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(8 MARCH 2005)**

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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 8 March 2005, commencing at 6.00pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania JP, declared the meeting open at 6.00pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Mike Rootsey	Executive Manager, Corporate Services
Cr Steed Farrell	Advised that he may be up to 30 minutes late

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Caroline Cohen	South Ward
Cr Simon Chester	North Ward
Cr Helen Doran-Wu	North Ward
Cr Steed Farrell	North Ward (from 6.14pm)
Cr Basil Franchina	North Ward
Cr Ian Ker (Deputy Mayor)	South Ward
Cr Sally Lake	South Ward
Cr Maddalena Torre	South Ward (from 6.03pm)
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental and Development Services
Rick Lotznicher	Executive Manager Technical Services
Michael Yoo	Acting Executive Manager, Corporate Services
Annie Smith	Executive Assistant (Minutes Secretary)
Beverley Ligman	Journalist – Guardian Express (until 7.07pm)
Mark Fletcher	Journalist – Voice News (until 7.27pm)

Approximately 12 Members of the Public

(c) Members on Leave of Absence:

Nil.

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

1. Ms Lesley Penirschke of 21 Brewer Street, Perth – Item 10.4.1 – Stated that she had tried the emergency number given and after five minutes hung up and called the Manager Health Services. Believes others had the same problem. Stated that the number given had a recorded message saying that the number had been disconnected or not in service. Does not believe the noise level quoted in the report is appropriate. Advised that sound testing for the Saturday concert started at 9am and went to 11.30. Referred to the Acoustic Engineer's report. Requested that Council support the policy recommendations presented with further provisos that leakages be dealt with and volumes reduced not just monitored.

2. Mr Hugh Brown of 580 Beaufort Street, Mt Lawley – Item 10.1.18 – Stated that he has been observing the use of the car park for the past two years. Believes it is mainly being used by “*out of towners*” who start parking at 8.30am through to 4.30pm then catch a bus to the City. Supports the “*free first hour*” parking recommendation.
3. Mr Ray Lyall of 260 Bulwer Street, Perth – Item 10.1.2 – Stated that the recommendation will not allow for any increase in visibility. Referred to his previous compromise of installing mirrors. Requested that Council remove clause (ii).
4. Mr Stuart Kounis of Kounis Property Developments, 47 Essex Street Wembley – Item 10.1.1 – Stated that there have been problems with security and drunkenness due to the proximity of the hotels. Stated that sufficient visibility exists. Requested Council’s approval.

Cr Farrell entered the meeting at 6.14pm.

5. Mr David Cox of 17 Austen Lane, Leederville - Item 10.1.6 – Stated that they had found out at 4pm today that an objection had been lodged but was missed. Requested deferral of the Item so that he could address the adjoining owner’s concerns. Stated that the condition regarding the three steel posts would cause problems with the structure of an existing retaining wall.
6. Mr John Bettes of 1 Coogee Street, Mt Hawthorn – Item 10.3.2 – Stated facts about pet owners and their responsibilities and the role of pets on their owners well being. Believes the Town needs to ensure that dog owners are consulted adequately and thoroughly.
7. Mr Carlo Bonomi of 118 Anzac Road, Mt Hawthorn – Item 10.1.1 – Advised that the adjoining owners have no complaints with the panel lift door. Stated that there is more vision into his property than a number of properties in the vicinity. Concerned with the security of his vehicles.

There being no further questions from the public, the Presiding Member closed Public Question Time at 6.21pm.

(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

6.1 Special Meeting of Council held on 2 March

The Presiding Member advised that the Minutes of the Special Meeting of Council held on 2 March 2005 had only just been distributed to Elected Members and would be confirmed at the Ordinary Meeting of Council to be held on 22 March 2005.

6.2 Ordinary Meeting of Council held on 22 February 2005

Moved Cr Ker, Seconded Cr Lake

That the Minutes of the Ordinary Meeting of Council held on 22 February 2005 be confirmed as a true and correct record.

CARRIED (9-0)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Employee of the Month Award for the Town of Vincent for March 2005

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 \$75 voucher and a Certificate. Also their photograph is displayed in the Administration Centre Foyer, in the Library and at Beatty Park Leisure Centre.

For March 2005, the award is presented to Frank Viola and Ivan Ramirez, Outside Workforce employees with the Town's Technical Services Division. Frank and Ivan were nominated by the Executive Manager Technical Services, Mr Rick Lotznicher, as a result of a message of appreciation received from Ms Gent of Byron Street, Leederville. Ms Gent wanted a big thank you passed onto these two employees who recently carried out repair works in Byron Street. After an incident in the Street, Ms Gent requested that the footpath be repaired. This was actioned immediately and she was thoroughly pleased with the work undertaken and advised (quote) *"they even fixed another part of the road that needed repairing without being requested to do so"*.

Ms Gent further commented on how obliging and professional these two employees were.

Comments such as these are always pleasing to receive and are a positive reflection on the Town's employees and the Town of Vincent overall.

The Employee of the Month award is in recognition of Frank's and Ivan's tremendous efforts.

Well done Frank and Ivan - Keep up the good work!!

Received with acclamation.

8. DECLARATION OF INTERESTS

- 8.1 Cr Franchina declared a proximity interest in Item 10.4.1 – Members Equity Stadium, No. 310 Pier Street, Perth – Report on Concerts Held on 15 and 19 February 2005 and Key Performance Indicators for Future Events. The nature of his interest being that his daughter owns property in close proximity.
- 8.2 Cr Ker declared a proximity interest in Item 10.1.21 – Late Item – Further Report – Amendment No. 19 to Planning and Building Policies – Appendix No. 14 – Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley. The nature of his interest being that he owns property in the immediate vicinity.
- 8.3 Cr Chester declared a proximity interest in Item 10.1.21 – Late Item – Further Report – Amendment No. 19 to Planning and Building Policies – Appendix No. 14 – Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley. The nature of his interest being that he is a co-owner of property adjacent to the subject property.
- 8.4 Cr Lake declared an interest affecting impartiality in Item 10.3.2 – Engagement with Dog Owners – Proposed Project. The nature of her interest being that her partner had moved a motion at the Annual General Meeting of Electors regarding this matter.

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

Nil.

10. REPORTS

The Agenda Items were categorised as follows:

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

Items 10.4.1, 10.1.18, 10.1.2, 10.1.1, 10.1.6 and 10.3.2

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

Nil.

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

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

Cr Ker	Items 10.1.7, 10.1.13, 10.1.14, 10.1.20 and 10.2.5
Cr Lake	Items 10.1.17 and 10.3.1
Cr Chester	Item 10.2.3
Cr Torre	Nil
Cr Doran-Wu	Nil
Cr Farrell	Nil
Cr Cohen	Nil
Cr Franchina	Nil
Mayor Catania	Nil

Presiding Member, Mayor Nick Catania JP, requested the Chief Executive Officer to advise the Meeting of:

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

Items 10.4.1 and 10.1.21

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

Items 10.1.3, 10.1.4, 10.1.5, 10.1.8, 10.1.9, 10.1.10, 10.1.11, 10.1.12, 10.1.15, 10.1.16, 10.1.19, 10.2.1, 10.2.2, 10.2.4, 10.2.6 and 10.4.2

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

Nil.

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

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

Items 10.1.3, 10.1.4, 10.1.5, 10.1.8, 10.1.9, 10.1.10, 10.1.11, 10.1.12, 10.1.15, 10.1.16, 10.1.19, 10.2.1, 10.2.2, 10.2.4, 10.2.6 and 10.4.2

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

Items 10.4.1, 10.1.18, 10.1.2, 10.1.1, 10.1.6 and 10.3.2

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

Moved Cr Ker, Seconded Cr Torre

That the following unopposed items be moved en bloc;

Items 10.1.3, 10.1.4, 10.1.5, 10.1.8, 10.1.9, 10.1.10, 10.1.11, 10.1.12, 10.1.15, 10.1.16, 10.1.19, 10.2.1, 10.2.2, 10.2.4, 10.2.6 and 10.4.2

CARRIED (9-0)

10.1.3 No. 187 (Lot 1) Scarborough Beach Road, Corner Matlock Street, Mount Hawthorn - Alterations and Additions to Existing Signage to Existing Office Building (Retrospective Planning Approval)

Ward:	North	Date:	28 February 2005
Precinct:	Mt Hawthorn; P2	File Ref:	PRO1213; 00/33/2700
Attachments:	001		
Reporting Officer(s):	B Mckean		
Checked/Endorsed by:	R Rasiah, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *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 MGA Town Planners on behalf of the owner JE Clifton for Alterations and Additions to Existing Signage to Existing Office Building (Retrospective Planning Approval), at No. 187 (Lot 1) Scarborough Beach Road (Corner Matlock Street, Mount Hawthorn, and as shown on plans stamp-dated 3 February 2005, subject to:*
- (a) *compliance with all relevant Environmental Health, Engineering and Building requirements;*
 - (b) *the signage shall not have flashing or intermittent lighting;*
 - (c) *all signage shall be subject to a separate Sign Licence application being submitted and approved prior to the erection of the signage; and*
 - (d) *all signage shall be kept in a good state of repair, safe, and be non-climbable and free from graffiti for the duration of their display on-site;*
- to the satisfaction of the Chief Executive Officer; and*
- (ii) *the Council ADVISES the applicant that they are required to pay the outstanding fees of \$300 for the above planning application for Retrospective Planning Approval, within fourteen (14) days of the notification by the Town, or prior to issue of a sign licence which ever occurs the earlier.*

COUNCIL DECISION ITEM 10.1.3

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	JE Clifton
Applicant:	MGA Town Planners
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Office Building
Use Class:	Office Building
Use Classification:	"P"
Lot Area:	799 square metres
Access to Right of Way	N/A

BACKGROUND:

6 July 1999 Council at its Ordinary Meeting approved demolition of existing building and construction of bank and office building. Condition (iv) of the approval states:

"all signage shall be subject to a separate planning application and sign licence application being submitted and approved prior to the erection of the signage."

DETAILS:

The proposal involves alterations and additions to existing signage to existing office building (bank). A site inspection has indicated that the proposed signage have been erected. The application is therefore considered a retrospective application. The application involves two projecting signs attached to the underside of an awning and one projecting sign attached above an awning.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Projecting signs attached to the underside of an awning	Have a minimum clearance of 2.75 metres from finished ground level Be limited to a maximum of one projecting sign per tenancy on a lot other than any projecting signs which are attached to the fascia of a verandah or the like	2.6 metres Total of three signs	Supported - signage is considered to not unduly impact on the streetscape or surrounding amenity Supported - as above

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Projecting sign attached above an awning	Not exceed 2 metres in length	4.6 metres	Supported - as above
	Be limited to a maximum of one projecting sign per tenancy on a lot other than any projecting signs which are attached to the fascia of a verandah or the like	Total of three signs	Supported - as above
Consultation Submissions			
No consultation was required for this application as the proposal is 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:

The number of signs have been reduced from 6 existing signs to 3 signs as per the current proposal. The two projecting signs attached to the underside of the awning and the one projecting above the awning are considered acceptable, as the signage is considered to not unduly impact on the streetscape or surrounding amenity.

Approval is recommended, subject to standard and appropriate conditions.

10.1.4 No. 259 (Lot 42) Beaufort Street, Corner Tiverton Street, Perth - Proposed Alterations and Additions to Signage to Existing Office Building

Ward:	South	Date:	28 February 2005
Precinct:	Beaufort; P13	File Ref:	PRO2088; 00/33/2706
Attachments:	001		
Reporting Officer(s):	B Mckean		
Checked/Endorsed by:	R Rasiah, 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 Superline on behalf of the owner K Somers for proposed Alterations and Additions to Signage to Existing Office Building, at No. 259 (Lot 42) Beaufort Street, Corner Tiverton Street, Perth, and as shown on plans stamp-dated 8 February 2005 and amended plans stamp-dated 25 February 2005, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) the signage shall not have flashing or intermittent lighting;*
- (iii) all signage shall be subject to a separate Sign Licence application being submitted and approved prior to the erection of the signage; and*
- (iv) all signage shall be kept in a good state of repair, safe, and be non-climbable and free from graffiti for the duration of their display on-site;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.4

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	K Somers
Applicant:	Superline
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Office Building
Use Class:	Office Building
Use Classification:	"P"
Lot Area:	1835 square metres
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves a projecting sign attached directly to a building.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Proposed projecting sign attached directly to a building	Not exceed 4 square metres in area	4.13 square metres	Supported - variation is considered minor and signage is not considered to unduly impact the streetscape and surrounding amenity
Consultation Submissions			
No consultation was required for this application.			
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:

The proposed projecting sign attached directly to the building is considered acceptable as it will not unduly impact on the streetscape and surrounding amenity.

Approval is recommended, subject to standard and appropriate conditions.

10.1.5 No. 160 (Lot 2) Fitzgerald Street, Corner Stuart Street, Perth - Proposed Signage to Approved Artist's Studio and Private Gallery

Ward:	South	Date:	1 March 2005
Precinct:	Beaufort; P13	File Ref:	PRO2734; 00/33/2698
Attachments:	001		
Reporting Officer(s):	B Mckean		
Checked/Endorsed by:	R Rasiah, 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 M Posner on behalf of the owner Nyvlem Rensop Pty Ltd for proposed Signage to Approved Artist's Studio and Private Gallery, at No. 160 (Lot 2) Fitzgerald Street, corner Stuart Street, Perth, and as shown on plans stamp-dated 3 February 2005 and amended plans stamp-dated 25 February 2005, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) the signage shall not have flashing or intermittent lighting;*
- (iii) all signage shall be subject to a separate Sign Licence application being submitted and approved prior to the erection of the signage; and*
- (iv) all signage shall be kept in a good state of repair, safe, and be non-climbable and free from graffiti for the duration of their display on-site;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.5

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	Nyvlem Rensop Pty Ltd
Applicant:	M Posner
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential-Commercial R80
Existing Land Use:	Artist's Studio & Private Gallery
Use Class:	Artist's Studio & Private Gallery
Use Classification:	"SA"
Lot Area:	374 square metres
Access to Right of Way	East side, 3.04 metres wide, sealed, Town owned

BACKGROUND:

8 June 2004 Council at its Ordinary Meeting approved the change of use from light industry to artist's studio and private gallery, and associated office and alterations at No. 160 (Lot 2) Fitzgerald Street, Perth.

DETAILS:

The proposal involves signage to an approved artist's studio and private gallery. The proposed signage is compliant with the Town's Policy relating to Signs and Advertising. The Town's Officers do not have delegated authority to approve signage larger than 1 square metre, therefore the application is referred to Council for determination.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
No consultation is required for this application.			
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
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:

The proposed signage at No. 160 (Lot 2) Fitzgerald Street, Perth is compliant with the Town's Policy relating to Signs and Advertising.

In light of the above, approval is recommended, subject to standard and appropriate conditions.

10.1.8 No. 9 (Lot 56) Kalgoorlie Street, Mount Hawthorn - Proposed Partial Demolition of and Alterations and Two Storey Additions to Existing Single House

Ward:	North	Date:	28 February 2005
Precinct:	Mount Hawthorn; P1	File Ref:	PRO3048; 00/33/2639
Attachments:	001		
Reporting Officer(s):	S Turner		
Checked/Endorsed by:	R Rasiah, 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 Tangent Nominees P/L on behalf of the owners S S Joel and T L Bateman for the proposed Partial Demolition of and Alterations and Two Storey Additions to the Existing Single House, at No. 9 (Lot 56) Kalgoorlie Street, Mount Hawthorn, and as shown on plans stamp-dated 22 December 2004, subject to:

- (i) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following modification:*

to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the window to Activity Room on the south elevation on the first floor shall be screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed.

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

- (ii) *compliance with all relevant Environmental Health, Engineering and Building requirements;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.8

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	S S Joel & T L Bateman
Applicant:	Tangent Nominees P/L
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:	468 square metres
Access to Right of Way	N/A

BACKGROUND:

As a result of the slight slope (east – west) of the property, the existing single house was constructed using a limestone and brick build-up.

DETAILS:

The applicant seeks approval for the partial demolition and alterations and two storey additions to the existing single house. The partial demolition only relates to modifications to the ground floor west facing elevation, by removing sections of wall and replacing with doors and windows. It also includes the removal of some existing internal walls to convert the family room, meals, bed 2 & 3 areas into a family room, meals area and staircase.

The two storey additions include three bedrooms, an activity room and bathroom.

The applicant has included a written submission in support of their application which is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Setbacks: Upper Floor North Bath, Bed 4	1.2 metres	1.0 metre	Supported, given the minor nature of the variation.
South Activity, Bed 2 & 3	3.5 metres	2.4 metres	Supported, as the variation is not considered to have any significant negative impact on the adjoining property.
Privacy Setback: Upper Floor South Activity Room	6.0 metres	2.5 metres	Not supported, as such a privacy screening condition is recommended.
Wall Height: Upper Floor East	6.0 metres	5.9 – 6.6 metres	Supported, as the additional wall height of up to 0.6 metre is directly related to the existing limestone and brick build up. The floor - ceiling heights for the upper level have been reduced to lessen the wall height.
West	6.0 metres	5.9 – 6.36 metres	
South	6.0 metres	6.57 metres	
Plot Ratio	N/A	N/A	N/A

Consultation Submissions		
Support (1)	The south neighbouring property owner submitted a letter of general support, which also stated that they did not agree to the overlooking from the upper level Activity Room.	Noted. A condition of approval is recommended.
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
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:

The proposal is considered supportable as the proposed variations, apart from visual privacy, are resultant of the existing single house. The increased wall heights directly relate to the limestone and brick build-up used for the original house.

Approval is recommended, subject to standard and appropriate conditions, including the screening of the upper level south facing activity room window.

10.1.9 No. 10 (Lots 3 & 4) Smith Street, Perth - Proposed Additional Two (2) Two-Storey Grouped Dwellings to Six (6) Existing Multiple Dwellings

Ward:	South	Date:	1 March 2005
Precinct:	Forrest; P14	File Ref:	PRO1871; 00/33/2529
Attachments:	001		
Reporting Officer(s):	T Durward		
Checked/Endorsed by:	R Rasiah, 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 Michetti on behalf of the owner Skywave Holdings Pty Ltd as Trustee for the Omega Property Trust for proposed Additional Two (2) Two-Storey Grouped Dwellings to Existing Six (6) Multiple Dwellings, at No. 10 (Lots 3 & 4) Smith Street, Perth, and as shown on amended plans stamp-dated 13 January 2005, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements; and*
- (ii) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Smith Street, shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fence and gate being visually permeable, with a minimum 50 per cent transparency;*
- (iii) prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (iv) a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Smith Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s); and*
- (v) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating that the two bin stores are adequately screened from public view. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.9

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	Skywave Holdings Pty Ltd as T/for The Omega Property Trust
Applicant:	D Michetti
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
Existing Land Use:	Multiple Dwelling
Use Class:	Grouped Dwelling/Multiple Dwelling
Use Classification:	"P"
Lot Area:	949 square metres
Access to Right of Way	South side, 3.02 metres wide, unsealed, privately owned

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves additional two (2) two-storey grouped dwellings to existing six (6) multiple dwellings. The proposed grouped dwellings are located to the rear of the property. Unit 8 is accessed via a right-of-way on the south side of the subject site and Unit 7 is accessed via a new crossover from Smith Street to the north. The application also involves some alterations and improvements to the existing multiple dwellings.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	4 x (2 bedroom) and 2 x (1 bedroom) multiple dwellings and 2 x grouped dwellings R 80	4 x (2 bedroom) and 2 x (1 bedroom) multiple dwellings and 2 x grouped dwellings - R 77.74	Supported - as compliant with R Code requirements.
Plot Ratio Multiple Dwellings - Units 1 - 6	1.0	0.67 or 404.46 square metres	Supported - as existing and compliant with R Code requirements

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Unit 7	0.65	0.71 or 131.3 square metres	Supported - as the location of the grouped dwelling is at the rear of the lot and therefore any undue impact through an increase in the bulk and scale will not affect the streetscape.
Unit 8	0.65	0.71 or 131.31 square metres	Supported - as above
Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Vehicular Access and Street Setbacks Policy: Carports and Garages	Car parking to be accessed from an existing right of way where (legally) available.	Car parking accessed for Unit 7 from battleaxe style access leg from Smith Street.	Supported - the current driveway and crossover configuration allows for all the residential parking to be provided on site. Additional access provides better layout and design for the rear vacant area, which is partly constrained by the existing development.
Driveway	No closer than 0.5 metre to side boundary	Nil	Supported - as the width of the driveway is only 3.1 metres and the applicant has incorporated a shared driveway and pedestrian pathway.
Essential Facilities - Storage	6 x 4 square metres for multiple dwellings; 2 x 4 square metres per grouped dwelling	2 x 4 square metres storage area	Supported - as the multiple dwellings are existing.
Setbacks First Floor Unit 8 East Elevation - Bedrooms 1 and 2	2 metres	1.6 metres	Supported - as no objections received and no undue impact on adjoining properties.

Consultation Submissions		
Support	Nil	Noted
Objection	Nil	Noted
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:

Density

The Residential Design Codes clause 3.1.2 allows the Council to credit half the width of a right of way (up to a maximum depth of two metres) for the calculation of site area. In considering the subject application, 80.74 square metres has been added to the existing 949 square metre site area. This results in a total site area for the subject site of 1029.74 square metres.

Plot Ratio

The plot ratio for the existing multiple dwellings is calculated on the total area available for the use of those dwellings. The plot ratio for the proposed grouped dwellings is calculated on the relevant area of exclusive use for Units 7 and 8.

Summary

The proposal was advertised and no submissions were received.

In light of the above, the proposal is considered supportable, subject to standard and appropriate conditions to address the above matters.

10.1.10 No. 29 (Lot 401) Ellesmere Street, Mount Hawthorn - Proposed Two-Storey Single House – Revised Plans

Ward:	North	Date:	28 February 2005
Precinct:	Mt Hawthorn; P1	File Ref:	PRO2848; 00/33/2349
Attachments:	001		
Reporting Officer(s):	S Turner		
Checked/Endorsed by:	R Rasiah, 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 revised plans submitted by Danmar Homes on behalf of the owner G & L Murphy for proposed Two-Storey Single House, at No. 29 (Lot 401) Ellesmere Street, Mount Hawthorn, and as shown on amended plans stamp-dated 8 February 2005, subject to:

- (i) *subject to first obtaining the consent of the owners of No. 101 Fairfield Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 101 Fairfield Street in a good and clean condition;*
- (ii) *compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (iii) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (iv) *prior to the first occupation of the development, the full length and width of the right of way from Ellesmere Street to the southern most boundary abutting the subject land shall be sealed, drained and paved to the specifications of and supervision under the Town, at the applicant's/owner(s)' full expense;*
- (v) *a bond and/or bank guarantee for \$4200 for the full upgrade of the right of way shall be lodged prior to the issue of a Building Licence;*
- (vi) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division. No further consideration will be given to the disposal of stormwater without the submission of a geotechnical report from a qualified consultant;*
- (vii) *a road and verge security bond or bank guarantee of \$1100 shall be lodged with the Town prior to the issue of a Building Licence and be held until all building / development works have been completed and/or any disturbance of, or damage to, the Town's infrastructure, including street verge trees, has been repaired / reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security bond or bank guarantee must be made in writing;*
- (viii) *all pedestrian access and vehicle driveway/crossover levels shall match into existing verge/footpath levels;*

- (ix) *standard visual truncations, in accordance with the Town's policy and to the satisfaction to the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised;*
- (x) *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 with all cost associated the removal and replacement shall be borne by the applicant/owner(s); and*
- (xi) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development the windows to bedroom 1 on the eastern and southern elevation, first floor, shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002;*

to the satisfaction of the Chief Executive Officer.

Landowner:	G & L Murphy
Applicant:	Danmar Homes
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1: Residential R30
Existing Land Use:	Vacant
Use Class:	Single House
Use Classification:	"P"
Lot Area:	243 square metres

COUNCIL DECISION ITEM 10.1.10

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

BACKGROUND:

On 28 September 2004, the Council approved an application for the construction of a two-storey single house No. 29 (Lot 401) Ellesmere Street, Mount Hawthorn subject to conditions. The Council resolved in part to add the following condition to the approval:

- “(iii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating that:*
 - (a) *the front first floor setback being a minimum of 4 metres from the front boundary;*
 - (b) *the height of the boundary (parapet) wall on the eastern side boundary being reduced to a maximum height of 3.5 metres with the average wall height being no more than 3 metres; and*

- (c) *the first floor being setback a minimum of 1.5 metres from the eastern side boundary.*

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

DETAILS:

As a result of the conditions placed on the planning approval by the Council on 28 September 2004, the design of the two-storey single house has been modified accordingly. As no delegation was provided in relation to this matter, the revised plans, which are a modification to the planning approval considered by Council on 28 September 2004, are placed back before the Council for determination.

COMPLIANCE:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Privacy Setback: Bedroom 1 East & South elevation	4.5 metres or privacy screening to Town's requirements	3.2 metres & 3.8 metres	Privacy screening condition recommended.
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
Objection	Revised plans have not been re-advertised. Previous objection to variations relating to privacy still relevant.		Noted. A condition of approval is recommended.
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
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:

The modified design of the two-storey single house complies with condition (iii) placed on the approval by the Council at its meeting held on the 28 September 2004. The requirements of the condition included an increase to the eastern side setback of the first floor to a minimum of 1.5 metres, an increased setback of a minimum of 4.0 metres for the first floor to the front northern boundary and a reduction in the height of the eastern boundary (parapet) wall. The required modifications to the design resulted in the upper level being changed in appearance. The modified design has resulted in the relocation of bedroom no.2 off the eastern boundary to face the western side, additional windows to bedroom 3 and 2, and resulting in the upper level becoming longer as viewed from the east or west elevation. The modified design complies with all setback requirements, apart from Bedroom 1 eastern and south facing window requiring screening.

