



TOWN OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

6 NOVEMBER 2007

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Minutes of the Ordinary Meeting of Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 6 November 2007, commencing at 6.00pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania, JP, declared the meeting open at 6.02 pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies: Nil.

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Steed Farrell (Deputy Mayor)	North Ward
Cr Anka Burns	South Ward
Cr Helen Doran-Wu	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Noel Youngman	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Gillian van den Bok	A/Executive Assistant (Minutes Secretary)
Fran Sanders	Administration Officer
Chris Thomson	Journalist - <i>"The Perth Voice"</i> (until approximately 7.27 pm)

Approximately 14 Members of the Public

(c) Members on Leave of Absence:

Nil.

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

1. Mr George Petrou of 37 Leake Street, North Perth spoke on Item 10.1.4. Mr Petrou requested Council delete Conditions (vii) (a) and (vii) (b) be deleted. Advised that Conditions (vii) c and (vii) (d) will be incorporated into the plan, which makes it fully compliant.
2. Mr David DiProspero of 72 Edward Street, East Perth spoke on Items 10.1.5 and 10.1.6 objecting to the increase in hours of operation for the Batching Plants. His reasons being huge traffic increase and dust problems. He believes this concrete plant has pushed a lot of people out of the area and requested Council take this into consideration.
3. Mr Anthony Einfeld of 70 Mary Street, Highgate spoke on Item 10.1.7 requesting Council's favourable consideration of his application. He advised that the style of the bar he is proposing is a small artistic type of lounge bar, catering to a more mature and sophisticated market. He is not looking to create another pub or nightclub. He is hoping it will provide cultural benefits to the Town.

4. Mr Carl Penirschke of 21 Bulwer Street, Perth spoke on Items 10.1.5 and 10.1.6. He expressed his concerns regarding the noise from the trucks, squealing brakes and engines running all night. He was told the trucks were only serving the CBD, but this is incorrect, he believes they are serving the whole Perth area and the dust problems are huge. He urged Council to reject the application for extension of hours.
5. Mr John Symons of Edward Street, East Perth spoke on behalf of Hanson Concrete on Items 10.1.5 and 10.1.6. Mr Symons wanted to clarify some matters surrounding this issue and advised his Company had been operating in the area in excess of 40 years. The operating hours of his Company are not a new thing. Mr Symons advised that the supply of concrete is critical to Perth at this stage as we are in the middle of a building boom. He stated that the market is driving the Company to operate outside the normal hours as it is an active industry and he is trying to meet his customers requirements.
6. Ms Kwinum Morrison of 56 Britannia Road, Mount Hawthorn spoke on Item 10.1.4. Ms Morrison advised of her objections to the height of the dwelling and wishes to see some consideration to the landscaping of the property. She requested that the eastern wall of 2 Kalgoorlie Street be soft screened with planting, as this backs onto her property and she doesn't want the dominance of the wall to take over her whole backyard as it is quite a small backyard and her living room faces the backyard.
7. Mr Brian Fleay of 59 View Street, North Perth spoke on Items 10.2.1 and 10.2.2 regarding rubbish disposal. Mr Fleay believes the Council has a crisis in recycling and waste management. He believes there was not enough accurate information given to the ratepayers about recycling in the Town. He requested the Council to give recycling top priority.
8. Mr Matthew Young of 16 Edith Street, North Perth spoke on Item 10.1.8 and urged Council to uphold their decision to approve this application.
9. Mr Warren McGrath, Chairman of the Claisebrook Catchment Group presented a cheque for \$1375.00 to the Mayor, for the Garden Catchment Friendly Garden Category of the 2007 Town of Vincent Garden Competition. He extended thanks to the Water Corporation for providing funding for this Award.

Received with acclamation.

10. Mr Dominic Gonsalves of 5 Bream Court, Mount Lawley spoke on Item 14.4. Mr Gonsalves stated that he would like approval for the application for a garage door to his carport. He advised that his is the only house in the street without a garage door and requires the door for security reasons as he has had his cars broken into twice. It would also prevent dogs from wandering into his property and causing safety issues.
11. Mr Colin Scott of 17 Deague Court, North Perth spoke on Items 10.2.1 and 10.2.2. Stated that the recent survey concerning this matter appeared to be rushed and further information should have been provided. Believes that the majority of the residents want to recycle, however more should be done to encourage this. Requested Council engage the community more in regard to recycling/rubbish.

There being no further questions from the public, the Presiding Member, Mayor Nick Catania, JP, closed Public Question Time at 6.25pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND MEMORIALS

Nil

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Special Meeting of Council held on 23 October 2007.

Moved Cr Ker, Seconded Cr Farrell

That the Minutes of the Special Meeting of Council held on 23 October 2007 be confirmed as a true and correct.

CARRIED (9-0)

Minutes of the Ordinary Meeting of Council held on 23 October 2007.

Moved Cr Farrell, Seconded Cr Ker

That the Minutes of the Ordinary Meeting of Council held on 23 October 2007 be confirmed as a true and correct.

CARRIED (9-0)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

1. Employee of the Month Award for the Town of Vincent for November 2007

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 Town. The recipients receive a \$100 voucher, kindly donated by the North Perth Community Bank, and a Certificate. Also their photograph is displayed in the Town's Administration Centre Foyer, in the Library and at Beatty Park Leisure Centre.

For NOVEMBER 2007, the award is presented jointly to Bev Christmass, Swim School Co-ordinator and Dianne Telles, Assistant Swim School Co-ordinator at Beatty Park Leisure Centre. Bev and Dianne were nominated by the Manager Beatty Park Leisure, Dale Morrissy and the Director Corporate Services, Mike Rootsey, for their excellent customer service and overall performance.

The following feedback form was received at Beatty Park Leisure Centre from Quona Litchfield:

"My 13 year old has just completed the 2 week series of VACSWIM at Beatty Park in the October vacation.

I congratulate the well run program, the supervisor and the team of teachers for excellent service. I congratulate the staff at Beatty Park for including this service at the Centre.

I would also say I now will return as a customer to use the aqua fitness and other services for myself. Thank you !!"

The Beatty Park Leisure Centre Swim School has achieved record numbers for the past 3 terms. Most notably this term, the numbers have soared to 1,642 participants per week. This is up from 1,470 participants per week in the same term last year!! Classes run Monday through Saturday and the current term is now closed for bookings as all available space and teachers are being utilised!

Bev Christmass (Swim School Co-ordinator) has developed an extremely strong and structured program with a focus on service that is bringing people to the Centre from all over the metro area.

Systems have been refined over a number of years by Bev, together with Dianne and a host of Admin staff that ensure the smooth operation of arguably the State's largest swim school

Congratulations to Bev and Dianne - and well done!!

Cr Messina departed the Chamber at 6.28pm.

2. Australian Government – Community Water Grant

I am pleased to announce that the Minister for the Environment and Water Resources has announced the approval of the Centre's application for an Australian Government Community Water Grant for the amount of \$45,433 (GST exclusive).

The funds will be used at the Beatty Park Leisure Centre for its water efficiency and artificial lawn projects.

The water efficiency projects include the following:-

- Timed Push button taps
- Water saving shower heads
- Waterless urinals
- Dual flush toilets
- The installation of an artificial lawn on the area near the diving pool.

Cr Messina returned to the Chamber at 6.30pm.

3. Rates Prize Winners

I am pleased to advise that the winners of the Town's Rates Prize Draw have been announced. The winners had to pay their rates in full by the due date to be eligible.

Congratulations to them all and also thank you to all of the Town's sponsors. All winners have been advised in writing.

4. Proposed New Local Laws

Pursuant to Section 3.12 - 3.16 of the Local Government Act, the Town of Vincent hereby gives notice that it has carried out a review of the following new Local Laws;

(a) Local Law Relating to Trading in Public Places - Item 10.4.4 on tonight's Agenda

"The purpose of this Local Law is to provide for the regulation, control and management of trading activities, outdoor eating areas, stalls and traders and entertainers in any street or public place.

The effect of this Local Law is to control trading activities and street entertainers in any street or public place."

(b) Local Law Relating to Local Government Property - Item 10.4.5 on tonight's Agenda

"The purpose of this Local Law is to provide for the regulation, control and management of activities and facilities on local government and public property within the district."

The effect of this Local Law is to establish the requirements with which any person using or being on local government or public property within the district must comply."

Both of these Local Laws were previously advertised for public comment and no submissions were received.

However, a number of significant changes to the original draft Local Laws have been made. Therefore, as the proposed Local Laws are significantly different to the previous advertised Local Laws, it is a requirement of the Local Government Act that the advertising process be recommended.

5. Cat Buses

I was delighted to read on the weekend that the recently elected Lord Mayor of Perth, Lisa Scaffidi, has pledged her support for an extension of CAT bus services. As you are aware, I have been pursuing this matter for some time and will be entering into dialogue with her in the near future.

8. DECLARATIONS OF INTERESTS

8.1 Cr Ker declared a financial interest in Item 10.1.1 relating to 116 West Parade. The extent of his interest is that he is currently undertaking consulting work for the Passenger Transport Authority of WA, which is the landowner for this application.

8.2 Cr Doran-Wu declared an interest affecting impartiality in Item 10.1.5 relating to 71 Edward Street, East Perth. The extent of her interest is that she has a close relative who is an employee of Hanson's.

8.3 Cr Messina declared an interest affecting impartiality in Confidential Item 14.2 relating to 611-617 Beaufort Street, Mount Lawley. The extent of his interest is that he has a professional relationship with the defendant/applicant company.

8.3 Cr Burns declared an interest affecting impartiality in Confidential Item 14.2 relating to 611-617 Beaufort Street, Mount Lawley. The extent of her interest is that the landowner is a client of her employer.

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

Nil.

10. REPORTS

The Presiding Member, Mayor Nick Catania JP, 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 10.1.4, 10.1.5, 10.1.6, 10.1.7, 10.1.8, 10.2.1, 10.2.2 and 14.4

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

Items 10.4.2, 10.4.3, 10.4.6 and 10.4.9

10.3 Items which members/officers have declared a financial or proximity interest and the following was advised:

Item 10.1.1

Presiding Member, Mayor Nick Catania JP, requested Elected Members to indicate:

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

Cr Farrell	Nil
Cr Messina	Nil
Cr Youngman	Nil
Cr Ker	Item 10.2.4 and 10.4.6
Cr Doran-Wu	Nil
Cr Lake	10.1.10
Cr Burns	Nil
Cr Maier	10.1.3, 10.2.3, 10.4.5 and 10.4.7
Mayor Catania	Nil

The Presiding Member, Mayor Nick Catania JP, requested that the Chief Executive Officer advise the meeting of:

10.5 Unopposed items which will be moved "en bloc" and the following was advised:

Items 10.1.2, 10.1.9, 10.2.5, 10.3.1, 10.3.2, 10.4.1, 10.4.4, 10.4.8 and 10.4.10

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

Items 14.1, 14.2, 14.3 and 14.4

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

(a) **Unopposed items moved en bloc;**

Items 10.1.2, 10.1.9, 10.2.5, 10.3.1, 10.3.2, 10.4.1, 10.4.4, 10.4.8 and 10.4.10

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

Items 10.1.4, 10.1.5, 10.1.6, 10.1.7, 10.1.8, 10.2.1, 10.2.2 and 14.4

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

Moved Cr Farrell, Seconded Cr Maier

That the following unopposed items be approved, as recommended, en bloc;

Items 10.1.2, 10.1.9, 10.2.5, 10.3.1, 10.3.2, 10.4.1, 10.4.4, 10.4.8 and 10.4.10

CARRIED (9-0)

10.1.2 Further Report - Amendment No. 47 to Planning and Building Policies – Draft Policy Relating to Residential Subdivisions

Ward:	Both Wards	Date:	29 October 2007
Precinct:	All Precincts	File Ref:	PLA0184
Attachments:	001		
Reporting Officer(s):	H Smith		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the amended Draft Policy relating to Residential Subdivisions, as attached at Appendix 10.1.2;*
- (ii) *ADVERTISES the amended Draft Policy relating to Residential Subdivisions for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*
 - (a) *advertising a summary of the subject Policy once a week for four consecutive weeks in a newspaper circulating in the locality;*
 - (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policy; and*
 - (c) *forwarding a copy of the subject Policy to the Western Australian Planning Commission; and*
- (iii) *after the expiry of the period for submissions:*
 - (a) *REVIEWS the Draft Policy relating to Residential Subdivisions, having regard to any written submissions; and*
 - (b) *DETERMINES the Draft Policy relating to Residential Subdivisions, with or without amendment, to or not to proceed with them.*

COUNCIL DECISION ITEM 10.1.2

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

FURTHER REPORT:

The Council at its Ordinary Meeting held on 11 September 2007 deferred consideration of the draft Policy relating to Residential Subdivisions for clarification of various clauses.

In light of the Council's comments made during debate at its Ordinary Meeting held on 11 September 2007, the draft Policy has been amended, including the re-wording of particular sections as requested and required and the insertion of new drawings. The amendments are struck through and underlined on the attached Policy.

Further, given that the Policy represents a distinct departure from the Town's current practice of dealing with subdivisions, it is considered appropriate that the draft Policy be advertised, then formally adopted rather than its adoption in the interim. The Officer Recommendation has been changed accordingly.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 11 September 2007.

“OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Draft Policy relating to Residential Subdivisions, as attached at appendix 10.1.10;*
- (ii) *ADOPTS the Draft Policy relating to Residential Subdivisions in the interim until the formal adoption of the Draft Policy; subject to the Policy being amended to as follows:*
 - (a) *the diagrams/drawings in the Policy being amended to more accurately reflect the current development/subdivision situation in the Town, be more consistent in orientation and of a higher quality;*
 - (b) *clause PC 1. (i) Subdivision be amended to read as follows:*
 - (i) *The subdivision of land does not have an undue impact on the streetscape and surrounding amenity.;*
 - (c) *clause ADC 1. (a) Subdivision be amended to read as follows:*
 - (a) *Subdivision of land that retains an existing dwelling(s) is to allow for adequate setbacks and curtilage to ensure...;*
 - (d) *clause ADC 2. (c) Minimum Site Area be amended to read as follows:*
 - (c) *Green Title/Freehold Battleaxe Lots*

Where a subdivision results in the creation of a green title/freehold battleaxe lot, a maximum of 20 per cent of the access way can be included in the calculation of the minimum green title/freehold battleaxe site area in accordance with clause 3.1.2 A2 (ii) of the R Codes.

Where the green title/freehold battleaxe lot (excluding the access leg) adjoins or abuts a right of way or public reserve for open space, pedestrian access, school site or equivalent, half the width (up to a maximum depth of two metres) may be added to the green title/freehold battleaxe minimum site area in accordance with Clause 3.1.2 A2 (ii) of the R Codes.

The above provisions do not apply to survey strata or strata subdivision of land on a 'battleaxe' configuration/pattern.';

- (e) clause PC 3. (i) Lot Configuration and Subdivision Pattern be amended to read as follows:

'(i) The lot configuration and subdivision pattern does not have an undue impact on the streetscape and surrounding amenity.'

- (f) clause ADC 3. (a) Lot Configuration and Subdivision Pattern be amended to read as follows:

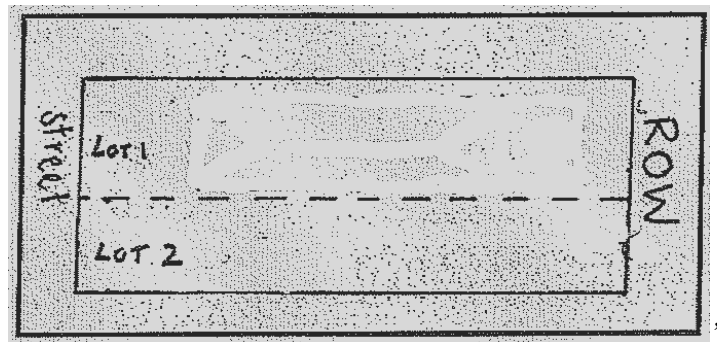
'(a) The lot configuration and subdivision pattern are to reflect the existing predominant subdivision pattern of the immediate street block the subject property is located, in terms of layout and orientation.'

- (g) clause ADC 3. (c) (6) Lot Configuration and Subdivision Pattern be amended to read as follows:

'(c)(6) The retention of an existing dwelling(s) ~~which~~ where the block is split down the middle.';

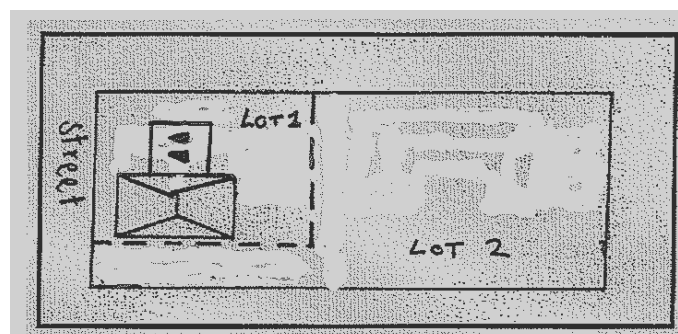
- (h) clause ADC 3. (c) (7) Lot Configuration and Subdivision Pattern be amended to read as follows:

'(c)(7) Vacant site which is split down the middle.



- (i) clause ADC 3. (c) (8) Lot Configuration and Subdivision Pattern be amended to read as follows:

'(c)(8) Green Title/Freehold Battleaxe Lot.



- (aa) Each lot is to have direct frontage to a dedicated/gazetted road.
- (bb) Vehicular access is to comply with clause ADC 5. Vehicular Access.
- (cc) Green title/freehold Bbattleaxe subdivision will only be supported where the following criteria are met:
- (aaa) ~~the~~ an existing dwelling(s) fronts the street and this dwelling is retained;
- (bbb) the existing vehicular access to the existing dwelling(s) is not sufficient in terms of width and ~~maneuvering~~ manoeuvring to service both the existing dwelling(s) lot and proposed lot(s)/dwelling(s);
- (ccc) the property does not have legal access to a right of way;
and
- (ddd) the subdivision complies with the requirements of the R Codes.

Note:

“Green title/freehold Bbattleaxe lot/site” means a green title/freehold single house lot or site that has a frontage to a public road only through a pedestrian or vehicular access way that is part of the lot, but the term excludes a lot that has vehicular access from a private or communal street or right of way connected to a public road.’;

- (j) clause PC 4. (i) Small Lot Subdivision be amended to read as follows:
- ‘(i) Small lots are capable of accommodating development that provides adequate amenities to future occupants of that development without having an undue impact on the streetscape and surrounding amenity.’;
and
- (k) clause ADC 4. (a) Small Lot Subdivision be amended to read as follows:
- ‘(a) A lot with a width/frontage less than 8 metres may be supported where the following criteria are achieved:
- The property has vehicular access from a right of way; and
 - Similar development/subdivision has occurred along the street within the subject street block; or
 - The proposal involves the re-adaptation of the existing dwelling into two dwellings.
- ←
In all cases Ccompliance with all other provisions of the Town of Vincent Policy relating to Residential Design Elements and the R Codes is required. ~~and~~
- ~~The proposal involves the re-adaptation of the existing dwelling into two dwellings.’.~~”

- (iii) *ADVERTISES the Draft Policy relating to Residential Subdivisions for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*
- (a) *advertising a summary of the subject Policy once a week for four consecutive weeks in a newspaper circulating in the locality;*
 - (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policy; and*
 - (c) *forwarding a copy of the subject Policy to the Western Australian Planning Commission; and*
- (iv) *after the expiry of the period for submissions:*
- (a) *REVIEWS the Draft Policy relating to Residential Subdivisions, having regard to any written submissions; and*
 - (b) *DETERMINES the Draft Policy relating to Residential Subdivisions, with or without amendment, to or not to proceed with them.*

Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strikethrough, italic font and underline.

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Chester, Seconded Cr Ker

That a new clause (l) be added to read as follows:

“(l) clause ADC 3. (c) (7) (bb) be amended so that the vehicular access should be provided from the Right-of-way (ROW).

Debate ensued.

AMENDMENT PUT AND CARRIED (7-1)

For

Mayor Catania

Cr Chester

Cr Doran-Wu

Cr Ker

Cr Lake

Cr Maier

Cr Messina

Against

Cr Torre

Cr Farrell on Approved Leave of Absence

Cr Messina departed the Chamber at 8.35pm.

AMENDMENT

Moved Cr Maier, Seconded Cr Ker

That clause ADC 3. (c) (6) (aa) Lot Configuration and Subdivision Pattern be amended to read as follows:

“(c) (6) (aa) This subdivision pattern will only be considered where the subdivision will result in a lot width which is consistent with more than 50 percent of the lot width within the immediate street block in which the subject property is located, and where the vacant lot, and where possible the lot with the existing house, has vehicular access from a right of way.”

AMENDMENT PUT AND CARRIED (5-2)

For

*Cr Chester
Cr Doran-Wu
Cr Ker
Cr Lake
Cr Maier*

Against

*Mayor Catania
Cr Torre*

*Cr Farrell on Approved Leave of Absence.
Cr Messina was out of the Chamber.*

Moved Cr Chester, Seconded Cr Ker

That clause (ii) be amended to read as follows:

“(ii) ADOPTS the Draft Policy relating to Residential Subdivisions in the interim until the formal adoption of the Draft Policy; subject to the Policy being amended to as follows:

(a) the diagrams/drawings in the Policy being amended to more accurately reflect the current development/subdivision situation in the Town, be more consistent in orientation and of a higher quality;

(b) clause ADC 3. (c) (6) (aa) Lot Configuration and Subdivision Pattern be amended to read as follows:

‘(c)(6)(aa) This subdivision pattern will only be considered where the subdivision will result in a lot width which is consistent with ~~more than~~ 50 percent or more of lot width within the immediate street block in which the subject property is located.’;

(c) clause ADC 3. (c) (7) (aa) Lot Configuration and Subdivision Pattern be amended to read as follows:

‘(c)(7)(aa) This subdivision pattern will only be considered where the subdivision will result in a lot width which is consistent with ~~more than~~ 50 percent or more of lot width within the immediate street block in which the subject property is located...’; and

(d) clause ADC 4. (b) Small Lot Subdivision be amended to read as follows:

(b) *Lots with a width/frontage less than 8 metres and/or lots with an area less than 300 square metres and/or lots with an encumbrance (such as a sewer easement or rights of carriageway easement) that reduces the effective area of the lot to less than 300 square metres, and/or lots with an awkward shape, are to meet the following criteria to the satisfaction of the Town of Vincent:*

(aa) *the Town of Vincent has approved a Planning Approval and/or Building Licence for the development of dwelling(s) on the subject lot; and*

(bb) *the perimeter walls of the approved dwelling(s), including the garage walls and carport walls/pillars have been constructed to plate height.*

Notes:

(a) *“wall plate” means a horizontal structure on a wall to distribute the pressure from the roof frame structure; and*

(b) *“plate height” means the height of the wall between the natural ground level and the wall plate.*

The above Planning Approval and construction to plate height requirements provide the following benefits to the Town of Vincent and the applicant of the proposed subdivision:

- *Demonstrates that a dwelling with adequate amenities on site, while not unduly affecting the amenity of the surrounding area, can be developed on the small lots;*
- *Prevents Planning Approval lapsing after two (2) years or the owner changing over time, and the applicant and the Town of Vincent having to re-negotiate an appropriate new development on the small lots;*
- *Prevents newly subdivided lots remaining vacant; and*
- *Provides certainty of the scale and nature of development on the small lots.’.*

Amendment not voted on as a Deferral Motion was moved.

Cr Messina returned to the Chamber at 8.37pm.

Debate ensued.

Moved Cr Messina, Seconded Cr Lake

That the Item be DEFERRED for clarification of various clauses.

PROCEDURAL MOTION PUT AND CARRIED (8-0)

COUNCIL DECISION ITEM 10.1.10

That the Item be DEFERRED for clarification of various clauses.

PURPOSE OF REPORT:

The purpose of this report is to present the Draft Policy relating to Residential Subdivisions and to seek the Council's approval to advertise the Draft Policy.

BACKGROUND:

23 January 2007 The Council at its Ordinary Meeting considered Item 10.1.8 relating to the draft Residential Design Policy. The Council resolved to adopt the following action:

“(ii) (i) new policies relating to:

- (1) Subdivisions; and*
- (2) Single Bedroom Dwellings;*

independent but inherently linked to the draft Residential Design Elements be prepared and that a report and draft policy be referred to the Council no later than April 2007;”

DETAILS:

In light of clause (ii) (i) (1) of the above Council Resolution at its Ordinary Meeting held on 23 January 2007, the Town's Officers have prepared a Draft Policy relating to Residential Subdivisions.

The objectives of the Draft Policy states as follows:

- “1) To provide clear policy direction on the requirements for residential subdivision in the Town of Vincent.*
- 2) To encourage high quality residential development that complements the character of the streetscapes recognised by the Town of Vincent.*
- 3) To ensure new residential allotments are of an appropriate size, shape and pattern to accommodate future desired development.*
- 4) To respect the residential character of the locality through appropriate subdivision patterns.*
- 5) To promote energy efficient and environmentally sustainable residential development through appropriate configuration and pattern of lots.*
- 6) To protect existing trees of significance through appropriate configuration and pattern of lots and siting of dwellings.*
- 7) To encourage appropriate residential development of land through the integration of the subdivision and construction processes.”*

The Draft Policy addresses various matters relating to Residential Subdivisions, with specific attention to minimum site area, lot configuration, vehicular access, split coding, small lot subdivision and pedestrian access leg requirements.

CONSULTATION/ADVERTISING:

Any new or rescinded or amended Planning Policy is required to be advertised for public comment in accordance with Clause 47 of the Town's Town Planning Scheme No. 1.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies.

STRATEGIC IMPLICATIONS:

*Strategic Plan 2006-2011 – Strategic Objective: Natural and Built Environment
“1.1.2 Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision.”*

FINANCIAL/BUDGET IMPLICATIONS:

The current 2007/2008 Budget allocates \$60,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

The Draft Policy relating to Residential Subdivisions has been prepared to mainly provide applicants and developers with a set of concise guidelines and requirements for residential subdivisions within the Town. It is intended that this Policy will guide residential subdivision so the amenity of the Town's streetscapes will be protected and future subdivisions and subsequent development will not unduly impact on the amenity of the area.

In light of the above, it is recommended that the Council receives, adopts in the interim and advertises the Draft Policy in accordance with the Officer Recommendation.”

10.1.9 No. 165 (Lot 37 D/P: 3642) Scarborough Beach Road, Mount Hawthorn- Proposed Change of Use from Shops and Warehouse to Eating House, Shop and Warehouse

Ward:	North	Date:	26 October 2007
Precinct:	Mount Hawthorn Centre; P02	File Ref:	PRO0281; 5.2006.563.1
Attachments:	001		
Reporting Officer(s):	L Parker		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by B R Jones on behalf of the owner J L Jones, Argyle Holdings Pty Ltd and Tegra Pty Ltd for proposed Change of Use from Shops and Warehouse to Eating House, Shop and Warehouse, at No. 165 (Lot 37 D/P: 3642) Scarborough Beach Road, Mount Hawthorn, and as shown on plans stamp-dated, 25 July 2007, subject to the following conditions:

- (i) doors, windows and adjacent floor areas visible from Scarborough Beach Road shall maintain an active and interactive relationship with this street;*
- (ii) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, 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;*
- (iii) all signage that does not comply with the Town'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 and approved prior to the erection of the signage;*
- (iv) the maximum public floor area of the eating house shall be limited to 160 square metres, and the maximum gross floor area of the shop and warehouse uses shall be limited to 120 square metres and 460 square metres, respectively; and*
- (v) 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:*
 - (a) pay a cash-in-lieu contribution of \$7,020 for the equivalent value of 2.6 car parking spaces, based on the cost of \$2,700 per bay as set out in the Town's 2007/2008 Budget; OR*
 - (b) lodge an appropriate assurance bond/ bank guarantee of a value of \$7,020 to the satisfaction of the Town. This assurance bond / bank guarantee will only be released in the following circumstances:*

- (i) *to the Town at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or*
- (ii) *to the owner(s) / applicant following receipt by the Town with a Statutory Declaration of the prescribed form endorsed by the owner(s)/ applicant and stating that they will not proceed with the subject 'Approval to Commence Development,'; or*
- (iii) *to the owner(s) / applicant where the subject 'Approval to Commence Development,' did not commence and subsequently expired.*

The car parking shortfall and consequent cash-in-lieu contribution can be reduced as a result of a greater number of car bays being provided on site and to reflect the new changes in the car parking requirements.

COUNCIL DECISION ITEM 10.1.9

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

Landowner:	J L Jones & Argyle Holdings Pty Ltd & Tegra Pty Ltd
Applicant:	B R Jones
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): District Centre
Existing Land Use:	Shop and Warehouse
Use Class:	Shop, Eating House and Warehouse
Use Classification:	"P", "P" and "P"
Lot Area:	572 square metres
Access to Right of Way	N/A

BACKGROUND:

- 19 October 1987 The City of Perth Council at its Ordinary Meeting approved an application to convert an existing shop to a shop and warehouse.
- 15 June 1992 The City of Perth Council at its Ordinary Meeting approved an application for a caretakers unit in an existing shop.
- 28 June 1994 The Council at its Ordinary Meeting refused an application for the proposed establishment of a place of public worship within an existing building.
- 13 September 1994 The Council at its Ordinary Meeting refused an application for change of use from shops (retail use) to an eating house and storage space.

DETAILS:

The existing two storey building contains two tenancies, one of which is vacant and the other which is occupied by a women's clothing store. The vacant tenancy was formerly the Peter Treen Electrical Store and has remained vacant since March 2005. No car parking is able to be accommodated on site.

Approval is sought for the change of use of the existing shop tenancy on the Scarborough Beach Road level to an eating house and associated alterations. No changes are proposed to the Anvil Lane level which is currently approved for use as warehouse.

The applicant has submitted a detailed submission supporting the proposed development. It should be noted that the submission was prepared for the initial application, which included an eating house use on the Anvil Lane level of the building also. The applicant's submission is summarised below:

- The building has remained vacant for an extended period of time and the applicants have received several expressions of interest from potential café/restaurant operators.
- A café/restaurant operator would best be able to successfully utilise the vacant areas of the building.
- The proposed change of use will decrease the net occupiable floor area of the building.

The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Noted.
Consultation Submissions			
Support	Nil		Noted.
Objection (2)	<ul style="list-style-type: none"> • Inadequate car parking 		Not supported - the resultant car parking shortfall (2.6 car bays) is considered to be minor in this instance, and the Council has the discretion to approve car parking shortfalls if considered appropriate.
	<ul style="list-style-type: none"> • Concerns regarding the use of the private car park behind Nos. 167-173 Scarborough Beach Road. 		Not supported - the use of and access to the private car park behind Nos. 167-173 Scarborough Beach Road is a civil matter, and is not the subject of town planning considerations in this instance.
Other Implications			
Legal/Policy			TPS 1 and associated Policies
Strategic Implications			Nil
Financial/Budget Implications			Nil
Car Parking			
Car Parking Requirement (nearest whole number)			

- Retail Premises - Shop: 1 space per 15 square metres of gross floor area (existing 120 square metres) - 8.0 car bays	
-Storage/Warehouse: 3 spaces for the first 200 square metres of gross floor area and thereafter 1 space per 100 square metres of gross floor area (existing 460 square metres) - 5.6 bays	
- Café/Restaurant/Eating House: 1 space per 4.5 square metres of public floor area (proposed 160 square metres) - 35.55 car bays	Total = 49 car bays
Apply the adjustment factors	(0.65025)
<ul style="list-style-type: none"> • 0.85 (within 400 metres of one or more existing public car parking places with excess of 25 car parking spaces) • 0.85 (within 400 meters of a bus stop) • 0.90 (the development is within a District Centre zone) 	31.86 car bays
Minus the car parking on-site	Nil
Minus existing car parking shortfall after applying adjustment factors (=45 bays x 0.65025)	29.26 car bays
Resultant Shortfall	2.6 car bays

* The plot ratio calculation is provided in accordance with the Notice of Motion (Item 11.1) resolved at the Ordinary Meeting of Council held on 23 March 2004.

COMMENTS:

The original proposal included eating house uses on both the Anvil Lane and Scarborough Road levels of the building. This has been amended so that the proposed change of use is for the Scarborough Beach Road level only, taking into account the significant car parking shortfall originally proposed. Given an eating house is a permitted use, which is encouraged and complementary to the existing uses within the Mount Hawthorn Centre a car parking shortfall of 2.6 car bays is considered acceptable in this instance, subject to the appropriate cash-in-lieu requirements of the Town. Therefore, the proposal is recommended for approval subject to standard and appropriate conditions as outlined above.

10.2.5 Further Report Road Closure - Transformer Site Relocation Lot 801 (No 60), Newcastle Street Perth

Ward:	South Ward	Date:	30 October 2007
Precinct:	City of Perth (P2) Cultural Centre	File Ref:	TES0136 & PRO4025
Attachments:	001		
Reporting Officer(s):	A Munyard		
Checked/Endorsed by:	R Lotznicker	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the further report on the closure of portion of the Newcastle Street road reserve as shown in Appendix 10.2.5;*
- (ii) *APPROVES concluding the closure process as shown on appendix 10.2.5, in accordance with Section 58 of the Land Administration Act; and*
- (iii) *ADVISES all interested parties of the Council's decision.*

COUNCIL DECISION ITEM 10.2.5

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the outcome of the consultation and advertising of the proposed partial road reserve closure and seek approval to conclude the closure process.

BACKGROUND:

The East Perth Redevelopment Authority (EPRA) requested that the Town initiate the closure of portion of the Newcastle Street road reserve which was set aside as a Western Power transformer site.

It was agreed between Western Power and the owner of the adjacent property to relocate the transformer to a less conspicuous site and the portion of the road reserve closed and amalgamated into the adjacent lot.

In accordance with Section 58 of the Land Administration Act (LAA), the proposal required to be advertised for 35 days, and comments sought and considered prior to the Council being requested to approve the conclusion of the Road Closure.

DETAILS:

At its Ordinary meeting held on 14 August 2007, the Council approved the commencement of the closure process. The advertisement was placed in the *West Australian*, and drew no comments. Individual letters were also sent to the Water Corporation, Western Power, Alinta and Telstra.

As no objections to the closure were received in accordance with the LAA, the Council is requested to approve the completion of the closure.

CONSULTATION/ADVERTISING:

An advertisement was placed in the *West Australian* giving 35 days in which to comment. This is a requirement set out in Section 58 of the Land Administration Act.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.2(b) *Implement and promote planning policies and guidelines to enhance sustainability, amenity, universal access, neighbourhood interaction and crime prevention.*

FINANCIAL/BUDGET IMPLICATIONS:

The applicant has agreed to pay all costs involved.

COMMENTS:

The Council's approval to proceed with the closure will conclude the Town's role in the process. All letters of no objection from service authorities, together with the minutes of Council's approval, will now be forwarded to State Land Services to conclude the closure.

10.3.1 Community and Welfare Grants and Donations 2007/2008

Ward:	Both	Date:	12 October 2007
Precinct:	All	File Ref:	FIN0165 V1
Attachments:	-		
Reporting Officer(s):	T Blythe		
Checked/Endorsed by:	J Anthony/M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That Council APPROVES payment of the following grants and donations to the organisations listed as part of the first round of funding for donations as approved in the 2007/08 Annual Budget.

COUNCIL DECISION ITEM 10.3.1

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

<i>Carers WA</i>	<i>\$3,300</i>
<i>Ethnic Communities Council</i>	<i>\$2,000</i>
<i>Multicultural Services Centre of WA Inc</i>	<i>\$2,500</i>
<i>Passages Resource Centre</i>	<i>\$3,000</i>
<i>W.A AIDS Council</i>	<i>\$2,000</i>
<i>ENASCO Australia</i>	<i>\$1,000</i>
<i>ENASCO (Gold Age Seniors Inc)</i>	<i>\$3,000</i>
<i>Toy Libraries</i>	<i>\$3,000</i>
<i>Sundry Donations</i>	<i>\$6,000</i>
TOTAL	\$25,800

PURPOSE OF REPORT

To obtain the Council approval for the first round of Community and Welfare Grants for the 2007/2008 financial year.

BACKGROUND:

The Town of Vincent established the Community and Welfare Grants and Donations Scheme to provide financial assistance to individuals who are disadvantaged and/or in crisis and non-profit community groups and organisations providing community and welfare services to Town of Vincent residents.

Since the 2006/2007 financial year, the grants have been advertised biannually. Not for profit organisations are entitled to apply for grants of up to \$5000 to assist with providing community services and programmes to Town of Vincent residents.

Funds are also set aside under "Sundry Donations" to enable the Town to provide small donations, on an ad hoc basis, to not-for-profit community service providers, not in receipt of an annual grant. Provision has also been made, with funds set aside under "Sundry

Donations", to assist individual residents who are disadvantaged and in financial crisis. In all cases, applications are thoroughly assessed in accordance with determined criteria and guidelines.

In accordance with the Community and Welfare Grants and Donations Guidelines, the scheme was advertised in two local papers during the month of July inviting applications for funding which resulted in eight applications.

Each application has been rated on a standard scale against a standard set of criteria. The ratings scale is shown below:

Criteria	Weighting
Adherence to policy guidelines	30%
Benefit to Town of Vincent residents	20%
Financial viability of the project or programme	10%
Previous grants acquitted satisfactorily	10%
Targets vulnerable and disadvantaged groups in the community	10%
A unique service that meets the needs of the community	10%
Demonstrated experience in delivering the service or programme	10%
	100%

DETAILS

A summary of the applications and their ratings is shown on the following pages:

Applications recommended for funding:

Organisation	Carers WA
Purpose of Funding	<p>The grant will be used to provide regular informal and ongoing meetings and activities for carers so they can take a break from their caring duties.</p> <p>By providing opportunities for carers to meet, Carers WA endeavours to reduce the social isolation experienced by carers, empower carers to focus on their own health and wellbeing, and enable carers to establish their own social network</p> <p>Funds would be used for the hire of facilities, transport and promotion of the program.</p> <p>Over the past four years, Carers WA has developed a social support program called "Linking Together" to aid carers living in and around the Town of Vincent. Groups of carers meet each month at local cafes, parks and halls to socialise with one another.</p>
Target Group	Any adult person caring for a family member, who has a disability, chronic or mental illness or is frail aged living in WA.
Services Provided by the Organisation	Carers WA is carer focused and carer driven to provide services in the form of advocacy, social support, training and education, representation and counselling.
Proportion of Vincent Residents Serviced by the Program	3200 clients used the full range of services provided by Carers WA last year. Approximately 300 of these clients live within the Town of Vincent. There are approximately 2600 family carers in the Town of Vincent.

Incorporated	Yes
Comments	This program will specifically benefit carers living in the Town of Vincent. The Town has been providing funding for this program for the last four (4) years. The total cost of the program is \$11956
Amount Requested	\$3,300
Amount Recommended	\$3,300

Carers WA	Raw Score	Weighted Score %
Adherence to policy guidelines	90	27
Benefit to Town of Vincent residents	90	18
Financial viability of the project or programme	90	9
Previous grants acquitted satisfactorily	100	10
Targets vulnerable and disadvantaged groups in the community	90	9
A unique service that meets the needs of the community	90	9
Demonstrated experience in delivering the service or programme	100	10
TOTAL	650	92

Organisation	Ethnic Communities Council WA
Purpose of Funding	The grant would be used to run a series of four (4) educational workshops for secondary students whose English is a second language (ESL). The aim of the workshops is to improve the students confidence in verbal communication and expression through art, creative writing and public speaking. Each workshop will cater for a maximum of 50 participants. Funds would be used to cover running costs, project coordination, administration, catering costs, facilitator's fees, promotion and venues hire.
Target Group	The project will target secondary ESL Students from schools within the Town of Vincent.
Services Provided by the Organisation	Ethnic Communities Council WA (ECCWA) is an organisation concerned with issues relevant to people from non-English speaking backgrounds.
Incorporated	Yes
Number of Vincent Residents Served	There are over 6000 residents from non English speaking backgrounds who were born overseas in the Town of Vincent. Of those residents, approximately 200 will be attending the workshops
Comments	The ECCWA has identified a lack of confidence with communication in the marginalised group of students in the Town of Vincent for whom English is a second language. This program endeavours to address and somewhat rectify these issues. The total cost of the programme is \$5450. Included in this cost is the use of the venue, which will be at ECCWA, and also the cost of administration assistance by ECCWA.

