every local planning strategy must explain how it has addressed the requirements of each	Yes	

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
	common strategic element against the requirements of State Strategy, Planning Policy or Regional or sub-regional strategy.		
2.3.4	Provide in the PD Act that all planning decision makers are to have due regard to State Planning Policies.	Yes	
2.3.5	Provide in the Metropolitan Redevelopment Authority Act 2011 that in performing functions under the Act, the MRA must have regard to State Planning Policies.	Yes – in part	<p>Agree with the recommendation however believe it should be expanded further.</p> <p>The Metropolitan Redevelopment Authority (MRA) should also be required to have regard to other parts of the State/Local Planning Framework, particularly the Local Planning Strategy, to ensure that where possible, the proposed redevelopment fits with the broader strategic vision for the place as a whole. Whilst it is acknowledged that the local government has no planning control over redevelopment areas, its local planning strategy should be amended to reflect the vision of the redevelopment area, similar to the process proposed for complex scheme amendments. Local planning strategies play an important role in communicating to the community the holistic planning and development vision and strategy for a place. Currently where there are multiple planning agencies this vision and strategy needs to be pieced together by the different planning documents of the various planning agencies.</p> <p>The MRA's redevelopment schemes should also be required to incorporate the deemed and model provisions set out in the '<i>Planning and Development (Local Planning Scheme) Regulations 2015</i>' and have regard and be consistent where possible with the elements of the local planning scheme which operates within the local government which the redevelopment area is situated. The previous and current inconsistencies between the redevelopment scheme and local planning scheme within the city has required the City to create a separate planning scheme specifically for the normalised redevelopment areas to reflect the redevelopment scheme and provide for a smoother normalisation process. These inconsistencies includes different approaches to zones, land use group categories and</p>

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			permissibilities, development controls (i.e. use of plot ratio) and the extent of variations possible. There is considered to be no apparent reason why such variations in approach to planning schemes are necessary. If there were greater consistency between the redevelopment scheme and local planning scheme, the need for the City to maintain a separate planning scheme could be avoided. It would also enable the community to more easily navigate the local planning framework.
2.4	Complexity locating and interpreting the local planning framework		
2.4.1	Require that a local planning scheme be published with the inclusion of the Local Planning Strategy (in the form of a local strategic statement) and Local Planning Policies in a document to be called a “Comprehensive Local Planning Scheme”.	In part	<p>Agree that the Local Planning Strategy, Local Planning Scheme and Local Planning Policies should be placed in one location so that the community can view and understand the local planning framework in its entirety.</p> <p>The concept of a Comprehensive Local Planning Scheme however requires further explanation, as to how it would work and what the implications of it would be. Would the Local Planning Strategy, Local Planning Scheme and Local Planning Policies be prepared, reviewed and amended following the same or different processes, and who would be responsible for approval of these? Would the provisions of these planning documents have equal or different legal weight?</p> <p>Agree that the strategic planning objectives from the Local Planning Strategy should be included in the Local Planning Scheme to establish a clear link between the Local Planning Strategy and Local Planning Scheme.</p> <p>Have reservations about the whole Local Planning Strategy (part one) and the Local Planning Policies being formally included in the Local Planning Scheme. Including these in the one document could blur the role of each of these documents and create confusion.</p> <p>The level of community engagement (inform, consult, involve, collaborate and empower) is likely to vary depending on the stage in the planning process and the type of planning document.</p>

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			<p>The current process for the preparation and amendment of Local Planning Policies, with approval resting with local government, provides for a streamlined and quicker process than that for the preparation and amendment of a Local Planning Scheme and therefore enables local government to respond more quickly to address current issues. To introduce a requirement for Local Planning Policies to be approved by the State Government appears contrary to the reform principle of efficiency. Refer to full response to proposal 2.6.1 surrounding this matter.</p> <p><u>Commissioners Response</u></p> <p><u>Support the Concept of the Local Planning Policies being included in the Local Planning Scheme to ensure strategic alignment between a proposed planning strategy and supporting planning policies.</u></p> <p><u>Local Government provisions should be required for Local Planning Policies to be approved by the WAPC in the event they conflict with State Government policies to ensure strategic alignment of outcomes are not eroded.</u></p>
2.4.2	DPLH to provide guidance for local government in the Local Planning Manual on the content and format of a Local Planning Strategy and Local Planning Policies.	Yes	<p>Support the revision of guidance on content and format of Local Planning Strategies.</p> <p>Support the provision of guidance on a Local Planning Policy framework as well as the format of Local Planning Policies, however believe that it would be difficult to include guidance on the content of these as these are often developed to guide discretion around specific issues or in specific areas.</p>
2.4.3	Local governments currently undertaking, or about to embark on, a substantive review of their planning frameworks delay preparation of local planning strategies and local planning schemes (and related omnibus amendments) until guidance on the format and content of local planning frameworks is available.	No	<p>Guidance on the format and content of local planning frameworks is likely to be some time away with the White Paper still being required to be prepared.</p> <p>The City of Perth is substantially progressed on the preparation of its City Planning Strategy. Extensive community engagement has occurred to</p>

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			<p>inform the strategy and a draft is expected to be finalised in the latter half of 2018 for consideration by Council. To delay progression of this would not align with community expectations for delivery of the strategy and potentially waste significant resources which have already been invested in this process.</p> <p>The City would be happy to work with the Department and be a test case for a new model Local Planning Strategy.</p> <p>Local Planning Strategies and Local Planning Schemes are required to be regularly reviewed. It is suggested that rather than the progression of these be halted, that they be aligned with any new planning provisions and guidelines when they are due for review.</p>
2.4.4	Provide in the LPS Regulations for a clear distinction of the purposes of Local Structure Plans, Activity Centre Plans, Local Development Plans and Local Planning Policies.	Yes	
2.4.5	The DPLH to provide guidance in the Local Planning Manual on the appropriate use of each local planning instrument.	Yes	It would also be useful for the Local Planning Manual to provide some guidance on the drafting of common elements of local planning documents such as the vision, objectives, principles, strategies and provisions, as well as the principles around when planning provisions are needed and the inclusion of matters in a Local Planning Scheme versus a Local Planning Policy.
2.5	Form of a Local Planning Strategy		
2.5.1	The DPLH to update the Local Planning Manual with guidance on the preparation, content and format of a Local Planning Strategy and strategic statement, in a similar form to a Victorian Municipal Strategic Statement.	Yes	

