



CITY OF VINCENT

AGENDA

Council Briefing

15 June 2021

Time: 6.00pm
**Location: E-Meeting and at the Administration
and Civic Centre,
244 Vincent Street, Leederville**

David MacLennan
Chief Executive Officer

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Public Questions will be strictly limited to three (3) minutes per person.

The following conditions apply to public questions and statements:

1. Questions and statements can be made in person or by emailing governance@vincent.wa.gov.au with the questions prior to 3pm on the day of a Council Briefing or Meeting or prior to 10am on the day of a Committee Meeting. Please include your full name and suburb in your email.
2. Questions emailed will be read out by the CEO or his delegate during public question time if they relate to an item on the agenda. If they do not relate to an item on the agenda they will be answered outside of the meeting. Statements will not be read out.
3. Shortly after the commencement of the meeting, the Presiding Member will ask members of the public to come forward to address the Council and to give their name and the suburb in which they reside or, where a member of the public is representing the interests of a business, the suburb in which that business is located and Agenda Item number (if known).
4. Questions/statements are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on an Elected Member or City Employee.
5. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be *"taken on notice"* and a written response will be sent by the Chief Executive Officer to the person asking the question. A copy of the reply will be included in the Agenda of the next Ordinary meeting of the Council.
6. It is not intended that public speaking time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the *Local Government Act 1995* or the *Freedom of Information Act 1992* (FOI Act). The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

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- All Council proceedings are recorded and livestreamed in accordance with the Council Proceedings – Recording and Web Streaming Policy.
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1 DECLARATION OF OPENING / ACKNOWLEDGEMENT OF COUNTRY

“The City of Vincent would like to acknowledge the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past, present and emerging”.

2 APOLOGIES / MEMBERS ON LEAVE OF ABSENCE

Nil

3 PUBLIC QUESTION TIME AND RECEIVING OF PUBLIC STATEMENTS

4 DECLARATIONS OF INTEREST








Cr Josh Topelberg has declared a financial interest in Item 6.2 - Waste Strategy Project - 8 Commercial Waste Collections (Update Report). The extent of his interest is that he operates a business which will be directly affected by the proposed changes. He has not requested permission to remain in Chambers while this matter is discussed.

5 STRATEGY & DEVELOPMENT

5.1 NO. 290 (LOT: 10; D/P: D059211) BEAUFORT STREET, PERTH - CHANGE OF USE TO RESTAURANT/CAFÉ, SHOP AND SMALL BAR, INCLUDING ALTERATIONS/ADDITIONS AND SIGNAGE (AMENDMENT TO APPROVED)

Ward: South

Attachments:

1. Consultation and Location Plan [↓](#) 
2. Development Plans [↓](#) 
3. Applicant Cover Letter [↓](#) 
4. Acoustic Report [↓](#) 
5. Venue Management Plan [↓](#) 
6. Previous Determination Notice and Plans (31 May 2021) [↓](#) 
7. Summary of Submissions - Administration Response [↓](#) 

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme, **APPROVES** the application for a Change of Use to Restaurant/Café, Shop and Small Bar, including Alterations/Additions and Signage (Amendment to Approved) at No. 290 (Lot: 10; D/P: D059211) Beaufort Street, Perth, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on development approval 5.2021.73.1 dated 31 May 2021 continue to apply to this approval, except as follows:

1.1 Condition 1 is amended to read as follows:

1. This approval is for Change of Use to Restaurant/Café, Shop and Small Bar, including Alterations/Additions and Signage as shown on the approved plans dated 2 March 2021, 12 April 2021 and 11 May 2021. No other development forms part of this approval; and

1.2 Conditions 2.1 and 2.2 are amended, and a new Condition 2.3 is added to read as follows:

2. Use of Premises

- 2.1 This approval is for Restaurant/Café, Shop and Small Bar as defined in the City of Vincent Local Planning Scheme No. 2.

Use of the subject land for a different use may require further development approval in accordance with the provisions of the City's Local Planning Scheme No. 2 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

- 2.2 The Restaurant/Café and Small Bar shall be limited to a maximum of 70 patrons.

- 2.3 The hours of operation of the Small Bar shall be limited to:

- Midday to 6:00pm Monday and Tuesday;
- Midday to 10:00pm Wednesday, Thursday and Sunday; and
- Midday to midnight Friday and Saturday.

PURPOSE OF REPORT:

To consider an application for an amendment to a previous development approval for the addition of a Small Bar use at No. 290 Beaufort Street, Perth (subject site).

PROPOSAL:

The premises at the subject site is currently approved for use as a Restaurant/Café and Shop. The subject development application seeks approval for the premises to also operate as a Small Bar in addition to the previously approved Restaurant/Café and Shop uses.

The Small Bar is proposed to operate in conjunction with the previously approved Restaurant/Café and Shop uses, and operate as one business, being Tom's Wholesome Food.

Details of the operation include:

- The Small Bar is proposed to operate complimentary to the previously approved uses;
- Operating hours of the Small Bar are proposed to be:
 - Monday and Tuesday – midday to 6:00pm;
 - Wednesday, Thursday and Sunday – midday to 10:00pm; and
 - Friday and Saturday – midday to midnight;
- The premises accommodating a maximum of 70 patrons at any one time; and
- No on-site parking bays are provided for staff and customers of the premises.

The application does not propose any works.

Plans of the proposal are included as **Attachment 2**. Supporting information provided by the applicant is also attached including a cover letter (**Attachment 3**), acoustic report (**Attachment 4**) and venue management plan (**Attachment 5**).

BACKGROUND:

Landowner:	Lara Lukich atf Meade House Investment Trust
Applicant:	Urbanista Town Planning
Date of Application:	8 March 2021
Zoning:	MRS: Urban LPS2: Zone: Mixed Use R Code: R80
Built Form Area:	Mixed Use
Existing Land Use:	Restaurant/Café and Shop
Proposed Use Class:	Small Bar – 'A' use
Lot Area:	280m ²
Right of Way (ROW):	No
Heritage List:	Management Category B

The subject site is located at No. 290 Beaufort Street, Perth. A location plan is included as **Attachment 1**.

The subject site is zoned Mixed Use R80 under the City's Local Planning Scheme No. 2 (LPS2) and is located within the Mixed Use built form area under the City's Policy No. 7.1.1 – Built Form (Built Form Policy) where a building height of four storeys is permitted.

The subject site is bound by Beaufort Street to the west and Brisbane Street to the north. Beaufort Street is identified as an Other Regional Road under the Metropolitan Region Scheme. The property adjoining the subject site to the east is a mixed use development, comprising of three offices and eight apartments at No. 79 Brisbane Street.

The property adjoining the subject site to the south is Nos. 286-288 Beaufort Street that accommodates the Association for Services to Torture and Trauma Survivors (ASeTTS). ASeTTS provides services to people who have experienced torture or trauma, including support for family and children, youth, counselling and community development. This site is owned by the City and leased to ASeTTS.

Outside of this immediate context, the broader area of Beaufort Street consists of a mix of residential and commercial uses. There are existing food and beverage venues in close proximity to the subject site, including:

- The Brisbane Hotel, directly opposite the subject site to the north at No. 292 Beaufort Street;
- Source Foods and P'tite Ardoise Bistro, directly opposite the subject site to the west at Nos. 283-289 Beaufort Street; and
- Safa City Cafe, approximately 40 metres south-west from the subject site at No. 273 Beaufort Street.

The subject site was developed with a single storey commercial building. The primary entrance to the building is provided from Brisbane Street, with access to a rear service area provided along the eastern boundary. The subject site is largely built out, with the exception of this service area, and does not currently provide for any on-site car parking.

Heritage Listing

The subject site is registered as Meade House on the City's Municipal Heritage Inventory (MHI) as Management Category B – Conservation Recommended. Meade House was constructed in 1915 and is a representative example of the Federation Free Classical style of commercial development which compliments the similar style of the Brisbane Hotel, and reinforces the commercial node at the Beaufort Street and Brisbane Street intersection.

Historically the use of Meade House has varied between commercial uses that have included shop, billiard room and hall, hairdresser and tobacconist. The building is currently vacant. The City does not have any record of previous development approvals for uses occupying the premises, however it appears to have most recently been used as an office.

Existing Approvals

On 31 May 2021 Administration approved a development application under delegated authority for a change of use at the subject site. Details of this application include:

- Change of use to Restaurant/Café and Shop. The Restaurant/Café would serve café-style food and beverages, while the Shop would sell deli-style groceries;
- The approval did not restrict the operating hours for the premises. The intended operating hours as advised by the applicant are:
 - Monday, Tuesday and Sunday – 6:00am to 6:00pm;
 - Wednesday and Thursday – 6:00am to 10:00pm; and
 - Friday and Saturday – 6:00am to midnight;
- The uses would accommodate a maximum of 70 patrons at any one time;
- Façade upgrades and signage consistent with that shown in the proposed plans for the subject application; and
- The provision of two short-term bicycle bays to be located within the Brisbane Street verge adjacent to the premises.

With no existing parking area on site, the development application for Restaurant/Café and Shop was approved with nil parking on site for staff or customers.

A copy of the delegated approval notice and plans is included as **Attachment 6**.

The development application for Restaurant/Café and Shop was determined separately to the proposed Small Bar use which is the subject of this application. This was to better support small business and streamline the approvals process by enabling the applicant to obtain the relevant Building and Health approvals and allow works to commence on-site as soon as possible. The development approval sought for the Small Bar is to facilitate the liquor licence sought by the applicant.

Liquor Licensing

Approval as a Small Bar would require the applicant to obtain a Section 40 Certificate from the City. A Section 40 Certificate confirms that the premises has the necessary development approvals.

The requirement to obtain a Section 40 Certificate forms part of the application process of liquor licensing under the *Liquor Control Act 1988*. This is administered by the Department of Local Government, Sport and Cultural Industries (DLGSCI).

On 28 April 2021 the DLGSCI issued a conditional Small Bar licence to the premises. Amongst other conditions, this requires a Section 40 Certificate to be obtained before commencing the Small Bar use.

DETAILS:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the *Planning and Development Act 2005*, *Planning and Development (Local Planning Schemes) Regulations 2015*, City's LPS2, and the City's local planning policies. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the Detailed Assessment section following from this table.

Planning Element	Use Permissibility/ Deemed-to-Comply	Previously Approved	Requires the Discretion of Council
Land Use			✓
Car and Bicycle Parking		✓	
Signage		✓	
Hours of Operation			✓
Façade Design		✓	

Detailed Assessment

The deemed-to-comply assessment of the elements that require the discretion of Council are as follows:

Land Use	
Deemed-to-Comply Standard	Proposal
LPS2 Small Bar 'P' Use	'A' Use
Hours of Operation	
Deemed-to-Comply Standard	Proposal
Policy No. 7.5.7 – Licenced Premises Permitted trading hours: <ul style="list-style-type: none"> Monday to Sunday – 7:00am to 10:00pm 	Proposed trading hours: <ul style="list-style-type: none"> Monday and Tuesday – midday to 6:00pm; Wednesday, Thursday and Sunday – midday to 10:00pm; and Friday and Saturday – midday to midnight.

The above elements of the proposal do not meet the specified deemed-to-comply standards and are discussed in the Comments section below.

CONSULTATION/ADVERTISING:

Community consultation was undertaken in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of 21 days from 22 April 2021 to 14 May 2021. The method of consultation included a sign on-site, an advertisement in the local newspaper and 734 letters being mailed to all the owners and occupiers of the properties within a 150 metre radius of the subject site (as shown in **Attachment 1**), in accordance with the City's Policy No. 4.1.5 – Community Consultation.

The City received a total of 52 submissions, including 51 in support and one objecting to the proposal. The objection received related to concerns of anti-social behaviour from the Small Bar.

A summary of submissions and Administration's response is included as **Attachment 7**. The applicant has not provided a response to the submissions.

Design Review Panel (DRP):

Referred to DRP: No

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- *Planning and Development (Local Planning Schemes) Regulations 2015*;
- City of Vincent Local Planning Scheme No. 2;
- State Planning Policy 3.5 – Historic Heritage Conservation;
- Policy No. 4.1.5 – Community Consultation;
- Policy No. 7.5.7 – Licensed Premises;
- Policy No. 7.5.21 – Sound Attenuation;
- Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties;
- Policy No. 7.7.1 – Non-Residential Development Parking Requirements; and
- *Liquor Control Act 1988*.

Planning and Development Act 2005

In accordance with Schedule 2, Clause 76(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Part 14 of the *Planning and Development Act 2005*, the applicant would have the right to apply to the State Administrative Tribunal for a review of Council's determination.

Delegation to Determine Applications:

The matter is being referred to Council in accordance with the City's Delegated Authority Register as the delegation does not extend to applications for development approval that propose the Small Bar land use.

RISK MANAGEMENT IMPLICATIONS:

Low: There are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's Strategic Community Plan 2018-2028:

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

There are no sustainability implications applicable to this application.

PUBLIC HEALTH IMPLICATIONS:

This is not in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Reduced harmful alcohol use

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial/budget implications from this application.

COMMENTS:Land Use

The subject site is zoned Mixed Use and Small Bar is an 'A' use. An 'A' use means that the land use can be approved, but at the discretion of the local government after community consultation has been undertaken.

The City received submissions in support of the Small Bar land use. These submissions noted that the proposal would contribute towards vibrancy and employment opportunities, provide for activity in the area to combat anti-social behaviour, and would have less impacts from noise and traffic perspectives than other venues in the area.

The proposal is consistent with the objectives of the Mixed Use Zone under LPS2 and the relevant matters to be considered under Clause 67(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- The Small Bar use is an active use which would contribute towards interaction and activation of the street. The premises is currently vacant and is prominently located on the corner of Beaufort Street and Brisbane Street. The nature of the use would enhance amenity, contribute towards activity and revitalise what is currently a vacant building that would increase surveillance and integration with surrounding land uses. The ground floor design, which is not proposed to be altered as part of the subject application, provides for an open and active façade, with the opportunity to incorporate an outdoor dining area further encouraging interaction with the street;
- The Small Bar use is a permissible use within the Mixed Use zone. The surrounding context consists of a mix of uses and activities, including commercial uses and apartments located within mixed use developments. In the immediately locality the subject site is surrounded by the Brisbane Hotel to the north, mixed use development to the east which includes an office on the ground floor and apartments above, an office to the south accommodating ASeTTS, and a two storey building on the western side of Beaufort Street accommodating restaurant/cafes (Source Food and P'tite Ardoise Bistro) and a photography studio. The proposed Small Bar use would be compatible with the existing surrounding uses and prevailing context of the area;
- Adjoining the subject site directly to the east is a three storey mixed use development, with office tenancies on the ground floor and two levels of apartments. The development has a three storey boundary wall with no openings abutting the subject site. These boundary walls extend to in line with the front of the apartments with balconies which front Brisbane Street. The existing building remains consistent with how it was originally developed and therefore how it interfaces with the adjoining mixed use development. The development is designed so as to not have an undue impact on the amenity of these adjoining residents. This is because the activity of the proposed use would be concentrated within the existing building with pedestrian entry to the venue provided from Brisbane Street located towards Beaufort Street, away from the adjoining mixed use development. The existing amenity of this area along Brisbane Street is currently reflective of activity and noise from the Brisbane Hotel and nearby commercial uses, passing traffic along Beaufort Street which is classified as an Other Regional Road, and on-street parking along Brisbane Street and in the Brisbane Street car park. The adjoining mixed use development is screened from the subject premises by the abovementioned boundary walls. This area would also be used as an emergency exit as required;
- Adjoining the subject site directly to the south is ASeTTS which provides for counselling services and operated between 9:00am and 5:00pm Monday to Friday. The development has a landscaped area which abuts the rear of the subject site. The development is designed to have activity concentrated along Brisbane Street towards Beaufort Street so as to not adversely impact on the amenity of ASeTTS. This rear portion of the subject premises would not provide for patron activity and instead would accommodate the office, toilet, kitchen areas, as well as an enclosed bin store;
- The adaptive re-use of an existing heritage building is consistent with sustainability principles. The applicant is also engaging with a separate private contractor related to waste collection, with the City ceasing its commercial waste service in July 2021;
- In respect to the relevant Clause 67 matters:
 - The proposed use contributes towards a diversity of entertainment and employment opportunities within the City. The City's Local Planning Strategy identifies for this section of Beaufort Street to act as a conduit between Mount Lawley and Northbridge, with a focus on commercial activities along this corridor;
 - The proposal is consistent with State Planning Policy 3.5 – Historic Heritage Conservation (SPP 3.5), which supports sympathetic adaption and change of use as a way of conserving and protecting heritage places. Similarly the proposal is consistent with the City's Policy No. 7.6.1 –

- Heritage Management – Development Guidelines for Heritage and Adjacent Properties (Heritage Policy) ensuring that there is no detrimental impact on the built or cultural heritage of the subject site; and
- The Small Bar use would be compatible with and would not adversely impact the amenity of the locality. As outlined above, the building design is appropriate for the intended use in the context of the existing surrounding development. Further discussion on amenity considerations such as noise and operating hours are detailed further below. In respect to car parking, there are no car parking spaces on site and the shortfall of car parking provision on site has previously been accepted. This is also discussed in further detail below.

Public Health Plan

The City's Public Health Plan 2020-2025 (Public Health Plan) identifies reduced harmful alcohol use as one of the long term health outcomes.

Amongst other initiatives, the Public Health Plan seeks to reduce the risk of anti-social behaviour and alcohol related harm in the community through partnerships with licenced premises, support the implementation of alcohol-free environments including festivals, events, activities and/or clubs, and advocate for reduced exposure to alcohol advertising, marketing, promotion and sponsorship.

The City's Public Health Plan itself is not a specific relevant consideration under the planning framework. The initiatives of the Public Health Plan do not extend to private property or contemplate strategies to restrict premises serving alcohol. A Small Bar is a permissible land use under the City's LPS2, and the planning framework contemplates other types of premises where alcohol is sold and/or consumed including Liquor Stores, Nightclubs and Taverns.

The *Liquor Control Act 1988* includes specific requirements aimed at restricting harmful alcohol use, including the training of staff in the responsible service of alcohol. The *Liquor Control Act 1988* is not legislation created under or for the purposes of the *Planning and Development Act 2005*. Compliance with the requirements of the Liquor Control Act 1988 would need to be achieved separate to any development approval granted. An advice note to this effect has been included to remind the operator of this obligation.

Licensed Premises Policy

The City's Policy No. 7.5.7 – Licensed Premises (Licensed Premises Policy) provides a guide for appropriate operating hours in various zones. The Licensed Premises Policy does not specify appropriate hours for Small Bars within the Mixed Use zone, as the Policy was adopted in 2014 prior to the gazettal of LPS2 that introduced the Mixed Use zone. The Policy provides guidance for the Residential/Commercial zone trading hours. The subject proposal has been assessed against this guidance which is equivalent to (now) Mixed Use zone.

The Licensed Premises Policy permits Small Bars to operate between 7am to 10pm Monday to Sunday in the Residential/Commercial zone. The proposed operating hours are consistent with the Licensed Premises Policy, with the exception of Friday and Saturday evenings, that are intended to operate until midnight.

The City received one objection relating to concerns of anti-social behaviour from the premises. The City also received comments in support noting that the proposal would assist with addressing current instances of anti-social behaviour by providing for activation of the streetscape, as well as having less of an impact as a result of noise than other venues in the area.

The proposed Small Bar and its intended operating hours would satisfy the objectives of the Licensed Premises Policy for the following reasons:

- The applicant has submitted an acoustic report prepared by Hewshott Acoustics. This is consistent with the requirements of the Licensed Premises Policy and is included as **Attachment 4**. This acoustic report assessed the noise that would be generated by the premises, inclusive of the approved Restaurant/Café and the proposed Small Bar. Based on the proposed operating hours, number of patrons and staff, and amplified music being played at low-level background noise the acoustic report concluded that compliance with the *Environmental Protection (Noise) Regulations 1997* would be achieved, with the exception of after 10pm. The acoustic report recommends that to achieve compliance after 10pm, windows are to be closed. Administration recommends a condition be imposed for the acoustic report to be implemented to ensure that noise generated from the premises would satisfy the

requirements of the *Environmental Protection (Noise) Regulations 1997* and would not adversely impact on the amenity of nearby residential properties;

- The applicant has submitted a venue management plan. This is consistent with the Licensed Premises Policy and is included as **Attachment 5**. The venue management plan outlines measures related to the responsible service of alcohol, noise control and management, parking management and harm minimisation. The implementation of the venue management plan would ensure that the premises is appropriately managed to ensure that there is no detrimental impact on the amenity of the area. The need to implement the venue management plan has been previously conditioned in the approval for the Restaurant/Café and Shop;
- The Licensed Premises Policy outlines that licensed premises are generally located within Town Centre areas and along major roads, and areas zoned District Centre and Commercial would be most appropriate, although consideration may be given in other areas. The proposed Small Bar is located adjacent to Beaufort Street. The site is zoned Mixed Use under LPS2 and with adjoining properties that front Beaufort Street zoned Commercial under LPS2. The site's location amongst Commercial zoned properties fronting Beaufort Street, the main building frontage oriented towards Beaufort Street and close proximity to existing uses of a similar nature makes the subject site well suited and appropriate to accommodate the proposed Small Bar use; and
- The proposed hours would be consistent with existing licensed premises within the locality. The Brisbane Hotel adjacent to the subject site operates until midnight on Fridays and Saturdays, while Safa City which is located approximately 40 metres from the subject site operates until 1:00am on Fridays and Saturdays. P'tite Ardoise Bistro which is directly opposite the subject site to the west operates until 10pm on Fridays and Saturdays. In the wider locality there are other licensed premises venues that operate with similar hours including the Ellington Jazz Club, the Queens Tavern, and the former Flying Scotsman. The proposed operating hours would also be consistent with the *Liquor Control Act 1988* which permits premises with a Small Bar license to operate from 6am to midnight Monday to Saturday, and 10am to midnight on Sunday.

Administration recommends a condition be imposed restricting the operating hours of the Small Bar component to be between midday to 6pm on Monday and Tuesday, midday to 10:00pm on Wednesday, Thursday and Sunday, and midday to midnight on Friday and Saturday.

Car Parking

There is no parking shortfall being proposed as part of this application and no discretion is being sought in this regard. This is because the operation of the proposed Small Bar would not operate independently, but rather in conjunction with the previously approved Restaurant/Café and Shop. As a result there would be no intensification of activity on the site and no additional car parking demand generated.

The previous development approval issued for the Restaurant/Café and Shop at the subject site accepted a shortfall of 14.7 parking bays. Of these, 14 bays were required for the Restaurant/Café component and 0.7 bays were required for the Shop component.

The parking shortfall for the previous Restaurant/Café and Shop development approval was accepted for the following reasons:

- The building on the subject site was developed without the provision of any on-site parking. Businesses operating from the premises historically have not had any on-site parking availability;
- The building is listed on the City's MHI. To provide for on-site parking, the building would need to be partially demolished, which would be inconsistent with the principles of the City's Policy No. 7.6.1 – Heritage Management – Development Guidelines for Heritage and Adjacent Properties (Heritage Policy);
- The site is in close proximity to public transport and public car parking which would accommodate the demands of the development. The site is located adjacent to Beaufort Street which is a high frequency bus route. The following public car parking is also available nearby to the subject site:
 - There are 214 parking bays located within the Brisbane Street car park which is located approximately 35 metres across the road from the subject site and provides for ticketed parking between 7:00am to midnight Monday to Sunday. The City's parking survey data identifies that there are on average 178 bays available at any one time. The busiest period was between 6:00pm and 8:00pm on Saturday where 153 bays were available;
 - There are 49 on-street parking bays along Brisbane Street that are located immediately in front of the subject site. The City's parking data identifies that there are on average 17 bays available at

any one time. The busiest period was between 12:00pm and 2:00pm on Friday and Saturday where nine bays were available; and

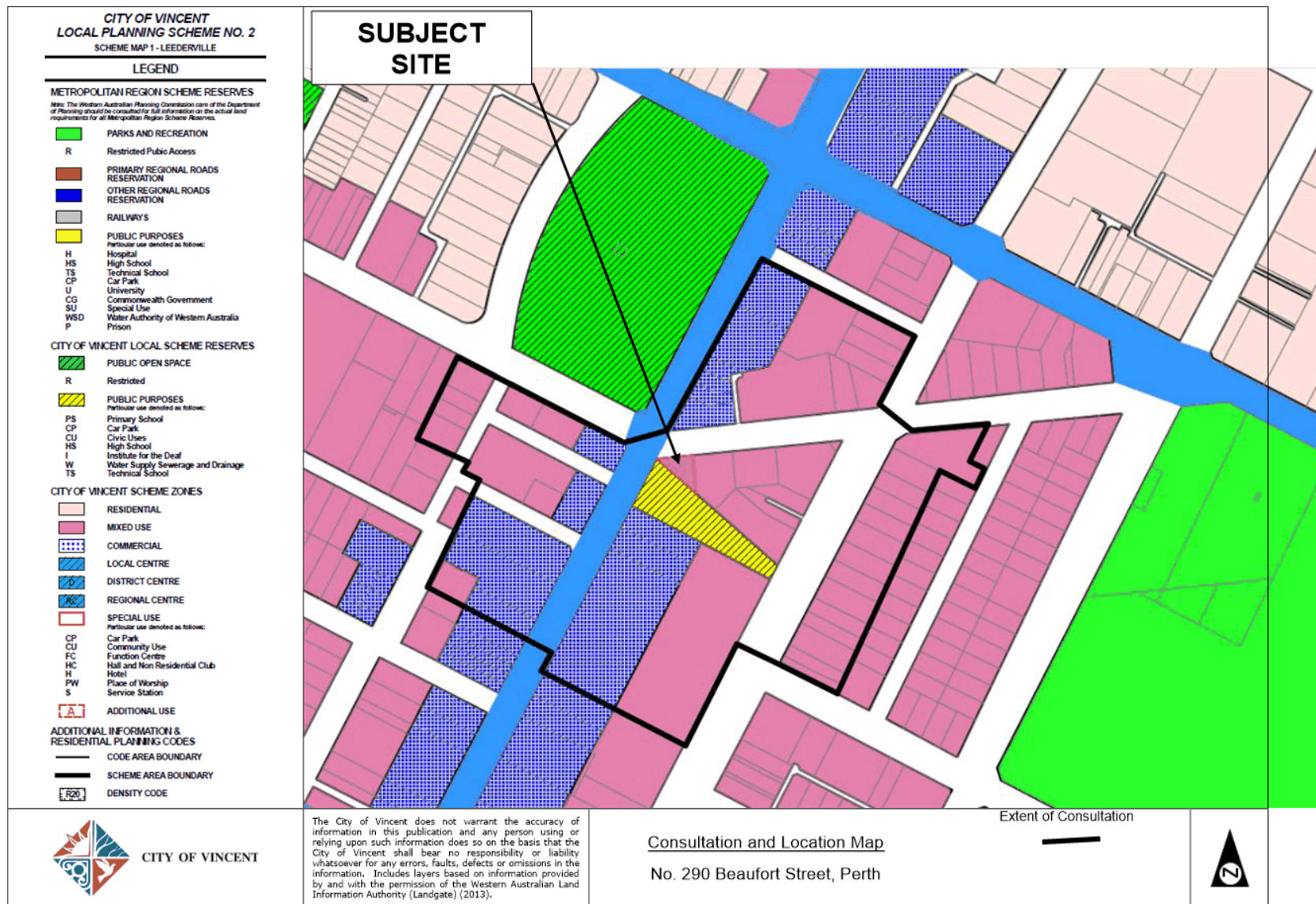
- Under the City's Policy No. 7.7.1 – Non-Residential Development Parking Requirements (Parking Policy), the parking standards for Restaurant/Café and Small Bar are the same, being 0.2 spaces per person. Given the Small Bar and Restaurant/Café uses do not operate independently and there is no intensification of activity in the premises, the subject application does not propose any greater parking shortfall than that previously approved.

Heritage Policy

The subject site consists of Meade House which is identified as Category B – Conservation Recommended on the City's MHI.

The subject application does not propose any works to the building. External works to the façade, including signage and modifications to the windows fronting Brisbane Street were approved under the previous development application for the Restaurant/Café and Shop. These works were supported by a Heritage Impact Statement and were consistent with the requirements of the City's Heritage Policy.

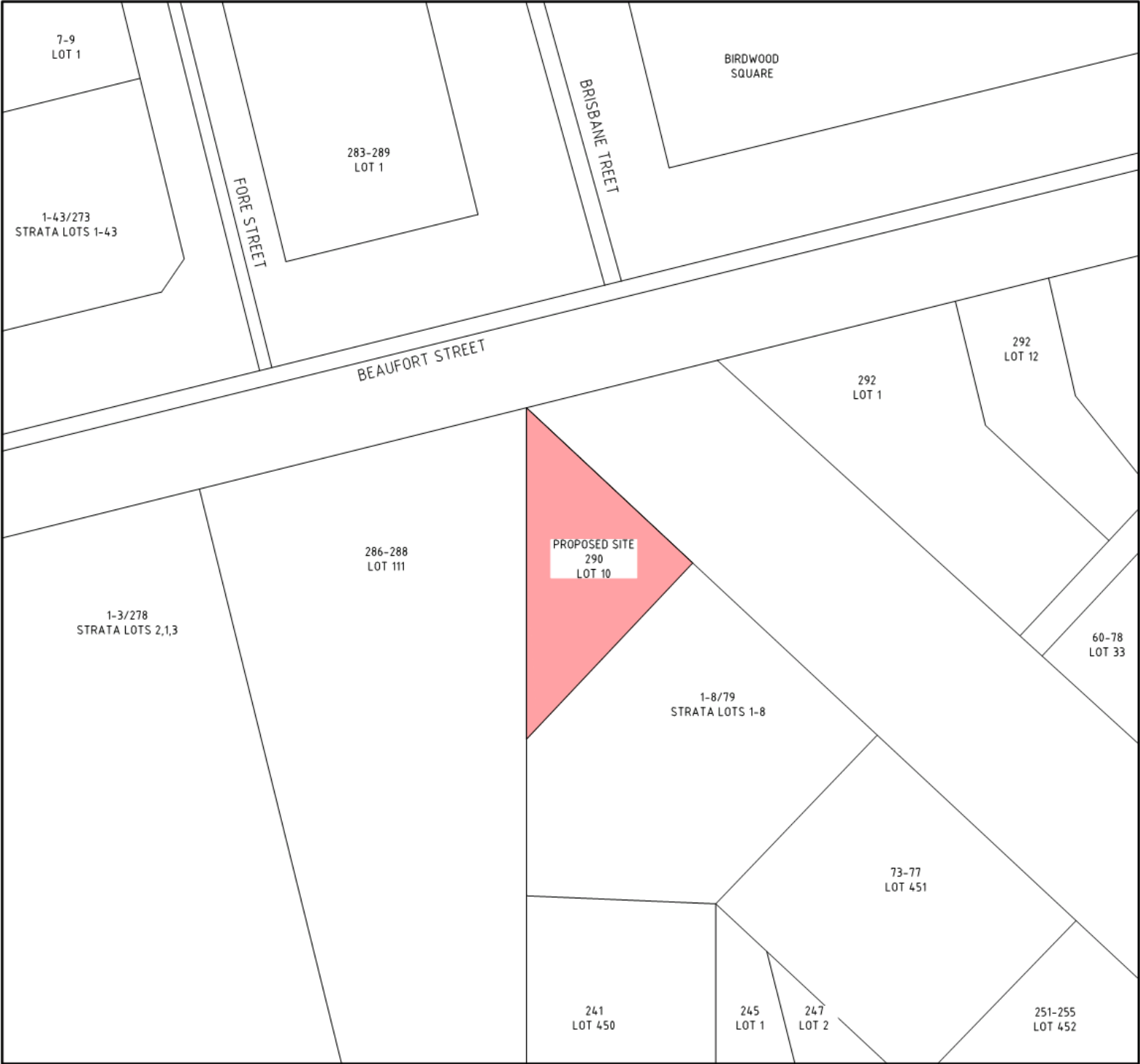
The City's Heritage Policy does not include specific requirements related to change of use proposals. The development control principles of [State Planning Policy 3.5 – Historic Heritage Conservation](#) encourage change of uses as a means of conserving and protecting heritage places. The cultural heritage significance of Meade House is noted as reinforcing the commercial node on the corner of Beaufort Street and Brisbane Street. The proposed change of use is consistent with this and would not detrimentally negatively impact on the cultural significance of the building.







DATE	REV	ISSUE
23.02.2021	00	ISSUE FOR HERITAGE APPLICATION
25.02.2021	01	ISSUE FOR DEVELOPMENT APPROVAL



P00 SITE PLAN
1:500



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RECEIVED
2 March 2021

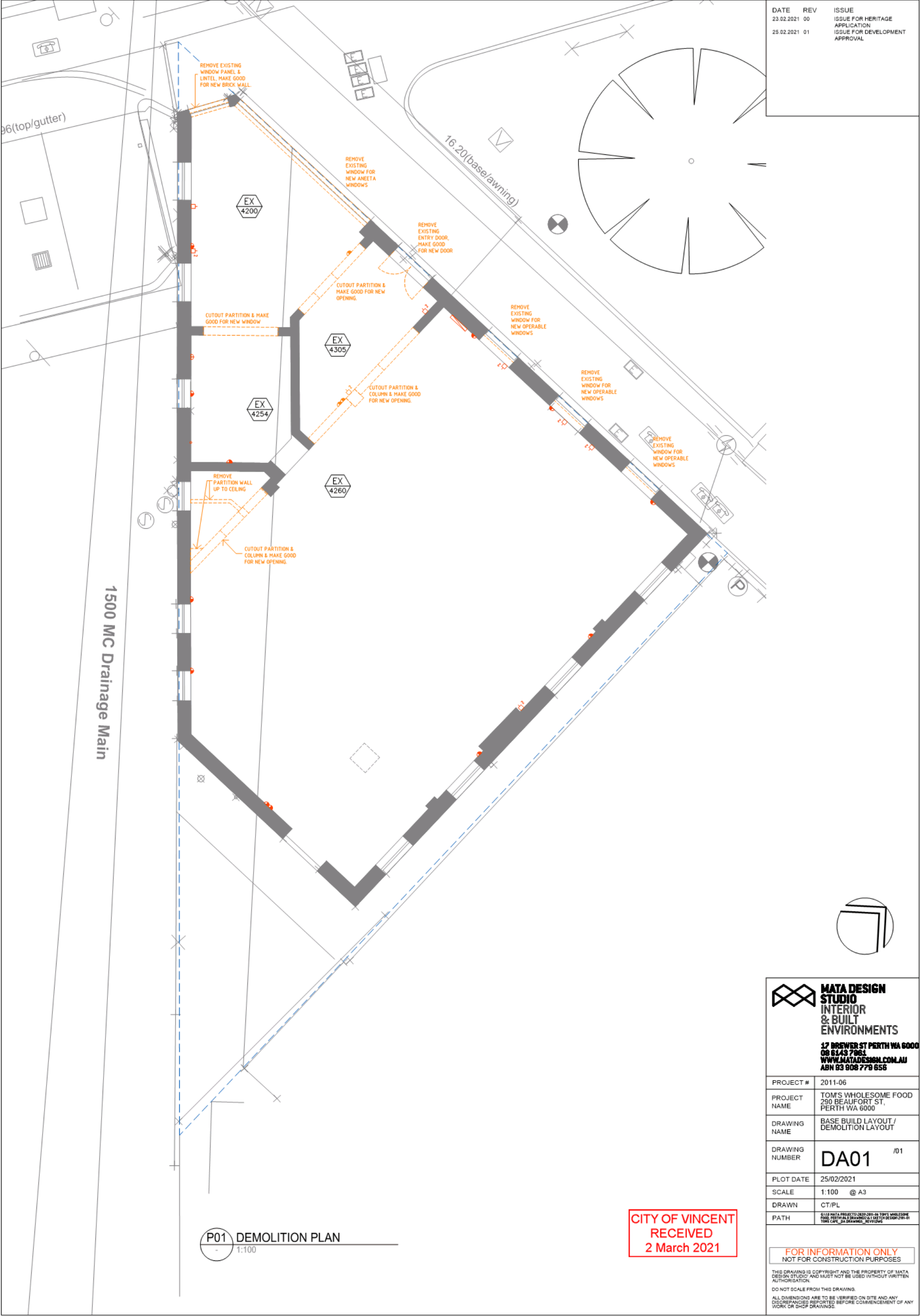


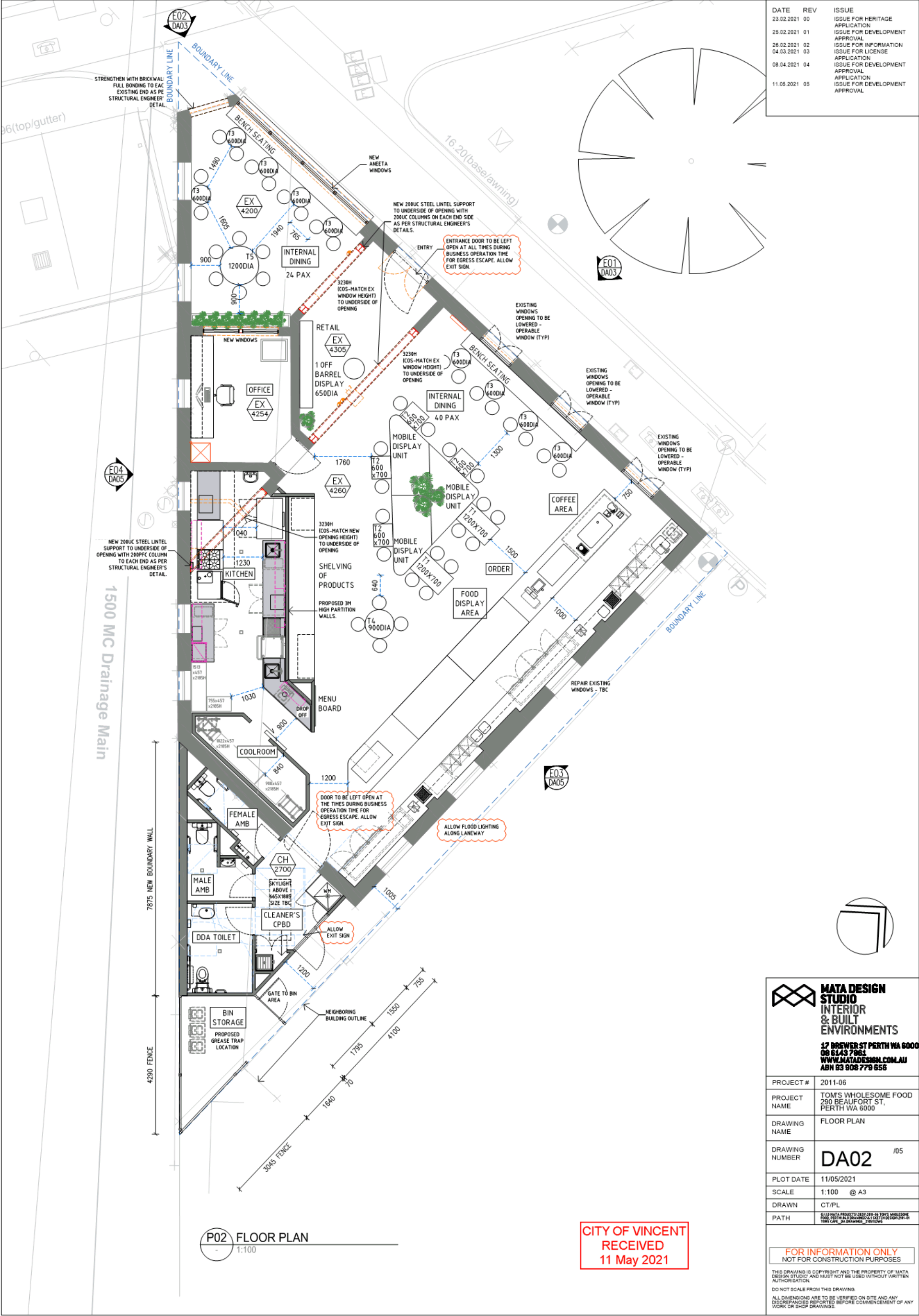
**MATA DESIGN
STUDIO**
INTERIOR
& BUILT
ENVIRONMENTS
17 BREWER ST PERTH WA 6000
08 9443 7061
WWW.MATADDESIGN.COM.AU
ABN 83 908 778 656

PROJECT #	2011-06
PROJECT NAME	TOM'S WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000
DRAWING NAME	SITE PLAN
DRAWING NUMBER	DA00 /01
PLOT DATE	25/02/2021
SCALE	1:500 @ A3
DRAWN	CT/PL
PATH	6/18 MATA PROJECTS\2020\2011-06 TOM'S WHOLESOME FOOD PERTH WA\3 DRAWINGS\1 SITE PLAN\DA00.DWG

FOR INFORMATION ONLY
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11 May 2021

DATE	REV	ISSUE
23.02.2021	00	ISSUE FOR HERITAGE APPLICATION
25.02.2021	01	ISSUE FOR DEVELOPMENT APPROVAL
26.02.2021	02	ISSUE FOR INFORMATION APPLICATION
04.03.2021	03	ISSUE FOR LICENSE APPLICATION
08.04.2021	04	ISSUE FOR DEVELOPMENT APPROVAL
11.05.2021	05	ISSUE FOR DEVELOPMENT APPROVAL

