



**CITY OF VINCENT**

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*"Enhancing and celebrating our diverse community"*

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# MINUTES

**14 MAY 2013**

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Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 14 May 2013, commencing at 6.06pm.

**1. (a) DECLARATION OF OPENING**

The Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting open at 6.06pm and read the following Acknowledgement of Country Statement:

**(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT**

*"Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land".*

**2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE**

**(a) Apologies:**

Cr Roslyn Harley due to Council commitments.

Cr Warren McGrath due to being unwell.

**(b) Members on Approved Leave of Absence:**

Nil.

**(c) Present:**

Mayor Hon. Alannah MacTiernan      Presiding Member

Cr Matt Buckels	North Ward
Cr John Carey	South Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward

John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services

Jerilee Highfield      Executive Assistant (Minutes Secretary)

Employee of the Month Recipient

Jacinta Anthony (Manager Community and Development), Angela Birch, Yvette Coyne Belinda Grandoni and Erika Everitt (until approximately 6.50pm)

Media

Sara Fitzpatrick	Journalist – "The Guardian Express" (until approximately 8.50pm)
David Bell	Journalist – "The Perth Voice" (until approximately 8.50pm)

Approximately 30 Members of the Public.

**3. (a) PUBLIC QUESTION TIME & RECEIVING OF PUBLIC SUBMISSIONS**

The following submissions were made by persons in the Public Gallery:

1. Judith Burrows of 70 Auckland Street, North Perth – Item 9.2.1 Stated the following:
  - She is the secretary of the North Perth Precinct Group. She asked the Council if they could consider voting against everything on the item with the exception of the raised plateau and the calming of the traffic.
  - The toilet she believed that they may be a move to do a trial period, despite the Officer Recommendations.
  - Ms Burrows had written to the Councillors regarding the parking management. She believed that this did not resolve any of the parking of the safety issues, infact it creates a bigger problem by reducing the number of parking spots.
  - She asked if the Council could provide all costs both initial and ongoing for all the individual works.
  - She asked the Council to vote against the matter.
2. Catherine Athanasiou of 33 The Boulevard, Mount Hawthorn – Item 9.2.1 Stated the following:
  - Due to where she resides she did not receive a copy of the consultation package, however she visits the park on a regular basis and felt quite strongly that the inclusion of a toilet facility at the reserve is essential.
3. Lorraine Vicensoni of 73 Sydney Street, North Perth – Item 9.2.1 Stated the following:
  - She is the Vice Chair person of the North Perth Precinct Group. Regarding the toilet her concern was that it is a small local park and to consider installing a toilet would be inappropriate.
4. Amelia Coleman of 49 Auckland Street, North Perth – Item 9.2.1 Stated the following:
  - She opposed the installation of the toilet.
  - Installing the toilet is not a serious concern for most of the park users and the number of visitors to the park speaks for themselves, people are visiting in very large numbers even though there currently is no toilet in the park.
  - She stated the following:
    - A toilet in the park is not a necessity, there is access to the toilets a short - medium distance away.
    - Residents around the park have never complained about the occasional “bush wee” if a child is caught short.
    - Park overcrowding and unsafe parking have been raised and are still unresolved problems.
5. Peter Doyle of 55 Hobart Street, North Perth – Item 9.2.1 Stated the following:
  - He asked the Council in regards to Clause 2 to support the Officers Recommendation against the installation of the toilet.
  - The reserve is a fairly small park and would struggle to find a toilet in other similar size reserves in Perth.
  - He personally believed that the facility would increase the pressure on the park.
  - He stated that he would like to see the funding to be spent on other reserves within the City of Vincent.
  - Relating to Clause 4 and asked if the Council could support the Officers Recommendation for it to be deferred.
  - Relating to Clause 3, it impacted him the most as he lived on the corner of London Street and Hobart Street, the proposed Traffic Parking Improvements he asked if the Council vote to defer.

6. Shari O'Neal of 44 Hobart Street, North Perth – Item 9.2.1 Stated the following:
  - She stated that she fully acknowledged this is a park for everyone and not something that the residents are trying to keep to themselves. She asked that the Councillors to listen to the submissions that have been received and to support the Officers Recommendation to not install or support a trial for the installation of the toilet.
  - Her first main concern is that she strongly believed that toilets are not appropriate in this park, however this is a small neighbourhood park, it is not a large or district park.
  - Her second main concern is that toilets are not necessary in this park as the speakers before me had mentioned there is already three (3) toilets across the road.
  
7. Chris Cronin of 79 Coogee Street, Mount Hawthorn Stated the following:
  - He was speaking on behalf of the residents at Coogee street in regards to a non agenda item. It related to a construction of a four (4) storey multipurpose building at 180 Scarborough Beach Road by E-Built Corporation and regarding to Regulation 30 approval for works that took place outside the hours of 7am – 7pm on a Monday to Saturday.
  - He had communicated with the City of Vincent in writing and by phone after the construction manager advised that they would be pouring concrete at 1am in the morning. The Council replied and responded that there was no approval in place.
  - He was then approached by the construction manager that approval was put in place for 19<sup>th</sup> April 2013 to commence at 2.30am, he followed this up in writing to the City of Vincent. There are another two pours that will occur and as a community he advised that they were very disappointed that this is being allowed and would like there to be no further pours and as such he presented the Council with a petition signed by twenty six (26) residents of the street.

*Mr Cronin handed the petition to the Chief Executive Officer for lodgement with the City.*

8. Fernando of 85 Coogee Street, Mount Hawthorn – Stated the following:
  - He has resided at the above property for the last ten (10) years and work in the construction industry.
  
9. Garry Giuffre of 74 Coogee Street, Mount Hawthorn – Stated the following:
  - He spoke regarding the current lack of parking in the street, with the building that was occurring next door. He advised that they had never received notification regarding the approval for a cafe across the road and would like to know why? Asked what will be done for the residents to be able to park in the street once the cafe starts operating.
  
10. Marcus West of 49 Auckland Street, North Perth – Item 9.2.1 Stated the following:
  - He asked if the Council could not support the installation of the unisex toilet facility based on the Community Consultation results. During the Consultation process over 1600 residents of the City of Vincent were surveyed and had the opportunity to voice their support.
  - He opposed the development due to the following;
    - there will be pressure on the park;
    - currently there does not seem to a need for the toilet, this is evident by the fact that the park is exceptionally well patronised;
    - There are public toilets within five (5) minutes walk;
    - The toilet will take space from the park, the area proposed is a nature play area for the children; and
    - Parking in the area, - this is currently a problem, it is not clear if the toilet will bring more visitors but it does make the parking more attractive for longer stays.

11. Ellie Seal of 6 Coogee Street, Mount Hawthorn – Item 9.1.2 Stated the following:
  - She spoke on behalf of herself and her partner Alex Petty who own the above property.
  - She objected the proposal is primarily due to the failure to meet the requirements of the residential Design Codes 2010 and secondary to the fact that the balcony was not built to the approved plans.
  - As per the agenda Page twelve (12) the City's Planning Officer stated that *"it is considered that screening should be imposed, given the significant overlooking into adjoining properties outdoor living areas, the landscaping which has been noted by the applicant is deemed not to be appropriate form of screening, given the potential temporary and unpredictable nature of vegetation when used for screening"*.
  - Should the Council approve the application for development approval, the proposal will be in conflict of the requirements of the Residential Codes 2010.
  - She sent a request via email on 12 March 2012, to the City's Compliance Section regarding the approval of the balcony and the tenants that occupied the games room, as a result the City's Planning Officer and Development Compliance Officer undertook an inspection on the 16<sup>th</sup> March 2012, which revealed the subject games room maybe being used for habitable purposes.
  
12. Cosi Schirrippa of 66 Auckland Street, North Perth – Item 9.2.1 Stated the following:
  - He has lived in the area long enough to be a residents who used to go through the sandpit looking for syringes and would quite often find them.
  - Three (3) weeks ago he had witnessed two (2) people that overdosed on the front lawn of the aged residents living in Eton Street, North Perth.
  
13. Craig Levett of 36 Hobart Street, North Perth – Item 9.2.1 Stated the following:
  - He did not support the proposal for installing a toilet in the park, let alone the restrictions in which the residents will be given regarding the visitors to the park.
  - He asked if the Council could please not approve the proposal.

There being no further speakers, Public Question Time closed at approx. 6.45pm.

**(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

- 4.1 Cr Pintabona requested leave of absence from 31 May 2013 to 4 June 2013 (inclusive), due to personal commitments.

**Moved Cr Wilcox, Seconded Cr Topelberg**

**That Cr Pintabona's request for leave of absence be approved.**

**CARRIED UNANIMOUSLY (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

**5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS**

5.1 Petition received from Chris Cowman of 79 Coogee Street, Mount Hawthorn, along with twenty six (26) signatures concerning construction works at 180 Scarborough Beach Road, Mount Hawthorn, as the residents of Mount Hawthorn oppose the construction work taking place outside the times of 7am – 7pm in particular the works that took place on Friday 19<sup>th</sup> April 2013, which commenced at 2.30am. Believe that under no circumstance should the Council approve construction works outside 7am – 7pm.

The Chief Executive Officer recommended that this petition be received and referred to the Director Community Services for investigation and report and dealt with urgently.

**Moved Cr Pintabona, Seconded Cr Maier**

**That the petition be received as recommended.**

**CARRIED UNANIMOUSLY (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

6.1 Minutes of the Ordinary Meeting of Council held on 23 April 2013

**Moved Cr Maier, Seconded Cr Pintabona**

**That the Minutes of the Ordinary Meeting of Council held on 23 April 2013 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

6.2 Correction to the Minutes of the Ordinary Meeting of Council held on 26 February 2013

**Moved Cr Topelberg, Seconded Cr Pintabona**

**That the Correction to the Minutes of the Ordinary Meeting of Council held on 26 February 2013 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

**7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

The Presiding Member Mayor Hon. Alannah MacTiernan read the following;

**7.1 City Of Vincent Employee Of The Month Awards - April 2013**

As members of the public will know, the Council recognises its employees by giving a monthly award for outstanding service to the Ratepayers and Residents of the City. The recipients receive a \$120 voucher, kindly donated by the Bendigo North Perth Community Bank, and a Certificate.

The Employee of the Month Award for April 2013 is awarded jointly to the City's Community Development Section, as follows:

- Jacinta Anthony (*Manager Community Development*)
- Angela Birch;
- Yvette Coyne;
- Belinda Grandoni;
- Erika Everitt;
- Sarah-Jane Hansen;
- Shirley-Anne Maxwell;
- Diana Rose;
- Lyn Devereux; and
- Annie Newton.



The Community Development Section were nominated as a whole, as a result of their exceptional efforts in organising the City's recent Festivals and Events held in recent months.

These included:

- Beaufort Street Festival
- St Patricks Day Festival
- Angove Street Festival
- The four '*Summer Concerts in the Park*'
- Harmony Week
- WAYJO Big Band Festival
- Light up Leederville Festival
- BinCentArt Awards
- Murals
- Hyde Park Fair
- Fashion Festival Soiree
- Nature Playground Forum
- V-Lounge youth events
- Seniors Outings.

These events have brought increased vitality and recognition to the City and positive feedback has been received from members of the community and non-Vincent residents alike.

**Received with Acclamation!**

**7.2 Withdrawal of Item 9.4.3**

It is announced that the Chief Executive Officer has WITHDRAWN Item 9.4.3 relating to Creative Conversations -"Diary Dilemmas", from tonight's Agenda at my request.

The item will be referred to the Arts Advisory Group prior to consideration by the Council.

**7.3 Proposed Amendment to City Of Vincent Parking and Parking Facilities Local Law (2007) - Item 9.5.4**

It is advised for public notice that the Council proposes to amend its Parking and Parking Facilities Local Law (2007) to increase the penalties in Clause 2 for breaches of the Local Law.

**7.4 Mayor's Attendance at the Main Street Conference**

It really crystalised some thinking that I have been doing about the City of Vincent to have our Mainstreet organisations, such as the Beaufort Street Network provided with a more professional/executive basis. It is becoming evident that the workload in running these Mainstreet organisations does require a degree of professional assistance.' A special levy could be introduced and funds distributed to organiser of Mainstreet events.

**8. DECLARATIONS OF INTERESTS**

- 8.1 Chief Executive Officer, John Giorgi and Director Technical Services declared an Impartiality interest in Item 9.2.4 – Expressions of Interest for Review of Waste Management Practices in the City of Vincent – Invitation to Submit a Tender - Progress Report No. 3. The extent of their interest being that they have had a professional relationship with only one of the companies involved that submitted an Expression of Interest - via the Mindarie Regional Council, which the City is a member of. This person at the time was the Project Manager for the Mindarie Regional Council Resource Recovery Facility. We disclose that we have not had any contact with this person or this company for approximately five (5) years.

**9. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION)**

Nil.

**10. REPORTS**

The Presiding Member, Mayor Hon. Alannah MacTiernan, requested that the Chief Executive Officer advise the meeting of:

**10.1 Items which are the subject of a question or comment from Members of the Public and the following was advised:**

Items 9.1.2 & 9.2.1

**10.2 Items which require an Absolute Majority decision which have not already been the subject of a public question/comment and the following was advised:**

Items 9.4.7, 9.5.2, 9.5.3 & 9.5.4

**10.3 Items which Council Members/Officers have declared a financial or proximity interest and the following was advised:**

Nil

Presiding Member, Mayor Hon. Alannah MacTiernan, requested Council Members to indicate:

**10.4 Items which Council Members wish to discuss which have not already been the subject of a public question/comment or require an absolute majority decision and the following was advised:**

<b>COUNCIL MEMBER</b>	<b>ITEMS TO BE DISCUSSED</b>
Mayor Hon. MacTiernan	9.1.1, 9.3.4 & 9.5.2
Cr Buckels	9.4.2
Cr Carey	9.2.3, 9.2.5, 9.4.5 & 9.4.7
Cr Harley	Apology for the Meeting
Cr Maier	Nil
Cr McGrath	Apology for the Meeting
Cr Pintabona	Nil
Cr Topelberg	9.1.3
Cr Wilcox	Nil

The Presiding Member, Mayor Hon. Alannah MacTiernan, requested that the Chief Executive Officer to advise the meeting of:

**10.5 Unopposed items which will be moved "En Bloc" and the following was advised:**

Items 9.1.4, 9.2.2, 9.2.4, 9.3.1, 9.3.2, 9.3.3, 9.4.1, 9.4.4, 9.4.6, 9.4.8, 9.5.1, 9.5.5 & 9.5.6

**10.6 Confidential Reports which will be considered behind closed doors and the following was advised:**

Nil.

**New Order of Business:**

The Chief Executive Officer advised the meeting of the New Order of business, in which the items will be considered, as follows:

**(a) Unopposed items moved *En Bloc*;**

Items 9.1.4, 9.2.2, 9.2.4, 9.3.1, 9.3.2, 9.3.3, 9.4.1, 9.4.4, 9.4.6, 9.4.8, 9.5.1, 9.5.5 & 9.5.6

**(b) Those being the subject of a question and/or comment by members of the public during "Question Time";**

Items 9.1.2 & 9.2.1

**(c) Those items identified for discussion by Council Members;**

The remaining Items identified for discussion were considered in numerical order in which they appeared in the Agenda.

**(d) Confidential Items – to be considered ("Behind Closed Doors").**

**The Presiding Member, Mayor Hon. Alannah MacTiernan ruled that the Items raised during public question time for discussion are to be considered in numerical order as listed in the Agenda index.**

**ITEMS APPROVED "*EN BLOC*":**

The following Items were approved unopposed and without discussion "*En Bloc*", as recommended:

**Moved Cr Maier, Seconded Cr Wilcox**

**That the following unopposed items be approved "En Bloc", as recommended;**

**Items 9.1.4, 9.2.2, 9.2.4, 9.3.1, 9.3.2, 9.3.3, 9.4.1, 9.4.4, 9.4.6, 9.4.8, 9.5.1, 9.5.5 & 9.5.6**

**CARRIED UNANIMOUSLY (7-0)**

**9.4.3 Creative Conversations “Diary Dilemmas”**

**ITEM WITHDRAWN BY THE CHIEF EXECUTIVE OFFICER AT THE REQUEST OF THE MAYOR - ITEM TO BE REFERRED TO THE ARTS ADVISORY GROUP PRIOR TO CONSIDERATION BY THE COUNCIL.**

**9.1.4 Tenant Matching, Short Term Licensing (Pop Up Shop Scheme) and Reporting on Non leased Premises in the City of Vincent's 5 Town Centres – Progress Report No. 1**

<b>Ward:</b>	All	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	Both	<b>File Ref:</b>	ADM0105
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	P McAuliffe, Economic Development Officer		
<b>Responsible Officer:</b>	C Eldridge, Director of Planning		

**OFFICER RECOMMENDATION:**

That the Council;

1. **NOTES that:**

- 1.1 **Metier Pty Ltd have declined the City's offer as resolved by the Council at its Ordinary Meeting on 20 November 2012, to facilitate a 'Pop Up Shop Scheme' across the City, for the reasons outlined in the 'Details' section of this report; and**
- 1.2 **legal advice has been sought and changes to the current Commercial Tenancy (Retail Shops) Agreements Act 1985 have now been gazetted to enable to the City to engage consultants to facilitate a 'Pop Up Shop Scheme' across the City and report to Council on a bi monthly basis; and**

2. **AUTHORISES the Chief Executive Officer to:**

- 2.1 **engage Find a Pop-up Shop consultancy to facilitate a 'Pop Up Shop Scheme' across the City; and**
- 2.2 **promote the Scheme through the range of promotional channels available to the City to businesses in the City's Town Centres.**

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**COUNCIL DECISION ITEM 9.1.4**

**Moved Cr Maier, Seconded Cr Wilcox**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

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**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council that Metier Pty Ltd have declined the offer to facilitate a 'Pop Up Shop Scheme' and to request the Council to approve the engagement of Find a Pop-up Shop as the preferred consultant to facilitate a Pop Up Scheme across the City.

**BACKGROUND:**

The Council at its Ordinary Meeting held 20 November 2012 resolved the following with respect to the Activation of Non-Leased Premises 'Pop up Shop Scheme'.

*"That the Council;*

1. *NOTES the recommendations in relation to the preferred Request for Quote Respondent for the Activation of Non-Leased Premises 'Pop Up Shop Scheme' in the City's Town Centres as shown in 'Details' section of this report;*
2. *AUTHORISES the Chief Executive Officer to:*
  - 2.1 *engage Metier Pty Ltd to facilitate a 'Pop Up Shop Scheme' across the City and report to Council on a bi monthly basis;*
  - 2.2 *promote the Scheme through the range of promotional channels available to the City to businesses in the City's Town Centres; and*
  - 2.3 *engage legal advice specifically related to short term tenancy on gazettal of the amended Commercial Tenancy (Retail Shops) Agreements Act 1985 expected early 2013, prior to proceeding with the 'Pop Up Shop' Scheme; and*
3. *HOLDS IN ABEYANCE the initiation of the 'Pop Up Shop Scheme' in the City's Town Centres until changes to the current Commercial Tenancy (Retail Shops) Agreements Act 1985 are gazetted to accommodate short term tenancy, expected to be completed by early 2013; and*
4. *Subject to clauses 1 and 2 above being carried, APPROVES BY AN ABSOLUTE MAJORITY the re-allocation of funding up to \$12,000, for the project from a source to be determined by the Chief Executive Officer, at the midyear Budget review."*

**History:**

Date	Comment
12 June 2012	A Notice of Motion was endorsed by the Council at its Ordinary Meeting to investigate and provide quotations on Activation of Non-Leased Premises 'Pop Up Shop Scheme' in the City's Town Centres.
20 July 2012	Requests for Quotation were invited from consultants to facilitate a 'Pop Up Scheme' in the City. Four (4) quotations were received.
20 November 2012	The Council at its Ordinary Meeting endorsed the engagement of Metier Pty Ltd as the preferred consultant to facilitate a Pop Up Scheme in the City. The engagement of the consultant was held in abeyance until such time as legal advice was sought for the project and on the gazettal of the amended Commercial Tenancy (Retail Shops) Agreements Act 1985.
1 January 2013	Amended Commercial Tenancy (Retail Shops) Agreements Act 1985 gazetted.
6 February 2013	Legal advice was provided to the City which endorsed the legalities of the proposed Pop Up Scheme was not in breach of the Commercial Tenancy (Retail Shops) Agreements Act 1985.
14 March 2013	The City's Officers met with Metier Pty Ltd to confirm the scope of the work to be undertaken in the facilitation of the Pop Up Scheme at the City.
3 April 2013	Metier Pty Ltd advised the City in an email that they no longer wish to go through with the facilitation of the Activation of Non-Leased Premises 'Pop Up Shop' Scheme for the City.

### **Previous Reports to Council:**

This matter was presented to the Council on 12 June 2013 as a Notice of Motion and as a Planning Services Agenda Item at the Ordinary Meeting on 12 November 2012.

The Minutes for the above two Ordinary Meetings of Council relating to this report are available on the City's website at the following link:

[http://www.vincent.wa.gov.au/Your\\_Council/Agenda\\_Minutes](http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes)

### **DETAILS:**

#### Reasons for Metier Declining Offer

In an email dated 3 April 2013, Metier Pty Ltd advised the City's Officers that they wished to decline the offer as the preferred consultant to facilitate the 'Pop Up Scheme' for the City, for the following reasons:

- The majority of the positive responses to discussing Pop up Shops leasing in the research conducted by the City and provided to them were agents;
- As a specialist retail agent Metier Pty Ltd would be considered in direct competition with other agents they would need to deal with in order to fill vacant tenancies short term;
- It would be difficult for Metier Pty Ltd to secure the \$1,000 fee required for them to undertake the matching and leasing work required from another agent; and
- They believe that the work required to engage landowners in the Scheme would incur costs well above the RFQ sum of \$2,000 per report.

#### Alternative Preferred Consultant

Following this advice from Metier Pty Ltd, the City has since contacted consultants 'Find a Pop up Shop', who also submitted a quotation during the Request for Quotation period. The City's Officers have reviewed their application and recommend that the City engage 'Find a Pop up Shop', as the preferred consultant to undertake the facilitation of the 'Pop Up Shop Scheme' for the following reasons:

- A strong marketing and promotion focus will be important to engage landlords, agents and potential tenants and Find a Pop up Shop strengths directly relate to this area;
- They are a unique organisation in Australia that looks to work comprehensively and exclusively in this field based in Perth;
- Since submitting the first quotation the business has progressed significantly in developing agent and land owner information packs and processes. They have also further developed two websites that relate directly to promoting Pop up Shops to potential land lords and agents and potential tenants [www.findapopushop.com.au](http://www.findapopushop.com.au) and [www.pupuleases.com.au](http://www.pupuleases.com.au);
- The comprehensive approach now includes targeting agents and land owners, building awareness, education, promotion and support; and
- In light of the above it is considered Find a Pop up Shop would be the best fit for the City's needs as they seek to work across all aspects of Pop up Shop development. Importantly they are in a position where they can provide broad level assistance to landlords and agents specialising in the field of Pop up Shops.

### Scope of Project

Since Council endorsed the approval to progress with a Pop up Shop Scheme at its Ordinary Meeting 12 Nov 2012 the City's Officers have refined the scope of the project as follows.

More specifically Find a Pop up Shop and the City will undertake the following tasks.

#### **Find a Pop up Shop (the Consultant's) Responsibilities**

The consultant's primary responsibility is to contact, educate and match-make landlords/agents as well as retailers and creative industries operators about the Find a Pop Up Scheme and then report updates to the Council on a bi-monthly basis.

More specifically the Consultants are to undertake the following tasks:

- 1. Targeting**
  - 1.1 Find and contact agent/landowners with empty spaces.
- 2. Awareness**
  - 2.1 Build community knowledge of the Find a Pop Up Scheme by raising awareness in each of the Town Centres and with landlords and retailers.
- 3. Education**
  - 3.1 Distribute invitations to each target audience (landlords/agents) and invite to an education seminar 'Benefits of Short-Term Leasing';
  - 3.2 Arrange to meet with landlords and agents in one on one meetings if unable to attend education seminar; and
  - 3.3 Distribute education packages to landlords and agents that unable to attend education seminar or one-on-one meetings.
- 4. Promotion**
  - 4.1 Promote empty spaces for short-term lease on [www.popupleases.com.au](http://www.popupleases.com.au) and through social media and other networks;
  - 4.2 Direct mail marketing to subscribed retailers looking for spaces;
  - 4.3 Once the empty shops are filled, promote the active Pop-Up Shops on [www.finadapopupshop.com.au](http://www.finadapopupshop.com.au) and through social media and other networks; and
  - 4.4 Work with the City of Vincent to develop appropriate promotional material that will be distributed through the City's promotional distribution channels to promote the Scheme.
- 5. Support**
  - 5.1 Provide ongoing support to landlords/agents as required e.g. provide template "Licence Agreements" or act as third party for Licencing arrangements.



## **6. Report**

6.1 Provide Bi-Monthly Reports which will include an update of:

- Activities performed since last reporting period;
- Outcomes e.g. landlords/agents contacted, educated, empty shops filled etc;
- Research, publicity and advertising conducted, and outcomes and
- New pop-up shops opened/closed and promotions completed on their behalf.

### **City of Vincent Responsibilities**

The City's role is primarily to co promote the Scheme and support Find a Pop up Shop where possible to connect with potential agents, landlords and businesses with information that is available.

More specifically the City is to undertake the following tasks:

#### **1. Contact Information**

1.1 Provide research information undertaken to identify agents and land lords that have expressed interest in the Scheme. This information will provide a starting point that Find a Pop up Shop can use to form the basis of a Contact List for the Scheme;

#### **2. Promotion and Distribution**

2.1 Develop appropriate promotional material in conjunction with the consultants, Find a Pop up Shop;

2.2 Distribute promotional material through the City's key promotional distribution channels such as:

- A general Media Release
- The City's Website
- Advertising in Local Community News
- The City of Vincent Newsletter and e-Newsletter
- The Business Network e-Newsletter
- Town Centre distribution of flyers
- Social Media

#### **3. Additional Feedback and Information**

3.1 Provide any additional feedback and any available new information that comes to hand that will support the consultants, Find a Pop Shop, to work with the City's five (5) Town Centres and engage stakeholders to support the Scheme's success.

### **CONSULTATION/ADVERTISING:**

It will be important to support the selected applicant and ensure businesses in Town Centres are aware of the opportunity and the City's facilitation of the Scheme. Therefore promotion and advertising of the 'Pop Up Shop' Scheme through a range of the City's usual communication and media channels is required. For example promotion on the City's Website, some advertising in community newspapers, the E Newsletter, social media, a general media release and quarterly hard copy newsletter.

**LEGAL/POLICY:**

Commercial Tenancy (Retail Shops) Agreements Act 1985

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** Now that that the City has obtained legal advice to endorse the legalities of the proposed Pop Up Shop Scheme, it would be expected that there is little risk associated with the proposed 'Pop up Shop Scheme', as the City would play an advocacy role and would not be directly involved or have to contribute any significant funds.

**STRATEGIC IMPLICATIONS:**

The support of facilitating a trial 'Pop Up Shop Scheme' for the City is in keeping with the City's Strategic Plan 2011 - 2016, as follows:

*"Natural and Built Environment*

1.1.2 *Enhance and maintain the character and heritage of the City."*

*"Economic Development*

2.1 *Progress economic development with adequate financial resources.*

2.1.1 *Promote business development and the City of Vincent as a place for investment appropriate vision for the town.*

2.1.2 *Develop and promote partnerships and alliances with key stakeholders.*

2.1.3 *Develop business strategies that reduce reliance on rates revenue.*

2.1.4 *Implement the Leederville Masterplan and west Perth Regeneration Project.*

**SUSTAINABILITY IMPLICATIONS:**

It is considered that facilitating a trial 'Pop Up Shop Scheme' for the City will assist in sustaining the long term growth and development of Town Centres and businesses within them across the City.

**FINANCIAL/BUDGET IMPLICATIONS:**

Expenditure for this matter will be incurred under the following budgeted item:

Economic Development

Budget Amount:	\$ 20,000
Spent to Date:	\$ <u>    0</u>
Balance:	\$ 20,000

The recommended consultant's quote to provide bi monthly reports to Council is at a cost of \$2,000 + GST per report. To cover the 12 month trial an amount of \$12,000 + GST would be required.

To support the Scheme successfully and provide the appropriate level of promotion and advertising additional funds up to an amount of up to \$6,500 will be required. These funds would be used to design, print and distribute promotional material, advertise through Community News channels and develop and promote specific promotional activity and events for the Scheme. Promotion will also be undertaken by the preferred applicant Find a Pop up Shop through their own website and other promotional resources such as Social Media at no additional cost to the City.

**Total Estimated Cost: \$18,500 for 12 month trial**

A dedicated tenant matching and short term leasing program is proposed for the 2013/2014 financial year to fund the project for the 12 month period, however it is recommended that the trial commence in the 2012/2013 financial year with the existing funds available.

**COMMENTS:**

This proposed Pop up Shop Scheme has experienced some unavoidable delays in waiting for changes to the Commercial Tenancy (Retail Shops) Agreements Act 1985 to be gazetted, seeking legal advice and now the need to appoint another applicant from the Request for Quote Process. We would therefore like to proceed as soon as possible with recruiting the preferred company to commence work and start promoting the Scheme across the City's five (5) Town Centres.

Find a Pop up Shop though a relatively new organisation do have the experience and now the well formed infrastructure to both attract tenants and promote and educate agents and landlords regarding the Pop up Shop phenomena. The principal of the organisation Michelle Wearing-Smith is passionate about this growing sector and offers a unique service currently not provided by any other organisation in Australia. The service that Michelle offers would be ideally suited to deal with the complex needs of the City of Vincent in facilitating a Pop up Shop Scheme given we do not own the buildings. Importantly Find a Pop up Shop is structured to independently deal with agents and landlords a key target audience for the service.

For these reasons it is requested that the Council endorse the Officer's Recommendation accordingly allowing work to proceed in developing the Scheme.

**9.2.2 Money and Monger Streets, Perth – Street Verge Trees – Progress Report No. 2 - Consideration of Submissions and Approval of Works**

<b>Ward:</b>	South	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	Beaufort (13)	<b>File Ref:</b>	TES0234
<b>Attachments:</b>	<a href="#">001</a> – Plan No. 3030-CP-01 Monger & Money Streets <a href="#">002</a> –Heritage Council of WA Letter		
<b>Tabled Items:</b>	Nil.		
<b>Reporting Officer:</b>	J van den Bok, Manager Parks and Property Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **CONSIDERS** the thirteen (13) submissions received concerning the Money and Monger Street verge trees;
2. **APPROVES** the following works and tree plantings to be implemented, as shown on the attached plans No.3030-CP-01, 3030-CPO-01B, 3030-CP01C;
  - 2.1 the removal of six (6) trees in Monger and Money Streets, Perth;
  - 2.2 the implementation of the ten (10) year Pollarding Program in Monger and Money Streets, Perth;
  - 2.3 the removal of the remaining four (4) Paperbarks in Money Street and replacement with London Plane trees;
  - 2.4 the planting of additional London Plane trees in the locations identified;
3. **NOTES**;
  - 3.1 the response from the State Heritage Office in relation to the nomination of Money and Monger Streetscapes on the State Register of Heritage Places (State Register)as follows;

*“The Heritage Council has recently received a nomination for the above place to be considered for the State Register.*

*This nomination was considered by our Register Committee at their meeting on 22 March 2013. After careful consideration, it was determined that while the Money and Monger Street Plane Trees may have some cultural heritage value, it was unlikely that they would meet the threshold for entry on the State Register of Heritage Places. This determination may be reviewed, should further information become available”;*
  - 3.2 that strategies to protect/enhance the trees in Money and Monger Streets including any remedial treatments will be further investigated by officers and implemented where practicable;
4. **AUTHORISES** the Chief Executive Officer to make minor changes to the proposed works and planting, for reasons which may arise from unforeseen circumstances or location of utilities (eg: power, gas, phone etc.);

5. **LISTS FOR CONSIDERATION an amount of \$50,000 on the draft 2013/2014 budget to undertake the recommended tree works in Money and Monger Streets, Perth; and**
  6. **ADVISES all residents, land owners and business proprietors in Money and Monger Streets of the Council's decision.**
- 

**COUNCIL DECISION ITEM 9.2.2**

**Moved Cr Maier, Seconded Cr Wilcox**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

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**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of the submissions received in relation to the community consultation on the proposed tree works in Money Street and Monger Street, Perth and to seek approval for the program of works to be implemented in winter 2013 subject to budget funding approval.

**BACKGROUND:**

**Ordinary Meeting of Council 8 February 2005:**

The Council considered a report on proposed traffic management and streetscape improvements Money & Monger Streets, Perth where it was decided to consult with the residents/businesses in Money and Monger Streets in regard to a traffic management proposal and to determine the level of support for the replanting between existing trees with a suitable species and the gradual removal of the existing trees.

**Ordinary Meeting of Council 12 April 2005:**

The purpose of this report was to advise the Council of the results of the Community Consultation on traffic management improvement proposal for Monger Street and Robinson Avenue and the street tree management proposal for Money and Monger Streets, Perth.

**Ordinary Meeting of Council 18 December 2012:**

The purpose of this report was to advise the Council regarding the current state of all the street verge trees located within Money and Monger Streets and to obtain approval to remove the trees that are in severe decline and undertake a staged removal/replacement of the remaining trees.

The Council resolved that a further independent report be obtained from another Arboricultural expert in relation to the trees, to hold an onsite meeting with residents, take action to protect the public and to minimise the City's liability by erecting barricades around the dangerous trees and to investigate undergrounding of the power.

### **Community Forum 14 February 2013:**

The purpose of this forum was to inform the community of the recommendations of the arboriculturalist report and discuss and concerns with residents and business owners in relation to the proposed works program which included the removal of selected trees and a ten (10) year Pollarding Program.

### **Ordinary Meeting of Council 26 February 2013:**

The purpose of this report was to advise the Council of the Arboricultural Report prepared by consultant Arboriculturalist Jonathan Epps concerning the London Plane street verge trees located in Money and Monger Streets.

The Council approved in principle the proposed works in Money and Monger Streets as outlined within the report and resolved to consult with the local community and business owners in relation to the program of works which included tree removals, replanting and a staged pollarding of the trees.

It was also resolved to investigate the nomination and any subsequent implications of including Money and Monger Streetscapes in the State Register of Heritage Places, strategies/remedial treatments available to be carried out to the trees in order to improve their health and vigour.

### **DETAILS:**

In accordance with the Council's decision on 26 February 2013, one hundred and ninety four (194) consultation packs were distributed in Money and Monger Streets in accordance with the City's Consultation Policy and in relation to the implementation of various street verge tree works.

At the close of the consultation period thirteen (13) responses were received a response rate of **5.67%**. Of the thirteen (13) responses five (5) were received after the closing date (these are identified in italics).