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
2.6	Form of Local Planning Policies		
2.6.1	The LPS Regulations be amended to provide that local planning policies are to be prepared in a manner and form approved by the WAPC.	No	<p>Do not support the need for WAPC approval of local planning policies as it:</p> <ul style="list-style-type: none"> • unnecessarily reduces the powers of local government and is therefore contrary to the subsidiarity principle of leaving powers and responsibilities with the lowest level of government practicable; • creates a more complex process which is contrary to the reform principle of efficiency. The current process for the preparation and amendment of Local Planning Policies, with approval resting with local government, provides for a streamlined and quicker process, compared to that associated with a Local Planning Scheme which requires State Government approval. This enables local government to respond more quickly to address current issues; and • is likely to create significant resource implications for State Government which has historically experienced delays in the efficient processing of local planning documents such as local planning strategies and local planning schemes and associated amendments. <p>It is understood from the Green Paper that the issue or concern is that there is a large range in the content and style of local planning policies across local governments. There is also concern about the content of local planning policies being in conflict with State Planning Policies.</p> <p>To go from a situation where there is no State Government guidance on local planning policies to requiring State Government approval of these seems unreasonable and unnecessary. To address this issue/concern the State Government:</p> <ul style="list-style-type: none"> • should provide guidance on form and writing of a local planning policy as outlined recommendation 2.6.2;

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			<ul style="list-style-type: none"> ensure that matters of State importance are addressed in local planning strategies and schemes as local planning policies cannot be inconsistent with these; and provide State Government with the ability to direct local governments to amend local planning policies where they are inconsistent with State Government strategy and policy. <p><u>Commissioners Response</u></p> <p><u>Support Proposal – Subject to that a Submission to WAPC for approval of local planning policies to be only required if the policy is contrary to State policies, as this would not result in any significant resource implications for State Government. In any event a Local Government policy should be discussed in the first instance with an officer from <i>Department Planning, Lands and Heritage</i> to ascertain if there is any potential conflict.</u></p>
2.6.2	The DPLH to update the Local Planning Manual to provide guidance for the form, content and writing of a local planning policy.	Yes	This duplicates proposal 2.4.2 – see response to this.
2.7	Consistency of local planning schemes		
2.7.1	Provide in the PD Act that deemed provisions are to be included in a comprehensive local planning scheme.	Yes	Agree that the deemed provisions should be located with other local planning scheme provisions so that they can be read in context of each other.
2.7.2	Provide in the LPS Regulations that a comprehensive local planning scheme is to include a specific section for deemed provisions.	Yes	Agree that the deemed provisions should be located with other local planning scheme provisions so that they can be read in context of each other.
2.7.3	Provide in the LPS Regulations that there are deemed provisions which set out standardised zones, land uses and land use permissibility which: <ul style="list-style-type: none"> i group like-land uses into themes for which common development standards can be prepared 	No	The Green Paper suggests that common standard zones and land use permissibilities be established and be made mandatory. Common zones suggested include: residential, industrial, commercial and centre zones.

SUPPORT
Yes/No/In
Part

PROPOSAL

RESPONSE

	<p>ii identify low risk land use proposals by including suitable parameters for which a streamlined planning process apply</p> <p>iii are mandatory for local government to adopt within their municipalities through the next scheme review or omnibus amendment.</p>		<p>Whilst establishing a common zone for residential may be relatively straight forward, establishing other common zones is likely to be more complex and in some instances undesirable.</p> <p>Careful consideration needs to be given to the grouping of land uses and assignment of their permissibilities given clause 61(2)(b) of the deemed provisions which removes the need for the development approval of the local government where a use is identified as a permitted land use in the zone in which it is located.</p> <p>The City currently has a number of land use groups that it will need to review along with land use permissibilities to enable it to assess and place conditions on particular land uses. For example, the City currently has an ‘Entertainment’ use group which includes a range of land uses including amusement parlour, betting agency, cinema/theatre, club, function centre, nightclub and tavern. The use group is preferred in several use areas across the city which will be problematic in the future (when the City’s scheme aligns with the model provisions and associated terminology) given the exemption from planning approval which prevents the City from placing conditions on these uses. The use group currently includes land uses of variable amenity impact and needs to be reviewed to separate these out. The permissibilities of the use group also need to be reviewed (i.e. changed from permitted to discretionary) to enable the amenity impacts of specific land uses to be managed by the placement of conditions relating to matters such as noise attenuation and trading hours on planning approval.</p> <p>It may also be desirable to have different land use permissibilities in the same zone in different areas to encourage specific uses and industry clusters.</p> <p>Should this proposal proceed, it is suggested that model provisions be created in the first instance and be tested prior to mandating them through deemed provisions.</p>
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PROPOSAL	SUPPORT Yes/No/In Part	RESPONSE
		<p>The recommendation refers to the grouping of like-land uses for which common development standards can be prepared. Whilst some development standards may be specific to a particular land use, many are not. For example, the scale and form of office development is likely to vary according to the area in which it is located and the character that is being sought.</p> <p>The Green Paper states that there is a need to refine land use definitions and their treatment in a zoning table to recognise differences in scale, for example, a small versus a large shop or a small café versus a large restaurant. This could become quite complex and unwieldy and may be better addressed through local planning policy rather than through land use definitions to provide greater flexibility in application.</p> <p>The Green Paper states that in other Australian jurisdictions conditions are place on land use permissibility within their planning schemes so that proposals which are low risk are not subject to planning assessment or are subject to a streamlined assessment process. This is supported. The previous approach to introducing exemptions for planning approval was too simplistic and failed to put in place the necessary safeguards to ensure that amenity impacts were properly addressed.</p> <p>The land use permissibilities and planning approvals for various land uses should be reviewed to determine what if any conditions are being applied to these and their necessity to inform any standardisation around zones, land uses and permissibilities as well the streamlining of development approvals.</p> <p><u>Commissioners Response</u></p> <p><u>Whilst the intent is understood this proposal needs to be discussed in more detail with Local Government, in particular the City of Perth Planning Officers.</u></p>