	Considering this, it is therefore recommended that the Town contributes towards the other costs of running the workshops, which includes hiring a facilitator, advertising and promotion.
Amount Requested	\$4950
Amount Recommended	\$2000

Ethnic Communities Council	Raw Score	Weighted Score %
Adherence to policy guidelines	70	21
Benefit to Town of Vincent residents	70	14
Financial viability of the project or program	70	7
Previous grants acquitted satisfactorily	90	9
Targets vulnerable and disadvantaged groups in the community	90	9
A unique service that meets the needs of the community	90	9
Demonstrated experience in delivering the service or program	100	10
TOTAL	580	79

Organisation	Multicultural Services Centre WA (MSCWA)
Purpose of Funding	To provide a pro bono Migration Advice Service by hiring a Registered Migration Agent, initially one half day per week, with the possibility of increasing to a maximum of two days. This program will assist the reunification of families including but not limited to humanitarian visas, orphan and/or remaining relative visas and parent visas A receptionist/legal assistant will be supporting the program with administration.
Target Group	Any person or family group in need of pro bono assistance in applying for a humanitarian visa, orphan and/or remaining relative visa and parent visa for family members live overseas.
Services Provided by the Organisation	The MSCWA provides home and aged care; Crisis accommodation emergency relief; accommodation program; employment, education and training; Personal Support Program; Legal Program; Community Settlement Services Program.
Incorporated	Yes
Number of Vincent Residents Served	In the last financial year more than 5000 people received services through the Multicultural Services Centre and approximately 940 of these people live within the Town of Vincent.
Comments	Currently, there is no pro bono service for Migration Advice in the Town of Vincent. Organisations in surrounding areas are overloaded with requests for assistance and those requests are forwarded to MSCWA. However, migration advice may only be given by a Registered Migration Agent. Given current demand, it is estimated that between 750 and 1000 Town of Vincent residents will benefit from the introduction of this service.

	<p>Total cost of the programme is \$20,250.00. This includes administration costs encompassing office rental, administration support, staff wages and \$1,440 for the Registered Migration Agent Honorium.</p> <p>As many of these costs already exist and will continue to be incurred by MSCWA, regardless of this program commencing, it is recommended that the Town contribute toward the new and additional costs associated with beginning this project.</p> <p>It is recommended that the Town cover the cost of the Honorium to acquire the Registered Migration Agent, and a portion of the additional advertising and promotion costs.</p>
Amount Requested	\$5,000
Amount Recommended	\$2500

	Raw Score	Weighted Score %
Multicultural Services Centre WA		
Adherence to policy guidelines	70	21
Benefit to Town of Vincent residents	70	14
Financial viability of the project or program	70	7
Previous grants acquitted satisfactorily	90	9
Targets vulnerable and disadvantaged groups in the community	80	8
A unique service that meets the needs of the community	80	8
Demonstrated experience in delivering the service or program	90	9
TOTAL	550	76

Organisation	Passages Resource Centre
Purpose of Funding	<p>The grant would be used to run a Healthy Cooking Group. This will involve clients learning how to budget, shop and prepare healthy, low cost meals. Clients are shown the importance of hygiene in food preparation as well as basic cooking techniques.</p> <p>This year the program is going to trial a Healthy Breakfast option. The clients will prepare a variety of breakfast menus and purchase the ingredients the day before.</p> <p>A volunteer chef may also be incorporated into the program to facilitate professional cooking skills</p> <p>Funds will be used to purchase fresh and packaged food, hygiene and cleaning products.</p>
Target Group	Street present young people, primarily with issues of homelessness and drug and alcohol misuse.
Services Provided by the Organisation	<p>Services provided by Passages include:</p> <ul style="list-style-type: none"> • Relevant information and referrals • Informal counselling • Non-judgmental hospitality within a safe environment • Laundry, bathroom and kitchen facilities • Telephone, postal and computer access • Clothing vouchers • Medical and personal hygiene products • Life skills programs •

Number of Vincent Residents Served	<p>Passages provided services to 1251 clients in 2005. The total number of recorded client contacts (includes repeat clients) is 4112.</p> <p>In 2006, Passages provided services for 1079 individuals a total of 3669 times.</p> <p>Due to the transient nature of the clients who use the service, it is difficult to determine the exact number of Town of Vincent residents using the service.</p> <p>On average, 21 young people attend the cooking group each week. Of these 14 regularly reside within the Town of Vincent. Therefore, potentially, over 700 at risk youth residing in the Town may benefit from this program.</p>
Incorporated	Yes
Comments	<p>Passages provide services to young people who are most disadvantaged, particularly those living on the street. The assistance offered meets very basic and concrete needs.</p> <p>The Healthy Cooking Program was initiated in 1999 with the support of the Town of Vincent. It has been running successfully ever since. It was established at the request of the young people accessing the centre. The total cost of the program is \$4,500</p>
Amount Requested	\$3,000
Amount Recommended	\$3000

	Raw Score	Weighted Score %
Passages Resource Centre		
Adherence to policy guidelines	90	27
Benefit to Town of Vincent residents	80	16
Financial viability of the project or program	90	9
Previous grants acquitted satisfactorily	100	10
Targets vulnerable and disadvantaged groups in the community	90	9
A unique service that meets the needs of the community	90	9
Demonstrated experience in delivering the service or program	100	10
TOTAL	640	90

Organisation	WA AIDS Council
Purpose of Funding	Funding towards the "HIV Emergency Relief Fund" which provides emergency financial assistance to clients experiencing financial hardship and who are finding it difficult to meet the most basic costs of daily living. The assistance is granted under strict criteria and the funds provided are limited to utilities and food, in order to maintain basic living standards
Target Group	People living with HIV/AIDS.
Services Provided by the Organisation	The Western Australian AIDS Council is a community-based organisation which provides a diverse range of services to People Living with HIV/AIDS and to the broader community. Services include education, advocacy, support services and health enhancement services.
Incorporated	Yes
Number of Vincent Residents Served	The WA AID's council provides welfare services to 117 people in total and of those 23 live in the Town of Vincent

Comments	<p>One third of this organisation's registered clients reside in the TOV.</p> <p>In the last financial year this particular program distributed 172 food parcels, which is an increase of 51 food parcels from the previous year, and delivered financial assistance on 180 separate occasions, which is an increase of 26 occasions.</p> <p>Many clients are single and, therefore, not eligible for emergency relief through Family and Children's Services and many other welfare providers. Fear of discrimination regarding their HIV status, limits the services that many people living with HIV/AIDS can access.</p> <p>Total cost of the programme is \$14,500</p>
Amount Requested	\$2,000
Amount Recommended	\$2000

	Raw Score	Weighted Score %
W.A AIDS Council		
Adherence to policy guidelines	90	27
Benefit to Town of Vincent residents	90	18
Financial viability of the project or program	90	9
Previous grants acquitted satisfactorily	100	10
Targets vulnerable and disadvantaged groups in the community	90	9
A unique service that meets the needs of the community	90	9
Demonstrated experience in delivering the service or program	100	10
TOTAL	650	92

Organisation	ENASCO Australia Inc 248 Fitzgerald Street, Perth.
Purpose of Funding	<p>To provide the ENASCO senior in house mobile service programme.</p> <p>In recent years the ENASCO organisation has recorded a decline in the number of seniors visiting the office in North Perth and an increase in the request for home visits.</p> <p>Funds would be used to cover transport costs – mileage allowance for use of private vehicle to and from client's residence by contractors or consultants.</p>
Target Group	Housebound senior citizens of Italian origin in the Town who are members of ENASCO and are unable to visit our office in North Perth.
Services Provided by the Organisation	<p>The ENASCO office is open from 9am – 3pm Monday to Friday. There are 5 full time staff and two part time staff to deliver the following services; social security and taxation issues; translation of documents, consultancy and interpreting services; preparation of Power of Attorney documents and Wills; assistance with travel arrangements interstate and overseas; promotion of language and cultural issues and the provision of social and welfare information and assistance.</p> <p>Currently 8 – 10 home visits are conducted each week.</p>
Incorporated	Yes

Number of Vincent Residents Served	<p>Of the 3500 – 4000 clients that utilised ENASCO’s services last year 80% live in the Town. For this particular program, there are currently about 350 residents receiving assistance each year. The organisation has confirmed the accuracy of this information.</p> <p>It is anticipated that as the program continues to grow, the numbers of Town of Vincent residents who access this program will increase.</p>
Comments	<p>The service will encourage senior citizens to maintain an active quality of life by promoting a sense of achievement through their personal participation and the opportunity to experience a level of independence in not having to rely on family and friends.</p> <p>ENASCO is currently funded by the Italian Government, private organisations and an annual \$20 subscription fee.</p> <p>It is recommended that the Town contribute only toward the mileage costs associated with providing mobile services to Italian Seniors residing in the Town of Vincent.</p>
Amount Requested	\$5,000
Amount Recommended	\$1000

ENASCO (GOLD AGE SENIORS INC)	Raw Score	Weighted Score %
Adherence to policy guidelines	50	15
Benefit to Town of Vincent residents	80	16
Financial viability of the project or programme	70	7
Previous grants acquitted satisfactorily	90	9
Targets vulnerable and disadvantaged groups in the community	80	8
A unique service that meets the needs of the community	80	8
Demonstrated experience in delivering the service or programme	90	9
TOTAL	540	72

Organisation	ENASCO (Gold Age Seniors Inc) 248 Fitzgerald Street, Perth.
Purpose of Funding	<p>The purpose of the grant will be to expand the existing “Gold Age 50 Day Trips”.</p> <p>It will be used to subsidise and increase the number of coach trips for seniors in the Town of Vincent. It is envisaged that with funding from the grant, the trips will be run monthly. Currently they operate only sporadically.</p>
Target Group	The target group are senior Italo-Australians of middle to lower socio-economic status residing within the Town of Vincent.
Services Provided by the Organisation	<p>Gold Age association was established by ENASCO to deliver new social services and programs to seniors. Gold Age Seniors Inc</p> <ul style="list-style-type: none"> • The promotion and teaching of Italian language and culture. • Computer workshop classes for seniors in English and Italian subject to demand. • A multilingual library for Gold Age members offering a variety of multilingual books, cassettes and tapes. • Provides for the monthly publication of an Italian magazine, 50

	<p>& Piu', for Gold Age members.</p> <ul style="list-style-type: none"> • Hosts a weekly talkback radio program "In Piena Liberta" to inform seniors of social security updates, travel specials, social & cultural events. • Organise social day trips and other travel for seniors.
Incorporated	Yes
Number of Vincent Residents Served	The organisation provides services for approximately 2,000 – 3,000 people, of which 80% live within the Town of Vincent. Currently, an average of 45 Town of Vincent residents attend each trip. If the trips were run monthly, potentially over 500 residents would be benefited by the program.
Comments	<p>Gold Age, run by ENASCO is an organisation that caters to senior citizens, mainly of Italian origin, who live in the Town of Vincent. They help the seniors to remain active and mentally aware about events, issues and news affecting them.</p> <p>This particular program will promote social interaction and activity amongst the seniors who are at risk of social isolation. Total cost of the program is \$24,000</p>
Amount Requested	\$3500
Amount Recommended	\$3000

GOLD AGE SENIORS INC	Raw Score	Weighted Score %
Adherence to policy guidelines	70	21
Benefit to Town of Vincent residents	80	16
Financial viability of the project or programme	70	7
Previous grants acquitted satisfactorily	90	9
Targets vulnerable and disadvantaged groups in the community	80	8
A unique service that meets the needs of the community	80	8
Demonstrated experience in delivering the service or programme	90	9
TOTAL	560	78

SUMMARY OF RATINGS:

Summary of ratings for applications recommended for funding:

Organisation	Raw Score	Weighted Score %
Carers WA	650	92
Ethnic Communities Council	580	79
Multicultural Services Centre of WA Inc	550	76
Passages Resource Centre	640	90
W.A AIDS Council	650	92
ENASCO Australia	640	72
ENASCO (Gold Age Seniors Inc)	560	78

CONSULTATION/ADVERTISING:

The scheme was advertised twice in two (2) local papers during the month of July 2007.

LEGAL/POLICY:

Policy Number:

1.1.5 “Donations, sponsorships and waiving of fees and charges”.

STRATEGIC IMPLICATIONS:

Strategic Plan - Amended 2006 – 2011 Key Result Area

3.1:1 “Celebrate and acknowledge the Town’s cultural and social diversity.”

3.1.3 “Determine the requirements of the community.”

FINANCIAL/BUDGET IMPLICATIONS:

Community & Welfare Grants and Donations

The table below details the financial implications of the welfare donations scheme over the past financial year. It also lists the amount requested this financial year and the funding which was approved at the November round of Grants last year.

Organisation	Funding Requested (06/07-June)	Funding Recommended (06/07-June)	Funding Requested (06/07-Nov)	Funding Recommended (06/07- Nov)
Carers WA	4,800	2,500		
Ethnic Communities Council	5,000	2,000		
Greek Welfare Centre	5,000	3,000		
Multicultural Services Centre	5,000	3,000		
Passages Resource Centre	2,500	2,500		
St Vincent de Paul Society	5,000	4,000		
Continance Advisory Service	1,400	1,400		
St Hilda’s Anglican Church	5,000	2,000		
Women’s Health Care House	5,000	3,000		
W.A AIDS Council	2,000	2,000		
Outcare Inc			2,800	2,500
ENASCO			5,000	3,500
The Salvation Army			5,000	3,500
Volunteer Taskforce			4,750	3,100
Manna Industries Inc			5,000	3,500
Sundry Donations	6,300	6,300		
TOTAL	\$47,200	\$31,700	\$22,550	\$16,100

The table outlines a comparison of the applications and funds received last year for the organisations that have applied for the donations this financial year.

Organisation	Funding Requested (06/07)	Funding Recommended (06/07)	Funding Requested (07/08)	Funding Recommended (07/08)
Carers WA	4,800	2,500	3,300	3,300
Ethnic Communities Council	5,000	2,000	4,950	2,000
Multicultural Services	5,000	3,000	5,000	2,500

Centre of WA Inc				
Passages Resource Centre	2,500	2,500	3,000	3,000
W.A AIDS Council	2,000	2,000	2,000	2,000
ENASCO Australia			5,000	1,000
ENASCO (Gold Age Seniors Inc)			3,500	3,000
Toy Libraries			3,000	3,000
Sundry Donations	6,300	6,300	6,000	6,000
TOTAL	\$19,300	\$12,000	34,750	25,800

Ad Hoc/Sundry Donations

In the 2007/2008 Budget, \$6,000 is allocated to cover sundry donations.

2007/2008 Budget

An amount of \$52,000 has been allocated for Community and Welfare Grants and Donations in the Budget for 2007/2008.

Since the introduction of the Community and Welfare Grants and Donations the total amount of funding requested has increased as shown in the table below:

FINANCIAL YEAR	AMOUNT REQUESTED	AMOUNT GRANTED
1996/1997	\$43,000.00	\$40,110.00
1997/1998	\$72,500.00	\$45,300.00
1998/1999	\$129,000.00	\$51,740.00
1999/2000	\$95,940.00	\$55,500.00
2000/2001	\$139,507.00	\$55,000.00
2001/2002	\$128,133.20	\$59,368.00
2002/2003	\$167,172.00	\$63,700.00
2003/2004	\$120,786.00	\$63,300.00
2004/2005	\$137,065.00	\$67,585.00
2005/2006	\$90,555.00*	\$49,000.00*
2006/2007	\$69,750.00*	\$54,450.00*
2007/2008	Round 1 - \$34,750.00	Round 1 \$25,800.00

* These figures do not include funding for the Loftus Community Centre and Rosewood Care Group.

Regular Annual Grants to Playgroups and Toy Libraries Located in the Town

An amount of \$20,000 has been allocated in the 2006/2007 and 2007/2008 budget to Playgroups. Each of the five Playgroups that operate within the Town of Vincent is eligible for funds totalling \$4,000 to use for capital works.

This 2007/2008 financial year, grants of \$1,000 will be offered to each Toy Library located in the Town of Vincent to assist with the costs of advertising, promotion and purchase of toys.

COMMENTS:

This is the first round of applications for the 2007/2008 financial year, to provide community groups and agencies an opportunity to apply for funding for programmes and services targeting the residents in the Town of Vincent.

The Town recognises the valid requests for funding from all applicant's, however in many cases the amount recommended is lower than that requested due to the limited funds available for grants. Priority has been given to funding those organisations to which the Town regularly makes referrals, and whose services directly or indirectly benefit a large number of the Town's residents and best reflect the needs of the local community.

10.3.2 Cultural Development Seeding Grant Application - Mount Hawthorn Community Church

Ward:	Both	Date:	17 October 2007
Precinct:	All	File Ref:	FIN0155
Attachments:	-		
Reporting Officer(s):	J. Bennett		
Checked/Endorsed by:	J Anthony M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council APPROVES the application of Mount Hawthorn Community Church for a Cultural Development Seeding Grant of \$700 for Candlelight Carols at Braithwaite Park.

COUNCIL DECISION ITEM 10.3.2

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

PURPOSE OF REPORT:

To seek approval for a Cultural Development Seeding Grant application for the Mount Hawthorn Community Church Carols in Braithwaite Park.

BACKGROUND:

The Mount Hawthorn Community Church on behalf of Mount Hawthorn Community Church and Mount Hawthorn Joint Anglican/Uniting Parishes are running a combined Carols by Candlelight in Braithwaite Park, on Sunday 16 December 2007.

DETAILS:

In particular the funding will go towards assistance with costs related to the hiring costs of a public address system, stage and lighting for the event. The Carols by Candlelight will be a free event, open to the community and is an important fundraiser for the Chaplaincy of Perth Modern School. Donations to the Perth Modern Chaplaincy will be voluntary on the night.

This event will be fully accessible to all members of the community including people with a disability.

CONSULTATION/ADVERTISING:

Nil

LEGAL/POLICY:

Nil

STRATEGIC IMPLICATIONS:

The Cultural Development Seeding Grants and the submitted application address the following strategic objectives of the Town's Strategic Plan 2006–11:

*“3.1.1 Celebrate and acknowledge the Town's cultural and social diversity
(a) Organise and promote community events and initiatives that engage the community and celebrate cultural and social diversity of the Town.”*

*“1.1.5 Enhance and maintain parks and community facilities
(d) Continue to provide vibrant meeting places for the community (eg Beatty Park Leisure Centre, Hyde Park and Library).”*

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$6,000 is allocated for Cultural Seeding Grants of which \$5,330 is still to be allocated within the 2007/08 budget.

COMMENTS:

The Mount Hawthorn Community Church meets the criteria for the Cultural Development Seeding Grants. They will acknowledge the Town's support during the Carols by Candlelight event and in their promotion.

The funding request has been made for \$700 and is supported in line with similar applications. Funding of \$600 was provided for a similar event in 2006 under the Cultural Development Seeding Grants.

The Mount Hawthorn Community Church will complete an acquittal report after the event, detailing how the Cultural Development Seeding Grant was expended.

10.4.1 Use of the Council's Common Seal

Ward:	-	Date:	31 October 2007
Precinct:	-	File Ref:	ADM0042
Attachments:	-		
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council ENDORSES the use of the Council's Common Seal on the documents listed in the report, for the month of October 2007.

COUNCIL DECISION ITEM 10.4.1

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

BACKGROUND:

The Chief Executive Officer is responsible for the day-to-day management of the Town 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 Town 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 Town 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 Town of Vincent has been affixed to the following documents:

Date	Document	No of copies	Details
5/10/07	Local Law	1	Town of Vincent Parking and Parking Facilities Local Law 2007
5/10/07	Local Law	1	Town of Vincent Dogs Local Law 2007
8/10/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services, Gate 7, Subiaco Oval, Subiaco Road, Subiaco re: Total Marine event - 11 October 2007 (Gareth Naven Room and Members Equity Bank Lounge)
10/10/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and KC's Fireworks Displays Aust Pty Ltd of PO Box 6112, Mooloolah,

Date	Document	No of copies	Details
			Queensland 4553 re: Monster Trucks Media Launch - 10 October 2007 (Stadium)
12/10/07	Deed of Covenant	4	Town of Vincent and Schnapper Developments Pty Ltd of PO Box 471 Subiaco WA 6008 and ANZ Banking Group Ltd of Level 7, 77 St Georges Terrace, Perth WA 6000 re: No. 59-61 Lot 10 D/P 5631 and Lots 16-20 D/P: 2456) Brewer Street, Perth - Demolition of existing warehouse buildings and construction of four (4) storey residential building comprising forty (40) multiple dwellings and Basement Car Parking
12/10/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services, Gate 7, Subiaco Oval, Subiaco Road, Subiaco re: Western Power Safety Workshops (2) - 19 October 2007 and 8 November 2007 (Gareth Naven Room)
15/10/07	Deed of Guarantee	9	Town of Cambridge, City of Joondalup, City of Perth, City of Stirling, Town of Victoria Park, Town of Vincent, City of Wanneroo and Mindarie Regional Council of Tamala Park, Marmion Avenue, Mindarie WA 6030 (MRC) and BioVision 2020 Pty Ltd of Level 37, 250 St Georges Terrace, Perth WA 6000 (Contractor) - A. MRC and the Contractor are parties to the Resource Recovery Facility Agreement (RRFA) dated 11/08/06 and other MRC Project Agreements; and B. Under Clause 6.5 of the RRFA, The Guarantors agree to provide a guarantee to the Contractor of payment by MRC of the Guaranteed Monies on the terms set out in the Guarantee.
17/10/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and The Frontier Touring Co. Pty Ltd of 135 Forbes Street, Woolloomooloo, NSW 2011 re: Rod Stewart Concert - 5 March 2008
17/10/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services, Gate 7, Subiaco Oval, Subiaco Road, Subiaco re: Spotless Supervisors Function - 24 October 2007 (Gareth Naven Room)
24/10/07	Transfer of Land	3	Town of Vincent and City of Perth of GPO Box C120, Perth re: Portion of each of Perth Suburban Lots 34 and 35 and being Lot 100 the subject of Diagram 12534 (Volume 1092, Folio 320)
24/10/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services, Gate 7, Subiaco Oval, Subiaco Road, Subiaco re: REST Superannuation Meeting - 26 October 2007 (Gareth Naven Room)

10.4.4 Statutory Review of Local Laws - Proposed New Trading in Public Places Local Law

Ward:	-	Date:	31 October 2007
Precinct:	-	File Ref:	
Attachments:	001		
Reporting Officer(s):	A Giles, J MacLean, John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *DOES NOT PROCEED with the adoption of its Local Law Relating to Trading in Public Places considered at the Ordinary Meeting of Council held on 8 May 2007 and RECOMMENCES the process to advertise the revised Local Law for public comment;*
- (ii) *pursuant to Section 3.16 of the Local Government Act 1995 has advised of its intention to review its local laws and NOTES that no submissions were received at the close of the statutory six (6) week public consultation period of the proposed review of the Town's Local Laws;*
- (iii) *pursuant to Section 3.12 of the Local Government Act 1995 advertises on a Statewide basis:*
 - (a) *its intention to repeal the following Local Laws Relating to:*
 - *Alfresco Dining, published in the Government Gazette of 30 April 1998;*
 - *Display of Items on a Footpath, published in the Government Gazette of 14 June 2000 and amendments; and*
 - *Street Trading, published in the Government Gazette of 22 December 1998.*
 - (b) *its intention to ADOPT a new Trading in Public Places Local Law as shown in Appendix 10.4.4 to provide for the regulation, control and management of outdoor eating facilities, stalls, traders and entertainers in any street or public place within the district by establishing the requirements with which persons must comply in order to undertake those activities;*
 - (c) *advising that a copy of the proposed local law may be inspected or obtained from the Town's Administration & Civic Centre, 244 Vincent Street, Leederville and Town Library, 99 Loftus Street, Leederville; and*
 - (d) *seeking submissions on the proposed local law for a period of not less than six (6) weeks; and*
- (iv) *NOTES that a further report will be submitted to the Council at the conclusion of the statutory consultation period.*

COUNCIL DECISION ITEM 10.4.4

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of the report is to advise Council that no submissions were received at the conclusion of the six (6) week statutory public consultation period of the proposed review of the Town’s Local Law and for the Council to note the changes recommended by the Department of Local Government and the Town’s Solicitors, prior to its intention to adopt the revised Local Government Property Local Law for public consultation.

BACKGROUND:

At the Ordinary Meeting of Council held on 8 May 2007, the Council considered the matter and resolved to approve of a new Local Law and advertise this for public consultation.

As part of the consultation process comments were received from the Department of Local Government and Town’s Solicitors as follows:

1. Title

“The title should be amended to read “Trading in Public Places Local Law 2007” where it appears on the cover page heading and citation.”

Clause 1.6 – Definitions

A number of definitions have been moved from clause 1.6 to either clause 2.9 in relation to street entertainers, or to clause 2.15 in relation to outdoor eating areas. Clauses 2.9 and 2.15 already contained many definitions used solely in those divisions of the local law concerned solely with street entertainers or outdoor eating areas. Certain definitions from clause 1.6 have been moved to either clause 2.9 or clause 2.5.

The definition of ‘footpath’, which has modified slightly and includes the whole of the verge of a thoroughfare.

The definition of ‘notice’ has been deleted, as that term is used throughout the local law differently from the definition. The Part 5 notices do not need the definition either.

Because of amendments made elsewhere in the local law, ‘proprietor’ is now not used.

Part 2 - Stallholders and traders

A new subclause 2.8(1)(a) has been inserted, obliging a stallholder to expressly comply with the terms and conditions of her or his permit. Similar obligations have been inserted in clause 2.14 and 2.18.

The former Division 4 concerning Itinerant Vendors as that is dealt with in the Town's Health Local Laws in substantially similar terms.

Division 4 concerning Sign Permits has been renumbered.

Part 3 - Permits

The purpose of this part is to provide provisions which regulate any application for a permit under the local law. As a couple of Divisions in Part 2 specified grounds for refusing an application for a permit which were essentially similar, and as that ground was also repeated in Part 3, these have deleted those clauses in the Divisions in Part 2 such that if the Town is to refuse an application for such matters as the applicant not being a fit and proper person or the applicant having breached any provision of the local law within the preceding 5 years, the Town can rely upon clause 3.4 for that purpose.

The former clause 3.3(6) of the local law has been deleted as that is already provided for in clause 3.1(5).

In renumbered clause 3.8 a new subclause (6) has been added which ensures that 'amend' has the meaning given to it in the Interpretation Act 1994.

Part 4 – Bond or Security

Clauses 4.1 and 4.2 have been tightened up by reference to amended clause 2.18(1)(e) of the local law. (This is simply to ensure that the Town can validly impose a bond, bank guarantee or other form of security and can recover against such). References to street market area have been deleted as that is the only reference to such a term in the local law.

Part 5 - Miscellaneous

In clause 5.1, the former subclause (1) has been split into two subclauses. One of the subclauses deals with the rectification of a breach of a term or condition of a permit or of the local law, and the other subclause deals separately with changing the arrangement or operation of an outdoor eating area.

In clause 5.2(2) the requirement to give any notice other than that which is reasonable in the circumstances has been deleted.

Amendments to clause 5.2(3) have been made and clause 5.3 has been deleted on the basis that the giving of documents is dealt with in the Local Government Act.

In renumbered clause 5.4 dealing with public liability insurance and indemnity a requirement in subclause (1)(b) has been deleted to note the Town on the insurance policy as an interested party. This means that the Town will be able to take the benefit of the policy.

In the same subclause a new paragraph (1)(e) has been inserted and amended paragraph (1)(f) so that there is not only an obligation to provide a copy of the policy and a certificate of currency on the request of an authorised person, but also to produce a copy of the certificate of currency prior to commencing any activity authorised by a permit.

The offence provision in clause 5.4(2) has been tightened up.

Part 6 - General

This part is included within Part 5 – it is unusual to have a miscellaneous part and also a general part.

Clause 6.1 has been deleted as those matters are wholly dealt with in section 9.10 of the Act.

In clause 6.3 and in clause 6.4 the reference to ‘local government building’ where that is used separately from ‘local government property’ has been deleted. The definition of ‘local government property’ is such that it will include a local government building.

Renumbered clause 6.3 has been amended and former clause 6.5 deleted on the basis that the impounding of goods or recovery expenses is wholly dealt with in the Act and the Local Government (Functions and General) Regulations 1996. Renumbered clause 2.20(2) has been amended so that it creates an offence that is a contravention that can lead to impounding, where items are placed on a footpath without lawful authority. ‘Contravention that can lead to impounding’ is a defined term in section 3.38 of the Act and in order for goods to be impounded they must be involved in a contravention that can lead to impounding.

Part 7 - Offences and Penalties

The prescribed offences and modified penalty provisions have been moved so that they are together, and amended the reference to the forms to include a reference to the form in section 9.13 of the Act.

Clause 7.4 has been deleted as that is a matter dealt with in the Local Government Act and the Criminal Procedure Act 2005.

Part 8 – Objections and Appeals

Clause 8.1 has been deleted so that it is internally consistent with the local law and also consistent with the provisions of Division 1 of Part 9 of the Act and regulations 33 and 34 of the Functions and General Regulations.

DETAILS:

A review of all the local laws has been carried out by the Town’s officers. The Town has used the Western Australian Local Government Association’s (WALGA’s) Model Local Laws and modified them to suit the Town’s requirements. The Model Local Laws have been approved by the Parliamentary Joint Standing Committee on Delegated Legislation and therefore have been previously checked for legal compliance. The Town has also reviewed a number of other local government’s local laws.

The process has taken longer than anticipated due to the review being carried out “*in-house*” by the Town’s officers.

Trading in Public Places Local Law

This Local Law replaces the following existing local laws and amalgamates them into one new local law:

- *Alfresco Dining*, published in the Government Gazette of 30 April 1998;

- *Display of Items on a Footpath*, published in the Government Gazette of 14 June 2000 and amendments; and
- *Street Trading*, published in the Government Gazette of 22 December 1998.

Part 1 - Preliminary

This part includes all the statutory requirements of citation, objective, commencement, repeal and application of the local law. The Interpretation clause is expanded to include a more comprehensive list of definitions.

The fees and charges prescribes the current process.

Part 2 - Trading in Thoroughfares and Public Places

- 2.1 Definitions
- 2.2 *Stallholder's permit* - this is similar to the Town's current local law.
- 2.3 *Trader's permit* - this is new and allows for traders to apply for a licence.
- 2.4 *No permit required to sell newspapers* - this is the same as the Town's current local law.
- 2.5 *Matters to be considered in determining application* - this is similar to the Town's current local law.
- 2.6 *Conditions of permit* - this is similar to the current local law.
- 2.7 *Exemptions from requirement to pay fee* - this is a new clause and gives discretion to the Town to exempt charitable organisations from fees.
- 2.8 *Conduct of stallholders and traders* - this is similar to the Town's current local law.
- 2.9 Definitions
- 2.10 *Entertainer's permit required to perform* - this is a new provision (based on the City of Perth local law) and allows for an Entertainers Permit to allow people to perform in a public place.
- 2.11 *Variation of permitted area and permitted time* - this is a new clause, (based on the City of Perth local law) and allows a local government to vary a permit.
- 2.12 *Duration of permit* - this is a new clause (based on the City of Perth local law) – specifies times.
- 2.13 *Cancellation of permit* - this is a new clause (based on the City of Perth local law) allows for the cancellation of a permit.
- 2.14 *Obligations of permit holder* - this is a new clause, (based on the City of Perth local law) and prescribes conditions of obligation.
- 2.15 Definitions
- 2.16 *Permit required to conduct an outdoor eating area* - this is a new clause (based on the City of Perth local law) and prescribes the need for a permit.

- 2.17 *Matters to be considered in determining application* - this is a new clause (based on the City of Perth local law) – prescribes matters for a local government to consider.
- 2.18 *Obligations of permit holder* - this is a new clause (based on the City of Perth local law) – prescribes conditions for permit holders.
- 2.19 *Removal of an outdoor eating area unlawfully conducted* - this is a new clause (based on the City of Perth local law) – allows for removal of an outdoor eating area.
- 2.20 *Use of an outdoor eating area by public* - this is a new clause (based on the City of Perth local law) – prohibits persons using an outdoor eating area unless they are bonafide customers.
- 2.21 *Temporary removal of an outdoor eating area may be requested* - this is a new clause (based on the City of Perth local law) – allows for removal of an outdoor eating area in the event of public works.
- 2.22 Definitions
- 2.23 -
- 2.34 *Display of Advertising Signs on a Footpath* - these clauses are for the control of signs.

Part 3 - Permits

- 3.1 -
- 3.15 These are all new clauses relating to the handling of permits. (Permits are now used instead of licences.)

Part 4 - Bond or Security

- 4.1 *Security for restoration and reinstatement* - this is a new clause which may require payment of a bond or security if required.
- 4.2 *Use by the local government of bond or security* - this is a new clause to allow the town to carry out the works using a bond in the event of a default of a notice.

Part 5 - Miscellaneous

This Part deals with serving of notices, insurance and action to be taken in cases of non-compliance.

PART 6 - GENERAL

This Part deals with authorised persons, impounding of goods and disposal of impounded goods.

PART 7 - OFFENCES AND PENALTIES

This part introduces the power to issue modified penalties for non-compliance. This is new and the Local Government Act 1995 allows it for all local laws.

PART 8 - OBJECTIONS AND APPEALS

This Part prescribes the procedure for persons lodging an appeal.

CONSULTATION/ADVERTISING:

The Town's intention to review its local laws was advertised in The West Australian Newspaper and on the Town's website. Copies were also sent to Precinct Groups and a local public notice was displayed on the official Notice Board.

At the close of the six (6) week public consultation period, no submissions were received.

LEGAL/POLICY:

Section 3.16 of the Local Government Act 1995 requires that all of the local laws of local governments must be reviewed within an eight (8) year period after their commencement to determine if they should remain unchanged, be repealed or amended.

The eight year period is taken to be from either when the local law commenced or when the last review of the local law was completed.

Procedure for Reviewing and Adopting a Local Law

- (1) The local government is to –
 - (a) give Statewide public notice that –
 - (i) the local government proposes to make a local law the purpose and effect.
 - (ii) a copy of the proposed local law may be inspected or obtained;
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice (not less than 6 weeks).
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (2) A notice is also to be published and exhibited as if it were a local public notice.
- (3) After the last day for submissions, the local government is to consider any submissions made and may make the local law * as proposed or make a local law * that is not significantly different from what was proposed.

** Absolute majority required.*
- (4) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister.
- (5) After the local law has been published in the Gazette the local government is to give local public notice –
 - (a) stating the title of the local law;
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and

- (c) advising that copies of the local law may be inspected or obtained from the local government's office.

National Competition Policy (NCP) Public Benefit Test

The provisions relating to the administration of this local law are contained in the model local law produced by WALGA and endorsed by the Department of Local Government. Also, the City of Perth Local Laws relating to Trading in Public Places and Outdoor Eating Areas (gazetted in 2005) have been reviewed. In some instances, the Town's local law clauses have been based on similar clauses in those local laws. This has been assessed for any public benefit test ramifications.

STRATEGIC IMPLICATIONS:

The matter is in keeping with the Town's Strategic Plan 2006-2011 - Objective 4.12 "*Manage the organisation in a responsible, efficient and accountable manner*".

FINANCIAL/BUDGET IMPLICATIONS:

The purchase of the WALGA Model Local Laws cost \$1,500.

The cost of advertisements to date was approximately \$1,000. Final advertising will be approximately \$500. The Solicitors costs for reviewing the Local Law is approximately \$2,000. An amount of \$5,000 has been included in the Budget for this project. The new local laws are required to be printed in the Government Gazette by the State Law Publisher which will cost approximately \$1,500. All other copying will be carried out in-house and will cost approximately \$500. (Employee costs have not been included.)

COMMENTS:

The statutory review has been completed, however a number of significant changes to the original Draft Local Law have been made. Therefore, as this proposed local laws is significantly different to the previous advertised local law, it is a requirement of the Local Government Act that the advertising process be recommenced. It is recommended that the reviewed and revised Trading in Public Places Local Law be advertised for public comment.

10.4.8 Strategic Plan 2006-2011 – Progress Report for the Period 1 July 2007 – 30 September 2007

Ward:	Both	Date:	31 October 2007
Precinct:	All	File Ref:	ADM0038
Attachments:	001		
Reporting Officer(s):	Managers, Directors		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council RECEIVES the progress report on the Strategic Plan 2006-2011 for the period 1 July 2007 – 30 September 2007 as shown in Appendix 10.4.8.

COUNCIL DECISION ITEM 10.4.8

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of this report is to provide a quarterly update on the Strategic Plan for the period 1 July to 30 September 2007.

DETAILS:

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

Period	Report to Council
1 January - 31 March	April
1 April - 30 June	July
1 July - 30 September	October
1 October - 31 December	February

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The Council adopted a Plan for the Future at the Ordinary Meeting of Council held on 21 November 2006. The Town’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.

STRATEGIC IMPLICATIONS:

The Strategic Plan provides the elected Council and administration with its aims, goals and objectives (key result areas) for the period 2006 – 2011.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

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

10.4.10 Information Bulletin

Ward:	-	Date:	31 October 2007
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer(s):	G van den Bok		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Information Bulletin dated 6 November 2007, as distributed with the Agenda, be received.

COUNCIL DECISION ITEM 10.4.10

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

DETAILS:

The items included in the Information Bulletin dated 6 November 2007 are as follows:

ITEM	DESCRIPTION
IB01	Letter attached from State Administrative Tribunal regarding Matter No. DR/251 of 2007 – Goldenstep Pty Ltd v Town of Vincent (395-397 William Street, Perth)
IB02	Letter (dated 28 September 2007) regarding reasons for decision and orders attached from State Administrative Tribunal regarding Matter No. DR/74 of 2007 – Lease Equity Pty Ltd v Town of Vincent (Unit 7, 595 Beaufort Street, Mount Lawley)
IB03	Letter (dated 3 October 2007) notifying mistakes included in Statement of Reasons issued at Tribunal on 28 September 2007, attached from State Administrative Tribunal regarding Matter No. DR/74 of 2007 – Lease Equity Pty Ltd v Town of Vincent (Unit 7, 595 Beaufort Street, Mount Lawley).
IB04	Rangers’ Statistics for July, August and September 2007 (PER0018)
IB05	Letter from Office of the Commissioner regarding the Town’s letter of acknowledgement afforded to Senior Sergeant Cox in appreciation of his contribution and professional support provided to the Town of Vincent community whilst in the position of Officer in Charge – Leederville.
IB06	Letter of thanks from Tennis Seniors Western Australia regarding Application for Grant Assistance – Robertson Park Tennis Centre.
IB07	Letter of thanks from St Mary’s Parish for the Town’s contribution towards the renovation and conservation of their heritage listed Church.

ITEM	DESCRIPTION
IB08	Feedback from Quona Litchfield expressing her congratulations to the staff of Beatty Park for their excellent service during a recent series of VACSWIM.
IB09	Register of Petitions - Progress Report - November 2007
IB10	Register of Notices of Motion - Progress Report - November 2007
IB11	Register of Reports to be Actioned - Progress Report - November 2007
IB12	Register of Legal Action
IB13	Register of State Administrative Tribunal Appeals
IB14	Forum Notes - 16 October 2007
IB15	Notice of Forum - 13 November 2007

10.1.4 No. 2 (Lot: 61 D/P: 2848) Kalgoorlie Street, Corner Britannia Road, Mount Hawthorn - Proposed Demolition of Existing Single House and Construction of Two (2) Two-Storey Single Houses

Ward:	North	Date:	26 October 2007
Precinct:	Mount Hawthorn: P1	File Ref:	PRO4061; 5.2007.278.1
Attachments:	001_002		
Reporting Officer(s):	D Pirone, K Jackson		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by D Cassetai on behalf of the owners K Petrou and Zaikos Group Pty Ltd for proposed Demolition of Existing Single House and Construction of Two (2) Two-Storey Single Houses, at No. 2(Lot: 61 D/P: 2848) Kalgoorlie Street, corner Britannia Road, Mount Hawthorn, and as shown on plans stamp-dated 17 September 2007, subject to the following conditions:

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, 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;*
- (iv) any new street/front wall, fence and gate between the Kalgoorlie Street and Britannia Road boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*

- (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (v) *first obtaining the consent of the owners of No. 56 Britannia Road for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 56 Britannia Road in a good and clean condition;*
- (vi) *a detailed landscaping plan, including a list of plants and the landscaping of the Kalgoorlie Street and Britannia Road verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s); and*
- (vii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *the main building wall of the upper floor of dwelling 1 being setback a minimum of 6 metres from Kalgoorlie Street;*
 - (b) *the main building wall of the upper floor of dwelling 2 being setback a minimum of 4 metres from Britannia Road;*
 - (c) *the blade wall of dwelling 1 being setback a minimum of 1.5 metres from Britannia Road; and*
 - (d) *the proposed driveways for dwellings 1 and 2 being reduced to a maximum width of 4.5 metres each.*

The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies.

