



TOWN OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

9 JUNE 2009

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Nil	100
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Nil	100
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Nil	100
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Nil	100
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100

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 9 June 2009, commencing at 6.00pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania, declared the meeting open at 6.05pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Rob Boardman, Director Development Services – apology due to personal commitments (annual leave).

Rick Lotznicker, Director Technical Services – apology due to personal commitments (annual leave).

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Anka Burns	South Ward
Cr Helen Doran-Wu	North Ward
Cr Steed Farrell (<i>Deputy Mayor</i>)	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Noel Youngman	North Ward

John Giorgi, JP	Chief Executive Officer
Jim Maclean	A/Director Development Services
Craig Wilson	A/Director Technical Services
Mike Rootsey	Director Corporate Services
Helen Smith	A/Manager Planning Building & Heritage Services

Anita Radici	Executive Assistant (Minutes Secretary)
Debra Dimoff	Employee of the Month Recipient (<i>until 6.32pm</i>)

Phynea Papal	Journalist – “ <i>The Guardian Express</i> ”
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Approximately 20 Members of the Public

(c) Members on Approved Leave of Absence:

Nil.

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

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

1. Tim Muirhead of 99 Bourke Street, Leederville, on behalf of the Vincent Reconciliation Group – Items 9.3.1 & 9.3.2. Urged Council to support this recommendation. Stated that from 1997 to 2001 he was the coordinator of “Australians for Reconciliation” in WA and flew to Canberra regularly to express

opinions on how Nations and Governments could achieve lasting reconciliation, near the end of that time, fellow members of the Group gently challenged him to focus on his own back yard and he helped in hosting a simple but moving ceremony on the shores of Lake Monger. Stated that two elders told a painful story about how their grandparent's parents evaded the "Redcoats" by spending the night in the middle of the Lake and then escaping out of the area undercover of darkness. Advised that the Elders moved many to tears by welcoming them to the land and including them in a smoking and tree planting ceremony. Stated that all the meetings in Canberra were worth nothing compared to that simple ceremony which transformed many of the attendees, moved them to further action and was another small but powerful step in repairing the divisions. Declared that reconciliation is a process of building connection and trust in the face of hostility and separateness. Stated too many problems occur because Aboriginals do not feel they belong in our non-Aboriginal world and we do not feel we belong nor want to belong in theirs. Stated that a safer, richer, more just community is wanted, we need to get serious about reconciliation and this project will help. Advised that there has been a number of reconciliation events in Vincent and their group is proud of their part in those and also thanked the Council for its part in them. Stated they now want to join with the Council, residents and Aboriginal community to journey towards reconciliation. Advised that their group have invested a lot of money and work in this so far by and have good support from various elders, community organisations and Council. Requested partnership in moving forward and making it a reality as it will be an inspiration to people and Councils throughout WA and Perth.

Cr Messina departed the Chamber at 6.10pm.

2. Robert Sambell of 304 Fitzgerald Street, Perth – Item 9.1.5. Stated he understands and accepts Guidelines and acknowledged that they are 2.67 car bays short as per plans submitted to the Planning Department, which he has offered to pay cash-in-lieu for. Stated, under the Guidelines of the widening of Fitzgerald Street they will lose 3 existing car bays. Advised that his submission has 7 bays including a disabled bay, a separate delivery and loading bay and a cycle rack. Asked Council to note that they are a family business of 5 that runs a commercial furniture business and 99% of their customers are by appointment as they are a design furniture company that specialises in commercial fit-outs for resorts, hotels and other end-users of commercial furniture requirements – they are not a domestic furniture company. Pointed out that they are not a "Harvey Norman". Advised that the building beside them at 300 Fitzgerald Street has 2 office floors, 2 penthouses and is categorised as 'office' and their requirement is 12 car bays but they could house up to 50 – 100 people in the building. Stated they are going to be a commercial showroom that has furniture on display for their commercial customers and they require the floor space to demonstrate the fit-out capacity to architects/designers. Reiterated that he agrees to pay the cash-in-lieu for parking as discussed with the Planning Department. Advised that his architect/designer was present and available to answer any questions.

Cr Messina returned to the Chamber at 6.12pm.

3. Gail D'Souza of 14 Buxton Street, Mt Hawthorn – Item 9.1.1. Stated that since the last meeting she has spoken with her neighbours about their concerns regarding the southern boundary and unfortunately the plans are not easy to change, but they have taken into account their concerns being: noise factor, which will actually be reduced compared to the current situation, and also the cleaning of the gutters which may be more difficult but there is not a complete blockage. Advised that the neighbours understand that they are planning to proceed with the plans as originally submitted. Asked Council to approve their plans.

4. James Watson of 180 Palmerston Street, Perth – Item 9.2.2. Stated that a month ago, he and 2 other people addressed the Council regarding the concerns they have for Hyde Park. Advised that the two main issues they wanted to raise are the social amenity and heritage aspects of the proposals and the process that Council was pursuing in following a remediation of the lakes. Advised that he emailed all Councillors regarding this issue to fully inform them of the concerns as they feel they are not being listened to. Stated the sentiment in the community is that Councillors are proceeding with a process that they have no control over. Believed that Councillors are there to represent the people that voted them in and not to “*push their own barrows*”. Stated when he moved to the area he thought that Vincent took heritage seriously, however no attempt is being made to include a heritage assessment in the renovation of the Lakes. Stated that Hyde Park is on the State Heritage Register and surely deserves some kind of heritage assessment. Stated Hyde Park is used by people that go there for weddings, bbqs etc because they love the park – its not ‘just another park’. Believed that doing only an environmental assessment will not solve the problem.
5. Emmanuela Diaz of 64B Riley Street, Tuart Hill – Item 9.2.2. Advised that she used to live on Lake Street and during that time did some research on Hyde Park while at university and wrote a short biography on the Park. Stated that many people see it as a special place but do not delve into its history. Stated there are references in the Park about what it was like before it, and the surrounding landscape changed dramatically. Believed this is today’s heritage and we need to maintain it as is and add to it to achieve a balance. Stated everyone is aware that they should “rip up” their lawns and replace them with natives as lawn consume too much water. Whilst doing this biography, she interviewed John Hyde who called the Park “the lungs of the city” and to her understanding the Park was known as the “Third Swamp” when Australia was first being colonised. Stated that she does not believe in going back, but rather going forward. Stated that the Park a habitat for many species of wildlife and that we should do what is right for everyone.
6. David Finney of 25 Brookman Street, Perth – Item 9.2.2. Concerned about the lack of consultation with the general community. Believed that work is being barreled along and is destroying the amenity of the Lake. Also concerned about the heritage and does not understand why the walls are being removed, why existing vegetation that has been there for a long time is being removed or why the Lake’s water quality is not being restored as they are. Understands that funds have been provided for this by the Federal Government and cannot comprehend why the Council is barreling along with the idea of a wetland. Stated that they do not want a wetland but want the Lake restored.

The Presiding Member, Mayor Nick Catania stated that to put peoples mind at ease, a decision has not yet been made and the Council does listen.

7. Anne Bennett of 15B Harley Street, Highgate – Item 9.2.2. Believed that the consultancy report undertaken by the Town did not appear to her to be a full scope of all of the issues or the options regarding managing the water in Hyde Park. Recalled that at the consultation session held in May, the consultants asked that those who had backyard bores to turn them off as that would be no issue with water in the Lake. Stated to her this was a glaring issue in the consultancy report and she would like to comment that this issue has been under-consulted and for those that go to this area to recreate, they should be able to have a say in what the area looks like and she does not believe that this has happened. Believed that the process has not been significant. Asked that, before the Council move forward, it take a step back and ask the community what they want. Believed the Council need to look at more than the environmental issues and look at the cultural and heritage values.

8. Boyde Lynch of 71-73 Scarborough Beach Road, Mt Hawthorn – Item 9.1.3. Advised that he is extremely happy with the conditions attached to this particular approval, however, has one concern with an item on page 16 of Agenda – sign No. 2. Advised that particular sign is not supported. Stated his primary concern is that the sign is attached to the fascia of the building and is the same size as the fascia of the building. Believed the primary problem to be that it faces a residential building. Believed there is precedence as right across the road from his business is a similar size sign, if not bigger and this also faces a residential building. Understands that, after further consultation, the projections of this sign which make up the logo on the sign are a problem and is very happy to remove these projections if that is the main concern. Thanked the Staff for eventually being able to get this to a stage where it can be put to the Council.
9. John Waddingham of 23 Anzac Road, Leederville. Stated he was not speaking on a particular agenda item but on general procedure of interest to him as an occasional visitor to Council meetings. Stated that he has often noticed the coloured pages in front of Councillors and media before and during council meetings and has recently found out that these are possible amendments to existing resolutions. Stated that he has been caught out in a previous meeting due to a significant amendment being made to an existing item on the agenda which he was not aware of however, would have loved the opportunity to have had addressed the amendment. Asked whether it was possible for these amendments to be made available to members of the public?

The Presiding Member, Mayor Nick Catania stated that the amendments are there to assist the Councillors in making decisions and to advise of possible changes of items to the Agenda and are not for the Public Gallery, which brings its own requests. Stated that the answer to Mr Waddingham's question is no as, at times, the amendments are not relevant to the discussion and are often not moved at all.

There being no further speakers, public question time closed at approx. 6.28pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Meeting of Council held on 26 May 2009.

Moved Cr Farrell, Seconded Cr Ker

That the Minutes of the Ordinary Meeting of Council held 26 May 2009 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 June 2009

As members of the public will know, the Council recognises its employees by giving a monthly award for outstanding service to the Ratepayers and Residents of the Town. The recipients receive a \$100 voucher, kindly donated by the North Perth Community Bank, and a Certificate.

For JUNE 2009, the award is presented to Debra Dimoff, Library Assistant at the Town of Vincent Library and Local History Centre.

Debra was nominated by her colleague, Andrea Baraiolo, and her nomination endorsed by the Director Development Services, Rob Boardman, for the following reasons:

"Debra has consistently shown enthusiasm in the workplace. She recently organised a very successful fund raiser for "Australia's Biggest Morning Tea" with very short notice. She was able to source donations from local businesses, organise Library staff to supply items and decorate the Library Lounge so all could enjoy a wonderful [and worthwhile] occasion. Debra made sure that some of the Library patrons were collected from their homes to attend.

Debra is a pleasure to work with and deserves recognition for the extra effort that she always seems to find."

Congratulations Debra - and well done!

Received with Acclamation!

7.2 Storm Damage – Item 9.2.3

I draw your attention to Item 9.2.3 on tonight's Agenda which outlines damage which occurred in the Town on 21 May 2009. Whilst storms are not uncommon and the damage is expected - often the efforts of the Town's employees (and for that matter other essential service agencies) goes unnoticed.

Both the Chief Executive Officer and myself have received numerous comments from the Vincent Residents and also several Council Members, praising the work of the Town's employees for their outstanding efforts following the storm.

Particular praise must go to the following:

- Engineering Services who responded to calls for assistance from flooding and clearing debris from roads;
- Parks Services who responded to requests concerning fallen trees, branches and debris; and
- Ranger Services who assisted Police and other Emergency Services at accidents during the storm.

Also thanks to our local Emergency Services Team, of which the Town has a number of employees, who responded to numerous calls for assistance during and after the storm.

7.3 Urgent Business – Item 13.1

I have agreed to include into tonight's Agenda an item of Urgent Business relating to Members Equity Stadium - Urgent Repairs and Upgrade Works.

The repair and minor upgrade works are urgently required prior to proposed games to be held at the Stadium with various high profile English Soccer teams in July 2009. In addition, a number of items have been identified as safety issues and as such, the Town has a duty of care to protect the safety of persons using the Stadium.

8. DECLARATIONS OF INTERESTS

8.1 Cr Messina declared an interest affecting Impartiality in Item 9.1.5 – No. 304 (Lot 6 D/P: 2411) Fitzgerald Street, North Perth – Demolition of Existing Showroom Building and Construction of a Three-Storey Commercial Building, comprising Showrooms. The extent of his interest being that the company that he currently works for has been a client of the applicant.

8.2 Cr Lake declared an interest affecting Impartiality in Item 9.3.1 – Reconciliation Place Project – Banks Reserve. The extent of her interest being that she has participated in and supported the activities of this group.

8.3 Cr Maier declared an interest affecting Impartiality in Item 9.3.1 – Reconciliation Place Project – Banks Reserve. The extent of his interest being that whilst not a member of the Vincent Reconciliation Group, he has previously given donations to the group.

8.4 Mayor Catania declared an interest affecting Impartiality in Item 9.3.3 – Community Bus – Purchase Guidelines and Conditions of Use. The extent of his interest being that he is the chairperson of the North Perth Community Bank.

8.5 Cr Burns declared an interest affecting Impartiality in Item 9.3.3 – Community Bus – Purchase Guidelines and Conditions of Use. The extent of her interest being that she is a shareholder and her father is a director in the North Perth Community Bank.

8.6 Cr Messina declared an interest affecting Impartiality in Item 9.3.3 – Community Bus – Purchase Guidelines and Conditions of Use s. The extent of his interest being that he is a director and shareholder of the North Perth Community Bank.

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

Nil.

10. REPORTS

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

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

Items 9.3.1, 9.3.2, 9.1.5, 9.1.1, 9.2.2 and 9.1.3.

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

Item 13.1.

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

Nil.

Presiding Member, Mayor Nick Catania, requested Council Members to indicate:

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

Cr Farrell	Nil.
Cr Messina	Item 9.2.3.
Cr Youngman	Item 9.1.7.
Cr Ker	Item 9.1.6 and 9.3.3.
Cr Doran-Wu	Item 9.1.8.
Cr Lake	Item 9.4.3.
Cr Burns	Nil.
Cr Maier	Items 9.1.2 and 9.4.2.
Mayor Catania	Nil.

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

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

Items 9.1.4, 9.1.9, 9.2.1, 9.4.1 and 9.4.4.

- 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 business, of which items will be considered, as follows:

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

Items 9.1.4, 9.1.9, 9.2.1, 9.4.1 and 9.4.4.

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

Items 9.3.1, 9.3.2, 9.1.5, 9.1.1, 9.2.2 and 9.1.3.

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

Moved Cr Farrell, Seconded Cr Messina

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

Items 9.1.4, 9.1.9, 9.2.1, 9.4.1 and 9.4.4.

CARRIED (9-0)

9.1.4 Nos. 602-610 (Lot: 89 D/P: 692 and Lots: 404 and 405 D/P: 32639) Beaufort Street, Corner Barlee Street, Mount Lawley - Proposed Demolition of Existing Commercial Buildings and Construction of Four-Storey Mixed Use Development Comprising Twenty (20) Multiple Dwellings, Shops and Associated Basement Car Parking

Ward:	South	Date:	2 June 2009
Precinct:	Mount Lawley Centre; P11	File Ref:	PRO4329; 5.2008.597.1
Attachments:	001		
Reporting Officer(s):	D Pirone		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Bollig Design Group on behalf of the owner Demol Investments Pty Ltd for proposed Demolition of Existing Commercial Buildings and Construction of Four-Storey Mixed Use Development Comprising Twenty (20) Multiple Dwellings, Shops and Associated Basement Car Parking, at Nos. 602-610 (Lot: 89 D/P: 692 and Lots: 404 and 405 D/P: 32639) Beaufort Street, corner Barlee Street, Mount Lawley, and as shown on amended plans stamp-dated 31 March 2009, subject to the following conditions:

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) an archival documented record of the place(s) including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) prior to the issue of the Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) a bin compound being provided in accordance with the Town's Health Services specifications, divided into commercial and residential areas and sized to contain:-*

Residential Properties

- General Waste: One (1) Mobile Garbage Bin or equal to 240 litres per unit (collected weekly); and*
- Recycle Waste: One (1) Mobile Recycle Bin or equal to 240 litres per unit (collected fortnightly).*

Commercial Properties

- General Waste: One (1) Mobile Garbage Bin or equal to 240 litres per commercial unit or 200 square metres of floor space, or part thereof (collected weekly); and*
- Recycle Waste: One (1) Mobile Recycle Bin or equal to 240 litres per commercial unit or 200 square metres of floor space, or part thereof (collected fortnightly);*

- (b) *the balconies facing the right of way of all units on the first, second and third floors off the living/dining and master bedroom, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 3, 5 and 7 Roy Street stating no objection to the respective proposed privacy encroachments; and*
- (c) *continuous and complementary awnings being provided over the Beaufort Street and Barlee Street footpaths in accordance with the Town's Local Laws relating to Verandahs and Awnings over Streets, with the awnings being a minimum height of 2.75 metres from the footpath level to the underside of the awning and a minimum of 500 millimetres from the kerb line of Beaufort Street and Barlee Street.*

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

- (iv) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town;*
- (v) *prior to the issue of a Building Licence, an acoustic report prepared in accordance with the Town's Policy relating to Sound Attenuation shall be submitted and approved by the Town. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;*
- (vi) *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;*
- (vii) *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 dwellings that:*
- (a) *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; and*
- (b) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential unit/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.*

This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the dwellings;

- (viii) *the owner(s), or the applicant on behalf of the owner(s), shall comply with the Town of Vincent Percent for Public Art Policy No. 3.5.13 and the Percent for Public Art Guidelines for Developers, including:*
- (a) *within twenty – eight (28) days of the issue date of this ‘Approval to Commence Development’, elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$75,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$7,500,000); and*
- (b) *in conjunction with the above chosen option;*
- (1) *Option 1 –
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and*
- prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;*
- OR**
- (2) *Option 2 –
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;*
- (ix) *first obtaining the consent of the owners of No. 612 Beaufort Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 612 Beaufort Street in a good and clean condition;*
- (x) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (xi) *the doors, windows and adjacent floor areas on the ground floor fronting Beaufort Street and Barlee Street shall maintain an active and interactive relationship with this street;*
- (xii) *the total gross floor area of the shops shall be limited to 401 square metres. 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;*
- (xiii) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (xiv) *prior to the first occupation of the development, a minimum of ~~20~~ 22 car parking spaces for the residential component and 2 car parking spaces for the visitors of the residents of the development, shall be clearly marked and signposted for the exclusive use of the residents of the development;*

- (xv) *prior to the first occupation of the development, a minimum of ~~11~~ 13 car parking spaces for the commercial component, shall be clearly marked and signposted for the use of the commercial tenants of the development;*
- (xvi) *the on-site car parking area for the shops/non-residential component shall be available for the occupiers and visitors of the residential component outside normal business hours;*
- (xvii) *the car parking area shown for the shops/non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (xviii) *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;*
- (xix) *any proposed vehicular entry gates to the car parking area shall have a minimum 50 per cent visually permeable and shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors for the commercial 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;*
- (xx) *prior to the first occupation of the development, one (1) class one or two bicycle and two (2) class three parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*
- (xxi) *prior to the first occupation of the development, each multiple dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer;*
- (xxii) *any new street/front wall, fence and gate within the Beaufort Street and Barlee Street setback areas, including along the side boundaries within these street setback areas, shall comply with the following:*
 - (a) *the maximum height being 1.8 metres above the adjacent footpath level;*
 - (b) *the maximum height of piers with decorative capping being 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum height of the solid portion of the wall being 1.2 metres above the adjacent footpath level, and a minimum of fifty percent visually permeable above 1.2 metres;*
 - (d) *the piers having a maximum width of 355 millimetres and a maximum diameter of 500 millimetres;*
 - (e) *the distance between piers should not be less than the height of the piers except where pedestrian gates are proposed;*
 - (f) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level; and*

- (g) *the solid portion adjacent to the Barlee Street boundary from the above truncation(s) can increase to a maximum height of 1.8 metres above adjacent footpath level provided that the wall or fence has at least two (2) significant appropriate design features (as determined by the Town of Vincent) to reduce the visual impact – for example, significant open structures, recesses and/or planters facing the street at regular intervals, and varying materials; and the incorporation of varying materials, finishes and/or colours are considered to be one (1) design feature. Details of these design features shall be submitted to and approved by the Town prior to the issue of a Building Licence;*
- (xxiii) *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);*
- (xxiv) *the Beaufort Street Metropolitan Region Scheme Other Regional Road Reservation area is to be brick paved to match the existing footpath and be completed in consultation and supervised by the Town’s Engineering Operations Manager. A refundable footpath bond and/or bank guarantee for \$3,360 payable by the builder/developer/applicant lodged to the Town prior to the issue of the Building License and will be held until all works have been completed to the satisfaction of the Town’s Engineering/Technical Services. An application to the Town for the refund of the bond shall be made in writing;*
- (xxv) *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 \$15,600 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; and*
- (xvi) *the provision of underground power along the Beaufort Street and Barlee Street frontages to the property including the installation of lighting on the south-eastern elevation of the building facing the rear right of way (ROW), and all costs associated with the provision of this underground power and lighting on the south-eastern elevation of the building facing the ROW shall be met by the owner(s).*

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

COUNCIL DECISION ITEM 9.1.4

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

ADDITIONAL INFORMATION:

The comments provided under the heading ‘Density, Plot Ratio and Building Height’ on page 28 of the Agenda Report infers that the fourth storey is setback from all boundaries and creates articulation in the development. This is incorrect and should not be considered.

Landowner:	Demol Investments Pty Ltd
Applicant:	Bollig Design Group
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): District Centre
Existing Land Use:	Commercial
Use Class:	Shop and Multiple Dwelling
Use Classification:	“P” and “AA”
Lot Area:	1090 square metres
Access to Right of Way	South-east side, 3 metres wide, sealed, Town owned

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the demolition of the existing commercial buildings and the construction of a four-storey mixed use development comprising of two levels of basement car parking, shops and two multiple dwellings on the ground floor and multiple dwellings on the first, second and third floors.