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

10.1.11 Nos. 197-205 (Lot 1010, Strata Lot No. 3) Brisbane Street Corner Lake Street, Perth - Proposed Change of Use from Shop to Eating House and Associated Alterations (Retrospective Planning Approval)

Ward:	South	Date:	1 March 2005
Precinct:	Hyde Park; P12	File Ref:	PRO0171; 00/33/2572
Attachments:	001		
Reporting Officer(s):	T Durward		
Checked/Endorsed by:	R Rasiah, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

(i) *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 S Italiano for proposed Change of Use from Shop to Eating House and Associated Alterations (Retrospective Planning Approval), at Nos. 197-205 (Lot 1010, Strata Lot No. 3) Brisbane Street corner Lake Street, Perth, and as shown on plans stamp-dated 10 November 2004, subject to:*

(a) *compliance with all relevant Environmental Health, Engineering and Building requirements;*

(b) *the floor areas shall be limited to;*

(1) *193.4 square metres of gross floor area for the shop (tenancies 1, 2, 5 & 6) component; and*

(2) *219 square metres of public area for the eating house (tenancy 3 & 4) component.*

Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the Town;

(c) *doors and windows and adjacent floor areas fronting Brisbane Street shall maintain an active and interactive relationship with this street; and*

(d) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*

to the satisfaction of the Chief Executive Officer; and

(ii) *the Council ADVISES the applicant that they are required to pay the outstanding fees of \$600 for the above planning application for Retrospective Planning Approval, within fourteen (14) days of the notification by the Town.*

COUNCIL DECISION ITEM 10.1.11

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	S Italiano
Applicant:	Co-Praxis
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Local Centre
Existing Land Use:	Shop (Unit 3 only)
Use Class:	Eating House (Unit 3 only)
Use Classification:	"AA"
Lot Area:	268 square metres
Access to Right of Way	East side, 4 metres wide, sealed, Town owned

BACKGROUND:

16 December 2003 Council, at its Ordinary Meeting, resolved to conditionally approve proposed fresh fish wholesale and retail seafood establishment at the above site.

DETAILS:

The proposal involves change of use from shop to eating house and associated alterations. A site visit by the Town's Officers has indicated that the proposed works are complete and the application is now considered as a retrospective planning application.

The alteration is an extension of the existing eating house which occupies the corner site Unit 3. The shop was previously used as a fish shop and will accommodate approximately an extra 20 patrons to the Phi Yen Vietnamese Restaurant. There will also be a new storeroom included in the additional space. No extra staff will be required and the hours of operation will be 10:30am - 11:00pm Monday to Sunday.

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	N/A
Consultation Submissions			
Support		Nil	Noted
Objection		Nil	Noted

Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications	Nil
Financial/Budget Implications	Nil
Car Parking	
Car Parking Requirement (nearest whole number) Eating House (154.75 square metres) - 34.38 car bays Shops (219 square metres) - 14.36 bays **(4 Grouped Dwellings - 4 bays)	49 car bays for commercial component
Apply the adjustment factors <ul style="list-style-type: none"> ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.80 (within 400 metres of one or more public car parks in excess of 50 spaces) ▪ 0.80 (development contains a mix of uses) 	(0.544) 26.656 car bays
Minus car parking on-site (4 bays shown and 4 bays required for residential component)	0 car bay
Minus the most recently approved on-site parking shortfall	30.464 car bays
Resultant surplus	3.808 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.

** 4 car bays approved for 4 grouped dwellings at OMC 11 April 2000.

COMMENTS:

Heritage

The subject building is on the Town's Municipal Heritage Inventory and the proposed change of use and alterations do not materially affect the heritage significance of the place.

Carparking

There are only four (4) car bays provided on-site and these are for the residential component of the development only.

The parking requirements for the uses associated with the property approved at the Ordinary Meeting of Council held on 11 April 2000 was 56 car bays (60 car bays less the residential component and not including the current adjustment factors). When the current adjustment factors are applied, the resultant approved shortfall, as at 11 April 2000, is 30.464 car bays. This figure is used in the Car Parking Table above.

Summary

In light of no objections being received and that the proposal will not cause an undue negative impact on the streetscape or adjoining properties, the proposal is supportable, subject to standard and appropriate conditions.

10.1.12 Nos. 150-154 (Lots Pt1, Pt2 & 124) Oxford Street Corner Vincent Street, Leederville - Proposed Change of Use from Shop and Eating House to Eating House and Associated Alterations and Additions, and Associated Signage for Tenancy 1

Ward:	South	Date:	1 March 2005
Precinct:	Oxford Centre; P4	File Ref:	PRO0191; 00/33/2627
Attachments:	001		
Reporting Officer(s):	T Durward		
Checked/Endorsed by:	R Rasiah, 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 Ray Scarce & Associates on behalf of the owner Jay Tee Nominees Pty Ltd for proposed Change of Use from Shop and Eating House to Eating House and Associated Alterations and Additions, and Associated Signage for Tenancy 1, at Nos. 150-154 (Lots Pt1, Pt2 & 124), Oxford Street corner Vincent Street, Leederville, and as shown on plans stamp-dated 16 December 2004, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) the floor areas shall be limited to;*
 - (a) 45 square metres of gross floor area for the shop component; and*
 - (b) 59 square metres of public area for the eating house component;*

An increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the Town;
- (iii) doors and windows and adjacent floor areas fronting Oxford Street shall maintain an active and interactive relationship with this street;*
- (iv) prior to first occupancy of tenancies 2 and 4, Planning Approval for the respective use of these tenancies shall be applied to and granted by the Town;*
- (v) all signage shall be subject to a separate Sign Licence application being submitted and approved prior to the erection of the signage;*
- (vi) the signage shall not have flashing or intermittent lighting; and*
- (vii) all signage shall be kept in a good state of repair, safe, and be non-climbable and free from graffiti for the duration of their display on-site;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.12

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	Jay Tee Nominees Pty Ltd
Applicant:	Ray Scarce & Associates
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): District Centre
Existing Land Use:	Shop and Eating House
Use Class:	Eating House
Use Classification:	"P"
Lot Area:	354 square metres
Access to Right of Way	East side, 3 metres wide, sealed, privately owned

BACKGROUND:

1 December 2004 The Town, under delegated authority, conditionally approved alterations to existing shop and eating house at No. 150 - 154 Oxford Street, Leederville.

DETAILS:

The proposal involves change of use from shop and eating house to eating house and associated alterations and additions, and associated signage for Tenancy 1.

The conditional approval issued for the alterations to existing shop and eating house approved by the Town on 1 December 2004, involved the repartitioning of the existing Hawkers Hut Restaurant into three new tenancies. Two new tenancies have frontage to Oxford Street and one has frontage to Vincent Street. Condition (iv) of the above approval stated the following;

"(iv) prior to first occupation of tenancies 1, 2 and 4, Planning Approval for the respective use of these tenancies shall be applied to and granted by the Town;"

The existing shop at Tenancy 3 No. 150-154 Oxford Street, Leederville, being the Flight Centre, and the new tenancies at Tenancies 2 and 4 remain unchanged by this application. It is noted that Unit 2 is currently subject to another Planning Application submitted to the Town for consideration.

The proposed eating house at Tenancy 1 is called *Gloria Jeans* and is part of an Australian and American wide franchise that serves dine-in and take-away coffee and café style food. Food is primarily prepared off-site and the premises are used for toasting, heating and serving only. The hours of operation are Monday -Thursday and Sunday 7:00am to 6:00pm and Friday and Saturday 7:00am to 9:00pm. It is anticipated that a maximum of 8 staff will work at the premises.

Three signs are included as part of this application, which are a wall, window and projecting sign.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Projecting Sign:	Not to be within 3 metres of another such sign	Within 3 metres of another similar sign	Supported - as the sign does not have any adverse impact and complements existing streetscape
Consultation Submissions			
Support	N/A		N/A
Objection	N/A		N/A
Other Implications			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil
Car Parking			
Car Parking Requirement (nearest whole number) - Eating house (59 square metres) - 13.111 car bays - Shop (45 square metres)- 3 car bays (New tenancies 2 and 4 have no current approved use due to the repartitioning)			16 car bays
Apply the adjustment factors			(0.49)
<ul style="list-style-type: none"> ▪ 0.80 (within 800 metres of a rail station) ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.80 (within 50 metres of one or more public car parks in excess of 50 spaces) ▪ 0.90 (within a District Centre zone) 			7.84 car bays
Minus car parking on site			Nil
Minus the most recently approved on-site parking shortfall (after taking into account relevant adjustment factors) that is, 16 car bays (57.6 square metres of public floor area for eating house at tenancy 1 and 45 square metres of gross floor area for shop at tenancy 3) x 0.49 = 7.84 car bays Therefore, 7.84 car bays is the approved on-site parking shortfall			7.84 car bays
Resultant shortfall			0 car bay

* 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 application did not require to be advertised as an eating house is a "P" use in the District Centre Zone. The application is referred to Council for its consideration and determination.

It is noted that although the internal fit out is a significant change to the existing eating house, there is only an increase of 1.4 square metres of public area from the previously approved eating house. This increase has not impacted on the demand for parking and therefore no parking shortfall is apparent or cash-in-lieu payment required.

In light of the above, the proposal is considered supportable, subject to standard and appropriate conditions to address the above matters.

10.1.15 Nos. 318-330 (Lots 1, 2 & Y3) Bulwer Street (Corner Fitzgerald Street), Perth - Proposed Alterations and Additions to Signage to Existing Shop

Ward:	South	Date:	28 February 2005
Precinct:	Hyde Park; P12	File Ref:	PRO0633; 00/33/2609
Attachments:	001		
Reporting Officer(s):	S Turner		
Checked/Endorsed by:	R Rasiah, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Metropolitan Region Scheme the Council RECOMMENDS SUPPORT to the Western Australian Planning Commission for the application submitted by New Edison Sign Company on behalf of the owner Western Australian Planning Commission for proposed Alterations and Additions to Signage to Existing Shop, at Nos. 318-330 (Lots 1, 2 & Y3) Bulwer Street (corner Fitzgerald Street), Perth, and as shown on plans stamp-dated 1 December 2004, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) the signage shall not have flashing or intermittent lighting;*
- (iii) all signage shall be subject to a separate Sign Licence application being submitted and approved prior to the erection of the signage;*
- (iv) 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*
- (v) compliance with Main Roads Traffic Management Standards 'Sightline Assessment Procedure' document number 67 – 08 – 4C.*

COUNCIL DECISION ITEM 10.1.15

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	Western Australian Planning Commission
Applicant:	New Edison Sign Company
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial, abuts other Regional Road
Existing Land Use:	Shop
Use Class:	Shop
Use Classification:	"P"
Lot Area:	1611 square metres
Access to Right of Way	East side, 3.4 metres wide, sealed, privately owned

BACKGROUND:

The proposed development abuts land reserved under the Metropolitan Region Scheme as "Other Regional Road" and therefore the application requires determination by the Western Australian Planning Commission (WAPC).

DETAILS:

The proposal involves two (2) projecting signs attached directly to a pharmacy building.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Proposed illuminated projecting signs attached directly to a building	Limit of one projecting sign per tenancy on a lot other than any projecting signs, which are attached to the fascia of a verandah or the like. Illuminated sign must have a minimum clearance of 2.75 metres from finished ground level.	Two (2) projecting signs attached directly to the building. The sign is 2.99 metres above finished ground level and projects over Fitzgerald Street and Bulwer Street which are classified as Other Regional Roads.	Supported - given that the shop is located on the corner of Fitzgerald and Bulwer Streets only one projecting sign will be located on each street therefore minimising the impact of the proposed signage from a streetscape perspective.
	Not to project more than 1 metre from a wall.	Projection from wall - 1.7 metres.	Supported - given its context to the scale of the building. Not considered to have an undue impact on the streetscape or amenity of the area.
	Not to be placed within 2 metres of either end of the wall to which is attached	Place at end of wall adjoining another shop on Bulwer Street	Supported - the location of sign is to avoid interference with existing traffic lights and a minor variation in the context of the existing building
Consultation Submissions			
No advertising was required for this application			
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:

The proposed projecting signs directly attached to the building are considered acceptable in the context of the relative scale to that of the building, and is not considered to have an undue impact on the streetscape or amenity of the area.

Technical Services advise that the signage would be required to comply with the Main Roads Traffic Management Standards 'Sightline Assessment Procedure', document number 67 – 08 – 4C.

Approval is therefore recommended, subject to standard and appropriate conditions.

**10.1.16 Department of Conservation and Land Management (CALM):
Discussion Paper: Towards Biodiversity Conservation Strategy for
Western Australia**

Ward:	Both Wards	Date:	24 February 2005
Precinct:	All Precincts	File Ref:	PLA0096
Attachments	-		
Reporting Officer(s):	C Godwin		
Checked/Endorsed by:	R Rasiah, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the discussion paper relating to Biodiversity Conservation Strategy for Western Australia, dated December 2004; and*
- (ii) *ADVISES the Department of Conservation and Land Management (CALM) that the Council SUPPORTS IN PRINCIPLE the intent and content of the Discussion Paper relating to Biodiversity Conservation Strategy for Western Australia, as "Laid on the Table".*

COUNCIL DECISION ITEM 10.1.16

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

BACKGROUND:

The Town received correspondence and accompanying documentation from CALM in December seeking comment on the "Discussion Paper: Towards Biodiversity Conservation Strategy for Western Australia". The closing date for all submissions to be received is 15 April 2005.

DETAILS:

Background

It has been identified that at a State level, there is an absence of a guiding strategy clearly directed towards strategic planning for biodiversity conservation in Western Australia. It is also recognised that there is an inadequate integration of biodiversity considerations in some policies and legislation, and limited attention being given to biodiversity conservation in planning and decision making. CALM has therefore prepared a discussion paper to begin the consultation process for the development of a State Biodiversity Conservation Strategy. CALM outlines that the proposed biodiversity conservation strategy will provide a framework for biodiversity conservation in the State as well as complimenting existing strategies.

The discussion paper will be followed by the development of a formal draft of a strategy which will be released for public comment.

Content of Discussion Paper

Western Australia's biodiversity is recognised within the State, National and International level for its specie richness and uniqueness. The discussion paper emphasises the importance of WA's biodiversity outlining the State contains Australia's only internationally recognised terrestrial biodiversity hotspot, has one of the world's 18 tropical marine hotspots and has 8 out of the 15 nationally recognised terrestrial hotspots.

The strategy is based on a 100 year vision and a 25 year strategy. The content of the paper includes the following:

- Establishes common goals and visions for biodiversity conservation;
- Outlines strategies, targets and actions to achieve biodiversity conservation;
- Identifies the principals of conservation;
- Provides a framework for biodiversity conservation in WA (to ensure actions are integrated and co-ordinated);
- Identifies and clarifies responsibilities for biodiversity conservation in the State;
- Promotes the need for collective responsibility by all levels of government;
- Encourages the integration of biodiversity considerations into government processes;
- Identifies causes and issues surrounding biodiversity loss and specifies potential opportunities relating to this;
- Establishes guidelines to meet national and international obligations; and
- Encourages a better understanding and wider stewardship of biodiversity conservation.

Relevance to the Town of Vincent

It is believed that biodiversity loss is one of WA's most significant environmental issues and co-operation is therefore required from all levels of government to address and implement appropriate conservation initiatives. The Town's comments and views are therefore invited to assist in the development of a biodiversity conservation strategy.

Strategic Directions Specifically Relating to Local Government

The discussion paper provides a framework for action by outlining 9 key strategic directions for the next 25 years to achieve the conservation of biodiversity. Each strategic direction specifies objectives, outcomes, targets, actions, performance indicators and measures, benchmarks and relevant policy commitments and legislation.

Specifically relating to local government is key strategic direction 5: *Integrate biodiversity conservation considerations into Government processes, and institutional reforms for biodiversity conservation; with better co-ordination.* The desired outcome of this strategic direction is to ensure that biodiversity conservation is considered in decision-making, planning and policy development and better co-ordinated to achieve outcomes.

One of the specific long term targets of this strategic direction is to ensure all local governments have developed a biodiversity action plan as an initiative to recognise the value of biodiversity and to minimise the impact of development. Other actions include developing and implementing plans for biodiversity management for local governments that seek to minimise the impact of actions on biodiversity; and finalising and implementing the Swan Coastal Plain Wetlands Environmental Protection Policy.

Local Government Biodiversity Planning Guidelines for the Perth Metropolitan Region

The discussion paper does not suggest that specific guidelines be created for metropolitan local governments to assist them in developing effective biodiversity action plans, however, it briefly makes reference to the Local Government Biodiversity Planning Guidelines for the Perth Metropolitan Region which were released under the Perth Biodiversity Project.

The Perth Biodiversity Project prepared these guidelines to assist local governments in preparing and implementing Local Biodiversity Strategies which will influence the Council's Local Planning Strategy, Town Planning Scheme, the management of local reserves and Council's decisions that affect local bushland, wetlands or natural areas.

Applicability to the Town

It is considered that the applicability of the discussion paper relating to biodiversity conservation relates more to regional areas of WA than it does to inner city areas (such as the Town) given that the discussion paper is approaching biodiversity conservation from a State rather than a local level. Given the vast nature of biodiversity conservation at a State level, a large proportion of the paper is devoted to regional WA and the biodiversity issues, opportunities and actions at this level rather than at a metropolitan level. In spite of this, it is identified that biodiversity decline is a significant environmental issue that needs to be approached from all levels of government. Biodiversity conservation still plays a role in urban areas such as the Town and, as such, inner city local government support is therefore vital in achieving biodiversity conservation.

Since the document is only a discussion paper at this stage, providing guidelines for achieving biodiversity conservation, it has no immediate impact on the Town's existing Policies contained within the Planning and Building Policy Manual. However, with the adoption of the Biodiversity Conservation Strategy, local governments will be encouraged to develop a biodiversity action plan and review their policies and practices to be consistent with the document content. Should the biodiversity conservation strategy be adopted, it is likely CALM would seek further comment from the Town.

Overall, the strategy will be an improvement on the current Policies (or lack thereof) relating to biodiversity conservation in WA. It appears to provide a comprehensive strategy that clearly outlines goals, visions and aims and includes an implementation strategy to achieve the desired results. It also clarifies the responsibilities of government bodies and encourages an integrated approach to biodiversity conservation that better achieves desired outcomes.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Nil

STRATEGIC IMPLICATIONS:

Strategic Plan 2005-2010 – Key Result Area One: Environment and Infrastructure.

“1.3 Develop, implement and promote sustainable urban design...”

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

In light of the above, it is recommended that the Council advises CALM that it supports in principle the intent and content of the discussion paper relating to biodiversity conservation in Western Australia.

10.1.19 Heritage Report on damage sustained during the Moonlight Concert Series conducted on 15 February 2005 at Members Equity Stadium, No. 310 Pier Street, Perth

Ward:	South	Date:	2 March 2005
Precinct:	Beaufort, P13	File Ref:	RES0040
Attachments:	001		
Reporting Officer(s):	R Jarman-Walker, K Steicke		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECIEVES the Heritage Report on the damage to the Perth Oval Main Entrance Gates sustained on 15 February 2005 during a Moonlight Concert at Members Equity Stadium, No. 310 Pier Street, Perth;*
- (ii) *AUTHORISES the Chief Executive Officer to engage the services of a Conservation Architect to assess the damage and compile a schedule of works to repair the gates to a standard acceptable to the Town of Vincent and the Heritage Council of Western Australia;*
- (iii) *AUTHORISES the Chief Executive Officer to obtain quotations from reputable Conservation Builders to repair the damage to the gates to a standard acceptable to the Town of Vincent and the Heritage Council of Western Australia;*
- (iv) *AUTHORISES the Chief Executive Officer to advise Allia Holdings Pty Ltd and/or the currently unknown responsible contractor or service provider that they will be liable for all costs associated with the damage assessment consultations and repair works to the gates;*
- (v) *REQUESTS the Chief Executive Officer to investigate legal proceedings against those responsible for the damage;*
- (vi) *AMENDS all Licence Agreements between the Town of Vincent and users of the Perth Oval to prohibit:*
 - (a) *all vehicle access through the heritage listed Perth Oval Gates and insert a clause stating that all damage to the gates must be promptly reported to the Town of Vincent within 24 hours of the damage occurring; and*
 - (b) *any materials/items being affixed to the gate or gate structures;*
- (vii) *AUTHORISES the placement of temporary bollards to prevent vehicle access during events held at the stadium; and*
- (viii) *NOTES the response from Stadium Managers, Allia Holdings Pty Ltd, in their letter dated 2 March 2005 that they are holding a bond of \$20,000 from the promoters of the recent concert events and that these monies will be used for the repair of the gates.*

COUNCIL DECISION ITEM 10.1.19

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

LANDOWNER:	Town of Vincent
ZONING:	Metropolitan Region Scheme: Parks and Recreation Town of Vincent Town Planning Scheme No.1: Parks and Recreation
EXISTING LAND USE:	Sporting and Recreation Venue

DETAILS:

At approximately 8.30pm on Tuesday, 15 February 2005, during the John Farnham and Tom Jones concert that was being held as part of the Moonlight Concert Series at the Members Equity Stadium, damage occurred to the Perth Oval Main Entrance Gates.

An Elected Member who witnessed the incident reports:

'On Tuesday evening I saw a truck being driven out through the heritage gates, and catching on the decorative ironwork. They then stopped the truck and backed it away, however I felt that they should have stopped the truck sooner, and not waited until the ironwork was in contact with the roof of the truck'.

'As mentioned previously I saw a truck drive out through the heritage gate (the gate on the right when standing outside facing the gates) under the decorative ironwork, until the roof caught under the ironwork. The truck then reversed back and I heard a groaning sound from the ironwork. I didn't realise at the time that damage had been caused, however in retrospect such an action would be very likely to cause damage. I estimate this happened at around 8:20-8:30pm on Tuesday 15th. I had been at the south-east end of Loton Park and listened to the first four songs then walked around the perimeter of the facility to see what was happening. This was at the Tom Jones/John Farnham concert'.

This account has been verified by a local resident of the area. Unfortunately, nobody reported the incident or vehicle registration number of the vehicle to the Town's Officers, Duty Officers or to the emergency after hours number at the time of the incident.

Town of Vincent Officers (CEO and Executive Manager Technical Services) assessed the damage on 1 March 2005, after the damage came to the Town's attention. It appears that the force of the truck attempting to pass through the north western steel gates has disturbed the top hinge brackets in the brickwork. This has caused the top of the rendered brick piers from area above the hinge to the capping to be broken off. The force of the impact was strong enough to dislodge some bricks in the pier to the extent that they were sent to the ground.

Photographs of the damage are provided as an attachment to this report (Attachment 1).

The inspection also revealed that the concert promoter also affixed shade cloth screening to the gates with wire.

BACKGROUND:

- The Perth Oval Main Entrance Gates, constructed in 1932 are a landmark heritage structure within the Town of Vincent. As an exemplar of the Inter-War Mediterranean architectural style, they have been included in the State's *Register of Heritage Places* and are listed on the Town of Vincent's *Municipal Heritage Inventory*.
- In 2000, the Town of Vincent began developing a program for the restoration of the Perth Oval Main Entrance Gates. The tender contract for the works was awarded to Considine & Griffiths Architects and Peter Hunt Builder.
- In December 2000, unauthorised installation of lighting on the Perth Oval Main Entrance Gates was identified.
- In January 2001, unauthorised installation of signage on the Perth Oval Main Entrance Gates was identified in addition to the unauthorised installation of lighting. Both issues were raised with the Chief Executive Officer of the Perth Glory Soccer Club and the situation was remedied.
- In January 2002, further damage to the *Perth Oval Gates* was reported with the hinges being cut on the same wrought iron swinging gates that have been damaged now. At that time, a variation to the contract for restoration of the gates was made and the Town was reimbursed by Perth Glory for the cost of repairing the gates.
- On 29 April 2003, a Final Completion Certificate for the restoration of the *Perth Oval Gates* was received. The cost of the restoration works came to approximately \$155,000.

CONSULTATION / ADVERTISING:

Nil.

LEGAL IMPLICATIONS:

In accordance with the Deed of Licence, Clause 5 (which approves of concert events):

'The Licensee must promptly report to the Manager:

(a) any damage to or accident in Stadium...'

and Clause 6.4:

'(a) the Licensee (Stadium Manager Allia Holdings Pty Ltd) must not cause damage to any part of the stadium or the balance of the land;

(b) the Licensee is to pay the cost of repairing any damage that is caused...'

FINANCIAL/BUDGET IMPLICATIONS:

The extent of the damage has not yet been fully assessed and quotes to repair the gates have not yet been sought. However, an estimate is in the vicinity of \$5,000.

It is expected that all costs associated with the damage, assessment and repair works will be borne by Allia Holdings Pty Ltd and/or the responsible contractor once identified. Allia is holding at \$20,000 bond from the concert promoters (as stated in their letter dated 2 March 2005).

STRATEGIC IMPLICATIONS:

Strategic Plan 2005-2010 - Key Result Area 1.2 Environment and Infrastructure: *"Recognise the value of heritage in providing a sense of place and identity - Foster activities which add to the community's understanding of heritage value."*

CONCLUSION:

The Perth Oval Main Entrance Gates sustained considerable damage due to a truck associated with the Moonlight Concert Series at the Members Equity Stadium attempting to exit the gates under an iron-work cross bar.

The Heritage Council of Western Australia has been notified of the damage and have been supplied with a photographic record. The Town has also written to the Stadium Manager, Allia Holdings Pty Ltd, advising them of the Town's concerns and extreme displeasure and requesting their comments regarding the matter. It is understood that all repair work will be referred to the Development Committee of the Heritage Council for their approval prior to commencement.

The Stadium Manager is responsible for reporting this matter to the Chief Executive Officer and the Stadium Committee. Action is required to repair the damaged gates and to ensure damage of this nature does not occur again.

10.2.1 Leederville Oval - Pruning of Trees Located at Rear East Perth Football Club Offices

Ward:	South	Date:	18 February 2005
Precinct:	Oxford Centre, P4	File Ref:	RES0004
Attachments:	001:		
Reporting Officer(s):	J. van den Bok		
Checked/Endorsed by:	R. Lotznicher	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the pruning of the two (2) Eucalyptus cladocalyx (Sugar Gum) trees located at the rear of the East Perth Football Club offices;*
- (ii) *APPROVES the pruning of the trees and authorises the Town's Manager Parks Services, as and when required to, reduce them in height to minimise the potential element of risk to property and persons; and*
- (iii) *NOTES that due to the resultant epicormic (water shoot) growth regenerating from the pruning cuts, that ongoing pruning will be required to reduce the risk of future branch failure.*

COUNCIL DECISION ITEM 10.2.1

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

BACKGROUND:

At a meeting of the Leederville Oval Ground Management Committee held on 10 February 2005, the General Manager of East Perth Football Club raised the issue of the trees located at the rear of the East Perth Football Club offices at Leederville Oval, and concerns that club members held in regard to the safety of the trees and patrons using the ground.

Two (2) mature specimens of Eucalyptus cladocalyx (Sugar Gum) are located in the bitumen car park area at the rear of the East Perth Football Club offices, approximately 7 metres off the west facade of the administration building. The trees, which are approximately 70 years old, are around 30 metres in height and have a canopy spread of up to 19 metres.