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Farrell, Seconded Cr Messina

That clauses (vii) (a) and (vii) (b) be deleted.

NOTE: The clause in the Agenda was incorrectly numbered as (viii) instead of (vii). This has been corrected to reflect the actual clause number.

AMENDMENT PUT AND CARRIED (9-0)

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 10.1.4

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by D Cassetai on behalf of the owners K Petrou and Zaikos Group Pty Ltd for proposed Demolition of Existing Single House and Construction of Two (2) Two-Storey Single Houses, at No. 2(Lot: 61 D/P: 2848) Kalgoorlie Street, corner Britannia Road, Mount Hawthorn, and as shown on plans stamp-dated 17 September 2007, subject to the following conditions:

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, 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;*
- (iv) any new street/front wall, fence and gate between the Kalgoorlie Street and Britannia Road boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*

- (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (v) *first obtaining the consent of the owners of No. 56 Britannia Road for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 56 Britannia Road in a good and clean condition;*
- (vi) *a detailed landscaping plan, including a list of plants and the landscaping of the Kalgoorlie Street and Britannia Road verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s); and*
- (vii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
- (a) *the blade wall of dwelling 1 being setback a minimum of 1.5 metres from Britannia Road; and*
- (b) *the proposed driveways for dwellings 1 and 2 being reduced to a maximum width of 4.5 metres each.*

The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies.

Landowner:	K Petrou & Zaikos Group Pty Ltd
Applicant:	D Cassetai
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	619 square metres
Access to Right of Way	Not Applicable

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the demolition of the existing single house and the construction of two, two-storey single houses.

The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density:	2.06 dwellings at R30	2 dwellings at R30	Supported – no variation
Plot Ratio:	N/A	N/A	Noted.
Building Setbacks: Dwelling 1- Ground Floor -North	1.5 metres	1.2 metres – 4 metres	Supported – not considered to have an undue impact on neighbouring property.
Upper Floor -West (Kalgoorlie Street) Balcony	6 metres	5 metres	Supported – not considered to have an undue impact on the amenity of the streetscape.
Main Building	6 metres	4.5 metres – 5 metres	Not supported – considered to have an undue impact on the amenity of the streetscape. Condition applied to setback the building wall of the upper floor 6 metres from Kalgoorlie Street.
-South (Britannia Road) Blade Wall	1.5 metres	0.8 metre	Not supported – considered to have an undue impact on the amenity of the streetscape. Condition applied to setback the blade wall 1.5 metres from Britannia Road.

-North	3.5 metres	1.2 metres – 4.2 metres	Supported – not considered to have an undue impact on neighbouring property.
Dwelling 2- Ground Floor -East	1.5 metres	Nil – 1.8 metres	Supported – not considered to have an undue impact on neighbouring property.
Upper Floor -South (Britannia Road) Balcony	6 metres	3 metres	Supported – not considered to have an undue impact on the amenity of the streetscape. Reduced Setbacks is supported by the Town as dwelling 2 is considered to be on a newly created corner lot.
Main Building	6 metres	2.3 metres – 4 metres	Not supported in part – considered to have an undue impact on the amenity of the streetscape. Condition applied to setback the building wall 4 metres from Britannia Road.
-North	1.6 metres	1.5 metres	Supported – not considered to have an undue impact on neighbouring property.
Buildings on Boundary: Dwelling 2-	Walls not higher than 3.5 metres with average of 3 metres for 2/3 the length of the balance of the boundary behind the front setback, to one side boundary.	One boundary wall proposed on eastern boundary. The height and length of the boundary wall is compliant with the requirements of the R Codes.	Supported – the proposed boundary wall is compliant with the requirements of the R Codes.
Vehicular Access:	Driveways shall not have an aggregate total width of 9 metres on any one lot.	Total driveway width is 9.7 metres.	Not supported – considered to have an undue impact on the amenity of the streetscape. Condition applied to reduce the driveways to a maximum width of 4.5 metres each.
Privacy Setbacks: Dwelling 1-			
-North Bedroom 1	4.5 metres	4.1 metres to the northern boundary.	Supported – overlooking occurs onto neighbour's front garden.

*The representative R Coding and density bonus calculations are provided in accordance with the

Consultation Submissions	
Support	Nil.
Objection (1)	<ul style="list-style-type: none"> • The design of the buildings does not fit into the existing streetscape.
	<ul style="list-style-type: none"> • Not supported – Anzac Locality Policy 3.3.4 states new contemporary developments are encouraged provided that the design responds to the established character. The Britannia Road streetscape primarily consists of side/secondary frontages to dwellings and currently has no established character. Therefore, the design of the two detached dwellings will improve the amenity of the streetscape by providing an interactive frontage to Britannia Road.
	<ul style="list-style-type: none"> • The proposed garage for Lot 1 is too close to the roundabout.
	<ul style="list-style-type: none"> • Not supported – the Town’s Technical Services Officers have assessed the application and have found no issues with the proximity to the roundabout.
	<ul style="list-style-type: none"> • The bathroom window of Lot 2 will overlook into adjoining property.
	<ul style="list-style-type: none"> • Not supported – a bathroom is not considered to be a habitable room; therefore, privacy screening is not required.
	<ul style="list-style-type: none"> • The height of the building will reduce the amount of light into the adjoining properties.
	<ul style="list-style-type: none"> • Not supported – the development is compliant with the height requirements of the R Codes and the Town’s Policies.
Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications	Nil
Financial/Budget Implications	Nil

Notice of Motion (Item 11.1) resolved at the Ordinary Meeting of Council held on 23 March 2004.

* The plot ratio calculation is provided in accordance with the Notice of Motion (Item 11.1) resolved at the Ordinary Meeting of Council held on 23 March 2004.

COMMENTS:

Demolition

The subject place at No. 2 Kalgoorlie Street, Mount Hawthorn, is an example of the Post-war Austerity style. The place was built in 1954 and subsequent alterations have been made to it. Although most of Mount Hawthorn was built out by the early 1940s, the area south of Anzac Road had very few residences at that time. The late 1940s and early 1950s witnessed a surge of development in this area. As a result, most of the properties in the vicinity are from this period or later, as well as more recent redevelopments.

A full heritage assessment was undertaken for No. 2 Kalgoorlie Street which indicates that the place has little aesthetic, historic, scientific and social heritage significance. In accordance with the Town's Policy relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the Town's Municipal Heritage Inventory. This heritage assessment is included as an attachment to the report.

Summary

In light of the above, it is recommended that the Council approve the application, subject to standard and appropriate conditions to address the above matters.

10.1.5 No. 71 (Lot: 199 D/P: 93039) Edward Street, East Perth - Proposed Temporary Extension of Operating Hours to Existing General Industry (Hanson Concrete Batching Plant)

Ward:	South	Date:	31 October 2007
Precinct:	Claisebrook North	File Ref:	PRO4024; 5.2007.438.1
Attachments:	001		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *pursuant to its powers under both the Local Government (Change of Districts Boundaries) Order 2007 and the Local Government (Constitution) Regulations 1998, allowing the Town of Vincent to, in effect, administer the City of Perth Town Planning Scheme as if it were its own Scheme, and in accordance with the provisions of the Metropolitan Region Scheme, the Council APPROVES the application submitted by Allerding & Associates on behalf of the owner Hanson Construction Materials Pty Ltd for proposed Temporary Removal of Restrictions on the Hours of Operation of 6 am to 7 pm Monday to Saturday for Existing General Industry Premises (Hanson Concrete Batching Plant), at No. 71 (Lot: 199 D/P: 93039) Edward Street, East Perth, and as shown on plans stamp-dated 25 October 2007, subject to the following conditions:*
- (a) *the subject removal of the restrictions on the hours of operation is only valid from 7 November 2007 to 20 November 2007, to allow for the matter to be further considered by the Council at its Ordinary Meeting to be held on 20 November 2007;and*
- (b) *continued compliance with the management plan, which includes the following matters:*
- (1) *noise management for on-site activities;*
 - (2) *dust and cement waste management including regular washing down of trucks before exiting the site, dust control on-site and regular sweeping and cleaning of materials spilled on surrounding roads;*
 - (3) *a traffic management plan with particular reference to delivery operations occurring before 6.00am and after 7.00pm Monday to Saturday, and incorporating driver education in regard to truck routes, vehicle speeds, and operations to minimise disturbance and public safety concerns;*
 - (4) *methods for notifying affected properties along Claisebrook Road and Edward Street on occasions when unusually high truck movements are likely to occur outside of the previously restricted hours of 6.00am to 7.00pm Monday to Saturday;*

- (5) *the implementation of a complaint handling system that includes a procedure to log and deal with complaints from residents and owners allegedly affected by the concrete batching plant's operations; and*
- (ii) *the Council ADVISES Hanson Concrete Batching Plant that the above temporary approval in the extension of operating times is without prejudice to Planning Application Serial No. 5.2007.312.1 which is to be considered by the Council at its Ordinary Meeting to be held on 20 November 2007, and it shall not be implied that the Council will take a similar view in further approving an extension of operating time as applied for.*

Note: *The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strikethrough, italic font and underline.*

COUNCIL DECISION ITEM 10.1.5

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

LOST (3-6)

<u>For</u>	<u>Against</u>
Cr Lake	Mayor Catania
Cr Maier	Cr Burns
Cr Youngman	Cr Doran-Wu
	Cr Farrell
	Cr Ker
	Cr Messina

Reasons:

1. **Negative impact on residents.**
2. **Noise.**
3. **Pollution.**

Landowner:	Hanson Construction Materials Pty Ltd
Applicant:	Allerding & Associates
Zoning:	Metropolitan Region Scheme: Urban Town of Vincent Town Planning Scheme No.1 (City of Perth Scheme No. 2)-East Perth Precinct (P15) and provisions of the Draft Local Planning Scheme No. 26 (LPS 26)
Existing Land Use:	Concrete Batching Plant
Use Class:	General Industry
Use Classification:	"Unlisted"
Lot Area:	3841 square metres
Access to Right of Way	Not applicable

BACKGROUND:

8 May 2007 The Council considered the extension of time for the operating time of the Hanson Concrete Batching Plant at the above site as part of the advertising process, which at that point in time was under the jurisdiction of the City of Perth and resolved as follows:

“That the Council;

- (i) ADVISES the City of Perth that the Council STRONGLY OBJECTS to the proposed removal of the restrictions on the hours of operation of 6.00 am to 7.00 pm Monday to Saturday (to 24 hour operation) at No. 71 (Lot 199) Edward Street, Perth, in relation to the Hanson Concrete Batching Plant, due to the detrimental impact on nearby residential areas within the Town of Vincent;*
- (ii) REQUESTS the City of Perth to advertise for community consultation in a 250 metre radius the Development Application proposing the removal of restrictions on the hours of operation of 6.00am to 7.00pm Monday to Saturday (to 24-hour operation) at No. 71 (Lot 199) Edward Street, Perth, regarding the Hanson Concrete Batching Plant, for the following reasons:*
 - (a) it is acknowledged that the East Perth Redevelopment Authority (EPRA) in June 1996 approved the current use for a period of sixteen (16) years and that the hours restrictions have been removed on an annual application basis since 2002 however, also acknowledge that the permanent and original approval was subject to the hours of operation being restricted from 6.00am to 7.00pm Monday to Saturday; and*
 - (b) complaints have been lodged with the City of Perth, EPRA, Town of Vincent and Department of Environment and Conservation (DEC) in relation to insufficient community consultation, unreasonable noise, dust emissions, and increased heavy haulage traffic flow; and*
- (iii) in the event of City of Perth deciding to approve the application without Community Consultation on the proposed altered hours of operation, the City of Perth is REQUESTED to INCLUDE the following Conditions of Approval and confirm the conditions in writing to the Town;*
 - (a) prior to changes in operating hours Community Consultation be conducted with residents and business owners in a 250 metre radius around the batching plant to identify and address concerns regarding health, safety, noise, dust, heavy haulage traffic, and relevant amenity issues;*
 - (b) a Complaint Handling System be implemented that includes a procedure to log and deal with complaints from residents and owners allegedly affected within the Town of Vincent;*
 - (c) a Management Plan be required that includes the control and monitoring of dust, unreasonable noise after 7.00pm to 7.00am, and heavy haulage traffic, to the reasonable satisfaction of the City of Perth, residents/businesses in a 250 metre radius, the Department of Environment and Conservation and the Town of Vincent;*

- (d) a review of conditions by June 2008 including community consultation within a 250 metre radius; and
- (e) the removal of restrictions of the hours of operation of 6.00am to 7.00pm Monday to Saturday being limited to a maximum period of twelve (12) months of notification to the applicant by the City of Perth."

5 June 2007 The City of Perth Council at its meeting resolved as follows, as per the City of Perth's letter (attached) dated 28 June 2007:

"That in accordance with the provisions of the City Planning Scheme No 2 and the Metropolitan Region Scheme, the Council APPROVES the application for the removal of restrictions on the hours of operation of 6.00 am to 7.00 pm Monday to Saturday for the Hanson Concrete Batching Plant at 71 (Lot 199) Edward Street, East Perth as detailed on the Metropolitan Region Scheme Form One dated 22 March 2007 subject to:

"1.the removal of the operating time restrictions being valid until 4 November 2007, to allow a review of the impact of the plant and associated vehicle movements on the surrounding area, by the relevant authority, at the conclusion of this period;

2. a management plan that addresses community concerns regarding traffic impacts, environmental and health concerns, being submitted to the City and the Town of Vincent prior to 29 June 2007. The management plan should include, but not limited to the following:-

2.1 noise management for on-site activities;

2.2 dust and cement waste management including regular washing down of trucks before exiting the site, dust control onsite and regular sweeping and cleaning of materials spilled on surrounding roads;

2.3 a traffic management plan with particular reference to delivery operations occurring before 6.00am and after 7.00pm Monday to Saturday, and incorporating driver education in regard to truck routes, vehicle speeds, and operations to minimise disturbance and public safety concerns;

2.4 methods for notifying affected properties along Claisebrook Road and Edward Street on occasions when unusually high truck movements are likely to occur outside of the previously restricted hours of 6.00am to 7.00pm Monday to Saturday;

2.5 the implementation of a complaint handling system that includes a procedure to log and deal with complaints from residents and owners allegedly affected by the concrete batching plant's operations."

30August 2007 The planning application Serial No. 5.2007.312.1 received from Hanson Concrete Batching Plant for an extension of operating times from 4 November 2007 to the end of 2012 for operating from 7.00 pm to 6.00 am Monday to Saturday, excluding Sundays and public holidays.

28 September 2007 Additional information as requested received by the Town.

12 October to

9 November 2007 Advertising of application undertaken by the Town.

25 October 2007 Another planning application Serial No. 5.2007.438.1 was received for the temporary extension of time from 7 November 2007 to 20 November 2007, as the original planning application Serial 5.2007.312.1 is currently being advertised for public comment.

The Town's Officers have advised the applicant Allerdig and Associates that the Town has no objection for the Hanson Concrete Batching Plant operating on the extended hours of operation on 5 and 6 November 2007 pending a further determination by the Council at its Ordinary Meeting to be held on 6 November 2007, hence the submission of a further planning application for this period of time being 7 November 2007 to 20 November 2007.

DETAILS:

The current operating time restrictions expire on the 4 November 2007.

The subject proposal is for an extension of operating times, that is the removal of the restrictions on 7.00 pm to 6.00 am, from 7 November 2007 to 20 November 2007. The above temporary extension of time is sought by the Hanson Concrete Batching Plant to continue its obligation to its customers with its scheduled booking of deliveries to 20 November 2007. The applicant's letter dated 25 October 2007 is attached to this effect.

The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Noted.
Operating Hours	6.00 am to 7.00 pm, Monday to Saturday. The City of Perth conditionally approved the removal of the above restrictions on the hours of operation of Hanson Concrete Batching Plant until 4 November 2007, to allow a review of the impact of the plant and associated vehicle movements on the surrounding area, by the relevant authority, at the conclusion of this period.	Temporary removal of restriction on the hours of operation of Hanson Concrete Batching Plant from 7 November 2007 to 20 November 2007. Such a temporary removal will effectively result in an extension of the Plant's operating hours, that is removal of restriction of the 7.00 pm to 6.00 am operating times.	Supported - as the extension of the operating time from 7 November 2007 to 20 November 2007, will facilitate continued delivery of concrete until the Council final determination at its Ordinary Meeting on 20 November 2007. This will also allow Hanson Concrete Batching Plant to make alternative arrangements, after 20 November 2007, depending on the final decision of the Council.

Consultation Submissions

The planning application Serial No. 5.2007.312.1 is currently being advertised to landowners and occupiers of properties within 300 metres of the above site. Advertising is for a period of 28 days and concludes on 9 November 2007. This planning application Serial No. 5.2007.438.1 was not advertised given the temporary nature of the proposal and application being referred to Council for determination.

Other Implications

Legal/Policy	TPS 1 and associated Policies.
Strategic Implications	Nil
Financial/Budget Implications	Nil

* The plot ratio calculation is provided in accordance with the Notice of Motion (Item 11.1) resolved at the Ordinary Meeting of Council held on 23 March 2004.

COMMENTS:

Due to the circumstances surrounding the proposal and the limited time frames involved, the Town's Officers support the temporary extension of the hours of operation as recommended.

10.1.6 No. 120 (Lot: 1001 D/P: 29129) Claisebrook Road, East Perth - Proposed Temporary Extension of Operating Hours to Existing General Industry Premises (Readymix Concrete Batching Plant)

Ward:	South	Date:	31 October 2007
Precinct:	Claisebrook North	File Ref:	PRO0733; 5.2007.437.1
Attachments:	001		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *pursuant to its powers under both the Local Government (Change of Districts Boundaries) Order 2007 and the Local Government (Constitution) Regulations 1998, allowing the Town of Vincent to, in effect, administer the City of Perth Town Planning Scheme as if it were its own Scheme, and in accordance with the provisions of the Metropolitan Region Scheme, the Council APPROVES the application submitted by Allerding & Associates on behalf of the owner Readymix Group Australia Ltd for proposed Temporary Removal of Restrictions on the Hours of Operation of 6.00 am to 7.00 pm Monday to Saturday for Existing General Industry Premises (Readymix Concrete Batching Plant), No. 120 (Lot: 1001 D/P: 29129) Claisebrook Road, East Perth, and as shown on plans stamp-dated 25 October 2007, subject to the following conditions:*
- (a) *the subject removal of the restrictions on the hours of operation is only valid from 7 November 2007 to 20 November 2007, to allow for the matter to be further considered by the Council at its Ordinary Meeting to be held on 20 November 2007;and*
- (b) *continued compliance with the management plan, which includes the following matters:*
- (1) *noise management for on-site activities;*
 - (2) *dust and cement waste management including regular washing down of trucks before exiting the site, dust control on-site and regular sweeping and cleaning of materials spilled on surrounding roads;*
 - (3) *a traffic management plan with particular reference to delivery operations occurring before 6.00am and after 7.00pm Monday to Saturday, and incorporating driver education in regard to truck routes, vehicle speeds, and operations to minimise disturbance and public safety concerns;*
 - (4) *methods for notifying affected properties along Claisebrook Road and Edward Street on occasions when unusually high truck movements are likely to occur outside of the previously restricted hours of 6.00am to 7.00pm Monday to Saturday;*

- (5) *the implementation of a complaint handling system that includes a procedure to log and deal with complaints from residents and owners allegedly affected by the concrete batching plant's operations; and*
- (ii) *the Council ADVISES Readymix Concrete Batching Plant that the above temporary approval in the extension of operating times is without prejudice to Planning Application Serial No. 5.2007.314.1 which is to be considered by Council at its Ordinary Meeting to be held on 20 November 2007, and it shall not be implied that the Council will take a similar view in further approving an extension of operating time as applied for.*

COUNCIL DECISION ITEM 10.1.6

Moved Cr Farrell, Seconded Cr Burns

That the recommendation be adopted.

Debate ensued.

LOST (3-6)

<u>For</u>	<u>Against</u>
Cr Lake	Mayor Catania
Cr Maier	Cr Burns
Cr Youngman	Cr Doran-Wu
	Cr Farrell
	Cr Ker
	Cr Messina

Reasons:

1. **Negative impact on residents.**
2. **Noise.**
3. **Pollution.**

Landowner:	Readymix Group Australia Ltd
Applicant:	Allerding & Associates
Zoning:	Metropolitan Region Scheme: Urban Town of Vincent Town Planning Scheme No.1 (City of Perth Scheme No. 2)-East Perth Precinct (P15) and provisions of the Draft Local Planning Scheme No. 26 (LPS 26)
Existing Land Use:	Concrete Batching Plant
Use Class:	General Industry
Use Classification:	"Unlisted"
Lot Area:	4870 square metres
Access to Right of Way	Not applicable

BACKGROUND:

13 March 2007 The Council considered the extension of time for the operating time of the Readymix Concrete Batching Plant at the above site as part of the advertising process, which at that point in time was under the jurisdiction of the City of Perth and resolved as follows:

"That the Council;

- (i) ADVISES the City of Perth that the Council strongly OBJECTS to the proposed removal of the restrictions on the hours of operation of 6.00 am to 7.00 pm Monday to Saturday to enable the plant to operate within a 24 hour time frame at No. 120 (Lot 1001) Claisebrook Road, East Perth, in relation to the Ready Mix Concrete Batching Plant, given the undue impact on nearby residential areas within the Town of Vincent;*
- (ii) REQUESTS the City of Perth to advertise for community consultation in a 250 metre radius the Development Application proposing the removal of restrictions on the hours of operation of 6.00am to 7.00pm Monday to Saturday to enable the plant to operate within a 24 hour time frame at No. 120 (Lot 1001) Claisebrook Road, East Perth, regarding the Ready Mix Concrete Batching Plant as the proposal will have an undue impact on nearby residential areas within the Town of Vincent; and*
- (iii) in the event of City of Perth deciding to approve the application without Community Consultation on the proposed altered hours of operation, the City of Perth is REQUESTED to INCLUDE the following Conditions of Approval and confirm the conditions in writing to the Town;*
 - (a) prior to changes in operating hours Community Consultation be conducted with residents and business owners in a 250 metre radius around the batching plant to identify and address concerns regarding health, safety, noise, dust, heavy haulage traffic, and relevant amenity issues;*
 - (b) a Complaint Handling System be implemented that includes a procedure to log and deal with complaints from residents and owners allegedly affected within the Town of Vincent;*
 - (c) a Management Plan be required that includes the control and monitoring of dust, unreasonable noise after 10.00pm to 7.00am, and heavy haulage traffic, to the reasonable satisfaction of the City of Perth, residents/businesses in a 250 metre radius, the Department of Environment and Conservation and the Town of Vincent;*
 - (d) the City of Perth commits to assist Town of Vincent residents with any complaints or queries raised in relation to the Plant and that the City of Perth's Environmental Health Officers undertake noise investigations including attending Town of Vincent properties for the purpose of undertaking sound level measurements; and*

- (e) *a review of conditions by April 2008 including community consultation within a 250 metre radius."*

24 April 2007 The City of Perth Council at its meeting resolved as follows, as per the City of Perth's letter (attached) dated 31 May 2007:

"That in accordance with the provisions of the City Planning Scheme No 2 and the Metropolitan Region Scheme, the Council APPROVES the application for the removal of restrictions on the hours of operation of 6 am to 7 pm Monday to Saturday for the "Readymix" Concrete Batching Plant at 120 (Lot 1001) Claisebrook Road, East Perth as detailed on the Metropolitan Region Scheme Form One dated 4 January 2007 subject to:

"1.the removal of the operating time restrictions being valid for a period of six months only to allow a review of the impact of the plant and associated vehicle movements on the surrounding area, at the conclusion of the six month period;

2. the proponent submitting a management plan to addresses community concerns regarding traffic impacts, environmental and health concerns, to the satisfaction of the City prior to the implementation of condition 1 above. The management plan should include, but not limited to the following:-

2.1 noise management for on-site activities;

2.2 dust and cement waste management including regular washing down of trucks before exiting the site, dust control onsite and regular sweeping and cleaning of materials spilled on surrounding roads;

2.3 a traffic management plan with particular reference to delivery operations occurring before 6.00am and after 7.00pm Monday to Saturday, and incorporating driver education in regard to truck routes, vehicle speeds, and operations to minimise disturbance and public safety concerns;

2.4 methods for notifying affected properties along Claisebrook Road and Edward Street on occasions when unusually high truck movements are likely to occur outside of the previously restricted hours of 6.00am to 7.00pm Monday to Saturday;

2.5 the implementation of a complaint handling system that includes a procedure to log and deal with complaints from residents and owners allegedly affected by the concrete batching plant's operations."

22 August 2007 The a planning application Serial No. 5.2007.314.1 received from Readymix Concrete Batching Plant for an extension of operating times from 4 November 2007 to the end of 2012 for operating from 7.00 pm to 6.00 am Monday to Saturday, excluding Sundays and public holidays.

26 September 2007 Additional information as requested received by the Town.

12 October

9 November 2007 Advertising of application undertaken by the Town.

25 October 2007 Another planning application Serial No. 5.2007.437.1 was received for the temporary extension of time from 7 November 2007 to 20 November 2007, as the original planning application Serial 5.2007.314.1 is currently being advertised for public comment.

The Town's Officers have advised the applicant Allarding and Associates that the Town has no objection for the Readymix Concrete Batching Plant operating on the extended hours of operation on 5 and 6 November 2007 pending a further determination by the Council at its Ordinary Meeting to be held on 6 November 2007, hence the submission of a further planning application for this period of time being 7 November 2007 to 20 November 2007.

DETAILS:

The current operating time restrictions expired on **4 November 2007**.

The subject proposal is for an extension of operating times, that is the removal of the restrictions on 7.00 pm to 6.00 am, from 7 November 2007 to 20 November 2007. The above temporary extension of time is sought by the Readymix Concrete Batching Plant to continue its obligation to its customers with its scheduled booking of deliveries to 20 November 2007. The applicant's letter dated 25 October 2007 is attached to this effect.

The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Noted...
Operating Hours	6.00 am to 7.00 pm, Monday to Saturday. The City of Perth conditionally approved the removal of the above restrictions on the hours of operation of Readymix Concrete Batching Plant until 4 November 2007, to allow a review of the impact of the plant and associated vehicle movements on the surrounding area, by the relevant authority, at the conclusion of this period.	Temporary removal of restriction on the hours of operation of Readymix Concrete Batching Plant from 7 November 2007 to 20 November 2007. Such a temporary removal will effectively result in an extension of the Plant's operating hours, that is removal of restriction of the 7.00 pm to 6.00 am operating times.	Supported - as the extension of the operating time from 7 November 2007 to 20 November 2007, will facilitate continued delivery of concrete until the Council final determination at its Ordinary Meeting on 20 November 2007. This will also allow Readymix Concrete Batching Plant to make alternative arrangements, after 20 November 2007, depending on the final decision of the Council.

Consultation Submissions

The planning application Serial No. 5.2007.314.1 is currently being advertised to landowners and occupiers of properties within 300 metres of the above site. Advertising is for a period of 28 days and concludes on 9 November 2007. This planning application Serial No. 5.2007.437.1 was not advertised given the temporary nature of the proposal and the application being referred to Council for determination.

Other Implications

Legal/Policy	TPS 1 and associated Policies.
Strategic Implications	Nil
Financial/Budget Implications	Nil

* The plot ratio calculation is provided in accordance with the Notice of Motion (Item 11.1) resolved at the Ordinary Meeting of Council held on 23 March 2004.

COMMENTS

Due to the circumstances surrounding the proposal and the limited time frames involved, the Town's Officers support the temporary extension of the hours of operation as recommended.

10.1.7 No. 11/663 (Lot 53, Strata Lot: 10 STR: 10630) Newcastle Street, Leederville - Proposed Change of Use to Unlisted Use (Small Bar) and Associated Alterations

Ward:	South	Date:	26 October 2007
Precinct:	Oxford Centre; P04	File Ref:	PRO4118; 5.2007.335.1
Attachments:	001		
Reporting Officer(s):	D Pirone		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by A Einfeld on behalf of the owner J C and L E Yin for proposed Change of Use to Unlisted Use (Small Bar) and Associated Alterations, at No. 11/663 (Lot 53, Strata Lot: 10 STR: 10630) Newcastle Street, Leederville, and as shown on plans stamp-dated 10 September 2007, subject to the following conditions:

- (i) *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:*
 - (a) *pay a cash-in-lieu contribution of \$19,602 for the equivalent value of 7.26 car parking spaces, based on the cost of \$2,700 per bay as set out in the Town’s 2007/2008 Budget; OR*
 - (b) *lodge an appropriate assurance bond/ bank guarantee of a value of \$19,602 to the satisfaction of the Town. This assurance bond / bank guarantee will only be released in the following circumstances:*
 - (i) *to the Town at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or*
 - (ii) *to the owner(s) / applicant following receipt by the Town with a Statutory Declaration of the prescribed form endorsed by the owner(s)/ applicant and stating that they will not proceed with the subject ‘Approval to Commence Development,’; or*
 - (iii) *to the owner(s) / applicant where the subject ‘Approval to Commence Development,’ did not commence and subsequently expired.*

The car parking shortfall and consequent cash-in-lieu contribution can be reduced as a result of a greater number of car bays being provided on site and to reflect the new changes in the car parking requirements.

- (ii) *all signage that does not comply with the Town'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 and approved prior to the erection of the signage;*
- (iii) *the public floor area shall be limited to 89 square metres;*
- (iv) *the maximum number of persons to occupy the premises at any one time shall be 100 persons;*
- (v) *packaged liquor shall not be sold at the premises; and*
- (vi) *a detailed management plan that addresses the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection and litter associated with the development and any other appropriate matters shall be submitted to and approved by the Town prior to the first occupation of the development, and thereafter implemented and maintained.*

COUNCIL DECISION ITEM 10.1.7

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

Landowner:	J C & L E Yin
Applicant:	A Einfeld
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): District Centre
Existing Land Use:	Retail/Office
Use Class:	Unlisted Use (Small Bar)
Use Classification:	"SA"
Lot Area:	186 square metres
Access to Right of Way	Not Applicable

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves a change of use to an unlisted use (small bar).

The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Noted.
Consultation Submissions			
Support	Nil.		Noted.
Objection (1)	<ul style="list-style-type: none"> The Leederville area does not need another bar. 		Noted – comment not substantiated in the submission.
Other Implications			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil
Car Parking			
Car parking requirement (nearest whole number) - Small Bar (Tavern) – 1 space per 3.8 square metres of public floor area. - Public floor area = 89 square metres - Requires 23.42 bays			23 car bays
Apply the adjustment factors. - 0.80 (within 400 metres of a railway station) - 0.85 (within 400 metres of a bus stop) - 0.80 (within 50 metres of a public car parking place with in excess of 50 car parking spaces) - 0.90 (the proposed development is within a District Centre Zone)			(0.4896) 11.26 car bays
Minus the car parking provided on-site.			4 car bays
Minus the most recently approved on-site car parking shortfall.			Nil
Resultant shortfall			7.26 car bays

* The plot ratio calculation is provided in accordance with the Notice of Motion (Item 11.1) resolved at the Ordinary Meeting of Council held on 23 March 2004.

COMMENTS:

Small Bar Licence

In May 2007, an amendment was made to section 41 of the Liquor Control Act 1988, to include a small bar licence as a form of hotel licence. A small bar licence differs from hotel and tavern licences by the conditions imposed to restrict the scope of the licence. A small bar licence is a form of a hotel licence with:

- A condition prohibiting the sale of packaged liquor; and

- A condition limiting the number of persons who may be on the licenced premises to a maximum of 120.

Proposed Small Bar

The proposed small bar at the subject property will be named “*Entourage*” and will primarily be used as a venue to showcase creative talent from DJ’s to acoustic soloists. The bar will serve alcohol, coffee, tea and light snacks such as cheese plates, cakes and biscuits. The target age market is patrons between 25-40 years old, from the Leederville area. In the case of the proposed small bar, the number of persons will be limited to 100 due to the size of the public floor area and the sanitary facilities provided.

Car Parking

The application for the proposed small bar attracts a parking requirement of 23 car parking bays. Due to the site’s close proximity to public car parking facilities, bus route, rail station and location within a District Centre, the relevant adjustment factors, as outlined in the Town’s Parking and Access Policy, can be applied. This results in a car parking requirement of 11.26 bays which results in a shortfall of 7.26 bays as 4 bays have been allocated to the subject unit.

The Town’s Policy relating to Parking and Access suggests that the Council may determine to accept a cash-in-lieu payment where the shortfall is greater than 0.5 car bay to provide and/or upgrade parking in other car parking areas. This would equate to a payment of \$19,602. The parking shortfall is not considered excessive given its locational context as well as the primary opening hours being at night and is therefore supported subject to a cash-in-lieu payment.

Summary

In light of the above, it is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters.

10.2.1 Waste Management Update - Progress Report No 3 – Results of Survey Concerning Recycling

Ward:	Both	Date:	26 October 2007
Precinct:	All	File Ref:	ENS0008
Attachments:			
Reporting Officer(s):	R Lotznicker, J Lockley		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Waste Management Progress Report No 3 as at 29 October 2007;*
- (ii) *NOTES the following summary from the recent Recycling Survey (full report laid on the table);*
 - (a) *60.9% of respondents prefer Option 2A (which comprises an improved kerbside recycling service using a 240 litre Mobile garbage Bin (MGB) and which retains the 240 litre domestic waste MGB);*
 - (b) *55.7% of respondents indicated that they would not be willing to pay additional amounts for an improved recycling service;*
 - (c) *49.0% of respondents indicated that they would not be willing to pay additional amounts for a new recycling bin;*
 - (d) *39.4% of respondents advised that they recycled between 25% and 50% of their waste;*
 - (e) *56.0% of respondents indicated they were dissatisfied with the current recycling service;*
- (iii) *AUTHORISES the Chief Executive Officer to further investigate the cost implications of introducing an improved kerbside collection service using a 240 litre recycling MGB in 2007/2008 by calling tenders and for such a service to include, but not limited to;*
 - (a) *a five (5) or ten (10) year contract;*
 - (b) *an option for the tenderer to supply the MGBs over the life of the contract;*
 - (c) *other possible options as outlined in the report; and*
- (iv) *RECEIVES a further report/s on the:*
 - (a) *introduction of an improved recycling service once tenders have been received and the options and cost implications determined; and*
 - (b) *preparation of the Waste Management Strategy.*

COUNCIL DECISION ITEM 10.2.1

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to provide information to the Council on the outcome of the recently completed Ratepayer Recycling Survey and obtain approval to call a tender for a new recycling service.

BACKGROUND:

At its Ordinary meeting held on 28 August 2007, the Council received a waste management update report, where the following decision was made.

"That the Council;

- (i) *RECEIVES the Waste Management Progress Report No 2 as at 21 August 2007;*
- (ii) *APPROVES the "Waste Management Strategy and Recycling Survey" as shown in Appendix 10.2.1, subject to the following changes to the survey form:*
 - (a) *How much would you be prepared to pay for an improved recycling service?*
 - (b) *What amount are you willing to pay for a one-off payment for a new recycling bin?* Nil \$25 \$50 \$75;
 - (c) *What proportion of waste do you currently recycle?* Zero Less than 25%,
25 to 50% 50 to 75% Greater than 75%;
- (iii) *AUTHORISES the Chief Executive Officer to conduct a survey of ratepayers in the Town allowing them twenty-one (21) days in which to respond to the survey; and*
- (iv) *RECEIVES a further progress report once the survey has been completed and the results have been assessed."*

DETAILS

In accordance with clause (iii) of the Council's decision on 28 August 2007, a brochure with a reply paid survey form was posted to all ratepayers in the Town giving them approximately three (3) weeks in which to respond to the survey. Asset Research was contracted to assess the results of the survey and prepare a report on the results.

The survey covered the following key information areas:

- Preference for a range of recycling service options;

- Payment preferences;
- Proportion of waste currently recycled;
- Satisfaction with the existing service; and
- Suggested improvements to the existing waste management service.

Research Tool

The postal survey was created by the Town's officers, with input by Asset Research to ensure that the data collected was unbiased and provided the appropriate feedback.

Research Methodology and Sampling

The survey was undertaken through the use of a postal survey. The survey was sent to all property owners in the Town. A total of 2,354 completed questionnaires were received by the survey closing date on 12 October 2007.

Data Validity

Given the population size of owners of properties within this area of the Town, the overall sampling error for results were within +/- 3% at the 95% confidence level for the overall results.

Survey

All survey respondents were asked to select their preference of one of a range of four (4) options relating to a proposed recycling service as follows:

- Option 1 – Retain the existing kerbside collection service
- Option 2A – Improved kerbside recycling service – 240 litre domestic Mobile garbage Bin (MGB)/240 litre recycling MGB.
- Option 2B – Improved kerbside recycling service – 140 litre domestic MGB/240 litre recycling MGB
- Option 2C – Improved kerbside recycling service – 140 litre domestic MGB/140 litre recycling MGB.

Summary

The survey results clearly showed that the majority of property owners in the area support the introduction of Option 2A (refer attached Recycling Survey Form). The results show that:

- **60.9%** of respondents prefer Option 2A (*improved kerbside recycling service with a 240 litre domestic bin/240 litre recycling bin*).
- **55.7%** of survey respondents indicated that they **would not** be willing to pay additional amounts for an improved recycling service*.
- **49.0%** of respondents indicated that they **would not** be willing to pay additional amounts for a new recycling bin**.
- **39.4%** of respondents advised that they recycled between 25% and 50% of their waste***.
- **56.0%** of respondents indicated they were **dissatisfied** with the current recycling service****.

The recent survey indicates that 56% of respondents were dissatisfied with the current survey and that 60.9% preferred Option 2A i.e. improved kerbside recycling service with 240 litre domestic MGB and a 240 litre recycling MGB.

Note: *20.4% indicated they would be prepared to pay \$25/annum and 15.8% indicated they would pay \$50/annum for an improved service.

***22.5% indicated they would pay \$25 for a new MGB and 18.9% indicated they would pay \$50*
****Only 11% indicated they carried out NO recycling*
*****Of the 56% who were dissatisfied 20.8% indicated they were VERY DISSATISFIED.*

Officers' Recommendation:

That the Council consider replacing the current 50 litre crate recycling service with a 240 litre Mobile Garbage Bin kerbside collection Service in the current financial year subject to the cost and additional funding availability being further determined.

Suggested Improvements to Existing Waste Management Service

Respondents were also asked “*what else can we do to improve the existing waste management service?*” Responses are listed in order of frequency. Only responses noted by greater than 5 respondents are listed below.

Response category	Response Frequency	Comments
Weekly pick up of recycling bin	68	<i>Not supported</i> at this stage
Supply a third bin for green waste	66	<i>Not supported</i> at this stage as 2 x bulk verge collections provided
<i>Need yellow bins with lids</i>	66	<i>Supported</i>
Provide a 240L waste bin and 140L recycling bin	62	Noted
Collection service currently unreliable	60	Noted
Recycling should not cost more	46	Noted however cannot improve service without additional cost
Expand options to recycle all plastics	43	Noted – will be followed up.
Pick upon the correct day	36	Noted
Provide clear information on what can be recycled	36	Noted
Open crates create litter	35	Noted
One bin for everything, separated by Council	26	<i>Not supported</i> to the quantity of recyclables that may still go to landfill
<i>Increase general junk collections to twice yearly</i>	26	<i>Could be considered in budget context</i>
Crates too heavy to carry	26	Noted
Be flexible with different bin sizes for different households	22	Noted – may be an option once an improved service is introduced
Crates too small for recycling	20	Noted
Provide reliable contractors	20	Noted
Open crates create litter and contents get wet in the rain	15	Noted
Educate ratepayers about recycling	12	Noted - Community Education and Promotion would form part of an improved service
Copy Bayswater system x 3 bins	12	<i>Not supported</i> – very costly
<i>Add at least another bulk rubbish collection per year</i>	11	<i>Could be considered in budget context</i>
<i>Provide a collection point for cardboard, paints and chemicals</i>	10	<i>Strategy to be developed</i>
Ensure contractors pick up all rubbish	9	Noted

<i>Green waste should be mulched and made available to residents</i>	8	<i>Noted: parks pruning's being considered</i>
Provide a calendar of recycling pick up days	8	Currently occurs
Response category	Response Frequency	Comments
Provide a third bin for green waste	7	<i>Not Supported</i>
Get on with the new system	7	Noted
Open crates useless	7	Noted
<i>Provide a convenient collection area for batteries</i>	6	<i>Strategy to be developed</i>
<i>Increase green bulk verge and general junk collections</i>	6	<i>Could be considered in budget context</i>
Promote and subsidise worm farms	5	Currently occurs
Replace verge collections with 1-4 skip bins per household	5	<i>Not supported</i> – costly limited room in some areas

Officers' Comments

In January 2007 it was suggested to the Council that once the survey had been completed and the results assessed, the financial implications etc of an improved service would be considered and further progress reports presented to the Council.