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

ASSESSMENT:

****Note: The following Assessment Table was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.***

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density:	8.72 multiple dwellings	20 multiple dwellings	Supported – see “Comments”
Plot Ratio:	1.0 or 1090 square metres	2.21 or 2409.79 square metres	Supported – see “Comments”
Number of Storeys:	3 storeys (4 storeys can be considered)	4 storeys	Supported – see “Comments”
Building Setbacks: -South-East (rear)	9 metres	3.3 metres to right of way and 6.3 metres to neighbouring properties.	Supported – not considered to have an undue impact on the neighbouring property and no objections received from affected landowner.
Privacy Setbacks: All balconies on the south-eastern (rear) elevation	7.5 metres	6.3 metres	Not supported – condition applied for all balconies on the south-eastern elevation to be screened to a minimum of 1.6 metres.

Residential Car Parking		
<p>In accordance with the Residential Design Codes requirements for mixed use development, on-site car parking requirements for multiple dwellings may be reduced to one bay per dwelling where on-site parking required for other uses is available outside normal business hours. A total of 40 car bays have been provided for the subject development; 20 <u>22</u> car bays are allocated to residential (due to car bays 22, 23, 24 and 25 being in tandem), <u>2</u> bays for visitor parking and the balance of the car bays available for the commercial component in this instance is 20 <u>16</u> car bays.</p>		
Visitor (Residential) Car Parking		
<p>Visitor car parking for the residential component shall be provided at a rate of not less than 10 per cent of the total number of car parking required for the residential component and is required to be free of a security barrier. In this instance, the two visitor car bays have been provided within the basement car park. Therefore, the proposed number of visitor car parking is compliant with the requirements of the R Codes.</p>		
Commercial Car Parking		
Car parking requirement (nearest whole number)		= 27 car bays
<ul style="list-style-type: none"> • Shop (401 square metres) – requires 26.73 car bays 		
Apply the adjustment factors:		(0.41616) <u>(0.4896)</u>
<ul style="list-style-type: none"> • 0.85 (within 800 metres of rail station) • 0.85 (within 400 metres of a bus stop) • 0.80 (contains a mix of uses, where at least 45 per cent of the gross floor area is residential) • 0.80 (within 50 metres of a public car park with an excess of 50 car bays) • 0.90 (within a District Centre zone) 		= 11.24 car bays = <u>13.21 car bays</u>
Minus the car parking provided on-site		20 <u>16</u> car bays for commercial
Minus the most recently approved on-site car parking shortfall		N/A
Resultant surplus		8.76 car bays <u>2.79 car bays</u>
Bicycle Parking		
<p>Shop</p> <ul style="list-style-type: none"> • 1 space per 300 square metres of gross floor area for employees (class 1 or 2) = 1.34 spaces • 1 space per 200 square metres of gross floor area for visitors (class 3) = 2.005 spaces <p>Total class one or two bicycle spaces = 1 space Total class three bicycle spaces = 2 spaces</p>		
Consultation Submissions		
Support (3)	<ul style="list-style-type: none"> • No comments provided. 	<ul style="list-style-type: none"> • Noted.
Objection (2)	<ul style="list-style-type: none"> • Building height. • Bulk and scale. • No loading bays provided. • Shortage of car parking. • The proposed external fixtures are not sympathetic to the residential area. 	<ul style="list-style-type: none"> • Not supported – see “Comments”. • Not supported – see “Comments” • Not supported – the proposed development is not required to provide a loading bay. • Not supported – the development proposes a surplus in the car parking bays required. • Not supported – the subject property is located within a District Centre zone in which this type of development and the provision of external fixtures are encouraged.

	<ul style="list-style-type: none"> • Impacts of retail on Barlee Street. • No provision for bicycles. • No provision for disabled access. • No pedestrian access provided. • Overshadowing. • No provision for lighting in the right of way. 	<ul style="list-style-type: none"> • Not supported – the subject property is located within a District Centre zone in which this type of development is permitted and encouraged. • Not supported – the development proposes bicycle parking within the basement. • Not supported – the development proposes a disabled car bay and a lift for disabled access. • Not supported – the development proposes a pedestrian access way from the right of way to the basement and from Barlee Street. • Not supported – the development is within a District Centre zone, therefore overshadowing is not applicable. • Supported – a condition requiring illumination of the right-of-way has been applied.
Other Implications		
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).	
Strategic Implications	Nil	
Financial/Budget Implications	Nil	
Sustainability Implications	The proposal will be required to satisfy the energy efficiency requirements of the Building Code of Australia at the Building Licence stage. The proposal maximises the development potential use of the land, taking into consideration its close proximity to the City and major transport routes.	

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

COMMENTS:

Demolition

The subject place at Nos. 602-610 Beaufort Street, Mount Lawley comprises a car yard at Nos. 602-604 built in the Late Twentieth Century Retail style in 1971 and two commercial shops at Nos. 606-610 built in the Stripped Commercial style of architecture circa 1904-1907.

The subject car yard at Nos. 602-604 Beaufort Street is located at the prime intersection of Beaufort and Barlee Streets. It comprises a brick and iron sales office along the rear south-east corner of the site and is surrounded by a car parking area that extends to the lot frontage along Beaufort Street. Historical information indicates that the subject lots originally comprised a brick residential dwelling and a corner shop which operated as a dry cleaner, veterinary surgery and drug company over the years, both built circa 1904. The former residential dwelling and the corner shop were demolished prior to and in 1968, to make way for a car sales office later built in 1971.

The ground floor shop-fronts of the two shops at Nos. 606-610 are shaded by an extended cantilevered awning, while the upper level brick façade has a plain parapet. The shop to the south-west features a shop entry which is recessed on a truncated corner, with original wooden window frames and doors extant whilst the shop to the north-east features full length flush paned windows with aluminium frames with contemporary shop front design, indicating that the shop has undergone several alterations. Historical information indicates that the shops along Nos. 606-610 Beaufort Street have been occupied by a number of commercial enterprises including a greengrocer, boot maker, oil and colour merchant, confectioner, dairy product merchant, fruiter, storekeeper, fish monger and upholsterer.

A preliminary heritage check indicates the subject place at Nos. 602-610 Beaufort Street has little aesthetic, historic, scientific or social heritage significance. In accordance with the Town's Policy relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the Town's Municipal Heritage Inventory.

Density, Plot Ratio and Building Height

Density, plot ratio and building height contribute to the bulk and scale of a development and in this instance, the subject proposal is not considered to have an undue impact on the amenity of the area. The subject site is a landmark location and the proposal is symptomatic of a growing trend to develop underutilised inner-city properties. The proposed four-storey height of the building is supported given the nature of developments in the immediate area along Beaufort Street, as well as its consistency with the dominant corner frontage. The four-storey developments that exist along Beaufort Street include a development that is adjacent to the subject property on the southern corner of Beaufort Street and Harold Street, as well as at No. 1 Chelmsford Road, on the corner of Beaufort Street and Chelmsford Road. The three-storey mixed-use developments that are in the immediate vicinity are located at No. 500 Beaufort Street and No. 591 Beaufort Street. Furthermore, the proposed fourth storey is setback a significant distance from all boundaries and is located in the centre of the site. This creates interest and articulation in the elevations, as well as reducing the impact of bulk and scale on the neighbouring residential properties to the rear.

Due to the support for a four-storey development at the subject site, the proposed density bonus is also recommended for approval. The subject development will provide a significant number of multiple dwellings to the Beaufort Street Activity Centre creating the diversity in housing types that is a long-term strategic goal for the Town of Vincent as stated in the Town's Local Planning Strategy.

Department for Planning and Infrastructure

The Department for Planning and Infrastructure have considered the proposed development and advised that they have no objections, as the proposed development has taken the Other Regional Road Reservation of 1.4 metres into consideration. Furthermore, the Department agrees with the proposal in that all vehicular access is provided from the rear right of way as opposed to Beaufort Street and Barlee Street.

Conclusion

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

9.1.9 Western Australian Local Government Association – Local Government Alcohol Management Project Pilot Group

Ward:	Both	Date:	2 June 2009
Precinct:	All	File Ref:	ENS00127
Attachments:	-		
Reporting Officer(s):	A Giles		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report regarding the Western Australian Local Government Association’s (WALGA) invitation to participate in the pilot of the ‘Local Government Alcohol Management Project’;*
- (ii) *NOTES that the Town will participate in the Pilot Project and form the required internal working group to develop the ‘whole of local government’ alcohol management plan;*
- (iii) *NOMINATES the Manager Health Services as the chairperson of the working group, which will also be represented by the following service areas and agencies:*
 - (a) *Planning, Building and Heritage Services;*
 - (b) *Ranger and Community Safety Services;*
 - (c) *Technical Services;*
 - (d) *Community Development;*
 - (e) *Parks and Property Services;*
 - (f) *WALGA; and*
 - (g) *Wembley Police; and*
- (iv) *APPROVES the Manager Health Services to represent the Town on the associated Steering Group convened by WALGA in relation to the Local Government Alcohol Management Plan Pilot Project.*

COUNCIL DECISION ITEM 9.1.9

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council that the Western Australian Local Government Association (WALGA) has invited the Town to participate in the pilot of the ‘Local Government Alcohol Management Project’ (approximately six Local Authorities will be chosen).

BACKGROUND:

WALGA, the Drug and Alcohol Office (DAO) and the South Metro Public Health Unit worked closely with a number of Local Governments (including the Town's Health Services), to develop of the '*Local Government Alcohol Management Package*' which was launched in October 2007.

Subsequent to this, WALGA in consultation with DAO submitted an application to the Attorney General's '*Criminal Confiscation Act 2000 Grants Program*' to be able to fund a project officer to support Local Government to more effectively address alcohol-related issues within their communities by using the framework and resources contained in the '*Local Government Alcohol Management Package*'.

DETAILS:

It has been identified that alcohol related issues have a significant financial, social and environmental cost to Local Government, which have the potential to impact on the safety and wellbeing of communities. Alcohol related issues affect a wide range of service areas within a Local Government, and rely on existing legislative roles and commitment of resources to manage alcohol related issues.

The main strategy of the '*Local Government Alcohol Management Project*' is to develop a comprehensive and whole of organisation Alcohol Policy and Alcohol Management Plan. WALGA has advised the following in relation to the '*Local Government Alcohol Management Project*':

"A reduction in alcohol-related problems (and thus long-term cost savings for Local Governments) is possible through the application of existing legislative and regulatory tools used by Local Governments in a manner that works to prevent the issues from recurring.

While it is not the sole responsibility of Local Government to reduce alcohol-related problems in their community, there is significant merit in Local Government considering the aspects of its existing business that can be adapted to contribute to the prevention of alcohol-related issues in the community.

Evidence suggests that policies and environmental strategies that aim to prevent as well as manage alcohol issues can be extremely effective in reducing alcohol related harm and problems in the community.

Local Government authorities throughout WA are in an ideal position to initiate positive plans and strategies that impact upon community beliefs, attitudes and behaviours about alcohol.

Baseline research was conducted in 2005 to gain information about what Western Australian Local Governments are already doing to address alcohol-related problems in their community and existing internal barriers and supports to working on alcohol-related issues. This information has helped to develop resources and identify areas of support that are relevant to the practical issues faced by Local Governments.

Conclusions from this research found that:

- The majority of Local Governments recognise that alcohol-related problems effect their communities.*

- *Local Governments are currently investing time, money and resources into addressing a variety of problems related to alcohol. The research also highlighted that more resources should be devoted to the prevention of these problems.*
- *Few Local Governments reported that they had a systemic approach to dealing with alcohol-related issues, however, were also receptive to the assistance of State Government bodies.*

Recommendations were written in consideration of the results of the baseline questionnaire and included:

- *Raise awareness of elected officers, senior management and salaried staff about:*
 - *Benefits to Local Government of evidence based alcohol policy and management plans, and*
 - *The nature and extent of drunkenness and related problems affecting Local Governments and their communities.*
- *Provide training for Local Governments about best practice when addressing alcohol-related issues. Such training should aim to inform Local Governments about their own and other organisations' roles and responsibilities when addressing alcohol-related issues. In addition, the training should also enhance the ability of local governments to work together both internally and externally with other agencies on alcohol-related issues.*
- *Support Local Governments to develop 'whole -of -organisation' alcohol policies and alcohol management plans as part of a unique alcohol management package for their community. Commitment to a 'whole-of-organisation' alcohol policy will set a clear agenda for Local Governments to address alcohol-related issues. The subsequent creation of a management plan will ensure that all departments have a role in alcohol issues and that these roles interact with each other.*
- *Assist Local Governments to explore funding opportunities to address alcohol-related issues."*

CONSULTATION/ADVERTISING:

Extensive consultation will be required both internally and externally. The internal working group will consist of representatives from the following areas, with the assistance of the WA Police (Wembley) and WALGA:

- Health Services;
- Planning, Building and Heritage Services;
- Ranger and Community Safety Services;
- Technical Services;
- Community Development; and
- Parks and Property Services.

Externally, the working group will consult with the following, as a minimum, and as appropriate:

- Council Members;
- Residents;
- Community groups;
- Vincent Accord members;
- Safer Vincent Crime Prevention Partnership;
- Drug and Alcohol Office;
- Department of Racing, Gaming and Liquor; and
- Office of Crime Prevention.

LEGAL/POLICY:

- Local Government Act 1995;
- Liquor Control Act 1988;
- Western Australian Alcohol Plan 2006 -2009;
- Strategic Plan 2009-2014;
- Community Safety and Crime Prevention Plan 2007-2010;
- Draft Sustainability Strategy; and
- Vincent Accord 2009-2011.

STRATEGIC IMPLICATIONS:

Town of Vincent Plan for the Future; Strategic Plan 2009 – 2014:

“1.1.4 Minimise negative impacts on the community and environment.

- (c) Introduce “Cities for Safe and Healthy Communities Campaign” and promote it to the Community.*

3.1.2 Provide and develop a range of community programs and community safety initiatives.

- (d) Promote and implement the Safer Vincent Crime Prevention Plan 2006;*
- (e) Investigate how the Town can improve and enhance the safety of residents, visitors and property; and*
- (g) Coordinate and implement the Vincent Accord 2009-2012.”*

SUSTAINABILITY IMPLICATIONS:

Preventing alcohol-related incidents through the introduction of good policy and across organisation planning is expected to save the Town time, resources and money.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The invitation to participate in the pilot project links well with the Town’s Plan for the Future - Strategic Plan 2009 – 2014, draft Sustainability Strategy, and strategic direction regarding harm minimisation and alcohol related issues. The Town has actively pursued these issues through various avenues such as the Vincent Accord 2009-2011, and the Safer Vincent Crime Prevention Partnership. It is recommended that the Town continue to be proactive in this area and that the Officer Recommendation be endorsed by the Council.

9.2.1 Proposed 2009/2010 Road Rehabilitation and Upgrade Program

Ward:	Both	Date:	2 June 2009
Precinct:	All	File Ref:	TES0174
Attachments:	001		
Reporting Officer(s):	R Lotznicker, C Economo		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the Proposed 2009/2010 Road Rehabilitation and Upgrade Program;*
- (ii) *ADOPTS the first year, 2009/2010, of the four (4) year (2009/2010 to 2012/2013) Road Rehabilitation and Upgrade Program as outlined in Attachment 9.2.1; and*
- (iii) *NOTES that the remaining three (3) years of the program is "preliminary only" and will be subject to change.*

COUNCIL DECISION ITEM 9.2.1

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval for the allocation of funds allowed for in the 2009/2010 draft budget to specific projects in the 2009/2010 Road Rehabilitation and Upgrade Program.

BACKGROUND:

In 1997, the Council resolved to adopt a long term Road Rehabilitation and Upgrade Program. The program was developed to ensure the Town's road infrastructure is maintained at an acceptable level of service and safety.

To ensure that the program is dynamic in reflecting changing circumstances, including development activity, other capital improvement projects, residents' requests, changing conditions and State Funding for roads through the Metropolitan Regional Road Program, it was considered appropriate to review and update the program annually and request that only the first year of the program be adopted on an annual basis.

DETAILS:**Metropolitan Regional Road Funding**

In early 2009 Main Roads WA advised the Town of the approved Metropolitan Local Road Project Grants for 2009/2010. The Town's 2009/2010 draft budget indicates the following projects:

Road	Section	Grant	ToV Contribution	Estimated Cost
Vincent St	Morrison St - Charles St	\$136,667	\$68,333	\$205,000
Anzac Rd	Sasse Ave - Oxford St	\$236,667	\$118,334	\$355,000
William St	Bulwer St - Brisbane St	\$43,667	\$33,333	\$77,000
Oxford St	Anzac Rd - Bourke St	\$160,000	\$80,000	\$240,000
Total:		\$577,001	\$300,000*	\$877,000

Note:* \$300,000, comprising Municipal funds, has been allocated in the 2009/2010 Budget as the Town's contribution for the Road Rehabilitation projects.

In addition, \$210,000 has been allocated in the 2009/2010 draft budget for the road rehabilitation and upgrade of local roads resurfacing/rehabilitation.

As outlined in detail in the report presented to Council on 28 April 1997, the "roads" program was initially developed using ROMAN (pavement management software).

The road rehabilitation and upgrade program as presented in this report has been updated and revised to include future possible projects to be funded from the State Metropolitan Regional Road Program, projects reprioritised according to road condition, projects associated with other capital works and requests received.

The Road Rehabilitation and Upgrade Program is outlined in attachment 9.2.1.

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY

The Town is responsible for the care control and management of over 145 km of roads, which include Primary Distributors, Local Distributors and Access Roads.

FINANCIAL/BUDGET IMPLICATIONS:

The 2009/2010 Draft Capital Works Budget includes funds of \$510,000 for the road rehabilitation and upgrade program.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2009-2014 – 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. "(a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads."

COMMENTS:

Since its creation the Town has expended a considerable amount on maintaining and upgrading the road infrastructure. The Town has also been very successful in securing annual funding from the Metropolitan Regional Roads program. It is requested that the officer recommendation be adopted.

9.4.1 Use of the Council's Common Seal

Ward:	-	Date:	2 June 2009
Precinct:	-	File Ref:	ADM0042
Attachments:	-		
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council NOTES the use of the Council's Common Seal on the documents listed in the report, for the month of May 2009.

COUNCIL DECISION ITEM 9.4.1

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

BACKGROUND:

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

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

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

Date	Document	No of copies	Details
5/05/09	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco 6008 re: Western Power Meetings - 7-8 May 2009 (Gareth Naven Room)
8/05/09	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco 6008 re: WA Stationery Trade Show - 12 May 2009 (Gareth Naven Room and Members Equity Bank Lounge)

Date	Document	No of copies	Details
18/05/09	Deed of Licence	3	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Michael Coppel Ventures of Level 716-718 High Street, Armadale, Victoria 3143 re: Concert* - 14 November 2009 and, if required, 15 November 2009 (Stadium) (<i>*Commercial in Confidence until released to public</i>)
19/05/09	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco 6008 re: AMSL Meeting - 5 August 2009 (Gareth Naven Room)
22/05/09	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco 6008 re: AMSL Meeting - 26/05/09 (Gareth Naven Room)
29/05/09	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco 6008 re: Western Power Meeting - 2 June 2009 (Gareth Naven Room)

9.4.4 Information Bulletin

Ward:	-	Date:	2 June 2009
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer(s):	A Radici		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Information Bulletin dated 9 June 2009, as distributed with the Agenda, be received.

COUNCIL DECISION ITEM 9.4.4

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

DETAILS:

The items included in the Information Bulletin dated 9 June 2009 are as follows:

ITEM	DESCRIPTION
IB01	Letter from Government of Western Australia Office of Crime Prevention regarding Letter of Agreement; Closed Circuit Television Implementation Plan for the Town of Vincent
IB02	Letter from Western Australia Local Government Association (WALGA) regarding Local Health Authorities Analytical Committee – Local Government Representation and Requirements of Position
IB03	Email of Appreciation from M. McNally of Carers WA regarding the Carers Lunch held on Friday 15 May 2009
IB04	Letter of Appreciation from J. Flower regarding the Carers Lunch held on Friday 15 May 2009
IB05	Letter of Appreciation from the West Australian Football League regarding Medibank Stadium
IB06	Progress Report No. 2 - East Parade Regeneration Project (PRO2962)
IB07	Minutes from the Town of Vincent Accord “Socialise with Safety” Meeting held at the Brisbane Hotel on 25 March 2009
IB08	Minutes from the Local Area Traffic Management Group Public Meeting held at the Town of Vincent Administration & Civic Centre on 19 March 2009
IB09	Register of Petitions - Progress Report - June 2009
IB10	Register of Notices of Motion - Progress Report - June 2009
IB11	Register of Reports to be Actioned - Progress Report - June 2009
IB12	Register of Legal Action - Progress Report - June 2009
IB13	Register of State Administrative Tribunal Appeals - Progress Report - June 2009
IB14	Notice of Forum - 16 June 2009

9.3.1 Reconciliation Place Project – Banks Reserve

Ward:	South	Date:	2 June 2009
Precinct:	Hyde Park	File Ref:	CMS0120
Attachments:	-		
Reporting Officer(s):	D. Retsas		
Checked/Endorsed by:	J Anthony/ M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) **APPROVES IN PRINCIPLE support for:**
 - (a) *creating a “Reconciliation Place” in the Town of Vincent; and*
 - (b) *support for using the identified land on Banks Reserve for the purposes of creating the Reconciliation Place;*
- (ii) **LISTS for consideration in the 2009/2010 draft budget an amount of \$15,000 for Stage 1 of the Reconciliation Place Project; and**
- (iii) **NOTES that a further report will be submitted to Council at the conclusion of Stage 1 of the project.**

COUNCIL DECISION ITEM 9.3.1

Moved Cr Farrell, Seconded Cr Youngman

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

To seek approval to enter into a partnership with the Vincent Reconciliation Group to create a Reconciliation Place in the Town.