A summary of the comments for the various options is outlined below:

### **ITEM 1: Proposal to Remove a Total of Six (6) Trees in Monger and Money Streets, Perth:**

#### Related Comments *In Favour* of the Proposal: (12)

- 5 in favour with no further comment.
- Thank you for keeping us all so well informed regarding required removal and pollarding of trees. Of course it is most sensible to carry out this work, before the trees fall into a terminal condition, and become beyond help.
- The tree outside Monger Street should be removed immediately and ideally before winter. We believe this is at serious risk of causing injury and is a public liability issue for the Council. We believe that this reveals that the integrity of the tree is seriously compromised and this may not have been evident when the tree was initially inspected.
- *Support subject to six (6) comments:*
  1. *City to comply with Town Planning Scheme requirements...*
  2. *Trees removed to be replaced with mature London Plane trees of same stock from state nursery.*
  3. *Repollarding to be reconsidered in line with comments of Dr Paul Baker...*
  4. *Replacement London Plane trees (2) to be planted opposite tuck shop.*
  5. *All London plane trees removed to be replaced with the same historic stock.*
  6. *The City of Vincent to support heritage listing application of Glen McLeod in respect of the trees in Money and Monger Streets.*

- *This particular area is quite special and unique in an inner city area and we thank the City of Vincent for taking the time, trouble and expense to help preserve and enhance an area of natural beauty.*
- *1 in favour with no further comment.*
- *Ensure all trees removed are replaced with mature stock, plant further into footpath away from buildings to stop overhanging. City should support the heritage listing of the trees. Are the areas identified as 'potential new planting sites' suitable in that new trees will be overshadowed by the mature trees and may struggle to thrive.*
- *Re: Proposal 1 – we support removal of six trees as per plan as long as they are replaced with mature London Planes of same stock from state nursery.*

Other (1)

- No further comment.

**ITEM 2: - Proposed Implementation of the Ten (10) Year Pollarding Program in Monger and Money Streets, Perth:**

Related Comments *In Favour* of the Proposal: (10)

- 5 in favour with no further comment.
- Thank you for keeping us all so well informed regarding required removal and pollarding of trees. Of course it is most sensible to carry out this work, before the trees fall into a terminal condition, and become beyond help.
- Continue planting London Plane trees after the widening of Beaufort Street between Newcastle and Brisbane Street!!
- The tree outside Monger Street should be removed immediately and ideally before winter. We believe this is at serious risk of causing injury and is a public liability issue for the Council. We believe that this reveals that the integrity of the tree is seriously compromised and this may not have been evident when the tree was initially inspected.
- *This particular area is quite special and unique in an inner city area and we thank the City of Vincent for taking the time, trouble and expense to help preserve and enhance an area of natural beauty.*
- *Ensure all trees removed are replaced with mature stock, plant further into footpath away from buildings to stop overhanging. City should support the heritage listing of the trees. Are the areas identified as 'potential new planting sites' suitable in that new trees will be overshadowed by the mature trees and may struggle to thrive.*

Related Comments *against* the Proposal: (2)

- *2 against with no further comment.*

Other (1)

- *Support subject to six (6) comments:*
  - 1. City to comply with Town Planning Scheme requirements...*
  - 2. Trees removed to be replaced with mature London Plane trees of same stock from state nursery.*
  - 3. Repollarding to be reconsidered in line with comments of Dr Paul Baker...*
  - 4. Replacement London Plane trees (2) to be planted opposite tuck shop.*
  - 5. All London plane trees removed to be replaced with the same historic stock.*
  - 6. The City of Vincent to support heritage listing application of Glen McLeod in respect of the trees in Money and Monger Streets.*

**ITEM 3: - Removal of Remaining Four (4) Paperbarks in Money Street and Replacement with London Plane Trees.**

Related Comments *In Favour* of the Proposal: (12)

- 5 in favour with no further comment.
- Thank you for keeping us all so well informed regarding required removal and pollarding of trees. Of course it is most sensible to carry out this work, before the trees fall into a terminal condition, and become beyond help.
- Continue planting London Plane trees after the widening of Beaufort Street between Newcastle and Brisbane Street!!
- The tree outside Monger Street should be removed immediately and ideally before winter. We believe this is at serious risk of causing injury and is a public liability issue for the Council. We believe that this reveals that the integrity of the tree is seriously compromised and this may not have been evident when the tree was initially inspected.
- *Support subject to six (6) comments*
  1. *City to comply with Town Planning Scheme requirements...*
  2. *Trees removed to be replaced with mature London Plane trees of same stock from state nursery.*
  3. *Repollarding to be reconsidered in line with comments of Dr Paul Baker...*
  4. *Replacement London Plane trees (2) to be planted opposite tuck shop.*
  5. *All London plane trees removed to be replaced with the same historic stock.*
  6. *The City of Vincent to support heritage listing application of Glen McLeod in respect of the trees in Money and Monger Streets.*
- *1 in favour with no further comment.*
- *This particular area is quite special and unique in an inner city area and we thank the City of Vincent for taking the time, trouble and expense to help preserve and enhance an area of natural beauty.*
- *Ensure all trees removed are replaced with mature stock, plant further into footpath away from buildings to stop overhanging. City should support the heritage listing of the trees. Are the areas identified as 'potential new planting sites' suitable in that new trees will be overshadowed by the mature trees and may struggle to thrive.*

Related Comments *against* the Proposal: (1)

- *Re: Proposal 3 – unless these paperbarks are unhealthy we do not see any reason to remove and replace. We support heritage listing of the plane trees of Monger & Money Streets.*

**ITEM 4: - Additional London Plane Trees to be planted in identified locations.**

Related Comments *In Favour* of the Proposal: (10)

- 6 in favour with no further comment.
- Continue planting London Plane trees after the widening of Beaufort Street between Newcastle and Brisbane Street!!
- *Support subject to six (6) comments*
  1. *City to comply with Town Planning Scheme requirements...*
  2. *Trees removed to be replaced with mature London Plane trees of same stock from state nursery.*
  3. *Repollarding to be reconsidered in line with comments of Dr Paul Baker...*
  4. *Replacement London Plane trees (2) to be planted opposite tuck shop.*
  5. *All London plane trees removed to be replaced with the same historic stock.*
  6. *The City of Vincent to support heritage listing application of Glen McLeod in respect of the trees in Money and Monger Streets.*
- *This particular area is quite special and unique in an inner city area and we thank the City of Vincent for taking the time, trouble and expense to help preserve and enhance an area of natural beauty.*
- *Ensure all trees removed are replaced with mature stock, plant further into footpath away from buildings to stop overhanging. City should support the heritage listing of the trees. Are the areas identified as 'potential new planting sites' suitable in that new trees will be overshadowed by the mature trees and may struggle to thrive.*



Related Comments against the Proposal: (3)

- Thank you for keeping us all so well informed regarding required removal and pollarding of trees. Of course it is most sensible to carry out this work, before the trees fall into a terminal condition, and become beyond help.
- The tree outside Monger Street should be removed immediately and ideally before winter. We believe this is at serious risk of causing injury and is a public liability issue for the Council. We believe that this reveals that the integrity of the tree is seriously compromised and this may not have been evident when the tree was initially inspected.
- 1 against with no further comment.

Officer's comments:

As noted in the previous report to the Council, officers are satisfied that the assessment process by Jonathan Epps has been undertaken stringently and carefully in weighing up 'risk' versus 'retention'. The alternative recommendations in regard to the repollarding program are practicable, will reduce risk and allow the existing mature trees to be retained within the streetscape for a longer period of time. In addition the replanting program will allow new trees to mature, before further tree removals are required.

By far, the majority of respondents are in favour of all four (4) proposed works items listed above and this was also evident during the Community forum as works were outlined and explained to the attendees by the consultant arboriculturalist.

In reference to the proposal to nominate both Monger & Money Street on the State Register the attached response from the Heritage Council is noted. The trees in both Monger and Money Streets are already included in the City's Trees of Significance 'Inventory'

In view of the positive results of the consultation, it is recommended that funding be listed in the 2013/2014 budget to undertake the tree works recommended by the arboricultural consultant and supported by the majority of the community around Money and Monger Streets, Perth.

**Nomination for listing in the State Register of Heritage Places**

"The Heritage Council has recently received a nomination for the above place to be considered for the State Register.

This nomination was considered by our Register Committee at their meeting on 22 March 2013. After careful consideration, it was determined that while the *Money and Monger Street Plane Trees* may have some cultural heritage value, it was unlikely that they would meet the threshold for entry on the State Register of Heritage Places. This determination may be reviewed, should further information become available".

**CONSULTATION/ADVERTISING:**

Local residents/businesses in Money and Monger Streets will be advised of the Council resolution and consulted in accordance with the Council's Consultation Policy.

**LEGAL/POLICY:**

Delegated Authority 9.2 "Street Trees – Management, Planting, Pruning & Removal".

Council Policy No. 2.1.2 "Street Trees":

Clause 6 (ii) (b): *Street Tree Removal*

*The tree(s) has been assessed by the City as structurally weak and/or dangerous, placing the public at risk or jeopardising safety".*

**RISK MANAGEMENT IMPLICATIONS:**

**High:** In their current condition some of the trees could have serious public liability implications for the City, should they collapse and/or cause injury and/or property damage. In addition, the tree roots are damaging the footpath/road surfacing. Failure to act and provide a "duty of care" to the public will also potentially jeopardise the City's Insurance Policy. Failure to take appropriate action will result in the trees continuing to decline in health and vigour in the future.

**STRATEGIC IMPLICATIONS:**

The City's *Strategic Plan 2011-2016* states:

*"Natural and Built Environment*

*Objective 1.1 Improve and maintain the natural and built environment and infrastructure.*

*1.1.3: Take action to reduce the City's environmental impacts and provide leadership on environmental matters."*

*1.1.5: Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment".*

**SUSTAINABILITY IMPLICATIONS:**

The existing tree species located in Monger and Money Streets, Perth is the London Plane tree (*Platanus acerifolia*) and whilst the City is promoting the use of native trees it is recommended that the London Plane tree species be replanted if/when due to the strong views of residents/business owners whom wish to retain the existing aesthetic values of the streetscape.

**FINANCIAL/BUDGET IMPLICATIONS:**

An amount of \$50,000 has been listed for consideration in the 2013/2014 draft budget to undertake the works program listed above.

**COMMENTS:**

Given the positive response from the local business owners and residents at the public meeting and to the proposals as outlined during the recent consultation period, it is therefore recommended that the Council approves the works outlined within the report and shown on the attached plans.

**9.2.4 Expressions of Interest for a Review of Waste Management Practices in the City of Vincent - Invitation to Submit a Tender – Progress Report No. 3**

<b>Ward:</b>	Both	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	All	<b>File Ref:</b>	ENS0083
<b>Attachments:</b>	001 – Confidential Detailed Specifications of the Goods and Services (Council Members Only) 002 – Confidential Criteria for deciding which tender maybe accepted (Council Members Only) 003 – Confidential Evaluation Summary (Council Members Only)		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	R Lotznicker, Director Technical Services John Giorgi, Chief Executive Officer		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **INVITES** the following companies be invited to submit a 'Request for Tender' (RFT) for a Review of Waste Management Practices in the City of Vincent:

No:	Company	Address
1.1	A. Prince Consulting Pty Ltd (APC)	TH4/28 West Street North Sydney
1.2	BCH Engineering Consultants Pty Ltd (Hyder)	Suite 1, Level 2 675 Murray Street, West Perth WA
1.3	Bowman & Associates Pty Ltd	Suite 8, 640 Beeliar Drive, Success, Western Australia
1.4	EC Sustainable Environment Consultants	Suites 701-703, 107 Walker Street, North Sydney
1.5	Environmental and Licensing Professionals Pty Ltd (ELP)	Edward Street, Queensland
1.6	GHD Pty Ltd	239 Adelaide Terrace, Perth
1.7	SLR Global Environmental Solutions	2 Lincoln Street, Lane cove NSW
1.8	Talis Consultants	Level 1, 330 Churchill Avenue, Subiaco WA

2. **APPROVES** the Request for Tender (RFT) to include the following;
  - 2.1 The detailed specifications of the goods and services required shall be as specified in Appendix 9.2.4 (attachment 001);
  - 2.2 The Criteria for deciding which tender may be accepted to be in accordance with Appendix 9.2.4 (attachment 002);
3. **APPROVES BY AN ABSOLUTE MAJORITY** to reallocate appropriate funds to enable the consultancy to be carried out from a funding source to be determined by the Chief Executive Officer and reported to the Council for final approval; and
4. **NOTES** that a further report will be submitted to the Council in June 2013 once the Request for Tender has closed.

**COUNCIL DECISION ITEM 9.2.4**

**Moved Cr Maier, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of the outcome of the recent Expression of Interest called for Consultants to Review Waste Management Practices in the City of Vincent and for the Council to invite companies to submit a tender.

**BACKGROUND:**

**Ordinary Meeting of Council 12 February 2013:**

The Council considered progress report No 2 where the following decision was made:

*“That the Council;*

1. *ADOPTS the following provisions (to reduce the number of bins being issued to developments), as an interim measure until the review of the Council’s Waste Management Policy No. 2.2.11 is finalised;*

- 1.1 *the revised ‘Generation Rates’ in litres per dwelling per week, for residential waste and recycling, as outlined in the following table, and that these new rates be used as a basis for calculating the number of bins to be provided for developments in an effort to reduce the overall number bins presented for collection; and*

<i>Service</i>	<i>Single Dwelling</i>	<i>2-5 Dwellings</i>	<i>6-20 Dwellings</i>	<i>&gt;20 Dwellings</i>
<i>General Waste</i>	<i>240</i>	<i>180</i>	<i>160</i>	<i>120</i>
<i>Recycling</i>	<i>120</i>	<i>100</i>	<i>90</i>	<i>80</i>

*Note: General Waste collected Weekly / Recycling collected Fortnightly*

2. *APPROVES BY AN ABSOLUTE MAJORITY to authorise the Chief Executive Officer to engage a suitably qualified Waste Management Consultant from a funding source to be determined, to provide advice about waste management generally and to work with the City’s officers to progress and finalise the review of current Policy No. 2.2.11 “Waste Management”, due to the lack of available “in-house” resources and the current heavy workload; and*
3. *RECEIVES a further progress report in March/April 2013.”*

**DETAILS:**

**Call for ‘Expression of Interest’ (EOI):**

In accordance with Clause 2 of the Council's decision, in March 2013, an EOI was advertised calling for the provision of Consultancy Services to Review Waste Management Practices in the City of Vincent and by the closing date, ten (10) submissions were received.

Consultants were advised that the scope of the scope of the EOI included, but was not limited to, the utilisation of innovative ideas and practical solutions as the City of Vincent needed to change its policy/practices to incorporate alternatives waste storage/collection from multi residential/commercial developments to deal with the increased development densities and mixed uses.

### Scope of Goods and Services

The successful respondent was required to demonstrate its capability to undertake the following:

- Undertake assessments of a number of sites to determine 'Waste Generation Rates' to enable the City to amend its policy on the number of Mobile Garbage Bins (MGBs) required based on litres/unit/week incorporating shared 360 litre Recycling MGBs in lieu of individual 240 litre Recycling MGBs to all new Multi-Unit developments;
- Whether the provision of bins larger than 360 litres (up to 1,100 litres) for commercial and large unit developments should be undertaken by the City or developed as private sector services;
- Review/Revise the current Policy No. 2.2.11 "Waste Management", incorporating revised Waste generation rates and the design of Multi-Unit and Commercial Development to facilitate improved waste storage/collection;
- Investigate the benefits/cost implications of providing of an additional MGB for "green waste and food scraps only", as per the City of Cambridge Trial;
- Investigate the benefits/cost implications of providing a 'pre booked' general junk collection service for multi unit developments based on the City of Sydney model;
- Investigate alternatives to the provision of MGBs for the collection of waste from mixed use and larger scale multiple dwellings developments;
- Detailed assessment of the implementation of a 'Separate Waste Charge' and the potential impact on future Annual Budgets; and
- The possibility of financial incentives to residents to reduce consumption.

The respondent would also be required to provide a separate report on the following:

- Development of requirements for a vacuum chute system in developments over three (3) storey levels
- Possibility of developing a vacuum chute system as part of the redevelopment of the Leederville Town Centre;
- Availability of grants to assist with the above tasks; and
- Alternative sites for the City to dispose of its putrecable waste.

### Indicative Timeline

The following Implementation Timetable was included in the EOI:

Invitation to submit EOI	20 March 2013
Closing date for submissions	3 April 2013
Assessment of submissions received	April 2013
Indicative future Request for Tender (RFT) Timeline	
Invitation to submit RFT	May 2013
Closing date for RFT	May/June 2013
Award Contract	June 2013
Preliminary work completed	September 2013
FINAL REPORT/Presentation to COUNCIL	October/November 2013

### Future Request for Tender:

The respondents were also advised that the EOI was the first stage of a two stage process whereby following the close of the EOI, the Principal may proceed to the calling of a restricted Request for Tender (RFT) or commence direct negotiations at the Principal's sole discretion.

The issuing of an EOI did not commit the Principal to proceeding with an RFT.

The respondents were further advised that eligibility to participate in the RFT would be restricted to providers who complied with the provisions of the EOI and who were accepted to be placed on a pre-qualified shortlist.

**EOI Submissions Received:**

At the close of the EOI period (4pm on the 3<sup>rd</sup> April 2013), ten (10) EOI Submissions were received from the following:

No:	Company	Address
1.1	Aecom Australia Pty Ltd	Level 8, 540 Wickham Street, Fortitude Valley, Queensland
1.2	A. Prince Consulting Pty Ltd (APC)	TH4/28 West Street North Sydney
1.3	BCH Engineering Consultants Pty Ltd (Hyder)	Suite 1, Level 2 675 Murray Street, West Perth WA
1.4	Bowman & Associates Pty Ltd	Suite 8, 640 Beeliar Drive, Success, Western Australia
1.5	EC Sustainable Environment Consultants	Suites 701-703, 107 Walker Street, North Sydney
1.6	Environmental and Licensing Professionals Pty Ltd (ELP)	Level 27, 288 Edward Street Brisbane, Queensland
1.7	GHD Pty Ltd	239 Adelaide Terrace, Perth
1.8	Hatch Associates Pty Ltd	144 Stirling Street, Perth
1.9	SLR Global Environmental Solutions	2 Lincoln Street, Lane Cove NSW
1.10	Talis Consultants	Level 1, 330 Churchill Avenue, Subiaco WA

**Late EOI Submission**

One (1) late EOI Submission was received via the post on the 4<sup>th</sup> April 2013 – which is after the closing time and date. In accordance with the Local Government (Functions in General) Regulation 1996, this EOI submission was rejected and therefore cannot be considered any further.

**Tender Evaluation:**

The submissions received were evaluated in accordance with the following criteria:

Criteria	Weighting
<p><b>A: Relevant Experience</b> Describe your experience in completing similar Requirements. Respondents must, as a minimum, address the following information in an attachment and label it: <i>“Relevant Experience”</i>:</p> <ul style="list-style-type: none"> <li>- Experience expertise and project team</li> <li>- Experience in completing similar requirements</li> <li>- Provide details of similar work.</li> <li>- Demonstrate sound judgement and discretion.</li> <li>- Demonstrate competency and proven track record of achieving outcomes.</li> </ul>	30%
<p><b>B: Key Personnel Skills and Experience</b> Respondents must address and submit the following information: Key Personnel Skills and Experience:</p> <ul style="list-style-type: none"> <li>- Their role in the performance of the Contract.</li> <li>- Curriculum vitae.</li> <li>- Membership to any professional or business associations.</li> <li>- Qualifications, with particular emphasis on experience of personnel in projects of a similar requirement.</li> <li>- Any additional information.</li> <li>- Supply any other relevant details in an attachment and label it: <i>“Key Personnel Skills and Experience”</i>.</li> </ul>	30%
<p><b>C: Respondent’s Resources</b> Respondents should:</p> <ul style="list-style-type: none"> <li>- demonstrate their ability to supply and sustain the project</li> <li>- Respondents should provide a current commitment schedule and label it: <i>“Respondent’s Resources”</i>.</li> </ul>	20%

<p><b>D: Demonstrated Understanding</b> Respondents shall detail the process they intend to use to achieve the Requirements of the Specification. Areas to be covered include: - A project schedule/timeline (where applicable); - The process for the delivery of the Service - Demonstrated understanding of the Scope of Work. - Supply details and provide an outline of your proposed methodology in an attachment labelled: “<i>Demonstrated Understanding</i>”.</p>	<p>20%</p>
<p><b>TOTAL</b></p>	<p>100%</p>

### Evaluation Panel

The evaluation of the EOI's was carried out by a Panel comprising;

- Director Technical Services;
- Manager Asset and Design Services;
- Manager Parks and Property Services; and
- Project Officer - Environment.

The results of the evaluation is attached and summarised in **Confidential Appendix 9.2.4** (attachment 003). As it is recommended that the Council invite a number of companies to submit a tender it is essential that the Confidential Appendix information not be disclosed, as this may jeopardise the tender process.

### CONSULTATION/ADVERTISING:

The EOI process is prescribed by the Local Government (Functions and General) Regulations 1996 and this requires the EOI to be advertised for a minimum of fourteen (14) days.

The respondents were advised that the EOI was the first stage of a two stage process whereby following the close of the EOI, the Council may proceed to the calling of a Tender (RFT).

### LEGAL/POLICY:

Local Governments receive their statutory authority to provide waste management services through the Waste Avoidance and Resource Recovery Act 2007 (WARR) and the Health Act 1911

The Expression of Interest and tender requirements are prescribed by the Local Government (Functions and General) Regulations 1996. This states as follows;

#### “23. **Choice of Acceptable Tenderers**

- (1) *An expression of interest is required to be rejected unless it is submitted at a place, and within the time, specified in the notice.*
- (2) *An expression of interest that is submitted at a place, and within the time, specified in the notice but that fails to comply with any other requirement specified in the notice may be rejected without considering its merits.*
- (3) *Expressions of interest that have not been rejected under sub-regulation (1) or (2) are to be considered by the Local Government and it is to decide which, if any, of those expressions of interest are from persons who it thinks would be capable of satisfactorily supplying the goods or services; and*
- (4) *The CEO is to list each of those persons as an acceptable tenderer.”*

**RISK MANAGEMENT IMPLICATIONS:**

**High:** The EOI and tender process must be strictly in accordance with the Local Government (Functions and General) Regulations 1996.

Unless the process is strictly followed, it could have legal ramifications for the City.

**STRATEGIC IMPLICATIONS:**

The City's *Strategic Plan 2011-2016* states:

"Natural and Built Environment

*Objective 1.1 Improve and maintain the natural and built environment and infrastructure.*

*1.1.3: Take action to reduce the City's environmental impacts and provide leadership on environmental matters.*

**SUSTAINABILITY IMPLICATIONS:**

The proposal is to provide a more sustainable service which will take into account and try to address the many issues associated with waste generation/collection/disposal.

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no funds on the 2012/2013 Annual Budget as this matter arose after the adoption of the Budget via a Notice of Motion from Mayor Hon. Alannah MacTiernan. Accordingly an Absolute Majority Decision of the Council is required to approve of funding to enable the RFT to be called an amount has not been specified in this Agenda Report.

A Confidential amount will be circulated to the Council Members prior to the Meeting. This amount should remain Confidential as it may influence the outcome of the RFT.

**COMMENTS:**

A total of ten (10) EOI's were received at the closing time and date for the Review of Waste Management Practices in the City of Vincent. These have been assessed in accordance with the Local Government (Functions and General) Regulations 1996 and the EOI Selection Criteria.

Some submissions were very comprehensive and fully addressed the Selection Criteria while some submissions, while not fully addressing the Selection Criteria, demonstrated that the company had the relevant experience and resources to undertake the requested tasks. Accordingly eight (8) companies were considered to have satisfied the EOI Selection Criteria and would be capable of satisfactorily supplying the requested goods and services (as specified in the EOI document).

It is therefore recommended that eight (8) companies be invited to submit a tender, as detailed in the Officer Recommendation.



**9.3.1 Beatty Park Redevelopment, 220 Vincent Street, North Perth - Progress Report No. 18**

<b>Ward:</b>	South	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	Smiths Lake	<b>File Ref:</b>	CMS0003
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	D Morrissy; Manager Beatty Park Leisure Centre; and M Rootsey, Director Corporate Services		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council RECEIVES Progress Report No. 18, as at 14 May 2013, relating to the Beatty Park Leisure Centre Redevelopment Project, 220 Vincent Street, North Perth.

**COUNCIL DECISION ITEM 9.3.1**

**Moved** Cr Maier, **Seconded** Cr Wilcox

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of the report is to update the Council on the progress of the Beatty Park Leisure Centre Redevelopment Project, 220 Vincent Street North Perth and approve of the landscape plan.

**BACKGROUND:**

**Progress Reports**

Progress reports have been submitted to the Council on 7 December 2010, 22 November 2011, 20 December 2011, 14 February 2012, 13 March 2012, 10 April 2012, 8 May 2012, 12 June 2012, 10 July 2012, 14 August 2012, 11 September 2012, 9 October 2012, 6 November 2012, 18 December 2012, 12 February 2013, 12 March 2013 and 9 April 2013.

At the Ordinary Meeting of Council held on 23 August 2011, the Council considered the Beatty Park Leisure Centre Redevelopment Project Stage 1 and resolved (in part) the following:

*"That the Council;*

2. **APPROVES:**

2.1 (a) *the Beatty Park Leisure Centre Redevelopment Stage 1 at an estimated Total Project Cost of \$17,065,000 to be funded as follows;*

<i>Federal Government</i>	<i>Nil</i>
<i>State Government - CSRFF</i>	<i>\$2,500,000</i>
<i>State Government – nib Stadium payment</i>	<i>\$3,000,000</i>
<i>Beatty Park Leisure Centre Reserve Fund</i>	<i>\$3,500,000</i>
<i>Loan Funds</i>	<i>\$8,065,000</i>
<i>Total:</i>	<i>\$17,065,000</i>

**DETAILS:**

1. CONTRACT DOCUMENTATION

1.1 **Tender**

Tender No. 429/11 Construction  
Advertised: 14 May 2011  
Closed: 26 July 2011  
Awarded: Perkins Builders

Tender No. 430/11 Geothermal  
Advertised: 14 May 2011  
Closed: 15 July 2011  
Awarded: Drilling Contractors of Australia

Tender No. 436/11 Fire detection system and water tanks  
Advertised: 17 September 2011  
Closed: 12 October 2011  
Awarded: Perkins Builders

1.2 **Contracts**

Construction contract signed on 7 October 2011.

Fire Detection and Water Tanks to be treated as a variation to the Head Agreement.

Geothermal contract signed on 6 September 2011.

1.3 **Contract Variations/Additional Scope of Works**

Construction

- Removal of existing concrete pool concourse;
- Removal of Water Tanks and Water Tank Screens;
- Roof Safety Fall Arrest System;
- Door Hardware;
- Additional Anchor Points to Indoor Pool, Dive Pool and Beginners Pool;
- Removal of Dive Pool windows;
- Kitchen Equipment;
- Temporary Entrance Work;
- Removal of indoor pool marble sheen layer and rendering;
- Signage;
- Removal of building rubble, discovered after excavation;
- Remove and dispose of 50mm screed to existing slab;
- New water supply to slides;
- Replacement of water filter return line;
- Existing pool dive board modifications;
- Rubber floor tiles in gym;
- Removal of trees; (as recommended by the Builder)
- Additional 150mm Stormwater drain;
- Remove and dispose of existing footing;
- Mechanical dilapidation works in plant room;
- Removal of existing render in female change rooms;
- Additional floor waste to change room;
- Replaced 3 way valve to mechanical plant;
- Replaced main entry roof and box gutter;
- Earthing to leisure pool;

- Asbestos pipe investigation and removal;
- Landscaping to raised grassed area;
- Spa upgrade works;
- Tiling to front face of outdoor pool seating;
- Hot water supply to ground floor;
- Remove timber props from void; and
- Additional demolition work for fire services.

Geothermal

- Additional 100m drilling to obtain the required temperature;
- Additional time required to develop production bore;
- Variations to design of injection bore, based on production bore geophysical data;
- Loss of drilling mud due to porous nature of bore;
- Bore testing schedule revised to save costs (both together);
- Variations to pumping controls to cater for slower flow rates required;
- Additional meters required by Department of Water to meet new Licence conditions; and
- Removal of valves and flanges replaced by meters.

1.4 **Cost Variations**

Construction

Provisional Sums:

Description	Provisional Sum	Amount Agreed	Variation
Removal of water tank screens	\$10,000	-	\$10,000
Removal water tanks	\$160,000	-	\$160,000
Removal of screens to mechanical system	\$3,000	-	\$3,000
Concrete seats	\$4,000	-	\$4,000
Temporary Entrance Works	20,000	(\$27,154)	(\$7,154)
Safemaster roof safety system	\$7,000	(\$6,055)	\$945
Door hardware	\$85,000	(\$57,288)	\$27,712
Western Power charges	\$5,000	(\$1,363)	\$3,636
Kitchen equipment	\$200,000	(\$143,887)	\$56,113
Internal bollards and retractable belts	\$5,000	(\$3,680)	\$1,320
Hoist to family accessible change 4	\$6,000	(\$4,037)	\$1,963
Signage – additional Crèche	\$8,000	(\$5,240)	\$2,760
Rubber floor tiles to gym	\$10,000	(\$11,349)	(\$1,349)
Entry Turn styles and gates	\$90,000	(\$91,067)	(\$1,067)
Pool furniture for 50m pool	\$50,000	(\$40,065)	\$9,934
Landscaping to raised grassed area	\$5,000	(\$1,640)	\$3,360
Dive pool furniture	-	\$20,000	\$20,000
Illuminated sign & electrical works	\$15,000	(\$11,031)	\$3,969

Description	Provisional Sum	Amount Agreed	Variation
Window treatments to office	\$6,000	(\$4,299)	\$1,700
Photovoltaic cells	\$200,000	(\$5,510)	\$194,490
Indoor pool features	\$65,000	(\$65,000)	-
<b>Total</b>	<b>\$954,000</b>	<b>(\$458,665)</b>	<b>\$495,332</b>

Client Requests:

Description	Amount
Anchor points to indoor pool	\$5,016
Additional Pool features/furniture	\$19,789
Removal of marble sheen to indoor pool	\$46,200
Removal of dive pool windows and make good concrete structure	\$9,735
Anchor points to beginners pool	\$3,344
Tree removal (as recommended by Builder)	\$8,250
Paint indoor concrete columns	\$335
Spa upgrade works	\$153,500
Tiling to front face of outdoor pool seating	\$11,550
Additional Conduits & Electrical supply to gym	\$30,538
Sauna & Steam room works	\$16,082
ECO showers	\$4,921
Temporary data connection to Swim School	\$1,232
New handrails to indoor pool upper concourse & corner stairs to outdoor concourse	\$7,400
Strip & repaint handrails to external stairs (2 sets)	\$2,288
Stair treads to existing seating	\$5,511
Block outs to umbrella footings	\$1,188
Additional tiling to tiered seating	\$3,388
Relocation of bike racks	\$880
Rectification to existing roof due to storm damage	\$916
Additional opaque film	\$578
Removal of carpet to gym for additional rubber tiling	\$935
Change cubicles to spa area	\$4,394
New aerobics stage	\$4,191
Additional support column to spa	\$2,126
Underlay to aerobics rooms	\$9,185
<b>Total</b>	<b>\$353,472</b>

Latent Conditions:

Description	Amount
Removal of original pool concourse	\$29,920
Replacement of indoor pool valves	\$1,595
Removal of building rubble, discovered after excavation	\$2,850
Remove and dispose of 50mm screed to existing slab	\$2,904
Relocation of 300mm stormwater drainage pipe	\$3,434
New water supply to slides	\$7,549
Replacement of water filter return line	\$10,798
Existing pool dive board modifications	\$2,845
Additional 150mm Stormwater drain	\$1,898
Remove and dispose of existing footing	\$501
Mechanical dilapidation works in plant room	\$24,266
Removal of existing render in female change rooms	\$484
Additional floor waste to change room	\$1,019
Replaced 3 way valve to mechanical plant	\$2,739
Replaced main entry roof and box gutter	\$6,338
Earthing to leisure pool	\$10,780
Asbestos pipe investigation and removal	\$1,820
Hot water supply to ground floor	\$8,527
Remove timber props from void	\$5,500
Additional demolition work for fire services	\$2,967
Additional stormwater manhole	\$7,397
Removal & reinstatement of existing screed to walkway, crèche & staffrooms	\$6,506
Remove redundant manholes for geothermal pipework	\$5,403
Rectification of pre-existing faults to the pool DB	\$1,188
Repairs to carpark lights	\$6,484
Protection of existing pool DB	\$1,740
RPZ backflow prevention device to cold water supply	\$3,388
Replace lighting tower base as per Structural Engineers requirements	\$1,018
Changeroom wall supports	\$4,586
Cement render to service corridor	\$1,804
<b>Total</b>	<b>\$168,248</b>

Standard Variations

Various – extensive list of small items	(\$65,928)
<b>Total Variation</b>	<b>(\$65,928)</b>

Summary of Variations

<b>Total Variation Savings</b>	(\$561,260)
<b>Total Variation Additions</b>	\$521,720
<b>Total Variation</b>	<b>\$39,540</b>

Geothermal

Provisional Sum	Description	Variation Amount	Adjustments
Nil	Additional 100m drilling	\$61,000	-\$61,000
Nil	Additional time for production bore development	\$46,500	-\$46,500
Nil	Loss of cement during grouting	\$968	-\$968
Nil	Test pumping of production bore delayed- rescheduled to coincide with injection bore pumping	-\$15,500	\$15,500
Nil	Headworks removed from scope	-\$18,800	\$18,800
Nil.	Variations to design of injection bore, based on production bore geophysical data.	\$3,672	-\$3,672
Nil.	Dorot valve and flanges removed from scope	-\$2,405	\$2,405
Nil.	Bore head meters as required by Department of Water under new Licence conditions	\$10,150	-\$10,150
Nil.	Cooling shroud	\$2,120	-\$2,120
Nil.	Sub Mains	\$8,995	-\$8,995
<b>Total Variation Savings</b>			\$36,705
<b>Total Variation Additions</b>			\$133,405
<b>Total Additional cost</b>			<b>\$96,700</b>

1.5 **Claims** - Not applicable at this time.

1.6 **Insurance**

The City of Vincent insurances have been adjusted to cater for the coverage of existing and constructed buildings, during the construction period.

2. GEOHERMAL WORKS

2.1 **Groundworks** - Completed.

2.2 **Bores** - Completed.

2.3 **Commissioning** – In progress.

2.4 **Pipe works** - Completed.

3. BUILDING WORKS/EXISTING BUILDING

3.1 **Temporary works** - No changes to previous report.

3.2 **Car parking, Landscaping and interim external works**

The City's Technical Service outside workforce commenced Car park work's on 25 February 2013. Good progress has been made whereby a temporary overlay of asphalt has been laid near the new works. Removal of some trees has commenced. Works will be progressively carried out over forthcoming weeks. Works have been delayed due to relocation of workforce to Beaufort Street. Works recommenced in the week starting 29 April 2013.

- 3.3 **Earthworks** - Completed.
- 3.4 **Structural and Civil Engineering** - Completed.
- 3.5 **Hydraulic services** - Completed.
- 3.6 **Electrical Services** - Completed.
- 3.7 **Mechanical services** - Commissioned.
- 3.8 **Environmental services** - Completed.
- 3.9 **Interior finishing**

Minor defects identified by Architect are still being rectified by builder throughout all parts of the facility.

4. BUILDING WORKS-NEW

- 4.1 **Temporary works** - Not applicable at this time.

- 4.2 **Earthworks/Demolition**

The area around new building has been cleaned up and prepared for implementation of the landscape plan by City of Vincent as per the decision at the Ordinary Meeting of Council held 12 March 2013.

- 4.3 **Structural and Civil Engineering** - Completed.

- 4.4 **Hydraulic services** - Completed.

- 4.5 **Electrical Services** - Completed.

- 4.6 **Mechanical Services** - Commissioning completed. Minor adjustments to airflow and temperature control still being undertaken.

- 4.7 **Environmental Services**

The photovoltaic cells have been installed on the roof. A meter from Synergy still required to be installed prior to the system being activated. Still awaiting meter as at 29 April 2013.

- 4.8 **Building External and Internal Colour Finishes**

Touch up painting being carried out as a result of defects list. Ongoing.