The report also suggested that a draft Waste Management Strategy would be finalised following a community survey and that a key aspect of any future Waste Strategy would be Community Education and Promotion of any improved waste service.

It is evident from the results of the survey that over half of the respondents (56%) indicated that they were *not satisfied* with the current survey and about 61% indicated they wanted a 240litre recycling MGB in lieu of the 50 litre crate. The majority of respondents (56%) did however indicate that they would not be prepared to pay any extra for an improved service and about half (49%) did not want to pay for the bin.

It would not be possible to introduce and improved service without additional cost as follows:

- Cost to supply new 14,000 MGBs would be around \$700,000
- Cost to assemble and distribute, compile database, collect crates and recycle would be around \$150,000 (one off cost)
- Cost for collection (14,000 services) would be around \$650,000 per annum.

The current collection service (which is currently on a month to month basis) is costing about \$470,000 per annum.

Possible future separate rubbish charge

This was also previously discussed, however, no firm stand was adopted by the Council. A separate Rubbish charge would have the following advantages.

- User pays principles
- Redistribution of part of the rate burden
- Increases in tipping costs, recycling costs, resource recovery could be more easily quantified/accounted for
- Scope not to apply a charge if a particular service is not provided e.g. Bulk Verge Collection for commercial properties
- Scope for discounts in the rubbish charge if smaller receptacles are provided

A disadvantage is that as the charge is not on the Gross Rental Value of the property, pensioners would not be eligible for a rebate unless the Council decided to offer them a subsidy.

CONSULTATION/ADVERTISING:

Ratepayers in the Town were surveyed regarding an improved recycling service.

Asset Research collated and entered the data collected, analysed the responses received and prepared a report on the findings.

LEGAL/POLICY:

The Health Act 1911 empowers the Town to collect household refuse.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – *1.1.4 Minimise negative impacts on the community and environment.*

FINANCIAL/BUDGET IMPLICATIONS:

Preliminary indications are that an improved recycling service will cost the Town in the order of \$750,000 per annum. This would need to be tested through a formal tender process.

COMMENTS:

As previously reported to the Council, the Town's existing kerbside recycling service was introduced to divert parts of the waste stream that could be easily separated by the householder and that had a value for sale or re-use, e.g. aluminium, steel cans, old newspapers, glass and plastics. However, while it is important to continue to recover these items, it is also extremely important to address the nutrient loading problem of the organic material going to the landfill.

There is an immediate need to reduce these impacts wherever possible. Most of the "negative effects" mentioned above, result from the organic materials that are buried in landfills. Examples of organic 'nasties' are green waste from gardens and food scraps from the kitchen. These can cause serious problems for water supplies, rivers and lakes.

While there are now better engineered landfills to reduce groundwater contamination and the methane gas produced is used for energy generation, in order to reduce the "negative effects" there is still an urgent need to reduce the amount of waste buried in landfills.

The Tamala Park landfill (where the Town currently disposes its rubbish) has a limited life span and no new sanitary landfill sites are encouraged to be located on the Perth Coastal Plain.

Future sites will need to be located further inland, resulting in long haul distances. It is essential to reduce the waste to landfill for the obvious environmental benefits and to prolong the life of existing landfills given that there will still be a requirement (diminishing over time) to landfill the residual portion of the waste stream from any resource recovery process.

The Waste Management Board has developed a *Towards Zero Waste in Western Australia* vision which includes:

- Prevention - To avoid the creation of waste
- Recovery - To effectively recover, retreat and reuse all wastes and
- Disposal - To responsibly manage waste into the environment.

An improved kerbside recycling collection service is needed to help in achieving this 'vision'.

It is recommended that the Council pursue the initiative to change from 50 litre crates recycling to 240litre MGB recycling for residential kerbside collections.

10.2.2 Tender for Recycling Collection Service - Tender No. 373/07

Ward:	Both	Date:	26 October 2007
Precinct:	All	File Ref:	TEN0383
Attachments:	-		
Reporting Officer(s):	R Lotznicker		
Checked/Endorsed by:	M Rootsey	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on Tender No 373/07 for the Recycling Collection Service;*
- (ii) *REJECTS all tenders received for the reasons outlined in the report (refer CONFIDENTIAL APPENDIX 10.2.2);*
- (iii) *AUTHORISES the Chief Executive Officer to;*
 - (a) *IMMEDIATELY call tenders for an improved Recycling Service utilising Mobile Garbage Bins (MGBs) in accordance with the outcome of the recent Recycling Survey (as reported in a separate report to Council at its Ordinary Meeting held on 6 November 2007 at item 10.2.1); and*
 - (b) *INVESTIGATES, in discussion with AMCOR, options to continue the current recycling service, on a monthly basis, until an improved recycling service has been implemented; and*
- (iv) *RECEIVES a further report on this matter once tenders for an improved recycling service have closed.*

COUNCIL DECISION ITEM 10.2.2

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council on the tenders received.

BACKGROUND:

Ordinary Meeting of Council 6 June 2001

The Council considered a report titled *Waste Minimisation and Tender for Kerbside Recycling Collection Service*, where it was advised that the Mindarie Regional Council (MRC) was currently proposing to build a Resource Recovery Facility (RRF).

It also mentioned that almost all of the member Councils had decided to continue with their current recycling regimes until the nature of the RRF had been determined.

In line with this, tenders for the Town's Kerbside Recycling Collection Service were called in 2002 for a period of twelve (12) months, with an option to extend for a further one (1) or two (2) twelve (12) month periods (until 2004/2005).

MRC Meeting 1 July 2004

At this meeting the MRC considered a report on Domestic Waste Collection Systems in the region. The Bin Collection Summary Report which was the basis for the MCR report was presented by BSD consultants in June 2004.

Relevant issues discussed in the BSD report were:

- The community is very supportive of the concept of recycling.
- The proposed MRC, RRF will include waste separation technologies that will be able to effectively extract recyclables from the waste stream.
- Three (3) collection systems were assessed; 'one bin', 'two bin' and 'two bin' - organic waste and other waste.
- Advantages and disadvantages of all systems, however, the optimum collection system will be dependant on the priorities of individual member Councils.
- Survey of residents undertaken between April and June 2004 where a representative sample was asked 6 questions. The results indicated that 70% of community members preferred the traditional 'two bin' system.
- The survey results indicated that environmental issues such as minimising greenhouse gases, diverting waste from landfill and creating higher order products (i.e. paper fibre is recycled back into paper and not composted) were the most important.
- Introducing a 'one bin' collection system in conjunction with an RRF, may undermine public support for the RRF.

The BSD report recommended as follows that the MRC does not require the member Councils to introduce a one bin collection system with the first stage of resource recovery.

It was concluded that the Town may choose to alter its recycling collection service in line with its community wishes and their willingness to pay, either now or in the future. If the Town wishes to increase the amount of recycling, it has the option of introducing a second bin.

Current Recycling Service

The Town currently provides a fortnightly recycling collection service to its residents and ratepayers. The existing service comprises the following:

Single Residential Properties

A fortnightly collection service is provided to all residential properties. Collection is restricted to normal domestic quantities with recyclable products separated into co-mingled glass/plastic/cans via a 50 litre crate and paper products in a stacked pile beside crate.

Multi-Unit Residential and Commercial Properties

A weekly / fortnightly service is provided to all multi-unit residential and commercial properties. Recyclable products are separated into co-mingled glass/plastic/cans and paper products and are collected in separate 240 litre mobile garbage bins (MGBs).

Current Tender

The Town's current Contractor is AMCOR Recycling. The Tender was awarded to AMCOR in July 2002 for a period of twelve (12) months, with an option to extend for a further one (1) or two (2) twelve (12) month periods.

The final twelve (12) month option in the tender was due to commence in July 2004 and conclude in July 2005, however, AMCOR advised the Town that due to changes in the glass recycling market in WA their cost to carry out the service would have to increase by approximately \$5,000 per month. Given this proposed change, the Town's administration decided to recall tenders for the Recycling Service for a period of twelve (12) months, with an option to extend for a further one (1) or two (2) twelve (12) month periods.

Ordinary Meeting of Council 14 September 2004

A report on the Town's recycling service tender was considered, where it was advised the final twelve (12) month option in the tender was due to commence in July 2004 and conclude in July 2005.

AMCOR subsequently advised that due to changes in the glass recycling market in WA and the increasing cost to carry out the current service, they would have to increase their costs by approximately \$5,000 per month. Given this proposed change, the Town's administration decided to recall tenders for the Recycling Service for a period of twelve (12) months, with an option to extend for a further one (1) or two (2) twelve (12) month periods.

Ordinary Meeting of Council 26 October 2004

Council was advised that tender No. 304/04 was advertised for a minimum of fourteen (14) days in accordance with the Local Government (Function and General) Regulations 1996, Part 4 (15). where the Council accepted the tender submitted by AMCOR Recycling for a period of twelve (12) months, with an option to extend for a further one (1) or two (2) twelve (12) month periods.

Current Tender

The final twelve (12) month option of the current Recycling tender expired in September 2007. To continue the service AMCOR requested a large increase due to:

- No real cost increase since 2004
- Increase in size of the Town
- Increasing costs to attract and retain labour
- Plant and equipment operational cost increases

At the time, given that the Administration was currently surveying residents on an improved recycling service and that no decision had yet been made on any improved service, and given that it was considered that any improved service would not (realistically) be up and running by at least August/September 2008 (2008/09 budget), it was decided to recall tenders on the current (crate) system for another 12 months (with a possible) further twelve (12) month option.

DETAILS:

As mentioned above, in an effort to maintain the current recycling service in the short term at least, a tender for the Recycling Collection Service for a period of twelve (12) months, with an option to extend for a further one (1) twelve (12) month period, was advertised and closed at 2.00pm on 25 October 2007. Two (2) tenders were received.

Details of the submissions received for Tender No. 373/07 are contained in the *confidential appendix*.

Officers Comments

Alternative and non conforming Tenders

Of the two tenders received, one tender submitted by Perthwaste Pty Ltd comprised an *alternative* tender which proposed two options for a contract for the collection, processing and supply of 240litre Mobile garbage Bin (MGB) recycling.

The other tender was submitted by AMCOR Recycling Australasia. They proposed a *minimum two year term* to provide some tenure for the investment required including new vehicles, GPS tracking, dedicated service manager, call centre etc. It was considered this tender was *non conforming* as the tender request was for a twelve (12) month period with a *possible* twelve (12) month extension and not for a fixed two (2) year period.

CONSULTATION/ADVERTISING:

Tender No. 373/07 was advertised for a minimum of fourteen (14) days in accordance with the Local Government (Function and General) Regulations 1996, Part 4 (15).

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – *1.1.4 Minimise negative impacts on the community and environment*.

FINANCIAL/BUDGET IMPLICATIONS:

A total of \$300,000 has been included in the 2007/2008 budget for the provision of the recycling collection service.

Both tenders submitted considerably exceed this budget allocation.

COMMENTS:

In September this year AMCOR, who have been collecting the recycling for the Town over the last 10 years began experiencing major difficulties with its subcontractors and in attracting and retaining suitable staff to carryout the kerbside recycling service mainly the kerbside “crate” service.

The residential units and commercial collections were unaffected as they are serviced by 240 litre bins.

As a result of the ongoing staff problems, the quality of the collection service provided by AMCOR slowly declined resulting in many calls being received by the Town from residents.

This made it extremely difficult for all concerned as new staff had to be found literally overnight, usually employed through labour hire companies.

AMCOR's three year contract with the Town expired in September 2007 and they are currently providing the collection service on a month by month basis at a negotiated price.

AMCOR has advised that they have now reviewed their current operation and have deployed new crews on higher remuneration to ensure the recycling service meets the Town's requirements.

The Town's Waste Management Service have also assisted with the collection of the recycling backlog, together with AMCOR's new recycling crews.

It is recommended that the Council reject all tenders received (for the reasons outlined in the report and in the *confidential appendix*), recall tenders for an improved service utilising a 240litre MGB (pending the outcome of the recent Recycling survey), and that AMCOR be requested to continue with the current service at a negotiated price on a monthly basis.

10.1.8 No. 24 (Lot 189 D/P: 32083) Loch Street, North Perth - Proposed Demolition of Existing Single House and Construction of Two-Storey Single House

Ward:	North	Date:	29 October 2007
Precinct:	North Perth; P08	File Ref:	PRO1287; 5.2007.236.1
Attachments:	001 , 002		
Reporting Officer(s):	L Parker, S Kendall		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Co-Praxis on behalf of the owner M Gin & S M Mulvey for proposed Demolition of Existing Single House and Construction of Two-Storey Single House, at No. 24 (Lot 189 D/P: 32083) Loch Street, North Perth, and as shown on plans stamp-dated 11 October 2007, subject to the following conditions:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, 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;*
- (ii) *any new street/front wall, fence and gate between the Loch Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (iii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*

- (a) *the “garage” boundary wall on the western elevation having a maximum height of 3.0 metres above the natural ground level and a maximum average height of 2.7 metres;*
- (b) *the garage on the southern elevation being setback a minimum of 6.0 metres from the Loch Street boundary; and*
- (c) *the balcony on the southern elevation being setback a minimum of 5.0 metres from the Loch Street boundary.*

The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;

- (iv) *first obtaining the consent of the owner(s) of No. 26 Loch Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall(s) facing No. 26 Loch Street in a good and clean condition;*
- (v) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (vi) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (vii) *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks Services Section. Should such an approval be granted all costs associated with the removal and replacement shall be borne by the applicant/owner(s); and*
- (viii) *the ‘light frame portico – open’ within the front setback area shall be an open unfolded open – framed structure.*

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Cr Messina departed the Chamber at 7.10pm.

AMENDMENT

Moved Cr Ker, Seconded Cr Farrell

That clauses (iii) (b) and (iii) (c) be deleted.

Debate ensued.

AMENDMENT PUT AND CARRIED (8-0)

Cr Messina was out of the Chamber and did not vote.

Cr Messina returned to the Chamber at 7.12pm.

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 10.1.8

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Co-Praxis on behalf of the owner M Gin & S M Mulvey for proposed Demolition of Existing Single House and Construction of Two-Storey Single House, at No. 24 (Lot 189 D/P: 32083) Loch Street, North Perth, and as shown on plans stamp-dated 11 October 2007, subject to the following conditions:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, 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;*
- (ii) any new street/front wall, fence and gate between the Loch Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (iii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the "garage" boundary wall on the western elevation having a maximum height of 3.0 metres above the natural ground level and a maximum average height of 2.7 metres;*

The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;

- (iv) first obtaining the consent of the owner(s) of No. 26 Loch Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall(s) facing No. 26 Loch Street in a good and clean condition;*
- (v) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*

- (vi) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (vii) *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks Services Section. Should such an approval be granted all costs associated with the removal and replacement shall be borne by the applicant/owner(s); and*
- (viii) *the 'light frame portico – open' within the front setback area shall be an open unfolded open – framed structure.*

Landowner:	M Gin & S M Mulvey
Applicant:	Co-Praxis
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R20
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	300 square metres
Access to Right of Way	N/A

BACKGROUND:

- 11 November 1999 The Western Australian Planning Commission (WAPC) granted conditional subdivision approval for the creation of a freehold lot fronting Carrington Street, which resulted in the retention of the subject existing single house.
- 20 December 1999 The Council at its Ordinary Meeting granted conditional Planning Approval for an additional two storey single house to the rear of the subject existing dwelling.
- 24 July 2001 The Council at its Ordinary Meeting resolved to clear condition 6 of the WAPC's conditional subdivision approval having received a Statutory Declaration from the owner stating that the existing house will be retained, renovated and restored. The subject property was zoned Residential R30/40 at this time and the approval of the subdivision and subsequent planning application for a two storey single house took advantage of the density bonus afforded when retaining the existing house.
- 9 July 2002 The Council at its Ordinary Meeting resolved to grant conditional Planning Approval for a two-storey single house to the existing single dwelling.

DETAILS:

Approval is sought for the demolition of the existing single house and the construction of a two storey single house on the subject property.

The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	0.6 dwelling R20	1 dwelling R33 40 per cent density bonus	Supported - the lot was created under and complied with the previous R30/R40 zoning of the land.
Plot Ratio	N/A	N/A	Noted
Ground Floor-			Setbacks:
-South/Loch Street (Front) (garage)	6.0 metres	5.8 - 6.269 metres	Not supported - considered to have an undue impact on the streetscape and has been conditioned to comply accordingly.
-North (Rear)	1.5 metres	1.005 - 1.472 metres	Supported – not considered to have an undue impact on adjoining property.
-East (Side)	1.5 metres	1.014 – 1.242 metres	Supported – not considered to have an undue impact on adjoining property.
-West (garage - walkway)	1.5 metres	Nil - 2.4 - 5.345 metres	Supported – not considered to have an undue impact on adjoining property and garage wall has been conditioned to comply with building on boundary height requirements.
Upper Floor-			
-South/Loch Street (balcony)	6.0 metres	4.9 metres	Not supported in part- considered to have an undue impact on the streetscape, and has been conditioned to be setback 5.0 metres so not to have an undue impact on the streetscape.
-North (Rear)	1.4 metres	1.399 - 1.473 metres	Supported - minor variation and not considered to present any undue impact on adjoining property.

-East (Side)	2.2 metres	1.251 - 2.124 metres	Supported – not considered to have an undue impact on adjoining property.
-West (balcony - walkway)	2.2 metres	1.216 - 2.439 - 5.263 metres	Supported – not considered to have an undue impact on adjoining property.
Open Space:	50 per cent	43 per cent	Supported - the spa and courtyard area technically cannot be considered within the definition of open space in the R Codes; however, in this instance, area is considered to fulfil the practical purposes for open space and outdoor living areas and its inclusion in the open space calculation would bring the total open space for the site to a compliant 51 per cent.
Boundary Walls: -West (garage)	Walls not higher than 3.0 metres with average of 2.7 metres for 2/3 the length of the balance of the boundary behind the front setback, to one side boundary.	Average and maximum wall height of 2.9 metres, with 0.2 metre incursion into front setback area.	Not supported - considered to have an undue impact on neighbouring property and has been conditioned to comply accordingly.
Carports and Garages: Garage (South/Loch Street)	Garages setback 6.0 metres from the frontage street.	Setback 5.8 metres	Not supported - considered to have an undue impact on the streetscape and has been conditioned to comply accordingly.
Consultation Submissions			
Support	Nil	Noted	
Objection (1)	<ul style="list-style-type: none"> Non-compliance with the setback requirements of the R Codes, particularly the front and first floor setbacks. 	<ul style="list-style-type: none"> Supported in part - the development has been conditioned to comply with the front setbacks for the ground floor and the balcony has been conditioned to be setback 5.0 metres from the street. Other variations are considered minor 	

		in nature and/or not to have an undue impact on adjoining properties.
	<ul style="list-style-type: none"> Boundary (garage) wall creating a 'hemmed in' feeling. 	<ul style="list-style-type: none"> Supported in part - the boundary (garage) wall on the western elevation has been conditioned to comply with the front setback and building on boundary requirements under the R20 zoning requirements of the R Codes.
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil
Financial/Budget Implications		Nil

* The representative R Coding and density bonus calculations are provided in accordance with the Notice of Motion (Item 11.1) resolved at the Ordinary Meeting of Council held on 23 March 2004.

* The plot ratio calculation is provided in accordance with the Notice of Motion (Item 11.1) resolved at the Ordinary Meeting of Council held on 23 March 2004.

COMMENTS:

Demolition

The property at No. 24 Loch Street, North Perth was constructed circa 1935 in the Inter-war Bungalow style. The single storey brick and tile dwelling is characterised by a front protruding room with a timber framed casement window arrangement and a gable above. The facade features brickwork to sill height and is rendered above. The original verandah which runs along the western side of the dwelling has been enclosed.

A full heritage assessment was undertaken for No. 24 Loch Street of which a copy forms an attachment to this report. The Heritage Assessment revealed that the place has *little* aesthetic, historic, scientific or social heritage significance. In accordance with the Town's Policy relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the Town's Municipal Heritage Inventory.

Redevelopment

Although the original subdivision of the property into two lots was approved on the basis of retaining the existing house, the refusal of the demolition of the existing dwelling is considered unreasonable in this instance, as ownership of the property has since changed and the retention of the existing house was not subject to a legal agreement and caveat or notification on the title of the subject property. Furthermore, the existing dwelling has been found not to have any significant historical value to the Town and the proposed two-storey house has been conditioned to comply with the R20 requirements of the Residential Design Codes, where appropriate, taking into consideration the small size of the lot. In light of the above, it is recommended that the development proposal be approved, subject to standard and appropriate conditions to address the above matters.

The Presiding Member advised the meeting that Cr Ker had declared a financial interest in this Item and Cr Ker departed the Chamber at 7.13pm. He did not speak or vote on this item.

10.1.1 Further Report - No. 116 (Lot 475 Perth Town) West Parade, Corner Guildford Road, Perth - Proposed Retaining Wall and Billboard Signage

Ward:	South	Date:	29 October 2007
Precinct:	Banks; P15	File Ref:	PRO4115; 5.2007.336.1
Attachments:	001		
Reporting Officer(s):	D Pirone		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission for the application submitted by Planning Solutions (Aust) Pty Ltd on behalf of the owner Public Transport Authority of WA for Proposed Retaining Wall and Re-cladding of Structure above at No. 116 (Lot 475 Perth Town) West Parade, Corner Guildford Road, Perth, and as shown on plans stamp-dated 6 September 2007, subject to the following condition:

- (i) *this approval does not involve any new advertising signage on site.*

COUNCIL DECISION ITEM 10.1.1

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

CARRIED (8-0)

Cr Ker out of the Chamber – due to his financial interest.

Cr Ker returned to the Chamber at 7.14pm and was advised that the Officer Recommendation had been carried.

FURTHER REPORT:

The Council considered the application at its Ordinary Meeting held on 9 October 2007, and resolved as follows:

"That this Item be DEFERRED for clarification."

A meeting was held on 18 October 2007 with the applicant and the Town's Officers to discuss the deferral of the Item by the Council at its Ordinary Meeting held on 9 October 2007, and to clarify details of the application.

The applicant's previous submission states as follows:

"Specifically, the following actions are proposed:

- *Installation of new zincalume or custom orb cladding behind the poster signs; and,*
- *An attractive retaining wall".*

The applicant's further submission states as follows:

"(i.e. no billboard signage was proposed) ..."

The applicant's previous and further submissions are *"Laid on the Table"*.

In light of the above, it is now recommended that the Council recommend conditional approval to the Western Australian Planning Commission, in line with the Further Officer Recommendation.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 9 October 2007.

"OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council RECOMMENDS REFUSAL to the Western Australian Planning Commission for the application submitted by Planning Solutions (Aust) Pty Ltd on behalf of the owner Public Transport Authority of WA for Proposed Retaining Wall and Billboard Signage, at No. 116 (Lot 475 Perth Town) West Parade, Corner Guildford Road, Perth, and as shown on plans stamp-dated 6 September 2007, for the following reasons:

- (i) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality with respect to the protection and enhancement of the social, physical and cultural environment of Guildford Road, West Parade, East Parade and the Banks Precinct; and*
- (ii) *the non-compliance with the Town's Policies relating to Signs and Advertising and Banks Precinct.*

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

The Presiding Member advised that Cr Ker had declared a financial interest in this item. Cr Ker did not speak or vote on the matter and departed the chamber at 6.37pm.

Debate ensued.

Cr Farrell departed the meeting at 6.39pm.

Debate ensued.

Cr Farrell returned to the chamber at 6.40pm.

PROCEDURAL MOTION

Moved Cr Messina, Seconded Cr Lake

That this Item be DEFERRED for clarification

CARRIED (6-0)

Cr Torre had not arrived at the Meeting at this stage.

Cr Doran-Wu on approved leave of absence.

Cr Ker was absent from the Chamber as he had declared a financial interest in the matter.

Cr Ker returned to the Chamber at 6.41pm and was advised that the Item had been deferred.

COUNCIL DECISION ITEM 10.1.6

That this Item be DEFERRED for clarification.

<i>Landowner:</i>	<i>Public Transport Authority of WA</i>
<i>Applicant:</i>	<i>Planning Solutions (Aust) Pty Ltd</i>
<i>Zoning:</i>	<i>Metropolitan Region Scheme (MRS): MRS Reserves – Railways Town Planning Scheme No.1 (TPS 1): MRS Reserves– Railways</i>
<i>Existing Land Use:</i>	<i>Railway</i>
<i>Use Class:</i>	<i>Railway “Unlisted Use”</i>
<i>Use Classification:</i>	<i>“Unlisted Use”</i>
<i>Lot Area:</i>	<i>12.79 hectares</i>
<i>Access to Right of Way</i>	<i>Not Applicable</i>

BACKGROUND:

The proposed development is on land reserved under the Metropolitan Region Scheme for Railways and, in accordance with the Metropolitan Region Scheme, the subject public works application requires determination by the Western Australian Planning Commission (WAPC).

8 June 2004 The Town under delegated authority, advised the WAPC that it has no objection to proposed alterations and additions to the existing railway terminal, subject to conditions.

26 August 2004 The Western Australian Planning Commission approved alterations and additions to the terminal.

18 January 2005 The Council at its Ordinary Meeting resolved to advise the WAPC that it has no objections to a hoarding sign and landscaping to the existing railway terminal site, subject to the sign fully complying with the Town's Policy relating to Signs and Advertising and standard conditions.

13 June 2006 The Council at its Ordinary Meeting resolved to advise the WAPC that it recommends supporting the demolition of an existing footbridge and the addition of a new footbridge at the railway terminal.

DETAILS:

The proposal involves the construction of a retaining wall along the boundary of the railway and the erection of billboard signage along the proposed wall.

The subject site already contains a number of existing billboards, along the sides of the Railway Bridge. The advertising signs are currently erected on steel support frames with galvanised iron sheeting. The proposed new retaining wall and associated signage aims to improve the presentation of the existing arrangement, which is old and weathered.

The applicant's submission is "Laid on the Table".

ASSESSMENT:

<i>Non-Compliant Requirements</i>			
<i>Requirements</i>	<i>Required</i>	<i>Proposed *</i>	<i>Officer Comments Pursuant to Clause 38(5) of TPS 1</i>
<i>Plot Ratio</i>	<i>N/A</i>	<i>N/A</i>	<i>Supported – no variation</i>
<i>Signs and Advertising Policy</i>	<i>Bill posting, billboards and the like are not permitted within the Town of Vincent.</i>	<i>Two billboards proposed along the proposed retaining wall.</i>	<i>Not supported - as the signage will have an undue impact on the amenity of the area. Refer to comments section below.</i>
<i>Consultation Submissions</i>			
<i>The application was not advertised as it is being referred to the Council for determination and it is not supported by the Town's Officers.</i>			
<i>Other Implications</i>			
<i>Legal/Policy</i>			<i>TPS 1 and associated Policies, and Residential Design Codes (R Codes).</i>
<i>Strategic Implications</i>			<i>Nil</i>
<i>Financial/Budget Implications</i>			<i>Nil</i>

** The plot ratio calculation is provided in accordance with the Notice of Motion (Item 11.1) resolved at the Ordinary Meeting of Council held on 23 March 2004.*

COMMENTS:

Heritage

The Mount Lawley Railway Bridge (Subway) was first entered on the Town's Municipal Heritage Inventory as a Management Category B - Conservation Recommended on 12 September 2006. The subway is considered an integral part of the Perth-Midland Railway line, which spans the main road from Perth to Guildford. First constructed in 1907 the subway demonstrates a strong engineering form featuring steel trusses spanning across Guildford Road that have held an iconic presence for almost a century.

It is considered that the proposed beautification works to the subway involving the construction of limestone walls at the base of the structure abutting Guildford Road will not detract from the cultural heritage significance of the place detailed above.

Given the above, it is considered that in accordance with the Town's Policy relating to Heritage Management - Development Guidelines the proposed beautification works to the Subway are not considered to have an undue impact on the cultural heritage significance associated with the place.

Signage

The subject signage is proposed to be utilised by the general public/businesses and is not in any way related to the use of the subject site. The sign constitutes a billboard and is considered to be a form of bill posting. The proposed signage does not comply with the Town's Policy relating to 'Signs and Advertising' as billboards/bill posting is not permitted and as stated in the Policy "no signage is permitted on fences, walls or the like structures which do not form an integral part of the building". It follows that signage is not permitted as the predominant use of the land, and should be associated with and be ancillary and incidental to, the predominant use of the land.

The site forms an effective 'gateway' into the Town and there is a concern that the presence of such signage within the Town and in particular, on a prominent entry point into the Town, imposes an undesirable and inaccurate image of the Town.

In addition to the above, the Banks Precinct Statement states 'public places such as parks, reserves and streets are to be further enhanced and maintained so that they contribute to the pleasant and attractive environment of this Precinct.' It is considered that the proposed new bill board signage will further entrench an undesirable development and reduce the ability for the subject reserve to be a pleasant and attractive environment.

Summary

In light of the above, it is suggested that the Council recommend refusal to the Western Australian Planning Commission."

10.1.3 Amendment No. 45 to Planning and Building Policies – Amended Policy Relating to Signs and Advertising

Ward:	Both Wards	Date:	26 October 2007
Precinct:	All Precincts	File Ref:	PLA0188; LEG0063
Attachments:	001		
Reporting Officer(s):	A Rayner		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the final amended version of the Policy relating to Signs and Advertising, as attached to this report, resulting from the advertised version having been reviewed and with regard to nil (0) written submissions received during the formal advertising period, in accordance with Clauses 47 (3), (4) and (5)(a) of the Town's Town Planning Scheme No. 1;*
- (ii) *ADOPTS the final amended version of the Policy relating to Signs and Advertising, as attached to this report, in accordance with Clause 47 (5) (b) of Town's Town Planning Scheme No.1; and*
- (iii) *AUTHORISES the Chief Executive Officer to advertise the final amended version of the Policy relating to Signs and Advertising, as attached to this report, in accordance with Clause 47 (6) of the Town's Town Planning Scheme No. 1.*

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Ker, Seconded Cr Maier

That clause (ii) be amended to read as follows:

- (ii) *ADOPTS the final amended version of the Policy relating to Signs and Advertising, as attached to this report, in accordance with Clause 47 (5) (b) of Town's Town Planning Scheme No.1; subject to clause 2) viii) of the Policy being amended to read as follows:*

'2) viii) Ground Based Sign

A Ground Based Sign is to:

- a) *be located on the property to which the sign relates;*
- b) *be displayed only during the normal business hours of the business to which the sign relates;*

- c) *be limited to a maximum of one sign per tenancy on a lot;*
- d) *have no moving parts once the sign is in place;*
- e) *be predominately displayed as an 'A' frame sign that opens and closes be designed to be of a temporary and portable nature;*
- f) *advertise only the name of the owner or occupier of the premises, and/or the nature of the business and/or activities to which it relates and carried on therein;*
- g) *have a maximum vertical or horizontal dimension of 1 metre and area of 0.8 square metres;*
- h) *be placed so as not to cause interference or be hazardous to vehicular, pedestrian and cyclist traffic; and*
- i) *be of sound construction, maintained in good condition, neatly sign-written and located in the position to the satisfaction of the Town of Vincent.*

Note: A Ground Based Sign (~~Portable Sign~~) is classified as a Portable Sign under the Town of Vincent Local Government Property Local Law. A Portable Sign approved under Part 6 - Advertising Signs on Thoroughfares of the Town of Vincent Local Government Property Local Law is permitted to be located on the footpath immediately adjacent to the building."

Debate ensued.

AMENDMENT PUT AND CARRIED (9-0)

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 10.1.3

That the Council;

- (i) *RECEIVES the final amended version of the Policy relating to Signs and Advertising, as attached to this report, resulting from the advertised version having been reviewed and with regard to nil (0) written submissions received during the formal advertising period, in accordance with Clauses 47 (3), (4) and (5)(a) of the Town's Town Planning Scheme No. 1;*
- (ii) *ADOPTS the final amended version of the Policy relating to Signs and Advertising, as attached to this report, in accordance with Clause 47 (5) (b) of Town's Town Planning Scheme No.1; subject to clause 2) viii) of the Policy being amended to read as follows:*

'2) viii) Ground Based Sign

A Ground Based Sign is to:

- a) *be located on the property to which the sign relates;*

- b) *be displayed only during the normal business hours of the business to which the sign relates;*
- c) *be limited to a maximum of one sign per tenancy on a lot;*
- d) *have no moving parts once the sign is in place;*
- e) *be designed to be of a temporary and portable nature;*
- f) *advertise only the name of the owner or occupier of the premises, and/or the nature of the business and/or activities to which it relates and carried on therein;*
- g) *have a maximum vertical or horizontal dimension of 1 metre and area of 0.8 square metres;*
- h) *be placed so as not to cause interference or be hazardous to vehicular, pedestrian and cyclist traffic; and*
- i) *be of sound construction, maintained in good condition, neatly sign-written and located in the position to the satisfaction of the Town of Vincent; and*

Note: A Ground Based Sign is classified as a Portable Sign under the Town of Vincent Local Government Property Local Law. A Portable Sign approved under Part 6 - Advertising Signs on Thoroughfares of the Town of Vincent Local Government Property Local Law is permitted to be located on the footpath immediately adjacent to the building.”

- (iii) *AUTHORISES the Chief Executive Officer to advertise the final amended version of the Policy relating to Signs and Advertising, as attached to this report, in accordance with Clause 47 (6) of the Town’s Town Planning Scheme No. 1.*
-

PURPOSE OF REPORT:

The purpose of this report is to present to the Council the final amended version of the Policy relating to Signs and Advertising, and seek final adoption.

BACKGROUND:

The Council at its Ordinary Meeting held on 22 May 2007 considered the proposed Amendment to the Signs and Advertising Policy, and resolved as follows:

- “(vi) *ADOPTS the Amended Policy No. 3.5.2 relating to Signs and Advertising in the interim until the formal adoption of the Amended Policy;*
- (vii) *ADVERTISES the Amended Policy No. 3.5.2 relating to Signs and Advertising for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*
 - (a) *advertising a summary of the subject Amended Policy once a week for four consecutive weeks in a newspaper circulating in the locality;*

- (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Amended Policy; and*
- (c) *forwarding a copy of the subject Amended Policy to the Western Australian Planning Commission;*
- (viii) *after the expiry of the period for submissions:*
 - (a) *REVIEWS the Amended Policy No. 3.5.2 relating to Signs and Advertising, having regard to any written submissions; and*
 - (b) *DETERMINES the Amended Policy No. 3.5.2 relating to Signs and Advertising with or without amendment, to or not to proceed with them; and*
- (ix) *NOTES that a further report will be submitted to the Council at the conclusion of the statutory consultation period.”*

DETAILS:

The subject Policy Amendment is a minor amendment to remove any anomaly between ground based signs under the Town's Signs and Advertising Policy and portable signs under the draft new Local Government Property Local Law.

The amendment is as follows as struck through and underlined which reflects the amendment as resolved by the Council at its Ordinary Meeting held on 22 May 2007 together with an additional note to clarify the situation in relation to the Local Government Property Local Law:

“2) viii) Ground Based Sign

A Ground Based Sign is to:

- a) be located on the property ~~adjacent to the building~~ to which the sign relates. ~~and be located on the footpath immediately adjacent to the building,~~
- b) be displayed only during the normal business hours of the business to which the sign relates;
- c) be limited to a maximum of one sign per tenancy on a lot;
- d) have no moving parts once the sign is in place;
- e) be predominately displayed as an 'A' frame sign that opens and closes;
- f) advertise only the name of the owner or occupier of the premises, and/or the nature of the business and/or activities to which it relates and carried on therein;
- g) have a maximum vertical or horizontal dimension of 1 metre and area of 0.8 square metres;
- h) be placed so as not to cause interference or be hazardous to vehicular, pedestrian and cyclist traffic; and

- i) be of sound construction, maintained in good condition, neatly sign-written and located in the position to the satisfaction of the Town of Vincent.

Note: A Ground Based Sign (Portable Sign) approved under the Town of Vincent Local Government Property Local Law is permitted to be located on the footpath immediately adjacent to the building.

CONSULTATION/ADVERTISING:

Any new or amended Planning Policy is required to be advertised for public comment in accordance with Clause 47 of the Town's Town Planning Scheme No. 1. Advertising of the amended Policy concluded on 16 July 2007. No submissions were received during the comment period.

LEGAL/POLICY:

Town of Vincent Town Planning Scheme No. 1 and associated Policies.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 – Strategic Objectives: Natural and Built Environment:

"1.1.2 Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision;"

FINANCIAL/BUDGET IMPLICATIONS:

The current 2007/2008 Budget allocates \$60,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

The subject Policy Amendment is to remove any anomaly for ground based signs between the Town's Signs and Advertising Policy and the draft new Local Government Property Local Law.

A more comprehensive review of the Signs and Advertising Policy is scheduled for the later part of 2007 as part of the Town Planning Scheme No.1 review.

In light of the above, it is recommended that the Council receives, adopts and advertises the final amended version of the Policy relating to Signs and Advertising, in line with the Officer Recommendation.

10.1.10 Town of Vincent Non-Conforming Use Register – Stage 1 - Addition of a Non-Conforming Use at No. 197 (Lot 6) Lake Street, Perth

Ward:	South	Date:	29 October 2007
Precinct:	Hyde Park, P12	File Ref:	PRO2044
Attachments:	001 002		
Reporting Officer(s):	A Fox		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council APPROVES the following addition to the Town of Vincent Non-Conforming Use Register - Stage 1:

Moved Cr Lake, Seconded Cr Farrell

That the recommendation be adopted.

Cr Farrell departed the Chamber at 7.17pm.

Debate ensued.

Cr Farrell returned to the Chamber at 7.22pm.

AMENDMENT

Moved Cr Lake, Seconded Cr Ker

That the item be DEFERRED for further investigation.

CARRIED (9-0)

COUNCIL DECISION ITEM 10.1.10

That the item be DEFERRED for further investigation.

NCU	Current NCU Type	NCU Business Name	Street No.	Lot No.	Street	Suburb	Zoning
55	Warehouse	Marlin Group Pty Ltd	197	6	Lake Street	Perth	Residential R80

PURPOSE OF REPORT:

The purpose of the report is to consider the addition of the non-conforming use at No.197 (Lot 6) Lake Street, Perth onto the Town of Vincent Non-Conforming Use Register –Stage 1.

BACKGROUND:

The Council considered the Town of Vincent Non-Conforming Use Register and Inventory - Stage 1, dated November 2001, at its Ordinary Meeting held on 20 November 2001 and resolved as follows:

"That;

- (i) the Council adopts the Town of Vincent Non-Conforming Use Register - Stage 1 dated November 2001 as an Appendix to the Planning and Building Policy Manual; and*
- (ii) a copy of the Town of Vincent Non-Conforming Use Register (as attached at Appendix 10.1.25) and Inventory (as 'Laid on the Table') - Stage 1 dated November 2001 be kept at the Town's Administration and Civic Centre and be available for public inspection during office hours."*

The Council considered the Town of Vincent Non-Conforming Use Register and Inventory - Stage 1, dated March 2002, at its Ordinary Meeting held on 26 March 2002 and resolved as follows:

"That the Council approve the deletion of "Non-Conforming Use Nos. 27 and 50" from the Town of Vincent Non-Conforming Use Register - Stage 1 dated November 2001 (as shown on Appendix 10.1.22) and Non-Conforming Use Inventory - Stage 1 dated November 2001."

DETAILS:

Town of Vincent Town Planning Scheme No.1 Clause 17: Register of Non-Conforming Uses, states the following:

- "(1) A person who wishes the Council to record a non-conforming use may submit to the Council in writing full details of the nature, location and extent of the non-conforming use.*
- (2) Where the Council is satisfied that a non-conforming use exists, it is to record, in a register of non-conforming uses, details of each non-conforming use.*
- (3) A copy of the register of non-conforming uses is to be –*
 - (a) kept at the offices of the Council; and*
 - (b) made available for public inspection during office hours."*

A "non-conforming use" means any use of land or building which was lawful immediately prior to the coming into operation of the Scheme, but is not now in conformity with the provisions of the Scheme.