BACKGROUND:

The Vincent Reconciliation Group (VRG) consists of residents in the Town of Vincent. It has been operating for nine years, promoting reconciliation between Aboriginal people and others. Currently, there are approximately 140 Indigenous and Torres Strait Islander residents recorded as living in the Town of Vincent.

The VRG have conducted a number of activities including:

- Hosting reconciliation walks and healing ceremonies in local parks;
- Awareness raising activities at local festivals and Town of Vincent events;
- Organising an Aboriginal artist to create community art works within North Perth Primary school;
- Facilitating community workshops on reconciliation;
- Fundraising to support reconciliation projects and events; and
- Making contributions to the consultation processes and implementation of the Wetlands and Indigenous Heritage Trail.

In May 2007, the VRG commenced a process to develop a new reconciliation-themed project in the Town of Vincent. VRG members formulated the idea of a reconciliation place project, identified a preferred location for the reconciliation place, conducted initial consultations with stakeholders and were successful in securing seed funding of \$8,800 to scope the project. These funds were raised through a combination of group fundraising, individual donations, an organisational donation from Ruah Community Services and grant funding from the Uniting Church's Tabitha Trust. The seed funding has been expended on project coordination fees and sitting fees for an initial consultation with a Noongar elder.

From April 2008 to February 2009, the VRG contracted Anne Goodall, a place making consultant and member of the group, to coordinate scoping of the proposed reconciliation place project. Anne has worked alongside volunteer members of the group to develop a project proposal, engage with community stakeholders and identify project funding opportunities.

The Reconciliation Place project has the following aims:

- To provide an interactive reconciliation experience for the Town of Vincent and the wider community that can be appreciated by all ages;
- To involve community members in an artistic, collaborative, place making initiative that is community building;
- To provide the Town of Vincent with an attractive piece of community art;
- To represent the interaction of Aboriginal and other communities as well as the journey of reconciliation in the Town of Vincent; and
- To educate the community about aspects of their local history.

DETAILS:

The preferred location for the Reconciliation Place is a vacant piece of land near the river at Banks Reserve, East Perth. The VRG has sought preliminary advice from the Swan River Trust and Department of Indigenous Affairs in relation to development approvals processes relevant to the proposed site.

The Reconciliation Place is envisaged as an outdoor space with simple design features that have minimal impact on the community's existing access to, and views of, the river. It is also intended that no negative environmental impacts will result from the construction of the space.

Ideas for the design of the place including the community artwork will include place making professionals and the community artist. The design is to incorporate reconciliation themes, significant events, individuals and institutions.

The final selection of materials for the construction of the place/community artwork will be decided during the planning process in consultation with Town of Vincent, community artist, community and other stakeholders.

Selection criteria will include: safety, permanence (vandal proof), low maintenance, public liability/insurance issues, water run-off, heat, colour, signage/interpretation, seating and lighting.

Some suggested options are: native plants, paving, gravel, crushed limestone, bricks, natural rocks, mosaic tiles and contoured earth (raised dirt).

Final design decisions will be made by the project steering committee. To date, members of the VRG have formed the Interim Steering Committee overseeing project development, however once Stage 1 of the project commences, membership will be broadened to include representatives from the following organisations/groups:

- Vincent Reconciliation Group;
- Town of Vincent;
- Ruah Community Services;
- Doolan-Leisha Eatts (Noongar elder) and Walter Eatts (Aboriginal elder);
- Yorgum; and
- Other organisations/groups involved in the process who are interested in being on the Steering Committee.

CONSULTATION/ADVERTISING:

The VRG have been in active consultation with a number of community groups in the area in the initial consultation phase including the South West Aboriginal Land and Sea Council, Ruah Community Services, Leederville HQ, Aranmore Catholic College, North Perth Primary School, Claise Brook Catchment Group and the Redemptorist Monastery Social Justice Group. These groups all indicated that they are in support of the program and would like to be involved in the project in the future. A number of people from the indigenous community have also expressed their support and interest in the project: Yorgum, Anawim, Noel Nannup, Doolann-Leisha and Walter Eatts.

The location of the Reconciliation Place is to be mutually agreed upon by the organisers, stakeholders and the Town.

LEGAL/POLICY:

The location that has been suggested by the VRG will require approval from a number of different bodies.

Banks Reserve is zoned 'Parks and Recreation' under the Metropolitan Regional Scheme and therefore any proposed development of the site will need to be referred to the Western Australian Planning commission for determination. The site is currently under the care and control of the Western Australian Planning Commission.

Banks Reserve forms part of an Aboriginal Registered Site and so any proposed development of the site will require a Section 18 Approval under the Aboriginal Heritage Act 1972. A Section 18 Approval was sort by the Town of Vincent and may be extended to include the proposed area.

The Swan River Trust will also need to be approached in regards to this project as Banks Reserve is located within the Swan River Trust Development Zone.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 Key Result Area:

1.1.3 Enhance and maintain the character and heritage of the Town of Vincent

1.1.4 Minimise negative impacts on the community and the environment:

- (d) "Improve aesthetics and amenity and encourage regeneration of degraded buildings, and vacant land through the combined efforts of business, government and the community."*

- 1.1.5 *Enhance and maintain parks and community facilities:*
- (b) *“Implement infrastructure improvements for public open space, including the Wetlands Heritage Train and the Greenway.”*
 - (d) *“Continue to provide vibrant meeting places for the community.”*
- 3.1.2 *Provide and develop a range of community programs and community safety initiatives:*
- (g) *“Deliver a coordinated program plan to promote public and community art in the Town.”*

FINANCIAL/BUDGET IMPLICATIONS:

As the project is designed to engage the community in creating a vision for and developing a new community place, it is not possible at this stage to provide full details and costings for project implementation.

The VRG have however been active in developing relationships with a variety of funding sources in order to ensure the completion of this project. The following [external] potential funding sources for the project have been identified:

- Lotterywest grants have a range of grant categories available for example Project; Community Facilities; and Community Events and Celebration grants that could be relevant to the project. Generally, there is no prescribed limit on the amount of the grant funding available. Lotterywest have indicated their willingness to be involved in discussions as to how the project can be progressed;
- Community Arts Network Western Australia (CAN WA) Catalyst Create grant has \$75,000 available for successful projects in the September 2009 funding round. Catalyst supports projects that facilitate and support Western Australian community determined arts and culture activities that express local culture and identity and promote the values of community empowerment, social inclusion, respect for diversity and self-determination. Initial feedback from CAN WA in relation to the proposed project has been positive.; and
- Department of Indigenous Affairs Reconciliation Grants scheme.

The \$15,000 will go towards funding Stage 1 of the project, which will include a Consultant’s fee, guest speakers/cultural advisors, catering and promotion. A break down of their budget is below:

Item	Calculations	\$ Amount
1. Consultant fees Organisation and facilitation of 3 community workshops Compilation/write-up of results Project governance – convening project steering committee and hosting 2 committee meetings	12 days @ \$1000/day	12,000
2. Guest speakers/cultural advisors Fees for Indigenous storytellers/advisors/performers at workshops Sitting fees for consultation with Traditional Owners		1,500

3. Catering For 2 half-day community workshops (incl lunch)	50 ppl at each workshop \$15 per person	1,500
4. Promotion Flyers		1,000 + in kind
5. Venue hire For 2 half-day community workshops		In kind
6. Equipment hire PA and data projector hire for workshops		In-kind
	Total	16,000

At this stage the VRG has not sought formal quotes in relation to items included in the budget for Stage 1, however three community development consultants have looked over the budget and agreed that the consultation fees and other costs are realistic.

The VRG is currently not incorporated, however the Ruah Community Services has offered to administer funding for Stage 1 of the Reconciliation Place Project. Alternatively, the Town could administer any funding that is granted for the project.

COMMENTS:

The project is designed to be a genuine community development initiative that engages the Vincent community in creating a vision for and developing a new community place. It is therefore important that decisions about the type of community artwork (e.g. mosaic, sculpture, etc) and any infrastructure elements (such as interpretive signage, seating and landscaping) to be incorporated into the Reconciliation Place are made only after Stage 1 (community visioning and place audit) have been completed. Full details and costing for subsequent stages will be developed at this time.

Stage 1 of the project has been designed to have clear, 'stand alone' community development outcomes, in terms of community education about local history and reconciliation themes, which ensures Stage 1 has value even if subsequent stages are not implemented. There are no building costs in Stage 1.

If adopted this will be the first project of its kind in Perth. Once complete other councils in Perth may be interested in developing similar Reconciliation Place projects in their communities.

A number of the community groups that have been approached have indicated that this project would be an excellent way to improve the relationship between Aboriginal and Non-Aboriginal people.

The Town of Vincent has already initiated the Wetlands Heritage program and the development of Reconciliation Place at Banks Reserve would be a welcome addition to that program.

9.3.2 Reconciliation Action Plan

Ward:	Both	Date:	2 June 2009
Precinct:	All	File Ref:	
Attachments:	-		
Reporting Officer(s):	J. Anthony		
Checked/Endorsed by:	M. Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council APPROVES the preparation of a Reconciliation Action Plan for the Town.

COUNCIL DECISION ITEM 9.3.2

Moved Cr Farrell, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

To seek approval to prepare a Reconciliation Action Plan (RAP) for the Town.

BACKGROUND:

A circular from the Department of Local Government and Regional Development (DLGRD) has been sent to all local governments in Western Australia to notify them that DLGRD has developed and adopted a Reconciliation Action Plan. This circular proceeds to encourage all local governments to develop their own Reconciliation Action Plans.

DETAILS:

Reconciliation Action Plans are an initiative of Reconciliation Australia and provide a framework for the future, detailing steps and priorities to achieve Indigenous equality and to work towards closing the 17-year gap in life expectancy between Indigenous and other Australians. The RAP is a tool to help the organisation build positive relationships between Indigenous and non-Indigenous people. It gives a format for exploring how reconciliation can advance our business/organisational objectives.

The RAP framework covers the activities that is known to make a difference: good relationships; respecting the special contribution of Aboriginal and Torres Strait Islander peoples to Australia; and working together to ensure Indigenous children have the same life opportunities as other children in this prosperous country.

The Town has been involved in a number of positive initiatives involving Indigenous communities as follows;

- Aboriginal Live-Work projects at Banks Reserve (Public Artwork), Lee Hops Cottage and 245 Vincent Street;
- Reconciliation banners;
- Aboriginal Advisory group which was in existence from 1998 to 2000;
- Work experience students;
- Wetlands Trail Masterplan community consultation; and
- 'Welcome to Country' presentations at major events.

The Town also commissioned the "Report on an ethnographical investigation into the Aboriginal Heritage of the Town of Vincent" in 2000. This report describes how a number of areas within the Town were traditional camping and hunting grounds for Noongar people, with the areas continuing to be of significance to Aboriginal people.

The Town also has an active Vincent Reconciliation Group (VRG) which is an independent residents' group which has been in existence for nine years, promoting reconciliation between Aboriginal people and others. This group has recently approached the Council with a proposal to develop a new reconciliation-themed project in the Town of Vincent. VRG members formulated the idea of a reconciliation place project, identified a preferred location for the reconciliation place and have conducted initial consultations with stakeholders.

There are a number of Aboriginal-focussed agencies/programs in the Town that service and connect with Aboriginal people in the community, including:

- Aboriginal Advancement Council of WA;
- Central TAFE's Nyoongar Kadajiny Kulark Kart Aboriginal Services programme at the Leederville campus;
- Gurrlongga Njininj Day Care Centre;
- Aranmore Catholic College Aboriginal Support programme. (Out of Aranmore's 650 students, 55 are indigenous. About 50% of these students come from outside the Perth metropolitan area, some as far as the Kimberley, the Pilbara and the Goldfields.); and
- Aboriginal Women's Refuge.

Officers have met with the Senior Project Officer for Indigenous Communities at DLGRD to gain information on the process involved in developing and formalising a Reconciliation Action Plan (RAP).

Contact has also been made with the Department of Indigenous Affairs to source the RAP tool kit and link in with officers who may be able to assist with the RAP should the Town proceed with the project.

The following process has been suggested as the "RAP journey";

Step:	Process:
1	Read the RAP toolkit
2	Check out existing RAPs
3	Contact the RAP team to talk through the process
4	Start the internal and external RAP discussion
5	Establish a RAP Working Group and set a completion date
6	Develop a draft RAP
7	Seek support and feedback from Reconciliation Australia (RA)
8	Address feedback
9	Executive sign off of RAP by RA and by Town
10	Send in final RAP to RA for registration on the RA website
11	RAP community contact details
12	Launch, implement and celebrate the RAP
13	Annual public reporting on progress

The final stage for the RAP would be an annual refresh which is an opportunity to add in ideas and actions, to set new targets and timelines, and to reflect on what has been learnt over the past year and adjust the RAP accordingly.

The Senior Project Officer at DLGRD also suggested that a strategy specifically relating to the RAP be included in the Town's Strategic Plan so that annual reporting of the RAP is systemically incorporated.

CONSULTATION/ADVERTISING:

The development of the Plan would require consultation with Indigenous and non-Indigenous communities. The Town's policy on Community Consultation will also be referenced for the purposes of the project.

LEGAL/POLICY:

Community Consultation Policy No. 4.1.5.

STRATEGIC IMPLICATIONS:

Plan for the Future - Strategic Plan 2009-2014:

“3.1.1 Celebrate and acknowledge the Town's cultural and social diversity

3.1.3 Determine the requirements of the Community and focus on needs, value, engagement and involvement.”

SUSTAINABILITY IMPLICATIONS:

N/A

FINANCIAL/BUDGET IMPLICATIONS:

The process of developing the plan will require in house resources and executive support to ensure active involvement of all sections of the Town, in putting together a relevant and appropriate RAP for the Town of Vincent. The Community Development section will be responsible for the development and finalisation of the plan.

The Senior Project Officer from DLGRD has also very kindly offered his support and assistance, and his expertise and skills in dealing with indigenous communities will be beneficial in conjunction with his offer to brief the working group to set the scene for the project. It is naturally expected that some form of cultural briefing would be necessary for non-indigenous stakeholders and participants to be more open-minded to the RAP development process.

COMMENTS:

By successfully implementing a RAP, the Town of Vincent would not only help in creating a fairer society, it also derives direct economic and social benefits such as;

- Attracting and keeping loyal staff and customers who value our contribution to nation-building;
- A larger labour market resulting from increasing numbers of educated and skilled indigenous Australians being 'job-ready' - 60 percent of Indigenous Australians are under 25 years old;
- New industries, services, products and ways of doing business emerging from joint ventures with Indigenous organisations;
- New two-way learning and lifestyle opportunities through working with Indigenous communities and participating in cultural activities; and
- A greater ability for Australians to work together and build a shared pride in Indigenous culture and history.

Given that the project will be conducted using in-house resources, it is estimated that the RAP development process would take approximately six months to complete.

9.1.5 No. 304 (Lot 6 D/P: 2411) Fitzgerald Street, North Perth- Demolition of Existing Showroom Building and Construction of a Three-Storey Commercial Building, comprising Showrooms

Ward:	South	Date:	2 June 2009
Precinct:	Hyde Park;P12	File Ref:	PRO4676
Attachments:	001		
Reporting Officer(s):	R Narroo, H Au		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application submitted by Scott Wilson Design on behalf of the owner Tayshan Pty Ltd for proposed Demolition of Existing Showroom Building and Construction of a Three-Storey Commercial Building comprising Showrooms, at No. 304 (Lot 6 D/P:2411) Fitzgerald Street, North Perth and as shown on plans stamp-dated 30 April 2009 and 29 May 2009, for the following reasons:

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (ii) the non-compliance with the Town's Policy No. 3.7.1 relating to Parking and Access; and*
- (iii) the proposed construction of permanent structures located within the 'Other Regional Road' reservation.*

Cr Youngman departed the Chamber at 6.45pm.

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Cr Youngman returned to the Chamber at 6.46pm.

Debate ensued.

MOTION PUT AND LOST (4-5)

For: Cr Burns, Cr Lake, Cr Maier, Cr Youngman

Against: Mayor Catania, Cr Doran-Wu, Cr Farrell, Cr Ker, Cr Messina

Reasons:

- 1. Parking shortfall is minimal.**
- 2. Applicant is prepared to pay cash in lieu.**
- 3. Any issues of access can be dealt with at the Building Licence stage.**

ALTERNATIVE RECOMMENDATION – COUNCIL DECISION ITEM 9.1.5

Moved Cr Messina, Seconded Cr Ker

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Scott Wilson Design on behalf of the owner Tayshan Pty Ltd for proposed Demolition of Existing Showroom Building and Construction of a Three-Storey Commercial Building comprising Showrooms, at No. 304 (Lot 6 D/P:2411) Fitzgerald Street, North Perth and as shown on plans stamp-dated 30 April 2009 and 29 May 2009, subject to the following conditions;

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *the bin compound being redesigned to accommodate the following bins:*
 - General Waste: One (1) mobile garage bin or equal to 240 litres per commercial unit or 200 square metres of floor space, or part thereof;*
 - Recycle Waste: One (1) mobile garage bin or equal to 240 litres per commercial unit or 200 square metres of floor space, or part thereof;*
 - (b) *the proposed fence, communal open space, outdoor furniture display garden courtyard within the road widening area along Fitzgerald Street do not form part of this approval; and*
 - (c) *a Transport Statement is to be submitted and approved by Department for Planning and Infrastructure-Urban Transport Systems.*

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

- (iii) *the owner(s), or the applicant on behalf of the owner(s), shall comply with the Town of Vincent Percent for Public Art Policy No. 3.5.13 and the Percent for Public Art Guidelines for Developers, including:*
 - (a) *within twenty eight (28) days of the issue date of this 'Approval to Commence Development', elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$23,900 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$2,390,000); and*
 - (b) *in conjunction with the above chosen option;*
 - (1) *Option 1 –
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and*

prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;

OR

- (2) *Option 2 –
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;*
- (iv) *within twenty-eight (28) days of the issue date of this ‘Approval to Commence Development’, the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:*
- (a) *pay a cash-in-lieu contribution of \$7,476 for the equivalent value of 2.67 car parking spaces, based on the cost of \$2,800 per bay as set out in the Town’s 2008/2009 Budget; OR*
- (b) *lodge an appropriate assurance bond/ bank guarantee of a value of \$7,476 to the satisfaction of the Town. This assurance bond / bank guarantee will only be released in the following circumstances:*
- (1) *to the Town at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or*
- (2) *to the owner(s)/applicant following receipt by the Town of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject ‘Approval to Commence Development’; or*
- (3) *to the owner(s)/applicant where the subject ‘Approval to Commence Development’ did not commence and subsequently expired.*
- The car parking shortfall and consequent cash-in-lieu contribution can be reduced as a result of a greater number of car bays being provided on-site and to reflect the new changes in the car parking requirements;*
- (v) *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;*
- (vi) *first obtaining the consent of the owners of Nos. 308-312 and No. 300 Fitzgerald Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No.308-312 and No. 300 Fitzgerald Street in a good and clean condition;*
- (vii) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (viii) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, parking of trade person vehicles, footpath access, traffic and heavy vehicle access to the site, dust and any other appropriate matters (such as notifying all affected landowners/occupiers of the commencement of construction works), shall be submitted to and approved by the Town;*

- (ix) *doors, windows and adjacent floor area of the showroom fronting Fitzgerald Street shall maintain an active and interactive relationship with this street;*
- (x) *prior to the first occupation of the development, the car parking spaces provided for the showroom shall be clearly marked and signposted;*
- (xi) *the maximum gross floor area for the showroom component shall be limited to 1062 square metres of showroom, and further increase or decrease in the number of showrooms may be allowed. 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;*
- (xii) *the car park shall be used only by employees, tenants, and visitors directly associated with the development;*
- (xiii) *a detailed landscaping plan shall be submitted and approved prior to the issue of the Building Licence.;*
- (xiv) *prior to the issue of a Building Licence, a management plan addressing how a vehicle will enter/exit a tandem parking bay when there is a vehicle already parked at the rear or front parking bay, to be submitted and approved by the Town;*
- (xv) *the landowner entering into a Deed of Agreement with the Western Australian Planning Commission (WAPC) not to seek from either the Town of Vincent or the WAPC compensation for any loss, damage or expense to remove the approved works (paved area, landscaping) which encroach the Other Regional Road Reserve/road widening requirement when the road reserve/road widening is required. This Agreement is to be registered as a Caveat on the Certificate of Title;*
- (xvi) *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 \$7,000 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; and*
- (xvii) *a 0.5 metre Right of Way widening is to be ceded, sealed and drained at the applicant's expense to the satisfaction of Town;*
- (xviii) *prior to the first occupation of the development, power shall be undergrounded across the Fitzgerald Street frontage of the development and extending the full length of the two existing bays (a bay refers to the length of cable between two power poles), at the developer's expense;*
- (xix) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (xx) *any proposed vehicular entry gates adjacent to the commercial car parking area shall a minimum 50 per cent visually permeable and shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors for the commercial 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;*

(xxi) *additional design features using colour and/or relief being incorporated on the visible portions of the north and south faces of the building wall facing Nos. 308-312, No. 300 Fitzgerald Street to reduce the visual impact of the boundary walls; and*

(xxii) *display of furniture on the balconies is not permitted.*

ALTERNATIVE MOTION PUT AND CARRIED (6-3)

For: Mayor Catania, Cr Burns, Cr Doran-Wu, Cr Farrell, Cr Ker, Cr Messina

Against: Cr Lake, Cr Maier, Cr Youngman

Landowner:	Tayshan Pty Ltd
Applicant:	Scott Wilson Design
Zoning:	Metropolitan Region Scheme: Urban Other Regional Road Town Planning Scheme No. 1 (TPS 1): Commercial
Existing Land Use:	Showroom
Use Class:	Showroom
Use Classification:	"P"
Lot Area:	496 square metres
Access to Right of Way	Rear side, 5 metres wide, sealed, public

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the demolition of the existing showroom building and construction of a three-storey building comprising showrooms. The applicant is proposing to construct the proposed building in two stages.