This species usually only produces growth at the top of the canopy and therefore in an effort to produce a bushier specimen many arborists have pollarded (lopped) the trees. However, the tree usually reverts to the original growth habit of producing growth at the branch tips.

DETAILS:

The Two (2) specimens located at Leederville Oval have previously been lopped off at heights around 4.5 metres and 9 metres respectively. Generally, reducing a tree in height by this method is not considered sound arboricultural practice, as regrowth is tenuously attached to the remaining trunk/branches and will easily rip away under strong winds or weight of new growth.

However, as is the case with a few tree species, the resultant pollarded wounds on Sugar Gums tend to callus over and epicormic regrowth usually remains soundly attached at its point of emergence, with no evidence of any weak branch unions.

Unfortunately, as is the habit of many Eucalyptus species, this species does tend to drop smaller branches from what inevitably becomes a great height at full maturity.

Both tree specimens at Leederville Oval were inspected by an arboricultural consultant on 23 September 2003. The trees were found to be structurally sound, in excellent health and condition and there was no sound arboricultural justification for removal of the trees at that time.

The arboriculturalist identified two (2) matters that required attention, including a self sown Ficus species growing within a fork of tree 2 that should be removed. There was also a requirement to remove part of the bitumen surface under the tree and mulch the area. These works were completed in 2003.

Due to the fact that both trees have been previously lopped, the arboriculturalist also recommended that the trees be inspected on an annual basis and pruned as required. This work is supervised by the Town's Manager Parks Services.

Following a recent review of the Town's Trees of Significance (Inventory) the Eucalyptus cladocalyx (Sugar Gums) located at Leederville Oval have been listed for inclusion, subject to Council approval.

As is often the case with Eucalyptus species, several smaller branches had fallen (see attached photograph) narrowly missing club members and vehicles parked in the car park.

Whilst the branches were small, falling from such a considerable height they would still inflict a nasty injury or cause significant damage if they were to land on someone or something.

In view of the above information, taking into account the habit of the species and previous lopping undertaken, it is recommended that the trees again be reduced in height to minimise the risk of branch failure and potential injury or damage to person or property.

Unfortunately, the pruning will result in a vast majority of the existing greenery or vegetation being removed, as it is characteristically located at the top of the canopy with this species.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – *1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment.*

FINANCIAL/BUDGET IMPLICATIONS:

Costs associated with the pruning of the trees estimated at \$2,500.00 will be sourced from the Leederville Oval Grounds maintenance account.

COMMENTS:

Whilst the arboricultural consultant has not indicated that pruning of the trees by reducing them in height is necessarily required, it has been noted that the trees do require annual inspection to ensure that previous lopping wounds remain in a structurally sound and healthy condition.

Reducing the trees in height will create another potential structural weak point where regrowth emerges. However, due to the height of the trees, risk of injury and damage occurring in what will be periodically a well patronised venue, it would be prudent to undertake the recommended works.

10.2.2 Acquisition of Rights Of Way Owned by the Anglican Diocese of Perth

Ward:	South Ward	Date:	28 February 2005
Precinct:	Hyde Park Precinct (P12), Beaufort Precinct (P13)	File Ref:	TES0134
Attachments:	001;		
Reporting Officer(s):	Anne Munyard		
Checked/Endorsed by:	Rick Lotznicher	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES** the report on the acquisition of the right of way bounded by Stuart, Palmerston, Church and Lake Streets and owned by the Anglican Diocese;
- (ii) **APPROVES** the Town accepting the transfer of the right of way illustrated in Plan 2333-RP-1; and
- (iii) **ADVISES** the Anglican Diocese of its decision.

COUNCIL DECISION ITEM 10.2.2

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

BACKGROUND:

At the Ordinary Meeting of Council held on 4 February 2005, the Council approved the acceptance of the offer of transfer of ownership of several rights of way (ROWs) from the Anglican Diocese of Perth to the Town.

The Church has recently discovered it still holds the title to another ROW, bounded by Stuart, Palmerston, Church and Lake Streets. The Church has now requested the Town also accept ownership of this ROW.

DETAILS:

From time to time businesses and organisations discover that they are the registered proprietor of private ROWs, usually remainders on titles for larger parcels of land that have previously been subdivided and sold off. Bearing the designation "right of way", the land is of no serviceable value to the owner, who also bears the responsibility for its care and maintenance.

Care and control of such ROWs is considered by DPI to be best placed in the hands of the Local Government. The Town has adopted a ROW Acquisition and Upgrade programme under which acquisition of these ROWs will be pursued over the next ten (10) years, or until all private ROWs have successfully be acquired or made public.

Previously the Roman Catholic Church has transferred to the Town all ROWs in its ownership. In February 2004, the Council approved the transfer of several ROW legs identified as being in the ownership of the Anglican Church. At that time the subject ROWs were thought to be the only ones owned by the Anglican Church, but it has since come to light that the ROW bounded by Stuart, Palmerston, Church and Lake Streets is also in their title.

A letter was received from The Anglican Church of Australia on 25 November 2004, offering transfer of ownership of this ROW for a nominal cost (previously agreed to be the sum of \$1.00). This ROW has recently been upgraded, and therefore, acquisition poses no cost burden to the Town in the immediate future. As acquisition of all private ROWs is in line with the Town's policy on ROW management, it is recommended that the Council agree with the Church's offer.

CONSULTATION/ADVERTISING:

Purchase of the ROWs does not require consultation or advertising.

LEGAL/POLICY:

Care and control of ROWs is considered by DPI to be best placed in the hands of the Local Government. There is no legal impediment to acceptance of the transfer offer.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of the Strategic Plan 2005-2010 – “1.4(c) – Review options for a Right of Way management and upgrade strategy.”

FINANCIAL/BUDGET IMPLICATIONS:

DLI fees are estimated to be approximately \$100.00.

COMMENTS:

The Town has the opportunity to take control of these ROWs and this is in line with Policy. The Anglican Diocese does not see management of ROWs as properly placed in its hands and is keen to relinquish the ROW to the Town. It is recommended that the Council accept the churches offer and acquire the ROWs.

10.2.4 Proposed Technical Services Division - Precinct Cleaning Unit

Ward:	Both	Date:	28 February 2005
Precinct:	All	File Ref:	TES0222
Attachments:	-		
Reporting Officer(s):	R Lotznicher, C Economo		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the Proposed Technical Services Division - Precinct Cleaning Operations Unit;*
- (ii) *NOTES the information contained in the report on the preliminary indicative cost for the establishment of a dedicated Precinct Cleaning Unit of \$185,000 for new Plant and Equipment and an additional approximate cost of \$100,000 per annum to operate the unit;*
- (iii) *CONSIDERS allocating appropriate funds, estimated to cost \$285,000 for the Precinct Cleaning Unit in the 2005/2006 draft budget; and*
- (iv) *RECEIVES a further report in April/May 2005 on the cost implications of a revised major Plant Replacement Program to include the possible Precinct Cleaning Plant and equipment.*

COUNCIL DECISION ITEM 10.2.4

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

BACKGROUND:

The Chief Executive Officer, Executive Manager Technical Services, and Principal Supervisor Engineering Services have been developing a restructure of the Engineering Services Operations Section for some time. The aim of the restructure is to improve efficiency in the delivery of service. The draft restructure includes the creation of a Precinct Cleaning Unit.

In addition, at the Ordinary Meeting of Council held on 7 December 2004 the Council considered a further report regarding a proposed increase in accommodation/patronage numbers at the existing Paddington Ale House Hotel located at No 141 Scarborough Beach Road, Corner Fairfield Street, Mount Hawthorn.

The Council adopted the following resolution (in part):

- "(vii) *CONSIDERS the viability of a precinct street cleaning taskforce for inclusion in the 2005/06 Budget and that a report to Council be submitted for the second meeting in March 2005.*"

DETAILS:

Reasons for a 'Precinct Cleaning Unit'

The Town's streetscapes and car parking infrastructure have been progressively upgraded over the last nine years and this has resulted in an increased 'cleaning' requirement for the 'new' infrastructure.

The new streetscape improvements usually comprise the creation of embayed parking, garden beds, trees and street furniture and some of the Town's existing plant and equipment, i.e. road broom cannot achieve an effective level of cleaning, i.e. it is difficult for a road broom to manoeuvre in between road nibs.

In addition, large areas of paved footpaths in commercial precincts need to be maintained to a high level of cleanliness and this is currently also NOT being achieved with the current equipment and resources.

The Town's car parks are also being swept utilising the Town's road broom, however, this function would be more effectively carried out by a smaller ride on type sweeping unit.

Current Scenario

The current scenario (as listed below) has been developed by the Principal Supervisor Engineering Services over the last few years.

Footpath Sweeping:

The current program includes the sweeping of footpaths along the Town's Commercial Precincts. The Town currently owns two (2) walk behind suction sweepers.

The Oxford Precinct is swept daily by one person using a walk behind suction sweeper. Another two (2) commercial precincts are also swept on the same day. The operation in the Oxford Precinct takes approximately two (2) to three (3) hours. The areas in the Oxford Precinct that are swept are outlined below:

- Newcastle Street between Oxford Street and Carr Place
- Oxford Street between Leederville Parade and Bourke Street
- Vincent Street from The Avenue to Leederville Oval

The other two precincts swept on the same day as the Oxford Precinct may include:

- Beaufort Street, Lincoln to Walcott Street (into Walcott Street as far as the paving)
- Scarborough Beach Road, The Boulevarde to Oxford Street (and Oxford Street to Anzac Road)
- William Street, Brisbane to Newcastle Street
- Brisbane Street, William to Lake Street
- Fitzgerald Street, Raglan to Angove to Woodville Street

All areas are checked on a regular basis and other areas are treated depending on demand. The paving in these areas extends further, eg Beaufort Street to Brisbane Street, however, these areas are actioned on demand. The main priority of the operations personnel is the alfresco areas in the Town.

A trailer with a fibreglass water tank has also been set up to hose vomit/ excreta/ blood off footpaths. In addition, on occasions a hand held blower is used in conjunction with the road broom.

In addition, a cleaning contractor has previously been engaged to high pressure clean the Oxford Precinct. To clean the area mentioned above (approx 2,800m²) the cost can vary from \$7,000 to \$10,000 per clean. This is generally charged to footpath maintenance as this would have a negative impact on the current street cleaning budget allocation.

Road Broom

The Town's road broom also sweeps the Oxford Precinct on a daily basis except for Saturday and a contractor is engaged to clean the area on a Sunday.

The road broom takes approximately eight (8) weeks to sweep roads in the entire Town. Occasionally it is also deployed on public holidays to address some main roads and /or islands. In addition, the road broom cleans gullies and sweeps carparks.

Car Parks

The following carparks are swept / cleaned

- Chelmsford/ Raglan car parks
These are swept by the road broom every three (3) to four (4) weeks. Personnel from Engineering and / or Parks assist with a hand held blower.
- Brisbane car park
This car park is swept by the road broom every three (3) to four (4) weeks. Personnel from Engineering and / or Parks assist with a hand held blower
- The Avenue/ Frame car parks:
These two car parks are currently swept on Monday, Wednesday, Friday and Sunday. A contractor with a small ride on sweeper is engaged to sweep every Sunday at \$440.00 per clean. The contractor sweeps the two car parks commencing approx 4.00 a.m. and blows the footpaths. Sometimes extra clean ups are required on public holidays. The approximate cost to clean these two car parks is \$23,000.00 per annum.
- Dunedin Street, Wasley Street, Flinders Street and Coogee Street car parks:
These are swept approximately once every 8 weeks.
- View Street car park and Bays in View Street:
Currently once per month however a weekly program to hand blow is being implemented.
- Members Equity Stadium car park and Brewer Street:
Approximately once every two (2) to three (3) weeks depending on demand. Engineering and Parks assist to blow out.
- Loftus Centre Car Park:
Once every two (2) weeks.
- The Italian Club (Fitzgerald Street) car park
Once every 2 to 3 weeks in conjunction with Parks using a hand held blower blower.
- Robertson Park car park
As required
- Gill St car park
As required

- Britannia car park
As required
- Charles Veryard Reserve car park
As required
- Menzies Park parking
As part of the street cleaning round
- Leederville Oval car park
Friday with two personnel with hand held blowers
- Forrest Park car park
As part of the street sweeping round or as required
- Leederville Tennis Club car park
Once every 2 to 3 weeks with Parks personnel using hand held blowers
- Banks Reserve car park
As part of the street sweeping round or as required

Streetscapes and Embayed parking

Currently to clean streetscapes, i.e. around nibs etc., a hand held blower in conjunction with the road broom is used. The Acting Supervisor Waste Management and Street Cleaning and his Senior Leading Hand and a small crew action these areas normally on a Saturday.

Parks and reserves

Currently Parks Services engage a contractor to undertake the cleaning of paths within parks and reserves as required. A small ride-on sweeper is used that does not damage bitumen or paved pathways.

The sweeping is normally undertaken seasonally when figs and leaves are falling in a particular area or when a specific event (i.e. Hyde Park Festival) is occurring and a general clean up is required.

Due to the current and proposed network of paths through the Town's parks and reserves, a mechanical sweeper is the only practical and efficient way of maintaining paths to the level required. The proposed precinct cleaning unit may be able to take on this operation.

Proposed "Precinct Cleaning Unit"

As can be seen from the 'current scenario', there are many areas in the Town that require constant attention and the current cleaning is carried out in a variety of different ways using a variety of different methods, using equipment not necessarily fit for the purpose by a variety of personnel.

As previously mentioned, the Town's infrastructure has been progressively upgraded over the last nine (9) years and this has resulted in an increased demand for sweeping/cleaning. In addition, many new businesses and residential developments have been established along shopping strips, which has resulted in a higher demand and expectation for precinct cleaning.

The proposal is to set up a dedicated "precinct cleaning unit" with the appropriate equipment to coordinate and carryout all sweeping / cleaning tasks.

The crew would report to the Acting Supervisor Waste Management and Street Cleaning. A formal 'expanded' cleaning program would be created to ensure that all infrastructure that requires cleaning is prioritised.

The proposed precinct cleaning unit would clean the following:

- Car parks
- Streetscapes (on road around nibs)
- Footpaths (including leaves from landscaping works)
- Other

The unit would comprise:

- 'Ride on' municipal sweeper (type to be determined)
- Truck (similar to Parks mowing truck) so sweepings can be loaded
- Trailer for ride on sweeper
- Personnel

Ride on Municipal Sweepers

Two (2) distinct types of sweepers are available on the market as follows:

- Vacuum litter sweeper
- Mechanical broom sweeper

Vacuum machines

These are designed to collect high volumes of litter, leaves and silt as opposed to collecting large quantities of dirt and aggregate. These are ideally suited to sweeping footpaths and shopping malls.

Mechanical Brooms

These are designed as a general purpose machine that can sweep aggregate through to litter, however, the machine must be a purpose built 'out door' sweeper as against a 'factory sweeper'.

Occupational Health and Safety issues:

This is also an important factor when choosing a machine. Recent studies indicated that most mid range sweepers on the market in Australia have small solid wheels with no suspension. Many also exceed 1,400kgs which would crack pavers and cause driver fatigue.

Officer's Comments

A mechanical Broom ride-on sweeper would be recommended for general purpose use in streetscapes and carparks. The machine would need to be fitted with rear suspension and large diameter tyres and be a purpose built out door sweeper.

The cost of this item of plant would be in the order of \$75,000.

The Town already owns and operates several 'walk behind' suction sweepers. These are mainly used on the Town's footpaths. These would continue to be used for this purpose by the proposed Precinct Cleaning Unit.

Truck

In September 2000, the Council purchased a 4 Tonne Crewcab Utility Truck with a lifting platform and Lockable Storage Cabinets to satisfy all Occupational Health and Safety Requirements. The truck was purchased to cater for the requirements of the Parks mowing crew.

A similar vehicle is proposed for the proposed Precinct Cleaning Crew. The vehicle will enable the proposed ride on sweeper to be transported throughout the Town. It will also allow for debris and sweeping to be transported back to the Works Depot at the conclusion of the day's operations.

Officer's Comments

A 4 Tonne Crewcab utility truck will cost in the order of \$80,000

Trailer

A Tandem axle trailer with ramps would be required to transport the ride on sweeper throughout the Town. The estimated cost of this unit is \$25,000

Personnel

It is suggested that the following personnel would be required for the new unit:

- Existing Supervisor (*existing position*)
- Existing Road Broom driver x 1 (*existing position*)
- Proposed truck driver / Leading Hand x 1 (*existing vacancy*)
- Proposed ride on Sweeper driver x 1 (new position)
- Existing blowers, footpath sweeper operator x 1 (*currently carried out by a casual employee*)

Having set up this crew would enable more personnel to be trained to use the Road Broom. At present there are only two personnel that can operate the machine and this creates problems with annual leave/ sick leave etc. For this reason a contractor is currently employed on Sundays.

Officer's Comments

The proposed cost of the new position would be in the order of \$60,000 per annum

Miscellaneous

Other equipment that would be purchased would include a high pressure cleaning unit and miscellaneous blowers etc. The estimated cost of this equipment would be in the order of \$5,000

Advantages of establishing a "Precinct Cleaning Unit"

The main advantages of the proposal are as follows:

- The areas in the Town to be cleaned would be expanded
- The frequency of cleaning would be increased
- The scope of the cleaning/sweeping would markedly improve
- The standard of cleaning would markedly improve
- There would be no need to engage contractors
- There would be less debris collected in the Town's drainage systems
- A formal program would be developed and expanded upon as new streetscapes etc are developed

- The road broom will be able to focus more on main street sweeping and gully educting
- The general appearance of the Town would improve
- Quicker response times for on demand requirements
- More personnel would be trained to use the road broom
- The "Precinct Cleaning Crew" would take "ownership" of all cleaning requirements in the Town

Budget Implication

Current Budget allocation

The main annual operations budget for sweeping and cleaning comprises \$160,000 per annum as follows:

- Street Cleaning \$115,000 per annum
- Shopping Precincts \$45,000 per annum

However, it must be noted that cleaning/sweeping is also charged against Footpath maintenance, Road maintenance and Drainage maintenance.

These operating budgets would need to be carefully examined and adjusted to reflect the additional personnel and plant and equipment operating costs.

Proposed Budget Allocation

Plant and Equipment

As outlined in the report, the following equipment would be required to be purchased:

Ride on Sweeper	\$75,000.
Truck	\$ 80,000
Trailer	\$ 25,000
Misc	<u>\$ 5,000</u>
Total	\$185,000

The major Plant Replacement Program for 2005/2006 includes a number of items that may be able to be carried over to 2006/2007 or 2007/2008. Therefore there may be scope to source funds totalling approximately \$140,000 from this program in 2005/2006. In addition, \$45,000 is currently allocated in 2004/2005 for the purchase of a skid steer loader. It has been decided that this item of plant will not be changed over in the short to medium term.

Therefore, funds totalling \$185,000 would be available in the 2005/2006 financial year (from this program) to purchase the Precinct Cleaning plant and equipment.

Operation Budget Implications

Running costs and depreciation for the new plant and equipment including labour costs would need to be included in the 2005/2006 budget. It has been estimated these would add an additional \$140,000 to the annual operating budget.

There would be a reduction of approximately \$30,000 per annum from not having to use contractors to carry out sweeping works in the Oxford Precinct so the net additional operating cost would be in the order of \$110,000.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Tender No. 311/05 was advertised for a minimum fourteen (14) days in accordance with the Local Government Act Regulations.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – “1.4 *Maintain and enhance the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment*”.

FINANCIAL/BUDGET IMPLICATIONS:

Proposed Budget Allocation

As outlined in the report the following equipment would be required to be purchased:

Ride on Sweeper	\$ 75,000.
Truck	\$ 80,000
Trailer	\$ 25,000
Misc	\$ 5,000
Total	\$185,000

Running costs and depreciation for the new plant and equipment including labour costs add an additional \$140,000 to the annual operating budget.

There would be a reduction of approximately \$30,000 per annum from not having to use contractors to carryout sweeping works in the Oxford precinct so the net additional operating cost would be in the order of \$110,000.

The overall cost to establish the unit in year one (including Capital costs and Operational costs) would be in the order of \$285,000. The ongoing additional annual operating cost of the unit would be in the order of \$110,000 per annum.

COMMENTS:

As previously mentioned, the Town's streetscapes and car parking infrastructure have been progressively upgraded over the last nine (9) years and this has resulted in an increased 'cleaning' requirement for the 'new' infrastructure.

For the reasons outlined in the report, it is recommended that the Council receives the report on the Proposed Technical Services Division - Precinct Cleaning Operations Unit, considers allocating appropriate funds, estimated to cost \$285,000 for the Precinct Cleaning Unit in the 2005/2006 draft budget, and receives a further report in April/May 2005 on the cost implications of a revised major Plant Replacement Program, to include the possible Precinct Cleaning Plant and equipment.

10.2.6 Tender No. 311/05 - Supply & Installation of Playground Equipment

Ward:	Both	Date:	18 February 2005
Precinct:	All	File Ref:	TEN0322
Attachments:	-		
Reporting Officer(s):	J. van den Bok		
Checked/Endorsed by:	R. Lotznicher	Amended by:	

OFFICER RECOMMENDATION:

That the Council ACCEPTS the tenders submitted by Forpark Australia and Miracle Recreation Equipment for the Supply and Installation of Playground Equipment in accordance with the specifications as detailed in Tender No. 311/05.

COUNCIL DECISION ITEM 10.2.6

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

BACKGROUND:

The Town recently called tenders for the supply and installation of playground equipment for a three (3) year period.

At the close of the tender period at 2.00pm on Wednesday 2 February 2005, five (5) tenders had been received.

DETAILS:

As requested, the companies submitting tenders provided costs for playground components such as swings, slides, poles, decks etc. Due to the number of components available, the entire pricing schedule for each respective submission is laid on the table.

For the purpose of this tender, a list of commonly used components has been compiled below with costs (including installation) of each component shown. Where different sized components are available, a range of costs have been included in the table.

Supply and Installation of Playground Equipment						
Playground Components commonly installed within the Town of Vincent						
Component	Size/Type	Forpark Australia	Miracle Recreation Equipment	Playspace Playground Pty Ltd	Pateley-Moor Pty Ltd	Playground Solutions
SWINGS	Double (snr)	\$1,130.80	\$1,415.00	\$2,000.00	\$1,309.00	\$1,725.00
	Double (jnr)	\$1,191.30	\$1,228.00	\$1,586.31	N/A	N/A
SLIDES	Spiral (plastic) 2400mm	\$4,526.50	N/A	\$6,307.00	\$5,263.00	N/A

Supply and Installation of Playground Equipment						
Playground Components commonly installed within the Town of Vincent						
Component	Size/Type	Forpark Australia	Miracle Recreation Equipment	Playspace Playground Pty Ltd	Pateley-Moor Pty Ltd	Playground Solutions
	Tunnel (plastic) 1600mm	\$3,268.10	\$TBA	\$2,884.00	\$3,630.00	N/A
SPRING RIDES	Std.	\$767.80	\$1,067.00	\$1,080.95	\$869.00	\$1,331.00
TRACK RIDES		\$887.70	\$1,130.00	\$1,824.57	N/A	\$1,575.00
NOUGHTS & CROSSES	Std	\$701.00	\$648.00	\$506.62	N/A	\$960.00
BRIDGES	Suspension	\$1,302.00	\$1,278.00	\$1,206.35	N/A	\$1,543.00
SEESAW	Std	\$1,685.00	\$1,137.00	\$1,306.37	\$1,815.00	\$1,641.00
UPRIGHTS	2.4 metres	\$112.20	\$109.00	\$131.67	N/A	N/A
PANELS	Steering Wheel	\$97.90	\$375.10	\$195.62	\$599.00	\$591.00
LADDER	1200mm	\$233.20	\$245.00	\$560.54	\$940.00	\$641.00
MONKEY BARS	3 metres	\$528.00	\$523.00	\$886.58	N/A	\$852.00
FIREMAN POLE	1600mm	\$188.10	\$348.00	\$269.61	N/A	N/A
BACKHOE		\$588.50	\$864.00	\$931.72	N/A	\$1,652.00

An evaluation panel consisting of the Executive Manager Technical Services, Manager Parks Services and the Technical Officer Parks Services assessed the conforming tenders using the selection criteria in accordance with the tender documentation as follows:-

<u>Selection Criteria</u>	<u>Raw Score</u>	<u>Weighting</u>
• Costs of Materials / Installation	100	50%
• Demonstrated experience, capacity & resources of tenderer	100	20%
• Demonstrated capacity to deliver services within timeframe	100	15%
• References	100	10%
• Product Warranty	100	5%

Maximum Raw Score (100) x weighting = Total Score

Selection Criteria	Forpark Australia	Miracle Recreation Equipment	Playspace Playground Pty Ltd	Playground Solutions	Pateley-Moor Pty Ltd
Costs of Materials / Installation	50	45	40	37.5	35
Demonstrated experience, capacity & resources of tenderer	20	16	16	16	16
Demonstrated capacity to deliver services within timeframe	13.5	15	7.5	12	9
References	10	10	5	10	10
Product Warranty	5	5	2.5	5	5
TOTAL	98.5	91	86	80.5	75

Forpark Australia and Miracle Recreation Equipment have held this contract with the Town of Vincent for the past three (3) years and have provided an excellent service. Local residents and Community groups have been involved in the design process at times and have spoken highly of the consultants and the products that they have provided.

Both companies have again submitted the most competitive prices over the entire range of playground components and Forpark Australia have offered aluminium uprights at the same cost as the normally installed galvanised steel type.

The range of equipment and components offered by the remaining three (3) companies is somewhat limited and cost in most cases is significantly above what has been offered by both Forpark Australia and Miracle Recreation Equipment.

Whilst some components offered by Pateley-Moor, Playspace and Playground Solutions are vastly different to what is normally installed, their cost is relatively high and this could limit the extent of the Town's ten (10) year upgrade program should they be selected.

Selecting two (2) tenderers will enable the Town to install a variety of equipment and select the best option available for each respective site based on cost, design and community satisfaction.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Tender No. 311/05 was advertised for a minimum fourteen (14) days in accordance with the Local Government Act Regulations.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *"e) Ensure all Council services, playgrounds and facilities are universally accessible."*

FINANCIAL/BUDGET IMPLICATIONS:

The costs associated with the supply and installation of playground equipment is sourced from the parks playground budget as approved by the Council.

The Playground Upgrade Program is subject to review following completion of an audit of all playgrounds. Currently the program is in year four (4) of a ten (10) year program.

COMMENTS:

It is therefore recommended that the Council accepts the tenders submitted by Forpark Australia and Miracle Recreation Equipment for the supply and installation of playground equipment for a three (3) year period in accordance with the specifications as detailed in Tender No. 311/05.