To fulfil the statutory obligation under Clause 17 (2) of Town Planning Scheme No.1, the Council adopted the Town of Vincent Non-Conforming Use Register - Stage 1 on 20 November 2001.

The non-conforming uses identified in the Town of Vincent Non-Conforming Use Register – Stage 1, were identified mainly from the following sources:

- Town Planning Scheme No. 1 zoning maps;
- Land use survey conducted by the Town in 1999;
- Recent site inspections of every property in the Town; and
- An aerial map of the Town.

The inventory on the site history for each non-conforming use was compiled mainly from the following sources of information:

- Town of Vincent records and archives;
- City of Perth archives; and
- City of Perth Planning Services files.

The research undertaken was as extensive as possible given the Town had limited access to property records and the City of Perth records. The non-conforming uses that were included in Stage 1 were acknowledged by the Town through the following ways:

- The use was acknowledged as being in existence prior to 4 December 1998, being the gazettal date of the Town of Vincent Town Planning Scheme No.1;
- The use was acknowledged as being in existence prior to or at 20 December 1985 when the gazettal of the City of Perth City Planning Scheme, came into effect;
- The use was acknowledged as being in existence prior to or at 10 October 1961 when the Gazettal of the City of Perth By-laws 64 and 65, which related to town planning classification and zoning by-laws, came into effect; and
- Received approval for the current land use from the Town of Vincent or City of Perth.

The non-conforming uses are listed in the Register, which summarises the use and property details of each affected property. The Inventory includes property details and has a full site history that identifies any approvals or information relating to the site.

No. 197 (Lot 6) Lake Street, Perth

On 20 August 2007, the Town has received a request from the owner, Marlin Group Pty Ltd, of No. 197 (Lot 6) Lake Street, Perth requesting that the Town recognise the existing non-conforming use of "warehouse, office, storage, manufacture and wholesale" at No.197 Lake Street, Perth and subsequently include the use on the Town's Non-Conforming Use Register as per Clause 17 (2) of the Town's Town Planning Scheme No. 1.

Under the City of Perth Zoning By-Law No. 65, the subject site was zoned, Zone 2 (Residential Flats), the City of Perth City Planning Scheme –Residential R80 and the Town of Vincent's current Town Planning Scheme No. 1 - Residential R80. Under the previous and current zoning the current use of the site for "warehouse, storage, manufacture and wholesale" are uses that are not permitted.

A review of City of Perth records confirmed the following:

- The subject property had in the past contained a non-conforming use, namely storage of bottles and bottling for the Swan Brewery;
- In May 1984, an application was submitted by S Van Raalte of Pennant House for the establishment of a textile printing premises for the manufacture of flags. Under the provisions of the Zoning By-Law at the time, the Council had the power to approve a change from a non-conforming use to another use which is not permitted on the land, if it is in the opinion of the Council that the proposed use is less detrimental to the amenities of the neighbourhood than the existing use;
- In July 1984, the City of Perth approved the application for a textile printing business (Pennant House) in accordance with the provisions of City of Perth Zoning By-Law No. 65. The approval granted was for the use of the site for 'office, storage and workshop'; and
- In 1996, the property was purchased from the Pennant House by Marlin Group Pty Ltd.

Marlin Group Pty Ltd has provided the Town with written advice stating, that since Marlin Group Pty Ltd purchased the property from Pennant Flag Company in 1996, all uses approved to Pennant Flag Company being 'office, storage and workshop' have been continuously carried out.

A site inspection undertaken by the Town's Officers has revealed that the use operating on the subject site is 'office and storage' which is in line with the approved non-conforming use granted to Pennant Flag Company in July 1984.

Evidence compiled from the City of Perth archives and Town of Vincent records indicate that at the time the non-conforming uses were identified in the Town of Vincent Non-Conforming Use Register – Stage 1, the use at No. 197 (Lot 6) Lake Street, Perth was inadvertently overlooked for investigation and inclusion onto the Register. In light of the above, the proposed inclusion of the non-conforming use at No. 197 (Lot 6) Lake Street, Perth onto the Town's Non-Conforming Use Register is considered to be acceptable.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006 -2011: Objective 1.1 *"Improve and maintain environment and infrastructure"* - 1.1.3 *"Enhance and maintain the character and heritage of the Town"* and 1.1.4 *"Minimise negative impacts on the community and environment"*.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The subject current non-conforming use type for the purpose of the Non-Conforming Use Register will be Warehouse. The existing office use does not need to be listed in the Register as an Office Building is a "SA" use under the current Residential R80 zoning; therefore, the Council has the discretion to permit the use.

In summary, it is recommended that the above mentioned non-conforming use be included on the Town's Non-Conforming Use Register - Stage 1, dated November 2007.

10.2.3 Progress Report No 1 - Investigation of Schemes for the provision of Energy and Water Audits for residents and business proprietors in the Town

Ward:	Both	Date:	27 October 2007
Precinct:	All	File Ref:	ENS0106
Attachments:	-		
Reporting Officer(s):	J Lockley, R Lotznicker		
Checked/Endorsed by:	John Giorgi	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the investigation of a scheme for the provision of energy and water audits for the residents and business proprietors in the Town;*
- (ii) *NOTES that;*
 - (a) *to receive grant funding, the Town will need to match the value of funding requested;*
 - (b) *the closing date for the next round of Sustainable Energy Development Office (SEDO) grants is February 2008;*
 - (c) *the calling of round 4 grant funding from the Australian Government Water Fund (AGWF) - Community Water Grants is to yet to be announced;*
 - (d) *available funding from the AGWF - Community Water Grants is split on a ratio of 75% for on-ground works and 25% for education and promotion programs; and*
 - (e) *The Department of Water offers rebates on various products to be used to reduce water consumption;*
- (iii) *AUTHORISES the Chief Executive Officer to apply for 'appropriate' funding when the next round of Sustainable Energy Development Office (SEDO) grants and the Australian Government Water Fund AGWF (Community Water Grants) are called for conducting Energy and Water Audits for residents and business proprietors in the Town;*
- (iv) *CONSIDERS listing appropriate funding (to be determined in a further report) for consideration in the 2008/2009 draft budget and subsequent budgets:*
 - (a) *to prepare a program and progressively implement Energy and Water Audits of Town owned buildings;*
 - (b) *pending the results of the audit (as outlined in {clause (iv)(a)}, to prepare a long term implementation program to make these buildings more sustainable; and*
 - (c) *to enable the Town to contribute towards the implementation of Audit Scheme/s for a representative sample of properties in the Town subject to matching grant funding being provided [refer clause (iii) above];*

- (v) *subject to grant funding being available, APPROVES IN PRINCIPLE the holding of sustainability workshops to introduce residents and businesses to the Audit Scheme before they sign up to be considered for inclusion in any such Auditing Scheme; and*
 - (vi) *Receives further progress reports on the progress of matters outlined in clauses (iii) to (v) above.*
-

COUNCIL DECISION ITEM 10.2.3

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr _____

That clause (iii) be deleted.

Amendment Lapsed for want of a seconder.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

Journalist Chris Thomson departed at 7.27pm.

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the outcomes of an investigation into implementation of a scheme for water and energy audits for the Town's residents and business proprietors as part of the Town's Sustainability Environment Plan 2007-2012.

BACKGROUND:

At its Ordinary meeting held on 25 September 2007, the following Notice submitted by Cr Farrell was adopted:

"That;

- (i) *the Chief Executive Officer be requested, as part of the Town's Sustainability Environment Plan 2007 - 2012, to investigate the introduction of a scheme for the provision of Energy and Water Audits for residents and business proprietors in the Town;*
- (ii) *the report to include;*
 - (a) *the benefits, advantages and disadvantages of such Audit Scheme;*

- (b) *cost implications including the provision of subsidies to ratepayers (residents and business proprietors);*
 - (c) *information about audit schemes carried out by other Local Governments (including throughout Australia);*
 - (d) *funding sources available to the Town to assist in the implementation of the Audit Scheme (eg. WA Sustainable Energy Development Office, Australian Greenhouse Office, ICLEI);*
 - (e) *opportunities to partner with Synergy , Water Corporation or the Department for Planning and Infrastructure to extend recent pilot voluntary behaviour change trials in energy and water to the Town of Vincent;*
 - (f) *marketing strategies to promote an audit scheme to residents, businesses and schools; and*
- (iii) *the report be submitted to Council as soon as practicable and in any case no later than November 2007."*

DETAILS:

The aim of an audit is to identify the means of reducing consumption, reducing the cost and also reducing the amount of greenhouse gases emitted as, for example, saving of 5-10% can be achieved simply by better energy management strategy.

Benefits, Advantages and Disadvantages of an Audit Scheme:

Auditing

Auditing refers to *an official examination of an account or accounts*. Energy and water audits would relate to an examination of consumption accounts including electricity, gas use and water consumption excluding the consumption from water bores.

From an audit, or examination, high consumption levels would be identified and investigated and, after establishing what needs to be done to achieve change, actions would be implemented to effect changes. Various avenues for achieving goals can be used, which may include applications to reduce consumption or behavioural change.

Benefits of Audit Schemes

Benefits of the Town introducing Audit Scheme/s would result in a reduction of water and energy consumption, resulting in cost savings and a reduction in the environmental footprint. In addition, the Town would be displaying its recognition for the need to preserve resources and provide support for such actions to be carried out by the community.

Community and businesses within the Town would benefit from such a program as they would see the results from a reduced consumption of resources as an economic benefit. The children of the Town would experience benefits in the future from the actions of the Town today.

It is considered that the Town's buildings be audited and applications implemented as part of the ICLEI CCP + (plus) and Water Campaign programs the Town has signed up for. In addition, introducing Audit Scheme/s will result in completing some of the targets set out in the Sustainable Environment Plan 2007-2012 including:

Energy actions:

- Carry out an energy audit of all Town's properties and implement recommendations
- Incorporate energy efficiency principles in planning and building policies
- Ensure the Town has an employee(s) with energy management as a responsibility
- Develop an Energy Awareness Program for employees
- Reduce the overall energy use by the Town and community

Water actions

- Develop a comprehensive means for reducing water consumption on Town and community gardens and parklands
- Investigate ways to improve the Town's water use efficiency by monitoring Town (scheme and bore) water use
- Educate and encourage developers, architects to incorporate the principles of Water Sensitive Urban Design into new development including landscaping projects undertaken by the Town

Advantages

It is considered that audit Schemes would enlist the backing of many concerned residents resulting in fewer funds required to purchase resources in the long term. It is important to establish the proposal now as in the future such audits may become mandatory. The schemes would result in reduction in green house gas emissions, and helping the community to achieve goals that may have seemed unimaginable.

Possible Disadvantages

The Audit Schemes are very time consuming and require substantial funding and not all members of the community may wish to change habits or be ready for changes. The scheme may probably require substantial changes to be made to some buildings and would require behavioural changes.

Cost implications including the provision of subsidies to ratepayers (residents and business proprietors) and carrying out the auditing:

Cost Implications/subsidies

To audit properties for water and energy consumption it may be in the interest of the Town to either use a consultant who specialises in these matters or employ an officer on a short term contract (term to be determined) to run the program.

At the time of writing this report information on conducting audits was still being researched and information from the City of South Perth was unavailable.

Subsidies to ratepayers would include subsidising the cost of energy and water saving items such as; Energy saver light bulbs, low flow tap washers, timers on garden taps.

The value of subsidies on these products would vary depending on the different costs of the products.

This information will be researched and costed when a formal submission for grant funding has been prepared after which a further report will be presented to the Council

Rebates available

The Department of Water offers rebates on various products that are used to reduce water consumption. Products that are eligible for rebates under the revised 2007-08 Waterwise Rebate Program include:

- Swimming pool covers
- [Greywater re-use systems](#)
- [Rain sensors](#)
- [Subsurface irrigation systems](#)
- [Washing machines rated 4 'stars' or better](#)
- [Waterwise garden assessments](#)
- [Domestic rainwater tanks](#) with a capacity of 600 litres or more
- [Domestic garden bores](#)
- [Flow regulators rated 3 'stars' or better](#)

Information about audit schemes carried out by other Local Governments:

The City of South Perth is commencing a program for auditing 100 properties. The original number was 200 however after advertising in the local news many times and at local workshops they only received 100 applicants.

The City received a grant from SEDO to implement the program. This is still in the initial stages and auditing has not yet begun. A contractor was sought by the City of South Perth to carry out the auditing of the properties.

Initiatives were introduced by the NSW Government in May 2005 which requires certain businesses, government agencies and local governments to prepare Water and Energy Savings Action Plans.

These action plans must be prepared in accordance with the *Guidelines for Energy Savings Action Plans* which provide an overview of the levels of energy audits identified in Australian Standard AS/NZS 3598. They also explain why more detailed audits (level 3) are generally required to ensure that the savings action plan process identifies all energy use at a site and enables savings opportunities to be identified, quantified and analysed to a sufficient level for informed decision-making.

Level 1

This audit should comprise a comprehensive investigation and analysis of a site's energy use, conducted to a level that:

- Provides a detailed analysis of where, when and how energy is used
- Identifies possible energy saving opportunities
- Evaluates those opportunities determined to be practical and potentially cost effective in sufficient detail and accuracy to enable a business case for implementation to be made

Level 2

The Australian Standard describes a Level 2 energy audit as a preliminary assessment of energy use at a site and includes:

- The tasks specified for a Level 1 audit, i.e. walk-through assessment

- A broad calculation of energy of the main energy end uses e.g. lighting, equipment. In the absence of separate metering, figures are estimated from plant ratings and operating hours, using appropriate assumptions
- Identification of measures to achieve 'predicted' savings
- Capital costs and savings estimates to an accuracy of plus or minus 20%

Level 3

A Level 3 audit is the most detailed energy audit, described in the Australian Standard as a 'firm' assessment of energy use at a site. It includes the tasks specified for Level 1 and Level 2 audits, as well as:

- A detailed analysis of energy usage, involving metering, monitoring, analysis and tracking to determine where, when and how energy is used
- Capital costs and savings estimates to an accuracy of plus 10% for costs, and minus 10% for benefits
- Identification of measures to achieve 'actual' savings and
- Recommendations sufficiently detailed and accurate to enable quotations to be invited

Level 3 audits provide a more detailed breakdown of the energy use across the site and by specific equipment. It moves the assessment from an overview to much deeper levels of detail, enabling an organisation to make informed decisions about investment in energy savings measures, based on a firm business case.

Research has revealed that recent energy audits carried out by several local governments in New South Wales found that a reduction in energy consumption of 14% of the current annual usage can be achieved. It also found that the projected savings would reduce greenhouse gas emissions by 16%.

Planet Footprint Program

This Program, undertaken by an independent organisation, is a unique initiative whereby local governments receive regular reports detailing their energy and water consumption, costs, and greenhouse gas emissions for all their facilities. Additionally, they receive details of how they are performing against other local governments in their region and across Australia.

This is a program that the Town could join to have all its consumption of energy and water on all its buildings reported to the Town's officers. The officers can then see where the consumption is the highest and assess the best applications to achieve the greatest results in lowering consumption at that site. The benefits to the Town would be to save money and reduce its planet footprint.

Funding sources available:

Energy Audit funding

Funding may be available for the introduction of an Auditing Scheme in the Town. Funding for energy auditing may be sought through the Sustainable Energy Development Office (SEDO) grants for up to \$50,000 through competitive funding rounds. The next round for funding closes in February 2008.

Water Audit funding

Funding for the water audits may be hard to source at this stage as the current funding for Round 4 of the *Community Water Grants* has yet to be announced. This funding is predominantly for projects that will either reduce water consumption in the community or improve water quality in the community. The funding is primarily for on-ground works as opposed to education or promotion for reducing water use or improving water quality.

With regard to Community Water Grants, a minimum of 75 per cent of available funding is devoted to on-ground works that protect water resources. The remaining 25 per cent is for a combination of promotion and monitoring, however, if the objective of a project is primarily to produce an education kit or education program which does not include any on-ground works or tangible results, it is not eligible for funding.

Opportunities to partner with Synergy, Water Corporation or the Department for Planning and Infrastructure to extend recent pilot voluntary behaviour change trials in energy and water to the Town of Vincent:

This matter is still being investigated.

Marketing strategies to promote an audit scheme to residents, businesses and schools:

It is suggested that subject to grant funding being available, the Town holds sustainability workshops to introduce residents and businesses to the Audit Scheme before they sign up to be considered for inclusion in any such Auditing Scheme.

The workshops will be advertised and residents would go in a draw to be included in any prospective audit. Also, residents attending the workshops (and follow up workshops) would be provided with information on how to conduct their own ongoing audits to facilitate behavioural change in their own household.

In addition, it is suggested that an energy and water consumption checklist for all new buildings approved in the Town as part of its approval process should be a goal to ensure that energy and water saving measures/devices are incorporated in building from the outset.

It is also considered that following the completion of successful trial audit scheme/s, consideration be given to allocating appropriate funding (amount to be determined) in future budgets to provide minor subsidies to the Town's residents and businesses to encourage them to carry out minor improvements to save energy and water, e.g. energy saving light bulbs.

CONSULTATION/ADVERTISING:

Community interest and participation in the scheme is very important. To achieve community support and involvement, advertising will be required.

LEGAL/POLICY:

N/A

STRATEGIC IMPLICATIONS

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.4 Minimise negative impacts on the community and environment. *“(g) Minimise the impact of environmental pollution by: • Encouraging householders to reduce hazardous waste in the community.”*

FINANCIAL/BUDGET IMPLICATIONS:

Costs (yet to be determined) would include setting up the audit scheme, seeking community interest, seeking funding, implementation of auditing, workshops and implementation and providing the community with appropriate subsidies to encourage savings behavioural change.

COMMENTS:

Over consumption is a common part of today's society and is readily accepted by the community. Excessive energy consumption results in higher carbon emissions and a waste of resources to produce the energy required. It is also common knowledge that water is increasingly becoming a precious commodity due to the changing climate and the importance of preservation has become a high priority. With the rise in awareness of Global Warming, it has become apparent that water and energy consumption can no longer be sustained at current levels.

The urgent need for action from individuals is apparent, however making changes alone is not always easy. Leading by example the Town can show the residents and businesses how to make the *small changes* that will make a *big difference* by them carrying out an audit on energy and water consumption and implement changes. However this is a long term issue which would need long term support from the Council for the future.

Helping individuals within the community take the first steps to making the changes is also extremely important. One way to help the community would be with a sustainable program of Energy and Water Auditing Scheme run by the Town with support of grants. However auditing energy and water consumption is not enough to make changes. To ensure changes are achieved new applications would need to be installed within the property that has been audited. This would require with Town's assistance in subsidising suggested fittings to make the changes.

10.2.4 Progress Report No. 2 - Possible Strategies to Reduce Speed Limits on Higher Order Roads within the Town

Ward:	Both	Date:	30 October 2007
Precinct:	All	File Ref:	TES0173
Attachments:	-		
Reporting Officer(s):	C Wilson		
Checked/Endorsed by:	R Lotznicker	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES Progress Report No. 2 on Possible Strategies to Reduce Speed Limits on higher order roads within the Town;*
- (ii) *NOTES that the Town's submission to participate in the Office of Road Safety's proposed Safer Urban Speeds Trial was unsuccessful, as outlined in the report (Office of Road Safety's comments);*
- (iii) *URGENTLY requests Main Roads WA to reconsider their previous decision not to approve the Town's request to reduce the speed limit in Fitzgerald Street, through the North Perth Centre Precinct and Beaufort Street in the Mount Lawley Centre Precinct and informs them of the comments provided to the Town by the Office of Road Safety regarding the reduction of posted speeds on certain roads; and*
- (vi) *RECEIVES further progress report/s as further information with regard to the action/s as outlined in clause (iii) above becomes available.*

COUNCIL DECISION ITEM 10.2.4

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the outcome of the Town's submission to participate in the Department of the Premier and Cabinet - Office of Road Safety's proposed trial of a 50 kph default speed limit on "undivided urban arterial roads" in conjunction with a 40 kph speed limit of access roads/residential streets.

BACKGROUND:

Ordinary Meeting of Council 24 August 2004:

The Council adopted a Notice of Motion seeking, in part, a review of: *60kph speed limits in the Town, with particular reference to whether a lower speed limit would be appropriate for roads passing through or in close proximity to concentrations of activity and sensitive uses such as primary schools...*

Ordinary Meeting of Council 24 April 2007:

Council received Progress Report No. 1 on Possible Strategies to Reduce Speed Limits on Higher Order Roads within the Town.

The report outlined the sequence of unsuccessful discussions, held over a two (2) year period, with Main Roads WA (MRWA), whereby the Town had sought to introduce a 50 kph speed limit within the commercial / high pedestrian traffic zones of Beaufort and Fitzgerald Streets.

However, ironically, in March 2007 MRWA was a co-sponsor of the Metropolitan Local Government Safer Roads Forum where they supported the Office of Road Safety's proposed trial of a 50 kph default speed limit on "undivided urban arterial roads" in conjunction with a 40 kph speed limit of access roads/residential streets.

The Forum sought Expressions of Interest from Metropolitan local governments to participate in the proposed trial.

Council was advised that the Town's Manager Engineering Design Services had flagged the Town's interest at the forum on the basis it would require the Council's approval an decided (in part), that it:

- "(iii) *ENDORSES the submission of an expression of interest to participate in the Office of Road Safety's proposed Safer Urban Speeds Trial;*
- (iv) *ADVISES the office of Road Safety of its decision and expresses its strong support for the Safer Urban Speeds Trial initiative;*
- (vi) *RECEIVES further progress report/s as further information with regard to the proposed Safer Urban Speeds Trial is received."*

DETAILS:

On 1 March 2007, WA Local Government Association and the Office of Road Safety, in conjunction with MRWA and the WA Police, conducted a *Metropolitan Local Government Safer Roads Forum* at the Perth Convention Exhibition Centre.

While the Forum discussed the rising road toll and road safety initiatives in general terms, the main item on the agenda was a proposal to trial a 50 kph speed limit on *undivided urban arterial roads* with a corresponding reduction in the speed limit on access roads to 40 kph as a means of reducing the road toll. Council subsequently endorsed a proposal to submit an Expression of Interest to participate in the trial.

In April 2007 the Office of Road Safety acknowledged the Town's submission and advised that they (*in conjunction with the Monash University Accidents Research Centre, who would be overseeing the data collection*) had 'short listed' a combined Town of Vincent/ City of Perth area as one of two suitable locations for the trial and that a decision was pending. It was determined that the proposed Town of Vincent trial area had to incorporate a majority of the City of Perth as it allowed for more easily identifiable geographical boundaries.

The other candidate was an overlapping portion of the Cities of Melville and Fremantle and the Town of East Fremantle.

Outcome

In July 2007 the Office of Road Safety wrote to the Town advising that the Town's submission had been *unsuccessful*.

"A major factor in deciding against the City of Perth and Town of Vincent as a location for the trial was that there is no other urban areas in Perth or even regional WA that are equivalent in size and demographics to the central CBD, which makes direct comparison with the trial area difficult. A "control" area is essential for the trial since it allows the researchers to measure the impact of the lower speed limits on crashes and travel speeds, in isolation from other factors."

Further, the Office of Road Safety advised that:

"With regard to the Town of Vincent's desire to lower speed limits on some roads in your area, I would encourage you to continue to liaise with Main Roads WA (MRWA). The MRWA officers on the Perth Safer Urban Speeds Trial have confirmed that MRWA is amenable to lower speed limits in certain circumstances and is happy to consider speed limit changes within the Town of Vincent as part of an assessment of speed limits in the central Perth and inner city area."

Officer's Comment

There is some irony that the Office of Road Safety originally sought to have the Town grouped with the City of Perth and then declined the Town's submission on the same basis.

In regards MRWA's change of attitude, as mentioned in the Office of Road Safety response, a meeting is to be arranged with the recently appointed Manager Traffic and Safety in an endeavour to progress the Town's request for a review of 60 kph speed limit on the Town's Distributor Roads.

CONSULTATION/ADVERTISING:

Not applicable at this stage

LEGAL/POLICY:

MRWA are responsible for regulatory signing and line marking of all of the State's roads.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.6 *Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment.*

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The Town's Local Area Traffic Management Advisory Group, the Officers and individual Council Members have for some considerable period of time been advocating lowering the posted speed limit on appropriate sections of District Distributor Roads within the Town.

While some progress has been made, e.g. Scarborough Beach Road through the Mt Hawthorn Centre Precinct, Mt Hawthorn, progress on other roads has been slow.

It has always been the Town's contention that a posted speed limit of 60 kph is excessive in high pedestrian traffic areas such as Fitzgerald Street through the North Perth Centre Precinct and Beaufort Street through the Mt Lawley Centre Precinct. Further, the recent streetscape enhancements undertaken in the aforementioned section of Fitzgerald Street, and those planned for Beaufort Street lend themselves to a lower speed limit.

It is therefore recommended that the Council endorses the Town's Officers meeting with MRWA's Manager Traffic and Safety in an endeavour to have MRWA reconsider their position on lower speed limits, where appropriate, on District Distributor Roads within the Town.

10.4.2 Adoption of Annual Financial Report 2006-07

Ward:	Both	Date:	31 October 2007
Precinct:	All	File Ref:	
Attachments:	001		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:		Amended by:	

OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY to ACCEPT the Annual Financial Report of the Town of Vincent and the accompanying Audit Report for the financial year 2006/07, as shown in Appendix 10.4.2.

COUNCIL DECISION ITEM 10.4.2

Moved Cr Farrell, Seconded Cr Burns

That the recommendation be adopted.

Debate ensued.

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

PURPOSE OF REPORT:

To consider and accept the 2006/07 Annual Financial Statements and the Auditor's Report.

BACKGROUND:

In accordance with Section 6.4 of the Local Government Act 1995, the 2006/07 Annual Financial Report has been prepared and the accounts and the report have been submitted to the Town's Auditors. The preparation of an Annual Financial Report and the submission of the report and the Town's accounts to the Auditors for audit are statutory requirements of the Local Government Act 1995.

The Town's Auditors have completed their audit of the Town's accounts and the Annual Financial Report for the 2006/07 financial year in accordance with the terms of their appointment and the requirements of the Local Government Act 1995 Part 7 Division 3 and have submitted their report.

Section 6.4 of the Local Government Act 1995 sets out the requirements for a Local Government to prepare an Annual Financial Report and to submit both the report and its accounts to the Auditor by the 30th September each year. The Town of Vincent has met these requirements and the Town's Auditors have completed the audit of Council's accounts and Annual Financial Report for the financial year 2006/07.

DETAILS:

The Annual Financial Report is required to be accepted by the Council in order to enable the holding of an Annual General Meeting of Electors at which the Town's Annual Report containing the financial report (or at a minimum the abridged version) will be considered. A copy of the Annual Financial Report is also required to be submitted to the Executive Director of the Department of Local Government and Regional Development.

The Annual Financial Report for the financial year 2006/07 is included with the report at Appendix 10.4.2.

CONSULTATION/ADVERTISING:

There is no legislative requirement to consult on the preparation of the Annual Financial Report. The Local Government Act 1995 requires an Annual General Meeting of Electors to be held and the Town's Annual Report incorporating the financial report (or at a minimum, the abridged version) to be made available publicly. The full Annual Financial Report will also be publicly available.

As per previous years, it is proposed that the Annual Financial Report will be produced on CD-Rom and made available on the Town's public website. A minimal number of printed, bound colour copies will be available for viewing at the Library, Beatty Park Leisure Centre and Customer Service Centre.

LEGAL/POLICY:

Local Government (Financial Management) Regulation 51(2) states:

“A copy of the Annual Financial Report of a local government is to be submitted to the Executive Director within 30 days of the receipt by the CEO of the Auditor's report on that financial report.”

Section 5.53 of the Local Government Act 1995 states:

5.53 Annual Reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain:*
 - (f) *the financial report for the financial year;*

Section 5.54 of the Local Government Act states:

6.64 Financial Report

- (1) *A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*
- (2) *The financial report is to –*
 - (a) *be prepared and presented in the manner and form prescribed; and*
 - (b) *contain the prescribed information.*

- (3) *By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its Auditor –*
- (a) *the accounts of the local government, balanced up to the last day of the preceding financial year; and*
 - (b) *the annual financial report of the local government for the preceding financial year.*

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2007-12

"4.1.2 Manage the Organisation in a responsible, efficient and accountable manner."

FINANCIAL/BUDGET IMPLICATIONS:

The cost of preparing (typesetting) the Annual Report, which contains the Financial Report, is as follows:

Design for Website \$4,400.00 (GST inclusive)

Printing of 50 black and white copies \$495 (GST inclusive).

The Auditor's total costs are \$9,900 (GST inclusive).

The Financial Report is prepared by the Town's administration, as such, these costs are contained in the Town's Operating Budget.

COMMENTS:

It is proposed that the Annual Financial Report will be produced on CD-Rom and made available on the Town's public website. A minimal number of printed, bound colour copies will be available for viewing at the Library, Beatty Park Leisure Centre and Customer Service Centre.

In order the Town to meet its legislative requirements, it is recommended that the Council accepts the Annual Financial Report for the financial year 2006/07.

10.4.3 Adoption of Annual Report 2006/07 and Annual General Meeting of Electors 2007

Ward:	Both	Date:	31 October 2007
Precinct:	All	File Ref:	
Attachments:	001		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:		Amended by:	

OFFICER RECOMMENDATION:

That the Council:

- (i) **APPROVES BY AN ABSOLUTE MAJORITY to ACCEPT the 2006/07 Annual Report of the Town of Vincent as shown in Appendix 10.4.3;**
- (ii) **CONVENES the 2007 Annual General Meeting of Electors on Monday 3 December 2007 at 6.00pm in the Town of Vincent, Leederville;**
- (iii) **ADVERTISES by public notice that the Town of Vincent Annual Report will be available from approximately 26 November 2007; and**
- (iv) **PROVIDES a copy of the Annual Report and Annual Financial Statements to the Executive Director, Department of Local Government, in accordance with Local Government (Financial Management) Regulation 51(2).**

COUNCIL DECISION ITEM 10.4.3

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

PURPOSE OF REPORT:

The purpose of the report is to set a date for the Annual General Meeting of Electors and to accept the 2006/07 Annual Report.

BACKGROUND:

At the Ordinary Meeting of Council held on 7 November 2006, the Council considered the matter and resolved as follows;

That;

- (i) *the 2006 Annual General Meeting of Electors be held in the Administration and Civic Centre on Monday, 11 December 2006, commencing at 6.00pm;*
- (ii) *the draft 2005-06 Annual Report, as "Laid on the Table", circulated separately to Elected Members, the Chief Executive Officer and Executive Managers, be accepted by the Council; and*

- (iii) *the Chief Executive Officer streamline the process so that next year's Annual General Meeting be held earlier.*

DETAILS:

The Local Government Act requires that every local government prepares an Annual Report and holds an Annual General Meeting (AGM) of Electors. Both the Annual Report and the Financial Report reflect on the Town's achievements during 2006/07 and focus on the many highlights of a busy year.

In accordance with Section 5.53 of the Local Government Act 1995, the 2006/07 Annual Report has been prepared, summarising the year's highlights and achievements, as well as including specific statutory requirements.

The Town's Auditors have completed the audit of Council's financial statements for the 2006/07 financial year. The Financial Statements will form part of the 2006/07 Annual Report. The Annual Report and the Financial Report will form an integral part of Council's report to the electors at the Annual General Meeting.

Section 5.27 of the Local Government Act 1995 requires that the Annual General Meeting of Electors is to be held on a day selected by the local government, but not more than 56 days after the report is accepted by the local government.

The Local Government Act 1995 under Section 5.27(1) requires every local government to hold a General Meeting of Electors once each financial year. The Act provides that the Order of Business at such a meeting is:

- (a) Welcome, Introduction and Apologies;
- (b) Contents of the Annual Report; and
- (c) General Business.

PROCESS:

The Council previously resolved that the Chief Executive Officer streamline the process so that the Annual General Meeting can be held earlier. It should be noted that the process timetable is predominantly dictated by the availability of the Town's Auditor. The Town's Auditor is also the Auditor for many other local governments and their workload at this time of the year is very heavy, due to their commitments.

The Town's administration compiles the Annual Report within 2 months of the end of the financial year. It also prepares the Annual Financial Report. The Annual Financial Report is then submitted to the Auditor's for auditing. The Auditors are unable to complete their work until about mid/late October.

Therefore, the earliest opportunity for the Council to consider and adopt the Annual Report and Financial Report is late October (at the earliest) or the first meeting in November. Once adopted, the Town must give at least 14 days notice of the date of the Annual General Meeting.

The earliest date for the Annual General Meeting is therefore of the week beginning 26 November 2007. However, to ensure there is sufficient time to advertise the Annual General Meeting and finalise the Annual Report, it is suggested that the most appropriate date for holding the Annual General Meeting of Electors is Monday 3 December 2007 at 6.00pm.

CONSULTATION/ADVERTISING:

There is no legislative requirement to consult on the Annual Report, but the Local Government Act 1995 requires an Annual General Meeting of Electors to be held and the Annual Report to be made available publicly.

It is proposed that the Annual Report will be produced on CD-Rom and made available on the Town's public website. A minimal number of printed, bound colour copies will be available for viewing at the Library, Beatty Park Leisure Centre and Customer Service Centre.

LEGAL/POLICY:

The Local Government Act 1995, Section 5.53 requires every Local Government to prepare an Annual Report. Section 5.54 states that the Annual Report is to be accepted by the Local Government no later than 31 December of that financial year.

Local Government (Financial Management) Regulation 51(2) states:

"A copy of the annual financial report of a local government is to be submitted to the Executive Director within 30 days of the receipt by the CEO of the Auditor's Report on that financial report."

Section 5.53 of the Local Government Act states:

5.53 Annual Reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual reports to contain:*
 - a. *a report from the mayor or president;*
 - b. *a report from the CEO;*
 - (c) and (d) *deleted*
 - e. *an overview of the plan for the future of the district made in accordance with Section 5.56 including major activities that are proposed to commence or to continue in the next financial year;*
 - f. *the financial report for the financial year;*
 - g. *such information as may be prescribed in relation to the payments made to employees;*
 - h. *the auditor's report for the financial year;*
 - ha. *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
 - i. *such other information as may be prescribed.*

Section 5.54 of the Local Government Act 1995 states:

5.54 Acceptance of Annual Reports

- (1) *Subject to subsection (2) the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*

** absolute majority required*

- (2) *If the Auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the Auditor's report becomes available.*

Section 5.55 of the Local Government Act 1995 states:

5.55 Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

Section 5.27 states:

5.27 Electors' general meetings

- (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) *The matters to be discussed at general electors' meetings are to be those prescribed.*

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2007-12

"4.1.2 Manage the Organisation in a responsible, efficient and accountable manner."

FINANCIAL/BUDGET IMPLICATIONS:

The cost of preparing (typesetting) the Annual Report, which contains the Financial Report, is as follows:

Design for Website	\$4,400.00 (GST inclusive)
Printing of 50 black and white copies	\$495 (GST inclusive).

The Auditor's total costs are \$9,900 (GST inclusive).

The Annual Report is prepared by the Town's administration, as such, these costs are contained in the Town's Operating Budget.

COMMENTS:

In order for the Town to meet its legislative requirements, it is recommended that the Council accepts the Annual Report for 2006/07 and convenes the 2007 Annual General Meeting of Electors for Monday 3 December 2007.

10.4.5 Statutory Review of Local Laws – Proposed New Local Government Property Local Law

Ward:	-	Date:	31 October 2007
Precinct:	-	File Ref:	
Attachments:	001		
Reporting Officer(s):	D Abel, John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *DOES NOT PROCEED with the adoption of its Local Law Relating to Local Government Property considered at the Ordinary Meeting of Council held on 22 May 2007 and RECOMMENCES the process to advertise the revised Local Law for public comment;*
- (ii) *pursuant to Section 3.16 of the Local Government Act 1995 has advised of its intention to review its local law and NOTES that no submissions were received at the close of the statutory six (6) week public consultation period of the proposed review of the Town's Local Laws;*
- (iii) *pursuant to Section 3.12 of the Local Government Act 1995 advertises on a Statewide basis;*
 - (a) *its intention to repeal the following Local Laws Relating to:*
 - *Air-conditioning Units, published in the Government Gazette on 4 November 1997;*
 - *Beatty Park Leisure Centre, published in the Government Gazette on 30 November 1998;*
 - *Halls and Centres, published in the Government Gazette on 30 April 1998;*
 - *Parks and Public Reserves, published in the Government Gazette on 22 December 1998 and amended on 23 March 2004;*
 - *Property Numbers, published in the Government Gazette on 25 September 1998;*
 - *Removal and Disposal of Obstructing Animals or Shopping Trolleys, published in the Government Gazette on 22 December 1998;*
 - *Removal of Refuse, Rubbish and Disused Materials, published in the Government Gazette on 1 May 1998;*
 - *Local Law Relating to Street Laws and Gardens, published in the Government Gazette on 22 December 1998;*
 - *Streets and Footpaths, published in the Government Gazette on 14 June 2000; and*

- *Verandahs and Awnings over Streets, published in the Government Gazette on 22 December 1998;*
 - (b) *its intention to ADOPT a new Local Government Property Local Law as shown in Appendix 10.4.5 to provide for the regulation, control and management of activities on local government property and public property within the district;*
 - (c) *advising that a copy of the proposed local law may be inspected or obtained from the Town's Administration and Civic Centre, 244 Vincent Street, Leederville, and Town Library, 99 Loftus Street, Leederville; and*
 - (d) *seeking submissions on the proposed local law for a period of not less than six (6) weeks; and*
- (iv) *NOTES that a further report will be submitted to the Council at the conclusion of the statutory consultation period.*

COUNCIL DECISION ITEM 10.4.5

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of the report is to advise Council that no submissions were received at the conclusion of the six (6) week statutory public consultation period of the proposed review of the Town's Local Law and for the Council to note the changes recommended by the Department of Local Government and the Town's Solicitors, prior to its intention to adopt the revised Local Government Property Local Law for public consultation.

BACKGROUND:

At the Ordinary Meeting of Council held on 22 May 2007, the Council considered the matter and resolved to approve of a new Local Law and advertise this for public consultation.

As part of the consultation process comments were received from the Department of Local Government and Town's Solicitors as follows:

1. Title

"The title should be amended to read "Local Government Property Local Law 2007" where it appears on the cover page heading and citation."

A number of definitions have been amended to be consistent with either Local Laws or the Act.

Clause 2.2 – The term 'local government' to 'council' has been changed to be consistent and in view of the scrutiny with which the Standing Committee on Delegated Legislation reviews these clauses.

Clauses 2.7 and 2.8 - the DLGRD has expressed concerns with these clauses. Therefore these have been included strictly as shown in the Model Local Law.

Clause 5.2(1) - this now incorporates some of the former clause 13.3(1). There was significant overlap between these provisions.

Divisions 4 and 5 of Part 5 - re airconditioners and awnings - following section 400 of the Local Government (Miscellaneous Provisions Act 1960) and regulation 35 of the Building Regs and generally having regard to the Land Administration Act 1997, this clause is limited to thoroughfares.

Part 7 has been amended having regard to the comments of the Joint Standing Committee on Delegated Legislation; to remove any impounding provisions - these are wholly set out in the Act and Regs; and to remove any reference to vehicles - while the model local law does refer to vehicles, the Town's parking local law is comprehensive.

Clause 9.5 – has been added, as there was no definition of acceptable material for the purpose of clause 9.7(2)(c).

Former clause 13.2(b) - this is already an offence under section 9.12 of the Act and accordingly it is deleted.

Former clause 13.4 - subclause (1) has been deleted as that matter is dealt with in the impounding provisions of the Act; subclause (2) has been deleted in view of the concerns expressed by the DLGRD.

Former clause 13.5 - this has been deleted as impounding is comprehensively dealt with in the Act and Regs.

Former clause 13.6(2) - this has been deleted in view of the request from the Delegated Legislation Committee and the DLGRD.

DETAILS:

A review of all the local laws has been carried out by the Town's Officers. The Town has used the Western Australian Local Government Association's (WALGA's) Model Local Laws and modified them to suit the Town's requirements. The Model Local Laws have been approved by the Parliamentary Joint Standing Committee on Delegated Legislation and therefore have been previously checked for legal compliance. The Town has also reviewed a number of other local government's local laws.

The process has taken longer than anticipated due to the review being carried out "*in-house*" by the Town's Officers.