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	N/A	N/A	Noted.
Plot Ratio	N/A	N/A	Noted.
<u>Setbacks:</u> Ground Floor-Front	Setback from the street alignment consistent with the adjoining land and in the immediate locality	5.5 metres	Supported- the adjoining existing verandah at No. 300 is setback at 4.8 metres from Fitzgerald Street and the existing development at No. 296 Fitzgerald Street has a street setback of 2 metres. It is considered that the variation will not have an undue impact on the streetscape.

First Floor-Front	Setback from the street alignment consistent with the adjoining land and in the immediate locality	Balcony-4.5 metres Building-7.2 metres	Supported- no undue impact on the streetscape. It should be noted that display of furniture on the balcony is not supported.
Second Floor-Front	Setback from the street alignment consistent with the adjoining land and in the immediate locality	Balcony-4.5 metres Building-7.2 metres	Supported- no undue impact on the streetscape. It should be noted that the display of furniture on the balcony is not supported.
Ground, First, and Second Floors-Rear	6 metres	1.72 metres	Supported- inclusive of the width of the right of way, the rear of the proposed building will be setback 6.05 metres from the adjoining residential property. The proposal complies with the overshadowing requirements.
Number of Storeys and Height	Two Storeys- 7 metres Three Storeys may be considered	Three storeys- 11.65 metres	Supported- the building height is consistent with the existing development at No. 300 Fitzgerald Street, and consistent with the existing Fitzgerald Street streetscape.
Parking	8.67 car bays	6 car bays 2.67 car bays shortfall	Not Supported- refer to 'Comments' below.
Consultation Submissions			
Support	Nil		Noted.
Objection	Nil		Noted.
Department for Planning and Infrastructure	<p>The proposal was referred to the Department for Planning and Infrastructure for comments.</p> <p>In their letter, the DPI stated the following:</p> <p>The lot is affected by a 4.4-4.5 metres ORR reservation widening and does not support construction of any permanent structures into the land reserved and to exclude the 2 Fitzgerald Street parking bays</p> <p>Town of Vincent need to be satisfied with the number and the arrangement of the proposed parking bays.</p>	<p>The applicant amended the plans to show no car parking within the Fitzgerald Street road widening; however, the permanent structures remain.</p> <p>The Town is not satisfied with the number and arrangement of parking bays provided as further outlined in "Comments" below.</p>	

	The applicant is requested to submit a Transport Statement to assist the Department in assessing the transport impacts of the development on Fitzgerald Street.	Given the application is being recommended for refusal, the Town did not request the applicant to submit the Transport Statement.
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil
Sustainability Implications		Nil
Financial/Budget Implications		Nil

Car Parking and Bicycle Calculations

Car Parking- Commercial Component	
Car parking requirement (nearest whole number)	12 car bays
Showroom-3 spaces for the first 200 square metres of gross floor area and thereafter 1 space per 100 square metres or part thereof (proposed 1062.41 square metres)= 11.62	
Apply the parking adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of one or more public car parks in excess of 75 spaces) 	(0.7225) 8.67 car bays
Minus the car parking provided on-site (excluding the 7 smaller size car bays)	6 car bays
Minus the most recently approved on-site car parking shortfall	Not applicable
Resultant shortfall	2.67 car bays
Bicycle Parking Facilities	
N/A	Noted.

COMMENTS:

Demolition

The subject place at No. 304 Fitzgerald Street, North Perth is a brick cottage constructed in the Federation Georgian style of architecture circa 1903. The first occupant was Frederick Kopke who moved into the subject cottage in 1904. Since then, the subject dwelling has been transferred several times to new owners and occupiers.

The building has a hipped roof with the original chimney remaining intact on the roofline. The cottage has a central entrance and two sets of windows located symmetrically on either side of the door. The front verandah with a bullnose roof is supported by timber posts and the exterior walls are rendered in dark blue. Situated between two contemporary multi-storey commercial buildings, the subject place currently accommodates a furniture showroom/office, known as “furniture options”, as detailed on the signage located on the central front verandah roof. Internally, the internal walls have been demolished for the showroom and office, which served to diminish the authenticity of the subject place.

The Metropolitan Water Supply Sewerage & Drainage Department (MWSSD) Plan dated 1952 indicates the original configuration of the subject cottage. The original verandah is still extant at present; however, the garage, water closet and weatherboard outbuildings at the rear of the subject lot have been replaced by an extensive addition in a later stage.

The subject dwelling is one of three cottages which were built along Fitzgerald Street circa 1903-1909. The cottages on Nos. 300 and 308-312, to the south and north of the subject place, have been replaced with new development in the late 20th century and the early 21st century, leaving the subject dwelling the only existing original cottage in the row.

A preliminary heritage check indicates that the subject place has little aesthetic, historic, scientific or social heritage significance. In accordance with the Town's Policy relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the Town's Municipal Heritage Inventory.

In light of the above, it is considered that approval should be granted for demolition subject to standard conditions.

Car Parking

In determining whether a proposed development should be refused on car parking grounds, the Town's Parking and Access Policy states that as a guide, if the total parking requirement for a development (after adjustment factors have been taken into account) is 10 bays or less, cash in lieu may be provided. The parking shortfall is 2.67 car bays.

The Council at its Ordinary Meeting held on 22 May 2007, approved the demolition of existing commercial building, and construction of a three storey mixed use development comprising offices and two single bedroom grouped dwellings with basement car parking at No. 300 Fitzgerald Street. The development complied with the parking requirements, and given its similarity in floor area to this application, the proposed development at No. 304 Fitzgerald Street should reasonably comply with the parking requirements.

On-street parking on the eastern side of Fitzgerald Street between Vincent Street and Glendower Street is not permitted. On the western side of Fitzgerald Street, there are three public parking bays, with one bay restricted to thirty minutes; all car bays are affected by a clearway between 4:15 pm and 6 pm. Moreover, the proposed development is located close to the busy intersection of Vincent Street and Fitzgerald Street, and abuts residential properties. Given the parking shortfall, vehicles may park in front of the proposed building which will have an impact on the traffic at the intersection and car parking spillover will impact on the adjoining commercial/residential area.

In the pursuit of orderly and proper planning, it is important that the Town manages future land uses in a manner that ensures the amenity of the nearby commercial/residential areas are protected and not unduly impacted upon by car parking shortfalls. Further, visitors to the area should not be inconvenienced by reduced levels of available parking. In this instance, it is considered that the shortfall in parking will impact on the amenity of the area.

Conclusion

In light of the above, it is recommended that the application be refused as per the Officer Recommendation.

9.1.1 Further Report – No. 14 (Lot: 47 D/P: 2848) Buxton Street, Mount Hawthorn - Proposed Demolition of Existing Single House and Construction of Single House

Ward:	North	Date:	2 June 2009
Precinct:	Mount Hawthorn; P01	File Ref:	PRO4677; 5.2009.59.1
Attachments:	001 ; 002		
Reporting Officer(s):	A Reynolds, H Au		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by G V D'Souza for proposed Demolition of Existing Single House and Construction of Single House, at No. 14 (Lot: 47 D/P: 2848) Buxton Street, Mount Hawthorn, and as shown on plans stamp-dated 24 February 2009, subject to the following conditions:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *any new street/front wall, fence and gate within the Buxton Street setback area, including along the side boundaries within this street setback area, shall comply with the following:*
 - (a) *the maximum height being 1.8 metres above the adjacent footpath level;*
 - (b) *the maximum height of piers with decorative capping being 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum height of the solid portion of the wall being 1.2 metres above the adjacent footpath level, and a minimum of fifty percent visually permeable above 1.2 metres;*
 - (d) *the piers having a maximum width of 355 millimetres and a maximum diameter of 500 millimetres;*
 - (e) *the distance between piers should not be less than the height of the piers except where pedestrian gates are proposed;*
 - (f) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (iii) *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks Services. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);*

- (iv) *first obtaining the consent of the owners of No. 12 Buxton Street, Mount Hawthorn for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 12 Buxton Street, Mount Hawthorn in a good and clean condition; and*
- (v) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site.*
-

COUNCIL DECISION ITEM 9.1.1

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Cr Doran-Wu departed the Chamber at 7.01pm.

Debate ensued.

Cr Doran-Wu returned to the Chamber at 7.03pm.

Debate ensued.

MOTION PUT AND CARRIED (8-1)

For: Mayor Catania, Cr Burns, Cr Doran-Wu, Cr Farrell, Cr Ker, Cr Lake, Cr Maier, Cr Messina
Against: Cr Youngman

FURTHER REPORT:

The Council considered the matter at its Ordinary Meeting held on 26 May 2009 and resolved as follows:

That the item be DEFERRED for reconsideration of the design.

In light of the deferral, the following is a summary of the issues raised by Speakers during Public Question Time, as stated in the Minutes of the Ordinary Meeting of the Council held on 26 May 2009.

Dr Lucy Kilshaw of No. 12 Buxton Street, Mount Hawthorn:

- *“...only opposes the design setback to the south of their house;*
- *...the neighbours have proposed a zero setback by building a double-garage wall directly on the shared boundary, it has remote-control motorised doors and sits entirely along the length of their main bedroom and encroaches on their lounge;*
- *There is only 64cm between her house and the joint boundary and she would not be able to access their gutters and the services that run down that border of her house; and*
- *The wall will also overshadow the light coming into her lounge room window”.*

Ms Gail D'Souza of No. 14 Buxton Street, Mount Hawthorn:

- *“...she is happy to work with her neighbour...regarding the setback to accommodate the requirements that she has stipulated; and*
- *stated that her main concern is the non-support of the front setback by the Planning Officers – does not understand the reasons why”.*

Following recent correspondence with the Applicant, it is confirmed that amended plans have not been submitted reflecting a reconsideration of the design proposed, as the southern garage setback complies with the buildings on boundary requirements stipulated by the Residential Design Codes.

The Applicant advised that she had misinterpreted the Officer Recommendation and was under the impression that the proposed street setback had not been supported.

In light of the above, the previous Officer Recommendation remains unchanged.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 4 November 2008.

“OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by G V D'Souza for proposed Demolition of Existing Single House and Construction of Single House, at No. 14 (Lot: 47 D/P: 2848) Buxton Street, Mount Hawthorn, and as shown on plans stamp-dated 24 February 2009, subject to the following conditions:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *any new street/front wall, fence and gate within the Buxton Street setback area, including along the side boundaries within this street setback area, shall comply with the following:*
 - (a) *the maximum height being 1.8 metres above the adjacent footpath level;*
 - (b) *the maximum height of piers with decorative capping being 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum height of the solid portion of the wall being 1.2 metres above the adjacent footpath level, and a minimum of fifty percent visually permeable above 1.2 metres;*
 - (d) *the piers having a maximum width of 355 millimetres and a maximum diameter of 500 millimetres;*
 - (e) *the distance between piers should not be less than the height of the piers except where pedestrian gates are proposed;*

- (f) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (iii) *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks Services. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);*
- (iv) *first obtaining the consent of the owners of No. 12 Buxton Street, Mount Hawthorn for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 12 Buxton Street, Mount Hawthorn in a good and clean condition; and*
- (v) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site.*

Cr Burns departed the Chamber at 7.41pm.

COUNCIL DECISION ITEM 9.1.2

Moved Cr Youngman, Seconded Cr Maier

That the recommendation be adopted.

Cr Messina departed the Chamber at 7.42pm.

Debate ensued.

Cr Burns returned to the Chamber at 7.43pm.

Debate ensued.

Cr Messina returned to the Chamber at 7.44pm.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Youngman, Seconded Cr Maier

That the item be DEFERRED for reconsideration of the design.

PROCEDURAL MOTION PUT AND CARRIED (8-0)

(Cr Farrell was an apology for the meeting.)

<i>Landowner:</i>	<i>G V D'Souza</i>
<i>Applicant:</i>	<i>G V D'Souza</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>444 square metres</i>
<i>Access to Right of Way</i>	<i>Northern side, 5.0 metres wide, sealed, Town of Vincent owned</i>

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves Demolition of Existing Single House and Construction of Single House at No. 14 Buxton Street, Mount Hawthorn.

The applicant has prepared a submission in support of the application, which is partially summarised below and is "Laid on the Table".

- *“The request to modify the setback of the master suite cannot be easily achieved with the current plan, and would require a complete redesign of the proposed development. My only other option is to shift the whole floor plan back 2m, but this impacts the planned alfresco/pool area at the rear of the property.*
- *... our property’s position effectively “bookends” the street, and as such, would not upset the streetscape in terms of the alignment of setbacks in the rest of the street.*
- *The master suite was deliberately placed on the ROW side of the house so that it doesn’t sit forward of no. 12’s property and give them a blank wall to look at, and the house on the other side of the ROW has a garage that runs right to the footpath, so our setback doesn’t look out of place with this either.*
- *The master suite is the only part of the proposal that is forward of the 7.18m requirement. The rest of the property, including front entry and garage are both setback over 7m. This complies with the points outlined in 6.2 Vincent Vision 2024 in the RDP –*
 - *Setbacks and scale are such that the height of the buildings do not dominate the street and retain a human scale and quality;*
 - *Car parking solutions are innovative and reduce the visual dominance and presence of cars in the environment.*
- *The RDE Policy talks about managing “residential development in a way that recognizes the needs of innovative design and contemporary lifestyles”. There have been several redevelopments and renovations taking place in the streets surrounding me, and contemporary design would indicate that large front setbacks are being traded for better use of now smaller blocks and larger living areas. My plan meets these objectives and my design is intended to suit the lifestyles of Mt Hawthorn residents, many of whom are couple and families of my age group and living needs.*
- *The 2m difference we’re debating is of minimal consequence and does not fail to meet the intentions of the RDP, which is to maintain the character and streetscape of the precinct”.*

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>Density</i>	<i>1.48 dwellings</i>	<i>1 dwelling</i>	<i>No variation.</i>
<i>Plot Ratio</i>	<i>N/A</i>	<i>N/A</i>	<i>Noted.</i>

<i>Building Setbacks:</i> <i>Main Building</i> <i>-West (Primary Street Setback)</i>	<i>To reflect the predominant streetscape pattern (minimum of 7.18 metres)</i>	<i>4.0 metres</i>	<i>Supported - refer to comments below.</i>
<i>-North</i>	<i>1.5 metres</i>	<i>1.013 – 1.016 – 1.52 – 2.0 – 1.538 – 1.0 metres</i>	<i>Supported – not considered to have an undue impact on adjoining property and amenity of street.</i>
<i>-South</i>	<i>1.5 metres</i>	<i>Nil – 1.767 – 1.253 – 1.75 metres</i>	<i>Supported – not considered to have an undue impact on adjoining property and amenity of street.</i>
<i>Minor incursion into Street Setback Area:</i> <i>-West (Primary Street)</i>	<i>A porch, balcony, verandah, chimney or the equivalent may project not more than one (1) metre into the street setback area or exceed 20 percent of the lot frontage</i>	<i>1.3 metres and 13.13 percent of the lot frontage</i>	<i>Supported – the proposed minor incursion will not adversely detract from the character of the streetscape, nor does the incursion dominate the appearance of the dwelling.</i>
<i>Consultation Submissions</i>			
<i>Support</i>	<i>Nil.</i>		<i>Noted.</i>
<i>Objection (1)</i>	<ul style="list-style-type: none"> • <i>Primary Street setback</i> • <i>Southern side setbacks</i> 		<i>Not supported – refer to comments below.</i> <i>Not supported – as above.</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>Sustainability Implications</i>			<i>Nil.</i>
<i>Financial/Budget Implications</i>			<i>Nil.</i>

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

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

COMMENTS:

Demolition

The subject dwelling at No. 14 Buxton Street, Mount Hawthorn is an example of brick and tile Inter-war Bungalow style of architecture constructed circa 1941. The house has a main hipped roof with dark tiles. There is a flat top chimney, with brick corbel, on the north of the roofline.

The Wise's Post Office Directories first listed William Charles as the resident in 1944. Since then the subject dwelling has been transferred several times to new owners and occupiers.

A full Heritage Assessment was undertaken for No. 14 Buxton Street, North Perth, which indicates that the place has little aesthetic, historic, scientific or social heritage significance. In accordance with the Town's Policy relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the Town's Municipal Heritage Inventory.

In light of the above, there is no objection from Heritage Services to the proposed Demolition.

Street Setbacks

The subject street setback variation allows the proposed dwelling to effectively provide streetscape rhythm by incorporating staggered setbacks which contribute to, and allow for the integration of the dwellings oriented towards Anzac Road and the dwellings oriented towards Buxton Street.

The subject lot abuts a right of way and is located between lots with opposing orientations. The proposed dwelling therefore allows for an effective 'bookend' configuration, as it provides setback alignment and allows the continuity of the streetscape to be enhanced. The proposed reduced setback will therefore not visually dominate the streetscape, nor will it have a negative impact on the existing properties located along Buxton Street.

The street setback variation, in combination with the adequately setback garage, allows the proposed dwelling to achieve streetscape continuity, whilst maintaining the average street setback distance where the dwelling abuts the neighbouring property. The proposed setback also allows for an appropriately located northern private outdoor living area, facilitating the efficient use of the site.

Conclusion

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

9.2.2 Tender No 392/09 - Consultancy for the Detailed Site Investigation (DSI) of Hyde Park Lakes and Remediation Area

Ward:	South	Date:	2 June 2009
Precinct:	Hyde Park P12	File Ref:	TEN0400
Attachments:	-		
Reporting Officer(s):	J van den Bok; R Lotznicker; J Lockley		
Checked/Endorsed by:	M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council ACCEPTS the tender submitted by Golder Associates Pty Ltd at a total cost of \$87,197.00 (inclusive GST) for Consultancy for a Detailed Site Investigation (DSI) of Hyde Park Lakes and Remediation Area in accordance with the specifications as detailed in Tender No. 392/09.

Cr Burns departed the Chamber at 7.06pm.

COUNCIL DECISION ITEM 9.2.2

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Cr Messina departed the Chamber at 7.07pm.

Debate ensued.

Cr Burns and Cr Messina returned to the Chamber at 7.09pm.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval for the tender of a Consultancy for a Detailed Site Investigation (DSI) of Hyde Park Lakes and Remediation area.

BACKGROUND:

Tenders for the Consultancy for a DSI of Hyde Park Lakes and Remediation Area closed at 2.00pm on 13 May 2009 and seven (7) tenders were received.

DETAILS:

Details of all submissions received for Tender No 392/09 are as follows:

No.	Company	Consultancy Fee \$	Others \$	Total (incl. GST) \$
1.	RPS Environment Pty Ltd	77,550.00	-	77,550.00
2.	Chadwick Tonkin Taylor	73,834.00 *	See rates below	73,834.00 *
3.	Otek Australia Pty Ltd	68,425.28	6,050.00	74,475.28
4.	Golder Associates Pty Ltd	87,197.00	-	87,197.00
5.	Rockwater Pty Ltd	119,611.80	-	119,611.80
6.	VDM Environmental	59,896.00	63,532.00	123,428.00
7.	Syrinx Environmental Pty Ltd	131,826.11	13,024.92	144,851.03

* Chadwick Tonkin Taylor (Schedule of Rates)

Item	Price(GST excl.)	Price(GST incl.)
<i>Fees</i>		
Principal	\$270/hr	\$297/hr
Senior Environmental Scientist	\$200/hr	\$220/hr
Environmental Scientist	\$110/hr	\$121/hr
Drafting	\$110/hr	\$121/hr
Administration	\$70/hr	\$77/hr

Item	Price(GST excl.)	Price(GST incl.)
Expenses		
Laboratory (soils and groundwater)	Cost + 10%	Cost + 10%
Drilling Services	Cost + 10%	Cost + 10%
Miscellaneous (equipment hire, surveyors etc)	Cost + 10%	Cost + 10%

Tender Evaluation:

Selection Criteria

The following weighted criterion was used for the assessment of the tenders received:

Criteria	Weighting
Financial offer/Fee proposal	40%
Relevant Experience, Expertise and Project Team	20%
History and Viability of Company	20%
Methodology, Key issues and Risk	20%
Total	100%

Tender Evaluation Panel

The Tender Evaluation Panel consisted of the Director Technical Services, Manager Parks Services and the Environmental Officer.

Each tender was assessed using the above selection criteria in accordance with the tender documentation.

	Weighting	Golder Associates Pty Ltd	Chadwick Tonkin Taylor	RPS Environmental Pty Ltd	Otek Aust Pty Ltd	VDM Environmental	Syrinx Environmental Pty Ltd	Rockwater Pty Ltd
Financial offer/Fee proposal	40	35.39	39.08	40	38.90	25.38	19.47	26.44
Relevant Experience, Expertise and Project Team	20	19	18	16	18	18	19	15
History and Viability of Company	20	20	20	20	20	20	20	20
Methodology, Key issues and Risk	20	19	15	16	14	19	20	15
Total	100%	93.39	92.08	92.00	90.90	82.38	78.47	76.44
Rating		1	2	4	3	5	6	7

Following careful assessment of all submissions received, the evaluation panel has recommended the submission received from Golder Associates Pty Ltd, while not the cheapest submission received, will thoroughly undertake and complete all requirements of the tender specification.

All companies' submissions outlined a vast range of experience and history, however, the submissions received from both Chadwick Tonkin and Taylor and Otek Australia included numerous assumptions/exclusions within their respective submissions that may result in significant additional costs to the lump sums provided.

In addition RPS Environmental included additional fees for a Site Management Plan and Remediation and Validation Plan including additional fees for a Project Surveyor.

The submissions received from Syrinx Environmental, VDM Environmental and Rockwater Pty Ltd were well presented and very comprehensive, however, all were priced significantly higher than the other the submissions received and hence scored lower.

CONSULTATION/ADVERTISING:

The tender was advertised in accordance with the Local Government Act Tender Regulations and the Town's tender Policy.