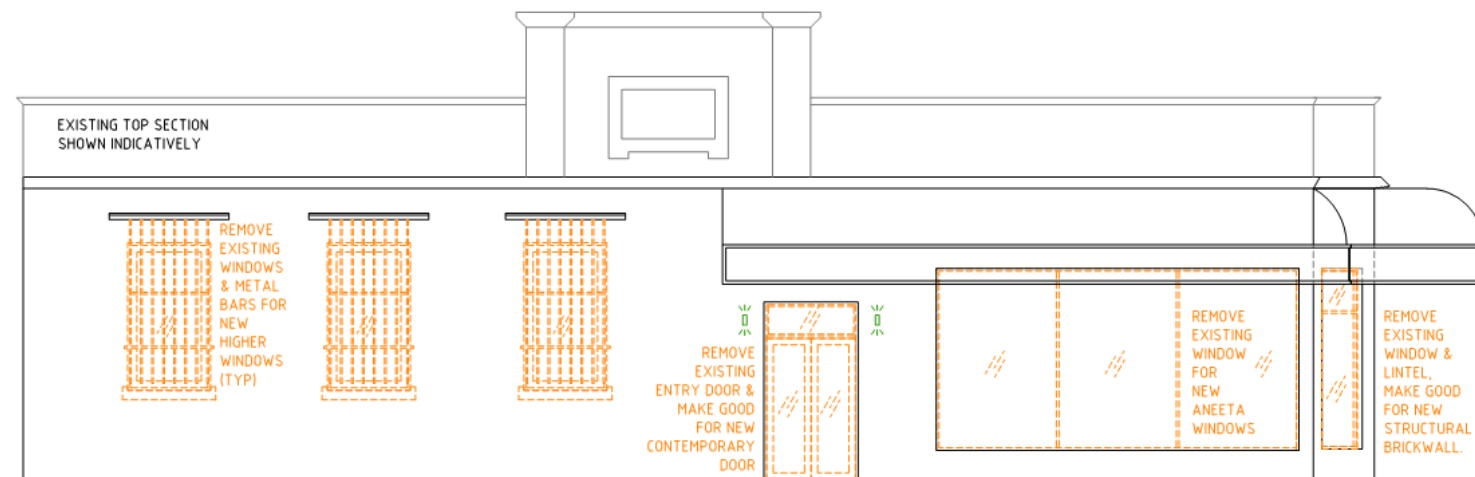
 MATA DESIGN STUDIO INTERIOR & BUILT ENVIRONMENTS 17 BREWER ST PERTH WA 6000 08 9443 7064 WWW.MATADesign.COM.AU ABN 83 908 779 656	
PROJECT #	2011-06
PROJECT NAME	TOM'S WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000
DRAWING NAME	FLOOR PLAN
DRAWING NUMBER	DA02 /05
PLOT DATE	11/05/2021
SCALE	1:100 @ A3
DRAWN	CT/PL
PATH	6/19 MATA PROJECTS/1820/2011-06 TOM'S WHOLESOME FOOD PERTH WA/2 DRAWINGS/1 FLOOR PLAN/DA02.DWG

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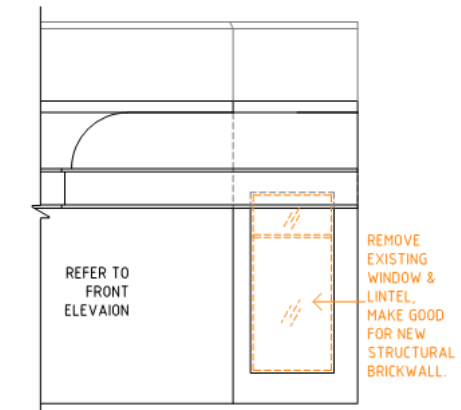
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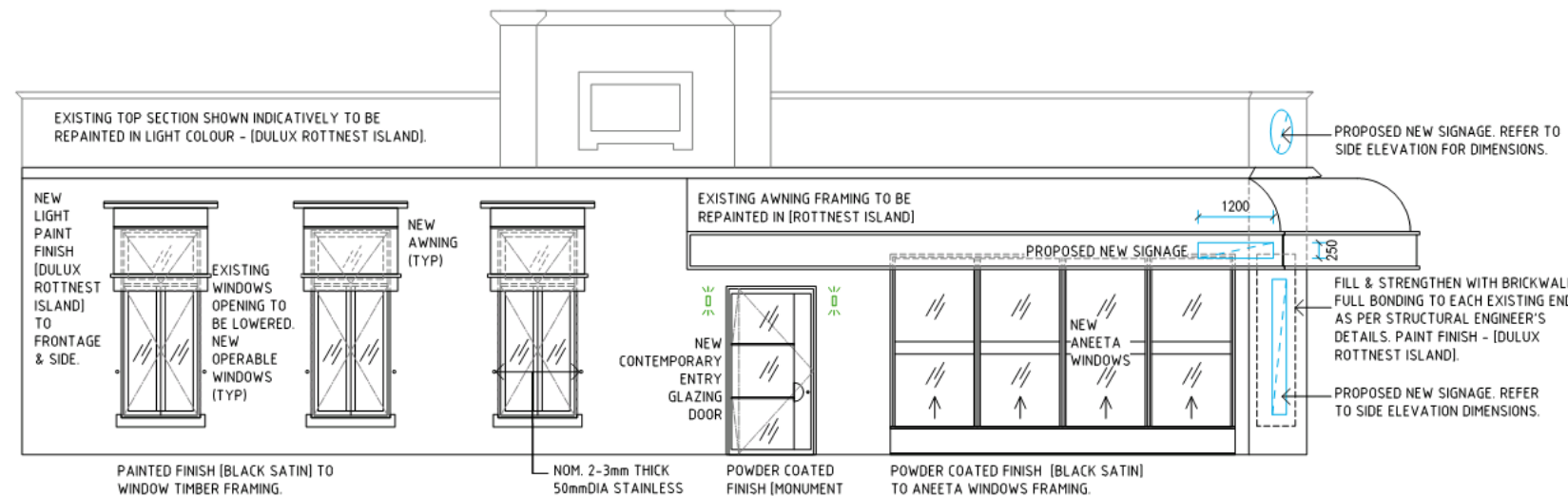
ALL DIMENSIONS ARE TO BE VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED BEFORE COMMENCEMENT OF ANY WORK OR SHOP DRAWINGS.



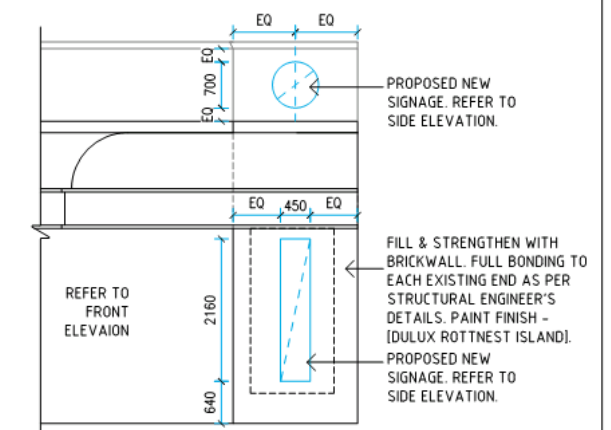
E01	ELEVATION	OLD / DEMOLITION
DA02	1:100	FRONTAGE - NORTH




E02	ELEVATION	OLD / DEMOLITION
DA02	1:100	FRONTAGE - WEST



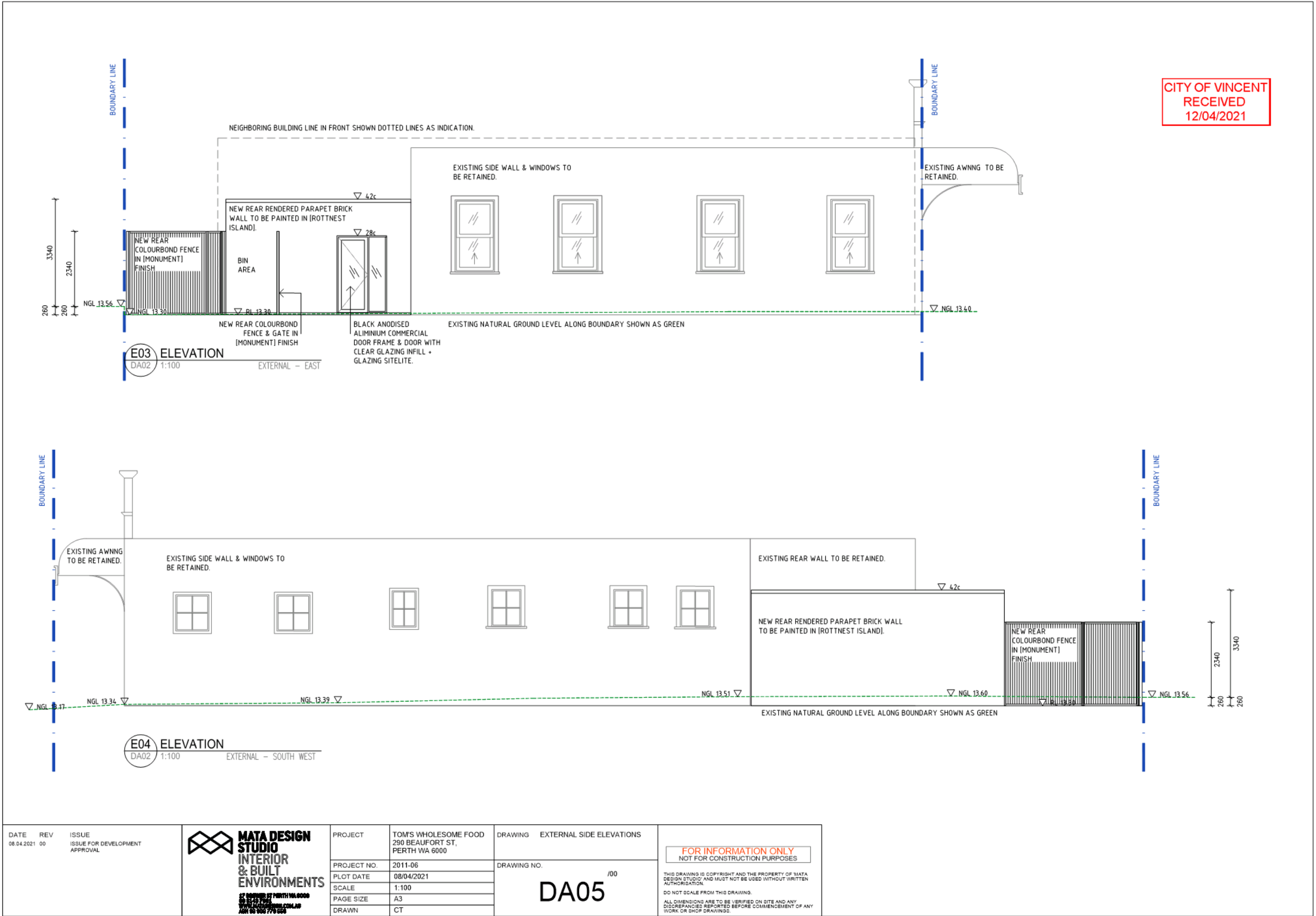
E01 ELEVATION NEW
DA02 1:100 FRONTAGE - NORTH



E02 ELEVATION NEW
DA02 1:100 FRONTAGE - WEST

DATE	REV	ISSUE	<div><div><div>MATA DESIGN STUDIO</div><div>INTERIOR & BUILT ENVIRONMENTS</div><div>57 BROADWAY ST, PERTH WA 6000 PHONE: 08 9447 0600 EMAIL: INFO@MATADESIGN.COM.AU WWW.MATADESIGN.COM.AU</div></div></div>	PROJECT	TOMS WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000	DRAWING	FRONTAGE ELEVATION	<div>FOR INFORMATION ONLY NOT FOR CONSTRUCTION PURPOSES</div> <div>THIS DRAWING IS COPYRIGHT AND THE PROPERTY OF MATA DESIGN STUDIO AND MUST NOT BE USED WITHOUT WRITTEN AUTHORISATION</div> <div>DO NOT SCALE FROM THIS DRAWING</div> <div>ALL DIMENSIONS ARE TO BE VERIFIED ON SITE AND ANY DISCREPANCIES REPORTED BEFORE COMMENCEMENT OF ANY WORK. AS SHOWN DRAWING IS FOR INFORMATION ONLY.</div>
23.02.2021	00	ISSUE FOR HERITAGE APPLICATION		PROJECT NO.	2011-06	DRAWING NO.		
26.02.2021	01	ISSUE FOR DEVELOPMENT APPROVAL		PLOT DATE	08/04/2021		/05	
02.03.2021	02	ISSUE FOR HERITAGE APPLICATION		SCALE	1:100			
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08.04.2021	05	ISSUE FOR DEVELOPMENT APPROVAL						

CITY OF VINCENT
RECEIVED
12/04/2021





8 March 2021

City of Vincent
Attn. Planning Services
99 Loftus Street
Leederville WA 6007

Dear Sir/Madam,

NO.290 (LOT 10) BEAUFORT STREET, PERTH PROPOSED SMALL BAR

Urbanista Town Planning have been engaged by the landowners of the subject property to prepare and submit a development application for the proposed Small Bar. Attached in this submission are the following documents:

- Completed and signed Application for Development Approval Form and MRS Form 1
- Certificate of title
- Development plans
- Planning Letter

For the purpose of assessment, despite any contradicting contents of the attached planning letter, this application is solely for the proposed Small Bar use at the subject site as the approval for the mentioned restaurant use is expected imminently.

Overall, a Small Bar use is consistent with the Scheme and Zone objectives of the Mixed Use zone and unlikely to have any notable impact on the amenity of other nearby properties or the streetscape generally. We look forward to working with the City to reach an amicable and timely solution in development approval.

REDACTED FOR PRIVACY PURPOSES

Level 1, 231 Bulwer Street, Perth, W.A. 6000
admin@urbanistaplanning.com.au | urbanistaplanning.com.au

1



26 February 2021

City of Vincent
Attn. Planning Services
99 Loftus Street
Leederville WA 6007

Dear Sir / Madam,

NO.290 (LOT 10) BEAUFORT STREET, PERTH
PROPOSED SHOP, RESTAURANT AND SMALL BAR

The owner has engaged Urbanista Town Planning to lodge an application for a change of use to the proposed 'shop', 'restaurant', and 'small bar' with minor external works to the shop facade. The tenancy is currently vacant, however, previously operated as an office.

This letter includes the following attachments:

- Signed and completed Development Application forms with Certificate of Title
- Development Plans
- Heritage Impact Statement
- Parking Management Plan

PROPERTY DETAILS AND LOCAL PLANNING FRAMEWORK

The subject site at No. 290 Beaufort Street, Perth, is 288sqm in area and is registered as Lot 10 on Diagram 59211. The site is located within the City of Vincent ('City') and is zoned 'Mixed Use R80' as per the City's Local Planning Scheme No. 2 ('LPS2' or 'Scheme'). There are no Special Control Areas or Development Contribution Plans which apply to the site.

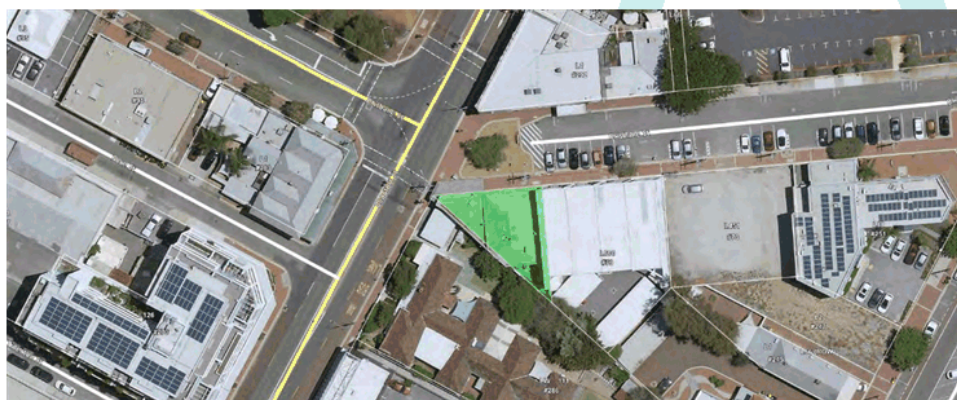


Figure 1, Aerial Image of the subject site (highlighted). MetroMap – February 2021.

231 Bulwer Street, Perth WA 6000
| admin@urbanistaplanning.com.au | www.urbanistaplanning.com.au |

CONTEXT

Several nearby shops and restaurants share similar aspects of the proposal, shown in **figure 2** and detailed below. All of the venues identified in figure 2 do not provide on-site parking. Staff will be encouraged to utilise public transport and visitors if driving will primarily utilise available on street parking or the paid parking next to the Brisbane Hotel.



Figure 2, nearby dining/entertainment venues. *MetroMap – February 2021.*

During the day, the **Source Foods** café across Beaufort Street serves food, coffee and other non-alcohol drinks from 7am until 2pm. The majority of 'dine in' seating is alfresco seating.

During the afternoon and evening, nearby dining/entertainment venues open for service as follows:

- **The Brisbane Hotel** opens at 12 midday. Their kitchen begins service for lunch and continues through to dinner, closing at 10pm or midnight weekdays and weekends, respectively. Alcohol is available for purchase throughout. There is an inside and outdoor dining area where amplified as well as live music is played in the late afternoon until close.
- **P'tite Ardoise Bistro** opens at 6pm to serve dinner until 10pm; alcohol is available with dinner service. Service is predominantly indoors, where only ambient music is played with some alfresco dining available along Beaufort Street.
- **Safa City café** opens at 5:30pm to serve dinner and alcohol, closing at 10:30pm or 1am weekdays or weekends respectively. There is an inside and outside dining area, with amplified music played after dinner. The outside area is a fusion of alfresco and beer-garden décor.



PROPOSAL

NATURE OF THE PROPOSED BUSINESS

The proposal is for Tom's Wholesome Food ('Tom's'), a multi-function venue in terms of planning uses and incorporates a 'shop', 'restaurant' and 'small bar' component, to occupy the existing vacant premises. Tom's is a full-service deli-style grocer and café serving homestyle meals.



The core activity of the business is the provision of food products and service. The premises namesake is operations manager Tomislav Lukich. Mr Lukich is a well-known hospitality operator who successfully operated Tom's on Oxford Street in Leederville for over 25 years.

PLANNING INFORMATION

The details of the proposal are summarised in the table below:

Use	Number of Staff	Capacity	Operating Hours
Restaurant/shop/small bar	6 full time staff; 2 part time staff; 3-6-casual staff	70	Mon to Tues: 0600 – 1800 Wed to Thurs: 0600 – 2200 Fri to Sat: 0600 - 0000 Sunday: 0600 – 1800
Admin Office (Incidental)	NA	NA	NA

The proposed 'small bar' is part of the above 'restaurant/shop'. It is an evening function that comes into effect after standard business hours to complement the dining experience.

Minor improvement works to the external facade are proposed and discussed in the attached Heritage Impact Statement.



OPERATIONAL INFORMATION

Hospitality and Service — The premises will include a full commercial kitchen with food storage facilities for fresh and dry store ingredients. Catering will meet a la carte and catering requirements and those who have booked functions and events at the venue. All food will be prepared from scratch using fresh, seasonal ingredients. The menu will cater for special dietary requirements offering organic, vegetarian, vegan, gluten-free, dairy-free, paleo and raw options. Catering clients will be able to request “off-menu” dishes that are specifically tailored to their dietary and event requirements. The maximum patron capacity of 70 persons.



Expertise — The premises will be completely refurbished. To this end, Paul Lim of Mata Design Studio was retained in December 2020 together with Des Gibson at Caterlink. Mr Lim has extensive hospitality design experience having completed Island Market, Trigg, Miss Chow's, South Perth and venues at Crown Casino Perth, Burswood. Mr Gibson has a high level of knowledge and expertise in kitchen solutions having extensive experience in back of house planning and kitchen and bar design. In addition, the owners and senior management of Tom's have extensive experience in the hospitality industry and local knowledge. This will provide an amenity that is attractive to local residents and visitors to the Perth city fringe and Northbridge precincts who are seeking a unique food and beverage experience.

Local Relationships — Tom's food is created to appeal to a diverse range of customers. It will promote the use of local produce, suppliers and beverage products. We anticipate that a large number of patrons will be local residents who are able to walk to the premises.

Employment — The premises will provide direct employment in the area with the equivalent of six (6) full time jobs on site in addition to three (3) part time jobs and between 3 to 6 casual jobs. In addition, refurbishment of the premises will support a range of other employment during this phase.

231 Bulwer Street, Perth WA 6000
| admin@urbanistaplanning.com.au | www.urbanistaplanning.com.au |

Access & Transport — While local customers are anticipated, non-local customers to the venue are expected to use the public transport mentioned below or suitable ride-sharing services. For customers who drive, parking is available at the Brisbane Street Car Park (opposite the proposed premises). The carpark offers 202 parking bays at a cost of \$2.90 per hour (between the hours of 7am to midnight Monday to Sunday) with the first hour free.



Figure 3, Public Transport routes within walking proximity of the site.

Public transport is available within walking distance of the premises with high-frequency bus routes along Beaufort Street, making the site exceptionally well accessed via public transport as follows:

- Bus Stop ID 12173 & 12134 provides frequent bus service, including late-night service, via routes 67, 68 and 950.
- Bus Route 67 & 68 connects Perth – Morley via Beaufort St with peak services every 30 minutes.
- Bus Route 950 connects QEII, UWA, Perth and Morley with peak services every 7 mins on weekdays and 10-15 mins on weekends.
- McIver Train Station (<850m, 10mins walking) connects to Perth CBD – Midland, Armadale or Thornlie.
- Perth Train Station (<1km, 15mins walking) connects Perth CBD – Fremantle, Butler, Midland, Armadale or Thornlie.
- East Perth Train Station (<1.1km, 15mins walking) connects Perth CBD – Midland.

Waste Management — JJ Richards & Sons will remove waste and recycled packaging from the premises. Collection services for the waste will occur between 7am and 7pm, and recycling will be encouraged amongst all staff members to minimise the generation of waste on-site. All operations, storage and removal, will be per the City's guidelines.

URBANISTA

TOWN PLANNING

Music and Noise — Speaker systems will be installed in the ceiling and on the walls. The speakers will play ambient and background music. No live music nor external speakers are proposed, and the majority of patrons will dine inside the venue and will drastically reduce the generation of noise as a result of their gathering.

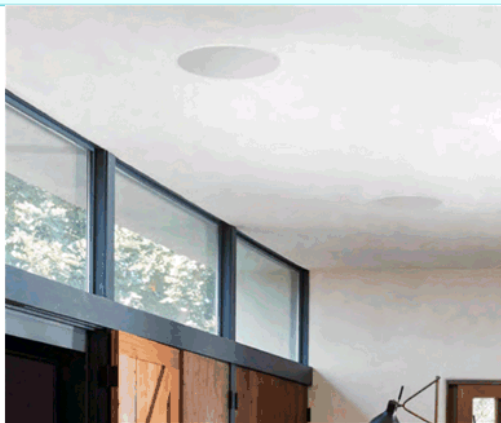
The music will not be played at loud volumes and is not akin to dancing or club music; therefore, no acoustic report is considered necessary. This is further supported as the speakers themselves are unsuited to emit sound pressures above 1.00 Pa per their capable dB SPL and Wattage (specifications below).

Sonos In-Ceiling Speakers by Sonance (pair).

- 130 Watts
- 44 Hz – 20 kHz
- 89dB SPL

Phantom II by Devialet

- 350 Watts
- 18Hz – 21kHz
- 96dB SPL





PLANNING ASSESSMENT

The planning instruments which make up the applicable planning framework are as follows:

- Local Planning Scheme No.2 ('LPS2')
- The City's Policy 7.7.1 Non-Residential Parking Requirements ('PBP7.7.1')
- The City's Planning and Building Policy 7.5.21 Sound Attenuation ('PBP7.5.21')
- Schedule 2 ('Deemed Provisions') of the *Planning and Development (Local Planning Schemes) Regulations 2015* following the changes of the *Planning and Development Amendment Regulations 2020*.

LOCAL PLANNING SCHEME NO 2

The proposed uses are best defined as 'shop', 'restaurant/cafe' and 'small bar' per LPS2 Part 6, Division 2 as follows:

restaurant / café means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licensed under the Liquor Control Act 1988;

shop means premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services;

small bar means premises the subject of a small bar licence granted under the Liquor Control Act 1988;

A 'Restaurant/cafe' and 'small bar' are both 'A' uses per the zoning table of LPS2, which means that in accordance with clause 18(2) "the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions". At Note 1 of clause 18(2) LPS2 provides that the local government will have regard to clause 67 of the *Deemed Provisions* when assessing any application. Therefore, an assessment per clause 67(2), provided towards the end of this letter demonstrates the uses are acceptable and capable of being approved.

A shop is a 'D' class use and is exempt from the requirement of development approval in accordance with clause 61(3) of the *Deemed Provisions*.

ZONE OBJECTIVE

Consistency with the Zone Objective is a relevant factor for the assessment of an 'A' class use, per clause 67(2)(a) of the *Deemed Provisions*, and is considered in the table below accordingly.

Clause 16 Zones

Clause 16(1) Table of Zone Objectives

The objectives of the Mixed Use Zone are as follows -

To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.

Satisfied – all uses proposed are active or interact with the street level. The site itself has a number of uses and contributes to a localised variety of uses. The uses are compatible with residential uses as there will be no adverse effect on residential amenity.

To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial



Clause 16 Zones

Clause 16(1) Table of Zone Objectives

The objectives of the Mixed Use Zone are as follows -

activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.

Satisfied – the site contributes to the social and mental wellbeing of the local residents by providing a high quality and high amenity platform to socialise, dine and interact. The site avoids an adverse impact on the surrounding amenity.

To provide for a compatible mix of high density residential and commercial development.

Satisfied – the proposal does not include a high density or redevelopment portion, nor is the site large enough to accommodate such a scale of development on its own. The proposed use does not intensify the existing low-density use and will not restrict future redevelopment opportunities from arising in the future.

To promote residential use as a vital and integral component of these mixed use zones.

Satisfied – as above, the proposal does not include a residential component nor any substantial works, however the site is supportive of nearby residential uses and provides for a high quality setting for social interaction.

To ensure development design incorporates sustainability principles, with particular regard to waste management and recycling and including, but not limited to, solar passive design, energy efficiency and water conservation.

Satisfied – no substantial works are proposed. The minor works are considerate of heritage interests as outlined in the attached Heritage Impact Statement.

To ensure the provision of a wide range of different types of residential accommodation, including affordable, social and special needs, to meet the diverse needs of the community.

Not applicable – as above, the proposal does not include a residential component nor any substantial works.

PARKING

The table below provides a car parking assessment per the previously approved office use and the proposed shop, restaurant/cafe and small bar. The small bar is used to determine the parking requirement of the entire proposal as its generation rate is higher than that of the shop.

Use	Parking requirement	Metric	Calculation
Approved Office	2 spaces per 100sqm NLA	210sqm of NLA	4 spaces
Proposed Small Bar/Restaurant	0.2 spaces per persons	70 max patrons	14 spaces

Deficit 10 spaces

The proposal results in a 10 car bay shortfall. This is when considering the most intensive use of 'small bar' which attracts the highest car parking rate for the proposal. The proposed car parking shortfall is considered appropriate for this site for the following reasons:

- The proposed business is a multi-functioning building affording further activation to Beaufort Street.
- The building has existed since the early 1900's without car parking.



- The lot is unable to provide on-site parking without significant modifications to the building, which has heritage value.
- The staff associated with the business will be encouraged to utilise public transport, or alternatively through local employment have the ability to walk to work.
- The ethos of the business is to provide a local offering, with an ambition that the local community will support the business and conversely walk to the venue as opposed to opting to drive to the venue.
- The site is exceptionally serviced by high frequency public transport, within walking distance to major train stations and is adjacent to high frequency bus routes. Reducing the need for on site parking.
- The site is also exceptionally serviced by on-street parking bays and dedicated public car parks. Currently these bays are underutilised, and are only generally at capacity during trade at HBF Park, permitting capacity on the existing network.

In light of the above, the proposed 10 car bay shortfall is supportable. A car parking management plan is also provided (attached) which supports the assertions made above.

CHANGE OF USE CONSIDERATIONS FOR AN 'A' USE

In determining an application for a 'A' use, Clause 4.3.4 Note 2 provides that the local government will have regard to the matters set out in clause 67(2) of the Deemed Provisions, which is discussed in the context of the proposal, in the table below.

DEEMED PROVISIONS CLAUSE 67(2) – MATTERS TO BE CONSIDERED BY THE DECISION MAKER

- | | | |
|------|---|---|
| (a) | <i>the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;</i> | Satisfied – The objectives and requirements of LPS2 and the Mixed Use zone have been met. |
| (b) | <i>the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;</i> | Satisfied – follows the requirements of orderly and proper planning. |
| (c) | <i>any approved State planning policy;</i> | Satisfied – All relevant State planning policies have been addressed. |
| (d) | <i>any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);</i> | Satisfied – All relevant environmental protection policies have been addressed. |
| (e) | <i>any policy of the Commission;</i> | Satisfied – All relevant Commission policies have been addressed. |
| (f) | <i>any policy of the State;</i> | Satisfied – All relevant State policies have been addressed. |
| (fa) | <i>any local planning strategy for this Scheme endorsed by the Commission;</i> | Satisfied – The proposed development is consistent with the objectives of the local planning strategy. |
| (g) | <i>any local planning policy for the Scheme area;</i> | |



DEEMED PROVISIONS CLAUSE 67(2) – MATTERS TO BE CONSIDERED BY THE DECISION MAKER

Satisfied – All relevant local planning policies have been addressed.

(h) *any structure plan or local development plan that relates to the development;*

Satisfied – There are no structure or local development plans related to the development.

(i) *any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;*

Satisfied – There are no relevant reports of the review of LPS2.

(j) *in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;*

Satisfied – The development site is not reserved under LPS2.

(k) *the built heritage conservation of any place that is of cultural significance;*

Satisfied – A Heritage Impact Statement has been prepared for the minor works to the façade.

(l) *the effect of the proposal on the cultural heritage significance of the area in which the development is located;*

Satisfied – The development site is opposite the Brisbane Hotel, a local heritage site. There is no identified effect.

(m) *the compatibility of the development with its setting, including –*

(i) *the compatibility of the development with the desired future character of its setting;*
and

(ii) *the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*

Satisfied – No substantial works are proposed; the site remains consistent with both the local scale and the relevant provisions of the local framework.

(n) *the amenity of the locality including the following –*

(i) *environmental impacts of the development;*

(ii) *the character of the locality;*

(iii) *social impacts of the development;*

Satisfied – The amenity of the locality will not be adversely affected. It will, instead benefit the social network of the immediate area.

(o) *the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;*

Satisfied – no likely impact is identified.

(p) *whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;*

Satisfied – no relevant works are proposed as part of this application

(q) *the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;*

Satisfied – the change of use will occupy the existing development and no relevant works are proposed as part of this application.



DEEMED PROVISIONS CLAUSE 67(2) – MATTERS TO BE CONSIDERED BY THE DECISION MAKER

- (r) *the suitability of the land for the development taking into account the possible risk to human health or safety;*

Satisfied – The development site is not contaminated, nor have any health or safety risks been identified.

- (s) *the adequacy of –*

- (i) *the proposed means of access to and egress from the site; and*
- (ii) *arrangements for the loading, unloading, manoeuvring and parking of vehicles;*

Satisfied – there is no direct vehicle access to the site due to previous arrangements and developments. There are short term visitor parking and commercial vehicle zones on the portion of Brisbane street closest to the site.

- (t) *the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;*

Satisfied – the site is within a Mixed Use planned area, abutting onto Beaufort Street and has exceptional access to public transport. The foreseeable generation of traffic is accommodated within this network.

- (u) *the availability and adequacy for the development of the following –*

- (i) *public transport services;*
- (ii) *public utility services;*
- (iii) *storage, management and collection of waste;*
- (iv) *access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);*
- (v) *access by older people and people with disability;*

Satisfied – the area is extremely accessible by all of the above-mentioned factors, which will be perfectly suited to patrons' broad demographics in an inner city area.

- (v) *the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;*

Satisfied – no potential loss is identified, in contrast, the proposal will benefit the local community by providing a meeting place and a high-quality setting for socialising.

- (w) *the history of the site where the development is to be located;*

Satisfied – No historical issues of note have been identified.

- (x) *the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*

Satisfied – The development significantly increases interaction and activity to the streetscape.

- (y) *any submissions received on the application;*

Pending consultation.

- (za) *the comments or submissions received from any authority consulted under clause 66;*

Satisfied – No external authority referrals required.

- (zb) *any other planning consideration the local government considers appropriate.*

Satisfied – No other planning considerations have been identified.



CONCLUSION

The Applicant has the vision to create a vibrant and diverse amenity that appeals to a broad range of consumers, including local residents and businesses, urban professionals and visitors to the area who seek food, beverage and grocery products. Based on this submission's information, Urbanista Town Planning respectfully requests that the City support the proposed change of use.

REDACTED FOR PRIVACY PURPOSES



2106a/CC

22 March 2021

Tom's Wholesome Food

Proposed Shop, Restaurant and Small Bar - 290 Beaufort Street, Perth – Environmental Noise Impact Acoustic Report

Acoustic Report for Development Application Rev. B

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1. Executive Summary

Hewshott International has been engaged by Two Siblings Pty Ltd to undertake the acoustic consultancy services for Development Application for the proposed shop, restaurant and small bar at 290 Beaufort Street, Perth.

This desktop review has identified key aspects of the acoustic design of the development.

The key aspects are:

- Environmental noise emission from the development.

An assessment of noise emission from the proposed shop, restaurant and small bar has been undertaken in accordance with EPRN 1997 at the nearest residential noise sensitive receptors (NSR's).

Provisional calculations of the noise emission determine that the noise levels will achieve compliance at the noise sensitive receptors in accordance with WA EPNR 1997. Only in a situation with windows open the noise level does not achieve compliance at NSR 79 Brisbane St. It is therefore recommended to keep the windows closed past 10pm to minimise the noise impact to the residents at 79 Brisbane Street.

However, the predictions can be regarded the worst-case scenario, as full venue capacity has been assumed. In reality full capacity of the development is not anticipated for every evening or during every night-time period.

Provisional calculations of noise levels from mechanical plant associated with the venue will achieve compliance at all noise sensitive receptors in accordance with WA EPNR 1997.

The predicted noise levels can be regarded as worst case, as all items have been assumed to be running simultaneously on heating mode during the most sensitive period (22.00 to 07.00 hours). In reality night-time activity from mechanical services is expected to be minimal.



2. Design and Test Standards

Australian Standards (AS) are now equivalent of International Standards (ISO), although some additional Australian Standards are referenced in this briefing document which have not yet been introduced into an ISO version. Note that British and European Standards are now being merged with ISO Standards.

2.1. Noise

2.1.1 External Noise Emission

The following standards have been used to predict external noise emission from the Development

- AS 1055-1997 "Acoustics - Description and measurement of environmental noise-general procedures"

The above standard is similar to ISO 1996:2016 "Acoustics - Description, measurement and assessment of environmental noise".

- Environmental Protection (Noise) Regulations 1997.



3. Project Location

290 Beaufort Street, Perth WA is located within a Mixed Use Zone consisting of mixed use developments and commercial land uses. It is surrounded by commercial buildings, including hotels and restaurants, as well as residential properties.

The two nearest noise sensitive residential receivers (NSR) are located at:

- 79 Brisbane Street, residential property within Mixed-use Zone, to the east from the development,
- 241 Stirling Street, residential property within Mixed-use Zone, to the south-east from the development,
- 283 Beaufort Street, residential property at first floor within Commercial Zone, to the west from the development.

Figure 3.1.1: Aerial view of site and its surroundings – source: Google Maps





4. Environmental Noise Impact Criteria

In Western Australia, the noise emissions from a development to a receiver are assessed in accordance with the Environmental Protection (Noise) Regulations 1997 (EPNR 1997). The noise emissions from the development are compared with calculated assigned noise levels at a given noise sensitive receiver.

4.1. EPNR 1997 Assigned Noise Levels Table

The Western Australian Department of Environmental Protection Noise Regulations (EPNR 1997), operate under the Environmental Protection Act 1986. The Regulations specify maximum noise levels that can be received at noise sensitive premises, including industrial, commercial and residential premises.

EPNR 1997 provides a methodology and stipulates clear procedures relating to noise assessments and control. The regulations provide limits for three types of assigned noise level:

- L_{Amax} assigned noise level which cannot be exceeded at any time;
- L_{A1} assigned noise level that cannot be exceeded for more than 1% of the time;
- L_{A10} assigned noise level that cannot be exceeded for more than 10% of the time.

The resulting assigned noise levels are displayed in Table 4.1.1 below.

Table 4.1.1: Assigned noise levels

Type of premises receiving noise	Time of day	Assigned noise level (dB _A)		
		L_{A10}	L_{A1}	L_{Amax}
Noise sensitive premises at locations within 15 metres of a building directly associated with a noise sensitive use	07:00 to 19:00 Monday to Saturday	45+IF	55+IF	65+IF
	09:00 to 19:00 Sunday and Public holidays	40+IF	50+IF	65+IF
	19:00 to 22:00 All days	40+IF	50+IF	55+IF
	22:00 to 07:00 All days	35+IF	45+IF	55+IF
Noise sensitive premises at locations further than 15 metres from a building directly associated with a noise sensitive use	All hours	60	75	80
Commercial premises	All times	60	75	80
Industrial and utility premises	All times	60	75	80

The “influencing factor” (IF) is calculated for each of noise-sensitive premises receiving noise. It takes into account the amount of industrial and commercial land and the presence of major roads within a 450m radius around the noise receiver.



4.2. EPNR 1997 Noise Character Adjustments

It is a requirement of EPNR 1997 that the noise character of any breakout noise from a development be free of annoying characteristics, namely –

- Tonality, e.g. whining, droning;
- Modulation, e.g. like a siren; and
- Impulsiveness, e.g. banging, thumping.

According to EPNR 1997, “if these characteristics cannot be reasonably and practicably removed, e.g. in the case of an emission like music, then a series of adjustments to the measured levels are set out, and the adjusted level must comply with the assigned level”. The adjustments are set out below.

Table 4.2.1: EPNR 1997 noise character adjustments

Adjustment where noise emission is not music These adjustments are cumulative to a maximum of 15 dB			Adjustment where noise emission is music	
Where tonality is present	Where modulation is present	Where impulsiveness is present	Where impulsiveness is not present	Where impulsiveness is present
+5 dB	+5 dB	+10 dB	+10 dB	+15 dB

When amplified music is present inside the facility, an adjustment to the assigned levels should be applied.

The predicted noise levels presented in the music noise assessment assume a +10dB adjustment on account of music.

4.3. Nearest Noise Sensitive Receiver (NSR)

The assigned noise levels defined in the regulations have been calculated for the following nearest noise sensitive receiver (NSR) below, located about 5m, 30m and 25m from the site:

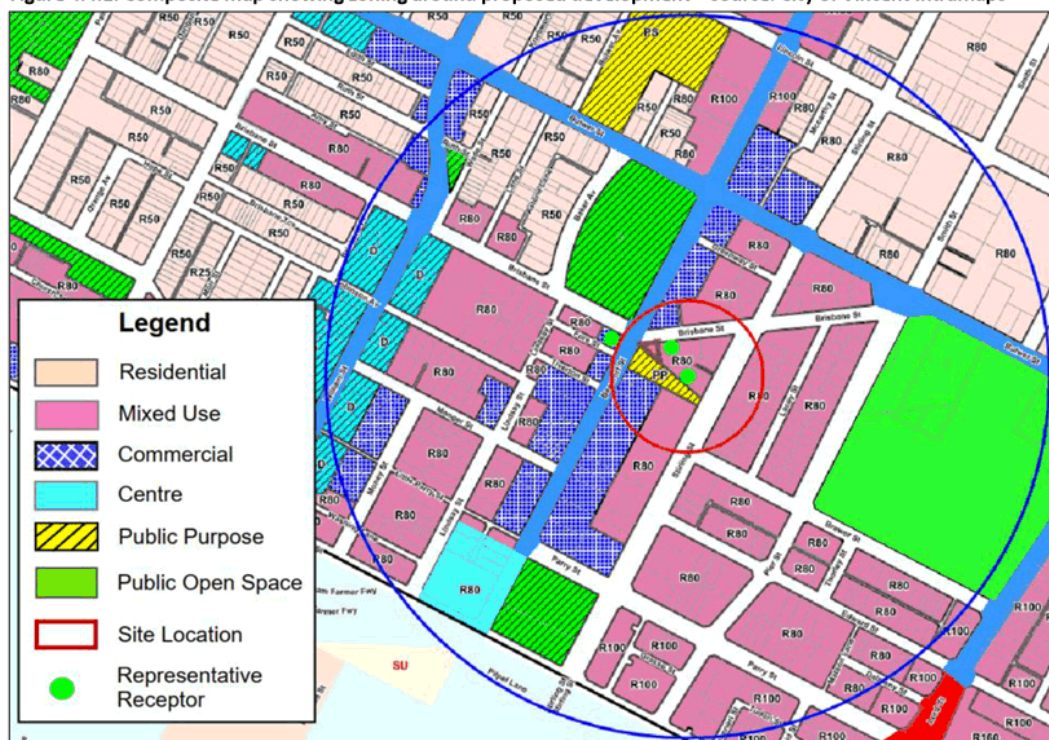
1. 79 Brisbane Street,
2. 241 Stirling Street,
3. 283 Beaufort Street.

