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(22 November 2005)

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Minutes of the Ordinary Meeting of Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 22 November 2005, commencing at 6.03pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania JP, declared the meeting open at 6.03pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

The Chief Executive Officer advised that Cr Steed Farrell would be late due to work commitments.

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Simon Chester	North Ward
Cr Helen Doran-Wu	North Ward
Cr Steed Farrell (<i>Deputy Mayor</i>)	North Ward (from 6.20pm)
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Maddalena Torre	South Ward (from 6.10pm)
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental and Development Services
Rick Lotznicher	Executive Manager Technical Services
Mike Rootsey	Executive Manager, Corporate Services
Annie Smith	Minutes Secretary
Mark Fletcher	Journalist – The Perth Voice (until 8.18pm)
Dan Hatch	Journalist – Guardian Express (until 8.15pm)
Sarah Roberts	Journalist – The West Australian (from 8.53pm until 9.50pm)

Approximately 69 Members of the Public

(c) Members on Leave of Absence:

Nil.

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

1. Ms Pamela Whittaker of 83 Marlow Street, Wembley - Item 10.1.7 - Stated that the proposal is a key element of WA Mental Health Strategy 2004-7 which aims to provide more community based accommodation for people with a mental illness. This accommodation is critical in allowing individuals managing a mental illness to lead a full and productive life, like any other member of our community. The proposal is to develop an intermediate care facility. Stated that the site has been a medical facility for the past 17 years. The facility will provide short term home-like accommodation for people with a mental illness who no longer need to be

in hospital but will benefit from a program to rebuild some life skills before returning to their own homes. Stated that a thorough consultation process was developed and undertaken by the Department of Mental Health including briefings with the Town, local Police and School Principals as well as two community information sessions, distribution of fact sheets, appointment of a Community Liaison Officer and the establishment of a dedicated community enquiry telephone line. Changes have been made to the proposal including new privacy measures for nearby residents and creation of a designated smoking area away from neighbours. The facility will have a very strict exclusion policy, no individual with a dependency on drugs or alcohol, a criminal record or a history of violence will be accommodated at the facility. Staff support will be provided on a 24 hour a day, seven days a week basis with at least four highly trained staff at the facility at all times. A 24 hour community hotline will be established. The facility will operate for no longer than three years.

Mayor Catania acknowledged Senator Ruth Webber who was in the public gallery.

2. Mr Gordon Jenkins of 39 Monger Street, Perth - Item 10.1.6 - Read out a letter from the Northbridge Dental Clinic. Believes that the demeanor of the boarding house has changed completely which has increased petty and serious crime in the immediate area and they have suffered vandalism, broken windows, graffiti and garden damage. Stated that there have been open displays of drug taking and dealing and an increase in prostitution in the area. Further stated that their patients often feel threatened and experience verbal abuse and that there have been two attempted assaults on their female staff. Believes that businesses in the area have suffered since the change in tenancy. Does not oppose a licence for backpackers but does oppose the building being used for an increased tenancy with the existing boarding house licence.

Cr Torre entered the meeting at 6.10pm.

3. Mr Garth Humphreys of 101 Flinders Street, Mt Hawthorn - Item 10.1.7 - Supports the officers recommendation as it is factual, neutral and considers planning matters only in accordance with the Town Planning Scheme. Stated that basic principles of land use planning require multi criteria assessments to decide on appropriate sites for this type of facility and should be considered on economic, social, planning and environmental grounds. Believes that this decision has been based largely on financial budgetary grounds and does not give a great deal of confidence that the best interests of the prospective residents are being looked after. Further believes that the whole process put forward by the Health Department has been sub-standard, especially the community consultation. Stated that assurances were given by the Health Department that the facility would not go ahead if there was opposition from the community.

4. Mr Terry Matthews of 81 Coogee Street, Mt Hawthorn - Item 10.1.7 - Believes that the site is appropriate as it has been a hospital previously, the staffing levels and monitoring levels are quite high and that the facility will benefit a lot of people. Stated that there are other similar facilities in the State and they have never produced any sort of problem with the local community. Advised that there are 411 psychologically impaired persons registered in the Town.
5. Beverley (surname and address not provided) - 10.1.7 - Mental Health Consumer - Stated that the facility is for people like herself that from time to time have some difficulty with mental illness. Advised that she is the Chair of the Consumer Advocacy Group and has been involved with this project from the beginning. On behalf of the Consumers, they have found it very upsetting to have tags and labels placed on them such as drug addicts, create an undesirable precedent in the area, pedophiles, ex murderers, which is not the truth. Stated that most of people who would use the facility come from professional backgrounds, are studying or doing many things to become more acceptable to the community. Stated that she is a resident of the Town and has never had a complaint about any of her behaviour. Believes that it is important for consumers to have the extra step that Hawthorn House will provide between Hospital and going home.

Cr Farrell entered the Meeting at 6.20pm.

6. Mr Neil Ducey of 135 Flinders Street, Mt Hawthorn - Item 10.1.7 - Believes that the close proximity to a school is a concern. Also concerned that there has been no clear indication from the Health Department as to exactly what type of patients will be referred there. Advised that he lives in close proximity to the proposed facility and has not been consulted.
7. Ms Susan Connolly of 5A Lord Street, Bentley - Item 10.1.7 - Representing the Bentley Health Service - Believes that the majority of people with a mental illness belong back in the community as they are regular people. Stated that while four people to a room may seem excessive, it is only where they will be sleeping and that most of the time they will be learning domestic skills etc. Advised that the users of the facility would be carefully selected.
8. Mr Jeff Pow of 77 Fairfield Street, Mt Hawthorn - Item 10.1.7 - Stated that he has coordinated the representation of the local residents surrounding the facility. Advised that they are not in opposition to mental health and mental health strategies especially those which are well planned, budgeted and resourced. The sense that has been communicated to the group both through the consultation that they have instigated and also what they have discovered on their own is that this project is economically driven and has been a decision of expedience which is unfortunate considering the broader goals which are quite noble and which the group fully endorses and agrees with. Advised that their investigations have led them primarily to WA State Government Policy, it is not actually the Health Department who are driving this, it is the strategy of de-hospitalisation and marginalisation of the health care industry and mental health and the group disagrees with this and they have taken up those conversations at the appropriate level of government to communicate their opinions.

9. Senator Ruth Webber of 61 Matlock Street, Mt Hawthorn - Item 10.1.7 - Stated that she was convinced that we all had a great sense of community and we all looked out for one-another and that she did not pay a lot of attention to the re-use of Hawthorn Hospital until she heard about the recommendation before Council. Expressed her personal concern at the tenure and content at which much of the information has been put about by the planning people and those opposed to the use of Hawthorn Hospital. Up to 20% of our local community at any one time will suffer from a mental illness so as a community we have an obligation to look after those more vulnerable people as they try and rejoin us. Thinks it is important that in having this debate we use some fairly sensitive language because we need to also think about the effect that what we are saying is having on those in our community that are recovering psychiatric patients that are already there. They know what is being said about them as we have heard from our consumer reps, they know that people are opposed to this proposal and they are left with the impression that there are people in our community that don't want to live next door to them, that don't want them to walk down the street next to them, that don't want them anywhere near school children. Some of the people that we are talking about are just those that have had long term depressive illnesses. We need to help these very vulnerable members of our community and destigmatise the debate and do what we can to maintain our sense of community.
10. Ms Helen Saunders of 18 Bruce Street, Leederville - Item 10.1.13 - Advised that they have come up with a new design to maximise the use of the site and are committed to having the best design for the site. Stated that undercroft parking which includes bike racks and storage units will remove the unsightly appearance of cars from the streetscape and free up the site for a more appealing façade. Advised that there have been changes made to the driveway and reduced the size of the houses to incorporate a 1.5 metre wide pedestrian accessway and with regards to the three storey townhouse on Oxford Street, they have tried to achieve an open interactive aspect to the street. Stated that they accept all the conditions in the officer's recommendation.
11. Mr Paul Hayes of 328 Carr Street, West Perth - Item 10.1.5 - Believes that the development is aesthetically pleasing and has made a good contribution to the amenity of the street and the area. Stated that the solid fence was designed to hold three cast iron oven doors which are there to show a history of the site as required by Council. Advised that there is no danger to pedestrians or passing motorists as a result of the fences in their current form. Stated that if the fences were changed it would impact on their lifestyle and there would be no privacy or security to their courtyard. Believes that the changes proposed will not have a significant effect on how the property appears.
12. Ms Rose Ricciardello of Hodder Way, Karrinyup representing an owner of one of the properties - Item 10.1.5 - Read out a letter advising of a break in to their property. Believes that a secure electronic gate at the front of the property would have stopped the thieves being able to enter and exit in a car. Further believes that as owners of the complex they should be the ones to vet and grant entry to any visitors as appropriate.

13. Ms Joanne McLeod of 46 Money Street, Perth - Item 10.1.6 - Advised that they are happy that the proposal is for backpackers however, there are no conditions requiring the property to be used for backpackers only and restricted to short term stays. Believes that as there are a number of lodging houses in the area a strategic assessment should be carried out before an informed decision is made by the Council.
14. Ms Verma of 239 Beaufort Street, Perth - Item 10.1.6 - Stated that they have had a number of problems with the current residents of this property. Advised that they would be very happy with the proposed backpackers.
15. Mr Anthony Rechichi of 218 William Street, Northbridge - Item 10.1.5 - Referred to the petition from the owners regarding this matter. Believes that the fences do comply with the performance criteria of the policy and totally enable the amenity of residences to be protected which is the key issue. Stated that there is a high degree of permeability through the fences, the height is totally compliant and the policy with regards to permeability has already been varied by Council with the imposition of the heritage features to the front wall.
16. Mr Eric Bergoffer of 39 Chatsworth Road, Highgate - Item 10.1.6 - Stated that the current clientele is primarily elderly single men. Advised that once the lodging house is closed for renovations the residents will be assisted in finding alternative accommodation. Requested that Council support the application.
17. Ms Tanya Hughes of 128 Matlock Street, Mt Hawthorn - Item 10.1.7 - Opposed the proposed facility. Concerned about the impact it will have on the area and local school. Believes that the exercise area, training area and the area for the patients to have alone time are insufficient in size. Concerned that the community have no say in the type of people who will be using the facility.
18. Ms Judy Webber of 71 The Boulevard, Mt Hawthorn - 10.1.7 - Supports the Hawthorn House project. Stated that we are talking about one of the most disadvantaged groups in our community and we have a perfectly good facility which with some refurbishment will be suitable in most ways. Stated that she has been approached by mental health consumers that live in the area and they do not cause any problems but they are now in a situation where they know that there are people in the community who are saying that they are too dangerous to walk on the same streets as our children and live near the school. Stated that there is absolutely no evidence that indicates that psychiatric patients who are stabilised on drugs and whose drug program is supervised are any more risk than anyone else.
19. Mr George Ilias of 79 Fairfield Street, Mt Hawthorn - Item 10.1.7 - Asked how many were for and how many were against the proposal. Stated it was okay for people to say they support the proposal but they are not the ones living next door.

There being no further questions from the public, the Presiding Member closed Public Question Time at 6.55pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

IB04.

4. APPLICATIONS FOR LEAVE OF ABSENCE

4.1 Cr Ian Ker for Ordinary Meeting of Council to be held on 6 December 2005 for work reasons.

4.2 Cr Izzi Messina for Ordinary Meeting of Council to be held on 6 December 2005 for personal reasons.

Moved Cr Farrell, Seconded Cr Torre

That;

(i) Cr Messina be granted leave of absence for the Ordinary Meeting of Council to be held on 6 December 2005 for personal reasons; and

(ii) Cr Ker be granted leave of absence for the Ordinary Meeting of Council to be held on 6 December 2005 for work reasons.

CARRIED (9-0)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND MEMORIALS

5.1 The Chief Executive Officer advised that a petition had been received from Mr John Hicks of Wasley Street, North Perth on behalf of residents with 35 signatures objecting to St Michael's Aged Care Facility's proposed underground carpark entrance to Wasley Street, North Perth.

The Chief Executive Officer advised that the petition would be forwarded to the Executive Managers Environmental and Development Services and Technical Services for investigation and report.

5.2 The Chief Executive Officer advised that a petition had been received from the owners of 28 and 32 Carr Street, West Perth with 10 signatures requesting that the fence to their properties remain unchanged in terms of height and permeability and requesting Council approval for an electric gate to the properties for matters of security and privacy.

The Chief Executive Officer advised that there is an Item (10.1.5) on tonight's Agenda relating to this matter.

Moved Cr Farrell, Seconded Cr Messina

That the petitions be received.

CARRIED (9-0)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Moved Cr Maier, Seconded Cr Messina

That the Minutes of the Ordinary Meeting of Council held on 8 November 2005 be confirmed as a true and correct record.

CARRIED (9-0)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Pioneers (Seniors) Luncheon

I am pleased to announce that the Town conducted a Pioneers Luncheon at the North Perth Town Hall on Wednesday 16 November which was attended by over 220 of the Town's Seniors.

This is a most successful annual event which is now in its sixth year and is enjoyed by the Town's Seniors.

May I express my appreciation to the Town's staff, in particular community development, for a most enjoyable event.

7.2 Annual Garden Awards Presentation

I am pleased to announce that the 2005 Garden Awards attracted over 117 entries, which is an all time record since the inception of this Award in 1995. The number of entries demonstrates the community spirit and the fierce competition which exists with our "green finger" ratepayers.

The category winners were presented at the Annual Awards Dinner held on Wednesday evening, 16 November 2005, whereby over 130 people enjoyed the evening.

May I express my appreciation to the Town's staff, in particular Parks Services for their fine effort in this outstanding event.

7.3 Visit by International Sangha Bhiksu Buddhist Association, California

The Mayor and CEO were pleased to receive the Reverend Patriarch Thich Giac Nhien and four Monks from the above Association, together with Mr Kiet Le, President of the WA Vietnamese Buddhist Association last Friday 18 November 2005.

This visit was to express appreciation for the assistance provided by the Town to the Vietnamese community. An exchange of gifts, including a wooden Buddha, also took place.

7.4 Elven on the Park Land Sale - Late Item

I draw your attention to Late Item 10.3.4 which details the results of the Elven on the Park subdivision auction. The auction was attended by over 120 persons and bidding was most competitive.

The sales income of almost \$2 million is a most successful outcome and demonstrates the interest in the Town's suburb of North Perth.

7.5 Item 10.1.13

I draw your attention to a minor correction for Clause (iii)(a) to change "Level 1" to "Level 2".

8. DECLARATION OF INTERESTS

8.1 Mayor Catania declared a financial interest in Item 10.3.1 - Investment Report as at 31 October 2005. The nature of his interest being that he is the Chairperson of the North Perth Community Bank.

8.2 Mayor Catania declared a proximity interest in Item 10.2.1 - Further Report - Referred to Local Area Traffic Management Advisory Group - Bourke Street. The nature of his interest being that his daughter and son-in-law own property in Bourke Street.

8.3 Cr Messina declared a financial interest in Item 10.3.1 - Investment Report as at 31 October 2005. The nature of his interest being that he is a Director and Shareholder of the North Perth Community Bank.

8.4 Cr Doran-Wu declared an interest affecting impartiality in Item 10.1.6No 238 (Lot Y104) Beaufort Street, Perth - Increase in the Number of Lodgers from Thirty Seven (37) to Sixty Four (64) in Existing Lodging House. The nature of her interest being that her employer has written a report that studies boarding and lodging houses and this property is part of the investigation.

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

Nil.

10. REPORTS

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

The Agenda Items were categorised as follows:

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

Items 10.1.7, 10.1.6, 10.1.13 and 10.1.5

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

Item 10.3.2

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

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

Cr Farrell	Nil.
Cr Chester	Items 10.1.2, 10.2.2, 10.4.6, 10.4.7, 10.4.8 and 10.4.9
Cr Ker	Items 10.1.8, 10.1.9 and 10.4.1
Cr Doran-Wu	Nil
Cr Torre	Nil
Cr Lake	Nil
Cr Messina	Nil
Cr Maier	Items 10.1.11 and 10.3.4
Mayor Catania	Nil

Cr Torre departed the Chamber at 7.10pm.

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

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

Items 10.2.1 and 10.3.1

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

Items 10.1.1, 10.1.3, 10.1.4, 10.1.10, 10.1.12, 10.2.3, 10.2.4, 10.2.5, 10.2.6, 10.3.3, 10.4.2, 10.4.3, 10.4.4, 10.4.5, 10.4.10 and 10.4.11

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

Item 10.4.9

The Chief Executive Officer advised that Item 10.4.9 would be considered behind closed doors as the matter had progressed since the Agenda was printed and it now contains commercially sensitive information.

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

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

Items 10.1.1, 10.1.3, 10.1.4, 10.1.10, 10.1.12, 10.2.3, 10.2.4, 10.2.5, 10.2.6, 10.3.3, 10.4.2, 10.4.3, 10.4.4, 10.4.5, 10.4.10 and 10.4.11

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

Items 10.1.7, 10.1.6, 10.1.13 and 10.1.5

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

Cr Torre returned to the Chamber at 7.12pm.

Moved Cr Farrell, Seconded Cr Messina

That the following unopposed items be moved en bloc;

Items 10.1.1, 10.1.3, 10.1.4, 10.1.10, 10.1.12, 10.2.3, 10.2.4, 10.2.5, 10.2.6, 10.3.3, 10.4.2, 10.4.3, 10.4.4, 10.4.5, 10.4.10 and 10.4.11

CARRIED (9-0)

10.1.1 No. 46 (Lot 69 D/P: 2324) Chelmsford Road, Mount Lawley - Proposed Outbuilding Addition to Existing Single House

Ward:	South	Date:	11 November 2005
Precinct:	Norfolk; P10	File Ref:	PRO3309; 5.2005.3155.1
Attachments:	001		
Reporting Officer(s):	B McKean		
Checked/Endorsed by:	D Abel	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by D Panizza on behalf of the owners D Panizza and L Monteleone for proposed Outbuilding Addition to Existing Single House, at No. 46 (Lot 69 D/P: 2324) Chelmsford Road, Mount Lawley and as shown on plans stamp-dated 5 September 2005, subject to:

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

(a) the wall height not exceeding 2.4 metres; and

(b) the ridge height not exceeding 4.2 metres.

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

(ii) subject to first obtaining the consent of the owners of No. 44 Chelmsford Road for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 44 Chelmsford Road in a good and clean condition;

(iii) the subject approved structure shall not be used for industrial, commercial, habitable or car parking purposes, and is for the sole personal use of the inhabitants of the main dwelling only; and

(iv) no plumbing or sanitary facilities or fixtures shall be provided to or within the subject approved structure without the prior approval of such by the Town.

COUNCIL DECISION ITEM 10.1.1

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	D Panizza & L Monteleone
Applicant:	D Panizza
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R40
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	487 square metres
Access to Right of Way	North side, 4metres wide, sealed, Town owned

BACKGROUND:

No specific background directly relates to the proposal

DETAILS:

The proposal involves an outbuilding addition to existing single house. The proposed outbuilding will be used for storage of items, such as bicycles and garden tools.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Noted
Setbacks North	1 metre	Nil	Supported - building wall height has been conditioned to be compliant with the building on boundary requirements of the Residential Design Codes (R Codes) in terms of height and length and is considered to not have an undue impact on affected neighbours' amenity.
East	1 metre	Nil	Supported - as above.
Building on Boundary	Walls not higher than 3.5 metres with average of 3 metres for 2/3 the length of the balance of the boundary behind the front setback, to one side boundary.	Two boundary walls	Supported - boundary walls are compliant with the building on boundary requirements of the R Codes in terms of height and length and are considered to not have an undue impact on affected neighbours' amenity.

Wall Height: North	2.4 metres	3.172 metres	Not supported - the wall height is considered to have an undue impact on affected neighbours' amenity, is non compliant with the outbuilding requirements of the R Codes and proposes a variation outlined in the Town's Policy relating to Non-Variation of Specific Development Standards and Requirements. The wall height is addressed in the Officer Recommendation.
East	2.4 metres	3.172 metres	Not supported - as above.
South	2.4 metres	3.172 metres	Not supported - as above.
West	2.4 metres	3.172 metres	Not supported - as above.
Ridge Height: North	4.2 metres	4.687 metres	Not supported - as above.
East	4.2 metres	4.687 metres	Not supported - as above.
South	4.2 metres	4.687 metres	Not supported - as above.
West	4.2 metres	4.687 metres	Not supported - as above.
Consultation Submissions			
Support	Nil		Noted
Objection (2)	<ul style="list-style-type: none"> Concern the proposed development will be used for commercial purposes. 		Not supported - this is addressed in the Officer Recommendation.
	<ul style="list-style-type: none"> Concern regarding potential noise and dust. 		Not supported - not a major planning consideration, and is addressed by environmental health legislation.
	<ul style="list-style-type: none"> Wall height. 		Supported - this is addressed in the Officer Recommendation.

	<ul style="list-style-type: none"> • Setbacks. 	Not supported - boundary walls are compliant with the R Codes in terms of height and length and are not considered to have an undue impact on affected neighbours.
	<ul style="list-style-type: none"> • Concern the proposed development will be used as a garage. 	Not supported - this is addressed in the Officer Recommendation.
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil
Financial/Budget Implications		Nil

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

COMMENTS:

The proposed outbuilding is conditioned to be compliant with the outbuilding requirements of the R Codes and the proposed boundary walls are not considered to have an undue impact on the affected neighbours' amenity.

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

10.1.3 No. 30 (Lot 161 D/P 99357) Summers Street, East Perth - Proposed Stair Access Addition to Existing Three-Storey (3) Mixed Use Development

Ward:	South	Date:	14 November 2005
Precinct:	Banks; P15	File Ref:	PRO2507; 5.2005.3194.1
Attachments:	001		
Reporting Officer(s):	T Durward		
Checked/Endorsed by:	D Abel	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owners D J and T R Pinnington for proposed Stair Access Addition to Existing Three-Storey (3) Mixed Use Development, at No. 30 (Lot 161 D/P 99357) Summers Street East Perth, and as shown on plans stamp-dated 29 September 2005, subject to:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive.*

COUNCIL DECISION ITEM 10.1.3

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	D J and T R Pinnington
Applicant:	D J and T R Pinnington
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Mixed Used Development
Use Class:	Multiple Dwelling and Office Building
Use Classification:	"AA" and "P"
Lot Area:	476 square metres
Access to Right of Way	North side, 4.02 metres wide, unsealed, privately owned

BACKGROUND:

- 13 April 2004 The Council at its Ordinary Meeting, resolved to refuse the application for the proposed three-storey mixed use development comprising two (2) multiple dwellings, offices and associated car parking.
- 30 April 2004 The applicant lodged an appeal with the Town Planning Appeal Tribunal against the Council's refusal.
- 21 May 2004 Directions Hearing at the Town Planning Appeal Tribunal.
- 27 May 2004 The Town lodged the Respondent Statement with the Town Planning Appeal Tribunal.

- 25 June 2004 The appeal hearing was held at the Town Planning Appeal Tribunal.
- 25 August 2004 The Town Planning Appeal Tribunal (TPAT) upheld the appeal, and requested the Town to formulate standard approval conditions.
- 14 September 2004 The Council at its Ordinary Meeting considered and resolved to apply conditions to the application for the proposed three-storey mixed use development comprising two (2) multiple dwellings, offices and associated car parking.
- 26 October 2004 The Council at its Ordinary Meeting resolved to approve the reconsideration of condition (xxvi) of the resolution of Council, 14 September 2004, as outlined above.

DETAILS:

The proposal involves an additional stair access addition to existing three-storey (3) mixed use development. The stair access addition is required for roof and plant maintenance. The air conditioning units shown on the plans are not visible from the street and therefore approval is not required, the recommendation is conditioned accordingly.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
No advertising of the subject proposal was undertaken because the proposal is considered to be minor, has no impact on adjoining properties and the overall height is considered compliant in accordance with the reasons for decision of the TPAT, 25 August 2004.			
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Code (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

Building Height

The following is taken from the reasons for decision of the TPAT dated 25 August 2004.

"28. There is no building height limit applying to the commercial zone, and nothing to suggest that the Respondent has established a "desirable scale" for residential development in the commercial zone other than that referred to in Policy 3.1.15 where 2 storey (with loft) are strongly encouraged, and where a third storey can be considered."

The proposal is not considered to warrant an additional storey and due to its location (in the centre of the subject structure) and overall size it is not considered to have any undue impact on adjoining properties.

Plot Ratio

The proposal is not considered to add to the floorspace for the subject site and therefore has no impact on the plot ratio.

Summary

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

10.1.4 Nos. 71-77 (Lot 62 D/P: 73028) Walcott Street, Corner Beaufort Street, Mount Lawley - Proposed Telecommunications Facility to Existing Commercial Building

Ward:	South Ward	Date:	14 November 2005
Precinct:	Mount Lawley Centre; P11	File Ref:	PRO0703; 5.2005.3098.1
Attachments:	001		
Reporting Officer(s):	T Durward		
Checked/Endorsed by:	D Abel	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by Greg Rowe & Associates on behalf of the owner Silverleaf Investments Pty Ltd for Proposed Telecommunications Facility to Existing Commercial Building at Nos. 71-77 (Lot 62 D/P: 73028 Walcott Street), corner Beaufort Street, Mount Lawley, and as shown on plans stamp-dated 21 July 2005 (photographic perspectives) and 28 October 2005 (site plan and elevation), 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; and*
- (ii) *the non-compliance with the Town's Policies relating to the Mount Lawley Centre Precinct, Heritage Management - Development Guidelines, and Telecommunications Facilities, respectively.*

COUNCIL DECISION ITEM 10.1.4

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	Silverleaf Investments Pty Ltd
Applicant:	Greg Rowe & Associates
Zoning:	Metropolitan Region Scheme (MRS): Urban Town Planning Scheme No.1 (TPS 1): District Centre
Existing Land Use:	Shops and Eating House
Use Class:	Unlisted Use (Non-Low-Impact Telecommunications Facility)
Use Classification:	"Unlisted Use"
Lot Area:	2784 square metres
Access to Right of Way	N/A

BACKGROUND:

26 August 1996

The Council at its Ordinary Meeting resolved to conditionally approve development application at Nos. 71 - 77 (Lot 62) Walcott Street, corner Beaufort Street, Mount Lawley for proposed alterations and additions to the existing Alexander Building.

- 28 October 1996 The Council at its Ordinary Meeting resolved to sell No. 8 Grosvenor Road, Mount Lawley to Silverleaf Investments Pty Ltd.
- 10 February 1997 The Council at its Ordinary Meeting resolved to amend the resolution adopted by the Council at its Ordinary Meeting held on 26 August 1996, with regard to Item 12.1.12 Nos. 71 - 77 (Lot 62) Walcott Street, corner Beaufort Street, Mount Lawley - Proposed Alterations and Additions to the existing Alexander Building by rescinding condition (vii).
- 11 August 1997 The Council at its Ordinary Meeting resolved to conditionally approve alteration and additions to the existing shops on Nos. 71 - 77 (Lot 62) Walcott Street, corner Beaufort Street, Mount Lawley.
- 27 October 1997 The Council at its Ordinary Meeting resolved to amend the resolution adopted by Council at its Ordinary Meeting held on 11 August 1997 for Nos. 71 - 77 (Lot 62) Walcott Street, Mount Lawley by rescinding (iv).
- 8 December 1997 The Council at its Ordinary Meeting resolved the following:

"that the Council authorise the Chief Executive Officer to prepare an agreement with Silverleaf Investments Pty Ltd to enforce car parking restrictions on Lot 200 Grosvenor Road and Lot 62 Walcott Street, Mt Lawley in conjunction with use of the Council's Raglan Road Car park."
- 25 May 2004 The Council at its Ordinary Meeting resolved to refuse an application for a proposed bin storage area within the existing car park at adjoining lot, No. 8 (Lot 200) Grosvenor Road, Mount Lawley.
- 22 June 2004 The Council at its Ordinary Meeting resolved to conditionally approve development application at Nos. 71 - 77 (Lot 62) Walcott Street, corner Beaufort Street, Mount Lawley for proposed bin storage area additions to existing shops.
- 7 December 2004 The Council at its Ordinary Meeting resolved to conditionally approve development application at Nos. 71 - 77 (Lot 62) Walcott Street, corner Beaufort Street, Mount Lawley for proposed alterations and additions to existing eating house and associated signage (Dome Café).

DETAILS:

The proposal involves two (2) flush mounted and shrouded antenna arrays 4.5 metres in height located on the roof top of the existing building, one (1) panel antenna to be fixed to one of the proposed poles and two (2) panel antennas to be fixed to the second proposed pole. The intention of the applicant is to include three (3) additional antennas into the existing mounts for future requirements.

A 600 millimetres radio communications dish is proposed to be fixed to the external façade on the western elevation. An equipment shelter and access hand rail is also proposed along the western elevation on the roof top. The applicant proposes to match the equipment shelter and antenna arrays with the existing building colours.

The proposal also involves the construction of a masonry façade in the form of a cable on the western elevation.

The proposal is considered non-low-impact as the subject site is considered an area of environmental significance, as outlined in Western Australian Planning Commission (WAPC) Planning Bulletin Number 46. In this instance the building is listed on the Town's Municipal Heritage Inventory and thus considered significant to the locality.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Telecommunication Facilities Policy:			
Clause 3 - Distance from Residential Buildings	300 metres	50 metres	Not supported - undue impact on surrounding residential area.
Clause 7 - Due consideration	Heritage, visual and aesthetic matters.	Antennas, poles and equipment shelter all protrude from the existing roof top and are visible either from east, west, north and south elevations.	Not supported - the subject building is on the Town's MHI and the proposed development does not consider the integration of antennas and poles within the existing structure or façade. Furthermore, the subject proposal is considered to have a detrimental impact on the heritage building's general aesthetic and the overall visual amenity of the area.
Clause 9 - Design	Design to have a minimal impact on the streetscape and amenity of the surrounding area.	Antennas, poles and equipment shelter all protrude from the existing roof top and are visible from the east, west, north and south elevations.	Not supported - the subject proposal is considered to have a detrimental impact on the streetscape and amenity of the surrounding area.

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Heritage Management - Development Guidelines: Clause 4 - Management Categories	Place has been classified as Category A - Conservation Essential	Antennas, poles and equipment shelter all protrude from the existing roof top and are visible from the east, west, north and south elevations impacting on the cultural heritage significance associated with the place.	Not Supported - the subject building is on the Town's MHI and the proposed development does not consider the integration of antennas and poles within the existing structure or façade appropriately. Furthermore, the subject proposal is considered to have a detrimental impact on the heritage building's general aesthetic and the overall visual amenity of the area.
Mount Lawley Centre Precinct: Built Form	Consistency in style, form, rhythm and articulation of buildings.	Proposal protrudes well above existing roof line and proposed equipment shelter is not consistent with existing building form.	Not supported - proposal is considered to be inconsistent with the style, form and rhythm of the existing heritage building.
Scale	All new buildings to be consistent with existing scale of buildings	Antennas protrude 4.3 - 4.5 metres above the existing roof line.	Not supported - undue impact on scale and overall visual aesthetic of subject heritage building.
Consultation Submissions			
No advertising of the subject proposal was undertaken because the Officer Recommendation is for refusal. If the Council is inclined to approve the subject proposal the proposal will require to be advertised in accordance with the Town's Community Consultation Policy.			
Other Implications			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

Heritage

The Alexander Buildings is a substantial example of 1938 Interwar Art Deco refurbishment with landmark qualities located on the important intersection of Walcott and Beaufort Streets, and has long been considered the heart of the Mount Lawley town centre. The subject site is listed on the Town's Municipal Heritage Inventory (MHI) and thus considered to have cultural heritage significance to the locality. The subject place has been identified as having aesthetic value and it is considered that the proposed development is inconsistent with conserving the significance attributed to the place.

Recognising the high significance attributed to the subject site, the building is currently being considered by the Heritage Council of Western Australia (HCWA) for inclusion on the State Heritage Register. In light of the above, the Town is required to refer the subject application to HCWA for comment. In this instance no referral was undertaken because the Officer Recommendation is for refusal. If the Council is inclined to support the proposal the subject referral will require to be fulfilled before issuing approval.

Summary

In light of the above, the Town's Officers consider the proposal to undermine the heritage significance of the subject building and subsequently does not show due consideration to integrating the proposed telecommunications facility within the existing building fabric.

Therefore, the proposed development, by reason of its scale, massing, height and design of its component poles, antennas and structures would result in an overdevelopment of the site and form over dominant and incongruous feature in the street scene to the detriment of the visual amenity and character of the area. The proposed development is therefore contrary to the provisions of the Town's Policies and is therefore recommended for refusal.

10.1.10 Amendment No. 30 to Planning and Building Policies Relating to Heritage Management - The Heritage List (Municipal Heritage Inventory)

Ward:	Both Wards	Date:	15 November 2005
Precinct:	All Precincts	File Ref:	PLA0161
Attachments:	001		
Reporting Officer(s):	T Woodhouse		
Checked/Endorsed by:	D Abel	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES** the final version of the Policy relating to Heritage Management - The Heritage List (Municipal Heritage Inventory) as shown in Attachment, 10.1.10, resulting from the advertised version having been reviewed and regard no written submissions received during the formal advertising period, in accordance with Clauses 47 (4), and (5) (a) of the Town's Town Planning Scheme No. 1;
- (ii) **ADOPTS** the final version of the Policy relating to Heritage Management - The Heritage List (Municipal Heritage Inventory), as shown in Attachments 10.1.10; and
- (iii) **AUTHORISES** the Chief Executive Officer to advertise the final version of the adopted Policy relating Heritage Management - The Heritage List (Municipal Heritage Inventory) as shown in Attachment 10.1.10, in accordance with Clause 47 (6) of Town's Town Planning Scheme No. 1.

COUNCIL DECISION ITEM 10.1.10

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to present to the Council the final version of the Policy relating to Heritage Management - The Heritage List (Municipal Heritage Inventory) and seek final adoption.

BACKGROUND:

The Council at its Ordinary Meeting held on 27 March 2001 resolved to adopt the Planning and Building Policy Manual dated 2001 with some amendments.

The Council at its Special Meeting held on 20 September 2005 resolved the following:

"That the Council;

- (i) **RECEIVES** the draft Policy relating to Heritage Management - The Heritage List (Municipal Heritage Inventory) as shown in Attachment 7.6;
- (ii) **ADOPTS** the draft Policy relating to Heritage Management - The Heritage List (Municipal Heritage Inventory) to be applied in the interim up to the formal adoption of the draft Policy;

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

DETAILS:

This Policy outlines the statutory implications of heritage listed properties within the Town of Vincent.

The key objectives of the draft Policy relating to *Heritage Management - The Heritage List (Municipal Heritage Inventory)* are as follows:

- 1) To provide a framework for statutory protection to places identified within the Town of Vincent as having cultural heritage significance to the local community;
- 2) To provide clear procedural guidelines for using heritage as a determinant in planning applications; and
- 3) To increase public awareness of the expected level of protection assigned to places of local heritage significance within the planning process.

It is anticipated that this Policy will facilitate a greater understanding of the legal implications relating to heritage listed places within the Town of Vincent.

CONSULTATION/ADVERTISING:

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

Advertising of the draft amended Policy concluded on 1 November 2005. No submissions regarding the Policy were received during the comment period.

LEGAL/POLICY:

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

STRATEGIC IMPLICATIONS:

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

"1.2 Recognise the value of heritage in providing a sense of place and identity".

FINANCIAL/BUDGET IMPLICATIONS:

The current 2005/2006 Budget lists \$80,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

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

10.1.12 No. 310 (Swan Loc 114) Pier Street, Corner Bulwer/Lord/Brewer Streets, Perth - Proposed Temporary Internal Access Road to Multi-Purpose Sports Stadium (Members Equity Stadium)

Ward:	South	Date:	15 November 2005
Precinct:	Beaufort, P13	File Ref:	PRO1510
Attachments:	001		
Reporting Officer(s):	T Durward		
Checked/Endorsed by:	D Abel	Amended by:	-

OFFICER RECOMMENDATION:

That;

the Council ADVISES Allia Venue Management Pty Ltd (Stadium Manager) that it SUPPORTS the proposed Temporary Internal Access Road to Multi-Purpose Sports Stadium (Members Equity) at No. 310 (Swan Loc 114) Pier Street, corner Bulwer/Lord/Brewer Streets, Perth, and as shown on plans stamp-dated 27 October 2005, subject to:

- (i) Allia Venue Management shall prepare and implement a methodology to ensure the appropriate handling of any items of Indigenous or European significance that are uncovered during the works. The methodology shall be submitted to and approved by the Town prior to commencement of works on site;*
- (ii) all works shall be at the applicant's cost;*
- (iii) the pavement shall be bounded by a 200 millimetres wide by 250 millimetres high flush concrete edge beam, for the full length of both sides;*
- (iv) all excavated material shall be removed from site, with all reticulation and turf to be reinstated to the satisfaction of the Town's Parks Services;*
- (v) ramp grades shall be as shown on the supported plans stamp dated 27 October 2005;*
- (vi) a refundable works bond of \$2,000 shall be lodged prior to commencement of works on site;*
- (vii) the contractor shall submit , prior to commencement of works on site;*
 - (a) a copy of public liability insurance and comply with all relevant Work Safe statutory requirements; and*
 - (b) a structural engineers certification verifying the retaining wall is suitable to support the weight of the prime mover, trailer and temporary transportable screen; and*
- (viii) this temporary internal access road shall be removed when directed by the Town, and at this time the site shall be reinstated to its previous condition and made good, to the satisfaction of the Town's Technical Services; and*
- (ix) all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage.*

COUNCIL DECISION ITEM 10.1.12

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

Landowner:	Town of Vincent
Applicant:	Allia Venue Management
Zoning:	Metropolitan Region Scheme: Reserve -Parks and Recreation Town Planning Scheme No.1 (TPS 1): MRS Reserve - Parks and Recreation
Existing Land Use:	Recreational facilities with multi purpose sports stadium
Use Class:	Recreational Facilities
Use Classification:	"P"
Lot Area:	60702 square metres
Access to Right of Way	N/A

BACKGROUND:

27 September 2005

The Council at its Ordinary Meeting resolved to not support proposed Transportable Ticket Booths and Transportable Video Screen and Internal Access Road to Multi-Purpose Sports Stadium (Members Equity). The Council also resolved that the transportable video screen shall be removed from the stadium site at the completion of the 2005-06 A-League fixture.

DETAILS:

The Town has received a request from Allia Venue Management Pty Ltd (Allia) to build a temporary access road to multi-purpose sports stadium (members equity stadium). The proposed road is located to the north of the subject site adjacent to Bulwer Street and east of the main entrance.