LEGAL/POLICY:

The tender was evaluated in accordance with the Local Government Act Tender Regulations and the Town's tender Policy.

STRATEGIC IMPLICATIONS:

In accordance with the Strategic Plan (Plan for the Future) 2009-2014 – 1.1.4 Minimise negative impacts on the Community and Environment. “e) Adopt a Masterplan for the Restoration of Hyde Park Lakes and implement measures to remediate the lakes and improve water quality and surrounds.”

SUSTAINABILITY IMPLICATIONS:

The Town is committed to the principles of environmental, social and economic sustainability and is dedicated to achieving and promoting sustainable outcomes throughout its everyday functions and responsibilities.

As part of the Town’s Sustainable Environment Plan 2007-2012, the Town has identified a number of objectives and the Hyde Park Lakes Restoration project will address all of the objectives listed below on various levels.

- reduce water use
- to reuse stormwater
- use natural systems to improve water quality
- encourage the planting of native species
- re-establish native fringing vegetation as bird habitat areas
- reduce energy consumption
- promoting green energy.

FINANCIAL/BUDGET IMPLICATIONS:

Initially, the further in-depth investigations of Hyde Park Lakes were estimated to cost around \$125,000 however, the recommended tenderer has submitted a total cost of \$87,197 (including GST) and this amount will be sourced from the Hyde Park Lakes reserve fund.

There is an amount of \$2,030,000 listed on the budget for the redevelopment of the Hyde Park Lakes, which is to be funded by the Federal Government and staff are in regular contact with the Federal Environment Minister’s staff in accessing these funds.

COMMENTS:

It is recommended that the Council approves the tender submitted by Golder Associates Pty Ltd for the Consultancy for a DSI of Hyde Park Lakes and Remediation area in accordance with the specifications as detailed in Tender No. 392/09.

Note: Once the DSI has been completed the Town will be required to consider which approach is best to deal with the contaminated sediments. At the very least depending on the results, there will need to be a level of management to ensure any contamination identified does not create higher levels of contamination which may pose a potential health risk. There are a number of remediation options available and this decision will be influenced by a number of factors including the level of remediation required in order to change the classification of the Lakes. This will be dealt with in a further report/s to the Council.

9.1.3 Nos. 71-73 (Lots 11 and 12 D/P: 2463) Scarborough Beach Road, corner Loftus Street, Mount Hawthorn - Proposed Change of Use from Light Industry (Motor Vehicle Repair) to Office and Ancillary Open Air Display (Fence Display) and Associated Signage - Application for Retrospective Approval

Ward:	North	Date:	2 June 2009
Precinct:	Leederville; P03	File Ref:	PRO3658; 5.2006.424.1 and 5.2008.476.1
Attachments:	001 ; 002		
Reporting Officer(s):	S Kendall		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by ACB Consulting Pty Ltd on behalf of the owner Western Australian Planning Commission (WAPC) for proposed Change of Use from Light Industry (Motor Vehicle Repair) to Office and Ancillary Open Air Display (Fence Display) - Application for Retrospective Approval at Nos. 71-73 (Lots 11 and 12 D/P: 2463) Scarborough Beach Road, corner Loftus Street, Mount Hawthorn, and as shown on plans stamp-dated 25 February 2009 and on the plans for the display sign which are un-dated, subject to the following conditions:*
- (a) *this approval for Office and Ancillary Open Air Display (Fence Display), is for a period of 10 years only and should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the Town prior to continuation of the use;*
 - (b) *within 28 days of the issue of this approval, the applicant shall enter into a Legal Deed of Agreement with the Western Australian Planning Commission not to seek compensation for any removal of the signage when the future road upgrading of Scarborough Beach Road is required, OR the applicant is to provide the Town with advice from the WAPC that this deed of agreement is no longer required in light of new lease arrangements between the WAPC and the tenant;*
 - (c) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
 - (d) *any new street/front wall, fence and gate between the Scarborough Beach Road and Loftus Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (1) *the maximum height being 1.8 metres above the adjacent footpath level;*
 - (2) *the maximum height of piers with decorative capping being 2.0 metres above the adjacent footpath level;*

- (3) *the maximum height of the solid portion of the wall being 1.2 metres above the adjacent footpath level, and a minimum of fifty percent visually permeable above 1.2 metres;*
 - (4) *the piers having a maximum width of 355 millimetres and a maximum diameter of 500 millimetres;*
 - (5) *the distance between piers should not be less than the height of the piers except where pedestrian gates are proposed; and*
 - (6) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (e) *the fencing display area shall be limited to 45 square metres of gross floor area. Any increase in floor space or change of use for the subject land shall require a separate Planning Approval to be applied to and obtained from the Town; and*
- (f) *within 28 days of the issue of this approval, the applicant shall submit an updated site plan demonstrating:*
- (1) *all car parking facilities complying with the minimum specifications and dimensions specified in the Town's Parking and Access Policy and Australian Standards AS2890.1 – "Off Street Parking";*
 - (2) *the provision of two shade trees located within the car parking area. The plan shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described;*
 - (3) *details of the obstruction of the existing crossovers, as denoted to be closed off on the submitted plan; and*
 - (4) *the provision of one (1) Class 1 or 2 bicycle parking facility being provided at a location convenient to the entrances of the approved development.*

The car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans and the landscaping and bicycle parking facility shall be installed within 28 days of the approval of the above amended plan. All such works shall be maintained thereafter by the owner(s)/occupier(s); and

- (g) *the windows, doors and adjacent floor areas fronting Scarborough Beach Road and Loftus Street shall maintain an active and interactive relationship with these streets; and*

- (ii) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by B Lynch on behalf of the owner Western Australian Planning Commission (WAPC) for proposed signage - Application for Retrospective Approval at Nos. 71-73 (Lots 11 and 12 D/P: 2463) Scarborough Beach Road, corner Loftus Street, Mount Hawthorn, and as shown on plans stamp-dated 31 August 2006 at, subject to the following conditions:*
- (a) *within 28 days of the issue of the 'Approval to Commence Development', the following signage shall be permanently removed;*
- (1) *all the signage on the southern and western boundary walls/fences, inclusive of signs Nos. 1 and 5;*
- (2) *projecting sign No. 2, which is attached to the southern side of the canopy; and*
- (3) *the wall sign on the southern elevation fronting Scarborough Beach Road. Alternatively, this sign can be retained subject to complying with the wall sign requirements for commercial buildings in residential zones, as per the Town's Policy No. 3.5.2 relating to Signs and Advertising, which requires wall signs not to exceed 1.2 square metres in area;*
- (b) *the signage shall not have flashing or intermittent lighting;*
- (c) *all signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site; and*
- (d) *within twenty eight days (28) days of the issue date of the 'Approval to Commence Development' structural details, including plans and specifications of the endorsed signage, which is certified by a Practising Structural Engineer shall be submitted to and approved by the Town of Vincent.*

COUNCIL DECISION ITEM 9.1.3

Moved Cr Farrell, Seconded Cr Youngman

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (6-3)

For: Cr Burns, Cr Doran-Wu, Cr Ker, Cr Lake, Cr Maier, Cr Youngman
Against: Mayor Catania, Cr Farrell, Cr Messina

Applicant:	B Lynch
Zoning:	Metropolitan Region Scheme (MRS): Part Other Regional Road Reservation Town Planning Scheme No. 1 (TPS 1): Part Residential R 60
Existing Land Use:	Office and Open Air Display
Use Class:	Office and Open Air Display
Use Classification:	'SA' and 'X' (Prohibited) Use
Lot Area:	890 square metres
Access to Right of Way	Southern side, 5 metres wide, sealed and Town owned.

BACKGROUND:

- 6 January 1979 The subject property was purchased by the Western Australian Planning Commission (WAPC). At this time, the property was operating as a retail tyre outlet. The property has been leased by a number of tenants since this time, including the following:
- 6 January 1979 to 1 March 1982 – Road Master Tyres;
 - 2 March 1982 to 30 June 1988 – Toms Tyres and Exhaust Centre;
 - 1 July 1988 to 30 September 2005 – Down Under Auto Services; and
 - 3 January 2006 to date – Dura Fenz.
- 3 March 2006 An Elected Members Request was received requesting information on the land use of the subject place and the status of a number of newly erected signs.
- 10 May 2006 The Town wrote to the tenant of the subject property and advised that the existing signage had not received planning approval and was required to be removed or alternatively, an application for retrospective planning approval was required to be submitted to the Town.
- In addition to this, the tenant was also advised that the ‘open air display’ is an “X” use in the Residential zone and is therefore not permitted as a predominant land use. The tenant was advised to cease the unauthorised use within twenty eight days.
- 31 August 2006 The Town received an application for retrospective planning approval for the signage at the subject place.
- 21 September 2006 The Town received a letter from Architectural Construction and Building Consulting, on behalf of the tenant requesting that the existing 'Open Air Display' use be registered on the Town's Non -Conforming Use Register.
- 21 December 2007 The Town's Officers wrote to and advised the applicant that the Town cannot support the inclusion of the subject 'Open Air Display' use on the Town's Non-Conforming Use Register.
- In order to determine whether an 'X' (prohibited) use is non-conforming, the Town is required to be satisfied that the use was lawful (that is, previously approved by the determining authority at that time) prior to the promulgation of TPS 1 on 4 December 1998.
- The Town's Officers carried out extensive investigations of files and records, including requesting documentation and evidence from the operator of the business and the owner, the WAPC, to ascertain whether the unauthorised use could be considered for classification as a non-conforming use.

As seen from the above background, the use of the premises has not ceased for a period longer than six months. However, the non-conforming use, which was in existence at the subject place prior to Dura Fenz, was for "Motor Vehicle Repair". The Town's records revealed that the 'Motor Vehicle Tyre and Exhaust Repair' had not been granted planning approval by the Town or the City of Perth. In addition, the Town's TPS No. 1, the previous City of Perth City Planning Scheme and the previous City of Perth Zoning By -Laws did not permit the 'Motor Vehicle Tyre and Exhaust Repair' use on the subject property. This use was also not listed on the Town's Non-Conforming Use Register and is, therefore, not eligible for such Non-Conforming Use rights, which could have perhaps been transferred to the "Open Air Display" use.

DETAILS:

The proposal involves the Change of Use from Light Industry (Motor Vehicle Repair) to Office and Ancillary Open Air Display (Fence Display) and associated Signage (Application for Retrospective Approval). As can be seen from the above Officer Recommendation and Background, this Agenda Report deals with two applications, relating to:

1. the unauthorised signage, which was received first on 31 August 2006; and
2. the Change of Use from Light Industry (Motor Vehicle Repair) to Office and Ancillary Open Air Display (Fence Display), which was received following preliminary investigations in relation to the use were identified.

Whilst 'Open Air Display' is an 'X' use in a Residential area, such a use could be considered if it is considered to be ancillary and incidental to the predominant use of the land and buildings. The applicant has provided a submission in relation to the use of the land, which is partially summarised below:

"The open areas concerned being open is approximately 39 square metres, which equates to 20 per cent of the total building area used for office. The total land area of the subject lot is 890 square metres therefore the open area for commercial use is only 4 per cent of the site.

As a fencing sales office there is a need to have displays set up to show the styles and types of fencing. To have this set up in the Office would cause too much congestion in the office.

Due to this reason the area set aside for display is ancillary to the operations of sales in the office."

Furthermore, it is noted that in a letter dated 13 January 2009, the Applicant's Consultant, Mr T Bush, advised that the subject change of use does not involve a change of building classification, as defined in the Building Code of Australia, and that the provisions of access, parking, and sanitary facilities for people with disabilities are not required. However, it is the person(s), owner(s), Builder(s) and Developer(s) undertaking Development/Construction of any kind have a responsibility to comply with the requirements of the Disability Discrimination Act 1992. Therefore, it is strongly recommended that the accessible parking and sanitary facilities be provided to the premises.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	N/A	N/A	Noted.
Plot Ratio	N/A	N/A	Noted.
Residential Non-Residential Interface Policy No. 3.4.3	To encourage non-residential uses to be restricted to District and Local Centres in order to promote the commercial amenity, vitality and viability of those Centres.	Non residential use in residential zone.	Support - refer to 'Comment' section on 'Land Use' below.
Landscaping	All non-residential parking areas should contain shade trees generally at a rate of one tree per four spaces (2 trees required). The perimeter of all parking areas should be landscaped by a planting strip of at least 1.5 metres in width.	No trees provided. No landscaping provided.	Not supported - it is considered the provision of two shade trees will improve the visual amenity of the development and break up the hard surfaces, which dominate the site. This provision has been conditioned to comply. Supported - such landscaping would be in the Road Reserve area and would be required to be removed in the future and require separate approvals from the WAPC.
Panel Sign Sign No. 1 facing Scarborough Beach Road	No signage is permitted on fences, walls or the like structures which do not form an integral part of the building (Sign Policy Standard). A maximum area of 5 square metres. Not be less than 1.2 metres from the finished ground level.	Sign erected on fence. 6 square metres 0.8 metre from finished ground level	Not Supported - the signage is significantly greater in size and quantity than that prescribed in the Town's Policy No. 3.5.2 relating to Signage and Advertising and, as such; it is considered to have an adverse impact on the amenity of the surrounding area. Conditioned to be removed.

Projecting Signs Sign No. 2 facing right of way and Loftus Street	Not exceed a vertical dimension of 600 millimetres Not to project beyond outer frame or surround of fascia	Maximum dimension 1.8 metres Projects beyond outer frame of fascia.	Not supported - refer to 'Comment' below. Conditioned to be removed.
Sign No. 3 facing Loftus Street	As above.	As above.	Supported - refer to 'Comment' below.
Sign No. 4 facing Scarborough Beach Road	As above.	As above.	Supported - refer to 'Comment' below.
Wall Sign Sign No. 5	No signage is permitted on fences, walls or the like structures which do not form an integral part of the building (Sign Policy Standard) If located within a residential zone and attached to a building used predominantly for a commercial use not exceed 1.2 square metres in area	Sign located near neighbour's wall. 12 metres square	Not Supported - the signage is significantly greater in size than that prescribed in the Town's Policy No. 3.5.2 relating to Signage and Advertising and, as such, it is considered to have an adverse impact on the amenity of the surrounding area. Conditioned to be removed.
Pylon Sign	The structure to which a pylon sign is affixed is to comprise only one or more supports with an aggregate width not exceeding 300 millimetres.	Structure being 1.15 metres in width.	Supported - not considered to impact on visual amenity of streetscape and advice from the WAPC suggests that the pylon sign has previous planning approval.
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
Sustainability Implications			Nil
Financial/Budget Implications			Nil

Car Parking Requirements	
Car parking requirement (nearest whole number) Office: 1 car bay per 50 square metres gross office floor area Proposed - 125 square metres = 2.5 bays	6 car bays
Open Air Display: 3 spaces for the first 200 square metres of display and sales area and thereafter 1 space per 100 square metres of display and sales area or part thereof Proposed - 45 square metres = 3 bays	
Apply the parking adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) 	(0.85) 5.1 car bays
Minus the car parking provided on-site	10 car bays provided on-site
Minus the most recently approved on-site car parking shortfall	No previous shortfall located.
Resultant surplus	4.9 car bays
Bicycle Parking Facilities	
Offices: <ul style="list-style-type: none"> • 1 space per 200 (proposed 125 square metres) square metres gross floor area (class 1 or 2) - 0.6 spaces. • 1 space per 750 (proposed 45) square metres over 1000 square metres for visitors (class 3) - Nil spaces. 	Not supported - conditioned to comply. Noted - no variation.

* 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:

Department for Planning and Infrastructure (DPI)

The Department for Planning and Infrastructure have advised in an email dated 20 September 2007 that in this instance the Local Government is the determining authority. However, the DPI advised that it would be appropriate for a planning approval for development on or abutting the road reserve to be for a limited time period (that is, 10 or 20 years), rather than permanent. Hence, a condition to reflect this has been incorporated in the Officer Recommendation.

In relation to the application for signage, the DPI advised in a letter dated 27 November 2006, that the subject lots are significantly affected by an Other Regional Road Reservation (ORR) road widening requirement and that some of the signage is within this road reservation. Whilst the DPI do not support any permanent structures of a substantial nature in this road widening area, it has recommended that the applicant be required to enter into a legal deed of agreement with both the WAPC and the Town, not to seek compensation for any removal costs associated with the signage, in the event of future road upgrading of Scarborough Beach Road.

In relation to the application for change of use, the DPI advised in a letter dated 13 November 2008, that both lots are owned by the WAPC and that '*...given the type and nature of the development, the department supports the use of the reserved land on a temporary basis only, as the tenant is aware that at the time when the reserve land is required, all improvements within the land requirement area will be removed at the tenants cost.*'

Land use

When considering the proposed land use, it is important to be mindful of the significant site constraints and long-standing commercial land use history of the site. As outlined above, the subject site is zoned part Residential R60 and part Reserved under the MRS as 'Other Regional Road' reservation. The road reservation takes up almost the entire Lot 11 and a portion of Lot 12, which is considered problematic and restrictive on the utilisation of the land. Furthermore, the subject property has historically been associated with some form of commercial use.

It is considered the continuation of the commercial use of the property in the form of an office and ancillary open air display is acceptable until such time as the road reservation has been formalised. In this instance, the fixed fence display (Outdoor Display) occupies only a small area (6 square metres) of the site area and can be considered incidental or ancillary to the dominant proposed use, namely a retail office, selling and administering the fencing products.

Signage

The signage at the subject site is considered excessive and to have an undue adverse effect on the amenity of the surrounding residential area. It is considered appropriate that the existing signage be rationalised to conform with the Town's Policy to reduce the visual clutter, as recommended in the above Non-Compliant Requirements Table and Officer Recommendation.

The three projecting signs located on the existing canopy are significantly in excess of the requirements of the Town's Policy No. 3.5.2 relating to Signs and Advertising. However, in this instance, it is considered acceptable to support two of the three projecting signs (the signs fronting Loftus Street and Scarborough Beach Road) to enable the appropriate exposure of activities and services provided on-site. Such a variation is considered acceptable on the basis that the third projecting sign which predominately faces the rear right of way, and much of the other existing signage is proposed to be removed resulting in a rationalisation of signage and visual clutter.

Furthermore, since the submission of the signage application, additional signage has been erected on the property, particularly on the southern and western fences, and on the office building itself. As these signs directly conflict with the requirements of the Town's Policy No. 3.5.2 relating to Signs and Advertising, in that they are fixed to elements that do not form an integral part of the building, the additional signage has been conditioned to be removed. The wall sign on the office building has also been conditioned to be removed, or to comply with the wall sign requirements for commercial buildings in residential zones.

In light of the above, it is considered that both applications are considered acceptable, subject to the rationalisation of the signage on-site, and standard conditions to address the above matters.

9.1.2 No. 42 (Lot: 111 D/P: 6064) Jugan Street, Mount Hawthorn - Proposed Crossover Addition to Approved Grouped Dwelling (Reconsideration of Condition)

Ward:	North	Date:	2 June 2009
Precinct:	-	File Ref:	PRO4522; 5.2009.155.1
Attachments:	001		
Reporting Officer(s):	D Bothwell		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions and powers of both the Local Government (Change of Districts Boundaries) Order 2007 and the Local Government (Constitution) Regulations 1998, allowing the Town of Vincent to, in effect, administer the City of Stirling District Planning Scheme No. 2 as if it were its own Scheme, and the Metropolitan Region Scheme, APPROVES the application submitted by SJB Town Planners Pty Ltd on behalf of the owner J & N A Murray for proposed Crossover Addition to Approved Grouped Dwelling (Reconsideration of Condition), at No. 42 (Lot: 111 D/P: 6064) Jugan Street, Mount Hawthorn, and as shown on plans stamp-dated 5 May 2009, subject to the following conditions:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *any new street/front wall, fence and gate within the Jugan Street setback area, including along the side boundaries within this street setback area, shall comply with the following:*
 - (a) *the maximum height being 1.8 metres above the adjacent footpath level;*
 - (b) *the maximum height of piers with decorative capping being 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum height of the solid portion of the wall being 1.2 metres above the adjacent footpath level, and a minimum of fifty percent visually permeable above 1.2 metres;*
 - (d) *the piers having a maximum width of 355 millimetres and a maximum diameter of 500 millimetres;*
 - (e) *the distance between piers should not be less than the height of the piers except where pedestrian gates are proposed; and*
 - (f) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*

- (iii) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Jugan Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s);*
- (iv) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (v) *first obtaining the consent of the owners of No. 56 Purslowe Street and No. 40 Jugan Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 56 Purslowe Street and No. 40 Jugan Street in a good and clean condition; and*
- (vi) *prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the following:*
- (a) *the windows to bedrooms 2 and 3 of unit 3 and windows to bedrooms 2 and 3 of unit 4 on the southern elevation and the windows to bedroom 2 of unit 4 on the eastern elevation, on the upper floor, being screened with a permanent obscure material and be non-openable to a minimum 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. 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 2008. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 54 and 56 Purslowe Street, stating no objections to the respective proposed privacy encroachment; and*
- (b) *the building walls to unit 1 and unit 3 on the southern boundary and unit 4 on the northern and eastern boundaries being reduced to a maximum average height of 3 metres.*

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

- ~~(vii) *the Town has no intentions in the future to move/remove the Channelising Island adjacent to the driveway and crossover to Unit 2. Any future owners of Unit 2 will be restricted to left in and left out while entering and exiting the driveway and crossover to Unit 2.*~~

FOOTNOTES:

- (1) *the Town has no intentions in the future to move / remove the Channelising Island adjacent to the driveway and crossover to Unit 2. Any future owners of Unit 2 will be restricted to left in and left out while entering and exiting the driveway and crossover to Unit 2.***

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

COUNCIL DECISION ITEM 9.1.2

Moved Cr Farrell, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

Cr Youngman departed the Chamber at 7.29pm.