Local Government Property

This local law replaces the following existing local laws and amalgamates them into one new local law:

- Air-conditioning Units, published in the Government Gazette on 4 November 1997;
- Beatty Park Leisure Centre, published in the Government Gazette on 30 November 1998;
- Halls and Centres, published in the Government Gazette on 30 April 1998;

- Parks and Public Reserves, published in the Government Gazette on 22 December 1998 and amended on 23 March 2004;
- Property Numbers, published in the Government Gazette on 25 September 1998;
- Removal and Disposal of Obstructing Animals or Shopping Trolleys, published in the Government Gazette on 22 December 1998;
- Removal of Refuse, Rubbish and Disused Materials, published in the Government Gazette on 1 May 1998;
- Local Law Relating to Street Laws and Gardens, published in the Government Gazette on 22 December 1998;
- Streets and Footpaths, published in the Government Gazette on 14 June 2000; and
- Verandahs and Awnings over Streets, published in the Government Gazette on 22 December 1998

New Local Government Act Powers

The Local Government Act was amended in 2004 and now contains a number of powers (and procedures) which were previously contained in several local laws.

Section 3.25 gives power to local governments to deal with matters listed in Schedule 3.1.

These include:

Things a notice may require to be done:

1. Prevent water from dripping or running from a building on the land onto any other land.
2. Place in a prominent position on the land a number to indicate the address.
3. Modify or repair, in the interests of the convenience or safety of the public, anything constructed as mentioned in Schedule 9.1, clause 8, or repair any damage caused to the public thoroughfare or other public place mentioned in that clause.
4. Ensure that land is suitably enclosed.
5. Ensure that unsightly land is enclosed.
6. Ensure that overgrown vegetation, rubbish, or disused material is removed from land that the local government considers to be untidy.
7. Minimising sand drifts.
8. Ensure that land is not overgrown.
9. Remove all or part of a tree that is obstructing prejudicially affecting a thoroughfare.
10. Ensure that a tree on the land that endangers any person or thing on adjoining land is made safe.
11. Remove bees that are likely to endanger the safety of any person or create a serious public nuisance.
12. Ensure that any unsightly, dilapidated or dangerous fence or gate is modified or repaired.
13. Take specific measures to prevent:
 - (a) artificial light being omitted from the land; and

- (b) natural or artificial light being reflected from something on the land, creating a nuisance.
14. Remove or make safe anything that is obstructing or otherwise prejudicially affecting a private thoroughfare.

New Local Government Property Local Law

Part 1 – Preliminary

This part includes all statutory requirements of citation, objective, commencement, repeal and application of the local law. The interpretation clause is expanded to include a more comprehensive list of definitions. The fees and charges clause prescribes the current process.

Part 2 – Determinations in respect of local government property and buildings

- 2.1 *Determinations as to use of local government property and buildings* – Determinations are a new concept for this local law and in essence allows the Council to make decisions/rules which are now known as “*determinations*”. Determinations whilst not having the same rigorous process as a new local law, nevertheless have legal status if adopted as part of the local law. At this stage, no determinations are recommended for approval.
- 2.2 *Procedure for making a determination* – This prescribes the procedure for making a determination.
- 2.3 *Activities which may be pursued on specified local government property and buildings* – This clause is self explanatory and prescribes an extensive list of what Council can make a determination.
- 2.4 *Activities which may be prohibited on specified local government property and buildings* – This clause is self explanatory and prescribes an extensive list of what Council can prohibit in a determination.
- 2.5 *Register of Determinations* – A register is to be kept.

Part 3 - Permits

This Part prescribes the requirements for making application for a permit and decisions and conditions that may be imposed. It also prescribes the duration, renewal, transfer and cancellation of a permit and any activities which are subject to a permit.

Part 4 - Behaviour on local government property and in buildings

This Part includes:

- Community facilities - this a new clause which controls behaviour at a community facility and primarily replaces the same provisions in the former Beatty Park Leisure Centre and Halls and Reserves local laws.
- Fishing and boat launching - this a new clause.
- Fenced or closed property - this is a new clause.

- Air conditioning units - this is almost identical to our previous local law, other than new clause numbers.
- Awnings, balconies and verandahs - this is almost identical to our previous local law, other than new clause numbers.

Part 5 – Matters Relating to Particular Local Government Property

This part covers many clauses in previous local laws.

Part 6 - Advertising signs on thoroughfares

This Part includes new clauses to control portable (movable or free standing) signs and also conditions relating to the placement of election signs.

Part 7 - Obstructing animals or shopping trolleys

This Part includes:

- Animals;
- Shopping trolleys;

and is similar to our existing local laws.

Part 8 - Bond or security

This part allows for the payment of a bond or security if required and also use by the local government of the bond or security in case of a default of a notice.

Part 9 - Works on or affecting a thoroughfare

- 9.1 No damage to thoroughfare.
- 9.2 *Footpath, verge and street tree protection* – this prescribes conditions for protection of footpaths, trees etc.
- 9.3 *Liability for damage.*
- 9.4 *Transitional Provision.*
- 9.5 *Interpretation.*
- 9.6 *Verge treatment* - this prescribes conditions to protect verges.
- 9.7 *Permissible verge treatments* - this in essence replaces the current Street Lawns and Gardens local law.
- 9.8 *Only permissible verge treatments to be installed.*
- 9.9 *Owner's or occupier's responsibility for verge treatments* - this prescribes the responsibilities of a person who installs a street verge.
- 9.10 *Enforcement.*

Part 10 - Activities on thoroughfares and on local government property

This Part prescribes a number of conditions for the control of activities on local government property and in public places.

Part 11 - Notices of breach

This Part allows for the serving of notices in the event of a breach.

Part 12 - Objections and appeals

This Part prescribes the procedure for persons lodging an appeal.

Part 13 - Miscellaneous

This Part relates to authorised persons, disposal of lost property, impounding of goods, liability for damage to local government property, insurances and the payment of entry fees.

Part 14 - Offences

This Part introduces the power to issue modified penalties for non-compliance. This is new and the Local Government Act allows it for all new local laws.

CONSULTATION/ADVERTISING:

The Town's intention to review its local laws was advertised in The West Australian Newspaper and on the Town's website. Copies were also sent to Precinct Groups and a local public notice was displayed on the official Notice Board.

At the close of the six (6) week public consultation period, no submissions were received.

Statutory consultation for a six (6) week period will now be carried out. Town policies are normally advertised for twenty-one (21) days.

LEGAL/POLICY:

Section 3.16 of the Local Government Act 1995 requires that all of the local laws of local governments must be reviewed within an eight (8) year period after their commencement to determine if they should remain unchanged, be repealed or amended.

The eight year period is taken to be from either when the local law commenced or when the last review of the local law was completed.

Procedure for Reviewing and Adopting a Local Law

- (1) The local government is to –
 - (a) give Statewide public notice that –
 - (i) the local government proposes to make a local law the purpose and effect.
 - (ii) a copy of the proposed local law may be inspected or obtained;

- (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice (not less than 6 weeks).
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (2) A notice is also to be published and exhibited as if it were a local public notice.
- (3) After the last day for submissions, the local government is to consider any submissions made and may make the local law * as proposed or make a local law * that is not significantly different from what was proposed.
- * *Absolute majority required.*
- (4) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister.
- (5) After the local law has been published in the Gazette the local government is to give local public notice –
- (a) stating the title of the local law;
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that copies of the local law may be inspected or obtained from the local government's office.

NCP Public Benefit Test

The provisions relating to the administration of local government property are contained in the model local law produced by WALGA. This has been assessed for any public benefit test ramifications.

STRATEGIC IMPLICATIONS:

The matter is in keeping with the Town's Strategic Plan 2006-2011 - Objective 4.12 "*Manage the organisation in a responsible, efficient and accountable manner*".

FINANCIAL/BUDGET IMPLICATIONS:

The purchase of the WALGA Model Local Laws cost \$1,500.

The cost of advertisements to date was approximately \$1,000. Final advertising will be approximately \$500. The Solicitors costs for reviewing this local law is approximately \$1,800. An amount of \$5,000 has been included in the Budget for this project. The new local laws are required to be printed in the Government Gazette by the State Law Publisher which will cost approximately \$1,500. All other copying will be carried out in-house and will cost approximately \$500. (Employee costs have not been included.)

COMMENTS:

The statutory review has been completed, however a number of significant changes to the original Draft Local Law have been made. Therefore, as this proposed local law is significantly different to the previous advertised local law, it is a requirement of the Local Government Act that the advertising process be recommenced. It is recommended that the reviewed and revised Local Government Property Local Law.

10.4.6 Appointment of Council Members to various Statutory Committees, Authorities, Advisory and Working Groups

Ward:	-	Date:	30 October 2007
Precinct:	-	File Ref:	ADM0030
Attachments:	-		
Reporting Officer(s):	M McKahey, John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION

That the Council APPOINTS BY AN ABSOLUTE MAJORITY Council Members and/or persons to the Council's Audit Committee and to the various Statutory Committees, Authorities, Advisory and Working Groups, as detailed in this report.

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted and nominations be called and voted upon.

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

COUNCIL DECISION ITEM 10.4.6

(OCCASIONAL) COMMITTEES

The Presiding Member called for nominations to the Town's Committees.

Audit Committee

Moved Cr Farrell, Seconded Cr Ker

That

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, 5.8 and 5.11 and PART 4 of the Town of Vincent Local Law Relating to Standing Orders, the Mayor, Cr Farrell and Cr Burns be appointed as members of the Audit Committee for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Deputies be as follows;*

1. *Cr Maier*
2. *Cr Lake*
3. *Cr Messina*

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

Leederville Gardens Inc Board

Moved Cr Farrell, Seconded Cr Ker

That

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Mayor (Chair), Cr Farrell and Cr Maier be appointed as members of the Leederville Gardens Inc Board for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputies be as follows;*
 - 1. *Cr Doran-Wu (Chair)*
 - 2. *Cr Lake*

CARRIED (9-0)

Local Government Association – Central Metropolitan Zone

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Ker and Cr Lake be appointed as members of the Local Government Association - Central Metropolitan Zone for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Chief Executive Officer for both.*

CARRIED (9-0)

Loftus Centre Management Committee *(Nil Council Members)*

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Sections 2.28, 5.8 and 5.11, the Chief Executive Officer, John Giorgi (Chair), be appointed as member of the Loftus Centre Management Committee for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Director Corporate Services, Mike Rootsey.*

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

Loftus Recreation Centre Management Committee (*Nil Council Members*)

Moved Cr Farrell, **Seconded** Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Sections 2.28, 5.8 and 5.11, the Chief Executive Officer, John Giorgi (Chair) and Director Corporate Services, Mike Rootsey, be appointed as member of the Loftus Recreation Centre Management Committee for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Manager Community Development or Manager Financial Services.*

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

Medibank Stadium (Leederville Oval) Ground Management Committee (*Nil Council Members*)

Moved Cr Farrell, **Seconded** Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Sections 2.28, 5.8 and 5.11, the Chief Executive Officer, John Giorgi (Chair), be appointed as member of the Medibank Stadium (Leederville Oval) Ground Management Committee for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Director Technical Services, Rick Lotznicker.*

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

Members Equity Stadium Management Committee

Moved Cr Farrell, **Seconded** Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Sections 2.28, 5.8 and 5.11, Mayor Nick Catania (Chair) and Cr Farrell and Chief Executive Officer, John Giorgi, be appointed as members of the Members Equity Stadium Committee for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputies be as follows;*
 - 1. *Cr Doran-Wu (Chair)*
 - 2. *Cr Messina*
 - 3. *Director Technical Services, Rick Lotznicker (for Chief Executive Officer)*

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

Metropolitan Regional Recreation Advisory Committee (NMRRAC)

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Doran-Wu be appointed as member of the NMRRAC for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Cr Youngman*

CARRIED (9-0)

Mindarie Regional Council

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Farrell be appointed as member of the Mindarie Regional Council for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Cr Ker*

CARRIED (9-0)

North West District Planning Committee

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Ker be appointed as member of the North West District Planning Committee for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Cr Maier*

CARRIED (9-0)

Swan River Trust

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Doran-Wu be appointed as member of the Swan River Trust for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Cr Burns*

CARRIED (9-0)

Tamala Park Regional Council

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Mayor be appointed as member of the Tamala Park Regional Council for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Cr Farrell*

CARRIED (9-0)

Youth Council

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Messina be appointed as member of the Youth Council for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Cr Burns*

CARRIED (9-0)

Cr Messina departed the Chamber at 7.58pm.

Cr Messina returned at 7.59pm

Northbridge History Steering Committee

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Lake and Cr Ker be appointed as members of the Northbridge History Steering Committee for the term 6 November 2007 to 31 October 2009; and*
- (ii) *no Deputies be appointed.*

CARRIED (9-0)

ADVISORY GROUPS

Aboriginal Liaison Occasional Advisory Group

Moved Cr Farrell, Seconded Cr Ker

That in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Mayor or Deputy Mayor be appointed as Chair of the Aboriginal Liaison Occasional Advisory Group for the term 6 November 2007 to 31 October 2009.

CARRIED (9-0)

Art Advisory Group

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Messina, Cr Youngman and Cr Burns be appointed as members of the Art Advisory Group for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Chair of the Group be Cr Messina*

CARRIED (9-0)

Heritage Advisory Group

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Doran-Wu, Cr Burns and Cr Ker be appointed as members of the Heritage Advisory Group for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Chair of the Group be Cr Doran-Wu*

CARRIED (9-0)

Local Area Traffic Management Advisory Group

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Ker and Cr Maier be appointed as members of the Local Area Traffic Management Advisory Group for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Chair of the Group be Cr Ker*

CARRIED (9-0)

Safer Vincent Crime Prevention Partnership

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Doran-Wu, Cr Messina, Cr Farrell and Cr Lake be appointed as members of the Safer Vincent Crime Prevention Partnership for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Chair of the Group be Cr Doran-Wu*

CARRIED (9-0)

Seniors Advisory Group

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Doran-Wu, Cr Messina, Cr Youngman and Cr Maier be appointed as members of the Seniors Advisory Group for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Chair of the Group be Cr Doran-Wu*

CARRIED (9-0)

Sustainability Advisory Group

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Mayor, Cr Farrell, Cr Doran-Wu and Cr Ker be appointed as members of the Sustainability Advisory Group for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Chair of the Group be the Mayor*

CARRIED (9-0)

Town of Vincent Garden Awards Occasional Advisory Group

Moved Cr Farrell, Seconded Cr Ker

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Mayor, Cr Messina and Cr Burns be appointed as members of the Town of Vincent Garden Awards Occasional Advisory Group for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Chair of the Group be the Mayor*

CARRIED (9-0)

Universal Access Advisory Group

Moved Cr Farrell, Seconded Cr Ker

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Ker and Cr Maier and Cr Lake be appointed as members of the Universal Access Advisory Group for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Chair of the Group be Cr Ker*

CARRIED (9-0)

Town of Vincent Building Design and Conservation Occasional Advisory Group

Moved Cr Farrell, Seconded Cr Ker

That in accordance with the provisions of the Local Government Act 1995 Section 2.28, Mayor Nick Catania and Cr Burns be appointed as members of the Town of Vincent Building Design and Conservation Occasional Advisory Group for the term 6 November 2007 to 31 October 2009.

CARRIED (9-0)

WORKING GROUPS

Emergency Management Committee (Local)

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Sections 2.28, 5.8 and 5.11, the Manager Ranger & Community Safety Services, be appointed as Chair of the Emergency Management Committee (Local) for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Executive Officer be as follows;*
 - 1. *Safer Vincent Co-ordinator, Michael Wood.*

CARRIED (9-0)

Emergency Management Committee (District)

Moved Cr Farrell, Seconded Cr Ker

That in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Manager Ranger & Community Safety Services, be appointed as member of the Emergency Management Committee (District) for the term 6 November 2007 to 31 October 2009.

CARRIED (9-0)

Claise Brook Catchment

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Sections 2.28, 5.8 and 5.11, the Manager Parks Services be appointed as member of the Claise Brook Catchment Group Inc for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Environmental Officer.*

CARRIED (9-0)

Park People Project Working Group

Moved Cr Farrell, Seconded Cr Ker

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr Doran-Wu be appointed as member of the Park People Project Working Group for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Deputy be as follows;*

1. *Cr Lake*

CARRIED (9-0)

Hyde Park Lakes Restoration Working Group

The Mayor, Crs Messina, Doran-Wu, Burns, Lake, Maier, Ker nominated.

Debate ensued.

AMENDMENT

Moved Cr Ker, Seconded Cr Youngman

That the Working Group numbers be increased from 4 to 7.

LOST (4-5)

<u>For</u>	<u>Against</u>
Cr Ker	Mayor Catania
Cr Lake	Cr Burns
Cr Maier	Cr Doran-Wu
Cr Youngman	Cr Farrell
	Cr Messina

Cr Doran-Wu withdrew her nomination.

As there were six nominations for 4 positions, a ballot was carried out. The Chief Executive Officer advised that the result of the ballot was:

Mayor Catania – 6 votes	Cr Maier – 4 votes
Cr Burns – 5 votes	Cr Messina – 5 votes
Cr Ker – 9 votes	
Cr Lake – 4 votes	

The Presiding Member declared that the Mayor, Crs Burns, Ker and Messina are elected as representatives for the Hyde Park Lakes Restoration Working Group and that the Mayor will be the Chair.

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Mayor; Cr Messina; Cr Burns and Cr Ker be appointed as members of the Hyde Park Lakes Restoration Working Group for the term 6 November 2007 to 31 October 2009; and*
- (ii) *no Deputies were appointed.*

CARRIED (9-0)

Leederville Masterplan Working Group

The Mayor, Crs Doran-Wu, Farrell, Messina, Youngman, Ker, Lake and Maier nominated.

Debate ensued.

Moved Cr Ker, Seconded Cr Farrell

At 8.20pm *That Standing Orders be suspended to allow free and open discussion. The Presiding Member canvassed opinions of each Councillor.*

CARRIED (9-0)

The Chief Executive Officer advised that in view of the importance of the matter, that it would be preferable that all Council Members were members of the Working Group or alternatively the Working Group be disbanded and matters be considered at Special Council Meetings.

Moved Cr Messina, Seconded Cr Ker

At 8.24pm *That Standing Orders be resumed.*

CARRIED (9-0)

Moved Cr Farrell, Seconded Cr Messina

That the Leederville Masterplan Working Group be formally discontinued and the matters be considered at Special Council Meetings.

CARRIED (9-0)

Mindarie – Technical Committee

Moved Cr Farrell, Seconded Cr Ker

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Director Technical Services be appointed as member of the Mindarie - Technical Committee for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Manager Engineering Operations, Con Economo.*

CARRIED (9-0)

Central Sub-Group for the Metropolitan Regional Road Group (CRRSG)

Moved Cr Farrell, Seconded Cr Ker

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Director Technical Services be appointed as member of the Central Sub-Group for the Metropolitan Regional Road Group (CRRSG) for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Deputy be as follows;*

1. *Manager Engineering Design Services.*

CARRIED (9-0)

Perth Police Integration

Moved Cr Farrell, Seconded Cr Ker

That in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Manager Ranger & Community Safety Services, Senior Ranger and Safer Vincent Co-ordinator be appointed as members of the Perth Police Integration Working Group for the term 6 November 2007 to 31 October 2009.

CARRIED (9-0)

CORRECTED REPORT:

1. The word "Sections" should be replaced with "Section" and the words "5.8 and 5.11" should be deleted, where they appear on pages 117, 118, 124, 125, 126, 127, 128, 129, 130, 131, 132, 134, 135,136,137, 138, 139, 140, 141, 142, 143, 144, 145, 146 and 147, as these are not specifically required for the appointment to Committees, other than for the following officially designated Committees, specifically approved by the Council under section 5.8;

COMMITTEES:

- *Audit Committee*
- *Loftus Centre Management Committee*
- *Loftus Recreation Centre Management Committee*
- *Medibank Stadium (Leederville Oval) Ground Management Committee*
- *Members Equity Stadium Management Committee.*

2. An "Absolute Majority" decision is not required, other than for the above mentioned Committees.

Note: The Officer report was corrected prior to the meeting, to delete. (the pages were not represented to conserve paper).

PURPOSE OF REPORT:

The purpose of the report is to appoint Council Members (and officers where appropriate) to the various Statutory Committees, Authorities, Advisory and Working Groups.

DETAILS:

As part of the Council's role in governing for the Town, Council Members and/or Council Officers represent the Council on a wide range of Statutory Committees, Authorities, Advisory and Working Groups.

These are shown below and it is necessary that the Council determine its delegates to these positions.

STATUTORY AUTHORITIES AND COMMITTEES

1. Audit Committee (3 Council Members - Minimum)

Background

Meeting Occurrence:	Quarterly
Date of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	Town of Vincent - Committee Room
Liaison Officer:	Chief Executive Officer

Purpose of Committee:

- *Manage the Audit Process*
- *Monitor the Administration's actions on, and responses to, any significant matters raised by the Auditor*
- *Submit an Annual Report on the audit function to the Council and the Department of Local Government*
- *Consider the completed Statutory Compliance Return and monitoring administrations corrective action on matters on non-compliance.*

Non-Council Members:	<ul style="list-style-type: none">• Auditors• Chief Executive Officer• Director Corporate Services
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Meetings held July 2006 to October 2007:	<ol style="list-style-type: none">1. 11 August 20062. 6 February 20073. 26 July 20074. 27 September 2007
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Previous Council Members

1. Mayor Nick Catania (Chair)
2. Cr Helen Doran-Wu
3. Cr Steed Farrell

Deputy

Nil.

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Sections 2.28, 5.8 and 5.11, Cr , Cr and Cr be appointed as members of the Audit Committee for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputies be as follows;*
 - 1.
 - 2.
 - 3.

(Note: The Chair is elected at the next Audit Committee Meeting).

2. Leederville Gardens Inc Board (3 Council Members)*

** The Constitution of Leederville Gardens Inc provides for the Town to nominate three persons to the Board of Management. Appointees need not be elected Members of Council.*

Background

Meeting Occurrence:	Bi-Monthly
Date of Meeting:	When suitable
Time of Meeting:	5.30pm
Location of Meeting:	Town of Vincent Admin & Civic Centre or Leederville Gardens Retirement Village
Liaison Officer:	Director Corporate Services
<i>Purpose of Committee:</i>	<i>To make decisions for the management of Leederville Gardens Retirement village.</i>
Non-Council Members:	<ul style="list-style-type: none">• Leederville Gardens Residents• Director Corporate Services• Manager Community Development• Administration Officer, Corporate Services
Meetings held July 2006 to October 2007:	<ul style="list-style-type: none">1. 12 December 20062. 8 March 20073. 14 May 20074. 28 June 20075. 26 July 20076. 17 September 2007

Previous Council Members

- 1. Mayor Nick Catania (Chair)
- 2. Cr Simon Chester
- 3. Cr Steed Farrell

Deputies

- 1. Deputy Mayor (Chair)
- 2. Cr Helen Doran-Wu
- 3. Cr Dudley Maier

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr (Chair), Cr and Cr be appointed as members of the Leederville Gardens Inc Board for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputies be as follows;*
1. (Chair)
 2.
 3.

3. Local Government Association - Central Metropolitan Zone (2 Council Members)

Background

Meeting Occurrence:	Bi-Monthly (or six weekly)
Date of Meeting:	Thursday
Time of Meeting:	6pm
Location of Meeting:	Local Governments in the Central Metropolitan Zone on a rotation basis
Liaison Officer:	Chief Executive Officer
<i>Purpose of Appointment:</i>	<i>To represent the Council on the Western Australian Local Government Association Central Zone.</i>
Non-Council Members:	<ul style="list-style-type: none">• Representatives from Central Metropolitan Zone Councils• Chief Executive Officer
Meetings held July 2006 to October 2007:	<ol style="list-style-type: none">1. 3 August 20062. 28 September 20063. 30 November 20064. 1 February 20075. 5 April 20076. 31 May 20077. 2 August 20078. 27 September 2007

Previous Council Members

1. Cr Ian Ker
2. Cr Sally Lake

Deputies

1. Chief Executive Officer (for both)

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr and Cr be appointed as members of the Local Government Association - Central Metropolitan Zone for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1. *Chief Executive Officer for both.*

4. Loftus Centre Management Committee (Nil Council Members)

The Management Committee is specified in various Leases between the Town and Lessees.

Background

Meeting Occurrence:	Quarterly
Date of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	Town of Vincent Admin & Civic Centre
Liaison Officer:	Chief Executive Officer
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>To determine day to day operational issues.</i>• <i>To establish and review risk management plans.</i>• <i>To consider and approve, if satisfactory, temporary structures within the Centre's Facilities.</i>• <i>To make recommendations for the maintenance of the Common Areas.</i>• <i>To make recommendations for any Capital Improvements.</i>• <i>To do all such other things and to determine all such other issues in respect of the Centre's Facilities.</i>
Non-Council Members:	<ul style="list-style-type: none">• Manager Loftus Recreation Centre• Belgravia Regional Manager, WA• Chief Executive Officer, State Gymnastics WA• Co-ordinator Loftus Community Centre• Chief Executive Officer• Manager Library and Local History Services
Meetings held July 2006 to October 2007:	Nil. (First Meeting will be held when the Loftus Centre refurbishment is completed).
Previous Council Members:	Not applicable

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Chief Executive Officer, John Giorgi (Chair), be appointed as member of the Loftus Centre Management Committee for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Deputy be as follows;*

1. Director Corporate Services, Mike Rootsey.

5. Loftus Recreation Centre Management Committee (Nil Council Members)

The Management Committee is a requirement of the Contract between the Town and Belgravia Leisure Pty Ltd.

Background

Meeting Occurrence:	Quarterly
Date of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	Loftus Recreation Centre or Town of Vincent Committee Room
Liaison Officer:	Chief Executive Officer
Purpose of Committee:	<ul style="list-style-type: none">• <i>To establish and review the KPIs in conjunction with the Contractor.</i>• <i>To supervise the performance of the Services by the Contractor and to ensure that the Contractor performs the Services in accordance with the KPIs and the Contract.</i>• <i>To receive and consider Performance Reports.</i>• <i>To advise the Town on Capital Improvements required for the Recreation Centre and the Premises and to make recommendations to the Town about the use of the Reserve Fund.</i>• <i>To review the Risk Management Plan.</i>
Non-Council Members:	<ul style="list-style-type: none">• Belgravia Leisure - State Manager• Belgravia Leisure - Centre Manager• Chief Executive Officer• Director Corporate Services
Meetings held July 2006 to October 2007:	Nil.
Previous Council Members:	Not applicable

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Chief Executive Officer, John Giorgi (Chair) and Director Corporate Services, Mike Rootsey, be appointed as member of the Loftus Recreation Centre Management Committee for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Deputy be as follows;*

1. *Manager Community Development or Manager Financial Services.*

6. Medibank Stadium (Leederville Oval) Ground Management Committee (Nil Council Members)

The Management Committee is specified in the Leases between the Town and the East Perth and Subiaco Football Clubs.

Background

Meeting Occurrence: 2-3 times per year

Date of Meeting: When suitable

Time of Meeting: When suitable

Location of Meeting: Town of Vincent Committee Room

Liaison Officer: Chief Executive Officer

Purpose of Committee:

- *To determine the Clubs' and any other entity's right to use the Stadium Facilities for training and matches.*
- *To consider and make representations on what alternative training grounds will be made available by the Town to the Clubs.*
- *To determine day-to-day operational issues.*
- *To establish and review risk management plans for the Stadium Facilities.*
- *To consider and approve, if satisfactory, temporary structures within the Stadium Facilities.*
- *To make recommendations for the maintenance of Common Areas.*
- *To make recommendations for any capital improvements to the Stadium Facilities.*
- *To make recommendations for catering.*
- *To do all such other things and to determine all such other issues in respect of the Stadium Facilities as are incidental or conducive to the above.*

Non-Council Members:

- Subiaco Football Club, Chief Executive Officer
- East Perth Football Club, Chief Executive Officer

- Chief Executive Officer (Chair)
- Town's Officers (*as required*)

Meetings held July 2006 to October 2007: Nil.

Previous Council Members: Not applicable

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Chief Executive Officer, John Giorgi (Chair), be appointed as member of the Medibank Stadium (Leederville Oval) Ground Management Committee for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Deputy be as follows;*

1. *Director Technical Services, Rick Lotznicker.*

7. Members Equity Stadium Management Committee

The Heads of Agreement between the Town and the Stadium Manager (Allia Venue Management) prescribe the Mayor as the Chair and the Chief Executive Officer as a Member.

Background

Meeting Occurrence: Quarterly

Date of Meeting: When suitable

Time of Meeting: When suitable

Location of Meeting: Town of Vincent Admin & Civic Centre

Liaison Officer: Chief Executive Officer

Purpose of Committee:

- *To establish and review the Heads of Agreement (HOA) Key Performance Indicators (KPIs) in conjunction with Allia.*
- *To assess whether each proposed Licensing Agreement is consistent with the KPIs and the provisions of the HOA and to approve the proposed Licensing Agreement if it is consistent.*
- *To supervise the performance of the Services by Allia and to ensure that Allia performs the Services in accordance with the KPIs and the HOA.*
- *To receive and consider Performance Reports.*
- *To advise the Council on Capital Improvements required for the Stadium and to make recommendations to the Council about the use of the Reserve Fund.*

- To review Naming Signage.
- To review the Risk Management Plan.

(For the purpose of avoidance of doubt, it is acknowledged that the Committee's functions do not include carrying out any of the Operational Management Services which are to be provided by Allia).

Non-Council Members:

- Rugby WA, Western Australian Rugby League, Perth Glory Football Club
- Department of Sport and Recreation (Observers)
- Allia Venue Management Pty Ltd (By Invitation)
- Chief Executive Officer

Meetings held July 2006 to October 2007:

1. 17 July 2007
2. 16 August 2007

Previous Council Members

Deputy

- | | |
|---|---|
| 1. Mayor Nick Catania (Chair) | 1. Deputy Mayor (Chair) |
| 2. Deputy Mayor, Cr Steed Farrell | 2. |
| 3. Chief Executive Officer, John Giorgi | 3. Director Technical Services, Rick Lotznicker |

OFFICER'S RECOMMENDATION:

That;

(i) in accordance with the provisions of the Local Government Act 1995 Section 2.28, Mayor Nick Catania (Chair) and Cr and Chief Executive Officer, John Giorgi, be appointed as members of the Members Equity Stadium Committee for the term 6 November 2007 to 31 October 2009; and

(ii) the Deputies be as follows;

1. (Chair)
2.
3. Director Technical Services, Rick Lotznicker (for Chief Executive Officer)

8. Metropolitan Regional Recreation Advisory Committee (NMRRAC) (1 Council Member)

Background

- Meeting Occurrence: 3 times per year
- Date of Meeting: When suitable
- Time of Meeting: When suitable
- Location of Meeting: Local Government Members on a Rotation Basis

Liaison Officer:

Purpose of Committee:

Manager Community Development

- *To communicate and share information between members of NMRRAC and similar bodies.*
- *To foster improvement in the planning and coordination of community facilities including comment on regionally significant facility projects grants applications.*
- *To discuss and support cross boundary facility initiatives and to take possible developments back to member Councils for consideration.*
- *To seek cost effective solutions about access to recreational opportunities for the communities represented, including establishment and operation of facilities; and services.*
- *To support and share management initiatives and encourage improvement in the management of community facilities.*
- *To lobby on behalf of the Advisory Committee to any Government, sporting body or private interest on any matter of common concern to members, especially those involving planning, development, management or funding of facilities.*
- *To promote best practice in all aspects of these objectives (communication, planning, management and development, cost and lobbying).*

Non-Council Members:

- Member Councils
- Manager Community Development

Meetings held July 2006 to October 2007:

1. 31 August 2006
2. 30 November 2006
3. 22 February 2007
4. 31 May 2007
5. 31 August 2007
6. 10 October 2007

Previous Council Members

1. Cr Helen Doran-Wu

Deputy

1. Cr Steed Farrell

OFFICER'S RECOMMENDATION:

That;

- (i) ***in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr be appointed as member of the NMRRAC for the term 6 November 2007 to 31 October 2009; and***

(ii) *the Deputy be as follows;*

I.

9. Mindarie Regional Council (1 Council Member)

Background

Meeting Occurrence: Monthly
Date of Meeting: Third Thursday of Month
Time of Meeting: 4.30pm
Location of Meeting: Member Councils on a rotation basis
Liaison Officer: Mindarie Regional Council - Chief Executive Officer

Purpose of Council:

- *To make decisions concerning Waste Management, including the landfill disposal site at Tamala Park.*

(* Member sitting fee of \$2,400 and \$1,000 allowances is paid.)

Non-Council Members:

- Member Councils - Chief Executive Officers and Senior Management
- Chief Executive Officer
- Director Technical Services

Meetings held July 2006 to October 2007:

1. 6 July 2006
2. 18 July 2006 (*Special*)
3. 9 August 2006 (*Special*)
4. 17 August 2006
5. 26 October 2006
6. 31 October 2006 (*Special*)
7. 1 December 2006 (*Special*)
8. 7 December 2006
9. 8 February 2007 (*Special*)
10. 22 February 2007
11. 2 March 2007 (*Special*)
12. 12 April 2007 (*Special*)
13. 26 April 2007
14. 27 June 2007 (*Special*)
15. 5 July 2007
16. 1 August 2007 (*Special*)
17. 16 August 2007
18. 29 August 2007 (*Special*)
19. 27 September 2007 (*Special*)
20. 11 October 2007

Previous Council Members

1. Mayor Nick Catania

Deputy

1. Deputy Mayor

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr be appointed as member of the Mindarie Regional Council for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1.

10. North West District Planning Committee (1 Council Member)

Background

- | | |
|--|---|
| Meeting Occurrence: | Bi-Monthly |
| Date of Meeting: | Thursday |
| Time of Meeting: | 8.30am |
| Location of Meeting: | Member Councils on a rotation basis |
| Liaison Officer: | Director Development Services |
| Purpose of Committee: | <ul style="list-style-type: none">• <i>To represent the Town on this Committee concerning regional planning matters.</i> |
| Non-Council Members: | <ul style="list-style-type: none">• Officers from Member Councils• Director Development Services |
| Meetings held July 2006 to October 2007: | <ul style="list-style-type: none">1. 10 August 20062. 12 October 20063. 8 February 20074. 12 April 20075. 14 June 20076. 9 August 2007 |

Previous Council Members

Deputy

- | | |
|---------------|---------------------|
| 1. Cr Ian Ker | 1. Cr Steed Farrell |
|---------------|---------------------|

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr be appointed as member of the North West District Planning Committee for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - 1.

11. Swan River Trust (1 Council Member)

Background

- Meeting Occurrence: When suitable
Date of Meeting: When suitable
Time of Meeting: When suitable
Location of Meeting: Swan River Trust Offices
Liaison Officer: Director Development Services or Director Technical Services
Purpose of Committee:
- *To represent the Town concerning matters affecting the Town and the Swan River.*
- Non-Council Members:
- Officers from Member Councils
 - Director Development Services or
 - Director Technical Services
- Meetings held July 2006 to October 2007: Nil.

Previous Council Members

Deputy

1. Cr Dudley Maier

1. Cr Izzi Messina

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr be appointed as member of the Swan River Trust for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Deputy be as follows;*

1.

12. Tamala Park Regional Council (1 Council Member)

Background

- Meeting Occurrence: Bi-Monthly
Date of Meeting: Thursday
Time of Meeting: 5.30pm
Location of Meeting: Member Councils on a rotation basis
Liaison Officer: Chief Executive Officer
Purpose of Council:
- *To make decisions concerning the Tamala Park land and its redevelopment.*

(* Member sitting fee of \$2,400 and \$1,000 for allowances is paid.)

- Non-Council Members:
- Officers from Member Councils
 - Chief Executive Officer

- Meetings held July 2006 to October 2007:
1. 3 August 2006
 2. 5 October 2006
 3. 30 November 2006
 4. 8 February 2007
 5. 12 April 2007
 6. 14 June 2007
 7. 9 August 2007
 8. 11 October 2007

Previous Council Members

Deputy

1. Mayor Nick Catania
1. Deputy Mayor

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr be appointed as member of the Tamala Park Regional Council for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Deputy be as follows;*

1.

13. Youth Council (1 Council Member)

Background

- Meeting Occurrence: When suitable
- Date of Meeting: When suitable
- Time of Meeting: When suitable
- Location of Meeting: Town of Vincent Admin & Civic Centre
- Liaison Officer: Manager Community Development
- Purpose of Committee:*
- *To address the issues and needs of the young people in the Town.*
 - *Some of the issues to be addressed by the Town of Vincent Youth Advisory Council include:*
 - *services for young people;*
 - *programs;*
 - *recreation;*
 - *information;*
 - *possible events for young people;*
 - *drugs related issues;*

- graffiti; and
- any other issues which are seen to be relevant to youth.

Non-Council Members:

- Community Development (Youth) Officer

Meetings held July 2006 to October 2007:

1. 6 November 2006
2. 4 December 2006
3. 8 January 2007
4. 5 February 2007
5. 5 March 2007
6. 2 April 2007
7. 7 May 2007
8. 5 June 2007
9. 2 July 2007
10. 6 August 2007
11. 3 September 2007

Previous Council Members

1. Cr Izzi Messina

Deputy

1. Cr Maddalena Torre

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr be appointed as member of the Youth Council for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
 - I.

14. Northbridge History Steering Committee (Mayor plus 1 Council Member)

Background

Meeting Occurrence: Quarterly
Date of Meeting: When suitable
Time of Meeting: 10.30am
Location of Meeting: Town of Vincent - Committee Room
Liaison Officer(s): Senior Heritage Officer / Local History Librarian

Purpose of Committee:

- *To provide community input and support to the Department of the Premier and Cabinet Northbridge History Project*

Non-Council Members:

- Dr Felicity Morel Ednie-Brown - Northbridge History Co-ordinator
- Senior Heritage Officer
- Local History Librarian
- Library Officer - Local Studies
- Community Member

Previous Council Members: 1. Mayor Nick Catania (*Chair*)
 2. Cr Sally Lake

Meetings held July 2006 to October 2007: 1. 9 August 2006
 2. 11 October 2006
 3. 21 February 2007
 4. 15 May 2007
 5. 13 September 2007

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr (Chair) and Cr be appointed as members of the Northbridge History Steering Committee for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Deputies be as follows;*

1. (*Chair*)
2.

ADVISORY GROUPS

1. Aboriginal Liaison Occasional Advisory Group (*Mayor or Deputy Mayor - Chair*)

Background

Meeting Occurrence: Meet as required
Date of Meeting: When suitable
Time of Meeting: When suitable
Location of Meeting: Various Venues
Liaison Officer: Chief Executive Officer

Purpose of Committee:

- *To act as a link between the Town of Vincent and aboriginal residents of the area.*
- *To identify the needs of aboriginal residents with a view to encouraging the development of appropriate services or by making existing services more accessible.*
- *To raise the awareness of the community as to the needs and the abilities of aboriginal residents.*
- *To encourage full participation of such residents in all facets of community life.*
- *To seek funds from appropriate Organisations outside the Town of Vincent to facilitate the development of facilities and/or programs.*

- Non-Council Members:
- Town of Vincent Reconciliation
 - Aboriginal Advancement Council
 - Nyoongar Circle of Elders

- Previous Council Members:
1. Mayor or Deputy Mayor (*Chair*)

Meetings held July 2006 to October 2007: Nil.

OFFICER'S RECOMMENDATION:

That in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Mayor or Deputy Mayor be appointed as Chair of the Aboriginal Liaison Occasional Advisory Group for the term 6 November 2007 to 31 October 2009.