The applicant, in the submission sent to the Town, outlined the following:

"I request your consideration and advice on the potential of installing an access road on the basis that it is temporary construction. Allia have requested Screencorp consider agreeing to return the road to its original state (grass bank) at the end of the current Perth Glory season, if the road is not otherwise required or redeveloped as part of the stage 2 stadium redevelopment."

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
N/A			
Consultation Submissions			
The proposal was not advertised as the matter is being referred to the Council for its consideration.			
Support	N/A		N/A
Objection	N/A		N/A

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

COMMENTS:

Heritage

The subject place is included on the *State Register of Heritage Places* and on the *Town of Vincent Municipal Heritage Inventory*. The proposal was previously referred to the Heritage Council of Western Australia who assessed the proposal in context with the *Perth Oval Conservation Plan* and advised that the proposal is supported, subject to the following conditions:

- The Conservation Plan identifies the area of the proposed paving as a site that has the potential to yield items of considerable archeological significance. However, it is understood that the proposed paved access way is to be constructed on raised ground, which is infill that has been put there during a previous development. The Town of Vincent is to ensure that a methodology is in place to ensure the appropriate handling of any items of Indigenous or European significance being uncovered during the works. The location of the structures proposed is not considered to affect the significant Heritage fabric.

Technical Services

Technical Services have advised that the grass bank at the north eastern corner of Members Equity Stadium can be modified to accommodate a temporary access road, as per the submitted design (attached). However, it is recommended that prior to any Council support of the proposal, the following conditions are imposed:

- All works to be at the applicant's cost.
- Screencorp's Engineering Consultant to liaise with the Stadium Architect to ascertain that the structural design of the existing block work retaining wall (eastern end) can support the weight of the prime mover, trailer and temporary transportable screen, and a written certification is provided to the Town prior to the works proceeding. Alternatively, if the existing retaining wall is found not to be structurally suitable and the applicant wishes to proceed with the proposal, then any modifications to the retaining wall is to be certified by a chartered structural engineer, at the applicant's full cost.
- Proposed pavement to be bounded by a 200 millimetres wide by 250 millimetres high flush concrete edge beam, for the full length of both sides.
- All excavated material is to be removed from site, with all reticulation and turf to be reinstated to the satisfaction of the Town's Parks Services.
- Ramp grades as shown on attached diagram.
- A refundable works bond of \$2,000 to be lodged prior to commencement of works.
- The contractor is also to submit a copy of public liability insurance and comply with all relevant Work Safe statutory requirements.

Summary

Discussions with the Stadium Manager has revealed that safety is a main reason for the temporary road, which will primarily be used by a large truck/trailer to display a large video replay screen. It has been advised that the turf is soft and may cause instability for the vehicle. Furthermore, the turf and reticulated fillings are frequently being damaged. The Football Federation Australia require a video screen to be used as part of their licence conditions for the A-League soccer games. Whilst the applicant has offered to remove the road at the end of the 2005-06 season, this is not necessary as the location will be used throughout the year for other events (eg rugby league or rugby union games.) Therefore, the applicant should be required to remove the road when directed by the Town. It should be noted that there are no other suitable locations to house the video screen.

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

10.2.3 Pedestrian Safety Improvements - Intersection of Vincent Street and William Street, Mt Lawley

Ward:	North	Date:	15 November 2005
Precinct:	Norfolk P10	File Ref:	TES0207
Attachments:	-		
Reporting Officer(s):	C Wilson		
Checked/Endorsed by:	R Lotznicher	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on Main Roads WA proposal to install Pedestrian Lanterns and Audible crossing phases on the existing traffic signals at the intersection of Vincent Street and William Street, Mt Lawley;*
- (ii) *NOTES that:*
 - (a) *the estimated cost of the works, as shown on attached Plan No. LM072, will be \$14,833 and will be funded from the Town's Traffic Management - Intersection of Vincent/William Pedestrian Improvements budget allocation; and*
 - (b) *in conjunction with the proposed signal modifications, the Town will install new pedestrian ramps and tactile ground indicators at an estimated cost of \$5,000, to be funded from the 'disabled access and tactile paving' budget.*

COUNCIL DECISION ITEM 10.2.3

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to advise Council of Main Roads WA proposed pedestrian safety improvements at the intersection of Vincent and William Streets, Mt Lawley.

BACKGROUND:

The signalised intersection of Vincent and William Streets, Mt Lawley, which is located on the north eastern corner of Hyde Park, forms one of the primary pedestrian access points to the park. Further it is a significant crossing point for students attending Sacred Heart Primary School (located in Harold Street) and for general pedestrian traffic generated by the nearby café strip in Beaufort Street.

For some considerable time both Elected Members and members of the public have voiced concerns about the inadequacy of the current signal configuration to provide an appropriate level of pedestrian safety. While it is acknowledged that drivers are obliged to give-way to pedestrians crossing with the signals, this rarely happens, leading to the Town petitioning Main Roads WA (MRWA) to upgrade the signals to include pedestrian crossing phases.

MRWA advised that while they had a program in place to progressively install pedestrian crossing facilities at all signalised intersections, they had very limited funding and, as a consequence, this function at the intersection of Vincent and William Streets would not be carried out for the foreseeable future. MRWA further advised the only way the intersection would be afforded a higher priority was if the Town were willing to contribute to the upgrade.

DETAILS:

Following discussions with MRWA, it became apparent that the only way the pedestrian crossing facilities at the signalised intersection of Vincent and William Streets would be upgraded within a reasonable timeframe was if the Town were to contribute to the cost. While it was generally acknowledged that MRWA should bear responsibility for funding the works, Council adopted a more pragmatic approach and allocated \$15,000 in the 2005/06 budget for the project.

Upon adoption of the budget, the Town wrote to MRWA requesting that the works proceed as soon as practical.

In a letter dated 10 November 2005, MRWA provided, in part, the following response.

"I enclose for your information a copy of drawing of the proposed traffic signal modifications.

Main Roads has estimated that it would cost \$14,833 (excluding GST) to install symbolic pedestrian lanterns and audible push buttons onto the existing traffic signals. This does not include civil works such as pram ramp and median opening installations.

These electrical works could be implemented within a three to six months period, upon the approval of the proposal.

To provide a uniform setup to traffic signals of similar nature, it is recommended that the Town of Vincent provides appropriate ramps with tactile pavers and median openings prior to or in conjunction with the upgrading of the signals."

Therefore, it is anticipated that works will be completed within the first quarter of 2006 and hopefully in time for the annual Hyde Park Rotary Community Fair to be held on 5 and 6 March 2006.

CONSULTATION/ADVERTISING:

Nil

LEGAL/POLICY

The Commissioner of MRWA has responsibility for the installation, maintenance and upgrading of traffic signals but can seek contributing funding from other sources such as Local Government.

FINANCIAL/BUDGET IMPLICATIONS:

Specific funds of \$15,000 were allocated in the 2005/06 Traffic Management budget for *Intersection of Vincent/William pedestrian improvements*. Further, an estimated additional \$5,000 will be required to install new pedestrian ramps and tactile ground indicators to comply with the current standards. It is intended to source these funds from the existing *disabled and tactile paving* budget.

Therefore, the total estimated cost to the Town is in the order of \$20,000.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment - Traffic and Parking “*h) Investigate and implement transport development and management improvements in liaison with the Local Area Traffic Management (LATM) Advisory Group and the community.*”

COMMENTS:

While it is acknowledged MRWA should ultimately be responsible for funding the upgrade of the traffic signals to include appropriate pedestrian crossing facilities, the Town recognised that if there an immediate need.

However as indicated in the main body of the report, the only means by which the works will be expedited is for the Town to contribute to the cost.

Therefore, it is recommended that the Council receives the report and notes the estimated cost of the works to be \$14,833, as sought by MRWA, with an additional (estimated) \$5,000 for the installation of new pedestrian ramps and tactile ground indicators.

10.2.4 RoadWise White Ribbons for Road Safety 2005 Campaign

Ward:	Both	Date:	15 November 2005
Precinct:	All	File Ref:	TES0173
Attachments:	-		
Reporting Officer(s):	C Wilson		
Checked/Endorsed by:	R Lotznicher	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the RoadWise White Ribbons for Road Safety 2005 campaign;*
- (ii) *APPROVES the Town's vehicles being fitted with a white ribbon for the duration of the campaign; and*
- (iii) *ADVISES RoadWise of its resolution.*

COUNCIL DECISION ITEM 10.2.4

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to advise Council of the 2005 RoadWise White Ribbons for Road Safety Campaign.

BACKGROUND:

As in previous years, RoadWise, under the auspices of the Western Australian Local Government Association (WALGA) and the Road Safety Council, has invited the Town to participate in the 2005 White Ribbons for Road Safety campaign. The aim of the campaign is to raise public awareness of road safety over the 2005/06 Christmas and New Year period and is a joint WALGA and Road Safety Council initiative.

The campaign, which began in 1996, is now recognised as the major Local Government contribution to the Christmas road safety campaign.

DETAILS:

The primary objective of the annual White Ribbons campaign is to place road safety on the public agenda. The concept was developed to raise awareness of the need for all Western Australians to be responsible for their safety on the roads.

Each year during the Christmas period, the WA Local Government Association's Community Road Safety Program, 'RoadWise', distributes white ribbons throughout the community. While white crosses on the side of the road represented lives that had been lost, the white ribbon symbolises the positive efforts being made by many agencies working with the community to reduce and prevent road trauma. The campaign encourages all road users to "look out for each other", with the white ribbon being a reminder to slow down, don't drink and drive, always wear a seatbelt and avoid driving when tired.

This will be the tenth (10th) White Ribbons campaign and will be officially launched by the Minister responsible for Road Safety, the Hon. Michelle Roberts MLA, on Monday 5 December 2005. The campaign will run throughout the festive season, concluding on 9 January 2006.

As with previous campaigns, the theme of the 2005 campaign is to again acknowledge and thank those agencies, such as Local Government, the WA Police Service, Fire and Rescue Service, St John's Ambulance, Main Roads WA, Department for Planning and Infrastructure, Royal Flying Doctor and State Emergency Services, who work together to save lives on our roads.

CONSULTATION/ADVERTISING:

The 2005 White Ribbons campaign will be launched on Monday 5 December 2005 and, in conjunction with the Road Safety Council, WALGA will be promoting it with television and newspaper coverage. Main Roads WA will be supporting the campaign by displaying the message on the Freeway overhead visual displays boards.

LEGAL POLICY:

Nil

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area Two of the Strategic Plan 2005-2010 - 2.2 Provide and develop a range of community programs and community safety initiatives. *"j) Develop and implement a Local Government education program for schools and community."*

FINANCIAL/BUDGET IMPLICATIONS:

There are no costs to the Town for participation with the program.

COMMENTS:

As a symbol of the Town's commitment to road safety over the coming festive season, a white ribbon will be provided for Elected Members, the Town's Officers and the public to either wear or attach to their preferred mode of transport. The campaign will run from Monday 5 December 2005 and continue throughout the festive season.

10.2.5 Mains Roads WA response to the Meeting with the Town and North Perth Precinct Action Group held on 17 June 2005

Ward:	North	Date:	18 July 2005
Precinct:	North Perth P8	File Ref:	TES0001/ORG0071
Attachments:	-		
Reporting Officer(s):	C Wilson		
Checked/Endorsed by:	R Lotznicher	Amended by:	-

OFFICER RECOMMENDATION:

That the Council

- (i) **RECEIVES** the report on Main Roads WA response to the Meeting with the Town and the North Perth Precinct Action Group held on 17 June 2005;
- (ii) **NOTES** that Main Roads WA has advised it intends to progressively develop projects for Charles Street based on the recommendations of its '2003 Road Safety Audit and 2004 Road Link Performance Review' for Charles Street;
- (iii) **REQUESTS** that Main Roads WA;
 - (a) *liaises closely with the Town on any proposal which involves the widening of any part of Charles Street;*
 - (b) *ensures that projects for Charles Street based on the recommendations of its '2003 Road Safety Audit and 2004 Road Link Performance Review' be given a high priority and implemented as soon as possible;*
- (iv) **CONSIDERS** listing appropriate funding in the 2006/2007 draft budget as the Town's 50% share for the upgrading of the street lighting along Charles Street;
- (v) **ADVISES** the North Perth Precinct Action Group of its decision; and
- (vi) **RECEIVES** a further progress report on this matter as further information becomes available.

COUNCIL DECISION ITEM 10.2.5

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of Main Roads WA (MRWA) response to the various issues raised at a meeting held in June 2005 between the Town and North Perth Precinct Action Group to discuss MRWA future proposals for Charles Street.

BACKGROUND:

In May 2005 the Town's Technical Services officers attended a meeting of the North Perth Precinct Action Group (NPPAG) to discuss traffic management issues and future capital works projects within the precinct.

Whilst the information provided to the meeting was appreciated, it became apparent that as the majority of the issues related to Charles Street, which is under the care control and management of MRWA it was agreed to arrange a subsequent meeting with the relevant MRWA officers.

To this ends a meeting was arranged for the afternoon of Friday 17 June 2005, to be held at the Town's Administration and Civic Centre.

A subsequent meeting was held in June 2005 and a report on the matters was presented to the Ordinary Meeting of Council held on 26 July 2005 where the following decision was made.

"That the Council;

- (i) RECEIVES the report on a meeting, to discuss traffic issues relating to Charles Street and other related matters, held on 17 June 2005 between the Town's officers, Main Roads WA, an Elected Member and representatives from the North Perth Precinct Action Group;*
- (ii) WRITES to the Commissioner of Main Roads WA requesting that;*
 - (a) Charles Street be given a higher priority in their future works programs commencing in 2006/2007 to implement the findings of the Main Roads WA 2003 Road Safety Audit and 2004 Road Link Performance Review reports;*
 - (b) specific funding be allocated in the 2006/2007 financial year for the provision of additional pedestrian crossing facilities along the section of Charles Street between Scarborough Beach Road and Green Street,*
 - (c) a full review of pedestrian safety at the intersection of Scarborough Beach Road, Angove and Charles Streets, North Perth be undertaken as a matter of urgency and that the intersection be listed for an upgrade in the 2006/2007 financial year;*
 - (d) consideration be given to providing contributory funding for the upgrade of the street lighting along Charles Street in the 2006/2007 financial year; and*
 - (e) reviews pedestrian safety at the intersection of Wanneroo Road, Walcott, Green and Charles Streets, with specific reference to the south eastern truncation where the footpath is inaccessible to wheelchairs, motorised scooters and prams;*
- (iii) ADVISES the North Perth Precinct Action Group of its resolution; and*
- (iv) NOTES a further report will be submitted to the Council once a formal response has been received from Main Roads WA.*

DETAILS:

At the June 2005 meeting MRWA personnel were advised of the following concerns regarding Charles Street:

- The lack of pedestrian crossing facilities
- A request for pedestrian actuated signals or flashing lights for the School Crossing at Selkirk Street, North Perth
- Pedestrian safety at the intersection of Scarborough Beach Road, Angove and Charles Streets, North Perth
- Adequacy of street lighting along Charles Street
- Pedestrian safety at the intersection of Wanneroo Road, Charles, Green and Walcott Streets, North Perth

In accordance with clause (ii) of the Council decision, officers duly wrote to the Commissioner of Main Roads WA in August 2005.

Two (2) letters from MRWA were received recently as follows:

- 13 October 2005 - from MRWA's Manager Traffic and Safety with regard to future road widening requirements for Charles Street
- 31 October 2005 - from the Executive Director of Road Network Services specifically addressing the Council's decision of 26 July 2005

Charles Street Future Road Widening Requirements

While not directly related to Council's decision of 26 July 2005, the Town wrote to the Commissioner of MRWA in July 2005 seeking to ensure that MRWA, in conjunction with the Department for Planning and Infrastructure (DPI), adopted a co-coordinated approach when pursuing a formal resolution for the future road reservation requirements for Charles Street (currently covered by a DPI administered Planning Control Area).

In the letter of 13 October 2005 MRWA's Manager Traffic and Safety provided, in part, the following comments.

"The review of the future transport requirements for Charles Street between Wanneroo Road and Newcastle Street is likely to take some time to finalise. However, there are potentially a number of short to medium term traffic and safety issues raised in your letter and the 'Wanneroo Road (Charles Street) Link Performance Review' (Main Roads 2004), such as improved lighting and pedestrian and cyclist facilities, which Main Roads can consider with Council input, subject to the availability of funding."

MRWA's response to meeting with NPPAG and the Town of 17 June 2005

In a further letter of 31 October 2005, the MRWA's Executive Director of Road Network Services provided the following comments specific to the Council's decision of 26 July 2005:

"It is the policy of Main Roads to prioritise projects based on the benefits that these projects would generate to the community. Projects over 1.5 million dollars are prioritised on a state wide basis and require a benefit cost analysis to evaluate measurable benefits such as road user costs, road authority savings and road safety benefits. A subjective analysis is also undertaken to evaluate additional economic, safety, social and environmental benefits."

For projects under 1.5 million dollars, the most significant and appropriate source of funding is through the National and State Black Spot programs. These projects are also prioritised based on the benefits generated to the community and are limited to safety benefits only.

Main Roads will develop projects for Charles Street based on the recommendations of the 2003 Road Safety Audit and 2004 Road Link Performance Review and when construction estimates have been obtained the projects will be nominated for funding using the processes listed above. However, funding for road improvements of the 2006/2007 financial year has already been allocated.

Road safety projects to be developed on Charles Street include additional pedestrian crossing points between Scarborough Beach Road and Green Street and improved pedestrian facilities at the traffic signal controlled intersections of Charles Street and Scarborough Beach Road and Charles Street and Green Street.

As previously advised at the meeting held on 17 June 2005, Mains Roads policy relating to the provision of street lighting is to provide a 50% contribution to both the capital cost and ongoing operating cost of street lighting that meets the V3 standard. The process for applying for the capital cost contribution requires that the Town of Vincent develop the project and estimate its cost to enable the project to be prioritised."

The Executive Director's comments would suggest that MRWA are currently considering Road Safety Improvement Projects in Charles Street. However, no timeframe has been provided other than to indicate that it is too late for any projects to be included in the MRWA 2006/07 Capital Works budget. This implies that at earliest the first, as of yet unidentified, project would proceed in 2007/08.

In respect of the upgrading of the level of street lighting along Charles Street, while it seems unreasonable that Local Government should be required to contribute to upgrade a MRWA asset, MRWA would argue that improved lighting would much benefit the local community as road users.

Therefore, it is proposed to obtain a quotation from Western Power in early 2006, and prior to the budget preparation period, to upgrade Charles Street to a V3* standard.

* Australian/New Zealand Standard 1158. - Road Lighting. Lighting category V3 - Arterial roads that predominately carry through traffic from one region to another, forming principal avenues of communication for traffic movements. Charles Street does not currently comply with this standard.

Based on the Town's successful District Distributor Road Streetlight Upgrading Program (completed in 2003/04) the total cost would be in the order of \$40,000 of which the Town and MRWA would each contribute 50%.

CONSULTATION/ADVERTISING:

Nil

LEGAL/POLICY

The Commissioner of MRWA has the ultimate responsibility for the determination and installation of appropriate pedestrian and road safety road improvements within Western Australia.

FINANCIAL/BUDGET IMPLICATIONS:

Nil

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment - Traffic and Parking *“h) Investigate and implement transport development and management improvements in liaison with the Local Area Traffic Management (LATM) Advisory Group and the community.”*

COMMENTS:

Whilst it is appreciated that MRWA recognise the need to undertake pedestrian road safety improvements in Charles Street, it is disappointing that there is no commitment on MRWA's behalf to undertake any projects before 2007/08.

Further, MRWA's response would suggest that they (MRWA) did not have any plans to undertake improvement projects in Charles Street prior to the meeting with NPPAG and Council's subsequent resolution.

It is however pleasing that some priority has now been given to Charles Street and it is requested that the officer's recommendation be adopted.

10.2.6 Possible Additional Works Including Streetscape/Traffic Safety Improvements for Bulwer Street between Fitzgerald Street and William Street Perth, associated with the planned Rehabilitation and Upgrade

Ward:	South	Date:	15 November 2005
Precinct:	Hyde Park P12	File Ref:	TES0174
Attachments:	001;		
Reporting Officer(s):	R Lotznicher		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the possible additional works including Streetscape/Traffic Safety Improvements for Bulwer Street between Fitzgerald Street and William Street associated with the planned Rehabilitation and Upgrade;*
- (ii) *APPROVES IN PRINCIPLE the proposed Streetscape/Traffic Safety Improvements as outlined on attached concept plan No 2382-CP-1;*
- (iii) *REFERS concept plan No 2382-CP-1 to Main Roads WA seeking their comments and requesting their endorsement of the proposal;*
- (iv) *NOTES that should the proposal be endorsed by Main Roads WA additional funds of between \$45,000 and \$50,000 would need to be reallocated from a source to be determined (as outlined in the report);*
- (v) *DOES NOT proceed with the Bulwer Street Rehabilitation project, currently scheduled for April 2006 until further advice has been received from Main Roads WA;*
- (vi) *NOTES that should favourable response be received from Main Roads WA and should the Council still wish to proceed with the proposal, further consultation with the community would be undertaken at that stage; and*
- (vii) *RECEIVES a further report once a response has been received from Main Roads WA.*

COUNCIL DECISION ITEM 10.2.6

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to discuss an opportunity to carry out some traffic improvements along Bulwer Street, between Palmerston Street and William Street, in conjunction with the road rehabilitation project.

BACKGROUND:

On 26 July 2005, the Council received a report on the 2005/2006 Road Rehabilitation and Upgrade Program where the following decision was made (in part):

"That the Council;

- (i) *ADOPTS the first year, 2005/2006, of the five (5) year (2005/2006 to 2009/2010) Road Rehabilitation and Upgrade Program as outlined in Attachment 10.2.1;"*

DETAILS:

The following project from the Metropolitan Regional Road Program was included in the adopted program.

Road	Section	Estimated Cost	Grant	TOV contribution
Bulwer St	William St to Fitzgerald St	\$ 270,000	\$ 180,000	\$ 90,000

Bulwer Street Rehabilitation Project

Bulwer Street is classified as a district distributor A in accordance with the Metropolitan Functional Road Hierarchy. It has a posted speed of 60kph and currently carries the following traffic, the results of which were obtained in November 2005:

Location	85% Speed (kph)	Ave Speed (kph)	Ave Daily Vol East Bound (vpd)	Ave Daily Vol West Bound (vpd)	Ave Daily Vol Total (vpd)	Class %
Fitzgerald to Palmerston	57.5	49.3	6,195	6,707	12,902	2.23
Palmerston to Lake	58.5	51.05	6,166	6,870	13,036	2.38

The road surface has deteriorated to the point where intervention measures are required to be implemented to prolong the pavement life.

This rehabilitation project estimated to cost \$270,000 (funded 2/3 by the state and 1/3 by the Town) will comprise the following:

- Removal of existing precast kerbing and replacement with new insitu kerbing
- Removal of the existing hotmixed asphalt layer and replacing with a new layer of hotmixed asphalt of approximately 30mm (mill and fill)
- Resurfacing with a hotmixed asphalt wearing course layer of 25 to 30mm

This proposed treatment will prolong the life of this section of Bulwer Street for at least another 15 to 20 years.

Bulwer Street - Possible Streetscape/Traffic Safety Improvements

Overview

Recently the Town has received a number of requests for improvements in this section of Bulwer Street. The requests relate mainly to improved crossing facilities but also to the perceived speed of traffic, particularly through the intersections of Lake and Palmerston Streets.

Bulwer Street between Fitzgerald and William Streets comprises a four (4) lane undivided road which varies in width from 12.0m at the Fitzgerald Street end to just under 14m at the William Street end. While the road comprises four (4) traffic lanes, the two (2) kerbside lanes usually accommodate parked vehicles and therefore the road actually operates as a two (2) lane road (with one traffic lane in each direction).

The only locations where all four (4) traffic lanes are available to through traffic (*due to no stopping restrictions being in place*) are at the intersections of William Street and Fitzgerald Street and for a short distance at the Lake and Palmerston Street intersections. At the former locations this allows for turning movements at the major intersections. At the latter locations this currently allows vehicles to undertake vehicles stopped in Bulwer Street wishing to turn right into either Palmerston or Lake Streets. This configuration has resulted in several near misses with pedestrians and several accidents.

Proposal

The Town's technical officers have considered the comments/requests received and given the information contained in the overview (refer above) have developed a proposal which would address most of the safety issues and also improve the streetscape along this section of Bulwer Street.

The concept proposal as shown on attached Plan No 2382-CP-1 includes the following:

Fitzgerald Street to Palmerston Street:

- Red asphalt parking bays (2.3m wide) with line marking (Fitzgerald Street to Palmerston). The carriageway width along this section of road is only 12.0m wide so any centre of road treatments could not be accommodated. Widening is not possible due to power poles and street trees.

Palmerston Street to William Street:

- Red asphalt parking bays (2.3m wide) with line marking
- Painted median (linking existing pedestrian refuge Islands)
- Flush kerbed, square islands, installed at 40m centres with suitable tree species to be planted
- Nibs to be constructed at Palmerston and Lake Streets to improve pedestrian crossing safety (main crossing points to Hyde Park)
- Splitter Islands to be installed at the intersection of Bulwer and William Streets to provide pedestrian safety, provide a location for any future traffic signal modifications and channelise traffic.

Comments:

There is an opportunity to implement the above proposed measures in this section of Bulwer Street as part of the Rehabilitation Works, to achieve a much better outcome for the street.

As the kerbing will be replaced 'anyway', nibs could be installed as part of the works. The resurfacing could incorporate the 'red asphalt' parking bays as indicated.

The only additional cost would be as follows:

- Paving of the nibs
- Centre of road kerbing works/trees
- Minor drainage works
- Additional line marking

The estimated cost for the additional works is \$45,000 to \$50,000.

Main Roads WA Approval

Given the status of Bulwer Street as a District Distributor 'A' road, approval to reduce the road effectively to two (2) lanes would need to be received from MRWA. Given that the road functions as a two (2) lane road at present and given that four (4) traffic lanes will still be maintained at the intersections of both William Street and Fitzgerald Street, it is considered that the proposal would be favourably received by MRWA.

In addition, given the current traffic volumes, it is considered that a dual carriage is not required and a two lane road would still provide an acceptable level of service. Generally, if a road has greater than 15,000 vehicles per day, then a dual carriageway would be considered.

The proposed nibs at Lake and Palmerston Streets may create a 'pinch point', however, there would still be room for a vehicle to undertake a turning vehicle albeit at a much reduced speed.

CONSULTATION/ADVERTISING:

Main Roads WA would be consulted and requested to endorse the proposal prior to consulting with the community.

LEGAL/POLICY

The Town is responsible for the care control and management of approximately 137 km of roads, which include District and Local Distributors and Access Roads. Bulwer Street is classified as a District Distributor A. The Town's consultation with MRWA regarding the proposal is in accordance with Section 26 of the Main Roads Act 1930.

FINANCIAL/BUDGET IMPLICATIONS:

The 2005/2006 Capital Works Budget includes funds of \$270,000 for the road rehabilitation of Bulwer Street.

Should the proposal as presented in the report proceed, an additional \$45,000 to \$50,000 may be required. It is suggested this could be sourced from the Beaufort Street streetscape budget (\$50,000) and these funds be reallocated to the Beaufort Street project in 2006/2007.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *“b) Continue to develop, enhance and implement annual footpath, rights of way, road rehabilitation and upgrade programs.”*

COMMENTS:

As mentioned in the report, an opportunity exists to implement the above proposed measures in this section of Bulwer Street as part of the Rehabilitation Works.

Should this proposal not be further explored, it is considered that a great opportunity to achieve a much better outcome for the street may be lost. To 'retrofit' the streetscape and carry out the proposed traffic improvements at a later date would not only result in a much greater impact on the Town's municipal budget, but the Town would possibly be criticised by some members of the community for not being proactive when the opportunity arose, i.e. implement the works as part of the rehabilitation works.

It is therefore considered that the proposal as recommended should be approved.

10.3.3 Authorisation of Expenditure for the period 1 October - 31 October 2005

Ward:	Both	Date:	14 November 2005
Precinct:	All	File Ref:	FIN0005
Attachments:	001		
Reporting Officer(s):	Melike Orchard		
Checked/Endorsed by:	Bee Choo Tan	Amended by:	

OFFICER RECOMMENDATION:

That the Council CONFIRMS the;

- (i) *Schedule of Accounts for the period 1 October - 31 October 2005 and the list of payments;*
- (ii) *direct lodgement of payroll payments to the personal bank account of employees;*
- (iii) *direct lodgement of PAYG taxes to the Australian Taxation Office;*
- (iv) *direct lodgement of Child Support to the Australian Taxation Office;*
- (v) *direct lodgement of creditors payments to the individual bank accounts of creditors; and*
- (vi) *direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;*

as shown in Appendix 10.3.3

COUNCIL DECISION ITEM 10.3.3

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

DECLARATION OF INTEREST

Members/ Officers	Voucher	Extent of Interest
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Nil.

PURPOSE OF REPORT:

To seek authorisation of expenditure for the period 1- 31 October 2005.

BACKGROUND:

The Local Government Act provides for all payments to be approved by the Council. In addition the attached Schedules are submitted in accordance with Item 13 of the Local Government (Finance Management) Regulations 1996.

DETAILS:

The Schedule of Accounts to be passed for payment, cover the following:

FUND	CHEQUE NUMBERS/ PAY PERIOD	AMOUNT
Municipal Account		
Town of Vincent Advance Account		
	EFT	\$1,463,830.25
	EFT	\$1,721,113.82
	EFT	\$1,182,731.71
Total Municipal Account		\$4,367,675.78
Advance Account		
Automatic Cheques		
	53176-53227, 53229-53268, 53270-53371, 53372-53563	\$741,484.98
Trust Account Cheques		0
Transfer of Creditors by EFT		
Batch 440-441, 443-447		\$2,493,780.26
Transfer of PAYG Tax by EFT	October 2005	\$172,085.49
Transfer of GST by EFT	October 2005	\$0.00
Transfer of Child Support by EFT	October 2005	\$406.64
Transfer of Superannuation by EFT		
City of Perth	October 2005	\$42,480.71
Local Government	October 2005	\$121,807.29
Total Advance Account		\$3,572,045.37
Transfer of Payroll by EFT	October 2005	\$537,940.94

Bank Charges & Other Direct Debits

Bank Charges – CBA	\$12,950.65
Lease Fees	\$1,432.78
Corporate Master Cards	\$10,531.68
Australia Post Lease Equipment	\$86.61
2 Way Rental	\$530.80
Loan Repayment	\$63,679.31
Rejection Fees	\$0.00
ATM Rebate	\$0.00
Beatty Park - miscellaneous deposit	\$0.00
Total Bank Charges & Other Direct Debits	\$89,211.83
Less GST effect on Advance Account	-\$30,922.00

Total Payments**\$8,535,951.92****STRATEGIC IMPLICATIONS:**

Strategic Plan 2005-2010 – Key Result Area 4.2 – Governance and Management

“Deliver services, effective communication and public relations in ways that accord with the expectations of the community, whilst maintaining statutory compliance and introduce processes to ensure continuous improvement in the service delivery and management of the Town.”

ADVERTISING/CONSULTATION:

Nil.

COMMENT:

Vouchers, supporting invoices and other relevant documentation are available for inspection by Councillors at any time following the date of payment and are laid on the table.

10.4.2 Tamala Park Land - Lot 118 Mindarie - Progress Report No. 2

Ward:	-	Date:	15 November 2005
Precinct:	-	File Ref:	PRO0739
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Progress Report No. 2 on the Tamala Park Land, Lot 118 Mindarie; and*
- (ii) *NOTES;*
 - (a) *the progress of the formation of a Tamala Park Regional Council, as detailed in this report;*
 - (b) *the progress of the land development of Lot 118 Mindarie;*
 - (c) *the progress of the lease amendment for the Mindarie Regional Council; and*
 - (d) *that a further report concerning the various matters detailed in (a), (b) and (c) above, will be submitted to the Council for approval.*

COUNCIL DECISION ITEM 10.4.2

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of the report is to provide the Council with a progress report on the various aspects concerning Lot 118 Mindarie (Tamala Park), including establishment of the Tamala Park Regional Council.

BACKGROUND:

At the Ordinary Meeting of Council held on 23 July 2002, the Council resolved inter alia as follows;

- "(ii) *authorises the Chief Executive Officer to;*
 - (a) *represent the Town on the Chief Executive Officer's Working Group; and*
 - (b) *make routine decisions in accordance with the Town's approved Budget, Council decisions and Strategic Plan associated with the land;*

Relating to Tamala Park land, Lot 118 Mindarie; and

(iii) *NOTES that further reports will be submitted to the Council as the matter progresses."*

At the Ordinary Meeting of Council held on 18 January 2005 (Item 10.4.2) a progress report was presented on key issues relating to the future development of Lot 118 Marmion Avenue (Tamala Park).

The following resolutions were adopted at the Council Meeting of 22 March 2005;

"That the Council;

- (i) *ADOPTS the Business Plan as shown in Appendix 10.4.3(B) covering land issues affecting Lot 118 Mindarie, including the establishment of a Regional (Development) Council for approximately 166 hectares of Lot 118, for the purpose of advertising pursuant to Section 3.59 of the Local Government Act;*
- (ii) *APPROVES the draft Establishment Agreement for the (Tamala Park) Regional Council (TPRC);*
- (iii) *APPROVES the proposals for lease adjustment with the Mindarie Regional Council (MRC) and the lease document, when available, be endorsed;*
- (iv) *RESOLVES that the proposals for a Negotiated Planning Solution (NPS) with the West Australian Planning Commission (WAPC) regarding Bush Forever sites 322 and 323 be entered into an Agreement for endorsement by owner Councils; and*
- (v) *NOTES the valuation components of Lot 118 Mindarie for the purpose of negotiations with the WAPC for compensation payments for land to be transferred under the NPS referred to in Clause (iii) above;*
- (vi) *AUTHORISES the Chief Executive Officer (in liaison with the Mayor) to negotiate the satisfactory conclusion of the matters detailed in this report; and*
- (vii) *NOMINATES the following as the Council representatives to the Tamala Park Regional Council, when it is established;*

- | | |
|------------------------------|----------------------|
| <i><u>Elected Member</u></i> | <i><u>Deputy</u></i> |
| <i>Mayor Catania</i> | <i>Cr Ian Ker*</i> |
- | | |
|---|---------------------------|
| <i><u>Non-Voting Representative</u></i> | |
| <i>Chief Executive Officer</i> | <i>Executive Manager"</i> |

* *Changed at the Special Meeting of Council held on 17 May 2005 to Deputy Mayor (Cr Steed Farrell).*

DETAILS:

Following the Council's resolution, the Chief Executive Officers from the seven owner Councils of Lot 118 have been involved in ongoing negotiations and met on the following occasions;

- 14 November 2005
- 22 August 2005
- 27 June 2005
- 16 May 2005
- 24 March 2005

The meetings are held at the City of Stirling, who also act as Chairperson for the meetings.

The following matters have been discussed and considered;

- Land development;
- A new proposed lease for the Mindarie Regional Council;
- The finalisation of Bush Forever negotiations with the Western Australian Planning Commission (WAPC);
- The development of the urban zoned land within Lot 118 for eventual sale for residential and mixed use purposes;
- The establishment of a Regional Council as the body to undertake the development of the land; and
- Preparation of a draft Business Plan suitable for advertising, which covers the major land transaction issues relating to the development of the land.

LAND DEVELOPMENT

Previous reports and presentations to the seven (7) local Government owners of Lot 118 have indicated a potential urban development, which would include more than 2,000 lots and provide the owners with an ongoing positive cashflow.

The WAPC will be paying compensation for Bush Forever land taken from Lot 118, therefore there need not be any direct contribution to development funds from any of the owner Councils. The funding requirements for development can be totally contained within sales and compensation revenue derived from the land.

Lot 118 is a critical piece of land in the WAPC projections for urban land releases in the northern corridor. Development of the land will feed into the efficient utilisation of local infrastructure and the viability of local businesses.

Lot 118 is the one remaining large land parcel to be developed south of Neerabup Road and is affected by MRS zoning and the Government's Bush Forever policy. MRS reservations and Bush Forever have effectively quarantined 280 hectares of the 432-hectare Lot 118 from urban development.

The State Government has indicated that it wishes to settle land transfers to secure Bush Forever land. To this end it has instigated specific MRS zonings and has also proposed a Negotiated Planning Solution (NPS) with respect to Bush Forever sites 322 and 323, which affect Lot 118 Mindarie.

MINDARIE REGIONAL COUNCIL (MRC) LEASE

Mindarie Regional Council has an existing lease. The lease expires in 2011 and there is an extension option for a further 21 years. MRC have indicated they would like to exercise the option. It is proposed to provide lease amendments to this option.

The proposed lease amendments will be more beneficial to the owners and MRC in specific ways. The amended lease will also adjust the lease area by excising portions of land to be transferred to the WAPC as part of Bush Forever settlement.

MRC have been most co-operative in negotiations for lease changes. They are looking for long-term tenure and a co-operative basis for the ongoing lease in order to secure the Tamala Park landfill operation for the longest possible time.

Significantly, the new lease will provide changes as follows:

- Reduction of lease area (252 hectares to 152 hectares); facilitating Bush Forever transfers.
- Clarification of existing lease term provisions. The existing lease option of 21 years will be factored into the lease term for the new lease agreement.
- Provision of market rent review at 5-year intervals with CPI adjustments annually. This rent has now been independently valued at \$508,594 per annum.
- Incorporation of provisions for Mindarie Regional Council and owners to work together on joint objectives.

A further report will be submitted to the Council in either early December 2005 or January 2006.

TAMALA PARK REGIONAL COUNCIL (TPRC) - ESTABLISHMENT AGREEMENT

It has been previously reported to Council (22 March 2005) that the logical vehicle for decision making and to provide legal status for transactions throughout a prolonged development period is a Regional Council established under the Local Government Act.

An Establishment Agreement setting out the way in which the proposed Regional Council operate has been approved by the Council, however a further report with the final document is currently being prepared for the Council's final consideration and signing. Subject to the Minister for Local Government's approval, the Regional Council will become a legal entity in February 2006 and commence meetings from March 2006.

Key points in the Agreement include the following:

Purpose and Objectives

The objectives have been previously advised to Councils in an earlier presentation.

Regional Purpose

The regional purpose for which the TPRC is established is:

- (a) To undertake, in accordance with the objectives, the rezoning, subdivision, development, marketing and sale of the Land; and
- (b) To carry out and do all other acts and things which are reasonably necessary for the bringing into effect of the matters referred to in paragraph (a) of this clause.