Debate ensued.

Cr Youngman returned to the Chamber at 7.31pm.

Debate ensued.

MOTION PUT AND CARRIED (5-4)

For: Mayor Catania, Cr Burns, Cr Farrell, Cr Messina, Cr Youngman
Against: Cr Doran-Wu, Cr Ker, Cr Lake, Cr Maier

Landowner:	J & N A Murray
Applicant:	SJB Town Planning and Urban Design
Zoning:	Metropolitan Region Scheme: (MRS) City of Stirling District Planning Scheme No. 2
Existing Land Use:	Single House
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	842 square metres
Access to Right of Way	Not applicable

BACKGROUND:

An application for the Demolition of Existing Single House and Construction of Four (4) Two Storey Grouped Dwellings was approved by the Council at its Ordinary Meeting held on 16 December 2008.

DETAILS:

The proposal involves the reconsideration of condition (vi) (b) relating to vehicular access to Unit 2 of the original approval for Demolition of Existing Single House and Construction of Four (4) Two Storey Grouped Dwellings approved by the Council at its Ordinary Meeting held on 16 December 2008.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments
Density	N/A	N/A	Noted – no variation.
Plot Ratio	N/A	N/A	Noted – no variation.

Consultation Submissions	
No advertising was required in this instance as there were no further variations to what was approved by the Council at its Ordinary Meeting held on 16 December 2008.	
Other Implications	
Legal/Policy	City of Stirling District Planning Scheme No. 2 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications	Nil
Sustainability 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:

The Town's Technical Services did not support the proposed centre crossover to Unit 2 as the channelising island which the subject crossover is adjacent to, restricted access to the proposed crossover. As a result of this, the following condition was applied to the approval:

“(b) vehicular access to unit 2 being from the common property crossover, utilising the common property driveway to the north of the subject property with the garage door facing north and the proposed centre crossover to unit 2 on Jugan Street being deleted;”

Following a review of this matter by the Town's Technical Services, it is considered appropriate that the crossover and driveway to Unit 2 can remain, without the existing channelising island being removed or modified, with vehicular access restricted to a left-in and left-out situation while entering and exiting the driveway and crossover to Unit 2. As such, a condition has been included in the Planning Approval outlining that the Town has no future intention of removing the channelising island and any owner of the subject property will be restricted to left-in and left-out when accessing the subject driveway and crossover to Unit 2.

In light of the above, the reconsideration of condition is supported, subject to standard and appropriate conditions to address the above matters.

9.1.6 City of Stirling - Local Housing Strategy and Integrated Transport Strategy

Ward:	N/A	Date:	2 June 2009
Precinct:	N/A	File Ref:	ORG0016
Attachments:	001 ; 002		
Reporting Officer(s):	E Lebbos		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to the City of Stirling “Local Housing Strategy” and “Integrated Transport Strategy”; and*
- (ii) *AUTHORISES the Chief Executive Officer to notify the City of Stirling that the Town of Vincent SUPPORTS IN PRINCIPLE the intent and content of the “Local Housing Strategy” and “Integrated Transport Strategy” and the summaries as attached at Appendix 9.1.6 respectively.*

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Ker, Seconded Cr Farrell

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

- “(iii) *NOTES that some proposals in the Transport Strategy will have an impact on the Town of Vincent and seeks discussion with the City of Stirling.*”

AMENDMENT PUT AND CARRIED (9-0)

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 9.1.6

That the Council;

- (i) *RECEIVES the report relating to the City of Stirling “Local Housing Strategy” and “Integrated Transport Strategy”;*
- (ii) *AUTHORISES the Chief Executive Officer to notify the City of Stirling that the Town of Vincent SUPPORTS IN PRINCIPLE the intent and content of the “Local Housing Strategy” and “Integrated Transport Strategy” and the summaries as attached at Appendix 9.1.6 respectively; and*
- (iii) *NOTES that some proposals in the Transport Strategy will have an impact on the Town of Vincent and seeks discussion with the City of Stirling.*

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the City of Stirling's Local Housing and Integrated Transport Strategies currently being advertised for public comment, and to provide a summary of the strategies to the Council.

BACKGROUND:

The City of Stirling has published its *Local Housing Strategy* and *Integrated Transport Strategy*. The first provides the overall framework in which the City of Stirling aims to assess and improve the existing allocation of housing types and densities within the Municipality, while the latter aims to take a strategic approach to transport planning in the City, with a view to enhancing social, economic and environmental outcomes in the City with regards to transport.

Both strategies have been publicised for public comment, with submissions closing on 19 June 2009.

DETAILS:

Local Housing Strategy

The City of Stirling's *Local Housing Strategy* provides the overall framework in which they assess the existing allocation of housing types and densities within the Local Government Area. Existing densities and housing forms are reviewed in order to identify problems that relate to the current provision of housing in the City because the changing demographic and household sizes do not appear to be reflected in the provision of new housing in the Municipality. Average house sizes have been increasing over a long period of time, with this trend increasing in the recent past, despite the reduction in household size.

The Strategy sets out opportunities for improvement, arguing that the problem can be resolved through the introduction of new statutory provisions. These include a mix of significant development bonuses and planning requirements to ensure adequate provision of appropriate dwellings in suitable locations (nearby to activity centres and high frequency transit routes). Supporting the development of mixed-use and higher density precincts is considered to be an important contribution the City can make to advance the objectives incorporated in *Network City* and includes the following objectives for improvement:

- to expand the supply of housing matching the underlying needs of the resident population;
- to facilitate the provision of buildings incorporating an ecologically sustainable design;
- to progress a positive change in the built environment to a form more conducive to pedestrians, cyclists and public transport users;
- to prepare the City and the community for the projected changes in climate and energy supply vulnerability;
- to protect the heritage and character of the City's Heritage Protection Areas;
- to achieve aesthetically pleasing forms of development in medium and high density areas; and
- to increase the population densities within the pedestrian catchments of Activity Centres and Corridors.

The seven "focus areas" or main themes of the Strategy relate to:

- Housing Provision and Needs;
- Community Housing Provision and Housing Affordability;
- Sustainability of the Built Form;
- Employment and Transport;
- Adaption to Climate Change and Energy Supply Vulnerability;
- Design Qualities of Infill Housing; and
- *Network City* Implementation.

Integrated Transport Strategy

The *Integrated Transport Strategy* provides a strategic approach to transport in the City with a view to enhancing social, economic and environmental outcomes. It reflects the need in the City to consider different aspects of transport planning including physical infrastructure, policy and governance and travel behaviour, in an integrated manner. The Strategy incorporates land use and transport integration, pedestrian amenity, cyclist amenity, public transport, freight, parking and demand management. The key objectives of the City's *Integrated Transport Strategy* include:

- to encourage more sustainable transport of people and goods;
- to enable efficient movement of people and goods;
- to improve accessibility for pedestrians, cyclists and public transport users to a variety of destinations;
- to equitably provide for transport needs throughout the community; and
- to encourage public transport modes over private transport modes.

The Strategy aims to identify issues, opportunities and trends within the City for developing the long term vision, objectives and outcomes of the Strategy, recognising key opportunities for implementation.

Following comment and advice, the intention of the City of Stirling is to release final Strategies that will provide the overall framework in which the City can assess the existing allocation of housing types and densities, as well as provide a strategic approach to transport planning in the City, with a view to enhancing social, economic and environmental outcomes in the City.

Relevance to the Town of Vincent

A review of the Strategies was undertaken by the Town's Officers, which indicated that the proposed recommendations in both Strategies will impact the Town's Policies and practices.

Local Housing Strategy

Of particular relevance to the Town is the following opportunity for improvement that the City of Stirling has identified in the *Local Housing Strategy*:

'Opportunities for infill will also become available in the Glendalough Station Precinct, and the City's draft town planning scheme - proposed Local Planning Scheme Number 3 – would allow medium density R80 residential development in commercial and business zones that currently cap maximum permissible densities at R40. To date the market has expressed little interest in pursuing medium density residential development in Business and Town Centre zones (with the exception of Inglewood), but it is hoped the proposed up-coding will make these areas more attractive for mixed-use developments. In addition to these initiatives, the City has committed to undertaking Activity Corridor studies for Beaufort Street and Scarborough Beach Road commencing in 2009...'

This is of particular relevance to the Town of Vincent following the boundary changes on 1 July 2007, which resulted in the transfer of parts of Glendalough from the City of Stirling to the Town of Vincent. Until such time as the Town adopts its proposed Town Planning Scheme No. 2, all proposed development within the acquired area is to be assessed in accordance with the City of Stirling District Scheme No. 2 and associated policies.

In the preparation of the Town's Local Planning Strategy (forwarded to the Western Australian Planning Commission on 12 May 2009), the strategic direction for the land acquired by the Town within the City of Stirling Glendalough Station Precinct, and immediate surrounds, were discussed in detail in Section (6) of the Strategy. In line with the recommendations detailed within the City of Stirling *Local Housing Strategy* above, it was recognised that opportunity existed for an increase in residential density and commercial development within close proximity to the Glendalough Train Station. More specifically, it was recommended that:

- *Brady Street be zoned R60 to provide the opportunity for an increase in housing choice and population density within walking distance of the Glendalough Station;*
- *the zoning of lots west of Jugan Street increase to residential R80;*
- *the zoning along Scarborough Beach Road increase to Residential/Commercial R100 with a minimum of 66 per cent residential being provided to facilitate a mix of compatible land use activities that increase pedestrian movement and patronage of the Glendalough Station and potentially decrease car dependency; and*
- *Glendalough Station develops as a distinct mixed use node to connect with Mount Hawthorn Town Centre.*

Integrated Transport Strategy

There are a number of broad proposals referred to in the *Integrated Transport Strategy* which have particular relevance to the Town. In particular, these include:

'The identification of a number of Light-Rail Transit (LRT) routes along major activity corridors (including Scarborough Beach Road, Beaufort Street)...' and

'Continuing to work with State Government Agencies to progress activity centre and activity corridor studies.'

As outlined in the Town's Local Planning Strategy, the Study undertaken by the DPI and the City of Stirling, into identifying actions to guide the development of Scarborough Beach Road towards a true activity corridor in-line with sustainability and *Network City* principles, is of direct relevance to the Town. This is particularly pertinent with respect to the two areas of the Town through which Scarborough Beach Road traverses (Glendalough and Mount Hawthorn), and presents a number of opportunities for the Town.

For Glendalough, the *Scarborough Beach Road Action Plan Study* suggests developing an intensive transit activity node which provides efficient public transport and attractive pedestrian corridors. For Mount Hawthorn, in relation to the Town of Vincent, this implies developing a local activity node connected to the nearby Perth City, by high frequency public transport. The opportunities recognised in the Study for both areas are reflected in the Town's Local Planning Strategy, which identifies a number of relevant recommendations including:

- *restrict access to and from Scarborough Beach Road through the rationalisation of parking spaces and crossovers to improve traffic flow and pedestrian amenity; and*
- *develop parking provisions that are based on the premise of maximum parking requirements to facilitate a balance between increasing the intensity of the area and emphasising the use of public transport, walking and cycling over car-bound travel.*

The Town will continue to participate in the Scarborough Beach Road Activity Corridor Project and use aspects of the Study (and perhaps further related studies), to inform future planning in the areas of Glendalough and Mount Hawthorn, through which the Scarborough Beach Road Activity Corridor traverses, and will endeavour to ensure that the information in the studies are consistent with the Town's vision for the area. The draft summaries of the *Local Housing Strategy* and *Integrated Transport Strategy* are attached to this report and the full documents are available from the City of Stirling website at www.stirling.wa.gov.au.

CONSULTATION/ADVERTISING:

The City of Stirling is currently advertising both Strategies for public comment, both of which close on 19 June 2009.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

The Town of Vincent Strategic Plan 2006-2011 states:

“Natural and Built Environment

- Objective*
- 1.1 *Improve and maintain environment and infrastructure*
 - 1.1.1 *Capitalise on the Town’s strategic location, its centres and commercial areas.*
 - 1.1.2 *Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision.*
 - 1.1.4 *Minimise negative impacts on the community and environment.”*

SUSTAINABILITY IMPLICATIONS:

The City of Stirling *Local Housing Strategy* sets out a number of sustainable outcomes including:

- incorporating sustainable design features in new and existing housing;
- recycling building materials for use in new buildings;
- retrofitting existing residential areas to reduce auto-dependency; and
- adapting housing and the built environment for projected changes to climate.

The City of Stirling *Integrated Transport Strategy* aims to deliver a sustainable and efficiently integrated transport system by working with State Government service providers, planning bodies and the development industry to fund and plan for transport. The objectives of the Strategy are generally sustainability-oriented, and include:

- encouraging more sustainable transport of people and goods;
- encouraging public transport modes over private transport modes; and
- improving pedestrian amenity, cycling amenity, and public transport so as to reduce dependence on private car use, in order to reduce greenhouse gas emissions.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The various focus areas specified in the City of Stirling’s Local Housing and Integrated Transport Strategies aim to develop better housing provision, and an improved transport system for the City of Stirling, resulting in sustainable outcomes that reflect State planning objectives such as those identified in *Network City*.

In light of the above, it is recommended that the Council receive the report, and support the Officer’s Recommendation, to advise the City of Stirling that the Town of Vincent supports the intent and content of their *Local Housing Strategy* and *Integrated Transport Strategy*.

9.1.7 WA State Government Proposed Merging of Police Stations

Ward:	Both	Date:	4 June 2009
Precinct:	All	File Ref:	ENS0046
Attachments:	-		
Reporting Officer(s):	M Wood, J MacLean		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report in relation to the WA State Government proposed merging of police stations;*
- (ii) *REQUESTS the Chief Executive Officer to write to the Commissioner of Police expressing the Town of Vincent concerns of an adverse impact on policing within the Town, as raised through the Safer Vincent Crime Prevention Partnership (SVCPP) and Western Central Local Emergency Management Committee (WC LEMC); and*
- (iii) *LODGES a submission with the Western Australian Local Government Association (WALGA), seeking their assistance in having the matter raised at State Government level.*

Moved Cr Youngman, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO 1

Moved Cr Youngman, Seconded Cr Messina

“(i) REQUESTS:

- (a) the Chief Executive Officer to write to the Commissioner of Police expressing the Town of Vincent concerns of an adverse impact on policing within the Town, as raised through the Safer Vincent Crime Prevention Partnership (SVCPP) and Western Central Local Emergency Management Committee (WC LEMC); and
- (b) the Chief Executive Officer to discuss the issues with other affected councils together with the WA Police and report the findings to Council;”

Debate ensued.

The Chief Executive Officer suggested changing the word “councils” of the amendment to “local governments”. The Mover, Cr Youngman, and seconder Cr Messina, agreed to this change.

The revised amendment now reads as follows;

- (b) the Chief Executive Officer to discuss the issues with other affected local governments together with the WA Police and report the findings to Council;”

Debate ensued.

AMENDMENT NO 1 PUT AND CARRIED (9-0)

AMENDMENT NO 2

Moved Cr Messina, Seconded Cr Lake

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

“(ii) **REQUESTS:**

(a) the Chief Executive Officer to write to the Commissioner of Police expressing the Town of Vincent concerns of an adverse impact on policing within the Town, as raised through the Safer Vincent Crime Prevention Partnership (SVCPP) and Western Central Local Emergency Management Committee (WC LEMC); and

(b) the Mayor and Chief Executive Officer to liaise with the Commissioner of Police and the Minister for Police; Emergency Services; Road Safety in order to maintain constant dialogue to ensure that the concerns of the Vincent community are advocated on the impact of the policing in the Town; and”

Debate ensued.

AMENDMENT NO 2 PUT AND CARRIED (9-0)

Debate ensued.

AMENDMENT NO 3

Moved Cr Maier, Seconded Cr Ker

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

“(ii) **REQUESTS** *the Chief Executive Officer to write to the Commissioner of Police expressing the Town of Vincent concerns of an adverse impact on policing within the Town, as raised through the Safer Vincent Crime Prevention Partnership (SVCPP) and Western Central Local Emergency Management Committee (WC LEMC) and seeking an assurance that there will be no reduction in police services or police presence on the street as a result of the proposed changes; and*”

Debate ensued.

AMENDMENT NO 3 PUT AND CARRIED (9-0)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 9.1.7

That the Council;

(i) **RECEIVES** *the report in relation to the WA State Government proposed merging of police stations;*

(ii) **REQUESTS:**

- (a) *the Chief Executive Officer to write to the Commissioner of Police expressing the Town of Vincent concerns of an adverse impact on policing within the Town, as raised through the Safer Vincent Crime Prevention Partnership (SVCPP) and Western Central Local Emergency Management Committee (WC LEMC) and seeking an assurance that there will be no reduction in police services or police presence on the street as a result of the proposed changes; and*
 - (b) *the Chief Executive Officer to discuss the issues with other affected local governments together with the WA Police and report the findings to Council;*
 - (c) *the Mayor and Chief Executive Officer to liaise with the Commissioner of Police and the Minister for Police; Emergency Services; Road Safety in order to maintain constant dialogue to ensure that the concerns of the Vincent community are advocated on the impact of the policing in the Town; and*
- (iii) **LODGES a submission with the Western Australian Local Government Association (WALGA), seeking their assistance in having the matter raised at State Government level.**

PURPOSE OF REPORT:

The purpose of the report is to update the Council on recent media announcements by the WA Police Minister, Hon. Rob Johnson JP MLA that Claremont, Wembley, Subiaco and Cottesloe Police Stations will be closed, with the existing staff merged into a 'Police hub' and to outline possible impacts that this may have on Policing within the Town of Vincent.

DETAILS:

The West Australian Police Minister, as reported by the ABC and WA Today online news media (26 May 2009), has indicated that a number of police stations, including Subiaco, Claremont, Cottesloe and Wembley, will be combined.

A summary of the media reports state;

- Combining of Police Stations will occur within the next 5 years.
- Mr Johnson has advised a budget estimates hearing that a number of stations are ageing and run down.
- WA Police are working to replace these police stations with a 'Western Suburbs Police Hub'.
- Local Stations will close because they have become too expensive to operate and maintain.
- Hubs are viewed by the WA State Government as more efficient.
- The Police Commissioner, Karl O'Callaghan and WA Police are looking for suitable locations which could take up to 6 months to determine.
- Subiaco Police Station will be closing down with staff transferred to Wembley Police station, presumed to be within 6 months time.
- Gradual introduction of Police hubs across Perth is aimed to benefit the WA Police Service.
- The Police Commissioner has advised the Minister that a system of large policing hubs rather than smaller local stations is '*not only better and more efficient use of resources, but in fact, delivers a better policing service that allows more police presence on the streets*'.

- Shadow Police Minister Margaret Quirk has raised concerns there is no apparent planning or funding to accommodate immediate changes.

The Town has a long standing partnership with WA Police including local Police Stations. The Town is currently serviced by four Police Stations including Mirrabooka, Bayswater, Perth and Wembley Police Stations, and one Police Service Centre located in Leederville on Richmond Street, Leederville. Due to its geographic location, the Town predominantly works with the staff from Wembley Police Station.

Some initial concerns have been raised through Safer Vincent networks regarding the proposed merging of police stations. These are:

- There has been an apparent gradual withdrawal of police resources from the Town – the Leederville Police Station (corner Bourke and Oxford Streets) has closed and been relocated to Wembley Police Station;
- Police appear to be already under resourced and stretched, with police resources covering large geographic areas. The absorption of existing police stations into even larger areas/hubs, may further exacerbate the challenges faced by WA Police;
- The Town enjoys a particularly close working relationship and enjoys close support from existing local police stations (particularly Wembley Police Station) and it may be detrimental for the Town and its residents, if this relationship was impacted upon;
- Wembley would be the closest and largest geographic Police Station to the Town and it would be beneficial, at a minimum, to see this retained;
- Currently, the Town is serviced by two Police Districts- Central Metropolitan and West Metropolitan Districts. Within these Districts, there are four Police Stations; Wembley, Mirrabooka, Bayswater and Perth Police Stations. The Town through its Safer Vincent program and crime prevention partnership, of necessity, liaises with all of these;
- There is still to be formal clarification of whether the Leederville Service Centre (on Richmond Street) will be retained, but it seems likely this will be closed in the foreseeable future;
- Any changes are likely to have an adverse impact on the Town's Safer Vincent Crime Prevention Partnership, Vincent Accord and also the Town's current Emergency Management Arrangements with the Western Central Area, which are all constructed along current Police District and Police Station boundary arrangements;
- Local Government has a considerable stake in any policing realignments/amalgamations/merging of police stations and the State Government should enter into discussion with WALGA, prior to making decisions; and
- If the Town of Vincent falls within the scope of Perth Police Station and, eventually, under the Northbridge Police Hub, resources are more likely to concentrate on the increasing problems in Northbridge, rather than the issues in the Town.

The above issues were discussed at the Western Central Local Emergency Management Committee (WC LEMC), which consists of eight (8) local governments, on 3 June 2009, where concerns, similar to those expressed above, were tabled by a number of members. It was the stated Police position that the change would result in no impact to the WC LEMC and that the changes would provide a clear benefit in the Emergency Management area, by having one Emergency Co-ordinator, where there are currently three (3). It was acknowledged that there may be a benefit to the WA Police, but that the loss of "local" liaison may have an impact on the broader emergency management community.

The above issues were also discussed at the Safer Vincent Crime Prevention Partnership (SCCPP), where members expressed concerns, as outlined above. Acting Superintendent Cunningham clarified the Police position and gave his assurance that, rather than there being a reduction in the current service level, he would expect there to be an improvement. He

indicated that it was more likely that the Town of Vincent would continue to be serviced by the "Western Suburbs Police Hub and not by the Perth City/Northbridge Hub".