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
2.7.4	The DPLH to revise and keep up to date the Local Planning Manual to ensure it provides local government with the guidance required to prepare and administer its local planning framework and properly reflects the expectations of DPLH and WAPC.	Yes	
2.8	Location of Local Development Standards		
2.8.1	Provide in the LPS Regulations that there be a location within the model provisions for mandatory development requirements for key sites and matters.	Yes	<p>Agree that mandatory provisions are needed in some instances and that provision should be made for these to provide certainty to both the developer and the community.</p> <p>For example, the City has mandatory provisions in relation to maximum plot ratio however allows for limited variation of these subject to certain strategic objectives being met. These provisions provide certainty for infrastructure providers as to the possible quantum of development permitted, plus act as an incentive to encourage important strategic outcomes where the market is not delivering these. Without these mandatory provisions, there would be an ability to vary plot ratio without any set limits. This would provide a lack of certainty for infrastructure providers and undermine the planning incentives.</p> <p>As another example, the City is currently proposing mandatory planning provision on a specific development site. The City has worked closely with the community to develop planning provisions for the site and there are a number of planning provisions which the City believes are non-negotiable from a community perspective.</p> <p>In addition to the ability to include mandatory provisions, there should also be some limits imposed on the extent of variation of key planning provisions such as building height and plot ratio as well as guidance provided on the proper application of discretion. These should be applied to all planning decision makers. Significant variation of key planning provisions</p>

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			undermines the planning provisions and does not aid in building community trust in the planning process and decision makers.
2.9	On-line Local Planning Schemes		
2.9.1	Develop an interactive Planning Portal for keeping local planning schemes online and accessing them in a legible and user-friendly format.	Yes	<p>It is assumed that this would also extend to Local Planning Strategies and Local Planning Policies.</p> <p>Currently both the Department and local governments are maintaining copies of local planning schemes which results in duplication of effort and is not efficient from a resource perspective.</p> <p>Should the Department take this role over on behalf of local governments there will be a need to ensure that timely and accurate updates are made. The City has encountered accuracy issues in the past with Department's version of its local planning schemes.</p> <p>Ideally the planning portal would be spatial map based to make it more user friendly and easier to determine what planning provisions apply to what property.</p>
3.0	A TRANSPARENT PLANNING SYSTEM		
3.2	Community Engagement		
3.2.1	<p>The DPLH should develop a Community Engagement Charter for all aspects of the planning system that includes principles with regard to:</p> <ul style="list-style-type: none"> i Planning authorities having a duty to engage with the community in a manner that allows residents to contribute to the making or amending of a strategic plan; and ii In the making or amending of a strategic plan, the community, as soon as possible, be given information as to what is proposed and any documents that the planning authority intends to examine. 	Yes	<p>Support the development of Community Engagement Charter. This should have regard to the community engagement requirements for the preparation of Strategic Community Plans under the <i>'Local Government Act'</i>.</p> <p>The Community Engagement Charter could be based on the International Association for Public Participation (IAP2) standard. The City of Perth has recently prepared an internal Stakeholder Engagement Framework based on this.</p>

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
3.2.2	Align engagement processes in the planning regulations to the Community Engagement Charter.	Yes	
3.2.3	Revise public notification and engagement requirements for planning proposals in the PD Act and LPS Regulations to update out-dated requirements.	Yes	
3.2.4	Make provision within the LPS Regulations that the local planning strategy must be in accordance with the Community Strategic Plan under the Local Government Act to the extent that it is relevant.	In part	<p>Agree in principle with recommendation and that due regard should be given to the Strategic Community Plan in the preparation of the Local Planning Strategy. Given the current approval processes for these documents however there are governance issues with this recommendation. Currently the Strategic Community Plan is approved by the local government whilst the Local Planning Strategy is approved by the State Government. Given the lack of State Government oversight of the Strategic Community Plan it may not reflect or could even be contrary to State Government planning objectives.</p> <p><u>Commissioners Response</u></p> <p><u>Add words to last sentence ‘however if it is accepted from a whole of government approach that Council’s Strategic Community Plan could be in conflict with State Government objectives’ this would not be beneficial in ensuring alignment with Local and State Government functions and associated desired outcomes e.g. City of Perth Act 2016.</u></p>
3.2.5	<p>DPLH to revise the Local Planning Manual to clarify that:</p> <ul style="list-style-type: none"> i actions in local planning strategies are limited to those matters that can be carried out within the local planning scheme ii acknowledge a concurrent community participation process between a Strategic Community Plan and a local planning strategy. 	In part	<p>A concurrent community engagement process for both the Strategic Community Plan and Local Planning Strategy is supported from both a resource and efficiency perspective. The City has recently undertaken such a process for the development of its Strategic Community Plan and City Planning Strategy.</p> <p>The limitation of the content of Local Planning Strategies to those matters that can be carried out within the Local Planning Scheme is not supported. Local Planning Strategies should set out for the community the holistic</p>

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			vision and strategy for the physical development of the city and their neighbourhoods. These should include guidance for both the private realm (controlled by the local planning scheme) and public realm including transport and infrastructure. A specific section could be created to identify the specific elements of the strategy which translate through to the local planning scheme to provide for a clear line of sight.
3.3	Reasons for Decisions		
3.3.1	The DLPH to publish a Guide as to the Scope of Reasons by Planning Decision Makers, having regard to the Queensland model.	Yes	
3.3.2	Provide in the LPS Regulations that reasons for decisions are to be provided on planning proposals.	Yes	
3.4	Transparency of DLPH and WAPC Statutory Reports		
3.4.1	WAPC practice be modified to publish Statutory Planning Committee and WAPC agenda items, reports and recommendations on region and local schemes and amendments.	Yes – in part	Support recommendation however believe that this should be extended further to other committees of the WAPC. Both the agendas and the minutes should be made publicly available.
3.5	Reporting by Local and State Government on Planning Matters		
3.5.1	Provide in regulations mandatory reporting by local government on planning matters.	Yes – in part	<p>Support mandatory reporting by local governments on key planning matters. There is a need however to determine why the information is important and how it will be used prior to mandating capture.</p> <p>It should be noted that capture and reporting of planning information is likely to have resource implications for local government including the need for system upgrades.</p> <p>Mandatory reporting by State Government on key planning matters should be introduced concurrently with mandatory reporting by local governments, and not left to an unknown second stage of reform as suggested by the Green Paper.</p>