4.4. Calculation of Assigned Noise Levels

Based on the regulations set out in the WA Environmental Protection (Noise) Regulations 1997, the maximum allowable noise levels are determined using the assigned noise level base values and the influencing factor (IF). The influencing factor takes into account zoning and road traffic around the receiver of interest within a 100 and 450m radius. In figure 4.4.1, the red circle is the 100m radius circle, and the blue circle is the 450m radius circle. Their centre is one of the noise-sensitive receivers under consideration (241 Stirling Street).



Figure 4.4.1: Composite map showing zoning around proposed development – source: City of Vincent Intramaps



4.4.1 100-Metre-Radius Circle

Based on the available information, the percentage of commercial use within the 100-metre-radius circle is 8%, and 0% industrial activity has been identified within this area.

4.4.2 450-Metre-Radius Circle

Based on the available information, the percentage of commercial use within the 450-metre-radius circle is 7%, and no industrial activity has been identified within this area.

4.4.3 Traffic/Transport Factor

There is one major road (more than 15,000 vehicles per day) and no secondary (6,000 – 15,000 vehicles per day) roads within the 100m radius area. There are no other major roads within the 450m radius area.

From information provided by Main Roads WA, which is summarised in table below, the transport factor is 6.

Table 4.4.3.1: Major and Secondary Roads near the NSR

Road	Vehicles per day	Classification
Beaufort Street	20,215	Major



4.4.4 Influencing Factor

Based on calculations, and taking into account the percentage of commercial, industrial and residential areas as well as secondary and major roads in the 100 and 450 metre radius circles, the influencing factor is **7 dB**.

4.4.5 EPNR 1997 Assigned Noise Levels Table – NSR

The resulting assigned noise levels for the NSR are displayed in Table 4.4.5.1 below.

Table 4.4.5.1: Assigned Noise Levels at Beaufort St and Stirling St.

Type of premises receiving noise	Time of the day	Assigned Noise Level (dB)		
		L _{A10}	L _{A1}	L _{Amax}
Noise sensitive premises at locations within 15 metres of a building directly associated with a noise sensitive use	07.00 to 19.00 hrs Monday To Saturday	52	62	72
	09.00 to 19.00 hrs Sunday and Public holidays	47	57	72
	19.00 to 22.00 hrs All days	47	57	62
	22.00 to 07.00 hours all days	42	52	62
Commercial premises	All times	60	75	80
Industrial and utility premises	All times	65	80	90

The most sensitive period is highlighted in bold.

L_{A10} is an acoustic descriptor which corresponds to the noise level exceeded for ten per cent of the time period under consideration; this may be considered to represent an “average maximum level” and is often used for the assessment of road traffic noise. The L_{A1} is the level exceeded for one per cent of the time; this is representative of the maximum levels recorded during the sample period. The L_{Amax} is the absolute maximum recorded level, which is most useful for assessing sounds of short duration.



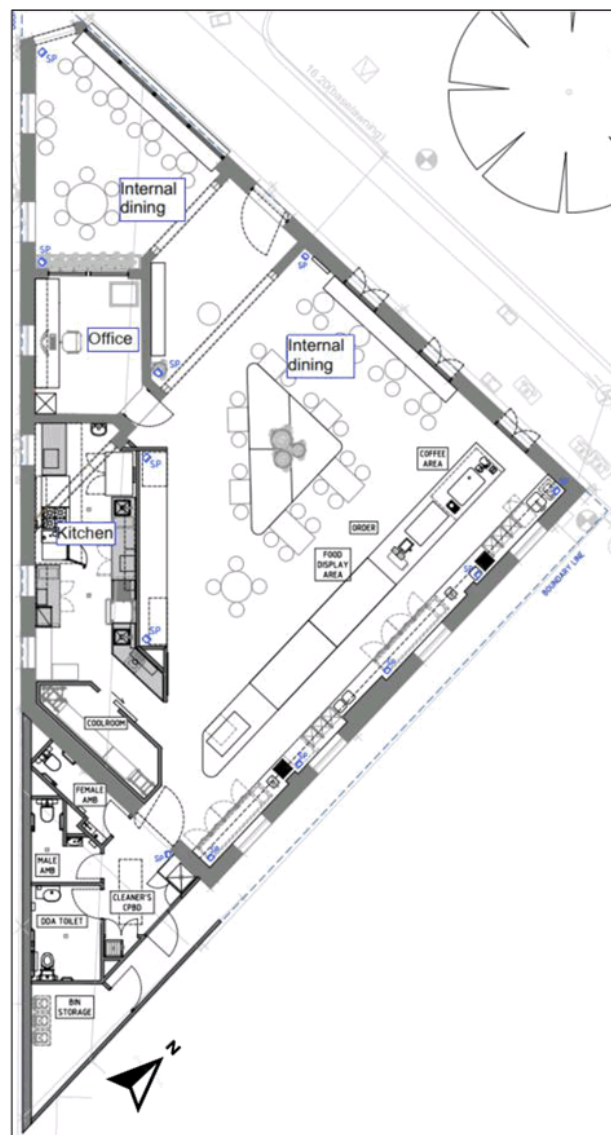
5. Noise Emission

The proposed shop, restaurant and small bar will be located on the ground floor of the existing building on 290 Beaufort Street, Perth. It will operate 7 days a week during the following times:

- Monday – Tuesday 6am – 6pm,
- Wednesday – Thursday 6am – 10pm,
- Friday – Saturday 6am – 12am,
- Sunday 6am – 6pm.

The venue will host up to 70 patrons and maximum of 14 full time, part time and casual staff members at any time. The proposed floor plan is presented in figure 5.1 below:

Figure 5.1: Proposed shop, restaurant and small bar floor plan.





5.1. Venue Operation Noise to the Nearest Sensitive Receptor (Residential)

A detailed assessment has been undertaken to predict the impact of noise from operations within the proposed shop, restaurant and small bar to the nearest noise sensitive receivers.

Noise from the venue, including patron noise and amplified music, must comply with the EPNR 1997 regulations at the nearest noise sensitive receptors (79 Brisbane St, 241 Stirling St, 283 Beaufort St).

Calculations have been based on the occupants being adults talking and amplified music is playing to provide a low level of background.

Provisional calculations for the noise emission have been undertaken for the front façade of the building, directly associated with internal dining areas. The noise sensitive receivers are located approximately 5m (79 Brisbane St), 25m (283 Beaufort St) and 30m (241 Stirling St) away from the front façade of the building. Receivers at 79 Brisbane St and 241 Stirling have no direct line of sight with the front façade of the building.

The existing construction of the facade shall ensure minimal transmission of internal noise to the NSR. The current external construction of the building consists of brick walls, glazed entry door and windows consisting of 6.38mm glazing in aluminium and timber frames. It should be noted that the windows are proposed to be openable. Therefore, noise impact to the nearest noise sensitive receptors has been assessed for two situations: windows closed and windows open. Also, no noise sensitive receptor is located directly opposite the windows, therefore the noise impact is predicted to be minimal.

Based on the information provided the following building elements have been used to determine noise level transmitted to NSR, presented in table 5.1.1.

Table 5.1.1 Proposed façade construction

Building Element	Sound Reduction Index (R) dB					R _w
	Octave band centre frequency Hz					
	125	250	500	1000	2000	
Window: 6.38mm laminated glazing in aluminium frame	22	26	31	36	34	33
Window: 6.38mm laminated glazing in timber frame	22	26	31	36	34	33
Door: 6.38mm laminated glazing in aluminium frame	19	23	28	33	31	30
Brick walls	51	58	64	69	74	68

The typical noise levels for the venue including music and patron noise is presented below.

Table 5.1.2: Typical internal noise levels in restaurant.

Venue Noise Source	Noise Level L _{Aeq} [dB]
Patrons	74
Background Music	55
Patrons and Background Music	74

Based on the noise levels detailed above, provisional calculations have been undertaken to confirm compliance with the EPNR assigned noise levels for the most sensitive period (night-time).



Provisional calculations determine that the noise levels will achieve compliance at noise sensitive receivers 241 Stirling St and 283 Beaufort St in accordance with WA EPNR 1997 for both situations. The calculated noise levels do not achieve compliance at 79 Brisbane St for situation with windows open, this is further discussed below.

The predicted noise levels from the venue are presented in Table 5.1.3 below.

Table 5.1.3: Estimated outdoor noise levels at NSR for situation with closed and open windows.

Receiver	Noise Source	EPNR 1997 Assigned Noise Level 22.00 to 07.00 hours all days L_{A10} (dB)	Windows closed Predicted Outdoor Noise Level L_{A10} (dB)	Windows open Predicted Outdoor Noise Level L_{A10} (dB)	Compliance Predicted?
79 Brisbane Street	Single noise source				
	Music*	42	< 15	42	Yes
	Patrons	42	< 10	47	No See comment
	Combined noise source				
	Music* and Patrons	42	< 15	47	No See comment
241 Stirling Street	Single noise source				
	Music*	42	< 10	25	Yes
	Patrons	42	< 10	29	Yes
	Combined noise source				
	Music* and Patrons	42	< 10	29	Yes
283 Beaufort Street	Single noise source				
	Music*	42	< 10	34	Yes
	Patrons	42	< 10	40	Yes
	Combined noise source				
	Music* and Patrons	42	< 10	40	Yes

*The predicted noise levels assume a +10dB adjustment on account of music.

It is recommended to keep the windows closed past 10pm to minimise the noise impact to the residents at 79 Brisbane Street.

However, the above prediction can be regarded the worst-case scenario, as full venue capacity has been assumed.

5.2. Mechanical Services

The mechanical services noise emissions must be kept to a level that is not exceeded at any nearby neighbours' boundary. The night-time assigned noise level for residential properties is 42 dB, L_{A10} , and has been presented in Table 4.4.5.1.

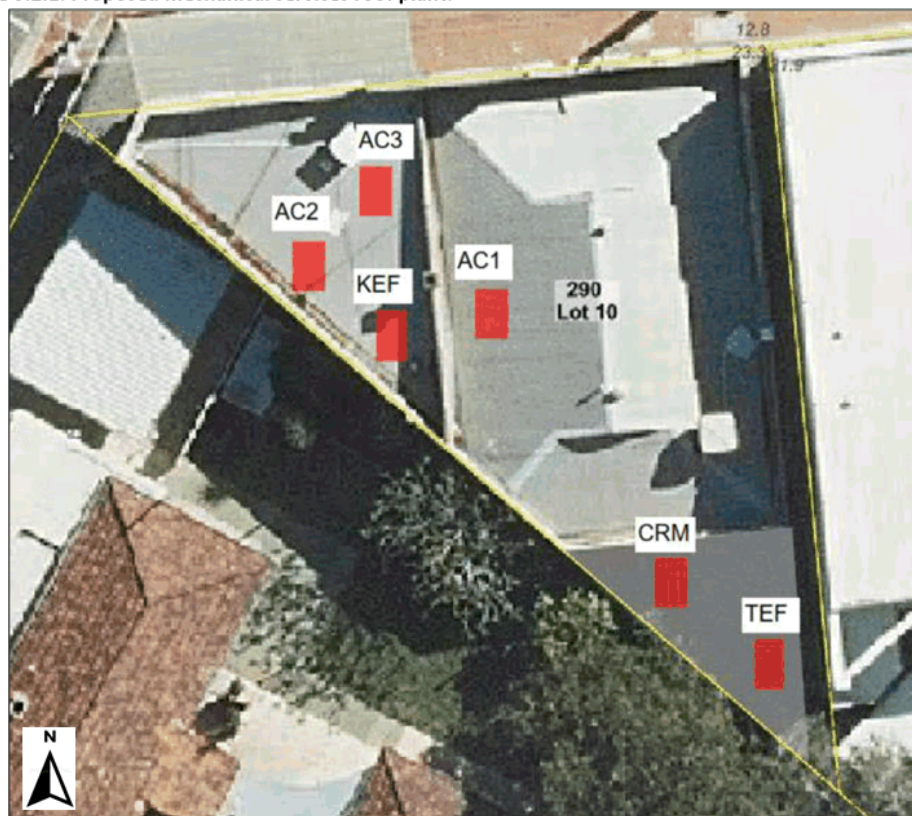
As far as practicable, noise from mechanical services including condenser units and exhaust fans should be free from tonality and impulsiveness.

The nearest noise sensitive residential receiver is located about 5m to the east of the development.



Mechanical services plant for the development will be roof located, as presented on Figure 5.2.1. below, screened with approximately 1.2m height existing wall around the building perimeter, therefore there will be no direct line of sight between source (mechanical plant) and receivers (residential).

Figure 5.2.1: Proposed mechanical services roof plant.



A plant itinerary along with the Sound Pressure Level (SPL) of each item is detailed in table 5.2.1. below. It should be noted that the items are subject to possible changes or additions.

Table 5.2.1. Preliminary plan item schedule.

Item	Symbol	Model	Sound Pressure Level dBA Cooling/Heating
Air Conditioning Unit 1	AC1	ActronAir PCG260U	55/59 @3m
Air Conditioning Unit 2	AC2	Daikin RXJ25PVMA	46/47 @1m
Air Conditioning Unit 3	AC3	Daikin RZAC71CV1	48/51 @1m
Kitchen Exhaust Fan	KEF	Pacific Ventilation KMV710-6DE	58 @3m
Toilet Exhaust Fan	TEF	Pacific Ventilation PCV280-4EE	43 @3m
Cool Room Motor	CRM	Enthalpy TDCS14ML4003	53/61 @3m

Based on the plant items, their orientation and locations detailed above, provisional calculations for the worst-case scenario (all items working at the same time on heating mode) have been undertaken to establish noise emission from the roof plant.



Provisional calculations of noise levels will achieve compliance at all nearest noise sensitive receptors in accordance with WA EPNR 1997. The preliminary predicted noise levels from mechanical plant are presented in Table 5.2.2 below.

Table 5.2.2. Predicted compliance results for neighbouring properties, noise sensitive receivers.

Location	EPNR 1997 Assigned Noise Level L_{A10} [dB] Night-time 22.00 to 07.00 hours	Predicted level L_{A10} (dB)	Compliance predicted
79 Brisbane St	42	39	Yes
241 Stirling St	42	26	Yes
283 Beaufort St	42	27	Yes

*Screening effect has been used in calculations.

The above predictions can be regarded as worst case, as all items have been assumed to be running simultaneously on heating mode during the most sensitive period (22.00 to 07.00 hours). In reality night-time activity from mechanical services is expected to be minimal.

Due to the building orientation, shielding from the buildings has been used in calculation. It is estimated that shielding effect will provide a reduction of between 10-15dB. It is achievable based on the coordinates of the source (mechanical plant) and receivers (nearest residents) having no direct line of sight.



6. Conclusion

6.1. Noise emission – Venue Operation

Patron and amplified music noise associated with the proposed shop, restaurant and small bar have been assessed in accordance with EPNR 1997 at the nearest residential noise sensitive receptors, 79 Brisbane St, 241 Stirling St and 283 Beaufort St.

Provisional calculations of the noise emission determine that the noise levels will achieve compliance at the noise sensitive receptors in accordance with WA EPNR 1997. Only in a situation with windows open the noise level does not achieve compliance at NSR 79 Brisbane St. It is therefore recommended to keep the windows closed past 10pm to minimise the noise impact to the residents at 79 Brisbane Street.

It should be noted that the predicted noise levels assume a +10dB adjustment on account of music.

The predictions can be regarded the worst-case scenario, as full venue capacity has been assumed. In reality full capacity of the development is not anticipated for every operating evening or during every night-time period.

6.2. Noise emission – Mechanical Services

Mechanical plant noise associated with the proposed shop, restaurant and small bar have been assessed in accordance with EPNR 1997 at the nearest residential noise sensitive receptors, 79 Brisbane St, 241 Stirling St and 283 Beaufort St.

Provisional calculations of noise levels will achieve compliance at all noise sensitive receptors in accordance with WA EPNR 1997.

Due to the building orientation and mechanical plant location, shielding from the buildings has been used in calculation.

The predicted noise levels can be regarded as worst case, as all items have been assumed to be running simultaneously on heating mode during the most sensitive period (22.00 to 07.00 hours). In reality night-time activity from mechanical services is expected to be minimal.



A. Glossary

Term	Description
A-weighting:	Refers to a standardised frequency response used in sound measuring instruments, specified in Australian Standard AS 1259.1. Historically it was developed to model human ear response at low-level sounds. However A-weighting is now frequently specified for measuring sounds irrespective of level, and studies have shown a relationship between the long term exposure to A-weighted sound pressure levels and hearing damage risk.
Airborne sound:	Sound waves propagate within a construction (structure-borne sound) and are radiated into the air where their propagation continues (airborne sound).
AS:2107	AS/NZS 2107:2016 Acoustics -Recommended design sound levels and reverberation times for building interiors
Impact noise	Noise resulting from the direct impact on a building element (e.g. footfall, furniture movement on a floor).
C_{tr} , C_i	Spectrum adaptation term
D:	This value, in decibels, is the difference in sound pressure level values between two rooms.
dB:	Means the abbreviation for decibel.
dBA :	A-weighted sound pressure level in decibels.
$L_{Aeq,T}$:	The equivalent continuous A-weighted sound pressure level in dBA. It is often accompanied by an additional subscript suffix "T" such as $L_{Aeq,15min}$, which means it is evaluated over 15 minutes.
$L_{A10,T}$:	A-weighted sound pressure level in decibels which is not surpassed for more than 10% of the measurement time. This value is often similar to that of the L_{Aeq} for the same period of time.
$L_{A1,T}$:	A-weighted sound pressure level in decibels which is not surpassed for more than 1% of the measurement time. This value is often used to have a reference of the highest levels of the measured noise and is used to evaluate the presence of occasional impulsiveness in the noise.
$L_{A90,T}$:	A-weighted sound pressure level in decibels which is not surpassed for more than 90% of the measurement time. This value is often used to have a certain reference of the constant floor background noise level.
L_{Amax} :	Maximum A-weighted sound pressure level over a certain period of evaluation.
L_w	Impact sound level reduction L_w is an acoustic descriptor quantifying the improvement in impact noise isolation as a result of the installation of a floor covering or floating floor on a test floor in a laboratory (ISO717.2:1997)
$L_{n,w}$	The lower the $L_{n,w}$ rating the better the performance of a building element at insulating impact noise.
Perception of noise level differences:	Generally, a variation of 2-3 dB in a sound pressure level cannot be detected by most of the population; a 5 dB difference is perceived as a louder noise, and a 10 dB variation is perceived as a sound which is twice as loud.
R_w :	The insulation of walls and doors against airborne sound is described by way of the sound reduction index R. This index specifies the number of decibels by which the sound is weakened as it passes through the component. The sound reduction index is therefore a component-related variable. As the sound insulation of components depends on frequency, the sound reduction index is also specified depending on the frequency, at least in one-third octave bands between 100 and 3150 Hz. For simplicity, a single value, the weighted sound reduction index R_w , is derived from the frequency-related values. R_w values provided by manufacturers must comply with standard international test regulation ISO 140-3.

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17 May 2021

Venue Management Plan

REDACTED FOR PRIVACY PURPOSES

14 May 2021

1. Introduction

- 1.1. Two Siblings Pty Limited (in its capacity as trustee for Latra Trust) owns Tom's Wholesome Food (Tom's).
- 1.2. Tom's intends to trade as a licensed delicatessen and grocer on the city fringe opposite the Brisbane Hotel on Beaufort Street. The core activity of the business is the provision of food products, beverages and service.
- 1.3. The objective of this plan is to outline a standard code of practice in order to maintain the quality of the venue and its features, whilst providing a safe and secure environment for venue patrons.

2. Premises

- 2.1. The subject site at 290 Beaufort Street, Perth, is 288sqm in area and is registered as Lot 10 on Diagram 59211 (**Premises**).
- 2.2. The building was constructed in 1915 and is known as Meade House. It is a single storey rendered building on a prominent corner location, representative of the Federation Free Classical style of commercial development at that time. The building is on the local government heritage inventory.
- 2.3. The building is one of Perth's most distinctive urban places and in close proximity to a vast mixed use commercial and entertainment area. It was originally constructed for use as a shop and billiard hall and has also been used as a hairdresser and tobacconist. The property continues to be used for commercial purposes.
- 2.4. It is proposed that the building use be changed to allow for a shop/café/small bar to give effect to the nature of the business, being a licensed delicatessen and grocer. A copy of the floor plan is provided as Attachment A.

3. Hours of operation

- 3.1. General trading hours will be as follows:
 - 6am to 6pm Monday and Tuesday;
 - 6am to 10 pm Wednesday and Thursday;
 - 6am to 12 midnight Friday and Saturday; and
 - 6am to 10pm Sunday.
- 3.2. Service of alcohol is set out in paragraph 4.4 below and subject to section 98AA of the Liquor Control Act 1988 (**Liquor Control Act**).

4. Liquor Licensing

4.1. *Type of licence*

Tom's has been granted conditional approval for a small bar licence at the Premises. The licence authorises the licensee to supply liquor for consumption on the licensed premises during the trading hours specified below.

4.2. *Amenity*

The licensee shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the Premises to which the licence relates during or immediately after the trading hours authorised under the licence.

The licensee shall ensure that the level of noise emitted from the licensed Premises does not exceed the permissible noise levels for entertainment noise as specified in the Environmental Protection (Noise) Regulations 1997 (**EPNR**).

No live band using amplified music is to be provided.

4.3. *Maximum capacity*

The maximum number of persons permitted on the licensed Premises (including within the alfresco area) must not exceed 70 at any one time.

4.4. *Trading hours*

Service of alcohol for consumption on the Premises will only occur:

- 12 noon to 6pm Monday and Tuesday;
- 12 noon to 10 pm Wednesday and Thursday;
- 12 noon to 12 midnight Friday and Saturday;
- 12 noon to 10pm Sunday; and

otherwise in accordance with the Liquor Control Act.

4.5. *Red line plan*

The red line plan for the Premises must be kept in the manager's office and be available for inspection by WA Police and RGL compliance inspectors at all times the Premises is open.

4.6. *Statutory posters*

The statutory posters must be placed in a prominent position within the bar in a place that invites public attention.

The duty manager will ensure that posters are kept up-to-date at all times.

4.7. *Responsible service of alcohol (RSA)*

- 4.7.1. The licensee and management are committed to implement best practice in relation to the RSA.
- 4.7.2. The management of RSA certificates and related matters is the responsibility of management.
- 4.7.3. Only staff with the relevant RSA training and accreditation will be permitted to serve alcohol from the Premises.
- 4.7.4. Management and staff are required to keep their RSA qualifications up to date.

- 4.7.5. All management and staff RSA certificates must be filed in the licensee's RSA folder and the details included in the relevant register.
- 4.7.6. Alcohol is only to be consumed at the Premises within the confines of the pre-designated 'consumption of alcohol area' – refer to red line plan at paragraph 4.5 above. No alcohol is to be consumed out of this area.
- 4.7.7. Alcohol is not permitted to be removed from the Premises by patrons.
- 4.7.8. Further information can be found in our Harm Minimisation & Management Plan, a copy of which is provided as Attachment B.

5. Patron behaviour

Patron behaviour is detailed in the venue's Code of Conduct (**Code**) which can be found at Attachment B. Patrons who breach the Code will be asked to leave the Premises if they do not comply with the Code following a warning.

6. Noise control and management

- 6.1. The venue is committed to developing and maintaining good relations with local residents, neighbours and local authorities. Our objective is to minimise disturbance to local residents and to ensure that liquor licensing requirements at the venue are being upheld.
- 6.2. Management and staff will have the responsibility of ensuring that that level of noise emitted from the licensed premises does not exceed the permissible noise levels as specified in the ENPR.
- 6.3. Ambient and background music shall be played during opening hours. This music will not be played at loud volumes and is intended to be incidental to speech and conversation. No live music or external speakers are proposed.
- 6.4. Management will make themselves available at all reasonable times to respond to the concerns of patrons and neighbours.
- 6.5. Staff will actively encourage the gradual dispersal of patrons to minimise nuisance. Further:
 - patrons will be encouraged to be considerate upon leaving the venue;
 - patrons shall not leave the venue other than by the main entrance door; and
 - there shall be no re-admission to the venue 15 minutes prior to closing.
- 6.6. Patrons will not be admitted to the venue outside of opening hours.
- 6.7. Management and staff will routinely monitor the alfresco area during trading hours to ensure that noise levels do not become excessive.
- 6.8. All staff will be made aware of the requirements of noise management.
- 6.9. Clear and legible notices will be displayed at the exit requesting patrons to respect the residents and to leave the venue and the area quietly.

- 6.10. Deliveries of goods necessary for the operation of the venue will be carried out at such a time and in such a manner as to avoid causing disturbance to nearby residents.

7. Traffic

- 7.1. It is expected that the local community will walk to the venue as opposed to driving.
- 7.2. Nil or minimal traffic generation is anticipated as the site is exceptionally well serviced by high frequency public transport, is within walking distance to major train stations and adjacent to high frequency bus routes.
- 7.3. The staff associated with the business will be encouraged to utilise public transport, or alternatively, through local employment have the ability to walk to work.
- 7.4. Use of public transport modes is encouraged due to the proximity of such services. The development integrates with the wider public-transport network and, cycling and pedestrian infrastructure.
- 7.5. While local customers are anticipated, non-local customers to the venue are expected to use the public transport modes referred to above or suitable ride-sharing services.

8. Car parking

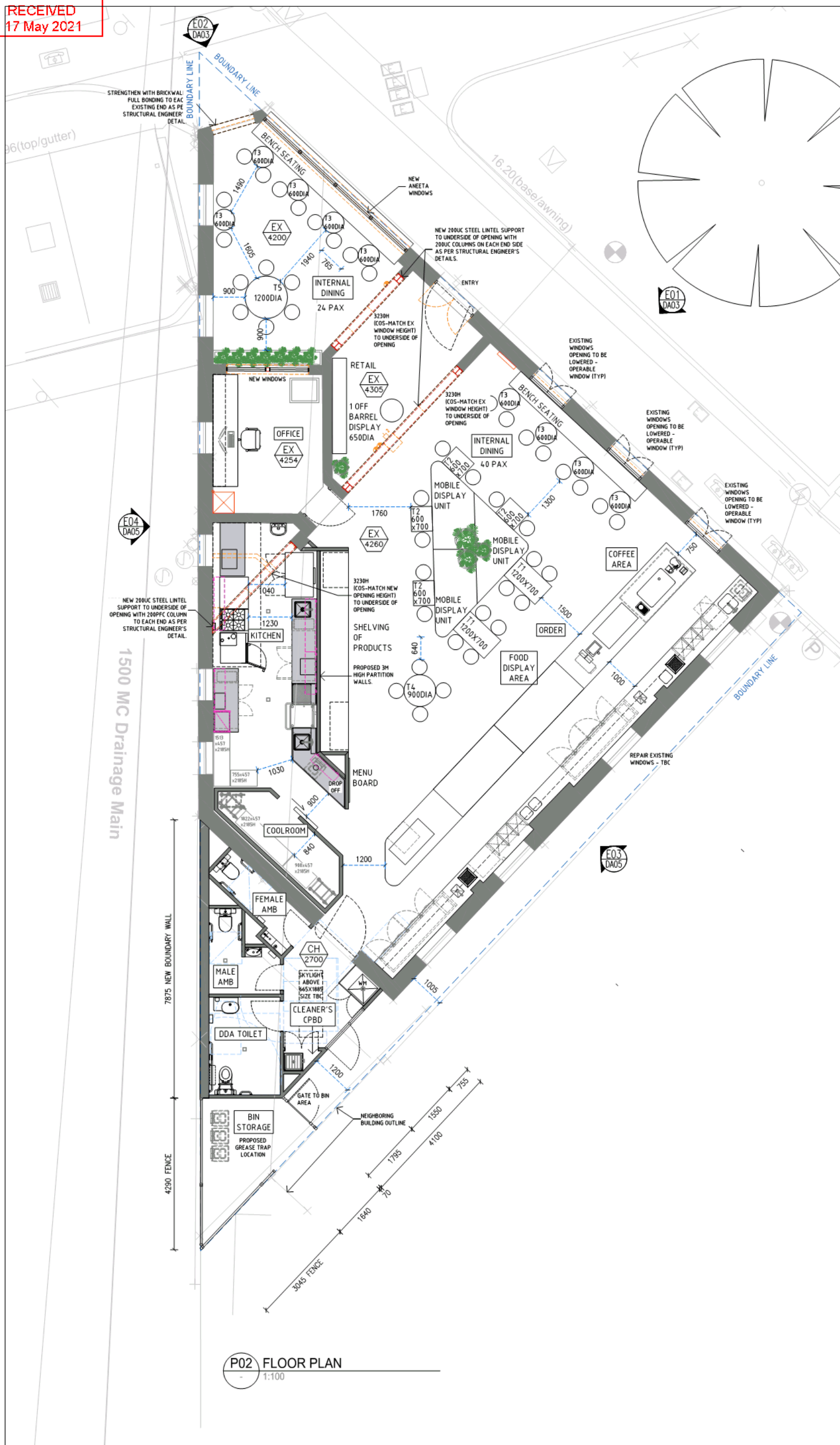
- 8.1. For customers who drive, parking is available at the Brisbane Street Car Park (opposite the proposed Premises). The carpark offers 202 parking bays at a cost of \$2.90 per hour (between the hours of 7am to midnight Monday to Sunday) with the first hour free.
- 8.2. All public parking has existing signage and demarcation, as well as existing responsible persons/authorities for their management.
- 8.3. The site is also exceptionally serviced by on-street parking bays and dedicated public car parks. Currently these bays are underutilised and are only generally at capacity during trade at HBF Park, permitting capacity on the existing network.

9. Waste management

- 9.1. Tom's has a responsibility to ensure that rubbish generated by the venue and its patrons is cleaned on a regular basis. To this end, cleaners will be retained to clean the inside of the Premises daily and on an ongoing basis.
- 9.2. JJ Richards & Sons will remove waste and recycled packaging from the Premises. Collection services for the waste will occur between 7am and 7pm, and recycling will be encouraged amongst all staff members to minimise the generation of waste on-site. All operations, storage and removal of waste will be per local government guidelines.

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17 May 2021

DATE	REV	ISSUE
23.02.2021	00	ISSUE FOR HERITAGE APPLICATION
25.02.2021	01	APPROVAL
26.02.2021	02	ISSUE FOR INFORMATION
04.03.2021	03	APPLICATION
08.04.2021	04	ISSUE FOR DEVELOPMENT APPROVAL



P02 FLOOR PLAN
1:100

**MATA DESIGN
STUDIO
INTERIOR
& BUILT
ENVIRONMENTS**
17 BREWER ST PERTH WA 6000
08 9445 7981
WWW.MATADDESIGN.COM.AU
ABN 83 908 778 658

PROJECT #	2011-06
PROJECT NAME	TOM'S WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000
DRAWING NAME	FLOOR PLAN
DRAWING NUMBER	DA02 /04
PLOT DATE	08/04/2021
SCALE	1:100 @ A3
DRAWN	CT/PL
PATH	6119 MATA PROJECTS\2011-06 TOM'S WHOLESOME FOOD\PROPOSED DEVELOPMENT\1:100 FLOOR PLAN\1:100-FR-01 TOM'S CAPS_BA DRAWING_REV04.DWG

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TOM'S Wholesome
Food –
Since 1994

290 Beaufort Street, Perth WA 6000

House Management Policy

Our policy is to provide a responsible, safe, and comfortable venue for our customers at all times. This will be achieved through ongoing training and development of our staff and through regular maintenance of the premises and facilities.

An approved manager will be on premises during all trading hours managing the day-to-day operations under the liquor licence.

We will make ourselves available at all reasonable times to respond to the concerns of our patrons and our neighbours. If you have any concerns over the way in which we operate, please call 0412 579 195 and ask to speak to an approved manager.

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Hospitality Consultants Pty Ltd
PO Box 389, Guildford WA 6935
☎ 08 6278 2788 ✉ admin@canford.com.au

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TOM'S Wholesome
Food –
Since 1994

290 Beaufort Street, Perth WA 6000

Code of Conduct & Conditions of Entry

This venue and its staff are committed to the principles of responsible service of alcohol and to taking all reasonable steps to minimise the harm caused by the abuse of alcohol. We expect the same commitment from our patrons.

☐ **Admittance**

- Entry to the venue is conditional upon accepting responsibility for the consequences of your behaviour within and in the vicinity of these premises.
- At all times managements reserves the right to refuse entry.
- You must be suitably attired to enter this venue.

☐ **Intoxicated persons**

- We will not allow anyone to enter the licensed area, get service, or otherwise remain on the licensed area if they are visibly intoxicated.

☐ **Juveniles**

- It is an offence for a juvenile to attempt to buy alcohol, and it is also an offence for any adult to procure (or attempt to procure) alcohol for a juvenile.
- We will not allow anyone to enter or remain on the licensed area if they are under the age of 18 years, unless they are under the supervision of a responsible adult or on the licensed area for the purpose of obtaining a meal (or as may otherwise be authorised under the Liquor Control Act).
- We will not sell or serve alcohol to anyone under the age of 18 years. If you are asked to show proof of age, you are required to produce identification. We will not serve you if you do not produce the required form of identification whenever requested.

☐ **Patron care**

- We will not tolerate any disorderly, disruptive or offensive behaviour on the licensed premises. If you have been offended by the behaviour of any of our patrons, please bring it to the attention of the approved manager.

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290 Beaufort Street, Perth WA 6000

- If you are driving please do not drink. We have food available and also provide a range of non and low alcoholic beverages.
 - We are more than happy to call a taxi on request.
 - Acts of vandalism or other criminal offences, where detected, will be reported to the police.
- ☐ **Courtesy**
- We ask that you enter and leave the venue peacefully and quietly, respecting other patrons' rights together with those people living in neighbouring residential buildings.

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Since 1994

290 Beaufort Street, Perth WA 6000

Harm Minimisation & Management Plan

- ❑ The licensee and approved manager(s) of this venue have successfully completed the training requirements mandated under the Liquor Control Act.
- ❑ **Staff Training and Responsible Service of Alcohol**
 - All our service staff are trained in responsible service practices.
 - Our management team has also been trained in responsible service practices and will support the service staff at all times in their duties and responsibilities under the Liquor Control Act with regard to harm minimisation.
 - Each staff member will be given a copy of the Director's Guidelines on the responsible promotion of liquor.
 - We will discourage any activity that could lead to or result in excessive consumption of alcohol (such as drinking competitions) or the promotion of alcohol involving excessive or rapid consumption of alcohol.
- ❑ **Juveniles**
 - Signage is displayed in the licensed premises to inform patrons that it is an offence to obtain alcohol for a juvenile and that the person doing so commits an offence.
 - If a staff member is in any doubt as to whether a person is aged 18 years or more, the staff member must require that the person provide proof of age.
 - The only acceptable proof of age documents will be:
 - ☐ A current Australian driver's licence with a photograph;
 - ☐ A current passport with a photograph;
 - ☐ A current Australian learner driver permit with a photograph;
 - ☐ WA Proof of Age Card (Note: new cards ceased being issued on 1/1/2015);
 - ☐ Proof of Age card or equivalent issued in an Australian state or territory;
 - ☐ A current WA Photo Card;

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Food –
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290 Beaufort Street, Perth WA 6000

- ☒ A current NSW Photo Card;
- ☒ A Photo Card issued by any Australian state or territory similar to the NSW/WA Photo Card;
- ☒ A hard copy of the Keypass card issued by Australia Post.

☐ **Intoxicated Patrons**

- Our staff are trained to be alert for signs of intoxication.
- We will not serve alcohol to intoxicated patrons. If someone is displaying signs of intoxication our staff must, in a calm, courteous and non-judgmental manner, inform the patron that they will not be served any alcohol and the reason why service is being refused.
- The patron will be offered coffee or other non-alcoholic beverages. Where appropriate, our staff will inquire as to how the patron is getting home and offer to call them a taxi.
- If the patron becomes disorderly, staff will advise them that their behaviour is unacceptable and request them to leave the premises.

☐ **Neighbours**

- We will maintain a logbook for any complaints regarding noise and disturbance in the area.
- Any complaint received is entered into the book along with:
 - the date and time of the complaint;
 - the staff member who received the complaint; and
 - the action taken.
- The approved manager will contact the complainant within a reasonable time following the making of the complaint to ascertain whether the issue has been addressed satisfactorily.

Any concerns over the way in which Tom's operates should be directed to the approved manager.

Canford
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Planning and Development Act 2005

City of Vincent

Notice of determination on application for development approval

Location: No. 290 Beaufort Street PERTH

Lot, Plan/Diagram: LOT: 10 D/P: 59211

Vol. No: 1280

Folio No: 5

Received on: 2 March 2021

Serial No: 5.2021.73.1

Description of proposed development: Proposed Change of Use to Restaurant/Café and Shop, including Alterations/Additions and Signage

Plans dated: 2 March 2021, 12 April 2021 and 11 May 2021

This application for development approval is approved subject to the following conditions:

1. This approval is for proposed Change of Use to Restaurant/Café and Shop, including Alterations/Additions and Signage as shown on the approved plans dated 2 March 2021, 12 April 2021 and 11 May 2021. No other development forms part of this approval.

2. Use of Premises

- 2.1 This approval is for Restaurant/Café and Shop as defined in the City of Vincent Local Planning Scheme No. 2.

Use of the subject land for a different use may require further development approval in accordance with the provisions of the City's Local Planning Scheme No. 2 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

- 2.2 The Restaurant/Cafe shall be limited to a maximum of 70 patrons

3. Bicycle Parking

A minimum of two short-term bicycle bays shall be provided within the development. The bicycle bay shall be designed in accordance with AS2890.3 and installed prior to occupation to the satisfaction of the City.

4. Building design

- 4.1 External colours, materials and finishes are to be in accordance with the Addendum to Heritage Impact Statement dated 9 April 2021 and prepared by Stephen Carrick Architects, to the satisfaction of the City.

- 4.2 Doors and windows and adjacent floor areas fronting Brisbane Street and Beaufort Street shall maintain an active and interactive relationship with this street. Ground floor glazing and/or tinting shall be a minimum of 70 percent visually permeable to provide unobscured visibility. Darkened, obscured, mirrored or tinted glass or other similar materials as considered by the City is prohibited.

4.3 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;

5. Stormwater

Stormwater from all roofed and paved areas shall be collected and contained on site. Stormwater must not affect or be allowed to flow onto or into any other property or road reserve

6. Boundary walls

The surface finish of boundary walls facing an adjoining property shall be of a good and clean condition, prior to the occupation or use of the development, and thereafter maintained, to the satisfaction of the City. The finish of boundary walls is to be fully rendered or face brick; or material as otherwise approved; to the satisfaction of the City.

7. Signage

7.1 All signage is to be in strict accordance with the City's Policy No. 7.5.2 Signs and Advertising, unless further development approval is obtained.

7.2 All signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site.

7.3 The proposed signage is to be wholly contained with the subject lot/s.

8. Noise and Venue Management

8.1 All of the recommended measures included in the approved acoustic report dated 22 March 2021 (reference 2106a/CC) and prepared by Hewshott Acoustics shall be implemented as part of the development, to the satisfaction of the City prior to the occupancy or use of the development and maintained thereafter to the satisfaction of the City at the expense of the owners/occupiers.

8.2 The premises shall operate in accordance with the approved Venue Management Plan dated 14 May 2021 and prepared by Two Siblings Pty Ltd to the satisfaction of the City.

ADVICE NOTES:

1. This is a development approval issued under the City of Vincent Local Planning Scheme No. 2 and the Metropolitan Region Scheme only. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/owner to obtain any other necessary approvals and to commence and carry out development in accordance with all other laws.
2. If the development the subject of this approval is not substantially commenced within a period of 2 years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.
3. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.

4. If an applicant or owner is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.
5. In relation to Advice Note 2 a further two years is added to the date by which the development shall be substantially commenced, pursuant to Schedule 4, Clause 4.2 of the Clause 78H Notice of Exemption from Planning Requirements During State of Emergency signed by the Minister for Planning on 8 April 2020. For further information regarding the Ministerial direction, please contact the assessing officer Mitchell Hoad on 08 9273 6049.
6. This is approval is not an authority to ignore any constraint to development on the land, which may exist through statute, regulation, contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.
7. The applicant is responsible for ensuring that all lot boundaries as shown on the approved plans are correct.
8. **No** verge trees shall be **REMOVED**. The verge trees shall be **RETAINED** and **PROTECTED** from any damage including unauthorized pruning.
9. An Infrastructure Protection Bond together with a non-refundable inspection fee shall be lodged with the City by the applicant, prior to commencement of all building/development works, and shall be held until all building/development works have been completed and any disturbance of, or damage to the City's infrastructure, including verge trees, has been repaired/reinstated to the satisfaction of the City. An application for the refund of the bond must be made in writing. This bond is non-transferable.
10. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5m) shall be maintained for all users **at all times** during construction works. Permits are required for placement of any material within the road reserve.
11. The applicant/owner is advised from 1 July 2021 the City will no longer offer commercial waste services. Private waste collection must be arranged and maintained for the site at the expense of the landowner/applicant. If private waste collection is already undertaken these arrangements should continue to be implemented.
12. With regard to the use of the premises the City's Local Planning Scheme No.2 includes the following land use definitions:

Restaurant/Café means premises primarily used for the preparation, sale and serving of food and drinks for consumption on the premises by customers for whom seating is provided, including premises that are licensed under the *Liquor Control Act 1988*.