- 4.9 **Kitchen/Cafe areas** - Completed.

- 5.0 **New Entry/Foyer**

Completed.

5. POOLS AND PLANT ROOM

5.1 **Outdoor Main Pool**

Minor defects being rectified include cracks in concourse, chipped tiles and missing expansion gaps. In progress

5.2 **Dive Pool - Completed.**

5.3 **New Learn to swim pool – Completed.**

5.4 **Indoor pool/Leisure area**

Defects list still being worked through with builder by the Architect. Whale water feature removed due to ongoing breakdown issues. Depth markers replaced at correct level on 27 April 2013.

5.5 **Plant Room**

Geothermal switchboard change over completed.

5.6 **Spa, Steam Room and Sauna**

Spa, Steam Room and Sauna works completed and the facilities. Reopened on the long weekend in March 2013.

5.7 **Pool Concourse**

Completed, however minor areas of cracking will require rectification as per defects list.

6. INDICATIVE TIMELINE

6.1 **Progress**

The re-opening of the Cafe and kitchen occurred on 16 March 2013.

The official opening of the new entry, gymnasium, aerobics rooms, changerooms, toilets and new offices occurred at a function attended by VIP guests, including the Minister for Sport and Recreation on Friday 22 March 2013.

The building handover is now complete and a comprehensive defects list is being compiled by the architects.

Practical completed certificate issued by Project Architects.

7. COMMUNICATION PLAN

Various communication methods have been utilised to advise patrons, stakeholders and employees of the redevelopment.



8. MEMBERSHIP

Extensions were provided to all current members as at 1 October 2011.

A number of members opted to suspend their membership throughout the redevelopment period. These members have now been reinstated as the redevelopment is complete.

A revised membership fee structure was implemented from the 1 December 2011 due to the closure of the indoor pool, spa, sauna and steam room.

New prices in accordance with the Fees and Charges 2012/13 commenced on Saturday 23 March 2013 to coincide with the opening of the new areas of the facility.

The current number of members is 2446 as at 29 April 2013, this has increased from 2158 as at 27 March 2013.

9. EMPLOYEE MATTERS

The Centre is now back to full staffing levels with additional casual staff assisting in the gym to show members how to use the equipment.

One (1) Customer Service Officers – Administration, One (1) Customer Service Officers – Cafe, five (5) Fitness Instructors and two (2) Swimming Instructors have been employed.

Additional staff will be progressively recruited over the forthcoming months, as required.

10. HISTORY AND ANNIVERSARY BOOK

A complete photo history is being compiled throughout the course of the redevelopment. A photo diary has been set up on the City's website.

The Library and Local History Centre launched the book to celebrate the history of the facility at the opening of the 50m pool on the 22 November 2012. Sales to date have been lower than initially estimated.

In addition to the book, a Heritage room is being planned for Beatty Park. This will be a permanent display of memorabilia for patrons of the centre to celebrate the diversity and history of the facility.

11. OTHER COUNCIL APPROVED ITEMS

At the Ordinary Meeting of Council held 10 July 2012, the Council approved the following:

*"That the Council;*

1. *RECEIVES Progress Report No. 9 as at 10 July 2012, relating to the Beatty Park Leisure Centre Redevelopment Project, 220 Vincent Street, North Perth; and*
2. *AUTHORISES the Chief Executive Officer to:*
  - 2.1 *Review the branding of the Beatty Park Leisure Centre including engaging suitably qualified persons/organisation, if required;*

- 2.2 *Investigate suitable uses for the vacated areas in the Centre as a result of the redevelopment and engage suitable qualified professionals to provide information of rental valuations and leasing options;*
  - 2.3 *Organise the appropriate events to celebrate the opening of the redeveloped Centre and the fiftieth (50th) Anniversary/Birthday of the Centre;*
  - 2.4 *Prepare a Design Brief for the Percent for Art component of the redevelopment project, in accordance with the City's Policy 3.10.7; and*
3. *NOTES that a further report will be submitted to the Council no later than October 2012."*

Listed below is the progress made to date on these matters.

12. MARKET BRANDING

The working group has received a number of concepts and have been reviewed. Amendments were requested and have been received for further consideration. A number of recommended concepts will be presented to the Council for approval in due course.

13. LEASING OF SPACE

Meetings have been held to discern the available space and valuations. Plans are being prepared of the areas and a decision will be made on whether to outsource the leasing depending on the value and complexity of any lease arrangement required.

Quotes for professional assistance have been obtained, however exceeded budget expectation. The matter is currently being further reviewed, likely to be undertaken in house with minimal professional assistance, except where required by legislation.

Further meetings have been held with real estate professionals during January and awaiting further information. Collier International has been appointed to provide valuations and lease considerations. Their report should be received in the first week of March 2013.

The report has now been received from the consultants. A tender document for disposal of property for the various available spaces by lease is now being prepared.

Tender to be advertised in due course.

14. CELEBRATION OF OPENING

Completed.

15. PERCENT FOR ART

The artwork for the facility is now being focused on locations closer to the main entry and a Request for Quote has been prepared and submitted to the Architect for comment.

No further progress to report at this time.

16. CENTRE AND CARPARK LANDSCAPE PLAN

Car park work is now underway, works to date are of a temporary nature. Car park work on hold due to Engineering commitment to urgent works at Beaufort Street. Works to recommence week starting 29 April 2013.

The Council approved the landscape plan at the Ordinary Meeting of Council held 12 March 2013 as follows:

*“That the Council;*

1. *RECEIVES Progress Report No. 16, as at 12 March 2013, relating to the Beatty Park Leisure Centre Redevelopment Project, 220 Vincent Street, North Perth; and*
2. *APPROVES the Beatty Park Leisure Centre and Carpark Landscape Plan, as shown in Plan No. 2620-SO-01L (as amended), subject to;*
  - 2.1 *Those portions of the carpark adjacent to the corner of Morriston Street and Vincent Streets and the proposed staff parking area immediately adjacent to Farr Avenue, to have water sensitive urban design features incorporated including flush kerbing and median or kerb planted swales; and*
  - 2.2. *Five (5) London Plane Trees to be planted, three (3) to be planted along Farr Avenue and two (2) on the right hand side (on Beatty Park Reserve); and*
  - 2.3. *The remaining trees be a combination of Marri Trees and Tuart Trees.”*

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

Not applicable.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** The redevelopment project is significant in terms of magnitude, complexity and financial implications. It has required close management to ensure that costs are strictly controlled, particularly as it involves a Heritage listed building which is 50 years old. As the bulk of the work has now been completed and practicable completion is almost ready, the risk has been further downgraded from “medium” to “low”.

**STRATEGIC IMPLICATIONS:**

The City's *Strategic Plan 2011-2016* states:

*“Natural and Built Environment*

- 1.1: *Improve and maintain the natural and built environment and infrastructure.*
  - 1.1.4: *Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.*
    - (e) *Implement the Redevelopment of Beatty Park Leisure Centre.”*

**SUSTAINABILITY IMPLICATIONS:**

The redevelopment is committed to a number of sustainability initiatives.

**FINANCIAL/BUDGET IMPLICATIONS:**

At the Ordinary Meeting of Council held on 23 August 2011. The Council approved this project at a total cost of \$17,065,000.

The construction tender amounts to \$11,987,000 exclusive of GST and the Geothermal Energy System tender amounts to \$2,930,541 exclusive GST.

The project has to date been completed within the approved budget. A number of variations and claims are yet to be processed.

Building Construction Tender Progress Claim Payments – Perkins Builders

Eighteen (18) progress claims have been received to date, as follows:

<b>Progress Payment Number</b>	<b>Date Received</b>	<b>Amount Requested (excl GST)</b>	<b>Amount Paid (excl GST)</b>	<b>Date Paid</b>
No. 1	14/11/2011	\$168,597.91	\$168,597.91	30/11/2011
No. 2	09/12/2011	\$330,358.48	\$330,358.48	11/01/2012
No. 3	09/01/2012	\$426,642.09	\$426,642.09	08/02/2012
No. 4	09/02/2012	\$262,230.86	\$262,230.86	07/03/2012
No. 5	08/03/2012	\$999,561.79	\$999,361.79	04/04/2012
No. 6	10/04/2012	\$641,879.57	\$641,879.57	02/05/2012
No. 7	15/05/2012	\$1,094,498.76	\$1,094,498.76	18/06/2012
No. 8	11/06/2012	\$1,207,966.69	\$1,207,966.69	09/07/2012
No. 9	13/07/2012	\$991,244.57	\$991,244.57	08/08/2012
No. 10	09/08/2012	\$803,418.12	\$803,418.12	14/09/2012
No. 11	12/09/2012	\$913,043.61	\$913,043.61	09/10/2012
No. 12	08/10/2012	\$549,297.17	\$549,297.17	02/11/2012
No. 13	09/11/2012	\$864,651.44	\$864,651.44	29/11/2012
No. 14	14/12/2012	\$904,339.85	\$904,339.85	31/12/2012
No. 15	11/01/2013	\$1,084,589.59	\$1,084,589.59	12/02/2013
No. 16	13/02/2013	\$738,002.93	\$738,002.93	06/03/2013
No. 17	22/03/2013	\$469,772.74	\$469,772.74	16/04/2013
No. 18	19/04/2013	\$254,435.74		
<b>Total Paid</b>			<b>\$12,449,896.17</b>	

Geothermal Tender Progress Claim Payments – Drilling Contractors Australia

Six (6) progress claims have been received to date, as follows:

<b>Progress Payment Number</b>	<b>Date Received</b>	<b>Amount Requested (excl GST)</b>	<b>Amount Paid (excl GST)</b>	<b>Date Paid</b>
No. 1	18/11/2011	\$482,899.18	\$482,899.18	20/12/2011
No. 2	16/12/2011	\$638,710.00	\$638,710.00	25/01/2012
No. 3	31/12/2011	\$501,120.57	\$501,120.57	08/02/2012
No. 4	12/04/2012	\$214,355.86	\$214,355.86	02/05/2012
No. 5	21/05/2012	\$604,149.38	\$604,149.38	18/06/2012
No. 6	17/07/2012	\$781,726.70	\$781,726.70	03/10/2012

**Total Paid \$3,222,960.69**

Fire Detection and Water Tanks Tender Payments

Payments for the Fire Detection and Tender have been included in the monthly progress claims, and are therefore not shown separately.

CSRFF Funding

The City of Vincent will claim funds from this Department of Sport and Recreation grant for the Pool, Geothermal and Change room works.

All funds under the CRSFF funding have been received.

<b>Progress Payment Number</b>	<b>Date Requested</b>	<b>Amount Requested (excl GST)</b>	<b>Amount Received (excl GST)</b>	<b>Date Received</b>
No. 1	03/01/2012	\$217,165.69	\$217,165.00	06/01/2012
No. 2	31/01/2012	\$191,614.00	\$191,614.00	06/02/2012
No. 3	17/04/2012	\$839,971.00	\$839,971.00	24/05/2012
No. 4	19/06/2012	\$650,254.00	\$650,254.00	30/06/2012
No. 5	4/10/2012	\$600,996.00	\$600,996.00	29/11/2012

**Total Received \$2,500,000.00**

**COMMENTS:**

The Beatty Park Redevelopment Project is now complete with just some outside works on the carpark and landscape plan to be finalised. Practical completion has been received and the Certificate of Occupancy granted.

The Centre opened to the public on Saturday 23 March 2013. Comments received to date have been extremely positive.

Membership numbers have increased by close to three hundred (300) again this month. Interest in the facility is at an all time high with the opening of new gym and fitness facilities and to ensure continued interest and satisfaction a number of new classes including yoga have recently been added to the group fitness schedule.

A comprehensive defects list continues to be worked through with the Architects and Builders. All requests for variations and costings will be finalised over the forthcoming weeks.

Staff training on all of the new equipment and operational matters will be provided to ensure the facility operates in a safe, efficient and professional manner.

It is pleasing to see the finished product is of such a high quality, providing a first class facility for the community.

**9.3.2 Annual Plan – Capital Works Programme 2012/2013 – Progress Report  
No.3 as at 31 March 2013**

<b>Ward:</b>	Both	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0025
<b>Attachments:</b>	<a href="#">001</a> – Annual Capital Works Schedule 3 <sup>rd</sup> Quarter		
<b>Reporting Officers:</b>	M Rootsey, Director Corporate Services; R Lotznicker, Director Technical Services;		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council **RECEIVES** Progress Report No. 3 for the period 1 January to 31 March 2013 for the Capital Works Programme 2012/2013, as detailed in Appendix 9.3.2.

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**COUNCIL DECISION ITEM 9.3.2**

**Moved Cr Maier, Seconded Cr Wilcox**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

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**PURPOSE OF REPORT:**

The purpose of this report is to provide a quarterly progress report on the Council's Capital Works Programme 2012/2013 for the period 1 January 2013 to 31 March 2013.

**BACKGROUND:**

At the Special Meeting of Council held on 3 July 2012, Council adopted the Annual Budget 2012/2013.

**DETAILS:**

The Capital Works Programme now forms part of the Annual Plan for the City of Vincent. The Directors and Managers from the four (4) Directorates have formulated the attached Capital Works Programme. The Programme comprises of \$9.1 million of new Capital Works.

The programme takes into consideration the following factors:

- Budget/funding
- Existing workload commitments of the workforce
- Consultation requirements
- Liaison with other agencies/service areas
- Employee leave periods
- Leave requirements
- Cash flow requirements

**THE FOLLOWING PROJECTS WILL NOT NOW BE UNDERTAKEN DURING THIS FINANCIAL YEAR.**

<b>Project</b>	<b>Reason</b>
Halverson Hall – renovate toilet block	Project for a unisex toilet for the hall being reviewed. Maybe more beneficial to construct a separate toilet in the park.
Beaufort precinct - installation of unisex public toilets	Location to be determined
Banks Reserve Pavillion – refurbish courtyard	Projects funds reallocated to Leederville Enhancement Project Town Centre. Council Decision 23 April 2013
Mount Hawthorn Community Centre – Replace roof	Projects funds reallocated to Leederville Enhancement Project Town Centre. Council Decision 23 April 2013.
Britannia Reserve Masterplan Implementation Stage 1	Projects funds reallocated to Leederville Enhancement Project Town Centre. Council Decision 23 April 2013.
<b>Slab Footpath Programme</b>	
Charles Street – Angove to Albert	Pending adjoining development being completed.
Charles Street – Scarborough Beach Road	Pending adjoining development being completed
<b>Traffic Management</b>	
Angove/Woodville Street traffic management	Council Decision of 9 September 2012, Item 9.2.3, not to proceed with this project.
Mt Hawthorn – Area wide traffic calming	Projects funds reallocated to Leederville Enhancement Project Town Centre. Council Decision 23 April 2013.
Purslowe/Brady Street traffic management	Projects funds reallocated to Leederville Enhancement Project Town Centre. Council Decision 23 April 2013.
Fitzgerald Street	Projects funds reallocated to Leederville Enhancement Project Town Centre. Council Decision 23 April 2013.
<b>Rights of Way</b>	
Nova Lane configuration/resurfacing	Projects funds reallocated to Leederville Enhancement Project Town Centre. Council Decision 23 April 2013.
<b>Car parking</b>	
Broome Street – Angle parking	Council Decision of 14 August 2012, Item 10.2, not to proceed with this project.
<b>Miscellaneous</b>	
Town Centre Banner Poles	Projects funds reallocated to Leederville Enhancement Project Town Centre. Council Decision 23 April 2013.

**THE CURRENT PROJECTS ARE CURRENTLY “ON HOLD” AWAITING THE RESULTS OF COMMUNITY CONSULTATION OR APPROVALS FROM EXTERNAL PARTIES.**

<b>Project</b>	<b>Reason</b>
Auckland/Hobart Street Reserve - install unisex toilets	Awaiting outcome of further community consultation
<b>Traffic Management</b>	
Install pedestrian safety crossing phases Scarborough Beach Road/Oxford Street intersection	Awaiting formal approval from MRWA
<b>Black Spot</b>	
Lord and Harold Streets	Pending further discussions at ITAG
<b>Roadworks</b>	
Rehabilitation Newcastle Street – Oxford to Loftus street	Pending Water Corporation development.
<b>Slab Footpath Programme</b>	
Stirling Street – Bulwer to Brisbane Street	Pending completion of development
<b>Car Parking</b>	
Melrose Street angle parking	Deferred pending DA for adjacent property

**THE TIMING ON THE WORK OF THE FOLLOWING PROJECTS HAS BEEN CHANGED FROM THE ORIGINAL SCHEDULING.**

<b>Project</b>	<b>Reason</b>
<b>Streetscape Enhancements</b>	
Brisbane Terrace	Southside tree planting moved to May 2013.
<b>Roadworks</b>	
Rehabilitation Beaufort Street, Broome to Walcott Streets	Deferred until after Beaufort Street Festival.

**CONSULTATION/ADVERTISING:**

Not applicable

**LEGAL/POLICY:**

The Capital Works Programme has been prepared on the adopted 2012/2013 Annual Budget.

**STRATEGIC IMPLICATIONS:**

Strategic Community Plan 2011 – 2021 (Plan for the Future)

In keeping with the City’s Strategic Plan 2011-2016 Key Result Area One – Natural and Built Environment:

*“Objective 1.1: Improve and maintain the natural and built environment and infrastructure.”*

**SUSTAINABILITY IMPLICATIONS:**

The Capital Works Programme has been prepared taking into account all aspects of sustainability that is environmentally, financial and social.

**FINANCIAL/BUDGET IMPLICATIONS:**

The Capital Works Programme is funded in 2012/2013 Annual Budget.

**COMMENTS:**

Quarterly progress reports on the Capital Works Programme will be prepared for Council throughout the year.



**9.3.3 81 Angove Street, North Perth - Request for Quote No. 02/13 – Feasibility Study on Usage Options for the property**

<b>Ward:</b>	Both	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	All	<b>File Ref:</b>	PRO2919
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	M Rootsey, Director Corporate Services		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council **APPROVES** the quotation from Integral Project Creation for the amount of \$24,000 (excluding GST) to conduct the Feasibility Study on Usage Options for the property at 81 Angove Street, North Perth.

**COUNCIL DECISION ITEM 9.3.3**

**Moved Cr Maier, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

**PURPOSE OF REPORT:**

The purpose of this report is to seek the Council's approval of a suitable consultant to conduct a Feasibility Study on usage options for the property at 81 Angove Street, North Perth.

**BACKGROUND:**

At the Ordinary Meeting of Council held 26 February 2013, the Council resolved as follows:

*“That the Council;*

1. *RECEIVES the Progress Report No. 2 relating to the investigation into possible uses for the former North Perth Police Station at No. 81 Angove Street, North Perth in accordance with the Notice of Motion endorsed by the Council at its Ordinary Meeting held on 6 December 2011 and Council decision made at the Ordinary Meeting of Council held on 27 March 2012;*
2. *AUTHORISES the Chief Executive Officer to undertake a detailed feasibility study for the following options:*
  - 2.1 *Subdividing a rear lot of approximately 700sq metres for sale for residential development – the feasibility should consider a sub-option of seeking Expressions Of Interest (EOI) for a development incorporating innovative affordable housing;*
  - 2.2 *Option 7 – Dispose of Property in its entirety;*
3. *APPROVES the use of the funding in the 2012/2013 Budget to undertake a detailed feasibility study on the scenarios outlined in clause 2 above; and*
4. *REQUESTS that;*
  - 4.1 *the Chief Executive Officer prepare a further report to be presented to the Council on the completion of the feasibility study no later than April 2013; and*
  - 4.2 *the maximum amount for the detailed feasibility study shall not exceed \$20,000.”*

A request for quote to conduct a Feasibility Study on usage options for the property at 81 Angove Street, North Perth was advertised in the West Australian on 6 April 2013. Submissions closed at 4.00pm on 19 April 2013 after a fourteen (14) day advertising period.

**DETAILS:**

The reason this request for quote is seeking Council approval is due to the fact that the Council in part stated that the maximum amount for the study should not exceed \$20,000. Only one (1) of the submissions met that criteria and this submission was not recommended.

Eight (8) submissions were received for Request for Quote No. 02/13 as listed below:

- Integral Project Creation;
- RPS;
- APP;
- Ernst and Young;
- Conway/Highbury;
- Michael Ipkendanz and Architects;
- Hocking Heritage Studio; and
- Coffey Projects.

The following table lists the respective fee each company has quoted to undertake the feasibility study on usage options for the property at 81 Angove Street, North Perth as per RFQ No. 02/13.

Company Name	Fee
Integral Project Creation	\$24,000
RPS	\$38,050
APP	\$44,000
Ernst & Young	\$42,000
Conway/ Highbury	\$21,300
Michael Ipkendanz & Architects	\$40,500
Hocking Heritage Studio	\$14,500
Coffey Projects	\$26,285

All the prices listed in the table exclude GST.

**Request for Quote Evaluation Criteria:**

The following weighted criteria were used for the selection of the companies for this request for quote.

Evaluation Criteria	Weighting
<p><b>Financial offer / fee proposal</b></p> <ul style="list-style-type: none"> <li>• This contract is offered on a lump sum (fixed price) fee basis. Include in the lump sum fee all fees, any other costs and disbursements to provide the required service and the appropriate level of the Goods and Services Tax (GST).</li> <li>• Represents the "<i>best value</i>" for money.</li> </ul>	<b>50%</b>
<p><b>Relevant experience, expertise and project Team</b></p> <p>Demonstrate your:</p> <ul style="list-style-type: none"> <li>• Experience, expertise and project team.</li> <li>• Role and credentials of the key persons in the provision of the service (i.e. qualifications and experience).</li> <li>• Ability to provide ongoing availability of sufficient skilled persons capable of performing the tasks consistent with the required standards.</li> <li>• Understanding of the requirements associated with delivering the services to the City.</li> <li>• Experience and success in the sphere of recent similar facilities.</li> </ul>	<b>30%</b>

<b>History and viability of Company</b>	<b>10%</b>
<ul style="list-style-type: none"> <li>Detail your history, viability and experience.</li> <li>Include any comments received from referees.</li> <li>Demonstrate your capacity and depth to effectively address the range of requirements of the City.</li> <li>Demonstrate the financial capacity of the organisation to carry out works for this project including evidence of stability and experience.</li> </ul>	
<b>References</b>	<b>10%</b>
<ul style="list-style-type: none"> <li>Submission of contact details of referees for similar projects.</li> </ul>	
<b>TOTAL</b>	<b>100%</b>

Request for Quote Evaluation Panel

The Request for Quote Evaluation Panel consisted of the Director Corporate Services and Manager Strategic Planning, Sustainability and Heritage Services.

The request for quote was assessed using the above evaluation criteria in accordance with the request for quote documentation.

Evaluation Table

	Integral Project Creation	RPS	APP	Ernst & Young	Conway / Highbury	Michael Ipkendanz & Architects	Hocking Heritage Studio	Coffey Projects
<b>Financial offer / fee proposal</b>	46	41	36	36	45	37	47	43
<b>Relevant experience, expertise and project Team</b>	28	30	30	29	28	27.5	26	28
<b>History and viability of Company</b>	10	10	10	10	10	10	10	10
<b>References</b>	10	10	10	10	10	10	10	10
<b>TOTAL</b>	<b>94</b>	<b>91</b>	<b>86</b>	<b>85</b>	<b>93</b>	<b>84.5</b>	<b>93</b>	<b>91</b>

**COMMENTS/CONCLUSION:**

The City has received eight (8) submissions to conduct a Feasibility study on Usage Options for the property at 81 Angove Street, North Perth.

Integral Project Creation

Well credential team including:

- Integral Project Creation for Strategic property advice, business case development and development expertise;
- The Planning Group (TPG) - one of the State's largest Planning groups;
- Slattery Australia leading Surveyors;
- Timescale - three (3) weeks;
- Well presented submission at a reasonable price - good value for money;
- Good experience with similar projects.

### RPS

RPS is an international consulting firm

Well qualified team including:

- Wilde and Woolard Quantity Surveyors;
- Hartree and Associates Architects;
- ADG Engineers;
- Detailed submission with sound methodology;
- Timescale – four (4) weeks;
- The price submitted was significantly higher than expected.

### APP

- Strong internal team from APP;
- Hames Sharley Architects;
- Garmony Property Consultants;
- Comprehensive submission;
- Good experience with similar projects;
- Timescale - four (4) weeks;
- Price at higher end of the scale.

### Ernst and Young

Well qualified team includes:

- Ernst and Young Real Estate Advisory;
- Bollig Design Group;
- Dawson and Ward Quantity Surveyors;
- Timeframe – as per request for quote;
- Experience with large development projects;
- Price at higher end of the scale.

### Conway/Highbury

- Formed in 2011, Conway/Highbury is a consulting company providing assistance and advise to local governments and not for profit sector;
- Team includes Director Chris Leversage as Project Manager;
- The Planning Group (TPG) WA – Heritage and Planning advice to be provided by former City of Vincent Planners;
- Pember Wilson Eftos to provide valuation;
- Timeframe – recommends seven (7) weeks will be required for the project, but would be prepared to compress time line if required;
- Well presented submission with well documented methodology and understood the brief;
- Price – good value for money;
- Experience – general experience in a number of Local Government and not for profit projects.

### Michael Ipkendanz Architects

The team includes:

- Business Symmetry;
- Oracle Surveys;
- The submission was condensed and summarised and it did not include details of methodology of how the study would be undertaken;
- Timeframe – not specified but it is therefore assumed that it would meet the timeframe in the request for quote;
- Price – second highest;
- Experience – significant number of heritage and sustainable housing projects.

### Hocking Heritage Studio

The team includes:

- Hocking Heritage Studio;
- Cole Advisory – property and strategic business management experience;
- Coglean Industries – builder/private developer of heritage and sustainable properties;
- A sound methodology for study provided, although no specific timeframe;
- Price – lowest;
- Experience with heritage projects.

### Coffey Projects

Professional team includes:

- Coffey Projects – Project Co-ordination;
- Avoca Designs – Concepts Designs for two (2) options;
- RBB Quantity Surveyors – cost estimates for two (2) options;
- David Higgins – Property valuation;
- Timeframe – within the outline in request for quote;
- Professional submission with a clear understanding of the requirements;
- Price – at lower end of the scale;
- Considerable experience in relevant feasibility studies many of them of a larger scale than this one.

### **CONSULTATION/ADVERTISING:**

The request for quote was advertised in the West Australian Newspaper on the 6 April 2013.

### **LEGAL/POLICY:**

The request for quote was advertised and assessed in accordance with the Local Government Act Tender Regulations and the City's Policy 1.2.2 and Purchasing Policy No. 1.2.3.

### **RISK MANAGEMENT IMPLICATIONS:**

**Low** All the tenderers are well respected organisations with strong community connections.

### **STRATEGIC IMPLICATIONS:**

The City's *Strategic Plan 2011-2016* states:

*"1.1.4 Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment; and*

*4.1.2 Manage the organisation in a responsible, efficient and accountable manner.*

*(e) Continue to Implement an Asset Management Program."*

### **SUSTAINABILITY IMPLICATIONS:**

Not Applicable.

### **FINANCIAL/BUDGET IMPLICATIONS:**

An amount of \$50,000 has been included in the 2012/13 Budget for the redevelopment of the property at 81 Angove Street, North Perth.

However, the Council resolved at the Ordinary Council Meeting held 26 February 2013 that the amount spent on the feasibility study should not exceed \$20,000.

### **COMMENTS:**

It is recommended that the submission from Integral Project Creation be supported as it represents the best value for money option for the City.

**9.4.1 City of Vincent Arts Plan 2012-2017**

<b>Ward:</b>	Both	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	All	<b>File Ref:</b>	CVC0017
<b>Attachments:</b>	<a href="#">001</a> – Arts Plan 2012-2017		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	Y Coyne, Coordinator Arts & Creativity J Anthony, Manager Community Development		
<b>Responsible Officer:</b>	R Boardman, Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **CONSIDERS** the submissions received concerning the City of Vincent Arts Plan 2012-2017; and
2. **APPROVES** the Implementation of the City of Vincent Arts Plan 2012-2017.

**COUNCIL DECISION ITEM 9.4.1**

**Moved Cr Maier, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**PURPOSE OF REPORT:**

To receive the comments summary from the recent community consultation on the Draft Arts Plan for the City of Vincent from 2012 through to 2017.

**BACKGROUND:**

At the Ordinary Meeting of Council held on 12 February 2013, the following recommendation was adopted;

*“That the Council;*

1. *ADOPTS IN PRINCIPLE* the City of Vincent Draft Arts Plan 2012-2017 as shown in Appendix 9.4.1; and
2. *AUTHORISES* the Chief Executive Officer to:
  - 2.1 *advertise the City of Vincent Draft Arts Plan 2012-2017 as shown in Appendix 9.4.1 for public comment for a period of twenty-eight (28) days inviting written submissions from the public in accordance with the City’s Policy No. 4.1.5 relating to Community Consultation; and*
  - 2.2 *Report back to the Council on any public submissions received.”*

**DETAILS:**

The *Arts Plan 2012-2017* has three objectives:

1. To implement a strategic planning approach to arts in the City of Vincent;
2. To encourage community engagement in the development and management of arts opportunities; and
3. To foster an awareness of Council's role in supporting the development of a diverse range of quality Arts' facilities, activities and programmes, which contribute to the well being of the community.

The *Arts Plan 2012-2017* positions the City to be able to respond to needs and to be proactive in preparing for the impact of future trends and community demands. It will guide the direction of future activities, programmes and strategies, and will inform the allocation of resources and the identification of revenue and funding opportunities

A defined commitment to the Arts will ensure the provision of unique cultural experiences close to home, giving people the opportunity to experience Arts as part of everyday life. It also serves to enhance the reputation of the City, providing a competitive edge.

The City has played a significant role in the cultural life of the community through a range of activities and services such as:

- Support for festivals and entertainment, and the recreational aspects of culture and the arts, including parks, gardens and recreation facilities;
- Arts programmes;
- Library Services;
- Civic and community facilities;
- Special programmes, skills development initiatives, grants and prizes;
- Community development programmes and services;
- Economic development strategies such as pop-up shops;
- Urban, streetscape and landscape improvements; and
- Heritage preservation.

The strategies identified in the *Arts Plan 2012-2017* are as follows;

1. Ensure that arts and cultural issues and considerations are an integral part of Council's policy, planning and strategies;
2. Encourage active engagement with key stakeholders to ensure that the Arts programme is relevant and inclusive to meet with diverse needs of the community;
3. Promote a diverse annual programme of arts and cultural activities, festival and events;
4. Provide public spaces for the community to celebrate events and promote various expressions of art;
5. Encourage and support engagement and community spirit through community cultural development projects;
6. Support placemaking projects that tell the stories of the City, its people and history through the Arts;
7. To support the commissioning of site specific artworks by Council in public spaces throughout the City that represent the City's culturally diverse and rich community;
8. To encourage the commissioning of public art by private sector developers and businesses;
9. Build creative partnerships with local business sector and property developers to support arts and cultural activities; and
10. Effectively manage and promote the City's Art collection.

Through these strategies, the City can be well placed to raise awareness of the value of cultural experience and to create pathways for community and business participation. It can advocate for, invest in, facilitate and support initiatives, highlight strengths, and identify gaps, barriers and opportunities by undertaking an annual review of the Arts Programme through the Plan's framework.

#### **CONSULTATION/ADVERTISING:**

The *Arts Plan 2012-2017* was advertised for community consultation for a period of twenty eight (28) days from 5 March to 2 April 2013 in accordance with the Community Consultation Policy No. 4.1.5, as follows:

- Advertisement in local newspaper;
- Review by the Arts Advisory Group;
- Notice on the City's website;
- Copies displayed at City of Vincent Administration and Civic Centre and Library and Local History Centre; and
- Arts agencies, Galleries and groups (emails inviting comments with a link to the Arts Plan).

The City of Vincent Arts E-News and Facebook page was also utilised to link to the Arts Plan Community Consultation page on the City's website, inviting people to comment.

#### **Summary of Consultation**

The City's Officer received three enquires requesting the Plan be sent to them, and had a conversation with a local arts studio about the Plan; however, no further comment was received. One written comment from Artsource was received on 2 April 2013 as follows:

*"We would like to offer the some feedback in relation to two specific areas of the plan: Public Art and Artist Studios:*

1. *Strategy 6 (pages 6 and 7) speaks about place making within the City of Vincent. Public art can play a large role in the idea of place making and telling local stories. We would suggest that a key action under strategy 6 would be to review the Percent for Public Art Policy and tease out the first objective, which talks about "Develop and promote community identity within the City". Further detail about what this might entail will work to ensure that percent for public art contributions can help achieve strategy 6.*
2. *Artist Studios (page 13) refers to the City of Vincent working with Artsource to provide studio space within the City of Vincent and refers to 'The Ward' studios on Newcastle Street.*

*Artsource has recently vacated 'The Ward' premises due to the building being sold. However, we have relocated to another building in the area, on Douglas Street, through a commercial tenancy with the owner, and have been able to continue to provide valuable working spaces for 21 artists.*

*Whilst Artsource would value the opportunity to work with the City of Vincent to develop more studio spaces in the area, it should be noted that the City of Vincent was not a partner on either of these recent Artsource studio developments.*

*We did, however, provide information to elected members, through the Community Development team in October 2012, in regards to proposing purpose-built studio buildings at the Council owned property at 81 Angove Street (the former Police Station). We believe that this site presents a unique opportunity for the City of Vincent to be seen as a progressive local government that has the arts and community engagement at the forefront of its agenda, through the development of long-term studio spaces for artists living and working in the area. We remain very interested in working with the City of Vincent to realise this idea."*



**LEGAL/POLICY:**

Nil.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** Upon careful assessment of the risk management matrix and consideration of this project, it has been determined that this programme is low risk.

**STRATEGIC IMPLICATIONS:**

The *Arts Plan 2012-2017* is in keeping with the City of Vincent *Strategic Plan 2011 – 2016* where the following Objective states::

“3.1.1(a) *Develop an Arts and Culture Plan.*”

**SUSTAINABILITY IMPLICATIONS:**

The *Arts Plan 2012 – 2017* aims to contribute to the cultural vitality of the City's community and by promoting access to the Arts, has a positive effect on the liveability of the City and strengthens the community.

**FINANCIAL/BUDGET IMPLICATIONS:**

The *Arts Plan 2012 – 2017*, as proposed in this report, is designed to direct current resources to priority areas rather than to generate new unfunded initiatives. Any projects that may be brought forward over and above those outlined in the proposed Plan and that require additional resources, would be considered as part of the City's normal budgeting process.

**COMMENTS:**

The *Arts Plan 2012 – 2017* was advertised widely to the arts community networks, galleries, studios and the general public. General verbal feedback received has been favourable.

#### 9.4.4 NAIDOC Week 2013

<b>Ward:</b>	Both	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	All	<b>File Ref:</b>	CMS0111
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	B Grandoni, Community Development Officer J Anthony, Manager Community Development		
<b>Responsible Officer:</b>	R Boardman, Director Community Services		

#### OFFICER RECOMMENDATION:

That the Council **APPROVES** the proposed;

1. **Event initiatives for the 2013 City of Vincent NAIDOC Week celebrations as detailed in the report; and**
2. **NAIDOC Week event from 12:00pm to 3:00pm on Sunday, 14 July 2013, to be held at Weld Square, Perth.**

#### COUNCIL DECISION ITEM 9.4.4

Moved Cr Maier, Seconded Cr Wilcox

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

#### PURPOSE OF REPORT:

To seek the Council's approval for the 2013 National Aboriginal and Islander Day Observance Committee (NAIDOC) Week Initiatives organised by the City.