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
3.6	Transparency and Accountability of Development Assessment Panels		
3.6.1	Provide for DAP meetings to be held at regular times and outside of business hours.	Yes	This is consistent with the timing of Council meetings.
3.6.2	Provide for the recording of each meeting of a DAP and made available on the DAP website of DPLH.	Yes	This is consistent with recording of Council meetings.
3.6.3	Provide clarification in DAP Practice Notes: i. If new information is submitted to the DAP after an RAR, the DAP should consider whether a decision should be deferred pending further RAR advice ii. As to when it may be appropriate to defer a decision, such as where issues are raised which require further detailed technical consideration by responsible authorities.	Yes	Support ability for DAP to defer consideration of applications based on the responsible authority's advice. These recommendations do not address the issue raised in the Green Paper with respect to DAPS resolving substantive issues by way of conditions which are ambiguous. It is recommended that guidance be incorporated into the DAP practice notes on the appropriate use of conditions to address this.
3.6.4	Amend the DAP Practice Notes to require reasons for decisions to be given in all decisions made by a DAP, including where the DAP adopts the responsible authority's recommendation contained within the RAR.	Yes	This is consistent with proposals 3.3.1 and 3.3.2.
3.6.5	Provide for a requirement that applications amended through a SAT process are readvertised unless the amended plans comply with all development standards.	Yes – in part	This should be consistent with standard advertisement requirements for variations to development standards. It should be noted that clause 64(2) of the deemed provisions allows the local government to waive a requirement for an application to be advertised where it is satisfied that a departure from the development standards is of a minor nature.
3.6.6	Provide that where a DAP has been invited to reconsider its decision following a SAT mediation, new specialist members be drawn from the available pool of members.	No	It is understood that this recommendation relates to concerns raised by: <ul style="list-style-type: none"> DAP members with respect to the DAP presiding member or deputy presiding member representing the DAP in SAT mediations and then being perceived as having a preconceived position on an issue where it is reconsidered by DAP. The community that where there is not a unanimous DAP decision, the presiding member does not necessarily reflect the majority of the DAP in negotiations on SAT.

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			<p>The principles applied to Council in SAT mediations should be applied to DAPs in SAT mediations. It is acknowledged however that in the case of Council, it would generally be represented by the officers of the local government in any mediation.</p> <p>The introduction of a new specialist member to reconsider the application following SAT mediation is not supported. It is important that there is continuity in the decision maker, to enable them to see the application through the process and understand and resolve any issues with their original determination. This is considered important in building DAP members understanding and experience and to aid in greater consistency in decision making. To introduce a new specialist member is not considered efficient as they would need to spend additional time familiarising themselves with the application. There is also a risk that the new member may raise new issues not previously considered, slowing the process down and creating frustration for applicants.</p>
3.6.7	The SAT should consider preparing a framework for allowing parties with a sufficient interest in a matter to make a submission or be heard during SAT mediation of DAP matters.	In part	Support those parties who have previously lodged submissions with respect to an application being able to lodge a further submission or be heard during SAT mediation. This will enable a fuller explanation and understanding of the concerns at hand.
3.6.8	Provide for expert DAP members to be drawn from a pool of members across the State on the basis of the type and complexity of the application being heard.	In part	<p>Support bringing in independent expertise to provide advice to DAP where the responsible authority or DAP does not possess the expertise required. For example, in the consideration of a helipad it may be appropriate to obtain expert advice from an aviation consultant.</p> <p>These independent experts should not however take the place of DAP members in decision making. As outline with respect to proposal 3.6.6, it is considered important that there is continuity in DAP membership to help build understanding and experience and aid in creating greater consistency in decision making.</p>
3.6.9	Provide for an expanded and flexible meeting process where the DAP Presiding member is of a view in relation to an application for development that wider	No	It is unclear what further flexibility is needed as it is understood that DAP can already require further information from the relevant authority prior to the meeting and can also defer applications.

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
	community and local government viewpoints need to be examined.		Concerned about how any further flexibility would impact on timeframes for determination of applications and therefore the reform principle of efficiency.
3.6.10	Provide in the DAP Regulations that the WAPC retains its decision-making ability with respect to development applications under region schemes.	Yes – in part	Agree that the role of the WAPC in determining matters of State or regional importance should be maintained. Applications should however be referred to the DAP for advice to provide consistency in decision making.
3.6.11	Provide for a Presiding Member to be appointed also as the Chief Presiding Member to: i Oversee the quality and consistency of DAP procedures and decisions (such as consistency of the use and content of conditions; the quality of RAR reports) and recommend changes to DAP procedures and Standing Orders to DPLH ii Assist in identifying panel members appropriate to sit in accordance with the basis of the type and complexity of the application being heard iii Identify training needs for DAP members for the approval of the Director General DLPH.	In part	Do not support the creation of a Chief Presiding Member. These functions, particularly those outlined in part (i) of recommendation, are largely governance and administrative functions and would be better undertaken by a governance specialist sitting with the DPLH rather than DAP member who generally would not possess these skill sets. Support the oversight of the quality and consistency of DAP procedures and decisions as outlined in function (i). Do not support the bringing in of new DAP members as outlined in function (ii). As outlined with respect to recommendation 3.6.8, the bringing in of independent expertise to provide advice to DAP is supported, however these independent experts should not take the place of DAP members in decision making. It is considered important that there is continuity in DAP membership to help build understanding and experience and aid in creating greater consistency in decision making. Support the identification of training for DAP members as outlined in function (iii).
4.0	AN EFFICIENT PLANNING SYSTEM		
4.1	Arrangement of the WA Planning System		
4.1.1	Provide that the PD Act be amended to delete the WAPC function s14.(a)(ii) of advising the Minister for Planning on the administration, revision and reform of legislation.	No – in part	Governance is of critical importance to ensure delivery of the State and local planning framework and advice on this should remain a function of the WAPC.