10.4.2 Information Bulletin

Ward:	-	Date:	2 March 2005
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer(s):	A Smith		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Information Bulletin dated 8 March 2005 as distributed with the Agenda, be received.

COUNCIL DECISION ITEM 10.4.2

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (9-0)

DETAILS:

The items included in the Information Bulletin dated 8 March 2005 are as follows:

ITEM	DESCRIPTION
IB01	Letter from State Administrative Tribunal - Section 401 Appeals
IB02	Birdwood Square, Perth - Information Report
IB03	Register of Petitions - Progress Report - March 2005
IB04	Register of Notices of Motion - Progress Report - March 2005
IB05	Register of Reports to be Actioned - Progress Report - March 2005
IB06	Register of Legal Action
IB07	Register of Town Planning Appeals
IB08	Notice of Forum - 15 March 2005

Mayor Catania advised that Cr Franchina had declared a proximity interest in this Item. Cr Franchina departed the Chamber at 6.30pm and did not speak or vote on the matter.

10.4.1 Members Equity Stadium, No. 310 Pier Street, Perth – Report on Concerts Held on 15 and 19 February 2005 and Proposed Key Performance Indicators for Future Events

Ward:	South	Date:	25 February 2005
Precinct:	Beaufort; P13	File Ref:	RES0072
Attachments:	-		
Reporting Officer(s):	S Teymant, D Brits, J Maclean, R Jarman-Walker		
Checked/Endorsed by:	R Boardman; John Giorgi	Amended by:	John Giorgi

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the recent Moonlight Concerts held at Members Equity Stadium (Perth Oval) located at No. 310 Pier Street, Perth on 15 and 19 February 2005 and Proposed Key Performance Indicators for Future Events;*
- (ii) *ADVISES the Stadium Manager, Allia Holdings Pty Ltd of the concerns identified and conditions listed by Council;*
- (iii) *REQUIRES a Bond of \$20,000 (in addition to any other bond lodged with Allia) to be lodged with the Council prior to any future Commercial Concert Events being approved and for the Bond to be used by the Town in the event that Deed of Licence conditions are breached (in particular, damage to the premises and significant breaches of sound control measures);*
- (iv) *DIRECTS the Mayor and CEO (Town’s representative on the Stadium Committee) that they shall ensure compliance with the Council’s conditions prior to approving any applications for future concerts at Members Equity Stadium; and*
- (v) *REVIEWS the parking fees charged for parking on Loton Park during the 2005/06 Budget process.*

Moved Cr Lake, Seconded Cr Torre

That the recommendation be adopted.

Debate ensued.

Moved Cr Lake, Seconded Cr Ker

That new clauses (ii) and (iii) be added as follows and the existing clauses renumbered accordingly:

- “(ii) *NOTES the complaints received from the community, particularly relating to noise levels, length of the all day event and failure of the complaint responses system;*
- (iii) *AMENDS the proposed concert policy to include consultation with residents of Bulwer and Lord Streets in addition to Pier and Brewer Streets;”*

Debate ensued.

AMENDMENT CARRIED (8-0)

(Cr Franchina was absent from the Chamber and did not vote.)

Crs Chester and Torre departed the Chamber at 6.39pm.

Debate ensued.

Cr Torre returned to the Chamber at 6.45pm.

MOTION AS AMENDED CARRIED (7-0)

(Crs Chester and Franchina were absent from the Chamber and did not vote.)

COUNCIL DECISION ITEM 10.4.1

That the Council;

- (i) *RECEIVES the report on the recent Moonlight Concerts held at Members Equity Stadium (Perth Oval) located at No. 310 Pier Street, Perth on 15 and 19 February 2005 and Proposed Key Performance Indicators for Future Events;*
 - (ii) *NOTES the complaints received from the community, particularly relating to noise levels, length of the all day event and failure of the complaint responses system;*
 - (iii) *AMENDS the proposed concert policy to include consultation with residents of Bulwer and Lord Streets in addition to Pier and Brewer Streets;*
 - (iv) *ADVISES the Stadium Manager, Allia Holdings Pty Ltd of the concerns identified and conditions listed by Council;*
 - (v) *REQUIRES a Bond of \$20,000 (in addition to any other bond lodged with Allia) to be lodged with the Council prior to any future Commercial Concert Events being approved and for the Bond to be used by the Town in the event that Deed of Licence conditions are breached (in particular, damage to the premises and significant breaches of sound control measures);*
 - (vi) *DIRECTS the Mayor and CEO (Town's representative on the Stadium Committee) that they shall ensure compliance with the Council's conditions prior to approving any applications for future concerts at Members Equity Stadium; and*
 - (vii) *REVIEWS the parking fees charged for parking on Loton Park during the 2005/06 Budget process.*
-

BACKGROUND:

At the Council Meetings held on 21 December 2004 and 18 January 2005, the Council received the reports on the two 'Moonlight Music and Wine' events. Perth, like Brisbane, Melbourne and Sydney, hosted under the 'Moonlight' banner first the John Farnham and Tom Jones Concert and second the Festival that featured artists such as Gretchen Willson, Michael Frantii & Spearhead, David Byrne and Blondie.

Overall, the events provided spectacular entertainment to thousands of patrons. The Stadium Manager advises that the John Farnham/Tom Jones Concert had 15,655 attendees and the Moonlight Food and Wine Festival had 6,910 attendees. The events can best be described as “generally well accepted by the community at large”. No complaints were logged or passed onto Noise Duty Officers by the Town’s Emergency After-hours Call Centre Service. Information received from the City of Perth’s Compliance Section on 22 February 2005 revealed that they received no complaints from their residents regarding either concert events.

The Town’s Officers worked closely with the Stadium Manager and Promoter to devise and implement reasonable measures to safeguard the wellbeing of the wider community as far as practicable in regard to these events. Given the acoustic and venue performance unknowns of the redeveloped stadium in relation to concerts, the Stadium Management, and Town’s staff members took every reasonable effort to minimise unreasonable inconvenience to local residents. It was anticipated that the two Concerts would present a number of challenges. A few minor items of concern are commonplace at large concerts and an Acoustic Engineer who monitors around 30 major events per year advised that if less than 10 complaints are received, an event is normally deemed successful.

Notwithstanding this, it is the intention of the Council’s representatives on the Stadium Committee to address the matters of concern identified. Additionally, the Key Performance Indicators (KPIs) for the Stadium have been drafted and considered at a Stadium Committee meeting held on 3 March 2005. A further report concerning this will be submitted to the Council during April 2005.

COMPLIANCE WITH CONDITIONS:

The following is a summary of compliance with the Stadium Committee’s (and the Council’s) Conditions:

Concert Conditions:	Compliance Comment	
	Yes	No
Event Risk Management Plan submitted <u>NOTE:</u> The Plan is Allia Holdings` and meetings are held with State Representatives and Council Officers during which comments are made on recommended amendments.	Yes	
Hours	Yes	
Structural Engineer's Certification	Yes	
Acoustic Engineer's Sound Control Report <u>NOTE:</u> However as sound level of 65 decibels was exceeded, please refer to detailed information in report on this subject.	Yes	
Sound testing limited to 0.5 hour duration <u>NOTE:</u> Complaint was received that this period was exceeded.		No
Clean-up in the streets and footpaths	Yes	
Public Transport Promotion Plan and Joint Ticketing <u>NOTE:</u> Not in place for concerts, but agreed to implement during April 2005 for future events.		No
Free drinking water (water fountains)	Yes	
External security foot patrols and a vehicular patrol (anti-social behaviour minimisation)	Yes	
Bond of \$5,000	Yes	
Reinstatement of fencing removed for safety and access reasons to pitch	Yes	
Stadium Manager to liaise and comply with conditions of State Agency representatives	Yes	
Damage to property (Heritage Listed Perth Oval Main Gates)	Yes	

Concert Conditions:	Compliance Comment	
	Yes	No
<u>NOTE:</u> Allia Holdings Pty Ltd has been put on notice by the Town of their responsibility to make good to original condition at their expense and to the Town of Vincent and the Heritage Council of WA's satisfaction.		
Stadium carpark to be used for the event day only for carparking		No
Proof of the minimum \$10,000 donation to the Tsunami Appeal		No

Sound control:

The details of noise complaints received regarding both events are as follows:

No.	Nature of Complaint	Action Taken	Source	Date Received
1	Noise – Brewer Street	EHO's liaised with complainant and requested the Promoter's Acoustic Consultant to provide a constant monitoring station at the complainant's residence for the Saturday event.	Both Events	15 & 19 February 2005
2	Noise – Lincoln Street	Complainant telephoned. His request was that the complaint be noted and considered for the planning of future "long duration" concert events. He also informed that he was not advised of the revised complaint line phone number prior to Saturday's event.	Saturday's Music and Wine Festival Event	21 February 2005 Message left on Town's Answering Service on 19 February 2005
3	Noise – Harold Street	EHO's liaised with complainant who informed the shorter duration event on Wednesday 15/2/05 was acceptable, but that the all-day event on Saturday 19/2/05 was not.	Saturday's Music and Wine Festival Event	21 February 2005
4	Noise – Stirling Street	EHO's liaised with complainant who also informed that the shorter duration event on Wednesday 15/2/05 was acceptable, but that the all-day event on Saturday 19/2/05 was not. She advised that she would support multiple shorter duration events but not all day events at the venue.	Saturday's Music and Wine Festival Event	22 February 2005

In relation to sound level control, the duty Environmental Health Officer undertook random sound level checks at various locations within and external to the ground during both events to determine compliance with levels recommended by the Department of Environment's Noise Branch and commitments made by the promoter. In addition, a reputable Acoustic Consultant (endorsed by Noise Control Officers of the Department of Environment) undertook constant monitoring of sound levels from the mixers desk within the venue, as well as undertaking random sound checks around the perimeter of the venue and within 100-200 metres of the venue perimeter at various locations.

Furthermore, upon discussing concert sound levels with the Acoustic Engineer, City of Perth, and Department of Environment's Noise Officers, it was discovered that requiring concert events to achieve 65 decibels on the footpath is unrealistic and unattainable for open air concerts. A realistic figure to be achieved for musical concerts is around 100 decibels at the mixing desk to ensure the industry standard of '*concert feel*' and 75 decibels at surrounding residential premises with up to twenty five (25) reasonable exceedences of the maximum mixing desk level of around 100 decibels being permitted for the duration of the event. Generally, promoters change venues if the '*minimum level*' of 100 is disallowed. External concerts are referred to under the Environmental Protection (Noise) Regulations as "*Non-complying*" or "*Regulation 18*" events.

The sound log sheets provided by the Acoustic Engineer show that sound levels at the mixing desk for the Tom Jones and John Farnham Concert were well below the maximum level of 100 decibels, with only one, reasonable exceedence recorded. The sound log sheets for the Moonlight Music and Wine event illustrate that sound levels at the mixing desk reasonably exceeded the level of 100 decibels on one occasion also. This result was commendable given the lengthy duration of the Moonlight event. However, the sound levels recorded on nearby footpaths exceeded expectations due to '*leaks*' from the venue.

In response to concerns raised by one of the Brewer Street residences during and following the Tom Jones and John Farnham Concert, the Acoustic Consultant recommended to the Promoter that the relay speakers on top of the mixers desk be removed for the Saturday event and that the highest stage speakers be lowered to reduce sound travel. In addition, a constant sound monitoring station was set up on the verandah of the Brewer Street residence to collect sound data for the entire event on 19 February 2005, with a view to develop remedies for future events should similar events be approved in future.

Sound logging undertaken on Brewer Street for the duration of the Moonlight Music and Wine event showed that levels exceeded 75 decibels for the majority of the event. The Acoustic Engineer advised that the current design of the venue makes it difficult to prevent heightened sound levels being experienced along a portion of Brewer Street, through the use of acoustic controls. As the general principle is that the benefit to the general community outweighs the temporary loss of amenity by one or a few nearby residences, no drastic action was taken at the time but information gathered for system change.

Subsequently, in the case of a future concert an area-specific acoustic barrier (perhaps two neatly painted sea containers or alternative sound shielding device located in the direct sound path should be provided) or alternative management/public relation measures taken by the Stadium Manager may be more effective in overcoming disrupted amenity for these residents residing in this particularly noise sensitive pathway. The expected construction of additional permanent spectator stands to replace current scaffold stands should assist in attenuating the open areas where sound '*leakage*' occurred and create a more effective sound barrier in relation to the complainant's residence.

Limiting the number of concerts to perhaps four per annum and limiting the duration of concerts (Council resolved on 18 January 2005 that non-sporting events should not exceed six hours in duration in future) are aspects Council's representatives will raise at Stadium Committee Meetings with a view of developing a Concert Policy.

A condition placed on future Concerts requiring sound modelling to be undertaken at the venue by a qualified Acoustic Engineer at the expense of the promoter would help identify noise sensitive areas and '*hot spots*' around the venue based on reflective surfaces, structural aspects, topography and contours. This would in turn permit better public relation activities to be undertaken prior to events as well as in some cases permitting suitable acoustic controls to be implemented.

The Chief Executive Officer also undertook a walk around the Stadium during the concert and this revealed that noise levels were not excessively loud. At the Brewer Street end, considerable sound reduction occurred and this was possibly due by the blocking effect of the seats and Grandstand.

Parking

John Farnham/Tom Jones Concert

The Town had ten (10) Rangers and eleven (11) employees on duty for parking matters. There were a total of 175 infringement notices issued last night to a total value of \$14,875. There will be a number of these notices withdrawn - Residents who failed to affix the Residential Permits, etc - so this figure will be reduced.

The fees for the parking on Loton Park was \$2,226.70 .

Moonlight Food and Wine Festival

Rangers issued 145 infringement notices on Saturday, although there would appear to be around 23 infringement notices that were withdrawn, because the vehicle owner ran out with a permit, after the notice had been started. This means that a total of 122 infringement notices were issued, to a total value of \$10,370, although it is likely that this will be further reduced as other infringement notices get withdrawn.

Loton Park was not as well used and was never completely full. A total of \$1,678.00 was taken for vehicles to park on Loton Park.

The CEO and Mayor attended the John Farnham/Tom Jones Concert on 15 February 2005 and carried out two separate inspections during the evening, one at approximately 7.50pm and one at half time interval. Matters were identified as follows;

Pier Street Carpark

1. This carpark was enclosed by temporary fencing and hessian, but was also used for marquees and some VIP parking. The Town's prior approval was not obtained. Considerable conflict between vehicles and patrons entering this gate was evident with numerous patrons, security personnel and cars all trying to access. The potential for an accident to occur was most evident and this should not be permitted to occur in the future.
2. A number of vehicles (approximately 5-6) were parked between the trees and the footpaths in the garden beds. To overcome this situation, bollards or temporary bunting should be placed between the trees to prevent this in the future. In future, all vehicles will be infringed.

Toilets

The entrance to the Brewer Street toilets - male entrance - was obstructed by a large heap of steel frames and vehicles. Trucks, vans and cars also obstructed entrance to the female toilets. These vehicles were not parked in designated bays and should not be in this area. This made entrance to the toilets difficult.

The main toilet block behind the heritage gates was temporarily fenced as part of the Main Stage - this severely reduced the number of toilets available and should not occur in the future.

Considerable queuing by females to the temporary toilets was evident prior to the Concert starting and this was exacerbated at the half hour interval.

A large sea-tainer was placed on the access road near Gate 5 in front of the temporary toilets and this caused considerable obstruction.

Fencing

The pitch perimeter fence on the east side and on the west side between the Grandstand and the hill was totally removed. A temporary movable fence was put in its place. No approval was obtained to remove the pitch fence.

Access Road

A number of drink trailers and sea-tainers were placed on the access road behind the eastern stand. This access road is required in the event of an emergency for ambulances, fire trucks, etc, and no blockages or obstructions should occur.

Concert Start and Finish Times

The concert started at approximately 8.15pm and concluded at 10.59pm. It should be noted that at 10.35pm, John Farnham and Tom Jones announced their first "goodnight" and several encores followed this.

Post-Concert Exit by Patrons

Patrons exiting the Stadium appeared to be orderly and no major problems were evident.

Taking of Photographs

At approximately 7.55pm, whilst taking photos of obstructions at the rear of the Eastern Stand, a security person (male) approached the CEO and said taking photos was prohibited. The CEO advised he was from the Town and showed him his Identification Card. He did not take any notice and kept saying "taking photos is prohibited by the promoters". The CEO tried to tell him that he was not taking photos of the concert, but for official purposes. As the CEO walked away, the security person grabbed part of his shirt. The CEO asked him to let go and he did not, until he got assertive.

A female patron complained about a similar incident of overzealous security personnel. No signs were displayed advising that the taking of photos was prohibited. This should be addressed.

Smoking

A large number of patrons were observed smoking in the walkways despite the venue being promoted as "*smoke free*". This may also contravene sponsorship agreements. The prohibition of smoking should be enforced.

General Comment

A ground attendance of approximately 12,000-14,000 persons was in attendance and the concert was well received.

The mature age of the patrons no doubt assisted in crowd behaviour.

Notwithstanding the above, overall the event was considered satisfactory.

COMMENTS RECEIVED FROM NEARBY RESIDENTS AND AN ELECTED MEMBER:

Comments from an Elected Member

I wanted to give you some feedback ... from five different Highgate residents who live within a few blocks of Perth and also my own experience. I was at the Saturday concert from about 5pm till the end, sitting outside in Loton Park. I went to the start of the Tuesday concert (again outside) and went home after a few songs.

General comments from nearby residents:

- *In general people felt the concerts were well managed, the crowds dispersed quickly after the concerts (apart from the group who remained in Brewer St) and the traffic also cleared fairly quickly.*
- *Any litter was collected quickly and by the next day the area surrounding Perth Oval seemed quite clear of litter. I didn't check however whether the skip bins on site were emptied quickly.*
- *Several people mentioned that the contact number provided by the promoters didn't work – however one person mentioned that she received a letter stating that the contact number in the previous letter was incorrect, and giving another contact number. It is therefore possible that not all residents received the correction letter.*
- *The noise from the concerts seemed to fluctuate, and be quite dependent on wind or reverberation off buildings. Therefore while the noise outside the stadium was generally reasonable, at times it was very loud and people even 2-3 blocks away had difficulty holding a conversation outside their home.*
- *Some acts were also much louder than others, Jimmy Barnes appears to have been particularly loud.*
- *Most people mentioned that the length of the Saturday concert was a problem, with the noise, particularly base and drum beat going on for over 10 hours was very wearying.*
- *Several people asked why the cost of public transport was not included in the tickets which is standard for other concerts these days (i.e. as for the recent Rod Stewart concert)*
- *You are already aware of other issues raised by the (Brewer Street residents) which I won't repeat.*

My observations -

- *On Tuesday evening I saw a truck being driven out through the heritage gates, and catching on the decorative ironwork. They then stopped the truck and backed it away, however I felt that they should have stopped the truck sooner, and not waited until the ironwork was in contact with the roof of the truck.*
- *I was concerned that when the cars left Loton Park on Saturday evening after the concert, they were mixing with pedestrians exiting from the north-eastern gate (I think Gate 8). Considering it was dark and some people had been drinking for up to 10 hours, I felt this was rather dangerous. Apart from that time I thought the rangers did a good job at controlling the traffic.*
- *I think the parking is too cheap on Loton Park. With the sliding scale a car of 4 people is paying \$5 which is only \$1.25 per person, i.e. loose change to park right next to the facility. Instead I would suggest we charge at least the following:*
 - Car with driver and no passengers \$20*
 - Car with 2-3 people \$15*
 - Car with 4+ people \$10*

Comment by Manager Ranger Services and Community Safety:

'The purpose of charging a sliding scale for parking on Loton Park is to encourage car pooling. It is considered that, by permitting cars to park on Loton Park, it goes some way to addressing the parking congestion problems in the surrounding streets but, if the price charged for parking is too high, Loton Park will not be used at all and the vehicles will simply congest the streets in the vicinity. It is acknowledged that, given the cost of the tickets for the concerts, perhaps \$10.00, reducing to \$5.00, may be underpriced, but by the same token, \$20.00 reducing to \$10.00, may be the opposite. It may be appropriate to consider increasing the prices to say: Car with driver and no passengers \$15; Car with 2-3 people \$14; Car with 4+ people \$10. The fees should be considered during the Council's 2005/06 Budget process.'

- *I listened to the concert from Loton Park and was able to go in for the last 15 minutes. I noticed that the sound was much louder within the facility, so in general consider that the grandstand and seating is holding in a fair proportion of the sound reasonably well (apart from the comments above about the impact of wind and reverberation off high buildings). However I still consider the impact on residents on Brewer St is extreme and that they should be offered some alternative, such as a night at a hotel, if they want to get away from the noise. Many however will probably want to stay home to ensure their properties are safe but at least they are being offered an alternative.*

I hope these comments will be useful in approving and managing future events.'

Comments from a Nearby Residence

'I would like to thank (Elected Member) for putting the residents' case so clearly. We would like to reiterate and reinforce some of her points:

- 1) *The noise from the Saturday concert was extremely wearying. Added to which was the round the clock noise from the week prior spent setting up, and the noise from the following week spent clearing up. An exhausting time all together for those two plus weeks;*
- 2) *The excess of the extremes of noise during the concerts can only be described as debilitating. **Real** measures must be put in place to prevent or alleviate these for the future;*
- 3) *The mix of inebriated patrons in vehicles and pedestrians (leaving Loton Park)... is a liability issue. But it is not a happy mix.'*

Comment by Manager Ranger Services and Community Safety:

'Information provided by the Duty Rangers who were working at Loton Park, that the crowd left in an orderly fashion and with the majority of people passed Gate 5, then followed the pathway towards Gate 1 (Main Gate) and only about 20% of the pedestrians continued towards the Bulwer Street exit ramp. Two Rangers were in attendance to ensure that vehicles, leaving the grassed area, traveled slowly and to make sure that pedestrians did not stray into the path of vehicles. The Parking Supervisor for Loton Park reported an extremely orderly egress from Members Equity Stadium, with relatively few pedestrians using the Bulwer Street egress or the Lord Street egress. The majority of pedestrians left via Gate 3 (Brewer/Pier Streets) and Gate 1 (Main Gate), with substantially less leaving via Gate 4 (Turnstiles area off Loton Park) and the majority of those who left via Gate 4 then used the pathway to the corner of Brewer and Lord Streets. The duty Rangers at Lord Street and Bulwer Street experienced minimal difficulties with pedestrians/vehicle conflict. The use of the reflective bunting to create a "pedestrian only" path is being further investigated.'

Comments from a Resident two blocks away from Stadium

'Feedback I received for both was pretty positive regarding crowd control and noise and litter. The main complaint I had was that the all day festival was indeed a bit wearying and just too many hours of continuous noise. I was sitting on my front porch when Barnsey came on and my friend and I had to move inside to continue our conversation. Considering I'm 2 blocks away I would consider the noise a bit excessive and recall saying to my friend that I was glad I wasn't across the road from the Oval. Blondy was pretty loud too but the other acts didn't have as much impact. Noise did seem to come in waves so I am assuming it has to do with air thermals and echo, or some such. I also add to the point regarding the cost of public transport not being included or at least encouraged. My ticket to see Kylie at the Burswood has on the ticket "Free Transperth Travel". We've been pushing for this to be part of the deal with concerts at ME since its inception. With regards to the truck in the heritage gates - I thought it was a condition of use that no trucks were to go near that entrance.

Finally, while I congratulate the Town in the manner the concerts were monitored, I still maintain that this is not an appropriate venue for all day festivals. Other venues that cater for this type of entertainment are not encircled by residential streets. Also, we were lucky this time as the crowds for both concerts were of a more mature age and well behaved. I would still like for the town to place a prohibition on this type of event (The Moonlight Festival).'

Comment by Manager Health Services:

The matters raised have been communicated to the Stadium Manager in order to improve future performance; concerns have been addressed in this report with a view of providing the Stadium Manager with particular elements he should include in the development of an appropriate Concert Policy so as to put in place measures to minimise unreasonable impact on nearby residents during future concerts.

CONCERT POLICY AND OPERATIONAL ISSUES:

In addition, to the items outlined in the Council decisions taken at the Council Meetings of 21 December 2004 and 18 January 2005, the following noise control and general operational issues are to be incorporated in a Stadium Concert Policy and Stadium Committee Draft Key Performance Indicators (KPI's) in relation to future concerts:

- Maximum duration of six (6) hours;
- Not more than one concert per month;
- All amplified music to cease by 10.00pm;
- No concerts to be scheduled between Sunday and Thursday (limited to Fridays and Saturdays);
- Noise Control and Concert Bond of \$20,000 to penalise a promoter for noise control policy breaches or failure to provide contact details or respond to nearby residents complaints (beaches of the sound control measures and policy) in the discretion of the Town's Chief Executive Officer;
- Proposed venue lay-out plan regarding stage, sound barriers, position of speakers, marquees, mobile units, etcetera is to be submitted with the original application;
- Maximum sound level of 75 decibels to be received by nearby residential properties and businesses;
- Pre-event sound check is limited to 0.5 hour;
- Acoustic Engineer to conduct sound prediction modelling 30 days prior to events, remain on-site for the duration of all concert events, put in place a satisfactory complaint response system and submit a detailed report within a week after the concert to both the Stadium Management and the Town's Chief Executive Officer;

- Acoustic Engineer and Promoter to conduct a pre-concert meeting at least 7 days prior to the concert with residents directly adjacent to the venue on Pier and Brewer Streets;
- Acoustic Engineer to advise Stadium Management on positioning of sound barriers particularly regarding areas where sound is likely to 'leak' from the venue;
- Contracting the services of a reputable Acoustic Engineer is at the Promoter's expense but subject to approval by the Town's Chief Executive Officer;
- The vehicles parked inside the venue are to be limited to 35 in clearly demarcated parking bays in areas not obstructing access to buildings or in the evacuation routes;
- Joint ticketing with Transperth is to be in place effectively from 1 April 2005 for events that exceed 10,000 tickets;
- Stadium light towers to be switched off no later than 11.00pm with external lights being turned off by midnight;
- Heritage listed Perth Oval gates are not to be accessed by trucks and bollards are to be erected prior to the event, to the satisfaction of the Town's Chief Executive Officer;
- Generators to be so located and provided with sound barriers to prevent unreasonable noise to nearby residents;
- The adjacent Pier Street Stadium Car Park is not to be used for other activities (activities other than parking); and
- Compliance with the Stadium Risk Management Plan and directions of State Agency representatives and Council's Managers.