Objectives

The objectives of the TPRC are:

- (i) to develop and improve the value of the Land;
- (ii) to maximise, within prudent risk parameters, the financial return to the Participants;
- (iii) to balance economic, social and environmental issues; and
- (iv) to produce a quality development demonstrating the best urban design and development practice.

Representation

It is proposed that there will be 12 members from participant Councils reflecting ownership shares in Lot 118.

Provision would be made to adjust member numbers if the number of ownership shares changes.

Election of the Chairperson would be from the Elected Members.

Generally, a term of 2 years will apply to the offices of Member and Chairman.

Funding and Surplus Distributions

The Agreement provides for seed funding (approximately \$16 million) to be provided by transfer of compensation payments from the WAPC to the proposed Regional Council.

It is proposed the Regional Council will hold sufficient revenue from land sales to cover obligations for approved plans and operational costs. The Agreement provides for distribution of any additional funds to the owners in ownership shares.

Land Transfers

There will be many land dealings involved in Lot 118 development. If land is retained by the seven (7) local government owners, it will be necessary to have extensive delegations to handle land issues.

In consequence it is proposed that the TPRC will request transfer of the developable land to the Regional Council at a convenient time. The Establishment Agreement secures the owners interest in land transfer.

Withdrawal (Divestment of Ownership) Options

The Agreement provides that owners may withdraw from the Regional Council upon adequate notice. Prior to withdrawal, an Agreement must be made that secures a payment to the withdrawing Council of its residual value in the development. The mechanism for establishing the value and to ensure costing of any offset of contingent obligations, have been worked into the Agreement.

In the event that the TPRC is wound up, assets and liabilities will be distributed in accordance with ownership shares.

Life of the Regional Council

It is expected that the Regional Council will exist only so long as it is needed to effect development of Lot 118 land. This is anticipated to be a period of 8-12 years, including planning phases.

NEGOTIATED PLANNING SOLUTION (NPS) - BUSH FOREVER LAND

Negotiations have been proceeding and final agreement has been reached with the WAPC to fix areas that will be subject of:

- Payment of compensation upon transfer to WAPC.
- Residual land available for urban development by own Councils.

Information has been received from the WAPC confirming land areas in the NPS.

The WAPC has commissioned valuers to prepare estimates of compensation and has advised that the compensation will be paid prior to 30 June 2006.

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

The Local Government Act 1995 applies to the proposed Tamala Park Regional Council.

STRATEGIC IMPLICATIONS:

Development of Lot 118 will be consistent with the Town's Strategic Plan 2005-2010 (Amended) as follows;

Key Result Area 3.2 - *"Develop business strategies that provide a triple bottom line return for the Town."*

FINANCIAL/BUDGET IMPLICATIONS:

The cost of the CEO Group (Tamala Park Regional Council) is as follows;

	2004/05	2005/06
Councillor & Meeting Expenses	58,720	117,440
Staff Salaries & On Costs Expenses	104,576	209,152
Contract Administrative Services		
Accounting	3,000	18,000
Audit	2,800	2,000
Banking		
Funds Management	400	300
Legal	5,000	5,000
Web Management	1,200	2,000

	2004/05	2005/06
Consultant Services - Approvals/Land Development		
Legal	13,000	2,000
Engineering		7,000
Survey	13,000	2,000
Ethnographic	3,000	
Planning		12,000
Marketing/Community Consultation	2,000	3,000
Valuation	7,000	2,000
Administration Systems Setup		
Basic MS office suite	1,000	-
Adobe Software	950	-
Web Portal	400	-
Accounting Software	4,000	-
Files Plan Scanning	2,000	-
Memberships		
WALGA Membership ???		
Regional Councils Membership		
Public Utility Costs		
Insurance	8,100	8,100
Advertising		
Statutory Fees/Applications/Registrations		
Wanneroo	1,000	
DPI	800	
Taxation Dept - ABN	100	
Environmental Assessments_ Fees	600	
Firebreaks		2,000
Refuse Removal		500
Vehicle Expenses inc Depreciation	5,500	11,000
Total Operating Costs	<u>\$238,146.05</u>	<u>\$403,492.10</u>
Capital Costs		
Office Equipment	6,200	-
TOTAL Costs	244,346	403,492
Per 1/12 share =	\$20,362	\$33,624

The planning and development of Lot 118 will involve financial implications for the Town, although it should be noted that all costs and returns are shared amongst the seven owner Councils according to their ownership share of the land. (The Town's share is one-twelfth.)

The Town's estimated revenue from the land has a current value of \$11,469,085 (net present value 2005).

It is also emphasised that the compensation payable to the owners under the proposed Bush Forever NPS will provide the "seeding" capital to cover or offset initial stages of subdivisional works. Cash flow analysis based on the owners' structure plan reveals that the development will achieve positive cash flow returns from 2009 and will provide a financial return to the Town until 2018.

COMMENTS:

The Chief Executive Officers' Working Group has progressed matters to an advanced stage, whereby the various owner Councils will need to formally consider and approve of the various matters, which include;

- Establishment Agreement for the creation of a Regional Council; and
- Lease amendment for the Mindarie Regional Council.

It is also important for Council to be informed of the financial arrangements relating to Lot 118 Mindarie. Further reports on the above matters will be submitted for the Council's approval.

10.4.3 Sporting Facilities Tour 2005

Ward:	-	Date:	14 November 2005
Precinct:	-	File Ref:	RES0060
Attachments:	001 ; 002		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council receives the report of the Chief Executive Officer relating to the Sporting Facilities Tour (Rectangular Stadia) carried out 20-28 October 2005.

COUNCIL DECISION ITEM 10.4.3

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to provide details of the Chief Executive Officer's study tour of rectangular Stadia, carried out between 20 October and 28 October 2005.

BACKGROUND:

At the Ordinary Meeting of Council held on 23 August 2005, the Council approved of the Chief Executive Officer to attend a sporting facilities tour from 20-28 October 2005.

Aim:

The purpose of the tour was to:

1. inspect "state-of-the-art" sporting facilities to view best practice and the latest design features, particularly with regard to international rugby;
2. inspect facilities to ascertain ongoing maintenance criteria;
3. obtain information on various management options of multi-use facilities; and
4. obtain first-hand knowledge from venue owners and stakeholders concerning construction methods and problems encountered.

Facilities:

The following facilities were inspected;

LOCATION	DATE	VENUE
Brisbane	21 October 2005	• Suncorp Stadium
Christchurch	23 October 2005	• Jade Stadium
Wellington	25 October 2005	• Westpac Stadium
Hamilton	27 October 2005	• Waikato Stadium
Auckland (North Harbour)	28 October 2005	• North Harbour Stadium

SUNCORP STADIUM, BRISBANE:



Contact Person:

Graeme Kan, Assistant Events Manager

Management Model:

Private Company - Ogden IFC (Brisbane) P/L on behalf of the Major Sports Facility Authority - Queensland Government

The redevelopment of Suncorp Stadium in 2003, at a cost of \$280 million, has provided Brisbane and south-east Queensland with a 52,500 plus seat capacity, state-of-the art, world-class stadium able to accommodate a range of uses including:

- **Rugby League** – Annual State of Origin Series; ARL Test Matches; Ergon Energy Broncos home game fixtures in the National Rugby League competition;
- **Rugby Union** – Annual ARU Test Matches; Host Venue for nine games (including two Quarter Finals) of Rugby World Cup 2003, various Queensland Reds fixtures;
- **Soccer** – Queensland Roar home game fixtures in the Hyundai A-League competition , International and other major soccer matches;
- **American Football** (Gridiron);

Site Area

The site area is 7.42 hectares. The Stadium itself is built on 85,000 m² and a Bus Station about 7,000m²

Stadium Capacity

The Stadium provides a total seating capacity of 52,982 seats comprising:

- 5,000 Stadium Member seats;
- 800 “open” corporate box seats;
- 1280 corporate suite seats;
- 45,132 General public seats;
- 229 Wheelchair seating positions;
- 229 Carer seating positions;
- 312 Enhanced amenity seats.

Roof Coverage

75% of all Stadium seating is covered to the drip line of the Stadium roof.

Dining Capacity

A total of 1,936 fine dining spaces are provided within the Stadium. They include:

- 800 seat Stadium Members dining room;
- 360 seat Northern Restaurant;
- 360 seat Southern Restaurant;
- 1 x 140 seat Hospitality Terrace;
- 1 x 120 seat Hospitality Terrace;
- 2 x 78 seat In-Goal Clubs.

Corporate Hospitality Facilities

The following Corporate Hospitality facilities are provided:

- 24 x 20 person Corporate Suites;
- 2 x 18 person Corporate Suites;
- 45 x 14 person Corporate Suites;
- 49 x 10 person Open Corporate Boxes;
- 50 x 8 person Open Corporate Boxes;

General Catering

- 24 food and beverage outlets;
- 37 bar outlets.

Toilets

- 41 female toilet blocks;
- 39 male toilet blocks;
- 37 toilets for persons with a disability.

Merchandise Outlets

- 2 retail merchandise outlets;
- 1 Stadium retail merchandise shop.

Ticketing Facilities

- 32 Ticket sales windows.

Customer Service Facilities

- 3 Automatic Teller Machines (ATMs);
- 2 Match Day offices;
- 6 Customer service help desks;
- 432 Televisions;
- 2 Video replay screens (10.6 metres x 5 metres).

Customer Circulation

The following amenities assist with the flow of patrons in and around the Stadium:

- 5 escalators;
- 9 passenger lifts;
- 54 turnstiles
- 90 metres of exit gates.

Transport and Supporting Infrastructure

- 200 plus internal car parking spaces;
- 12 bay bus station located at the Milton Road end of the Stadium;
- 2.1 kilometres of upgraded pedestrian walkways;
- 450 metres of elevated walkways.

The redeveloped site also incorporates an integrated transport system which efficiently services the Stadium's customers during peak times.

Summary Comment:

Suncorp Stadium is a magnificent facility, owned by the Queensland Government. It is "state of the art", however its cost is well beyond the means of the Town. It does demonstrate a Government's commitment to sport and is Queensland's main Stadium. Extensive security and TV monitoring system have been installed. Designed for buses to enter/exit the Stadium. The operating and maintenance costs are considerable.

JADE STADIUM, CHRISTCHURCH, NEW ZEALAND



Contact Person: Chris Marsbridge, General Manager, Red Badge Group
Management Model: Private Company, reporting to a Sports Trust

Jade Stadium is located on the outskirts of Christchurch, New Zealand. The ground has a long history. The Stadium was redeveloped several years ago. The Canterbury Crusaders, who play in the Super 14 Rugby Union Competition, play their home games at the ground. There are four main stands at the ground, the newest of which opened in 2002 and includes 17,000 seats. The ground has played host to many sports including Rugby Union, Soccer and Cricket.

Location: Christchurch, New Zealand
Capacity: 36,500
Seats: 36,500 (100% of capacity)
Record Crowd: 57,000 - 1961
NZ v France
Video Screen: Yes
Lights: Yes
Roof: No
Last Redeveloped: 2002
Former Names: Lancaster Park
Sports Played: Rugby Union
Rugby League
Soccer
Cricket
Home Teams: Canterbury Crusaders

Summary Comment:

Jade Stadium meets the needs of Christchurch. It is a mixture of old and new facilities and is expensive to operate. It operates at a substantial loss, mainly due to under utilisation of the facility. It contains an extensive closed circuit TV/Video recording system.

WESTPAC STADIUM, WELLINGTON



Contact Person: Steven Thompson, Marketing Manager

Management Model: Wellington Regional Sports Centre Trust

Westpac Stadium is New Zealand's newest sporting arena, constructed in 2003. The Stadium located in Wellington has a capacity of 34,500, with a large majority of those undercover. It is on the outskirts of the Wellington CBD, near the motorway and rail route. In its short history, the Stadium has played host to many sports including Rugby Union, Rugby League, Cricket, Soccer, and even Australian Rules Football. The Stadium has a single level of seats surrounding the whole arena with corporate boxes in the stadium roof. Temporary seating can be installed below the permanent seats to expand the capacity to around 40,000. It has quality lighting and a lot of space under the stands so the venue can host exhibitions and other similar events.

The Stadium achieved a net surplus for the year of \$2.5 million which compares with a budget of \$1.3 million and a surplus of \$373,445 in the previous year. This is an excellent result for a Stadium. For a variety of reasons, but mainly due to the timing of a number of events there has been a wide fluctuation in surpluses.

Surpluses since opening have been:

2000	\$1.70 million
2001	\$0.82 million
2002	\$1.15 million
2003	\$1.92 million
2004	\$0.38 million
2005	\$2.54 million

The financial surplus has assisted them to make a commitment to install portable wickets at the Stadium. Two nursery trays and a centre tray were being installed at the time of my visit. Cricket will continue to be played on the existing wicket for the 2005/6 summer season. The existing wicket will be removed in October 2006 as there is unlikely to be sufficient time in the event calendar after the cricket season to allow a relaying of turf in that area without affecting the quality of the surface for the rugby season.

Capacity: 34,500
Seats: 34,500 (100% of capacity)
Record Crowd: 37,500 Wallabies v All Blacks
Rugby Union 2000 Tri Nations Match
Video Screen: Yes
Lights: Yes
Roof: No - Part only
Sports Played: Rugby Union
Rugby League
Soccer
Cricket
Australian Football
Home Teams: Wellington Hurricanes

Summary Comment:

Westpac Stadium is a magnificent facility and was the only Stadium visited which operated at a profit. This was mainly due to the frequent use of the Stadium throughout the whole year and the very commercial approach taken by management in all areas of its operations. The use of the Stadium for cricket, with drop-in matches demonstrates the potential for Subiaco Oval to be used for both AFL Football as a winter sport and cricket in the summer.

WAIKATO STADIUM, HAMILTON



Contact Person: Keith Parker, Stadium Operations Manager
Management Model: Stadium Committee reporting to Hamilton City Council

Waikato Stadium is located on the outskirts of the Central Business District of the city of Hamilton, New Zealand. Hamilton is a major city approximately 1.75 hours' drive south of Auckland. The Stadium was recently redeveloped at a cost of \$40 million. The Stadium is home to "The Chiefs", Rugby Union Super 14's team, who are also the major tenants at this Stadium. It was noted that the Chiefs pay in the vicinity of \$600,000 per annum (plus event costs).

In 1996 Hamilton needed a new Sports Stadium to attract sports fixtures and events to the city. The Waikato Regional Sports and Event Centre was formed and a design was commissioned which included the redevelopment of Rugby Park with the original concept being an oval stadium incorporating both rugby and cricket as the predominant users. The cost of this initial project was estimated to be \$52 million, however the Trust at the time only had \$27 million committed in funding from various groups within the city - \$25 million short. After much debate and consideration it was then decided to reduce the cost to \$40 million.

- Capacity: 26,350.
- Cost to redevelop: \$40 million.
- Waikato Stadium turf type Loksand, is a reinforced sand based turf with some artificial fibres. Loksand turf is a first in New Zealand.
- The new covered stand (Brian Perry Stand) has a capacity of 12,000 and cost \$40 million in 2003.
- The new Wel Networks stand holds 8,000 people.
- The Greenzone (embankment) - 5,000 people.
- The goal line terrace - 800 people.
- There are five levels in the new stand including the management office, players changing facilities, retail concessions, function lounge, corporate lounge, floor and media facilities.
- The Stadium can be used for musical concerts, conferences, product launches, weddings, team building events, cultural and religious festivals and other sporting activities - there is a most pro-active marketing team in place.
- There is function room capacity for 350 persons and two rooms with banquet style dinner for 165 and 175 and one room banquet style for 88 persons.
- The light towers are 50m in height and there are 250 bulbs within (each head costing \$300 to replace). There is 1500 lux of light level on the field.
- There is a large replay screen of 46m² in size available at the major rugby games.

Summary Comment:

This Stadium is very similar to the Town's situation in both design and management model. It is a most impressive facility. The management of Waikato Stadium demonstrated a very commercial and entrepreneurial approach to their facility including providing a triple bottom line (economic, social and environmental) return. Whilst this facility does not provide a positive financial return, its operating deficit was in the range of \$250,000 per annum. This is mainly due to the considerable utilisation of the Stadium and the existing management team. The Stadium has a very modern and sophisticated security and TV monitoring system.

NORTH HARBOUR STADIUM, AUCKLAND



Contact Person: Murray Dick, Operations Manager

Management Model: In-house Management, reporting to a Sports Trust

This is a multi-purpose facility in the heart of the North Harbour region (north Auckland). North Harbour Stadium is one of New Zealand's leading entertainment and sporting venues.

The concept of a multi-purpose sports, recreation, cultural and entertainment facility for the North Harbour region commenced in 1990 and opened in March 1997 at a cost of \$NZ 41 million.

North Harbour Stadium has the ability and flexibility to host a wide variety of sporting events. These include;

- All Black test matches and trial games
- Kiwi Rugby League Internationals
- All White World Cup qualifying matches
- International Gridiron
- Soccer's Chatham Cup final
- Super 12 and NPC Rugby fixtures
- FIFA Under 17 World Football Championships.

North Harbour Stadium opened in March 1997 and has a capacity of 25,000, including 19,000 seats, with 12,000 of them in the main grandstand. It is floodlit to world standards with four (4) x 45 metre light towers, with a capability of up to 2,000 lux light level.

Location:	Auckland, New Zealand
Capacity:	25,000
Seats:	19,000 (76% of capacity)
Video Screen:	No
Lights:	Yes
Roof:	No
Sports Played:	Rugby Union Rugby League Soccer
Home Teams:	New Zealand Knights FC

The stunning arc-shaped arena of the North Harbour Stadium contains a Function Centre. (It is a very similar design to Telstra Stadium, Sydney.) Surrounded by parks, it provides a peaceful and relaxing location for a conference, function or product launch.

A major shortcoming of this venue is its isolated location. Access is by vehicle only and there is no rail link.

The world class facility has hosted an international array of events and functions. Features of the Harbour Function Centre at the Stadium include:

- Professional, private corporate management with a sporting twist
- Facilities to host 10-1,600 people
- Nine modern state-of-art rooms
- 1,100 car parking spaces
- Easy access to Auckland's main motorway
- Theme functions a speciality (e.g. school balls).

Summary Comment:

This is a most impressive Stadium. It operates at a substantial loss each year, mainly due to under-utilisation, Stadia competition and its isolated location. It lacks a permanent video screen. Management advised that there have been contractual disputes in recent years in the provision of catering. This proved expensive to finalise.

The Chief Executive Officer and Councillor Simon Chester attended an A-League soccer game on Saturday 29 October 2005, as guests of the New Zealand Knights Football Club.

Numerous photographs were taken of these various facilities and these are "Laid on the Table". In addition, information relating to design/construction, costings, leasing, usage and management were obtained.

Study Tour Key Findings and Points of Interest:

The key findings and points of interest from the Study Tour include;

1. The Town's Chief Executive Officer has formed the strong opinion that Perth lacks suitable facilities of an acceptable standard to meet the needs of soccer and rugby and their patrons. It is evident that the standard of facilities in Perth is well below the standard provided in various cities in New Zealand. Accordingly, it should be strongly recommended to the State Government and the Department of Sport and Recreation to proceed with the upgrade of Members Equity Stadium.
2. To improve the standard of existing facilities, the State Government should be strongly encouraged to embark on a program to progressively upgrade the standard of all of its sporting facilities to meet the needs of the various sporting codes and their patrons.
3. Sport is a major business which provides significant financial benefits to the economy at local, regional and national level. Governments at local, state and federal level should be encouraged to support facilities which provide financial benefits to an economy and social benefits, such as entertainment and a healthy lifestyle. Governments should also promote sport at all levels.
4. There are various management models which were evident through the Study Tour and these ranged from;
 - ownership and management by a State Authority (Suncorp Stadium, Brisbane);
 - a regional sports trust (Westpac Stadium, Wellington);
 - private management, reporting to a trust (Jade Stadium, Christchurch);

- direct management by local government, via a committee (Waikato Stadium, Hamilton); and
 - in-house management reporting to a trust (North Harbour Stadium, Auckland)
5. The need for long term partnerships and contracts is critical to the on-going success of any major sporting facility.
 6. All partnership contracts should be comprehensively and well documented as this will provide clear performance indicators for service delivery. Furthermore, in the event of legal disputes, as was evident in two Stadia, documentation is essential to determine the legal outcome.
 7. A major tenant from a significant user is critical – particularly if the user is successful. This allows for many long term partnerships and strategies to be put into place, especially with sponsors and marketing. The contractual arrangement for any major tenants should be on a commercial basis.
 8. A facility should be truly multi-use and encouragement of many functions of varying nature throughout the year, will off-set considerable costs. Facilities which are in continual use provide a positive financial return. It is evident that in these cases, a profit can be achieved or a minimal operating loss (e.g. Westpac or Waikato Stadia).
 9. A multi-use facility should be carefully planned to meet the needs of users wherever possible. Flexibility of design criteria is essential.
 10. Multi-use all season causes wear and tear on playing surfaces and new technology is now available to overcome significant wear problems. (A new type of turf was inspected at Waikato Stadium).
 11. It is evident from speaking with the Stadia operators for the facilities that were visited, indicated a major emphasis on patron safety and security. All of the Stadia inspected included close circuit TV monitoring and video recording of all events. The Stage 2 Redevelopment brief should be amended to include this requirement.
 12. "Enhanced amenity" seats are installed at several stadia. These seats are larger in size than normal seats and are used by persons with temporary disabilities or injuries (e.g. broken leg in plaster). It is recommended that these be considered in the State 2 Redevelopment of Members Equity Stadium.
 13. The all year round use of a Stadium for summer and winter sports was demonstrated at Westpac Stadium, Wellington. It hosts rugby in the winter and cricket in the summer. This information will be provided to the Department of Sport and Recreation and the Major Stadia Taskforce Committee to demonstrate that AFL football and cricket can co-exist and be ideal for Subiaco Oval. (However, it is very unlikely that AFL Football, rugby and cricket could co-exist on the one venue (operational/logistic problems, excessive wear and tear on the facilities, etc.)

CONSULTATION/ADVERTISING:

N/A.

LEGAL POLICY:

Council's Policy 4.1.15 – *"Conferences & Training - Attendance, Representation, Travel & Accommodation Expenses and Related Matters"* – Clause 5 states;

- "5.1 *Following attendance at State conferences, congresses, study tours and any seminars, forums, workshops of two (2) days or more duration, the attendees shall submit a report to the Council within thirty days of their return to Perth, for the Council's information and records. The report shall include a summary of the event's proceedings, major points of interest to the Town and recommendation as to whether attendance at similar conferences is warranted.*
- 5.2 *All Conference Papers are the property of the Town and are also to be placed in the Town's Library so that they are accessible by the public."*

STRATEGIC IMPLICATIONS:

The redevelopment of Members Equity Stadium is in accordance with the Town's Strategic Plan 2005-2010 (Amended) - Key Result Area 3.2 - "*Develop business strategies that provide a positive triple bottom line return for the Town*", and in particular, Key Result Area 3.2(g) - "*Implement and upgrade Perth Oval in liaison with all stakeholders.*"

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENT:

The first-hand experience gained by inspecting sporting facilities and speaking direct to management has provided much invaluable information and will be of considerable benefit to the Town with its involvement in the State Sporting Facilities Projects.

10.4.4 Council Meeting Dates and Times for 2006

Ward:		Date:	11 November 2005
Precinct:		File Ref:	ADM0016
Attachments:	001		
Reporting Officer(s):	A Smith		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *meets on the second and fourth Tuesday of each month (except January, April and December) in 2006, as detailed in Appendix 10.4.4 attached to this report; and*
- (ii) *meetings be held at 6.00pm on the dates as detailed in Appendix 10.4.4.*

COUNCIL DECISION ITEM 10.4.4

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of the report is for the Council to approve of the Council Meeting dates for 2006.

BACKGROUND:

The Local Government Act 1995 (Section 5.3) and the Local Government (Administration) Regulations 1996, Regulation 12, requires the Council to determine meeting dates and times and for these to be published on a local basis throughout the Town.

In 2005 a Council Meeting was held on the third Tuesday (18 January). As there was a meeting held in January there was no requirement for reports to be approved under Delegated Authority during the Christmas/New Year Festive Season.

COMMENTS:

It is recommended that the Council continue to meet on the second and fourth Tuesday of each month in 2005, with the exception of January, April, November and December:

- Tuesday, 17 January 2006 – 3rd Tuesday of the month
- Tuesday 11 April 2006
- Wednesday 26 April 2006 – due to Anzac Day public holiday
- Tuesday, 7 November 2006 – to allow for a two week break between meetings
- Tuesday, 21 November, 2006– to allow for a two week break between meetings
- Tuesday, 5 December 2006– to allow for a two week break between meetings
- Tuesday, 19 December 2006– to allow for a two week break between meetings

10.4.5 Forum - Schedule of Dates 2006

Ward:	-	Date:	14 November 2005
Precinct:	-	File Ref:	ADM0066
Attachments:	001		
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council APPROVES of the dates and times for Forums to be scheduled in 2006, as detailed in Appendix 10.4.5, attached to this report

COUNCIL DECISION ITEM 10.4.5

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of the report is for the Council to adopt the schedule of dates for its Forums for 2006.

BACKGROUND:

At the Ordinary Meeting of Council held on 8 June 2004, the Council resolved inter-alia as follows;

"That; ...

- (ii) *forums be held on the 3rd Tuesday of each month (except for December 2004 when it will be held on 2nd Tuesday) at 6.00pm in the Administration and Civic Centre;..."*

The Forum Guidelines which were adopted on 10 August 2004, further state at Clause 4.6:

"4.6 Meeting Notification

4.6.2 Forums will be held on a regular basis such as an alternative third week to the ordinary council meeting. The dates will be advertised in accordance with the Council policy relating to Community Consultation."

CONSULTATION/ADVERTISING:

Notices of Forum are available for viewing on the Town's website www.vincent.wa.gov.au and are placed on the Notice Board at the Town's Administration & Civic Centre.

LEGAL/POLICY:

Forums are held in accordance with the Forum Guidelines which were adopted at the Ordinary Meeting of Council held on 10 August 2004.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

N/A.

COMMENTS:

For 2005, Forums were held on the third Tuesday of every month, apart from January, February and September 2005 when there were insufficient items for discussion at a Forum and in May 2005 when a special Forum was held on a Saturday.

It is recommended that the Forums continue to be scheduled on the third Tuesday of every month in 2006 (with the exception of January, November and December).

10.4.10 Review of the Town's Boundaries and Submission of a Proposal to the Local Government Advisory Board – Progress Report

Ward:	-	Date:	16 November 2005
Precinct:	-	File Ref:	ORG0031
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council RECEIVES the progress report relating to the Town's proposal relating to Boundaries, as detailed in this report.

COUNCIL DECISION ITEM 10.4.10

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of the report is to update the Council on the progress of the proposal to the Local Government Advisory Board, to transfer a part of the Cities of Stirling and Perth into the Town.

BACKGROUND:

At the Special Meeting of Council held on 7 September 2005, the Council resolved inter alia as follows;

“That the Council;

(i) *in accordance with Clause 2(1)(b) of Schedule 2.1 of the Local Government Act 1995, APPROVES BY AN ABSOLUTE MAJORITY to submit a proposal to the Local Government Advisory Board and Minister for Local Government and Regional Development to alter the Town's boundaries as follows;*

(a) *to transfer the following part of the City of Stirling into the Town of Vincent:*

- *for the suburb of Glendalough – east of the Mitchell Freeway (bounded by the Mitchell Freeway, Powis Street, Brady Street and Scarborough Beach Road, Mount Hawthorn) as shown in the plans Appendices 2 and 3; and*

(b) *to transfer the following part of the City of Perth into the Town of Vincent:*

- *for the area bounded by Loftus Street, Newcastle Street, Lindsay Street, Little Parry Street, Parry Street, Lord Street, Summers Street, Swan River and the Graham Farmer Freeway as shown in plans Appendices 4-9; ... “*

Submission of Proposal

On 20 October 2005, the Town lodged its proposal, together with seven (7) copies, to the Local Government Advisory Board.

Response from Local Government Advisory Board

On 10 November 2005, the Local Government Advisory Board wrote to the Town as follows;

“The Town’s proposal was an agenda item at the 8 November 2005 meeting of the Board.

I am writing to inform you that the Board has resolved as follows:

- *To note the Town of Vincent’s submission; and*
- *To defer consideration of the submission until after the Board’s report on Local Government Structural and Electoral Reform in Western Australia has been completed;*
- *The matter will be treated as a major inquiry due to the land use implications arising from the proposal. All affected electors will be consulted.*

I shall write to the City of Perth and the City of Stirling accordingly.”

City of Perth

On 20 October 2005, the Town wrote to the City of Perth and formally advised them of the Town’s proposal.

The Mayor and Acting Chief Executive Officer, Rob Boardman, met with the Lord Mayor and Chief Executive Officer of the City of Perth on Tuesday 1 November 2005.

On 7 November 2005, the Town received a Freedom of Information request for a copy of the report relating to the Town’s boundary proposal. This Freedom of Information request is currently being processed.

City of Stirling

The Mayor and Chief Executive Officer met with the Mayor, Chief Executive Officer and Deputy Chief Executive Officer of the City of Stirling on 5 October 2005.

On 20 October 2005, the Town wrote to the City of Stirling and formally advised them of the Town’s proposal.

On 7 November 2005, the Town received a letter from the City of Stirling advising that the City of Stirling have formed the opinion that the transfer of east Glendalough to the Town of Vincent is not of a minor nature and that the City of Stirling prepare a case for “rebuttal” of the Town’s proposal.

Report on Local Government Structural and Electoral Reform in Western Australia

The Chief Executive Officer reported to the Ordinary Meeting of Council held on 25 October 2005 (Item 10.4.2). Comments are currently being sought from the Town’s Elected Members by Wednesday 30 November 2005, with a view to submitting a report to the Ordinary Meeting of Council to be held on 6 December 2005.

CONSULTATION/ADVERTISING:

The Local Government Advisory Board's decision to treat the Town's proposal as a major enquiry will result in all affected electors being consulted – this will be carried out by the Board.

LEGAL/POLICY:

The Town's proposal is in accordance with Clause 2(1)(b) of Schedule 2.1 of the Local Government Act 1995.

STRATEGIC IMPLICATIONS:

This proposal re-aligns the Town's southern boundary and a small area in its north-west area, where it adjoins the City of Stirling. The most important aspect being that it will transfer the old power station site to the Town. The future redevelopment of this site will have important implications for the Town and particularly the Banks Precinct.

FINANCIAL/BUDGET IMPLICATIONS:

Nil. All work associated with this proposal is carried out by the Town's Administration.

COMMENTS:

The matter of Local Government boundaries is at present topical within local government. Whilst it is disappointing that the Board has chosen to defer the Town's proposal until after the receiving of the Board's report into the Local Government Structural and Electoral Reform, its reasons for doing so are acknowledged.

10.4.11 Information Bulletin

Ward:	-	Date:	15 November 2005
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer(s):	A Smith		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Information Bulletin dated 22 November 2005 as distributed with the Agenda, be received.

COUNCIL DECISION ITEM 10.4.11

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

CARRIED (9-0)

DETAILS:

The items included in the Information Bulletin dated 22 November 2005 are as follows:

ITEM	DESCRIPTION
IB01	No. 103A (Lot 94, Strata Lot 2) Grosvenor Road, Mount Lawley – Matt No. DR 471 of 2005 – Letter to the State Administrative Tribunal
IB02	No. 196 (Lot 556) Anzac Road, (Corner Federation Street), Mount Hawthorn – Proposed Demolition of Existing Outbuilding (Shed) and Construction of Additional Single House to Existing Single House – State Administrative Tribunal (SAT) – Matter No. DR 540 of 2005 – Letter to SAT
IB03	Letter from Minister for the Environment re: Waste Management and Recycling Fund – Resource Recovery Rebate Scheme – Period 13
IB04	Response to Questions asked During Public Question Time at Ordinary Meeting of Council held on 8 November 2006 – Dr Chelvanayagam

10.1.7 Nos.14-16 (Lots 99 D/P: 2503, 100 D/P: 2503, 101 D/P: 2503, 102 D/P: 2503, 103 D/P: 2503 and 104 D/P: 2503), Woodstock Street, Corner Flinders Street, Mount Hawthorn - Proposed Change of Use from Hospital to Institutional Building and Associated Additions and Alterations to Existing Premises

Ward:	North	Date:	15 November 2005
Precinct:	Mount Hawthorn; P1	File Ref:	PRO3321; 5.2005.3175.1
Attachments:	001 002		
Reporting Officer(s):	R Rasiah, T Durward		
Checked/Endorsed by:	D Abel	Amended by:	-

OFFICER RECOMMENDATION:

(i) *That;*

in accordance with the provisions of the Metropolitan Region Scheme, the Council RECOMMENDS REFUSAL to the Western Australian Planning Commission of the application submitted by North Metropolitan Area Health Service on behalf of the owner Crown for proposed Change of Use from Hospital to Institutional Building and Associated Additions and Alterations to Existing Premises, at No(s)14-16 (Lots 99 D/P: 2503, 100 D/P: 2503, 101 D/P: 2503, 102 D/P: 2503, 103 D/P:2503 and 104 D/P:2503) Woodstock Street, corner Flinders Street, Mount Hawthorn and as shown on plans stamp-dated 21 September 2005, for the following reasons:

- (a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (b) *approval of the proposed development would create an undesirable precedent for other similar non-residential uses encroaching into established residential areas; and*
- (c) *consideration of objections received; and*

(ii) *the Council ADVISES the Department of Health (DOH) that while the Council is supportive of the DOH in its programmes associated with the recovery of patients with mental disorders, it is opposed to the location for the above facility at the above subject site for the above mentioned reasons.*

Moved Cr Farrell, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

Moved Cr Doran-Wu, Seconded Cr Farrell

That new clauses (iii) and (iv) be added as follows:

"(iii) the Council NOTES that the consultation process undertaken by the Department of Health (DOH) has been flawed from the outset, failing to adequately consult with the surrounding community. Furthermore, this flawed and inadequate consultation process has exacerbated the community's concerns and objections to the proposed facility; and

- (iv) *the Council NOTES the Department of Health (DOH) lack of timely consultation and response to questions from the Elected Members Forum held on 6 October 2005 has contributed to the large number of objections received."*

Debate ensued.

Cr Maier requested that it be recorded in the Minutes that he has sufficient information to make an informed decision on this matter.

AMENDMENT CARRIED (8-1)

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

Debate ensued.

Cr Chester departed the Chamber at 7.45pm.
Cr Chester returned to the Chamber at 7.46pm.

Moved Cr Farrell, **Seconded** Cr Doran-Wu

That the Item be DEFERRED to seek further clarification of the issues including the establishment of a community reference group and request the Health Department to carry out further consultation.

DEFERRAL LOST (4-5)

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

MOTION AS AMENDED LOST (4-5)

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

Reasons:

1. The facility will not cause undue loss of amenity to the immediate community.
2. The facility has previously been used as a health facility.
3. This is not an automatically a precedent particularly given the limited time.

ALTERNATIVE RECOMMENDATION:

Moved Cr Maier, Seconded Cr Torre

That the following alternative recommendation be adopted:

That;

in accordance with the provisions of the Metropolitan Region Scheme, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission of the application submitted by North Metropolitan Area Health Service on behalf of the owner Crown for proposed Change of Use from Hospital to Institutional Building and Associated Additions and Alterations to Existing Premises, at No(s)14-16 (Lots 99 D/P: 2503, 100 D/P: 2503, 101 D/P: 2503, 102 D/P: 2503, 103 D/P:2503 and 104 D/P:2503) Woodstock Street, corner Flinders Street, Mount Hawthorn and as shown on plans stamp-dated 21 September 2005, subject to:

- (i) this approval for Institutional Building is for a period of 3 years only;*
- (ii) a management committee shall be formed which has representatives from the local community and the Town;*
- (iii) no patients with a recent history of substance abuse shall be housed at the facility;*
- (iv) a management plan shall be prepared and submitted to the satisfaction of the Town and be implemented as from the first occupation of the development and thereafter maintained;*
- (v) the outdoor living area to the north of the building shall be designated a smoke free zone and have an 8pm curfew;*
- (vi) detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the commencement of works;*
- (vii) any new street/front wall, fence and gate between the Woodstock Street and Flinders Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*

- (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way, or 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;*
- (viii) *a maximum of fourteen (14) staff members and twenty(20) patients are permitted to be at the premises at any one time;*
- (ix) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Woodstock Street and Flinders Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s); and*
- (x) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive.*

Debate ensued.

Moved Cr Torre, Seconded Cr Lake

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

- “(xi) *prior to the first occupation by a resident of the facility, the Health Department undertakes community information and discussion session to respond to community concerns and to inform the community as to the nature and scope of the facility.*”

AMENDMENT CARRIED (9-0)

Moved Cr Lake, Seconded Cr Torre

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

- “(iii) *no patients with a recent history of substance abuse, a criminal record or a history of violence shall be housed at the facility;*”

AMENDMENT CARRIED (9-0)

Moved Cr Farrell, Seconded Cr Chester

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

- “(ii) *~~a management committee shall be formed which has representatives from the local community and the Town~~ prior to the first occupation, a community reference group, comprising residents and representatives from the Health Department and the Town of Vincent, be formed to manage/deal with any community concerns or complaints;*”

Debate ensued.

AMENDMENT CARRIED (9-0)

Moved Cr Doran-Wu, Seconded Cr Messina

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

“(xii) any overlooking issues with adjoining neighbours to the north of the facility are adequately addressed prior to the occupation of the facility.”

AMENDMENT CARRIED (9-0)

Moved Cr Lake, Seconded Cr

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

“(xiii) at any time the residents at the facility there will be no less than four staff on site.”

The Presiding Member ruled that amendment was not acceptable as it was unclear as to what was intended.

Debate ensued.

Moved Cr Lake, Seconded Cr Ker

That the Presiding Member’s ruling be disagreed with.

MOTION OF DISSENT LOST (3-6)

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

Moved Cr Lake, Seconded Cr Messina

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

“(xiii) there being a minimum of four (4) staff members on site at all times.”