Acting Superintendent Cunningham also indicated that there may be some re-alignment of police boundaries, resulting from the probability that Peel Police area would fall under the South Metropolitan Police District. He suggested that this could result in a consequential change to the Central Police District boundaries, with respect to the local governments in the southern portion of the Central Metropolitan District. As a result of this potential boundary re-alignment, it was not yet possible to give an indication of the likely location of the proposed Hub.

It is considered appropriate for the Town to write to the WA Police Commissioner, identifying concerns and seeking appropriate consultation, before decisions are finalised. This letter should include the comments, from the Town itself, the Safer Vincent Crime Prevention Partnership, the Vincent Accord and the Western Central Local Emergency Management Committee.

Because the amalgamation of police stations is likely to have an impact on a number of local governments, it is also considered appropriate for WALGA to be involved in the process. As a result, it is recommended that the Town writes to WALGA, expressing the Town's concerns and seeking their input to the proposals.

CONSULTATION/ADVERTISING:

No public consultation or advertising is necessary, at this stage.

LEGAL/POLICY:

There are no legal implications for the Town.

STRATEGIC IMPLICATIONS:

The above is in keeping with the *Town of Vincent Strategic Plan 2009-2014* in the following areas:

"2.1.2(b) Develop Partnerships with Government agencies" and at 4.1.2(c) "Review strategies for improving and enhancing the quality of services procedures and processes."

*"3.1 Enhance community development and wellbeing
(a) Organize and promote community events and initiatives that engage the community and celebrate cultural and social diversity within the Town.*

*3.1.2 Provide and develop a range of community programs and community safety initiatives.
(d) Promote and implement the Safer Vincent Crime Prevention Plan 2006."*

SUSTAINABILITY IMPLICATIONS:

The merging of existing Police Stations into larger police hubs will have sustainability implications in current partnership and planning arrangements through the SVCPP, WC LEMC and Vincent Accord. Such changes to Policing may necessitate the strategic review of these partnerships, in order to reflect any new policing arrangements.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The Town works in very close partnership with WA Police, both from a Town perspective and also as part of the SVCPP, WC LEMC and Vincent Accord. As the Town has a considerable stake in any proposed changes to policing arrangements that incorporate the Town of Vincent, it is important the Town is afforded an opportunity to provide input on any concerns it may have. Noting the short-timing of the media announcements and the decisions to be made by the State Government, implementation is presumed to be imminent.

An additional response, through WALGA, to advocate on such issues will assist in raising the initial concerns, not only by the Town of Vincent but of the other local governments with similar issues, including Subiaco, Claremont, and Cambridge. The above report along with Officer Recommendation is recommended for approval.

9.1.8 Processing of Development Approvals - Request for Information by the City of Joondalup

Ward:	N/A	Date:	2 June 2009
Precinct:	N/A	File Ref:	LEG 0060
Attachments:	001		
Reporting Officer(s):	T Woodhouse		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to the Processing of Development Approvals; and*
- (ii) *AUTHORISES the Chief Executive Officer to notify the City of Joondalup:*
 - (a) *of the issues identified and the actions being taken by the Town to reduce the processing times of planning and building approvals, as detailed in this report; and*
 - (b) *that the Town is prepared to join other Local Government Authorities to discuss the issues and inform the Department for Planning and Infrastructure and the Minister for Local Government of the contribution of various government departments and agencies in adding to the delay in processing applications for various development approvals, as part of the Local Government Structural Reform process.*

COUNCIL DECISION ITEM 9.1.8

Moved Cr Farrell, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

Cr Messina departed the Chamber at 7.55pm.

Debate ensued.

MOTION PUT AND CARRIED (8-0)

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

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the Town's investigation into the 'identification and implementation of approaches to reduce town planning and building licence approvals time' as part of the Local Government Structural Reform package, and to forward this information to the City of Joondalup as requested in a letter dated 14 May 2009 as attached.

BACKGROUND:

- 5 February 2009 The Minister for Local Government, Hon John Castrilli MLA announced a package of wide-ranging reform strategies to be undertaken by all Local Government Authorities in relation to voluntary structural reform.
- 20 March 2009 The Town accepted the invitation to become a participant in the Department for Planning and Infrastructure electronic referral prototype '*Short Track*'.
- 8 April 2009 The Acting Manager Planning, Building and Heritage Services along with approximately 15 Officers from Inner and Middle Collar Local Government Authorities attended a meeting facilitated by the Department for Planning and Infrastructure to discuss the timeframes for referral responses to freehold and survey strata subdivision applications.
- 14 April 2009 The Council at its Ordinary Meeting considered an item relating to the *Building a Better Planning System*, a consultation paper compiled by the Department for Planning and Infrastructure. The minutes relating to the item were forwarded to the Department for Planning and Infrastructure for consideration in finalising the paper.
- 30 April 2009 The Town forwarded a completed Local Government Reform Checklist to the Minister for Local Government. Section 5 of the completed checklist provided details on the proficiency of the organisation in terms of the timeliness of processing Development Applications, Subdivision Applications and Building Licences.
- 14 May 2009 Letter received from City of Joondalup requesting that the Town forward information to the City in relation to the timeliness of assessing applications for various development approvals, in light of the Local Government Structural Reform announced in February 2009.

DETAILS:

Letter from City of Joondalup

The Town received a letter dated 14 May 2009 from the City of Joondalup in relation to the processing of development approvals. In the letter the City of Joondalup Chief Executive Officer, Garry Hunt, acknowledged that in addition to the key strategies contained in the Minister for Local Government structural reform announcements made in February 2009, the following strategy was also identified:

"Identification and implementation of approaches to reduce town planning and building licence approvals time".

In response to this, when the Council of the City of Joondalup considered the request of the Minister, it carried the following motion in response to the above strategy:

"REQUESTS that the CEO ascertain the views of other local governments and WALGA, in mounting a campaign to highlight the contribution of various government departments and agencies in adding to the delay in processing applications for various development approvals".

In light of the above request, the Town has compiled this report for referral to the City of Joondalup for consideration.

Local Government Reform

In the checklist forwarded to the Minister for Local Government on 30 April 2009, the Town advised that in terms of the proficiency of the organisational structure, the Town on average did not process residential Building Licences within 20 working days; did not process Development Applications under delegation within 20 working days; and that all other Development Applications were not processed within 40 working days. A breakdown of the actual timeframes recorded by the Town was provided.

In the process of examining the timeframes, the following issues relating to the delays were identified as follows:

- Incomplete development applications received at front counter;
- Administrative delays between receipt of development application and dedicated to Planning Officer;
- Inefficient application of the Town's Authority System;
- Distorted statistics resulting from the Town's Authority System;
- Internal referral process;
- Community Consultation procedures;
- Double handling of administration procedures;
- Inefficient use of the Development Assessment Team;
- Incomplete and poorly prepared subdivision plans referred to the Town from the Western Australian Planning Commission (WAPC); and
- Waiting on amended plans for subdivision assessments not factored into the WAPC timeframes.

In response to these delays, the following measures have been enacted by the Town's Officers:

- On receipting development applications, a copy is immediately referred to a Planning Officer;
- No Applications being held at the front counter;
- Review of the Town's Community Consultation Policy;
- Increase regularity of Development Assessment Team from 3 days a week to daily;
- Elimination of double handling of work undertaken by Customer Service and Administration Officers;
- Implementation on 13 March 2009 of new target response time to subdivision applications to the WAPC is 21 days (Statutory response period is 42 days);
- Implementation on 13 March 2009 of new target response time to built strata applications to the WAPC is 21 days (Statutory response period is 42 days); and
- Improved training in the Town's Authority System and modification of the Authority System to reduce the administration of advertising.

Building a Better Planning System

Building a Better Planning System is a comprehensive industry and stakeholder consultation paper that has been compiled by the Department for Planning and Infrastructure. The paper sets out a broad planning reform agenda for improvement to the planning system and identifies a number of strategic priorities and actions to improve the planning framework. The Town reviewed the Consultation Paper and provided comment to the Department for Planning and Infrastructure, as detailed in the following Council resolution of the Ordinary Meeting held on 14 April 2009.

"That the Council;

- (i) RECEIVES the report relating to the "Building a Better Planning System Consultation Paper"; and*
- (ii) AUTHORISES the Chief Executive Officer to notify the Department for Planning and Infrastructure (DPI) that the Town of Vincent SUPPORTS IN PRINCIPLE the intent and content of the "Building a Better Planning System Consultation Paper" as "Laid on the Table" and as circulated separately to Council Members along with the following recommendations for the DPI to;*
 - (a) develop a core Policy to assist in the implementation of Network City;*
 - (b) offer formal training in planning for Elected Members of Local Government authorities;*
 - (c) develop a Policy to assist in the implementation of Affordable Housing options;*
 - (d) develop greater synergy between planning Policy for metropolitan Perth and the supply and demand of basic utilities such as power and water;*
 - (e) appreciate and provide greater guidance in the implementation of the objectives of Network City within inner city Local Government authorities to address the contradictions apparent in increasing residential densities in areas of pre-car subdivisions, and applying the Acceptable Development and Performance Based criteria of the R - Codes to assist in reducing the time taken to obtain planning approvals and subdivision referrals;*
 - (f) ensure information requirements for development proposals are clear to applicants in order to avoid delays in the approvals process resulting from incomplete/incorrect application information; and*
 - (g) establish clear and enforceable accountabilities and responsibilities in planning processes for:*
 - (1) Council Members, with respect to planning related matters and Officer Recommendations, when making planning decisions;*
 - (2) Planning Officers, in ensuring subdivision referrals and approvals are processed according to the statutory timeframes set out in the Planning and Development Act 2005; and*
 - (3) the Department for Planning and Infrastructure, to ensure Network City principles are considered in their decision making processes;*
 - (h) consider recommendations to the State Government of Western Australia with respect to amending the State Administrative Tribunal Act 2004 and/or the Planning and Development Act 2005 and/or associated procedures to categorise the types of development applications that can be reviewed through the State Administrative Tribunal to place greater responsibility on Local Government authorities to determine minor development applications and to reduce the resources spent on attending the State Administrative Tribunal for trivial and non-planning related matters; and*
 - (i) extend the validation period of planning approvals from the current two years to a three year period."*

The Short Track System

The '*short-track*' subdivision system is an online referral and approvals system used to assess and determine urban subdivisions under five lots that meet certain criteria. The Town of Vincent received a formal invitation by the Western Australian Planning Commission (WAPC) to participate in this system, in which the Town accepted in a letter dated 20 March 2009. The WAPC's recent review of the timeliness of the statutory freehold and survey strata application referral process indicated that the Town's referral average was 63 days. However, the Town's figures indicate it being 45.5 days. This was explained by the Town employing a '*stop the clock*' practice in instances where for a variety of reasons applications cannot be assessed or determined. The aspects identified as impeding the Town's ability to assess applications within the prescribed reporting timeframes were forwarded to the WAPC consideration and relate to the following:

- Applications being referred with poorly prepared plans and insufficient information, such as details regarding existing and proposed structures, rights-of-way, easements, verge trees, electricity poles and Metropolitan Region Scheme road widening, to name a few. In these instances, the Town '*stops the clock*'; however, the WAPC do not have a similar consideration.
- The inherent difficulties in small lot subdivisions where an existing house (heritage listed or not) is retained and issues with respect to the provision of compliant car parking, establishment of legal access to rights of way, etc need to be assessed and addressed.
- The comprehensiveness of the Town's *Residential Subdivisions Policy*, as noted above, which was prepared in response to the continued subdivision of the Town. The Policy aims to ensure new residential allotments are of an appropriate size, shape and pattern to accommodate future desired development, and to also maintain the residential character of localities through appropriate subdivision patterns. Accordingly, there are instances where an application proposes a variation to the Policy, which the Town's Officers may not have appropriate delegation from the Council to consider.

Further to the above, at the meeting held on 8 April 2009 facilitated by the Department for Planning and Infrastructure (DPI), all attendees representing Local Governments from Inner and Middle Collar jurisdictions voiced concern with respect to the DPI and WAPC response to the timeframes and the absence of a '*stop the clock*' mechanism which results in inordinate delays and unrealistic response times for referrals relating to freehold and survey strata subdivision applications.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

The Town of Vincent Strategic Plan 2006-2011 states;

Leadership, Governance and Management

Objective 4.1 Provide good strategic decision-making, governance, leadership and professional management

4.1.4 Deliver services in ways that accord with the expectations of the community, whilst maintaining statutory compliance."

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

In the context of the information detailed within this report, the Town supports the concerns raised by the City of Joondalup relating to the issues of the timeliness of processing applications, and recognises the contribution of various government departments and agencies adding to the perceived delays.

Given this, the Town considers it worthwhile that representatives from concerned Local Government Authorities meet to discuss the issues identified as contributing to the perceived delays in the processing of applications. On collating the information, it is recommended that the Local Government Authorities prepare a collaborative report to present to the Department for Planning and Infrastructure and the Minister for Local Government highlighting the key concerns raised and providing recommendations to assist in the implementation of an equitable approach to processing applications for both State and Local Government Authorities.

In light of the above, it is requested that the Council receive the report and support the Officer Recommendation to advise the City of Joondalup of the Town's response to the Local Government Structural Reform, with particular regard to the identification and implementation of approaches to reduce processing times of planning and building approvals, and join the City of Joondalup and other concerned Local Government Authorities to prepare a collaborative response to the Minister for Local Government and the Department for Planning and Infrastructure as part of the Local Government Structural Reform process.

The Presiding Member, Mayor Nick Catania advised that Cr Messina had raised the next Item 9.2.3 and was absent from the Chamber, this Item would be moved down the list and debated upon the return of Cr Messina to the Chamber.

9.3.3 Community Bus – Purchase Guidelines and Conditions of Use

Ward:	Both	Date:	2 June 2009
Precinct:	All	File Ref:	CMS0072
Attachments:	001		
Reporting Officer(s):	J. Anthony, M Rootsey, R Lotznicker		
Checked/Endorsed by:	M. Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) ADOPTS the guidelines and conditions of use for a Community Bus (Attachment 1);*
- (ii) AUTHORIZES the Chief Executive Officer to call a tender for the purchase of a 20 to 25 seater Community Bus;*
- (iii) NOTES that the Town will prepare and maintain a list of volunteer drivers; and*
- (iv) ADVISES the North Perth Community Bank of the action taken with regard to the Community Bus.*

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Cr Messina returned to the Chamber at 7.58pm.

Debate ensued.

AMENDMENT NO 1

Moved Cr Ker, Seconded Cr Lake

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

“(ii) AUTHORIZES the Chief Executive Officer to call a tender for the purchase of a 20 to 25 seater Community Bus, subject to inclusion of a requirement for full accessibility for people with disabilities;”

Debate ensued.

AMENDMENT NO 1 PUT AND CARRIED (9-0)

Debate ensued.

Cr Farrell departed the Chamber at 8.04pm.

Debate ensued.

AMENDMENT NO 2

Moved Cr Doran-Wu, Seconded Cr Messina

That a new clause (v) be inserted as follows:

“(v) PROPOSES that at the first review of the Community Bus operation the Officers consider the provision of a shopping route service for residents.”

AMENDMENT NO 2 PUT AND CARRIED (8-0)

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

Debate ensued.

Cr Farrell returned to the Chamber at 8.05pm.

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 9.3.3

That the Council;

- (i) ADOPTS the guidelines and conditions of use for a Community Bus (Attachment 1);*
 - (ii) AUTHORISES the Chief Executive Officer to call a tender for the purchase of a 20 to 25 seater Community Bus, subject to inclusion of a requirement for full accessibility for people with disabilities;*
 - (iii) NOTES that the Town will prepare and maintain a list of volunteer drivers;*
 - (iv) ADVISES the North Perth Community Bank of the action taken with regard to the Community Bus; and*
 - (v) PROPOSES that at the first review of the Community Bus operation the Officers consider the provision of a shopping route service for residents.*
-

PURPOSE OF REPORT:

To report on the authorisation for the purchase of a Community Bus and outline the guidelines and conditions of use for a Community Bus service in the Town of Vincent.

BACKGROUND:

At the Ordinary Meeting of Council on 24 June 2008, the following recommendation was adopted;

"That the Council;

- (i) APPROVES of the donation from Bendigo Bank North Perth for;*
 - (a) Hyde Park Lakes Restoration Fund \$10,000; and*
 - (b) Purchase of a 20-25 seat Community Bus \$120,000;*

- (ii) *subject to (i)(b) above being approved, AUTHORISES the Chief Executive Officer to;*
- (a) *prepare the necessary documentation for the purchase of the Community Bus;
and*
 - (b) *preparation of Guidelines and Conditions for the use of the Community Bus;
and*
- (iii) *subject to (i)(b) above being approved, NOTES that an adjustment to the Draft Budget 2008/2009 will need to be carried out."*

The Town currently provides taxi vouchers for seniors and people with disabilities who are disadvantaged from accessing transport for their transport needs. Organised group outings are also available for well aged seniors to address issues of social isolation.

The Town has recently completed a Seniors Strategy where transport was a major issue raised in most of the forums.

DETAILS:

Following the initial Council resolution, the required tender documentation has been prepared for the purchase of a 20 – 25 seater bus.

Considerable investigation has been undertaken into other models of use by Local Governments.

As a result a policy statement and guidelines for the use of the Community Bus has been prepared in conjunction with research conducted with other local governments in the metropolitan area.

A number of Councils such as Stirling, Perth and Claremont have community transport available as part of the Home and Community Care (HACC) programme. This type of service is restricted to servicing clients who are eligible under HACC guidelines. The eligibility for this service includes frail aged seniors or younger people with a disability.

Other Councils such as Kwinana, Joondalup and Wanneroo have shopper's buses that transport resident seniors to shopping centres for a few hours in the day. The shoppers' buses are extremely popular and have waiting lists.

The Town proposes to establish the following service option (Option1) as presented below;

Option 1:

This option would have a 22 seater bus available for hire to community groups and agencies.

The Town would establish a volunteer register of drivers who have an "F" class licence to drive a 22-seater bus. The maintenance of the volunteer register would involve vetting the drivers by a qualified person to ensure safety and security of the bus and its passengers.

This would also involve ongoing supervision to ensure that the drivers operate the bus safely. Examples from other Councils have illustrated that as the volunteer drivers age, their ability to drive safely can be compromised. This is also because volunteer drivers tend to be in the older age group.

Procedures are required to ensure that the vehicle is cleaned and maintained regularly so that the vehicle is roadworthy. The bus will also need to be checked after every booking for any damage before the bond refund is processed.

A charge for the use of the bus will be on an hour rate, with a premium for short term hire. Payments would be required to be upfront with an appropriate bond being levied prior to use.

The operational costing for the Community bus for hire is estimated below to be approximately \$16,000 per annum.

Other service models have also been investigated by officers to deliver a Community Bus service.

Option 2:

The community bus programme would be based on HACC transport is available for eligible residents through a number of service agencies. This includes transport for medical appointments and shopping assistance where the bags are carried into the home and sometimes even packed away for the client.

The programme would be designed to make a 22-seater bus available for group outings five days a week, from Monday to Friday from 9 am to 5 pm. The programme would include shopping outings to shopping centres. Once a week, the bus will have an outing to a place of interest within the metropolitan area.

This would be very expensive to operate as it is estimated to cost approximately \$150,000 per annum and would require significant personnel resources and is therefore not recommended.

Option 3:

This option would involve the Town purchasing the bus and outsourcing the service to an external agency e.g. People Who Care (PWC), who have existing extensive experience in delivering transport services to seniors and younger people with disabilities.

The agency has indicated that they would be interested in operating the bus service for the Town given that systems and infrastructure is already in place to operating shoppers buses and transport for HACC (Home and Community Care) clients.

This option is also expensive with co-ordinations costs estimated to be \$50,000 per annum with other operating costs a further \$15,000 per annum and therefore not supported.

Option 4:

This option can be applied to any of the above options, except that instead of a 22 seater bus, the Town would purchase two (2) 12 seater buses that would be available for hire to community groups and agencies. The cost of a 12 seater bus is \$48,370 (GST inclusive).

This option would mean that drivers with a "C" class licence could operate the vehicles. This would be more practical and less prohibitive in terms of sourcing drivers for the buses. The requirement to vet and check on driver's capacity to drive safely by a qualified person would still need to be in place to ensure that risk management procedures are in place to mitigate risk to Council.

Procedures are required to ensure that the vehicle is cleaned and maintained regularly so that the vehicle is roadworthy. The bus will also need to be checked after every booking for any damage before the bond refund is processed.

A number of Local Governments and agencies are investigating this option.

Having two buses also allows for flexibility in transporting passengers to various destinations. For example, if a group only has less than twelve (12), then only one small bus is used rather than a 22 seater bus. This option would also assist in cost efficiencies.

It is expected that the taxi vouchers provided as part of the Transport Assistance policy continue for residents who require transport for medical appointments.

CONSULTATION/ADVERTISING:

A Tender for the purchase of a 22 seater bus will be advertised once approved by Council.

LEGAL/POLICY:

The Tender will be advertised and awarded in accordance with the Local Government Act.

STRATEGIC IMPLICATIONS:

Plan for the Future - Strategic Plan 2009-2014:

“3.1.2 Provide and develop a range of community programs and community safety initiatives;

3.1.3 Determine the requirements of the Community;

3.1.5 Focus on community and customer needs, value, engagement and involvement.”

FINANCIAL/BUDGET IMPLICATIONS:

The North Perth Community Bank has donated \$120,000 towards the purchase of a Community Bus for the Town of Vincent.

COMMENTS:

It is recommended that the option of making the bus available to groups and agencies with volunteer drivers is the currently most cost effective option for the Town.

The Community Bus programme would be evaluated after six months of operation to ensure that the objectives and operations of the service are meeting with the needs and expectations of the community and in line with the core business of the Town of Vincent.