LEGAL/POLICY IMPLICATIONS:

The Financial Assistance Agreement and the Heads of Agreement state:

"that the facility be made available to as many sporting groups as the facility design permits, including cultural and artistic events and significant occasions such as World Championships, Commonwealth Games etc"

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2005-2010 (Amended), Key Result Area 3.2(e) *"Develop business strategies that provide a triple bottom line return for the Town."*

COMMUNITY CONSULTATION/ADVERTISING:

This matter was advertised to the community by the Town and Promoter.

CONCLUSION:

It is deemed appropriate that the Council's Officers develop of a Concert Policy in order to address the items identified during the recent Concerts. Event Planning is complex and a few aspects are always identified that may have been better managed. However regular reviews of the Event Planning process and the introduction of Key Performance Indicators would minimise unreasonable and unwanted impact.

Overall, notwithstanding that these were the first outdoor concerts at the redeveloped stadium, apart from the minor issues detailed in this report, the concerts were generally well accepted by the community.

The CEO amended this report by including details of his and the Mayor's inspections of the John Farnham/Tom Jones Concert held on 15 February 2005.

10.1.18 Re-introduction of Paid Parking in Barlee Street Car Park

Ward:	North	Date:	1 March 2005
Precinct:	Mt Lawley Centre; P11	File Ref:	PKG0113
Attachments:	-		
Reporting Officer(s):	J MacLean		
Checked/Endorsed by:	R Boardman, R Lotznicher	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES the re-introduction of paid parking in Barlee Street Car Park, Beaufort Street, Mount Lawley, on the proviso that the new fee schedule for Barlee Street Car Park provides free parking for the first one(1)hour and requires payment for all times thereafter; and*
- (ii) *APPROVES the relocation of the ticket machines, currently located in Raglan Road Car Park and Chelmsford Road Car Park be relocated to Barlee Street Car Park and those ticket machines in Barlee Street Car Park to Raglan Road Car Park and Chelmsford Road Car Park at an estimated cost of \$2,000.*

COUNCIL DECISION ITEM 10.1.18

Moved Cr Ker, Seconded Cr Cohen

That the recommendation be adopted.

Debate ensued.

Cr Chester returned to the Chamber at 6.47pm.
Cr Franchina returned to the Chamber at 6.48pm.

Moved Cr Ker, Seconded Cr Torre

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

- “(i) APPROVES the re-introduction of paid parking in Barlee Street Car Park, Beaufort Street, Mount Lawley, on the proviso that the new fee schedule for Barlee Street Car Park provides free parking for the first ~~one(1)~~ two (2) hours and requires payment for all times thereafter; and”*

Debate ensued.

AMENDMENT LOST (2-7)

For

Cr Ker
Cr Torre

Against

Mayor Catania
Cr Chester
Cr Cohen
Cr Doran-Wu
Cr Farrell
Cr Franchina
Cr Lake

Moved Cr Lake, Seconded Cr Torre

That a new clause (iii) be added as follows:

“(iii) DEFERS implementation of the proposed change until Council considers the Beaufort Parking Plan.”

Debate ensued.

AMENDMENT LOST (2-7)

<u>For</u>	<u>Against</u>
Cr Lake	Mayor Catania
Cr Torre	Cr Chester
	Cr Cohen
	Cr Doran-Wu
	Cr Farrell
	Cr Franchina
	Cr Ker

MOTION CARRIED (9-0)

BACKGROUND:

The Council approved the operation of Barlee Street Car Park at the Ordinary Meeting of Council held on 13 February 2001 and the car park has been operating, as a fee-paying car park, since 22 May 2001.

In January 2003, because the car park was under-utilised, the day-time fees for the car park were removed, and a sign erected, indicating that parking was free during the day.

In recent months, there has been an increasing demand from local businesses in the Beaufort Street area, to re-instate the parking fees, because of the current practice of patrons, who park all day and catch a bus into the City. Casual observation by the Town's Rangers seems to confirm that this practice is common.

DETAILS:

In response to a number of letters from local businesses and Elected Members' requests, it has become apparent that the free all-day parking in Barlee Street Car Park, is becoming counter-productive, because many patrons are parking there in the morning and are catching a bus into the City of Perth to work.

A number of businesses in the vicinity of Barlee Street Car Park have suggested that there is a need for free parking for customers and have recommended that a similar system to that operating in the City of Subiaco be adopted. The City of Subiaco has programmed their ticket machines, such that a driver who is unlikely to be more than one (1) hour needs only to obtain a "free one-hour ticket" and place it on the dashboard and, if more than one hour is required, he/she would need to pay for the additional time required, at the standard rate.

To promote usage of the car park, it is suggested that, if the Town of Vincent provided a similar facility, it would be well received by both the businesses and the customers.

The re-introduction of paid parking in Barlee Street Car Park will probably result in many of the current car park users, parking in the surrounding unrestricted residential streets.

However, the matter of parking restrictions in the area will be addressed as part of the Beaufort Parking Plan, which is expected to be submitted to the Ordinary Meeting of Council to be held on 22 March 2005.

The PSA 2000 ticket issuing machines that are currently installed in Barlee Street Car Park will not support the "One hour free parking" fee schedule. However, the Cale 102 ticket issuing machines that are currently installed in Raglan Road Car Park and Chelmsford Road Car Park have that facility and, if the machines were swapped over, it would then be possible to provide this free parking period of one hour. It is understood that the changeover is a straight-forward operation and could easily be completed in one day, because the mounting plates for both machines are identically sized.

CONSULTATION/ADVERTISING:

It is suggested that, in response to demand from local businesses, the Town implemented Free All-day Parking Restrictions in Barlee Street Car Park and, since this has now outlived its purpose, it is appropriate, in response to demands from these same businesses, to revert back to what has been approved by the Council. It is unlikely that there would be any opposition to the re-introduction of paid parking, so it is therefore considered unnecessary to undertake a consultation/survey to confirm this.

LEGAL/POLICY:

There are no legal impediments associated with this proposal and Rangers would enforce the Paid Parking in Barlee Street Car Park as they have done in previous years.

STRATEGIC IMPLICATIONS:

This proposal is in keeping with the Town's Strategic Plan 2005-2010 Key Result Area 1.4(i) *"Develop a strategy for parking management in business, residential and mixed use precincts."*

FINANCIAL/BUDGET IMPLICATIONS:

There are cost implications related to the swapping of ticket issuing machines and to the re-programming these machines to reflect the amended fee schedules.

There will be a small cost implication to amend the existing signage to reflect the new paid parking status of the car park. The estimated costs for the above would be around \$2,000.

COMMENTS:

Barlee Street Car Park provides 49 parking bays, but many are currently being used free of charge by people who work in the central business district of Perth. The re-introduction of parking fees, with the provision for the first one hour free, would ensure continued use by customers of local businesses, while also generating revenue from those people who choose to park for more than one hour.

The report is recommended for approval.

10.1.2 No. 260 (Lot 7, Strata Lot No. 1) Bulwer Street, Dual Frontage to Primrose Street, Perth - Alterations to Street Fence/Wall to Existing Single House (Part Application for Retrospective Approval)

Ward:	South	Date:	2 March 2005
Precinct:	Hyde Park; P12	File Ref:	PRO3042; 00/33/2628
Attachments:	001		
Reporting Officer(s):	T Durward		
Checked/Endorsed by:	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 APPROVES the application submitted by R Lyall on behalf of the owner RE Lyall & JE Leon for Alterations to Street Fence/ Wall to Existing Single House (part application for Retrospective Approval), at No. 260 (Lot 7, Strata Lot No. 1) Bulwer Street, dual frontage to Primrose Street, Perth, and as shown on plans stamp-dated 17 December 2004, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements; and*
- (ii) the infill panels adjacent to the intersection of the driveway and pedestrian pathway to be modified so that they are 20 per cent visually permeable;*

to the satisfaction of the Chief Executive Officer.

Moved Cr Ker, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

Journalist Beverley Ligman left the meeting at 7.07pm.

Moved Cr Ker, Seconded Cr Lake

That the existing clause (ii) be deleted and a new clause (ii) added as follows:

“(ii) the installation of two (2) mirrors in appropriate locations so that pedestrians have visual warning of cars entering and exiting the driveway;”

AMENDMENT CARRIED (7-2)

For
Mayor Catania
Cr Cohen
Cr Farrell
Cr Franchina
Cr Ker
Cr Lake
Cr Torre

Against
Cr Chester
Cr Doran-Wu

Debate ensued.

MOTION AS AMENDED CARRIED (6-3)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Chester
Cr Farrell	Cr Cohen
Cr Franchina	Cr Doran-Wu
Cr Ker	
Cr Lake	
Cr Torre	

COUNCIL DECISION ITEM 10.1.2

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 R Lyall on behalf of the owner RE Lyall & JE Leon for Alterations to Street Fence/ Wall to Existing Single House (part application for Retrospective Approval), at No. 260 (Lot 7, Strata Lot No. 1) Bulwer Street, dual frontage to Primrose Street, Perth, and as shown on plans stamp-dated 17 December 2004, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements; and*
- (ii) the installation of two (2) mirrors in appropriate locations so that pedestrians have visual warning of cars entering and exiting the driveway;*

to the satisfaction of the Chief Executive Officer.

FURTHER REPORT:

The Council at its Ordinary Meeting held on 8 February 2005, considered the proposal and resolved that the item be deferred to obtain further information regarding the existence of the fence prior to the alterations, any subsequent approvals and whether the main issue was the infill material or the erection of a new street wall/fence.

Archive Search

The Town's Officers have undertaken an archive search of the subject site to ascertain any previous approvals for the street wall/fence, and no approval for the fence was located. It is noted the Town's current Minor Nature Development Policy does not require approval for street walls and fences compliant with the Town's Street Walls and Fences Policy.

Although no exact date of erection is known, it would be reasonable to assume that at the time of erection of the fence no approval was required. It is therefore determined by the Town's Officers that no approval is required for the existing street wall/fence structure, as this structure complies with the provisions of the Town's Street Walls and Fences Policy.

Part Retrospective

The part retrospective application is therefore required for the infill alterations to the existing fence. The infill has changed from 35 per cent visual permeability to 11 per cent. The Town's Street Walls and Fences Policy require the infill of front fences to be at least 50 per cent visually permeable in the portion 1.2 metres above the natural ground level.

The above Policy allows a variation to the requirements if the front wall or fence is located along a District Distributor Road. Bulwer Street is a District Distributor Road and approval is recommended on this basis.

Visual Sight Line Truncation

The Town's Technical Services requires a visual sightline at the intersection of the driveway and pathway. The new, unapproved, infill panels are required to be modified so that they are at least 20 per cent visually permeable. It is considered that this is a reasonable outcome that creates a sightline for pedestrians and does not affect the aesthetic of the fence or the privacy of the applicant.

Proposed Gate

The proposed aluminium lined gate panel is also included as part of this approval and is non-compliant with the Town's Street Walls and Fences Policy for street walls/fences located along District Distributor Roads but is supported and recommended for approval as it follows the existing fence line. The non-compliance table has been revised as follows:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Fence to District Distributor Road	Not to exceed a maximum of 1.8 metres above the adjacent footpath level.	1.9 metres	Supported - as the proposal is minor in nature, matching the existing fence height and there is no undue negative impact on the streetscape
Visual Sight Line Truncation	A 1.5m x 1.5m sight line shall be provided at the property line to ensure adequate visibility by pedestrians and driver of the motor vehicle. The area within the sightline shall be maintained clear of obstructions above the height of 750mm. Slender columns of less than 355mm square or 500mm diameter will be permitted. Open fences will also be permitted in the construction.	11 per cent visual permeable wall above 750mm, and, column wider than 355mm.	Supported - as the column is existing and a condition is included to have 20 per cent visual permeability in the panels where a sight line or visual truncation is required.

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

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 8 February 2005:

"OFFICER RECOMMENDATION:

That;

- (i) in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by R Lyall on behalf of the owner RE Lyall & JE Leon for Alterations to Street Fence/ Wall to Existing Single House (part application for Retrospective Approval), at No. 260 (Lot 7, Strata Lot No. 1) Bulwer Street, dual frontage to Primrose Street, Perth, and as shown on plans stamp-dated 17th December, for the following reasons:*
 - (a) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality; and*
 - (b) the non-compliance with the Town's Policies - Street Walls and Fence, and Visual Sight Line Truncations-Driveways and Rights of Way (ROW); and*
- (ii) the Council ADVISES the owner of No(s). 260 (Lot(s) 7, Strata Lot No.1) Bulwer Street, dual frontage to Primrose Street, Perth, that the unauthorised street fence/wall is to be removed within 28 days of the date of notification by the Town, and the Council AUTHORIZES the Chief Executive Officer to initiate legal proceedings against the owner of No(s). 260 (Lot(s) 7, Strata Lot No.1) Bulwer Street, Perth, if this unauthorised street/wall still remains after the 28 days period.*

COUNCIL DECISION ITEM 10.1.18

Moved Cr Ker, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

Cr Farrell departed the Chamber at 7.58pm.

Moved Cr Ker, Seconded Cr Lake

That the Item be DEFERRED to allow further information to be provided.

CARRIED (6-0)

(Cr Doran-Wu on approved leave of absence. Cr Torre was an apology. Cr Farrell was absent from the Chamber and did not vote.)

Cr Farrell returned to the Chamber at 8.00pm.

<i>Landowner:</i>	<i>RE Lyall & JE Leon</i>
<i>Applicant:</i>	<i>R Lyall</i>
<i>Zoning:</i>	<i>Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80</i>
<i>Existing Land Use:</i>	<i>Single House</i>
<i>Use Class:</i>	<i>Single House</i>
<i>Use Classification:</i>	<i>"P"</i>
<i>Lot Area:</i>	<i>Lot 7 - 405 square metres</i>
<i>Access to Right of Way</i>	<i>N/A</i>

BACKGROUND:

2 December 2004 Letter sent to the owners by the Town requiring the subject street fence/ wall to comply with the Town's Policies, within 14 days.

DETAILS:

The owners of No. 260 Bulwer Street have altered a front/street fence such that it does not comply with the Town's Policies relating to Street Walls and Fences, and Visual Sight Line Truncations-Driveways and Right of Way (ROW),) mainly in relation to the height of the fence and sightlines.

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>N/A</i>
<i>Fence to District Distributor Road</i>	<i>Not to exceed a maximum of 1.8 metres above the adjacent footpath level.</i>	<i>1.9 metres high.</i>	<i>Not supported - due to undue impact on the amenity, including visibility between pedestrians and motorists of the driveway.</i>
<i>Visual Sight Line Truncation</i>	<i>A 1.5m x 1.5m sight line shall be provided at the property line to ensure adequate visibility by pedestrians and driver of the motor vehicle. The area within the sightline shall be maintained clear of obstructions above the height of 750mm. Slender columns of less than 355mm square or 500mm diameter will be permitted. Open fences will also be permitted in the construction.</i>	<i>11% visual permeable wall above 750mm, and, column wider than 355mm.</i>	
<i>Consultation Submissions</i>			
<i>Support</i>	<i>N/A</i>		<i>N/A</i>
<i>Objection</i>	<i>N/A</i>		<i>N/A</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:

The Town's Policy relating to Street Walls and Fences states that the solid portion of a wall/fence to a district distributor road may increase to a maximum height of 1.8 metres, provided that the wall/fence has at least two appropriate design features to reduce the visual impact. The existing street fence at No. 206 Bulwer Street is 1.9 metres above the adjacent footpath, therefore being 0.1 metre higher than the requirements stated in the Town's Policy.

The above variations can not be supported as the street fence is considered to unduly impact the amenity of the area, including visibility between pedestrians and motorists of the driveway.

In light of the above, it is recommended that the application be refused".

10.1.1 No. 118 (Lot 2) Anzac Road, Mount Hawthorn - Proposed Roller Door Additions to Carport to Existing Single House (Application for Retrospective Approval)

Ward:	North	Date:	1 March 2005
Precinct:	Mount Hawthorn; P1	File Ref:	PRO2974; 00/33/2616
Attachments:	001		
Reporting Officer(s):	S Turner		
Checked/Endorsed by:	R Rasiah, R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by Kounis Property Developments on behalf of the owner CJ Bonomi for Roller Door Additions to Carport to Existing Single House (Application for Retrospective Approval), at No. 118 (Lot 2) Anzac Road, Mount Hawthorn, and as shown on plans stamp-dated 2 December 2004, for the following reasons:*
- (a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality; and*
- (b) *the non-compliance with the Town's Policy relating to Street Setbacks; and*
- (ii) *the Council ADVISES the owners of No. 118 (Lot 2) Anzac Road, Mount Hawthorn, that the unauthorised roller door addition to carport to existing single house at No. 118 (Lot 2) Anzac Road, Mount Hawthorn, shall be removed within twenty-eight (28) days of notification, and the Council AUTHORIZES the Chief Executive Officer to initiate legal proceedings to ensure the removal of the unauthorised roller door addition should the roller door remain after the above 28 days period.*

COUNCIL DECISION ITEM 10.1.1

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

FURTHER REPORT:

The Council at its Ordinary Meeting held on 18 January 2005 resolved to defer the item at the request of the applicant. No further information has been received from the owner or the applicant.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 18 January 2005:

“OFFICER RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by Kounis Property Developments on behalf of the owner CJ Bonomi for Roller Door Additions to Carport to Existing Single House (Application for Retrospective Approval), at No. 118 (Lot 2) Anzac Road, Mount Hawthorn, and as shown on plans stamp-dated 2 December 2004, for the following reasons:*
 - (a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality; and*
 - (b) *the non-compliance with the Town's Policy relating to Street Setbacks; and*
- (ii) *the Council ADVISES the owners of No(s). 118 (Lot(s) 2) Anzac Road, Mount Hawthorn, that the unauthorised roller door addition to carport to existing single house at No. 118 (Lot 2) Anzac Road, Mount Hawthorn, shall be removed within twenty-eight (28) days of notification, and the Council AUTHORIZES the Chief Executive Officer to initiate legal proceedings to ensure the removal of the unauthorised roller door addition should the roller door remain after the above 28 days period.*

COUNCIL DECISION ITEM 10.1.18

Moved Cr Torre, Seconded Cr Ker

That the Item be DEFERRED at the request of the applicant.

CARRIED (7-1)

<u>For</u> Mayor Catania Cr Cohen Cr Doran-Wu Cr Franchina Cr Ker Cr Lake Cr Torre	<u>Against</u> Cr Chester
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(Cr Farrell was an apology for the meeting.)

<i>Landowner:</i>	<i>CJ Bonomi</i>
<i>Applicant:</i>	<i>Kounis Property Developments</i>
<i>Zoning:</i>	<i>Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30</i>
<i>Existing Land Use:</i>	<i>Single House</i>
<i>Use Class:</i>	<i>Single House</i>
<i>Use Classification:</i>	<i>"P"</i>
<i>Lot Area:</i>	<i>534 square metres</i>
<i>Access to Right of Way</i>	<i>N/A</i>

BACKGROUND:

25 July 1997 *Building Licence was issued for additions to the dwelling including a double carport.*

12 October 2004 *Inspection of the subject carport revealed a solid panel roller door erected to the entrance of the carport. A written request for compliance with the conditions of approval was issued by the Town's Officers.*

2 December 2004 *Application for retrospective approval was received for the subject roller door addition to the existing house.*

DETAILS:

The applicant seeks retrospective Planning Approval for a roller door addition to an existing single house. 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>Carport Door as per Town's Policy relating to Street Setbacks</i>	<i>Carports within the street setback to be without a door unless that door is visually permeable.</i>	<i>Solid roller door to carport</i>	<i>Not supported – as the roller door is non-compliant with the Town's Policy relating to Street Setbacks. The intent of the Policy is to prevent structures such as carports within the front setback from dominating the streetscape whilst still allowing casual surveillance and interaction with the street.</i>
<i>Plot Ratio</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>Consultation Submissions</i>			
<i>N/A</i>	<i>N/A</i>		<i>The roller door to the carport was not advertised as it does not comply with relevant statutory regulations.</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:

The reasons stated in the owners' submission have been considered, including the primary motive of security to the owners' property and motor vehicles. If for some reason the owners were to relocate from the above house at some future date, the Town will be left with an unacceptable development of a solid carport roller door structure within the front setback area.

It is considered that the existing carport roller door will have an undue adverse impact on the streetscape and discourage safety and security via limited surveillance and interaction between the house and the street.

Therefore, the application should be refused and the unauthorised roller door be removed within 28 days of the owners being advised in writing by the Town, failing which the Chief Executive Officer be authorised to initiate the relevant legal action as recommended.”

10.1.6 No. 17 (Lot 25, Strata Lot No. 2) Austen Lane, Leederville - Proposed Patio Additions to Existing Grouped Dwelling

Ward:	North	Date:	25 February 2005
Precinct:	Leederville; P3	File Ref:	PRO3045; 00/33/2632
Attachments:	001		
Reporting Officer(s):	B Mckean		
Checked/Endorsed by:	R Rasiah, 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 Cox on behalf of the owner D & RJ Cox for proposed Patio Additions to Existing Grouped Dwelling, at No. 17 (Lot 25, Strata Lot No. 2) Austen Lane, Leederville, and as shown on plans stamp-dated 22 December 2004, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.6

Moved Cr Chester, Seconded Cr Lake

That the Item be DEFERRED at the request of the applicant.

CARRIED (9-0)

Landowner:	D & RJ Cox
Applicant:	D Cox
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R40
Existing Land Use:	Grouped Dwelling
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	582 square metres
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves patio additions to an existing grouped dwelling. 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	N/A
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Setbacks			
North	1.5 metres	0.5 metre	Supported - variation is considered minor and adjacent neighbor has signed plans stating no objection.
East	1.5 metres	0.5 metre	Supported - variation is considered minor and no formal submission was received by the Town.
Outdoor Living Areas	Behind the street setback area	Located in the street setback area	Supported - variation is considered minor and to not unduly impact the streetscape or amenity. The dwelling has sufficient outdoor living area in the front setback which is accessible from a habitable room.
Consultation Submissions			
Support (1)	<ul style="list-style-type: none"> No objection 		Nil
Objection	Nil <ul style="list-style-type: none"> A letter suggesting that an objection would be made was received, however, no formal objection was received during the advertising period 		Nil
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
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:

The proposal for patio additions to existing group dwelling is considered acceptable, as the variations to the Residential Design Codes (R Codes) are minor and no formal objections were received by the Town during the consultation period. The variation still performs the functionality associated with the outdoor living area.

In light of the above, approval is recommended, subject to standard and appropriate conditions.

10.3.2 Engagement with Dog Owners – Proposed Project

Ward:	Both	Date:	1 March 2005
Precinct:	All	File Ref:	CMS0105
Attachments:	001		
Reporting Officer(s):	J. Anthony		
Checked/Endorsed by:	M. Yoo	Amended by:	

OFFICER RECOMMENDATION:

That Council APPROVES the community engagement project identified in the report to determine the needs and expectations of dog owners in the Town.

Moved Cr Torre, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

Moved Cr Lake, Seconded Cr Ker

That the existing recommendation be numbered (i) and a new clause (ii) added as follows:

“(ii) the report being amended under the heading “Importance of responsible dog ownership” to read as follows:

“Importance of responsible dog ownership

Being a responsible dog owner means making sure that one's dog is not a nuisance. Basically this means being a "good citizen." It means making sure that the dog does not roam freely and kept on leash except in off leash areas, destroy property, chase ~~livestock~~ wildlife, maul children or other animals, leave excrement behind where it goes in public, or become a nuisance barker, or in other ways decrease the quality of life of others in the community. It boils down to proper control, good training, cleaning up after dog's messes, and providing the dog with enough physical exercise and mental stimulation that it does not create its own "vices" out of frustration.”

AMENDMENT CARRIED (9-0)

Debate ensued.

Moved Cr Torre, Seconded Cr Lake

That a new clause (iii) be added as follows:

“(iii) the survey attached at Appendix 10.3.2 be amended to “Survey on Dog Needs” and directed at the whole community and not just dog owners.”

AMENDMENT CARRIED (9-0)

MOTION AS AMENDED CARRIED (9-0)

COUNCIL DECISION ITEM 10.3.2

That;

- (i) *Council APPROVES the community engagement project identified in the report to determine the needs and expectations of dog owners in the Town;*
- (ii) *the report being amended under the heading "Importance of responsible dog ownership" to read as follows:*

"Importance of responsible dog ownership
Being a responsible dog owner means making sure that one's dog is not a nuisance. Basically this means being a "good citizen." It means making sure that the dog does not roam freely and kept on leash except in off leash areas, destroy property, chase ~~livestock~~ wildlife, maul children or other animals, leave excrement behind where it goes in public, or become a nuisance barker, or in other ways decrease the quality of life of others in the community. It boils down to proper control, good training, cleaning up after dog's messes, and providing the dog with enough physical exercise and mental stimulation that it does not create its own "vices" out of frustration."; and
- (iii) *the survey attached at Appendix 10.3.2 be amended to "Survey on Dog Needs" and directed at the whole community and not just dog owners.*

BACKGROUND:

At the Ordinary Meeting of Council on 21 December 2004, the following was recommended:

"That the Council;

- (i) *RECEIVES and CONFIRMS the Minutes of the Annual General Meeting of Electors held at 6.00pm on Monday 13 December 2004, attached at Appendix 10.4.9;*
- (ii) *CONSIDERS the matters raised, which requires funding, as detailed in this report during the 2005/06 Budget process;*
- (iii) *SUPPORTS the motions as moved at the Annual General Meeting of Electors; and*
- (iv) *REQUESTS the Chief Executive Officer report to Council by March 2005 on how the Town will engage with dog owners to determine their needs and develop a programme to meet the identified needs and promote responsible dog ownership within the Town."*

DETAILS:

As at 10 December 2004, the Town's Dog Register included 2,087 dogs registered.

The Act of Parliament covering the control of dogs in the community is the Dog Act 1976, and is enforced by all local governments. The Town also has local laws to control how dogs are kept.

The Town's Ranger Services and Community Safety Section provide information on responsible dog ownership and "dog bite prevention" through a public education program consisting of:

- Information lectures for new dog owners held during the puppy pre-school classes at the My Best Friends Veterinary Centre, Oxford St Leederville;

- Visits to primary schools within the Town;
- A display and information stand at various community events held by the Town of Vincent.

Literature and advice is available on request from Ranger Services. Information is also available on the Town's website.

The Town also organises Active Vincent Day and Pets in the Park as an annual event at Beatty Park Reserve to promote pet ownership as part of sporting and recreation.

The Pets in the Park component of the event has given some focus on animals providing a number of activities such as dog agility trials, stalls and demos by local vets and pet shops, and access to farmyard animals.