#### BACKGROUND:

At the Ordinary Meeting of Council held on 26 February 2013, it was resolved as follows:

*"That the Council;*

1. *APPROVES the funding of \$450 to 'Noongar Kids' to assist with the design, printing and distribution of materials to schools within the City for the 2013 NAIDOC Week School Initiatives".*

One of the recommendations that has been adopted as an activity throughout NAIDOC Week was the Noongar Kids School Initiative. This project engages young people across Western Australia in a range of school initiatives to promote education and awareness of Aboriginal and Torres Strait Islander culture.

NAIDOC Week celebrations are held across Australia each July to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander people. The significance of the event can be traced to the emergence of Aboriginal groups in the 1920s, which aimed to increase awareness of the status and treatment of Aboriginal Australians.

The theme for NAIDOC Week 2013 is '**We value the vision: Yirrkala Bark Petitions 1963**'. This year's theme proudly celebrates the 50th anniversary of the presentation of the Yirrkala Bark Petitions to the Federal Parliament. Asserting title to Yolngu country under Yolngu law, the petitions were the first traditional documents recognised by the Commonwealth Parliament and helped to shape the nation's acknowledgment of Aboriginal people and their land rights.

Overall, NAIDOC is a celebration of Aboriginal and Torres Strait Islander cultures and an opportunity to recognise the contributions of Aboriginal Australians in various fields.

#### **DETAILS:**

A different City around Australia hosts NAIDOC week every year. Fortunately, Perth is the focus City for 2013. The celebratory week runs between 7–14 July 2013 and the major event will be an Awards and Ball event to be held at the Perth Convention and Exhibition Centre on Friday, 12 July 2013.

The proposed event programme is a result from ongoing discussions between internal and external stakeholders, and is described below.

#### **Event Summary**

The 2013 NAIDOC week event proposes to host an informal community gathering with food, music, stories and local people. Another aspect of the event will be launching the Aboriginal artwork that will be carried out on the ping pong table, which will soon be installed at Weld Square, Perth.

The City proposes to use this outdoor game to create an art piece. The overall aim is to instil a sense of fun, play and culture in the park, as well as acknowledging and paying tribute to appropriate Aboriginal historical themes from NAIDOC Week 2013. This will be done by painting the ping pong table in a creative and respectful manner. The artwork needs to be inclusive and attractive for the community to use on a daily basis.

This event will also be an opportunity to recognise the contributions of Aboriginal Australians in various fields by inviting local Aboriginal families and the Vincent community to this event.

#### **Music and Arts**

##### Aboriginal Bands/Artist

A few contacts for Aboriginal artists have been gathered that would suit the themes of the event. It is proposed to engage a rock, roots band that would appeal to the majority of the community.

It is also proposed to engage an Aboriginal artist to coordinate Didgeridoo lessons throughout the event.

##### Artwork Launch

A 'Request for Quotation' has been advertised to a variety of networks seeking expressions of interest and quotations to carry out some artwork to be applied to an outdoor ping-pong table. It is expected to have the final design approved by June 2013.

It is also projected to reveal the artwork to the community on Sunday, 14 July 2013 throughout the City's celebration of NAIDOC week.

## **Sports and Leisure**

### Table Tennis Competition

It has been discussed that a table tennis competition will be coordinated after the artwork is launched. As the event has been proposed throughout the school holidays, it will be advertised as a school holiday activity to our local schools and networks.

It will also be encouraged to use the newly installed basketball ring throughout the event.

### Flash Mob Dance

Urban Youth Crew is a dance and sport program for children in both primary and secondary schools, which encourages integration, participation and tolerance. The group is predominantly made up of young Aboriginal and non-Aboriginal Australians ranging from seven years of age to the oldest member who is in her 30s. It is proposed to organise a group flash mob dance as part of the event to encourage people to participate in activities and also as a publicity initiative. Feedback has reported that the Urban Youth Crew sets a positive example for other young people to participate in dance and it integrates with other cultures.

## **Education and Culture**

### Welcome to Country and Traditional Dance

It is proposed to arrange a traditional Welcome to Country with dance to open the City's NAIDOC week event.

### Community BBQ and Information

The local Kadij café will provide a traditional Aboriginal BBQ (Kangaroo, beef and information on Bushtucker).

A call out to local community organisations to host a stall with local activities will be advertised in May 2013 if the event proposal is approved.

### History Sessions

As Weld Square is rich with Aboriginal history, discussions have been made with local community members about potential story time, historical insights and dreamtime sessions. The format will be informal gathering, or a tour around the reserve with community members that are interested.

Overall, the event objectives are to:

1. Celebrate Aboriginal and Torres Strait Islander cultures;
2. Promote/launch the artist and the artwork;
3. Acknowledge and celebrate NAIDOC week on behalf of the City; and
4. Engage City of Vincent residents and local Aboriginal people to come together in a natural space.

## **CONSULTATION/ADVERTISING:**

The 'Request for Quotation' has been advertised to a range of Community Arts Networks including CAN WA, Artsource, Peedac, DayDawn Advocacy Service, Gallery Central, David Wirrpunda Foundation, etc.

Once the event is approved, it will be a registered event on the official NAIDOC website, and promoted through our City of Vincent media portals. Flyers and posters will also be distributed, and a media release will be encouraged with the entertainment choices and with the artist.

In regards to the table tennis competition, as the event will run throughout the school holidays, the schools targeted to promote this event will include all Primary and Secondary Schools (both State and Catholic) within the City including: Sacred Heart Primary School, Kyilla Primary School, Aranmore Catholic College, Highgate Primary School and Aranmore Primary School.

**LEGAL/POLICY:**

Not applicable.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** Upon careful assessment of the risk management matrix and consideration of this event, it has been determined that this programme is low risk.

**STRATEGIC IMPLICATIONS:**

In keeping with the City's *Strategic Plan 2011-2016*, Objective 3 states:

"Community Development and Wellbeing

- 3.1.1 Celebrate, acknowledge and promote the City's cultural and social diversity.
- a) Encourage and promote cultural and artistic expression throughout the City.
  - b) Adopt and implement strategies that respects and recognises Aboriginal culture, including the adoption of the Reconciliation Plan.
- 3.1.5 Promote and provide a range of community events to bring people together and to foster a community way of life.
- 3.1.6 Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community."

**SUSTAINABILITY IMPLICATIONS:**

The initiatives will enable participants to explore concepts linking environmental and social/cultural issues and foster harmony in the community.

**FINANCIAL/BUDGET IMPLICATIONS:**

Expenditure for this matter will be incurred under the following budgeted item for Events:

Budget Amount:	\$10,000
Spent to Date:	\$ 600
Balance:	\$ 9,400

**COMMENTS:**

NAIDOC Week celebrations are held across Australia each July to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander people.

Organising an event contributes by providing a greater understanding on the importance of cultural respect and diversity that assists the reconciliation process that the City has undertaken to support.

These initiatives are designed to educate on cultural diversity and involve a whole of community approach in the spirit of reconciliation. It is therefore recommended that the event is supported and approved by Council.

**9.4.6 Community Bus Feasibility Study – Progress Report No. 2**

<b>Ward:</b>	Both	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	All	<b>File Ref:</b>	CMS0072
<b>Attachments:</b>	<a href="#">001</a> – Presentation to Council Forum 19 March 2013 <a href="#">002</a> – Proposed Routes for Community Bus		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J. Anthony, Manager Community Development		
<b>Responsible Officer:</b>	R. Boardman, Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **RECEIVES** the report on the progress of the Community Bus Feasibility Study for the City; and
2. **AUTHORISES** the additional funding of \$2,000, from a source to be determined by the Chief Executive Officer, towards the costs of a Research Assistant to explore the feasibility and costing of the option to outsource the proposed Community Bus weekend service.

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**COUNCIL DECISION ITEM 9.4.6**

**Moved Cr Maier, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

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**PURPOSE OF REPORT:**

To provide a progress report on the Community Bus Feasibility Study and obtain approval for further funds to complete the final report.

**BACKGROUND:**

In 2012, the Mayor Hon. Alannah MacTiernan and Director Community Services met with Professor Shahed Khan from Curtin University of Technology on several occasions to discuss the proposed research partnership with the City and further details behind the proposed Community Bus Feasibility Study (CBFS).

Curtin University of Technology had identified the City of Vincent as a worthwhile partner in this study due to the poor connecting transport network in the City, in particular the East-West connections. The current transport network has been raised as problematic and grossly inadequate and has set a certain fragmented outlook to residents and visitors in the City. The project aims to improve access and mobility options within the City of Vincent while promoting local area revitalisation. It also seeks to introduce a ‘Community Bus’ service to solve the public transport gaps within the City.

'Community Bus' initiatives, based on such collaboration, have been a large success in Tokyo, Japan in recent years. The initiative was based on the operation of small size buses, with a higher frequency of stops and lower fares for the community. Their implementation and ongoing operation involved extensive local research and the development of specialised administrative models to ensure success. By adapting the Japanese model, the 'Community Bus' initiative will not only solve local transport issues in the City but also assist with a range of other community issues to ensure economic, social and environmental sustainability.

In 2009, the North Perth Bendigo Community Bank donated a community bus to the City. The bus seats up to twenty-one (21) people and is regularly used for various Community Development projects such as, the over 55's Outings, Public Art tour and Visions of Vincent photography programme. The bus has also been hired by various sporting and community groups in the City. The bus has been fitted with handrails and an extra step has been installed to assist seniors to board the bus; however, the bus is not wheelchair accessible.

At the Ordinary Meeting of Council held on 14 August 2012, the following was resolved;

*"That the Council;*

1. *APPROVES the appointment of Curtin University of Technology to undertake a Community Bus Feasibility Study for the City;*
2. *AUTHORISES the Chief Executive Officer to finalise an agreement between Curtin University of Technology and the City;*
3. *APPROVES the establishment of a Community Bus Feasibility Study Steering Group, with members to be determined by the Chief Executive Officer, in liaison with the Mayor; and*
4. *APPROVES the in-kind administration and promotional support from a funding source to be determined by the Chief Executive Officer."*

#### **DETAILS:**

The Community Bus Feasibility Study has been undertaken in two phases;

##### **1. First Phase**

The first phase has involved the preparation of a 'Basic Plan' regarding the community bus to be presented to the wider community. This phase has comprised of information such as current bus routes in the City, and the frequency of routes to verify community needs relating to local public transport in the City, and assess prevalent opportunities and challenges for the future. The project brief has been extended to also research community bus services that are available in Western Australia and in other parts of Australia.

##### **2. Second Phase**

The second phase has centred on community consultation involving a facilitated community forum, community and business surveys, and meetings with stakeholders. This phase culminates in the finalisation of a detailed project plan for the community bus. It will also include structuring the project into the existing governance and management structures established by the City.

#### **Community Bus Steering Group**

An internal Steering Group has been meeting fortnightly, chaired by the Director Community Services, with Officer representation from the following sections:

- Strategic Planning, Sustainability and Heritage Services;
- Asset and Design Services; and
- Community Development.

The Steering Group acts as the primary decision making group between both Curtin University of Technology researchers and the City's Officers. The Group creates formality in the decisions and actions generated, acts as a risk management portal between the City's Officers and assist in creative idea generation, in particular for community engagement.

### **Project Plan and Service Model**

The work and findings undertaken to date has indicated the gaps in traversing across the City in the East- West corridor. Further work is being done to finalise the most appropriate route to fill the gaps in the public transport network in consideration of the key destination points through the City.

At the meeting held on 22 March 2013 with the Mayor Hon. Alannah MacTiernan and the City' Officers, initial financial modelling has indicated that a weekend Community Bus Service could be piloted, which is based on using the existing Community Bus that is owned by the City. Service options were also discussed it was suggested that the consultants investigate outsourcing of the service utilising external transport providers such as school bus operators and PTA.

The consultants have requested additional funds to appoint a Research Assistant (RA) to explore the feasibility and costing of the option to outsource the proposed Community Bus weekend service. The RA will liaise with the Perth Transport Authority sections dealing with school bus operators, as well as directly with local private/ school bus operators. Costings of the various models of operation, nature of service will be determined. This information will be integrated into the final report.

A proposed route as shown in Appendix 9.4.6B gives an indication on the ideal route that would be serviceable on the weekends for optimal community impact.

### **CONSULTATION/ADVERTISING:**

The following consultation activities have been conducted as part of feasibility study to date:

- Information stalls at the Beaufort Street Festival and "Light up Leederville" Festival;
- Community Survey accessible online and in hard copies;
- Business Survey targeted towards business groups in the five (5) Town Centres;
- Community Forum held on 13 February 2013; and
- Meetings with key stakeholders, such as Town Centre business group representatives and Perth Transport Authority.

The project has been extensively promoted through the City's website, social media, City newsletter, community consultation notices, mail-outs and featured in the local newspapers.

The following meetings have also been organised to inform, develop and progress the project:

- Council Forum held on 19 March 2013; and
- Meetings with Mayor Hon. Alannah MacTiernan and the City's Officers held on 4 January 2013 and 22 March 2013.

### **LEGAL/POLICY:**

The City's Policies that apply to this project are as follows:

- No. 3.1.3 – Leederville Precinct – Scheme Map 3;
- No. 3.1.11 – Mount Lawley Centre Precinct – Scheme Map 11; and
- No. 3.10.10 – Community Bus – Use and Operation.

### **RISK MANAGEMENT IMPLICATIONS:**

**Low:** An agreement is in place between the City and Curtin University to conduct the project.



**STRATEGIC IMPLICATIONS:**

This is in keeping with the City's *Strategic Plan 2011-2016* where the following Objectives state:

*"Natural and Built Environment*

- 1.1 *Improve and maintain the natural and built environment and infrastructure*
  - 1.1.5 *Take action to improve transport and parking in the City and mitigate the effects of traffic*

*Community Development and Wellbeing*

- 3.1 *Enhance and promote Community Development and Wellbeing*
  - 3.1.6 *Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community."*

**SUSTAINABILITY IMPLICATIONS:**

**Filling in Gaps in Public Transport**

A 'Vincent Community Bus' will facilitate access to local facilities, services and conveniences - bringing the community together and facilitating desired life-styles.

**Revitalising Local Business**

A 'Vincent Community Bus' will revitalise the local economy and enhance vibrancy as it improves the community's mobility.

**Promoting Environmentally Friendly Transport**

A 'Vincent Community Bus' will help to reduce car dependence, promoting an active and healthier life-style encouraging short walks to bus stops. More people using local facilities/shops means more eyes on the street.

**FINANCIAL/BUDGET IMPLICATIONS:**

Expenditure for this matter will be incurred under the following 2012/2013 budgeted item:

Budget Amount:	\$ 25,000
Spent to Date:	<u>\$ 11,654</u>
Balance:	\$ 13,346

The additional costs of \$2,000 to hire a Research Assistant at \$50 per hour would need to be funded from a source to be determined by the Chief Executive Officer.

**COMMENTS:**

The consultants are currently working towards finalising the report for the project so that a comprehensive status update can be provided for Council consideration in terms of the determining the most suitable model for the City. With the additional research undertaken to source information on alternative options for sourcing the operating infrastructure and resources for the project, decisions can be made on the delivery framework for a viable community bus service in the City of Vincent.

**9.4.8 Street Prostitution in Highgate Area – Progress Report No. 3**

<b>Ward:</b>	South	<b>Date:</b>	6 May 2013
<b>Precinct:</b>	Highgate	<b>File Ref:</b>	TES0175
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	M Wood, A/Manager Ranger and Community Safety Services		
<b>Responsible Officer:</b>	R Boardman, Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **RECEIVES** the Progress Report No. 3 as at 5 May 2013 concerning action taken to combat street prostitution in the Highgate area;
2. **AUTHORISES** the Chief Executive Officer to continue implementation of the surveillance programme of placing Ranger/Security Officers in Stirling Street, Highgate and surrounding area beyond 13 May 2013 for a further period of one (1) month at an estimated cost of approximately \$12,540; and
3. **NOTES** that a report will be provided to the Council at the conclusion of the programme.

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**COUNCIL DECISION ITEM 9.4.8**

**Moved Cr Maier, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

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**PURPOSE OF REPORT:**

The purpose of the report is to update the Council on all subsequent proactive actions undertaken by Council Members and the City’s Officers, in conjunction with WA Police, to respond and minimise the impact of street prostitution issues on Stirling Street.

**BACKGROUND:**

At the Ordinary Meeting of Council held on 23 April 2013 at Item 9.4.1, it was resolved as follows:

*“That the Council;*

1. *RECEIVES* the Progress Report No. 2 as at 15 April 2013 concerning action taken to combat street prostitution in the Highgate area; and
2. *APPROVES IN PRINCIPLE* the reallocation of funds from a source to be identified by the Chief Executive Officer, as follows;
  - 2.1 *\$17,186 for the installation of moveable CCTV/Automatic Number Plate Recognition (ANPR) to target street crawling activity; and*

- 2.2 \$3,250 for the purchase and installation of twenty six (26) signs - "Reporting Crime"; and
- 2.3 the installation of CCTV and signage will be reviewed in six (6) months; and
3. CONSULTS with the local community for a period of fourteen (14) days and reports back to the Ordinary Meeting of Council to be held on 28 May 2013."

**DETAILS:**

An update on the action taken by the City on street prostitution and 'kerb crawling' was provided in a letter from the Mayor on Friday, 19 April 2013 sent to a total of 495 residents in Stirling Street and surrounding area bounded by Beaufort Street, Broome Street, Lord Street and Edward Street as well as emailed to 29 contacts listed on the City's database established from the original public meeting held on 25 October 2012:

**WA Police Statistics and Actions**

A request for further details and clarification on statistics from WA Police was provided to the City:

Statistics in the format detailed below will continue to be provided to the City of Vincent for the duration of "Operation Proposal". Statistics for Week 3 and Week 4 of "Operation Proposal" from Monday, 22 April 2013 to Sunday, 28 April 2013, in comparison with previous statistics, are as follows:

Activity	8 to14 April 2013	15 to 21 April 2013	22 to 28 April 2013	29 April to 5 May 2013	Progressive Weekly Total
Patrol Hours	71	71	53	103	298
VKI Jobs (CAD)	2	0	4	2	8
Vehicle stops	92	32	241	80	445
Preliminary Breath Tests	16	0	14	80	110
Infringements	1	11	1	2	15
Vehicle impounds	0	1	0	0	1
Field Reports (Intelligence)	36	9	8	0	53
Move on orders	25	2	0	0	27
Prostitution move on orders	8	5	11	3	27
Arrests	4	1	2	0	7
Summons	2	3	0	5	10
Prostitution Act offences	0	0	0	5	5
Total contacts	195	40	252	86	573

The WA Police and the City's Ranger/Security Officers presence has continued to have an effect on all activity in the area in regard to Street Prostitution. WA Police have also advised that:

- Interaction between City of Vincent Rangers and WA Police continues with positive results;
- Community and resident feedback and interaction continues to be positive;
- Several residents continue to provide relevant feedback and information;
- A number of media strategies are under way including media articles in a local paper and its affiliate electronic medium; and
- The WA Police Mounted Section has been engaged and will be involved in patrols at the completion of the present covert phase.

Enquiries continue in regard to proceeding by way of Restraining Orders against street prostitutes under the Prostitution Act.

WA Police media advised on 3 May 2013 a news release reporting the following information;

*“Detectives targeting street prostitution have charged several people in the Perth suburb of Highgate. Yesterday, police charged a 77-year-old man from Karagullen and a 52-year-old man from Morley with seeking a prostitute. Two women, a 44-year-old and a 50-year-old, both from Highgate were charged with seeking clients. All four are due to appear in the Perth Magistrate’s Court later this month. On the same evening, two other women were issued move-on notices under the Prostitution Act.”*

### **City of Vincent Rangers Actions**

City of Vincent Rangers continue to keep a high profile daily presence in the area. Rangers have recently been involved in assisting WA Police with identification of street crawler and street worker alleged offenders that have resulted in further arrests by WA Police.

The recent Police ‘blitz’ of the prostitution problem in the Highgate area has resulted in the following:

- 2 men (aged 77 and 52) arrested for seeking the services of a prostitute on 3 May 2013;
- 2 women (aged 50 and 44) arrested for street prostitution on 3 May 2013; and
- 50 move-on notices issued.

Two of the arrests have resulted from information provided by the City’s Rangers allocated to the project.

It appears that the operation by the City and the WA Police is now having some effect.

An email received by the City on Saturday, 4 May 2013 highlights the close collaboration of the City’s Rangers with WA Police that is providing tangible results;

*“As per our telephone conversation, my staff are wrapped that you brought an alleged offender to their attention as they caught up with him and subsequently dealt with him accordingly. Please do not hesitate to call police to report kerb crawlers when you find them active.*

*Thank you once again and it is always pleasing to work together and achieve results.”*

The City’s programme of placing Rangers in streets in the Highgate area commenced on the 11 April 2013 and has continued in accordance with this Council resolution and was scheduled to cease on Sunday, 12 May 2013. Approval to continue the City’s Ranger Operations until 15 May 2013 under delegated authority was sought by the Chief Executive Officer from Council Members, who supported this by a majority.

### **City of Vincent Costs**

<b>Staff member costs from 8 April to 21 April 2013 for Street Prostitution Patrols</b>	<b>Cost</b>
Staffing Costs 2 x Rangers varying shifts 8 April to 21 April 2013	\$6,270.47* (fortnightly cost)

Some cost savings have been made on staffing with the Senior Ranger working his core shift hours and the remainder of hours in overtime. This has saved on the expenditure of employing an additional temporary Officer and is currently saving approximately \$400 per week.

\*Monthly cost of has been based on this fortnightly cost (of 2 x \$6,270 = \$12,540).

**Equipment/Capital Expenditure**

Item	Cost incl. of GST
Mail out of 484 letters - postal costs	\$280.70
2x on-board cameras for Ranger vehicles (bought through Safer Vincent initiatives budget)	\$606.00
Visual display message boards bracket	\$462.00
Dedicated mobile telephone sim card (existing telephone has been used so no purchase cost)	\$30.00 per month plan
LED Scrolling Sign for Ranger Vehicle	\$59.95
<b>Total</b>	<b>\$1,438.65</b>

**Days and Hours of Ranger Patrols Operation for 8 April to 21 April 2013**

For the period 8-21 April 2013, a total of 136 hours have been achieved for surveillance. Specific time details have not been provided for operational reasons.

**Additional Lighting for Installation in Stirling Street, Highgate between Bulwer and Lincoln Streets**

Lighting Costs

Technical Services have received quotes from Western Power for standard streetlights and quotes from lighting companies for LED solar. Technical Services have advised an order has been placed with Western Power and the lighting will be installed as soon as possible by Western Power and subject to their availability, this could be up to two (2) – three (3) months.

**Moveable CCTV Cameras in Stirling Street and Deployment of Temporary Cameras in Ranger Vehicles and Mobile Covert Cameras**

Ranger vehicles used for patrols have been fitted with on-board CCTV cameras and two (2) mobile cameras are being utilised for covert surveillance on Stirling Street. Any images captured of persons of interest and registration numbers of vehicles, along with Ranger observations, will be passed on to WA Police.

The City's current CCTV supplier NVR Solutions has provided 3 Options for a 'City of Vincent Street Crawler Identification System' in an attempt to reduce the incidence of street prostitution and street crawling behaviour, with the aim to provide additional resources to the WA Police to combat this problem. The surveillance system proposed will automatically identify the license plates of vehicles entering the field of view and capture images of the vehicle.

As resolved by the Council at its Ordinary Meeting held on 23 April 2013 at Item 9.4.1, the City has commenced consultation with the local community for a period of fourteen (14) days in relation to installation of CCTV in the Highgate area and will report, back to the Ordinary Meeting of Council to be held on 28 May 2013.

An additional meeting with Senior WA Police and City of Vincent Staff has been convened on 10 May 2013 to discuss specifically:

- ANPR (Automatic Number Plate Recognition); and
- Memorandum of Understanding on CCTV with WA Police.

Close liaison with WA Police is continuing, along with the Department of Housing.

**Additional Pruning/Trimming of Verge Canopies in Stirling Street**

Tree pruning has been carried out by Parks Services. Additional tree pruning will be done on an as required basis and further lifting of tree canopies that are impinging on lines of sight or affecting lighting from overhead street lights. In accordance with Designing Out Crime Principles.

### **Availability of Current Grant Funding of CCTV**

The availability of current grant funding for CCTV continues to be explored with both WA Police - Strategic Crime Prevention Division and the WA State Government Attorney General's Department Criminal Property Confiscation Grants Program, as well as the Federal Governments Proceeds of Crime Funding.

A Proceeds of Crime Act – National Crime Prevention Fund was announced on the 2 May 2013 with Applications closing Wednesday 29 May 2013, 9pm EST. A grant will be submitted for CCTV funds up to \$500,000 in line with grant requirements and the City of Vincent's CCTV Strategic Plan 2013-2018 that was adopted in principle at the Ordinary Meeting of Council held on 9 April 2013.

### **Street Signs “Reporting Crime phone 131 444 Signage”**

To encourage resident awareness, further “Eyes on the Street” street signs will be erected to encourage residents to report suspicious or alleged criminal activities to WA Police on the 131 444 number. These signs will be placed in the various streets in the Highgate area. Six (6) streets signs have already been installed on Stirling Street and an order has been placed for a further twenty six (26) signs and poles with the City's signage suppliers.

### **CONSULTATION/ADVERTISING:**

As resolved by the council at its Ordinary Meeting held on 23 April 2013 at Item 9.4.1, the City has commenced consultation with the local community for a period of fourteen (14) days and will report back to the Ordinary Meeting of Council to be held on 28 May 2013.

Further progress reports will be submitted to the Council.

### **LEGAL/POLICY:**

Not applicable.

### **STRATEGIC IMPLICATIONS:**

This aligns with the City of Vincent *Strategic Plan 2011 – 2016*, where Objective 3.1.2 states: “Promote and Foster Community Safety and Security”.

### **RISK MANAGEMENT IMPLICATIONS:**

It is important that Council maintain a complementary and partnership approach to ensure that the most effective response to prostitution concerns is maintained. There is a risk, due to the emotive nature and depth of street prostitution concerns in the local community that such issues could result in negative perceptions of community safety that is contrary to actual incidence of alleged offences. A more accurate picture of street prostitution will be obtained by continuing to encourage residents to report all occurrences they observe to WA Police and subsequent analysis of WA Police statistics on related charged offences when these are provided.

### **SUSTAINABILITY IMPLICATIONS:**

Nil.

### **FINANCIAL/BUDGET IMPLICATIONS:**

The expenditure for this matter will be further incurred under a budgeted item determined by the Chief Executive Officer and is estimated to be an additional \$12,450 for the continuation of placing Ranger/Security Officers in Stirling Street and surrounding area beyond 13 May 2013 for a further period of one (1) month.

### **COMMENTS:**

This report outlines the continued and proactive actions of the city of Vincent Rangers and WA Police undertaken in response to community concerns raised in Stirling Street, Highgate. The Ranger patrols in Highgate are evidenced as providing tangible results and continue to receive positive feedback from WA Police and the community at large. The extension of the patrols will enable these considerable efforts and successes in deterring street prostitution and associated offences to continue for another month to give maximum effect. The Officer Recommendation is therefore recommended for approval.

**9.5.1 Use of the Council's Common Seal**

<b>Ward:</b>	-	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0042
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	M McKahey, Personal Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council **NOTES** the use of the Council's Common Seal on the documents listed in the report, for the month of April/May 2013.

**COUNCIL DECISION ITEM 9.5.1**

**Moved Cr Maier, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

**BACKGROUND:**

The Chief Executive Officer (CEO) is responsible for the day-to-day management of the City and other responsibilities and functions in accordance with Section 5.41 of the Local Government Act. This includes the signing of documents and use of the Council's Common Seal for legal documents. The City of Vincent Local Law relating to Standing Orders Clause 5.8 prescribes the use of the Council's Common Seal. The CEO is to record in a register and report to Council the details of the use of the Common Seal.

At the Ordinary Meeting of Council held on 14 May 2002, the Council authorised the Chief Executive Officer to use the Common Seal, in accordance with Clause 5.8 of the City of Vincent Local Law relating to Standing Orders, subject to a report being submitted to Council each month (or bi-monthly if necessary) detailing the documents which have been affixed with the Council's Common Seal.

The Common Seal of the City of Vincent has been affixed to the following documents:

<b>Date</b>	<b>Document</b>	<b>No of copies</b>	<b>Details</b>
02/04/2013	Lease	3	City of Vincent and Department of Health (on behalf of Minister for Health) c/o Dental Health Services, 43 Mount Henry Road, Como 6152 re: Portion of No. 31 Sydney Street, North Perth - <i>North Perth Dental Health Clinic</i> - For a Five (5) year Lease from 1 January 2011 to 31 December 2016 with one (1) extended period lease option for a period of five (5) years- <i>As per Council decision of Ordinary Meeting of Council held on 21 December 2010 - Item 9.3.4</i>
02/04/2013	Contract Documents	2	City of Vincent and Mrs H J Beahan of Unit 62, 37 Britannia Road, Leederville - Leederville Gardens Retirement Estate

Date	Document	No of copies	Details
02/04/2013	Deed of Covenant	2	City of Vincent and 287 Vincent Pty Ltd as bare trustee for Lisajoe Investments Pty Ltd, Loftyco Pty Ltd and 167 Investments Pty Ltd all c/o Montani Bolland, First Floor, 285-289 Lord Street, Perth re: No. 287 (Lot 100; D/P 302371) Vincent Street, Leederville - Proposed Demolition of single house and construction of Five Storey Mixed Use Development consisting of Two (2) Offices, Twelve (12) Multiple Dwellings and associated Basement Car Parking - State Administrative Tribunal (SAT) Review Matter No. DR 267 of 2011 - <i>To satisfy Clause 5.12 of conditional approval of the Ordinary Meeting of Council held on 27 September 2011</i>
11/04/2013	Notification Under Section 70A	1	City of Vincent and Mr A R Strika, of 67 Bourke Street, Leederville re: Ancillary Dwelling at No. 67 (Lot: 23 D/P: 1149) Bourke Street, Leederville - <i>To satisfy Clause (ii) of Conditional Approval to Commence Development issued on 23 January 2013 (Serial No. 5.2012.433.1) which states that "the ancillary dwelling on the Land shall only be occupied by a member or members of the family occupying the main dwelling on the Land; shall not be used or rented out as a separate dwelling to the main dwelling; and no more than two occupants are permitted to reside in the ancillary dwelling at any one time"</i>
12/04/2013	Deed	2	City of Vincent and 287 Vincent Pty Ltd as bare trustee for Lisajoe Investments Pty Ltd; Loftyco Pty Ltd and 167 Investments Pty Ltd all of c/o Montani Bolland, First Floor, 285-295 Lord Street, Perth re: No. 287 (Lots 100 and 9) Vincent Street, Leederville - Proposed Demolition of Single House and Construction of Five-Storey Mixed Use Development consisting of Two (2) Offices, Twelve (12) Single Bedroom Multiple Dwellings and Twelve (12) Multiple Dwellings and Associated Basement Car Parking - State Administrative Tribunal (SAT) Review Matter NO. DR 267 of 2011 - <i>To satisfy Clause 3. of Conditional Approval of the Ordinary Meeting of Council held on 27 September 2011</i>
02/05/2013	Deed of Covenant	3	City of Vincent and TCM Enterprises Pty Ltd of 18 Maxine Court, Lesmurdie re: Nos. 5-7 Robinson Avenue, Perth - Change of Use from Unlisted Use to Consulting Rooms (Medical) and Associated Alterations and Additions - Legal Agreement/Deed of Covenant for Amalgamation - <i>To satisfy Clause (b) of Conditional Approval of the Ordinary Meeting of Council held on 19 April 2011</i>



**9.5.5 Strategic Plan 2011-2021 – Progress Report for the Period  
1 January 2013 to 31 March 2013**

<b>Ward:</b>	-	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">001</a> – Strategic Plan Quarterly Progress Report		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	J Highfield, Executive Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council **RECEIVES** the progress report on the Strategic Plan 2011-2021 for the period 1 January 2013 to 31 March 2013, as shown in Appendix 9.5.5.

**PURPOSE OF REPORT:**

**COUNCIL DECISION ITEM 9.5.5**

**Moved Cr Maier, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

The purpose of this report is to provide a quarterly report to the Council to keep it informed of the various strategies in the City's Strategic Plan for the period 1 January 2013 to 31 March 2013.

**DETAILS:**

Progress reports are reported to Council for each quarter as follows:

<b>Period</b>	<b>Report to Council</b>
1 October - 31 December 2012	February
1 January 2013 - 31 March 2013	April
1 April 2013 – 30 June 2013	July
1 July 2013 – 30 September 2013	October

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

The Council adopted its Plan for the Future at the Ordinary Meeting of Council held on 14 June 2011. The City's Strategic Plan forms part of the Plan for the Future. It is not a legal requirement to have a Strategic Plan, however, it is considered “*Best Practice*” management that a Strategic Plan be adopted to complement and be linked and aligned to both the Principal Activities Plan and Annual Budget.

**RISK MANAGEMENT IMPLICATIONS:**

Not applicable.

**STRATEGIC IMPLICATIONS:**

The Strategic Plan provides the elected Council and administration with its aims, goals and objectives (key result areas) for the period 2011-2021. The reporting on a quarterly basis is in accordance with the Strategic Plan 2011-2021 Key Result Area.

This is in keeping with the City's Strategic Plan 2011-2021 - "*Leadership, Governance and Management*", in particular, Objective 4.1.2 - "*Manage the Organisation in a responsible, efficient and accountable manner*".

**SUSTAINABILITY IMPLICATIONS:**

Nil

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

The progress report for the Strategic Plan indicates that the City's administration is progressing the various strategies in accordance with the Council's adopted programs and adopted budget.

**9.5.6 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">001</a> – Information Bulletin		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	J Highfield, Executive Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council **RECEIVES** the Information Bulletin dated 3 May 2013, as distributed with the Agenda.

**COUNCIL DECISION ITEM 9.5.6**

**Moved Cr Maier, Seconded Cr Wilcox**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

**DETAILS:**

The items included in the Information Bulletin dated 3 May 2013 are as follows:

<b>ITEM</b>	<b>DESCRIPTION</b>
IB01	Ranger Services Statistics for January, February and March 2013
IB02	Unconfirmed Minutes of the Sustainability Advisory Group Meeting held on 18 March 2013
IB03	Unconfirmed Minutes from the Seniors Advisory Group Meeting held on 27 March 2013
IB04	Unconfirmed Minutes of the Design Advisory Group Meeting held on 17 April 2013
IB05	Tamala Park Regional Council Ordinary Meeting of Council held on 18 April 2013
IB06	Register of Petitions – Progress Report – May 2013
IB07	Register of Notices of Motion – Progress Report – May 2013
IB08	Register of Reports to be Actioned – Progress Report – May 2013
IB09	Register of Legal Action ( <b>Confidential – Council Members Only</b> ) – Monthly Report (May 2013)
IB10	Register of State Administrative Tribunal Appeals – Progress Report – May 2013
IB11	Register of Applications Referred to the Design Advisory Committee – April/May 2013
IB12	Register of Applications Referred to the MetroWest Development Assessment Panel – 24 January 2013 - Current
IB13	Forum Notes - 16 April 2013
IB14	Notice of Forum – 21 May 2013

**9.1.2 No. 4 (Lot: 2 D/P: 3785) Coogee Street, Mount Hawthorn – Conversion of Rear Outbuilding to Ancillary Accommodation (Retrospective Application)**

<b>Ward:</b>	North	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	Mount Hawthorn – P1	<b>File Ref:</b>	PRO5967; 5.2013.48.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report & Development Assessment Plans <a href="#">002</a> – Most Recently Approved Building Licence Plans <a href="#">003</a> – Applicant Justification		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	S De Piazzzi, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	C Eldridge, Director Development Services		

**OFFICER RECOMMENDATION:**

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1, and the Metropolitan Region Scheme APPROVES the application submitted by R Burton for the Proposed Conversion of Rear Outbuilding to Ancillary Accommodation (Retrospective Application) at No. 4 (Lot: 2 D/P: 3785) Coogee Street, Mount Hawthorn, and as shown on approved plans stamp-dated 15 February 2013 subject to the following conditions:

1. The floor area shall be limited to 60 square metres for the Ancillary Accommodation. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
2. The sole occupant or occupants of the Ancillary Accommodation shall only be members of the family of the occupiers of the main dwelling;
3. Prior to the submission of a Building Permit application, the following shall be submitted to and approved by the City:

**3.1 Section 70A**

The owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:

**Parking Permits**

The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwelling or Ancillary Accommodation. This is because at the time the planning application for the development was submitted to the City, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development;

**3.2 Ancillary Car Parking**

One (1) car bay shall be allocated for the exclusive use of the residents of the ancillary accommodation;

**3.3 Retrospective Fees**

The outstanding retrospective fee of \$278 be paid to the City;

**3.4 Privacy Screening**

The following major opening(s) shall be screened to the requirements of the Residential Design Codes November 2010:

The balcony any point within the cone of vision less than 7.5 metres from a neighbouring boundary, to a minimum height of 1.6 metres; and

4. The development is to comply with all Building, Health, Engineering and Parks Services conditions and requirements to the satisfaction of the City.