Shop means premises other than a bulky goods showroom, a liquor store – large or a liquor store – small used to sell goods by retail, to hire goods, or to provide services of a personal nature, including hairdressing or beauty therapy services.

Small Bar means premises the subject of a small bar licence granted under the *Liquor Control Act 1988*.

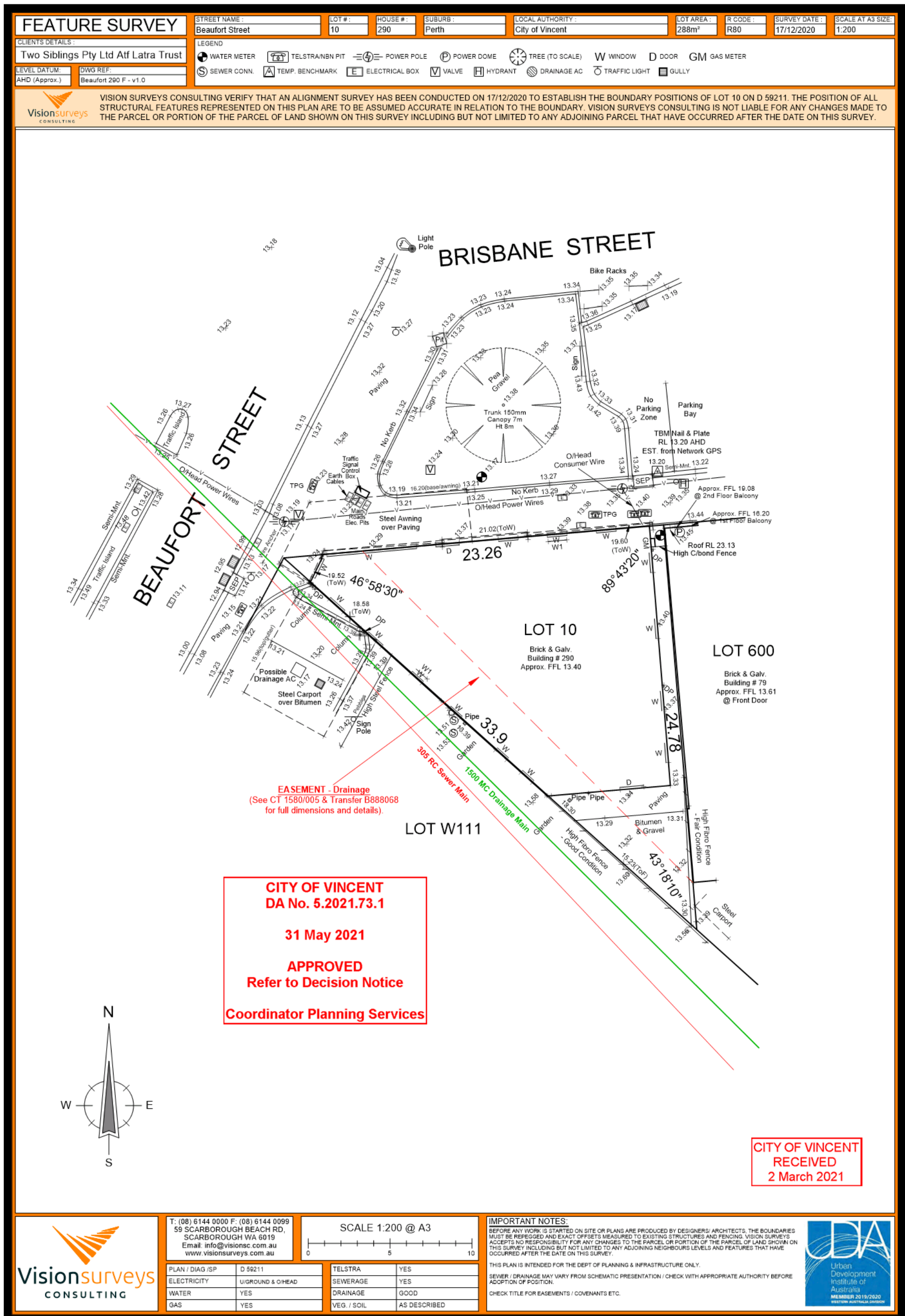
13. With regard to patron numbers, the maximum occupancy limit imposed on this approval relates to planning matters only and may otherwise be restricted by separate Building and/or Health legislation.
14. With reference to signage any new signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a Building Permit application, being submitted and approved prior to the erection of the signage.

Date of determination: 31 May 2021

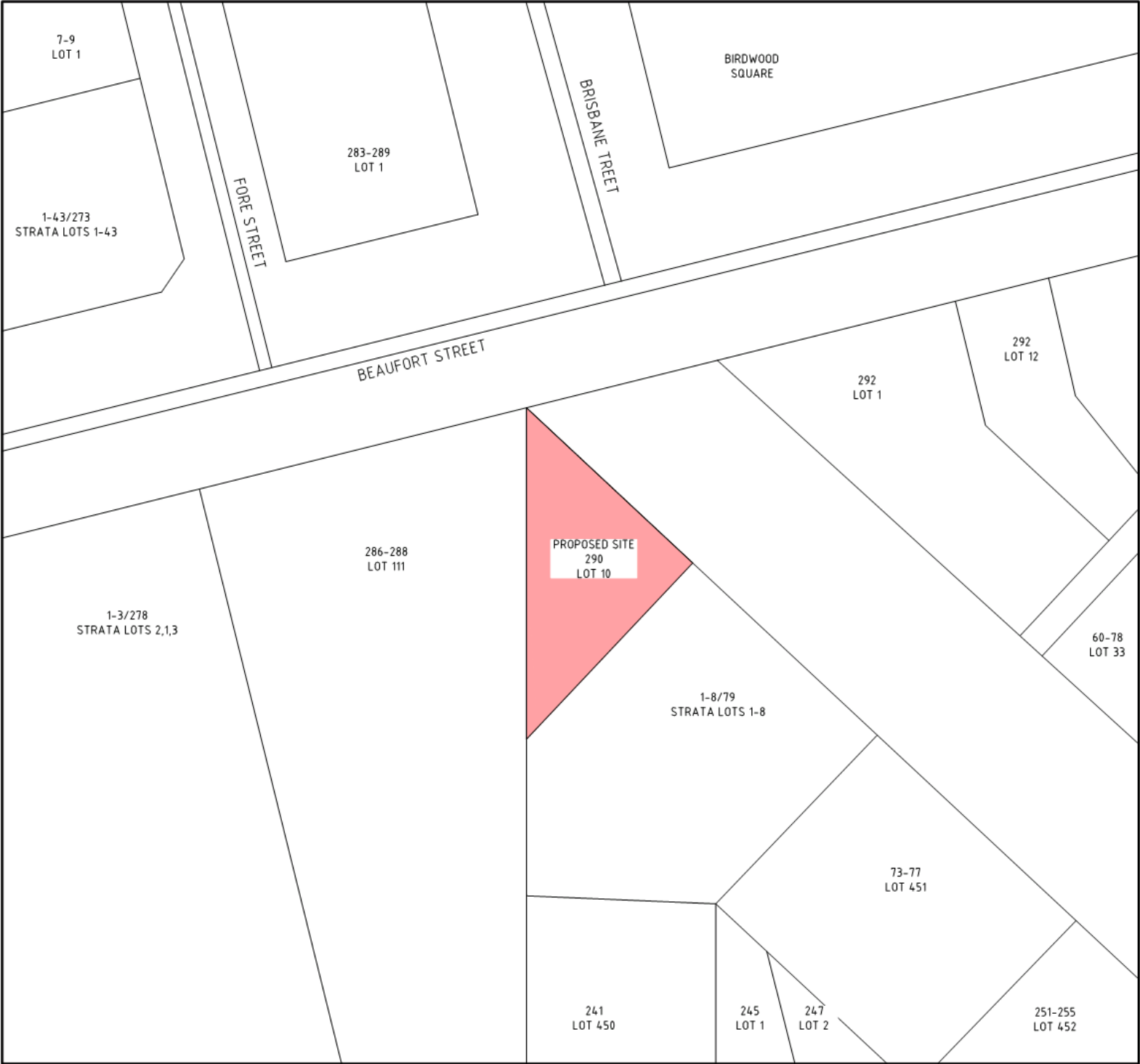
A handwritten signature in black ink, appearing to read 'J Colli', with a stylized flourish at the end.

Signed:

JOSLIN COLLI
COORDINATOR PLANNING SERVICES
for and on behalf of the City of Vincent



DATE	REV	ISSUE
23.02.2021	00	ISSUE FOR HERITAGE APPLICATION
25.02.2021	01	ISSUE FOR DEVELOPMENT APPROVAL



P00 SITE PLAN
1:500

CITY OF VINCENT
DA No. 5.2021.73.1

31 May 2021

APPROVED
Refer to Decision Notice

Coordinator Planning Services

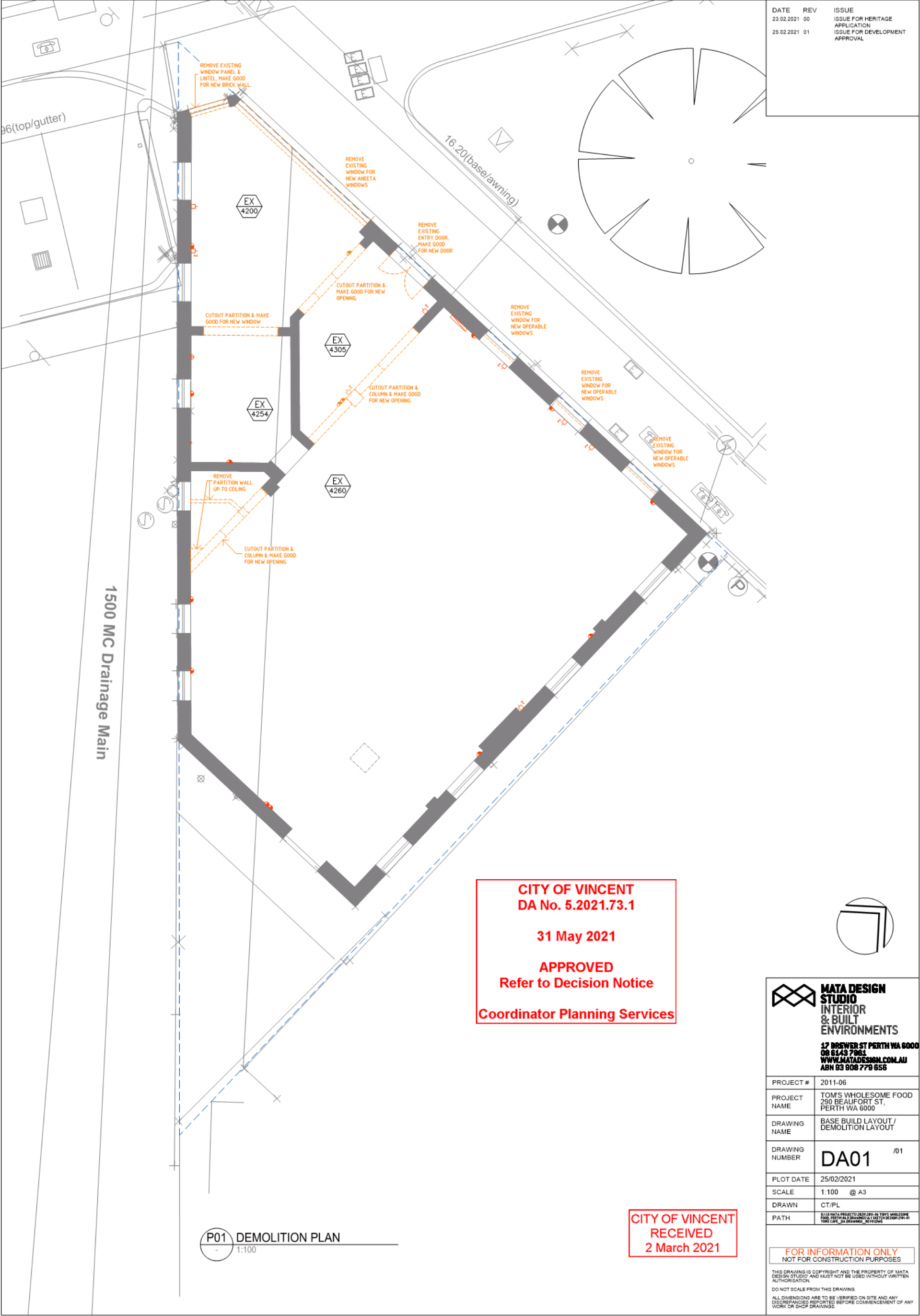
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2 March 2021

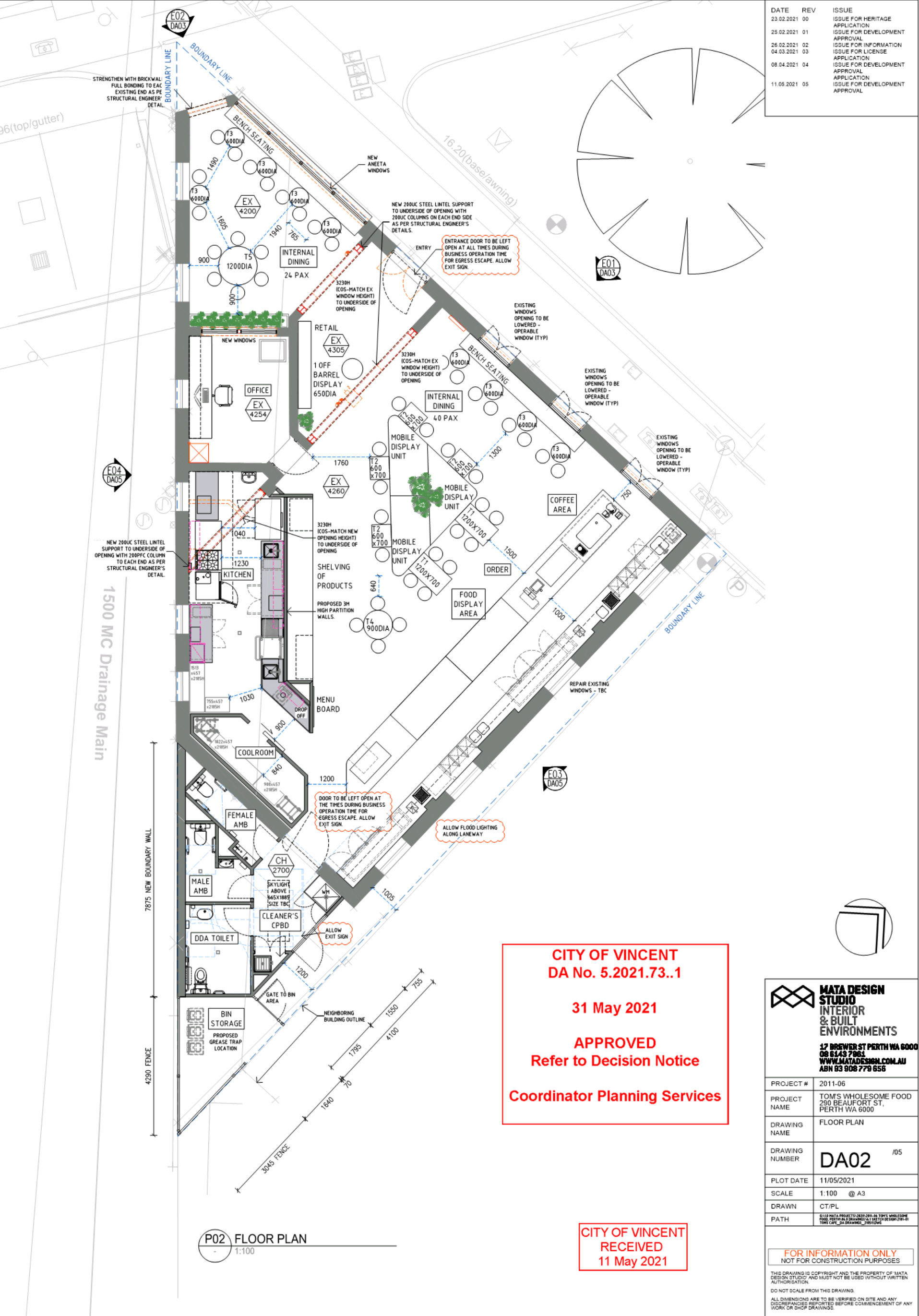
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ABN 83 908 778 656

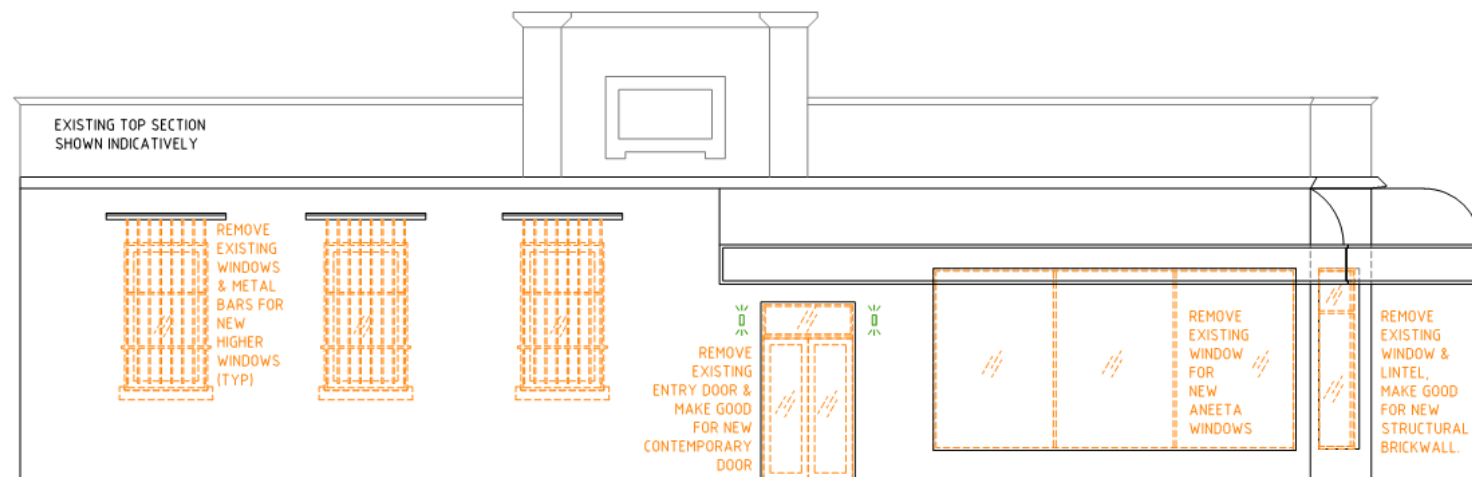
PROJECT #	2011-06
PROJECT NAME	TOM'S WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000
DRAWING NAME	SITE PLAN
DRAWING NUMBER	DA00 /01
PLOT DATE	25/02/2021
SCALE	1:500 @ A3
DRAWN	CT/PL
PATH	6/18 MATA PROJECTS\2020\2011-06 TOM'S WHOLESOME FOOD PERTH WA\3 DRAWING\5 SITE PLAN\2021-01-01\DA00.DWG

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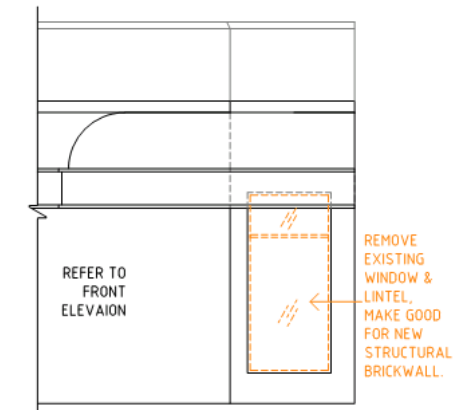
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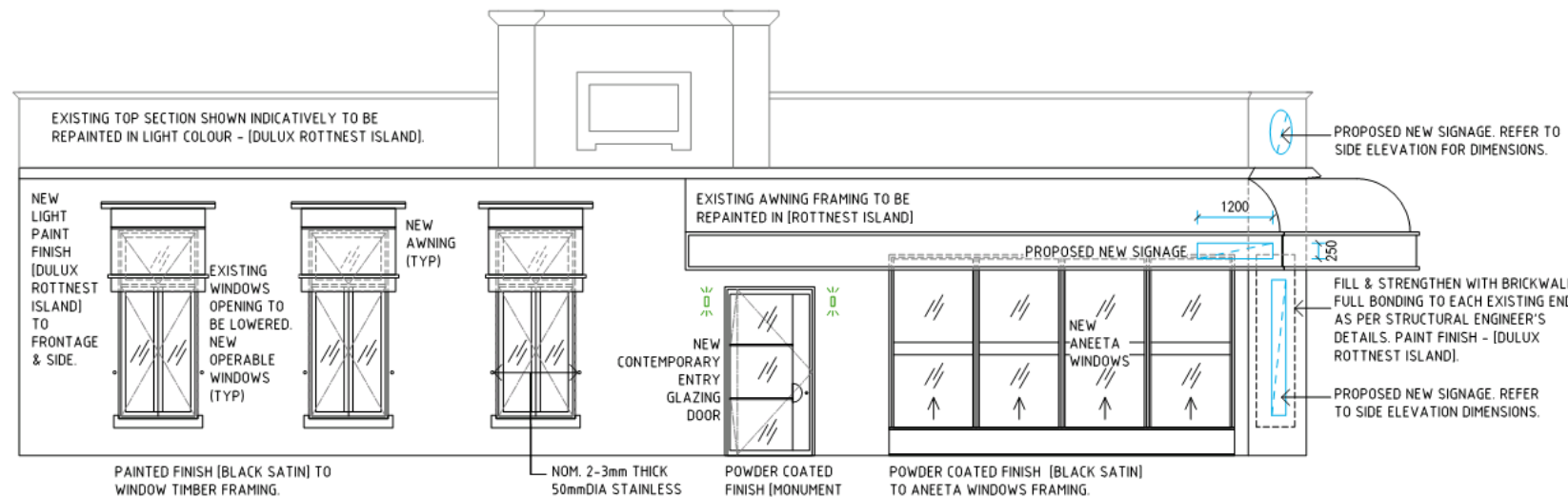




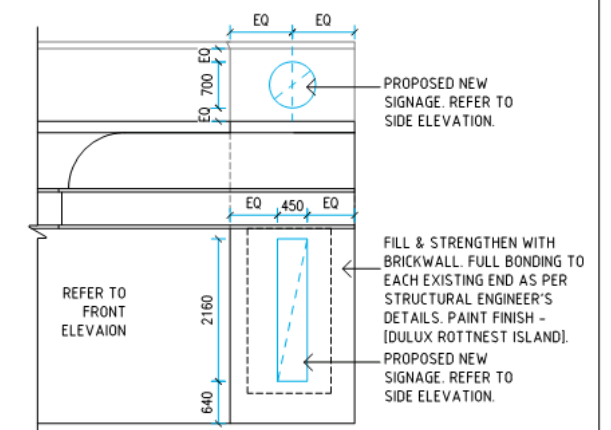
E01 ELEVATION OLD / DEMOLITION
DA02 1:100 FRONTAGE - NORTH



E02	ELEVATION	OLD / DEMOLITION
DA02	1:100	FRONTAGE - WEST



E01 ELEVATION NEW
DA02 1:100 FRONTAGE - NORTH



E02 ELEVATION NEW
DA02 1:100 FRONTAGE - WEST

DATE	REV	ISSUE
23.02.2021	00	ISSUE FOR HERITAGE APPLICATION
25.02.2021	01	ISSUE FOR DEVELOPMENT APPROVAL
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06.04.2021	04	ISSUE FOR DEVELOPMENT APPROVAL
08.04.2021	05	ISSUE FOR DEVELOPMENT APPROVAL



PROJECT	TOM'S WHOLESOME FOOD 290 BEAUFORT ST, PERTH WA 6000
PROJECT NO.	2011-06
PLOT DATE	08/04/2021
SCALE	1:100
PAGE SIZE	A3
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DRAWING	FRONTAGE ELEVATION
DRAWING NO.	/05
DA03	

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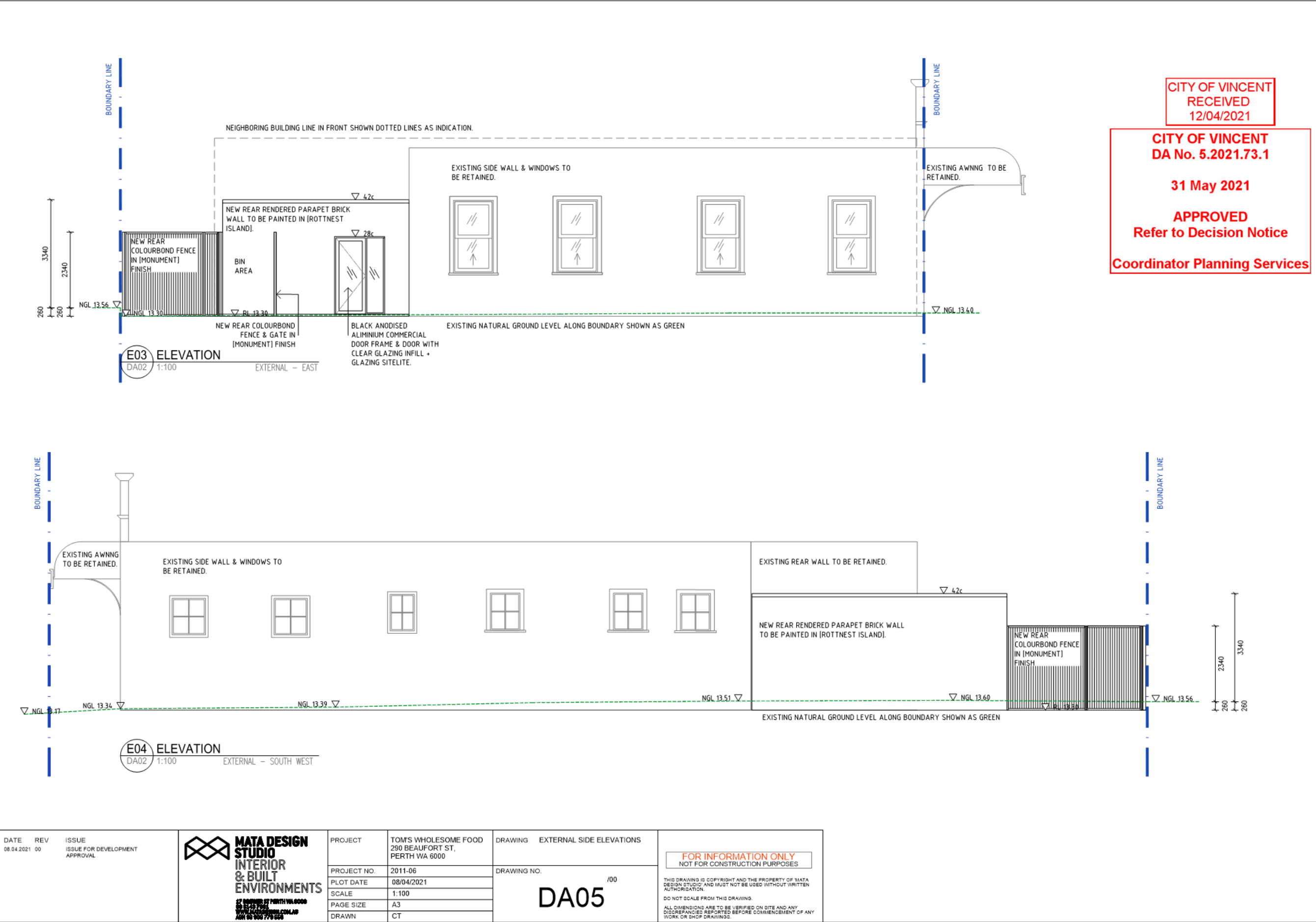
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12/04/2021

CITY OF VINCENT
DA No. 5.2021.73.1

31 May 2021

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Coordinator Planning Services

Summary of Submissions:

The tables below summarise the comments received during the advertising period of the proposal, together with the City's response to each comment.

Comments Received in Support:	Administration Comment:
<ul style="list-style-type: none">• The Small Bar would be a welcome addition and is what is needed for the area to contribute to a vibrant community and provide for employment opportunities.• The proposal would help to address current instances of anti-social behaviour by providing for interaction and activation of the streetscape.• The addition of another Small Bar would activate a quiet area of Perth and create more of a precinct around the Brisbane Hotel.• The nature of the use is consistent with the zoning requirements.• There is ample parking in the area to support the use, as well as easy access to public transport and ride share services.• A Small Bar would have far less impacts from noise and traffic than other larger establishments in the area.	Comments in support are noted.
Comments Received in Objection:	Administration Comment:
<u>Operating Hours</u> Concerned about the possibility of patrons being loud and disorderly until midnight.	The proposed operating hours are consistent with the operating hours of other licenced premises within the locality, including the Brisbane Hotel, as well as the operating hours permitted under the <i>Liquor Control Act 1988</i> . The applicant has also submitted an acoustic report and venue management plan to ensure that noise from patrons would be appropriately managed so as to not impact on the surrounding properties.

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

5.2 CITY OF VINCENT REBOUND PLAN - QUARTERLY UPDATE

- Attachments:**
1. **Vincent Rebound Plan - Implementation Framework** [↓](#) 
 2. **Rebound Roundtable Forward Agenda** [↓](#) 

RECOMMENDATION:

That Council **NOTES** the:

1. **quarterly update on the City of Vincent Rebound Plan implementation included as Attachment 1, and the monthly reporting to the Rebound Roundtable; and**
2. **Rebound Roundtable Forward Agenda included as Attachment 2.**

PURPOSE OF REPORT:

To receive an update on the City of Vincent Rebound Plan implementation and the City's actions to manage, recover and rebound from the COVID-19 pandemic.

BACKGROUND:

On 15 September 2020 at its Ordinary Meeting, Council endorsed the [City of Vincent Rebound Plan](#) (Rebound Plan), as an addendum to the [COVID-19 Relief & Recovery Strategy](#) and noted that the implementation of the Rebound Plan would be reported monthly to the Rebound Roundtable and quarterly to Council.

On 23 March 2021 at its Ordinary Meeting, Council noted the quarterly update on the implementation of the Rebound Plan and that implementation would continue to be reported monthly to the Rebound Roundtable.

The Rebound Roundtable was established 12 August 2020, as a collaborative partnership, and forum to share learning and ideas, between the City, local business representatives and the local Town Teams. The Rebound Roundtable evolved from the Town Team Roundtable which had been established in April 2020, as an online forum to obtain feedback regarding the City's Covid-19 relief and recovery measures.

With the exclusion of January 2021 due to attendee availability, the Rebound Roundtable has met monthly since August 2020 to guide the implementation of the Vincent Rebound Plan – Implementation Framework (Implementation Framework), included as **Attachment 1**. The Implementation Framework addresses the ongoing actions and deliverables for the rebound phase of recovery. To enable specific deliverables to be discussed in detail at the Rebound Roundtable, a Rebound Roundtable Forward Agenda has been prepared and is included as **Attachment 2**.

COVID-19 State of Emergency Directions

At 12.01am on Saturday 24 April 2021 the Perth metropolitan and Peel regions went into a three day lockdown by way of the 'Stay at Home and Closure (Perth, Peel and Rottnest) Directions', issued under the *Emergency Management Act 2005*. Lockdown restrictions included the requirement for all people to stay at home unless working as an essential worker, obtaining essential goods, providing care or support for a relative or exercising under certain conditions.

On Tuesday 27 April 2021 Safe Transition for Western Australia Directions were issued with post lockdown transition restrictions in place until Saturday 1 May 2021. During this time, masks were mandatory when leaving the home, requiring businesses and the community to quickly adapt. The face mask requirement remained in place from Saturday 1 May until Saturday 8 May but was eased to only include public indoor areas, on public transport and outside where physical distancing was not possible.

From Saturday 8 May until Saturday 15 May 2021 mask requirements were eased even further to remain mandated only on public transport and events with a crowd capacity of more than 1,000.

Following this time, Western Australia reverted back to pre-lockdown conditions as experienced prior to 12.01am on Saturday 24 April 2021.

In March 2021, the Western Australian Local Government Association (WALGA) provided an economic briefing which highlighted the Western Australia economy as the fastest of all states to recover, expanding by 1.4 percent during the 2019-20 financial year. This was driven by the successful containment of COVID-19, the strong mining sector and significant levels of State and Commonwealth Government stimulus spending. WA's employment rate has also improved from the June 2020 COVID-19 induced peak of 8.7 percent and stood at 6.2 percent in January 2021. Although the outlook is positive, economic recovery is still fragile and will require further attention.

Western Australia has recorded the country's strongest growth in state final demand at 3 per cent, according to the Australian Bureau of Statistics. The national figure was 1.6 per cent, with Victoria in second place behind WA. The national economy has now exceeded pre-COVID levels after another 1.8 per cent of growth in the first three months of 2021 and has grown 1.1 per cent through the year. Only five other countries have an economy that is larger now than before the pandemic.

DETAILS:

The Rebound Plan is a locally responsive action plan designed to support the City's community and businesses to return to strong economic performance by making it easier to do business in the City, further cutting red tape and supporting initiatives to encourage community connection. It is a living document, updated regularly, allowing for new opportunities and initiatives to be included as they arise. It is tracking the City's economic development and social reconnection initiatives over a 24-month period.

The third quarterly update to Council is outlined through the Implementation Framework included as **Attachment 1**. The highlights from this are summarised below:

- To make it easy to use town centre public spaces and simplify the process to host events and activations (Action 1.1) a pre-approved event space working group was formed in April 2021 and identified actions that the City can implement to provide pre-approved elements for selected event spaces.
- To encourage and support events and activations (Action 1.2), a special events funding round has supported four community events (RTRFM Neon Picnic, Hyde Park Fair, City of Vincent Football Match and Soundscapes at Beatty Park (postponed due to COVID)). The Pickle District also held a very successful art crawl event in May titled After Dark.
- To enhance the presentation of town centres and main streets (Action 1.3), a deep pressure clean of the Leederville Town Centre, William Street Precinct, Mount Hawthorn (The Boulevard to Fairfield Street), Angove Street, Fitzgerald Street and Beaufort Street has been completed this year. Road resurfacing of Cleaver Street in the Pickle District has also been completed with the installation of 5 artlets and planting of 8 street trees in the median.
- To make it easy to get around Vincent and visit town centres and main streets (Action 1.4), the Request for Quote for the Vincent Wayfinding Strategy has been advertised, submissions were assessed in early May, and the preferred consultant was appointed in late May.
- To encourage and promote active transport to visit and shop local (Action 1.5), a Cycle Market was held on 20 March 2021. Learn to Ride and Social Riding cycling courses were held weekly from 10 April to 19 June 2021.
- To enhance the public realm through incorporation of cultural infrastructure and activation (Action 1.6), two public art opportunities have been determined (incorporating feedback from Council, AAG and town teams); a suspended lighting artwork located at the corner of William and Brisbane Streets and a functional artwork located at the corner of Oxford and Newcastle Streets. The Expression of Interest for these opportunities will be presented to Council at its 22 June 2021 Ordinary Council Meeting. Liz Gray's copper artwork was installed in the upstairs administration foyer with a small official launch event on 3 June 2021.
- To improve engagement and communication with local and small business (Action 2.4), the seventh and eighth editions of the Business E-Newsletter have been distributed to 971 local businesses (an expansion from 590 businesses at the last quarterly update).
- To support community groups and sporting clubs to become more sustainable (Action 3.3), the Club Development Plan has commenced being drafted and a Funding Agreement with the Department of Local Government, Sport & Cultural Industries for \$45,000 has been signed.
- To foster wellness by ensuring the community has knowledge of, and access to, services that enhance wellbeing, sense of safety and belonging (Action 3.4), Headspace has delivered a series of workshops to Aranmore College. Information has also been delivered to secondary school students at the Youth Engagement Summit and to over-50s at the LiveLighter Information Day.

In addition to the rebound highlights, there are a number of positive upcoming developments within the Leederville Town Centre including:

- The draft Leederville Precinct Structure Plan, draft Leederville Town Centre Plan and a Local Development Plan for 40 Frame Court are out for public consultation.
- 800 ABN staff are scheduled to move into the new building at 301 Vincent Street this month.
- A 120-seat restaurant on Carr Place by restaurateur, Will Meyrick, is scheduled to open in August.
- The multi-million-dollar refurbishment of The Leederville Hotel is scheduled to open in August and will include a new dining area, bar, shops and kiosks that will open onto the laneway.
- The laneway behind the new ABN building has been named Electric Lane and will incorporate overhead lighting, public art and alfresco dining once complete. Four of the seven tenancies available have been leased (coffee shop, hair studio, restaurant and takeaway shop).

CONSULTATION/ADVERTISING:

The Rebound Plan will continue to be implemented in consultation with the town team community and business representatives through the Rebound Roundtable.

LEGAL/POLICY:

Nil.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to note the implementation of the actions identified in the Rebound Plan.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Connected Community

We have enhanced opportunities for our community to build relationships and connections with each other and the City.

Our community facilities and spaces are well known and well used.

Thriving Places

We are recognised as a City that supports local and small business.

Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.

We encourage innovation in business, social enterprise and imaginative uses of space, both public and private.

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

On 18 August 2020, Council supported the 'Statement of Principles' announced by the Mayors of the C40 Climate Leadership Group with the goal to build a better, more sustainable, more resilient and fairer society out of the recovery from the COVID-19. The Rebound Plan has been considered against the Statement of Principles and has been found to be in alignment.

PUBLIC HEALTH IMPLICATIONS:

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Increased mental health and wellbeing

Mitigate the impact of public health emergencies

FINANCIAL/BUDGET IMPLICATIONS:

The Rebound Plan highlights existing budgeted services, projects and programs.

The actions listed in the Rebound Plan have all been accounted for through the City's approved budget. The relevant funding allocations are referenced against each action in **Attachment 1**. These allocations will be updated following adoption of the City's 2021/22 budget, through the Rebound Plan quarterly update in September.

Under Phase 3 of the Local Roads and Community Infrastructure (LRCI) Program, the City will receive an additional funding allocation of \$541,114. Phase 3 will continue to assist local governments to deliver local road and community infrastructure projects, as well as create local job opportunities particularly where employment in other sectors have been negatively impacted. The funding will be available from 1 January 2022, with construction due to be completed by 30 June 2023. The longer delivery timeframe will allow more time to consider broader scopes and potentially take up larger, more complex builds.

Under Round 1 of the 2021/22 Urban Canopy Grant Program, the City received \$17,320 for tree planting within the Beaufort Street median strip between Bulwer Street and Brisbane Street.

Future initiatives and actions will be subject to Council consideration and/or external grant funding. External grant funding opportunities have and will continue to be sought as opportunities arise.

COMMENTS:

Ongoing engagement with community and business representatives to guide the implementation of the Rebound Plan will support community reconnection, working towards creating more agile and resilient places, and provide ongoing support for businesses to thrive, diversify and start up. This will promote community ownership of the Rebound Plan and ensure it meets the needs and expectations of the community and businesses.