2. Art Advisory Group (Mayor plus 2 Council Members)

Background

Meeting Occurrence: Meet as required (*usually 3-4 times per year*)

Date of Meeting: When suitable

Time of Meeting: 6.00pm

Location of Meeting: Town of Vincent - Committee Room

Liaison Officer: Arts Officer

Purpose of Committee:

- *To provide advice for the acquisition of artwork.*
- *To act as Judges for Town of Vincent Art Competition.*
- *To provide advice for the competition.*
- *To provide advice for the visual arts budget.*
- *To provide advice for the display and viewing of pieces of artwork.*
- *To develop and implement an acquisition policy.*
- *To provide advice on matters generally relating to the art, as required from time to time.*

- Non-Council Members:
- Up to 5 Community Representatives
 - Art Gallery of WA or University/TAFE Representative
 - Chief Executive Officer
 - Manager Community Development
 - Arts Officer

- Previous Council Members:
1. Mayor (*Chair*)
 2. Cr Izzi Messina
 3. Cr Maddalena Torre

- Meetings held July 2006 to October 2007:
1. 29 August 2006
 2. 12 February 2007

3. 13 June 2007
4. 31 July 2007

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr, Cr and Cr be appointed as members of the Art Advisory Group for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Chair of the Group be Cr*

3. Heritage Advisory Group (3 Council Members)

Background

Meeting Occurrence:	Meet as required
Date of Meeting:	When suitable
Time of Meeting:	6.00pm
Location of Meeting:	Town of Vincent - Committee Room
Liaison Officer:	Senior Heritage Officer
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>The Heritage Advisory Group's prime role is to oversee the preparation of a Heritage Strategic Plan and associated strategies and initiatives, and consideration of the Town's Heritage Survey and Municipal Heritage Inventory Review, for submission to the Council.</i>• <i>Make recommendations to the Council on actions to be undertaken to inform, educate and raise awareness in the community in regards to heritage initiatives or events.</i>
Non-Council Members:	<ul style="list-style-type: none">• Up to <u>5</u> Community Representatives• Director Development Services• Senior Heritage Officer• Heritage Officer
Previous Council Members:	<ol style="list-style-type: none">1. Mayor (<i>Chair</i>)2. Cr Simon Chester3. Cr Helen Doran-Wu
Meetings held July 2006 to October 2007:	Nil.

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr, Cr and Cr be appointed as members of the Heritage Advisory Group for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Chair of the Group be Cr*

4. Local Area Traffic Management Advisory Group (3 Council Members)

Background

Meeting Occurrence:	Meet as required (<i>usually bi-monthly</i>)
Date of Meeting:	When suitable
Time of Meeting:	5.30pm
Location of Meeting:	Town of Vincent - Committee Room
Liaison Officer:	Manager Engineering Design Services
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>To act in an advisory capacity in all local area traffic management matters and make recommendations to the Council.</i>• <i>To develop guidelines for local area traffic management for the consideration of the Council.</i>• <i>To advise the Town of Vincent on matters relating to reducing the adverse impacts of road traffic on residents and businesses in the Town of Vincent, including, but not restricted to traffic calming through road engineering measures.</i>
Non-Council Members:	<ul style="list-style-type: none">• Up to <u>5</u> Community Representatives (including Business)• Director Technical Services• Manager Engineering Design Services
Previous Council Members:	<ol style="list-style-type: none">1. Cr Steed Farrell (<i>Chair</i>)2. Cr Ian Ker3. Cr Sally Lake
Meetings held July 2006 to October 2007:	<ol style="list-style-type: none">1. 22 June 20062. 18 December 20063. 29 January 20074. 22 February 20075. 9 August 2007 (<i>Public Forum at Kyilla Primary School</i>)6. 4 October 2007

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr, Cr and Cr be appointed as members of the Local Area Traffic Management Advisory Group for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Chair of the Group be Cr*

5. Safer Vincent Crime Prevention Partnership (3 Council Members)

Background

Meeting Occurrence: Meet as required (*usually monthly*)
Date of Meeting: When suitable
Time of Meeting: 5.30pm
Location of Meeting: Town of Vincent - Committee Room
Liaison Officer: Safer Vincent Co-ordinator

Purpose of Committee:

- *Develop, execute and review the Community Crime Prevention Business Plan as required under the Community Crime Prevention Partnership Agreement.*
- *Provide information and make recommendations to the Council on issues relating to Graffiti, Safety and Security, Neighbourhood Watch and Local Emergency Management matters.*
- *Provide information and make recommendations to the Council on strategies to control Graffiti, Safety and Security and Neighbourhood Watch.*
- *Provide information and make recommendations to the Council on actions to be undertaken to inform, educate and raise awareness in the community with regard to safety and security issues.*
- *Develop strategies to address specific issue as they relate to public safety.*
- *Facilitate the preparation of various strategies and initiatives.*
- *Carry out a review of the Safer Vincent Program.*

Non-Council Members:

- Up to 7 Community Representatives (including Business)
- Police Representatives
- Director Development Services
- Manager Ranger & Community Safety

- Services
 - Safer Vincent Co-ordinator

- Previous Council Members:
 - 1. Mayor (*Chair*)
 - 2. Cr Helen Doran-Wu
 - 3. Cr Izzi Messina

- Meetings held July 2006 to October 2007:
 - 1. 5 July 2006
 - 2. 2 August 2006
 - 3. 5 September 2006
 - 4. 1 November 2006
 - 5. 6 December 2006
 - 6. 17 January 2007
 - 7. 4 April 2007
 - 8. 4 July 2007
 - 9. 5 September 2007
 - 10. 3 October 2007

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr, Cr and Cr be appointed as members of the Safer Vincent Crime Prevention Partnership for the term 6 November 2007 to 31 October 2009; and*

- (ii) *the Chair of the Group be Cr*

6. Seniors Advisory Group (Mayor and 3 Council Members)

Background

- | | |
|------------------------------|---|
| Meeting Occurrence: | Meet as required |
| Date of Meeting: | When suitable |
| Time of Meeting: | 6.00pm |
| Location of Meeting: | Town of Vincent - Committee Room |
| Liaison Officer: | Community Development Officer |
| <i>Purpose of Committee:</i> | <ul style="list-style-type: none">• <i>To act in an advisory capacity in all current and future matters relating to Seniors, Aged Care Services and the Multicultural Industry and make recommendations to the Council.</i>• <i>To act in an advisory capacity in all current and future matters relating to Seniors, Aged Care Services and the Multicultural Industry on strategies and policies and make recommendations to the Council.</i>• <i>To act in an advisory capacity on actions to be undertaken to inform, educate and raise awareness in the community with regard to current and future Seniors' matters, Aged</i> |

Care Services and the Multicultural Industry and make recommendations to the Council.

- *To act in an advisory capacity in the development of a Seniors' Strategic Plan for the Town of Vincent.*

Non-Council Members:

- Up to 5 Community Representatives
- Director Corporate Services
- Manager Community Development
- Community Development Officer

Previous Council Members:

1. Mayor (*Chair*)
2. Cr Helen Doran-Wu
3. Cr Steed Farrell
4. Cr Maddalena Torre

Meetings held July 2006 to October 2007:

1. 31 January 2007
2. 12 March 2007

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr, Cr, Cr and Cr be appointed as members of the Seniors Advisory Group for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Chair of the Group be Cr*

7. Sustainability Advisory Group (Mayor and 3 Council Members)

Background

Meeting Occurrence:

Meet as required (*usually quarterly*)

Date of Meeting:

When suitable

Time of Meeting:

When suitable

Location of Meeting:

Town of Vincent - Committee Room

Liaison Officer:

Environmental Officer

Purpose of Committee:

- *Provide comments and recommendation to the Council in the formulation of a community and Council vision of sustainability.*
- *Provide comments and recommendation to the Council in relation to the development of the Town's proposed Sustainability Management System, Sustainability Strategy, and on-the-ground projects to deliver financial and environmental returns to the Council.*

- *Provide comments and recommendations to the Council in relation to other sustainability initiatives and programs.*
- *Provide comments and recommendations to the Council in relation to education and awareness initiatives and programs, to inform, educate and raise awareness in the community regarding sustainability and its initiatives and programs.*
- *Support the community to fully participate in achieving sustainability, through the development of partnerships, initiatives and programs with the community.*
- *Identify resourcing sources to support sustainability initiatives and programs.*
- *Identify potential links with intrastate, interstate and international local governments to provide learning opportunities for the Town and the community.*

Non-Council Members:

- Up to 5 Community Representatives
- Director Technical Services
- Director Development Services
- Manager Planning, Building & Heritage Services
- Senior Planning Officer (Strategic)
- Environmental Officer
- Council Officers (*as required*)

Previous Council Members:

1. Mayor (*Chair*)
2. Cr Ian Ker
3. Cr Sally Lake
4. Cr Dudley Maier

Meetings held July 2006 to October 2007:

1. 27 September 2006
2. 20 November 2006
3. 10 January 2007

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr, Cr, Cr and Cr be appointed as members of the Sustainability Advisory Group for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Chair of the Group be Cr*

8. Town of Vincent Garden Awards Occasional Advisory Group (*Mayor plus 2 Council Members*)

Background

Meeting Occurrence: 1 Meeting per year and 1 Judging Day per year
Date of Meeting: When suitable
Time of Meeting: When suitable
Location of Meeting: Town of Vincent Locality
Liaison Officer: Manager Parks Services

Purpose of Committee:

- *Meeting - (1 hour) – to discuss format and specifics of forthcoming annual garden competition*
- *Judging – (5 hours) – participation in the final judging of gardens within the Town for each respective category*

Non-Council Members:

- Winner of previous year's Competition
- Manager Parks Services

Previous Council Members:

1. Mayor (*Chair*)
2. Cr Simon Chester
3. Cr Sally Lake

Meetings held July 2006 to October 2007:

1. 7 October 2006
2. 6 October 2007

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr, Cr and Cr be appointed as members of the Town of Vincent Garden Awards Occasional Advisory Group for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Chair of the Group be Cr*

9. Universal Access Advisory Group (*2 Council Members*)

Background

Meeting Occurrence: Meet as required
Date of Meeting: When suitable
Time of Meeting: 5.30pm
Location of Meeting: Town of Vincent - Committee Room

Liaison Officer: Community Development Officer - Disability Services

Purpose of Committee:

- *To assist in the development of the Disabilities Services Plan addressing access and equity issues for all services and facilities provided by the Town of Vincent.*
- *To review the Town of Vincent's Asset Register in relation to the accessibility of the Town's buildings and amenities to disabled persons.*
- *To recommend appropriate programmed upgrading of the Council's facilities that do not meet the needs of the disabled residents. Any work recommended will be included in the Town's 5 and 10 year Capital Works Programmes in accordance with budgetary constraints.*
- *To assess plans for the Council's functions, facilities, services and programmes and recommend appropriate standards for access for people with disabilities in accordance with the relevant building requirements and appropriate standards.*
- *To oversee and advise the Council on the implementation of the Disabilities Services Plan.*

Non-Council Members:

- Up to 5 Community Representatives
- Director Corporate Services
- Manager Community Development
- Community Development Officer - Disability Services

Previous Council Members:

1. Cr Ian Ker (*Chair*)
2. Cr Dudley Maier

Meetings held July 2006 to October 2007:

1. 19 July 2007
2. 18 October 2007

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.2, Cr and Cr be appointed as members of the Universal Access Advisory Group for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Chair of the Group be Cr*

10. Town of Vincent Building Design and Conservation Occasional Advisory Group
(Mayor plus 1 Council Member)

Background

Meeting Occurrence: 1 Meeting / Judging Day per year
Date of Meeting: When suitable in November
Time of Meeting: When suitable
Location of Meeting: Town of Vincent Locality
Liaison Officer: Director Development Services

Purpose of Committee:

- *Judging – (1-2 hours) – participation in the final judging of the Building, Design and Conservation Awards within the Town.*

Non-Council Members:

- Heritage Architect
- Senior Heritage Officer

Previous Council Members:

1. Mayor Nick Catania
2. Cr Sally Lake

Meetings held July 2006 to October 2007: Nil.

OFFICER'S RECOMMENDATION:

That in accordance with the provisions of the Local Government Act 1995 Section 2.28, Mayor Nick Catania and Cr be appointed as members of the Town of Vincent Building Design and Conservation Occasional Advisory Group for the term 6 November 2007 to 31 October 2009.

WORKING GROUPS

1. Emergency Management Committee (Local) (Nil Council Members)

Background

Meeting Occurrence: Meet as required
Date of Meeting: When suitable
Time of Meeting: When suitable
Location of Meeting: 5-7 Lynton Street, Mount Hawthorn (SES HQ)
Liaison Officer: Safer Vincent Co-ordinator

Purpose of Committee:

- *To ensure that the Town is able to deal with the likely problems associated with a local emergency.*

Non-Council Members: Representatives from:

- WA Police Service
- Metropolitan Local Governments
- Department of Community Development
- Women's/Children's Health Service
- Australian Red Cross
- Botanic Gardens and Parks Authority
- Dalglish Fire Station
- Manager Ranger & Community Safety Services (*Chair*)
- Safer Vincent Co-ordinator (*Executive Officer*)

- Meetings held July 2006 to October 2007:
1. 6 September 2006
 2. 1 November 2006
 3. 7 March 2007
 4. 11 April 2007
 5. 9 May 2007
 6. 14 June 2007
 7. 18 July 2007
 8. 19 September 2007

Previous Council Members: Not applicable

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Manager Ranger & Community Safety Services, be appointed as Chair of the Emergency Management Committee (Local) for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Executive Officer be as follows;*

1. *Safer Vincent Co-ordinator, Michael Wood.*

2. Emergency Management Committee (District) (Nil Council Members)

Background

Meeting Occurrence: Meet as required

Date of Meeting: When suitable

Time of Meeting: When suitable

Location of Meeting: Perth Police

Liaison Officer: Manager Ranger & Community Safety Services

Purpose of Committee:

- *To ensure that Emergency Management strategies are in place at a District level to minimise the effect of a substantial Emergency*

Non-Council Members:

Representatives from:

- WA Police Service
- Fire and Emergency Services
- Department of Community Development
- Department of Defence
- City of Perth
- St John Ambulance
- Manager Ranger & Community Safety Services

Meetings held July 2006 to October 2007:

1. 20 July 2006
2. 21 September 2006
3. 19 April 2007
4. 21 June 2007
5. 16 August 2007
6. 18 October 2007

Previous Council Members:

Not applicable

OFFICER'S RECOMMENDATION:

That in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Manager Ranger & Community Safety Services, be appointed as member of the Emergency Management Committee (District) for the term 6 November 2007 to 31 October 2009.

3. Claise Brook Catchment Group Inc (*Nil Council Members*)

Background

Meeting Occurrence:

Monthly

Date of Meeting:

Monday

Time of Meeting:

6.00pm

Location of Meeting:

Loftus Community Centre /
Rod Evans Senior Citizens' Centre, East Perth

Liaison Officer:

Manager Parks Services

Purpose of Committee:

- *A community based environmental group working to restore wetlands and improve water quality flowing into the Swan River.*

Non-Council Members:

- Director Technical Services
- Manager Parks Services
- Environmental Officer

Meetings held July 2006 to October 2007:

1. 3 July 2006
2. 7 August 2006
3. 4 September 2006
4. 2 October 2006
5. 6 November 2006
7. 14 December 2006

8. 8 January 2007
9. 5 February 2007
10. 12 March 2007
11. 2 April 2007
12. 14 May 2007
13. 11 June 2007
14. 2 July 2007
15. 6 August 2007
16. 10 September 2007
17. 1 October 2007

Previous Council Members: Not applicable

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Manager Parks Services be appointed as member of the Claise Brook Catchment Group Inc for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*

1. Environmental Officer.

4. Park People Project Working Group (1 Council Member)

Background

Meeting Occurrence: Meet as required
Date of Meeting: When suitable
Time of Meeting: When suitable
Location of Meeting: Town of Vincent Admin & Civic Centre
Liaison Officer: Safer Vincent Co-ordinator
Purpose of Committee:

- *Facilitated by Department of Child Protection, hosted by the Town and attended by broader stakeholders', to respond to emerging park issues with the aim of advocating long term strategies to dealing with park issues within the Town.*

Non-Council Members: Representatives from:

- WA Police Services
- Department of Community Development
- City of Perth
- Aboriginal Health Services
- Nyoongar Patrol
- Manager Ranger & Community Safety Services
- Safer Vincent Co-ordinator
- Senior Ranger

- Meetings held July 2006 to October 2007: 1. 19 July 2007
- Previous Council Members: 1. Cr Helen Doran-Wu

OFFICER'S RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr be appointed as member of the Park People Project Working Group for the term 6 November 2007 to 31 October 2009; and*
- (ii) *the Deputy be as follows;*
1. Cr

5. Hyde Park Lakes Restoration Working Group (Mayor plus 3 Council Members)

Background

- Meeting Occurrence: Meet as required
- Date of Meeting: When suitable
- Time of Meeting: 6.00pm
- Location of Meeting: Town of Vincent - Committee Room
- Liaison Officer: Manager Parks Services
- Purpose of Committee:*
- *To act in an advisory capacity concerning the development of strategies to improve the Hyde Park lakes and their immediate surrounds and make recommendations to Council.*
- Non-Council Members:
- Claise Brook Catchment Representative
 - Environmental Consultant
 - Community Representative
 - Director Technical Services
 - Manager Parks Services
 - Senior Heritage Officer
- Meetings held July 2006 to October 2007:
1. 24 July 2006
 2. 31 July 2006
 3. 31 August 2006
 4. 26 March 2007
 5. 17 May 2007
 6. 7 June 2007
- Previous Council Members:
1. Mayor (*Chair*)
 2. Cr Ian Ker
 3. Cr Sally Lake
 4. Cr Izzi Messina

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr; Cr; Cr and Cr be appointed as members of the Hyde Park Lakes Restoration Working Group for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Deputies be as follows;*

1. Cr (Chair)
2. Cr
3. Cr

6. Leederville Masterplan Working Group (Mayor plus 5 Council Members)

Background

Meeting Occurrence:	Meet as required
Date of Meeting:	When suitable
Time of Meeting:	5.30pm
Location of Meeting:	Town of Vincent - Committee Room
Liaison Officer:	Chief Executive Officer
Purpose of Committee:	<ul style="list-style-type: none">• To make recommendations to the Council concerning the Leederville Masterplan.
Non-Council Members:	<ul style="list-style-type: none">• Chief Executive Officer• Directors• Manager Planning, Building & Heritage Services• Senior Planning Officer (Strategic)• Department of Planning and Infrastructure Representatives (By invitation only)• East Perth Redevelopment Authority (EPRA) Representatives (By invitation only)
Meetings held July 2006 to October 2007:	Nil.
Previous Council Members:	<ol style="list-style-type: none">1. Mayor (Chair)2. Cr Simon Chester3. Cr Helen Doran-Wu4. Cr Steed Farrell5. Cr Ian Ker6. Cr Maddalena Torre

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, Cr; Cr; Cr , Cr , Cr and Cr be appointed as members of the Leederville Masterplan Group for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Deputies be as follows;*

1. Cr (Chair)
2. Cr
3. Cr

7. Mindarie - Technical Committee (Nil Council Members)

Background

Meeting Occurrence:	1st Friday of Month
Date of Meeting:	1st Friday of Month
Time of Meeting:	8.30am
Location of Meeting:	Town of Cambridge
Liaison Officer:	Director Technical Services
Purpose of Committee:	<ul style="list-style-type: none">• <i>To advise the Mindarie Regional Council on technical matters concerning waste management.</i>
Non-Council Members:	<ul style="list-style-type: none">• Director Technical Services
Meetings held July 2006 to October 2007:	<ol style="list-style-type: none">1. 4 August 20062. 9 February 2007
Previous Council Members:	Not applicable.

OFFICER'S RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Director Technical Services be appointed as member of the Mindarie - Technical Committee for the term 6 November 2007 to 31 October 2009; and*

(ii) *the Deputy be as follows;*

1. *Manager Engineering Operations, Con Economo.*

8. Central Sub-Group for the Metropolitan Regional Road Group (CRRSG) (*Nil Council Members*)

Background

Meeting Occurrence:	Annually
Date of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	City of Perth - Council House
Liaison Officer:	Director Technical Services
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>Discuss annual Metropolitan Regional Road Funding and Black Spot funding distribution to members, including successful and non-successful projects submitted.</i>• <i>Raise any related road funding issues, etc, affecting the local government which, in turn, are reported to the Metropolitan Regional Road Group who make the final recommendations to the Minister.</i>
Non-Council Members:	<ul style="list-style-type: none">• Director Technical Services• City of Perth Officer• City of Subiaco Officer
Meetings held July 2006 to October 2007:	1. 23 August 2007
Previous Council Members:	Not applicable.

OFFICER'S RECOMMENDATION:

That;

- (i) ***in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Director Technical Services be appointed as member of the Central Sub-Group for the Metropolitan Regional Road Group (CRRSG) for the term 6 November 2007 to 31 October 2009; and***
- (ii) ***the Deputy be as follows;***
 1. ***Manager Engineering Design Services.***

9. Perth Police Integration (*Nil Council Members*)

Background

Meeting Occurrence:	Meet as required
Date of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	Town of Vincent - Committee Room
Liaison Officer:	Safer Vincent Co-ordinator
<i>Purpose of Committee:</i>	<ul style="list-style-type: none"><i>To provide an effective forum to raise and action crime prevention, policing issues within the Perth Central Metropolitan area. This committee continues to foster a close and effective relationship with the Town and Police and relevant parties, and provides an ongoing conduit to deal with current and pressing community concerns in the Vincent/Perth policing districts.</i>
Non-Council Members:	Representatives from: <ul style="list-style-type: none">• WA Police Service• Department of Housing & Works• Department of Community Services• Department of Community Development• City of Perth• Nyoongar Patrol• Killara Youth Services• Manager Ranger & Community Safety Services• Senior Ranger• Safer Vincent Co-ordinator
Meetings held July 2006 to October 2007:	<ol style="list-style-type: none">1. 18 July 20062. 15 August 063. 19 September 20064. 17 October 20065. 21 November 20066. 19 December 20067. 16 January 20078. 20 February 20079. 17 April 200710. 15 May 200711. 19 June 200712. 17 July 200713. 21 August 200714. 18 September 200715. 16 October 2007
Previous Council Members:	Not applicable.

OFFICER'S RECOMMENDATION:

That in accordance with the provisions of the Local Government Act 1995 Section 2.28, the Manager Ranger & Community Safety Services, Senior Ranger and Safer Vincent Co-ordinator be appointed as members of the Perth Police Integration Working Group for the term 6 November 2007 to 31 October 2009.

CONSULTATION/ADVERTISING:

Not applicable.

Nominations for representatives from the Community for Advisory Groups/Partnerships for the 2007-2009 term are currently being advertised in the local newspaper and a further report will be submitted to Council at the close of the nomination period.

LEGAL/POLICY:

Statutory Authorities/Committees/Working Groups/Advisory Groups

The Town of Vincent does not have any Statutory Committees (other than the Audit Committee) with delegated authority, as prescribed by the Local Government Act 1995. All "Committees", Working Groups/Advisory Groups have Terms of Reference and can only deal with matters referred to them by the Council. These groups can only make recommendations which are reported to the Council for its consideration.

STRATEGIC IMPLICATIONS:

This matter is in keeping with the Town's Strategic Plan 2006-2011 - Key Objective 4.1.2 - *"Manage the organisation in a responsible, efficient and accountable manner."*

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENTS:

It is recommended that Council make appointments to the various Committees, Statutory Authorities, Advisory and Working Groups, as detailed in this report.

10.4.7 Loftus Centre Redevelopment, 99 Loftus Street, Leederville - Progress Report No. 21 and Approval of Landscape Plan and External Works

Ward:	South	Date:	31 October 2007
Precinct:	Oxford Centre; P4	File Ref:	RES0061
Attachments:	001 ; 002		
Reporting Officer(s):	R. Lotznicker; J. van den Bok; C. Economo, John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Progress Report No. 21 as at 31 October 2007, relating to the Loftus Centre Redevelopment, 99 Loftus Street, Leederville;*
- (ii) *APPROVES the Loftus Centre Landscape Proposal as shown on attached Plan Nos 2554-DP-01 and 2555-CP- 01 at an estimated additional cost of \$85,000;*
- (iii) *REQUESTS the Chief Executive Officer to identify a source of funds for the Loftus Centre External and Landscape Works and replacement of twelve (12) air conditioning units and associated ducting and building works, for consideration at the mid year Budget Review; ~~and~~*
- (iv) *AUTHORISES the Director Technical Services to make minor alterations to the Plans, due to technical issues that may arise during the implementation of the works; and*
- (v) *APPROVES of the replacement of twelve (12) air conditioning units and associated ducting and building works on the Loftus Centre, at an estimated cost of \$130,000.*

Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strikethrough, italic font and underline.

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (7-2)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Lake
Cr Burns	Cr Maier
Cr Doran-Wu	
Cr Farrell	
Cr Ker	
Cr Messina	
Cr Youngman	

COUNCIL DECISION ITEM 10.4.7

That the Council;

- (i) *RECEIVES the Progress Report No. 21 as at 31 October 2007, relating to the Loftus Centre Redevelopment, 99 Loftus Street, Leederville;*
- (ii) *APPROVES the Loftus Centre Landscape Proposal as shown on attached Plan Nos 2554-DP-01 and 2555-CP- 01 at an estimated additional cost of \$85,000;*
- (iii) *REQUESTS the Chief Executive Officer to identify a source of funds for the Loftus Centre External and Landscape Works and replacement of twelve (12) air conditioning units and associated ducting and building works, for consideration at the mid year Budget Review;*
- (iv) *AUTHORISES the Director Technical Services to make minor alterations to the Plans, due to technical issues that may arise during the implementation of the works; and*
- (v) *APPROVES of the replacement of twelve (12) air conditioning units and associated ducting and building works on the Loftus Centre, at an estimated cost of \$130,000.*

PURPOSE OF THE REPORT:

The purpose of the report is to update the Council on the progress of the Loftus Centre Redevelopment, 99 Loftus Street, Leederville, as at 31 October 2007 and obtain approval for the Landscape Plan and external works.

ADDITIONAL INFORMATION:

The report at Page 152, advises as follows;

"Mechanical Services

A Mechanical Services Contractor has been appointed. An assessment of the existing roof units has been carried out. Most of these are at the end of their life and will be replaced as part of the project. New units have been ordered and are awaiting installation. Repairs to the existing roof sheeting are awaiting to be carried out. (Delayed due to labour shortages.) Work is expected to commence on 1 November 2007 (for six weeks).

Temporary air conditioning has been arranged – to enable the Centre to continue operations.

A report on all thirteen (13) air conditioning units has been completed. The existing unit above the Library has been replaced. Funds will be included in the Budget 2008/09 for the progressive replacement of the remaining units."

On Friday 2 November 2007, the Builder removed the air conditioning units from the Loftus Centre as part of the repairs to the roof and these units. A closer inspection of the units and the associated ducting by the Town's Mechanical Services Consultant has revealed that the units and ducting are in a very poor condition and in a far worse condition than previously reported.

On Tuesday 6 November 2007, the Chief Executive Officer met the Builder, Architect and Mechanical Services Consultant on site to view the extent of the damage. The Mechanical Services Consultant has strongly recommended that all the twelve (12) units (and not just the originally proposed four (4) be replaced, as he considers that they are beyond repair. Furthermore, he also recommends that whilst the current work is being carried out over the next five weeks, the existing ducting also be replaced due to the extensive corrosion and its extremely poor condition.

The Builder and Architect advise that if this work is to be carried out concurrently, it is estimated to cost \$130,000. However, there would be significant cost savings due to minimising duplication of removal of units, carrying out the work while the roof has been removed and while the existing Builder is on site. If the work is to be carried out at a later stage (as has been previously reported to Council) additional costs of up to \$50,000 could be incurred.

The opportunity to carry out this work before the extreme hot weather occurs is also considered important, as it will allow the Centre/Library/Community Centre to continue operating.

The Loftus Centre was constructed in 1988 and the air conditioning units are 19 years old. Until three years ago, all maintenance was carried out by the previous Leisure Centre Manager and it would appear that this maintenance has been inadequate and insufficient. This has resulted in the early deterioration of the units and ducting. Since the Town has commenced maintaining the units, considerable maintenance costs have been incurred.

The new units and ducting will be sufficient for at least the next 25-30 years (if properly maintained on a regular basis).

FINANCIAL IMPLICATIONS

The Budget 2007/08 contains an amount of \$60,000 for urgent air conditioning works. The \$130,000 will be an additional cost, as follows;

Air conditioning unit replacement cost - 12 units @ \$5,000 each	\$60,000
Ducting replacement	\$40,000
Associated Building Works	\$20,000
Associated Electrical Upgrade	\$10,000
Total	\$130,000

CHIEF EXECUTIVE OFFICER'S COMMENTS:

In view of the cost savings and for the health and safety of the employees and users of the Loftus Centre, the Council is requested to approve of the abovementioned works, which are deemed essential and urgent.

BACKGROUND:

At the Ordinary Meeting of Council held on 23 January 2007, the Council considered this matter and resolved to award the building tender to Perkins Builders and for the project to proceed.

PROGRESS OF WORKS

Documentation

1. Belgravia Leisure Group Pty Ltd (Belgravia) - Lease and Contract

The Contract and Lease were signed on 23 February 2007 and is still with the Minister for Lands, awaiting consent (as the Loftus land is a Reserve - vested in the control of the Town).

2. Gymnastics WA- Lease

This lease was signed on 16 March 2007 and is still with the Minister for Lands awaiting consent.

Landgate has requested the Town to review the Leederville Oval Reserve cadastral layout and provide comment. This is being carried out and meetings are still being held. A surveyor has now been engaged to prepare the necessary plans and these are being refined for the approval of Landgate. It is anticipated that this will be finalised by late 2007.

Program and Progress

Regular site meetings between the Builder, Consultants, Architect and Town are still being held. In addition, site inspections are carried out on a weekly basis and as required. Contact with the Site Supervisor, Architect and Consultants is occurring on a daily basis.

The Builder has advised that they are slightly ahead of target with the specified program at this stage, despite a delay with the recent wet weather.

No claims have been submitted by the Builder for extension of time due to inclement weather as yet, however it is expected that a claim will be submitted, if required, for contractual purposes.

Architectural Services

The construction drawings have been provided and are updated where necessary, as required. Shop drawings are prepared as required.

The Architect has progressively submitted information and costs for the internal works (e.g. built-in furniture).

Internal Fit-out

The new Board Room inside the Recreation Centre has been 90% completed. Work on the Gymnastics WA offices has also commenced.

Colour Schemes

The external colour scheme was approved at the Ordinary Meeting of Council held on 24 July 2007. The internal colour scheme was approved at the Ordinary Meeting of Council held on 28 August 2007. Several meetings with the Library, Community Centre and Belgravia have been held. Rhythmic Gymnastics have liaised with the Architect and have indicated their approval.

Construction - (See Photographs attached)

Earthworks

The earthworks are almost completed. The sand on the site will be used to fill areas and adjust the soil levels. Retaining walls fronting Leederville Oval have been completed. Work has commenced on the walkway between the Centre and the Leederville Early Childhood Centre.

The underground car park has been completed, other than the driveway and installation of gate.

Medibank Stadium (Leederville Oval) Public Open Space

The public open space works immediately adjoining Leederville Oval was approved at the Ordinary Meeting of Council held on 28 August 2007. A timetable has been prepared and site start-up meetings have been held. Works commenced in early October 2007 and are expected to be completed by December 2007. (See photographs.)

Main Sports Hall

- The main Sports Hall is approximately 85% completed.
- Internal storerooms have been completed.
- Internal fit-out has commenced.
- Flooring and sports equipment has been ordered.
- The brick work and walls between the existing and new building is currently being completed.
- External luxalon framing completed and cladding is in progress (35% completed).
- External and internal wall painting has commenced.

Rhythmic Gymnastics Hall

- Roof has been completed.
- Internal painting of roof purlins and walls is completed.
- Internal cladding and integration of the existing building is completed.
- Light fittings have been ordered. (due in late November).
- Internal fit-out has commenced.
- Flooring is being installed.
- External painting well advanced.

External Soccer Pitch

- Brickwork and drainage have been completed.
- The concrete floor is completed.
- The external face of the brick walls has been clad with limestone (95% completed).
- The light poles and new light fittings have been completed.
- Synthetic turf selection is in progress.
- Accessways between the main building and outdoor areas are approximately 80% completed.
- Fencing and netting are yet to be completed.

Library and Local History Centre

- Roof has been installed and is completed.
- Internal brickwork is completed.

- Wall rendering is completed.
- Installation of air conditioning ducting is 90% completed.
- External wall cladding with Donnybrook stone is completed.
- External windows have been installed. Main doors installed.
- Internal partitions are approximately 80% completed.
- Ceiling installation has commenced and is 85% completed. (Insulation is completed.)
- Vaulted ceiling is being installed.
- Tiling of toilets/wet areas completed. (Fittings yet to be carried out.)
- Internal painting has commenced.
- Plumbing is 90% completed.
- Electrical and data cabling installed (90% completed).
- Library shelving - three (3) quotes received (within the Provisional Sum Allowance) and currently being assessed.
- Built-in furniture - four (4) quotes received (three are well above the Provisional Sum Allowance) and are currently being assessed.
- After hours book chute and store installed (90% complete).
- Carpet has been ordered.

All going well, it is possible that the Library and Local History Building will be handed over to the Town just prior to the Christmas 2007 break, however this is now largely dependent upon some of the finishing trades being available at the critical times.

Structural and Civil Engineering

- All structural works have been completed.
- Roof sheeting has been completed.
- Steel framework for the external Luxalon cladding is completed.
- Luxalon cladding is in progress (approximately 30% completed).

Hydraulic Services

The installation of the Fire Service ring main around the building has been completed. The portion in the staff car park is now completed. Back filling around the retaining walls has been completed. A fire booster box has been installed. Final landscape works are being carried out to improve aesthetics.

Electrical / Data Services

Conduits and preliminary cables have been installed. Selection of light fittings is being carried out, including replacement of existing lighting fittings which have been damaged from indoor soccer balls.

Investigation of closed circuit television is being investigated.

Mechanical Services

A Mechanical Services Contractor has been appointed. An assessment of the existing roof units has been carried out. Most of these are at the end of their life and will be replaced as part of the project. New units have been ordered and are awaiting installation. Repairs to the existing roof sheeting are awaiting to be carried out. (Delayed due to labour shortages.) Work is expected to commence on 1 November 2007 (for six weeks).

Temporary air conditioning has been arranged – to enable the Centre to continue operations.

A report on all thirteen (13) air conditioning units has been completed. The existing unit above the Library has been replaced. Funds will be included in the Budget 2008/09 for the progressive replacement of the remaining units.

Loftus Community Centre

Several meetings have been held to discuss;

1. program of works and timeline;
 2. outdoor play area and children's furniture; and
 3. options for relocation in early 2008.
- Brickwork for the toilet, store and activity room is completed. The roof steelwork and sheeting is completed.
 - The Town has obtained quotations for the children's playground and furniture. Ground works completed. Play equipment ordered. Due in late November.
 - Investigation of existing timber floor options being carried out.

Landscape Plan and External Works

The Town's Technical Services prepared a concept car parking and Landscape Plan which was presented to a Council Forum in October 2007. Feedback provided at the Forum has been followed up and where appropriate, incorporated into the plan.

Loftus Centre Carpark (refer Plan No 2554-DP-01)

With the completion of Stage 1 of the building works the area currently the site works compound will be made available for parking. The carpark will be extended to the south of its existing location.

The carpark works will involve the following:

- Boxing out and extension of the road pavement to the south
- Removal of several existing trees (which will obstruct the safe movement of vehicles)
- Common trenching and laying of conduits (for reticulation of trees, improved carpark lighting and future CCTV cameras for security of patrons)
- Installation of nibs
- New kerbing and flush kerbing at proposed tree locations
- Carpark resurfacing
- Line-marking and erection of signage
- Planting of a significant number of trees in the car park and a shrubbery*

Note:* *The trees selected for planting within the carpark are the Tuart, which whilst not prevalent to the Vincent area have established quickly within the area and are now widely grown by nurseries. In view of this project, officers have had numerous trees grown on and these should be in excess of 2-5metres high after planting. A shrubbery between the carpark and Richmond Street consisting of native species will provide a vegetative barrier and assist in "softening" this frontage of the carpark. The trees and landscaping within the carpark will be watered off a bore supply designed with this section having the capability of being shut off after establishment.*

Loftus Centre Landscaping (refer Plan No 2555 –CP-01)

The native planting theme which has so successfully been used throughout the redeveloped and existing parks within and adjacent to the Town's Administration and Civic centre will be continued around the redeveloped Loftus Centre site.

Grasstrees will be interplanted amongst selected local native and other waterwise species of plants in the garden areas identified on the plan.

The new garden area locations have been carefully considered in light of the most likely pedestrian access and egress to the new library and other facilities. All garden areas will be irrigated off the existing scheme water supply to reduce the likelihood of bore stain around the new paving and building.

Brick paving consisting of a "Pilbara Iron" header course/banding with 45 degree laid "Golden Dune" pavers as infill will surround the new buildings. Additional lighting will be installed if required after consulting with the electrical consultants.

Furniture including a "Mark Cox" designed accessible drinking fountain and rubbish bins have been selected (as shown in the attached Plan 2554-DP-01). Existing rubbish bins around the Loftus Centre will be replaced with this new modern design and additional bins located where required. The Town's standard bike racks will be installed in selected locations around the building.

Artworks

An in-house Working Group has been formed to progress public art for this project. Several meetings have been held. The Architect has also been requested to provide examples of integrating art into the building fabric (e.g. floors, walls, features).

It is proposed to create an art mosaic piece at the base of the proposed drinking fountain and a sculptural piece at the front or eastern side on the new library and local history centre.

Transitional pavement banding between the existing and proposed brick paving will also create an interesting affect along this side of the building.

A consultant's brief has been prepared and will be advertised in due course. An internal working group will be set up to review the submissions received and up to 3 artists may be short listed. The eventual preferred artist's proposal will be considered by the Art Advisory Group before going to Council for endorsement. The successful artist will work in conjunction with the working group to satisfy the technical, site and financial requirements of the works

A public launch of the completed artworks may also be undertaken.

Program of Works

A meeting was held with Perkins Builders and Council officers on 17 October 2007 to discuss the works program. Due to the likely ongoing conflict between Building contractors and Council employees it was agreed that the proposed works to the carpark and surrounds be deferred for several weeks (ie mid-late November) until the builders can assure the Town they will not impact on the works.

It is therefore envisaged that trenching and development of the carpark will commence in the next 4 weeks or so (ie mid-late November).

It is likely the Town's engineering and landscaping works will take approximately 12 weeks to complete from the date of access to the site (ie to be completed by February 2008).

Matters still to be addressed

Options to minimise the Operating Deficit

The Council requested a report on the findings to minimise the operating deficit to be submitted, however due a lack of resources, investigation of this matter is still in a preliminary stage. Cost options currently being explored include;

- Investigation of energy efficient fixtures and fittings, e.g. lights, hot water, air conditioning. The investigation of the light fittings has been completed.
- Investigation of sponsorship, including naming rights, external signage on the Recreation Centre facing Leederville Oval.
- Investigation of Government grants and funds, e.g. Healthways, Lotteries, Heart Foundation, State Library Services.

Comment:

This matter is still being progressed, however due to a lack of resources and a heavy workload, slow progress is being made.

ADVERTISING/COMMUNITY CONSULTATION:

Not applicable. The Town's Public Relations Officer has created a "Corporate Projects" site on the Town's web page and background information, together with weekly photographs are included on this site. The web-site is being updated on a regular basis.

LEGAL/POLICY IMPLICATIONS:

N/A.

STRATEGIC IMPLICATIONS:

This project is in keeping with the Town's Strategic Plan 2006-2011, Objective 1 - "*Natural and Built Environment*", in particular, 1.1.6(j) - "*Carry out redevelopment of the Loftus Centre....*".

FINANCIAL/BUDGET IMPLICATIONS:

At the Ordinary Meeting of Council held on 23 January 2007, the Council approved this project at a cost of \$13,444,664. The building tender is \$11,901,664 (excluding GST).

Builder Progress Claim Payments

Progress Payment Number	Date Received	Amount Requested (excl GST)	Amount Paid (excl GST)	Date Paid
No. 1	17/04/07	\$247,568.00	\$247,568.00	26/04/07
No. 2	16/05/07	\$979,312.00	\$979,312.00	22/05/07
No. 3	18/06/07	\$1,158,441.86	\$1,158,441.86	25/06/07
No. 4	12/07/07	\$1,072,606.68	\$1,072,606.68	18/07/07
No. 5	10/08/07	\$1,145,259.15	\$1,145,259.15	20/08/07
No. 6	17/09/07	\$1,080,029.70	\$1,080,029.70	25/09/07
No. 7	30/09/07	\$1,345,370.12	\$1,345,370.12	10/10/07
Total Paid			<u>\$7,028,587.30</u>	

A second claim has been made to the Department of Sport and Recreation under the Financial Assistance Agreement for \$1,075,000.

Cost Variations

A small number of minor cost variations have been approved.

These variations comprise of both increased costs in some areas and cost savings in other areas. This is a normal part of the construction program. No major variations have been necessary. All costs (with the exception of built-in furniture) are being achieved within the project budget. The quotation for the built-in furniture has been assessed and awarded. The cost is higher than the Provisional Sum, but is considered reasonable. Furniture will be provided within 6 weeks.