**ADVICE NOTES:**

1. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Coogee Street;
2. Any new street/front wall, fence and gate within the Coogee Street setback area, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences;
3. No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning; and
4. Privacy screening as required by condition 3.4 is to be to a minimum of 1.6 metres above finished floor level and permanent in nature, which does not include self adhesive material. The screening may be horizontal or vertical (where appropriate), and top hinged windows may be openable no greater than 20 degrees. Alternatively if the opening(s) are amended to no longer be considered a major opening as defined in the Residential Design Codes November 2010, screening is not required.

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**Moved Cr Maier, Seconded Cr Buckels**

That the recommendation, together with the following change(s), be adopted:

"That Clauses 3.3 and 3.4 be deleted and a new Clause 4 be inserted and the remaining clause be renumbered as follows:

4. **WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT', the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:**

**4.1 Retrospective Fees**

The outstanding retrospective fee of \$278 be paid to the City; and

**4.2 Privacy Screening**

The following major opening(s) shall be screened to the requirements of the Residential Design Codes November 2010:

The balcony any point within the cone of vision less than 7.5 metres from a neighbouring boundary, to a minimum height of 1.6 metres; and

- 4-5. The development is to comply with all Building, Health, Engineering and Parks Services conditions and requirements to the satisfaction of the City."**

Debate ensued.

**MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.1.2**

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1, and the Metropolitan Region Scheme APPROVES the application submitted by R Burton for the Proposed Conversion of Rear Outbuilding to Ancillary Accommodation (Retrospective Application) at No. 4 (Lot: 2 D/P: 3785) Coogee Street, Mount Hawthorn, and as shown on approved plans stamp-dated 15 February 2013 subject to the following conditions:

1. The floor area shall be limited to 60 square metres for the Ancillary Accommodation. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the City;
2. The sole occupant or occupants of the Ancillary Accommodation shall only be members of the family of the occupiers of the main dwelling;
3. Prior to the submission of a Building Permit application, the following shall be submitted to and approved by the City:

3.1 **Section 70A**

The owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:

**Parking Permits**

The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential dwelling or Ancillary Accommodation. This is because at the time the planning application for the development was submitted to the City, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development;

3.2 **Ancillary Car Parking**

One (1) car bay shall be allocated for the exclusive use of the residents of the ancillary accommodation; and

4. WITHIN TWENTY-EIGHT (28) DAYS OF THE ISSUE DATE OF THIS 'APPROVAL TO COMMENCE DEVELOPMENT', the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:

4.1 **Retrospective Fees**

The outstanding retrospective fee of \$278 be paid to the City; and

4.2 **Privacy Screening**

The following major opening(s) shall be screened to the requirements of the Residential Design Codes November 2010:

The balcony any point within the cone of vision less than 7.5 metres from a neighbouring boundary, to a minimum height of 1.6 metres; and

5. The development is to comply with all Building, Health, Engineering and Parks Services conditions and requirements to the satisfaction of the City.

**ADVICE NOTES:**

1. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Coogee Street;
2. Any new street/front wall, fence and gate within the Coogee Street setback area, including along the side boundaries within these street setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences;
3. No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning; and
4. Privacy screening as required by condition 3.4 is to be to a minimum of 1.6 metres above finished floor level and permanent in nature, which does not include self adhesive material. The screening may be horizontal or vertical (where appropriate), and top hinged windows may be openable no greater than 20 degrees. Alternatively if the opening(s) are amended to no longer be considered a major opening as defined in the Residential Design Codes November 2010, screening is not required.

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**PURPOSE OF REPORT:**

The application is referred to the Council for determination under Clause 40 of the City's Town Planning Scheme No. 1 as a non-complying application.

**BACKGROUND:**

**History:**

Date	Comment
24 January 1996	A Building Licence was granted by the Council on advice of the Minister of Local Government for a proposed Two-Storey Garage and Games room.
12 March 2012	The City received a complaint regarding the subject property being used for Ancillary Accommodation.
16 March 2012	The City's Development Compliance Officer and a Planning Officer conducted a site visit however did not access the inside of the outbuilding and it was concluded that the outbuilding may be in use as Ancillary Accommodation. The land owner was issued a letter to cease the use or apply for retrospective approval.
20 March 2012	A letter was received from the land owner claiming that no such use was occurring on site; subsequent letters were issued to the owner and neighbour from the City, closing the investigation.

**DETAILS:**

<b>Landowner:</b>	A & R Burton
<b>Applicant:</b>	R Burton
<b>Zoning:</b>	Residential R30
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	Permitted "P"
<b>Lot Area:</b>	367 square metres
<b>Right of Way:</b>	6 metres wide, sealed and drained

The applicant has submitted an application to the City to convert the existing two storey rear outbuilding which currently consists of a ground floor garage, and upper floor games room, into Ancillary Accommodation. It has since been noted that retrospective works have been undertaken on site, external works of which include an extension of the balcony and modifications to the openings from that approved in the most recent Building Licence in 1997.

The ground floor will still be used as a garage, however the upper floor now contains a bedroom, bathroom, and living area for ancillary accommodation, as opposed to the games room previously approved. The applicant in this case has not applied for the Ancillary Accommodation to be used by people other than the family of the occupiers of the main dwelling.

**ASSESSMENT:**

**Town Planning Scheme/R Codes/Residential Design Element's Assessment**

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Ancillary Accommodation			✓
Visual Privacy			✓

**Town Planning Scheme/R Codes/Residential Design Element's Detailed Assessment**

Issue/Design Element:	Ancillary Accommodation
Requirement:	<u>Residential Design Codes 6.11.1</u> <ul style="list-style-type: none"> <li>Lot is to be no less than 450m<sup>2</sup></li> <li>One additional car bay is required (three car bays required total)</li> </ul>
Applicants Proposal:	<ul style="list-style-type: none"> <li>Lot size 367m<sup>2</sup> (83m<sup>2</sup> shortfall)</li> <li>Two car bays provided on site (one car bay shortfall)</li> </ul>
Performance Criteria:	Ancillary dwellings that accommodate the needs of large or extended families without compromising the amenity of adjoining properties.
Applicant justification summary:	<u>Lot Area</u> Under the medium density codes an R30 density requires a minimum of 270 square metres per dwelling. The lot is 367 square metres. It is proposed that the Granny Flat conforms with the requirement that it is for independent accommodation associated with the single house on the front of the block, and that the occupants be related to or part of the same family of the occupiers of the main dwelling. In other words, it is as if the building were an extension of the original house.



<b>Issue/Design Element:</b>	<b>Ancillary Accommodation</b>
	<p><u>On-Site Parking</u> The requirement is that "one additional car space is provided". It doesn't give an actual number of spaces required, just one additional space. Before the building was built there were no car spaces on the block. There is now a very generous garage for two cars. Other houses in the same area have no car spaces. Presumably, which is one more than nothing. under this requirement, they would be required to provide one space.</p>
Officer technical comment:	<p>Supported – The proposal for Ancillary Accommodation will not result in any additional works on site and therefore there will be no additional visual impact, overshadowing, or privacy issues from that existing as a result.</p> <p>Given that the previous use of the upper floor area was that for a games room, the proposed use is not considered to generate an increase in noise emanating from the building from that previously approved, and further as the proposal is for family occupants only the new use will function essentially as an extension to the existing house, as opposed to additional separate accommodation. As such it is expected that the parking demand will not differ from that currently existing from the family of the main dwelling, therefore the existing two bays will suffice to meet the lots needs.</p>

<b>Issue/Design Element:</b>	<b>Visual Privacy</b>
Requirement:	<p><u>Residential Design Codes 6.8.1</u> Balconies are to be setback or screened to 1.6 metres above finished floor level, any point within 7.5 metres of an adjoining neighbouring boundary.</p>
Applicants Proposal:	Balcony 1.8 metre setback from north boundary, and nil setback from south boundary.
Performance Criteria:	<p>Direct overlooking of active habitable spaces and outdoor living areas of other dwellings is minimised by building layout, location and design of major openings and outdoor active habitable spaces, screening devices and landscape, or remoteness.</p> <p>Effective location of major openings and outdoor active habitable spaces to avoid overlooking is preferred to the use of screening devices or obscured glass.</p> <p>Where these are used, they should be integrated with the building design and have minimal impact on residents' or neighbours' amenity.</p> <p>Where opposite windows are offset from the edge of one window to the edge of another, the distance of the offset should be sufficient to limit views into adjacent windows.</p>

<b>Issue/Design Element:</b>	<b>Visual Privacy</b>
<p>Applicant justification summary:</p>	<p>Although there is a balcony on the western side of the building, it is almost impossible to see into the neighbours gardens because of the mature trees on the property. Please see photos attached. I suggest this meets the requirement for screening as required by clause 6.8.1 P1.</p> <p>Windows on the east side of the building look towards 102 Anzac Road, on the other side of the laneway but there are no windows on the west side of that house, so there is no overlooking problem.</p> <p>Windows on the west side of the building look into the garden of 4 Coogee Street, but because of the heavy foliage from the trees it is almost impossible to see the main house, let alone the neighbouring houses.</p> <p>Although there is no setback on the southern boundary, the building on the next door block is completely hidden by the tree foliage. We also have written agreement from the owner of number 2 Coogee Street for the change of use to Granny Flat. Copy letter attached.</p> <p>As already demonstrated the house and most of the garden at 4 Coogee Street cannot be seen from the balcony or the west facing windows.</p> <p>There are no windows facing windows of adjacent properties so offset is not required.</p>
<p>Officer technical comment:</p>	<p>The Building Licence granted by the Council on advice of the Minister of Local Government for the Two Storey Garage and Games Room, did not require any screening for the games room or the approved balcony.</p> <p>However as the balcony was not built to the approved plans, the concession no longer applies. It is considered that screening should be imposed given the significant overlooking into adjoining properties outdoor living areas.</p> <p>The conversion of the games room to Ancillary Accommodation can also be considered to increase the need for screening given the area will be used for habitable purposes on a regular basis as opposed to that of a games room.</p> <p>The landscaping which has been noted by the applicant is deemed not be appropriate form of screening given the potentially temporary and unpredictable nature of vegetation when used for screening. As such it is considered that the balcony does reduce amenity through loss of privacy and the acceptable development standard should be upheld and screening is required for the subject balcony.</p>

**CONSULTATION/ADVERTISING:**

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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Consultation Period: 12 March 2013 to 25 March 2013

Comments received: Two (2) objections were received during the consultation period.

Summary of Comments Received:	Officers Technical Comment:
<p><u>Retrospective Use</u> No site inspection was undertaken to determine if the application was retrospective. Have there been any inspections on the property to confirm any unauthorised works or uses in the past ten years? If it is found to be retrospective what are the ramifications?</p>	<p>Noted – On assessment of the submitted application it has been confirmed that the development was not built to the approved Building Licence plans and as such the application is considered retrospective. The application fee required for retrospective applications are three times that of a standard application, and should any of the works be refused they will need to be either demolished or made compliant.</p>
<p><u>Ancillary Accommodation</u> Concern that people are and will continue to use the Ancillary Accommodation who are not related family members.</p>	<p>Noted – As the applicant has applied for Ancillary Accommodation to be used by family members this is all that is recommended for approval. Should it be brought to the City's attention that the building is used otherwise the matter will be followed up by the City's Development Compliance Officer. Applicants are able to apply to the City for Ancillary Accommodation that does not need to be used by a family member.</p>
<p><u>Visual Privacy</u> The balcony overlooks the entire backyard and outdoor living area of adjoining neighbours. This is not considered to meet acceptable development or performance criteria for privacy requirements of the R-Codes.</p>	<p>Supported – Screening has been conditioned accordingly.</p>

Note: Submissions are considered and assessed by issue rather than by individual submitter for clarity.

**Design Advisory Committee:**

Referred to Design Advisory Committee: No

**LEGAL/POLICY:**

The following legislation and policies apply to the proposed Conversion of Rear Outbuilding to Ancillary Accommodation:

- Planning and Development Act 2005;
- City of Vincent Town Planning Scheme No. 1;
- Residential Design Codes 2010.

**RISK MANAGEMENT IMPLICATIONS:**

Should the Council refuse the application for development approval, the applicant may have the right to have the decision reviewed in accordance with Part 14 of the *Planning and Development Act*.

Should the Council approve the application for development approval; the proposal will be in conflict with the requirements of the Residential Design Codes 2010.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2011-2016 states:

*"Natural and Built Environment*

1.1 *Improve and maintain the natural and built environment and infrastructure*

1.1.4 *Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment."*

**SUSTAINABILITY IMPLICATIONS:**

The City's Strategic Plan 2011-2016 states:

*"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice."*

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	Comment
Nil	

SOCIAL	
Issue	Comment
The Ancillary Accommodation will provide additional living space No. 4 Coogee Street, enhancing the amenity of the occupiers.	

ECONOMIC	
Issue	Comment
The additional living area provided will create a cheap accommodation option for the family members of the owners of the subject lot.	

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS & CONCLUSION:**

This application for Ancillary Accommodation which proposes the reuse of an existing outbuilding is considered to be a good example of how existing buildings can be used to achieve better outcomes for residents as opposed to full redevelopment. By not proposing any external works from that existing most of the impacts usually associated with any sort of development within residential areas are nullified. The key areas of concern in this proposal was the shortfall of a single parking bay, and the visual privacy resultant from the balcony. The lot size was not considered to be an issue as the scale of development on site was not increasing, so there was not decrease in open space or increase in visual impact to neighbours from bulk.

The applicant has claimed that only one car bay is currently used on site, and as the garage meets the requirements to fit two car bays the need for an additional car bay is not necessary. Given that the approval will only be for family members it is unlikely that the parking demand will be increased from that already existing on site, and the two bays will meet the needs of the lot residents. As a precaution a condition has been applied to the approval that residential and visitor parking permits are not to be issued for the subject property as the owner has claimed the shortfall will meet the needs of the residents. Should the applicant propose that the Ancillary Accommodation be used by occupants other than members of the family of the occupiers of the main dwelling in the future, car parking should brought to compliance to ensure adequate parking on site. It is also noted that adequate laundry facilities should be provided should this occur to allow the Ancillary Accommodation to become completely self contained from the main dwelling.

The existing balcony currently poses significant overlooking to the neighbouring outdoor living areas which is screened to an extent by existing vegetation. This is not considered adequate means of screening and as such a condition has been applied to the recommendation that screening be brought to meet the acceptable development requirements of the Residential Design Codes.

In light of the above it is recommended that the proposal be approved subject to the abovementioned conditions.

**9.2.1 Auckland/Hobart Street Reserve, North Perth – Consideration of Submissions concerning Proposed Installation of Unisex Toilet and Improved Traffic/Parking – Progress Report No. 3**

<b>Ward:</b>	North	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	North Perth (8)	<b>File Ref:</b>	RES0037
<b>Attachments:</b>	<a href="#">001</a> – Traffic/Parking Plan No. 3000-CP-01 <a href="#">002</a> – Summary of Submission Comments		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	J van den Bok, Manager Parks and Property Services R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **CONSIDERS** the one hundred and ninety one (191) submissions received concerning the proposed installation of a unisex toilet facility and parking/traffic improvements at Auckland/Hobart Street Reserve;
2. **DOES NOT SUPPORT** the installation of a unisex toilet in the Auckland/Hobart Street Reserve, due to the significant number of objections received;
3. **APPROVES** the implementation of the proposed traffic/parking improvements as shown on attached Plan No 3000-CP-01 estimated to cost approximately \$75,000; and
4. **DEFERS** implementing the continuous median trial on London Street at Hobart Street, Mount Hawthorn and **FURTHER CONSULTS** residents regarding this proposal following the completion of the proposed traffic signal improvements at the intersection of Loftus/London/Scarborough Beach Road.

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**Moved Cr Wilcox, Seconded Cr Topelberg**

That the recommendation be adopted.

Debate ensued.

**AMENDMENT 1**

**Moved Cr Carey, Seconded Cr Pintabona**

“That Clause 3 be amended to read as follows:

3. **APPROVES** ~~the implementation of the proposed traffic/parking improvements~~ **PROCEEDS** with a raised walkway in front of the deli in Hobart Street and **DEFERS** the remaining traffic works as shown on attached plan No 3000-CP-01 estimated to cost approximately \$75,000.”

Debate ensued.

**AMENDMENT 1 PUT AND CARRIED (5-2)**

**For:** Mayor Hon. MacTiernan, Cr Carey, Cr Pintabona, Cr Topelberg and Cr Wilcox  
**Against:** Cr Buckels, Cr Maier

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

**AMENDMENT 2**

**Moved Cr Wilcox, Seconded Cr Carey**

“That Clause 2 be amended to read as follows:

2. ~~DOES NOT SUPPORT the installation of a unisex toilet in the Auckland/Hobart Street Reserve, due to the significant number of objections received;~~ **APPROVES the installation of a unisex toilet in the Auckland/Hobart Street Reserve for a twelve (12) month trial;**”

Debate ensued.

**AMENDMENT 2 PUT AND CARRIED (4-3)**

**For:** Mayor Hon. MacTiernan, Cr Carey, Cr Maier and Cr Wilcox

**Against:** Cr Buckels, Cr Pintabona and Cr Topelberg

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**AMENDMENT 3**

**Moved Cr Topelberg, Seconded Cr Carey**

“That a new Clause be inserted to read as follows:

Receives a further report no later than June 2013 detailing the proposed toilet facility to be installed.”

**AMENDMENT 3 PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**MOTION AS AMENDED PUT AND CARRIED (5-2)**

**For:** Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Maier and Cr Wilcox

**Against:** Cr Pintabona and Cr Topelberg

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.2.1**

That the Council;

1. **CONSIDERS** the one hundred and ninety one (191) submissions received concerning the proposed installation of a unisex toilet facility and parking/traffic improvements at Auckland/Hobart Street Reserve;
2. **APPROVES** the installation of a unisex toilet in the Auckland/Hobart Street Reserve for a twelve (12) month trial;
3. **RECEIVES** a further report no later than June 2013, detailing the proposed toilet facility to be installed;
4. **PROCEEDS** with a raised walkway in front of the deli in Hobart Street and **DEFERS** the remaining traffic works as shown on attached plan No 3000-CP-01 estimated to cost approximately \$75,000; and
5. **DEFERS** implementing the continuous median trial on London Street at Hobart Street, Mount Hawthorn and **FURTHER CONSULTS** residents regarding this proposal following the completion of the proposed traffic signal improvements at the intersection of Loftus/London/Scarborough Beach Road.

**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of the results of the recent community consultation in relation to the proposed installation of a unisex toilet facility and parking improvements at Auckland/Hobart Street Reserve.

**BACKGROUND:**

At the Ordinary Meeting of Council held on 12 March 2013 a report was presented where the Council resolved as follows:-

*“That the Council;*

- 1. APPROVES IN PRINCIPLE the revised Plan No. 3000-CP-01 for traffic/safety improvements Auckland/Hobart Street, Mount Hawthorn;*
- 2. NOTES that, it has been identified that all other local parks with playgrounds within a 1.5km radius of Auckland/Hobart Street Reserve are either totally enclosed/fenced or have a secure fenced playground as shown on Plan No. 3035-LP-01; with the exception of Redfern/Norham Street Reserve and Braithwaite Park, (partly fenced);*
- 3. FURTHER CONSULTS the community, regarding the revised traffic/safety proposal and the proposal of locating a toilet facility on the park and also advising that should a small unisex toilet be located within the park it would be locked in the evenings; and*
- 4. RECEIVES a further report at the conclusion of the consultation period.”*

**DETAILS:**

**Previous Consultation – August 2012:**

As previously reported to the Council, in July/August 2012 one hundred and seventy six (176) letters were distributed around Auckland/Hobart Reserve regarding the possible installation of unisex toilet facility and improved parking layout, and at the close of consultation, twenty eight (28) responses were received.

Fourteen (14) supported the unisex toilet with twelve (12) against and eighteen (18) supported the improved parking layout with seven (7) against.

**Further Community Consultation – March 2013 Proposed Installation of Unisex Toilet Facility and Improved Parking:**

On 27 March 2013, one thousand six hundred and twenty eight (1,628) consultation packs and attached plans were distributed around the Auckland/Hobart Street Reserve in accordance with the City's Consultation Policy.

At the close of the consultation period one hundred and ninety one (191) responses were received, a response rate of 11% (See attached).

Seventeen (17) responses were from non residents or owners within the City of Vincent.

Proposed Installation of Unisex Toilet Facility

<b>Responses</b>	<b>Numbers</b>	<b>Percentages</b>
In Favour:	60	32%
Against:	127	66%
Other:	4	2%
<b>Total</b>	<b>191</b>	<b>100%</b>



Officer's comments:

The majority of respondents (66%) oppose the installation of a toilet facility in Auckland/Hobart Street Reserve with respondents highlighting, potential undesirable behaviour, increased patronage, longer stays, availability of nearby public toilets, cleanliness, potential removal of trees, capital/operating costs and changes to the park amenity as some of the major concerns.

As has been outlined within the submissions, the major reason for the increased patronage at this park is the adjacent cafe and therefore respondents have indicated that patrons should be encouraged use their toilet facilities - which in fact some already do so.

Whilst concern has been raised in regard to locking of the toilets and general cleanliness, this is an issue that would be addressed by the City's officers if the installation were to proceed.

Many public toilet facilities are already locked by a security company and toilets are cleaned as required dependant based on the level of use.

The majority of those supporting the addition of a toilet in Auckland/Hobart Street Reserve have also indicated that frequent cleaning is required and that it should be locked at a reasonable hour.

However, in view of the significant responses received objecting to the proposal to install a unisex toilet facility within this reserve, it is recommended that the toilet not be installed.

Proposed Improved Parking Traffic Management

<b>Responses</b>	<b>Numbers</b>	<b>Percentages</b>
In Favour:	82	43%
Against:	86	45%
Other:	19	10%
No Option selected	4	2%
<b>Total</b>	<b>191</b>	<b>100%</b>

Officer's comments:

The response regarding the proposal is mixed with approximately half supporting and half not supporting. The concerns regarding the proposed median strip in Hobart Street are unfounded as the majority on the median will be line marked with flush kerbing and trees planted centre of road (not dissimilar to Bulwer Street which is a District Distributor road with a posted speed on 60kph). The improvements in amenity will include additional trees, protected embayed parking, safe raised crossing point which will slow vehicles (refer photo below of Bourke Street opposite Smiths Lake Reserve), channalisation of intersection at Auckland Street (traffic and pedestrian safety improvements).

Some considered that the 90 degree angle parking as previously proposed should be implemented however the Council previously decided against this.

It is also considered that the proposed continuous median trial on London Street (intersection Hobart) be deferred until the intersection modifications at Loftus/London/Scarborough Beach Road are completed. This was raised by some respondents. It is considered that this be the subject of a separate consultation at a later date.

It is therefore considered that the proposed improvements be implemented.



*Existing raised plateau on Bourke Street, North Perth at Smiths Lake/Charles Veryard Reserve*

**Discussion/Conclusions:**

Proposed Installation of Unisex Toilet Facility

While it is acknowledged that there may be a need for this facility in the well used reserve, as the majority of respondents (66%) were against locating this facility in the park, the officers cannot support this proposal.

Proposed Improved Parking Traffic Management

What is proposed will achieve the following:

- Protected embayed parking
- Separation of cars
- Central area on road to provide a safe crossing refuge
- Additional tree plantings centre of road
- Raised plateau to slow vehicle speeds and provide a safe crossing point
- Pedestrian refuge and channalisation at the Auckland/Hobart Intersection.



*Hobart Street, Looking west – The proposed central planted median will provide separation of traffic, central refuge, opportunity for beautification (trees) and protected embayed parking.*

While there will be differing view on whatever proposal is adopted by the Council, it is considered that what is being proposed will improve safety and amenity in the vicinity of the park. The final design will comply with the relevant Australian Design Standards.

The wide intersection of Hobart/Auckland (as shown in the photo below) will be better defined and delineated to better channel traffic while providing pedestrian refuge while vehicle speed in Hobart Street will be better regulated by the raised plateau.



**CONSULTATION/ADVERTISING:**

The local community will be advised in regard to the Council's decision.

**LEGAL/POLICY:**

Not applicable.

**RISK MANAGEMENT IMPLICATIONS:**

**Medium:** Issues regarding pedestrian and traffic safety were raised by the community and were to be further investigated.

**STRATEGIC IMPLICATIONS:**

The City's *Strategic Plan 2011-2016* states:

*"Natural and Built Environment*

*Objective 1.1: Improve and maintain the natural and built environment and infrastructure.*

*1.1.5: Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment".*

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

The following funds have been allocated in the 2012/2013 budget:

- \$17,000 for the unisex toilet facility; and
- \$75,000 for car parking.

**COMMENTS:**

Following consideration of the submissions received, the officers consider that the Council not support the installation of a unisex toilet in the park, approves the implementation of the proposed traffic/parking improvements as shown on attached plan No 3000-CP-01, and defers implementing the continuous median trial on London Street at Hobart Street and further consults residents regarding this proposal following the completion of the proposed traffic signal improvements at the intersection of Loftus/London/Scarborough Beach Road.

**9.1.1 FURTHER REPORT: No. 55 (Lots 304 & 305; D/P 30336) Harold Street, corner of Wright Street, Highgate – Proposed Alterations and Additions to Existing Place of Public Worship (Retrospective Application)**

<b>Ward:</b>	South	<b>Date:</b>	6 May 2013
<b>Precinct:</b>	Forrest; P14	<b>File Ref:</b>	PRO1718; 5.2012.504.2
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans <a href="#">002</a> – Applicants Submission dated 24 December 2012 <a href="#">003</a> – Applicant’s Submission dated 19 April 2013		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	S Radosevich, Acting Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	C Eldridge, Director Planning Services		

**CORRECTED FURTHER OFFICER RECOMMENDATION:**

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by Ian Xuyen Lu and Associates, on behalf of the owner, WA Indo-China Benevolent Association Inc for Proposed Alterations and Additions to Existing Place of Public Worship (Retrospective Application) at No. 55 (Lots 304 & 305; D/P 30336) Harold Street, corner of Wright Street, Highgate, and as shown on plans stamp-dated 12 February 2013 and amended plans stamp-dated 2 May 2013, subject to the following conditions and advice notes:

1. **Occupancy Permit**

Architectural drawings and a Certificate of Building Compliance for the correct classification, which is prepared by a qualified Practising Building Consultant, shall be submitted to and approved by the City of Vincent Building Services, with all costs of this service to be borne by the applicant/owner, prior to first occupation;

2. The use of the incinerator shall only be permitted for ceremonial purposes for the burning of paper used as part of the annual Ullambana festival, ~~during recognised annual religious festivals~~, with the prior written approval of the City’s Manager Health and Compliance Services.;

3. Bi-fold doors facing Wright Street are to remain closed during any activity which generates noise such as drumming, ringing of bells, amplified music, singing, chanting and the like;

4. The maximum number of persons to occupy the premises at any one time shall not exceed 104 persons, as specified in the Health (Public Building) Regulations 1992;

5. Within twenty eight (28) days of the ‘Approval to Commence Development’, a detailed landscape and irrigation plan for the development site and adjoining road verge shall be submitted to the City’s Parks and Property Services for assessment and approval.

For the purpose of this condition, a detailed landscape and irrigation plan shall be drawn to a scale of 1:100 and show the following:

- 5.1 Provision of increased soft landscaping, as shown on the floor plan of addition landscape and bi-fold doors stamp-dated 2 May 2013, to significantly reduce areas of hardstand and paving;
- 5.2 The location and type of existing and proposed trees and plants;
- 5.3 All vegetation including lawns;
- 5.4 Areas to be irrigated or reticulated and such method;
- 5.5 Proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 5.6 Separate soft and hard landscaping plants (indicating details of materials to be used).

The Council encourages landscaping methods and species selection which do not rely on reticulation. All such works shall be maintained by the owner(s)/occupier(s); and

6. The development is to comply with all Building, Health, Engineering and Parks Services conditions and requirements to the satisfaction of the City's Chief Executive Officer.

**ADVICE NOTES:**

1. Noise levels are to be in accordance with the Environmental Protection (Noise) Regulations 1997;
2. With regards to condition 2, any use of the incinerator shall require prior written approval to be obtained from the City's Manager Health and Compliance Services. Such approval shall be in accordance with the City of Vincent Health Local Law 2004, Clause 49 and subject to the following:
  - 2.1 The incinerator is only permitted to be used for ceremonial purposes (such as the Ullambana Festival), with the City being notified at least one month in advance of the use of the incinerator (exact date is subject to the Luna calendar);
  - 2.2 Only paper used as part of the Festival is permitted to be burnt in the incinerator;
  - 2.3 The incinerator may only emit smoke for a maximum 45 minutes at any one time;
  - 2.4 The following properties are to be notified in writing at least seven (7) days prior to the use of the incinerator advising of the purpose, date and time the incinerator will be used - Nos. 47 and 57 Harold Street, and Nos. 117 and 127 Wright Street, Highgate; and
  - 2.5 Any additional use of the incinerator will require separate approval from the City's Manager Health and Compliance Services, and a written request should be received by the City for consideration at least one month prior to the proposed date;
3. In accordance with Condition (ii) of the City's approval issued 22 April 2009 [Application No. 5.2008.397.1], the subject land shall be amalgamated into one lot on Certificate of Title;
4. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Harold Street and Wright Street;

5. Any new street/front wall, fence and gate within the Harold Street setback area, including along the side boundaries within this street setback area, shall comply with the City's Policy provisions relating to Street Walls and Fences;
6. No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning; and
7. All signage that does not comply with the City's Policy relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage.

**Note:** *The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.*

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Cr Buckels Departed the Chamber at 7.25pm.

**COUNCIL DECISION ITEM 9.1.1**

**Moved Cr Topelberg, Seconded Cr Maier**

That the recommendation be adopted.

**MOTION AS CORRECTED PUT AND CARRIED UNANIMOUSLY (6-0)**

Cr Buckels returned to the Chamber at 7.27pm.

(Cr Buckels was absent from the Chamber and did not vote.)  
(Cr McGrath and Cr Harley were an apology for the Meeting.)

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**PURPOSE OF REPORT:**

The application is referred to Council for determination as it was previously deferred by Council at its Ordinary Meeting held on 26 February 2013.

**FURTHER FREPORT:**

The proposed alterations and additions to existing place of public worship (retrospective application) at No. 55 Harold Street, Highgate, was presented to the Council at its Ordinary Meeting held on 26 February 2013, whereby the Council resolved:

*"That the item be DEFERRED at the request of the Applicant, in order to address the concerns raised and to consult with the neighbours."*

The Minutes of Item 9.1.4 from the Ordinary Meeting of Council held on 26 February 2013 relating to this report are available on the City's website at the following link:  
<http://www.vincent.wa.gov.au/files/93f36d86-d5f6-4c58-8ce8-a16b0086a12f/20130226.pdf>

**DETAILS:**

The development application for proposed alterations and additions to existing place of public worship (retrospective application), comprised internal changes to the remembrance and store rooms and a proposed incinerator. As there were a number of concerns raised by the community during the community consultation period, with regards to smoke, smell, noise and car parking, the applicant has provided the City's with amended plans and additional information.



The proposed alterations and additions to existing place of public worship (retrospective application), comprises the following:

1. With regards to the incinerator, the applicant has agreed for it to be used once a year as part of the Ullambana Festival and only paper relating to the festival will be burnt in the incinerator, the use shall be subject to prior approval of the City's Manager Health and Compliance Services.
2. With regards to the remembrance room, the applicant has advised the City of the following:  
  
*"We would like to verify that the existing remembrance room is used as an ancillary to the temple and will not attract extra people to the temple other than those are already attending. The people attending to the temple will be strictly maintained to the level as indicated on the City of Vincent Health Act 1911 Certificate of Approval granted to association dated 27 August 2012."*  
  
As the remembrance room is deemed to be ancillary to the temple, the proposal does not result in any additional car parking requirements.
3. Additional landscaping has been provided to all side lot boundaries, where practical, to improve the amenity and be in keeping with the residential locality.
4. The proposal comprises east facing glass bi-fold doors, to Wright Street, to control noise resulting from activities involving drumming, bell ringing, amplified music, chanting and the like in the place of public worship.

**ASSESSMENT:**

**Town Planning Scheme Initial Assessment**

Issue/Design Element:	Incinerator
Requirement:	<p><b>Town Planning Scheme No. 1</b>  <u>Clause 6 Objectives and Intentions 3(b)</u>  <i>"to protect and enhance the health, safety and general welfare of the City's inhabitants and the social, physical and cultural environment"</i></p> <p><b>Policy No. 3.4.3 Non-Residential/Residential Development Interface</b>  <u>Objectives</u>  <i>"to protect and enhance the amenity and general environmental standards of existing and future development within and adjoining both residential and non-residential areas by providing clear guidance with respect to what is considered desirable and acceptable development"</i></p> <p><i>"to protect the character of the existing residential buildings and areas and ensure that non-residential uses do not impact upon the amenity of existing and nearby dwellings, through noise illumination, traffic or any other manner which is in excess of normal residential living"</i></p> <p><i>"to encourage small to medium scale mixed use development of a type and character appropriate to the location and existing character of the area, that enhances and encourages a pedestrian friendly environment and preserves the residential character and amenity of abutting areas"</i></p>
Applicants Proposal:	Incinerator.
Performance Criteria:	Not Applicable.



Issue/Design Element:	Incinerator
Applicant justification summary:	<p><i>“The incinerator is to be used one weekend only once a year for Ulunbana Festival (According to Moon Calendar it varies between August and September each year). Ulunbana Festival is an opportunity for the family members to pay homage to their love ones who are live in the other world. Culturally people will burn incenses and paper money to send to them.</i></p> <p><i>However we are trying to minimize all this activities now a day. Somehow it is still happy more or less. Hopefully, Council can give this convenience for our cultural respect.”</i></p>
Officer technical comment:	The incinerator is considered to be supportable in this instance as the City’s Health Services have advised that they have no objection to the use of the incinerator, subject to appropriate conditions of approval, as the applicant has advised that it is to be used once annually for the Ullambana Festival.
	It is recommended that the following conditions of approval be applied in relation to the proposed incinerator:
	<ol style="list-style-type: none"> <li>1. The incinerator can be used once annually for the Ullambana Festival, whereby the City is to be notified at least one month in advance of the use of the incinerator (exact date subject to the Luna calendar);</li> <li>2. The incinerator may only emit smoke for maximum 45 minutes; and</li> <li>3. Only paper relating to the festival can be burnt in the incinerator.</li> </ol> <p>Amended plans were received which demonstrate that the proposal comprises landscaping along all side lot boundaries, where practical, to be in keeping with the residential character of the locality.</p>

**CONSULTATION/ADVERTISING:**

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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<b>Comments Period:</b>	10 January 2013 to 23 January 2013
<b>Comments Received:</b>	Three (3) objections.