AMENDMENT CARRIED (9-0)

MOTION AS AMENDED CARRIED (5-4)

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

COUNCIL DECISION ITEM 10.1.7

That;

in accordance with the provisions of the Metropolitan Region Scheme, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission of the application submitted by North Metropolitan Area Health Service on behalf of the owner Crown for proposed Change of Use from Hospital to Institutional Building and Associated Additions and Alterations to Existing Premises, at No(s)14-16 (Lots 99 D/P: 2503, 100 D/P: 2503, 101 D/P: 2503, 102 D/P: 2503, 103 D/P:2503 and 104 D/P:2503) Woodstock Street, corner Flinders Street, Mount Hawthorn and as shown on plans stamp-dated 21 September 2005, subject to:

- (i) this approval for Institutional Building is for a period of 3 years only;*
- (ii) prior to the first occupation, a community reference group, comprising residents and representatives from the Health Department and the Town of Vincent, be formed to manage/deal with any community concerns or complaints;*
- (iii) no patients with a recent history of substance abuse, a criminal record or a history of violence shall be housed at the facility;*
- (iv) a management plan shall be prepared and submitted to the satisfaction of the Town and be implemented as from the first occupation of the development and thereafter maintained;*
- (v) the outdoor living area to the north of the building shall be designated a smoke free zone and have an 8pm curfew;*
- (vi) detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the commencement of works;*
- (vii) any new street/front wall, fence and gate between the Woodstock Street and Flinders Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency;and*
 - (e) the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way, or 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;*

- (viii) *a maximum of fourteen (14) staff members and twenty(20) patients are permitted to be at the premises at any one time;*
- (ix) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Woodstock Street and Flinders Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (x) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (xi) *prior to the first occupation by a resident of the facility, the Health Department undertakes community information and discussion session to respond to community concerns and to inform the community as to the nature and scope of the facility;*
- (xii) *any overlooking issues with adjoining neighbours to the north of the facility are adequately addressed prior to the occupation of the facility; and*
- (xiii) *there being a minimum of four (4) staff members on site at all times.*

ADDITIONAL INFORMATION 1:

Non-Residential/Residential Development Interface

The Town's Planning Officers and Environmental Health Officers have undertaken a site inspection and have ascertained that any noise generated from the communal open space is unlikely to be exacerbated by the slope of the land as the area is relatively flat adjacent to the neighbouring property, a screen wall is proposed and there is thick vegetation along the dividing fence. It is also noted that sound levels from the proposed development will be required to comply with the Environmental Protection (Noise) Regulations 1997, and be monitored by the Town's Health Services accordingly in the event that a complaint is received.

Notwithstanding this, it is considered that the proposal has not addressed the objectives of the Town's Policy relating to Non-Residential/Residential Development Interface on the following basis:

- the proposal will generate traffic, parking, noise and other effects, which are not normally associated with a typical residential development, therefore incompatible with the established surrounding residential area ;
- the proposal results in an unreasonable interruption of the residential amenity and continuity of residential uses, and is not considered to be a buffer site (a low scale, low intensity, interactive use which serves the day-to-day needs of the local resident population and can generate pedestrian traffic and surveillance of the street); and
- the applicant has not demonstrated that there is no other suitable site within the non-residential or residential/commercial zones within close proximity for the proposed non-residential use.

Consultation Submissions

A further submission has been received by the Town on 21 November 2005 from a P and C group. Comments from individual members at the P and C meeting is summarised as follows:

- based on information currently available, there did not appear to be any negative impact on the Campus;
- concerns regarding children walking past the proposed facility to and from school;
- proposal is inadequately funded and had been ill-conceived;
- the proposal does not comply with the Town of Vincent's planning guidelines;
- the location is a problem;
- proposed high-risk experimental psychiatric facility never before trialled at this scale in Australia;
- the redevelopment would affect the amenity of the area;
- there had been inadequate information about the facility;
- the distributed flyer was highly inflammatory and insufficiently supported by the facts; and
- the redevelopment represented a much needed facility in the metropolitan area and appeared to be well staffed.

ADDITIONAL INFORMATION 2:

In response to the Town's request to provide details on the findings of the Department of Health (DOH) consultation (that is, the number of people who responded to its consultation, the numbers for and against, comments made, any response to those comments, any recommendations from it and any other applicable information), the attached information (Appendix 10.1.7A) has been provided by the DOH.

While the DOH's comments and recommendations are noted, the Officer Recommendation remains unchanged.

Landowner:	Crown
Applicant:	North Metropolitan Area Health Service
Zoning:	Metropolitan Region Scheme: (MRS) Urban Town Planning Scheme No.1 (TPS 1): Residential R30
Existing Land Use:	Hospital
Use Class:	Institutional Building
Use Classification:	"SA"
Lot Area:	2823 square metres
Access to Right of Way	East side, 4.3 metres wide, unsealed, privately owned

BACKGROUND:

- | | |
|-------------------|--|
| 28 September 2005 | Meeting organised by the Mount Hawthorn Precinct Group at Pavilion in Menzies Park, Mount Hawthorn to discuss the above proposal. |
| 4 October 2005 | Information session organised by the DOH at the Mount Hawthorn Community Centre. |
| 6 October 2005 | Officers of the Department of Health formally presented the proposal at an Elected Members Forum. It was also attended by members of the public who were invited in writing by the Town to attend the Forum. |

The proposal is required to be advertised for 21 days under the "SA" advertising requirements (including signs, newspaper notification, and letters to owners and occupiers of affected properties).

Advertising letters were sent out to approximately 1400 owners and occupiers of residences, 3 schools and P and C organisations, within the area bounded by south of Green Street, west of London Street, north of Hobart Street, north of Scarborough Beach Road, and east of Egina Street.

Two (2) advertising signs were also erected on the subject site. The proposal was also advertised in the "Guardian Express" on 11 and 18 October 2005, with the closing date being extended from 4 November to 8 November 2005.

DETAILS:

The proposal is summarised as follows:

- Hawthorn Hospital has been part of the Mount Hawthorn community for more than 70 years. Most recently the building on the corner of Woodstock and Flinders Streets was used for aged care. The hospital has been vacant since it closed in October 2004 and the Department of Health (DOH) is now looking at the future use of the building.
- The DOH has plans to redevelop the hospital into Hawthorn House – a step down intermediate care facility for people managing mental health issues who no longer need to be in a hospital but who would benefit from a program to rebuild some life skills before returning to more independent living.
- Hawthorn House will provide a home-like environment for up to 20 men and women aged between 18 and 65 who will live at Hawthorn House on a voluntary, short-term basis. The clients will be encouraged to maintain contact with families and participate in family and social activities. The clients who stay at Hawthorn House will come from a number of health facilities in WA. The clients will have progressed through the intensive part of treatment and be ready to take part in a community based program. Before being accepted into Hawthorn House, the clients will have been assessed for suitability for the life skills program and ability to live in a facility in the community. The parking bays will remain to cater for staff and visitors, but residents will not be permitted to bring their motor vehicles to Hawthorn House.
- Hawthorn House will be designed to resemble a normal home in the community and will be subject to the same requirements as any other community residence. It does not need to be a locked facility, but like other homes, doors will be secured at night.
- Clinical staff will supervise and support clients over 24 hours, seven days a week. Specifically, a nursing team will be on site at all times, supported by a community based life skills team. There will be a minimum of 6 staff members during the morning shifts (Monday to Friday, and 5 staff for Saturdays and Sundays), and 5 staff members for the afternoon and evening shifts (Monday to Sunday). Hawthorn House will also have a cook, cleaner, orderly, and handyperson.
- A total of 17 car parking spaces are available for staff and visitor car parking. All deliveries will be during normal business hours.

- External works include, repainting the Woodstock Street elevation with the introduction of new colours to modernise and reduce the scale of the building, maintenance works to the roof, landscaping enhancements, a new shade structure with screen wall, and a new fence along part of the northern boundary built inside the existing fence to improve privacy for the neighbours.
- Internal work is focused on creating a more homelike environment through redecorating and furnishing of bedrooms and communal spaces.
- New shade sails and a screen wall is to be provided for the new outdoor area at the rear of the site for residents.
- If approved, commencement will be March 2006, and the DOH is prepared to accept a condition of Planning Approval that limits its use to a maximum period of 3 years from the date of commencement of operation.

The applicant has submitted additional information addressing the matters raised in the consultation submissions, questions from Elected Members and residents at the Elected Members Forum and queries from the Residents Advocacy Group, these are attached to this Agenda report.

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

As the proposal is considered to be 'public works', the Department of Health was required to submit a planning application to the Town for its consideration, and the Council's comments and recommendation are required to be forwarded to the Western Australian Planning Commission (WAPC) for final determination.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Noted.
Consultation Submissions			
Support (48)	<ul style="list-style-type: none"> • The facility is required for the care of those less fortunate and who have mental health related problems, which are common to most families in the community. • Communities must be open to allowing the proposed type of facility to operate in all suburbs. • The facility will provide quality care to people needing to rebuild their lives. • Confident that the use will not negatively impact the community, and the safety concerns of some members of the community seems to be based on ignorance, fear, general misunderstanding and misinformation. The opportunity to educate people about mental health issues should be utilised. 		Noted - however the location is not supported within a predominantly established residential area as stated in the Officer Recommendation for refusal.

	<ul style="list-style-type: none"> • There is adequate public transport in the area. 	
	<ul style="list-style-type: none"> • The intended use and alterations are not considered offensive. 	As above.
	<ul style="list-style-type: none"> • Based on the patients not being a danger to residents and that the facility will operate for a maximum of 36 months. 	As above.
	<ul style="list-style-type: none"> • The facility is much needed to bridge the gap between the hospital and home. The use is a very positive step in helping those with mental illness to resume an independent life within the community. 	As above.
	<ul style="list-style-type: none"> • The use of the vacant building is an excellent idea, including the refurbishment proposed, which will be welcomed by surrounding landowners. Are the toilet facilities adequate? 	As above. If approved, toilet facilities need to be providing in accordance with the requirements of the Building Code of Australia.
	<ul style="list-style-type: none"> • People fear that children may be abused by patients from the facility, but most children are abused by people known to them. In terms of near a primary school, John XXII School is opposite Graylands Hospital and there has never been an incident of abuse or disturbance. 	Noted - however the location is not supported within a predominantly established residential area as stated in the Officer Recommendation for refusal.
	<ul style="list-style-type: none"> • Advocacy group statements reflect a NIMPY attitude and cite questionable incomplete or ludicrous statements. 	Noted.
Objection (158, plus 13 with no name or contact details)	<ul style="list-style-type: none"> • There should be adequate supervision, and the facility can be locked and secure, when necessary. 	Supported - as there has to be strict supervision and care at all times by DOH professionally qualified staff.
	<ul style="list-style-type: none"> • Not a suitable location to house patients with past violent behavioral and mental disorders. There are large numbers of young families and elderly living in the area. The hospital should remain as an old age facility or sold to build a purpose built facility in a more appropriate location. 	Supported - as the area surrounding the subject site is predominantly residential in land use and established character, and is within close proximity to three (3) schools.

	<ul style="list-style-type: none"> • Security of elderly and children/students at nearby school at jeopardy, and there will be a risk and potential threat to the community, as they will not be in a position to defend themselves. Will staff be able to cope 24 hours a day, seven days a week managing patients? And concerns that the Health Department is unable to ensure that residents are at no risk. Staffing levels are also a concern. 	Noted - as there is no 100 per cent guarantee of safety from the DOH that will ensure that patients will not be a risk to the community.
	<ul style="list-style-type: none"> • The area is quiet, peaceful and has a family oriented atmosphere, at the general ambience is likely to be spoilt. 	Noted.
	<ul style="list-style-type: none"> • The bedrooms with 4 beds indicate an institute type facility, where by 5 to 10 residents would have been more appropriate in a transitional type accommodation. 	Noted
	<ul style="list-style-type: none"> • Facility should be incorporated with an existing facility, such as Graylands Hospital. 	Supported in part - the premise that the proposal could be incorporated into an existing facility is valid but the purpose of this facility is for people that no longer require the assistance of a hospital type facility like Graylands Hospital.
	<ul style="list-style-type: none"> • Close proximity to schools. Children use the footpath along Woodstock Street to go to schools, and will walk past the facility during these periods. 	Noted - Woodstock Street is one of the main pedestrian thoroughfares used by children attending the nearby schools.
	<ul style="list-style-type: none"> • Negative impact on house values. • Smoking is an issue with mental health patients. • Worried about break in. • Prepared to move if facility were to be approved. • Elevated noise levels. 	Not supported - as these issues are speculative and are not valid planning related considerations.
	<ul style="list-style-type: none"> • No guarantee that the facility will be allowed to operate a maximum of 3 years. 	Not supported - as this is the commitment given by the DOH and it has agreed that if the facility was approved that a condition be imposed to ensure that the facility operate for a maximum of 3 years.

	<ul style="list-style-type: none"> • These former patients from mental institutions who are going to be residents in the facility are recovering from “acute” mental illnesses including schizophrenia and are on prescribed medication. From personal experiences, if patients do not take medication they can become volatile. 	Noted - and as commented above, there is no absolute guarantee that the community will not be at risk.
	<ul style="list-style-type: none"> • Mental illness is a complex and difficult are to assess and manage. 	Noted.
	<ul style="list-style-type: none"> • Parking facilities are not acceptable. 	Not supported - as adequate car parking is provided for the proposed use.
	<ul style="list-style-type: none"> • Back lane access is unsafe to residents. 	Noted - this is a matter to be addressed by the DOH.
	<ul style="list-style-type: none"> • Need for aged care facility in the area, and the DOH should be looking at upgrading the facility for aged care purposes. 	Noted.
	<ul style="list-style-type: none"> • There is insufficient information provided regarding the mental conditions of those proposed to be housed in the facility and its impact on the community. Locals do not have control as to who is allowed in the facility. 	Noted - this will be controlled by the DOH.
	<ul style="list-style-type: none"> • Proposal has been handled in an improper, unprofessional manner, including a lack of public consultation by DOH staff, and has led to deep mistrust of the DOH staff handling the matter. 	Noted.
	<ul style="list-style-type: none"> • For those residents who have substance related abuse and proximity to Paddington Ale house. 	Noted.
	<ul style="list-style-type: none"> • Lack of 24 hour police station in the area. 	Noted.
	<ul style="list-style-type: none"> • What sort of risk assessment as been undertaken by the DOH to select the above site as a suitable site. 	Noted.
	<ul style="list-style-type: none"> • The community needs to understand the assessment and selection of residents by the DOH. For the community to feel comfortable with the DOH’s assessment process, the DOH needs to gain the level of trust from the community, by way of education and information of the whole process. 	Noted.

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

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

Car Parking

The car parking requirements are to be determined by the Council for the subject use, based on anticipated usage. It is recommended the car parking be provided at the rate of 1 car bays per 3 patients/residents of the facility and 1 car bay per staff member. Based on a maximum of 9 staff members in one shift (9 car bays) and maximum 20 patients (7 car bays), at total of 16 car bays is required (17 car bays provided). On the above basis, the number of car bays provided is considered sufficient for the proposed use.

COMMENTS:

Heritage

The place known as Mount Hawthorn Hospital was included on the Town of Vincent Municipal Heritage Inventory in 1995. The place was originally a house, constructed circa 1915 and converted to a hospital in 1933 by two sisters who were trained nurses. The hospital was extended in the 1940s and was taken over by the Health Department in 1957 and leased as a private hospital. In 1963 it became an annex of Royal Perth Hospital. It has been in continuous use as a health care facility since 1933. The proposed alterations are considered acceptable and do not negatively affect significant fabric.

Consultation Submissions

It is noted that the consultation submissions appear in the format required by the Town's previous Community Consultation Policy, due to the significant number and volume of submissions received for the subject proposal.

The main concern of a significant proportion of objection submissions was the proximity of the subject site to Mount Hawthorn Primary School and the adjacent residential area.

Department of Health Concerns

The Town is in receipt of correspondence from the DOH that outlines its concerns with the nature and content of submissions received relating to information distributed by the Residents Advocacy Group. More specifically the DOH asks:

- *"The Town of Vincent's position in regard to submissions received in the circumstances above (information distributed by the Residents Advocacy Group).*
- *The validity of such submissions, which may have been influenced by an individual or minority group attempting to take ownership of an outcome that belongs to the Vincent community as a whole."*

The Town's position is to accept all submissions providing they are submissions on valid planning grounds. This is in accordance with the Town's Community Consultation Policy. The Town is not in a position to speculate on the motives or influences of certain individuals or groups when considering submission received.

Summary

The Town's Officers acknowledge the need for the proposed facility and support the initiatives proposed by the DOH, however is of the view that the proposal represents an inappropriate use for the above site, which could be better utilised for the provision of other more compatible uses to meet the needs of the immediate community in general health terms. The proposed use is considered to set an undesirable precedent in the locality for further similar scale and nature uses in the future, within a predominantly established residential area. Accordingly, it is recommended that the proposal be refused.

10.1.6 No. 238 (Lot Y104) Beaufort Street, Perth - Increase in the Number of Lodgers from Thirty Seven (37) to Sixty Four (64) in Existing Lodging House

Ward:	South	Date:	14 November 2005
Precinct:	Beaufort; P13	File Ref:	PRO0317; 5.2005.3046.1
Attachments:	001		
Reporting Officer(s):	S Klarich		
Checked/Endorsed by:	D Abel	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by P R Wilson on behalf of the owner Monger House Pty Ltd for proposed Request to Increase the Number of Lodgers from Thirty Seven (37) to Sixty Four (64) in Existing Lodging House, at No. 238 (Lot: Y104) Beaufort Street, Perth, and as shown on plans stamp-dated 8 July 2005 , subject to:

- (i) all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (ii) the lodging house shall accommodate a maximum of thirty two (32) bedrooms and 64 lodgers at any one time;*
- (iii) no buses, coaches and the like shall be parked for more than one (1) hour on the subject land;*
- (iv) all external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive; and*
- (v) the alterations and additions to the existing lodging house, approved by Council on 14 June 2005 shall be completed prior to the increase in the number of lodgers from 37 to 64 be permitted on site.*

Cr Farrell departed the Chamber at 8.10pm.

Moved Cr Chester, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

Cr Farrell returned to the Chamber at 8.11pm.

Moved Cr Lake, Seconded Cr Ker

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

“(vi) the subject premises shall be used at all times as a Lodging House as defined by the Town's Town Planning Scheme No.1 and Health Act 1911. The premises shall not be used for any other purpose, such as an Institutional Building, without a Planning Approval being applied to and obtained from the Town prior to commencement of such use.”

Debate ensued.

Cr Torre departed the Chamber at 8.15pm.

AMENDMENT CARRIED (7-1)

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

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

MOTION AS AMENDED CARRIED (7-1)

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

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

COUNCIL DECISION ITEM 10.1.6

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by P R Wilson on behalf of the owner Monger House Pty Ltd for proposed Request to Increase the Number of Lodgers from Thirty Seven (37) to Sixty Four (64) in Existing Lodging House, at No. 238 (Lot: Y104) Beaufort Street, Perth, and as shown on plans stamp-dated 8 July 2005 , subject to:

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

- (ii) *the lodging house shall accommodate a maximum of thirty two (32) bedrooms and 64 lodgers at any one time;*
- (iii) *no buses, coaches and the like shall be parked for more than one (1) hour on the subject land;*
- (iv) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennae, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (v) *the alterations and additions to the existing lodging house, approved by Council on 14 June 2005 shall be completed prior to the increase in the number of lodgers from 37 to 64 be permitted on site; and*
- (vi) *the subject premises shall be used at all times as a Lodging House as defined by the Town's Town Planning Scheme No.1 and Health Act 1911. The premises shall not be used for any other purpose, such as an Institutional Building, without a Planning Approval being applied to and obtained from the Town prior to commencement of such use.*

Landowner:	Monger House Pty Ltd
Applicant:	P R Wilson
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Lodging House
Use Class:	Lodging House
Use Classification:	"SA"
Lot Area:	759 square metres
Access to Right of Way	N/A

BACKGROUND:

The Council at its Ordinary Meeting held on 14 June 2005 conditionally approved an application for proposed alterations and additions to existing Lodging House. Condition (iv) of the approval stated as follows:

"(iv) the lodging house shall accommodate a maximum of 37 beds, bedrooms or lodgers at any one time;"

DETAILS:

The proposal involves an intensification of the existing lodging house to accommodate an additional twenty seven (27) lodgers to the existing thirty seven (37) lodgers/ beds approved for the site. The refurbishment of the existing lodging house, as approved by Council on 14 June 2005, will enable an increase in the total lodgers to sixty four (64).

The applicant has advised the Town that the substantial upgrade to the existing premises will increase the level and style of accommodation to attract both international and interstate tourists as well as Western Australian visitors. The upper end of the backpacker market will be targeted, to attract more mature travellers (couples) who require a quality standard of accommodation close to the city, and at a reasonable price.

The proposed increase in the number of lodgers is to cater for couples sharing rooms, therefore the existing number of rooms to the lodging house is to remain at thirty two (32), with the possibility of twin occupancy. The applicant has also advised the Town that it would be unlikely for the maximum 64 lodgers to be accommodated on site at any one time, in the event that all 32 rooms have twin occupancy.

The expected business hours for the lodging house is to be between 7 am and 7 pm, 7 days a week. The maximum number of employees on site is to be 4, comprising an in residence caretaker 7 days a week, a receptionist and manager during business hours, and a cleaner on site several hours a day, depending on occupancy levels.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	N/A
Consultation Submissions			
Support (1)	<ul style="list-style-type: none"> Support the increase in lodgers, however concerns on car parking availability. 		Noted - no increase in car parking is required for the proposal, refer to Car Parking Assessment Table.
Objection (5)	<ul style="list-style-type: none"> Concern that the increasing occupancy will mean an increase in anti-social behaviour in the area. 		Not supported - the presence of anti-social behaviour in the area cannot solely be attributed to the existing lodging house, furthermore, the approved refurbishment of the lodging house and the increase in lodgers by way of twin occupancy - attracting couples, is anticipated to improve the clientele and reduce any possibility for anti-social behaviour. Management of noise and anti-social behaviour has been addressed in the attached Management Plan submitted by the applicant.

	<ul style="list-style-type: none"> There is an abundance and disproportionate amount of low cost accommodation in the area already. They are not evenly distributed around Perth and therefore needs to be a better balance. 	<p>Noted - the location of the subject lodging house, and others in the area, accommodate visitors who prefer to be located centrally and within close proximity to services and entertainment.</p>
	<ul style="list-style-type: none"> Inadequate open space. 	<p>Not supported - The proposal complies with the Town's Policy - "Communal Open Space for Lodging Houses, Hostels and Serviced Apartments", and provides a greater area of internal and external communal open space than is required in this Policy.</p>
	<ul style="list-style-type: none"> Proposal will have an undue impact on the amenity and will lead to increases in the amount of anti-social behaviour in the area. 	<p>Not supported - the applicants have advised that any unpleasant noise or anti-social behaviour would not be accepted by management. The upgrade of the premises will result in a higher standard of accommodation and guests, and the improved amenity will contribute to the rejuvenation of the area. Management of noise and anti-social behaviour has been addressed in the attached Management Plan, submitted by the applicant.</p>
	<ul style="list-style-type: none"> The proposal is deficient in the explanation of the management of the increase in lodger numbers and description of the use. 	<p>Not supported - the applicants have submitted a management statement for the proposal and provided details regarding the nature of the use, these are attached to this report.</p>

	<ul style="list-style-type: none"> Impact on traffic and safety. 	Not supported - Beaufort Street being a "Regional Road" caters for a high amount of traffic, furthermore, the applicants have advised the Town that the majority of traffic associated with the proposal will be the arrival and departure of guests by airport shuttle bus or taxi.
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil
Financial/Budget Implications		Nil
Car Parking Requirements		
Car parking requirement (nearest whole number) -Lodging House (1 space per bedroom or 1 space per three beds provided, whichever is the greater) - 32 Bedrooms = 32 spaces		32 car bays
Apply the adjustment factors.		(0.614125)
<ul style="list-style-type: none"> 0.85 (within 800 metres of a rail station) 0.85 (within 400 metres of a bus stop) 0.85 (within 400 metres of a car park exceeding 75 spaces) 		19.652 car bays
Minus the car parking provided on-site		2 car bays
Minus the most recently approved on-site car parking shortfall (after taking into account relevant adjustment factors) that is, 32 car bays (32 Bedrooms) (nearest whole number) x 0.614125 = 19.652 car bays minus the previous on site parking (2 car bays) = 17.652 car bays. Therefore, 17.652 car bays is the approved on-site parking shortfall		17.652 car bays
Resultant shortfall/surplus		0 car bay

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

COMMENTS:

Management Plan

The applicant has submitted a management plan for the upgrade and intensification of the existing lodging house in which the control of noise, traffic and anti-social behaviour has been addressed. The management plan has been assessed by the Town's officers and is considered to be suitable in dealing with these issues.

Car Parking Requirement

The provision for car parking for a Lodging House is assessed by the number of rooms provided or 1 space per three beds, whichever is the greater. The proposed increase in lodgers by 27, to a total of 64, has not resulted in an increase in the number of rooms. Therefore, in considering the existing approved shortfall for the current 37 lodgers/32 bedrooms lodging house, the resultant car parking shortfall/surplus is nil (0) car bay.

Summary

The proposed increase in the number of lodgers from 37 to 64, by way of twin accommodation, along with the previous approved alterations and additions, are considered to significantly improve the amenity of the development and the clientele it caters for. In light of this, the proposal is considered supportable, subject to standard and appropriate conditions to address the above matters.

10.1.13 No. 257 (Lot 1 D/P: 1925) Oxford Street, Corner Bourke Street, Leederville - Proposed Demolition of Existing Vehicle Sales Premises and Construction of Three (3) Two-Three Storeys Multiple Dwellings

Ward:	North	Date:	16 November 2005
Precinct:	Leederville; P3	File Ref:	PRO2982; 5.2005.3203.1
Attachments:	001		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by H Saunders on behalf of the owners H Saunders and K Kelly for proposed Demolition of Existing Vehicle Sales Premises and Construction of Three (3) Two-Three Storey Multiple Dwellings, at No. 257 (Lot 1 D/P: 1925) Oxford Street, corner Bourke Street, Leederville, and as shown on plans stamp-dated 7 October 2005 (demolition plan) and 16 November 2005, subject to:

- (i) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate along the Bourke Street boundary complying with the following:*
 - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency;*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level; and*
 - (f) *the southern street/front wall, fence and gate of the front courtyards of Units 2 and 3 can increase to a maximum total height of 2.2 metres with the solid portion being a maximum height of 1.2 metres and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency*
- The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (ii) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*

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

(a) *the balcony of Unit 3 on the western elevation on Level 1 & 2 being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed; and*

(b) *the balustrading to the balconies of Unit 1 on the southern elevation on Levels 2 and 3 being reduced to a height of 1.0 metre.*

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

(iv) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Oxford Street and Bourke Street verges adjacent to the subject properties, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*

(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) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive; and*

(vii) *subject to first obtaining the consent of the owners of No. 261 Oxford 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. 261 Oxford Street in a good and clean condition.*

Journalist Dan Hatch left the meeting at 8.15pm.

Note: The Presiding Member advised during his announcements that there was a typographical error in clause (iii)(a) - "Level 1" should read "Level 2". The recommendation has been amended accordingly.

Moved Cr Messina, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

Moved Cr Maier, Seconded Cr Lake

That clause (iii)(a) be amended to read as follows:

“(iii) (a) *the western and northern sides of the balcony of Unit 3 on the western elevation on Level 2 being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed; and*”

AMENDMENT CARRIED (8-0)

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

Journalist Mark Fletcher left the meeting at 8.18pm.

Cr Chester asked that it be recorded that he supported the amendment on the basis of location with commercial adjacent and setbacks provided to residential area to the left.

Cr Torre returned to the Chamber at 8.19pm.

MOTION AS AMENDED CARRIED (9-0)

COUNCIL DECISION ITEM 10.1.13

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by H Saunders on behalf of the owners H Saunders and K Kelly for proposed Demolition of Existing Vehicle Sales Premises and Construction of Three (3) Two-Three Storey Multiple Dwellings, at No. 257 (Lot 1 D/P: 1925) Oxford Street, corner Bourke Street, Leederville, and as shown on plans stamp-dated 7 October 2005 (demolition plan) and 16 November 2005, subject to:

- (i) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate along the Bourke Street boundary complying with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency;*
 - (e) the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level; and*
 - (f) the southern street/front wall, fence and gate of the front courtyards of Units 2 and 3 can increase to a maximum total height of 2.2 metres with the solid portion being a maximum height of 1.2 metres and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency*

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

- (ii) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (iii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (a) *the western and northern sides of the balcony of Unit 3 on the western elevation on Level 2 being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed; and*
 - (b) *the balustrading to the balconies of Unit 1 on the southern elevation on Levels 2 and 3 being reduced to a height of 1.0 metre.*

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

- (iv) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Oxford Street and Bourke Street verges adjacent to the subject properties, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (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) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive; and*
- (vii) *subject to first obtaining the consent of the owners of No. 261 Oxford 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. 261 Oxford Street in a good and clean condition.*

Landowner:	H Saunders & K Kelly
Applicant:	H Saunders
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
Existing Land Use:	Vacant Vehicle Sales Premises (Non-Conforming Use)
Use Class:	Multiple Dwelling
Use Classification:	"P"
Lot Area:	392 square metres; 410 square metres including 18 square metres truncation
Access to Right of Way	West side, 2.73 metres wide, unsealed, privately-owned

BACKGROUND:

The Council at its Ordinary Meeting held on 14 June 2005 conditionally approved an application for the demolition of vehicle sales premises and construction of three (3) two-storey grouped dwellings, at the subject property.

The subject proposal was presented to and discussed at an Elected Members Forum held on 16 August 2005.

DETAILS:

The proposal involves proposed demolition of existing vehicle sales premises and construction of three (3) two-three storey multiple dwellings, at the subject property. The car parking and storerooms are located in a basement level not visible from the street.

As the subject right of way is not programmed to be sealed this or next financial year, vehicular access is not required to be from the right of way, as per Council resolution in relation to *"Car Parking, Carports and Garages Accessed from the Street Rather than an Available Right of Way - Interim Practice"*, adopted at the Ordinary Meeting of Council held on 27 April 2004.

The vehicle sales premises use is listed on the Town's Non-Conforming Use Register.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	2.46 dwellings R 60	3 dwellings R 73.2 21.5 per cent density bonus	Supported- the proposed development effects the discontinuance of a non-conforming use and therefore, the density bonus sought is considered supportable, in accordance with Clause 20 of the Town's Town Planning Scheme.
Plot Ratio	0.7 - 287 square metres	1.16 – 478.5 square metres, excludes basement storerooms, and balconies which have been conditioned to be open on two sides.	Supported- proposed plot ratio is considered to be in accordance with the density bonus and height variation sought, and the adjoining right of way, basement car parking and buildings' articulation reduces the perceived site's confinement and bulk and scale of development.
<u>Setbacks</u> Basement/Level 1: - South (Bourke Street)	4.0 metres	1.3 (basement level)-2.0 (level 1) -6.1 metres (including truncation)	Supported- refer to 'Comments'.

- East (Oxford Street)	1.5 metres	Nil-3.35 metres (including truncation)	Supported- refer to 'Comments'.
- North	4.5 metres	1.5-4.0 metres	Supported- adjacent to adjoining commercial property parapet wall and no undue impact on streetscape or neighbour.
- North (kitchen and laundry of Unit 1)	1.5 metres	Nil	Supported- as above.
Level 2: - South (Bourke Street)	6.0 metres	2.0-6.1 metres (including truncation)	Supported- refer to 'Comments'.
- East (Oxford Street)	1.5 metres	Nil -3.35 metres (including truncation)	Supported- refer to 'Comments'.
- North	3.5 metres	1.5-3.7 metres	Supported- adjacent to adjoining commercial property parapet wall and no undue impact on streetscape or neighbour.
-North (bedroom 3 of Units 1 and 2)	1.4 metres	Nil	Supported- as above.
-North (bedroom 3 of Unit 3)	1.2 metres	Nil	Supported- as above.
Level 3: - South (Bourke Street)	6.0 metres	2.0 -6.1 metres (including truncation)	Supported- refer to 'Comments'.
- East (Oxford Street)	1.5 metres	Nil -3.35 metres (including truncation)	Supported- refer to 'Comments'.
- North	1.5 metres	Nil	Supported- adjacent to adjoining commercial property parapet wall and no undue impact on streetscape or neighbour.
Open Space	50 per cent	49.72 per cent (including truncation)	Supported- minor variation in this instance, adjoining right of way reduces the perceived site's confinement, and dwellings are designed to be similar to grouped dwellings (which requires 45 per cent open space).
Communal Open Space	48 square metres	8 square metres of communal open space.	Supported- separate functional private open space has been provided for each dwelling instead (totaling 48 square metres).

Driveways	No closer than 0.5 metre to side boundary.	Nil.	Supported- minimal impact on streetscape in this instance as driveway abuts right of way.
Buildings on Boundaries	One boundary wall is permitted, behind setback area with an average height of 3 metres and a maximum height of 3.5 metres, for 66.6% length of boundary.	Two external boundary walls (northern and eastern) proposed with maximum height of 10.35 metres.	Supported- northern wall abuts adjoining commercial property parapet wall and no undue impact on streetscape or neighbour. In relation to eastern wall, refer to 'Comments'.
Privacy Setbacks	Bedrooms- 4.5 metres Outdoor habitable spaces- 7.5 metres	Bedroom 3 of Units 2 and 3 (level 2) is 1.0 metre to the northern boundary. Bedroom 3 of Unit 1 (level 2) is 1.5 metre to the northern boundary. Northern courtyards of Units 1, 2 and 3 (level 1) abuts northern boundary. Balcony of Unit 3 (level 2) is 4.73 metres to west boundary.	Supported- overlooks roof/parapet wall of adjoining commercial premises. Supported- overlooks roof/parapet wall of adjoining commercial premises. Supported- overlooks parapet wall of adjoining commercial premises. Not supported- has been conditioned to comply.
Number of Storeys	2 storeys	Unit 1 - 3 storeys	Supported- refer to 'Comments'
Building Height - 2 storey component	7.0 metres	8.5 metres	Supported- refer to 'Comments'
Building Height - 3 storey component	10 metres	10.35 metres	Supported- refer to 'Comments'
Street Walls and Fences	Front walls and fences within the primary street setback area to be visually permeable 1.2 metres above footpath level and a maximum height of 1.8 metres.	Wall up to 2.4 metres	Supported in part- has been conditioned to comply. Additional height to courtyard balustrading, as required by BCA requirements is considered acceptable for safety reasons.

Fill within street alignment and building	0.5 metre	Up to approximately 1.2 metres	Supported- fill has been utilised to create a more functional outdoor living area, no undue impact on streetscape and front fence has been conditioned accordingly to ensure street interaction and casual surveillance.
Consultation Submissions			
Support	Nil		Noted.
Objection	<ul style="list-style-type: none"> Details of objection not provided 		Noted.
Comments	<ul style="list-style-type: none"> Does not object to proposal in principle subject to car parking spaces, aisle, ramp and sightlines being compliant with the relevant Australian Standards for Off- Street Car Parking. 		Noted- amended plans addressing this matter has since been submitted to the satisfaction of the Town's Technical Services.
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

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

COMMENTS:

Demolition

- The subject place is a caryard and associated offices built in the mid 1960s. This development remains to the present day.
- The site holds a prominent position at the corner of Bourke and Oxford Streets.
- The place is considered to have little heritage value and does not warrant a full heritage assessment. It does not meet the minimum criteria for entry into the Town's Municipal Heritage Inventory.
- In light of the above, it is recommended that *approval* be granted for the demolition of the existing buildings. In this case, it is considered that the information provided with the application is sufficient and no further archival information is required prior to demolition. Other standard conditions to apply.

Vincent Vision 2024

In relation to the Leederville/West Perth area, the Guiding Principles for 'Housing, Density and Urban Design 2024' from the Vincent Vision 2024 project included emphasis on urban design and contemporary architecture that contributes to the unique atmosphere and character of the area and high density housing strategically integrated and well positioned around town centres. It is also noted that 14.3 per cent of people surveyed in the area supported a height limit of 3 storeys for residential building in the Leederville/West Perth area and a further 8.2 per cent supported a height limit of greater than 3 storeys for residential buildings in the Leederville/West Perth area.

Setbacks to Oxford Street and Bourke Street and Height

In this instance, the proposed setbacks to Oxford Street and Bourke Street and height are supported on the basis of the outcomes of Vincent Vision 2024 as outlined above, the site's identification as being a key site for redevelopment as it is adjacent and provides a gateway to the Oxford Centre Precinct, current developments in the area which demonstrate similar scale and its corner location along a district distributor road.

It is further considered that the variations do not unduly impact on the amenity of the adjoining neighbour or streetscape due to the adjoining right of way which provides a 'buffer zone', the adjoining commercial premises nil side setbacks and the buildings design and articulation which limits the perceived bulk and scale of the building and promotes an interactive interface.

Summary

The proposal is considered to positively contribute to the surrounding area in that it effects the discontinuance of a non-conforming use, to be keeping with what is considered to an appropriate future built form for the subject location and not to have any undue effect on the amenity and streetscape of both Oxford and Bourke Streets. The variations sought are therefore, generally acceptable given the site constraints and surrounding context.

In light of the above, the proposal is recommended for approval, subject to standard and appropriate conditions to address the matters raised in the report.

10.1.5 Nos. 28 and 32 (Lot 401 D/P: 33178 and Lot 1072 D/P: 42485) Carr Street, West Perth - Street Front Fence and Gates to Existing Grouped Dwellings (Application for Retrospective Approval)

Ward:	South	Date:	11 November 2005
Precinct:	Hyde Park; P12	File Ref:	PRO0856; 5.2005.3160.1
Attachments:	001		
Reporting Officer(s):	S Klarich		
Checked/Endorsed by:	D Abel	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by Ricciardello Nominees Pty Ltd on behalf of the owner R Ricciardello & Ricciardello Nominees Pty Ltd for Street/Front Fence and Gates to Existing Grouped Dwellings (Application for Retrospective Approval), at Nos. 28 and 32 (Lot 401 D/P: 33178 and Lot 1072 D/P: 42485) Carr Street, West Perth, and as shown on plans stamp-dated 2 September 2005, for the following reasons:*
 - (a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality; and*
 - (b) *the non-compliance with the Town's Policy relating to Street Walls and Fences;*
- (ii) *the Council ADVISES the owners of Nos. 28 and 32(Lots 401 and 1072) Carr Street, West Perth, that the unauthorised Street/Front Fence shall be removed or modified to comply with the provisions of the Town's Policy relating to Street Walls and Fences within 28 days of the date of notification by the Town; and*
- (iii) *the Council AUTHORIZES the Chief Executive Officer to initiate legal proceedings against the owners of Nos. 28 and 32 (Lots 401 and 1072) Carr Street, West Perth, if the unauthorised Street/Front Fence is not removed or modified as detailed in clause (ii) above within the above 28 day period.*

COUNCIL DECISION ITEM 10.1.5

Moved Cr Messina, Seconded Cr Torre

That the recommendation be adopted.