VINCENT REBOUND PLAN – IMPLEMENTATION FRAMEWORK

Table 1. Our Places: Actions and initiatives to create safe, easy to use and attractive, places for people that support social interaction, creativity and vibrancy

Action - what we'll do	Deliverable - how we'll do it	Funding Allocation	Responsible Team(s)	Timing				Status – 15 February 2021	Quarterly Update – 19 May 2021
				2020/21 Jul-Dec	2021/22 Jan-Jun	2020/21 Jul-Dec	2021/22 Jan-Jun		
1.1 Make it easy to use town centre public spaces and simplify the process to host events and activations	• update SpacetoCo booking options and promote free hire of town centre public spaces	\$5,000	Marketing & Partnerships/ Policy & Place	•	•			Completed - SpacetoCo booking options have been updated. Free spaces have been promoted and will continue to be promoted on the City's website and in the Use Public Space to Grow Your Business flipbook.	Completed
	• explore opportunities to create pre-approved event spaces			•	•			Pre-approved event space project working group to be established in mid-March.	A pre-approved event space working group has been formed and met in April, which identified actions that the City can implement to provide pre-approved elements for selected event spaces.
	• streamline events approval processes in consultation with Town Teams to ensure processes are fit for purpose		Built Environment & Wellbeing	•	•			The City's Health Services team has remained agile and responsive to changing requirements around events, as WA continues to adjust to the impacts of COVID-19. This has been a primary focus of the team for the 20/21 'event season' and will continue to be as we move through the summer/spring months. The WA Department of Health is undertaking another review into event management and requirements relating to COVID-19. The City's Environmental Health Officers are working closely with event organisers to ensure they are well informed and are providing advice and guidance where necessary. The Team is responsible for approving low and medium (COVID) risk events.	The City's Place Planners, Health Services and Marketing and Events teams met in April 2021 to discuss Town Centre events and activations. The objective of the group is to explore opportunities to enable an easy and efficient application process for our defined spaces, whilst managing the associated risks of the activity. The group will also work to improve the delivery of information and statutory requirements for events on the City's website so it is in an easy to read and understand format.
1.2 Encourage and support events and activations	• collaborate with Town Teams and community event providers to activate our spaces and places	\$30,000	Marketing & Partnerships		•			Special funding round opened in December 2020, for events being held before 1 July 2021. Major event sponsorship to open March 2021 to support events in the new financial year. Free hire and road closures available for town squares. Free yoga held at Mary Street Piazza in January 2021.	Through the special funding round we've supported four community events. • RTRFM Neon Picnic • Hyde Park Fair • City of Vincent Football Match • Soundscapes at Beatty Park (postponed due to COVID). Major event sponsorship has closed; applicants will be notified in July. Free hire of town squares is still available. The Pickle District town team held After Dark, an art crawl event on 7 May 2021. The initial event application was not approved, but administration staff assisted and worked with the town team to adjust the event details to gain approval. The event was very successful.
1.3 Enhance the presentation of town centres and main streets	• implement and maintain streetscape enhancements including planter boxes, seating, greenery, tree planting, art, positive messaging and lighting	\$220,000	Policy & Place/ Engineering/ Parks	•	•			Leederville Town Centre planter boxes were installed and planted the week of 4 January 2021. The LotteryWest (COVID-19 Relief Fund) EOI for the Cleaver Main Street project was accepted and the City was invited to complete a grant application, which was submitted December 2020. The City is awaiting response from RAC regarding the Transforming Streets and Spaces Trial EOIs submitted November 2020. RAC confirmed the successful application will be confirmed in March 2021.	Currently investigating having the Leederville Town Centre planter boxes anchored to the footpath after an incident of vandalism. The RAC Transforming Streets and Spaces Trial EOIs was highly competitive and the Cleaver Main Street project was not the preferred project in March 2021. The Lotterywest (COVID-19 Relief Fund) criteria changed after the Grant Application was submitted. The application did not strongly align with the updated criteria and the City was notified that the Grant was not successful in April 2021. Cleaver Street road resurfacing and artlets are currently being completed in May 2021, without the additional funding for lighting upgrades.

VINCENT REBOUND PLAN – IMPLEMENTATION FRAMEWORK

Action - what we'll do	Deliverable - how we'll do it	Funding Allocation	Responsible Team(s)	Timing				Status – 15 February 2021	Quarterly Update – 19 May 2021
				2020/21 Jul-Dec	2021/22 Jan-Jun	2020/21 Jul-Dec	2021/22 Jan-Jun		
	<ul style="list-style-type: none"> review town centre street cleaning services including street furniture and pavement cleaning, and graffiti maintenance 	TBC (\$24,000)	Waste & Recycling/ Parks	•	•			<p>The Leederville Town Centre “deep clean” was completed 9-10 February 2021. The William Street Precinct is scheduled for 22-23 February (notices have been delivered to affected businesses/residents). The Waste team are liaising with Place Managers to schedule a further two precincts. A budget increase has been proposed at mid-year, to enable completion of the final 2 precincts.</p>	<p>The following town centre/precinct pavement “deep cleans” have been undertaken YTD:</p> <ul style="list-style-type: none"> Leederville Town Centre (9-10 February - overnight) – Cost: \$6,900 William Street Precinct (22-23 February - overnight) – Cost: \$7,100 Mount Hawthorn (SBR - The Boulevard to Fairfield Street - 26/27 April – overnight) - Cost: awaiting invoice. Angove Street (10-12 May - overnight) - Cost: awaiting invoice. Fitzgerald Street (17-19 May – overnight) - Cost: awaiting invoice. Beaufort Street (scheduled 31 May-2 June - overnight) - Cost: awaiting invoice. <p>The budget was increased at mid-year to allow for all precincts to be “deep cleaned”.</p> <p>Current daily precinct cleaning schedules are inclusive of waste/litter removal, street sweeping (early morning before peak traffic) and graffiti removal at the main precincts and known ‘hot spots’.</p> <p>Additional graffiti removal resources proposed in the 2021-22 budget to facilitate a more proactive inspection and removal schedule in precincts, hotspots and laneways.</p>
1.4 Make it easy to get around Vincent and visit town centres and main streets	<ul style="list-style-type: none"> prioritise parking patrols to ensure the efficient use of available parking to support local businesses 	Nil	Ranger Services	•	•	•	•	<p>Rangers assigned to place based parking patrols, focusing on town centres and activity corridors. Currently considering a parking sensor pilot project to be located within a town centre.</p>	<p>Rangers assigned to place based parking patrols, focusing on town centres and activity corridors.</p> <p>Currently considering a parking sensor pilot project to be located within a town centre. There have been some minor delays, due to COVID, in that the sensors are required to be quarantined as they are being shipped from France.</p>
	<ul style="list-style-type: none"> prepare the Vincent Wayfinding Strategy and implement cycle, signage and car parking improvements 	\$208,000	Policy & Place/ Engineering	•	•	•		<p>The draft project scope and procurement documents have been prepared. The scope will be finalised and an RFQ advertised following feedback on project objectives. It is anticipated a consultant will be appointed in April 2021.</p>	<p>The Wayfinding Strategy RFQ has been advertised. Submissions have been received and evaluated by the Evaluation Panel. The process to appoint the preferred consultant will be complete in May. Phase one (the background analysis, and identification of the gaps, constraints, and opportunities) will begin following the successful appointment.</p>
1.5 Encourage and promote active transport to visit and shop local	<ul style="list-style-type: none"> launch active transport campaign and Learn to Ride, Social Riding and Cycle Training sessions 	\$5,800	Engineering	•	•			<p>The cycling courses will be held again in March/April 2021. A second-hand Cycle Market community event will be held in March 2021.</p>	<p>Cycle Market was held 20 March 2021 in conjunction with charity Bicycles for Humanity. The event was supported by Crime Stoppers Bikelinc and Safer Vincent. Another market will be held in October 2021.</p> <p>Cycling courses for women: Learn to Ride, and Social Riding currently running weekly from 10 April to 19 June.</p>
1.6 Enhance the public realm through improved development outcomes and incorporation of cultural infrastructure and activation	<ul style="list-style-type: none"> investigate opportunities to pursue development incentives for community benefit 	Nil	Policy & Place	•	•	•		<p>Investigation complete. Development incentives for community benefit being considered for inclusion in the draft Leederville Precinct Structure Plan for public advertising.</p>	<p>Development incentives included in draft Leederville Precinct Structure Plan for advertising. Advertising commenced 12 May and concludes 30 June 2021.</p>
	<ul style="list-style-type: none"> complete phase 1 of the COVID-19 Arts Relief Grant funding 	\$151,000	Marketing & Partnerships	•	•			<p>Sarah Chopra's face mask installed on Ken Sealey's Beseech sculpture. Poetry workshops were fully booked and huge success, posters currently being designed to be installed in Lightbox Laneway in March. Locations being confirmed for two sculpture projects. Paula Hart's canopy artwork resulting from community workshops currently in</p>	<p>Medium scale sculptures by Roly Skender and Kate Rae, currently in fabrication, to be installed at Beatty Park Reserve.</p> <p>Liz Gray's 2D copper artwork will be installed in the upstairs administration foyer in the coming weeks with a small launch event on 3 June 2021.</p>

VINCENT REBOUND PLAN – IMPLEMENTATION FRAMEWORK

Action - what we'll do	Deliverable - how we'll do it	Funding Allocation	Responsible Team(s)	Timing				Status – 15 February 2021	Quarterly Update – 19 May 2021
				2020/21 Jul- Dec	2021/22 Jan- Jun	2020/21 Jul- Dec	2021/22 Jan- Jun		
								design development, working towards construction documentation for install in Mount Hawthorn parklet.	Currently speaking with 888 Realty about Tanya Schultz's 'Pip n Pop' installation going into a vacant shopfront in Washing Lane, Northbridge. Leah Grant's EP is complete, almost finished video for first single release and looking into possible live performance/stream event. Nunzio Mondia has finished filming interviews and composing music for his documentary, now in the editing stage.
	<ul style="list-style-type: none"> launch phase 2 (Medium Scale Town Centre Artworks) of the COVID-19 Arts Relief Grant Funding 	\$280,000	Marketing & Partnerships					<p>Draft EOI for Medium Scale Town Centre Artworks and benchmarking document currently being worked up.</p> <p>Draft EOI will be taken to the next Rebound Roundtable and Arts Advisory Group meetings, both scheduled 24 February, for advice and input. Any changes will then be made before presentation at 13 April 2021 Council Workshop.</p>	<p>The Medium Scale Town Centre Artworks project has been renamed 'Arts Rebound: Town Centre Artworks', two public art opportunities have been finalised, incorporating feedback from Council, AAG and town teams, as follows:</p> <ol style="list-style-type: none"> 1. William Street Town Centre: suspended lighting artwork at the corner of William and Brisbane Streets 2. Leederville Town Centre: functional artwork at the corner of Oxford and Newcastle Streets <p>A draft EOI has been circulated to Council members, AAG and relevant town teams for feedback. The EOI will be presented at the 22 June 2021 Ordinary Council Meeting for endorsement to advertise, and then released to the public 30 June 2021 to ensure project completion within the 2021/22 financial year.</p>

Note: Monthly updates included in pink. Draft actions and/or deliverables to be considered for inclusion in Rebound Plan referenced in grey.

VINCENT REBOUND PLAN – IMPLEMENTATION FRAMEWORK

Table 2. Our Businesses: Actions and initiatives to provide a business enabling environment that supports local and small business to innovate and rebound to sustainable economic performance

Action - what we'll do	Deliverable - how we'll do it	Funding Allocation	Responsible Team(s)	Timing				Status – 15 February 2021	Quarterly Update – 19 May 2021
				2020/21	2021/22	Jul-Dec	Jan-Jun		
2.1 Support businesses to innovatively use public space to grow, expand and diversify	<ul style="list-style-type: none"> implement a Parklet Fee Free 24-month Trial as part of the quarterly budget review 	\$3,000	Policy & Place	•				Completed - Parklet Fee Free Trial commenced and promoted. Trial will continue to be promoted on the City's website and in the Use Public Space to Grow Your Business flipbook.	Completed Three parklet enquiries received and two parklets installed since commencement of parklet fee free trial.
	<ul style="list-style-type: none"> create a 'Use Public Space to Grow Your Business' flipbook transition COVID-19 Temporary Parklets to permanent Parklets 			•	•			Draft Use Public Space to Grow Your Business flipbook to be presented at 24 February Rebound Roundtable. Temporary parklets on Oxford Street will remain as temporary due to scheduled road maintenance early in the 2021/22 FY requiring all parklets to be removed. The City will continue to liaise with business owners to prepare for the transition after road maintenance complete.	Flipbook revisions made following February Rebound Roundtable feedback. Revised version circulated to town teams and final update and printing scheduled to be undertaken prior to the end of financial year. Temporary parklets on Oxford Street will remain as temporary due to scheduled road maintenance early in the 2021/22 FY requiring all parklets to be removed. The City will continue to liaise with business owners to prepare for the transition after road maintenance complete.
2.2 Make it easier for businesses to start-up, pivot and co-locate through policy and regulation change and advocacy	<ul style="list-style-type: none"> consider expanding change of use exemptions and land use definitions to provide greater flexibility and certainty for businesses seeking to alter operations or start-up consider the necessity for additional car parking to be provided for a change of use in non-residential areas 	Nil	Policy & Place	•	•			State Government has finalised change of use exemptions that apply to all local governments as of 14 February 2021. The City is now preparing an updated Local Planning Policy: Minor Nature Development to respond to the new regulations for the benefit of our community.	Currently drafting new Minor Nature Development Policy.
	<ul style="list-style-type: none"> advocate to Racing, Gaming and Liquor to streamline the Extended Trading Permit requirements and application process actively identify areas for improvement in the planning, building and health regulatory frameworks and advocate for change 	Nil	Development & Design/ Built Environment & Wellbeing	•	•	•	•	The WAPC has now approved changes to the Planning and Development (Local Planning Scheme) Regulations 2015 which will come into effect 15 February 2021. These changes introduce exemptions for change of use application with many uses now exempt from planning and development approval. The City's website has been updated with guidance for individuals/businesses on Health and Building Approvals that are still necessary, where a Development Approval may now not be required.	Completed The WAPC has approved changes to the Planning and Development (Local Planning Scheme) Regulations 2015 which came into effect 15 February 2021. The City's website has been updated with guidance for individuals/businesses on Health and Building Approvals that are still necessary, where a Development Approval may now not be required.
	<ul style="list-style-type: none"> explore the opportunity to create a 'Start-up Incubator and Community Hub' in response to the Vacancy Project outcomes 	TBC	Policy & Place		•	•		Due to commence early 2021.	The 'Start-up Incubator and Community Hub' project has commenced, and options for Council consideration are being developed.
2.3 Partner with government agencies, third party providers and inner city local governments to support small business and attract visitors and tourism	<ul style="list-style-type: none"> launch and promote Visit Perth Neighbourhood Map and Visit Perth Directory and increase local buy-in and use determine opportunities to deliver small business support in collaboration with the Perth Inner City Working Group (Town of Victoria Park, City of Subiaco, City of Perth and City of South Perth) 	\$20,000	Marketing & Partnerships	•	•	•	•	Visit Perth website content updated with Vincent businesses, events and joint blogs created (Christmas, Lunar New Year, picnic places). Visit your Neighbourhood videos coming mid-2021.	Visit Perth website content updated. First Visit your Neighbourhood video on Mount Hawthorn launched in May.
	<ul style="list-style-type: none"> determine a preferred platform to further develop the COVID-19 established Business Directory continue to engage with the Small Business Development Corporation (SBDC) and promote SBDC initiatives as they arise Work with inner city local governments to identify incentives and support mechanisms to retain and establish creative spaces 	Nil	Policy & Place	•	•	•	•	Preferred platform options including Streets of OurTowns and Visit Perth continuing to be explored. The City was unsuccessful in the EOI to participate in the SBDC Small Business Friendly Approvals Program. Another round will be open later this year for which the City will lodge another application.	Preferred platform options including Streets of OurTowns and Visit Perth continuing to be explored. Currently promoting SBDC events as and when they arise.
2.4 Improve engagement and communication with local and small business	<ul style="list-style-type: none"> distribute quarterly Business E-News and six-month Business Health Check surveys expand the Business E-News database to increase reach 	Nil	Policy & Place	•	•	•	•	Business E-News database expanded from 537 to 590. The fifth edition of the Business E-News, distributed 4 December 2020, included promotion of SafeWA App, Visit Perth, parklet fee free trial, free public spaces, Accessible City Strategy consultation and VendorPanel Marketplace. Sixth edition, distributed 5 February 2021, focused on transition out of lockdown and SafeWA App.	Business E-News database expanded from 590 to 971. The seventh and eighth editions of the Business E-News were distributed, which included the following content.

VINCENT REBOUND PLAN – IMPLEMENTATION FRAMEWORK

Action - what we'll do	Deliverable - how we'll do it	Funding Allocation	Responsible Team(s)	Timing				Status – 15 February 2021	Quarterly Update – 19 May 2021
				2020/21 Jul-Dec	2021/22 Jan-Jun	2020/21 Jul-Dec	2021/22 Jan-Jun		
								In response to the finalisation of the State Government change of use exemptions, information distributed to businesses via postcards and E-News commencing 15 February 2021.	24 April 2021 included promotion of Christmas 2020 Debrief Survey, Event & Festival Sponsorship, Visit Perth, and COVID-19 information. 5 May 2021 included promotion of COVID-19 information, free small business workshops, Visit Perth, small business development, City of Vincent consultations, and Roll up for WA.
2.5 Support local business and drive Support Local and Buy Local campaigns	• continue to use and promote VendorPanel Marketplace to support local businesses and contractors	Nil	Financial Services	•	•	•	•	Procurement training was rolled out to staff in December 2020 and is continuing to be delivered this year. The training includes how to identify and purchase from local suppliers through VendorPanel Marketplace. Further information on buying local has been distributed to staff through the Vintranet and a Vintranet page has been created which highlights the importance of purchasing from local suppliers.	The Procurement Team continues to promote the VendorPanel Marketplace to staff and suppliers. The Coordinator Procurement and Contracts recently met with some providers located in and around the City of Vincent boundary and provided information to them on how to sign up to VendorPanel. Further to this, Contract Management training is being rolled out to staff over May and June and includes information and highlights the importance of contracting local suppliers where possible.
	• consider Christmas shop local campaign, in consultation with Town Teams and in partnership with the City of Stirling and City of Perth	\$8,000	Marketing & Partnerships	•				Visit Perth Christmas shop local campaign developed and delivered in partnership with City of Perth. Additional Christmas blogs developed for City of Vincent website/social media.	Christmas 2020 campaign delivered. Additional shop local messages promoted on an ongoing fashion.
2.6 Improve the customer experience for businesses	• better integrate and connect approvals processes across service units (e.g. planning, building and health) • streamlined approvals processes, supported by information sheets/application requirements and clarity around assessment and process requirements	Nil	Development & Design/ Built Environment & Wellbeing	•	•			Complete - December 2020 saw the launch of 'Start Your Business' page on the City's website, a hub for all approval requirements from planning, building, health to parklets and parking. The page has common business types and all the associated required information.	Completed
	• develop and distribute a 'Business Welcome Pack' including summary info sheets outlining requirements for various approvals, Public Space flipbook and Town Team welcome information	\$3,000	Policy & Place			•	•	The development of individual items to be included in the Business Welcome Pack, such as the Use Public Space to Grow Your Business flipbook and approvals process mapping have commenced. The preparation of the Business Welcome Pack will commence in mid-2021.	The development of individual items to be included in the Business Welcome Pack, such as the Use Public Space to Grow Your Business flipbook and approvals process mapping have commenced. The preparation of the Business Welcome Pack will commence in mid-2021.

Note: Monthly updates included in pink. Draft actions and/or deliverables to be considered for inclusion in Rebound Plan referenced in grey.

VINCENT REBOUND PLAN – IMPLEMENTATION FRAMEWORK

Table 3. Our Community: Actions and initiatives to support an inclusive, empowered, resilient and socially connected community

Action - what we'll do	Deliverable - how we'll do it	Funding Allocation	Responsible Team(s)	Timing				Status – 15 February 2021	Quarterly Update – 19 May 2021
				2020/21 Jul-Dec	2021/22 Jan-Jun	2020/21 Jul-Dec	2021/22 Jan-Jun		
3.1 Celebrate community resilience and build awareness of local community groups, volunteers and sporting clubs to increase participation and membership	<ul style="list-style-type: none"> promote inspirational COVID-19 community stories from sporting clubs, organisations and volunteers, and as part of the Local History Awards and People of North Perth project in collaboration with North Perth Local 	\$1,500	Local History Centre/ Marketing & Partnerships	•	•			Community stories and personal experiences are now being edited and crafted into an audio-visual collage. The interview transcripts will be deposited with the Local History Centre and the final edited product will be presented in the form of a music video/documentary.	<p>People of North Perth stories launched and information distributed to community via post-cards and web: https://www.northperthlocal.org/people-of-north-perth/</p> <p>Local History Award COVID stories promoted in April-June LHA Newsletter and on Vincent Vine. See: https://library.vincent.wa.gov.au/Profiles/library/Assets/ClientData/0832 -LHN April-June SCREEN.pdf</p> <p>Arts Relief Grant – COVID Conversations Film Music Project – we are still working with Nunzio to help transcribe the interviews – these are being deposited with the Local History Centre in slow progression but will not be made public until after his project is formally launched.</p> <p>Display of artwork and paintings by COVID arts relief recipient Jane Coffey in Local History Centre June-July 2021.</p>
	<ul style="list-style-type: none"> facilitate club promotion and education, develop a new regular hirer events calendar and include sporting events and activities in events calendar refocus and relaunch the Vincent Community Support Network 	\$3,000	Marketing & Partnerships	•	•			<p>The development of a regular hirer events calendar for the website has commenced. Once complete, this will be regularly updated to align with the changeover of the sporting season. It will also include regular hirers of the City's community facilities.</p> <p>A review of the Vincent Community Support Network has commenced.</p>	The City's Club Development Coordinator has asked all Clubs for any 'good news' stories so they can be promoted via the City's social media channels.
3.2 Support and promote healthy, active spaces, liveable neighbourhoods and social reconnection	<ul style="list-style-type: none"> engage the community to determine Pop Up Play locations relaunch, promote and showcase Open Streets Events, street activation and Pop Up Play 	\$20,000	Marketing & Partnerships	•	•			Consultation on Edinboro Street Reserve (Mount Hawthorn) Pop Up Play will commence Wednesday 17 February 2021. Children, Youth, Parents Advisory Group have had input. Consultation for Pop Up Play at Leake/Alma Street Reserve and Redfern/Norham Street Reserve will follow.	Consultation on Edinboro Street Reserve (Mount Hawthorn) Pop Up Play completed.
3.3 Support community groups and sporting clubs to become more sustainable and community based initiatives that respond to community need	<ul style="list-style-type: none"> assist groups and clubs to develop attraction and retention strategies and seek funding and grant opportunities prepare and promote tools to aid club development and improve maintenance and lease management to assist club operation 	\$30,000 expense \$15,000 income	Beatty Park Leisure Centre			•	•	The City has been successful in obtaining a grant from the Department of Local Government, Sport & Cultural Industries in the amount of \$45,000 spread over 2 years for Club Development. As part of this funding, tools, templates and workshops will be developed and delivered to local sporting clubs and community groups. This project is in the process of being scoped.	A funding Agreement between DLGSC & the City has been entered into and the City has received the associated funds. A Club Development Plan has commenced, including introductions and communication to all City of Vincent Clubs. The City's Club Development Coordinator is setting up individual meeting with all Clubs to understand what challenges, issues and wins they are having. Also to set up the Club Development Program to provide meaningful service and assistance to all Clubs and their respective committees.
	<ul style="list-style-type: none"> advocate for the continuance of community-based initiatives funded by the Leederville Gardens Trust 	\$3,000	Marketing & Partnerships		•			A review of the funding provided to date, along with the measurable outcomes and deliverables required from each funded organisation, is currently being undertaken to gain an understanding of the benefits to the community.	Some initiatives have been extended and a report will be submitted to the 15 June Ordinary Meeting of Council regarding further variations and extensions requested.
3.4 Foster wellness by ensuring the community has knowledge of, and access to, services that enhance wellbeing, sense of safety and belonging	<ul style="list-style-type: none"> build relationships with local community and wellbeing service providers and increase the visibility of mental health and wellbeing service providers through promotion identify vulnerable cohorts and support the delivery of targeted services and rebound activities that supports segments in need 	Nil	Marketing & Partnerships	•	•	•	•	Relationships with Headspace have been developed and the City has arranged for Headspace to deliver mental health education workshops in local high schools throughout the first semester.	Headspace have delivered a series of workshops at Aranmore College. Information delivered to secondary school students at Youth Engagement Summit and to over 50s at the LiveLighter Information Day.

VINCENT REBOUND PLAN – IMPLEMENTATION FRAMEWORK

Action - what we'll do	Deliverable - how we'll do it	Funding Allocation	Responsible Team(s)	Timing				Status – 15 February 2021	Quarterly Update – 19 May 2021
				2020/21 Jul- Dec	2021/22 Jan- Jun	2020/21 Jul- Dec	2021/22 Jan- Jun		
3.5 Provide opportunities to celebrate an inclusive and socially connected community	<ul style="list-style-type: none"> recognise key Days of Importance by supporting innovative delivery models that align with economic and social outcomes, including celebrating NAIDOC and Youth Week provide targeted funding opportunities, under the COVID-19 Arts Relief Grant, for artists including LGBTQI+, Youth, ATSI and CaLD 	\$85,600	Marketing & Partnerships/ Built Environment & Wellbeing	•	•	•		<p>Christmas decorations were installed in town centres and activities held in town squares, including the Young Peoples Christmas Markets at North Perth Common.</p> <p>Lanterns were installed along William Street to celebrate Lunar New Year.</p> <p>Planning is underway for Youth Week including workshops and a campaign to celebrate local youth heroes</p> <p>In response to COVID-19 and in line with the City's Public Health Plan, the City participated in Random Acts of Kindness Week 14-20 February 2021. The project has involved teams across the City and included the distributing of kindness cards and messaging, flowers, Beatty Park passes, dog bag dispensers, Greening Vincent seed packs, cycle lights, reusable hampers and undertaking planter box planting.</p>	<p>Christmas decorations and Lunar New Year are now complete.</p> <p>Youth Week heroes campaign and Youth Week events held in April.</p>
3.6 Build community capacity to support a resilient community	<ul style="list-style-type: none"> provide upskilling workshops for organisations, students and youths progress towards asset-based community development participation in cross-agency collaborations, networks and working groups to find opportunities for local organisations to partner 	TBC (\$20,000)	Marketing & Partnerships	•	•	•	•	<p>The City has facilitated the development of relationships between local schools and YMCA HQ to promote access to youth workers and case management services. Upskilling workshops for youth, including finances and budgeting, job skills and life skills, are currently being planned.</p>	Youth Forum held as well as financial management workshops for young people.

Note: Monthly updates included in pink. Draft actions and/or deliverables to be considered for inclusion in Rebound Plan referenced in grey.

VINCENT REBOUND PLAN – IMPLEMENTATION FRAMEWORK

Table 4. Our Organisation: Actions and initiatives to create an open, accountable, agile organisation that efficiently and sustainably manages resources and assets

Action - what we'll do	Deliverable - how we'll do it	Funding Allocation	Responsible Team(s)	Timing				Status – 15 February 2021	Quarterly Update – 19 May 2021
				2020/21 Jul-Dec	2021/22 Jan-Jun	2020/21 Jul-Dec	2021/22 Jan-Jun		
4.1 Improve community engagement and support open and transparent communication	<ul style="list-style-type: none"> monthly Rebound Roundtables with local Town Team and business representatives to identify initiatives to support community reconnection and business rebound 	Nil	Policy & Place	•	•	•	•	Rebound Roundtable held 9 December 2020. Next Rebound Roundtable scheduled 24 February 2021. Forward agenda items include: draft Use Public Space To Grow Your Business flipbook; Vibrant Spaces Policy (previously Development on City Owned and Managed Land Policy); and phase 2 COVID-19 Arts Relief Grant Funding (Medium Scale Town Centre Artworks) locations and EOI.	Rebound Roundtable held 24 February, 24 March, 28 April and 26 May 2021. The next scheduled Rebound Roundtable is 30 June 2021. Forward agenda items include: Pre-approved Event Spaces and Streamlined Approvals Processes in June, and Christmas Planning in July.
	<ul style="list-style-type: none"> update website, COVID-19 portal and conduct six-month community surveys to determine overall levels of success with implemented rebound projects and initiatives 	\$3,000	Marketing & Partnerships	•	•	•	•	Website and COVID-19 portal have been well maintained, including fast and accurate communications during the January/February 2021 lockdown period.	Website and COVID-19 Portal revived for April lockdown period.
4.2 Seek external funding to deliver shovel ready projects and rebound initiatives	<ul style="list-style-type: none"> develop and implement an advocacy agenda to attract Federal and State Government and private sector funding or investment in the local economy – including delivery of the East Perth Power Station development 	Nil	Policy & Place	•	•	•	•	Advocacy Agenda update to be presented at Council Workshop in mid-2021.	Advocacy Agenda provided to Council members in March 2021. Progressing items as opportunities arise.
4.3 Provide economic stimulus and sustainably manage resources and assets	<ul style="list-style-type: none"> complete critical works at Beatty Park Leisure Centre including retiling the indoor pool, modernising the change rooms and upgrading electrical and filtration systems expand Beatty Park Leisure Centre operating hours and services as attendance levels and demand increases 	\$2.9mill	Engineering/ Beatty Park Leisure Centre	•	•			<p>Tender for tiling and filtration work awarded at 15 December 2020 OMC and work commenced on demolition works 27 January 2021.</p> <p>City froze Beatty Park memberships during COVID-19 lockdown and maintained employment of casuals.</p> <p>Proposal to upgrade indoor children's slide was approved by Council in February 2021.</p> <p>Aboriginal artist will be commissioned for artwork on indoor pool tiles. RFQ is being prepared.</p>	<p>All work progressing well despite additional shutdown in April. Still anticipating end of July for completion of major work.</p> <p>City again froze Beatty Park memberships during COVID-19 April lockdown and restrictions and maintained employment of casuals.</p> <p>Pool slides were ordered and Aboriginal Artist (Seantelle Walsh) appointed for the indoor pool tile artwork.</p>

Note: Monthly updates included in pink. Draft actions and/or deliverables to be considered for inclusion in Rebound Plan referenced in grey.



CITY OF VINCENT

Rebound Roundtable Forward Agenda

City of Vincent, 244 Vincent Street Leederville + Zoom

January - November 2021

Date	Action/Agenda Item	Topic	Participation
January – March 2021 <i>Note:</i> <i>Via Email/ Survey</i>	2.5 Support local business and drive Support Local and Buy Local campaigns <ul style="list-style-type: none"> consider Christmas shop local campaign, in consultation with Town Teams and in partnership with the City of Stirling and City of Perth 3.5 Provide opportunities to celebrate an inclusive and socially connected community <ul style="list-style-type: none"> recognise key Days of Importance 	Christmas Debrief	Town Team Business/Event/Activation Representative(s) CoV Council Members/ Marketing & Partnerships/ Policy & Place
24 February 2021	2.1 Support businesses to innovatively use public space to grow, expand and diversify <ul style="list-style-type: none"> create a 'Use Public Space to Grow Your Business' flipbook 1.6 Enhance the public realm through improved development outcomes and incorporation of cultural infrastructure and activation launch phase 2 (Medium Scale Town Centre Artworks) of the COVID-19 Arts Relief Grant Funding	Draft Flipbook, Development on City Owned and Managed Land Policy, Draft EOI and Locations for Medium Scale Town Centre Artworks	Town Team Streetscape/Design Representative(s) CoV Council Members/ Marketing & Partnerships/ Policy & Place/
24 March 2021	1.2 Encourage and support events and activations <ul style="list-style-type: none"> collaborate with Town Teams and community event providers to activate our spaces and places 3.5 Provide opportunities to celebrate an inclusive and socially connected community <ul style="list-style-type: none"> recognise key Days of Importance by supporting innovative delivery models that align with economic and social outcomes, including celebrating NAIDOC and Youth Week 	External Funding Opportunities and City of Vincent Grant Funding Overview	Town Team Movement/Town Team Business/ Streetscape/Design Representative(s) CoV Council Members/ Marketing & Partnerships/ Policy & Place
28 April 2021	1.3 Enhance the presentation of town centres and main streets <ul style="list-style-type: none"> implement and maintain streetscape enhancements including planter boxes, seating, greenery, tree planting, art, positive messaging and lighting review town centre street cleaning services including street furniture and pavement cleaning, and graffiti maintenance 	Streetscape Improvements and Maintenance	Town Team Business/ Streetscape/Design Representative(s) CoV Council Members/ Policy & Place/Engineering/ Waste/Parks
26 May 2021 <i>Note:</i> <i>Town Team Wayfinding Strategy engagement to occur ahead of May 2021.</i> <i>Engagement dates TBC.</i>	1.4 Make it easy to get around Vincent and visit town centres and main streets <ul style="list-style-type: none"> prioritise parking patrols to ensure the efficient use of available parking to support local businesses prepare the Vincent Wayfinding Strategy and implement cycle, signage and car parking improvements 1.5 Encourage and promote active transport to visit and shop local <ul style="list-style-type: none"> launch active transport campaign 	Smoke-free Town Centres and Vincent Wayfinding Strategy and Accessibility	Town Team Business/ Streetscape/Design Representative(s) CoV Council Members/ Policy & Place/ Health Services/ Engineering (Active Transport)
30 June 2021	1.1 Make it easy to use town centre public spaces and simplify the process to host events and activations <ul style="list-style-type: none"> explore opportunities to create pre-approved event spaces streamline events approval processes in consultation with Town Teams to ensure processes are fit for purpose 	Pre-approved Events Spaces and Streamlined Approvals Processes	Town Team Event/Activation Representative(s) CoV Council Members/ Policy & Place/ Marketing & Partnerships/ Built Environment & Wellbeing
28 July 2021	2.5 Support local business and drive Support Local and Buy Local campaigns <ul style="list-style-type: none"> consider Christmas shop local campaign, in consultation with Town Teams and in partnership with the City of Stirling and City of Perth 3.5 Provide opportunities to celebrate an inclusive and socially connected community <ul style="list-style-type: none"> recognise key Days of Importance 	Christmas Planning	Town Team Business/Event/Activation Representative(s) CoV Council Members/ Marketing & Partnerships/ Policy & Place



January - November 2021

Date	Action/Agenda Item	Topic	Participation
25 August 2021	1.4 Make it easy to get around Vincent and visit town centres and main streets <ul style="list-style-type: none"> prepare the Vincent Wayfinding Strategy and implement cycle, signage and car parking improvements 	Vincent Wayfinding Strategy Background Analysis & Opportunities & Constraints Presentation	Town Team Business Representative(s) CoV Council Members/ Marketing & Partnerships/ Policy & Place/
22 September 2021	2.2 Make it easier for businesses to start-up, pivot and co-locate through policy and regulation change and advocacy <ul style="list-style-type: none"> explore the opportunity to create a 'Start-up Incubator and Community Hub' in response to the Vacancy Project outcomes 3.4 Foster wellness by ensuring the community has knowledge of, and access to, services that enhance wellbeing, sense of safety and belonging <ul style="list-style-type: none"> build relationships with local community and wellbeing service providers and increase the visibility of mental health and wellbeing service providers through promotion identify vulnerable cohorts and support the delivery of targeted services and rebound activities that supports segments in need 	Start-Up Incubator and Community Hub and Mental Health & Wellbeing	Town Team Business Representative(s) CoV Council Members/ Marketing & Partnerships/ Policy & Place
27 October 2021	2.3 Partner with government agencies, third party providers and inner city local governments to support small business and attract visitors and tourism <ul style="list-style-type: none"> determine a preferred platform to further develop the COVID-19 established Business Directory continue to engage with the Small Business Development Corporation (SBDC) and promote SBDC initiatives as they arise Work with inner city local governments to identify incentives and support mechanisms to retain and establish creative spaces 	Business Directory, Small Business Development Corporation and Supporting Creative Spaces	Town Team Event/Activation Representative(s) CoV Council Members/ Marketing & Partnerships/ Policy & Place
24 November 2021	2.1 Support businesses to innovatively use public space to grow, expand and diversify 2.6 Improve the customer experience for businesses <ul style="list-style-type: none"> streamlined approvals processes, supported by information sheets/application requirements and clarity around assessment and process requirements develop and distribute a 'Business Welcome Pack' including summary info sheets outlining requirements for various approvals, Public Space flipbook and Town Team welcome information 	Business Welcome Pack	Town Team Economic Development Representative(s) CoV Council Members/ Marketing & Partnerships/ Built Environment & Wellbeing/ Development & Design/ Policy & Place

5.3 ARTS REBOUND: TOWN CENTRE ARTWORKS

Attachments: 1. **Arts Rebound: Town Centre Artworks Expression of Interest**  

RECOMMENDATION:

That Council ENDORSES the Arts Rebound: Town Centre Artworks Expression of Interest included as Attachment 1, for the purpose of advertising.

PURPOSE OF REPORT:

To consider endorsing the Arts Rebound: Town Centre Artworks Expression of Interest (EOI) for the purposes of advertising.

BACKGROUND:

On 30 March 2020 at its Special Council Meeting, Council approved the establishment of an Arts Relief Working Group, with the purpose of providing advice to the COVID-19 Relief and Recovery Committee (Committee) or Council. At this time, Council also approved \$500,000 from the City's Percent for Art cash-in-lieu reserve to be used to develop projects that provide local artists and creative industries relief from the impact of COVID-19. These projects are collectively referenced as the COVID-19 Arts Relief project.

On 15 September 2020 at its Ordinary Meeting, Council endorsed the City of Vincent Rebound Plan (Rebound Plan), as an addendum to the COVID-19 Relief & Recovery Strategy. The Rebound Plan included *Action 1.6 - Enhance the public realm through improved development outcomes and the incorporation of cultural infrastructure and activation* and the following associated deliverables:

- *complete phase 1 of the COVID-19 Arts Relief Grant funding; and*
- *launch phase 2 (Major Public Artwork) of the COVID-19 Arts Relief Grant funding.*

On 27 October 2020, a draft EOI document for phase 2 (Major Public Artwork) of the COVID-19 Arts Relief Grant funding was presented at Council Workshop for feedback prior to being further developed with the Arts Relief Working Group.

On 1 December 2020, Item 7.2 Arts Relief Working Group – Closure Report was presented to the Committee. The Committee determined as follows:

- “3. *APPROVES the amendment of the action entitled “Launch Phase 2 (Major Public Artwork) of the COVID-19 Arts Relief Grant funding” in the City of Vincent Rebound Plan, to “Launch Phase 2 (Medium Scale Town Centre Artworks) of the COVID-19 Arts Relief Grant funding”.*
4. *REQUESTS Administration to prepare an EOI with proposed locations for the Medium Scale Town Centre Artworks, with advice from the Arts Advisory Group, for presentation to Council no later than March 2021.”*

On 24 February 2021, a draft EOI for the medium scale town centre artworks, including proposed locations, was presented to the Rebound Roundtable and the Arts Advisory Group (AAG). Based on feedback received the draft EOI was updated and presented at the 13 April 2021 Council Workshop. Following feedback, the draft EOI was further refined and the project name updated from ‘Phase 2 (Medium Scale Town Centre Artworks) COVID-19 Arts Relief Grant funding’ to ‘Arts Rebound: Town Centre Artworks’.

In May 2021 the Rebound Plan was updated to reflect the new project name and the revised draft EOI was provided to the AAG and relevant town teams, this was further discussed at the 19 May 2021 AAG meeting. Final feedback was received, incorporated, and the resulting EOI is included as **Attachment 1**.

DETAILS:

The EOI included as **Attachment 1**, was developed in consultation with the Rebound Roundtable and AAG. Based on feedback received during consultation, it was determined that artwork of a medium size and scale, suitable for locating in the City's town centres, would cost upwards of \$80,000.

Since the inception of the COVID-19 Arts Relief project, \$151,373 of the Percent for Art cash-in-lieu reserve has been committed and \$400,243 currently remains uncommitted. The remaining uncommitted amount includes recently received contributions.

Artwork Locations

The suburbs of Mount Lawley, Highgate, West Perth and Mount Hawthorn were discounted as potential artwork locations due to insufficient funds being attributed to these areas in the Percent for Art cash-in-lieu reserve.

North Perth was discounted as a potential artwork location in this instance as the City has recently invested in a significant amount of artwork in North Perth, including the 'Rings' artwork delivered as part of North Perth Common, and because of the potential to accrue future contributions attributed to North Perth, to deliver a larger scale artwork in the future.

Artwork Budget

The Percent for Art cash-in-lieu reserve currently includes \$80,173 attributed to the suburb of Leederville and \$222,008 attributed to the suburb of Perth.

It is proposed \$80,000 is allocated to the Leederville Town Centre artwork, located in the suburb of Leederville, and \$200,000 is allocated to the William Street Town Centre artwork, located in the suburb of Perth.

CONSULTATION/ADVERTISING:

The AAG and Rebound Roundtable, including the relevant town teams, have been consulted at various stages during the development of the draft EOI and feedback from these groups has significantly influenced the final EOI.

If endorsed for advertising, the EOI is scheduled to be released 30 June 2021.

LEGAL/POLICY:

- Policy No. 3.10.7 – Art Collection;
- Policy No. 3.10.8 – Public Art; and
- Policy No. 7.5.13 – Percent for Art Policy.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to endorse and advertise an EOI for public artwork commissions.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Connected Community

An arts culture flourishes and is celebrated in the City of Vincent.

We have enhanced opportunities for our community to build relationships and connections with each other and the City.

Our many cultures are celebrated.

We recognise, engage and partner with the Whadjuk Noongar people and culture.

We are an inclusive, accessible and equitable City for all.

Thriving Places

Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.

Sensitive Design

Our built form character and heritage is protected and enhanced.

Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*. However, the EOI in multiple locations instructs applicants to use materials that are durable and weatherproof, and to design artworks that require minimal ongoing maintenance.

PUBLIC HEALTH IMPLICATIONS:

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Increased mental health and wellbeing

Increased physical activity

Artworks in the public realm not only increase vibrancy and improve the experience of the area, but can also increase the mental health and wellbeing of users particularly when the artwork expresses the context, heritage and culture of the area as well as the people who live, work and play there. When people can identify with public artworks and spaces it creates a sense of belonging and connectivity. The EOI outlines the necessity of these objectives.

FINANCIAL/BUDGET IMPLICATIONS:

The proposed project budget is \$280,000. This includes \$80,000 allocated to the Leederville Town Centre artwork, from the \$80,173 currently attributed to Leederville in the Percent for Art cash-in-lieu reserve, and \$200,000 allocated to the William Street Town Centre artwork, from the \$222,008 that is currently attributed to Perth in the Percent for Art cash-in-lieu reserve.

COMMENTS:

The City of Vincent recognises that COVID-19 has had and will continue to have a significant impact on the City's arts community. Artists perform a vital role in Vincent and have provided immeasurable value to our communities. This project aims to support Vincent's local arts industry and the broader Vincent community by delivering public realm artworks which encourage and support social interaction, creativity and vibrancy.