Needs Assessment

For the purposes of this project the Needs Assessment will address the following:

- Establish Dog Owners' expectations in relation to current provision of facilities and services and the anticipated future provision of facilities including their requirements.
- Review the audit of existing facilities that are currently being used by dog owners for the purpose of unstructured activities.
 - The audit is to provide an overview of the facility's components and a base statement as to its current usage.
- Review current programme in terms of provision of facilities and services offered in the Town for dog owners and identify gaps and duplications.
- Ascertaining the Town's role in facilitating "dog-friendly areas" (DFAs).

Issues

Preliminary research and anecdotal information points to the following issues that may be important in considering a "dog-friendly" environment:

- Dog Exercise Areas
- Adequate room for exercise
- Ability to exercise dogs in an appropriate space and time
- socialisation with other dogs and walkers
- Swimming pond
- Local laws pertaining to dog exercise areas
- Coexistence/conflicting interests with other users
- Responsible Dog Ownership
- Education of Dog owners and non-owners
- information on dog behaviour and how to train dogs to be well socialised and obedient
- Drinking facilities
- Poo Bags
- Ample running space
- Barrier to road to prevent dog escapees
- Activities for Dogs and Owners
- Dog playgrounds - to promote agility and obedience
- Training lights on after hours to encourage after hours dog walking and safety
- Engaging in unstructured activity as a form of fitness

The increase in dog ownership has resulted in competing recreational interests for our limited park resources. DFAs are a proactive way to address a large part of the community interest. They are based on the need for a recreational outlet, and are often the only way some people choose to use our green spaces.

People recreating with their dogs has become one of our Town's fastest growing recreational activities.

Importance of Training

Obedience training is important to ensure that dogs and their owners are responsible members of our community. Dog owners have a responsibility to make sure that their dogs are well behaved. A dog that is taught to pay attention and to follow certain commands is usually more secure, and certainly much safer than a dog that is not well schooled. The goal is to give the dog and owners confidence in knowing what is correct behaviour. That helps reduce anxiety in both dog and owner.

Importance of responsible dog ownership

Being a responsible dog owner means making sure that one's dog is not a nuisance. Basically this means being a "good citizen." It means making sure that the dog does not roam freely and kept on leash except in off leash areas, destroy property, chase ~~livestock~~ wildlife, maul children or other animals, leave excrement behind where it goes in public, or become a nuisance barker, or in other ways decrease the quality of life of others in the community. It boils down to proper control, good training, cleaning up after dog's messes, and providing the dog with enough physical exercise and mental stimulation that it does not create its own "vices" out of frustration.

Importance of dogs being registered

If dogs are registered with the local government, it provides a number of benefits to a dog owner, including:

- Ability for local rangers to contact the owner of a dog that has been found wandering;
- Ability of adjacent local government rangers to contact the local government who issued the registration tag, for ownership details of a specific dog; and
- Local Government can develop appropriate facilities, based on the number of dogs that are actually resident in the area, rather than the number of registered dogs added to a guess as to how many unregistered dogs may be resident.
- Local Government can develop appropriate strategies to assist dog-owners, based on the number of dogs that are actually resident in the area, rather than the number of registered dogs added to a guess as to how many unregistered dogs may be resident.

Public Open Space and Dogs

Dog exercise areas also known as "off-leash areas", "free running areas for dogs", "dog parks", "dog zones" etc. allow dogs access to parks off-leash.

Dog exercise areas have been designated in a few parts of Australia. In most cases dogs are required to remain "under the effective control of the owner" (or some variation thereof) under either the relevant legislation or an accompanying by-law. Some local governments define "under effective control" precisely while others leave it to the discretion of individual rangers on duty. Usually, it is taken to mean voice control - the dog is under effective control if it responds to the owner's command by the second call, or if it is anyway behaving in an orderly manner.

Dog exercise areas provide the opportunity for unstructured and 'joyful' play without the restrictions of a leash. They allow for a form of interaction with their owner that is not possible when they remain leashed, e.g. some forms of training and play such as 'fetch', as well as play with other dogs. Dogs also benefit from exercise and relief of pent-up energy although this is possible in on-leash areas as well.

Problems commonly attributed to free-running areas include a greater potential for risk of injury to person or animal from attack and a greater potential for damage to plants. However the risks need to be assessed critically on the basis of correct information.

There is an infinite variety of ways in which exercise areas can be provided. There seems to be three common approaches.

Approach Number 1 – Unleashed Dogs in all Parks

The first approach allows unleashed dogs in all parks in the Town (perhaps with a few exceptions where they are banned or required to be restrained on a leash). It could almost be called a policy of “no response” and reflects the situation that existed prior to leash laws being enacted. The emphasis here is on integration with other open space users rather than separation. This approach is reasonably common where it has been in place over a longer period of time. This is currently in practice at the City of Joondalup.

Its advantages are that it is easy to understand and is inherently fair to dog owners irrespective of where they live. The Rangers can concentrate on encouraging and enforcing acceptable behaviour rather than enforcing leash laws and explaining and justifying Council's policy. It also spreads the effects of potential conflicts over a wider area. Discussions with the rangers at Joondalup indicate that conflicts with dog walkers and other users of reserves are the exception rather than the rule.

Approach Number 2 – Equal Distribution of Dog Exercise Areas

The second approach is to aim for a fairly equal distribution of free-running areas across the Town in accordance with the distribution of residents. The aim here is that each dog owner would have a free-running area within a reasonable distance of home. This approach is equitable for dog owners providing on-leash areas are also provided. The main problem is finding sufficient parks to designate for free-running especially where residents are used to dogs remaining leashed. It also tends to be confusing unless careful attention is paid to information requirements. Signs are often not provided at each entry point or leaflets are distributed that list the parks available by name - most people don't know the formal name of parks. The greatest confusion lies where the access policy varies within a particular park or area, i.e. 'that part of the beach between x and y' or 'excluding the playing area'. The instructions are often confusing and open to interpretation. This makes enforcement difficult.

Approach Number 3 – Specifically Designed Dog Park/Zone

The third approach is the specially designated or designed dog park or dog zone. The distinguishing characteristic from the previous two approaches is that it is designated specifically for dogs and their owners. It might be purpose-designed or simply set aside for dogs. It implies the greatest degree of separation from other recreation activities. This approach has the advantage of being clear but is not advocated if:

- dogs are accordingly banned in all or most other parks;
- it is poorly located or inaccessible to residents; or
- it presents hostile conditions for dogs or humans, e.g. because the park attracts vandals or vagrants, the micro-climate (e.g. wind) makes conditions unpleasant, the terrain is too steep, it is unsafe due to the presence of snakes or the layout and design is simply not appealing or conducive for use.

Poorly designed and/or located 'dog parks' are usually the result of limited opportunities - there is just no where else to put them because of established interests in other parks. A park is not likely to be well-used if it is poorly located or laid out.

Importance of Dog Exercise Areas

Use of these areas will assist to:

- socialise dogs
- reduce aggressive behaviour
- reduce stress and stress related habits, digging/barking at home, etc
- reduce boredom
- enhance mental stimulation
- enhance the general well-being of dogs.

Dogs that are not exercised can develop behavioural problems such as aggression and excessive barking. They are also more likely to be destructive to get attention.

LEGAL IMPLICATIONS:

The Town's Local Law Relating to Dogs controls dogs and includes dog exercise areas.

Approved Dog Exercise Areas in the Town of Vincent

LEEDERVILLE

Britannia Road Reserve - Bounded by Britannia Road, Brentham Street and parallel with the Mitchel Freeway. (South side of Reserve only)

Brentham/Bennelong Reserve - Between Brentham and Oxford Streets, South of Wylie Place.

PERTH

Robertson Park - Bounded by Fitzgerald, Palmerston, Stuart and Randell Streets.

NORTH PERTH

Woodville Reserve - Bounded by Namur, Fitzgerald, Mignonette and Farmer Streets.

Les Lilleyman Reserve - Bounded by London, Ellesmere and Gill Streets.

Charles Veryard Reserve - Bounded by Hanover Place, Deague Court and Bourke Street. (East side of Reserve only)

MOUNT HAWTHORN

Menzies Park - Bounded by Berryman, Egina, East and Purslowe Streets.

HIGHGATE

Jack Marks Reserve - Corner Broome and Wright Streets, Highgate.

MOUNT LAWLEY

Forrest Park - Corner Curtis and Harold Streets, Mount Lawley.

Banks Reserve - Joel Terrace, East Perth.

There are limitations on Approved Dog Exercise Areas.
Dogs must be held on a leash when a Council approved function or prescribed sporting event is being held.

CONSULTATION/ADVERTISING:

Throughout this process the following groups/individuals have been determined as primary or secondary stakeholders. Primary stakeholders are considered the priority groups in this process however secondary stakeholders should also be consulted.

Primary:

Residents in the Town of Vincent who own dogs

Secondary:

Residents in the Town who do not own dogs

Other users of dog exercise areas eg sporting clubs

Engagement Process:

Officers to approach dog walkers with questionnaire from 4:30 pm - 6 pm at approved dog exercise areas.

Questionnaire to be advertised in the local newspapers and on the Town's website.

Precinct groups will be provided with a copy of the questionnaire for information and distribution to members.

Questionnaire results will be collated after two weeks and analysed. Feedback will be reported to Council with recommendations for further action.

Action	Responsible Officer	By
Report to Council with proposal	MCD	March 2005
Community Engagement	MCD and Community Development team	April 2005
Community Feedback and Survey to be returned	MCD	15 April 2005
Report to Council with findings and recommendations	MCD	OMC 24 May 2005

STRATEGIC IMPLICATIONS:

Town of Vincent Strategic Plan 2005-2010

Key Result Area Two - Community Development

"2.2 Provide and develop a range of community programs and community safety initiatives."

FINANCIAL/BUDGET IMPLICATIONS:

The engagement process will be carried out in-house by the Community Development Team. Costs for advertising and any sundry costs will be sourced from current programme budgets. Advertising costs are anticipated to be approximately \$500.

COMMENTS:

A questionnaire has been designed to prompt comments from the primary stakeholders. The information gathered as a result of the engagement process will be analysed and considered to determine the future role of Council in the light of community expectations.

10.1.7 No. 13 (Lot 114) Seabrook Street, Mount Hawthorn - Proposed Partial Demolition of Alterations and Two-Storey Addition to Existing Single House

Ward:	North	Date:	28 February 2005
Precinct:	Mt Hawthorn; P1	File Ref:	PRO2972; 00/33/2528
Attachments:	001		
Reporting Officer(s):	B Mckean		
Checked/Endorsed by:	R Rasiah, 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 KL Garbin & S Taylor on behalf of the owner KL Garbin for proposed Partial Demolition of Alterations and Two-Storey Addition to Existing Single House, at No. 13 (Lot 114) Seabrook Street, Mount Hawthorn, and as shown on plans stamp-dated 15 October 2004, subject to:

- (i) *compliance with all relevant Environmental Health, Engineering and Building requirements; and*
- (ii) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Seabrook Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.7

Moved Cr Ker, Seconded Cr Lake

That the recommendation be adopted.

CARRIED (9-0)

ADDITIONAL INFORMATION:

AMENDED ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Setback			
Upper floor South elevation	0.9 metre <u>3.4 metres</u>	3.4 metres <u>0.9 metre</u>	Supported - as adjacent owner has stated no objection

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Ground floor South elevation	0.9 metre <u>1.5 metres</u>	1.5 metres <u>0.9 metre</u>	

Landowner:	KL Garbin
Applicant:	KL Garbin & S Taylor
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:	488 square metres
Access to Right of Way	North/north-west side, 5.03 metres wide, unsealed, dedicated road.

DETAILS:

The proposal involves partial demolition of alterations and two-storey addition to existing single house at the above site.

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	N/A
Setback			
Upper floor South elevation	0.9 metre	3.4 metres	Supported - as adjacent owner has stated no objection
Ground floor South elevation	0.9 metre	1.5 metres	
Privacy			
South First floor balcony	7.5 metres	1.7 metres	Supported - adjacent owner has stated no objection
Building height			
Top of external wall			

South elevation	6 metres	5.8 metres - 6.2 metres	Supported - adjacent owners have stated no objection, the second storey additions are minimal and are not considered to unduly impact the streetscape and surrounding amenity
West elevation	6 metres	6.3 metres - 6 metres	As above
East elevation	6 metres	5.8 metres - 6.3 metres	As above
Consultation Submissions			
Support (3)	<ul style="list-style-type: none"> Adjacent owners have stated no objections. 		Supported
Objection	Nil		Nil
Other Implications			
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).	
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

The variations to setback, privacy and wall height are considered supportable and to not unduly impact the streetscape or surrounding amenity. The adjacent owners have stated no objection to the proposal.

In light of the above, approval is recommended, subject to standard and appropriate conditions.

10.1.13 No. 279 (Lot 30) Oxford Street Corner Bouverie Place, Leederville - Proposed Change of Use from Approved Eleven (11) Grouped Dwellings, Including Ten (10) Single Bedroom Dwellings and Four (4) Associated Home Businesses to a Mixed Use Development Comprising Seven (7) Single Bedroom Dwellings, Two (2) Single Bedroom Multiple Dwellings, Two (2) Grouped Dwellings and Two (2) Offices

Ward:	North	Date:	2 March 2005
Precinct:	Leederville; P3	File Ref:	PRO0622; 00/33/2431
Attachments:	001		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	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 Inspired Development Group Pty Ltd on behalf of the owner Securewest Investments Pty Ltd for proposed Change of Use from Approved Eleven (11) Grouped Dwellings, Including Ten (10) Single Bedroom Dwellings and Four (4) Associated Home Businesses to a Mixed Use Development Comprising Seven (7) Single Bedroom Dwellings, Two (2) Single Bedroom Multiple Dwellings, Two (2) Grouped Dwellings and Two (2) Offices, at No. 279 (Lot 30) Oxford Street Corner Bouverie Place, Leederville, and as shown on plans stamped 10 December 2004, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) continuous awnings to the building , with a minimum height of 2.75 metres over the Oxford Street and Bouverie Place footpath for the offices being provided in consultation with the Town's Technical Services;*
- (iii) in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land are to be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$5,100 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing;*
- (iv) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (v) the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*

- (vi) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Oxford Street and Bouverie Place shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (vii) *subject to first obtaining the consent of the owners of No. 277 Oxford Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing south in a good and clean condition;*
- (viii) *a detailed landscaping plan, including a schedule of plant species, the landscaping and reticulation of the Oxford Street and Bouverie Place verges adjacent to the subject property and the provision of a minimum of one tree per 4 car parking spaces in the car parking area, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (ix) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (x) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development the windows to the bedroom of houses 1 and 11 on the first floor level on the southern and western elevations, respectively, shall be screened within 4.5 metres in a '45 degree cone of vision' of the adjacent boundary, with a permanent obscure material and be non-openable to a minimum height of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed;*
- (xi) *the proposed security gate along the Oxford Street frontage being a minimum 50 percent visually permeable when viewed from the street;*
- (xii) *prior to the first occupation of the development, the applicant/owner(s) shall, in at least 12-point size writing, advise (prospective) purchasers of the residential units/dwellings that:*

"the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development";
- (xiii) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property that the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities. This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;*
- (xiv) *doors and windows and adjacent floor areas for the offices fronting Oxford Street and Bouverie Place shall maintain an active and interactive relationship with these streets;*

- (xv) *prior to the first occupation of the development, thirteen (13) car parking spaces provided for the residential component of the development, inclusive of one (1) visitors bay, shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling;*
- (xvi) *the maximum gross floor area for the office use shall be limited to 100 square metres unless adequate car parking is provided for the changes in floor space area;*
- (xvii) *the residential component of the development shall be adequately sound insulated prior to the first occupation of the development. The necessary sound insulation shall be in accordance with the recommendations, developed in consultation with the Town, of an acoustic consultant registered to conduct noise surveys and assessments in accordance with the Environmental Protection Act 1986. The sound insulation recommendations shall be submitted and approved prior to the issue of a Building Licence. The engagement of and the implementation of the recommendations of this acoustic consultant are to be at the applicant's/owner(s)' costs;*
- (xviii) *the proposed vehicular entry gates adjacent to Oxford Street shall be either open at all times or suitable management measures shall be implemented to ensure access is readily available for visitors for the commercial and residential tenancies at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the development;*
- (xix) *a memorial is to be placed on the certificate of titles which specifies that the groundwater on site is not to be used for domestic purposes (as per the Department of Environment's correspondence dated 25 March 2004);*
- (xx) *additional floor space for Units 1 to 6 is not to be used or converted into a bedroom; and*
- (xxi) *provision of appropriate vehicle safety barriers for the western end of the driveway and end two car bays;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.13

Moved Cr Ker, Seconded Cr Chester

That the recommendation be adopted subject to a new clause (xxii) being added as follows:

- "(xxii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating that the maximum plot ratio for the single bedroom units being 60 square metres. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes;"*

Debate ensued.

Journalist Mark Fletcher left the meeting at 7.27pm.

Cr Farrell departed the Chamber at 7.28pm.

Cr Farrell returned to the Chamber at 7.30pm.

Moved Cr Doran-Wu, Seconded Cr Torre

That the Item be DEFERRED to allow for further information to be provided.

CARRIED (8-1)

<p><u>For</u> Mayor Catania Cr Chester Cr Doran-Wu Cr Farrell Cr Franchina Cr Ker Cr Lake Cr Torre</p>	<p><u>Against</u> Cr Cohen</p>
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Landowner:	Securewest Investments Pty Ltd
Applicant:	Inspired Development Group Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
Existing Land Use:	Grouped Dwelling & Home business
Use Class:	Grouped Dwelling, multiple dwelling and office
Use Classification:	“P”, “P” and “SA”
Lot Area:	1293 square metres
Access to Right of Way	N/A

BACKGROUND:

The site housed the former Amgas service station which is listed on the Town’s Non-Conforming Use Register.

17 December 2002 Council at its Ordinary Meeting conditionally approved the proposed demolition of existing service station and construction of eleven (11) grouped dwellings, including ten (10) single bedroom dwellings and four (4) associated home businesses on No. 279 (Lots 2, 3 and 4) Oxford Street, corner Bouverie Place, Leederville.

Construction of the development approved by Council at its Ordinary Meeting held on 17 December 2002 has commenced.

DETAILS:

The proposal involves a mixed use development comprising seven (7) single bedroom dwellings, two (2) single bedroom multiple dwellings, two (2) grouped dwellings and two (2) offices.

A summary of the applicant’s submission is as follows:

The applicant has advised that the changes are to the use and the internal areas. There is no variation to the building envelope and bulk. The change to Units 1 to 6 is to provide space for computers/accessories and some sort of office/study environment for the public current demand for such a facility, which has resulted in a slight increase to the plot ratio, for the single bedroom units to 66.8 square metres (permitted 60 square metres). *“To ensure that this area is used as study and not an additional bedroom, it would have no doorway and a*

permanent balustrade fitted along the stairway void, which would discourage further enclosure". The third storey has been removed, which was a condition of the previous planning approval. The offices have been separated and reorientated with the commercial entrances towards Oxford Street, thereby retaining the domestic nature of Bouverie Place. The proposed changes are considered to improve the amenity of the area.

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	7 grouped dwellings or 11 single bedroom dwellings R 60	7 single bedroom dwellings, 2 single bedroom multiple dwellings and 2 grouped dwellings R 82, which is partly due to the 50 percent per cent density bonus for the grouped dwellings only.	Supported-as the proposal results in the discontinuance of a non-conforming use and is within the previous building scale approved by Council.
Overall Plot Ratio	0.65 or 840 square metres. It is to be noted that for multiple dwellings, the plot ratio is 0.70. The 0.65 requirement is used to simplify the calculation.	0.56 or 734 square metres. This does not include the ground floor offices, which are excluded as per the Residential Design Codes (RDC).	Noted.
Plot ratio for single bedrooms- Units 1 to 6 only, as the other single bedroom units comply	60 square metres	66.8 square metres	Supported as the variation is considered minor and the use of the area is restricted by internal design elements. A condition to this effect is also proposed. The proposal uses the previously void area.
Consultation Submissions			
Comments	<ul style="list-style-type: none"> Provision of visitor parking as the increased in residents would results in increase demand for street car parking. Workmen currently on site using most of the on street car bays, and even parking on the street verges. 		<p>Not supported-as the car parking provided complies with the R Codes and Town's Carparking Policy.</p> <p>Noted-and the Towns Rangers have been requested to monitor the street and verge carparking in the immediate area.</p>

	<ul style="list-style-type: none"> Concern of risk associated with cars “rolling” down the car park due to the slope of the land away from Oxford Street, as the wall directly adjacent to the west of the side on the adjoining lot is a bedroom wall. A preventive measure is requested to prevent any potential accidental damage. Provision of adequate retaining due to difference in levels. 	<p>Noted- and a condition has been recommended to this effect.</p> <p>This matter would be addressed as part of the building licence.</p>
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and 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.

Residential Car Parking

Car parking requirements for the residential component of the development have been calculated using the requirement for grouped dwellings and single bedroom dwellings as per the R Codes. The residential component requires 13 car bays, which is inclusive of 1 visitor car bay. A total of 13 car bays have been allocated for the residential uses.

A total of 16 car bays have been provided for the entire development, therefore resulting in three (3) car bays available for the commercial component.

Commercial Car Parking

Requirements as per Parking and Access Policy	Required
Total car parking required before adjustment factor (nearest whole number)	2 car bays
Office-1 car bay per 50 square metres gross floor area (proposed 100 square metres)	
Apply the parking adjustment factors.	(0.85)
<ul style="list-style-type: none"> 0.85 (within 400 metres of a bus stop) 	1.7 car bays
Car parking provided on site for commercial component	3 car bays
Resultant surplus	1.3 car bays

Bicycle Parking Facilities

Requirements	Required	Provided
Office		
1 per 200 (proposed 100) square metres public area for employees (class 1 or 2).	N/A	N/A
1 space per 750 square metres over 1000 square metres for visitors.	N/A	N/A

COMMENTS:

Density

The proposed density of the development is supported under Part 4 'Special Purpose Dwellings' of the Residential Design Codes, having regard to the Town's Policies and procedures and determination of the application on its merits. It is noted that the site area required per single bedroom dwelling may be reduced to two-thirds of that for other dwelling types. For the 2 grouped dwellings proposed, a 50 percent bonus has been applied as may be allowed under Section 20 of the Town's Town Planning Scheme No.1 where a development affects the discontinuance of a non-conforming land use.

The proposal has also been advertised, and one neighbour submission has been received. The variations sought are considered to not unduly affect the amenity of the area.

The proposal is supported, subject to standard and appropriate conditions to address the above matters and the nature of a mixed use development.

10.1.14 No. 48 (Lot 234) Elizabeth Street, North Perth - Proposed Survey Strata Subdivision (169-05)

Ward:	North	Date:	1 March 2005
Precinct:	North Perth; P8	File Ref:	169-05
Attachments:	001		
Reporting Officer(s):	B McKean, K Loader		
Checked/Endorsed by:	R Rasiah, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Residential Design Codes, the Council RECOMMENDS REFUSAL to the Western Australian Planning Commission (WAPC), for the proposed survey strata subdivision application submitted by Oracle Surveys Consulting Surveyors for No. 48 (Lot 234) Elizabeth Street, North Perth, and as shown on plans stamped 3 February 2005 (subdivision 169-05) for the following reasons:*
- (a) *the subdivision is not consistent with orderly and proper planning and the preservation of the amenities of the locality; and*
- (b) *non-compliance with the Town's Policy relating to Vehicle Access to Dwellings Via a Right-of-way. (Policy No: 3.4.6), specifically to the provision of a 1.5 metres pedestrian access to the street alignment;*
- (ii) *the applicant/owners be advised that a pedestrian access way of 1.5 metres could be achieved on the eastern side of the proposed lots, however this would result in car parking for the proposed lot fronting Elizabeth Street being within the front setback; and*
- (iii) *the Council requests the Western Australian Planning Commission that if the Commission is inclined to approve the proposed survey strata subdivision, that the Town is further consulted to obtain the appropriate conditions of the Town that should apply to the proposed subdivision.*

COUNCIL DECISION ITEM 10.1.14

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

Landowner:	JA Benato
Applicant:	Oracle Surveys Consulting Surveyors
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1: Residential R30/40
Existing Land Use:	Single House
Use Class:	Single House

Use Classification:	"P"
Lot Area:	491 square metres
Access to Right of Way	North side, 6.1 metres, unsealed, Town owned

BACKGROUND:

No background directly relates to this proposal.

DETAILS:

An application has been received for the subdivision of the subject property into two survey strata lots, one having a lot area of 269 square metres, fronting Elizabeth Street and accommodating the existing house, and the other having an area of 225 square metres and fronting the ROW. There is a proposed 1.0 metre pedestrian access way to be located along the western boundary.

The Town's Technical Services have indicated that a 1.0 metre pedestrian access way is too narrow to support. The applicant's submission is "*Laid on the Table*"

ASSESSMENT:

Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Pedestrian Access	1.5 metres	1 metre	Not supported - major variation in pedestrian access width and opportunity to achieve 1.5 metres pedestrian access way on eastern side
Consultation Submissions			
No consultation required for this application			
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:

The application has been assessed under the higher R 40 dual coding requirements (R30/40) on the basis that the existing dwelling is to be retained. The proposal is considered to be non compliant with the Town's Policy relating to vehicle access to dwellings via a right-of-way, (Policy No: 3.4.6), specifically relating to the provision of a 1.5 metres pedestrian access way to the street alignment, and therefore is recommended for refusal.