Debate ensued.

Cr Doran-Wu departed the Chamber at 8.20pm.
Cr Doran-Wu returned to the Chamber at 8.23pm.

Moved Cr Farrell, Seconded Cr Messina

That the Item be DEFERRED to allow the applicant to submit amended plans depicting increased permeability of the fence.

CARRIED (6-3)

<u>For</u> Mayor Catania Cr Chester Cr Doran-Wu Cr Farrell Cr Lake Cr Messina	<u>Against</u> Cr Ker Cr Maier Cr Torre
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Landowner:	R Ricciardello & Ricciardello Nominees Pty Ltd
Applicant:	Ricciardello Nominees Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
Existing Land Use:	Grouped Dwelling
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	1333 square metres (Lot 401), 1012 square metres (Lot 1072)
Access to Right of Way	N/A

BACKGROUND:

20 January 2004 The Council at its Ordinary Meeting conditionally approved the demolition of two existing single houses and construction of eight (8) two-storey grouped dwellings on No. 28 Carr Street, and six (6) two-storey grouped dwellings on No. 32 Carr Street.

7 September 2004 The Town conditionally approved a Building Licence for the construction of eight (8) two-storey grouped dwellings on No. 28 Carr Street, and six (6) two-storey grouped dwellings on No.32 Carr Street.

18 January 2005 The Council at its Ordinary Meeting resolved to Refuse an application for a proposed vehicle gate, involving reconsideration of condition of Planning Approval for eight (8) two-storey grouped dwellings on No. 28 Carr Street, and six (6) two-storey grouped dwellings on No. 32 Carr Street.

DETAILS:

The applicant seeks a retrospective approval for a front fence and gates. The front fence and gates were constructed as shown on the plans submitted as part of the Planning Application and Building Licence. However, the following fence condition was placed on the Planning Approval issued by Council on 20 January 2004 - condition nos. (iv) and (xi), and Building Licence issued on 7 September 2004 - condition nos. 31 and 37, respectively.

- "(iv) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Carr Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (xi) standard visual truncations, in accordance with the Town's Policies and to the satisfaction of the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular access ways to ensure that the safety of pedestrians and other road users is not compromised."*

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Noted
Height of front fence.	Not to exceed 1.8 metres above ground level.	Up to 2 metres - rendered wall with no capping.	Supported - refer to "Comments".
Solid portion of wall.	Solid portion of wall to have a maximum height of 1.2 metres above adjacent footpath level.	Lower part of wall solid up to 0.9 metre with parts of upper portion solid with no permeability up to 1.8 metres.	Not supported - refer to "Comments"
Permeability to upper portion of the front fence.	Upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency.	90 millimetres timber battens with 10 millimeter gaps.	Not supported - refer to "Comments".
Visual truncations	1.5 x 1.5 metres truncation to intersection of the road reserve and internal vehicle access ways with height of solid wall no greater than 0.65 metre.	1.0 x 1.0 metre truncations to intersection of vehicle access way to Unit 1/32 and Unit 3/28 with height of solid wall within the truncation up to 0.85 metre.	Supported - refer to "Comments".
Consultation Submissions			
The application was not required to be advertised as the Officer Recommendation is for refusal and the application is being referred to Council for its consideration and determination.			
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

COMMENTS:

Height of Front Fence

The front fence has been constructed to accommodate a 1 metre variation in natural ground level from the western side of No.32 Carr Street, down to the southern side of No. 28 Carr Street. Considering this, the pillars and solid walls have been constructed with a height of 1.8 metres up to 2 metres, with the top of the pillars level.

The height of the return wall along the communal vehicle access way has been accentuated by the reduced levels of the driveway to the rear units. This has caused a variation in the walls height along its length, up to 2.2 metres in height, from the aspect of the driveway. The reduction in height of the return wall to follow the reduced driveway level would have resulted in the private courtyards abutting the access way with a reduced fence height internally. The applicant has advised the Town that in order to maintain the privacy of the courtyards, the internal fence height has been maintained at approximately 1.8 metres.

The constructed height of the pillars and solid walls is considered to have no undue impact on the amenity of the street.

Solid Portion of Wall

The majority of solid portion of the front fence is the low part of the wall which has been constructed up to 0.9 metre, with parts of the fence solid up to 2 metres. A significant portion of the non-compliant solid wall was constructed to accommodate the heritage feature wall containing the three cast iron oven fronts, obtained from the original houses on the site (Planning Approval condition (xv) (b)).

In order to clarify the intentions of the Town's Street Walls and Fences Policy, the current front fence condition placed on approvals has been modified to clearly identify all walls within the front setback area, having to be 50 per cent permeable above 1.2 metres, including the return walls.

The front fence has also been constructed with solid return walls to every front unit for the purpose of providing a recess to accommodate gate access to the courtyard and the gas meter box for the respective units. The provision of other services such as water meters, western power meter boxes and letter boxes, and the necessity to provide these within the front setback area, has resulted in an irregular shape to parts of the walls which are solid. The return walls between the front courtyards are also solid, up to 1.8 metres high.

The extent of the solid walls are considered to be significant and contrary to the Town's Policy, therefore it is recommended that the front fence and gates be modified to comply.

50 Per Cent Permeability

The front fence has been constructed with a lower wall of 0.7 to 0.9 metre, lower than the 1.2 metres permitted. 90 millimetre battens have been fitted above the low wall and gates with 10 millimetre gaps between. The Town's Street Walls and Fences Policy requires the upper portion of fences and gates above 1.2 metres to be 50 per cent permeable, however, it also indicates that where a private courtyard is located within the front setback area, some part of the area is permitted to be screened from view.

The applicants have submitted the following information in support of the front wall and the limited transparency it provides.

“The provision of the private courtyards within the front setback area, in accordance with the development approval, is justified on several grounds:

- *to make effective use and establish identity and ownership of the front setback area along Carr Street;*

- *enables the relocation of the majority of vehicle access and parking to the rear of the development, addressing a key Council concern.*

Further, the intent of the Town's front fencing policy with regards to transparency "to maintain earlier visual and community contact between the development and the street, and to ensure better visual surveillance for improved property security at street boundaries" is met by:

- *The provision of permeable fencing, with a lower skirt than that required by the Town, to maintain indications of activity, whilst still ensuring privacy and attenuation of visual pollution (traffic and late night pedestrian flow) to the occupants;*
- *The provision of usable upper floor balconies to provide casual interaction and surveillance..."*

In addition to the above, the applicant has advised the Town that they would be willing to remove every second batten above 1.2 metres to provide more than 50 per cent permeability. However, the Town was recently notified by the applicant that on 18 October 2005, seven out of the fourteen units were broken into and completely stripped of contents. Subsequently, the purchasers of the units have requested that the front battens be left as is.

However, the subject front fence and gates are considered to have an undue impact on the streetscape and amenity of the area, and it is also considered to reduce the potential for passive surveillance and interaction between the street and dwellings.

Visual Truncations

The Town's Technical Services have undertaken an inspection of the constructed wall and assessed the non-compliance issues with regards to visual truncation and sight lines. It was concluded that considering the subject vehicle access ways do not cater for the majority of vehicle traffic, the intrusion of part of the wall within the truncation areas and the height of the low walls being greater than 0.65 metre, does not compromise the safety of pedestrians and other road users. Technical Services are willing to accept the fencing as it has been constructed.

Summary

In view of the above, it is recommended that the application be refused due to the nature of the variations involved. It is further recommended that the Council require the owners to modify the unauthorised street/front fence within 28 days, and authorise legal action should the unauthorised fence remains after this period.

10.1.2 No. 35 (Lot 34 D/P: 2324) Grosvenor Road, Mount Lawley - Proposed Two (2) Two-Storey Single Houses

Ward:	South	Date:	14 November 2005
Precinct:	Norfolk; P10	File Ref:	PRO3287; 5.2005.3103.1
Attachments:	001		
Reporting Officer(s):	S Klarich, T Durward		
Checked/Endorsed by:	D Abel	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Civitella Building and Design on behalf of the owner Civitella Holdings Pty Ltd for proposed Two (2) Two-Storey Single Houses, at No. 35 (Lot 34 D/P: 2324) Grosvenor Road Mount Lawley, and as shown on plans stamp-dated 7 October 2005, subject to:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the Grosvenor Road boundary and the main building, including along the side boundaries within this front setback area, complying with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

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

- (iii) subject to first obtaining the consent of the owners of Nos. 33 and 39 Grosvenor Road for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 33 and 39 Grosvenor Road in a good and clean condition; and*

- (iv) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development the first floor eastern windows to bedroom 3 and living room on Lot 1 and first floor western windows to bedroom 3 and living room on Lot 2, shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002.*

Moved Cr Farrell, Seconded Cr Chester

That the recommendation be adopted.

Cr Messina departed the Chamber at 8.40pm.

Debate ensued.

Cr Messina returned to the Chamber at 8.41pm.

Moved Cr Ker, Seconded Cr Chester

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

Screening requirement to the southern face of the balconies to both lots 1 and 2.

- “(iv) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development the first floor eastern windows to bedroom 3 and living room on Lot 1 and first floor western windows to bedroom 3 and living room on Lot 2 and first floor southern side of the balconies/terraces on both Lots 1 and 2, shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002.*”

AMENDMENT CARRIED (9-0)

MOTION AS AMENDED CARRIED (9-0)

COUNCIL DECISION ITEM 10.1.2

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Civitella Building and Design on behalf of the owner Civitella Holdings Pty Ltd for proposed Two (2) Two-Storey Single Houses, at No. 35 (Lot 34 D/P: 2324) Grosvenor Road Mount Lawley, and as shown on plans stamp-dated 7 October 2005, subject to:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the Grosvenor Road boundary and the main building, including along the side boundaries within this front setback area, complying with the following:*
 - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

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

- (iii) subject to first obtaining the consent of the owners of Nos. 33 and 39 Grosvenor Road for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 33 and 39 Grosvenor Road in a good and clean condition; and*

- (iv) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development the first floor eastern windows to bedroom 3 and living room on Lot 1 and first floor western windows to bedroom 3 and living room on Lot 2 and first floor southern side of the balconies/terraces on both Lots 1 and 2, shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002.*

Landowner:	Civitella Holdings Pty Ltd
Applicant:	Civitella Building & Design
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R40
Existing Land Use:	Vacant
Use Class:	Single House
Use Classification:	"P"
Lot Area:	450 square metres
Access to Right of Way	South side, 4 metres wide, sealed, owned by the Town.

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the construction of two (2) two-storey single houses that are attached. Vehicle access to the houses is proposed to be obtained from the right-of-way at the rear of the property.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	2 dwellings R 40	2 dwellings R 40	Noted
Plot Ratio	N/A	N/A	N/A
Setbacks: Lot 1 Northern Elevation (Grosvenor Road) - first floor balcony	6 metres	5 metres	Supported - considered to have no undue impact on the streetscape and in line with ground floor below.

Eastern Elevation - ground floor	1.5 metres	Nil (garage, kitchen and dining) - 1.2 metres (living)	Supported - minor variation and compliant to building on boundary requirements of the R Codes, approval from adjoining landowner also provided.
- first floor	2.2 metres	1.2 metres	Supported - considered to have no undue impact on the adjoining property and the owner has given support for the proposal.
Lot 2 Northern Elevation (Grosvenor Road) - first floor balcony	6 metres	5 metres	Supported - considered to have no undue impact on the streetscape and in line with ground floor below.
Western Elevation - ground floor	1.5 metres	Nil (garage, kitchen and dining) - 1.2 metres (living)	Supported - minor variation and compliant to building on boundary requirements of the R Codes, approval from adjoining landowner also provided.
- first floor	2.2 metres	1.2 metres	Supported - considered to have no undue impact on the adjoining property and the owner has given their support for the proposal.
Building on Boundary: Lots 1 and 2 - number of walls on boundary	Built up to 1 boundary.	Building on 2 boundaries.	Supported - second boundary is common to both lots and considered to have no undue impact on adjoining properties.

- length of walls on boundary	Boundary wall can be built up to 2/3 (66 percent) of the boundary behind the front setback.	Built along 93 per cent of eastern boundary of Lot 1 and western boundary of Lot 2.	Supported - boundary is common to both Lots 1 and 2 and considered to have no undue impact on adjoining properties.
- height of walls on boundary	Maximum 3.5 metres high, with an average of 3 metres.	Average 3.45 metres high to eastern boundary of Lot 1 and 3.5 metres high to western boundary of Lot 2.	Supported - approval from adjoining property owners at Nos.33, 39 and 41 Grosvenor Road was submitted for the height of walls on boundary.
Privacy Setbacks: Lots 1 and 2 - terrace	7.5 metres	1.7 metres to eastern boundary (Lot 1) and 1.7 metres to western boundary (Lot 2) and 6.02 metres to southern boundary (Lots 1 and 2).	Supported - applicant proposes obscure glazing to eastern and western side of balconies up to 1.6 metres high, and southern property (other side of right of way) is entirely screened by large vegetation therefore the proposed terrace is considered to have no undue impact on southern property.
- living room and bed 3	Cone of vision setback to adjoining boundary of 4.5 metres from a bedroom and 6 metres from a living room.	1.2 metres cone of vision setback to eastern boundary of Lot 1 and to western boundary of Lot 2.	Not supported - height of window sill not clearly stated on plans, should be raised to 1.6 metres, as conditioned in Officer Recommendation.
Consultation Submissions			
Support (3)	No objections to the proposed development		Noted
Objection	Nil		Noted
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

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

COMMENTS:

Advertising/Consultation

The proposal was advertised for 14 days in which time no submissions were received. The applicant submitted to the Town written approval for the proposal, from the adjoining property owners at Nos. 33, 39 and 41 Grosvenor Road, when the proposed application was submitted for Planning Approval.

Summary

The variations sought by the applicant are supportable and do not have an undue impact on the adjoining property or surrounding streetscape.

In light of this, the proposal is recommended for approval, subject to standard and appropriate conditions to address the above matters.

10.1.8 No. 325 (Lots 251 and 254 D/P: 29191) Charles Street, North Perth - Proposed Demolition of Existing Single House and Construction of a 3-4 Storeys Mixed Use Development Comprising Offices and Four (4) Single Bedroom Multiple Dwellings

Ward:	South	Date:	14 November 2005
Precinct:	Charles Centre; P7	File Ref:	PRO3222 5.2005.3004.1
Attachments:	001		
Reporting Officer(s):	S Klarich, T Durward, T Woodhouse		
Checked/Endorsed by:	D Abel	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owners Tipskins Pty Ltd for proposed Demolition of Existing Single House and Construction of a 3-4 Storeys Mixed Use Development comprising Offices and Four (4) Single Bedroom Multiple Dwellings, at No. 325 (Lots 251 and 254 D/P: 29191) Charles Street, North Perth, and as shown on plans stamp-dated 25 August 2005 (overshadowing plan) and 7 October 2005, subject to:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) 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;*
- (iii) the three (3) car parking bays for the office component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (iv) prior to the first occupation of the development, four (4) car parking spaces being provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling;*
- (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) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
 - (a) the removal of the skillion roof and the provision of a concealed roof behind the proposed wall height;*
 - (b) the widening of car bay no. 7 to a minimum of 2.7 metres; and*

- (c) *the provision of adequate car parking, access and toilet facilities for people with disabilities.*

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

- (vii) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (viii) *subject to first obtaining the consent of the owners of No. 327 Charles 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. 327 Charles Street in a good and clean condition;*
- (ix) *the gross floor area of the office component shall be limited to a maximum of 168 square metres;*
- (x) *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 multiple dwellings that the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities. This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;*
- (xi) *the residential component of the development shall be adequately sound insulated prior to the first occupation of the development. The necessary sound insulation shall be in accordance with the recommendations, developed in consultation with the Town, of an acoustic consultant registered to conduct noise surveys and assessments in accordance with the Environmental Protection Act 1986. The sound insulation recommendations shall be submitted and approved prior to the issue of a Building Licence. The engagement of and the implementation of the recommendations of this acoustic consultant are to be at the applicant's/owner(s)' costs;*
- (xii) *doors, windows and adjacent floor areas fronting Charles Street shall maintain an active and interactive relationship with the street;*
- (xiii) *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;*
- (xiv) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xv) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xvi) *prior to the first occupation of the development, one (1) class 1 or 2 bicycle parking facility shall be provided at a location convenient to the entrance of the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to installation of such facilities;*
- (xvii) *the on-site car parking provided for the offices shall be available for use by the multiple dwellings outside the normal business hours of the offices; and*

(xviii) *prior to the issue of a Building Licence:*

- (a) *Lots 251 and 254 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); or*
- (b) *revised plans shall be submitted and approved demonstrating the entire development including all car parking and associated accessways being provided on Lot 251. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies.*

COUNCIL DECISION ITEM 10.1.8

Moved Cr Farrell, Seconded Cr Chester

That the recommendation be adopted.

Debate ensued.

Cr Doran-Wu departed the Chamber at 8.44pm.
Cr Doran-Wu returned to the Chamber at 8.46pm.

Moved Cr Ker, Seconded Cr Messina

That the Item be DEFERRED to allow for further information to be provided concerning the location of the disabled carparking bay, disabled access, solar access and constraints on future development of the site to the south.

CARRIED (7-2)

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

Landowner:	Tipskins Pty Ltd
Applicant:	Tipskins Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Single House
Use Class:	Office Building and Multiple Dwellings
Use Classification:	"P" and "AA"
Lot Area:	339 square metres for Lot 251, and 15 square metres for Lot 254
Access to Right of Way	N/A

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the demolition of the existing single house and the construction of a 3-4 storeys mixed use development comprising offices and four (4) multiple dwellings (single bedroom). The ground level of the development is made up entirely of office space (167.74 square metres), with the second and third levels comprising two (2) single bedroom dwellings on each level. A basement which is accessible down the southern side of the site, provides the essential facilities for the multiple dwellings, along with 7 car parking bays for the entire development.

Due to a 2 metre gradient decline of the property from Charles Street, to the west, being the rear of the property, the proposed development has been designed with three (3) levels on the Charles Street (eastern) elevation and three (3) levels, plus basement, on the rear (western) elevation.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	2.71 Multiple dwellings or 4.05 single bedroom multiple dwelling - R 80.	4 single bedroom multiple dwellings (R 117.99) (Representative R Code does not consider the dwellings to be single bedroom).	Supported - compliant to the minimum site area and single bedroom dwelling requirements of the Residential Design Codes.
Plot Ratio	1.0 - 354 square metres.	0.67 - 240 square metres.	Noted.
Charles Centre Precinct: Building Height - eastern elevation (Charles Street)	Third storey can be considered, provided the amenity of adjacent residential area is protected (10 metres to top of concealed roof and 12 metres to top of pitched roof).	10.4 (top of wall) - 12.5 metres (top of skillion roof)	Skillion roof not supported - skillion roof protruding well above building walls, roof can be lowered and concealed behind the top of wall - refer to "Comments".

Apply the adjustment factors <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.80 (mixed use development) • 0.95 (within 400 metres of car park with excess of 25 car parking bays) 	(0.646)	
Minus car parking on site	1.938 car bays (office component only)	
Minus the most recently approved on site parking shortfall	3 car bays (office component only)	
Resultant surplus	N/A	
Bicycle Parking		
Requirements	Required	Provided
Office <ul style="list-style-type: none"> • 1 per 200 square metres (proposed 163.64) gross floor area (class 1 or 2). • 1 space per 750 square metres over 1000 square metres for visitors. 	0.82 space	At least 1 space
	N/A	N/A
Consultation Submissions		
Support (1)	Department for Planning and Infrastructure have no objections to this application.	Noted
Objection	Nil	Noted
Other Implications		
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).	
Strategic Implications	Nil	
Financial/Budget Implications	Nil	

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

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

COMMENTS:

Building Height

The proposed design incorporates both a pitched (skillion) roof and concealed roof. The skillion roof is to be constructed on top of the residential component which has a maximum wall height of up to 11.5 metres, and including the skillion roof, the total height of the building is proposed to be up to 13.4 metres above natural ground level.

The design of the building, by way of concealed roof is considered to have the least impact on the adjoining properties in terms of bulk and scale. The inclusion of the skillion room in the design of the building increases the overall scale of the development. Considering this, the proposed skillion roof is not considered as a necessary design feature and is recommended it be removed and the roof be concealed within the existing wall structure.

The proposed height of the building to the top of the third level wall ranges from 10.5 metres to 11.7 metres. Due to the 2 metre gradient of the site, the height of the building from the rear /west (adjacent to residential area) is perceived as 4 levels (including basement), however, the levels of the building have been staggered away from western boundary. The ground level is proposed to be setback 5.7 metres, with the second and third levels of the multiple dwellings being set back 11.17 metres from the western boundary.

By lowering the proposed skillion roof so that it is concealed behind the top of wall, the impact of the development on the adjoining properties is considered to be minimal and on par with the existing height of the Brownes Dairy redevelopment at No. 399 Charles Street, North Perth. As conditioned in the Officer Recommendation.

Heritage

In light of preliminary investigations a full heritage assessment is not considered necessary for the proposed demolition of the subject place at No. 325 Charles Street.

The subject place was constructed circa 1920 during the Inter-War period of development in Perth. The single storey brick and tile dwelling features a front facing gable and a hipped roof clad with tiles. To the front of the dwelling the windows are in configurations of three casements. While some of the original features remain in situ, it is not considered that these features alone justify the retention of the house or qualify the place for consideration for entrance into the Town's Municipal Heritage Inventory. The place is not rare and is considered to be of little aesthetic, historic, scientific and social value.

In light of the above, it is recommended that approval be granted for the demolition of the existing dwelling, subject to standard conditions.

Summary

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

10.1.9 Amendment No. 28 Planning and Building Policies - Relating to Minor Nature Development

Ward:	Both Wards	Date:	4 November 2005
Precinct:	All Precincts	File Ref:	PLA0165
Attachments:	001		
Reporting Officer(s):	K Batina		
Checked/Endorsed by:	D Abel	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the final version of the Amended Policy relating to Minor Nature Development, as shown in Attachment 10.1.9, resulting from the advertised version having been reviewed and regard to no written submissions received during the formal advertising period, in accordance with Clauses 47 (4), and (5) (a) of the Town's Town Planning Scheme No. 1;*
- (ii) *ADOPTS the final version of the Amended Policy relating to Minor Nature Development, as shown in Attachment 10.1.9; and*
- (iii) *AUTHORISES the Chief Executive Officer to advertise the final version of the adopted Policy relating to Minor Nature Development, as shown in Attachment 10.1.9, in accordance with Clause 47 (6) of Town's Town Planning Scheme No. 1.*

COUNCIL DECISION ITEM 10.1.9

Moved Cr Maier, Seconded Cr Chester

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

PURPOSE OF REPORT:

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

BACKGROUND:

The Council at its Ordinary Meeting held on 27 March 2001 resolved to adopt the Planning and Building Policy Manual dated 2001 with some amendments.

The Council at its Ordinary Meeting held on 28 June 2005 resolved the following:

“That the Council;

- (i) *RECEIVES the final version of the Amended Policy relating to Minor Nature Development, as shown in Attachment 10.1.33, resulting from the advertised version having been reviewed and regard to no written submissions received during the formal advertising period, in accordance with Clauses 47 (4), and (5) (a) of the Town's Town Planning Scheme No. 1;*

- (ii) *ADOPTS the final version of the Amended Policy relating to Minor Nature Development, as shown in Attachment 10.1.33; and*
- (iii) *AUTHORISES the Chief Executive Officer to advertise the final version of the adopted Policy relating to Minor Nature Development, as shown in Attachment 10.1.33, in accordance with Clause 47 (6) of Town's Town Planning Scheme No. 1."*

However, following this decision, a number of anomalies, albeit that these were of a minor nature, were identified within the Policy and that there was a need to provide further clarification to some of the Policy provisions. An amended Policy was subsequently prepared and submitted to the Ordinary Meeting of Council held on 23 August 2005, where Council resolved the following:

"That the Council;

- (i) *RECEIVES the draft amended version of the Policy relating to Minor Nature Development, as shown in Attachment 10.1.23;*
- (ii) *ADVERTISES the draft amended version of the Policy relating to Minor Nature Development for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*
 - (a) *advertising a summary of the subject Policy once a week for four consecutive weeks in a newspaper circulating in the locality;*
 - (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policy; and*
 - (c) *forwarding a copy of the subject Policy to the Western Australian Planning Commission;*
- (iii) *after the expiry of the period for submissions:*
 - (a) *reviews the draft amended version of the Policy relating to Minor Nature Development, having regard to any written submissions; and*
 - (b) *determines the draft amended version of the Policy relating to Minor Nature Development, with or without amendment, to or not to proceed with them; and*
- (iv) *AMENDS the draft amended version of the Policy relating to Minor Nature Development as shown in the Attachment, by removing clause 2) v) as follows, and renumbering the remaining clauses accordingly, prior to clauses (ii) and (iii) above, being actioned:*
 - 2) v) ~~ancillary accommodation associated with and on the same lot as a single house that fully comply with the acceptable development provisions of the Residential Design Codes and the Town of Vincent Policies;~~*

CONSULTATION/ADVERTISING:

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

Advertising of the draft amended Policy concluded on 1 November 2005. No submissions regarding the Policy were received during the comment period.

DETAILS:

The purpose of amending the previously adopted Policy relating to Minor Nature Development was to provide further clarification with respect to signage and encouraging active and interactive shopfronts. In addition, the removal of clause 2) v), which related to ancillary accommodation, was considered appropriate given that the Town does not receive a significant amount of development applications relating to ancillary accommodation.

The amendments made to address these anomalies were minor in nature, and did not affect the intent or purpose of the Policy.

LEGAL/POLICY:

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

STRATEGIC IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

The current 2005/2006 Budget lists \$80,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

In light of the above, it is recommended that the Council receives, adopts and advertises the new amended Policy, in line with the Officer Recommendation.

10.1.11 Further Report - Tender for the Supply of Ticket Issuing Machines

Ward:	Both	Date:	15 November 2005
Precinct:	All	File Ref:	TEN323
Attachments:	001		
Reporting Officer(s):	J MacLean, J Anthony, D Abel		
Checked/Endorsed by:	-	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That the Council;

- (i) *ACCEPTS the tender submitted by PARKONSULT for the supply of ten (10) ticket issuing machines, in each of the next three (3) years, for installation in a number of locations in the Town, at a total cost of \$61,105 in 2005/6, \$62,942 in 2006/7 and \$64,831 in 2007/8;*
- (ii) *AUTHORISES the Chief Executive Officer to assess the most appropriate locations for the installation of the ticket issuing machines and submits a further report to the Council as soon as possible;*
- (iii) *LIST for consideration the 2006/07 and 2007/08 Draft Budget's the amounts of \$62,942 and \$64,881 respectively for the purchase of these items; and*
- (iv) *will NOT SUPPORT any variation in payment and retention amount.*

COUNCIL DECISION ITEM 10.1.11

Moved Cr Maier, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

Sarah Roberts - Journalist – The West Australian entered the Meeting at 8.53pm.

SUBSEQUENT MOTION:

Moved Cr Maier, Seconded Cr Chester

That the Council refers the tender evaluation process to the Audit Committee for review.

Debate ensued.

CARRIED (5-4)

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

ADDITIONAL INFORMATION:

At the Ordinary Meeting of Council, held on 25 October 2005, the Council DEFERRED the above matter, seeking further information and recommending a re-evaluation of the tenders.

As requested by the Council, the re-evaluation of the tender documentation was undertaken by a panel, consisting of the Manager Planning, Building and Heritage Services, the Manager Community Development, and the Manager Ranger Services and Community Safety. These three Officers undertook an independent evaluation process and then aggregated the outcome results into a single evaluation Table. A weighting factor was applied to these results and this achieved a clear indication of which company had supplied the most appropriate tender.

The table that was attached to the Further Report, for the Ordinary Meeting of Council to be held on 22 November 2005, contained incomplete Totals data and has needed to be amended. Some of the information was inadvertently not included in the calculations and, while it has not affected the outcome or the recommendation, it is considered appropriate for an accurate Table to be prepared (which replaces Appendix 10.1.11 shown in the Agenda).

It should be noted that, in the original evaluation of the tenders, which was considered by the Council on 25 October 2005, the figure allocated for "*Financial History and Evidence of Stability*" showed that all tenderers achieved the maximum. This was based on the Town having dealt with all of the tenderers over a number of years and that all of the tenderers have been in business for a long period of time. All of the tenderers were considered, by the companies and Local Governments, for whom they currently work, to be financially stable and this was the basis for awarding the score.

However, during the re-evaluation process, it was established that none of the tenders contained specific evidence of Financial History or Financial Stability and the initial assessment was reviewed downwards. Because none of the tenderers supplied the information, all were awarded a score of 1 point out of a possible 5 points, in the re-evaluation Scoresheet.

While an aggregated Evaluation Scoresheet has been provided, showing slightly different figures, the recommendations that were made at the Ordinary Meeting of Council on 25 October 2005, have not been changed and Parkonsult remain the recommended tenderers.

FURTHER REPORT:

The Council at its Ordinary Meeting held on 25 October 2005 considered the Tender and resolved that the Item be DEFERRED to allow further assessment of the Tender.

The Tenders were re-assessed by a panel consisting of the Acting Executive Manager Environmental and Development Services, the Manager Community Development Services and the Manager Ranger Services and Community Safety. The panel evaluation sheet is included as an attachment to this Agenda report.

As a result of the re-assessment, the Officer Recommendation remains unchanged, however, the following clause which was carried at the Ordinary Meeting held on 25 October 2005 is included in the Further Recommendation:

“(iv) will NOT SUPPORT any variation in payment and retention amount.”

The following is a verbatim copy of the Minutes of the item placed before the Council at its Ordinary Meeting held on 25 October 2005.

“OFFICER RECOMMENDATION:

That the Council;

- (i) ACCEPTS the tender submitted by Parkonsult for the supply of ten (10) ticket issuing machines, in each of the next three (3) years, for installation in a number of locations in the Town, at a total cost of \$61,105 in 2005/6, \$62,942 in 2006/7 and \$64,831 in 2007/8;*
 - (ii) AUTHORISES the Chief Executive Officer to assess the most appropriate locations for the installation of the ticket issuing machines and submits a further report to the Council as soon as practicable; and*
 - (iii) LIST for consideration the 2006/07 and 2007/08 Draft Budget’s the amounts of \$62,942 and \$64,831 respectively for the purchase of these items.*
-

COUNCIL DECISION ITEM 10.1.14

Moved Cr Doran-Wu, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Moved Cr Doran-Wu, Seconded Cr Torre

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

“(iv) will NOT SUPPORT any variation in payment and retention amount.”

AMENDMENT CARRIED (8-0)

(Cr Farrell on leave of absence.)

Moved Cr Maier, Seconded Cr Ker

That the Item be DEFERRED to allow further assessment of the tender.

CARRIED (8-0)

(Cr Farrell on leave of absence.)

PURPOSE OF REPORT:

To provide an assessment and evaluation of Tender 325/05, for the supply and delivery of 10 ticket issuing machines, per year for the next three financial years.

BACKGROUND:

The Town called tenders for the supply of ten (10) ticket issuing machines for each of the next three years and the Tender was advertised on 7 September 2005, with a closing date of 22 September 2005. A total of four (4) tenders were opened, at 2.00pm on 22 September 2005, with the Manager Ranger Services and Community Safety, the Purchasing Officer and no members of the public, in attendance.

DETAILS:

The four (4) tendered prices for the ticket issuing machines covered a wide price span, with the highest tender being approximately 51 percent more expensive than the price submitted by the recommended tenderer.

One tender did not address the compliance requirements in a number of areas but, since their price was substantially more than the other machines, it was considered unnecessary to contact the company to check for compliance.

Parkonsult

Parkonsult have tendered for the supply of Cale MP104 Ticket Issuing Machines, which are an updated version of the Cale MP101 and MP102 ticket issuing machines, already installed by the Town of Vincent. The Cale MP101 machines were installed by the City of Perth around 1989 and have provided excellent service since that time.

These MP101 machines were scheduled for replacement in the 2002/3 Budget, but they were assessed as being in sufficiently good condition to last a further 4 to 5 years, so the allocated budget was transferred to another area. The MP102 machines were relocated to Barlee Street Car Park in 2004, because the existing Reino PSA2000 machines were not capable of being programmed for a free-period of parking.

Parkonsult has tendered a price, which is substantially less than that tendered by the other three (3) tenderers and, since Parkonsult are engaged by the Town, under a ticket machine maintenance contract they are in an excellent position to ensure that the machines can be programmed as the Town requires.

The Parkonsult has identified, under Section 2.27 of the Tender Documentation that it has maintenance contract with the Town, but do not believe that this would conflict with this current Tender. Officers agree that this fact should not create any conflict of interest, since the two tenders are for different things and are not inter-dependent.

CHS

CHS Parking Equipment Australia tendered for an EZIpark Global ticket issuing machine, which has been designed to provide an aesthetically pleasing piece of street furniture. Unlike the machines tendered by two of the other manufacturers, it is constructed of up to 20mm thick cast Aluminium, rather than the traditional steel construction. The company suggests that, because aluminium is a "soft" metal, it is resistant to drilling, unless a fluid coolant is used on the drill bit. In general enquiries, it has been confirmed that this assertion is valid and, as a result, officers are satisfied that the integrity of the casing would meet the Town's needs. The main cabinet door is pre-cast to facilitate possible future upgrades, to accept credit cards, smart cards, etc, with minimal additional cost.

Reino International WA

Reino WA has been the successful tenderer for the Town's ticket issuing machines on the previous three (3) tenders for the supply of ticket issuing machines and has again tendered to supply PSA 2000 machines. The Town currently has twenty five (25) PSA 2000 (provided by Reino WA – formerly Smart Edge Technologies), installed and all perform well. The early-produced PSA2000 machines were not capable of being programmed to provide a free parking period, as well as two day-time fees and two night-time fees, but this has apparently been addressed and can now be programmed in this way.

Wilson Technology Solutions

Wilson Technology Solutions has tendered for the supply of Hectronic PA2/1 Ticket Issuing Machines. All machines comply with the current requirements of the Town, other than the fact that reprogramming would appear to be only available using a laptop computer. Wilson Technology Solutions, like the CHS machines, use an aluminium casing and has specified that the coin escrow is of a superior quality to many of the competitor's machines. However, the Town has not experienced many problems with the current escrows, so this enhancement is not considered to be of major advantage.

Parkonsult, who undertake repairs, maintenance and re-programming functions, on behalf of the Town of Vincent, already hold a number of spare parts for the Town's existing ticket issuing machines.

It has been confirmed that many of the components used in the EZIPark Global ticket issuing machines are common to the Cale MP104 and PSA 2000 machines, so there is a level of interchangeability. Tickets for the Cale MP104, PSA2000 and CHS machines are interchangeable, but the Wilson machine needs to use specific paper. Parkonsult has confirmed that they can maintain all of the machines tendered.

REQUESTED VARIATION IN PAYMENT AND RETENTION AMOUNT:

Parkonsult has requested that the retention of 10 percent of the total cost be waived, because it is unnecessary, since the Town currently pays its maintenance invoices, in arrears. This means that, at any time, the Town would have an unpaid invoice for payment for the maintenance contract, of around \$5,500. It is agreed that, if Parkonsult is the approved tenderer, this retention is probably not necessary.

Reino WA have requested that the Town consider amending the "Payment and Retention" Section of the Tender Document. It submitted the following comments:

"Retention of 10% (for the security deposit) is stipulated. This (10%) represents a major portion of the profit margin in this contract and is double that of retention monies required by other Australian Council since 1983. We ask therefore that the retention is capped at 5%, with a 50% of the retention monies held be returned after completion of delivery and the balance at the end of the normal (12 months) warranty period."

While Reino International is not the recommended tenderer, the fact that a similar request, to that of Parkonsult, has been received, it would appear to lend credence to the request.

EVALUATION:

The Town specified how the Tenders would be evaluated and attributed weighting factors to each of the criteria. The evaluation was undertaken by The Manager Ranger Services and Community Safety. The following table shows these criteria:

Criteria	%	Weighting
1 Price		
Include in the lump sum price all fees and other costs and dispersements to provide the required service and appropriate level of Goods and Services Tax (GST).	50	50%
2. Professional expertise and relevant experience in similar projects		
• Demonstrated knowledge and experience in projects of a similar nature.	5	20%
• Demonstrate capacity to achieve the proposed project.	5	
• Provide evidence of successful results in relevant previous projects.	5	
• Provide suitable written references and referees.	5	

<i>Criteria</i>	<i>%</i>	<i>Weighting</i>
3. <i>Financial History and Evidence of Stability</i> <ul style="list-style-type: none"> • <i>Demonstrate financial history of organisation to carry out works for this project.</i> • <i>Demonstrate evidence of stability and experience.</i> 	5	5%
4. <i>Materials and Labour</i> <ul style="list-style-type: none"> • <i>Demonstrate content of Australian Made material and/or labour.</i> 	5	5%
5. <i>Overall compliance with Tender Specification and Requirements</i>	20	20%
		100%

1. Price

The following table shows the tendered prices for each Tenderer, for each of the three (3) years:

2005 - 2006

<i>Company</i>	<i>10 Machines</i>	<i>Additional Solar Costs</i>	<i>Per Solar Machine</i>	<i>Total Cost</i>
<i>Parkonsult</i>	\$61,105.00	0	\$6,110.50	\$61,105.00
<i>Reino WA</i>	\$71,555.00	\$1,200.00 *	\$7,275.50	\$72,755.00
<i>CHS (Global)</i>	\$75,900.00		\$7,590.00	\$75,900.00
<i>Wilson</i>	\$92,521.00		\$9,252.10	\$92,521.00

* *Reino WA has tendered for a 5 watt solar panel and there is an additional charge, of \$120.00 per machine, for the 10 watt Solar Panels that were specified in the Tender documents.*

2006 - 2007

<i>Company</i>	<i>10 Machines</i>	<i>Additional Solar Costs</i>	<i>Per Solar Machine</i>	<i>Total Cost</i>
<i>Parkonsult</i>	\$62,942.00	0	\$6,294.20	\$62,942.00
<i>Reino WA **</i>	\$71,555.00	\$1,200.00 *	\$7,275.50	\$72,755.00
<i>CHS (Global)</i>	\$78,100.00		\$7,590.00	\$75,900.00
<i>Wilson **</i>	\$92,521.00		\$9,252.10	\$92,521.00

* *Reino WA has tendered for a 5 watt solar panel and there is an additional charge, of \$120.00 per machine, for the 10 watt Solar Panels that were specified in the Tender documents.*

** *Reino WA and Wilson Technology have indicated that, while the tendered price is the same for each of the three years, there is an expectation that this price will increase with CPI*

2007 - 2008

<i>Company</i>	<i>10 Machines</i>	<i>Additional Solar Costs</i>	<i>Per Solar Machine</i>	<i>Total Cost</i>
<i>Parkonsult</i>	\$64,831.80	0	\$6,483.18	\$64,831.80
<i>Reino WA **</i>	\$71,555.00	\$1,200.00 *	\$7,275.50	\$72,755.00
<i>CHS (Global)</i>	\$80,300.00		\$7,590.00	\$75,900.00
<i>Wilson **</i>	\$92,521.00		\$9,252.10	\$92,521.00

* *Reino WA has tendered for a 5 watt solar panel and there is an additional charge, of \$120.00 per machine, for the 10 watt Solar Panels that were specified in the Tender documents.*

** *Reino WA and Wilson Technology have indicated that, while the tendered price is the same for each of the three years, there is an expectation that this price will increase with CPI*

2. Professional expertise and relevant experience in similar projects

- *Demonstrated knowledge and experience in projects of a similar nature.*
- *Demonstrate capacity to achieve the proposed project.*
- *Provide evidence of successful results in relevant previous projects.*
- *Provide suitable written references and referees.*

All four (4) companies that submitted Tenders have similar knowledge and experience in the field and have the capacity to achieve the proposed project. All have provided evidence of successes in various locations and all have provided suitable references and referees. Referees were randomly contacted and all were happy with the respective companies.