CITY OF VINCENT

ARTS REBOUND: TOWN CENTRE ARTWORKS

PUBLIC ART COMMISSION

Expression of Interest

30 June 2021

VINCENT.WA.GOV.AU

ACKNOWLEDGMENT OF COUNTRY

The City of Vincent acknowledges the Traditional Owners of the land, the Whadjuk people of the Noongar nation and pay our respects to Elders past, present and emerging.

We recognise the unique and incomparable contribution the Whadjuk people have made and continue to make to our culture and in our community. We will continue to seek the input of the Traditional Owners.

The land on which we live, meet and thrive as a community always was and always will be Noongar land.

Noongar people are the Traditional Owners of the South West of Western Australia. While Noongar is identified as a single language there are variations in both pronunciation and spelling – Noongar, Nyungar, Nyoongar, Nyoongah, Nyungah, Yungar and Noonga. The City of Vincent uses ‘Noongar’ which is reflected throughout this document except when specifically referring to an external organisation that utilises alternative spelling.

Warning: Aboriginal and Torres Strait Islander readers are advised that this document may contain references to, or images of, people who are now deceased.

EOI SUBMISSION SUMMARY

1. CLOSING TIME AND DATE

4.00PM (AWST) WEDNESDAY,
11 AUGUST 2021
- ENQUIRIES:

Lauren Formentin, Place Planner - Pickle District (Arts)
lauren.formentin@vincent.wa.gov.au | 9273 6000
2. SUBMISSION DETAILS

Submissions to be emailed
in pdf format. Please make
an enquiry if you only able to
submit a hardcopy.
- SUBMISSIONS:

Procurement Team
Procurement@vincent.wa.gov.au

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PROJECT OVERVIEW

INTRODUCTION

The City of Vincent recognises that COVID-19 has had and will continue to have a significant impact on the City's arts community. Artists perform a vital role in Vincent, and have provided immeasurable value to our communities. This initiative forms part of the Vincent Rebound Plan, a plan which guides a suite of actions to recover and bounce back from the COVID-19 pandemic.

The Arts Rebound - Town Centre Artworks project is outlined in the Vincent Rebound Plan and includes the commission of one public artwork in William Street Town Centre and one public artwork in Leederville Town Centre. The project aims to support Vincent's local arts industry and the broader Vincent community by delivering public realm artworks which encourage and support social interaction, creativity and vibrancy.

The project is to be funded utilising the City's Percent for Art Cash-in-lieu Reserve fund which has been collected from cash-in-lieu payments inline with the City's Percent for Art Policy. The policy recognises that building developments which increase the amount of people using the City of Vincent to live, work, and play creates an increased need for high-quality public art and spaces. The commission money available represents the cash contributions of Developers who have recognised the need for public art in our communities.

The City invites artists and creatives, either individually or in teams, to submit Expressions of Interest for one or both of the public art opportunities. Expressions of Interest must be submitted by 4pm on Wednesday 11 August 2021.

APPLICANT ELIGIBILITY

Artists or artist teams that wish to apply must include at least one team member that meets a minimum of two of the following criteria:

- Has a tertiary qualification in the visual arts, or other applicable art forms such as multimedia;
- Has experience exhibiting and selling artwork at reputable art galleries;
- Is represented in major public collections;
- Earns more than 50% of their income from arts related activities such as teaching or public art commissions;
- Can demonstrate a significant body of previous completed public art commissions and works; or
- Is an Indigenous artist.

The City of Vincent understands that the above criteria can be difficult to meet, and encourages those who may not meet the criteria to form artist teams with someone who does – and similarly, encourages established artists to collaborate with emerging artists. As you will see below, artist teams will be looked upon favourably for this project as the City would like to support more than two artists through this initiative.

The following eligibility criteria is not essential, but will be favoured.

- Artist teams;
- Demonstrated ongoing connection to the City of Vincent's artistic community by being: an individual who either is a Vincent resident, owns/leases a studio or workspaces within Vincent, or has a record of producing artwork in Vincent; or
- An arts, culture or creative organisation that has a business address within Vincent, or conducts work within Vincent.

COMMUNITY ENGAGEMENT REQUIREMENTS

The City of Vincent envisages the commissioned artwork to have a high level of community investment. In order for the City to maintain a certain level of engagement with local residents on this project, the **shortlisted artists** will be required to:

- Listen to and consider the perspectives of the Community Panel at the Artist Briefing session;
- Attend a site visit with the Arts Officer, Place Planner, local Town Team representative and the City's Senior Librarian from the Local History Centre to walk around the area and discuss context; and
- Conduct their own research into the location and community while developing their concept design proposals.

In addition, the **successful artists** commissioned for the project will be required to:

- Be available for media opportunities at key points throughout the process, or when they arise;
- Provide photo opportunities and information throughout the development and fabrication process; and
- Present an Artist talk post-completion.

VISION AND GUIDING PRINCIPLES

In August 2018, the City endorsed the *Arts Development Action Plan 2018-2020*, underpinned by the vision to 'embed creativity in everything we do, to make Vincent the arts capital of Perth'. The Plan recognises the power of high-quality public art to create and reflect strong artistic communities, and increase the artistic literacy of all community members. The City continues to seek public artworks that play a role in creating a vibrant and thriving city and a sense of belonging.

The artwork should demonstrate innovation and a high level of artistic integrity. It should enhance the surroundings of its location, and have a visible presence both during the day and night. Materials should be durable and weather-proof, and should not require excessive maintenance. The artwork should spark conversations and be a talking point in the community.

The City of Vincent's Public Art Policy includes the following objectives:

- Develop and promote the community identity of Vincent;
- Increase the social, cultural and economic values within the Vincent community;
- Engage with the community in a way that contributes to their understanding of the spaces and places they inhabit;
- Celebrate and acknowledge cultural and social diversity through the encouragement of art; and
- Enrich our public spaces.

Applicants are also encouraged to review the following City of Vincent documents to ensure that proposed public artworks are in alignment with the City's strategies and desired outcomes:

- *Strategic Community Plan 2018-2028*
- *Accessible City Strategy 2020-2030*

ARTWORK OPPORTUNITY 1: WILLIAM STREET TOWN CENTRE



ARTWORK LOCATION SITE PLAN

LOCATION

The intersection of William and Brisbane Streets in Northbridge has been identified as an ideal location for public art within William Street Town Centre.

An artwork at this site will have great visibility with high pedestrian, bicycle and vehicular traffic through the day and night. The identified area is also owned and/or managed by the City of Vincent, and has access to power.

Applicants are invited to design a suspended artwork that sits above this bustling intersection. The work must incorporate lighting in some way for a night time presence.

Located at the northern boundary of the main retail and culinary centre of Northbridge, this public artwork will be a statement of its place and will become synonymous with the town centre.



VIEW OF THE WILLIAM STREET AND BRISBANE STREET INTERSECTION FACING SOUTH



VIEW OF THE WILLIAM STREET AND BRISBANE STREET INTERSECTION FACING EAST

ARTWORK OPPORTUNITY 1: WILLIAM STREET TOWN CENTRE

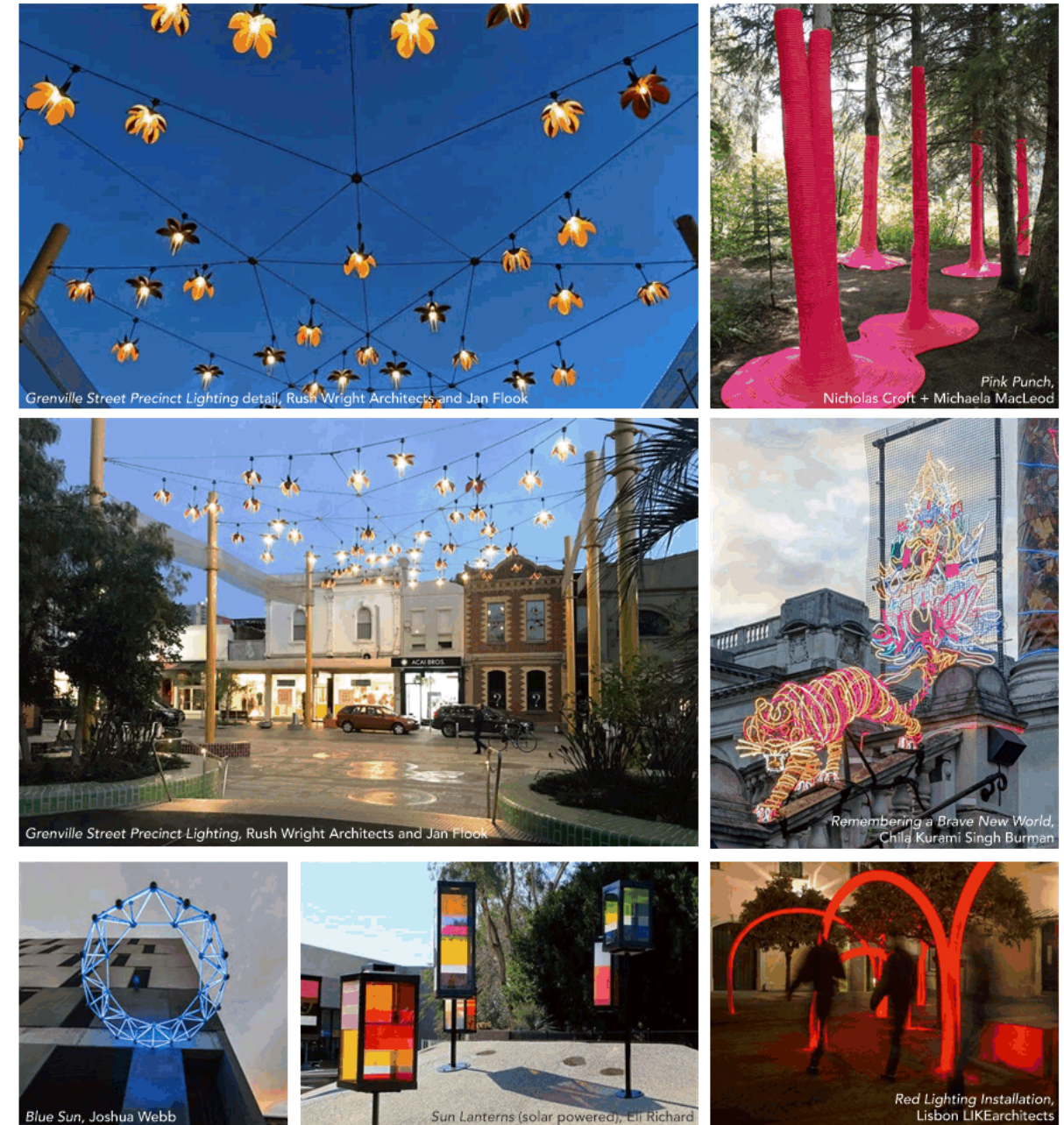


WILLIAM STREET TOWN CENTRE, PHOTOGRAPHY BY JESSICA WYLD 2020

SITE CONTEXT

Connecting the City of Vincent to Northbridge and the Perth CBD, William Street is Vincent's most demographically diverse town centre. Today this precinct houses an eclectic mix of boutiques, arts venues, accommodation, eateries, bars and nightclubs, and has a buzzing nightlife. Northbridge is known for its wide range of culturally diverse restaurants, ranging from Middle Eastern to European and Asian culinary offerings.

The area defined as William Street Town Centre is the stretch of William Street bound by Newcastle and Brisbane Streets, as shown in the map. Much of the building stock is late nineteenth and early twentieth century and large parts of the area have aesthetic and historic value. Stylish built form, strong urban design, rich cultural heritage and strategic location in proximity to the City are key characteristics of the area.



EXAMPLES OF PUBLIC ART FOR INSPIRATION

ARTWORK CONSIDERATIONS

- Budget: \$200,000 + GST
Details on exactly what this budget must cover is outlined on page 19
- Artwork Type:
- Suspended artwork that incorporates lighting
 - Artwork must have a presence in the daylight and night time
 - Artwork does not need to span full intersection, size should be determined according to project limitations, particularly budget
 - Materials should be durable and weather-proof, and should not require excessive maintenance

ARTWORK OPPORTUNITY 1: WILLIAM STREET TOWN CENTRE



Luminous, Geoffrey Drake-Brockman



Lantern (1 of 4 along William St), Stuart Green



Mural by Matthew Wong

EXISTING PUBLIC ARTWORKS IN SURROUNDING AREA

CURATORIAL THEME

Themes explored in the artwork are to stem from William Street Town Centre's heritage, context and character. Some information has been provided at the end of this document, but applicants are encouraged to use it as inspiration and a starting point for further research.

Being a suspended lighting artwork in this specific location, the artwork must explore and/or respond to the theme of lanterns. William Street is a melting pot of cultures from around the world. The lanterns could respond to the mix of past or existing cultures and/or public artworks in the William Street area

Shortlisted applicants will be required to attend a walk around the town centre with Vincent's Arts Officer, Place Planner, Town Team representative and Senior Library Historian to gain a full understanding of the area.

The resulting public artwork will be site-specific and aesthetically fitting within its context, telling a story about or referencing an aspect of the site in an artistic way.



Mural by Yok + Sheryo



Detail of mural by Matthew Wong (left),
Mural by Simon Baker (right)

EXISTING PUBLIC ARTWORKS IN SURROUNDING AREA

ARTWORK OPPORTUNITY 2: LEEDERVILLE TOWN CENTRE



ARTWORK LOCATION SITE PLAN

LOCATION

There are two available locations for public artwork, right in the heart of Leederville Town Centre by the intersection of Oxford and Newcastle Streets.

This small stretch of Newcastle Street between Carr and Oxford Streets was launched as the Leederville Village Square after the City of Vincent undertook construction works in 2019. The idea was brought to the City by Leederville Connect and involved, among other things, paving the street and raising it to footpath level. The updated design provides a pedestrian friendly space for vehicles, cyclists and pedestrians to share, that can easily be closed off and utilised for community events.

An artwork installed at these sites will therefore be a part of such festivals and community events, in addition to the everyday experience. The identified area is also owned and/or managed by the City of Vincent, and has access to power.

The first location is the wide path that wraps around Grill'd. Applicants are invited to design a sculptural artwork that also functions as a seat or bench. Lighting should also be considered to ensure a day and night presence.

The second location is the median strip, highlighted in the plan above. With the median strip now at street level there has been a recurrence of cars parking here, which is unsafe. This is an opportunity for applicants to design a sculptural work that deters parking on the median strip, whilst still allowing easy movement of pedestrians and cyclists. Lighting should also be considered to ensure a night time presence as well as day.



OXFORD STREET AND NEWCASTLE STREET INTERSECTION FACING EAST



VIEW OF GRILL'D, THE LEEDERVILLE HOTEL AND NEWCASTLE STREET MEDIAN



VIEW OF LEEDERVILLE VILLAGE SQUARE

ARTWORK OPPORTUNITY 2: LEEDERVILLE TOWN CENTRE



LEEDERVILLE TOWN CENTRE, PHOTOGRAPHY BY JESSICA WYLD 2020

SITE CONTEXT

Oxford Street is the spine that runs through Leederville Town Centre, stretching north from Leederville Parade to Bourke Street. The town centre also includes areas back from Oxford Street, and is largely bound east-west by Leederville Parade and Loftus Street as shown in the map.

Retaining the existing character and contributing towards a high quality public realm for people is a top priority for Leederville.

The Leederville Town Centre consists of a unique mix of retail, civic uses, restaurants, bars and residential dwellings which all function in a cohesive environment, and flourish together as one mix-used suburb. While some suburbs in Perth's inner-city ring have gentrified over time, Leederville has retained a grungy working class feel and has developed a unique, vibrant and youthful atmosphere.

ARTWORK CONSIDERATIONS

Budget: \$80,000 + GST

Details on exactly what this budget must cover is outlined on page 19

- Artwork Type:
- Grill'd corner path: sculptural work that functions as a seat or bench
 - Median strip: sculptural work that deters parking on median strip
 - Artwork must have a presence in the daylight and night time, consider lighting
 - Materials should be durable and weather-proof, and should not require excessive maintenance



Meander Night Glow, Fuko Nara



The Adventurer, Gabriel Lester



Mutualities, Penelope Forlano



Mangrove Poem, Emily Floyd

EXISTING EXAMPLES OF PUBLIC ART FOR INSPIRATION

ARTWORK OPPORTUNITY 2: LEEDERVILLE TOWN CENTRE



LEEDERVILLE TOWN CENTRE, PHOTOGRAPHY BY JESSICA WYLD 2020

CURATORIAL THEME

Themes explored in the artwork are to stem from Leederville Town Centre's heritage, context and character. Some information has been provided in this document, but applicants are encouraged to use it as inspiration and a starting point for further research.

Shortlisted applicants will be required to attend a walk around the town centre with Vincent's Arts Officer, Place Planner, Town Team representative and Senior Library Historian to gain a full understanding of the area. The resulting public artwork will be site-specific and aesthetically fitting within its context, telling a story about or referencing an aspect of the site in an artistic way.



LEEDERVILLE TOWN CENTRE, PHOTOGRAPHY BY JESSICA WYLD 2020

PROJECT TIMELINE

The following program outlines the indicative timeline for the Arts Rebound: Town Centre Artworks project.

EXPRESSION OF INTEREST	CONCEPT DESIGN PROPOSAL	DESIGN DEVELOPMENT
<p>EOI RELEASED: Wednesday 30 June, 2021.</p> <p>EOI SUBMISSIONS DUE: 4pm Wednesday 11 August, 2021. (6 weeks)</p> <p>City of Vincent undertakes evaluation of the submissions and shortlists two to three for each artwork opportunity.</p> <p>Applicants notified of outcome by Monday 30 August, 2021.</p> <p>Shortlisted applicants sent draft artist contracts and any feedback or guidance in response to EOI submission.</p>	<p>COMMENCES: Monday 30 August, 2021.</p> <p>CDP SUBMISSIONS DUE: 4pm Friday 1 October, 2021. (5 weeks)</p> <p>Artist Briefing Session (including short presentations from key community stakeholders) on Tuesday 31 August, 2021.</p> <p>Site visit with Arts Officer, Senior Library Historian, Place Planner and local Town Team representative to gain full understanding of area's context on Wednesday 1 September, 2021.</p> <p>Artists present CDPs to Assessment Panel from Monday 4 October to Wednesday 6 October, 2021.</p> <p>City of Vincent undertakes evaluation of submissions and comes to a decision on successful applicant(s) for each artwork opportunity.</p> <p>Applicants notified of outcome by Monday 11 October, 2021.</p> <p>Successful artists provided any feedback or guidance in response to CDP submission, contracts executed by Monday 18 October,</p>	<p>COMMENCES: Monday 18 October, 2021.</p> <p>SUBMISSIONS DUE: 4pm Wednesday 15 December, 2021. (8 weeks)</p> <p>Artists can maintain regular contact with City of Vincent staff to ensure design development is on track and to clarify any queries.</p> <p>Design Development submission reviewed by City of Vincent, any feedback provided by Wednesday 5 January, 2022.</p>

CONSTRUCTION DOCUMENTATION	FABRICATION	INSTALLATION AND COMPLETION
<p>COMMENCES: Wednesday 5 January, 2022.</p> <p>EOI SUBMISSIONS DUE: 4pm Wednesday 9 February, 2022. (5 weeks)</p> <p>Artists can maintain regular contact with City of Vincent staff to ensure design development is on track and to clarify any queries.</p> <p>Construction Documentation reviewed by City of Vincent staff, any feedback provided to artists by Wednesday 23 February, 2022.</p> <p>Artists incorporate feedback or amendments to Construction Documentation as required by Wednesday 2 March, 2022.</p>	<p>COMMENCES: Wednesday 2 March, 2022.</p> <p>FABRICATION COMPLETE: Wednesday 4 May, 2022. (Up to 9 weeks)</p> <p>Installation methodology and risk management plan submitted by 6 April, 2022.</p> <p>City of Vincent review installation methodology and risk management, and provide any feedback by Wednesday 20 April, 2022.</p> <p>Artists incorporate any feedback into installation methodology and risk management by Friday 29 April, 2022.</p>	<p>COMMENCES: Wednesday 4 May, 2022 (TBC).</p> <p>PROJECT COMPLETION: Monday 20 June, 2022 (TBC). (Up to 7 weeks)</p> <p>Artworks freighted to site and installed from Wednesday 4 May to Wednesday 1 June, 2022.</p> <p>Artists provide maintenance manual, and attribution plaque installed by Wednesday 8 June, 2022.</p> <p>Artist Talks take place at the installed artworks on Saturday 18 June, 2022 (TBC).</p> <p>Practical completion by Monday 20 June, 2022.</p>

PROCUREMENT PROCESS

Open Competition: this model commences with a public call out for Expressions of Interest to provide a schematic response to the artwork brief. Shortlisted applicants are then invited to develop and present concept designs for a fee, and finally preferred artists or artist teams are selected.

PHASE ONE: EXPRESSION OF INTEREST (this phase)

The City of Vincent is seeking Expressions of Interest (EOIs) through an open competition process. Artists or artist teams are invited to submit their EOI for review by the Assessment Panel. No payment will be offered for this stage. A shortlist of two to three applicants for each of the artwork opportunities will be invited to proceed to the next stage. Unsuccessful applicants will be notified via email.

Please submit EOIs as a single pdf document to the below email address. Please note that other formats cannot be accepted. For any enquiries please contact Lauren Formentin on (08) 9273 6553 or Lauren.Formentin@vincent.wa.gov.au

EOI submissions due:
4pm Wednesday 11 August, 2021

Send to:
Procurement@vincent.wa.gov.au

EOI SUBMISSION REQUIREMENTS:

- **CV** showing relevant artistic experience, including name and contact details, and details on how Applicant Eligibility criteria is met (please see page 1, at least one team member must meet at least 2 out of 6 criteria);
- Up to 6 examples for individuals or up to 10 examples for teams of **previous works** with image details, demonstrating artistic excellence and experience in delivering projects within budget and timeframes;
- **Short statement** (maximum of one page) responding to the brief/themes/locations and the preferred connection to Vincent criteria;
- Confirmation of artist **availability** in the timeframe outlined; and
- **Certificate of currency** confirming public liability insurance policy (minimum \$20 million), product liability (\$20 million) and professional indemnity (\$5 million).

*Please note: no sketches or imagery of designs are to be submitted at this stage. This ensures a fair and level playing field across all applicants – because it is an unpaid submission, the amount of work required is kept to a minimum.

EOI ASSESSMENT CRITERIA	WEIGHTING
Applicant meets eligibility criteria	Yes / No
Approach: Response to brief and creative approach to the project	30%
Experience: proven ability to deliver similar scale projects within budget and timeframe	20%
Artistic Excellence: quality of previous work demonstrated through visual support material	40%
Is the applicant a team?	5%
Does the applicant demonstrate a connection to Vincent?	5%

PHASE TWO: CONCEPT DESIGN PROPOSAL

Concept Design Proposals (CDPs) will be requested from two to three shortlisted artists per town centre. A payment of \$2,200 + GST for the William Street Town Centre opportunity and \$1,800 + GST for the Leederville Town Centre opportunity will be offered for each requested CDP.

A **briefing session** will be held in person on Tuesday 31 August, 2021 (to be confirmed) which shortlisted applicants must attend. The briefing session will include important information for the development of the artwork as well as short presentations from key community stakeholders.

A **site visit** with the Arts Officer, Senior Library Historian, Place Planner and local Town Team representative will take place on Wednesday 1 September, 2021 to gain full understanding of the area's context.

After submitting, the shortlisted artists will **present their CDPs to the Assessment Panel** in person from Monday 4 October to Wednesday 6 October, 2021 (to be confirmed). The Assessment Panel will make their assessment and the artists will be notified of the result by Monday 11 October, 2021.

Please submit CDPs as a single pdf document to the below email address. Please note that other formats cannot be accepted. For any enquiries please contact Lauren Formentin on (08) 9273 6553 or Lauren.Formentin@vincent.wa.gov.au

CDP SUBMISSION REQUIREMENTS:

- A **written concept or statement** detailing appropriate research undertaken for the project and demonstrating the relationship between the proposed artwork and the themes and vision outlined in the brief.
- **Concept drawings** and/or 3D imagery of the proposed work as required to convey the concept, with indicative scale and presented in a professional and artistic manner.
- Indicative **site plan** showing the proposed artwork location and layout for the artwork.
- A **confirmation of the timeline** outlined in the brief is achievable and details of any key milestones in artwork creation.
- A detailed **budget breakdown** across the phases of the project, including all items listed in the 'budget inclusions' section on the following page.
- A description of **material and fabrication methods** with consideration of transportation and installation.
- Details of proposed **suppliers and sub-contractors**, including confirmation that their costs are included in the budget.
- Indication of any known ongoing **maintenance** requirement associated with the proposal.
- An artist/artist team **biography** and high resolution **photograph**.
- Acknowledgement that the **artist contract** has been reviewed, with any suggested revisions if applicable.

CDP submissions due:
4pm Friday 1 October, 2021

Send to:
Procurement@vincent.wa.gov.au

PROCUREMENT PROCESS

CDP ASSESSMENT CRITERIA	WEIGHTING
Concept: the artwork is designed by an artist/team that shows strong vision and innovation, with a proven ability to deliver excellent craftsmanship. The proposed artwork is unique and provides an opportunity for public engagement.	30%
Context: the artwork is site specific and considers the themes outlined in the Artwork Brief.	30%
Public safety and access: the artwork is accessible for people of all abilities and is designed, constructed and installed with best practice risk management so that the artwork does not present a hazard to public safety.	20%
Longevity: the artwork is designed to be structurally sound and resistant to theft, vandalism, weathering and excessive maintenance.	20%
Ability to deliver all inclusive concept for proposed budget and timeframe.	Yes / No

BUDGET

The total artwork commission budget is \$200,000 + GST for the William Street Town Centre artwork opportunity, and \$80,000 + GST for the Leederville Town Centre artwork opportunity.

Budget Inclusions:

- Artist fees, project management and administration costs
- Construction and safety documentation fees
- Materials and fabrication, including any structural components such as posts or cabling for the suspended lighting artwork
- Installation costs including but not limited to machinery for installation, site safety inductions and all structures supporting the artwork
- Appropriate insurance (public liability insurance minimum \$20 million, product liability \$20 million and professional indemnity \$5 million)
- Lighting requirements
- Sub-contractor and supplier fees
- Transport of artwork to site (within WA)
- Traffic management costs if required for installation
- Site preparation
- Travel expenses
- Delivery of Maintenance Manual

Budget Exclusions (to be covered by City of Vincent):

- Attribution plaque
- Photography and marketing

ASSESSMENT PANEL

Applications will be assessed by an Assessment Panel made up of Arts Advisory Group members, Administration, Town Team representatives and arts industry experts.



WILLIAM STREET TOWN CENTRE, PHOTOGRAPH BY JESSICA WYLD 2020



LEEDERVILLE TOWN CENTRE, PHOTOGRAPH BY JESSICA WYLD 2020

HISTORICAL CONTEXT:

WILLIAM STREET TOWN CENTRE

William Street (named after King William IV) runs through land that was once a chain of seasonal wetlands of practical and spiritual significance to the Whadjuk Noongar people, the traditional owners and custodians of the land for many thousands of years prior to European colonisation. The seasonal wetlands provided an abundance of resources including fish, turtles, frogs, reeds and fresh water, and were used most intensely during the late spring (Kambarang) and summer (Birak and Bunuru) months when turtles, waterfowl and frogs were most available. During these periods of abundance, Noongar people would gather to carry out ceremonial activities, and undertake trade and gift exchanges and marriage proposals (Harrison, 2000).

Oral histories suggest that the area near the eastern corner of William and Newcastle Streets may have been a former camping area and site of cultural significance for Whadjuk Noongar people. (Aboriginal Heritage [Inquiry System Heritage Place 3695](#). See also O'Connor, Quartermaine & Bodney, 1989).



Following European colonisation and the establishment of the Perth townsite, William Street can be seen on early maps of Perth running north from the Swan River to Wellington Street, where it terminated at Lake Kingsford (today, the site of the Perth Cultural Centre).

Low lying wetlands to the north of Lake Kingsford were drained and filled from the 1850s to 1870s, and then William Street was extended north past Wellington Street and the land was sold as farm and housing lots. This new section of William Street (from Roe Street to Brisbane Street) was originally known as Hutt Street. (See map of Perth townsite 1845).

In the 1880s, the construction and opening of the Eastern Railway resulted in a shift in focus to areas in the Perth Railway Station vicinity and to the north. Over the next decade sub-division of the large lots increased and a mix of residential and commercial buildings were constructed in the areas nearest to the railway. From the 1890s, further development was spurred by the Western Australian Gold Boom, which saw a fourfold increase in the state population and subsequent demand for accommodation in, and close to the city.

Despite earlier drainage and infill works, seasonal flooding of parts of William Street and surrounding areas continued to occur in winter and spring. Due to its low lying topography, prevalence of water and fertile soil, this area was ideal for growing produce. By 1900, Chinese immigrants had well established market gardens at Robertson Park (previously Boojoormelup or Lake Henderson) and Birdwood Square (previously Chalyeding or Lake Poulette/First Swamp).

IMAGE CREDITS

Left: Section of Perth townsite map 1838, State Records Office
Top right: Perth Mosque, William St, COV PHO5877
Second top right: Perth General Dealers, William St 1953, COV PHO3130
Second bottom right: Kelly & Lewis Pty. Ltd., William St 1954, State Library WA
Bottom right: Cnr William and Newcastle St 2019, State Library WA

The early 1900s saw the construction of the Mohammedan Mosque (Ayar Mohamed) at 427-429 William Street, a prominent landmark of the area. Designed by Din Mohammed, construction of the Mosque was made possible with funds from members of the small and diverse early Muslim communities and Afghan cameleers who were vital to the supply chain in the development of the Goldfields. Additions and alterations were carried out in subsequent decades to enable continued use of the Mosque by an increasing number of Muslims in post-war multicultural Perth.

The multicultural tone for the area was set early with diverse residents of Chinese, Jewish and Muslim backgrounds evident in the names and businesses listed in the Wise Post Office Directories of the day. Proximity to the Mosque, to the nearby Brisbane Street Synagogue and Chinese market gardens influenced the cultural composition of the area. A snapshot of residents of William Street (numbers 323-478) in the WWI period shows an eclectic mix of small businesses (grocers, laundries, hairdressers, butchers, drapers, bootmakers, confectioners, and apothecaries), private residences and lodging houses.

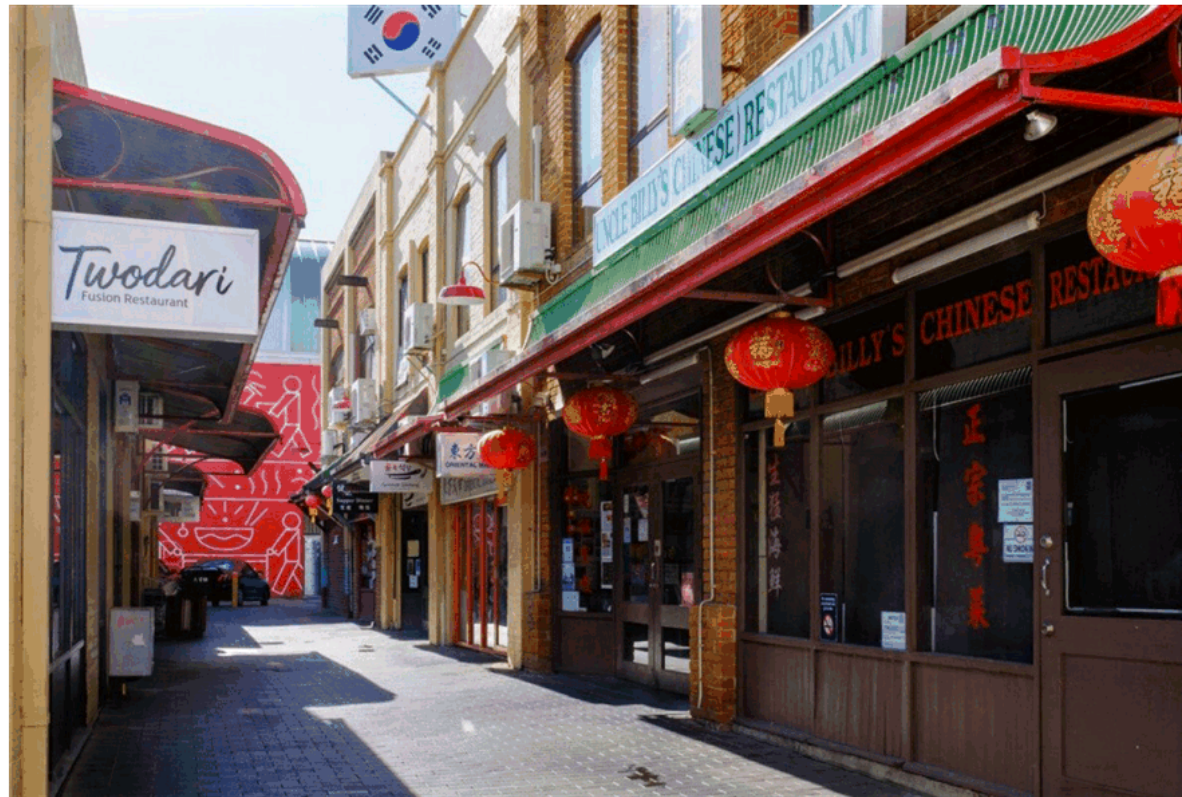
The area's proximity to the City spurred residential and commercial development in the 20th Century. Transport was much improved with the construction of the Horseshoe Bridge in 1904 which allowed for traffic and trams to pass over the Perth-Fremantle railway line. The increasing popularity of motor vehicles after the war period brought more mechanical repair and fuel businesses to William Street. From 1937, Melbourne engineering company Kelly & Lewis opened a factory at 349 William Street selling tractors until at least the 1960s.

Another landmark building, the Art Deco style Copley's Bank Buildings was constructed in the 1930s on the corner of Newcastle and William Streets. The Blue Room Cabaret and Reception Rendezvous opened in 1938, and hosted 'old-time' dances several nights a week with live music. The venue had an upstairs room that was a popular venue for wedding receptions and 'coming of age' celebrations, until later in the 1950s when it became the offices of the Midland Bus Company.



HISTORICAL CONTEXT:

WILLIAM STREET TOWN CENTRE



NORTHBRIDGE CHINATOWN, PHOTOGRAPH BY LYNN GAIL 2020

In the post-war period, the flow of new migrants increased dramatically with businesses and lodging houses servicing a growing number of post-war arrivals from Europe. From the 1970s onwards, increasing numbers of immigrants from Asian countries also established businesses in the area. The arrival of Vietnamese refugees in the 1970s, followed by migrants from Thailand, Lebanon, India, Malaysia and Turkey saw a shift in the cultural mix of the Northbridge area from 'Little Italy' as it had become known in the post-war period, to a broader cultural mix.

In the 1990s, the area came under the jurisdiction of the newly formed Town of Vincent who revitalised William Street from Newcastle to Brisbane Streets into a Chinatown. The revitalisation was seen as a symbol of friendship and goodwill between Western Australia and the Chinese Government at a time when WA was negotiating a deal to become the first supplier of Liquid Natural Gas to China.

Although the town centre today is extremely diverse culturally, the area has maintained its strong Chinatown identity and this has become celebrated and reflected in public artworks installed in the area. A recurring theme of lanterns has appeared along William Street, further enhanced annually at Lunar New Year by traditional celebrations and decorations.

REFERENCE LIST

Northbridge Conservation Report, Palassis Architects, August 2000.

Report on an ethnohistorical investigation into the Aboriginal heritage of the Town of Vincent, Traditional Aboriginal Places Heritage Trail, Rodney Harrison for the Town of Vincent, January 2000.

Report on an Investigation into the Aboriginal Significance of Wetlands and Rivers in the Perth-Bunbury Region, O'Connor, Quartermaine & Bodney for WA Water Resources Council, 1989.

Report on Cultural Heritage Assessment of Wellington Square, East Perth. Moodjar Consultancy for the City of Perth, July 2017.

Wise's Post Office Directories, SLWA, years consulted 1900-1949.

Interview with Anne Topelburg, Memories of family businesses at 346 and 250-252 William Street, City of Vincent Local History Collection, OH0217.

Aboriginal Heritage Inquiry System, Other Heritage Place 3695 (formerly SO2257).

State Records Office, Townsite of Perth, Colonial Draftsman A. Hillman, 1838.

https://archive.sro.wa.gov.au/uploads/r/srowa/0/c/0ca79dfc105916a4e5da89cd78293cf14cdc659e3be30aa2e17423f6583567a1/cons_3868_item_288.jpg

"Blue Room Cabaret" on TROVE:

<https://trove.nla.gov.au/search?keyword=%22Blue%20Room%20Cabaret%22>

Perth Voice Interactive, "William, yes you are really something", 13 March 2014.

<https://perthvoiceinteractive.com/2014/03/13/william-yes-you-are-really-something/>

ARTWORK OPPORTUNITY 2:

LEEDERVILLE TOWN CENTRE

Oxford Street is located in proximity to a chain of seasonal wetlands of practical and spiritual significance to the Whadjuk Noongar people, the traditional owners and custodians of the land for many thousands of years prior to European colonisation. Galup (meaning 'place of fire') or Lake Monger (Registered Aboriginal Sites 3323; 3788; 3318) was used by Aboriginal people as a camp site as it offered abundant resources such as frogs, root tubers, turtles, gilgies and waterfowl for hunting and sustenance, particularly in late spring (Kambarang) and summer (Birak and Bunuru).

In addition to everyday subsistence, the wetlands provided a place for ceremonial gatherings and meetings. Galup, originally much larger in area than present day, was also associated with Noongar spiritual beliefs relating to the Waugul whose mythological journey to the sea was understood to have created freshwater sources such as lakes and wetlands. (McDonald, Coldrick, Villiers, 2005).

When the Swan River Colony was established in 1829, the chain of lakes and wetlands extending from Yanchep south to the Derbal Yarrigan (Swan River) was part of Mooro Country, the domain of Yellagonga and his people. After the arrival of European colonists, Yellagonga was forced to relocate from the foot of Mount Eliza to Galup, known at the time to Europeans as Monger's Lake after settler John Henry Monger. (Lynch, 2018).



Camp at Lake Monger 1923, Battye Library Collection

Although it is not often reflected in historical documents, Ian Wilkes and Poppy van Oorde-Grainger's project and performance Galup from Perth Festival 2021 uncovered the tragic story of a massacre at the lake in 1830 led by Frederick Irwin, leader of the colony's soldiers.

Present day street orientations of Leederville Town Centre have changed significantly over the last 120 years, particularly following construction of the Mitchell Freeway in the early 1970s. Prior to 1913, Oxford Street ran north from present day Carr Place to Scarborough Beach Road (named Leeder Street and North Beach Road, respectively, at the time). The section of Oxford Street south of Carr Place (formerly Leeder Street) was known as Sanders Street and Beulah Street prior to 1913, and was intersected by a drain reserve which connected Lake Monger to the former Lake Sutherland in West Perth.



Plan of the City of Perth, No. 7 1895-1910, State Records Office

John Monger and William Leeder (after whom the suburb was later named) were among the early European landholders attracted to the area because of its proximity to Perth and the permanent fresh water supply. However, development of the land around Monger's Lake by European colonists proceeded slowly until the late 19th century.

Completion of the Fremantle-Guildford railway line in 1881 promoted subdivision and residential development in the area, spurred further by the WA gold boom of the 1890s which resulted in a huge increase in the state's population and increased demand for housing. To accommodate the demand, rural allotments close to Perth, including the vast Leeder Estate were gradually subdivided and progressively released for sale. Promoted under names like Leeder Estate, Lake View Estate and Leederville Station Estate, advertisements stressed the special features of the area, its proximity to Perth, Lake Monger and later the Leederville train station (now West Leederville train station).

Leederville was granted its own Road Board in 1895 and became a Municipality in 1896. During this period, many public and commercial buildings were constructed including Leederville Primary School (1894), Leederville Post Office (1897), the Leederville Hotel (1897) and the Leederville Police Station (1898).

The Leederville Hotel was the first establishment in the area to have electric light in 1905. In the early 1900s in Perth, the advent of electricity transformed communications, commerce, transport, entertainment and domestic life. Electrification of Leederville (and Perth) in the mid-1890s was connected to development of the tram network. An efficient modern public transport system was a hallmark of a prosperous city and a further boon to commercial, industrial and residential development of the area.