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			Question whether the functions of the WAPC should be modified (as this provides a head of power to the State Government) or whether this is more of a delegation matter. WAPC should be advising on direction while the DPLH reports on the operation/ implementation.
4.1.2	Provide for a local government accreditation process.	No	<p>The Green Paper proposes local government accreditation and states that to receive accreditation local governments would be required to have up to date local planning strategies and schemes and appropriately qualified planning officers and delegations.</p> <p>The Green Paper also proposes that accredited local governments would receive additional WAPC delegations for local planning matters such as small infill subdivision and subdivision in accordance with an approved local structure plan.</p> <p>The relationship between accreditation and delegations is not apparent. The roles and responsibilities of State and Local Government need to be defined using the subsidiarity principle of leaving powers and responsibilities with the lowest level of government practicable. Any delegations to local government should be related to these defined roles and responsibilities and not performance.</p> <p>A local government accreditation system has the potential to cause confusion to developers and the community as to who is responsible for decision making as approval processes would differ from local government to local government and possibly from year to year. This is contrary to the aim of the reform of providing legibility of the planning system.</p> <p>The issues that this proposal is seeking to address are not fully substantiated particularly in relation to the assertion that there are inappropriately qualified planning officers within local government.</p> <p>Local governments are already required under State Government planning legislation to have up to date local planning strategies and schemes. If there</p>

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			<p>are performance issues surrounding these requirements, these should be addressed through separate mechanisms (such as State Government call in or direction powers) rather than through an accreditation system.</p> <p>An accreditation system such as that proposed may not address the issues that it is seeking to address. For example, some local governments, particularly those with resource constraints, may have no interest in receiving delegations around subdivisions, and therefore accreditation would not necessarily act as an incentive to address possible performance issues.</p> <p>Proposal 3.5.1 which proposes to introduce mandatory reporting by local government on planning matters may also assist in improving local government performance in relation to having up to date local planning strategies and schemes.</p> <p>Should an accreditation system be pursued, it is only reasonable to link any accreditation to matters fully within the local government's control. Local governments are not fully in control of having up to date local planning strategies and local planning schemes as the State Government is ultimately responsible for their approval.</p> <p><u>Commissioners Response</u></p> <p><u>The response be amended to support the introduction of a Local Government Accreditation system being introduced to ensure Local Governments have effective planning advice and processes in place as the State Planning System involves both State and Local Government. The accreditation process should contain the following:</u></p> <p>a) <u>The Local Government has an up to date planning scheme and policies which are to be subjected to regular reviews as per legislation.</u></p>

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			<p>b) <u>Local Government has access to appropriate qualified advisers i.e. Planning Officers/Local Government Consultants.</u></p> <p>c) <u>Local Government Elected Members are required to have compulsory training in planning law.</u></p> <p>d) <u>That the accreditation processes promote effective decision making by Local Government and facilitate increased delegation to Local Government officers. This recommendation recognises that the State Planning system requires effective integration between State Government Legislation and associated delegated legislation to Local Government E.g. Local Planning Scheme.</u></p>
4.1.3	Increase delegations from WAPC to DPLH and local government, for the purpose of the WAPC focussing on the State policy framework and regional strategic planning.	Yes – in part	<p>The Green Paper suggests increased delegations to local government with respect to small infill subdivision and subdivision which accords with a local structure plan.</p> <p>This is supported and is in line with the subsidiarity principle of leaving powers and responsibilities with the lowest level of government practicable.</p> <p>Any delegation however needs to be supported by appropriate:</p> <ul style="list-style-type: none"> • State Government guidance to ensure consistency of approach across local governments. • Local government fees to compensate for the associated resource implications.
4.1.4	Provide for the PD Act to be amended to: <ul style="list-style-type: none"> i Revise the membership of the WAPC to 5-7 members to have experience, skills or knowledge of any one or more of the following fields— <ul style="list-style-type: none"> • planning, including strategic land use planning in metropolitan or regional areas 	Yes – in part	<p>Support the reduction in the size of the WAPC however it is considered important that there is well balanced representation on the WAPC generally in line with the proposed strategic elements of State Planning Framework.</p> <p>The CEOs of the key government agencies (planning and transport as a minimum) responsible for implementing the State Planning Framework</p>

	PROPOSAL	SUPPORT Yes/No/In Part	RESPONSE
	<ul style="list-style-type: none"> • infrastructure planning, delivery, policy and strategy • public administration and public policy • property development • housing supply • corporate or public sector governance • economics, finance or financial management • management of business or commercial ventures • local government. <p>ii Remove committees of the WAPC from Schedule 2, in favour of an ability for the WAPC to establish committees to advise the Commission on any matter, recognising the Statutory Planning Committee and Executive, Finance and Property Committee carry out core functions of the WAPC and will be required immediately under this new system. A committee would consist of at least one member of the Commission who is to be the chairperson of the committee.</p>		<p>should be on the WAPC to ensure alignment of the goals of the WAPC and these agencies.</p> <p>Given the reduction in membership of the WAPC, provision should also be made for the WAPC to call in independent expertise where needed.</p> <p>Support the removal of reference to the various committees from the Act and the ability for the WAPC to determine what if any committees are needed to support it in its role.</p> <p><u>Commissioners Response</u></p> <p><u>Support the proposal in full as input from the CEO of the key government agencies can continue but removal of the CEO's from formally voting on the Commission will ensure no that conflict of interest occurs between the individual's departmental responsibilities and determining a matter from a whole of government perspective.</u></p>
4.1.5	The role and purpose of a Coastal Planning Committee be reviewed, and consideration be given to the most appropriate host organisation and regulatory framework for the Committee.	-	No comment
4.1.6	Revise the Service Delivery Agreement between the WAPC and DPLH to accord with the revised roles of the WAPC and DPLH.	Yes	
4.1.7	Provide for new positions to be created to enable DPLH to recruit senior and experienced town planners to undertake strategic planning and policy development for the WAPC.	Yes	