9.4.2 Draft Protocol provided by WA Police for the Release of Vehicle Owner Details to Local Governments

Ward:	Both	Date:	2 June 2009
Precinct:	All	File Ref:	ORG0010
Attachments:	001		
Reporting Officer(s):	P Cicanese, J MacLean		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES the recommended draft protocol, provided by the WA Police, for the release of vehicle ownership details to Local Governments in the case of immediate operational(non administrative) requirements;*
- (ii) *NOMINATES the following persons as being authorised to seek ownership details from the WA Police, when the Draft Protocol is adopted by both Western Australian Local Government Association and the WA Police:*

*John Giorgi, Chief Executive Officer;
Robert Boardman, Director Development Services;
Jim MacLean, Manager Ranger and Community Safety Services;
Peter Cicanese, Co-ordinator Ranger Services;
Sharnelle Beanland, Co-ordinator Statutory Processes;
Simon Giles, Senior Ranger;
Matthew Bowen, Senior Ranger;
David Boardman, Ranger;
Tim Bryant, Ranger;
Alby Curtis, Ranger;
Benjamin Day, Ranger;
Ian Lipple, Ranger;
Darren Lowden, Ranger;
Darko Scekcic, Ranger;
Greg Stewart, Ranger; and
Andrew Wincott, Ranger; and*

- (iii) *ADVISES WALGA of the above.*

COUNCIL DECISION ITEM 9.4.2

Moved Cr Maier, Seconded Cr Farrell

That the recommendation be adopted.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of the report is to seek the approval of Council for a Draft Protocol, between the Town and WA Police, to provide vehicle ownership details to specified persons, authorised under the Local Government Act 1995.

DETAILS:

The Western Australian Police have approached WALGA seeking agreement to adopt a Draft Protocol to enable authorised Local Government employees to obtain vehicle owner details from WA Police. The Draft Protocol has been considered by the WALGA Governance and Strategy Policy Team and feedback is now being sought from the Local Government sector before implementation by the WA Police later in 2009.

The draft protocol, which is attached at 001 above, identifies the responsibilities of Local Governments and the Police and outlines the conditions, under which 'Authorised Persons' are able to obtain vehicle owner details, from WA Police. Also in the attachment is a Draft Letter of Agreement and a vehicle ownership request register, to record each occasion that information is requested.

Currently, the Town has an agreement with Wembley Police Station, whereby senior staff of the Ranger and Community Safety Services complete a "Request for Vehicle Ownership" form and present it, in person, at either the Richmond Street Police Service Centre, or at Wembley Police Station. Authorised Police staff then provide ownership details on the form and the form is filed, along with the paperwork, which generated the original request.

It is hoped that, if this proposed system operates well, it may result in the creation of a more appropriate system of vehicle ownership searches than that which operates under the Department of Planning and Infrastructure guidelines, at present. Currently, vehicle ownership details are obtained from the Department of Planning and Infrastructure (DPI), but in the past year or so, there have been an increasing number of problems being experienced, not only by the Town of Vincent, but also by all Local Governments. The Town has written a number of letters of complaint to DPI, explaining the problems being experienced, but to date, there has been no resolution of the identified issues.

The current proposal only relates to requests for vehicle owner details from Police for immediate operational requirements, such as abandoned vehicles. In the meantime, requests for ownership information, such as for unpaid parking fines, etc, will continue to be made through existing arrangements with the Department of Planning and Infrastructure.

CONSULTATION/ADVERTISING:

There is no need to undertake public consultation or advertising, since this is an operational process and the Council already have several persons authorised under the Local Government Act 1995 for this purpose, specifically in Ranger and Community Safety Services.

LEGAL/POLICY:

Section 3.24 of the Local Government Act 1995 requires any person, who will act on behalf of a Local Government, to be expressly authorised by it to do so. Section 9.10 of the Act allows for the appointment of Authorised Persons.

STRATEGIC IMPLICATIONS:

The above appointments are in keeping with the Town's Strategic Plan 2009 - 2014, at item 2.1.2(b) "*Develop Partnerships with Government agencies*" and at 4.1.2(c) "*Review strategies for improving and enhancing the quality of services procedures and processes.*"

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The proposed new process will result in limited change to the current process and will formalise an existing arrangement with the WA Police. WALGA have requested feedback from local governments on the above draft protocol by 29 May 2009; an interim response was forwarded to them within this time. If approved by the Council, a letter confirming the Town's approval will be sent to WALGA.

9.2.3 Storm Damage and Associated Clean Up Operations

Ward:	Both	Date:	2 June 2009
Precinct:	All	File Ref:	TES 0234
Attachments:	001		
Reporting Officer(s):	J van den Bok; C Economo		
Checked/Endorsed by:	R Lotznicker	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report in relation to the recent storm damage and subsequent clean up operations within the Town of Vincent; and*
- (ii) *NOTES that it is estimated that clean up operations will cost the Town in the vicinity of \$50,000 to \$60,000.*

COUNCIL DECISION ITEM 9.2.3

Moved Cr Messina, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the amount of damage and estimated cost of clean up operations undertaken throughout the Town following the recent storm and high winds that battered Perth suburbs from Thursday 21 May 2009 through to Saturday 23 May 2009.

BACKGROUND:

On Thursday 21 May 2009, Perth experienced a severe storm event with significant rain and winds that gusted in excess of 100kph throughout suburbs within the metropolitan area.

Localised flooding was evident in many areas and a significant amount of damage was inflicted on vegetation, particularly mature trees located in streets and parks within the Town.

Very little damage has so far been identified to buildings owned or operated by the Town.

DETAILS:

Parks Services:

The Parks outside workforce, including various contractors, took a full week to clean up the debris within parks and streetscapes after the recent storm. Call outs were received constantly from mid morning Thursday 21 May through to the Saturday as work crews worked feverishly to remove trees and branches from roads and footpaths and make safe the many hazardous situations that arose over this period.

Large mature trees were totally uprooted at Smith's Lake Reserve, Britannia Road Reserve, Charles Veryard Reserve, Bourke Street Reserve and in Federation and Killarney Streets in Mount Hawthorn.

Significant tree damage was inflicted at both Robertson Park and Britannia Road Reserve, which has resulted in a significant amount of arboricultural work being required to retain existing stands of eastern states native trees such as the River Red Gum (*Eucalyptus camaldulensis*) and *Ficus* species.

Fortunately, very little structural or water damage has been identified or reported with regard to the Town's buildings, however, chainlink fencing has been blown over or damaged at the Loftus Recreation Centre's outdoor soccer pitch and at North Perth Tennis Club.

Engineering Operations:

The Manager Engineering Operations received numerous requests mainly relating to blocked drains due to sudden build-up of leaves and debris. On Thursday 21 May a crew comprising four men and two trucks spent the entire day cleaning drains and assisted Parks Services with fallen tree limbs. The Town's road sweeper was also involved in the clean up operations.

The following day the same crews continued with the clean up operations and the Town's road sweeper is still clearing the back log.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

Nil.

SUSTAINABILITY IMPLICATIONS:

Whilst there is no conclusive evidence to suggest that WA native trees are more resistant to high winds, it is interesting to note that the majority of damage inflicted upon mature trees during storm events has been identified on non native species or native species that are endemic to other parts of Australia.

FINANCIAL/BUDGET IMPLICATIONS:

It has been estimated after taking into account the hours involved, quotes for repairs and removal of trees etc. and general clean up of parks and streets, that this one storm event will cost the Town in the order of \$50,000 to \$60,000.

Within the Parks activity budgets, a specific "storm damage" account has been set up and any works undertaken have been charged to this activity. Therefore, if required, an accurate expenditure of storm damage can be identified over any given year.

With Engineering Operations the clean up was costed against the various operating/maintenance budgets.

COMMENTS:

Outside staff and supervisors who have been associated with Local Government for many years, have likened the amount of damage identified particularly to significant trees within the Town, to a storm that hit Perth in September 1994 causing much damage to building, mature trees and Western Power's infrastructure.

From this point on, Western Power came down very hard on Local Governments in terms of their compliance with the Vegetation Control Act which outlines how street verge trees located under powerlines shall be managed.

9.4.3 Use of Loton Park for Football Games Between English Premier League Teams and "A" League Teams on 10 and 15 July 2009 - Request for Council to Waive Fees

Ward:	South	Date:	4 June 2009
Precinct:	Beaufort, P13	File Ref:	RES0013
Attachments:	-		
Reporting Officer(s):	J MacLean		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES the request from Perth Glory Football Club to waive the Parking Fees that would usually be charged for a non "A" League event at Members Equity Stadium;*
- (ii) *APPROVES a "Sponsorship Donation" of \$3,000, for each of the proposed two football games being held on 10 and 15 July 2009, to a total sponsorship value of \$6,000, under the Town's Policy No. 1.1.5 "Donations, Sponsorships and Waivering of Fees and Charges", representing the total cost of parking for two hundred and fifty (250) vehicles per game at an average cost of \$12.00 each, to enable Perth Glory Football Club to promote the events, subject to acknowledgement of the Town of Vincent as a sponsor in publicity for the events;*
- (iii) *REQUIRES the Perth Glory Football Club to have sufficient qualified staff on duty in Loton Park to ensure that vehicles are parked in an appropriate and orderly way, under the overall supervision of a Town of Vincent Officer; and*
- (iv) *NOTES that, if the requirements shown at clause (iii) above are not being met, the on-duty Ranger Supervisor may direct the Perth Glory staff as to how to undertake the task.*

COUNCIL DECISION ITEM 9.4.3

Moved Cr Lake, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (7-2)

For: Mayor Catania, Cr Burns, Cr Doran-Wu, Cr Farrell, Cr Ker, Cr Messina, Cr Youngman
Against: Cr Lake, Cr Maier

PURPOSE OF REPORT:

The purpose of the report is to obtain approval from the Council to waive the regular parking fees, for the use of Loton Park, for the football games between two "A" League Football Teams and two (2) English Premier League Teams, in July 2009.

BACKGROUND:

Loton Park is immediately adjacent to Members Equity Stadium and is regularly used as a temporary car park, for patrons attending an event that is being held in the Members Equity Stadium. The Council sets fees, as part of the annual budget deliberations, for vehicles that make use of Loton Park as a parking facility.

DETAILS:

An approach has been received from the Perth Glory Football Club for the Council to waive the fees for the use of Loton Park for two pre-season football games on 10 and 15 July 2009.

Perth Glory Football Club is rightly proud to have been able to secure an agreement from two English Premier League (EPL) teams, Wolverhampton Wanderers and Fulham Football Club, to play at Members Equity Stadium. This is the first time in more than ten (10) years that an international football team has played in Perth and it is the first time an EPL team has played in Perth, since West Ham United played in the early 1990s. Perth Glory seeks to accommodate VIP vehicles in Loton Park and the area will not be open to the general public.

The cost to Perth Glory Football Club for staging the games is considerable. As well as venue and event costs, Perth Glory is also paying appearance fees to both teams and is paying for their travel costs. It is understood that the Owner and Chairman of Perth Glory Football Club, Tony Sage, has personally underwritten the events and the risk, because he sees the long-term benefits for football in the Perth area and for Perth Glory as the local "A" League team. The request from Perth Glory Football Club in essence seeks *"sponsorship from the Town of Vincent, in the form of waiving the fees for use of Loton Park for those two games"*.

The profile of these games in the Perth community is already high and this will only increase, as tickets go on sale to the public and as the teams arrive. Perth Glory spectator numbers have declined substantially over the past few years and this is seen as a way to improve these numbers. It should also be noted that, as well as the Perth Glory's star players, Australian Soccerroos goalkeeper, Mark Schwarz, will be play for the Fulham team and EPL legend, Robbie Fowler, will travel with North Queensland Fury.

Perth Glory Football Club has indicated that, as for standard Hyundai "A" League Season games, the ticket price will include free public transport to and from these games. However, there will be a requirement for VIP and officials parking at Loton Park.

However, since the Town will not derive revenue from parking on Loton Park, it is considered appropriate for Perth Glory Football Club to provide "parking marshals" to ensure that parking is undertaken in an orderly manner. While the Town's on-duty Ranger Supervisor will undertake regular checks of Loton Park, to ensure compliance with parking processes, the Town should not need to expend further costs by also providing "parking marshals".

CONSULTATION/ADVERTISING:

The information on these games is already widely available and it is not considered necessary to further advertise them.

LEGAL/POLICY:

There is no legal impediment to the above report.

STRATEGIC IMPLICATIONS:

The above is in keeping with the Town's Plan for the Future, in the following areas:

2.1.1(d) Promote tourist activity with the Town and review the Town's facilities in terms of attracting regional events and programs.

2.1.5 d) Investigate strategies to encourage local businesses to contribute to the local community.

3.1.1(a) Organise and promote community events, programs and initiatives that engage the community and celebrate cultural and social diversity of the Town, including the development of a program for the holding of an event in each of the Town's main commercial centres.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

By waiving the fees for vehicles to park on Loton Park, the Council will not receive the parking revenue that would have been collected. It is estimated that, at this time of the year, around two hundred and fifty (250) vehicles could be parked on Loton Park, with an average cost, in accordance with the Town's agreed Fees and Charges schedule, of around \$12.00. For two (2) games, the total "lost" revenue would be approximately \$6,000.

COMMENTS:

It is around fifteen (15) years since any English Premier League club played in Perth and these games represent a coup, for Perth Glory Football Club. The football games will be played, between Perth Glory and Wolverhampton Wanderers, on Friday, 10 July 2009 and between Perth Glory and Fulham Football Club, on Wednesday, 15 July 2009 along with a game between North Queensland Fury and Wolverhampton Wanderers on Wednesday, 15 July 2009.

Perth Glory Football Club has expended a substantial amount of money to secure these teams and they are seeking an agreement from the Town of Vincent to waive the standard parking fees for their VIP attendees. While the total amount of fees waived, over the two dates, represents around \$6,000, the games are expected to attract substantial crowds to Members Equity Stadium and will "showcase" the Town of Vincent to the football world.

It is felt appropriate that the Perth Glory Football Club acknowledge the Town of Vincent as a sponsor in publicity for the events.

As a result of the above, it is believed appropriate for the Council to accede to the request from Perth Glory Football Club, for the waiver of parking fees for parking on Loton Park, on the proviso that they provide their own "parking marshals" to ensure vehicles are parked in an orderly manner. The report is recommended for approval.

13.1 URGENT BUSINESS: Members Equity Stadium - Urgent Repairs and Upgrade Works

Ward:	South	Date:	8 June 2009
Precinct:	Beaufort, P13	File Ref:	RES0092
Attachments:	-		
Reporting Officer(s):	J van den Bok; K Bilyk		
Checked/Endorsed by:	R Boardman, John Giorgi	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) ***RECEIVES*** the report in relation to the urgent repairs and upgrade works required at Members Equity Stadium, in order to comply with the Heads of Agreement and also to minimise the Town's liability and risk in relation to health and safety matters;
- (ii) ***APPROVES BY AN ABSOLUTE MAJORITY*** to undertake the following works estimated to cost \$30,145.00 and this to be funded from the Perth Oval Reserve Fund;
 - (a) *Siren (Upgrade and installation);*
 - (b) *Paving (Replacement and relaying);*
 - (c) *Dugout weather covers (Supply & install);*
 - (d) *Plumbing (Supply & install shower fixtures and fittings);*
 - (e) *Painting (change rooms & doors);*
 - (f) *Players races/dug outs (non slip surface);*
 - (g) Creation of storage for Perth Glory Office Equipment (stud wall partitioning); and
 - (h) *Change rooms (upgrade& modifications); and*
- (iii) ***AUTHORISES*** the Chief Executive Officer to implement the above works as a matter of urgency.

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

COUNCIL DECISION ITEM 13.1

Moved Cr Farrell, Seconded Cr Burns

That the recommendation be adopted.

MOTION PUT AND CARRIED
BY AN ABSOLUTE MAJORITY (9-0)

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

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the urgent repairs and upgrade works required at Members Equity Stadium and to seek approval to undertake the required works to be funded from the Perth Oval Reserve Fund.

BACKGROUND:

At the Ordinary Meeting of Council held on 24 February 2009, a progress report was presented to the Council in relation to the upgrade of Members Equity Stadium, where it was resolved as follows;

"That the Council;

- (i) RECEIVES the progress report on the possible redevelopment and upgrade of Members Equity Stadium, as detailed in this report and shown in the attached Plan No SK 1a.7;*
- (ii) NOTES THAT;*
 - (a) the State Government of Western Australian announced in early February 2009 that it had deferred its decision on a new multi-purpose Stadium at Kitchener Park Subiaco (estimated to cost \$1.1 billion), for a period of two (2) years;*
 - (b) Rugby WA has publicly announced that it will play its Super 14 matches at Members Equity Stadium effective from 2010; and*
 - (c) the current electrical upgrade for Members Equity Stadium is expected to be completed by late February 2009."*

The Mayor, Chief Executive Officer and Town's Officers have recently carried out an inspection of Members Equity Stadium (MES) in conjunction with Allia's Chief Executive Officer, Peter Bauchop.

The inspection was undertaken with the view that repair and minor upgrade works were urgently required prior to the proposed games to be held at MES, with various high profile English Soccer teams in July 2009.

A number of items require attention as they have been identified as safety issues.

DETAILS:

The works have been identified and costs estimated as listed below:

• Siren (Upgrade and installation) (HOA*)	\$3,806.00 *
• Paving (Replacement and relaying) (Safety)	\$964.00
• Dugout weather covers (Supply & install) (HOA* & Safety)	\$4,950.00
• Plumbing (Supply & install shower fixtures and fittings) (HOA*)	\$1,300.00
• Painting (change rooms & doors) (HOA*)	\$2,600.00
• Players races/dug outs (non slip surface) (Safety)	\$4,530.00
• <u>Creation of storage for Perth Glory Office Equipment</u> (stud wall partitioning) (HOA*)	\$3,865.00
• <u>Change rooms general upgrade</u> (seat reinforcement & modifications) (HOA*)	<u>\$8,130.00 *</u>
Estimated Total	<u>\$30,145.00</u>

* *It should be noted that the above costs may vary slightly dependant on final quotations being submitted for assessment and approval.*

HOA* Heads of Agreement requirement

Additional Information

Siren

The Stadium does not have a permanent siren. Rugby have previously used a hand held horn – however, this does not comply with Australian Rugby Union Requirements.

A permanent siren is required.

Paving

The paving to the Stadium main front entrance has continually subsided since it was installed in 2003. This has been previously repaired on a number of occasions by Allia. The problem has been identified and is caused by the use of incorrect sand on which the pavers are laid. This matter has been determined as the Town's responsibility. In addition, the potential risk of an insurance claim in the event of a fall by a patron would expose the Town to potential liability.

Dug Outs/Weather Covers

The original weather covers to the two dug outs have deteriorated to the extent where they are no longer usable. The replacement of weather covers is a Town responsibility under the Heads of Agreement.

Plumbing

The upgrade of plumbing and shower fixtures and fittings is a responsibility of the Town and an inspection revealed that many shower heads are very corroded and not water efficient. Replacement of these fittings will result in water savings.

Painting

Several change rooms were not painted during Stage 1 due to insufficient funds. Painting is required to improve appearance.

Players Races and Dug Outs

The two player races lead from the main change rooms to the pitch. The races have a relatively steep gradient and the lack of non slip material on the concrete has been identified as a safety issue for players and officials. This matter has been determined as the Town's responsibility. In addition, the potential risk of an insurance claim in the event of a fall by a player or official would expose the Town to potential liability.

Creation of storage for Perth Glory Office Equipment

Due to insufficient space in the Stadium, Perth Glory Football Club employees will operate on non-event days from the corporate suites. (This is similar to what occurs at Subiaco Oval). The Club will purchase special tables and benches which will have a dual use function as office desks and function room tables. During event days, the tables can be locked. The Club will be responsible for installation and payment of any additional electrical and data cabling. The new stud walls will create a storage area which will be used to securely store items on event days and also to provide additional storage.

Change rooms general upgrade (seat reinforcement & modifications)

There are four player change rooms in the Stadium. During Stage 1, only minimal works were carried out due to insufficient funding. Works include repainting of walls and ceilings, reinforcement of bench seating, additional seating.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

The Town has a legal responsibility and a “duty of care” to ensure that Town properties are maintained in a satisfactory and safe condition.

The Town has a Heads of Agreement with its Manager, Allia Venue Management. The Heads of Agreement require the Stadium to comply with various sporting code requirements.

The Heads of Agreement specify the requirements of the Town and its Manager.

STRATEGIC IMPLICATIONS:

In accordance with the Town's Strategic Plan (Plan for the Future) 2009-2014 – 1.1.6 *"Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment."*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The works required will be funded from the Perth Oval Reserve which contained **\$429,376 as of 9 June 2009.** \$416,365.00 as at 31 January 2009.

COMMENTS:

As indicated above, there is degree of urgency required in completing the above works prior to the proposed soccer games to be held at Members Equity Stadium in July 2009 and it is therefore recommended that the Council approve these works and the costs are charged to the Perth Oval Reserve Account.

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

14. CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (“BEHIND CLOSED DOORS”)

Nil.

15. CLOSURE

The Presiding Member, Mayor Nick Catania, declared the meeting closed at 8.20pm with the following persons present:

Mayor Nick Catania, JP	Presiding Member
Cr Anka Burns	South Ward
Cr Helen Doran-Wu	North Ward
Cr Steed Farrell (<i>Deputy Mayor</i>)	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Noel Youngman	North Ward
John Giorgi, JP	Chief Executive Officer
Jim Maclean	A/Director Development Services
Craig Wilson	A/Director Technical Services
Mike Rootsey	Director Corporate Services
Helen Smith	A/Manager Planning Building & Heritage Services
Phynea Papal	Journalist – “ <i>The Guardian Express</i> ”
Anita Radici	Executive Assistant (Minutes Secretary)

No Members of the Public or journalists present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 9 June 2009.

Signed:Presiding Member
Mayor Nick Catania

Dated this day of 2009