In 1914 when the Perth, North Perth and Leederville municipalities came together to form 'Greater Perth', Leederville had a mix of residential, commercial and industrial buildings, well established roads and transport corridors, piped water (installed in 1911) and good public amenities and recreational facilities. Long standing landmark

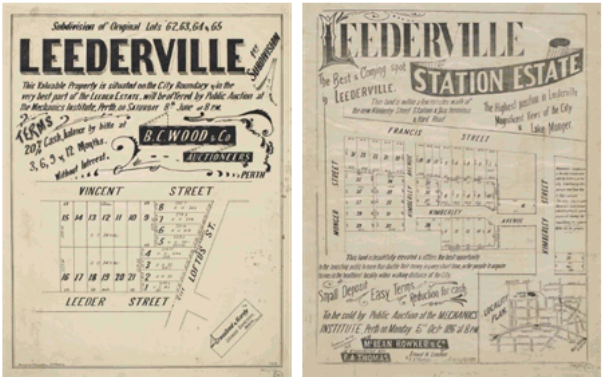
IMAGE CREDITS

Top: Leederville real estate subdivision plans, late 1890s, State Library of WA

Second top: Venables business at 101 Oxford St, 1925, COV PH0030

Second bottom: Chinese gardens south of E & W Stephen's, 115 Oxford St, 1926, COV PH01572

Bottom: Trolley-bus travelling east along Newcastle St, 1959, COV PH03148



ARTWORK OPPORTUNITY 2:

LEEDERVILLE TOWN CENTRE



Construction of the Mitchell Freeway Leederville, 1974, COV PH00364

businesses on Oxford Street include Venables hardware and engineering (97-101 and 105 Oxford: 1919-1999); Mac's Joinery Works (103-105 Oxford: 1950s to 1970s); Stephens Coachbuilders & Farriers (115 Oxford 1903-1929) next door to which was a Chinese market garden; Leederville Fish Supply run by the Panegyres family (125 Oxford: 1918-1980s) behind which was vacant ground used by the Metro Whippet Club for racing, as well as by travelling circuses and fair ground operators; Leo's Fruit Supply (127 Oxford: 1936-1970s); Hutchinson's Chemist (135 Oxford: 1925-1960s); Williams Butcher (141 Oxford, later the 'Tip Top' Arcade from 1933); National Bank (145 Oxford: 1953-); Brennan's Drapery (149 Oxford: 1921-1939); New Oxford Picture Theatre & Tearooms (155-157 Oxford: Est 1927-).

Following the relatively stagnant period of the Great Depression and inter-war years, immigration from Europe increased after WWII, spurring increasing demand for new and improved housing and commercial buildings in the area. Around Oxford and Newcastle Streets, new shops and office buildings replaced many of the older residences. In 1948, a technical trade school was built in Leederville as part of an Army training scheme and later became known as the Leederville TAFE, currently North Metro TAFE.

Transport also changed in the post-war period with trams and trolleybuses replaced in the 1960s by buses and cars. In 1973, the construction of the Mitchell Freeway saw the suburb of Leederville cut in half with the creation of a physical barrier to accessing Lake Monger from the east.

In the early 1990s, construction of the Northern Suburbs railway line had a flow-on effect for Leederville with residents gaining easy access to rail transport at the Leederville Station, at the southern end of Oxford Street. The nearby shopping area on Oxford Street was also redeveloped into a popular café strip.

Today, Leederville is home to approximately 3,500 residents with a much higher proportion (58%) of medium or high density dwellings compared to 25% in Greater Perth (Census of Population and Housing, 2016).

REFERENCE LIST

Department of Planning, Lands and Heritage, Aboriginal Heritage Inquiry System. Heritage Surveys for Registered Aboriginal Sites 3323; 3788; 3318; 4322.

Department of Planning, Lands and Heritage, In Herit Heritage Places:

Lake Monger Velodrome (Heritage Place 18182); Leederville Hotel (Heritage Place 2201); Leederville Post Office (Heritage Place 2203); Leederville Primary School (fmr) (Heritage Place 3375); Old Leederville Police Station & Quarters (Heritage Place 2204); Central TAFE Leederville Campus (Heritage Place 18047); City of Vincent Administration Building (Heritage Place 18063); Leederville Oval (Heritage Place 14582).

Report on an Investigation into Aboriginal Significance of Wetlands and Rivers in the Perth-Bunbury Region (O'Connor, Quartermaine and Bodney), Western Australian Water Resources Council, 1989.

Report on an ethnohistorical investigation into the Aboriginal heritage of the Town of Vincent (Rodney Harrison) Town of Vincent, 2000.

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CITY OF VINCENT

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5.4 BUILT FORM POLICY AMENDMENT 3

- Attachments:**
1. **Schedule of Modifications to Policy No. 7.1.1 - Built Form** [↓](#) 
 2. **Built Form Policy Amendment 3 - Marked Up** [↓](#) 
 3. **Built Form Policy Amendment 3 - Updated** [↓](#) 
 4. **R Codes Volume 1 - Tracked changes of amendments** [↓](#) 

RECOMMENDATION:

That Council:

1. **DETERMINES** that in accordance with Schedule 2, Part 3, Clause 5 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Amendment 3 to Policy No. 7.1.1 - Built Form is a minor amendment;
2. **ADOPTS** Amendment 3 to Policy No. 7.1.1 – Built Form at Attachment 3; and
3. **RESOLVES** to proceed with Amendment 3 to Policy No. 7.1.1 – Built Form without modification in accordance with Schedule 2, Part 2, Clause 4(3)(b)(i) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

PURPOSE OF REPORT:

To provide an overview of the interim amendments to State Planning Policy No. 7.3 – Residential Design Codes Volume 1 (R Codes), to identify how these would affect the City's Policy No. 7.1.1 – Built Form (Built Form Policy), and to consider proposed Amendment 3 to the Built Form Policy to address inconsistencies between the two policies created by the interim amendments.

BACKGROUND:

At its meeting on 16 June 2020 Council endorsed Amendment No. 2 to the Built Form Policy. Amendment No. 2 to the Built Form Policy is in operation, noting Administration is continuing to pursue the Western Australian Planning Commission (WAPC) approval for the following provisions:

Volume 1 – Single House and Grouped Dwellings

- Clauses 1.2, 4.2, 5.2 – Lot boundary setbacks; and
- Clauses 1.4, 4.5, 5.9 – Landscaping.

Volume 2 - Multiple Dwellings and Mixed Use

- Clauses 1.4, 4.3, 5.3 – Tree canopy and deep soil areas;
- Clause 1.7 – Car and bicycle parking; and
- Clause 1.10 – Energy Efficiency.

The City submitted these provisions to the Department of Planning Lands and Heritage (DPLH) on 11 September 2020. At this time DPLH were progressing various Planning Reforms which would mean that the submission would be assessed following the completion of Planning Reforms at the end of 2020. The City has since discussed these provisions with DPLH and in light of the draft Medium Density Codes (MD codes) it was suggested that the City await the outcome of the draft before determination of the Built Form Policy provisions. DPLH have indicated that the draft MD codes will be finalised at the end of 2021 however this is not confirmed. As the date for finalisation is unknown City has sought determination of the Built Form Policy provisions. The City has provided additional information requested in April 2021 and is awaiting indication that a report is being prepared and presented to the WAPC for consideration.

The WA Government has since reviewed the R Codes as part of its package of planning reforms to assist with the economic recovery from the COVID-19 pandemic. The review resulted in a series of amendments to the R Codes that aim to support the residential building industry, local governments, and homeowners by

simplifying clauses and streamlining approval processes for low to medium density housing projects. The R Codes amendments will be gazetted and become operational on Friday 2 July 2021.

As part of this review, the WA Government is in the process of creating a new document called the Medium Density Housing Code. This document will form part of the R Codes Volume 1 and will guide single houses and grouped dwellings in areas coded R30 and above, and multiple dwellings coded R30 – R60.

A major review of the Built Form Policy (Amendment 4) would be undertaken following the finalisation of the Medium Density Housing Code. This further amendment would include a full review and community consultation to address all concerns and improvement opportunities of the Built Form Policy.

DETAILS:

A summary of the R Codes amendments and Administration's response is included in **Attachment 1**. The summary identifies where modifications to the Built Form Policy would apply, what impact they may have, and where the Built Form Policy would continue to apply as existing. The amendments to the Built Form Policy are minor and simply reflect the amendments made to the R Codes.

Proposed modifications to the Built Form Policy

In response to the R Codes amendments, a series of modifications to the Built Form Policy are recommended. A copy of the Built Form Policy showing the tracked changes is included as **Attachment 2** and an updated version of the Built Form Policy showing these changes implemented is included as **Attachment 3**. The key changes are outlined below:

Street setbacks (Item 7 of Appendix 1 and 4)

The R Codes have been amended to allow unenclosed porches, verandahs and balconies to project up to 50 percent into the primary street setback area, without providing equal compensating area as required by Clause 5.1.2 C2.1 of the R Codes. This new provision of the R Codes would apply from Friday 2 July 2021 unless the Built Form Policy is amended to change it.

Removing the requirement for a compensating area of open space to be provided behind the setback line whenever a porch or verandah project forward of the primary street setback would not impact on development achieving the objectives of the Built Form Policy. Development would still be required to provide the same amount of open space and landscaping across the site and encouraging porches and verandahs would provide opportunity for increased activation between dwellings and the street. There is no objection to this provision and so it is proposed to be included into the Built Form Policy in a manner that is consistent with its five either side primary street setback standard.

The reduced setback of balconies, as prescribed by the R Codes, would not align with the intent of the Built Form Policy, as the Built Form Policy currently requires balconies to be setback one metre behind the ground floor predominant building line. The current provisions relating to balconies are proposed to remain and as such the new provision of the R Codes relating to balconies would not take effect.

Patios, verandahs and the equivalent (Item 8 of Appendix 1 and 4)

The R Codes have been amended to allow patios to have a nil setback to the lot boundary when the structures are not more than 10 metres in length, not more than 2.7 metres in height, the structure is located behind the primary street setback, and the eaves, gutters and roof is setback not less than 450 millimetres.

The amendment to the R Codes represents typical development that would not have a detrimental impact on adjoining properties. The Built Form Policy is recommended to be amended to allow these R Code provisions to apply.

Boundary walls (Item 9 of Appendix 1 and 4)

The R Codes have been amended to remove the reference to boundary walls of a similar dimension, remove the reference to 'averaging' and to permit boundary walls on up to two site boundaries.

Removing the reference to 'averaging' means that boundary walls would be permitted to have a maximum height of 3.5 metres, which is consistent with the existing requirements of the R Codes. There would be a minor increase in boundary wall heights due to there no longer being consideration of the average height.

The Built Form Policy already permits boundary walls on two site boundaries and so this change to the R Codes simply brings it into alignment with the Built Form Policy.

The amendment to the R Codes would simplify the assessment of boundary walls and would be consistent with the built form outcome delivered by the Built Form Policy. The provisions of the Built Form Policy would be redundant under these R Code changes and are recommended to be deleted.

Outbuildings (Item 38 of Appendix 1 and 4)

The R Codes have been amended to distinguish between small, and large/multiple outbuildings. The criteria for small outbuildings align with the Building Codes of Australia and allows small outbuildings to be exempt from requiring development and building approval when they meet the specified criteria relating to number of structures, location, size, height, and other site considerations.

The requirements for large and multiple outbuildings includes deemed to comply criteria to better regulate the potential impact on adjoining properties.

The Built Form Policy does not include any provisions to replace those of the R Codes and no changes are recommended in response to these modifications to the R Codes.

Building height (Item 45 of Appendix 1 and 4)

The R Codes have been amended to increase permitted building heights by 0.5 metres to one metre for single storey and two storey development.

The Built Form Policy already includes heights above those in the R Codes, though these are slightly lower than those soon to be permitted by the R Codes. The additional building height reflected in the R Codes respond to typical development and would not have a detrimental impact on the bulk, scale, and visual outlook of developments. It is recommended the Built Form Policy is modified to reflect the maximum building heights prescribed by the R Codes.

Modifications to the R Codes not included in the Built Form Policy

The R Codes contains several modifications that are not proposed to be incorporated to the Built Form Policy as they are contrary to the intent and built form outcome being sought by the City.

A copy of the R Codes showing the tracked changes is included as **Attachment 4**.

The key changes to the R Codes that have not been incorporated into the Built Form Policy are outlined below:

Carports (Item 11 of Appendix 1 and 4)

The R Codes have been amended to permit carports to project up to 50 percent into the front setback area without providing a compensating area of open space, and to have a maximum width of 60 percent of property frontage.

The Built Form Policy already includes separate provisions regulating carports and would replace the new R Codes provision. No amendments to the Built Form Policy are recommended as the R Codes provision is not consistent with the intended built form outcomes of the Built Form Policy.

Garages (Item 15 of Appendix 1 and 4)

The R Codes have been amended to permit garages to have a maximum width of 50 percent of the lot frontage, regardless of its proximity to the dwelling.

The Built Form Policy already includes separate provision regulating garage width. No modifications to the Built Form Policy are recommended as the R Codes provision is not consistent with the intended built form outcomes of the Built Form Policy.

Landscaping (Item 24 – 26 of Appendix 1 and 4)

The R Codes have been amended to:

- provide more robust provisions and to provide clarity so that landscaping is provided in open spaces generally, not just common property and communal spaces;
- provide clarity and to include a requirement for one shade tree for every four uncovered car parking spaces (previously one per six); and
- include new deemed to comply requirements that stipulate space to provide at least one tree per dwelling with a minimum dimension of 2 metres, now required for single houses, grouped dwellings and multiple dwellings.

The Built Form Policy contains local housing objectives and deemed to comply requirements that seek to achieve more robust landscaping outcomes. The landscaping provisions within the Built Form Policy represent a Council adopted policy position but do not apply until the WAPC have granted approval in accordance with section 7.3 of the R Codes Volume 1.

Whilst the new provisions within the R Codes would result in an improved landscaping outcome, Administration will continue to pursue approval from the WAPC for the landscaping provisions within the Built Form Policy.

No changes to the Built Form Policy are recommended because of this modification.

Ancillary dwellings (Item 39 of Appendix 1 and 4)

The R Codes previously set a deemed-to-comply standard allowing ancillary dwellings on sites not less than 450 square metres. The R Codes amendments change this standard to 350 square metres. New provisions are also included to control the location, design, and site requirements.

The Built Form Policy does not include any provisions to replace those of the R Codes and no further changes are recommended in response to these modifications as the R Codes requirements would assist in moderating the built form outcome of the development.

CONSULTATION/ADVERTISING:

In accordance with Schedule 2, Part 2, Clause 5 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* local governments can make an amendment to a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is a minor amendment.

The amendment to the Built Form Policy is a minor amendment as it responds to the amendments of the R Codes only and ensures effective and continual operation of the Policy.

Upon adoption of Amendment 3 to the Built Form Policy, the City would notify key stakeholders of the key changes in writing and include a notification on the City's website.

LEGAL/POLICY:

Section 2.7(2)(b) of the Act provides Council with the power to determine policies.

The City's [Policy Development and Review Policy](#) sets out the process for repealing and adopting policies.

RISK MANAGEMENT IMPLICATIONS

Low: Adopting Amendment 3 to the Built Form Policy is low risk.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Sensitive Design

Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

SUSTAINABILITY IMPLICATIONS:

Nil.

PUBLIC HEALTH IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Amendment 3 to the Built Form Policy proposes minor changes only. The changes are intended to simplify and improve the design outcomes and would not have a detrimental impact to the application of the Built Form Policy. The amendment responds to the changes to the R Codes only and ensures the Built Form Policy continues to be operational and legible.

The reference No.'s of this table aligns to those of the R Codes tracked changes, included as **Attachment 4**.

Proposed changes to the Built Form Policy

No.	Clause	Summary of R Codes Amended Provision	Officer Comment	Recommendation
7.	5.1.2 Street setbacks	<p>C2.4 of the R Codes has been amended to allow unenclosed porches, verandah's and balconies to project up to 50 percent into the primary street setback area, without providing equal compensating area as required by Clause 5.1.2 C2.1 of the R Codes.</p> <p>The amended provision would provide opportunity for increased activation between dwellings and the streetscape.</p>	<p>The Built Form Policy stipulates that Clause 5.1.2 C2.4 of the R Codes remains and applies.</p> <p>C2.4 of the R Codes conflicts with C5.1.4 of the Built Form Policy and would be contrary to the desired built form outcome. Specifically, the Built Form Policy requires balconies to be setback 1 metre behind the ground floor predominant building line.</p> <p>Porches and verandah's that project up to 50 percent into the primary street setback would provide opportunity for increased activation between dwellings and the streetscape.</p>	<p>It is recommended the Built Form Policy is amended to replace C2.4 of the R Codes.</p> <p>To provide assessment for setbacks of unenclosed porches and verandahs, it is recommended a new clause be included in the Built Form Policy as follows:</p> <p><i>C5.1.3 An unenclosed porch, verandah on the equivalent may (subject to the Building Codes of Australia) project into the primary street setback area to a maximum of half the required primary street setback area.</i></p> <p>Balconies are excluded from the above provision and would continue be assessed under C5.1.4.</p> <p>The subsequent provisions are to be renumbered accordingly.</p>
8.	5.1.3 Lot boundary setbacks	<p>C3.1 (ii) of the R Codes has been amended to allow nil setbacks for patios, verandahs and the equivalent where it is:</p> <ul style="list-style-type: none"> less than 10 metres in length and 2.7 metres in height; 	<p>Volume 1 Clause 1.2, 4.2 and 5.2 of the Built Form Policy seek to amend Clause 5.1.3 C3.1 of the R Codes. These provisions represent a Council adopted policy position and do not apply as Deemed to Comply provisions until the WAPC have</p>	<p>The following new provision to the Built Form Policy is recommended to respond to this amendment to the R Codes:</p> <p><i>C5.2.1 Clause 5.1.3 C3.1 (ii) of the R Codes Volume 1 applies.</i></p>

		<ul style="list-style-type: none"> behind the primary street setback; and has eaves, gutters and roofs setback at least 450mm from the lot boundary. <p>iii – vi have also been amended to remove repetition and provide clarity.</p>	<p>granted approval in accordance with section 7.3 of the R Codes Volume 1. Administration supports the new provision C3.1 (ii) as it represents typical development that would not have a detrimental impact on adjoining properties.</p>	<p>All subsequent provisions are to be renumbered accordingly.</p> <p>With regards to C3.1 iii – vi of the R Codes, the intent of the clause has remained the same and would have no impact on the application of the Built Form Policy. No further changes to the Built Form Policy are recommended.</p>
9.	5.1.3 Lot boundary setbacks	<p>C3.2 of the R Codes has been amended as follows:</p> <ul style="list-style-type: none"> The term ‘boundary walls’ has been relocated and is now included within Appendix 1 – Definitions of the R Codes. Other text changes have been included to improve clarity. R Codes provision C3.2 i has been amended to remove reference to boundary walls of a similar dimension. The amended provision would only allow boundary walls that abut an existing or simultaneously constructed wall of equal or greater dimension. The amendment seeks to ensure new boundary walls compliment the existing character of the area. R Codes provision C3.2 ii and iii has been amended to remove the reference to ‘averaging’ and to permit boundary walls up to two site boundaries. This modification would 	<p>C5.2.1 and C4.2.3 of the Built Form Policy states that:</p> <p><i>Clause 5.1.3 C3.2 of the R Codes Volume 1 applies to walls and is acceptable up to two side boundaries.</i></p> <p>C5.2.1 and C4.2.3 are now redundant.</p>	<p>It is recommended the Built Form Policy is amended to delete C5.2.1 and C4.2.3.</p> <p>The subsequent provisions would be renumbered accordingly.</p>

		<p>simplify the calculation and allows for contemporary development.</p> <ul style="list-style-type: none"> • R Codes provision C3.2 iv has been amended to provide clarity where boundary walls are created in a plan of subdivision. • A new note has been included to clarify that pillars and posts no greater than 450mm by 450mm may be built up to a lot boundary but do not constitute a 'wall'. • A new note has been included to clarify retaining walls do not constitute a boundary wall and are to be assessed under clause 5.3.7 only. 		
45.	Table 3	<p>Table 3, which relates to maximum building heights has been amended to increase the permitted wall heights by 0.5 metres to one metre for single storey and two storey development.</p> <p>The increased building height is intended to allow for modern building standards (i.e. higher ceilings and allowance for services).</p>	<p>In accordance with Clause 7.3.1, Volume 1, Clause 5.3 replaces Clause 5.1.6 C 6 of the R Codes.</p> <p>The increase to the building height is minimal and provides opportunity to improve natural sunlight, ventilation, and innovation in building design.</p>	<p>The Built Form Policy is recommended to be modified to align with the amended R Codes provision.</p>

Administrative changes to the Built Form Policy

11.	5.2.1 Garages and carports	C1.2 has been amended to allow a 50 percent reduction to carport setbacks from the primary street where: <ul style="list-style-type: none"> i. The width of the carport does not exceed 60 percent of the frontage; ii. Unobstructed viewed between the dwelling and the street are maintained; and iii. The design of the carport is compatible with the dwelling. 	<p>In accordance with Clause 7.3.1, Volume 1, Clause 5.4 of the Built Form Policy replaces Clause 5.2.1, C1.1, C1.2, C1.4 and C1.5 of the R Codes. The amended R Codes provision would therefore not be applicable.</p> <p>Notwithstanding, C5.4.3 of the Built Form Policy stipulates</p> <p><i>Carports shall be setback in accordance with Clause C5.2.1 of this Policy. This setback may be reduced in accordance with Clause 5.1.2 C2.1 iii of the R Codes Volume 1.</i></p> <p>The reference to C5.2.1 of the Built Form Policy is an administrative error and should refer to Clause C5.1.1 and C5.1.2 of the Built Form Policy in lieu of Clause C5.2.1.</p>	<p>It is recommended the Built Form Policy is amended as follows:</p> <p><i>C5.4.3 Carports shall be setback in accordance with Clause C5.1.1 and C5.1.2 of this Policy. This setback may be reduced in accordance with Clause 5.1.2 C2.1 iii of the R Codes Volume 1.</i></p>
17.	5.2.4 Street walls and fences	New deemed-to-comply provision C4.2 of the R Codes has been included to stipulate maximum height (1.8 metres) and width (400mm) of solid pillars.	<p>In accordance with Clause 7.3.1 of the R Codes, a local planning policy can replace the deemed-to-comply requirements of the R Codes.</p> <p>Existing Clause 5.7 of the Built Form Policy sets out the requirements for street walls and fences and accommodates the new provisions stipulated by the R Codes.</p>	The Built Form Policy is recommended to be updated to stipulate Clause 5.7 of the Built Form Policy replaces Clause 5.2.4 C4.1 and C4.2 of the R Codes.

18.	5.2.5 Sight lines	<p>Clause 5.2.5 of the R Codes has been amended to clarify that sight lines are to be provided where a driveway intersects with:</p> <ul style="list-style-type: none"> i. a driveway that intersects a street, right-of-way or communal street; ii. a right-of-way or communal street that intersects a public street; and iii. two streets that intersect. 	The wording of the Built Form Policy is aligned to the previous version of the R Codes and does not include all street types. These changes would result in improved sight lines and safety for vehicles, pedestrians and the like.	<p>The following sections of the Built Form Policy are recommended to be updated to reflect the new wording or the R Codes:</p> <ul style="list-style-type: none"> • Volume 1, Section 5, Clause 5.8 C5.8.1; and • Volume 2, Section 5, Clause 5.4 A5.4.5.
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No changes to the Built Form Policy recommended

No.	Clause	Summary of R Codes Amended Provision	Officer Comment	Recommendation
1.	Title page	Date updated to 2021.	No Comment.	No change.
2.	2.3 Planning approval for single houses on small lots	The R Codes has been amended to delete the requirement for single houses on lots smaller than 260m ² to obtain development approval.	The deletion of this clause has no impact on the practices of the City or the application of the Built Form Policy.	No change.
3.	5.1 Context (objectives)	The objectives listed under Clause 5.1 have been amended to be simplified and to provide clarity.	The intent of the objectives has remained the same and would have no impact on the Built Form Policy.	No change.
4.	5.1.1 Site area	C1.3 has been amended to remove repetition and provide clarity.	The intent of the clause has remained the same and would have no impact on the application of the Built Form Policy.	No change.
5.	5.1.1 Site area	C1.4 has been amended to remove repetition and provide clarity.	The intent of the clause has remained the same and would have no impact on the application of the Built Form Policy.	No change.

6.	5.1.2 Street setbacks	<p>C2.1 of the R Codes has been amended to exclude carports, unenclosed porches, balconies, verandahs or equivalent from street setback assessments. The clause has also been amended to remove repetition and provide clarity.</p> <p>The assessment of carports, including street setbacks assessment would be as per Clause 5.2.1 of the R Codes.</p> <p>Street setback assessment of unenclosed porches, verandah's and balconies would be considered under Clause 5.1.2, C2.4 below.</p>	<p>C5.1.1 – C5.1.6 of the Built Form Policy replace Clause 5.1.2 C2.1 of the R Codes and would continue to apply. It is noted C5.1.2 of the Built Form Policy already excludes porches, verandahs, carports and balconies from the street setback assessment.</p> <p>Assessment of unenclosed porches, balconies and verandahs is discussed within item No. 7, and assessment of carports is discussed within item No. 11, below.</p>	No change.
10.	5.1.3 Lot boundary setbacks	New provision C3.4 stipulates that where a boundary wall and retaining wall are proposed concurrently and the boundary wall is located immediately above the retaining wall, the height of the wall is to include the height of the retaining wall.	The new provision clarifies the process for calculating the height of boundary walls and is consistent with existing practices of the City.	No changes.
12.	5.2.1 Garages and carports	C1.3 has been amended to include 'communal street' for clarification purposes.	This provision has not been replaced by any provisions within the Built Form Policy.	No changes.
13.	5.2.1 Garages and carports	Design Principle P1.1 has been amended to provide clarity, remove repetition, and require consideration of visual impacts on the streetscape. The intent of the design principle has remained the same.	The Built Form Policy includes two local housing objectives that consider the street and the design of the building. The local housing objectives provide additional guidance for the decision maker and do not replace the design principles.	No changes.

14.	5.2.1 Garages and carports	New design principle P1.2 requires garages and/or carports to consider and ensure it does not impede on existing or planned adjoining pedestrian, cycle, or dual-use path.	The new design principle would apply and is supported as it would improve the safety for pedestrians, cyclists, and vehicles.	No changes.
15.	5.2.2 Garage width	C2 of the R Codes has been amended to permit garages to be a maximum of 50 percent of the width of the lot, irrespective of its proximity to the front of the dwelling. Clarity has also been provided to confirm garages are permitted to be up to 60 percent of the lot width where the balconies extend more than half the width of the garage.	In accordance with Clause 7.3.1, Volume 1, Clause 5.5 of the Built Form Policy replaces Clause 5.2.2 C2 of the R Codes. The amended R Codes provision would therefore not be applicable. The R Codes would continue to apply to Volume 1, Sections 1 – 4 of the Built Form Policy. This is consistent with the previous application of the Built Form Policy.	No changes.
16.	5.2.4 Street walls and fences	C4.1 has been updated to provide clarification by referring to Figure 12 of the R Codes. The intent of the provision has remained the same.	In accordance with Clause 7.3.1, Volume 1, Clause 5.7 of the Built Form Policy replaces Clause 5.2.4 C4.1 of the R Codes. The amended R Codes provision would therefore not be applicable.	No changes.
19.	5.3.1 Outdoor living area	Design principle P1.1 of the R Codes has been amended to provide for more robust standards around the functionality of the space for entertainment and leisure and requires the inclusion of space to ensure solar access and landscaping.	There are no local housing objectives within the Built Form Policy that relate to outdoor living areas. The intended outcomes of these modifications would result in improved amenity for residents.	No changes.
20.	5.3.1 Outdoor living area	Design principle P1.2 of the R Codes has been amended to include more robust standards around the functionality of balconies provided for multiple dwellings.	The Built Form Policy does not account for Multiple Dwellings in areas coded R40 or lower. The R Codes would apply in these instances.	No changes.

			The likelihood of receiving an application for multiple dwelling on sites coded R40 or lower is low due to Clause 26 (1) and (6) of the City's Local Planning Scheme No. 2 (LPS2). Notwithstanding, multiple dwellings on sites coded R40 or lower can be considered as part of the major review to the Built Form Policy.	
21.	5.3.1 Outdoor living area	New design principle P1.3 has been included to provide more robust standards for outdoor living areas within the front setback areas to a single houses and grouped dwellings. The design principle now requires consideration of street surveillance and visual permeability of front fences.	There are no local housing objectives within the Built Form Policy that relate to outdoor living areas. The intended outcomes of these modifications would result in improved amenity for residents.	No changes.
22.	5.3.1 Outdoor living area	C1.1 of the R Codes has been amended to require outdoor living areas to have improved integration with main living areas of the dwelling. Text changes are also proposed to provide clarity.	Clause 5.3.1 of the R Codes applies and would result in more robust standards for outdoor living areas.	No changes.
23.	5.3.1 Outdoor living area	C1.2 of the R Codes has been amended to required balconies to have improved integration with main living areas of the dwelling.	Clause 5.3.1 of the R Codes applies and would result in more robust standards for outdoor living areas.	No changes.
24.	5.3.2 Landscaping	Design principle P2 has been amended to provide more robust provisions and to provide clarity so that landscaping is provided in open spaces generally, not just common property and communal spaces.	The Built Form Policy contains Local Housing Objectives that seek to achieve more robust landscaping outcomes. The landscaping provisions of Clause 1.4, 4.5 and 5.9 of the Built Form Policy represent a Council adopted policy position and do not apply until the WAPC have granted	No changes.

			<p>approval in accordance with section 7.3 of the R Codes Volume 1.</p> <p>Whilst the new provisions within the R Codes would result in an improved landscaping outcome, administration would continue to pursue approval from the WAPC for the landscaping provisions within the Built Form Policy.</p>	
25.	5.3.2 Landscaping	C2.1 of the R Codes has been amended to provide clarity and to include a requirement for one shade tree for every four uncovered car parking spaces (previously one per six).	<p>The Built Form Policy contains Deemed to Comply provisions that require additional and improved landscaping outcomes. The landscaping provisions of Clause 1.4, 4.5 and 5.9 of the Built Form Policy represent a Council adopted policy position and do not apply as Deemed to Comply provisions until the WAPC have granted approval in accordance with section 7.3 of the R Codes Volume 1.</p> <p>Whilst the new provisions within the R Codes would result in an improved landscaping outcome, administration would continue to pursue approval from the WAPC for the landscaping provisions within the Built Form Policy.</p>	No changes.
26.	5.3.2 Landscaping	New deemed to comply provision C3.2.2 of the R Codes stipulates that space for at least one tree per dwelling provided on site with a minimum dimension of 2 metres is now required for single houses, grouped dwellings and multiple dwellings.	The Built Form Policy contains Deemed to Comply provisions that require additional and improved landscaping outcomes. The landscaping provisions of Clause 1.4, 4.5 and 5.9 of the Built Form Policy represent a Council adopted policy position and do not apply as Deemed to Comply provisions	No changes.

			<p>until the WAPC have granted approval in accordance with section 7.3 of the R Codes Volume 1.</p> <p>Whilst the new provisions within the R Codes would result in an improved landscaping outcome, administration would continue to pursue approval from the WAPC for the landscaping provisions within the Built Form Policy.</p>	
27.	5.3.3 Parking	C3.1 of the R Codes has been amended to permit sites with access to multiple bus routes that constitute 'high frequency' timings to have reduced vehicle parking on site.	This modification allows greater flexibility and encourages a reduction in car usage where public transport is adequate.	No changes.
28.	5.3.3 Parking	C 3.2 of the R Codes has been amended to clarify the way in which visitor parking bays are calculated.	This modification would simplify the assessment of visitor parking.	No changes.
29.	5.3.5 Vehicle Access	C5.1 of the R Codes has been amended to provide clarification, ensuring that vehicle access is provided from a street other than a primary street where possible.	This modification results in more robust standards that would protect streetscape characters.	No changes.
30.	5.3.6 Pedestrian Access	C6.1 of the R Codes has been amended to be simplified, stipulate a minimum 1.2m wide pedestrian path where applicable, and provide clarity.	This modification would result in an improved built form outcome by ensuring dedicated pedestrian footpaths.	No changes.
31.	5.3.6 Pedestrian Access	C6.3 has been amended to allow pedestrian paths adjacent to communal streets to be setback a minimum of 2.5 metres (previously 3 metres) from dwellings.	This modification to the R Codes would have no detrimental impact on the amenity of residents.	No changes.

32.	5.3.7 Site works	C7.1 of the R Codes has been amended to require consideration of site works and retaining walls at the same time. The provision has also been modified to clarify site works and retaining walls should not exceed 0.5 metres above or below natural ground level except where necessary for access.	This modification to the R Codes provide clarity in how to assess the requirement.	No changes.
33.	5.3.7 Site works	C7.2 of the R Codes has been amended to provide straightforward height and setback assessments of retaining walls, fill and excavation.	This modification to the R Codes simplifies the assessment.	No changes.
34.	5.3.7 Site works	New Table 4 has been included to assist with the assessment of C7.2.	This modification to the R Codes simplifies the assessment.	No changes.
35.	5.3.8 Retaining walls	C8 of the R Codes has been deleted as they are consolidated with Clause 5.3.7 of the R Codes.	This modification to the R Codes simplifies the assessment.	No changes.
36.	5.3.8 Retaining walls	P8 of the R Codes has been relocated to Clause 5.3.7 P7.3.	This modification to the R Codes simplifies the assessment.	No changes.
37.	5.4.2 Solar access for adjoining sites	C2.1 has been amended to exclude dividing fences up to 2.0 metres in height from being included in overshadowing calculations.	Dividing fences are a commonly accepted structure and would not result in an adverse impact on adjoining properties.	No changes.
38.	5.4.3 Outbuildings	The R Codes has been amended to distinguish between small, and large and multiple outbuildings. The requirements for small outbuildings has been aligned with the Building Codes of Australia and allows small outbuildings to be permitted as of right where they meet the specified criteria.	Clause 5.4.3 of the R Codes would apply to development within the City of Vincent. The requirements stipulated within the R Codes would adequately regulate outbuildings to ensure they would have a minimal impact on adjoining properties or the streetscape.	No changes.

		The requirements for large and multiple outbuildings includes Deemed to Comply criteria to better regulate the potential impact on adjoining properties.		
39.	5.5.1 Ancillary Dwellings	C1 of the R Codes has been amended to permit ancillary dwellings on lots not less than 350 square metres (previously 450 square metres). New provisions are also included to control the location, design, and site requirements.	The amended provision would assist in moderating the built form outcome of the development.	No changes.
40.	5.5.1 Ancillary Dwellings	P1 of the R Codes has been amended has been amended to provide clarity and remove repetition.	The intent of the clause has remained the same.	No changes.
41.	5.5.1 Ancillary Dwellings	New design principle P2 has been included to require ancillary dwellings to positively contribute to its setting by considering the existing single house, view from adjoining properties, and view from the streetscape.	The new provision provides more robust standards to guide development.	No changes.
42.	7.2 Pre-existing local planning policies	Clause 7.2 of the R Codes has been amended to clarify which statutory planning document would prevail when there is an inconsistency.	These modifications are noted.	No changes.
43.	7.3.1 Scope of local planning policies, local development plans and activity centre plans	Clause 5.4.3 Outbuildings has been included as a clause that permits a local planning policy to amend or replace the deemed to comply requirement of the R Codes without the approval of the WAPC.	This modification is noted.	No changes.

	in relation to Volume 1			
44.	Table 2a	Table 2a of the R Codes includes minor modifications that allow a 1 metre setback (previously 1.5 metres) for walls with no major openings that are 3.5 metres or less in height and are 14 metres or less in length. This modification is in response to typical residential development designs	This modification would not have a detrimental impact on the design or built form outcomes of buildings.	No changes.

4.5 Landscaping

R CODES	REPLACE	REMAIN												
	Volume 1, Clauses 4.5 replaces Clause 5.3.2 C2 of the R Codes Volume 1.*	–												
Local Housing Objectives		Deemed-To-Comply												
P4.5.1	Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces.	C4.5.1 Deep Soil Areas shall be provided in accordance with the following requirements: <table><tr><th>Site Area</th><th>Minimum Area & Minimum Dimensions</th><th>Deep Soil Areas (minimum % of site)</th></tr><tr><td><650m2</td><td>1m2 1m x 1m</td><td>12%</td></tr><tr><td>650m2 – 1,500m2</td><td>1m2 1m x 1m</td><td>12%</td></tr><tr><td>>1,500m2</td><td>1m2 1m x 1m</td><td>12%</td></tr></table>	Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)	<650m2	1m2 1m x 1m	12%	650m2 – 1,500m2	1m2 1m x 1m	12%	>1,500m2	1m2 1m x 1m	12%
Site Area	Minimum Area & Minimum Dimensions		Deep Soil Areas (minimum % of site)											
<650m2	1m2 1m x 1m		12%											
650m2 – 1,500m2	1m2 1m x 1m		12%											
>1,500m2	1m2 1m x 1m	12%												
P4.5.2	Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings.													
P4.5.3	The integration of sustainable landscape design with the building creating a greater landscaping amenity for residents and occupants and the community.													
P4.5.4	The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect.	C4.5.2 A minimum of 50% of the front setback shall be provided as soft landscaping. C4.5.3 Planting Areas shall be provided in accordance with the following requirements: <table><tr><th>Site Area</th><th>Minimum Area & Minimum Dimensions</th><th>Planting Area (minimum % of site)</th></tr><tr><td><650m2</td><td>1m2 1m x 1m</td><td>3%</td></tr><tr><td>650m2 – 1,500m2</td><td>1m2 1m x 1m</td><td>3%</td></tr><tr><td>>1,500m2</td><td>1m2 1m x 1m</td><td>3%</td></tr></table>	Site Area	Minimum Area & Minimum Dimensions	Planting Area (minimum % of site)	<650m2	1m2 1m x 1m	3%	650m2 – 1,500m2	1m2 1m x 1m	3%	>1,500m2	1m2 1m x 1m	3%
Site Area	Minimum Area & Minimum Dimensions		Planting Area (minimum % of site)											
<650m2	1m2 1m x 1m		3%											
650m2 – 1,500m2	1m2 1m x 1m		3%											
>1,500m2	1m2 1m x 1m	3%												
P4.5.5	Development that prioritises the retention of mature and healthy trees													
P4.5.6	Landscaping at the rear of the property should not negatively impact on the use and activation of a right of way.													
P4.5.7	Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.	C4.5.4 The required Deep Soil Area may be reduced to 10% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained. C4.5.5 At least 30% of the site area is provided as canopy coverage at maturity. C4.5.6 Open air car parks, including accessways, shall have a minimum of 60% canopy coverage at maturity. C4.5.7 All open-air parking areas shall be landscaped at a minimum rate of one tree per four car bays. C4.5.8 The perimeter of all open-air parking areas shall be landscaped by a planting strip with a minimum dimension of 1.5m. C4.5.9 Existing trees shall be retained where they are: a. Healthy specimens with ongoing viability; and b. Species not included on an applicable weed register.												
P4.5.8	The provision of a combination of evergreen and deciduous plant species which would improve the thermal performance of the development.													



CITY OF VINCENT

BUILT FORM

POLICY NO. 7.1.1



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4 | PART 1 PRELIMINARY

PART 1

PRELIMINARY

CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL | POLICY NO. 7.1.1 | BUILT FORM | 5

POLICY DEVELOPMENT

This Policy has been prepared under the provisions of Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

PURPOSE & APPLICATION

The purpose of this Policy is to provide guidance on the planning and design of all development in the City of Vincent.

This Policy applies to all development in the City of Vincent as follows:

Built Form Area (as identified in Figure 1)	Applicable Section of Policy
Town Centre	Part 1; and Part 2, Volumes 1, 2 and 3, Section 1
Activity Corridor	Part 1; and Part 2, Volumes 1, 2 and 3, Section 2
Mixed Use	Part 1; and Part 2, Volumes 1, 2 and 3, Section 3
Transit Corridor	Part 1; and Part 2, Volumes 1, 2 and 3, Section 4
Residential	Part 1; and Part 2, Volumes 1, 2 and 3, Section 5
Reserves	Nil

POLICY OBJECTIVES

The objective of this Policy is for all development to:

Context

1. Integrate land use, public space and the form of the built environment to enable attractive, interesting outcomes for people;
2. Be respectful of local and historic context;
3. Preserve and reinterpret established built form and social character;
4. Maintain and enhance amenity;

Design

5. Be high quality and well-designed, including both buildings and landscaping;
6. Contribute to public spaces through design and maximise street level interest, articulation, materiality, openness, and interaction between inside and outside;
7. Encourage active participation and have a positive influence on public health by improving walkability and interest for people;
8. Design for a human scale, minimising blank walls and the detrimental impacts of services, utilities and car parking structures;
9. Encourage direct street level pedestrian access wherever possible;

10. Incorporate the principles of Crime Prevention through Environmental Design;
11. Respond to future changes in use, lifestyle and demography;
12. Provide sufficient privacy for residents without the need to retrofit screening devices;
13. Provide natural amenity and landscaping, including areas of deep soil that supports healthy plant and tree growth and contributes to the City's tree canopy, reduces urban heat island effect, and provides natural beauty and amenity to residents and visitors;

Sustainability

14. Respond to the changing needs of the community, environment and the economy over time in an efficient, functional and attractive manner;
15. Improve resource, energy and water efficiency throughout the development lifecycle including during construction, maintenance and ongoing use;
16. Incorporate sustainable and energy efficient design that befits the local climate and provides comfortable living conditions while reducing greenhouse gas emissions;

Movement

17. Maximise the opportunities provided by the City of Vincent's proximity to major public transport routes, cycling networks and activity centres;

Housing

18. Provide a range of development types and housing typologies to cater to the needs of the community;
19. Retain and adaptively re-use the City's building stock; and
20. Provide affordable housing.