3. Overall compliance with Tender Specification and Requirements

In assessing the Tender, areas where the Tenderer did not fully explain the criterion, or did not address a specification, was identified and recorded. From a calculation viewpoint, one half of one point (½ points) was deducted for each of area that was not fully addressed and it was assumed that, where an item was not addressed, it was compliant and no points were deducted.

4. Financial History and Evidence of Stability

- *Demonstrate financial history of organisation to carry out works for this project.*
- *Demonstrate evidence of stability and experience.*

All Tenderers provided evidence of financial history to carry out the works and all used length of experience in the industry to support assertions of financial stability.

5. Materials and Labour

- *Demonstrate content of Australian Made material and/or labour.*

Reino International is the only tenderer that can demonstrate that many of the components, used in the PSA 2000 machines, originate in Australia and in fact, some originate in Western Australia. Some of the components used in the PSA 200 machine are supplied from Germany and Japan. CHS Parking Systems assert that the cabinet, along with many of the components are designed and manufactured in Australia or New Zealand.

In the assessment, a figure of four (4), from a maximum of five (5), has been allocated to Reino and a figure of one (1) has been allocated to CHS, while nothing has been allocated to either of the other Tenderers.

In the assessment for price, Parkonsult had the lowest quoted price and has been allocated a figure of fifty (50). As a way of assessing the others, the allocated figures are based on the amount that each of the other Tenderers had quoted above that of Parkonsult.

The following is a summary table, showing the evaluation figures:

<i>Criteria</i>	<i>%</i>	<i>Parkonsult</i>	<i>Reino International</i>	<i>CHS</i>	<i>Wilson</i>
<i>Price</i>	<i>50%</i>	<i>50</i>	<i>40.47</i>	<i>37.89</i>	<i>24.29</i>
<i>Professional Expertise</i>	<i>20%</i>	<i>20</i>	<i>20</i>	<i>20</i>	<i>20</i>
<i>Financial History</i>	<i>5%</i>	<i>5</i>	<i>5</i>	<i>5</i>	<i>5</i>
<i>Materials and labour</i>	<i>5%</i>	<i>0</i>	<i>4</i>	<i>1</i>	<i>0</i>
<i>Compliance</i>	<i>20%</i>	<i>19</i>	<i>18.5</i>	<i>18.5</i>	<i>17.5</i>
	<i>100%</i>	<i>94.00</i>	<i>87.97</i>	<i>82.39</i>	<i>66.79</i>

CONSULTATION/ADVERTISING:

There is no need to consult the public about this report, since it refers to an approval by the Council, to award a Tender. The Tender was advertised, in the West Australian newspaper, on 7 September 2005, for a period of fifteen (15) days. The Town's Tender Process has been designed to ensure transparency in the way Tenders are evaluated.

LEGAL/POLICY:

The Tender was called in accordance with the Local Government Tender Regulations.

STRATEGIC IMPLICATIONS:

Area 3.2 of the Town's Strategic Plan 2005 to 2010 states "Develop Business strategies that provide a positive triple bottom line return for the Town" and the above recommendation would meet this criterion.

FINANCIAL/BUDGET IMPLICATIONS:

The current Budget has allowed \$100,000 for the purchase and installation of parking ticket issuing machines. It will be necessary for the Council to allocate appropriate funds in the 2006/7 and 2007/8 Budgets, to enable the purchase of ticket issuing machines.

COMMENTS:

From the tender information provided above, it is recommended that Parkonsult be awarded the contract for the supply of ten (10) ticket issuing machines in each of the next three (3) years."

The Chief Executive Officer advised that the Mayor had declared a proximity interest in this Item. Mayor Catania departed the Chamber at 9.09pm and did not speak or vote on the matter.

Deputy Mayor, Cr Farrell, assumed the Chair.

10.2.1 Further Report Traffic Management Matters - Referred to Local Area Traffic Management Advisory Group - Bourke Street

Ward:	Both	Date:	15 November 2005
Precinct:	Leederville P3	File Ref:	TES0061
Attachments:	001;		
Reporting Officer(s):	R Lotznicher		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the further report on Traffic Management Matters Referred to the Local Area Traffic Management Advisory Group - Bourke Street;*
- (ii) *APPROVES IN PRINCIPLE the following measures to improve the amenity for residents along Bourke Street between Loftus and Oxford Streets:*
 - (a) *paint demarcation lines with 'No Stopping' either side of every crossover in the section of Bourke Street between Loftus and Bourke Streets including at intersecting roads and paint a continuous white line 'parallel' to the kerb on both sides of Bourke Street as shown on attached Plan No 2383-CP-1;*
 - (b) *introduce a Two (2) hour parking restriction from 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturday in Bourke Street between Loftus and Oxford Streets as shown on attached plan No. 2383-CP-1; and*
 - (c) *implement a strategy, to change driver behaviour in Bourke Street, by utilising the 'speed trailer' and requesting the WA Police to randomly monitor the street;*
- (iii) *CONSULTS with residents in Bourke Street (between Loftus and Oxford Streets) regarding the 'parking and traffic' proposals as outlined in clause (ii) above, giving them 21 day in which to provide a response;*
- (iv) *INVESTIGATES the installation of a roundabout at the intersection of Bourke and Oxford Streets, as part of the 2007/2008 State Blackspot Program in 2007/2008;*
- (v) *CONSIDERS listing appropriate funds in the 2006/2007 financial year to construct 'nibs' in Bourke Street at the intersections of Fleet, Scott and Burgess Streets to further improve safety for both pedestrians and motorists, should the proposal as outlined in clause (ii) above be implemented and prove to be successful;*
- (vi) *as a part of the Bourke Street improvement proposal, also APPROVES IN PRINCIPLE the introduction of a Two (2) Hour parking restriction between 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturday at the following locations, as shown on attached Plans No. 2386-CP-1 and 2387-PP-1;*

- (a) *Bourke Street between Brentham and Oxford Streets;*
- (b) *Scott Street between Bourke and Galwey Streets;*
- (vii) *CONSULTS with residents in Bourke and Scott Streets regarding the proposal as outlined in clause (iv) above, giving them 21 day in which to provide a response; and*
- (viii) *RECEIVES a further report at the conclusion of the Community Consultation as outlined in clauses (iii) and (vii).*

Moved Cr Maier, Seconded Cr Ker

That the recommendation be adopted subject to clauses (ii) and (vii) as follows:

- “(ii) *APPROVES IN PRINCIPLE the following measures to improve the amenity for residents along Bourke Street between Loftus and Oxford Streets:*
 - (a) *paint demarcation lines with 'No Stopping' either side of every crossover in the section of Bourke Street between Loftus and Bourke Oxford Streets including at intersecting roads and paint a continuous white line 'parallel' to the kerb on both sides of Bourke Street as shown on attached Plan No 2383-CP-1;*
- (vii) *CONSULTS with residents in Bourke and Scott Streets regarding the proposal as outlined in clause (iv) ~~(v)~~ (vi) above, giving them 21 day in which to provide a response;”*

CARRIED (8-0)

(Mayor Catania was absent from the Chamber and did not vote.)

COUNCIL DECISION ITEM 10.2.1

That the Council;

- (i) *RECEIVES the further report on Traffic Management Matters Referred to the Local Area Traffic Management Advisory Group - Bourke Street;*
- (ii) *APPROVES IN PRINCIPLE the following measures to improve the amenity for residents along Bourke Street between Loftus and Oxford Streets:*
 - (a) *paint demarcation lines with 'No Stopping' either side of every crossover in the section of Bourke Street between Loftus and Oxforde Streets including at intersecting roads and paint a continuous white line 'parallel' to the kerb on both sides of Bourke Street as shown on attached Plan No 2383-CP-1;*

- (b) *introduce a Two (2) hour parking restriction from 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturday in Bourke Street between Loftus and Oxford Streets as shown on attached plan No. 2383-CP-1; and*
- (c) *implement a strategy, to change driver behaviour in Bourke Street, by utilising the 'speed trailer' and requesting the WA Police to randomly monitor the street;*
- (iii) *CONSULTS with residents in Bourke Street (between Loftus and Oxford Streets) regarding the 'parking and traffic' proposals as outlined in clause (ii) above, giving them 21 day in which to provide a response;*
- (iv) *INVESTIGATES the installation of a roundabout at the intersection of Bourke and Oxford Streets, as part of the 2007/2008 State Blackspot Program in 2007/2008;*
- (v) *CONSIDERS listing appropriate funds in the 2006/2007 financial year to construct 'nibs' in Bourke Street at the intersections of Fleet, Scott and Burgess Streets to further improve safety for both pedestrians and motorists, should the proposal as outlined in clause (ii) above be implemented and prove to be successful;*
- (vi) *as a part of the Bourke Street improvement proposal, also APPROVES IN PRINCIPLE the introduction of a Two (2) Hour parking restriction between 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturday at the following locations, as shown on attached Plans No. 2386-CP-1 and 2387-PP-1;*

 - (a) *Bourke Street between Brentham and Oxford Streets;*
 - (b) *Scott Street between Bourke and Galwey Streets;*
- (vii) *CONSULTS with residents in Bourke and Scott Streets regarding the proposal as outlined in clause (vi) above, giving them 21 day in which to provide a response; and*
- (viii) *RECEIVES a further report at the conclusion of the Community Consultation as outlined in clauses (iii) and (vii).*

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the outcome of the Local Area Traffic Management (LATM) Advisory Group meeting held on 14 November 2005, where Bourke Street was discussed, and to make appropriate recommendations to address some of the issues raised at the meeting.

BACKGROUND:

The LATM Advisory Group meets monthly to consider requests received by the Town relating to Traffic and related safety issues. The requests, which are referred to the Group by the Council, are considered and the Group's recommendations are reported back to the Council.

As part of this process, on 26 July 2005 the Council received a report on various traffic matters where it was decided (in part):

"That the Council;

(ii) *REFERS the following traffic ... matters, as listed below and detailed in the report, to the Town's Local Area Traffic Management Advisory Group for their consideration;*

(a) *Bourke Street - Traffic Management and Parking Improvements;*

(iii) *RECEIVES a further report ... following consideration by the Town's Local Area Traffic Management Advisory Group."*

DETAILS:

The following information was contained in the 26 July 2005 report regarding Bourke Street:

Bourke Street - Traffic Management and Parking

Section: Loftus St to Oxford St
Request: Traffic Management and Parking Improvements
Posted Speed: 50kph
Traffic Data: (2005 data)

Section	Volume (vpd)	85% Speed (kph)
Oxford to Burgess	2,420	42
Burgess to Scott	2,238	59
Scott to Fleet	2,580	59

Classification: Local Distributor

Budget: Nil

Comments:

At the Ordinary Meeting of Council held on 10 September 2002, the Council approved angle parking in Richmond Street. It was also noted in the report that the consultation with residents regarding restrictions in the surrounding streets (Bourke and Scott) resulted in very little support for the proposed restrictions in Bourke Street and it was subsequently decided *"That the Council does not implement the proposed alterations to the current parking restrictions in Bourke and Scott Streets."*

Recently the Town received a petition from residents of Bourke Street expressing concerns about parking and traffic in the Street. A site visit confirmed that much of the parking in the street was taken up, probably by students, but vacant parking still existed at regular intervals. Only one of the vehicles parked in the street was illegally parked, causing a partial obstruction to a crossover.

It appears that the residents' main issue is that they cannot park immediately outside their houses.

Given the width of the lanes (with parked vehicles), it is surprising that the 85% speeds are 9kph above the posted speed. An assessment carried out in 1996 showed that the 85% speed was 60kph with a traffic volume of 2,417 vehicles per day. Therefore the speeds have not changed with the introduction of the 50kph limit.

Local Area Traffic Management Advisory Group meeting - 14 November 2005

Issues

Four (4) community representatives from Bourke Street attended the above meeting where the following issues were raised:

- Vehicles parked on both sides of Bourke Street all day. Suspect they belong to commuters into the City (same vehicles every day)
- This problem only exists during weekdays (8.00am to 5.30pm Monday to Friday)
- Problems experienced by residents when attempting to egress from driveways due to the high number of vehicles parked in the street
- Vehicles generally park too close to vehicle crossovers
- Excessive speed of vehicles particularly at the Loftus street end of the street

Suggested Solutions

The group was advised that Bourke Street is a Local Distributor Road and is classified to carry up to 6,000 vehicles per day and has a posted speed of 50kph. It currently has a recorded speed of 59 kph. The following measures were recommended:

- Paint demarcation lines with 'No Stopping' either side of every crossover in the section of Bourke Street between Loftus and Bourke Streets, including at intersecting roads, to comply with the relevant Australian standards
- Paint a continuous white line 'parallel' to the kerb (2.3m out from the kerb) on both sides of Bourke Street (to include a dashed line at crossover locations) to give the appearance of a narrower carriageway. This treatment has been successfully implemented in several of the wider streets (>10m) in the Town with a resultant decrease in traffic speeds
- Consult with residents in Bourke Street (between Loftus and Oxford Streets) regarding the introduction of Two (2) Hour parking restrictions from 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturday
Note: This is consistent with the existing restrictions in Galwey Street, Scott Street (Bourke to Richmond Street) and Fleet Street.
- Implement a strategy to change driver behaviour in the street, by temporarily parking the 'speed trailer' in Bourke Street and request the WA Police to randomly monitor the street
- Investigate the installation of a roundabout at the intersection of Bourke and Oxford Streets, to be part funded from the State Blackspot program in 2007/2008
- Should the continuous white lines 'parallel' to the kerb achieve the desired outcome/s (the Council) considers listing funds to construct 'nibs' at the intersections of Fleet, Scott and Burgess Streets in the 2006/2007 financial year to further improve safety of both pedestrians and motorists

CONSULTATION/ADVERTISING:

It is proposed that all affected residents be consulted regarding the proposal.

LEGAL/POLICY:

N/A

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment. “o) *Investigate and implement traffic management improvements in liaison with the Local Area Traffic Management (LATM) Advisory Group.*”

FINANCIAL/BUDGET IMPLICATIONS:

No funds have been specifically allocated in the 2005/2006 budget for Bourke Street, however, the installation of signs and linemarking can be funded from the appropriate Technical Services operating budgets.

COMMENTS:

The Town receives many requests for Traffic Management from time to time. Most requests received are addressed by the officers as vehicle classifier results usually indicate that there is a perceived problem rather than an actual problem. Other matters are referred to the WA Police for enforcement of the legal speed limit.

It is considered the measures outlined in the report, and recommended, will address the majority of the matters raised by the community representatives.

As the Mayor had declared a financial interest in Item 10.3.1, it was decided to bring that Item forward.

At 9.10pm Moved Cr Lake, Seconded Cr Torre

That Item 10.3.1 be brought forward.

CARRIED (8-0)

(Mayor Catania was absent from the Chamber and did not vote.)

The Presiding Member, Cr Farrell advised that Mayor Catania and Cr Messina had declared a financial interest in this Item. Mayor Catania was already absent from the Chamber. Cr Messina departed the Chamber at 9.10pm. Mayor Catania and Cr Messina did not speak or vote on the matter.

10.3.1 Investment Report as at 31 October 2005

Ward:	Both	Date:	1 November 2005
Precinct:	All	File Ref:	FIN0005
Attachments:	001		
Reporting Officer(s):	M Howard-Bath		
Checked/Endorsed by:	Bee Choo Tan	Amended by:	

OFFICER RECOMMENDATION:

That the Council RECEIVES the Investment Report for the month ended 31 October 2005 as detailed in Appendix 10.3.1.

COUNCIL DECISION ITEM 10.3.1

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

CARRIED (7-0)

(Mayor Catania and Cr Messina were absent from the Chamber and did not vote.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the level of funds available, the distribution of surplus funds in the short term money market and the interest earned to date.

BACKGROUND:

Interest from investments is a significant source of funds for the Town, where surplus funds are deposited in the short term money market for various terms. Details are attached in Appendix 10.3.1.

Council's Investment Portfolio is spread across several Financial Institutions in accordance with Policy Number 1.3.8.

DETAILS:

Total Investments for the period ended 31 October 2005 were \$13,801,433 compared with \$14,301,433 at 30 September 2005. At 31 October 2004, \$ 14,300,617 was invested.

Total accrued interest earned on Investments as at 31 October 2005:

	Budget	Actual	%
	\$	\$	
Municipal	310,000	116,461	37.57
Reserve	324,200	132,426	40.85

COMMENT:

As the Town performs only a custodial role in respect of monies held in Trust Fund Investments these monies cannot be used for Council purposes, and are excluded from the Financial Statements.

Cr Messina returned to the Chamber at 9.12pm.

10.2.2 Further Report Traffic Management Matters - Referred to Local Area Traffic Management Advisory Group - Palmerston Street, Perth

Ward:	South	Date:	15 November 2005
Precinct:	Beaufort P13	File Ref:	TES0200
Attachments:	001;		
Reporting Officer(s):	R Lotznicher,		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the further report on traffic management matters referred to the Local Area Traffic Management Advisory Group concerning Palmerston Street, Perth;*
- (ii) *APPROVES IN PRINCIPLE the proposal to improve the amenity for residents along Palmerston Street between Newcastle and Stuart Streets as shown on attached Plan No 2385-CP-1.*
- (iii) *CONSULTS with residents in Palmerston Street regarding the traffic proposal as outlined in clause (ii) above, giving them 21 day in which to provide a response; and*
- (iv) *RECEIVES a further report at the conclusion of the Community Consultation as outlined in clause (ii) above.*

COUNCIL DECISION ITEM 10.2.2

Moved Cr Ker, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

CARRIED (7-1)

<u>For</u>	<u>Against</u>
Cr Doran-Wu	Cr Chester
Cr Farrell	
Cr Ker	
Cr Lake	
Cr Maier	
Cr Messina	
Cr Torre	

(Mayor Catania was absent from the Chamber and did not vote.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the outcome of the Local Area Traffic Management (LATM) Advisory Group meeting held on 14 February 2005, where Palmerston Street was discussed, and to make appropriate recommendations to address the issues raised at the meeting.

BACKGROUND:

In late 2004 the Town received a petition and several letters from Palmerston Street residents requesting that the Town curtail the increasing problem of disruptive car-hooning creating loud speed noise created by traffic ostensibly using Palmerston Street as a quick cut through route between Newcastle and Bulwer Streets.

Note: There were no funds allocated for this proposal in the 2004/2005 Budget hence no further action was undertaken until 2005/2006 when funds were allocated.

The petitioners suggested that "single-lane slow points" in similar streets (e.g. Clotilde Street, Mt Lawley) had drastically eradicated hooning behaviour and deterred rat-running.

On 28 September 2004 the Council received a report on Palmerston Street Traffic Management, where the following decision was made (in part).

"That the Council;

- (ii) REFERS the matter to the Town's Local Area Traffic Management Advisory Group for consideration; and*
- (iii) RECEIVES a further report once the Town's Local Area Traffic Management Advisory Group has considered the matter."*

The LATM Advisory Group meets monthly to consider requests received by the Town relating to Traffic and related safety issues. The requests, which are referred to the Group by the Council, are considered and the Group's recommendations are reported back to the Council.

DETAILS:

The following information (in part) was contained in the 28 September 2004 report regarding Palmerston Street.

Palmerston Street - Information

The results of recent classifier results indicated the following:

- Average daily Traffic Volume, 2629 vehicles per day (vpd)
- Average vehicles per hour (vph) minimum 3.00am to 4.00am 14 vph and maximum 5.00pm to 6.00pm 225 vph
- Average recorded speed, 36 kph
- 85% recorded speed, 44kph
- % commercial vehicles, 2.5%

Palmerston Street has a legal posted speed limit of 50 kph and is classified as an Access Road in accordance with the Metropolitan Functional Road Hierarchy. An access road should carry no more than 3,000 vpd, have a posted speed limit of 50kph, and provide access predominantly to residential properties.

As can be seen from the above results, Palmerston Street complies with its classification.

In the case of Palmerston Street, the 85% speed is 6 kph below the posted speed. Also, the pm peak hourly flow, while relatively high, is not disproportional to the Average daily traffic recorded. The recorded average daily traffic volumes in Palmerston Street are below the threshold for an access road and given its geographic location within the surrounding road network and the number of properties serviced by the road and the adjoining roads, the higher traffic volumes are to be expected.

Notwithstanding the above, any improvements in amenity can only be achieved with some form of physical intervention which may, in some instances, such as is the case with "speed humps", result in an actual decrease in amenity for adjoining residents.

Local Area Traffic Management Advisory Group meeting - 14 February 2005

Issues

The following matters were raised at the above meeting:

- Excessive noise from traffic using Palmerston Street to travel from Newcastle Street to Bulwer Street
- Traffic rat running from Newcastle to Bulwer Street
- Traffic calming at the end of Stuart Street and the roundabout at Brisbane Street caters for the older residential areas, however, nothing at the southern end of Palmerston Street
- Changes in the area including the reversal of the Stuart and Fitzgerald Street intersection, cycle lanes and the changes to Newcastle Street may have redirected traffic
- Traffic predominantly turns from Newcastle Street into Palmerston Street
- Difficult to exit onto Newcastle Street due to perceived increase in traffic. This may be the reason for traffic diverting down Palmerston Street to Bulwer Street
- Noise is the main issue. Seems to echo off the buildings

Discussion - Possible Solutions

- Narrowing of carriageway
- Lateral displacement (i.e. chicanes)
- Vertical displacement (i.e. speed humps)
- Entry statement to delineate the residential area from commercial area; a visual device and/or change in road surface with new streetscape with planted verge to reduce echo
- Signage
- Median Island and entry statement at beginning of residential area
- Speed humps create their own noise issues. There is a requirement to delineate residential area and perhaps verge planting to decrease echo
- Trees need to be faster growing than Jacarandas as they seem to get damaged before they reach a decent size
- Noise from hoon behaviour can be recorded (i.e. log) and a pattern determined for the WA Police to act on the information provided
- Possible no right turn at Bulwer Street

Comments

It was clear from the LATM discussions that the main problem in Palmerston Street is one of rat running and noise (canyon affect between the high buildings on either side of the street).

Banning movements i.e. no right turn bans at Bulwer Street, as suggested, will merely shift the issue somewhere else i.e. possibly Randell Street.

Installing speed humps will most probably create more noise issues, i.e. commercial vehicles and deceleration and acceleration.

The proposal as outlined on attached Plan No 2385-CP-1 includes the following:

- Low profile coloured hotmixed asphalt speed hump
- Single lane slow point with mountable kerbing/pattern paved infill tapered approaches with barrier kerbing for planting beds
- Suitable vegetation and reflective bollards

The proposal has been developed with the following in mind.

- Easily accommodated in the existing carriageway
- Bike lanes maintained
- Scope for shrubs/trees
- Entry statement (low raised hump)
- Located adjacent the commercial component of the street
- Calming device for traffic entering the street
- Incorporates ideas raised at the LATM meeting

CONSULTATION/ADVERTISING:

It is proposed that all affected residents be consulted regarding the proposal

LEGAL/POLICY:

N/A

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *“o) Investigate and implement traffic management improvements in liaison with the Local Area Traffic Management (LATM) Advisory Group.”*

FINANCIAL/BUDGET IMPLICATIONS:

Funds totalling \$10,000 have been allocated in the 2005/2006 budget for Palmerston Street.

COMMENTS:

The Town receives many requests for Traffic Management from time to time. Most requests received are addressed by the officers as vehicle classifier results usually indicate that there is a perceived problem rather than an actual problem. Other matters are referred to the WA Police for enforcement of the legal speed limit.

It is considered the measures outlined in the report will address the majority of the matters raised by residents without compromising the current design and function of the street.

Mayor Catania returned to the Chamber at 9.19pm and assumed the Chair.

10.3.2 Debtor Write-off

Ward:	Both	Date:	15 November 2005
Precinct:	All	File Ref:	FIN0007
Attachments:	-		
Reporting Officer(s):	Bee Choo Tan		
Checked/Endorsed by:	M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY the write-off of the following Sundry Debtor totalling \$3,432.42 as being unrecoverable;

- (a) *Skyride Holdings T/A PVC - \$506.00 – (company in liquidation);*
- (b) *J & N McTeer - \$1,209.82 (cannot be located); and*
- (c) *Sun Chun FA - \$1,716.60 (cannot be located).*

COUNCIL DECISION ITEM 10.3.2

Moved Cr Farrell, Seconded Cr Lake

That the recommendation be adopted.

CARRIED BY AN ABSOLUTE MAJORITY (9-0)

PURPOSE OF REPORT:

To present to Council sundry debtors that are considered to be unrecoverable and are recommended to be written off.

BACKGROUND:

The Town currently carries a number of debtors which have been outstanding for a considerable length of time. Despite the Town's best efforts in the pursuit of these debts through the legal debt recovery proceedings, it has now come to the position where further pursuit of these debts will be considerably more than the debt itself and therefore the debts listed above are recommended for write off.

DETAILS:

Skyride Holdings T/A PVC - \$506.00

This invoice was issued on 8 November 2004 and refers to recoverable work on job 80245. The debt has been pursued by a series of phone calls and message. Debtor could not be contacted and mails were returned to sender. Company was in liquidation after checking on the website. The Town received a letter from Skyride Holdings Pty Ltd in May 2005 which advised that due to unforeseen circumstances Skyride Holdings has ceased trading and was no longer in a position to honour its financial commitments. This is a result of Skyride Holdings primary client being placed in administration and subsequently liquidated. As a result all monies due to Skyride Holdings were unable to be received. Due to these circumstances and the amount of debt outstanding it is considered not to be cost effective to pursue this amount and therefore it is recommended that this debt be written off.

J & N McTeer – \$1,209.82

The costs were related to the recoup of legal fees for the restrictive covenant that were raised on the 17 December 2003 and 15 July 2004. The debt has been pursued by a series of letters to which no response has been received. This was subsequently referred to the debt collection agency. Pioneer Credit has been unable to contact the debtor to serve the summons and it is therefore recommended that the debt be written off.

Sun Chun Fan - \$1,716.60

The Court awarded costs resulting from Town Planning Appeal tribunal appeal no 157 of 2002. A payment plan was agreed on the 13 July 2004 to pay half of the original amount of \$3,433.20 and the balance of ten instalments over 10 months. The first payment was made on the 20 July 2004 but the debtor failed to pay any of the other instalments. Various attempts were made to recover the debt but after failing to get a response from the debtor, the balance was referred to the debt collection agency. Pioneer Credit established that the debtor no longer resides at the address supplied by us and various searches failed to locate the debtor. There was also no response to a mobile phone number that was supplied by Minter Ellison. Due to these circumstances it is recommended that the amount be written off.

STRATEGIC IMPLICATIONS:

Strategic Plan 2005-2010 – Key Result Area 4.2 – Governance and Management

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

CONSULTATION/ADVERTISING:

NIL

FINANCIAL/BUDGET IMPLICATIONS:

These funds are considered to be unrecoverable and as a result will have to be expensed against the original accounts.

COMMENTS:

The debtors presented for write off, have been outstanding for a considerable length of time. The Financial Services Section has pursued the debtors through the formal debt recovery process using the Debt Collection agency contracted to the Town. It is now considered that either it is uneconomical for the Town to pursue the debt or that debtor is untraceable.

It is therefore recommended that the debtors listed be written off. It is normal practice for the Town to prepare a list for write off each year. This practice is supported by the Town's Auditors.

10.3.4 LATE REPORT: Elven on the Park - Land Sale - Outcome

Ward:	South	Date:	21 November 2005
Precinct:	Fletcher; P13	File Ref:	PLA0160
Attachments:	001		
Reporting Officer(s):	M Rootsey, John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the result of the sale of the five (5) lots in the "Elven on the Park" subdivision by public auction, held on Saturday 19 November 2005, as detailed in this report and shown on sales brochure attached at Appendix 10.3.4.; and*
- (ii) *NOTES that the sale price of each lot exceeded the independent valuation of the Town's licensed Valuer.*

COUNCIL DECISION ITEM 10.3.4

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the results of the "Elven on the Park" subdivision land auction held on 19 November 2005.

BACKGROUND:

At the Ordinary Meeting of Council held on 27 September 2005, the Council resolved as follows;

"That the Council;

- (i) *APPROVES of the sale of the five (5) lots in the "Elven on the Park" subdivision by public auction, in accordance with the indicative timetable, as detailed in this report;*
- (ii) *NOTES:*
 - (a) *that the subdivision at Elven on the Park has been completed and can therefore, in accordance with the decision of Council of 12 February 2002, be advertised for sale;*
 - (b) *that proceeds from the sale of land are to be placed in the State Indoor Multi-Use Sports Centre Reserve Funds;*

(c) *that the land sale will be conducted by Eftos Estates of Leederville, in accordance with decision of Council of 17 December 2002; and*

(iii) **AUTHORISES:**

(a) *the Chief Executive Officer and the Executive Manager Corporate Services to jointly set a reserve price, subject to this not being lower than the independent valuation, from a licensed valuer;*

(b) *that a condition of sale be included that substantial progress towards construction must be made within two (2) years from the settlement date.*

DETAILS:

Auction:

Approximately 110-120 people attended the auction on the day and bidding was very competitive. Publicity about the auction was received from Channel 7 (Saturday evening news) and the Sunday Times newspaper.

Mr Paul Eftos of Eftos Agents reportedly stated that the sale price for Lot 505 at \$1,380 per m² was probably the highest that he was aware of for a land sale in the Town in recent times.

Independent Valuation:

An independent valuation was obtained from Murray R. Stubbs which provided the following valuations;

Lot No.	Size	Valuation		
501	311	\$375,000		
502	315	\$360,000		
503	315	\$360,000		
504	315	\$360,000		
505	315	\$390,000		
Lot No.	Size	Valuation	Sale Price	Cost per m²
501	311	\$375,000	\$380,000	\$1,222
502	315	\$360,000	\$377,000	\$1,197
503	315	\$360,000	\$385,000	\$1,222
504	315	\$360,000	\$383,500	\$1,216
505	315	\$390,000	\$435,000	\$1,380
		Total	\$1,960,500	<i>Average</i> \$1,247

(As can be seen, the sale price exceeded the independent valuation for each lot. The overall average is \$1,247 per m².)

Condition of Sale:

As required by the Council, a condition of sale has been imposed on purchasers requiring them to complete construction within two (2) years from the settlement date.

CONSULTATION/ADVERTISING:

This land auction was widely advertised by the Town's Selling Agent, Eftos Estates. (This was reported to the Ordinary Meeting of Council held on 8 November 2005, in response to a "Question on Notice".)

LEGAL/POLICY:

The land auction was held in accordance with the requirements of the Local Government Act 1995.

STRATEGIC IMPLICATIONS:

Strategic Plan 2005-2010 – Key Result Area 4.5(e): Governance and Management: *"Adopt 'Best Practice' to manage the financial resources and assets of the Town."*

FINANCIAL/BUDGET IMPLICATIONS:

The Town has spent the following monies creating the subdivision:

1.	Creating of seven (7) lot subdivision	\$103,190
2.	Modifying the seven (7) lot subdivision into a five (5) lot subdivision	\$6,282
	Total:	<u>*\$109,472</u>

** excludes design guideline preparation, advertising and valuation costs*

Proceeds from the sale will be placed in the State Indoor Sports Centre Reserve Fund.

The 2005/06 Budget indicates an amount of \$1,500,000 from the proceeds of the sale of the subdivision.

The total income received from the land sale was \$1,960,500. The 2005/06 Budget will be amended accordingly at the mid-year budget review to reflect this income.

COMMENTS:

The sale of the Elven Street land was most successful and achieved higher than expected prices for each lot.

10.4.1 Independent Organisational Review – Implementation of Recommendations – Progress Report No. 7

Ward:	-	Date:	16 November 2005
Precinct:	-	File Ref:	ADM0061
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council RECEIVES the Progress Report No 7 as at 16 November 2005 concerning the implementation of recommendations of the Independent Organisational Review for the period 1 July to 31 October 2005.

COUNCIL DECISION ITEM 10.4.1

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to provide an update on the implementation of the Independent Organisational Review recommendations for the period 1 July to 31 October 2005.

BACKGROUND:

Implementation of the Independent Organisational Review has been progressing on an ongoing basis. Progress Reports have been submitted to Council held on 8 February, 12 April and 12 July 2005.

At the Special Meeting of Council held on 14 October 2003 the Council considered the matter of the Organisational Review Key Areas and Priorities and resolved inter alia as follows:

"That the Council;

(iii) apportions the highest priority to:

- (a) Customer Service (Recommendations 4(f), (g), (h) and 35);*
- (b) Delegations, Discretions, Compliance and Policy (Recommendations 6, 7, 11, 13, 41 and 46);*
- (c) followed by Parking Matters (Recommendations 48, 50 and 52); and*
- (d) the remainder of the recommendations to be implemented as detailed in the table 'IMPLEMENTATION OF THE IOR RECOMMENDATIONS'; and ..."*

The following are the IOR Recommendations, together with the CEO's Comments. Recommendations which have previously been completed have not been included in the report.

GOVERNANCE

RECOMMENDATION 6

Council request a report from the Chief Executive Officer recommending delegated authority to the Manager Planning and Building Services to approve specified development applications wherever practicable and legally acceptable to competent staff with accompanying draft guidelines for Council's consideration.

CEO's Comment

In progress and well advanced. This matter was considered at an Elected Member Forum held on 2 November 2004.

Various policies have been reviewed and approved by the Council. Some delegations have also been approved (e.g. refusal of "X" use).

The Town's Administration has been concentrating on reviewing policies and the Development Approval process, as this will have a major impact on the Delegations from the Council. A further report will be submitted as part of the annual review of delegations, concerning those relating to Planning and Building.

RECOMMENDATION 8

A suitable computer be located in the Council Chamber connected to a projector and screen enabling the Minute Secretary to project the "live" recording of declarations, motions and resolutions of meetings for simultaneous viewing by the Elected Members, Officers and members of the public.

CEO's Comment

Part completed in December 2004. The Council requested the Chief Executive Officer to investigate providing "live" minutes and amendments to be utilised during the meeting. This has been investigated and has revealed the following:

- 1. this would be difficult to achieve both during the meeting and in several days immediately before the meeting, as the CEO's staff are currently working at capacity and an additional computer operator would be required for at least one day prior to the meeting and for the duration of the meeting. This additional staff resource is estimated to cost \$220 per fortnight.*
- 2. The Town's software programs are not suitable to allow for live minutes and advice from software providers has revealed that specific software that would need to be created. Anecdotal evidence from other local governments that "live" Minutes and amendments considerable slows discussion/debate of an item and causes considerable frustration to the computer operators and Elected Members during the meeting. Cost to provide this software is estimated at \$20,000.*

3. *A change to the Town's current preparation of amendments prior to the meeting would be necessary to allow sufficient time for the preparation of the proposed amendments. This would necessitate closing the Agenda on the Monday, issuing the Agenda on the Wednesday and all amendments from Elected Members to be submitted to the Town by 9am on Monday preceding the Council meeting. Amendments received after this time would not be prepared due to insufficient time.*

In view of the above, it is considered that the matter of "live" minutes and amendments not be progressed at this stage and be further considered during the Budget 2006-2007 process.

FINANCIAL ACCOUNTABILITY – BUSINESS AND SERVICES

RECOMMENDATION 35

Service Level Agreements to be developed, implemented and rolled out across various areas of Council Operations, including but not limited to;

- Financial Services
- Administration Services
- Customer Service Centre

CEO's Comment

Almost completed – The CEO has directed that the Service Level Agreements be completed by December 2005. The Town's Customer Service Working Group has been investigating this as part of the review of the Council's Customer Service Charter. A documented Service Agreement implemented for the Information Services Section, as it has a vital impact on the whole of the organisation. The Town's Customer Service Charter is applicable to both "internal" and "external" customers and prescribes specific performance criteria. The delivery of service is monitored on a weekly basis by the CEO.

PROCESS AND PROCEDURES

Environmental and Development Services Processes

RECOMMENDATION 41

(As per Recommendation 6 Council delegates approval of specified development applications to the Manager Planning and Building Services.)

CEO's Comment

See Recommendation 6 for comments.

RECOMMENDATION 43

Where non-compliance is noted, the applicant be invited to attend a meeting with the application Officer to discuss options. Where compliance options are identified, the Officer initiates a facilitative process including persons that may be immediately impacted on by the development or matter under consideration.

CEO's Comment

Completed. Matter is currently being implemented as part of the new "Approvals" module.

Progress of Recommendations

Forty (49) (92.5%) recommendations have already been completed, four (4) (7.5%) are almost completed.

The following is a summary of the recommendations:

IMPLEMENTATION OF THE IOR RECOMMENDATIONS

Recommendation Number	Page	Governance (Council Responsibility)	Administration (CEO Responsibility)	Council Priority (Adopted on 19 August 2003)	Indicative Implementation Timeline
Objective 3 – Governance					
6	36	x		High	Part completed
8	36		x		Part completed
Objective 6 - Financial Accountability - Business Services					
35	62		x	High	Part completed
Objective 8 - Process and Procedures					
41	83	x		High	Part completed
43	83		x	High	Completed

Customer Service

- *Customer Service Charter and Complaint Handling Procedures*

The Council approved a new Customer Service Charter, Policy and Complaint Handling Procedures at the Ordinary Meeting of Council held on 11 October 2005.