Summary of Comments Received:	Officers Technical Comment:
<p>Issue: Car Parking</p> <ul style="list-style-type: none"> <li>• It is noted that there is currently considerable pressure on street parking in Harold and Wright Streets, due to residential parking, visitors, users of Forrest Park and Jack Marks Park (including soccer and other sporting activities), students attending TAFE, people attending functions at the Forrest Park Croquet Clun and visitors and worshippers of No. 55 Harold Street.</li> <li>• Functions held at No. 55 Harold Street result in the existing car parking bays being used as an outdoor seating area for large numbers of attendees, in which the noise and activity from the functions becomes very loud and disruptive to neighbours.</li> <li>• No. 55 Harold Street have already had a significant car parking shortfall approved in an area that already has significant car parking inadequacies.</li> </ul>	<p>Not supported. The applicant has provided the City with additional information outlining that the existing remembrance room does not result in additional people coming to the site, as it is used by the people attending the temple, therefore the remembrance room is deemed to be ancillary to the temple.</p> <p>In light of the above, the proposal does not result in any additional car parking requirements to those previously assessed and approved.</p>
<p>Issue: Incinerator</p> <ul style="list-style-type: none"> <li>• Continuous use of the unauthorised incinerator which creates heavy smoke levels affecting all adjoining neighbours.</li> <li>• Smoke from the incinerator causes adverse impacts on adjoining neighbours particularly those with medical conditions such as being asthmatic.</li> </ul>	<p>Supported and Addressed. The City's Health Services have advised that they have no objection to the use of the incinerator, subject to appropriate conditions of approval, as the applicant has advised that it is to be used once annually for the Ullambana Festival.</p> <p>It is recommended that the following conditions of approval be applied in relation to the proposed incinerator:</p>
<ul style="list-style-type: none"> <li>• The incinerator and other outdoor burners breach all of the standards of Clause 6 (b) of the Town Planning Scheme No. 1.</li> <li>• The residents have expressed that the unauthorised use of the incinerator on 8, 9 and 10 of September 2012, resulted in large amounts of smoke. However on one particular day the adjoining resident(s) expressed that the smoke smelt of burnt plastic which was significantly alarming to them as they were unaware if the smoke contained toxic elements.</li> </ul>	<ol style="list-style-type: none"> <li>1. The incinerator can be used once annually for the Ullambana Festival, whereby the City is to be notified at least one month in advance of the use of the incinerator (exact date subject to the Luna calendar);</li> <li>2. The incinerator may only emit smoke for maximum 45 minutes; and</li> <li>3. Only paper relating to the festival can be burnt in the incinerator.</li> </ol>

Summary of Comments Received:	Officers Technical Comment:
<ul style="list-style-type: none"> <li>• Inability to open doors and windows due to the large amounts of smoke and unable to do basic outdoor chores. Furthermore the residents were unable to hang out their washing for three (3) days.</li> <li>• It is expressed the quality of life is seriously impacted the use of the unauthorised incinerator.</li> <li>• Owner(s) of a property adjoining No. 55 Harold Street have received complaint from their tenant(s) regarding the smell of the unauthorised incinerator along with smoke and dust which makes living next to the temple virtually impossible to do. It is requested that the unauthorised incinerator not be approved to preserve the amenity of the area, which has already been compromised by the approval of the existing development.</li> </ul>	

Note: Submissions are considered and assessed by issue rather than by individual submitter for clarity.

**SUSTAINABILITY IMPLICATIONS:**

The City's Strategic Plan 2011-2016 states:

*"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice."*

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	Comment
The City's Health Services have advised that they have no objection to the use of the incinerator, subject to it being used for a maximum of 45 minutes on one day, whereby only paper relating to the festival is permitted to be burnt in the incinerator.	

SOCIAL	
Issue	Comment
The proposal provides for access to a wider range of places of public worship for the local community.	

ECONOMIC	
Issue	Comment
Nil.	

## COMMENTS & CONCLUSION:

### Health and Compliance Services

The City's of Vincent Health Local Law 2004, Clause 49 prescribes the following;

49. (1) Subject to any other written law, a person shall not -
- (a) without the written approval of the Manager of Environmental Health Services; and
  - (b) except in accordance with the terms and conditions to which the approval is subject, set fire to, or cause to be set on fire, any rubbish or refuse either -
  - (c) in any incinerator; or
  - (d) on the ground.

The City's Health and Compliance Services have advised that they have approved the use of the incinerator at No. 55 Harold Street, Highgate, and sent a letter to the owner, dated 23 April 2013, which states the following:

*"I refer your recent request submitted to the City seeking permission to use the incinerator at the WA Indo-China Chinese Benevolent Association, located at No. 55 Harold Street, Highgate. Please be advised the City has no objection to the use of the incinerator subject to ongoing compliance with the following conditions:*

- *The incinerator can be used once annually for the Ullambana Festival. The City is to be notified at least one month in advance of the use of the incinerator (exact date subject to the Luna calendar).*
- *The following properties are to be notified in writing at least seven days prior to the use of the incinerator advising of the purpose, date and time the incinerator will be used.*
  - *No. 47 and No. 57 Harold Street, Highgate*
  - *No. 117 and No. 127 Wright Street, Highgate*
- *The incinerator may only emit smoke for maximum 45 minutes.*
- *Only paper relating to the festival can be burnt in the incinerator.*

*You are advised that any additional use of the incinerator will require separate approval from the City and a written request must be received by the City for consideration at least one month prior to the proposed date."*

### Planning Services

In view of the above changes and comments from the City's Health Services, it is considered that the application is supportable in this instance as it complies with the City of Vincent Town Planning Scheme No. 1 and with the intent and objectives of the City's Policy No. 3.4.3 relating to Non-Residential/Residential Development Interface. Accordingly, it is recommended that the application be approved subject to standard and appropriate conditions and advice notes.

**9.1.3 FURTHER REPORT: Request for Investigation of Streetscape Policy – Progress Report No. 1**

<b>Ward:</b>	Both Wards	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA0179
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	T Young, Manager Strategic Planning, Sustainability and Heritage Services		
<b>Responsible Officer:</b>	C Eldridge, Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **ENDORSES** a twofold approach to addressing Residential Streetscapes as follows and **AUTHORISES** the Chief Executive Officer to:
  - 1.1 review the City's Policy No. 3.2.1 relating to Residential Design Elements as a matter of priority to incorporate the management of streetscape types into the assessment process and provide a progress report to the Council by July 2013; and
  - 1.2 further investigate the concept of Heritage Areas, through the engagement of a specialist consultant using a street selected by the City's Chief Executive Officer, in liaison with the Mayor Hon. Alannah MacTiernan, as a case study, as outlined the 'Comments' section of this report; and
2. **NOTES** that:
  - 2.1 following the completion of the above process, it is anticipated that the adopted planning framework shall be incorporated into a Local Planning Policy for use across the City for Heritage Areas identified by the community or the Council; and
  - 2.2 various incentive packages will be examined, such as subsidized architect consultancy fees for land owners seeking advice on options for alterations and additions to existing character houses.

---

**COUNCIL DECISION ITEM 9.1.3**

**Moved Cr Topelberg, Seconded Cr Maier**

**That the recommendation be adopted.**

**Cr Carey Departed the Chamber at 7.28 pm.**

**Debate ensued.**

**Cr Carey returned to the Chamber at 7.30pm.**

**Debate ensued.**

**AMENDMENT**

**Moved Cr Topelberg, Seconded Cr Maier**

“That the Council;

~~1. ENDORSES a twofold approach to addressing Residential Streetscapes as follows and AUTHORISES the Chief Executive Officer to:~~

~~1.1 review the City’s Policy No. 3.2.1 relating to Residential Design Elements as a matter of priority to incorporate the management of streetscape types into the assessment process and provide a progress report to the Council by July 2013; and~~

~~1.2 further investigate the concept of Heritage Areas, through the engagement of a specialist consultant using a street selected by the City’s Chief Executive Officer, in liaison with the Mayor Hon. Alannah MacTiernan, as a case study, as outlined the ‘Comments’ section of this report; and~~

**1. APPROVES BY AN ABSOLUTE MAJORITY to engage a specialist Town Planning Consultant to further investigate the concept of streetscape protection, through the engagement of a specialist consultant using a street selected by the Chief Executive Officer in liaison with the local residents and landowners. This will proceed as a case study as outlined in the Comments section of this report; and**

**2. NOTES that:**

**2.1 following the completion of the above process, it is anticipated that the adopted planning framework shall be incorporated into a proposed Local Planning Policy for use across the City for Heritage Areas identified by the community or the Council areas identified by the Community as worthy of streetscape protection; and**

**2.2 the case study will include options for various incentive packages will be examined, such as subsidised architect consultancy fees for land owners seeking advice on options for alterations and additions to existing character houses within a protected zone.”**

Debate ensued.

**PROCEDURAL MOTION**

**Moved Cr Topelberg, Seconded Cr Maier**

That the item be DEFERRED for further consideration and subsequently be reported to the Ordinary Meeting of Council to be held on 28 May 2013.

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

### **FURTHER REPORT:**

The Council at its Ordinary Meeting held on 9 April 2013 considered a report to approve a twofold approach to addressing Residential Streetscapes, which was identified as follows:

1. review the City's Policy No. 3.2.1 relating to Residential Design Elements as a matter of priority to incorporate the management of streetscape types into the assessment process and report back to the Council by June 2013; and
2. further investigate the concept of Heritage Areas and associated Surveys, through the engagement of a specialist consultant following the gazettal of the City's Town Planning Scheme No. 2.

Following the consideration on these two proposals, the Council resolved:

*"That the item be DEFERRED for further consideration."*

The Minutes of the Ordinary Meeting of Council held on 9 April 2013, can be found at:  
[http://www.vincent.wa.gov.au/Your\\_Council/Agenda\\_Minutes](http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes).

### **COMMENTS:**

On deferral of this item, the City's Officers have further reviewed the two proposals presented and provide the following comments and recommendations to progress the matter.

#### **Approach One – Review of Residential Design Elements Policy**

It is recommended that the City continue to proceed with Approach One relating to the review of the City's Policy No. 3.2.1 relating to Residential Design Elements as was outlined in the report that was presented to the Council at its Ordinary Meeting on the 9 April 2013. In summary this approach recommends that as part of the review of the City's Policy No. 3.2.1 relating to Residential Design Elements, the Policy will be amended to provide clearer and more defined criteria for identifying type of streetscapes. The Policy will include criteria for the identification of streets as either Type A, Type B or Type C and then will provide corresponding provisions that apply to each Type.

It is important to reiterate that the Policy itself will not list any pre-identified streets as set types rather this will be determined on a case by case basis during the assessment of a development application against the set criteria. The main reasons for this, is that over time streets are subject to change and secondly the City has already gone through this exercise previously in a previous iteration of a Streetscape Policy which was met with much resistance by the community and was not supported by the Council to adopt as Policy.

A summary of the categories proposed is outlined below:

Type A = Intact Street/Street Block (e.g. 90 per cent +)

Type B = Mostly Intact Street/Street Block (e.g. 70 % +)

Type C = Emerging Streetscape (e.g. more than 50 per cent non-compliant with Residential Design Element Policy setbacks)

More specifically, the three types of streets will comprise the following:

#### Type A = Intact Street/Street Block

- All houses predominately the same architectural style, bulk and scale (i.e. more than 90%);
- New development to be consistent with existing architectural style;
- Street/Street Block be nominated as a 'Heritage Area' with dedicated design guidelines in a local planning policy;
- Full demolition can be refused.

Type B = Mostly Intact Street/Street block

- Most houses are similar in architectural style, bulk and scale, with only some new developments or new developments that generally comply with the Residential Design Elements Policy No. 3.2.1 (i.e. more than 70%);
- Residential Design Elements Policy No. 3.2.1 to be reviewed to clearly define a mostly intact streetscape; and
- New development adheres to the provisions of the Residential Design Elements Policy No. 3.2.1 for 'mostly intact streetscape' e.g. upper floor setbacks, garages and car ports.

Type C = Emerging Street/Street Block

- Street exhibits an eclectic mix of housing styles and eras;
- Residential Design Elements Policy No. 3.2.1 be reviewed to improve identification of an 'emerging streetscape' e.g. defined clearly e.g. more than 50% not compliant with Residential Design Elements setbacks;
- New development be guided by the provisions of the Residential Design Elements Policy No. 3.2.1 for 'emerging streetscapes' e.g. less stringent upper floor setbacks; and
- Emerging streets includes identified major roads undergoing transformation to a new character.

It is also important to note, that the City's Administration is undertaking a complete review of the City's Policy No. 3.2.1 relating to Residential Design Elements, and therefore at this point in time not in a position to prescribe an exact date as to when the Policy will be reported to Council to seek consent to advertise. As an interim measure it is proposed that a progress report be presented to the Council by July 2013 to provide an update on the review of this Policy. As such, on further consideration, the previous date of June 2013 as per the Officer Recommendation on 9 April 2013, is now not considered realistic.

**Approach Two – Heritage Areas**

The further investigation into Heritage Areas was originally recommended by the City's Officers to be undertaken after the advertising of Town Planning Scheme No. 2 not so much to do with any discrepancies in provisions on Heritage Areas in the Town Planning Scheme No. 1 and Town Planning Scheme No. 2, as the latter is proposed to be consistent with the Model Scheme Text, but more to do with the timely of advertising of Town Planning Scheme No. 2 and advertising of new Heritage Areas, and the concern that 'mixed messages' maybe presented by the Council during the respective community consultation processes.

In light of these concerns, coupled with recognising the Council's interest in pursuing the concept of Heritage Areas, the City's Officers have further considered their original recommendation. The Officers have proposed to remove the reference to the timing of Town Planning Scheme No. 2 and have recommended that the City engage a consultant to prepare a framework for the identification and management of Heritage Areas through a case study on a street / area selected by the City in liaison with the Mayor Hon. Alannah MacTiernan and the consultant.

To progress this, a formal Project Brief would need to be prepared and Request for Quote undertaken and/or a consultant selected through the State Heritage Office/WALGA Panel of Regional Heritage Advisors.



The table below provides a guide for the Project Brief and indicative time frame and budget.

Task	Responsibility	Time Frame	Budget
Preparation of a broad framework to identify Heritage Areas in the City and how they would be managed in the planning framework.	External Heritage Consultants	1 month	\$180 per hour (architect/planner)  TOTAL = \$15,000
Selection of a Heritage Area by the City in liaison with the external heritage consultants to be used as a case study.	External Heritage Consultants  City of Vincent	2 weeks	\$130 per hour (historian)  \$180 per hour (architect/planner)  TOTAL = \$1,000
Community Engagement Process to seek input from the owners and occupiers of the Heritage Area identified and ideas on management and to further develop and refine the process.	City of Vincent/ External Heritage Consultants	1 month	City of Vincent Advertising and Administration - \$500  Consultants: \$ 3,000  TOTAL = \$3,500
Formal Advertising of Heritage Area identified for case study.	City of Vincent	2 months	City of Vincent Advertising and Administration  TOTAL = \$2,000
Report detailing identified Heritage Area and recommendation of management.	External Heritage Consultants	1 month	\$130 per hour (historian)  \$180 per hour (architect/planner)  TOTAL = \$5,000
Council Consideration and Final Adoption of Heritage Area.	City of Vincent	2 months	N/A
<b>TOTAL</b>			<b>\$26,500</b>

Note: following the completion of the above process, it is anticipated that the adopted planning framework shall be incorporated into a Local Planning Policy for use across the City for Heritage Areas identified by the community or the Council.

It is also noted that various incentive packages will also be looked at, such as subsidized architect consultancy fees for land owners seeking advice on options for alterations and additions to existing character houses.

**FINANCIAL/BUDGET IMPLICATIONS:**

In terms of Budget Allocation, the following is to be considered:

Review of Residential Design Elements Policy

Expenditure for this matter will be incurred under the following budgeted item:

'Town Planning Scheme Amendments and Policies'

Budget Amount: \$ 80,000  
Spent to Date: \$ 6,031  
Balance: \$ 73,969

Heritage Area Investigation

There is currently no budget allocation to engage a consultant to assist with the identification and management of Heritage Areas, however given it relates to a Town Planning Scheme Policy, the above account could also be used and sufficient funds carried over into the 2013/2014 budget to complete the project.

**CONCLUSION:**

In light of the above, it is considered that the amended two approaches will provide the Council with a sound framework to manage residential streetscapes within the City's existing planning framework that will enable both the protection of identified contributing elements of a streetscape, whilst also encouraging new design that positively responds to contributing elements of the street in which it is being constructed.

As such, it is recommended that the Council adopt the Officer Recommendation to progress managing residential streetscapes through the twofold approach presented.

**9.2.3 Bike Rack Installation Project Stage Two - Approval**

<b>Ward:</b>	Both	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	All	<b>File Ref:</b>	TES0172
<b>Attachments:</b>	<a href="#">001</a> –Project Locations <a href="#">002</a> – Project Locations Images <a href="#">003</a> – Project Allocations		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	F Sauzier, TravelSmart Officer		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**CORRECTED OFFICER RECOMMENDATION:**

That the Council;

1. **NOTES** the City has developed a Stage 2 Bike Rack Installation Project to supply forty (40) U-rail bike racks or similar to a selection of destination areas throughout the City, as shown in Appendix 9.2.3 (Attachment 001 and 003);
2. **APPROVES** the Stage 2 Bike Rack Installation Project at an estimated cost of \$18,000, as shown in Appendix 9.2.3, (Attachment 001); and
3. **AUTHORISES** the Chief Executive Officer to consult with businesses, and purchase and install racks at the approved locations.

*Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.*

**COUNCIL DECISION ITEM 9.2.3**

**Moved Cr Buckels, Seconded Cr Carey**

That the recommendation be adopted.

Debate ensued.

**MOTION AS CORRECTED PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of this report is to seek the Council's approval for the City to install a second series of bike racks.

**BACKGROUND:**

This 'Stage 2' of bike racks is in consequence to the Ordinary Meeting of Council held on 4 December 2012, the Council decision Item 9.2.5 (4), which states (in part):

*"That the Council:*

4. *REQUESTS a further report by March 2013 indicating recommended locations for the installation of up to 50 U-rail bike racks throughout the City, and requests that the locations be identified in consultation with the consultants who are preparing the revised Vincent Bicycle Plan and the Vincent Community; and"*

Providing end-of-trip facilities at destinations provides a greater incentive for residents and visitors to chose to cycle to those destinations and several key activity spots throughout the City are currently not well serviced by bike racks.

The Stage 1 Bike Rack Installation Project which considered providing innovative bike racks at key locations has been progressed. The Council has identified that providing bike racks broadly throughout the City prioritises cyclists and active transport throughout the City and hence an up to fifty (50) U-rail installation project has been recommended.

#### **DETAILS:**

##### **Stage 1 Bike Rack installation Update:**

All the racks associated with the Stage 1 Bike Rack project have been ordered and are due for delivery in mid to late May. Only two (2) venues (Hobart Deli, Mt Hawthorn; Le Papillon, Perth) had selected 'innovative racks' (the six (6) bike Planter Rack from LEDA Securabike), with the other locations deciding on standard stainless steel racks.

The six (6) Bike Planter Rack from LEDA will be the first usage of this rack in Western Australia. Both businesses are looking forward to the installation and have committed to maintaining the planted boxes.



The other locations selected – Dizzy Witch, Perth; Weld Square, Highgate; and the Hotel Northbridge, Perth - have chosen standard stainless steel racks.

The total cost of Stage 1 Bike Rack Installation is \$9,200, with all racks to be installed by mid - June 2013.

##### **Stage 2 Bike Rack Installation proposal:**

Further to the Ordinary Meeting of Council held on 4 December 2012, the Council recommended a report be submitted which would identify locations throughout the City for the installation of up to fifty (50) U-rail bike racks. It was recommended that these locations be identified in consultation with the Aurecon Consultants who are preparing the revised City of Vincent Bike Network Plan and the Vincent community.

The intention of Stage 2 is to address areas not covered by current initiatives such as the Beaufort Street and Leederville enhancement programs.

**Aurecon Consultants:**

Aurecon have advised that they would only be offering broad comments as to where additional bike racks could be located, as per the terms of the brief of their current contract.

A more detailed report could be delivered, but only if a variation to the current contract could be factored or an additional contract sought. In the meantime, the consultants have been able to give broad indications to the City's officers as to their recommendations.

**Vincent Community:**

The Vincent Community have been consulted by the following two (2) methods:

- Over one hundred and twenty (120) surveys were completed by both residents and those travelling through Vincent during the November – December 2012 period, via the On-line Survey conducted by the City as part of the City of Vincent Bike Network Plan 2013 revision. Key questions in the survey included 'What negative aspects are there to cycling in Vincent?' and "What recommendations would you have for cycling in Vincent?". Some of the surveys made mention of the need for more bike racks in certain areas, some mentioning specific locations and many making more broad references to more bike parking.
- The City placed a notice on the City of Vincent website/Facebook pages in January 2013, asking visitors to the website to advise where they felt they needed bike racks. It was made clear that these would be a 'standard style' u-rail. Sixty three (63) on-line forms were submitted prior to the closing date of 12 February 2013.

As a result of this consultation, a series of recommended locations was developed. The locations included retail and leisure precincts.

The City's TravelSmart Officer then visited each site noted in the consultation to assess if the location was appropriate, taking into account:

- Proximity to existing bike racks;
- Possible number of racks proposed;
- Any development proposed which may result in imminent rack relocation; and
- Discussions with the owner/manager of a site.

After inspecting each site, a number of locations were discounted with the final total of forty (40) bike racks being recommended as the final Stage 2 Installation Project (see Attachment 001).

The bike rack being recommended for this project is in stainless steel, and produced by local manufacturers, Jason Signmakers.



**CONSULTATION/ADVERTISING:**

Consultation with Aurecon Consultants has occurred during the development of the City of Vincent Bike Network Plan 2013. Vincent Community has been consulted with via an online survey in November to December 2012 and via the City's website between 9 January – 12 February 2013.

**LEGAL/POLICY:**

The City has highlighted the importance of providing appropriate bicycle parking facilities through the Parking and Access Policy No: 3.7.1:

*Objective 1: "To facilitate the development of adequate parking facilities and safe, convenient and efficient access for pedestrians, cyclists and motorists."*

Bicycle parking should be designed in accordance with the Bicycle Transportation Alliance Inc. 'A Quick Guide to Bicycle Parking' and relevant Bikewest Standards as a minimum.

**STRATEGIC IMPLICATIONS:**

In accordance with the City's *Strategic Plan 2011-2016* states:

*"Natural and Built Environment*

*Objective 1.1: Improve and maintain the natural and built environment and infrastructure.*

*1.1.3: Take action to reduce the City's environmental impacts and provide leadership on environmental matters.*

*b. Contribute to cleaner air by encouraging the use of and promoting alternative modes of transport (other than car use)."*

**SUSTAINABILITY IMPLICATIONS:**

Stage 2 will immediately rectify some bike parking shortcomings, promoting the benefits of exercise, healthy choices and alternative transport.

**RISK MANAGEMENT IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

There is an allocation of \$35,000 in the 2012/2013 Budget for the installation of Bike racks.

To date \$5,500 has been expended from this budget, with an additional \$11,700 committed to projects including Stage 1 Bike Rack Installation Project. Funds remaining are \$17,800.

The estimated cost of the proposal being presented to the Council is as follows:

Supply and deliver 40 U-rail bike racks		\$10,000
Installation of 40 bike racks (200pu)		\$ 8,000
	<b>TOTAL</b>	<b>\$18,000</b>

The approximate balance of \$200 can be allocated from the Bicycle Network Improvements Fund.

**COMMENTS:**

A number of popular destinations within the City of Vincent are in need of immediate bike parking solutions. Through consultation with community and Aurecon Consultants, the City has developed a Stage 2 Bike Rack Installation Project.

It is recommended that the Council approves the implementation of the 'Stage 2' Bike Rack Installation Project to supply forty (40) stainless steel U-rail bike racks at a selection of destination areas throughout the City as outlined in the report.

**9.2.5 Intersection of Walcott Street and Beaufort Street, Mount Lawley – progress Report No. 2**

<b>Ward:</b>	South	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	Mount Lawley Centre (11)	<b>File Ref:</b>	TES0334; TES0520
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	C Wilson, Manager Assets and Design Services R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

**CORRECTED OFFICER RECOMMENDATION:**

That the Council;

1. **CONSULTS** with the local Business community, Beaufort Street Network and affected residents in the area bounded by Walcott Street, Curtis Street, Harold Street and Raglan/ Hutt/ Grosvenor Road and seek their views on the following:
  - 1.1 a proposal to permanently ban ALL right turn movements at the intersection of Beaufort Street and Walcott Street;
  - 1.2 a proposal to install of a 'red light' traffic camera at the intersection of Beaufort Street and Walcott Street; and
  - 1.3 the provision of Parallel pedestrian walk phasings with ten (10) second phase and left turn filter arrows at the intersection; and
2. **REFERS** the submissions received to the Integrated Transport Advisory Group prior to the matter being further considered by the Council.

*Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.*

---

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

**AMENDMENT 1**

Moved Cr Pintabona, Seconded Cr .....

“That the City places no Right turns on the intersections for a period of twelve (12) months.”

**PROPOSED AMENDMENT LAPSED FOR WANT OF A SECONDER**

Debate ensued.

**AMENDMENT 2**

**Moved Cr Topelberg, Seconded Cr Maier**

“That clauses 1, 1.1 and 1.2 be amended to read as follows:

1. **CONSULTS** with the local Business community, Beaufort Street Network and affected residents in the area bounded by Walcott Street, Curtis Street, Harold Street and Raglan/ Hutt/ Grosvenor Road and seek their views on the following potential traffic treatments:
  - 1.1 ~~a proposal to~~ permanently ban ALL right turn movements at the intersection of Beaufort Street and Walcott Street; and/or
  - 1.2 ~~a proposal to~~ installation of a ‘red light’ traffic camera at the intersection of Beaufort Street and Walcott Street; and/or
  - 1.3 the provision of Parallel pedestrian walk phasings with ten (10) second phase and left turn filter arrows at the intersection; and

**AMENDMENT 2 PUT AND CARRIED (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

Debate ensued.

**MOTION AS AMENDED PUT AND CARRIED (6-1)**

**For:** Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Maier, Cr Topelberg and Cr Wilcox  
**Against:** Cr Pintabona

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.2.5**

That the Council;

1. **CONSULTS** with the local Business community, Beaufort Street Network and affected residents in the area bounded by Walcott Street, Curtis Street, Harold Street and Raglan/ Hutt/ Grosvenor Road and seek their views on the following potential traffic treatments:
  - 1.1 permanently ban ALL right turn movements at the intersection of Beaufort Street and Walcott Street; and/or
  - 1.2 installation of a ‘red light’ traffic camera at the intersection of Beaufort Street and Walcott Street; and/or
  - 1.3 the provision of Parallel pedestrian walk phasings with ten (10) second phase and left turn filter arrows at the intersection; and
2. **REFERS** the submissions received to the Integrated Transport Advisory Group prior to the matter being further considered by the Council.



**PURPOSE OF REPORT:**

The purpose of this report is to inform the Council on the outcomes of discussions by the Beaufort Street and Walcott Street Project Working Group.

**BACKGROUND:**

The Beaufort Street and Walcott Street intersection has been discussed by the Council on numerous previous occasions as detailed in the report presented to Council on 8 May 2012.

- Ordinary Meeting of Council 13 April 2010:
- Ordinary Meeting of Council held on 22 June 2010:
- Council Member Forum held on 15 February 2011:
- Ordinary Meeting of Council held on 14 June 2011:

**Beaufort / Walcott Street Project Working Group:**

Following representations from the City the Minister for Transport requested that MRWA set up a working group to progress the matter as a matter of priority. The group was subsequently formed chaired by MRWA with representatives from City of Vincent and Stirling, PTA, MLA's office, Ministers Office DoT, WA Police.

- Inaugural Meeting 14 November 2011:
- Meeting 14 March 2012:

A consensus from the group was requested on the following treatments:

- Extension of the 40km/h variable speed limit. *All in Agreement*
- Full right turn bans on all legs of the intersection. *All in Agreement*
- Removal of fully protected pedestrian crossing and installation of parallel pedestrian crossing (subject to full time right turn bans). *All in Agreement*
- Installation of Red Light Speed Camera. *The group did not support this measure as it was considered warrants for installation are not supported and the constrained nature of the intersection would restrict installation.*
- Relocation of Bus Stop on Beaufort Street to the departure side of the intersection. *All in Agreement – it was agreed that this work be included as part of the Bus Lane implementation.*

It was agreed that the Cities of Stirling and Vincent work with Main Roads WA to develop the above-mentioned treatments and make submissions at the Council level.

**Ordinary Meeting of Council held on 14 June 2011:**

At this meeting the Council considered the recommendations put forward by the working group and made the following decision:

*“That the Council;*

1. *REFERS the proposed modification to the intersection of Beaufort Street and Walcott Street as outlined in the report, to the City's Integrated Transport Advisory Group (ITAG) for consideration;*
2. *INVITES representatives from the 'Beaufort Street and Walcott Street Project Working Group' and other relevant persons to attend the meeting; and*
3. *NOTES that a further report on the outstanding matters will be submitted to the Council following consideration by the Integrated Transport Advisory Group.”*

**DETAILS:**

**Integrated Transport Advisory Group meeting held on 2 July 2012:**

The group was provided with background information i.e. that a working group had been established comprising PTA, MRWA, City of Vincent and Stirling, WA Police which made certain recommendations, including a ban on all right turn movements at the intersection at all times.

Extensive discussion ensued with regards to the benefits/pitfalls of introducing parallel walk phasing, pedestrian crossing lights and other matters. It was agreed that there could be a significant impact on the City of Stirling side streets and some of the Vincent Streets e.g. Roy, Barlee and Gerald (and in a minor way Curtis Street) with an adverse impact on access to businesses.

It was agreed that the safety of pedestrians is imperative.

The following actions resulted from the meeting:

- Advise MRWA of the follows:
  - Right turn bans are not supported.
  - Needs to be made safe for pedestrians.
  - Parallel walks with 10 sec phase and left turn filter arrows preferred option.
  
- Other actions:
  - Turning movement statistics for during and outside of peak periods required.
  - Crash statistics for during and outside of peak periods required.
  - Blackspot statistics to be provided at the next meeting.

**Integrated Transport Advisory Group meeting held on 15 October 2012:**

In order to address the ITAG concerns, as raised at the meeting of 2 July 2012, the matter was again discussed at its subsequent meeting of 15 October 2012.

Further, the meeting was attended by the City of Stirling's Traffic Engineer and Main Roads Project Manager to provide an overview of their respective organisation's position on the proposed changes.

Mains Roads representative reiterated that the aforementioned Working Group had supported the '*full right turn bans on all legs of the intersection*'.

In respect of the existing *fully protected pedestrian phase*, it was argued that it unnecessarily increases the cycle length of the signal phasing significantly contributing to the delays at the intersection. Further, there is a high incidence of non-compliance by pedestrians, as they become impatient when having to wait for a full cycle before crossing legally.

In regards the '*red light*' camera' the Police Service had previously indicated to the Working Group that it was unlikely to approve the installation due to obstructions and awnings and other (undefined) issues. The ITAG then discussed as to whether police could be persuaded otherwise.

The ITAG concluded that the parallel pedestrian walks phasing could be supported in principle but a strong enough case had not been made for banning all the right hand turns outside the peak periods.

Main Roads countered that the number of accidents at the intersection is excessive, the majority of which are directly attributable to the right turn movement, and it ranks highly in the

\*State Black Spot list.

\*Currently ranked No. 43.

The ITAG raised concerns that the numerous existing restrictions within the area, peak period right turn bans, blocked streets or deviations, already made access difficult for both residents and businesses alike. Further, the permanent right turn bans would encourage more 'rat running' through the adjoining streets, i.e. Roy, Gerard, Curtis Streets in Vincent and Queens Crescent, Field and Clifton Streets in Stirling.

City of Stirling's Traffic Engineer provided some background as the City's position and advised that their Council supported the permanent right turn bans after having considered the traffic data for the potentially affected streets. He also advised that they (Stirling) would be undertaking 'after' counts if the changes were to proceed.

Further, the City of Stirling had also agreed to extend the 40kph variable speed zone to approx 100m+ north of Walcott Street to beyond the Post Office.

Note: The above works are tentatively scheduled for the new financial year.

The ITAG concluded that the 'red light' camera was essential to make the intersection safer and that the Police be requested to reconsider their position.

#### **Letter to Commissioner of Police**

The City formally wrote to the Commissioner of Police requesting the installation of a 'red light' camera in Beaufort Street.

Note: The majority of accidents involved the north / south movement through the intersection.

The Commissioners' office has subsequently advised that the City's request will be forwarded to Assistant Commissioner (Traffic and Emergency Response) for consideration.

#### **Main Roads position**

In respect of the permanent right turn bans Main Roads has verbally advised that in light of the *Working Groups* support and accident data tabled and discussed at the ITAG meeting the of 15 October 2012 that the decision rests with the Council.

#### **CONSULTATION/ADVERTISING:**

Not applicable at this stage.

#### **LEGAL/POLICY:**

Beaufort and Walcott Street are District Distributor A, roads in accordance with the Functional Road Hierarchy and are under the care, control and management of the City. However any significant changes to the road network are bound by the Road Traffic Code 2000, Main Roads WA Act 1930 and require the approval of the Managing Director, Main Roads WA.

#### **RISK MANAGEMENT IMPLICATIONS:**

**High:** The intersection of Walcott Street and Beaufort Street is classified as a 'Black Spot'.

#### **STRATEGIC IMPLICATIONS:**

The City's *Strategic Plan 2011-2016* states:

##### *"Natural and Built Environment*

*Objective 1.1: Improve and maintain the natural and built environment and infrastructure.*

*1.1.5: Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment".*

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

Not applicable at this stage.

**COMMENTS:**

The Beaufort and Walcott Streets intersection has for many years been the subject of debate regarding what can be done to improve safety at the intersection.

**9.3.4 No. 76 (Lot 229) Lee Hops Cottage 176 Fitzgerald Street, Perth – Life Without Barriers – Approval Of Lease**

<b>Ward:</b>	North	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	North Perth (8)	<b>File Ref:</b>	RES0023
<b>Attachments:</b>	<a href="#">001</a> – Letter from Life Without Barriers <a href="#">002</a> – Map of proposed leased area		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	K Ball, Executive Secretary Corporate Services		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

**OFFICER RECOMMENDATION:**

- That the Council **APPROVES** a lease from 1 June 2013 to 31 May 2016 for the premises located at 176 Fitzgerald Street, Perth, being granted to Life Without Barriers, as per Appendix 9.3.4, as follows:

1.1	<b>Term:</b>	three (3) years;
1.2	<b>Rent:</b>	\$7,500 per annum plus GST indexed to CPI;
1.3	<b>Outgoings:</b>	to be paid by the Lessee;
1.4	<b>Rates &amp; Taxes:</b>	to be paid by the Lessee; and
1.5	<b>Permitted Use:</b>	Office.

subject to final satisfactory negotiations being carried out by the Chief Executive Officer.