10.1.17 Planning and Building Policies - Amendment No. 18 Relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments

Ward:	Both Wards	Date:	1 March 2005
Precinct:	All Precincts	File Ref:	PLA0153
Attachments:	001		
Reporting Officer(s):	C Mooney, C Godwin		
Checked/Endorsed by:	R Rasiah, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments, as shown in Attachment 001;*
- (ii) *ADOPTS the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments to be applied in the interim during the advertising period and up to formal adoption of the Draft Policy;*
- (iii) *ADVERTISES the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments 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 Draft 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 Draft Policy; and*
 - (c) *forwarding a copy of the Draft Policy to the Western Australian Planning Commission;*
- (iv) *after the expiry of the period for submissions:*
 - (a) *receives any submissions relating to the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments;*
 - (b) *reviews the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments, having regard to any written submissions; and*
 - (c) *determines the amended version of the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments, with or without amendment, to or not to proceed with them; and*
- (v) *ACKNOWLEDGES that the Notice of Motion resolved at the Ordinary Meeting of Council on 8 June 2004 relating to communal space for lodging houses, hostels and other forms of residential buildings, has been addressed and finalised in the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments; and*
- (vi) *ACKNOWLEDGES the requirement for Communal Open Space in Residential Dwellings is sufficiently covered by the Residential Design Codes and the Draft Policy relating to the Residential Design Elements.*

Moved Cr Lake, Seconded Cr Ker

That the recommendation be adopted subject to a new clause (vii) being added as follows:

"(vii) AMENDS the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments prior to clauses (i), (ii), and (iii) above, being actioned:

POLICY STATEMENT

- 2) *Where communal space cannot be provided in accordance with the acceptable development standards, ~~(as in the case of building conversions)~~ justification is to be provided with the planning application in terms of how the proposal meets the performance criteria.*
- 5) *External communal spaces are discouraged from directly abutting and/or overlooking adjoining residential areas.*
- 5) 6)
- 7) *Applicant to be advised that the development is also required to comply with the provisions for Lodging Houses under the Town of Vincent Health Local Law 2004.*

ASSESSMENT TABLE

<i>Performance Criteria</i>	<i>Acceptable Development</i>								
<i>New development (inclusive of alterations and additions) to meet these criteria:</i>	<i>Development which complies with the following will generally be approved:</i>								
<i>External Communal Space</i>	<i>External Communal Space</i>								
<i>P1 Sufficient area is to be provided outside the building for recreational use.</i>	<i>A1 A minimum provision of 20 square metres or 2 square metres per person (whichever is greater) of external communal space with a minimum dimension of 4 metres.</i>								
<u><i>Where developments are well supplied with private outdoor space in the form of private balconies or courtyards, minimum external communal space requirements may be reduced.</i></u>	<u><i>External communal space to be provided in accordance with the following table and to have a minimum dimension of 4 metres:</i></u>								
	<table border="1"> <thead> <tr> <th><u><i>No of occupants / guests</i></u></th> <th><u><i>Minimum area of external communal space required</i></u></th> </tr> </thead> <tbody> <tr> <td><u><i>100 or less</i></u></td> <td><u><i>20 square metres</i></u></td> </tr> <tr> <td><u><i>Greater than 100 and less than 150</i></u></td> <td><u><i>30 square metres</i></u></td> </tr> <tr> <td><u><i>150 or greater</i></u></td> <td><u><i>40 square metres</i></u></td> </tr> </tbody> </table>	<u><i>No of occupants / guests</i></u>	<u><i>Minimum area of external communal space required</i></u>	<u><i>100 or less</i></u>	<u><i>20 square metres</i></u>	<u><i>Greater than 100 and less than 150</i></u>	<u><i>30 square metres</i></u>	<u><i>150 or greater</i></u>	<u><i>40 square metres</i></u>
<u><i>No of occupants / guests</i></u>	<u><i>Minimum area of external communal space required</i></u>								
<u><i>100 or less</i></u>	<u><i>20 square metres</i></u>								
<u><i>Greater than 100 and less than 150</i></u>	<u><i>30 square metres</i></u>								
<u><i>150 or greater</i></u>	<u><i>40 square metres</i></u>								
	<i>A2 External communal space to <u>should</u> be located at ground level in a courtyard or terrace area <u>or the like.</u></i>								
<u><i>P5 External communal space should be designed to gain solar access.</i></u>	<i>A5 <u>At least 2/3 of the required external communal space area shall be without permanent roof cover.</u></i>								

<p><i>Internal Communal Space</i></p> <p>P5 <u>P6</u></p> <p>P6 <u>P7</u></p>	<p><i>Internal Communal Space</i></p> <p>A5 <u>A6</u> <i>An area no less than 15 <u>13</u> square meters to be provided</i></p> <p>A6 <u>A7</u> <i>Communal space shall be located on the ground floor near <u>adjacent to</u> commonly used spaces, such as kitchen, lobby entry area, manager's office etc, or adjacent to the communal outdoor open space.</i></p>
<p><i>General</i></p> <p>P7 <u>P8</u></p> <p>P8 <u>P9</u></p>	<p><i>General</i></p> <p>A7 <u>A8</u></p> <p>A8 <u>A9</u> <i>Internal and external communal space <u>preferably</u> to be north facing."</i></p>

Debate ensued.

Cr Lake departed the Chamber at 7.40pm.
Cr Lake returned to the Chamber at 7.41pm.

CARRIED (9-0)

COUNCIL DECISION ITEM 10.1.17

That the Council;

- (i) ***RECEIVES the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments, as shown in Attachment 001;***
- (ii) ***ADOPTS the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments to be applied in the interim during the advertising period and up to formal adoption of the Draft Policy;***
- (iii) ***ADVERTISES the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments 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 Draft 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 Draft Policy; and***
 - (c) ***forwarding a copy of the Draft Policy to the Western Australian Planning Commission;***
- (iv) ***after the expiry of the period for submissions:***
 - (a) ***receives any submissions relating to the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments;***
 - (b) ***reviews the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments, having regard to any written submissions; and***

- (d) *determines the amended version of the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments, with or without amendment, to or not to proceed with them; and*
- (v) *ACKNOWLEDGES that the Notice of Motion resolved at the Ordinary Meeting of Council on 8 June 2004 relating to communal space for lodging houses, hostels and other forms of residential buildings, has been addressed and finalised in the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments;*
- (vi) *ACKNOWLEDGES the requirement for Communal Open Space in Residential Dwellings is sufficiently covered by the Residential Design Codes and the Draft Policy relating to the Residential Design Elements; and*
- (vii) *AMENDS the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments prior to clauses (i), (ii), and (iii) above, being actioned:*

POLICY STATEMENT

- 2) *Where communal space cannot be provided in accordance with the acceptable development standards, ~~(as in the case of building conversions)~~ justification is to be provided with the planning application in terms of how the proposal meets the performance criteria.*
- 5) *External communal spaces are discouraged from directly abutting and/or overlooking adjoining residential areas.*
- 6)
- 7) *Applicant to be advised that the development is also required to comply with the provisions for Lodging Houses under the Town of Vincent Health Local Law 2004.*

ASSESSMENT TABLE

<i>Performance Criteria</i>	<i>Acceptable Development</i>						
<i>New development (inclusive of alterations and additions) to meet these criteria:</i>	<i>Development which complies with the following will generally be approved:</i>						
<i>External Communal Space</i>	<i>External Communal Space</i>						
<i>P1 Sufficient area is to be provided outside the building for recreational use.</i>	<i>A1 A minimum provision of 20 square metres or 2 square metres per person (whichever is greater) of external communal space with a minimum dimension of 4 metres.</i>						
<u><i>Where developments are well supplied with private outdoor space in the form of private balconies or courtyards, minimum external communal space requirements may be reduced.</i></u>	<u><i>External communal space to be provided in accordance with the following table and to have a minimum dimension of 4 metres:</i></u>						
	<table border="1"> <thead> <tr> <th><u><i>No of occupants / guests</i></u></th> <th><u><i>Minimum area of external communal space required</i></u></th> </tr> </thead> <tbody> <tr> <td><u><i>100 or less</i></u></td> <td><u><i>20 square metres</i></u></td> </tr> <tr> <td><u><i>Greater than 100 and less than 150</i></u></td> <td><u><i>30 square metres</i></u></td> </tr> </tbody> </table>	<u><i>No of occupants / guests</i></u>	<u><i>Minimum area of external communal space required</i></u>	<u><i>100 or less</i></u>	<u><i>20 square metres</i></u>	<u><i>Greater than 100 and less than 150</i></u>	<u><i>30 square metres</i></u>
<u><i>No of occupants / guests</i></u>	<u><i>Minimum area of external communal space required</i></u>						
<u><i>100 or less</i></u>	<u><i>20 square metres</i></u>						
<u><i>Greater than 100 and less than 150</i></u>	<u><i>30 square metres</i></u>						

	<u>150 or greater</u>	<u>40 square metres</u>
<u>P5</u> <i>External communal space should be designed to gain solar access.</i>	A2 <i>External communal space to <u>should</u> be located at ground level in a courtyard or terrace area <u>or the like</u>.</i>	A5 <i>At least 2/3 of the required external communal space area shall be without permanent roof cover.</i>
<i>Internal Communal Space</i> <u>P5 P6</u> <u>P6 P7</u>	<i>Internal Communal Space</i> <u>A5 A6</u> <i>An area no less than 15 <u>13</u> square meters to be provided</i> <u>A6 A7</u> <i>Communal space shall be located on the ground floor near <u>adjacent</u> to commonly used spaces, such as kitchen, lobby entry area, manager's office etc, or adjacent to the communal outdoor open space.</i>	
<i>General</i> <u>P7 P8</u> <u>P8 P9</u>	<i>General</i> <u>A7 A8</u> <u>A8 A9</u> <i>Internal and external communal space <u>preferably</u> to be north facing.</i>	

ADDITIONAL INFORMATION:

Area of Internal Communal Space

To ensure consistency between departments within the Town, the minimal requirement for the area of internal communal space should be 13 square metres (as per the Town's Health Local Law 2004).

Area of External Communal Space

The Draft Policy has been amended in relation to the area of external communal space. Rather than requiring the external communal space be provided per person, it was considered more appropriate to provide a minimum area in accordance with the above table.

BACKGROUND:

The following Notice of Motion was considered and adopted by the Council at its Ordinary Meeting held on 8 June 2004:

" That the Council AUTHORISES the Chief Executive Officer to:

- (i) consider a formal requirement for the provision of communal space, outdoor and/or indoor, for lodging houses, hostels and other forms of residential buildings, and service apartments, in the review of the Town of Vincent Town Planning Scheme No. 1;*
- (ii) consider, in the interim, a requirement for the provision of communal space, outdoor and/or indoor, for lodging houses, hostels and other forms of residential buildings, and service apartments, in the assessment and consideration of planning applications for such developments; and*

- (iii) *submit a report on this matter for consideration at the Ordinary Meeting of Council to be held on 12 October 2004 "*

The Council at its Ordinary Meeting held on 12 October 2004 resolved the following:

"That the Council:

- (i) *RECEIVES the Interim Report relating to Request to Investigate a Requirement for Communal Space for Lodging Houses, Hostels, Residential Buildings and Service Apartments; and*
- (ii) *AUTHORISES the Chief Executive Officer to further investigate planning considerations and requirements in relation to lodging houses, hostels, residential buildings and service apartments, and that a report regarding the outcome of the future investigation be submitted to the Ordinary Meeting of Council to be held on 23 November 2004."*

DETAILS:

The Draft Policy relating to communal space, will allow for the assessment and consideration of indoor and outdoor areas for development applications that propose a lodging house, hostel or serviced apartment.

The communal open space requirement for residential development that is provided for in the Draft Policy relating to Residential Design Elements and the Residential Design Codes is considered to be adequate and further standards for residential proposals are therefore not required. The Residential Design Elements stipulate a minimum area of communal open space for multiple dwellings to be provided per dwelling in one area to ensure that adequate and usable communal open space is provided.

Additionally in relation to clause (ii) of the above resolution from the 12 October 2004, the Town will consider a formal policy which relates to lodging houses, hostels and service apartments. Nevertheless in the interim the Draft Policy will achieve the intention of the above Notice of Motion.

Content and Structure

The Draft Policy requires the provision of communal indoor and outdoor space within a lodging house, hostel and service apartment that is functional and achieves improved standards of accommodation and amenity for both new development and applications for additions and alterations.

Area

The Draft Policy stipulates minimum external and internal areas to ensure useable communal space is provided. In order to provide adequate communal external space for large hostel, lodging house and serviced apartment developments, the provisions also stipulate a minimum area per person for external communal space to be applied where appropriate.

Amenity

To achieve a high standard of amenity, the Policy specifies requirements for the location of communal space to be highly accessible and have adequate solar access. To ensure the communal area has minimal impact on adjoining lots and the public domain, the Policy requires the design and location of the area to be sensitive to adjoining lots to prevent noise and light intrusion. Landscaping standards have also been provided to further restrict noise and light to the adjoining lots and to ensure the communal space attains high level of amenity to the surrounding areas.

LEGAL/POLICY:

The Town Planning Scheme No. 1 and associated Policies.

STRATEGIC IMPLICATIONS:

Strategic Plan 2005-2010 - Key Result Area One: Environment and Infrastructure: 1.3
"Develop, implement and promote sustainable urban design."

FINANCIAL/ BUDGET IMPLICATIONS:

The current 2004/2005 budget lists \$62,000 for Town Planning Scheme Amendments and Policies

COMMENTS:

In light of the above, it is recommended that the Council approves and advertises the Draft Policy relating to Communal Space for Lodging Houses, Hostels and Serviced Apartments.

10.1.20 Information Report – Notice of Motions: Cash in Lieu Policy Review and Review of Policy No. 3.5.15 - Security Roller Shutters, Doors and Grilles on Non-Residential Buildings

Ward:	Both Wards	Date:	2 March 2005
Precinct:	All Precincts	File Ref:	PLA0
Attachments:	-		
Reporting Officer(s):	C Mooney		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES** the Information Report relating to Notice of Motions: Cash in Lieu Policy Review and Review of Policy No. 3.5.15 - Security Roller Shutters, Doors and Grilles on Non-Residential Buildings; and
- (ii) **NOTES** that further reports relating to Notice of Motions: Cash in Lieu Policy Review and Review of Policy No. 3.5.15 - Security Roller Shutters, Doors and Grilles on Non-Residential Buildings are anticipated to be submitted for consideration at the Ordinary Meeting of Council to be held on 22 March 2005.

COUNCIL DECISION ITEM 10.1.20

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

BACKGROUND:

Correspondence was sent to Elected Members on 10 February 2005, regarding the Register of Notices of Motion, noting the Chief Executive Officer and Executive Managers had reviewed their status. Additionally, it was advised that the following Notice of Motions were anticipated to be reported to Council at its Ordinary Meeting to be held on 8 March 2005:

- Item 11.3, Ordinary Meeting of Council 27 April 2004: Cash in Lieu Policy – Review; and
- Item 10.1.27, Ordinary Meeting of Council 16 December 2003: Review of Policy No. 3.5.15 - Security Roller Shutters, Doors and Grilles on Non-Residential Buildings - Interim Report.

DETAILS:

Due to unanticipated staff absence, due to illness, reports and related policy amendments regarding the above Notice of Motions were not able to be completed for the Ordinary Meeting of Council to be held on 8 March 2005. The Town’s officers have systematically programmed outstanding Notice of Motion requests and resultant policy creation and/or amendment, to be finalised this financial year, in conjunction with current tasks.

Review of Cash in Lieu Policy – Update

A presentation was given to Elected Members at the Elected Member Forum held on 2 November 2004. Discussion and comments generated from the forum is currently being assessed by the Town's Officers and a report regarding these outcomes is being prepared.

Security Roller Shutters, Doors and Grilles on Non-Residential Buildings Policy - Update

A presentation was given to Elected Members at the Elected Member Forum held on 14 December 2004. The outcome of the Elected Members Forum was to suggest the rescission of the Policy relating to Security Roller Shutters, Doors and Grilles on Non-Residential Buildings, and replace with a Draft Policy relating to 'shop fronts'. The Town's Officers have researched information relating to 'shop fronts' and are currently preparing a Draft Policy accordingly.

LEGAL/POLICY:

The Town Planning Scheme No. 1 and associated Policies.

STRATEGIC IMPLICATIONS:

Strategic Plan 2005-2010 - Key Result Area One: Environment and Infrastructure: 1.3
"Develop, implement and promote sustainable urban design."

FINANCIAL/ BUDGET IMPLICATIONS:

Nil.

COMMENTS:

In light of the above, it is recommended that the Council receive this information report, in accordance with the Officers Recommendation.

Mayor Catania advised that Crs Chester and Ker had declared a proximity interest in this Item. Crs Chester and Ker departed the Chamber at 7.46pm and did not speak or vote on the matter.

10.1.21 LATE ITEM - Further Report - Amendment No. 19 to Planning and Building Policies - Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley

Ward:	South	Date:	4 March 2005
Precinct:	Norfolk; P10	File Ref:	PRO2061;122893,
Attachments:	001		
Reporting Officer(s):	C Mooney		
Checked/Endorsed by:	R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, as shown in the Attachment;*
- (ii) *ADOPTS the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, to be applied in the interim;*
- (iii) *ADVERTISES the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley 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 Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, having regard to any written submissions; and*
 - (b) *determines the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, with or without amendment, to or not to proceed with them.*

Moved Cr Lake, Seconded Cr Cohen

That the recommendation be adopted.

Debate ensued.

Moved Cr Lake, Seconded Cr Cohen

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

“(ii) *ADOPTS the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, to be applied in the interim subject to:*

(a) the word “few” in the third paragraph under the heading “2. Context” on Page 1 of 10 being deleted and replaced with the words “two (2)”;

AMENDMENT CARRIED (7-0)

(Crs Chester and Ker were absent from the Chamber and did not vote.)

Moved Cr Lake, Seconded Cr Cohen

That a new clause (ii)(b) be added as follows:

“(ii) (b) *the words “and maintaining access to direct sun to habitable rooms of adjoining properties” be added after the word “intrusion,” in paragraph two of 5(f) - Setbacks;*”

AMENDMENT CARRIED (7-0)

(Crs Chester and Ker were absent from the Chamber and did not vote.)

Moved Cr Lake, Seconded Cr Cohen

That a new clause (ii)(c) be added as follows:

“(ii) (c) *“Figure 2” being amended to be consistent with the modified text regarding western setback of 1.5 metres to the second storey;*”

AMENDMENT CARRIED (7-0)

(Crs Chester and Ker were absent from the Chamber and did not vote.)

Moved Cr Lake, Seconded Cr Cohen

That a new clause (ii)(d) be added as follows:

“(ii) (d) *paragraph two of 5(i)(i) being amended to read as follows;*

The pitch of primary roofing visible from the street is to be 30 degrees. A pitch of up to 40 45 degrees can be considered upon demonstration that the roof form complements the immediate surrounding areas.”

AMENDMENT CARRIED (7-0)

(Crs Chester and Ker were absent from the Chamber and did not vote.)

That a new clause (ii)(e) be added as follows:

“(ii) (e) *paragraph two of 5(ii)(a) being amended to read as follows;*

The use of ~~dormer and attic windows~~, verandahs, window projections on the round and first floors, colours, materials and other appropriate design features is strongly encouraged to create greater visual interest, to assist with climate control, to reduce visual impact and to accentuate the vertical rhythm of the dwellings.”

Debate ensued.

AMENDMENT CARRIED (7-0)

(Crs Chester and Ker were absent from the Chamber and did not vote.)

That a new clause (ii)(f) be added as follows:

“(ii) (f) *a new paragraph three under the heading “2. Context” be added as follows;*

The street or public face of the buildings on the lots should be detailed to provide visual richness and variety, reduce apparent bulk and enhance the individual identity of each building.”

Debate ensued.

AMENDMENT CARRIED (7-0)

(Crs Chester and Ker were absent from the Chamber and did not vote.)

MOTION AS AMENDED CARRIED (7-0)

(Crs Chester and Ker were absent from the Chamber and did not vote.)

COUNCIL DECISION ITEM 10.1.21

That the Council;

(i) *RECEIVES the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, as shown in the Attachment;*

(ii) *ADOPTS the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, to be applied in the interim subject to;*

(a) *the word “few” in the third paragraph under the heading “2. Context” on Page 1 of 10 being deleted and replaced with the words “two (2)”;*

(b) *the words “and maintaining access to direct sun to habitable rooms of adjoining properties” be added after the word “intrusion,” in paragraph two of 5(f) - Setbacks;*

(c) *“Figure 2” being amended to be consistent with the modified text regarding western setback of 1.5 metres to the second storey;*

(d) *paragraph two of 5(i)(i) being amended to read as follows;*

“The pitch of primary roofing visible from the street is to be 30 degrees. A pitch of up to 40 45 degrees can be considered upon demonstration that the roof form complements the immediate surrounding areas.”

- (e) *paragraph two of 5(ii)(a) being amended to read as follows;*
- “The use of ~~dormer and attic windows~~, verandahs, window projections on the round and first floors, colours, materials and other appropriate design features is strongly encouraged to create greater visual interest, to assist with climate control, to reduce visual impact and to accentuate the vertical rhythm of the dwellings;” and*
- (f) *a new paragraph three under the heading “2. Context” be added as follows;*
- “The street or public face of the buildings on the lots should be detailed to provide visual richness and variety, reduce apparent bulk and enhance the individual identity of each building.”;*
- (iii) *ADVERTISES the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley 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 Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, having regard to any written submissions; and*
- (b) *determines the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, with or without amendment, to or not to proceed with them.*

FURTHER REPORT:

The Council at its Ordinary Meeting held on 22 February 2005 resolved the following:

“That the Item be DEFERRED to obtain advice on how best to handle the Guidelines.”

The Town’s Officers met with Councillor Cohen and Councillor Lake on Thursday, 3 March 2005 to discuss concerns regarding the Draft Design Guidelines raised at Council’s Ordinary Meeting held on 22 February 2005. Agreement was reached regarding concerns, the outcome being some minor amendments to the Guidelines to clarify and alleviate concerns.

Discussion focussed on the following:

- Streetscape and Roofscape;
- Bulk and scale of pitched roofs;
- Second storey side setbacks; and
- Third storey loft concerns.

Further Comments

The urgency of requiring the matter to be considered at the Ordinary Meeting of Council to be held on 8 March 2005 is that the conditions of subdivision approval imposed by the Western Australian Planning Commission are under Appeal and the matter relating to the Guidelines will be heard at the 6th Tribunal Directions Hearing on 11 March 2005. It is understood the Tribunal will be seeking assurance on the Council's position on the Guidelines. It is in the Town's best interest that the matter does not go to full appeal, as having the Design Guidelines allows for certainty of future development. It should be noted that throughout the process the applicant has liaised with both the Town and the WAPC to come to a favourable outcome.

The Draft Design Guidelines will allow for streetscape articulation and additionally allow for balance between the adjoining adjacent existing dwellings, and considering the impact of bulk and scale of future development. The subdivision layout encourages the development of two-storey townhouse forms inclusive of balconies and verandahs, in order to provide opportunity for an optimum balance between outdoor spaces and interaction with the streetscape and adjoining properties.

The Draft Design Guidelines in their revised form are considered to appropriately address the above concerns and that future built development will respect the amenity of the adjoining properties and the streetscape within the immediate locality, whilst not discouraging innovative design.

It should be noted that there are four examples of two-storey Townhouse construction within the immediate locality, located at Nos. 73-79 Chelmsford Road, corner of Hyde Street, Mount Lawley, which positively contribute to the immediate streetscape.

Design Guideline Amendments

Second Storey (upper floor) setbacks have been placed on both east and west boundaries to allow for single residential character to be presented to the streetscape. In regard to heights, the wording has been changed to emphasise that the future built structure are only to be two storeys and that maximum wall heights and roof wall heights of the Residential Design Codes are adhered to. This additionally addresses concerns regarding bulk and scale.

The wording under the roof form provision has been amended to allow for moderation within the roofscape especially in regard to primary frontages, that is, streetscape.

Amended wording within the context provision of the draft Design Guidelines noted from the previous Ordinary Meeting of Council held on 22 February 2005 have been incorporated into the amended Design Guidelines accordingly.

Conclusion

Amendments to the Draft Design Guidelines have been made as noted above and have been underlined to illustrate changes made.

In light of the above, it is recommended that Council adopt the above recommendation, as previously stated.

The following is a verbatim copy of the Minutes of the item placed before the Council at its Ordinary Meeting held on 22 February 2005:

“OFFICER RECOMMENDATION:

That the Council;

- (i) RECEIVES the draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, as shown in the Attachment;*
- (ii) ADOPTS the draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, to be applied in the interim;*
- (iii) ADVERTISES the draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley 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 Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, having regard to any written submissions; and*
 - (b) determines the draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, with or without amendment, to or not to proceed with them.**

COUNCIL DECISION ITEM 10.1.15

Moved Cr Lake, Seconded Cr Farrell

That the recommendation be adopted subject to a new clause (v) be added as follows:

- "(v) AMENDS the draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Pt Lot 76) Chelmsford Road, Mount Lawley, as shown in the Attachment, by amending clause 2)Context; prior to clauses (i), (ii) and (iii) above, being actioned:*

2) CONTEXT

The immediate locality is characterised by housing in a wide range of architectural styles, of dwelling and morphology types, of lot sizes and of building ages and condition. The immediate locality is generally characterised by single storey detached housing development dating from the early decades of the 20th Century with a few houses development characteristic of the 1960s. Lot sizes and frontages have historically been consistent across the immediate locality, with some recent development occurring within the wider locality with varying lot sizes and frontages. The age of the majority of the oldest housing is circa 1900.

~~*There is no particular definable aesthetic or historical streetscape character other than what may be described as varied and picturesque."*~~

Debate ensued.

Moved Cr Lake, Seconded Cr Franchina

That the Item be DEFERRED to obtain advice on how best to handle the Guidelines.

CARRIED (7-0)

(Crs Chester and Ker were absent from the Chamber and did not vote.)

BACKGROUND:

10 June 2002 The Town recommended conditional approval under delegated authority for demolition of No. 95 (Lot 75 and Part Lot 76) Chelmsford Road, Mount Lawley.

18 September 2003 The Town recommended conditional approval under delegated authority for the proposed amalgamation and subdivision of Nos. 95 and 97 (Lots 75, 76, 77 and Part Lot 75) Chelmsford Road, Mount Lawley into 4 lots comprising; 3 lots of 231.6 square metres and 1 lot 694 square metres.

30 October 2003 The Western Australian Planning Commission (WAPC) conditionally approved the subdivision of the land. Conditions 11 and 12 of this conditional subdivision approval states the following:

"11. The applicant obtaining development approval for the development of a dwelling(s) on proposed Lots 1, 2 and 3 and the building(s) being constructed to plate height prior to the submission of the Diagram for Plan or Survey. (LG)"

"12. If the boundary(ies) of the lots are defined by "Party Walls", then a party wall rights easement created pursuant to section 136C of the Transfer of Land Act is to be shown on the Diagram or Plan of Survey (Deposited Plan), in accordance with the development as constructed, to the satisfaction of the Western Australian Planning Commission. (LG) . . .

The applicant is advised to consult with the Town of Vincent to determine the requirements for the registration of "Party Walls" (mutual easements of support) on the Certificate of Title and provisions of the Local Government Act to which "Party Walls" may be subject to."

24 November 2003 The applicant on behalf of the owners requested the WAPC to reconsider conditions 2, 7, 8, 9, 10, 11, and 12, of the above approval.