Printing of the new Charter and Complaint Form is currently in progress.

Training for all of the Town's employees (other than field employees) has been arranged for early December 2005. The training will be carried out by the Western Australian Local Government Association's Workplace Solutions at a cost of \$3,300.

- *Customer Service Centre Staff Matters*

Over the previous three (3) months there has been two resignations. One Approvals Liaison Officer resigned (to pursue part-time employment) and the position is currently being filled. A switchboard operator resigned to pursue alternative work and the position has been advertised. A new Customer Service Officer has been recruited to fill a previous vacancy and is performing satisfactorily.

- *Electronic Customer Action Request Module*

The new Customer Action Request Electronic Module which has been implemented throughout the organisation from 1 January 2005 is proving satisfactory. The staff have been trained and ongoing training is still being carried out. All requests are currently being recorded.

- *Approvals Management System*

The following steps were used to plan and implement the new system;

1. develop or refine the objectives;
2. determine who will be involved and what will be examined;
3. allocate tasks;
4. design the system;
5. pilot the system;

6. review and adjust the system;
7. train all those who will participate in the system;
8. implement the system, effective from 22 June 2005;
9. maintain the system; and
10. monitor and evaluate.

CEO's Comment:

The implementation of the computerised Approvals Systems is at stage 10 – monitor and evaluate. The following is the feedback from the users of this module:

Efficiencies Achieved

- *Clearly outlines the steps which a Planning Application and a Building Application is required to be processed. There are different paths for different category of applications.*
- *Clearly shows the progress of an application, including where it is at, what is happening, outstanding matters, and which Officer and Agency it has been referred to.*
- *Information must be accurate in order to enter certain information / register an application, which in turn ensures that correct information is contained in the database.*
- *Links to all other organisation Authority modules, including Rates, Property, Engineering, CARS. and Swimming Pools, therefore different information affecting a property can be viewed.*
- *Links Planning Applications and Building Applications, therefore these applications can be viewed simultaneously.*
- *Generates templates and correspondence efficiently, effectively and concisely, and Officers can view the generated correspondence.*
- *Alerts can be set up to identify 'suspended', 'withdrawn' or 'cancelled' applications.*
- *Enters a tracking note against the application and automatically generates an email to the Officer to be notified.*
- *Records reviews (appeals) and breaches relating to an application.*
- *The Town's Officers have embraced the Module.*

Issues

- *Need to create new reports to compile the required information, and this incurs additional costs.*
- *Need to set up a separate Reviews (Appeals) Register in Authority as the Town is required to record more information than what the current 'appeals' section records.*
- *Need to further fine-tune the Module and resolve a few relatively minor technical problems.*

The above issues are currently being investigated.

• Electronic Approvals Systems

The implementation of a new electronic "Approvals Module" as part of the Town's Authority computer system, which commenced in December 2004, went "live" on 22 June 2005. This system has replaced the Information Development Approval System (IDAS) which was not providing the efficiencies required to assist in the processing of development applications.

• Development Applications

The number of development applications received during the last quarter has been relatively high. As at 14 November 2005, the following development applications were registered with the Town.

As at 14 November 2005, a total of 111 applications are awaiting to be determined. Details are as follows:

Category	1	2	3	4	To be Categorised	Total	Applications received 1/7/05 to 11/11/05
Proportion of Planning Application	8 (6.6%)	11 (9.1%)	60 (49.6%)	15 (12.4%)	27 (22.3%)	121* (100%)	241

Notes:

* This figure includes 18 (14.9%) planning applications that are currently suspended due to pending additional information from the applicant or at the applicant's request.

The applications that have been Deferred or Laid on the Table by Council, and are being referred to the Ordinary Meeting of Council to be held on 22 November 2005, have been subtracted from the number of applications to be determined.

The Town's administration is currently processing applications as expeditiously as possible and this will continue until the total number is reduced to a more manageable and acceptable level.

- Property Enquiry Requests

The Customer Service Centre now processes all property enquiry requests electronically. This has enabled the processing time to be reduced from seven (7) working days to five (5).

The number of enquiries received has substantially increased, with an average of 30 forms each week.

CONSULTATION/ADVERTISING:

A copy of the Independent Organisational Review Report has been placed on the Town's Intranet (for staff) and Council's webpage. Hard copies of the report have been provided to all of the Town's sections, front counter and at the library and also to several precinct groups upon their request.

LEGAL/POLICY:

Not applicable.

STRATEGIC IMPLICATIONS:

The Independent Organisational Review has identified a number of matters which are of strategic importance to the Town. These have been addressed, as outlined in this report.

FINANCIAL/BUDGET IMPLICATIONS:

No additional funds are required for the implementation of the recommendations.

COMMENTS:

The implementation of the Independent Organisational Review recommendations is almost completed. The implementation timeline has taken into consideration factors such as the Council's adopted Capital Works Programme, budget, festive season holiday period, staff leave, competing priorities and the time required to further research and investigate matters. Quarterly reports will be submitted to Council, until all recommendations have been actioned and implemented.

10.4.6 Policies - Review

Ward:	-	Date:	15 November 2005
Precinct:	-	File Ref:	ORG0023
Attachments:	001		
Reporting Officer(s):	A Smith, Various		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) **AMENDS** the following policies as shown in Appendix 10.4.6:
 - (a) **1.3.1 – Information Technology Facilities Including Internet, Electronic Mail and Fax – Conditions of Use;**
 - (b) **1.1.6 – Community and Welfare Grants and minor Donations; and**
 - (c) **3.92 – Graffiti – Control and Removal;**
- (ii) **APPROVES** the proposed new Policy 4.1.27 – Disaster Appeals – Donations and Assistance; and
- (iii) **AUTHORISES** the Chief Executive Officer to:
 - (a) *advertise the amended policies and the proposed new policy for a period of twenty one (21) days, seeking public comment;*
 - (b) *report back to the Council with any public submissions received; and*
 - (c) *include the policy in the Council’s Policy Manual if no public submissions are received.*

Moved Cr Farell, Seconded Cr Lake

That the recommendation be adopted.

Moved Cr Lake, Seconded Cr Chester

That;

- 1. *clause (i) (a) be amended to read as follows:*

“(i)(a) 1.3.1 - Information Technology Facilities Including Internet, Electronic Mail and Fax - Conditions of Use including the following:

- *Section 4.6 - Public Representations amend to read as follows:*

“All external representations on behalf of the Town must first be cleared with the Executive Management or the CEO. Additionally, to avoid libel problems, whenever any affiliation with the Town is included with an Internet message or posting, ~~“flaming” or similar~~ written attacks are strictly prohibited.”

- *Section 4.7 - Access Control – amend to read as follows:*

“An example is a user-transparent challenge/response. This will prevent intruders from guessing passwords or from replaying a password captured via a ~~“sniffer attack” (wiretap)~~ wiretap. Designated “public” systems do not need these authentication processes because anonymous interactions are expected.”
- *Section 4.8 - Reporting Security Problems – amend to read as follows:*

“Users must not ~~“test the doors” (probe)~~ probe security mechanisms at either the Town's or other Internet sites unless they have first obtained permission from the MIS. The users probe security mechanisms, alarms will be triggered and resources will needlessly be spent tracking the activity.”
- *Section 4.14 - Examples of Unacceptable Material – delete the words “~~Very large files~~” and insert the words “Files greater than 3Mb for email and attachments”.*
- *Section 5.2 - Authorised Usage – delete the words ~~pre-empt any business activity~~ and insert the words “generate any business activity”.*
- *Section 5.4 - User Separation – amend to read as follows:*

“All Employees and authorised contractors must have unique usernames and passwords to access the e-mail system.”
- *Section 5.16 - Email Etiquette – amend as follows:*

“(2) Answer all questions, and pre-empt further questions

An email reply must answer all questions, and pre-empt further questions - If you do not answer all the questions in the original email, you will receive further e-mails regarding the unanswered questions, which will not only waste your time and your customer's time but also cause considerable frustration. Moreover, if you are able to pre-empt relevant questions, your customer will be grateful and impressed with your efficient and thoughtful customer service. ~~Imagine for instance that a customer sends you an email asking which credit cards you accept. Instead of just listing the credit card types, you can guess that their next question will be about how they can order, so you also include some order information and a URL to your order page. Customers will definitely appreciate this.~~

(5) Use Templates for frequently used responses

Even better is a tool such as ReplyMate for Outlook (allows you to use 10 templates for free).

(11) *Don't leave out the message thread*

~~When you reply to an email, you must include the original mail in your reply, in other words click 'Reply', instead of 'New Mail'. Some people say that you must remove the previous message since this has already been sent and is therefore unnecessary. However, I could not agree less. If you receive many emails you obviously cannot remember each individual email. This means that a 'threadless email' will not provide enough information and you will have to spend a frustratingly long time to find out the context of the email in order to deal with it. Leaving the thread might take a fraction longer in download time, but it will save the recipient much more time and frustration in looking for the related emails in their inbox!~~

“When you reply to an email you should include the original email in your reply, in other words click 'Reply' instead of 'New Message'.”

(12) *Add disclaimers to your emails*

~~It is important to add disclaimers to your internal and external mails, since this can help protect your company from liability. Consider the following scenario: an employee accidentally forwards a virus to a customer by email. The customer decides to sue your company for damages. If you add a disclaimer at the bottom of every external mail, saying that the recipient must check each email for viruses and that is cannot be held liable for any transmitted viruses, this will surely be of help to you in court (read more about email disclaimers). Another example: an employee sues the company for allowing a racist email to circulate the office. If your company has an email policy in place and adds an email disclaimer to every mail that states that employees are expressly required not to make defamatory statements, you have a good case of proving that the company did everything it could to prevent offensive emails.~~

“It is important to add disclaimers to your internal and external mails, since this can help protect the organisation from liability. Town of Vincent automatically inserts standard disclaimer on all external emails.”; and

2. *clause (i)(b) be amended to read as follows:*

“(b) 1.6.1 - Community and Welfare Grants and minor Donations subject to the following amendments to the policy guidelines and procedures:

- *How Much is Available? – amend as follows:*

~~You may apply for one grant in the financial year.
You may receive one grant in a financial year.~~

- *Processing Time - insert the following wording:*

"Applicants will receive notification by letter of receipt of application and estimated time for the processing of the application".
- *What We Will Not fund - insert the following wording:*

"Retrospective Grants".
- *Conditions and Requirements – amend as follows*

~~If we give you a grant and you want to change major aspects of the service or program you are providing, you must write to use and let us know. We will then decide if the project still fits the aims of the grant.~~

"If you wish to change major aspects of the service or program you must first obtain approval from the Town by writing a letter of explanation. The Town will then decide whether the project still fits the aims of the grant.
- *"How We Assess Your Application for a Grant" in the Guidelines and Procedures - new clause to be added as follows:*

"7. Grants Criteria

Grants are to be assessed against the following criteria:
 - *Adherence to policy guidelines - 30%*
 - *Benefit to Town of Vincent residents - 20%*
 - *Financial viability of the project or program - 10%*
 - *Previous grants acquitted satisfactorily - 10%*
 - *Targets vulnerable and disadvantaged groups in the community - 10%*
 - *A unique service that meets the needs of the community - 10%*
 - *Demonstrated experience in delivering the service or program - 10%"; and"*

Debate ensued.

Cr Farrell departed the Chamber 9.30pm.

AMENDMENT CARRIED (8-0)

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

Cr Farrell returned to the Chamber at 9.32pm.

Moved Cr Maier, Seconded Cr Messina

That the following amendment to Policy 1.6.1 - Community and Welfare Grants and Minor Donations be included in clause (i)(b):

1. *Policy Statement - amend first dot point as follows:*
 - *“Individual residents who are disadvantaged and/or in crisis and have exhausted all other avenues of support;” and*
2. *Guidelines and Procedures - What we will Fund - amend last paragraph as follows:*
 - *“Minor works which improve access to a public building for people with disabilities, seniors or parents with prams. For example, portable ramps, hand rails or signage.”*

Debate ensued.

AMENDMENT CARRIED (5-4)

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

Moved Cr Maier, Seconded Cr Lake

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

- “(ii) ***APPROVES*** the proposed new Policy 4.1.27 – Disaster Appeals – Donations and Assistance subject to clause (3)(c) being amended to read as follows:
3. (c) *support for employees with professional expertise who wish to assist in the disaster by releasing the person on payment of their current salary and conditions, assistance to travel costs and incidental costs, provision of emergency clothing, equipment an the like which is necessary for the duration of the employee’s absence, to a maximum of \$5,000.”; and*

Debate ensued.

AMENDMENT CARRIED (7-2)

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

MOTION AS AMENDED (8-1)

For

Cr Chester
Cr Doran-Wu
Cr Farrell
Cr Ker
Cr Lake
Cr Maier
Cr Messina
Cr Torre

Against

Mayor Catania

COUNCIL DECISION ITEM 10.4.6

That the Council;

(i) *AMENDS the following policies as shown in Appendix 10.4.6:*

(a) *1.3.1 – Information Technology Facilities Including Internet, Electronic Mail and Fax – Conditions of Use including the following;*

- *Section 4.6 - Public Representations amend to read as follows:*

“All external representations on behalf of the Town must first be cleared with the Executive Management or the CEO. Additionally, to avoid libel problems, whenever any affiliation with the Town is included with an Internet message or posting, ~~“flaming” or similar~~ written attacks are strictly prohibited.”

- *Section 4.7 - Access Control – amend to read as follows:*

“An example is a user-transparent challenge/response. This will prevent intruders from guessing passwords or from replaying a password captured via a ~~“sniffer attack” (wiretap)~~ wiretap. Designated “public” systems do not need these authentication processes because anonymous interactions are expected.”

- *Section 4.8 - Reporting Security Problems – amend to read as follows:*

“Users must not ~~“test the doors” (probe)~~ probe security mechanisms at either the Town's or other Internet sites unless they have first obtained permission from the MIS. The users probe security mechanisms, alarms will be triggered and resources will needlessly be spent tracking the activity.”

- *Section 4.14 - Examples of Unacceptable Material – delete the words ~~“Very large files”~~ and insert the words “Files greater than 3Mb for email and attachments”.*

- *Section 5.2 - Authorised Usage – delete the words ~~pre-empt any business activity~~ and insert the words “generate any business activity”.*

- *Section 5.4 - User Separation – amend to read as follows:*

“All Employees and authorised contractors must have unique usernames and passwords to access the e-mail system.”

- *Section 5.16 - Email Etiquette – amend as follows:*

“(2) Answer all questions, and pre-empt further questions

An email reply must answer all questions, and pre-empt further questions - If you do not answer all the questions in the original email, you will receive further e-mails regarding the unanswered questions, which will not only waste your time and your customer's time but also cause considerable frustration. Moreover, if you are able to pre-empt relevant questions, your customer will be grateful and impressed with your efficient and thoughtful customer service. ~~Imagine for instance that a customer sends you an email asking which credit cards you accept. Instead of just listing the credit card types, you can guess that their next question will be about how they can order, so you also include some order information and a URL to your order page. Customers will definitely appreciate this.~~

(5) Use Templates for frequently used responses

Even better is a tool such as ReplyMate for Outlook (allows you to use 10 templates for free).

(11) Don't leave out the message thread

When you reply to an email, you must include the original mail in your reply, in other words click 'Reply', instead of 'New Mail'. Some people say that you must remove the previous message since this has already been sent and is therefore unnecessary. However, I could not agree less. If you receive many emails you obviously cannot remember each individual email. This means that a 'threadless email' will not provide enough information and you will have to spend a frustratingly long time to find out the context of the email in order to deal with it. Leaving the thread might take a fraction longer in download time, but it will save the recipient much more time and frustration in looking for the related emails in their inbox!

“When you reply to an email you should include the original email in your reply, in other words click 'Reply' instead of 'New Message'.”

(12) Add disclaimers to your emails

It is important to add disclaimers to your internal and external mails, since this can help protect your company from liability. Consider the following scenario: an employee accidentally forwards a virus to a customer by email. The customer decides to sue your company for damages. If you add a disclaimer at the bottom of every external mail, saying that the recipient must check each email for viruses and that is cannot be held liable for any transmitted viruses, this will surely be of help to you in court (read more about email disclaimers). Another example: an employee sues the company for allowing a racist email to circulate the office. If your company has an email policy in place and adds an email disclaimer to every mail that states that employees are expressly required not to make defamatory

~~statements, you have a good case of proving that the company did everything it could to prevent offensive emails.~~

“It is important to add disclaimers to your internal and external mails, since this can help protect the organisation from liability. Town of Vincent automatically inserts standard disclaimer on all external emails.”; and

(b) 1.1.6 – Community and Welfare Grants and minor Donations subject to the following amendments:

1. Policy Statement - amend first dot point as follows:

- “Individual residents who are disadvantaged and/or in crisis and have exhausted all other avenues of support;” and

2. Guidelines and Procedures - amend as follows:

- How much is available? – amend as follows:

~~You may apply for one grant in the financial year.~~
You may receive one grant in a financial year.

- Processing Time - insert the following wording:

“Applicants will receive notification by letter of receipt of application and estimated time for the processing of the application”.

- What we will Fund - amend last paragraph as follows:

➤ Minor works which improve access to a public building for people with disabilities, seniors or parents with prams. For example, portable ramps, hand rails or signage.

- What We Will Not fund - insert the following wording:

“Retrospective Grants”.

- Conditions and Requirements – amend as follows

~~If we give you a grant and you want to change major aspects of the service or program you are providing, you must write to use and let us know. We will then decide if the project still fits the aims of the grant.~~

“If you wish to change major aspects of the service or program you must first obtain approval from the Town by writing a letter of explanation. The Town will then decide whether the project still fits the aims of the grant.

- How We Assess Your Application for a Grant” in the Guidelines and Procedures - new clause to be added as follows:

“7. Grants Criteria

Grants are to be assessed against the following criteria:

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

(c) 3.92 – *Graffiti – Control and Removal;*

(ii) *APPROVES the proposed new Policy 4.1.27 – Disaster Appeals – Donations and Assistance subject to clause (3)(c) being amended to read as follows:*

“3. (c) *support for employees with professional expertise who wish to assist in the disaster by releasing the person on payment of their current salary and conditions, assistance to travel costs and incidental costs, provision of emergency clothing, equipment an the like which is necessary for the duration of the employee’s absence, to a maximum of \$5,000.”;*
and

(iii) *AUTHORISES the Chief Executive Officer to:*

- (a) *advertise the amended policies and the proposed new policy for a period of twenty one (21) days, seeking public comment;*
- (b) *report back to the Council with any public submissions received; and*
- (c) *include the policy in the Council’s Policy Manual if no public submissions are received.*

PURPOSE OF REPORT:

The purpose of this report is to seek Council’s approval to re-adopt policies due for review and adopt a new policy relating to Disaster Appeals.

BACKGROUND:

The Town’s Policy Manual contains various policies which provide guidance to the Town’s Administration for day to day management issues and also to Elected Members for decision making.

A major review of the Town’s Policy Manual was carried out during 2003/2004 however, there were several policies that were not due for review until 2005.

DETAILS:

The following policies have been reviewed by the relevant Division and have been amended as follows:

1. **1.3.1 – Information Technology Facilities Including Internet, Electronic Mail and Fax – Conditions of Use**

There have been only minor amendments to the actual policy, however the guidelines and procedures have been significantly changed.

The guidelines and procedures were outdated and did not include new technology, did not cover all aspects of information and communication technology. The updated guideline and procedures covers the core areas of hardware, software, internet, email, fax and anti-virus and will also bring the Town in line with legislative requirements. It will also ensure that the Town is covered against legal action due to misconduct.

Employees of the Town have been issued with the previous guidelines and procedures and were required to sign them and return them to Human Resources where the signed copy is kept on their personal file. The guidelines and procedures are also included in the Staff Manual and issued to each new employee on commencement.

2. **1.1.6 – Community and Welfare Grants and Minor Donations**

Two significant changes are proposed. Firstly the amount has been reduced from \$15,000 to \$5000 as a maximum that can be applied for. Secondly there will be two opportunities where agencies can apply for a grant in a financial year. The reasons behind these changes are as follows:

- The Town has historically given the maximum amount of \$15,000 to only two agencies which assist the Town in providing services to residents. These are Loftus Community Centre and Rosewood Care Group, for meals-on-wheels. These two agencies are now on individual agreements with the Town, as recently approved by Council;
- The majority of requests received are significantly lower than the maximum amount offered and approved grants average \$5000. Therefore reducing the amount to \$5,000 is more appropriate and less daunting for agencies to apply for;
- Currently the funding round is only held once a year, however requests are received throughout the year. Agencies often come up with ideas and concepts for projects throughout the year that would benefit residents, however these are often lost because funding cannot be sought at the needed time. Therefore increasing the opportunity to apply for a grant in two separate periods will be responsive to these needs.

3. **3.92 – Graffiti – Control and Removal**

In updating of the Graffiti policy, several changes have been made to reflect recent developments such as the Goodbye Graffiti website, discussions with the WA Police regarding the recording / reporting of Graffiti within the Town and the coordination of the Graffiti Removal Service through the Technical Services section.

Subsequently any references to the former Law & Order Section and their personnel have been deleted and reference made to the Graffiti Officer and the Technical Services division. The updated policy also outlines information concerning the Goodbye Graffiti program (whereby the Town was involved in a recent trial) and initiatives recently implemented by the Office of Crime Prevention, including the use of the website and other agencies involvement in Graffiti removal.

Any reference to the former Graffiti Taskforce and their operational requirements such as liability waiver forms has also been deleted. General statements referring to the use of graffiti coatings and strategies to assist in the removal process or reduction in further incidences occurring have been retained.

In addition following numerous meetings with the Local Police, Safer Vincent Coordinator and WA Police Officers responsible for graffiti removal statistics and control within the State the policy includes and outlines the onus on the Graffiti officer as far as what information is recorded and sent through to the WA Police for action or information.

Also, the policy will now be included in the Technical Services, who are responsible for graffiti removal.

New Policy – Disaster Appeals – Donations and Assistance

It is recommended that a new policy to cover this matter be considered and adopted by the Council. Previously the Council has made donations for disasters and emergencies which have occurred overseas (eg Tsunami Disaster Appeal - \$5,000 donation – 2005, Bali Bombing \$5,000 donation – October 2003) and within Australia (eg Moora floods - \$1,000).

Enquiries with other local governments reveal that many do not have a policy in place, some limit assistance to disasters occurring in Australia and other treat requests on an ad-hoc basis.

Requests for aid in cases of disaster and emergency is becoming more frequent and it is considered prudent for a policy and guidelines to be in place to allow for any requests to be treated in a fair and equitable manner.

CONSULTATION/ADVERTISING:

The Council has a policy of advertising for a period of 21 days seeking comments from the public.

LEGAL/POLICY:

Policies are not legally enforceable, however, they provide guidance to the Town's Administration and Elected Members when considering various matters.

STRATEGIC IMPLICATIONS:

The amendment of policies is in keeping with the Town's Strategic Plan 2005-2010, Key Result Area. . .

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

It is recommended that the Council approve the amended policies and that they be advertised accordingly.

10.4.7 Proposed Friendship and Cultural (Sister City) Relationship between the Town of Vincent and the City of Delianuova, Reggio Calabria, Italy

Ward:	-	Date:	15 November 2005
Precinct:	-	File Ref:	CVC0009
Attachments:	-		
Reporting Officer(s):	N Greaves		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to the proposed Friendship and Cultural (Sister City) Relationship between the Town of Vincent and the City of Delianuova, Reggio Calabria, Italy;*
- (ii) *APPROVES of an exchange of letters to promote and foster relationships between the two local governments;*
- (iii) *AUTHORISES the Mayor and Chief Executive Officer to meet with representatives of the "Comunita di Delianuova Social & Sporting Club (Association) Inc" to progress the matter; and*
- (iv) *REQUESTS the Chief Executive Officer to prepare a policy for Sister City Relationships.*

COUNCIL DECISION ITEM 10.4.7

Moved Cr Doran-Wu, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Moved Cr Chester, Seconded Cr Doran-Wu

That the Item be DEFERRED to allow for further information to be provided regarding the benefits and costs.

CARRIED (5-4)

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

PURPOSE OF REPORT:

The purpose of the report is to inform the Council of a request from the "Comunita di Delianuova Social & Sporting Club (Association) Inc" to form a friendship and cultural relationship between the Town of Vincent and the City of Delianuova, Reggio Calabria, Italy.

BACKGROUND:

At the Ordinary Meeting of Council held on 23 August 1999, the Council considered a Notice of Motion and it was resolved as follows;

"Sister City Friendships -

That;

- (i) the Mayor and Chief Executive Officer investigate up to two possible sister-city or friendship alliances for the Town of Vincent; and*
- (ii) the Town of Vincent joins the Australian Sister-City Association."*

DETAILS:

The Comunità de Delianuova Social & Sporting Club (Association) wrote to the Town in August 2005 to explore the possibility of a friendship and cultural relationship between the City of Delianuova, Reggio Calabria, Italy and the Town of Vincent.

The Association (which operates out of the Italian Club on Fitzgerald Street, Perth) represents members that originated from Delianuova – a town situated in the south of Italy, in the region of Calabria (province of Reggio Calabria) with a population of approx 3800 – and their activities have a strong cultural and linguistic connection to Delianuova. The Association has been in operation for 14 years and has a membership of 311, of which 86 are residents of the Town of Vincent. The Association supports local charities from proceeds collected from their various functions.

Research undertaken by the Association into the population of people originally from Delianuova has found that there are approximately 400 emigrants (in addition to those currently members of their Association) who reside in the Town, with approximately a further 5000 emigrants who reside within the Perth metropolitan area.

The Town of Vincent has enjoyed a close relationship with the Italian community over the years.

Sister City Relationship Criteria

The creation of a "Sister City" relationship usually involves the following;

Objectives:

- (i) To foster international peace and goodwill;
- (ii) To seek a wider understanding of other nations, their traditions, customs and cultures;
- (iii) To promote the Town and, where appropriate, assist in fostering economic development, tourism and trade relations;

The abovementioned objectives can be achieved by:

- (i) educational, cultural, trade, tourism and sporting exchanges;
- (ii) official visits;

Accordingly, the Council's role will be:

- (i) To implement initiatives and programs in relation to "Sister City" relationships with the aim and objective of mutual understanding, goodwill and friendship between the people of the Town of Vincent and the City of Delianuova;
- (ii) To encourage the development of relationships between the communities of Vincent and Delianuova and to further develop links between individuals and interest groups of the two towns;
- (iii) To promote the Town and Delianuova and, where appropriate, assist in fostering economic development, tourism and trade relations with Italy;
- (iv) To foster cultural and student exchanges and friendships between the Town and its "Sister City";
- (v) Mutual objectives:
 - exchanges of photographic exhibitions, video tapes, etc;
 - exchange of cultural information;
 - children's art exhibitions;
 - exchange of goodwill missions and tourism;
 - family exchanges;
 - exchange of junior sports teams;
 - private citizen exchanges;
 - school teacher exchanges;
 - exchange of municipal officers;
 - business exchanges;
 - student exchanges;
 - artists and craftsman exchanges;
 - encourage students to learn about a Sister City by carrying out school projects on that city;
 - pen friend exchanges between people of all ages

Previous Sister City Contacts:

January 2000 - City of Meishan, Sichuan Province, China:

The Town received a letter from the Hon Judi Moylan, MP, Member for Pearce on behalf of Officials of the City of Meishan to discuss a "Sister City" relationship. A civic function was arranged, however in March 2000, the official visit was cancelled.

October 2000 - Xu Guan, Suzhou, China:

A letter was received via Aranmore Catholic College (who have an educational exchange with a number of cities in China) seeking to promote this city in China with the Town of Vincent and to form a "Sister City" relationship.

Several meetings were held and a letter sent, however no further information was received.

17 January 2001 - Pinghu Municipal Government, ZheJiang Province, China:

The Town wrote to the Foreign Affairs Office of Pinghu Municipal Government - ZheJiang Province - (Peoples Republic of China) and provided information seeking to commence discussions to form a "Sister City" relationship.

Meetings with the Chinese Vice-Consul in Perth were held, however no details were ever received.

6 June 2001 - Castelfiorentino, Italy:

The Town met with a Lecturer from Perth Modern School to investigate a student exchange and "Sister City" relationship with Castelfiorentino, Province of Florence, Northern Italy. Several letters were received and a letter was sent to the Mayor of Castelfiorentino.

No response was received.

September 2001 - Italy:

A letter was received from the Mayor of Delianuova seeking to establish a relationship with the Town of Vincent. The Town's Mayor responded by thanking them for their letter and requesting them to provide further information to progress the matter.

Responses were received in January 2002 indicating their interest in the matter.

April 2002 - Huairou District, Beijing, China:

From April to June 2002, considerable information was received from a western organisation in China inviting the Mayor and Chief Executive Officer, on behalf of the Huairou District of Beijing, China to visit China to promote a "Sister City" relationship. Considerable dialogue occurred at the time, however as the Council had not formally considered the matter and no funds were provided on the budget, the visit did not eventuate.

No further information has been received concerning this matter.

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

There are no legal obligations relating to forming a "Sister City" relationship. All documentation provided between sister cities would be subject to normal civic protocol.

The Town should adopt a policy for this matter.

STRATEGIC IMPLICATIONS:

The forming of "Sister City" relationships is in keeping with the Town's Strategic Plan 2005-2010 (Amended) - Key Result Area 2.2(e) - *"Support and implement Multi-cultural Programs."*

FINANCIAL/BUDGET IMPLICATIONS:

There are no funds provided on the Budget 2005/2006 for "Sister City" relationship matters. The formation of sister cities will have budget implications and therefore need to be carefully considered.

COMMENTS:

Since 2000, there have been a number of occasions whereby "Sister City" contacts have been pursued by the Town, however, apart from the City of Delianuova, none have come to fruition. The forming of "Sister City" relationships, whilst recognising cultural ties and matters of interest between the two local governments involved, do have financial implications (such as the funding of any delegations/visits and the like). Accordingly, any relationship formed should be built over a period of time and it is appropriate to continue with an exchange of letters to further foster the relationship between the two communities.

It is also appropriate to adopt a policy for Sister City Relationships.

10.4.8 Proposed Stage 2 Redevelopment – Members Equity Stadium, 310 Pier Street, Perth – Progress Report No 7

Ward:	South	Date:	14 November 2005
Precinct:	Beaufort, P13	File Ref:	RES0085
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Progress Report No 7 concerning the proposed redevelopment of Members Equity Stadium for the period 7 July 2005 to 14 November 2005;*
- (ii) *AUTHORISES the Chief Executive Officer to write to the Premier and the Acting Minister for Sport and Recreation to express strong concerns that the \$25 million allocated by the State Government in December 2004 for the upgrade of Members Equity Stadium should remain allocated for the upgrade of this facility;*
- (iii) *AUTHORISES the Chief Executive Officer to write to the Western Australian Football Commission to express strong concerns at their actions to divert the \$25 million for the upgrade of Members Equity Stadium to the upgrade of Subiaco Oval;*
- (iv) *AUTHORISES the Chief Executive Officer to write to Rugby WA to advise it of the Council's view in this matter;*
- (v) *AUTHORISES the Mayor and Chief Executive Officer to meet with the Premier, Acting Minister for Sport and Recreation, Department of Sport and Recreation, the Western Australian Football Commission, Rugby WA, Major Stadia Taskforce and other interested persons to pursue the Town's position in this matter.*

Moved Cr Farrell, Seconded Cr Torre

That the recommendation be adopted.

Debate ensued.

Moved Cr Chester, Seconded Cr Farrell

That the existing clause (v) amended and be renumbered to (vi) and a new clause (v) be added as follows:

- (v) *NOTES the shortfall in funding required for the redevelopment of Stages 2, 3 and 4 of Members Equity Stadium, as shown in Confidential Appendix 10.4.8; and*
- (~~v~~)(vi) *AUTHORISES the Mayor and Chief Executive Officer to meet with the Premier, Acting Minister for Sport and Recreation, Department of Sport and Recreation, the Western Australian Football Commission, Rugby WA, Major Stadia Taskforce and other interested persons to pursue the Town's position in this matter, including the identified need for additional funds required for the redevelopment of Stages 2, 3 and 4 of Members Equity Stadium.*

Debate ensued.

AMENDMENT CARRIED (9-0)

The Chief Executive Officer provided a summary of details of the Additional Information and answered questions from Elected Members.

MOTION AS AMENDED CARRIED (9-0)

COUNCIL DECISION ITEM 10.4.8

That the Council;

- (i) *RECEIVES the Progress Report No 7 concerning the proposed redevelopment of Members Equity Stadium for the period 7 July 2005 to 14 November 2005;*
- (ii) *AUTHORISES the Chief Executive Officer to write to the Premier and the Acting Minister for Sport and Recreation to express strong concerns that the \$25 million allocated by the State Government in December 2004 for the upgrade of Members Equity Stadium should remain allocated for the upgrade of this facility;*
- (iii) *AUTHORISES the Chief Executive Officer to write to the Western Australian Football Commission to express strong concerns at their actions to divert the \$25 million for the upgrade of Members Equity Stadium to the upgrade of Subiaco Oval;*
- (iv) *AUTHORISES the Chief Executive Officer to write to Rugby WA to advise it of the Council's view in this matter;*
- (v) *NOTES the shortfall in funding required for the redevelopment of Stages 2, 3 and 4 of Members Equity Stadium, as shown in Confidential Appendix 10.4.8; and*
- (vi) *AUTHORISES the Mayor and Chief Executive Officer to meet with the Premier, Acting Minister for Sport and Recreation, Department of Sport and Recreation, the Western Australian Football Commission, Rugby WA, Major Stadia Taskforce and other interested persons to pursue the Town's position in this matter, including the identified need for additional funds required for the redevelopment of Stages 2, 3 and 4 of Members Equity Stadium.*

ADDITIONAL INFORMATION:

On 21 November 2005 the Town was advised in writing by the Department of Sport and Recreation (DSR) that "a consulting consortium led by KPMG/HOK Sport/Ogdens Facilities Management have been appointed to carry out the consultation with stakeholders and provide advice on future Stadium needs."

The Major Stadia Taskforce will provide an interim report to the Government in the first half of 2006 (hopefully by March 2006) and a full report by late 2006.

The DSR has also advised it "is currently reviewing in consultation with the Town of Vincent and other stakeholders the impact of "increased demands" for a rectangular stadium. It still remains Government's position within the State Sporting Facilities Plan to provide a stadium for rectangular sports within Perth".

Major Stadia Taskforce

It is evident that the Taskforce will have a major role in determining the future of Stadia in Perth. It is therefore important to be aware of their Terms of Reference and tasks to be carried out.

Terms of Reference

The major stadia study taskforce is to review the existing state of the major football (all codes) and cricket stadia in Western Australia and develop a plan/s to serve the needs of the Western Australian public and major sports over the next 15-20 years.

The Taskforce is to Report to the Minister on the following Terms of Reference having particular regard for ensuring stadia plans are financially viable and that any necessary growth in stadia capacity is managed in a timely manner relative to potential demands:

1. The features required of major stadia to accommodate the development of football (all codes) and cricket in Western Australia;
2. The features required of major stadia to accommodate the future public attendances at major sports events;
3. The future requirements if Subiaco Oval and the WACA are to continue to meet the needs of the relevant sports and their public support;
4. The location options and planning requirements for developing a new stadium or stadia to accommodate major sports;
5. The optimum Facility Management structure for existing stadia or a new stadium

The Taskforce comprises:

John Langoulant (*Taskforce Chairman*) – Chief Executive Officer Chamber of Commerce and Industry

Mr Langoulant has had a 30-year public service career in the Commonwealth and Western Australian Treasuries. He is an economics graduate from UWA.

Currently he leads the Chamber of Commerce and Industry, the state's peak business organisation, which employs more than 200 professional and support staff.

Ron Alexander – Director General Department of Sport and Recreation (*Deputy Chair*)

Mr Alexander has an extensive and distinguished career in sport and recreation, from both a competition and administration perspective.

Terry Budge – Chairman Landcorp

Terry Budge has a distinguished career in management and business leadership, including senior executive positions at the National Australia Bank and Group Managing Director at the Bank of Western Australia.

Paul Jones – Director Jones Coulter Young Architects and Urban Planners, B.Arch, AA.Dip, A.R.A.I.A, R.I.B.A.

Paul Jones, a Director of the practice, has a wealth of experience in his involvement in all the projects produced by the practice over the years as well as extensive experience in his time with Foster Associates in London as the Project Architect for Stanstead Airport and the Renault Headquarters.

Eric Lumsden – Chief Executive Officer City of Swan

Eric Lumsden has been CEO of the City of Swan since December 1989. Prior to that, he was Director of Planning and Development at the then Shire of Swan and also at the Shire of Mundaring.

Gaye McMath – Executive Director Finance and Resources University of Western Australia
BCom MBA Melb., FCPA, FAICD

Gaye McMath is Executive Director, Finance and Resources at The University of Western Australia where she has responsibility for Financial Services, Facilities Management, Human Resources, Information Technology Services and is a member of various UWA related Boards.

Richard Longley - Consultant Architect. Former Principal, Longley Architects International (retired 2005). A.R.A.I.A.

As Principal Architect for Longley Architects International Richard has extensive experience in residential and commercial developments including resort hotel design in Australia and Indonesia.

Study Tasks:

The project will consist of five major tasks:

- Literature review and preliminary option development
- Analysis of sites
- Financial Analysis
- Town Planning Aspects
- Risk Management Plan

Task 1: Literature Review, Stakeholder Consultation and Preliminary Option Development

It will be necessary to:

- Undertake a literature review of existing documentation applicable to stadia design and planning, stadia and sport operations and sport facility needs including that supplied by the Department of Sport and Recreation, City of Subiaco, EPRA, WACA and WAFC. Examples of documentation to be supplied include:
 - State Sporting Facilities Plan Framework
 - Strategic Directions 3
 - Western Australian Cricket Association Strategic Plan and Annual reports
 - West Australian Football Commission Strategic Plan and Annual reports
 - EPRA Gateway Master plan
 - City of Subiaco Strategic Plan, Principal Activity Plan and Subiaco Central Development Plan
 - Other technical reports or planning documents may be available from local government authorities or landholders.
- Review stadia/facility models in other states and conduct a comparative analysis.
- Develop the design criteria in consultation with the Taskforce. Sample criteria are included in this brief.