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
4.1.8	The DPLH and WAPC establish a protocol for the engagement of non-public sector expertise in the scoping and development of policies.	Yes	This should be addressed through the proposed Community Engagement Charter. It is recommended that local government also be engaged in the scoping and development of policies.
4.2	Process Efficiency for Planning Proposals		
4.2.1	A Planning Reform Team be retained by DPLH to implement proposals arising from the planning review and ongoing reforms to the Western Australian planning system.	Yes	This is critical to ensure implementation of the reform recommendations and to ensure continuous business improvement.
4.2.2	A framework for referral of planning applications, to be incorporated in regulations as appropriate.	Yes	<p>The provision of further guidance on what planning applications should be referred to and which agencies and what standards will be used by the agencies to assess these is supported. This will provide for increased transparency, certainty and efficiency.</p> <p>It appears that better regulation is also needed with respect to the various agency standards used to assess planning applications. Provisions need to be set out in relevant regulations to outline the process for the preparation of standards including the need for any community engagement, the need for regular review of these and for these to be made publicly available.</p> <p>Public reporting on the performance of the various referral agencies in providing responses on planning applications within the required timeframes may also assist in achieving better compliance. This would also provide greater transparency and enable the State Government to better identify where the issues lie in the planning process and where future planning reform should be focussed.</p> <p>There is also considered to be an opportunity to streamline the planning process when it comes to planning applications requiring WAPC approval. The current process requires an application to be lodged with the local government, who then refers it to the WAPC, who then refers it to agencies for comment. It would be more efficient if such applications were referred to agencies at the beginning of the process.</p>

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
4.2.3	As an interim arrangement, the DPLH Independent Planning Reviewer be available to assist on issues regarding referral for WAPC matters.	-	No comment.
4.2.4	Provide in regulation that an applicant may seek pre-lodgement advice for development applications.	Yes	This is strongly supported. The City encourages applicants to seek pre-lodgement advice for development applications. This is generally provided verbally at meetings and has worked well and enabled issues to be addressed early resulting in time and cost saving for both the applicant and the City and most importantly improved planning outcomes. This advice should be documented to ensure accountability and transparency, however should not be binding as officers do not have decision making authority. A fee is generally not supported, as it may dissuade applicants from seeking such advice and should be viewed as 'customer service'.
4.2.5	Development Assessment Guidance be published by DPLH in consultation with local government and industry bodies.	Yes	Support the creation of updated guidance which helps community members to better understand and navigate the WA planning system and the various planning processes including that for development assessment. This should include general legal planning principles around development assessment which provides guidance on matters such as what a relevant planning matter is and the appropriate use of conditions.
4.2.6	Provide in the LPS Regulations that a local government must advise an applicant within 10 business days of receipt of a development application whether additional information is required.	Yes	There is a need to differentiate when an application is complete and is able to be assessed versus when it is incomplete and unable to be assessed in terms of the prescribed assessment timeframes.
4.2.7	Provide a procedure for local government and developer proponents to agree upfront the scope and content of a local structure plan with the DPLH and other agencies as appropriate.	Yes	
4.2.8	Provide in the PD Act that the implementation section (part one) of approved structure plans and activity centre plans are to be read as part of the scheme and have the "force and effect" of the scheme.	Yes	
4.2.9	Provide in the LPS Regulations that local government may refuse to progress a local structure plan or activity centre plan and amendment, if it is of the view that the	Yes	The Local Planning Strategy should guide consideration as to whether a proposal has sufficient planning merit.

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
	proposals lacks sufficient planning merit. The amendment should also include ability for a proponent affected by such a decision to seek the views of the WAPC and the power for the WAPC to direct a local government to progress a proposal.		
4.2.10	Provide for development contribution plan cost and cost contributions schedules to be included as a schedule in local planning schemes.	Yes – in part	<p>Agree that details should be included in local planning schemes around the scope of infrastructure to be delivered and the methodology around the determination and apportionment of costs to provide greater certainty. The actual dollar figures costs should not be included however as these are likely to change over time. This should also apply to the Metropolitan Redevelopment Authority and its redevelopment schemes.</p> <p><u>Commissions Response</u></p> <p>Support Proposal – Significant concern due to the ongoing increase in development contribution costs without detailed justification from the Local Government sector.</p> <p>Local Government costs should be transparent, open, and be able to be subjected to scrutiny and justification.</p>
4.2.11	Establish a Development Contributions Infrastructure Panel to review proposed local planning scheme amendments that include Development Contribution Plans, with the cost of the review to be included as a development contribution plan administration cost.	Yes	
4.2.12	Provide for in the PD Act an ability for the Minister for Planning to: <ul style="list-style-type: none"> i require a special report from a local government on the operation of a development contribution plan 	Yes	Agree with the need for accountability around expenditure and provision of infrastructure. This should also apply to the Metropolitan Redevelopment Authority.

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
	ii instruct a local government to take particular actions for the administration of a development contribution plan.		
4.2.13	Provide in the LPS Regulations for a voluntary 'deemed-to-comply' check for single houses and provide in the P&D Regulations a specified fee for the service.	Yes	This will identify the need for planning approval early in the development process.
4.2.14	Provide in the LPS Regulations and R-Codes a fast-track 30-day planning approval process for single house applications that require only minor variations to the R-Codes.	Yes – in part	The Green Paper questions the necessity of minor variations to the R-Codes being required to go through a full assessment (with a 60 day statutory timeframe) where there will be little or no impact for neighbours. This is supported however some of the examples that the Green Paper cites such as front and side setbacks are likely to impact on neighbours. Furthermore, the R-codes are considered to be impractical on smaller lots, with variations frequently being required to the development standards for these.
4.2.15	A framework for “Basic”, “Standard” and “Complex” streams for region scheme amendments, local planning strategies and amendments, and local structure plan/activity centre plans and amendments be developed by DPLH for implementation through regulation.	Yes	Agree to risk based assessment of amendments to various planning documents.
5.0	PLANNING FOR CONSOLIDATED AND CONNECTED SMART GROWTH		
5.1	Planning for Targeted Urban Infill		
5.1.1	That the State Government develops clear arrangements for the planning and delivery of the key urban infill locations of activity centres, urban corridors and station precincts, including prioritising of areas which require State and local government collaboration.	Yes	These areas should be identified and prioritised in regional/local planning strategies.
5.2	Updating Growth Management Policies		
5.2.1	A new Consolidated and Connected Smart Growth State Planning Policy that builds on the State	Yes	