11 December 2003 Conditional Planning Approval was granted under delegated authority for additional three (3) two-storey single houses to existing single house on the subject site. It is likely that this application was submitted in order to satisfy a condition of Planning Approval for the Demolition Licence, therefore allowing the applicant to commence demolition works.

29 March 2004

The Town received correspondence from the WAPC stating the following:

"A request for reconsideration of the abovementioned conditions was received on 24 November 2003 with additional supporting information received on 26 January 2004. A copy of the reconsideration letter is enclosed.

Your comments or any information you may have concerning this proposal is requested prior to 13 April 2004.

In terms of Condition 11 (plate-height construction) it is noted that the Council has approved development application pertaining to construction of an additional three (3) two storey single houses on the subject land. In light of the landowners desire not to undertake development at this point in time it has been suggested that the adoption of Residential Design Guidelines may offer an alternative mechanism by which to ensure that future development on the narrow lots is integrated. Accordingly, the Town's specific comments as to the acceptability of a requirement for adoption of Residential Design Guidelines in place of plate -height construction would be appreciated.

8 April 2004

The Town replied to the WAPC stating the following:

"I wish to advise that the Town's Policy relating to Subdivisions Requiring Plate Height Development, only requires developments to be built to plate height for subdivisions that will create vacant freehold, survey strata or strata lots(s) with an area less than 200 square metres, or a frontage less than 6 metres, or a depth less than 15 metres, or for lots which have an awkward shape. Given that the proposed lots do not meet the above-mentioned criteria, the plate height condition is not considered necessary, and it was therefore not recommended as a condition of subdivision approval in the Town's letter dated 18 September 2003".

20 May 2004:

Correspondence to the applicant from the WAPC states the following in relation to Condition 11:

". . . it is acknowledged that PolicyDC2.2 does provide the option of pursuing a detailed area plan as a means of securing co-ordinate development and the Commission has previously been prepared to support application within the Town of Vincent subject to the preparation and adoption of Residential Design Guidelines to address development concerns prior to the creation of freehold lots. In this instance the Commission considers that such an option would enable your clients to proceed with the subdivision while still ensuring a degree of certainty as to the form and layout of the future development and has resolved to:

modify Condition 11 as follows:

11. Detailed Residential Design Guidelines for Proposed Lots 1, 2 & 3 being submitted to the Western Australian Planning Commission for approval and adopted by the Town of Vincent pursuant to clause 47 of the Town of Vincent Town Planning Scheme to address such issues as building orientation, site coverage, setbacks, the location of driveway crossovers, location of party walls, common fencing and parking. (WAPC/LG)".

DETAILS:

The Town received correspondence dated 2 December 2004 from the applicant for the above mentioned property with attached draft Design Guidelines for No. 95 (Lot 75 and Part Lot 76), Chelmsford Road, Mount Lawley, stating:

"We would be grateful if you would proceed with formal procedures for the adoption of the guidelines as part of a policy made pursuant to Clause 47 of the Town of Vincent Town Planning Scheme No. 1"

The Town received a letter dated 18 January 2005 from the WAPC advising the following:

"Please be advised that subject to some points that require clarification or consent from the Town of Vincent, the Commission is satisfied that the draft Design Guidelines will be in an acceptable format for Council's adoption."

With this advice from the WAPC, the draft Design Guidelines are considered acceptable in their current form. The draft Design Guidelines have been reformatted to complement with the Town's Planning and Building Policies and is shown in the Attachment.

CONSULTATION/ADVERTISING:

Any new, 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, and the Residential Design Codes.

STRATEGIC IMPLICATIONS:

*Strategic Plan 2005-2010 – Key Result Area One: Environment and Infrastructure:
"1.3 Develop, implement and promote sustainable urban design."*

FINANCIAL/BUDGET IMPLICATIONS:

The current 2004/2005 Budget allocates \$62,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

The applicant has liaised with the officers of both the Town and the WAPC to produce Design Guidelines that reflect the requirements of the aforementioned parties. The Guidelines fulfil the requirements of the WAPC's revised condition number 11 as stated in their letter dated 20 May 2004.

In light of the above, it is recommended that the Council adopts the Draft Policy relating to Appendix No. 14 - Design Guidelines for No. 95 (Lot 75 and Part Lot 76), Chelmsford Road, Mount Lawley, to be applied immediately and advertises the Draft Policy in accordance with clause 47 of the Town of Vincent Town Planning Scheme No. 1."

Crs Chester and Ker returned to the Chamber at 7.59pm.

10.2.3 Introduction of Parking Restrictions in Bold Court

Ward:	South Ward	Date:	2 February 2005
Precinct:	Oxford Centre P4	File Ref:	PKG0151
Attachments:	001:		
Reporting Officer(s):	A Munyard		
Checked/Endorsed by:	R Lotznicher	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the introduction of parking restrictions in Bold Court, Leederville;*
- (ii) *APPROVES in principle the following, as shown on attached Plan No. 2334-PP-01:*
 - (a) *a two (2) hour time restriction on the east side of Bold Court, Leederville, as shown on attached plan No. 2334-PP-01, to be in place from 8.00am until 5.30pm, Monday to Friday, and 8.00am until 12noon Saturdays;*
 - (b) *a "No Parking" restriction on the west and north sides of Bold Court, to be in place at all times; and*
 - (c) *a "No Stopping" restriction on the south side of Bold Court extending to the beginning of the two (2) hour restriction on the east side of Bold Court;*
- (iii) *CONSULTS with residents to gauge their support for the proposal giving them fourteen (14) days to provide comments; and*
- (iv) *IMPLEMENTS the proposal and places a moratorium on issuing infringement notices for a period of two (2) weeks from the installation of the new parking restriction signs, should no adverse comments be received during the consultation period.*

COUNCIL DECISION ITEM 10.2.3

Moved Cr Chester, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

BACKGROUND:

Following the introduction of parking restrictions in Carr Place, Leederville, there has been a significant increase in the number of vehicles parking all day in Bold Court, causing congestion, resulting in parking difficulties for residents of the street (refer attached photographs).

DETAILS:

There are currently no parking restrictions in Bold Court, making this the only remaining unrestricted street in the near vicinity. Consequently, Bold Court is targeted by commuters and local employees who take advantage of this free parking opportunity to the detriment of the residents of the street.

Bold Court is a narrow "L" shaped cul-de-sac road, 5m wide. The southern boundary of the east west leg of Bold Court is adjacent to a group of six (6) recently established building lots, five (5) of which have newly constructed houses with double crossovers. Therefore, kerbside parking cannot be accommodated on this side of the road. Furthermore, vehicles parked on the north side of this leg, opposite the crossovers, create an obstruction for residents wishing to reverse onto the road.

It is proposed that a two (2) hour time restriction be implemented on the east side of Bold Court, as shown on attached Plan No. 2334-PP-1, to discourage all day parking, while still providing a reasonable amenity for residents, their guests and service providers. A "No Parking" restriction is proposed for the west and south boundary kerbs, and a "No Stopping" restriction in the remainder of the street. Residents would be entitled to apply for exceptions from the time restrictions for themselves and their visitors.

CONSULTATION/ADVERTISING:

Should the Council approve the introduction of the restrictions, in principle, residents would be invited to comment on the proposal prior to its implementation. Should it be concluded that the majority of residents are not in favour of proceeding with the restrictions, a further report will be prepared for the information of the Council.

LEGAL/POLICY:

There is no legal impediment to the amendment of the parking restriction.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment “(i) *Develop a strategy for parking management in business, residential and mixed use precincts*”.

FINANCIAL/BUDGET IMPLICATIONS:

The cost of installation of restriction signs and road line marking would be approximately \$600.00.

COMMENTS:

The incidence of all day parking has increased considerably in the past twelve months, and has resulted in a number of requests from residents for parking control. As all surrounding streets are time restricted, Bold Court should now be brought into line.

10.2.5 Draft Policy - Electricity Supply - Development Guidelines for Installation of Transformers Substations

Ward:	Both	Date:	2 March 2004
Precinct:	All	File Ref:	ORG0023
Attachments:	-		
Reporting Officer(s):	C Wilson		
Checked/Endorsed by:	R Lotznicher		

RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the Draft Policy for "Electricity Supply - Installation Guidelines for Installation of Transformers";*
- (ii) *APPROVES the Draft Policy for "Electricity Supply - Installation Guidelines for Installation of Transformers" as shown in Appendix 10.2.5;*
- (iii) *AUTHORISES the Chief Executive Officer to:*
 - (a) *advertise the proposed policy amendments for a period of twenty one (21) days, seeking public comment;*
 - (b) *report back to the Council with any public comments received; and*
 - (c) *include the policy in the Policy Manual if no public submissions are received.*

Moved Cr Ker, Seconded Cr Chester

That the recommendation be adopted subject clause (ii) being amended to read as follows:

- “(ii) *APPROVES the Draft Policy for "Electricity Supply - Installation Guidelines for Installation of Transformers" as shown in Appendix 10.2.5 subject to:*
 - (a) *the word “transformers” being changed to “substations” in the heading;*
 - (b) *clause 3 being amended to read as follows:*
 - “3. Screening. If the ~~transformer and/or~~ substation is visible from the road reserve, public open space or adjoining property, the applicant is to provide ~~adequate~~ appropriate screening of the installation in materials i.e. vegetation, fencing, walls ~~and colour(s)~~ to be approved by Western Power and ~~Council~~ the Town.”; and
 - (c) *the following paragraph being added to the end of the document:*
 - “Wherever possible the Town will minimise and discourage isolated placement of electrical infrastructure in public spaces.”; and

CARRIED (9-0)

COUNCIL DECISION ITEM 10.2.5

That the Council;

- (i) ***RECEIVES*** the report on the Draft Policy for "Electricity Supply - Installation Guidelines for Installation of Transformers";
- (ii) ***APPROVES*** the Draft Policy for "Electricity Supply - Installation Guidelines for Installation of Transformers" as shown in Appendix 10.2.5 subject to:
 - (a) *the word "transformers" being changed to "substations" in the heading;*
 - (b) *clause 3 being amended to read as follows:*

"3. Screening. If the ~~transformer and/or~~ substation is visible from the road reserve, public open space or adjoining property, the applicant is to provide ~~adequate~~ appropriate screening of the installation in materials i.e. vegetation, fencing, walls and colour(s) to be approved by Western Power and Council the Town."; and
 - (c) *the following paragraph being added to the end of the document:*

"Wherever possible the Town will minimise and discourage isolated placement of electrical infrastructure in public spaces."
- (iii) ***AUTHORISES*** the Chief Executive Officer to:
 - (a) *advertise the proposed policy amendments for a period of twenty one (21) days, seeking public comment;*
 - (b) *report back to the Council with any public comments received; and*
 - (c) *include the policy in the Policy Manual if no public submissions are received.*

BACKGROUND:

Many large scale developments undertaken within the Town are required, both out of necessity and as a condition of Western Power's approval process, to install a transformer and/or sub station to ensure an adequate and reliable power supply for the development. Further Western Power has on occasions taken the opportunity to use these installations to augment the local power grid.

In the past, some developers when advised of the need to install a transformer have, either out of ignorance or deliberately, attempted to have the transformer located within the road reserve or other public places.

DETAILS

Developers have a vested interest in not, if possible, accommodating transformers and/or sub station within a development as it reduces the useable land area and depending on the placement of the installation, can detract from the aesthetics of the development.

However when a developer is required to install a transformer Western Power tend take the opportunity use the installation to supplement the local power grid, and therefore some developers argue that the transformer should be located within the road reserve or public open space.

This issue was highlighted by a proposal lodged in 2002 for a development within the Oxford Centre Precinct where Western Power could not guarantee a reliable power supply for the development without the applicant installing a transformer. Further Western Power, at the time, acknowledged that there were issues with the power supply within the broader Leederville area and that the proposed transformer would augment the local power grid and reduce power fluctuation and outages.

As a consequence the developer, using the argument of serving the greater good, applied to have the transformer installed within the road reserve, thereby reducing the impact upon the development.

Council voiced serious concerns about this specific case and the general principal of locating transformers within the road reserve and public places, culminating in the resolution adopted at the Ordinary Meeting of Council on 25 June 2002, which in part read:

That the Council REFUSES the proposal to locate a Western Power electrical district sub-station within the Oxford Street road reserve beneath the pedestrian overpass footbridge (Option 1) and on Town owned land adjacent to Leederville Parade and the 'Avenue Carpark' (Option 2).....as the proposals are not consistent with the orderly and proper planning of the Oxford Centre by virtue of the proposed district sub-station having an unreasonable adverse impact on the existing and future amenity of the Centre and the development potential of the Town owned site.

Whilst the aforementioned development did not proceed it did highlight a shortcoming in Council's development policies.

In order to address this deficiency a notice of motion was adopted at the Ordinary Meeting of Council of 13 July 2004 asking the Town's officers to undertake an *Investigation of Western Power Substations in Public Places and Development of a Policy*.

The Town wrote to both Western Power and the East Perth Redevelopment Authority (EPRA) seeking information on their respective policies.

Western Power Corporation

Western Power's response was verbal advising that the information was freely available on their web site. A review of this information revealed that it mainly related to the technical aspects of the installation and accessibility (for maintenance purposes). There are also limitations on the screening of transformers, but again this was for technical rather than the aesthetic reasons.

In respect of sites for transformer and/or substations Western Power's policy states that:

'the Customer shall provide a suitable site for the substation. Western Power will provide a drawing showing the required size and orientation of the site.'

Further in regards screening of installations the policy, in part, reads:

'Western Power has no requirement for screening around the site. However the customer may elect to install screening around the site (eg. for aesthetic reasons). The erection of such screening is at the Customer's discretion and is the customer's responsibility'

There are also sections of the policy that deals with ventilation and fire rating of adjoining walls if the installation is within a building.

East Perth Redevelopment Authority (EPRA)

EPRA were more forthcoming and provide the following comments and information.

'EPRA does not have standard guidelines in place to govern the installation of electrical transformers and switchgear for development sites. Instead EPRA seeks specific information and advice from its engineers on a site by site basis.

Generally, EPRA and SRA's (Subiaco Redevelopment Authority) approach is to install transformers for most subdivisions, but occasionally we defer installation pending their possible location inside a future building. A key issue that we include in our contracts of sale relates to the level of supply and the owners responsibility to obtain any 'extra' power needs.

Further, the following information is taken from the draft Imago Design Guidelines and The Village Northbridge Design Guidelines.

Imago Design Guidelines (refers to a specific site, to which reference has been deleted).

1.5.2 Site Services: Power

Criteria and Recommendations:

- *The owner of the site is to liaise with Western Power to relocate and incorporate preferred substation location into the building envelope (owners cost).*

The Village Northbridge Design Guidelines.

1.6.4 Western Power Sub-Station

- *Where Western Power requires the installation of a sub-station, affected lots must ensure that the structure is integrated into the design of the proposed development.*

From the information provided, the above appears most in keeping with Council intention.

CONSULTATION/ADVERTISING:

It is recommended that the Draft Policy, as outlined, be advertised for a period of 21 days seeking comments, to be incorporated into a further report to Council.

LEGAL/POLICY:

N/A

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.3 Develop, Implement and promote sustainable urban design. “b) Review urban design policies and guidelines to enhance amenity, universal access, neighbourhood interaction crime prevention and aesthetics and participate in initiatives and incentives to foster sustainable building and urban design.”

FINANCIAL/BUDGET IMPLICATIONS:

N/A

COMMENTS:

A review of the Town's current policies, including those contained within the *Planning and Building Policy Manual*, suggests that the adopted format of simplicity is the best approach to avoid any ambiguity and therefore the following 'Draft Policy' is submitted for consideration.

In respect of technical issues involved in the installation of transformers and/or substations, they are covered by Western Power Corporation's own regulations and guidelines. Therefore it is not considered necessary to make specific reference to these in the policy.

In respect of the desire to screen transformer installations for aesthetic reasons, there will be instances where Western Power's own regulations will limit the style and type of screening that can be installed. However, in a majority cases, the Town will be able to comment on and impose its own requirements.

It is therefore recommended that the Council receives the report on the Draft Policy for "Electricity Supply - Installation Guidelines for Installation of Transformers", approves in principle the attached Draft Policy, advertises the Draft Policy for a period of 21 days; seeking public comments, and receives a further report on the Draft Policy at the conclusion of the community consultation period.

APPENDIX 10.2.5

POLICY NO:

DRAFT
ELECTRICITY SUPPLY - DEVELOPMENT GUIDELINES FOR
INSTALLATION OF ~~TRANSFORMERS~~ SUBSTATIONS

OBJECTIVES

To provide guidelines under which electrical transformers and sub-stations can be installed within the Town.

POLICY STATEMENT

If, as a condition of Western Power Corporation's approval, a development or subdivision requires the installation of an electrical transformer and/or substation, then the following are to apply:

1. Subdivisions. The owner or developer of the site is to liaise with Western Power to locate and incorporate the transformer and/or substation within the subdivision at the applicant's cost.
2. Developments. The owner or developer of the site is to liaise with Western Power to locate and incorporate the transformer and/or substation within the site or building envelope at the applicant's cost.
3. Screening. If the ~~transformer~~ substation and/or substation is visible from the road reserve, public open space or adjoining property, the applicant is to provide ~~adequate~~ appropriate screening of the installation in materials ie vegetation, fencing, walls and colour(s) to be approved by Western Power Council and the Town.

In respect of the State Underground Power Program and the retrospective installation of underground power infrastructure, the following are to apply:

1. Western Power Corporation and/or its sub contractors are to liaise with the Town as to the preferred location of the underground power infrastructure prior to finalising the design, and
2. In conjunction with the Town's officers, Western Power Corporation liaise with affected property owners, residents, businesses and Local Precinct Groups.

Wherever possible the Town will minimise and discourage isolated placement of electrical infrastructure in public spaces.

10.3.1 Community and Welfare Donations - Transport Assistance for Persons Aged Over 55 Years and People with Disabilities

Ward:	Both	Date:	25 February 2005
Precinct:	All	File Ref:	FIN0008
Attachments:	001		
Reporting Officer(s):	A Bateman		
Checked/Endorsed by:	J Anthony M Yoo	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *ADOPTS the proposed guidelines for Community and Welfare Donations - Transport Assistance for Persons 55 Years and Over and People with Disabilities; and*
- (ii) *lists an amount of \$10,000 for consideration in the 2005/2006 Budget to progress the donations for transport.*

Moved Cr Lake, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

Cr Torre departed the Chamber at 8.03pm.
Cr Torre returned to the Chamber at 8.06pm.

Moved Cr Doran-Wu, Seconded Cr Cohen

That the recommendation be amended to read as follows:

- “(i) *ADOPTS the proposed guidelines for Community and Welfare Donations - Transport Assistance for Persons 55 Years and Over and People with Disabilities subject to the amount of "\$100" being changed to "\$200" in paragraph 2 of the "Background"; and*
- (ii) *LISTS an amount of ~~\$10,000~~ \$20,000 for consideration in the 2005/2006 Budget to progress the donations for transport, to enable transport for up to 100 residents per year (instead of the original 50).”*

Debate ensued.

AMENDMENT CARRIED (7-2)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Lake
Cr Chester	Cr Franchina
Cr Cohen	
Cr Doran-Wu	
Cr Farrell	
Cr Ker	
Cr Torre	

Debate ensued.

Moved Cr Ker, Seconded Cr Doran-Wu

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

“(i) *ADOPTS the proposed guidelines for Community and Welfare Donations - Transport Assistance for Persons 55 Years and Over and People with Disabilities subject to:*

(a) *the amount of "\$100" being changed to "\$200" in paragraph 2 of the "Background"; and*

(b) *preference be given to supporting access to facilities, services and activities within the Town except where those necessary facilities, services and activities are not available within the Town;*”

AMENDMENT CARRIED (9-0)

Moved Cr Lake, Seconded Cr Ker

That the existing clause (ii) renumbered and a new clause (ii) be added as follows:

“(ii) *AUTHORISES the Chief Executive Officer to:*

(a) *advertise the proposed Policy for a period of twenty-one (21) days seeking public comment;*

(b) *report back to Council with any public comments received; and*

(c) *include the policy in the Policy Manual if no public submissions are received;*”

Debate ensued.

AMENDMENT CARRIED (9-0)

Moved Cr Lake, Seconded Cr Ker

That new clauses (i)(c) and (d) and (iv) be added as follows:

“(i) (c) *separation of eligibility criteria into mandatory and non-mandatory items; and*

(d) *clarification that applicants which are eligible for support through other agencies will be assisted in applying through these organisations;*

(iv) *RECEIVES a report after twelve (12) months on the Guidelines advising how much funding has been applied for, the number of applications, successful applications and other relevant matters.*”

Debate ensued.

Cr Chester requested that the amendment be put in two parts. The Presiding Member referred the request to the mover and seconder who agreed.

New clauses (i)(c) and (d) was put.

Debate ensued.

AMENDMENT CARRIED (7-2)

<u>For</u>	<u>Against</u>
Cr Chester	Mayor Catania
Cr Cohen	Cr Torre
Cr Doran-Wu	
Cr Farrell	
Cr Franchina	
Cr Ker	
Cr Lake	

New clause (iv) was put.

AMENDMENT LOST (4-5)

<u>For</u>	<u>Against</u>
Cr Farrell	Mayor Catania
Cr Franchina	Cr Chester
Cr Ker	Cr Cohen
Cr Lake	Cr Doran-Wu
	Cr Torre

Debate ensued.

MOTION AS AMENDED CARRIED (9-0)

COUNCIL DECISION ITEM 10.3.1

That the Council;

- (i) *ADOPTS the proposed guidelines for Community and Welfare Donations - Transport Assistance for Persons 55 Years and Over and People with Disabilities subject to:*
- (a) *the amount of "\$100" being changed to "\$200" in paragraph 2 of the "Background";*
 - (b) *preference be given to supporting access to facilities, services and activities within the Town except where those necessary facilities, services and activities are not available within the Town;*
 - (c) *separation of eligibility criteria into mandatory and non-mandatory items; and*
 - (d) *clarification that applicants which are eligible for support through other agencies will be assisted in applying through these organisations;*
- (ii) *AUTHORISES the Chief Executive Officer to:*

- (a) *advertise the proposed Policy for a period of twenty-one (21) days seeking public comment;*
 - (b) *report back to Council with any public comments received; and*
 - (c) *include the policy in the Policy Manual if no public submissions are received; and*
- (iii) *LISTS an amount of \$20,000 for consideration in the 2005/2006 Budget to progress the donations for transport, to enable transport for up to 100 residents per year (instead of the original 50).*
-

BACKGROUND:

The Town's Mayor has requested the matter of transport for Seniors and people with disabilities to be investigated.

The Town of Vincent is currently investigating transport options for people over the age of 55 and people with disabilities. To date, it has sought to address the transport needs of these groups by providing funding to agencies such as People Who Care through the annual Community and Welfare Grants Scheme. Using this funding, the agencies concerned have targeted transport services at Town of Vincent residents. This arrangement has worked well and could be linked with the proposed donations for transport scheme to address additional demands for transport assistance.

A recent focus on the needs of seniors in the Town of Vincent has resulted in a number of enquiries about transport services and the possibility the Town could provide assistance in a more direct manner. As part of its Seniors Strategy, the Town is currently holding forums involving seniors looking at a range of issues including transport. It is expected that some useful strategies for addressing the short and long term transport needs for seniors will come out of these forums. The Town, therefore, does not wish to invest in the development of new services or infrastructure before the seniors have fully outlined and explained their needs and ideas in relation to transport.

To address the possibility that there may be unmet needs for transport in the Town in the short term, the Community and Welfare Donations Scheme has been broadened to include the category of Transport Assistance for Persons 55 Years and over and People with Disabilities.

The intent of the guidelines is to target people who may not have access to their own transport or convenient public transport options and who may not have the means to pay for taxis and other forms of commercial transport.

DETAILS:

Careful consideration has been given to the amount of funding that should be available to residents in the target group. This takes into account financial constraints, serving as many residents as possible and the need to empower residents by working together with agencies currently providing transport services. A limit of \$100 per person per financial year has been set. This amount would cover the cost of approximately 6 return trips in the local area by taxi or approximately 12 return trips to any destination with an agency such as People Who Care. If a resident requires transport on an ongoing basis, a Community Development Officer will assist them with information and link them to ongoing providers of transport services available.

It is proposed that the most practical and accountable means of providing the transport assistance would be either through the issue of Cabcharge Vouchers by approval of the Manager of Community Development or the arrangement of transport through other agencies.

STRATEGIC IMPLICATIONS:

The donations for the transport scheme is in keeping with the Town of Vincent Strategic Plan-Amended 2005- 2010

Key Result Area 2.3 Develop and implement initiatives for universal access.

"(c) Develop creative solutions to access and equity issues, relevant to the Town's diverse community."

FINANCIAL/BUDGET IMPLICATIONS:

There is currently not a budget for the proposal. \$5000 would provide for transport to 50 residents per year. \$10,000 would provide for transport to 100 residents per year.

COMMENTS:

There has been an increase in requests to Council from residents requiring transport. There is high demand for transport services for people 55 years and over, people with disabilities and people with significant illness in meeting their medical and social needs. Due to these requests it is recommended that the needs of 100 residents are met per financial year.

The matter should be considered during the 2005/06 Budget process.

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion – Councillors Doran-Wu and Torre - Investigation into Traffic Access and Egress from Properties in the Vicinity of the Mount Hawthorn Shopping Centre
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That;

- (i) *the Town's Officers carry out an investigation be carried out into measures to improve safety and visibility for access and egress from properties in Fairfield Street, in the vicinity of the proposed Mount Hawthorn Shopping Centre; and*
- (ii) *a report concerning this matter be submitted to the Council no later than May 2005.*

COUNCIL DECISION ITEM 11.1

Moved Cr Doran-Wu, Seconded Cr Torre

That the motion be adopted.

Debate ensued.

CARRIED (9-0)

12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

14. CLOSURE

The Presiding Member, Mayor Catania JP, declared the meeting closed at 8.45pm with the following persons present:

Cr Simon Chester	North Ward
Cr Caroline Cohen	South Ward
Cr Doran-Wu	North Ward
Cr Steed Farrell	North Ward
Cr Basil Franchina	North Ward
Cr Ian Ker (Deputy Mayor)	South Ward
Cr Sally Lake	South Ward
Cr Torre	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental & Development Services
Michael Yoo	Acting Executive Manager, Corporate Services
Rick Lotznicher	Executive Manager, Technical Services
Annie Smith	Executive Assistant (Minutes Secretary)

1 Member of the public

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 8 March 2005.

Signed:Presiding Member
Mayor Nick Catania, JP

Dated this day of 2005