**Moved Cr Pintabona, Seconded Cr Maier**

That the recommendation, together with the following change(s), be adopted:

"That the Council **APPROVES** a lease from 1 June 2013 to 31 May 2015 2016 for the premises located at 176 Fitzgerald Street, Perth, being granted to Life Without Barriers, as per Appendix 9.3.4, as follows:

1.1	<b>Term:</b>	Two (2) years;
1.2	<b>Rent:</b>	\$7,500 per annum plus GST indexed to CPI;
1.3	<b>Outgoings:</b>	to be paid by the Lessee;
1.4	<b>Rates &amp; Taxes:</b>	to be paid by the Lessee; and
1.5	<b>Permitted Use:</b>	Office.

subject to final satisfactory negotiations being carried out by the Chief Executive Officer."

Debate ensued.

**MOTION AS CHANGED PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.3.4**

That the Council **APPROVES** a lease from 1 June 2013 to 31 May 2015 for the premises located at 176 Fitzgerald Street, Perth, being granted to Life Without Barriers, as per Appendix 9.3.4, as follows:

1.1	<b>Term:</b>	Two (2) years;
1.2	<b>Rent:</b>	\$7,500 per annum plus GST indexed to CPI;
1.3	<b>Outgoings:</b>	to be paid by the Lessee;
1.4	<b>Rates &amp; Taxes:</b>	to be paid by the Lessee; and
1.5	<b>Permitted Use:</b>	Office.

subject to final satisfactory negotiations being carried out by the Chief Executive Officer.

**PURPOSE OF REPORT:**

The purpose of this report is to provide the Council with details regarding the Life Without Barriers lease and their request for a new lease.

**BACKGROUND:**

Life Without Barriers have leased this property at 176 Fitzgerald Street, Perth, since 1 June 2008.

The latest lease was for the five (5) year period from 1 June 2008 to 31 May 2013.

**DETAILS:**

The City wrote to Life Without Barriers to clarify their interest in renewing their lease. The City received a letter from Life Without Barriers on 1 May 2013 advising in part the following:

*"I confirm that Life Without Barriers ('LWB') wish to extend our lease on 176 Fitzgerald Street, North Perth for a further period of three (3) years."*

Life Without Barriers is a not for profit organisation providing care and support services across Australia in urban, rural and remote locations and in New Zealand.

The community based programs assist children, young people, adults, families and communities. The work spans across care and protection, disability, mental health, homelessness, youth justice and immigration.

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

City of Vincent Policy 1.2.1 – Policy Statement:

1. Any new lease granted by the Council shall usually be limited to a five (5) year period, and any option to renew shall usually be limited to no more than a ten (10) year period.
2. Council may consider longer periods where the Council is of the opinion that there is benefit or merit for providing a longer lease term.

**RISK MANAGEMENT IMPLICATIONS:**

**Low** Life Without Barriers have been excellent tenants during their lease periods.

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2011-2016 – Key Result Area One:

*"1.1.6 Enhance and maintain the City's infrastructure to provide a safe, healthy, sustainable and functional environment "(a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads."*

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

The current annual lease payment is \$7,212.91 per annum GST inclusive and is linked to the annual Consumer Price Index (CPI).

**COMMENTS:**

Life Without Barriers have been good tenants for the duration of their lease periods and the Administration supports a further three (3) year extension to the lease period.

**9.4.2 Visual Arts Scholarship - Amendment to Include Arts Mentorships and Coaching**

<b>Ward:</b>	Both	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	All	<b>File Ref:</b>	CMS0070
<b>Attachments:</b>	Nil		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	L Devereux, Community Development Officer J Anthony, Manager Community Development		
<b>Responsible Officer:</b>	R Boardman, Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **RECEIVES** the report on the Visual Arts Scholarship; and
2. **APPROVES** the implementation of criteria and conditions to ensure the award is more meaningful in encouraging opportunities in Arts practice for young Vincent residents.

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**COUNCIL DECISION ITEM 9.4.2**

**Moved Cr Buckels, Seconded Cr Maier**

That the recommendation be adopted.

Debate ensued.

**PROCEDURAL MOTION**

**Moved Cr Carey, Seconded Cr Buckels**

That the item be DEFERRED for further consideration.

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

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**PURPOSE OF REPORT:**

To consider including criteria and conditions in the Visual Arts Scholarship awards.

**BACKGROUND:**

The City provides for Art Scholarships to a student who is a Vincent resident attending the three senior schools in our locality: Aranmore College; Mt Lawley Senior High School; and Perth Modern School. The value is \$500 for each student in a financial year. The schools select their own recipient for the award and the scholarship provides funds for the student to purchase art supplies and materials.

The awards were introduced and adopted at the Ordinary Meeting of Council held on 13 February 2001. A letter is sent each year to the schools and the conditions are reiterated. They state:

- The school is to nominate a student based on their own criteria;
- That they negotiate with the City to offer the Mayor an opportunity to present the scholarship in person; and
- They provide a written report on the efficacy of the scholarship.

The Visual Arts Scholarship is not listed in the City's policies and has previously been administered and awarded under the above conditions.

The Mayor Hon. Alannah MacTiernan has requested a review of this scholarship to ensure that the award is more meaningful in encouraging Arts practice for young Vincent residents and more likely to lead to career enhancement in the arts.

**DETAILS:**

Discussion has taken place with Arts practitioners and small business owners in the Arts and Design business. There is a general willingness to mentor and coach young people at various levels of development. This arrangement could be brokered by the City of Vincent Arts Officer and the artist/ business owner and the school. This inclusion would be an agreement between mentor and student that would provide experiential learning and advice leading to career path objectives.

By amending the conditions attached to the Scholarship and instead of directly handing over the cash to students for art materials it is intended to supply the Scholarship fund directly to a local Art and/or Design business/agency/practitioner who is willing to participate in mentoring/coaching the student for a certain amount of hours. The number of hours is to be decided between the mentee and mentor, and agreed to by the City of Vincent.

**Values and Aims of the Youth Arts Mentorship**

- A mentorship would enhance the development and creativity of the student;
- It will be an ongoing development instead of contributing towards useable art materials;
- It will be an opportunity to network with some of Perth's leading creatives and designers and could lead to future possibilities of employment and/or internships;
- It would give a broader understanding of the 'real' Art world and help students decide what field, line of work they would be most interested in pursuing;
- It supports our local Art and Design businesses, showcasing their talents and attracting a Vincent community of creativity; and
- It is more specific and hands-on compared to an end of year High School work placement.

**CONSULTATION/ADVERTISING:**

Advertising of the amended conditions will be distributed via the City of Vincent website, Arts E-news and Facebook. Letters to local creative businesses/practitioners will be sent seeking their support and registration of interest.

**LEGAL/POLICY:**

Not applicable.

**RISK MANAGEMENT IMPLICATIONS:**

**Medium:** "Working with Children Check" Child Protection Policy to be organised by the participating school with the mentor. Similar concept to work student experience opportunities.



**STRATEGIC IMPLICATIONS:**

In keeping with the City's *Strategic Plan 2011-2016* Objective 3.1 states:

*"3.1.1 Celebrate, acknowledge and promote the City's cultural and social diversity*

*3.1.1b Encourage and promote cultural and artistic expression throughout the City."*

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

The budget for the Arts Scholarship programme is currently \$1500 each year.

**COMMENTS:**

Providing our young Arts students with this opportunity and an incentive for local businesses to contribute, this arrangement will be crucial for a student to gain invaluable experience and first hand advice in following their career path in their chosen creative industry. In summary, this amendment to the Visual Arts Scholarship, to include arts mentorships, is about supporting our young people's potential by giving them the opportunity to learn, grow and develop their creative talents from leading mentors in Perth's significant Art and Design professions.

**9.4.5 Mary Street, Highgate – Introduction of Parking Restrictions, Embayed/Angled Parking Bays, and Introduction of Paid Parking**

<b>Ward:</b>	South	<b>Date:</b>	6 May 2013
<b>Precinct:</b>	Hyde Park, P12	<b>File Ref:</b>	PKG0002
<b>Attachments:</b>	<a href="#">001</a> – Plan No. 3046-CP-01: 90 degree Parking Bay <a href="#">002</a> – Plan No. 3048-CP-01: Embayed Parallel Parking <a href="#">003</a> – Plan No. 3049-RD-01: Location of Proposed Parking		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	M Wood, A/Manager Ranger and Community Safety R Boardman, Director Community Services R Lotznicker, Director Technical Services		
<b>Responsible Officers:</b>	R Boardman, Director Community Services - Enforcement R Lotznicker, Director Technical Services – Road Works		

**OFFICER RECOMMENDATION:**

That the Council;

**1. APPROVES;**

- 1.1 the introduction of a two hour (2P) parking time restriction on the north side of Mary Street, between William Street and Beaufort Street, Highgate, to operate from 8:00AM to 12-midnight, seven (7) days per week (excludes the existing 15 minute parking bays and the proposed 90 degree parking bays);
- 1.2 an amendment to the conditions relating to existing Mary Street Residential Parking Permits, to make the Permits valid only on the 'south side' of Mary Street, between William Street and Beaufort Street, Highgate;
- 1.3 the installation of embayed 'parallel' parking and associated access improvements outside the Sacred Heart Church, at No. 42 Mary Street, at an estimated cost of \$20,000, as shown on attached Plan No 3048-CP-01 for use by funeral and wedding vehicles;
- 1.4 the creation of twelve (12) right angled parking bays (net gain of 6 bays) on the north side of Mary Street, at an estimated cost of \$40,000, as shown on Appendices 9.4.5A (Plan No. 3046-CP-01) and 9.4.5C (site Plan No. 3049-RD-01);
- 1.5 **IN PRINCIPLE** a two hour (2P) parking restriction 8AM to 7PM with ticket (first hour free) and ticket parking until midnight shall apply to the proposed right angled parking bays referred to in clause 1.4 above;

**2. LISTS** an amount of \$60,000 in the Draft 2013/2014 Budget to implement the proposed parking changes;

**3. AUTHORISES** the Chief Executive Officer to advertise the proposed paid ticket parking in the proposed right angled parking bays referred to in clause 1.4 above, to residents of Mary Street and immediately adjacent areas, for a period of fourteen (14) days in accordance with the City's Policy No. 4.1.5 relating to community consultation;

**4. REQUESTS** that a further report be submitted to the Council after the conclusion of the public consultation period; and

**5. UNDERTAKES** a moratorium on issuing parking infringement notices for a period of fourteen (14) days, from the date the signage is erected.

**Moved Cr Topelberg, Seconded Cr Buckels**

That the recommendation be adopted.

Debate ensued.

**AMENDMENT 1**

**Moved Cr Topelberg, Seconded Cr Maier**

“That Clause 1.2 be amended to read as follows:

- 1.2 an amendment to the conditions relating to existing Mary Street Residential Parking Permits, to make the Permits invalid on the ‘south side’ ‘north side’ of Mary Street, in front of the school and the church; (to avoid any ambiguity, all other Residential Parking Permits on the South Side is unchanged.) ~~between William Street and Beaufort Street, Highgate;”~~

**AMENDMENT 1 PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**AMENDMENT 2**

**Moved Cr Topelberg, Seconded Cr Maier**

That all other Items be DEFERRED for further consideration.

**AMENDMENT 2 PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.4.5**

That the Council;

1. **APPROVES** an amendment to the conditions relating to existing Mary Street Residential Parking Permits, to make the Permits invalid on the 'north side' of Mary Street, in front of the school and the church; (to avoid any ambiguity, all other Residential Parking Permits on the South Side is unchanged.);
2. **DEFERS** the following;
  - 2.1 the introduction of a two hour (2P) parking time restriction on the north side of Mary Street, between William Street and Beaufort Street, Highgate, to operate from 8:00AM to 12-midnight, seven (7) days per week (excludes the existing 15 minute parking bays and the proposed 90 degree parking bays);

- 2.2 the installation of embayed 'parallel' parking and associated access improvements outside the Sacred Heart Church, at No. 42 Mary Street at an estimated cost of \$20,000, as shown on attached Plan No 3048-CP-01 for use by funeral and wedding vehicles;
- 2.3 the creation of twelve (12) right angled parking bays (net gain of 6 bays) on the north side of Mary Street, at an estimated cost of \$40,000, as shown on Appendices 9.4.5A (Plan No. 3046-CP-01) and 9.4.5C (site Plan No. 3049-RD-01);
- 2.4 **IN PRINCIPLE** a two hour (2P) parking restriction 8AM to 7PM with ticket (first hour free) and ticket parking until midnight shall apply to the proposed right angled parking bays referred to in clause 2.3 above;
3. **DEFERS LISTING** an amount of \$60,000 in the Draft 2013/2014 Budget to implement the proposed parking changes;
4. **DEFERS AUTHORISING** the Chief Executive Officer to advertise the proposed paid ticket parking in the proposed right angled parking bays referred to in clause 1.4 above, to residents of Mary Street and immediately adjacent areas, for a period of fourteen (14) days in accordance with the City's Policy No. 4.1.5 relating to community consultation;
5. **DEFERS REQUESTING** that a further report be submitted to the Council after the conclusion of the public consultation period; and
6. **DEFERS UNDERTAKING** a moratorium on issuing parking infringement notices for a period of fourteen (14) days, from the date the signage is erected.

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#### **PURPOSE OF REPORT:**

The purpose of this report is to inform the Council of the outcome of the public consultation with residents of Mary Street, Highgate, regarding the proposal to:

- introduce a two hour (2P) parking time restriction on the north side of Mary Street, between William Street and Beaufort Street, to operate from 8:00 AM to 12-midnight, every day;
- an amendment to the conditions relating to existing Mary Street Residential Parking Permits, to make the Permits valid only on the south side of Mary Street;
- embayed parking bays outside the Sacred Heart Church, at No. 42 Mary Street, Highgate, for use by funeral and wedding vehicles; and
- the creation of right angled parking bays on the north side of Mary Street, with the introduction of a two hour (2P) parking time restriction, including paid parking with tickets (First Hour Free).

This report also aims to inform the Council of additional strategies to assist in addressing the concerns of property owners and occupiers of Mary Street.

#### **BACKGROUND:**

For some time, the City has been receiving complaints from the Sacred Heart Church, the School, and residents and businesses in Mary Street, Highgate. Complaints have related to parents volunteering at the school, as well as visitors to the Church, residences and customers of local businesses being unable to find parking on the north side of Mary Street, because of the number of vehicles parked there all day, including residents displaying a Residential Parking Permit.

At the Ordinary Meeting of Council held on 12 February 2013 at Item 9.4.5 in relation to "Mary Street, Highgate – Introduction of Parking Restrictions, and Investigation of Embayed/Angled Parking Bays", the Council resolved as follows:

"1. *APPROVES;*

- 1.1 *the introduction of a two hour (2P) parking time restriction on the north side of Mary Street, between William Street and Beaufort Street, Highgate, to operate from 8am to midnight, every day subject to undertaking consultation with the residents of Mary Street, Highgate and immediately adjacent areas, as shown in Appendix 9.4.5; and*
- 1.2 *an amendment to the conditions relating to existing Mary Street Residential Parking Permits, to make the Permits valid only on the south side of Mary Street, between William Street and Beaufort Street, Highgate; and*
2. *AUTHORISES the Chief Executive Officer to investigate the feasibility of creating embayed parking bays outside the Sacred Heart Church, at No. 42 Mary Street, Highgate, for use by funeral and wedding vehicles and developing right angled parking bays on the north side of Mary Street having regard to the health of the surrounding trees;*
3. *REQUESTS that a further report be submitted to the Council after the conclusion of the public consultation; and*
4. *UNDERTAKES a moratorium on issuing parking infringement notices for a period of 14 days, from the date the signage is erected should the restrictions be approved."*

**DETAILS:**

**Community Consultation**

In accordance with the Council's decision on 12 February 2013, seventy-three (73) letters were distributed to residents of Mary Street, Highgate and immediately adjacent areas. At the close of the consultation on 5 April 2013, six (6) responses were received with one (1) in favour of the proposal, four (4) against and one (1) other response to the proposal.

Related Comments *In Favour* of the Proposal

- 1 x with no comments submitted.

Related Comments *Against* the Proposal

- Opposed to changes that restrict the ability of residents to park outside their homes - this raises safety issues. The trees make for poor lighting and raise safety concerns. No.15 Mary Street has 18 units and only 8 bays on-site; No. 35 Mary Street has 8 units and no on-site parking. The congestion seems limited to School start and finish (around 20 minutes). Some Mary Street residents build car ports off the laneway and these are difficult to access;
- There is ample parking in the School grounds for volunteers and the area of the proposed changes is vacant except for drop-off and pick-up times when the Street is congested;
- There are often issues when people without Residential Parking Permits are taking up bays (south side) and suggest improving signage and policing of permit parking, particularly Wednesday to Sunday 7:00 PM to 11:00 PM; and
- Most RUAH clients, staff and visitors park on north side of Mary Street, not near the School and over 37 families stayed at the refuge over the past 12 months and Residential Parking Permits (including nib Stadium Permits) are lost or not returned.

### Related Other Comments

- In favor of 2 hour (2P) parking on northern side of Mary Street; however, any right angle or embayed parking will ruin the lovely feel of street. Against alterations to parking at western end - this works well at eastern end where there are shops, but not at the western end. From late afternoon to midnight, Mary Street is impossible to park.

### Officers Comments

*As can be seen, despite the very low number of submissions received, the majority of respondents are against the Mary Street, Highgate – Introduction of Parking Restrictions. Whilst a solution cannot be achieved that appeases all the diverse stakeholders and users of Mary Street, the recommendations as proposed in this report will maximize parking availability whilst at the same time giving further flexibility to users including residents, customers of local businesses, volunteers at the School, as well as visitors to the Church.*

### **Reported Problems**

The City continues to receive complaints about the abuse of Residential Parking Permits and the difficulty of funeral and wedding vehicles to find parking, along with people parking for extended periods beyond sign posted restrictions. Some volunteers of the School have been issued with infringement notices as they have been unable to find unrestricted parking in Mary Street and instead have parked in short term bays, longer than the time permitted.

Other reports are of local businesses and workers exploiting free parking on the North side of Mary Street and this has provided the previous rationale to revisit parking restrictions in Mary Street.

Residents parking on the North side of Mary Street, who despite having Residential Parking Permits and ability to park in the residential restricted area only, are reportedly utilising parking on Mary Street that is unrestricted. It has been previously suggested that Residential Parking Permits should be valid only for the south side of Mary Street to avoid this scenario.

The recommended two hour (2P) parking time restriction to be used in conjunction with the proposed right angled parking bays on the north side of Mary Street is anticipated to assist with problems immediately adjacent to the School and Church.

The introduction of two hour (2P) parking restrictions on the North Side of Mary Street, being applied to the currently unrestricted areas of Mary Street, will assist in discouraging all day parking by staff of nearby shops and free up further bays for short term use, including visitors to the Church and the School and shoppers to the nearby business district.

### **Discussion**

Whilst public consultation was not conclusive in determining for and against with regard to parking restrictions, it is clear that with the shortage of parking in Mary Street, combined with the number of competing users increasing, the provision for additional parking spaces would assist.

The feasibility of creating embayed parking bays outside the Sacred Heart Church, at No. 42 Mary Street, Highgate, for use by funeral and wedding vehicles was undertaken.

In addition twelve (12) right angled parking bays can be accommodated outside the School in the existing verge area currently denuded of vegetation. Two small trees in this area could be replanted in the proposed nib areas as shown in Appendix 9.4.5A (Plan No. 3046-CP-01). This would result in a net gain of six (6) bays.

The construction of embayed 'parallel' parking bays outside the Sacred Heart Church, at No. 42 Mary Street is estimated to cost \$20,000, and the creation of twelve (12) right angled parking bays on the north side of Mary Street is estimated to cost \$40,000.

It is recommended that a two hour (2P) parking restriction 8AM to 7PM with ticket (first hour free) and ticket parking until midnight would apply to the proposed right angled parking bays to match the current restrictions in the existing right angle bays at the eastern end of Mary Street.

While no actual gain in parking will result from the proposed 'embayed parking', the proposal as shown in Appendix 9.4.5B (Plan No. 3048-CP-01) would better define the parking in front of the Church and provide improved access for use by funeral and wedding vehicles.

The existing 1/4P on the north side of Mary Street will be refreshed with blue paint, in accordance with the City's standards. It is intended that the right angled parking will be a two hour (2P) parking time restriction, including paid parking with tickets (First Hour Free).

#### **CONSULTATION/ADVERTISING:**

Residents will be informed of the Council's decision. The City will also undertake Public Consultation in relation to the proposal for paid ticket parking in the right angled parking bays, to residents of Mary Street and immediately adjacent areas.

#### **LEGAL/POLICY:**

City of Vincent *Parking and Parking Facilities Local Law 2007*.

There is no legal consequence of the recommendation. Generally, the City's Rangers would place a moratorium on issuing infringement notices for a period of two (2) weeks from the installation of new parking restriction signs.

#### **RISK MANAGEMENT IMPLICATIONS:**

**Low:** Mainly related to amenity improvements for residents and visitors. If the proposal is not adopted, it is likely that Residents, Church, School and businesses will continue to be adversely affected by all-day parking and misuse of Residential Parking Permits in Mary Street, Highgate.

#### **STRATEGIC IMPLICATIONS:**

In accordance with the City's *Strategic Plan 2011-2016*, Objective 1 states:

##### "Natural and Built Environment

1.1: *Improve and maintain the natural and built environment and infrastructure.*

1.1.5 *Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.*

1.1.5(a) *Implement the City's Car Parking Strategy and associated Precinct Parking Management Plans."*

#### **SUSTAINABILITY IMPLICATIONS:**

Not applicable.

#### **FINANCIAL/BUDGET IMPLICATIONS:**

An amount of \$60,000 has been listed for consideration in the Draft 2013/2014 Budget. (\*Does not include the cost of Ticket Machines).

Amended signage will be required, but minimal costs will be incurred. The City already has a "Signage" Budget; therefore, the costs will be met from this Budget allocation.

**COMMENTS:**

The above recommendation has resulted from a number of complaints about parking problems in Mary Street, Highgate. The existing "Residents Only" parking restrictions are only in place on the south side of Mary Street and, other than a short area of fifteen minute parking, the north side of the street is unrestricted.

The Church and the School complain that wedding and funeral vehicles are often unable to find a parking space in Mary Street and this creates a problem with "double parking" and obstructions. The introduction of embayed parking close to the Church and right angled parking on the north side of the street, having regard to the health of the trees lining the carriageway, will resolve this issue.

There have also been complaints that vehicles are being parked on the north side of Mary Street, displaying a Residential Parking Permit, rather than using the "Residents Only" parking on the south side. This creates the problem of bays being unavailable for other drivers, who are unable to use the "Residents Only" side.

The parking situation in Mary Street needs to be improved to bring it in line with adjoining streets and to provide a better parking amenity for the Church and School, while maintaining a reasonable parking amenity for residents, discouraging all day parking by staff of nearby shops and free up further bays for short term use.

The proposed angle parking can be accommodated without adversely impacting on the trees, while providing residents and visitors with additional on-road parking.

Only six (6) people responded to the survey and while it is acknowledged that four (4) of the six (6) were against the proposal, it is considered that to bring parking in line with adjoining streets and to provide a better parking amenity, as mentioned above, the proposed Officer Recommendation should be adopted.

In addition, complaints regarding residents parking for extended periods of time in the 1/4P parking bays on the north side of the street, while ample parking exists on the south side, will be closely monitored by the Rangers.

The above recommends that the City introduce embayed and right angled parking and a two hour (2P) parking time restriction on the north side of Mary Street, and that the current and future Mary Street Residential Parking Permits are only valid in the "Residents Only" area on south side of Mary Street, Highgate. Paid parking is also suggested in the proposed right angled parking and will be subject to a public consultation process.

The report is recommended for approval.



**9.4.7 No. 459 Fitzgerald Street, North Perth – Amalgamation of Rosemount Hotel Carpark with City of Vincent View Street Carpark and Approval of Care, Control and Management of Carpark and Introduction of Paid Parking including the Wasley Street Carpark**

<b>Ward:</b>	North	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	North Perth Centre (9)	<b>File Ref:</b>	PRO0315
<b>Attachments:</b>	<a href="#">001</a> – Aerial Photo of Rosemount Hotel and View Street Carparks <a href="#">002</a> – Proposed Carpark Layout by the Rosemount Hotel <a href="#">003</a> – Preferred Option of the Combined Carpark Layout <a href="#">004</a> – Aerial of Wasley Street Carpark		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	R Boardman, Director Community Services R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Boardman, Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

**1. APPROVES BY AN ABSOLUTE MAJORITY:**

- 1.1 the amalgamation of the Rosemount Hotel Carpark, 459 Fitzgerald Street, North Perth, with the City of Vincent - View Street Carpark, as shown at Appendix 9.4.7C (Plan No. 3047-CP-01);
- 1.2 the introduction of paid parking in both carparks, as well as the Wasley Street Carpark (behind shops in Fitzgerald Street) between Walsey Street and Forrest Street;
- 1.3 pursuant to Clause 1.5(4) of the City of Vincent Parking and Parking Facilities Local Law 2007, to determine that the Rosemount Hotel Carpark No. 459 Fitzgerald Street, North Perth, as shown in Appendix 9.4.7A (aerial photo), to be under the care, control and management of the City;
- 1.4 to enter into a Legal Agreement with the owners of the Rosemount Hotel, for the City to have the care, control and management of the Rosemount Hotel Carpark subject to (but not exclusive to) the following conditions:
  - 1.4.1 the operation of the Carpark shall be in accordance with the relevant provisions of the City of Vincent Parking and Parking Facilities Local Law 2007;
  - 1.4.2 the City will install five (5) ticket machines in the Rosemount Hotel Carpark at the City's expense;
  - 1.4.3 the City will maintain the ticket machines and will arrange for the collection of the cash, from the machines;
  - 1.4.4 the City will purchase and erect appropriate signage, compliant with Australian Standards, to ensure that enforcement action can be taken;
  - 1.4.5 the City will maintain the signage and line-marking for the carpark;
  - 1.4.6 the City will be responsible for the "day-to-day" operation and management of the carpark;
  - 1.4.7 the City of Vincent will deduct the costs associated with the operation of the ticket issuing machines and maintenance from the revenue generated by these machines and then divide the net revenue as mutually agreed between the City and the owners of the Rosemount Hotel;

- 1.4.8 in the event that the legal agreement is terminated, the City reserves its right to remove the ticket machines and physically segregate the two carparks; and
- 1.4.9 the Legal Agreement will continue until terminated by either Party giving three (3) months notice, however, the initial period is for five (5) years;
- 1.5 APPROVES IN PRINCIPLE for the hourly rate in Rosemount Hotel Carpark and the City of Vincent View Street and the Wasley Street Carparks to be \$2.20 per hour (first hour free) to a maximum of three hours (3P), from 7am to 7pm, with no time restrictions after 7pm for the 2013/2014 financial year. Paid parking shall be applicable between 7am to midnight. Future price levels shall be as determined annually by the Council when adopting the 'Schedule of Fees and Charges';
- 1.6 ADVERTISE the proposed parking arrangements for a period of twenty-one (21) days in accordance with the City's Policy No. 4.1.5 Community Consultation; and
- 1.7 NOTES that a further report will be submitted to the Council at the conclusion of the community consultation process having regard to any submissions received; and
2. AUTHORISES the:
- 2.1 Chief Executive Officer to finalise negotiations and approve of the Agreement, between the City of Vincent and the owners of the Rosemount Hotel, as specified in clause 1.4 above; and
- 2.2 Mayor and Chief Executive Officer to sign the Legal Agreement and affix the Council's Common Seal.

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**Moved Cr Buckels, Seconded Cr Topelberg**

That the recommendation be adopted.

Debate ensued.

Cr Carey Departed the Chamber at 8.12pm.

Debate ensued.

Cr Carey returned to the Chamber at 8.14pm.

Debate ensued.

**AMENDMENT**

**Moved Cr Topelberg, Seconded Cr Buckels**

"That; Clause 1.2 be amended to read as follows:

~~1.2 the introduction of paid parking in both carparks, as well as the Wasley Street Carpark (behind shops in Fitzgerald Street) between Walsey Street and Forrest Street; to engage a Consultant to undertake the requested carparking surveys of the North Perth Shopping Precinct; and~~

All remaining clauses to be DEFERRED.

Debate ensued.

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY  
BY AN ABSOLUTE MAJORITY (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.4.7**

That the Council;

1. **APPROVES BY AN ABSOLUTE MAJORITY:**
  - 1.1 the amalgamation of the Rosemount Hotel Carpark, 459 Fitzgerald Street, North Perth, with the City of Vincent - View Street Carpark, as shown at Appendix 9.4.7C (Plan No. 3047-CP-01); and
  - 1.2 to engage a Consultant to undertake the request carparking surveys of the North Perth Shopping Precinct; and
2. **DEFERS** pursuant to Clause 1.5(4) of the City of Vincent Parking and Parking Facilities Local Law 2007, to determine that the Rosemount Hotel Carpark No. 459 Fitzgerald Street, North Perth, as shown in Appendix 9.4.7A (aerial photo), to be under the care, control and management of the City;
3. **DEFERS** entering into a Legal Agreement with the owners of the Rosemount Hotel, for the City to have the care, control and management of the Rosemount Hotel Carpark subject to (but not exclusive to) the following conditions:
  - 3.1 the operation of the Carpark shall be in accordance with the relevant provisions of the City of Vincent Parking and Parking Facilities Local Law 2007;
  - 3.2 the City will install five (5) ticket machines in the Rosemount Hotel Carpark at the City's expense;
  - 3.3 the City will maintain the ticket machines and will arrange for the collection of the cash, from the machines;
  - 3.4 the City will purchase and erect appropriate signage, compliant with Australian Standards, to ensure that enforcement action can be taken;
  - 3.5 the City will maintain the signage and line-marking for the carpark;
  - 3.6 the City will be responsible for the "day-to-day" operation and management of the carpark;
  - 3.7 the City of Vincent will deduct the costs associated with the operation of the ticket issuing machines and maintenance from the revenue generated by these machines and then divide the net revenue as mutually agreed between the City and the owners of the Rosemount Hotel;
  - 3.8 in the event that the legal agreement is terminated, the City reserves its right to remove the ticket machines and physically segregate the two carparks; and
  - 3.9 the Legal Agreement will continue until terminated by either Party giving three (3) months notice, however, the initial period is for five (5) years;
4. **DEFERS APPROVING IN PRINCIPLE** for the hourly rate in Rosemount Hotel Carpark and the City of Vincent View Street and the Wasley Street Carparks to be \$2.20 per hour (first hour free) to a maximum of three hours (3P), from 7am to 7pm, with no time restrictions after 7pm for the 2013/2014 financial year. Paid parking shall be applicable between 7am to midnight. Future price levels shall be as determined annually by the Council when adopting the 'Schedule of Fees and Charges';
5. **DEFERS ADVERTISING** the proposed parking arrangements for a period of twenty-one (21) days in accordance with the City's Policy No. 4.1.5 Community Consultation; and
6. **DEFERS NOTING** that a further report will be submitted to the Council at the conclusion of the community consultation process having regard to any submissions received; and

**7. DEFERS AUTHORISING the:**

- 7.1 Chief Executive Officer to finalise negotiations and approve of the Agreement, between the City of Vincent and the owners of the Rosemount Hotel, as specified in clause 1.4 above; and**
- 7.2 Mayor and Chief Executive Officer to sign the Legal Agreement and affix the Council's Common Seal.**

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**PURPOSE OF REPORT:**

To obtain Council approval in principle to introduce paid parking in the View Street Carpark, Wasley Street Carpark and the Rosemount Hotel Carpark, and amalgamate the City of Vincent View Street Carpark with the Rosemount Hotel Carpark, as well as for the City assuming the day-to-day management of the Rosemount Hotel Carpark.

**BACKGROUND:**

On 22 March 2013, the Mayor Hon. Alannah MacTiernan and the City's Director Community Services met with the owner of the Rosemount Hotel, and his Architect, to discuss and view the proposed concept plan to combine the Rosemount Hotel Carpark and the City's View Street Carpark.

**DETAILS:**

**Proposed Reconfiguration – Rosemount Hotel / City's View Street Carpark**

The City's Director Technical Services has reviewed the proposed concept plan for the combined Carpark layout provided by the Rosemount Hotel's Architect, as shown in Appendix 9.4.7B, and has amended the proposal to ensure that the number of Carparking spaces are maximised and vehicle movement is more efficient and safer.

The proposal would see the City's Carpark remain unchanged with a total of 41 bays provided. This is due to a right of way (ROW) system that exists through the City's Carpark.

The Rosemount Hotel Carpark would be reconfigured to provide 45 degree angle parking with one way traffic flow linking to the City's Carpark. This would result in vehicles being able to travel through the combined Carpark from View Street to Angove Street.

The linked Carparks would result in the Rosemount Hotel Carpark having 57 bays and the City's View Street Carpark 41 bays (total 98 bays). It would be necessary to install a number of low profile speed humps to control vehicle speeds and deter rat running between Angove Street and View Street.

The proposal would be for the hourly rate to be \$2.20 per hour (First Hour Free) to a maximum of three hours (3P), from 7am to 7pm, with no time restrictions after 7pm. Paid parking shall be applicable between 7am to midnight. **Future price levels shall be as determined annually by the Council when adopting the 'Schedule of Fees and Charges'.**

**Cost Implications**

The City's View Street Carpark is currently time restricted. It may be an opportunity to consider paid parking in the carparks as ticket machines are currently in place to assist in the monitoring of these time limits. A three hour (3P) time limit currently exists in the View Street Carpark.

The cost associated with amalgamating the Rosemount and the View Street Carparks would be mainly borne by the Rosemount Hotel as the City's carpark would remain predominantly unchanged, while the whole of the Rosemount Hotel Carpark would be reconfigured (as shown on Appendix 9.4.7C (Plan No. 3047-CP-01) the only change being the provision of two (2) formalised links between the carparks.

The only cost for the City would be the installation of speed humps, the provision of signage and ticket machines. It is proposed that two old style ticket machines installed in the View Street Carpark be removed and replaced with new credit card compliant machines. The new machines will be installed as per existing tender (424/10) in which remainder ticket machines, including installation costs, are available. No further costs would be incurred by the City.

The City currently has thirteen (13) ticket machines in stock; therefore, the costs would be as follows:

<b>Proposed Work</b>	<b>Cost</b>
Programming of ticket machines in the Rosemount Carpark	\$1,500
Removal of old style ticket machines	\$ 600
View Street Carpark speed humps	\$1,000
Signage (both Carparks)	\$2,000
<b>TOTAL</b>	<b>\$5,100</b>

**Wasley Street Carpark (located behind shops in Fitzgerald Street between Walsey Street and Forrest Street)**

As with the View Street Carpark, the Wasley Street Carpark is also currently time restricted with ticket machines, already in place to assist in monitoring the time limits. It would be appropriate to also consider paid parking in this Carpark as it is in very close proximity. A three hour (3P) time limit currently exists in the Carpark.

The Wasley Street Carpark currently comprises 50 bays and has a three hour (3P) time restriction. It should be noted that a lease is in place with the owners of several properties to include a strip of private land into the carpark. This allows better access and improved vehicle manoeuvring. The lease allows for nine (9) bays to be leased to the property owners.

The proposal would be similar to that proposed for the Rosemount/View Street Carparks, that is, the hourly rate to be \$2.20 per hour (First Hour Free) to a maximum of three hours (3P), from 7am to 7pm, with no time restrictions after 7pm. Paid parking shall be applicable between 7am to midnight. Future price levels shall be as determined annually by the Council when adopting the 'Schedule of Fees and Charges'.