- Identify the necessary land footprint required to accommodate the main facility, ancillary facilities and supporting functions.
- Document facility development models as outlined in the Terms of Reference
- Identify and document the strengths and weaknesses of each facility option including consideration of disposal opportunities.
- Identify and comment on the key issues in the management of the facility such as:
 - Programming the use of the complex for training and competition purposes, including methodology for venue hire charges.
 - Maintenance of playing surface including use of drop-in pitches for cricket.
 - Ultimate facility management authority, with particular relevance to Terms of Reference 5 and the financial analysis requirements.

One of the key issues within this initial section will be the development of a program of stakeholder consultation. Key stakeholders include members of the Taskforce, City of Subiaco and members of the sporting organisations. It is not anticipated that a public consultation process would be undertaken at this stage. The consultant shall, as part of their submission, give consideration to the extent of stakeholder consultation required during the relevant tasks.

Task 2: Analysis of Sites

1. A preliminary analysis should be undertaken of the following sites to identify the associated opportunities and constraints:
 - Subiaco Oval
 - WACA
 - Claremont Showgrounds
 - Belmont Racetrack Environs
 - Cockburn Central
 - Other Brownfield or Greenfield sites within the Perth metropolitan area that may be identified by the consultants.

The Taskforce in consultation with the consultant will select approximately three sites for detailed analysis.

The successful consultant shall conduct a detailed analysis of the various potential sites, report findings and make appropriate recommendations with reference to the other task requirements.

Task 3: Financial Analysis

The method of acquisition will depend on the study recommendations and the financial models.

It is likely that a redeveloped stadium would be funded by government and one or more of the sports, most likely through land sales and other commercial partnerships.

The funding mix may include naming rights sponsorship.

A new stadium is most likely to be funded through a Public Private Partnership as it is unlikely government could sustain the level of investment required on its own, even allowing for land sales from existing stadium sites.

1. Consider the following areas in assessing the viability of each alternative site:
 - (i) Short term financial costs and benefits;
 - (ii) Long term financial costs and benefits;
 - (iii) The scope and scale of facilities available to each organisation; and
 - (iv) The reaction of members, sponsors and general public in the areas surrounding the alternative sites;
2. A model of the financial viability of a headquarters facility should be developed showing separately the potential impact on the facility, on the various State sporting associations, their clubs and the State Government.

In preparing the models the following factors should be specifically addressed:

- Income streams through sponsorship, box revenue, coterie revenue, seat revenue, venue membership revenue, catering, beverage and TV rights, club/association revenue, distributions from national sporting associations (Cricket Australia/AFL), ground rental, replay screen rental, stadium and signage naming rights etc.
 - Income streams through non-football and cricket use.
 - Expenses associated with income streams.
 - Available seating and premiums.
 - Number of AFL and WACA home games.
 - Annual operating and maintenance costs by user.
 - Major maintenance schedules.
 - Future capital development.
 - Sensitivity analysis: assumption on all key inputs. Identify the upper, lower and expected outputs.
 - Risk Management:
 - (i) Proposed contractual arrangements on agreements with tenants, users or managers;
 - (ii) Insurance;
 - (iii) Performance guarantees or bonds.
 - Facility depreciation schedule.
 - Financial and other impacts on the sports with consideration of membership, affiliation fees and other income (eg bar).
 - Proposed facility management model
3. The study shall provide:
 - (i) Estimated costs in relation to the establishment of a new facility including construction, planning/architectural and other fees, parking, landscaping and equipment;
 - (ii) An examination of financial funding options for a new facility;
 - (iii) Determine staging alternatives for future development; and
 - (iv) Needs and costs associated with existing facilities in the short-medium term.

Task 4: Town Planning Aspects

The study will:

- Determine planning and transport constraints and the implications for the proposed development/redevelopment.
- Assess the environmental and social impacts of the proposed options and mitigating measures to address those impacts.

- Assess the impacts on existing facilities including disposal planning considerations.
- Develop strategies to integrate the proposed facility with surrounding land uses.

Task 5: Risk Management Plan

The consultant shall develop a risk management plan for the various model/s developed.

Task 6: Public Consultation

The consultant will be required to conduct a public consultation process once concept development forums are completed and prior to finalisation of the Strategic Facility Plan and final report. The public comment period should be as a minimum three weeks but not exceed six weeks.

Sustainability

There are synergies between these two major sports (AFL football and cricket) that could, and should be capitalised upon, resulting in reduced operating costs for both sports and ultimately for Government. A venue utilising shared resources is likely to be more sustainable than two competing venues in a potentially diminishing market. Those funds freed up would be used to help develop the sports and increase participation in the community to higher levels.

The social capital of having a major venue of adequate capacity and amenity is difficult to quantify although a variety of studies have been published supporting the concept of social capital with sports facility development.

Further, the WA State Sustainability Strategy recognises that "Sport and Recreation are critical to building social capital, to creating the networks and trust between business, government and community which are totally intermixed and integrated when people join sporting groups and voluntary community associations.

Time for Completion

The consultant's completed report and recommendations will be required within 12 months of the acceptance of the contract for service. Consultants who can demonstrate an ability to complete the project earlier without compromising the outcome will be given high consideration.

Key Milestones

The taskforce expects its final report to be forwarded to the Minister in October 2006, along the way the following key milestones must be achieved.

- Tender brief for consultant completed;
- Appointment of consultant;
- Literature Review;
- Workshops with key stakeholder groups;
- Initial report from consultant;
- Public comment period;
- Development of draft report;
- Taskforce adopts final report and forwards it to the Minister.

Impact of any Delay

Any delay in the redevelopment of the rectangular stadium will have a significant increase in construction costs, which are increasing at the rate of 0.5% per month.

PURPOSE OF REPORT:

The purpose of this report is to update the Council on the progress of the redevelopment project from the period of 7 July 2005 to 14 November 2005.

BACKGROUND:

A progress report was submitted to the Ordinary Meeting of Council held on 12 July 2005.

At the Ordinary Meeting of Council held on 26 April 2005, the Council considered this matter and resolved as follows;

"That the Council;

- (i) *RECEIVES the Progress Report No 5 as at 22 April 2005 relating to the Proposed Stage 2 Redevelopment of Members Equity Stadium, 310 Pier Street, Perth;*
- (ii) *APPROVES of the creation of a new Reserve Fund known as "Perth Oval – Stage 2 Redevelopment", pursuant to Section 6.11 of Division 4 of Part 6 of the Local Government Act 1995 as required by clause 5.2 of the Preliminary Agreement and prescribes the purpose of the Reserve Fund to be:*

"works associated with the maintenance, repairs, alterations, upgrade and replacement of Perth Oval – Stage 2 buildings, major plant and equipment, fixtures, fittings and associated land."
- (iii) *APPROVES the Preliminary Agreement between the State Government of Western Australia and the Town as detailed in this report;*
- (iv) *AUTHORISES the Mayor and Chief Executive Officer to sign the Preliminary Agreement and affix the Council's Common Seal;*
- (v) *AUTHORISES the Chief Executive Officer to chair the Project Control Group as prescribed in the Preliminary Agreement and to select the most appropriate officer to also be on the Project Control Group to consider tenders for the appointment of the architect and other consultants for the redevelopment project; and*
- (vi) *NOTES that the;*
 - (a) *tender for Architectural Services has now been advertised; and*
 - (b) *Town will receive \$500,000 from the State Government within seven (7) days of the Preliminary Agreement being signed for the purpose of calling tenders for the appointment of the project architect, consultants and obtaining of necessary advice."*

At the Ordinary Meeting of Council held on 22 March 2005, the Council resolved as follows:

“That the Council;

- (i) RECEIVES the Progress Report No. 3 as at 16 March 2005 relating to the proposed Stage 2 Redevelopment of Members Equity Stadium, 310 Pier Street, Perth;*
- (ii) NOTES the draft Preliminary Agreement as detailed in this report;*
- (iii) AUTHORISES the Chief Executive Officer (in liaison with the Mayor) to negotiate the finalisation of the Preliminary Agreement to the Town's satisfaction;*
- (iv) APPROVES IN PRINCIPLE the Town's requirements, conditions and expectations, as detailed in Confidential Appendix 10.4.6(C);*
- (v) AUTHORISES the Mayor and Chief Executive Officer to negotiate the finalisation of the Town's Requirement, Conditions and Expectations, subject to;*
 - (a) the Requirements, Conditions and Expectations identified by the Chief Executive Officer in Confidential Appendices 10.4.6(A) and 10.4.6(C), being resolved to the satisfaction of the Town;*
 - (b) a further report being submitted to the Council for final approval;*
- (vi) PURSUANT to Section 5.95 of the Local Government Act 1995 and Clause 2.15 of the Town of Vincent Local Law Relating to Standing Orders, proceeds "behind closed doors" at the conclusion of the items, to consider the confidential information, circulated separately to Elected Members, relating to the Town's Requirements, Conditions and Expectations relating to the Stage 2 Redevelopment of Members Equity Stadium, 310 Pier Street, Perth;*
- (vii) NOTES that the details in the Confidential Appendices are to remain confidential until approved for public information; and*
- (viii) REITERATES its position that development of the Stadium shall be at no net cost to the Town and its ratepayers.*

At the Ordinary Meeting of Council held on 8 February 2005, the Council resolved (inter alia) as follows:

- “(i) RECEIVES the Progress Report No 3 ...; and*
- (ii) AUTHORISES the Chief Executive Officer to call tenders for architectural and consultant services for the proposed upgrade of Members Equity Stadium.”*

At the Ordinary Meeting of Council held on 21 December 2004, the Council resolved as follows;

“That the Council;

- (i) RECEIVES the Progress Report No. 2 as at 15 December 2004 relating to Australian Rugby Union Super 14's at Members Equity Stadium, 310 Pier Street, Perth;*
- (ii) NOTES that;*
 - (a) the Australian Rugby Union Licence for Super 14's (2004) has been awarded to Perth; and*

- (b) *the State Government of Western Australia has publicly announced that it will provide \$25 million for the upgrade of facilities at Members Equity Stadium (MES); and*
- (iii) **CONDITIONALLY APPROVES;**
- (a) *to ACCEPT the \$25 million for the upgrade of Members Equity Stadium subject to the Council receiving a further report on the proposed Financial Assistance Agreement (FAA) between the State Government of Western Australia and the Town; and*
- (b) *the construction/upgrade of Members Equity Stadium, Stage 2 works, subject to the Council receiving a further report on the proposed details and plans as indicatively shown in Appendix 10.4.11, subject to a further report being submitted to the Council."*

A previous report was submitted to the Ordinary Meeting of Council held on 26 October 2004.

On Friday 10 December 2004, the Australian Rugby Union (ARU) allocated an additional licence to Perth to host a team in the ARU Super 14s Rugby Union Tri-Nation competition which involves Australia, New Zealand and South Africa. The new competition starts in February 2006. It is envisaged that the new team will play at Subiaco Oval during 2006.

The State Government has announced that it will upgrade Members Equity Stadium (MES) which is considered the most suitable venue, as it has been specifically built for sports requiring a rectangular pitch (e.g. rugby, soccer, lacrosse, etc.). As Elected Members are aware, the Stage 1 redevelopment involved a complete upgrade of all services and the construction of part of the pitch and surrounding seating. The existing grandstand was also substantially refurbished. The existing grandstand was also substantially refurbished. In order for Stage 2 Redevelopment to comply, it will be necessary to construct a new grandstand on the eastern side and this will incorporate corporate suites, coteries, additional changerooms and seating. The actual size of this new grandstand would ultimately depend on the capacity specified by ARU. The current capacity of 18,150 will need to be increased to meet the needs of Rugby WA.

Meetings

The following meetings have been held since 7 July 2005;

Date	Reason for Meeting
Rugby WA:	
21 July 2005	<ul style="list-style-type: none">To pursue design features
29 July 2005	<ul style="list-style-type: none">To pursue design features
21 October 2005	<ul style="list-style-type: none">Mayor and CEO to discuss Licensing Agreement
Peter Hunt Architect:	
27 July 2005	<ul style="list-style-type: none">Preparation of concept plans and costings
29 July 2005	<ul style="list-style-type: none">Architect and Quantity Surveyor re: costs
4 August 2005	<ul style="list-style-type: none">Consider Stages

Date	Reason for Meeting
Briefing to Minister for Sport and Recreation and Department of Sport & Recreation (DSR) Senior Officers:	
26 August 2005	• Re: concept plans and costings
Stadium Manager	
16 September 2005	• Meeting with Nick Tana and new Stadium Manager, Peter Bauchop
21 October 2005	• Mayor and A/CEO to discuss Licensing Agreement
DSR:	
12 August 2005	• Meeting with DSR Director General, Ron Alexander
20 September 2005	• Mayor and CEO meeting with DSR Director General re: progress
13 October 2005	• CEO and DSR Director General re: progress
14 November 2005	• Mayor and CEO with DSR Director General and Director re: progress and Rugby WA's options

DRAFT PRELIMINARY AGREEMENT

The Preliminary Agreement was approved at the Ordinary Meeting of Council held on 26 April 2005 and signed on 28 April 2005. An amount of \$500,000 was paid to the Town on 3 May 2005. These funds are currently in the Perth Oval Stage 2 Redevelopment Reserve Fund.

Town's Requirements, Conditions and Expectations

At the Ordinary Meeting of Council held on 22 March 2005, the Council determined its requirements, conditions and expectations. These were sent to the Department of Sport and Recreation. No further meetings have been held to progress this matter.

Appointment of Project Architect

The Chief Executive Officer has met on a number of occasions with the Project Architect and various sub-consultants to prepare concept plans for the Stage 2 Redevelopment.

Concept Plans - Indicative Costing

Concept Plans for Stages 2, 3 and 4 have been prepared, together with indicative costings.

The Concept Plans incorporate the Town (and DSR) tender requirements and also the request from Rugby WA, Perth Glory Football Club, WA Rugby League and Stadium Managers - Allia Venue Management Pty Ltd. Confidential Appendix 10.4.8, circulated separately to Elected Members, contains this information.

Stage 2 - Indicative Timeline

Date	Item
10 December 2004	<ul style="list-style-type: none"> • ARU announces site for new Super 14s licence
22 December 2004	<ul style="list-style-type: none"> • Meeting with DSR to discuss general terms and conditions for redevelopment
6 January 2005	<ul style="list-style-type: none"> • Town/WARU initial meeting to discuss Licence Agreement conditions and Stadium requirements
7 February 2005	<ul style="list-style-type: none"> • WARU provides Town with letter of requirements
10 February 2005	<ul style="list-style-type: none"> • Meeting with DSR to discuss Preliminary Agreement - Draft 5 provided
16 February 2005	<ul style="list-style-type: none"> • Town provides comments on Draft 5
18 February 2005	<ul style="list-style-type: none"> • Town of Vincent to write to WARU and Allia re: commence licence
28 February 2005	<ul style="list-style-type: none"> • Town's second meeting with WARU concerning Licence Agreement and Stadium conditions - Draft Licence provided
1 March 2005	<ul style="list-style-type: none"> • Prepare report for Council Meeting of 8 March 2005 for approval of Preliminary Agreement signed by Town of Vincent/State Government
8 March 2005	<ul style="list-style-type: none"> • Town receives DSR conditions and expectations and Draft 7 of Preliminary Agreement
14 March 2005	<ul style="list-style-type: none"> • Town provides DSR with comments on Preliminary Agreement and outlines concerns
21 April 2005	<ul style="list-style-type: none"> • Town and DSR agree on Preliminary Agreement and finalise document • Negotiations on Terms and Conditions
23 April 2005*	<ul style="list-style-type: none"> • Advertise "Request for Tender" document - Architectural Services
26 April 2005*	<ul style="list-style-type: none"> • Council Meeting to approve Preliminary Agreement
13-20 April 2005	<ul style="list-style-type: none"> • Evaluation/Assessment of Tenders - preparation of Report
13 April 2005 - onwards	<ul style="list-style-type: none"> • Town to commence negotiations with WARU re Licence Agreement • Town/DSR to commence negotiations with Allia • Town/DSR to negotiate FAA requirements
26 April 2005	<ul style="list-style-type: none"> • Preliminary Agreement signed
3 May 2005	<ul style="list-style-type: none"> • DSR paid \$500,000 to Town
17 May 2005*	<ul style="list-style-type: none"> • Tender closed for Architectural Services
14 June 2005*	<ul style="list-style-type: none"> • Council Meeting to approve of tender for Project Architect
15 June 2005*	<ul style="list-style-type: none"> • Peter Hunt Architect appointed
June-July 2005	<ul style="list-style-type: none"> • Meetings with Rugby WA to discuss Design Brief, Scope of Works, Requirements • Architect briefed on Rugby WA, Allia/PGSC, Town and DSR requirements
7 July 2005	<ul style="list-style-type: none"> • Appointment of Quantity Surveyor for preliminary cost estimates

Date	Item
30 June -1 August 2005	<ul style="list-style-type: none"> • Review Design Brief • Review Scope of Works • Prepare Concept Plan for revised Brief/Scope of Works • Preparation of Concept Plans for staged works, if req. • Preparation of indicative costs for above
August-October 2005	<ul style="list-style-type: none"> • Town/WARU to negotiate Licence Agreement
August-October 2005	<ul style="list-style-type: none"> • Town/ WARU to negotiate/finalise conditions • Town to prepare business case for Redevelopment (HOA)
12 August 2005	<ul style="list-style-type: none"> • Concept Designs to be considered by Town/DSR/ Rugby WA
September 2005	<ul style="list-style-type: none"> • Forum presentation to Town on Concept Plans, Options, Costs
30 September 2005	<ul style="list-style-type: none"> • Stakeholder decision on preferred Option and Costings
September-November 2005	<ul style="list-style-type: none"> • Town to commence renegotiation with Allia
September-November 2005	<ul style="list-style-type: none"> • Town to finalise Terms and Conditions with DSR
October 2005	<ul style="list-style-type: none"> • Advertise for Consultants for Project
24 October 2005	<ul style="list-style-type: none"> • Council Meeting to appoint Consultants
October-December 2005	<ul style="list-style-type: none"> • Appoint Project Manager
13 December 2005 *	<ul style="list-style-type: none"> • Forum to consider Draft FAA, redevelopment conditions with Allia
20 December 2005*	<ul style="list-style-type: none"> • Council meeting to approve FAA, Project Design • Council to consider Major Land Transaction Documents (if applicable)
21 December 2005-22 February 2006	<ul style="list-style-type: none"> • Preparation of Major Land Transaction - Business Plan document
22 February 2006	<ul style="list-style-type: none"> • Agenda closes for OMC 28 February 2006
28 February 2006	<ul style="list-style-type: none"> • Council Meeting to approve Business Plan documentation
4 March 2006	<ul style="list-style-type: none"> • Advertise Major Land Transaction Business Plan (6 weeks)
12 April 2006	<ul style="list-style-type: none"> • Major Land Transaction - Public Submissions closing date
12-19 April 2006	<ul style="list-style-type: none"> • Consideration of Public Submissions and preparation of Agenda Report
19 April 2006	<ul style="list-style-type: none"> • Agenda closes for OMC 25 April 2006
25 April 2006*	<ul style="list-style-type: none"> • Council to consider Public Submissions and approve (or discontinue) with Major Land Transaction
25 April 2006*	<ul style="list-style-type: none"> • Council approval of "Request for Tender - Construction of Stadium" documentation
6 May 2006*	<ul style="list-style-type: none"> • Advertise "Request for Tender - Construction of Stadium" (30 days)
7 June 2006	<ul style="list-style-type: none"> • Construction Tender closes
7-21 June 2006	<ul style="list-style-type: none"> • Evaluation of Construction Tender

Date	Item
21 June 2006	• Agenda closes for OMC 27 June 2006
27 June 2006*	• Council to approve Construction Tender/Award of Contract
28 June 2006*	• Appointment of Builder
July 2006	• Builder Mobilisation
August 2006*	• Construction commences
30 November 2007*	• 2nd Stage completed - (<i>depends upon construction option/method</i>)
November 2007	• Finalisation of "snag list".
December 2007*	• Building handover.
January-February 2008	• Opening of Stage 2

The CEO has met with the Project Architect and also with Rugby WA. Rugby WA have advised that they have signed an agreement with the Western Australian Football Commission for the use of Subiaco Oval for 2006, with an option to use Subiaco Oval during 2007. As a result of this change, Rugby WA have indicated that Stage 2 Redevelopment for Members Equity Stadium is now required to be ready by 30 December 2007. This will allow sufficient time for the project negotiations with all stakeholders to be carried out, without the previous time constraint.

Media - November 2005

From 7-11 November 2005, considerable media attention (mainly print Media and Radio) has occurred relating to Rugby WA expressing a desire to continue using Subiaco Oval for the next two years.

The Town has not been formally advised of Rugby WA's position, however discussions between the Town's Chief Executive Officer and the Chief Executive Officer of Rugby WA have revealed the following;

1. Rugby WA have a one year approval to use Subiaco Oval.
2. Rugby WA have requested negotiations with the WA Football Commission to extend option periods for two further years to use Subiaco Oval.
3. Rugby WA have expressed their desire to play Super 14's Rugby games at a rectangular stadium, subject to a minimum capacity of 30,000 together with appropriate corporate facilities.
4. Rugby WA have indicated that they wish to play all proposed Provincial Cup rugby games (which would attract crowds of up to 10,000 patrons) at Members Equity Stadium.

Deed of Licence Agreement

On 9 November 2005, the Town's Chief Executive Officer forwarded a Deed of Licence Agreement to Rugby WA. This Deed of Licence included the following conditions;

- Period of Licence: 1 January 2006 to 31 December 2011
- Options: 1 January 2012 to 31 December 2017 /
- 1 January 2018 to 31 December 2023

- Deposit: Nil
- Licence Fee: *Confidential*
- Public Liability Insurance: \$20 million
- Security Amount: \$5,000 per annum
- Bump In Period: 24 hours prior to each event
- Bump Out Period: 24 hours after each event
- Catering Services: Subject to negotiation with Allia as per Heads of Agreement
- Liquor Services: *Confidential*
- Special Conditions:
 - Clean Stadium: As per Heads of Agreement
 - Renegotiation: 5 year periods
 - Priority Rights: As per Heads of Agreement
 - Events Costs: As per Heads of Agreement
 - Contribution to Reserve Fund: *Confidential, to be negotiated direct with Town*
 - Stadium Capacity, Facilities and Upgrade: *Confidential, subject to negotiation with Town and availability of State Government funding.*

Liaison with Allia Venue Management Pty Ltd (Allia)

Allia have appointed a new Stadium Manager. The Mayor and Chief Executive Officer have met with the Chairman of Allia and the new Stadium Manager. Allia have advised that a key objective for the new Stadium Manager is to restore the relationship between the Town and the Stadium Manager and other stakeholders.

FINANCIAL/BUDGET IMPLICATIONS:

The Town has included an amount of \$25 million in the Draft Budget 2005/2006. It is envisaged that the State Government will allocate the \$25 million for the Stadium upgrade, upon signing of another Financial Assistance Agreement.

The \$500,000 received from the DSR has been placed in the "Perth Oval - Stage 2 Redevelopment Reserve Fund".

Additional funding to meet the needs of Rugby WA's requirement for the Stadium will be required as outlined in the confidential appendix.

LEGAL/POLICY IMPLICATIONS:

Not applicable, at this stage, however it will be required when details become more available.

ADVERTISING/COMMUNITY CONSULTATION:

Not applicable, at this stage, however it will be required when details become more available.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2005-2010, Key Result Area 3.2(g) - *"Implement and upgrade Perth Oval in liaison with all stakeholders"*.

COMMENT:

The concept plans for the various Stages and the Masterplan for the overall redevelopment of the Stadium, together with the associated costings, have been finalised. These plans meet the needs of Rugby WA, however there is an obvious shortfall in funding. It is considered that the State Government of Western Australia should honour its commitment to the upgrade of Members Equity Stadium to enable Super 14's games to be held at this Venue.

The actions of the Western Australian Football Commission (WAFC) and comments by the "West Coast Eagles" management are considered totally inappropriate as it is considered that the upgrade of Subiaco Oval is a separate matter. The WAFC should pursue the upgrade of their facility independently and not complicate matters by attempting to redirect the \$25 million funding for the upgrading of Members Equity Stadium to Subiaco Oval.

Soccer in Australia has received a tremendous boost by qualifying for the World Cup 2006. There is no doubt that participation in soccer at all levels will increase. The Football Federation have been promoting the game in Asia and have indicated that participation in the Asia League and "*friendly*" international games from countries in the region will occur from 2006 onwards. Given Perth's close proximity to the region, it is ideal for the hosting of many of these games. Should this eventuate, it will provide a major boost to the local and regional economy. It will also promote the Town. The provision of suitable facilities of world class standard to attract overseas teams to play at a purpose built stadium is considered crucial. Accordingly, it is appropriate that the Council vigorously pursue the redevelopment of its stadium with the State Government and other stakeholders.

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 Notice of Motion – Mayor Nick Catania – Expression of Sympathy to those affected by the Earthquake in the areas of Afghanistan, India, Pakistan and Kashmir and Donation to the Earthquake Relief Appeal
--

That;

- (i) *the Mayor, Councillors and Staff of the Town of Vincent express their deepest sympathy to those people who have been affected by the earthquake in the areas of Afghanistan, India, Pakistan and Kashmir which occurred on 8 October 2005; and*
- (ii) *the Town of Vincent makes a donation of \$2,500 to the Earthquake Relief Appeal through Red Cross Australia – Asia Earthquake Appeal 2005.*

Journalist Sarah Roberts left the meeting at 9.50pm.

COUNCIL DECISION ITEM 11.1

Moved Cr Doran-Wu, Seconded Cr Torre

That the motion be adopted.

CARRIED (9-0)

CHIEF EXECUTIVE OFFICER'S COMMENTS:

The President of the Pakistan Australia Cultural and Welfare Association of Western Australia Inc. recently met with the Mayor and wrote to the Town seeking assistance and support to the victims of the earthquake in the areas of Afghanistan, India, Pakistan and Kashmir.

On 8 October 2005, a major earthquake occurred in the area causing more than 75,000 deaths, an estimated three million people homeless and causing extensive damage to infrastructure, hospitals and schools and property.

International support has been provided with many countries contributing personnel and equipment.

At this time, donations are being collected by various charitable bodies (both local and international) and direct to the Pakistani government through their worldwide embassies.

The following official appeals have been launched:

- The Pakistan Earthquake Appeal Co-ordination Committee (PEACC) is calling on individuals and organisations to support the victims of the earthquake in Pakistan and Kashmir. (www.peacc.org)
- President's Relief Fund for Earthquake Victims 2005.

1. Donations can be made direct to the High Commission of Pakistan

The Government of Pakistan has decided to establish a fund to be known as "President's Relief Fund for Earthquake Victims 2005" for providing relief to the people in the wake of recent earthquake victims in Pakistan and to mobilize resources for the relief efforts to the people affected by the earthquake.

The Fund will receive donations from both domestic and international donors. Donations of cash can be made to the President's Relief Fund for Earthquake Victims, ANZ Bank, BSB: 012997, Account No. 4962-08605.

2. Official aid agencies

Australian Government assistance is being channelled through these agencies.

3. Red Cross Australia - Asia Earthquake Appeal 2005

Australian Red Cross has launched an appeal to help support international efforts aimed at assisting with the response to earthquake. As at 15 November, Australian Red Cross has raised more than \$7.2 million to support those affected by the disaster. This includes an Australian Government contribution of \$3 million to global Red Cross Red Crescent relief efforts in the region, as well as \$500,000 donated directly to Australian Red Cross. Corporate supporters with enquiries about the appeal should contact Kellie Johnston, Phone (02) 9229 4105.

4. World Vision Pakistan Earthquake Appeal

Last week as part of its relief response World Vision flew in more than 4,000 tents and more than 10,000 tarpaulins. The airlifts follow flights from Australia, Germany and Dubai delivering vital relief goods including tents, medical supplies and blankets. In the space of a week a World Vision medical team attended to more than 820 people which included treating open skull wounds, gangrene and fractures. World Vision is also carrying out child protection activities in Balakot, where a camp has been set up to provide shelter for some 5,000 families. The child-focused activities include providing recreational spaces to help children adjust from the trauma that they have endured, establishing emergency education and identifying vulnerable children to be referred to specialist services.

Previous Donations for Disaster Appeals

The Town of Vincent has previously provided donations for disaster relief in:

January 1998	\$500 to the Lord Mayor's Distress Relief Fund for the Brookton/Pingelly Bush Fire
April 1999	\$1,000 each for the Lord Mayor's Moora and Exmouth Flood and Cyclone Appeal
November 2002	\$5,000 to the Lord Mayor's Distress Relief Fund for the Bali Bombing Disaster
January 2005	\$5,000 to the Tsunami Appeal - to CARE Australia

It should be noted that Item 10.4.6 on the Agenda contains a proposed new Policy - "Disaster Appeals - Donations and Assistance".

The Chief Executive Officer advised at the beginning of the meeting that Item 10.4.9 would be considered “*behind closed doors*” as it contained commercially sensitive information.

Cr Maier departed the Chamber at 9.51pm.

At 9.51pm Moved Cr Lake, Seconded Cr Farrell

That the meeting proceed “behind closed doors” to consider Item 10.4.9 - State Indoor Sports Centre, 99 Loftus Street, Leederville - Progress Report No 10 as id contains commercially sensitive information.

CARRIED (8-0)

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

10.4.9 State Indoor Sports Centre, 99 Loftus Street, Leederville – Progress Report No. 10
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Ward:	South	Date:	16 November 2005
Precinct:	Oxford Centre, P4	File Ref:	RES0061
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Progress Report No. 10 as at 16 November 2005, relating to the proposed State Indoor Sports Centre, 99 Loftus Street, Leederville; and*
- (ii) *NOTES that further information has been received on 16 November 2005 from the Department of Sport and Recreation and a further report will be provided prior to the Council Meeting.*

At 9.51pm Moved Cr Lake, Seconded Cr Farrell

That the meeting proceed “behind closed doors” to consider Item 10.4.9 - State Indoor Sports Centre, 99 Loftus Street, Leederville - Progress Report No 10 as id contains commercially sensitive information.

CARRIED (8-0)

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

Cr Maier returned to the Chamber at 9.53pm.

COUNCIL DECISION ITEM 10.4.9

That the Council;

- (i) *RECEIVES the Progress Report No. 10 as at 22 November 2005, relating to the proposed State Indoor Sports Centre, 99 Loftus Street, Leederville;*
- (ii) *NOTES the Town has been advised on a "Confidential and Without Prejudice" basis by the Department of Sport and Recreation that the Acting Minister for Sport and Recreation has approved of funding for the proposed redevelopment of the Loftus Centre;*
- (iii) *ACCEPTS (conditionally) the funding for the proposed "State Gymnastics Centre", subject to the Council receiving a further report on the proposed Financial Assistance Agreement (FAA) between the Town and the State Government of Western Australia;*
- (iv) *AUTHORISES the Chief Executive Officer to;*
 - (a) *negotiate the terms and conditions of the proposed FAA, subject to the FAA being reported to the Council for final approval;*
 - (b) *progress the Concept Plans dated June 2005 and associated costings to meet the needs of all lessees and users and further fully consider;*
 - (i) *any impact of the Beatty Park Feasibility Study; and*
 - (ii) *any impact of further discussions with Central TAFE, as outlined in Clause (iv)(d)(i), (ii) and (iii) below and make any appropriate changes to the final plans for the State Indoor Centre and those final plans being reported to the Council for final approval;*
 - (c) *engage the services of a qualified Valuer to prepare valuations for the proposed leases and assist in determining the leases and conditions;*
 - (d) *enter into discussions with Central TAFE to explore possible partnerships as follows;*
 - (i) *establishing a joint Library to service the needs of the Town and Central TAFE and negotiate the conditions of a Memorandum of Understanding (MOU);*
 - (ii) *to encourage TAFE to relocate their Department of Sport to the Leederville Campus and negotiate the conditions of a Memorandum of Understanding (MOU) for the use of the Loftus Recreation Centre, Leederville Oval, Beatty Park Leisure Centre and the proposed State Gymnastics Centre;*
 - (iii) *the establishment of programmes and services associated with the HQ Youth Facility, which may be accommodated at TAFE and/or the proposed project;*
- (v) *NOTES;*
 - (a) *the timeline, as detailed in this report, is to be revised to allow for consideration of;*
 - (i) *any impact of the Beatty Park Feasibility Study; and*

- (ii) *further discussions with Central TAFE, as outlined in (iv)(d)(i), (ii) and (iii) above, and these considerations should be resolved and reported to the Council no later than February 2006;*
- (b) *the cost escalation of this project, as detailed in this report; and*
- (c) *that the matter will be presented to a Forum to be held in late November/early December 2005 (to be advised); and*
- (vi) *NOTES that the financial information, terms and conditions in this report are to remain confidential and AUTHORISES the Chief Executive Officer to make the information available to the public at the appropriate time.*

PURPOSE OF REPORT:

To update the Council on the progress of this project, as at 16 November 2005.

BACKGROUND:

At the Special Council Meeting held on 30 October 2001, the Council approved of entering into a partnership with the State Government of Western Australia to redevelop and construct a number of sporting facilities, including a State Indoor Sports Centre on Loftus Centre land.

At a Special Meeting of Council held on 2 March 2005, the Council considered a confidential report concerning this project and resolved as follows;

“That the Council;

- (i) *RECEIVES the Progress Report No. 8 as at 25 February 2005, relating to the proposed State Indoor Sports Centre, 99 Loftus Street, Leederville;*
- (ii) *APPROVES IN PRINCIPLE Concept Option No. 2, as shown in Appendix 7.2, which is estimated to cost \$7,800,000 plus GST, subject to;*
- (a) *the funding arrangement being as follows;*
- | | | |
|------------------------------|---------------|-------|
| • State Government | \$2.5 million | 32.0% |
| • Town of Vincent | \$2.3 million | 29.5% |
| • Private Partnership/Others | \$3.0 million | 38.5% |
- (b) *a further report being submitted detailing more precise costs and funding sources;*
- (iii) *AUTHORISES the Mayor and Chief Executive Officer to;*
- (a) *negotiate with the Department of Sport and Recreation (DSR) and other parties for additional funding on the basis that it cannot proceed without it, with the object of reducing the Town’s contribution from \$2.3 million to \$1.3 million;*
- (b) *investigate various funding sources and partnership arrangements; and*
- I *prepare the necessary Business Case, tender and major land transaction documentation (if required), for approval by the Council;*

- (iv) *ADVISES the Department of Sport and Recreation and the Smith's Lake Precinct Group of the progress of this project; and*
- (v) *AUTHORISES the architects to liaise with Gymnastics WA, Leisure Co, Loftus Community Centre and Town's Library concerning the concept plans."*

Previous Reports

Previous progress reports were previously submitted to the Council on 23 July 2002, 12 August 2003, 7 October 2003, 16 December 2003, 10 February 2004, 23 March 2004, 26 October 2004, 2 March 2005 and 12 July 2005.

DETAILS:

Forum

The matter was presented to a Forum held on 19 July 2005. The Project Architect presented the latest concept plans and costings (on a confidential basis). The Town's Executive Manager Technical Services presented information on the proposed upgrade of Smith's Lake Reserve.

Department of Sport and Recreation Meetings

The Town's Chief Executive Officer (and Executive Managers on occasions) has met with the DSR on a number of occasions to discuss the revised concept plans and costings. The DSR have since requested that Rhythmic Gymnastics be also accommodated with Gymnastics WA, and they are considering the additional funding required.

On 24 June 2005, the Town wrote to the DSR seeking their response by 30 July 2005, concerning additional their comments on the concept plans and an increase in funding.

At a meeting held on 14 November 2005 by the Mayor and Chief Executive Officer and Director General of the DSR, the matter was again raised and concern expressed at the delay. The DSR verbally advised the Town that the matter had received Ministerial approval, but did not provide specific details. They did advise that they would follow-up the matter, as a priority.

On 16 November 2005, information was received from the Department of Sport and Recreation. At the time of writing this report, this information was being assessed and considered. Therefore, a further report will be submitted to the Council Meeting.

Len Fletcher Pavilion and Elven Street Subdivision Update

The subdivision works have now been completed and the Council has approved the sale of the land by auction, to be held on 19 November 2005.

Indicative Timeline

At the time of writing this report, this project is approximately 3 months behind the previously reported indicative timeline. The delay has been caused by a request for additional funds to the Department of Sport and Recreation, the need for the matter to be handled by a separate Minister, as the former Minister for Sport and Recreation had a potential conflict of interest in the project and a change in the Minister for Sport and Recreation. All of these events have contributed to the matter being delayed.

A new indicative timeline will be submitted to the Council.

LEGAL/POLICY IMPLICATIONS:

The Local Government Act Tender Regulation requirements and also Major Land Transaction requirements (if applicable) will need to be followed.

ADVERTISING/COMMUNITY CONSULTATION:

Not required at this stage, however once the Council approves of the concept plans, the Town's normal consultation process will be carried out. Consultation with prospective stakeholders/users will also need to be carried out.

FINANCIAL/BUDGET IMPLICATIONS:

The Council has allocated an amount of \$7.3 million in the Draft 2005/2006 Budget.

The Town's Principal Activity Plan lists this project to be carried out in 2005/2006.

STRATEGIC IMPLICATIONS:

This project is in keeping with the Town's Strategic Plan 2005-2010, Key Result Area 3.2 – *“Develop business strategies that provide a positive triple bottom line return for the Town”* including 3.2(a) – *“Review leases and commercial contracts to ensure the best return for the Town”*.

COMMENT:

This Progress Report No. 10 is provided to give the Council the latest information relating to this project. This project is now at a stage where commitment from the Department of Sport and Recreation is essential, in order that the matter may be reported to the Council for a decision to be made. The lack of a decision is concerning as it causes further delay in the implementation of the project. Furthermore, building costs are increasing at approximately 1% per month.

It is anticipated that a positive outcome will be achieved concerning the request for additional funding. This information will be provided in a further report to the Council.

At 10.17pm **Moved Cr Torre, Seconded Cr Farrell**

That an "open" meeting be resumed.

CARRIED (9-0)

12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

14. CONFIDENTIAL REPORTS (*behind closed doors*)

Refer to 10.4.9

15. CLOSURE

The Presiding Member, Mayor Catania JP, declared the meeting closed at 10.18pm with the following persons present:

Cr Simon Chester	North 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 Torre	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental and Development Services
Rick Lotznicher	Executive Manager Technical Services
Mike Rootsey	Executive Manager, Corporate Services
Annie Smith	Minutes Secretary

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 22 November 2005.

Signed:Presiding Member
Mayor Nick Catania, JP

Dated this day of 2005