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
	Government's METRONET policy and establishes contemporary smart growth principles and practices.		
5.3	Planning for Land Use and Infrastructure Coordination		
5.3.1	The WAPC to assist with land use and infrastructure coordination for the delivery of priority precincts through a renewed Committee.	Yes – in part	<p>Strongly support the coordination of land use and infrastructure planning. This is critical to ensuring that the State Government's urban infill objectives are met.</p> <p>It is unclear what committee the recommendation is referring to and how this relates to Infrastructure WA and the relationship between such a coordination body and State government infrastructure agency planning and budgets.</p> <p><u>Commissions Response</u></p> <p><u>Support Proposal in part as outlined in the first paragraph of the response; but add the following: the formation of an appropriate qualified committee or specific infrastructure coordinating committee with clear terms of reference is essential as infrastructure planning cannot be separated from land use planning functions.</u></p> <p><u>The proposed committee must have the ability to advise Infrastructure WA which will assess major infrastructure proposals rather than being involved in detailed land use planning and infrastructure coordination at a local level.</u></p>
5.4	Coordinating State Infrastructure with Regional Rezoning		
5.4.1	Provide in the Metropolitan Region Scheme an "Industrial Deferred Zone".	Yes	
5.4.2	The WAPC to ensure that any requirements for State infrastructure are in place in the lifting of Urban	Yes	

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
	Deferment or Industrial Deferment, and that the draft Guidelines for Lifting of Urban Deferment 2017 be amended accordingly.		
5.5	Coordination of Infrastructure for Land Development		
5.5.1	Provision be made for advice on the forward planning of State infrastructure, including utility providers to assist local governments in the preparation of local planning strategies and structure plans.	Yes	The Green Paper (pg 7) also refers to a proposal for local planning strategies to include a section on infrastructure and for local government to link priority infrastructure items to their 10 year capital expenditure plans. This is supported however this should also occur at State level. There is a need to identify and agree critical dependencies for the delivery of growth.
5.6	Coordination of Land Use and Transport for Corridor Development		
5.6.1	The MRS be updated to include "Urban Corridor" as a category of Reserved Roads based on Perth and Peel @ 3.5 Million, with the Department of Transport being made responsible for coordinating a whole of transport portfolio response to planning proposals along the corridor.	In part	<p>Support the recommendation for the Department of Transport to coordinate a whole of transport portfolio response to planning proposals along urban corridors.</p> <p>Question what if any correlation exists between the urban corridors identified in 'Perth and Peel @ 3.5 million' and the existing categories of road reserves under the MRS. Are most of the urban corridors reserved as Other Regional Roads? If so, the creation of an additional category of road reserve adds unnecessary complexity and is not supported.</p> <p>There is a need for the purpose and intent of the various zones and reserves to be clearly set out in the MRS.</p> <p>This proposal needs to be integrated with proposals 5.3.1 and 5.5.1. This needs to address the planning and delivery of State responsibilities. Greater clarity is needed of the roles and responsibilities of State Government and local government and the delivery of infrastructure by the State.</p>
5.6.2	A review be undertaken of regional road reservations in place to accommodate road widenings within the Metropolitan Region Scheme for designated Urban Corridors.	Yes	A regular review process for region schemes, similar to that for local planning schemes, needs to be built into the regulations.

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			A broader review of regional planning schemes is also needed along with the processes for the planning and development of reserves under the regional planning schemes.
5.7	Liveable Neighbourhoods		
5.7.1	Liveable Neighbourhoods be elevated to a state planning policy and maintained and refined as a best-practice approach to new greenfield development at regional, district and local level, rather including it into a single Neighbourhood part of Design WA.	Yes	
ADDITIONAL PROPOSALS			
NEW	Review of Regional Planning Schemes		<p>A broader review of regional planning schemes is also needed along with the processes for the planning and development of reserves under the regional planning schemes.</p> <p>For example, the MRS currently:</p> <ul style="list-style-type: none"> • has no clear purpose or objectives set out within it; • identifies the title of the various zones/reserves but does not provide any definitions in relation to these. Descriptions are provided on the WAPC website however the status of these is unknown; • does not provide for the preparation of planning provisions to guide development on reserved land. Large areas of the city are reserved under the MRS resulting in large areas of the city with no planning provisions. This includes areas of the city which are reserved for 'Civic and Cultural' and 'Public Purpose'. Masterplans have been developed for various parcels of reserved land in the city (e.g. Perth Convention Centre, Perth Cultural Centre, Perth Train Station) however they have no legislative weight and are often prepared without community engagement and there is no community visibility of these. Given the significance of the developments on these reserves and that these are ultimately intended for public benefit a more transparent and inclusive approach is needed to the

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			<p>planning and development of these sites. Many of these reserves are also located within built up areas and therefore the impact of these developments on the surrounding area can be more significant. More bespoke design responses are needed to suit local context;</p> <ul style="list-style-type: none"> • does not outline what the WAPC needs to consider in determining a development application under the MRS; and • single use reserves which are not reflective of today's mixed - use nature of development. <p>The MRS is no longer the only region scheme with the Peel Region Scheme and Greater Bunbury Region Scheme now also in existence. There are inconsistencies in the format and content of these schemes. To improve the level of consistency it is suggested that that a model region scheme text be prepared under regulations similar to that for a local planning scheme to ensure consistency of format and content across the various region schemes.</p> <p>Guidelines should also be developed to set out the principles around the application of reserves/zones as well as the relationship between land which is reserved under the MRS and land which exists as a reserve under the '<i>Land Administration Act</i>'.</p>
NEW	Use of Technology		<p>One of the terms of reference of the planning review was to "<i>Examine how the use of technology can be used to improve the planning process</i>" however with the exception of the proposal of the creation of an online planning portal to warehouse scheme information, this does not seem to have been addressed.</p> <p>With the emphasis on transparency and efficiency, greater consideration should be given to the role of technology in enabling better data management, monitoring and reporting.</p>