It should be noted that the City has previously considered the introduction of paid parking into the View Street and Wasley Street carparks and considerable objections were received at the time. The Council therefore did not proceed with the proposal.

However, as the North Perth Town centre is very busy and parking spaces are at a premium, the introduction of fees will see an increased turnover of car parking spaces. In addition, funds generated can be used to make improvements to the Town Centre.

**Lease Over Wasley Street Carpark**

For the purpose of enforcement of parking restrictions, the City of Vincent entered into an agreement to operate the Wasley Street Carpark including ROW, as a parking station, in the same manner as it does for those parking stations wholly owned by the City.

This agreement has been in place with VIR Holdings and Babacus Holding Pty Ltd since October 2006.

The leased area is depicted in Appendix 9.4.7D 'Wasley Street Carpark', behind the shops on Fitzgerald Street between Wasley and Forrest Streets (Lot 123, Lot 66 and area behind Lots 20/21, Lots 1-2 and 2).

### **City of Vincent Parking and Parking Facilities Local Law**

Clause 1.5 of the City of Vincent Parking and Parking Facilities Local Law states:

*“1.5 Application*

*...(4) Where a parking facility or a parking station is determined to be under the care, control and management of the City, then the facility or station shall be deemed to be a facility or station to which this local law applies and it shall not be necessary to prove that it is the subject of an agreement referred to in subclause (2)...”*

Pursuant to Subclause 1.5(4), the City of Vincent and the owners of the Rosemount Hotel would need to enter into an agreement to do so. The City of Vincent already has Agreements in place, which enables enforcement action by Rangers in a number of privately owned parking facilities. In addition, the City has an Agreement in place with the Leederville Hotel for a paid parking facility. The City would prepare the Agreement with the Rosemount Hotel to take into account items, such as (but not limited to) the following:

- The operational procedures for the car park;
- The restrictions that apply within the car park;
- Days and hours of operation of the car park;
- All infringement notice revenue is the property of the City;
- The division of the net revenue generated by the car park; and
- Enforcement requirements.

The owners of the Rosemount Hotel have agreed, in principle to such an Agreement, and will meet further with representatives of the City, to negotiate the most appropriate outcome for both them and the City.

As a result, it is recommended that, since an in principle agreement is already in place, the finalisation of the Agreement should be undertaken by the Chief Executive Officer.

#### **CONSULTATION/ADVERTISING:**

The proposed parking arrangement will be advertised for a period of twenty-one (21) days in accordance with the City's Policy No. 4.1.5 relating to Community Consultation.

#### **LEGAL/POLICY:**

- Clause 1.5 of the City of Vincent Parking and Parking Facilities Local Law; and
- Formal Agreement between the City of Vincent and the Owners of the Rosemount Hotel.

#### **RISK MANAGEMENT IMPLICATIONS:**

**Low:** There is a low risk associated with the proposal for the City to take over the management of the Rosemount Hotel Carpark.

#### **STRATEGIC IMPLICATIONS:**

Objective 1.1.4(b) – *“Continue to implement both minor and major improvements in public open spaces”.*

### **Strategic Implications for the City of Vincent Carparking Strategy**

The proposal to introduce paid parking in the View Street Carpark, Wasley Street Carpark and the Rosemount Hotel Carpark, and amalgamate the City of Vincent View Street Carpark with the Rosemount Hotel Carpark for the City assuming the day to day management of the Rosemount Hotel Carpark, is consistent with the recommendations of the City's Carparking Strategy and associated Precinct Parking Management Plans that were adopted by the Council at its Ordinary Meeting held on 9 March 2010.

With respect to the Car Parking Strategy, the proposal is supported by the following recommendations of the Strategy:

- Ensure sufficient parking supply to support prosperous and vibrant commercial and high activity centres;
- Provide enforcement resources to ensure safety, adequate turnover of pay spaces to support business activity in the area and protect residential amenity;
- Promote shared or publicly available parking in preference to single user parking; and
- Ensure pay space availability is managed according to the varying needs of businesses, customers and commuters.

More specifically, the Precinct Parking Management Plans recommend the following with respect to North Perth in support of the proposal:

- Merge the parking and vehicle flow between the Rosemount Hotel Carpark and the View Street Carpark; and
- Negotiate with landlords of the Rosemount Hotel and Coles Carparks for the City to take over the management of each single carpark.

### **SUSTAINABILITY IMPLICATIONS:**

Nil.

### **FINANCIAL/BUDGET IMPLICATIONS:**

There will be a cost associated with these recommendations, which is estimated to be as follows:

#### **Capital Outlay**

- |   |                        |
|---|------------------------|
| • Five ticket machines (currently held in stock and based on 2010 tender) | \$ 0.00                |
| • Signage for the carparks  | \$ 2,000               |
| • Programming of Ticket Machines (in Rosemount Hotel Carpark)             | \$ 1,500               |
| • Removal of old style ticket machines                                    | \$ 600                 |
| • View Street Carpark speed humps   | \$ 1,000               |
|   | <b><u>\$ 5,100</u></b> |

#### **Operating expenses**

- |   |                         |
|---|-------------------------|
| • Depreciation costs for 5 Ticket Machines          | \$ 5,000                |
| • Annualised maintenance for these machines         | \$ 4,200                |
| • Annualised maintenance for signs and line-marking | \$ 1,000                |
| • Coin collection costs for a weekly collection     | \$ 7,800                |
|   | <b><u>\$ 18,000</u></b> |

It is estimated that the ticket machines will have an operational life of 10 years, so the capital outlay of \$50,000 to purchase the five machines is being depreciated at \$5,000 per annum.

There will be 57 public parking bays in the Rosemount Hotel Carpark. If the hourly parking rate of \$2.20 is used with a 60% occupancy rate, based on six (6) days per week (313 days per year), the anticipated gross annual revenue is \$235,501. The cost of operating the facility, including maintenance, coin collection and documentation for evidentiary purposes, is estimated at around \$18,000 per annum. This would result in a Nett revenue of around \$217,501 being available for distribution between the City and the Rosemount Hotel owners each year. The distribution of this revenue should be on a percentage basis and it is suggested that a 60%: 40% split would be a reasonable division. This would result in a Nett revenue to the City of Vincent of around \$87,000 per annum and the remaining \$130,501 to the Hotel owners.

#### **Wasley Street Carpark**

There will be 50 public parking bays in the Wasley Street Carpark. If the hourly parking rate of \$2.20 is used with a 60% occupancy rate, based on six (6) days per week (313 days per year), the anticipated gross annual revenue for the facility is \$206,580.

#### **Proposed Car Parking Fee**

As an Agreement will be prepared between the City and the Rosemount Hotel similar to the agreement that has been entered into between the City and the Leederville Hotel. The Agreement prescribes that the hourly rate should be similar to the City owned car parks. Therefore, the fee to be proposed is \$2.20 per hour (First Hour Free) from 7am to 7pm, for the financial year 2013/2014.

#### **COMMENTS:**

In principle agreement has been reached, between the Hotel and the City, but the details still need to be formalised. It is recommended that the City enters into an agreement with the Hotel, which will provide a benefit, not only to the City and the Rosemount Hotel, but to the many members of the public and staff of local businesses that currently seek parking in the North Perth area. It is further recommended that the Chief Executive Officer be authorised to finalise and approve the Agreement for the Rosemount Hotel parking facility to be managed by the City of Vincent.



**9.5.2 City of Vincent Local Government Property Local Law – Proposed Amendment to Create an Offence of Camping or Sleeping Overnight in a vehicle on a Thoroughfare – Consideration of Submissions Received and Final Adoption**

<b>Ward:</b>	Both	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	All	<b>File Ref:</b>	LEG0063
<b>Attachments:</b>	<a href="#">001</a> – City of Vincent Local Government Property Local Law		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	John Giorgi JP, Chief Executive Officer		
<b>Responsible Officer:</b>	John Giorgi JP, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council;

1. **NOTES** that pursuant to Section 3.16 of the Local Government Act 1995 the City has advertised its Local Law and that no submissions were received at the close of the statutory six (6) week public consultation period; and
2. Pursuant to section 3.12 of the Local Government Act 1995 **APPROVES BY AN ABSOLUTE MAJORITY to ADOPT** the City of Vincent Local Government Property Local Law – Proposed Amendment to Create an Offence of Camping or Sleeping Overnight in a vehicle on a Thoroughfare.

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**COUNCIL DECISION ITEM 9.5.2**

**Moved Cr Carey, Seconded Cr Topelberg**

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND CARRIED  
BY AN ABSOLUTE MAJORITY (5-2)**

**For:** Mayor Hon. MacTiernan, Cr Carey, Cr Pintabona, Cr Topelberg and Cr Wilcox  
**Against:** Cr Buckels and Cr Maier

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

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**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council that no submissions were received from the Community and seek the Council's approval to adopt the amendment to the City of Vincent Local Government Property Local Law, whereby a thoroughfare is excluded from an area where camping is not permitted.

**BACKGROUND:**

At the Council meeting held on 12 February 2013, the Council adopted an amendment to prescribe that a person shall not, without a permit, camp on or occupy any vehicle at night for the purpose of sleeping in a public place.

**Comments from Department of Local Government:**

Comments were received from the Department of Local Government and they recommended a number of drafting changes. There have been included into the amendment, but do not change the intent of the Local Law.

**Submissions:**

No submissions were received from the public.

**DETAILS:**

Clause 3.13(2) of the current Local Government Property Local Law creates the offence of camping or sleeping overnight on local government property. However, the definition of "Local Government Property" specifically excludes a thoroughfare, so a vehicle that parks in, for example, Farmer Street, adjacent to Woodville Reserve, cannot be moved on. Because the Local Government Property Local Law specifically excludes a thoroughfare from the definition of "Local Government Property", the current clause 3.13(2) is not available to be used in this situation.

Rather than amend the definition of "Local Government Property", which could have unwanted implications in other areas of the Local Law, it is considered more appropriate to add a new clause 3.13(2)(c), which creates the offence of camping or sleeping overnight in a public place.

The existing Local Government Property Local Law defines a "Public Place" as including a thoroughfare, as follows:

*"public place" includes any thoroughfare or place which the public are allowed to use, whether the thoroughfare or place is or is not on private property and includes, parklands, squares, reserves, beaches, and other lands set apart for the use and enjoyment of the public, including local government property, but does not include premises on private property from which trading is lawfully conducted under a written law;"*

In that way, not only will Rangers be able to require a person to move on, if it is apparent that a vehicle is being used for camping on a thoroughfare, but they would be able to assist a private property owner to require people that are camping on their property, without permission, to leave that public place.

The penalty applicable for this offence would be \$100, but there is no need to amend the penalty schedule, since the penalty already applies to the two existing sub-clauses, 13.3(2)(a) and 13.3(2)(b) and would apply to the proposed new clause, 13.3(2)(c).

**CONSULTATION/ADVERTISING:**

The process to amend a local law requires a period of not less than six (6) weeks, public consultation. This will provide an opportunity to gauge whether there is general support for the proposal. Following the consultation process, a further report is to be provided to the Council, including any comments received and the Council can then make an informed decision.

**LEGAL/POLICY:**

- The Caravan Parks and Camping Grounds Act 1995;
- The Local Government Act 1995; and
- The City of Vincent Local Government Property Local Law.

There is no legal impediment to the introduction of the new sub-clause.

**RISK MANAGEMENT IMPLICATIONS:**

If the new clause is not introduced, it will not be possible for Rangers to effectively deal with the complaints of camping and sleeping overnight, by itinerants and backpackers.

**STRATEGIC IMPLICATIONS:**

The above recommendation aligns well with the City's *Strategic Plan 2011–2016*, where Objective 2.1.1(b) states:

*“Capitalise on the City’s strategic location, its centres and commercial areas and ensure appropriately located and adaptable centres of economic activity within the City that provide a complimentary range of business opportunities and services for the community”.*

**SUSTAINABILITY IMPLICATIONS:**

There are no sustainability implications associated with this report.

**FINANCIAL/BUDGET IMPLICATIONS:**

Other than the advertising costs, there are no financial implications associated with this report.

**COMMENTS:**

No submissions were received by the City. Accordingly it is recommended that the Council approve of the Officer Recommendation.

**9.5.3 Delegations for the Period 1 January 2013 to 31 March 2013**

<b>Ward:</b>	Both	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	All	<b>File Ref:</b>	ADM0018
<b>Attachments:</b>	001 – Delegation Reports		
<b>Tabled Items:</b>	Nil.		
<b>Reporting Officers:</b>	M Wood, A/Manager Ranger and Community Safety Services; P Morrice, Team Leader Ranger Administration		
<b>Responsible Officer:</b>	R Boardman, Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **ENDORSES** the delegations for the period 1 January 2013 to 31 March 2013 as shown at Appendix 9.5.3; and
2. **APPROVES BY AN ABSOLUTE MAJORITY** to write-off infringement notices/costs to the value of \$36,350 for the reasons as detailed below:

DESCRIPTION	AMOUNT
Failure to Display Resident or Visitor Permit	\$11,860
Other (Financial Hardship, Disability, Police On-duty, Etc)	\$11,280
Ranger/Administrative Adjustment	\$5,870
Ticket Purchased but not Displayed (Valid Ticket Produced)	\$4,730
Pound Fees Modified	\$810
Breakdown/Stolen (Proof Produced)	\$500
Details Unknown/Vehicle Mismatched	\$560
Equipment Faulty (Confirmed by Technicians)	\$350
Signage Incorrect or Insufficient	\$290
Dog Act	\$100
Interstate or Overseas Driver	\$0
Penalties Modified	\$0
Litter Act	\$0
Planning Act	\$0
Health Act	\$0
<b>TOTAL</b>	<b>\$36,350</b>

**COUNCIL DECISION ITEM 9.5.3**

**Moved Cr Topelberg, Seconded Cr Maier**

That the recommendation be adopted.

Debate ensued.

**MOTION PUT AND CARRIED UNANIMOUSLY**  
**BY AN ABSOLUTE MAJORITY (7-0)**

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of this report is to provide a quarterly progress report of the delegations exercised by the City's Administration for the period 1 January 2013 to 31 March 2013 and to obtain the City's approval to write-off infringement notices.

**BACKGROUND:**

The Local Government Act 1995, at Section 5.42, allows for a Council to delegate to the Chief Executive Officer its powers and functions.

The purpose of delegating authority to the Chief Executive Officer is to provide for the efficient and orderly administration of the day to day functions of the Local Government. The Chief Executive Officer, Directors and specific Managers exercise the delegated authority in accordance with the Council's policies.

**DETAILS:**

The area which results in most Infringement Notices being withdrawn for this quarter is that of where a resident or visitor was not displaying the necessary permits. While the offence is "Failure to Display a Valid Permit", it is not considered appropriate to penalise residents and their visitors, since the primary purpose of introducing Residential Parking Zones is to provide respite to them.

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

Section 5.42 of the Local Government Act 1995 gives power to a Council to delegate to the Chief Executive Officer the exercise of its powers and functions; prescribes those functions and powers which cannot be delegated; allows for a Chief Executive Officer to further delegate to an employee of the City; and states that the Chief Executive Officer is to keep a register of delegations. The delegations are to be reviewed at least once each financial year by the Council and the person exercising a delegated power is to keep appropriate records.

It is considered appropriate to report to the Council on a quarterly basis on the delegations utilised by the City's Administration. A copy of these for the quarter is shown at Appendix 9.5.3.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** It is a statutory requirement to report matters approved under Delegation Authority to the Council.

**STRATEGIC IMPLICATIONS:**

The above is in accordance with the City's *Strategic Plan 2011-2016* - Objective 4.1.2 (a) states:

*"4.1.2(a) Continue to adopt best practise to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced".*

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

The Council's Auditors recommend that infringement notices be reported to the Council for a decision to write-off the value of the infringement notice. In these cases, it is the opinion of the Co-ordinator Ranger Services and/or the Parking Appeals Review Panel that infringement notices cannot be legally pursued to recover the money or it is uneconomical to take action as this will exceed the value of the infringement notice.

**COMMENTS:**

It is recommended that the delegations be endorsed by the Council and the write-off of the Infringement Notices be approved.

**9.5.4 Parking and Parking Facilities Amendment Local Law No 1, 2013**

<b>Ward:</b>	Both	<b>Date:</b>	3 May 2013
<b>Precinct:</b>	All	<b>File Ref:</b>	TES0045; PKG0001
<b>Attachments:</b>	<a href="#">001</a> – Table: Parking Infringement Penalties Across Districts Comparison <a href="#">002</a> – Schedule 2 (Prescribed Offences) – Current and Proposed <a href="#">003</a> – Local Government (Parking for Disabled persons) Regulations 1988 – Fee Schedule 1		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	M Wood, A/Manager Ranger and Community Safety Services P Morrice, Team Leader – Ranger Administration		
<b>Responsible Officer:</b>	R Boardman, Director Community Services – Implementation John Giorgi, JP – Local Law		

**OFFICER RECOMMENDATION:**

That the Council;

- APPROVES BY AN ABSOLUTE MAJORITY** amendments to Schedule 2 (Prescribed Offences) of the Parking and Parking Facilities Local Law (2007), as amended, to increase the penalties that apply for a contravention of clauses listed in Schedule 2 Prescribed Offences:

Under the powers conferred by the Local Government Act 1995 and all other powers enabling it, the Council of the City of Vincent resolve on .....2013 to make the Parking and Parking Facilities Amendment Local Law No. 1, 2013.

**"LOCAL GOVERNMENT ACT 1995 (as amended)  
CITY OF VINCENT PARKING AND PARKING FACILITIES LOCAL LAW  
AMENDMENT LOCAL LAW NO. 1, 2013**

**AMENDS** the City of Vincent Parking and Parking Facilities Local Law (2007) as follows:

- The existing Schedule 2 - Prescribed Offences - be deleted and the following Schedule 2 - Prescribed Offences, be inserted in its place:**

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY (AMENDED) \$
1	2.2(1), (2)	Failure to comply with signs	<b>60</b>
2	2.3(a)	Unauthorised display, marking, setting up, exhibiting of a sign	<b>135</b>
3	2.3(b)	Unauthorised removal, defacing or misuse of a sign	<b>80</b>
4	2.3(c)	Unauthorised affixing anything to a sign	<b>70</b>
5	3.2(1)(a)	Failure to park parallel to and as close to the kerb as practicable in a parking stall	<b>70</b>
6	3.2(1)(b)	Failure to park wholly within parking stall	<b>70</b>
7	3.2(1)(c)	Failure to park in the direction of the movement of traffic in a parking stall	<b>70</b>
8	3.2(4)	Failure to park wholly within parking area	<b>60</b>
9	3.3(1)(a)	Causing obstruction in parking station	<b>135</b>
10	3.3(1)(b)	Parking contrary to sign in parking station	<b>60</b>
11	3.3(1)(c)	Parking contrary to directions of authorised person in a parking station	<b>160</b>

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY (AMENDED) \$
12	3.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	60
13	4.1(1)(a)	Parking by vehicles of a different class	95
14	4.1(1)(b)	Parking by persons of a different class	95
15	4.1(1)(c)	Parking during prohibited period	95
16	4.1(3)(a)	Parking in no parking area	95
17	4.1(3)(b)	Parking contrary to signs or limitations	60
18	4.1(3)(c)	Parking vehicle in motor cycle only area	60
19	4.1(4)	Parking motor cycle in stall not marked 'M/C'	60
20	4.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	95
21	4.2(1)(a)	Failure to park on the left of two-way carriageway	70
22	4.2(1)(b)	Failure to park on boundary of one-way carriageway	70
23	4.2(1)(a) or 4.2(1)(b)	Parking against the flow of traffic	70
24	4.2(1)(c)	Parking when distance from farther boundary less than 3 metres	110
25	4.2(1)(d)	Parking closer than 1 metre from another vehicle	60
26	4.2(1)(e)	Causing obstruction	135
27	4.3(b)	Failure to park at approximate right angle	60
28	4.4(2)	Failure to park at an appropriate angle	60
29	4.5(2)(a)	Double parking	135
30	4.5(2)(b)	Parking on or adjacent to a median strip	70
31	4.5(2)(c)	Denying access to private drive or right of way	135
32	4.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	135
33	4.5(2)(e)	Parking within 10 metres of traffic island	70
34	4.5(2)(f)	Parking on footpath/pedestrian crossing	160
35	4.5(2)(g)	Parking closer than 3 metres to double longitudinal lines	135
36	4.5(2)(h)	Parking on intersection	160
37	4.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	60
38	4.5(2)(j)	Parking within 3 metres of public letter box	60
39	4.5(2)(k)	Parking within 10 metres of intersection	70
40	4.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	60
41	4.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	60
42	4.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	60
43	4.6	Parking contrary to direction of authorised person in a thoroughfare	160

ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY (AMENDED) \$
44	4.7(1), (2) or (3)	Moving vehicle to avoid time limitation	95
45	4.8(a)	Parking in thoroughfare for purpose of sale	135
46	4.8(b)	Parking unlicensed vehicle in thoroughfare	110
47	4.8(c)	Parking a trailer/caravan on a thoroughfare	110
48	4.8(d)	Parking in thoroughfare for purpose of repairs	135
49	4.9(2)	Parking on land that is not a parking facility without consent	135
50	4.9(3)	Parking on land not in accordance with consent	135
51	4.10	Driving or parking on a reserve	135
52	4.11	Parking on a verge	70
53	4.13(1)	Failure to display an unexpired parking ticket (Parking Station)	70
54	4.13(2)(a)	Deface, alter, add to, erase, obliterate or otherwise interfere with a parking ticket	160
55	4.13(2)(b)	Display a defaced, altered obliterated or otherwise interfered with parking ticket	160
56	4.13(2)(c)	Produce a defaced, altered obliterated or otherwise interfered with parking ticket	160
57	5.1(1)(a)	Stopping contrary to a no stopping sign	135
58	5.1(1)(b)	Stopping during the times a sign specifies a "no stopping" restriction is in operation	270
59	5.1(2)	Parking contrary to a no parking sign	95
60	5.1(3)	Stopping within continuous yellow lines	135
61	5.2	Stopping unlawfully in a loading zone	95
62	5.3	Stopping unlawfully in a taxi zone or bus zone	110
63	5.4	Stopping unlawfully in a mail zone	80
64	5.5	Stopping in a zone contrary to a sign	60
65	5.6	Stopping in a shared zone	60
66	5.7(1)	Double parking	135
67	5.8	Stopping near an obstruction	135
68	5.9	Stopping on a bridge or tunnel	110
69	5.1	Stopping on crests/curves etc	110
70	5.11	Stopping near fire hydrant	80
71	5.12(1)	Stopping near bus stop	95
72	5.13	Stopping on path, median strip or traffic island	135
73	5.14(1)	Stopping on verge	70
74	5.15	Obstructing path, a driveway etc	135
75	5.16	Stopping near letter box	60
76	5.17	Stopping heavy or long vehicles on carriageway	95
77	5.18	Stopping in bicycle parking area	70
78	5.19	Stopping in motorcycle parking area	70
79	5.20	Stopping or parking in a stall set up as an eating area	95
80	5.21	Stopping or parking contrary to requirements of a permit	70



ITEM NO.	CLAUSE NO.	NATURE OF OFFENCE	MODIFIED PENALTY (AMENDED) \$
81	5.22	Stopping or parking a vehicle (other than a bicycle or motor cycle) in a parking stall approved for motor cycles	70
82	6.2(1)	Damaging or interfering with ticket issuing machine	160
83	6.2(2)	Affixing a board, sign, placard or notice or marking any ticket issuing machine	70
84	6.2(3)	Inserting other than a coin in a ticket issuing machine	60
85	6.2(4)	Operating a ticket issuing machine contrary to instructions	60
86	6.3(2)	Failure to pay appropriate fee	70
87	6.4(1)(a)	Failure to display an unexpired parking ticket	70
88	6.4(1)(b)	Failure to display a valid parking ticket	70
89	6.5(1)	Stopping or parking for longer than the maximum period	70
90	6.6(1)(a)	Failure to stop or park parallel to the kerb in a ticket machine zone	70
91	6.6(1)(b)	Failure to stop or park as close to the kerb as practicable in a ticket machine zone	70
92	6.6(1)(c)	Failure to stop or park wholly within a parking stall in a ticket machine zone	70
93	6.6(1)(d)	Failure to stop or park in direction of movement of traffic in a ticket machine zone	60
94	7.9	Failure to display a valid permit	95
95	8.3	Failure to comply with a lawful direction of an authorised person	160
96	8.4	Failure to leave local government property when lawfully directed to do so by an authorised person	160
97	8.5(2)	Removing or interfering with a lawful mark on a tyre	160
98	8.6	Removing a notice on a vehicle	135
99	8.8(1)	Leaving a vehicle in a public place or thoroughfare so as to cause an obstruction	135
100	8.9	Attempting to or removing, damaging, defacing, misusing or interfering with any part of a parking station or parking facility	160
101		All other offences not specified	95

2. in accordance with the provisions of Section 3.12 of the Local Government Act 1995 as amended, the Council gives a Statewide advertisement, indicating where and when the proposed amendments may be viewed and seeking public comment on the proposed amendments to the City of Vincent Parking and Parking Facilities Local Law (2007);
3. REQUESTS the Chief Executive Officer to write to the Minister for Local Government to increase the maximum penalty (currently \$120) prescribed in the Local Government (Parking for Disabled Persons) Regulations 1988, for unauthorised parking in a bay for the disabled; and
4. NOTES that a further report will be submitted to the Council after the expiry of the statutory consultation period.

**COUNCIL DECISION ITEM 9.5.4**

**Moved Cr Maier, Seconded Cr Pintabona**

**That the recommendation be adopted.**

**Debate ensued.**

**MOTION PUT AND CARRIED UNANIMOUSLY  
BY AN ABSOLUTE MAJORITY (7-0)**

**(Cr McGrath and Cr Harley were an apology for the Meeting.)**

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**PURPOSE OF REPORT:**

To increase parking infringement penalties, to reflect the seriousness of parking offences and to ensure the City maintains sustainable parking and enforcement practices.

**BACKGROUND:**

The City's Parking and Parking Facilities Local Law was last reviewed in November 2007 and the parking infringement penalties were last increased in July 2011, in line with the Consumer Price Index. Modifying the parking infringement penalties would better enable the City to manage the competing demands for parking, which has grown considerably since 2007. In November 2007 the City employed eight (8) fulltime Rangers. The City of Vincent now employs sixteen (16) fulltime Rangers to enforce parking restrictions within the City of Vincent. This clearly indicates that there has been an increasing impact on residents, businesses and visitors in relation to parking since 2007. In addition, there has been increasing pressure on main distributor roads where clearways are in force, as well as in and around inner city development, where competing users and demand for parking spaces is at its highest.

**DETAILS:**

An investigation has been conducted of comparable local governments nationwide as shown in Appendix 9.5.6A – 'Parking Infringement Penalties' with the main penalties that are issued by the City of Vincent being used as a benchmark. When the results were analysed, the following was revealed that:

- Eight (8) offences were lower or comparable with other local governments; and
- The remaining nine (9) offences were higher.

A comparison and variance (+ or –) is shown in Appendix 9.5.6A.

Where the City of Vincent penalties were higher than the average, it is recommended that they are still appropriate as they reflect particular issues facing a busy inner city area like Vincent. The penalties involved are the enforcement of clearways and monitoring/enforcing the competing high demands for parking in both entertainment and business precincts, which are often adjacent to high density residential areas. The attachment 'Schedule 2 – Prescribed Offences' outline the proposed amendments to the modified penalties, to enable the City to maintain sustainable parking and enforcement practices.

The proposed increase to modified penalties will ensure that the penalties are commensurate with current needs and reflect the seriousness of specific offences, which include parking in a clearway and unauthorised vehicles parked in a disabled bay. These offences have significant impact in disrupting traffic flow and along with preventing access for people with disability to available ACROD parking bays, which causes a displacement of legitimate users of parking. Increasing the parking penalties would incorporate the rising administration costs in relation to parking which is not reflected in the current penalties.

**CONSULTATION/ADVERTISING:**

The report recommends an amendment to the current Local Law, there is a Statutory requirement to follow a specific procedure, including Statewide Advertising. Should the Council approve the above proposal, it will be required to amend Schedule 2 of the Parking and Parking Facilities Local Law (2007) and, to comply with the Local Government Act 1995, an advertisement must be placed in a newspaper with a Statewide publication, seeking public comment and explaining where and when the proposed amendment may be inspected.

At the completion of a statutory six (6) week period, a further report must be provided to the Council, outlining any public objections, comments, suggestions and seeking a final approval for the proposed amendment. If the Council gives this approval, the amendment must be advertised in the Government Gazette and it then takes 14 days before becoming enforceable.

Indicative Timeline :

Date	Item
14 May 2013	Council to approve fees – for advertising
18 May – 2 July 2013	Statutory consultation period
16 July 2013	Council to consider submissions and final adoption
26 July 2013	Advertise in Government Gazette
2 August 2013	New fees become effective.

**LEGAL/POLICY:**

Clause 3.12 of the Local Government Act 1995 sets out the legal requirements for a Local Law Amendment.

**Local Government (Parking for Disabled Persons) Regulations 1988.**

The Regulations were adopted in 1988 and prescribe a maximum fee of \$120 for unauthorised parking in a car parking bay for the disabled. The fee has not been increased since 1988 and is considered very low. (Especially when compared to Sydney (\$496) and Brisbane (\$200).

The City should request the Minister for Local Government to amend the Regulations and increase the fee, to act as a deterrent. A fee of \$200 would be appropriate (if CPI is used as a basis of the increase).

**STRATEGIC IMPLICATIONS:**

In accordance with the City's *Strategic Plan 2011-2016* – Objective 1 states:

*“Natural and Built Environment*

*1.1.5 Take action to improve transport and parking in the City and mitigate the effects of traffic”.*

**SUSTAINABILITY IMPLCATIONS:**

Fee increases proposed are in order for the City of Vincent to sustain current levels of service; staffing and enforcement related to parking.

**FINANCIAL/BUDGET IMPLICATIONS:**

Other than the advertising costs, there will be no other financial implications. The indicative cost is around \$900. If approved, the increase in parking infringements will result in approximately \$220,000 - \$250,000 for the eleven (11) months of the 2013-2014 financial year.

**COMMENTS:**

The City has identified that by amending the Parking Offenses Schedule with the proposed increase to penalties, that this will better enable the City to make parking available to the maximum amount of users. As parking in Vincent and in Perth overall, is a finite resource with demand that is only increasing, penalties need to be established at a sufficient level to deter illegal parking along with ensuring that necessary enforcement actions to uphold legal parking, are sustainable. The report is therefore recommended for approval.

## 10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### 10.1 NOTICE OF MOTION: Cr Joshua Topelberg – Investigate the installation of a car stacker in Frame Court Carpark in Leederville

That the Council;

1. REQUESTS the Chief Executive Officer to investigate the installation of a car stacker in the Frame Court Carpark in Leederville;
2. INVESTIGATION scope should include:
  - 2.1 An analysis of the most appropriate car stacker (understanding the redevelopment aspirations for the Frame Court Carpark site which would likely necessitate the stacker being relocated);
  - 2.2 possible location(s) within the carpark ;
  - 2.3 analysis of the use of car stackers in public carparks in Australia and overseas
  - 2.4 Commercial leasing of the stacker bays to an appropriate local business in lieu of existing monthly permits;
  - 2.5 potential partnerships with private enterprises in the car stacker and other transport related industries;
  - 2.6 marketing strategies for local developers, architects etc; and
  - 2.7 financial implications/overview; and
3. NOTES that;
  - 3.1 If the project proceeds, any financial contribution from the City would be funded from the “*Parking Funded City Centre and Parking Benefit Districts Upgrade and Promotion Reserve*”; and
  - 3.2 The principle of the project would be to replace as many of the parking bays as possible that are to be lost to the Oxford Street Reserve enhancement project and to serve as a demonstration project for the City to promote the use of car stackers in appropriate developments; and
4. REQUESTS a report be submitted to the Council no later than September 2013.

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Moved Cr Topelberg, Seconded Cr Maier

That the motion, together with the following change(s), be adopted:

That the Council;

1. REQUESTS the Chief Executive Officer to investigate the installation of a car stacker in the Frame Court Carpark in Leederville;
2. INVESTIGATION scope should include:
  - 2.1 An analysis of the most appropriate car stacker (understanding the redevelopment aspirations for the Frame Court Carpark site which would likely necessitate the stacker being relocated);
  - 2.2 possible location(s) within the carpark ;
  - 2.3 analysis of the use of car stackers in public carparks in Australia and overseas
  - 2.4 Commercial leasing of the stacker bays to an appropriate local business in lieu of existing monthly permits;
  - 2.5 potential partnerships with private enterprises in the car stacker and other transport related industries;
  - 2.6 marketing strategies for local developers, architects etc; and
  - 2.7 financial implications/overview; and
  - 2.8 The potential for combining this project with a re-organisation/reconfiguration of part of the HQ site; and

**3. NOTES that;**

- 3.1** If the project proceeds, any financial contribution from the City would be funded from the "*Parking Funded City Centre and Parking Benefit Districts Upgrade and Promotion Reserve*"; and
- 3.2** The principle of the project would be to replace as many of the parking bays as possible that are to be lost to the Oxford Street Reserve enhancement project and to serve as a demonstration project for the City to promote the use of car stackers in appropriate developments; and

**4. REQUESTS a report be submitted to the Council no later than September 2013.**

Debate ensued.

**MOTION PUT AND CARRIED (6-1)**

**For:** Mayor Hon. MacTiernan, Cr Carey, Cr Maier, Cr Pintabona, Cr Topelberg and Cr Wilcox  
**Against:** Cr Buckels

(Cr McGrath and Cr Harley were an apology for the Meeting.)

**COUNCIL DECISION ITEM 10.1**

That the Council;

- 1. REQUESTS the Chief Executive Officer to investigate the installation of a car stacker in the Frame Court Carpark in Leederville;**
- 2. INVESTIGATION scope should include:**
- 2.1** An analysis of the most appropriate car stacker (understanding the redevelopment aspirations for the Frame Court Carpark site which would likely necessitate the stacker being relocated);
- 2.2** possible location(s) within the carpark ;
- 2.3** analysis of the use of car stackers in public carparks in Australia and overseas
- 2.4** Commercial leasing of the stacker bays to an appropriate local business in lieu of existing monthly permits;
- 2.5** potential partnerships with private enterprises in the car stacker and other transport related industries;
- 2.6** marketing strategies for local developers, architects etc;
- 2.7** financial implications/overview; and
- 2.8** The potential for combining this project with a re-organisation/reconfiguration of part of the HQ site; and
- 3. NOTES that;**
- 3.1** If the project proceeds, any financial contribution from the City would be funded from the "*Parking Funded City Centre and Parking Benefit Districts Upgrade and Promotion Reserve*"; and
- 3.2** The principle of the project would be to replace as many of the parking bays as possible that are to be lost to the Oxford Street Reserve enhancement project and to serve as a demonstration project for the City to promote the use of car stackers in appropriate developments; and
- 4. REQUESTS a report be submitted to the Council no later than September 2013.**

**11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil.

**13. URGENT BUSINESS**

Nil.

**14. CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (“BEHIND CLOSED DOORS”)**

Nil.

**15. CLOSURE**

**There being no further business, the Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting closed at 8.50pm with the following persons present:**

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Matt Buckels	North Ward
Cr John Carey	South Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Jerilee Highfield	Executive Assistant (Minutes Secretary)
Sara Fitzpatrick	Journalist – “ <i>The Guardian Express</i> ”
David Bell	Journalist – “ <i>The Perth Voice</i> ”

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 14 May 2013.

Signed: .....Presiding Member  
Mayor Hon. Alannah MacTiernan

Dated this ..... day of ..... 2013