Carparking and Landscaping Proposal

An estimated budget of \$275,000 has been allocated in the 2007/08 capital works budget for the proposed carpark and landscaping works and assumed the following;

- \$125,000 to complete the carpark works
- \$75,000 to complete the kerbing & brickpaving
- \$25,000 for furniture, artwork & landscaping
- \$50,000 for the artwork component

An updated *estimated* cost of the works was required following the recent Council forum when various issues were discussed and items were requested is as follows:

- | | |
|---|------------------|
| • Tree removals | \$4,500 |
| • Supply & plant trees (Tuarts) | \$12,000 |
| • Install kerbing and nibs including infill | \$20,000 |
| • Extension of carpark (south) | \$39,000 |
| • Supply and lay brickpaving | \$75,000 |
| • Bitumen resurfacing of carpark and associated works | \$74,000 |
| • Landscaping (<i>inclusive of reticulation, planting & mulching</i>) | \$10,000 |
| • Artworks | \$50,000 |
| | ----- |
| subtotal | \$284,500 |

• Installation/trenching of conduits	\$25,000*
• Flush kerbing around trees in carpark	\$20,000*
• Refurbish lighting and upgrade overall	\$13,000*
• Furniture (<i>inclusive of bike racks, drinking fountain and rubbish bins</i>)	\$10,000*
• Seating (6 seats)	\$7,500*

subtotal	\$75,500

subtotal	\$360,000
	=====

Implementation of the works as outlined above will result in an overall budget shortfall of **\$85,000** including \$9,500 more than the original estimate (for budgeted scope) and \$75,500 for the following works not originally specifically budgeted for:

- Conduits for reticulation, lighting reconfiguration and future CCTV – (a Grant will be applied for).
- Flush kerbing tree surrounds – suggested at Forum to improve soakage to trees.
- Lighting upgrades – recommended by Lighting Consultant, due to age of existing lights and improve safety and security.
- bike racks, drinking fountain and new upgraded litter bins – suggested at recent Forum to provide higher quality fixtures.
- Seating including special design – suggested at recent Forum to improve facilities for seniors and persons with disabilities.

COMMENTS:

It is pleasing to report that good progress is still being made with the Loftus Centre Redevelopment Project and no major problems have occurred or been identified at this stage. The builder has been most accommodating and has worked with the Town's Officers and the Recreation Centre and Community Centre staff to minimise inconvenience.

Monthly progress reports will be provided to the Council as the project progresses.

10.4.9 Delegations for the Period 1 July 2007 to 30 September 2007

Ward:	Both	Date:	31 October 2007
Precinct:	All	File Ref:	ADM0018
Attachments:	001		
Reporting Officer(s):	J MacLean, S Beanland		
Checked/Endorsed by:	R Boardman, John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *ENDORSES the delegations for the period 1 July 2007 to 30 September 2007 as shown in Appendix 10.4.9; and*
- (ii) *APPROVES BY AN ABSOLUTE MAJORITY to write-off infringement notices/costs to the value of \$24,447.00 for the reasons as detailed below:*

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

<u>Description</u>	<u>Amount</u>
<i>Interstate or Overseas Driver</i>	<i>\$2,215.00</i>
<i>Failure to Display Resident or Visitor Permit</i>	<i>\$3,405.00</i>
<i>Ranger/Clerical Error</i>	<i>\$6,470.00</i>
<i>Other (Financial Hardship, Disability, Police On-duty, Etc)</i>	<i>\$4,150.00</i>
<i>Details Unknown/Vehicle Mismatched</i>	<i>\$670.00</i>
<i>Breakdown/Stolen (Proof Produced)</i>	<i>\$1,165.00</i>
<i>Signage Incorrect or Insufficient</i>	<i>\$1,100.00</i>
<i>Ticket Purchased but not Displayed (Valid Ticket Produced)</i>	<i>\$2,250.00</i>
<i>Equipment Faulty (Confirmed by Technicians)</i>	<i>\$1,950.00</i>
<i>Penalties Modified</i>	<i>\$550.00</i>
<i>Dog Act Infringements</i>	<i>\$350.00</i>
<i>Pound Fees Modified</i>	<i>\$72.00</i>
<i>Local Law Infringements</i>	<i>\$100.00</i>
TOTAL:	<u>\$24,447.00</u>

PURPOSE OF REPORT:

The purpose of this report is to provide a quarterly progress report of the delegations exercised by the Town's Administration for the period 1 July 2007 to 30 September 2007 and to obtain the Council's approval to write-off infringement notices and other fees.

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. All delegations are to be recorded and reported to the Council on a quarterly basis, as follows;

Period	Report to Council
1 January – 31 March	April
1 April – 30 June	July
1 July – 30 September	October
1 October – 31 December	February

DETAILS:

The area which has resulted in most infringement notices being withdrawn, is that of "*Ranger/Clerical*". The Town has recently engaged a number of new Rangers and this can be attributed to inexperience. It should improve before the next Delegations Report.

While it is an offence to "*Park in Area Set aside for other persons*", 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. It should be noted, however, that Policy 3.9.2 is currently being amended to now state that a resident/visitor may only have an infringement notice withdrawn once each year, for failing to display the necessary permit.

"*Other*" incorporates everything not specifically identified in one of the other categories and these withdrawals are for "*Financial hardship*", "*Disabilities*", "*On-duty Emergency Personnel*", such as Police detectives, Doctors, Silver Chain Nurses, Counsellors, etc, where they provide evidence that they were on-duty.

The category of "*Details Unknown/Vehicle Mismatch*" also appears to show a high withdrawal rate. This may have occurred, to some extent, because the Police no longer provide the ownership details for interstate vehicles. Where previously, the Town obtained interstate ownership details from Police and wrote to the owners of the vehicles, this is no longer possible, because this facility is not available to the Town. The Ranger and Community Safety Services Section is currently discussing this matter with the Police and it is hoped that the Town will be able to overturn the decision of the Police not to obtain the details.

ADVERTISING/CONSULTATION:

Not applicable.

LEGAL/POLICY:

Section 5.42 of the Local Government Act 1995 gives power to a Council to delegate to the CEO the exercise of its powers and functions; prescribes those functions and powers which cannot be delegated; allows for a CEO to further delegate to an employee of the Town; and states that the CEO 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 Town's Administration. A copy of these for the quarter is shown in the attached Appendix 10.4.9. Quarterly reports are reported to the Council.

STRATEGIC IMPLICATIONS:

The above is in accordance with the Town's Strategic Plan 2006 - 2011, at Strategic Objective 4.1.4(a) "*Achieve best Practice corporate governance standards and statutory compliance including effective delegations and independent review of processes.*"

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/Prosecutions Officer 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.

The details of the infringement notices are as follows:

<u>Description</u>	<u>Amount</u>
Interstate or Overseas Driver	\$2,215.00
Failure to Display Resident or Visitor Permit	\$3,405.00
Ranger/Clerical Error	\$6,470.00
Other (Financial Hardship, Disability, Police On-duty, Etc)	\$4,150.00
Details Unknown/Vehicle Mismatched	\$670.00
Breakdown/Stolen (Proof Produced)	\$1,165.00
Signage Incorrect or Insufficient	\$1,100.00
Ticket Purchased but not Displayed (Valid Ticket Produced)	\$2,250.00
Equipment Faulty (Confirmed by Technicians)	\$1,950.00
Penalties Modified	\$550.00
Dog Act	\$350.00
Pound Fees Modified	\$72.00
Local Law Relating to Parks and Reserves	\$100.00
TOTAL:	\$24,447.00

COMMENTS:

It is recommended that the report on the delegations for the period 1 July 2007 to 30 September 2007 be endorsed by the Council.

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion - Cr Ian Ker – Calendar of Events

That COUNCIL, in order to carry out its collective and individual responsibilities effectively and in the best interests of the community they represent, will be provided, before the end of each calendar month, with a calendar of events for the following month that includes:

- *Ordinary and Special Meetings of Council;*
- *Town of Vincent Committee Meetings;*
- *Town of Vincent Advisory Group or Working Group Meetings;*
- *Meetings of organisations and committees on which the Town of Vincent is formally represented;*
- *Functions sponsored by the Town of Vincent, whether or not being held at a Town of Vincent venue;*
- *Public functions being held at Town of Vincent venues, including halls, parks and recreation reserves; and*
- *Any other meetings or functions that Elected Members have been invited to (where this invitation has been initially sent to the Town) or that an individual Elected Member has asked to be included on the list.*

Moved Cr Ker, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Cr Ker requested that the recommendation be considered in two parts and that points 6 and 7 be the subject of a further report.

Moved Cr Ker, Seconded Cr Messina

That COUNCIL, in order to carry out its collective and individual responsibilities effectively and in the best interests of the community they represent, will be provided, before the end of each calendar month, with a calendar of events for the following month that includes:

- *Ordinary and Special Meetings of Council;*
- *Town of Vincent Committee Meetings;*
- *Town of Vincent Advisory Group or Working Group Meetings;*
- *Meetings of organisations and committees on which the Town of Vincent is formally represented;*
- *Functions sponsored by the Town of Vincent, whether or not being held at a Town of Vincent venue;*

CARRIED (9-0)

Moved Cr Ker, Seconded Cr Messina

- *Public functions being held at Town of Vincent venues, including halls, parks and recreation reserves; and*
- *Any other meetings or functions that Elected Members have been invited to (where this invitation has been initially sent to the Town) or that an individual Elected Member has asked to be included on the list.*

LOST (3-6)

For

Cr Ker
Cr Lake
Cr Maier

Against

Mayor Catania
Cr Burns
Cr Doran-Wu
Cr Farrell
Cr Messina
Cr Youngman

COUNCIL DECISION ITEM 11.1

That COUNCIL, in order to carry out its collective and individual responsibilities effectively and in the best interests of the community they represent, will be provided, before the end of each calendar month, with a calendar of events for the following month that includes:

- *Ordinary and Special Meetings of Council;*
- *Town of Vincent Committee Meetings;*
- *Town of Vincent Advisory Group or Working Group Meetings;*
- *Meetings of organisations and committees on which the Town of Vincent is formally represented; and*
- *Functions sponsored by the Town of Vincent, whether or not being held at a Town of Vincent venue.*

12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

PROCEDURAL MOTION

At 8.52pm **Moved Cr Ker, Seconded Cr Messina**

That the meeting proceed “behind closed doors” to debate Confidential Items 14.1, 14.2, 14.3 and 14.4

PROCEDURAL MOTION CARRIED (9-0)

There were no members of the public or journalists present.

14. CONFIDENTIAL REPORTS (Behind Closed Doors)

14.1 CONFIDENTIAL REPORT - Approval for Western Australian Local Government (WALGA) Future Accommodation Options, 244A Vincent Street, Leederville; Leederville Early Childhood Centre and Margaret Kindergarten Buildings

Ward:	South	Date:	30 October 2007
Precinct:	Oxford Centre, P4/ Leederville P3	File Ref:	PRO4100
Attachments:			
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the information concerning the Western Australian Local Government Association's future accommodation needs;*
- (ii) *APPROVES IN PRINCIPLE;*
 - (a) *the proposal for the Town to construct office accommodation for the Western Australian Local Government Association (WALGA) at 244A Vincent Street, Leederville, new premises for the Leederville Early Childhood Centre (LECC) and Margaret Kindergarten buildings, as shown in Confidential Concept Plans attached at Appendix 14.1(A); and*
 - (b) *the terms and conditions as shown in Confidential Appendix 14.1(B);*
- (iii) *AUTHORISES the Chief Executive Officer to;*
 - (a) *prepare and call a tender for Architectural and Consultant Services for the proposed WALGA, LECC and Margaret Kindergarten buildings;*
 - (b) *prepare an Agreement to Lease and Lease Document based on the terms and conditions shown in Appendix 14.1(B) for the consideration and approval of the Council;*
 - (c) *prepare and advertise (at the appropriate time) a Major Land Transaction Business Plan, in accordance with Section 3.59 of the Local Government Act;*
 - (d) *engage necessary consultants to assist in the Major Land Transaction;*
 - (e) *enter into negotiations with the LECC, Margaret Kindergarten and other interested parties with the Departments of Education and Community Development (State and Federal) concerning the proposal and funding of the new LECC and Margaret Kindergarten buildings; and*
- (iv) *NOTES that;*

- (a) *the Council's approval for the WALGA, LECC and Margaret Kindergarten buildings is subject to approval of the Western Australian Planning Commission (WAPC) and State Land Services (SLS); and*
 - (b) *a further report will be submitted to the Council.*
-

Moved Cr Youngman, Seconded Cr Messina

That the recommendation be adopted.

The Chief Executive Officer provided a verbal summary of the proposal.

Debate ensued

Cr Messina departed the Chamber at 9.26pm.

Debate ensued

Cr Messina returned to the Chamber at 9.27pm.

Debate ensued

COUNCIL DECISION ITEM 14.1

That the Council;

- (i) *RECEIVES the information concerning the Western Australian Local Government Association's future accommodation needs;*
- (ii) *APPROVES IN PRINCIPLE;*
 - (a) *the proposal for the Town to construct office accommodation for the Western Australian Local Government Association (WALGA) at 244A Vincent Street, Leederville, and new premises for the Leederville Early Childhood Centre (LECC), as shown in Confidential Concept Plans, attached at Appendix 14.1(A);*
 - (b) *the proposal for the Town to investigate in consultation with the Department of Education and Training, North Perth Primary School and other stakeholders, with a view to constructing new premises for Margaret Kindergarten, to be located either on Braithwaite Park, Mount Hawthorn (preferably along Scarborough Beach Road frontage) as shown in tabled Confidential Concept Plan 14.1(C) or other appropriate location closer to the School, or on the current site, adjacent to the Richmond Street frontage, as shown in Confidential Concept Plans, attached at Appendix 14.1(A) and report back to Council; and*

- (c) *the terms and conditions (other than the financial matters) as shown in Confidential Appendix 14.1(B) and AUTHORISES the chief Executive Officer and the Mayor to further negotiate the financial terms and conditions and report back to Council*
- (iii) *AUTHORISES the Chief Executive Officer to;*
- (a) *prepare and call a tender for Architectural and Consultant Services for the proposed WALGA, LECC and Margaret Kindergarten buildings;*
- (b) *prepare an Agreement to Lease and Lease Document based on the terms and conditions shown in Appendix 14.1(B) for the consideration and approval of the Council;*
- (c) *prepare and advertise (at the appropriate time) a Major Land Transaction Business Plan, in accordance with Section 3.59 of the Local Government Act;*
- (d) *engage necessary consultants to assist in the Major Land Transaction;*
- (e) *enter into negotiations with the LECC, Margaret Kindergarten and other interested parties with the Departments of Education and Community Development (State and Federal) concerning the proposal and funding of the new LECC and Margaret Kindergarten buildings; and*
- (iv) *NOTES that;*
- (a) *the Council's approval for the WALGA, LECC and Margaret Kindergarten buildings is subject to approval of the Western Australian Planning Commission (WAPC) and State Land Services (SLS); and*
- (b) *a further report will be submitted to the Council.*

MOTION AS AMENDED PUT AND CARRIED (7-2)

<u>For</u>	<u>Against</u>
Mayor Catania`	Cr Lake
Cr Burns	Cr Maier
Cr Doran-Wu	
Cr Farrell	
Cr Ker	
Cr Messina	
Cr Youngman	

DETAILS:

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it relates to information that has a commercial value to a person and a Contract entered into or which may be entered into. In accordance with the relevant legislation, the report is to be kept confidential until determined by the Council to be released for public information.

LEGAL:

The Town of Vincent Local Law Relating to Standing Orders states the following:

“2.15 Confidential business

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is –*
- (i) *to be treated as strictly confidential; and*
 - (ii) *not, without the authority of Council, to be disclosed to any person other than–*
 - (a) *the Members; and*
 - (b) *Officers of the Council but only to the extent necessary for the purpose of carrying out their duties;*
prior to the discussion of that matter at a meeting of the council held with open doors.
- (2) *Any report, document or correspondence which is to be placed before the Council or any committee and which is in the opinion of the Chief Executive Officer of a confidential nature, may at his or her discretion be marked as such and –*
- (i) *then to be treated as strictly confidential; and*
 - (ii) *is not without the authority of the Council to be disclosed to any person other than the Mayor, Councillors or the Officers of the Council referred to in sub-clause (1).”*

The confidential report is provided separately to Council Members, the Chief Executive Officer and Directors.

At the conclusion of this matter, the Council may wish to make some details available to the public.

14.2 CONFIDENTIAL REPORT – Nos. 611-617 (Lot 6 D/P: 2324) Beaufort Street, Mount Lawley - Signage Addition to Existing Eating House (Application for Retrospective Approval) – State Administrative Tribunal (SAT) Review Matter No. DR 95 of 2007

Ward:	South	Date:	30 October 2007
Precinct:	Mount Lawley; P11	File Ref:	PRO0356; 5.2006.358.1
Attachments:	-		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	

OFFICER RECOMMENDATION:

That ;

- (i) *the Council RECEIVES the report relating to Nos. 611-617 (Lot 6 D/P: 2324) Beaufort Street, Mount Hawthorn - Signage Addition To Existing House (Application for Retrospective Approval) - State Administrative Tribunal (SAT), Review Matter No. DR 95 of 2007;*
- (ii) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council SUPPORTS in part the State Administrative Tribunal Review Matter No. DR 95 of 2007, the Roof Sign (A) and the deletion of Ground Based Signs (E) in relation to the Signage Addition to Existing Eating House (Application for Retrospective Approval) and as shown on plans stamp-dated 24 October 2007, subject to the following conditions:*
 - (a) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, 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;*
 - (b) *the signage shall not have flashing or intermittent lighting;*
 - (c) *all signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site; and*
 - (d) *all signage shall be subject to a separate Sign Licence application being submitted and approved prior to the erection of the signage; and*
- (iii) *the Council ADVISES the State Administrative Tribunal that it DOES NOT SUPPORT Projection Signs (D) for the following reasons:*
 - (a) *the signs are not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
 - (b) *the location and height of the signs pose a danger to the public due to its height and location within the footpath area;*
 - (c) *the amount of signage is considered excessive to the needs of the current business; and*
 - (d) *the signs set an undesirable precedent for similar style signage for other commercial tenancies in the immediate vicinity and throughout the Town.*

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Cr Youngman departed the Chamber at 9.38pm

Debate ensued.

Cr Youngman returned to the Chamber at 9.40pm

AMENDMENT

Moved Cr Lake, Seconded Cr Ker

That subject to the removal of (iii), a condition be inserted stating that the projecting signs (D) are removed, the Council is prepared to support the signage on the two windbreaks.

AMENDMENT PUT AND LOST (3-6)

<u>For</u>	<u>Against</u>
Cr Ker	Mayor Catania
Cr Lake	Cr Burns
Cr Messina	Cr Doran-Wu
	Cr Farrell
	Cr Maier
	Cr Youngman

MOTION PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 14.2

That ;

- (i) *the Council RECEIVES the report relating to Nos. 611-617 (Lot 6 D/P: 2324) Beaufort Street, Mount Lawley - Signage Addition To Existing House (Application for Retrospective Approval) - State Administrative Tribunal (SAT), Review Matter No. DR 95 of 2007;*
- (ii) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council SUPPORTS in part the State Administrative Tribunal Review Matter No. DR 95 of 2007, the Roof Sign (A) and the deletion of Ground Based Signs (E) in relation to the Signage Addition to Existing Eating House (Application for Retrospective Approval) and as shown on plans stamp-dated 24 October 2007, subject to the following conditions:*
 - (a) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, 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;*

- (b) *the signage shall not have flashing or intermittent lighting;*
 - (c) *all signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site; and*
 - (d) *all signage shall be subject to a separate Sign Licence application being submitted and approved prior to the erection of the signage; and*
- (iii) *the Council ADVISES the State Administrative Tribunal that it DOES NOT SUPPORT Projection Signs (D) for the following reasons:*
- (a) *the signs are not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
 - (b) *the location and height of the signs pose a danger to the public due to its height and location within the footpath area;*
 - (c) *the amount of signage is considered excessive to the needs of the current business; and*
 - (d) *the signs set an undesirable precedent for similar style signage for other commercial tenancies in the immediate vicinity and throughout the Town.*

Note: The Chief Executive Officer advised that this report is now released to the public as the Council has determined the matter.

PURPOSE OF REPORT:

To update the Council of the progress in relation to the above review application, including the Orders issued by SAT as a result of the mediation held on 3 July 2007, regarding the submission of a modified proposal for further re-consideration by the Town.

Landowner:	A & M M Scolaro
Applicant:	Greg Rowe and Associates for the Review Matter
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): District Centre
Existing Land Use:	Eating House
Use Class:	Eating House
Use Classification:	"P"
Lot Area:	382 square metres
Access to Right of Way	Not Applicable

BACKGROUND:

15 February 2007

The Town under delegated authority from the Council resolved to approve signage addition to existing eating house (application for retrospective approval) subject to the following conditions:

- (i) *the signage shall not have flashing or intermittent lighting;*
- (ii) *all signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site;*
- (iii) *the signage shall not be used for bill posting nor as a billboard nor advertise services or products other than those available on the lot;*
- (iv) *the approved Sign E shall be located adjacent to the building to which the sign relates and be located on the footpath immediately adjacent to the building, and be displayed only during the normal business hours of the business to which the sign relates;*

- (v) *Signs A, Signs D and one Sign E do not form part of this approval; and*
- (vi) *within twenty eight (28) days of the issue date of this "Approval to Commence Development":*
 - (a) *structural details, including plans and specifications, shall be certified by a Practising Structural Engineer, and be submitted to and approved by the Town of Vincent, for the approved signs being:*
 - (1) *Sign B - attached to the face of the awning*
 - (2) *Sign C - attached underneath the awning,*
 - (3) *and one Sign E - ground based signage,*
 - (b) *Signs A, Signs D and one of the Sign E signs shall be permanently removed from the site."*

- 15 March 2007 Application lodged with the State Administrative Tribunal to review the Town's decision.
- 30 May 2007 Directions Hearing held at SAT.
- 3 July 2007 Mediation held on-site. The applicants/owners were preparing revised plans for re-consideration by the Council.
- 16 October 2007 Further Directions Hearing held at SAT.
- 20 November 2007 Further Directions Hearing to be held at SAT.

DETAILS:

The matter involves signage associated with the Exomod Coffee at the above subject site. Modified plans as per the SAT process were received by the Town on 24 October 2007.

The modified signage proposal includes the following:

SIGN TYPE	NO. OF SIGNS	SIGN DIMENSION	LOCATION	NON-COMPLIANCE
Above Roof Sign (A).	One (1).	1.0 metre x 1.2 metres x 0.296 metre.	Along Beaufort Street frontage.	Protrudes above the highest ridge of the roofline.
Projecting Sign (C) under the verandah and projecting sign attached to wall (D).	One (1) sign (C) under the verandah and two (2) signs (D).	0.7 metre x 0.6 metre x 0.2 metre.	Along Beaufort Street frontage.	Maximum of one (1) sign per property.
Ground Based Sign (E) in the form of alfresco demarcation barrier.	Two (2).	1.2 metres x 0.8 metre. Not applicable, as the signage is to be removed.	Along Beaufort Street frontage.	Maximum of one (1) sign allowed.

The applicant's submission is circulated separately to Council Members.

CONSULTATION/ADVERTISING:

Not required.

LEGAL/POLICY:

Planning and Development Act 2005 (WA), State Administrative Tribunal Act 2004 (WA) and Town's Policy No. 4.1.25 - Procedure For State Administrative Tribunal.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The Town's Officers have attended to all the SAT dealings to-date. The applicant is represented by Planning Consultants Greg Rowe and Associates.

COMMENTS:

Health Comments

The alfresco aspect is in compliance with the Town's Alfresco Licence issued by the Town's Health Services.

Ranger and Community Safety Comments

The Town's Ranger and Community Safety Officers have advised that both demarcation barriers proposed are compliant.

Planning Comments

Above Roof Sign (A) is supported, as it is not considered to unduly affect the streetscape, and is considered to provide some form of advertising of the businesses to pedestrians and motorists travelling along Beaufort Street in both directions.

Projecting sign (B) attached to the fascia of the awning has been previously approved.

In terms of projecting sign (C) under the verandah and two (2) projecting signs attached to wall (D), sign (C) has been previously approved. However, signs (D) are not supported for the following reasons:

- (a) the signs are not consistent with the orderly and proper planning and the preservation of the amenities of the locality;
- (b) the location and height of the signs pose a danger to the public due to its height and location within the footpath area;
- (c) the amount of signage is considered excessive to the needs of the current business; and
- (d) the signs set an undesirable precedent for similar style signage for other commercial tenancies in the immediate location and in other parts of the Town.

The ground based signs (E) on the barriers have now been removed as part of the modified plans and now solely act as an alfresco demarcation barrier.

Summary

Sign (A) is supported for the abovementioned reasons. However, signs (D) are not supported as it would unduly affect the amenity of the area, and for the above mentioned reasons. Signs (E) are not an issue, as they have been removed from the demarcation barriers.

14.3 CONFIDENTIAL REPORT - Adding/Deleting/Amending Places Listed on the Municipal Heritage Inventory (MHI) Quarterly Report: 1 April 2007 - 30 June 2007 - Finalisation Report

Ward:	Both Wards	Date:	23 October 2007
Precinct:	All Precincts	File Ref:	PLA 0098
Attachments:	-		
Reporting Officer(s):	T Woodhouse		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to Adding/Deleting/Amending Places Listed on the Town's Municipal Heritage Inventory (MHI) Quarterly Report: 1 April 2007 to 30 June 2007 - Finalisation Report, resulting from the proposed amendments to the Town's Municipal Heritage Inventory having been reviewed and with regard to no written submissions received during the four week advertising period in accordance with the Town's Policy No. 3.6.5 relating to Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI); and*
- (ii) *DELETES the following properties from the Town's Municipal Heritage Inventory:*
 - (a) *No. 180 (Lot 15) Vincent Street, North Perth;*
 - (b) *No. 182 (Lot 16) Vincent Street, North Perth;*
 - (c) *No. 184 (Lot 17) Vincent Street, North Perth; and*
 - (d) *No. 186 (Lot 18) Vincent Street, North Perth.*

COUNCIL DECISION ITEM 14.3

Moved Cr Farrell, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED (7-2)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Lake
Cr Burns	Cr Messina
Cr Doran-Wu	
Cr Ker	
Cr Farrell	
Cr Maier	
Cr Youngman	

Note: The Chief Executive Officer advised that this report is now released to the public as the Council has determined the matter.

PURPOSE OF REPORT:

The purpose of this report is to seek approval of the Council for amendments to the Town's Municipal Heritage Inventory in accordance with the Town's Policy No. 3.6.5 relating to *Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI)*.

BACKGROUND:

The Council at its Ordinary Meeting held on 28 August 2007 considered the matter and resolved as follows:

“That the Council;

- (i) RECEIVES the report relating to Adding/Deleting/Amending Places Listed on the Town's Municipal Heritage Inventory (MHI) Quarterly Report: 1 April 2007 to 30 June 2007;*
- (ii) ADVERTISES for public comment in accordance with the Town's Policy No. 3.6.5 relating to Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI) the following proposed amendments to the Town's Municipal Heritage Inventory:*
 - (a) DELETE No. 180 (Lot 15) Vincent Street, North Perth from the MHI;*
 - (b) DELETE No. 182 (Lot 16) Vincent Street, North Perth from the MHI;*
 - (c) DELETE No. 184 (Lot 17) Vincent Street, North Perth from the MHI;*
 - (d) DELETE No. 186 (Lot 18) Vincent Street, North Perth from the MHI; and*
- (iii) after the expiry of the period for submissions:*
 - (a) REVIEWS the proposed amendments to the Town's Municipal Heritage Inventory having regard to any written submissions; and*
 - (b) DETERMINES the proposed amendments to the Town's Municipal Heritage Inventory.”*

DETAILS:

The key objectives of the Town's Policy No. 3.6.5 relating to *Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI)* are to:

- 1) Provide a procedure for adding, deleting or amending entries on the Town of Vincent's Municipal Heritage Inventory.
- 2) Ensure places are added, deleted or amended from the Town of Vincent Municipal Heritage Inventory following due process.
- 3) Ensure that decisions for adding, deleting or amending places on the Town of Vincent's Municipal Heritage Inventory are based on consideration of the cultural heritage significance of the place.

In accordance with the Town's Policy No. 3.6.5, Heritage Assessments were undertaken on the four subject properties listed above prior to the Ordinary Meeting of Council held on 28 August 2007. The Heritage Assessments revealed that individually the properties did not meet the threshold for entry onto the Town's Municipal Heritage Inventory. Therefore, it was recommended by the Town's Officers that the four properties be deleted from the Town's Municipal Heritage Inventory, following due process.

A summary of the four properties and the Town's Officers actions and recommendations are detailed below:

No. 180 Vincent Street, North Perth

- Single storey brick and iron dwelling constructed c1912 in the Federation Bungalow style of architecture.
- Place identified by consultants in the 2006 review of the Town's Municipal Heritage Inventory as a Management Category C - Conservation Encouraged, as a group with Nos. 174, 178, 182, 184 and 186 Vincent Street, Perth. Prior to the formal consultation of the draft Municipal Heritage Inventory, the Management Category for the group was increased to Management Category B - Conservation Recommended through an internal review.
- During the consultation period of the review of the Town's Municipal Heritage Inventory objections to the proposed listing of the group were received for Nos. 174 and 178 Vincent Street. Subsequently at the Ordinary Meeting of Council held on 21 November 2006, the Council resolved to not include the two dwellings at Nos. 174 and 178 Vincent Street on the Town's Municipal Heritage Inventory and resolved to include Nos. 180, 182, 184 and 186 Vincent Street as a group designated as Management Category B - Conservation Recommended.
- External site visit undertaken of subject property on 26 July 2007.
- Draft Heritage Assessment prepared and sent to owners for comment on 7 August 2007.
- Recommendation - delete the place from the Town's Municipal Heritage Inventory.

No. 182 Vincent Street, North Perth

- Single storey brick and iron dwelling constructed c1912 in the Federation Bungalow style of architecture.
- Place identified by consultants in the 2006 review of the Town's Municipal Heritage Inventory as a Management Category C - Conservation Encouraged, as a group with Nos. 174, 178, 182, 184 and 186 Vincent Street, Perth. Prior to the formal consultation of the draft Municipal Heritage Inventory, the Management Category for the group was increased to Management Category B - Conservation Recommended through an internal review.
- During the consultation period of the review of the Town's Municipal Heritage Inventory objections to the proposed listing of the group were received for Nos. 174 and 178 Vincent Street. Subsequently at the Ordinary Meeting of Council held on 21 November 2006, the Council resolved to not include the two dwellings at Nos. 174 and 178 Vincent Street on the Town's Municipal Heritage Inventory and resolved to include Nos. 180, 182, 184 and 186 Vincent Street as a group designated as Management Category B - Conservation Recommended.
- Owner submitted an Application for Deletion Form on 30 November 2007. The grounds on which the owner considers that the property be deleted from the Town's Municipal Heritage Inventory are *'The house look[s] very ugly and [is] nothing special for the value of heritage - this house is only mak[ing] the street look poor'*.

- External site visit of subject property undertaken on 26 July 2007.
- Draft Heritage Assessment prepared and sent to owners for comment on 7 August 2007.
- Recommendation - delete the place from the Town's Municipal Heritage Inventory.

No. 184 Vincent Street, North Perth

- Single storey brick and tile dwelling constructed c1927 in the Inter-War Bungalow style of architecture.
- Place identified by consultants in the 2006 review of the Town's Municipal Heritage Inventory as a Management Category C - Conservation Encouraged, as a group with Nos. 174, 178, 182, 184 and 186 Vincent Street, Perth. Prior to the formal consultation of the draft Municipal Heritage Inventory, the Management Category for the group was increased to Management Category B - Conservation Recommended through an internal review.
- During the consultation period of the review of the Town's Municipal Heritage Inventory objections to the proposed listing of the group were received for Nos. 174 and 178 Vincent Street. Subsequently at the Ordinary Meeting of Council held on 21 November 2006 the Council resolved to not include the two dwellings at Nos. 174 and 178 Vincent Street on the Town's Municipal Heritage Inventory and resolved to include Nos. 180, 182, 184 and 186 Vincent Street as a group designated as Management Category B - Conservation Recommended.
- External site visit undertaken of subject property on 26 July 2007.
- Draft Heritage Assessment prepared and sent to owners for comment on 3 August 2007.
- Recommendation - delete the place from the Town's Municipal Heritage Inventory.

No. 186 Vincent Street, North Perth

- Single storey brick and tile dwelling constructed c1927 in the Inter-War Bungalow style of architecture.
- Place identified by consultants in the 2006 review of the Town's Municipal Heritage Inventory as a Management Category C - Conservation Encouraged, as a group with Nos. 174, 178, 182, 184 and 186 Vincent Street, Perth. Prior to the formal consultation of the draft Municipal Heritage Inventory, the Management Category for the group was increased to Management Category B - Conservation Recommended through an internal review.
- During the consultation period of the review of the Town's Municipal Heritage Inventory objections to the proposed listing of the group were received for Nos. 174 and 178 Vincent Street. Subsequently at the Ordinary Meeting of Council held on 21 November 2006, the Council resolved to not include the two dwellings at Nos. 174 and 178 Vincent Street on the Town's Municipal Heritage Inventory and resolved to include Nos. 180, 182, 184 and 186 Vincent Street as a group designated as Management Category B - Conservation Recommended.
- External site visit undertaken of subject property on 26 July 2007.

- Draft Heritage Assessment prepared and sent to owners for comment on 3 August 2007.
- Recommendation - delete the place from the Town's Municipal Heritage Inventory.

CONSULTATION/ADVERTISING:

Any proposed amendments to the Town's Municipal Heritage Inventory are to be advertised in accordance with Clause 3 of the Town's Policy No. 3.6.5 relating to Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory.

LEGAL/POLICY:

Town of Vincent Town Planning Scheme No. 1 and associated Policies.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011: Strategic Objectives - 1. Natural and Built Environment "... 1.1.3 (b) *Implement and promote the Municipal Heritage Inventory and Heritage Management Policies*".

FINANCIAL/BUDGET IMPLICATIONS:

The current 2007/2008 Budget allocates \$60,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

In light of the above, it is recommended that the Council receives this report and adopts the proposed amendments to the Town's Municipal Heritage Inventory, in line with the Officer Recommendation.

14.4 CONFIDENTIAL REPORT - No. 5 (Lot 9 D/P: 24995) Bream Cove, Mount Lawley - Proposed Garage Door Addition to Existing Single House- State Administrative Tribunal (SAT) Review Matter No. DR 284 of 2007

Ward:	South	Date:	30 October 2007
Precinct:	Banks; P15	File Ref:	PRO2579; 5.2007.169.1
Attachments:	-		
Reporting Officer(s):	S Kendall		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to No. 5 (Lot 9 D/P: 24995) Bream Cove, Mount Lawley - Proposed Garage Door Addition to Existing Single House - State Administrative Tribunal (SAT) Review Matter No. DR 284 of 2007; and*
- (ii) *FILES and SERVES the following draft "without prejudice" condition in response to the SAT Orders dated 19 September 2007:*
 - (a) *two significant appropriate design feature shall be incorporated into the garage door, to reduce its visual impact on the Bream Cove streetscape. Examples of design features may include significant openings facing the street at regular intervals and varying materials, finishes and/or colours. Details of the design features shall be submitted to and approved by the Town prior to the installation of the garage door.*

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Ker, Seconded Cr Farrell

That clause (ii) be deleted and a new clause inserted as follows:

~~*“(ii) FILES and SERVES the following draft “without prejudice” condition in response to the SAT Orders dated 19 September 2007;*~~

- (ii) *ADVISES the State Administrative Tribunal Review (SAT) in accordance with the provisions of the Town of Vincent Town Planning Scheme No 1 and the Metropolitan Region Scheme, that the Council SUPPORTS as part of the SAT Review Matter No. DR 284 of 2007, the proposed Garage Door Addition to Existing Single House at No. 5 (Lot 9 D/P: 24995) Bream Cove, Mount Lawley, and as shown on plans dated 11 May 2007, subject to the following condition:*
 - (a) *two significant appropriate design feature shall be incorporated into the garage door, to reduce its visual impact on the Bream Cove streetscape. Examples of design features may include significant openings facing the street at regular intervals and varying materials, finishes and/or colours. Details of the design features shall be submitted to and approved by the Town prior to the installation of the garage door.”*

AMENDMENT CARRIED (8-1)

For
Mayor Catania
Cr Burns
Cr Doran-Wu
Cr Farrell
Cr Ker
Cr Lake
Cr Messina
Cr Youngman

Against
Cr Maier

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 14.4

That the Council;

- (i) *RECEIVES the report relating to No. 5 (Lot 9 D/P: 24995) Bream Cove, Mount Lawley - Proposed Garage Door Addition to Existing Single House - State Administrative Tribunal (SAT) Review Matter No. DR 284 of 2007; and*
- (ii) *ADVISES the State Administrative Tribunal Review (SAT) in accordance with the provisions of the Town of Vincent Town Planning Scheme No 1 and the Metropolitan Region Scheme, that the Council SUPPORTS as part of the SAT Review Matter No. DR 284 of 2007, the proposed Garage Door Addition to Existing Single House at No. 5 (Lot 9 D/P: 24995) Bream Cove, Mount Lawley, and as shown on plans dated 11 May 2007, subject to the following condition:*
- (a) *two significant appropriate design feature shall be incorporated into the garage door, to reduce its visual impact on the Bream Cove streetscape. Examples of design features may include significant openings facing the street at regular intervals and varying materials, finishes and/or colours. Details of the design features shall be submitted to and approved by the Town prior to the installation of the garage door.*

Note: *The Chief Executive Officer advised that this report is now released to the public as the Council has determined the matter.*

PURPOSE OF REPORT:

- To update the Council on the above review application.
- To comply with the requirements of the Town's Policy/Procedure for SAT.
- To file draft "without prejudice" conditions of approval in advance of the hearing concerning the Town's refusal of the above application.

Landowner:	D and S Gonsalves
Applicant:	D Gonsalves
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R20
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	356 square metres
Access to Right of Way	N/A

BACKGROUND:

20 July 2007 The Town under delegated authority from the Council refused a planning application for proposed garage door to the subject existing single house for the following reasons:

"(i) the development will unduly adversely affect the orderly and proper planning and the preservation of the amenities of the locality; and

(ii) the front garage does not comply with the minimum garage setback requirements of the Town's Policy No. 3.2.4 relating to Street Setbacks, which requires, garages to be setback at 6 metres from the frontage street or behind the line of the front main building wall and the Walters Brook Design Guidelines Appendix No. 9."

14 August 2007 The Town received a copy of the review application lodged with SAT regarding the above Planning Refusal.

29 August 2007 Directions Hearing held at SAT.

DETAILS:

The proposal involves an application for proposed garage door to existing single house at the subject property.

CONSULTATION/ADVERTISING:

Not required.

LEGAL/POLICY:

Planning and Development Act 2005 (WA), State Administrative Tribunal Act 2004 (WA) and Town's Policy No. 4.1.25 - Procedure for State Administrative Tribunal.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil

COMMENTS:

The SAT has advised that the draft conditions would be *"without prejudice"* and *"is not a concession by the decision-maker that approval of the application is appropriate"*. The SAT has introduced the above practice for the following two reasons:

- (1) Under Section 9 of the State Administrative Tribunal Act 2004 (WA), the objectives include *"to act as speedily and with as little formality and technicality as practicable, and minimise the costs to the parties"*.

- (2) The SAT needs to have a full appreciation of all conditions applicable prior to making a reliable decision.

Should the above development be allowed by SAT it is recommended that two design features be incorporated into the garage door to reduce its visual impact on the Bream Cove streetscape. In light of the above, it is recommended that the Council receive the report relating to the SAT review matter and advise the Tribunal of the condition requiring two design features.

PROCEDURAL MOTION

At 9.55pm **Moved Cr Ker Seconded Cr Farrell**

That an “open” meeting be resumed.

PROCEDURAL MOTION PUT AND CARRIED (9-0)

15. CLOSURE

The Presiding Member, Mayor Catania, declared the meeting closed at 9.56pm with the following persons present:

Mayor Catania	
Cr Steed Farrell (Deputy Mayor)	North Ward
Cr Anka Burns	South Ward
Cr Helen Doran-Wu	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Noel Youngman	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director, Technical Services
Gillian van den Bok	A/Executive Assistant
Fran Sanders	Administration Assistant

No media representatives or 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 20 November 2007.

Signed:Presiding Member
Mayor Nick Catania, JP

Dated this day of 2007