PROPOSAL		SUPPORT Yes/No/In Part	RESPONSE
			Both State and local government should examine how planning processes contribute to this problem. For example, it is understood that the statutory requirement that the MRS form 1 is filled out in a specific format means that it cannot be converted to an online form, which impedes any systematic data capture during lodgement. The City's e-lodgement system requires applicants to upload a series of pdf documents, partly because of this MRS form 1 requirement. If these processes and technology were improved to allow better data capture, it would generate a much better evidence base to inform strategic planning and monitoring.
NEW	Perth Parking Policy		The Perth Parking Policy is referenced under the ' <i>Perth Parking Management Act 1999</i> ' and is prepared in cooperation with the City of Perth and approved by the Minister (for Transport) following consultation with the Minister (for Planning) and the Minister (for Environment). It is part planning and part licensing policy however sits outside the planning framework. Other than outlining who is responsible for approval of the policy, the Act or its supporting regulations provides no guidance on the process for the preparation of the policy. Given that the policy provides guidance on planning matters, the City has previously advocated for the policy to be prepared in a manner consistent with that documented for State and local planning policies however this suggestion has not received any traction. As it currently stands, amendments can be made to the policy without any community engagement which is contrary to the principles of transparency.
NEW	Planning Education Curriculum		To ensure that education providers are delivering appropriately qualified town planners it is suggested that the State Government should work with tertiary education providers to develop a core planning education curriculum.
NEW	State Government Fast Tracking of Local Planning Strategies, Local Planning Schemes and Structure Plans		It is suggested that the State Government could provide for the fast tracking of local planning strategies, local planning schemes and structure plans which are prepared in a manner and format which is consistent with State Government guidance.

	PROPOSAL	SUPPORT Yes/No/In Part	RESPONSE
NEW	Public Works		Various public works are exempt from the requirement for development approval. There is a need to ensure that in the planning and development of these public works that consideration is given to the local planning strategy and that these works do not compromise the broader planning outcomes being sought for an area.
NEW	Local Government Fees		<p>The fees and charges specified in the ‘Planning and Development Regulations 2009’ have not been reviewed since 2013. There is a need for these to be reviewed to enable local government to be able to recover some of its costs for the planning services it provides.</p> <p><i>Commissioners Response</i></p> <p><u>The proposal of the staff is supported subject to the following words being added: “on the basis of a fee for service and relevant costs being substantiated”.</u></p>
NEW	Scheme Amendment Reports		Guidelines should be provided in the Local Planning Manual around what information needs to be submitted to a local government to support a request for a scheme amendment, as well as the format and content of scheme amendment reports.
NEW	Landowner Signatures on Development Applications		<p>It is questioned whether there is a need for landowner signatures on development applications.</p> <p>The need for landowner signatures on development applications can often result in delays in the assessment and determination of applications as obtaining the landowner signature may be difficult due to:</p> <ul style="list-style-type: none"> • there being multiple owners; • the unavailability of owners; and • change of ownership

SUPPORT
Yes/No/In
Part

	PROPOSAL		RESPONSE
			The applicant signature could be obtained and development approval issued however the owner's subsequent consent would be required to act on the approval.
NEW	Community Development Plans - Strata Titles Act Reform		The issue of Community Development Plans under the proposed Strata Titles Act Reform sitting outside the local planning framework (instead being tied to land titles) also needs to be addressed from a transparency perspective.
NEW	Local government visibility of State Government legal advice on local planning matters		Local government should be provided with visibility of the State Government's legal advice on local planning provisions to better enable it to understand how they should be applied in future applications and how it might need to make changes to these if the legal interpretation of these is inconsistent with the intent.



Council Policy Manual

CP10.6 Elected Members - Reimbursement of Expenses

POLICY OBJECTIVE

To identify the nature, scope and extent of expenses that Elected Members are eligible to seek reimbursement in undertaking their role.

POLICY STATEMENT

The following expenses are reimbursable subject to application and submission of appropriate supporting documentation.

Information and Communications Technology

An annual allowance based upon the maximum determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members, currently \$3,500 per annum, will be paid to Elected Members.

Child Care and Carer Expenses

\$25 per hour or actual cost per hour whichever is the lesser in attending or performing an Authorised Function.

Travel and Parking Expenses

Travel expenses and parking expenses at cost in attending or performing an Authorised Function.

Administration

The Chief Executive Officer is to implement administrative procedures that will facilitate the timely and transparent reimbursement of expenses to Elected Members.

A record of all Elected Member reimbursements is to be maintained and published on the City of Perth website.

Definitions

Authorised Function

An Elected Member attending or performing a role in an official capacity in the following circumstances:

- Ordinary and special meeting of Council;
- Annual and special meetings of electors;



Council Policy Manual

CP10.6 Elected Members – Reimbursement of Expenses

- Advisory committee meetings;
- Agenda briefing sessions;
- Workshops and forums;
- External committees and regional council meetings as an authorised representative;
- Authorised training and development activities;
- Civic receptions and events conducted by the City;
- As an invited guest at a civic reception or event conducted by a Local Government.

Carer

Is a person required to provide personal care, support and assistance to another individual due to disability, medical condition, including terminal or chronic illness, mental illness or is frail and aged. (Source: Carer Recognition Act 2010).

Carer/Child Care expenses

Costs incurred by an Elected Member's absence whilst performing an Authorised Function.

Document Control Box							
Document Responsibilities:							
Custodian:	Manager Governance			Custodian Unit:	Governance		
Decision Maker:	Council						
Compliance Requirements:							
Legislation:	s . 5.98(2)(b) and s 5.100 (1) of the <i>Local Government Act 1995</i> ; <i>Salaries and Allowances Act 1975</i> ; regs. 31, 32, 34AD of the <i>Local Government (Administration) Regulations 1996</i> .						
Industry:							
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12.	25/10/05 (767/05)						
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