Additional objectives specific to Built Form Areas are as follows:

Activity Corridor

21. To improve the built form connection and design between the City's Town Centres.

Mixed Use

22. To provide for a variety of built form that facilitates a positive interaction between a mix of land uses and residential densities.

Transit Corridor

23. To provide for high quality design of medium to high-density residential development.

Residential

24. To provide for high quality design of low, medium and high-density residential development.

RELATIONSHIP TO OTHER DOCUMENTS

This Local Planning Policy forms part of the City of Vincent (the City) local planning policy framework. Where this Policy is inconsistent with the City's local planning scheme, the local planning scheme prevails. Where this Policy is inconsistent with an adopted Local Development Plan, Activity Centre Plan or Structure Plan, the adopted Local Development Plan, Activity Centre Plan or Structure Plan prevails.

Where this Policy is inconsistent with the provisions of a specific Policy, Master Plan or Guidelines applying to a particular site or area (e.g. Character Retention Area Guidelines), the provisions of that specific Policy, Master Plan or Guidelines shall prevail.

DEFINITIONS

Active Frontage	A ground floor space where there is visual and/or physical engagement between those in the street and those on the ground floors of buildings.
Adjoining Property	Any lot which shares a boundary or portion of a boundary with a lot on which there is a proposed residential development site or is separated from that lot by a right-of-way, vehicle access way, pedestrian access way, access leg of a battleaxe lot or the equivalent not more than 6m in width.
Articulation	Architectural composition in which elements and parts of the building are expressed logically, distinctly, and consistently, with clear joints. For the purposes of this Policy articulation refers to points within a dwelling that clearly distinguish one part of the dwelling from another, such as setback between the ground and upper floors and indentations or 'breaks' within building walls.
Awning	A roof like structure attached to a building to provide shelter.
Building Height	As per the R Codes Volume 1.
Canopy Coverage	Land area covered by tree crowns (branches, leaves, and reproductive structures extending from the trunk or main stems) from trees located within the subject site, excluding any area that falls within an adjoining privately owned lot.
Climate Moderation Devices	A structure or element which provides suitable control of internal temperature and air conditions, but does not include air conditioners.
Colonnade	A sequence of columns, covered or open, free-standing or part of a building.
Dedicated Road	A road which has been committed to public use in accordance with the <i>Land Administration Act 1997</i> .
Deemed Provisions	Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Deep Soil Area	As per the R Codes Volume 2.

External Fixtures	As per the R Codes Volume 1.
Landscaping	As per the R Codes with additional clarification on “any other such area approved of by the decision-maker as landscaped area” to be defined as: Landscaped areas which are available for the use and enjoyment of the occupants, can include common and/or private open areas and recreational areas but does not include covered portions of driveways, hard paved driveways and parking areas, open air porous parking areas and driveways, or green walls.
Natural Ground Level	As per the R Codes Volume 1 and Volume 2.
Permanent Structure	Building or development which is not temporary and cannot be easily removed, this includes but is not limited to development with footings.
Planting Area	An area, with a minimum soil depth and dimension of 1 metre that supports growth of medium to large canopy trees.
Primary Street	As per the R Codes.
R Codes Volume 1	Refers to State Planning Policy 7.3: Residential Design Codes Volume 1 (as amended).
R Codes Volume 2	Refers to State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments (as amended).
Secondary Street	As per the R Codes Volume 1.
Skillion Roof	A mono-pitch roof form.
Soft Landscaping	An area with a minimum soil depth of 300mm that contains in-ground planting, excluding removable planter boxes/pots, artificial turf, green walls and porous paving areas.
Solar Absorptance	The proportion of incident solar radiation that is absorbed by an external surface when exposed to the sun.
Stall Riser	The part of a shop front below a window.
Storey	That portion of a building which is situated between the top of any floor and the top of the floor next above it and, if there is no floor above it, that portion between the top of the floor and the ceiling above it but excludes any portion of a building used solely for car parking that is at least 50% below ground level.
Streetscape Design Elements	Design features of the street including, colour palette, texture, scale, materials, roof pitch and open spaces that combine to form the street's character.
Streetscape	The visual elements of a street.
Verandah	As per the R Codes Volume 1.
Visible Light Transmission	Light passing directly through glass.
Visually permeable	As per the R Codes Volume 1 and Volume 2.



ASSESSMENT PROCESS

1. Single Houses and Grouped Dwellings – Volume 1.

- 1.1. Applications for development approval where the R Codes apply shall be assessed in accordance with the R Codes.
- 1.2. In assessing applications for development approval and local development plans the City shall have regard to the Policy Objectives of Part 1 and Design Principles included in Appendix 1.
- 1.3. In accordance with Clause 7.3.2 of the R Codes Volume 1, this Policy contains Local Housing Objectives as follows:
 - 1.3.1. Clauses 1.1 – 1.7, 2.1, 3.1, 4.1 – 4.6, 5.1 – 5.9 guide judgements about the merits of proposals where that aspect of residential development does not meet the applicable requirements of the R Codes Volume 1; and
 - 1.3.2. Clauses 1.8 – 1.9 and 5.12 guide judgements about the merits of proposals of aspects of residential development not provided for under the R Codes Volume 1.
- 1.4. In accordance with Clause 7.3 of the R Codes Volume 1, this Policy contains provisions that amend or replace the deemed-to-comply provisions set out in Part 5 of the R Codes. The Design Principles of the R Codes Volume 1 remain and apply. The table below details which deemed to comply provisions of the R Codes Volume 1 have been amended (clarified) or replaced (provide new) by deemed to comply provisions of Volume 1 of the Built Form Policy.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
5.1.1 Site area	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.1.1 of the R Codes Volume 1 remains and applies.
5.1.2 Street Setback	1.1	4.1	5.1	Volume 1, Clause 1.1, 4.1 and 5.1 replace Clause 5.1.2 C2.1 and C2.2 of the R Codes Volume 1. Clauses 5.1.2 C2.3 and C2.4 of the R Codes Volume 1 remain and apply.
5.1.3 Lot Boundary Setback (C3.2-3.3)*	1.2*	4.2*	5.2*	Volume 1, Clause 1.2, 4.2 and 5.2 amend Clause 5.1.3 of the R Codes.* For Town Centre, Mixed Use and Activity Corridor Built Form Areas Clauses 5.1.3 C3.2 and C3.3 of the R Codes Volume 1 remain and apply. For Residential Built Form Areas Clause 5.1.3 C3.3 remains and applies
5.1.4 Open space	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.1.4 of the R Codes Volume 1 remains and applies.
5.1.5 Communal open space	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.1.5 of the R Codes Volume 1 remains and applies.
5.1.6 Building height	1.3, 2.1 and 3.1	4.3	5.3	Volume 1, Clause 1.3, 2.1, 3.1, 4.3 and 5.3 replace Clause 5.1.6 C6 of the R Codes Volume 1.
5.2.1 Garages and carports	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	5.4	Volume 1, Clause 5.4 replaces Clause 5.2.1 C1.1, C1.2, C1.4 and C1.5 of the R Codes Volume 1. For Residential Built Form Area Clause 5.2.1 C1.3 of the R Codes Volume 1 remains and applies. For Town Centres, Mixed Use and Activity Corridors Built Form Areas Clause 5.2.1 of the R Codes Volume 1 remains and applies.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
5.2.2 Garage width	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	5.5	For Residential Built Form Areas Volume 1, Clause 5.5 replaces Clause 5.2.2 C2 of the R Codes Volume For Town Centres, Mixed Use and Activity Corridors Built Form Areas Clause 5.2.2 of the R Codes Volume 1 remains and applies.
5.2.3 Street surveillance	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	5.6	For Residential Built Form Areas Volume 1, Clause 5.6 applies in addition to Clause 5.2.3 of the R Codes Volume 1. For Town Centres, Mixed Use and Activity Corridors Built Form Areas Clause 5.2.3 of the R Codes Volume 1 remains and applies.
5.2.4 Street walls and fences	No Built Form Policy deemed to comply requirements.	4.4	5.7	For Transit Corridor and Residential Built Form Areas Volume 1, Clause 4.4 and 5.7 replaces Clause 5.2.4 C4 of the R Codes. For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 5.2.4 of R Codes Volume 1 remains and applies.
5.2.5 Sight lines	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	5.8	For the Residential Built Form Areas Volume 1, Clause 5.8 replaces Clause 5.2.5 C5 of the R Codes.
5.2.6 Appearance of retained dwelling	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.2.6 of the R Codes Volume 1 remains and applies.
5.3.1 Outdoor living areas	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.1 of the R Codes Volume 1 remains and applies.
5.3.2 Landscaping*	1.4*	4.5*	5.9*	Volume 1, Clauses 1.4, 4.5 and 5.9 replace Clause 5.3.2 C2 of the R Codes Volume 1.*
5.3.3 Parking	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.3 of the R Codes Volume 1 remains and applies.
5.3.4 Design of car parking spaces	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.4 of the R Codes Volume 1 remains and applies
5.3.5 Vehicular access	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.5 of the R Codes Volume 1 remains and applies
5.3.6 Pedestrian access	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.6 of the R Codes Volume 1 remains and applies.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
5.3.7 Site works	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.7 of the R Codes Volume 1 remains and applies.
5.3.8 Retaining walls	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.8 of the R Codes Volume 1 remains and applies.
5.3.9 Stormwater management	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.9 of the R Codes Volume 1 remains and applies.
5.4.1 Visual privacy	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.4.1 of the R Codes Volume 1 remains and applies.
5.4.2 Solar access for adjoining sites	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.4.2 of the R Codes Volume 1 remains and applies.
5.4.3 Outbuildings	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.4.3 of the R Codes Volume 1 remains and applies.
5.4.4 External fixtures, utilities and facilities	1.7	4.6	5.10	Volume 1, Clause 1.7, 4.6 and 5.10 replaces Clause 5.4.4 C4.3 and C4.4 of the R Codes Volume 1. Clauses 5.4.4 C4.1 and C4.2 of the R Codes Volume 1 remain and apply.
5.5.1 Ancillary dwellings	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.5.1 of the R Codes Volume 1 remains and applies.
5.5.2 Aged or dependent persons' dwelling C2.1ii	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.5.2 of the R Codes Volume 1 remains and applies.
5.5.3 Single bedroom dwellings	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.5.3 of the R Codes Volume 1 remains and applies.

**The Built Form Policy Deemed to Comply provisions represent a Council adopted policy position however do not apply as Deemed to Comply provisions until the Western Australian Planning Commission (WAPC) have granted approval in accordance with section 7.3 of the R Codes Volume 1. Until the WAPC have granted approval the relevant Deemed to Comply provisions of the R Codes Volume 1 apply.*



2. Multiple Dwellings and Mixed Use – Volume 2

- 2.1. In accordance with the Clause 1.2.2 of R Codes Volume 2, this Policy contains provisions that amend or replace the Acceptable Outcomes set out in Part 2, 3 and 4 of the R Codes Volume 2. The Element Objectives of the R Codes Volume 2 remain and apply. The table below details which Acceptable Outcomes of the R Codes Volume 2 have been amended or replaced by Acceptable Outcomes of Volume 2 of the Built Form Policy.
- 2.2. In accordance with Part 1, Clause 1.2.4 of the R Codes Volume 2 Objective 1.10.1 guides judgement about the merits of proposals relating to environmentally sustainable design which is not provided for under the R-Codes Volume 2
- 2.3. The R-AC3 provisions of the R Codes Volume 2 shall apply to all multiple dwelling and mixed use applications for development approval on sites zoned Regional Centre, District Centre, Local Centre and Commercial.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
2.1 Primary controls	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	There are no Acceptable Outcomes in this section of the R Codes Volume 2 however subsequent provisions refer to parts of Table 2.1 – Primary controls table.
2.2 Building height	1.1, 2.1 & 3.1	4.1	5.1	Volume 2, Clauses 1.1, 2.1, 3.1, 4.1 and 5.1 replace Acceptable Outcome A 2.2.1 of the R Codes Volume 2.
2.3 Street setbacks	1.2	4.2	5.2	Volume 2, Clauses 1.2, 4.2 and 5.2 replace Acceptable Outcome A 2.3.1 of the R Codes Volume 2.
2.4 Side and rear setbacks	1.3	1.3	1.3	Volume 2, Clause 1.3 replaces Acceptable Outcome A 2.4.1 of the R Codes Volume 2. Clause A 2.4.2 of the R Codes Volume 2 remains and applies.
2.5 Plot ratio	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 2.5 of R Codes Volume 2 remains and applies.
2.6 Building depth	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 2.6 of R Codes Volume 2 remains and applies.
2.7 Building separation	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 2.7 of R Codes Volume 2 remains and applies.
2.8 Development incentives for community benefit	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	There are no Acceptable Outcomes in Clause 2.8 of the R Codes Volume 2.
3.1 Site analysis and design response	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	There are no Acceptable Outcomes in Clause 3.1 of the R Codes Volume 2.
3.2 Orientation	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 3.2 of R Codes Volume 2 remains and applies.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
3.3 Tree canopy and deep soil areas*	1.4*	4.3*	5.3*	<p>Volume 2, Clauses A1.4.1, A1.4.2, A4.3.1, A4.3.2, A4.3.8, A5.3.1 and A5.3.2 replace A 3.3.4 of the R Codes Volume 2.</p> <p>Volume 2, Clauses A1.4.3, A1.4.7, A4.3.3, A4.3.7, A5.3.3 and A5.3.7 replace A 3.3.7 of the R Codes Volume 2.</p> <p>Volume 2, Clauses A1.4.4, A1.4.5, A1.4.6, A4.3.4, A4.3.5, A4.3.6, A5.3.4, A5.3.5 and A5.3.6 replace A 3.3.5 of the R Codes Volume 2.</p> <p>Clauses A 3.3.1, A 3.3.2, A 3.3.3 and A 3.3.6 of the R Codes Volume 2 remain and apply.</p>
3.4 Communal open space	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 3.4 of R Codes Volume 2 remains and applies.
3.5 Visual privacy	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 3.5 of R Codes Volume 2 remains and applies.
3.6 Public domain interface	No Built Form Policy Acceptable Outcomes.	4.4	5.4	<p>For Transit Corridor and Residential Built Form Areas Clause 4.5 and 5.4 apply in addition to Clauses A 3.6.1 – A 3.6.9 of R Codes Volume 2.</p> <p>For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clauses A 3.6.1 – A 3.6.9 R Codes Volume 2 remain and apply.</p>
3.7 Pedestrian access and entries	1.5	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	<p>For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 1.5 applies in addition to Clauses A 3.7.1 to A 3.7.6 of R Codes Volume 2.</p> <p>For Transit Corridors and Residential Built Form Areas Clauses A 3.7.1 to A 3.7.6 of R Codes Volume 2 remain and apply.</p>
3.8 Vehicle Access	1.6	4.5	5.5	Clause 1.6, 4.5 and 5.5 applies in addition to Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
3.9 Car and bicycle parking*	1.7*	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause A1.7.1 replaces Clause A 3.9.9.* For Transit Corridor and Residential Built Form Areas Clauses A 3.3.1 – 3.3.10 of R Codes Volume 2 remain and apply.
4.1 Solar and daylight access	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.1 of R Codes Volume 2 remains and applies.
4.2 Natural ventilation	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.2 of R Codes Volume 2 remains and applies.
4.3 Size and layout of dwellings	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.3 of R Codes Volume 2 remains and applies.
4.4 Private open space and balconies	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.4 of R Codes Volume 2 remains and applies.
4.5 Circulation and common spaces	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.5 of R Codes Volume 2 remains and applies.
4.6 Storage	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.6 of R Codes Volume 2 remains and applies.
4.7 Managing the impact of noise	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.7 of R Codes Volume 2 remains and applies.
4.8 Dwelling mix	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.8 of R Codes Volume 2 remains and applies.
4.9 Universal design	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.9 of R Codes Volume 2 remains and applies.
4.10 Façade design	1.8	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 1.8 applies in addition to Clause A 4.10.1 – A 4.10.6 of R Codes Volume 2. For Transit Corridors and Residential Built Form Areas Clause A 4.10.1 – A 4.10.6 of R Codes Volume 2 remain and apply.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
4.11 Roof design	1.9	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 1.9 applies in addition to Clauses A 4.11.1 – A 4.11.3 of R Codes Volume 2. For Transit Corridors and Residential Built Form Areas Clauses A 4.11.1 – A 4.11.3 of R Codes Volume 2 remain and apply.
4.12 Landscape design	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.12 of R Codes Volume 2 remains and applies.
4.13 Adaptive reuse	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.13 of R Codes Volume 2 remains and applies.
4.14 Mixed use	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.14 of R Codes Volume 2 remains and applies.
4.15 Energy efficiency	1.10*	1.10*	1.10*	Volume 2, Clauses A1.10.1 and A1.10.2 replace A4.15.1 of the R Codes Volume 2.
4.16 Water management and conservation	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.16 of R Codes Volume 2 remains and applies.
4.17 Waste management	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.17 of R Codes Volume 2 remains and applies.
4.18 Utilities	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.18 of R Codes Volume 2 remains and applies.
N/A	1.10	N/A	N/A	For Town Centre, Mixed Use and Activity Corridors Clause 1.10 augments R Codes Volume 2.*

**The Built Form Policy Acceptable Outcomes represent a Council adopted policy position however do not apply as Acceptable Outcomes until the Western Australian Planning Commission (WAPC) have granted approval in accordance with section 1.2 of the R Codes Volume 2. Until the WAPC have granted approval the relevant Acceptable Development provisions of the R Codes Volume 1 apply.*



Commercial – Volume 3

- 3.1.** In assessing applications for development approval against Volume 3, the decision-maker shall have regard to:
- the objectives of the Local Planning Scheme; and
 - policy objectives provided in Part 1, Design Principles provided in Appendix 1 and the Element Objectives provided in Part 2.
- 3.2.** Volume 3 applies throughout the City of Vincent to the development of commercial buildings.
- 3.3.** The element objectives are to be used in the preparation, submission and assessment of proposals for the purpose of determining their compliance with the Built Form Policy.
- 3.4.** Applications for development approval need to demonstrate that the design achieves the objectives of each design element. While addressing the Acceptable Outcomes is likely to achieve the Objectives, they are not a deemed-to-comply pathway and the proposal will be assessed in context of the entire design solution to ensure the Objectives are achieved. Proposals may also satisfy the Objectives via alternative means or solutions.

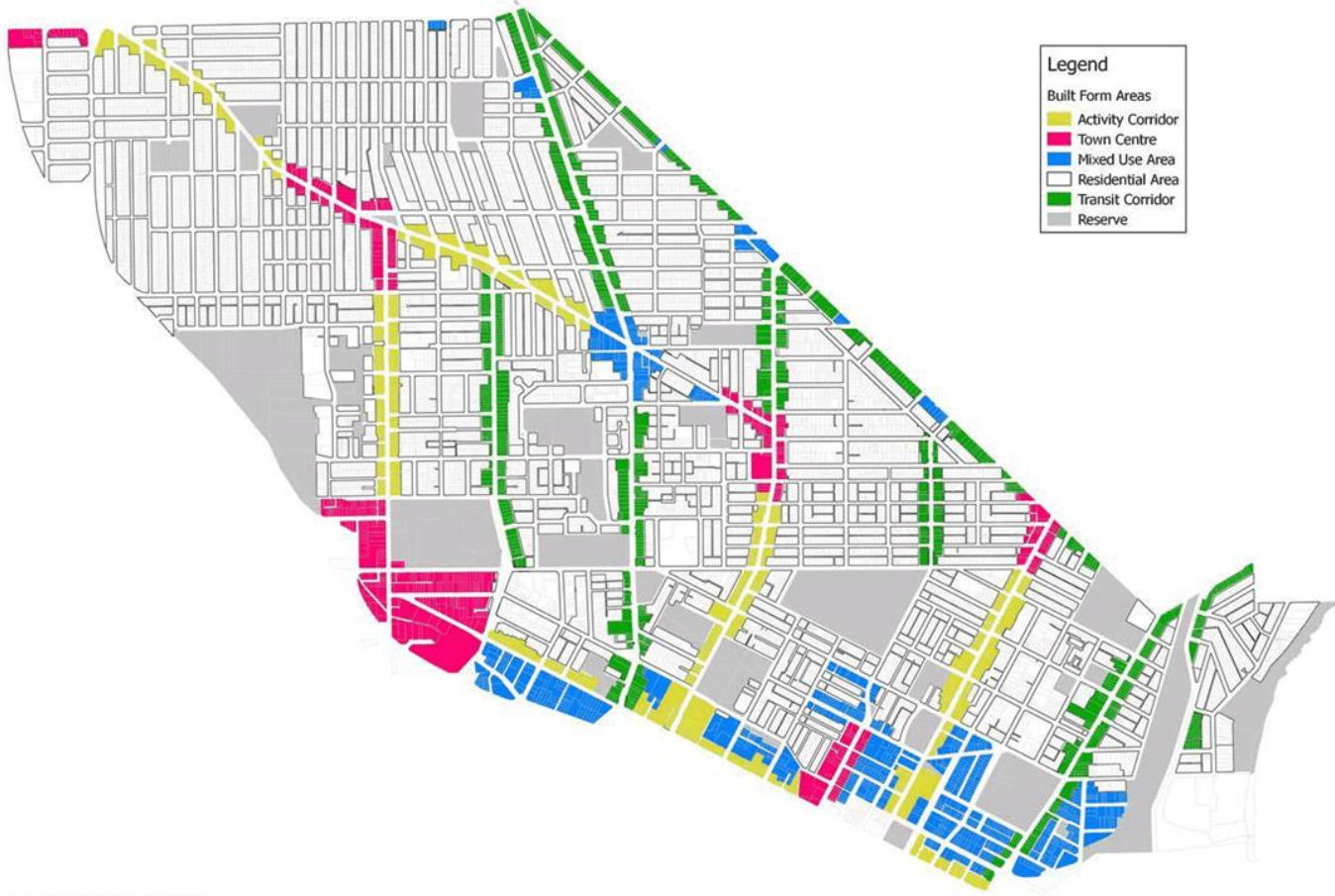


FIGURE 1 – BUILT FORM AREAS

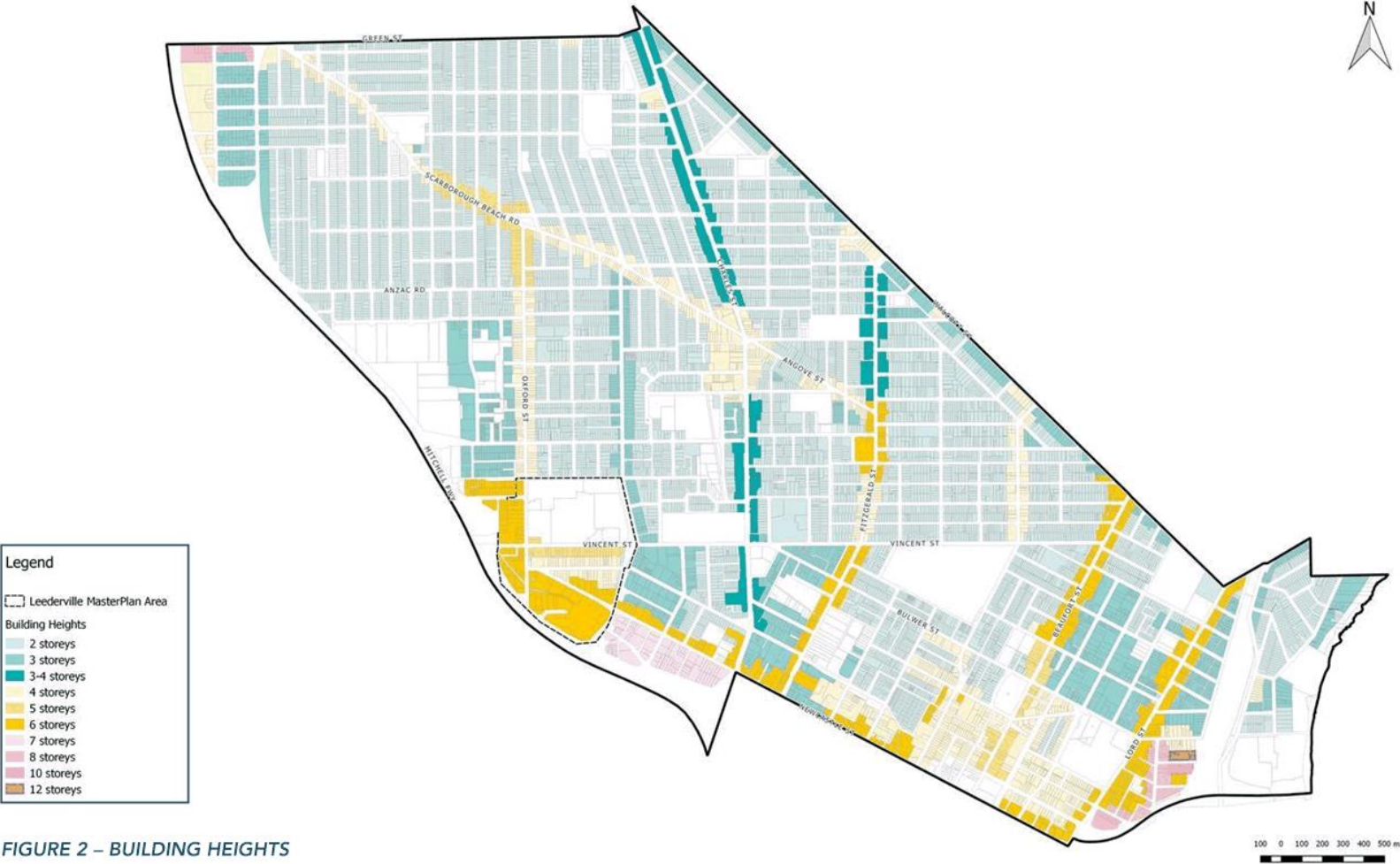


FIGURE 2 – BUILDING HEIGHTS



PART 2

POLICY PROVISIONS

CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL | POLICY NO. 7.1.1 | BUILT FORM | 23

VOLUME 1

SINGLE HOUSES AND GROUPED DWELLINGS

24 | VOLUME 1, SECTION 1 | TOWN CENTRE



SECTION 1 – TOWN CENTRE

1.1 Street Setbacks (Primary and Secondary)

R CODES	REPLACE	REMAIN
	Volume 1, Clause 1.1 replaces Clause 5.1.2 C2.1 and C2.2 of the R Codes Volume 1.	Clauses 5.1.2 C2.3 and C2.4 of the R Codes Volume 1 remain and apply.
Local Housing Objectives		Deemed to Comply
P1.1.1	Development which incorporates design elements that reduce the impact of building bulk.	C1.1.1 Primary and secondary street setback is nil.
P1.1.2	Development which maximises natural light access, natural ventilation and, internal and external privacy.	
P1.1.3	Setbacks that facilitate the provision of landscaping.	
P1.1.4	Development which activates and addresses rights of way.	
P1.1.5	Street setbacks that facilitate the provision of useable open space, alfresco dining opportunities and landscaping which contributes to canopy coverage.	

1.2 Lot Boundary Setbacks

R CODES		REPLACE	REMAIN								
		Volume 1, Clause 1.2 amends Clause 5.1.3 of the R Codes Volume 1.*	For Town Centre, Mixed Use and Activity Corridor Built Form Areas Clauses 5.1.3 C3.2 and C3.3 of the R Codes Volume 1 remain and apply.								
Local Housing Objectives		Deemed to Comply									
P1.2.1	Development which incorporates design elements that reduce the impact of building bulk	C1.2.1 Lot boundary setbacks in accordance tables 1 – 1.2a and 1 – 1.2b:									
P1.2.2	Development which maximises natural light access, natural ventilation and, internal and external privacy.	Table 1 – 1.2a									
P1.2.3	Setbacks that facilitate the provision of deep soil areas and canopy coverage.	Subject Property									
P1.2.4	Development which activates and addresses rights of way.										
		R20	R30	R40	R50	R60	R80	R100+	R – AC3	No R – Code	
Neighbouring Property	Residential Built Form Area	R20	A	A	A	C	C	C	C	C	
		R30	A	A	A	B	C	C	C	C	
		R40	A	A	A	B	B	C	C	C	
		R50	A	A	A	A	B	B	C	C	
		R60	A	A	A	A	A	B	B	B	
		R80	A	A	A	A	A	D	D	D	
		R100+	A	A	A	A	A	D	D	D	
	No R – Code	A	A	A	A	A	D	D	D	D	
Non-Residential Built Form Area		E	E	E	E	E	F	F	F	F	
Table 1 – 1.2b											
Table 1 – 1.2c											
Width of lot in metres											
Setback in metres											
≤14											
>14											
3											
4											
Development Adjoining Rights of Way											
C1.2.2 Where development adjoins a right of way the setback shall be measured from the midpoint of the right of way.											
C1.2.3 Development must address adjoining rights of way by providing passive surveillance and openings to the right of way.											

1.3 Building Height

R CODES	REPLACE	REMAIN
	Volume 1, Clause 1.3 replaces Clause 5.1.6 C6 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed to Comply
P1.3.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.	C1.3.1 Development that is consistent with the building heights provided in Table 1 – 1.3 and Figure 2.
P1.3.2	Development that incorporates design measures to reduce the impact of height, bulk and scale in neighbouring properties and the streetscape.	C1.3.2 External fixtures may extend beyond the maximum height in Table 1 – 1.3 and Figure 2 where they are not visible from the street or neighbouring properties.
P1.3.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.	C1.3.3 The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
P1.3.4	Design which minimises overlooking and overshadowing where it impacts residential development.	C1.3.4 The City may approve development which exceeds the maximum height stated in Table 1-1.3 where it is stipulated in an approved Local Development Plan, Activity Centre Plan, Master Plan or Structure Plan and addresses Design Principles P1.3.1 – P1.3.4.



TABLE 1 – 1.3: Building Height – Town Centres

Location	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Leederville	In accordance with the Leederville Masterplan, and where no height is stated the maximum is to be 6 storeys, with the exception of the below requirements: Vincent Street – 5 storeys Carr Place – 4 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
	Vincent Street – 5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
	Carr Place – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
North Perth	Fitzgerald Street – 6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
	Angove Street – 4 storeys					
	Angove Street – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Perth	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Mount Lawley / Highgate	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Mount Hawthorn	5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
Glendalough	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m

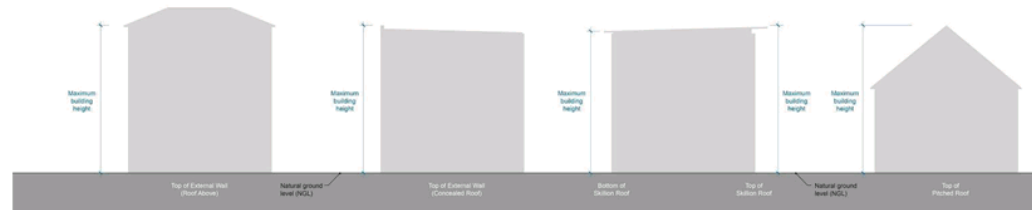


Figure 1–1.3 – Building Height Measurement

1.4 Landscaping

R CODES	REPLACE	REMAIN												
	Volume 1, Clause 1.4 replaces Clause 5.3.2 C2 of the R Codes Volume 1.*	–												
Local Housing Objectives		Deemed to Comply												
P1.4.1	Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces.	C1.4.1 Deep Soil Areas shall be provided in accordance with the following requirements :												
P1.4.2	Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings.	<table> <tr> <th>Site Area</th><th>Minimum Area & Minimum Dimensions</th><th>Deep Soil Areas (minimum % of site)</th></tr> <tr> <td><650m²</td><td>1m² 1m x 1m</td><td>12%</td></tr> <tr> <td>650m² – 1,500m²</td><td>1m² 1m x 1m</td><td>12%</td></tr> <tr> <td>>1,500m²</td><td>1m² 1m x 1m</td><td>12%</td></tr> </table>	Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)	<650m ²	1m ² 1m x 1m	12%	650m ² – 1,500m ²	1m ² 1m x 1m	12%	>1,500m ²	1m ² 1m x 1m	12%
Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)												
<650m ²	1m ² 1m x 1m	12%												
650m ² – 1,500m ²	1m ² 1m x 1m	12%												
>1,500m ²	1m ² 1m x 1m	12%												
P1.4.3	The integration of sustainable landscape design with the building creating a greater landscaping amenity for residents and occupants and the community.													
P1.4.4	The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect.													
P1.4.5	Development that prioritises the retention of mature and healthy trees.													
P1.4.6	Landscaping at the rear of the property should not negatively impact on the use and activation of a right of way.													
P1.4.7	Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.	C1.4.2 The required Deep Soil Area may be reduced to 10% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained.												
P1.4.8	The provision of a combination of evergreen and deciduous plant species which would improve the thermal performance of the development.	C1.4.3 Planting Areas shall be provided in accordance with the following requirements: <table> <tr> <th>Site Area</th><th>Minimum Area & Minimum Dimensions</th><th>Planting Area (minimum % of site)</th></tr> <tr> <td><650m²</td><td>1m² 1m x 1m</td><td>3%</td></tr> <tr> <td>650m² – 1,500m²</td><td>1m² 1m x 1m</td><td>3%</td></tr> <tr> <td>>1,500m²</td><td>1m² 1m x 1m</td><td>3%</td></tr> </table>	Site Area	Minimum Area & Minimum Dimensions	Planting Area (minimum % of site)	<650m ²	1m ² 1m x 1m	3%	650m ² – 1,500m ²	1m ² 1m x 1m	3%	>1,500m ²	1m ² 1m x 1m	3%
Site Area	Minimum Area & Minimum Dimensions	Planting Area (minimum % of site)												
<650m ²	1m ² 1m x 1m	3%												
650m ² – 1,500m ²	1m ² 1m x 1m	3%												
>1,500m ²	1m ² 1m x 1m	3%												
		C1.4.4 At least 80%* of the lot boundary setback area at ground level shall be provided as canopy coverage at maturity.												
		C1.4.5 Open air car parks, including access ways, shall have a minimum of 60% canopy coverage at maturity.												
		C1.4.6 All open-air parking areas shall be landscaped at a minimum rate of one tree per four car bays.												
		C1.4.7 The perimeter of all open-air parking areas shall be landscaped by a planting strip with a minimum dimension of 1.5m.												
		C1.4.8 Existing trees shall be retained where they are: <ul style="list-style-type: none"> • Healthy specimens with ongoing viability; and • Species not included on an applicable weed register. 												

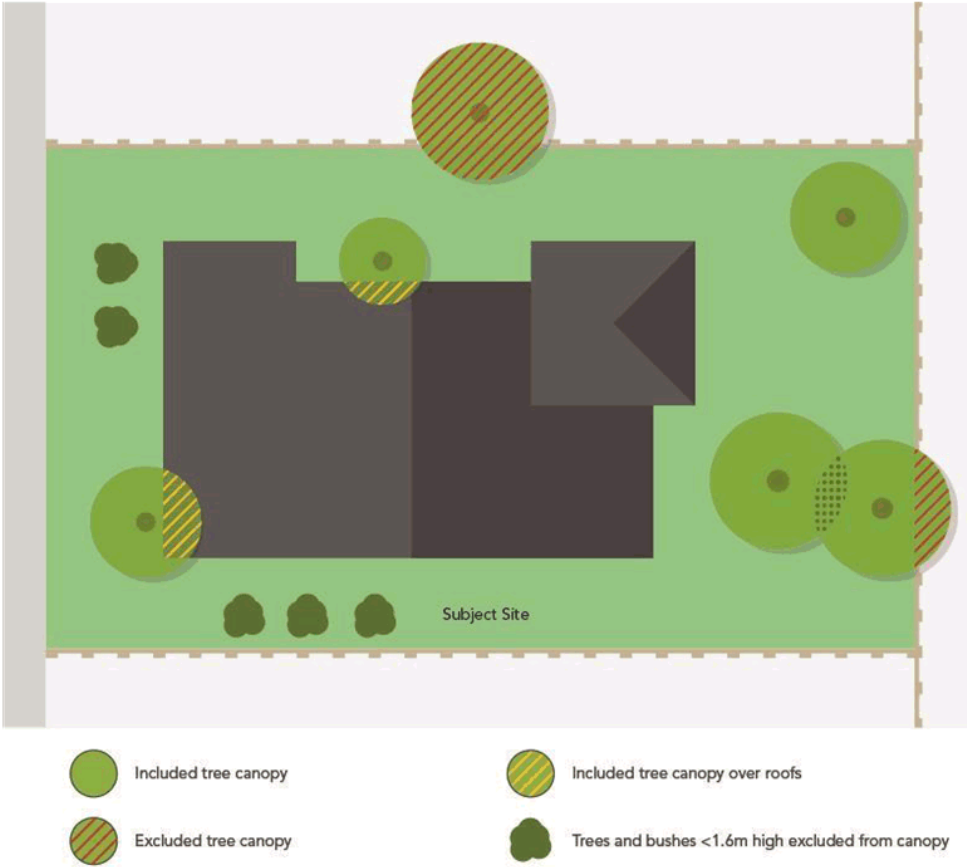


Figure 1 – 1.4.1

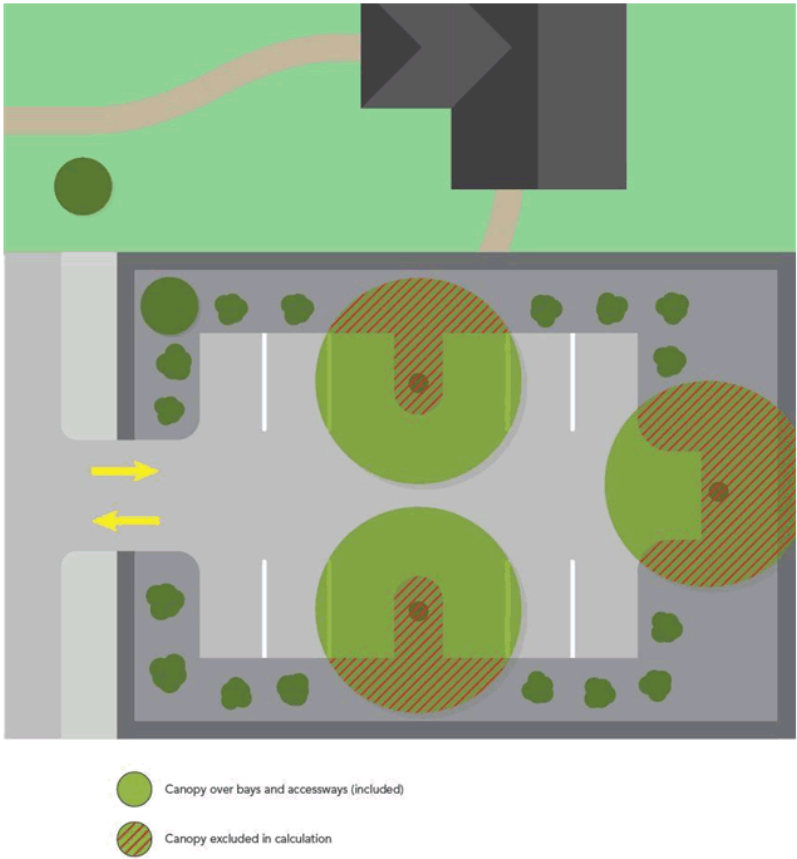


Figure 1 – 1.4.2

1.5 Parking

Local Housing Objectives

- P1.5.1** Minimise visual impact of car parking and supporting infrastructure from the primary or secondary streets.
P1.5.2 Suitable end of trip facilities should be included in the initial design of the building.

1.6 Vehicular Access

Local Housing Objectives

- P1.6.1** Vehicle access to and from site is to be safe, manageable and convenient.
P1.6.2 Pedestrian priority and safety is to be ensured by minimising the number, location and design of vehicle crossovers.
P1.6.3 Minimise breaks in the street wall to maximise active frontages.
P1.6.4 Service areas, loading bays and vehicle entrances should gain access from the Secondary Street or right of way where ever possible.
P1.6.5 Maximise the retention of existing mature vegetation through the location and design of vehicle access.

1.7 External Fixtures, utilities and facilities

R CODES	REPLACE	REMAIN
	Volume 1, Clause 1.7 replaces Clause 5.4.4 C4.3 and C4.4 of the R Codes Volume 1.	Clauses 5.4.4 C4.1 and C4.2 of the R Codes Volume 1 remain and apply.
Local Housing Objectives		Deemed to Comply
P1.7.1	Service areas and external fixtures shall be easily maintained, adequate and attractive and should be incorporated into the overall design of buildings and support renewable energy initiatives.	C1.7.1 Development must comply with Western Power Corporation Easements and Restriction Zones.
P1.7.2	Developments should provide adequate waste storage facilities for each dwelling and this should be considered at the early stage of the design process.	C1.7.2 External fixtures are required to be concealed from the street and surrounding properties, located on the roof, basement or at the rear of the development.
P1.7.3	New development should consider the undergrounding of power supply in order to improve the streetscape and provide space for increased landscaping, canopy coverage and development.	C1.7.3 External fixtures are permitted where they are: <ul style="list-style-type: none"> not visible from the street and surrounding properties; or integrated with the design of the building. C1.7.4 If external fixtures cannot be integrated into the design of the building to be concealed from the street and surrounding properties they will be required to be screened as follows: <ul style="list-style-type: none"> continuous vertical or horizontal opaque material more than 50mm in width, occupying a minimum of three quarters of the total surface area in aggregate; or a surface offering equal or more obstruction to view which does not compromise ventilation.

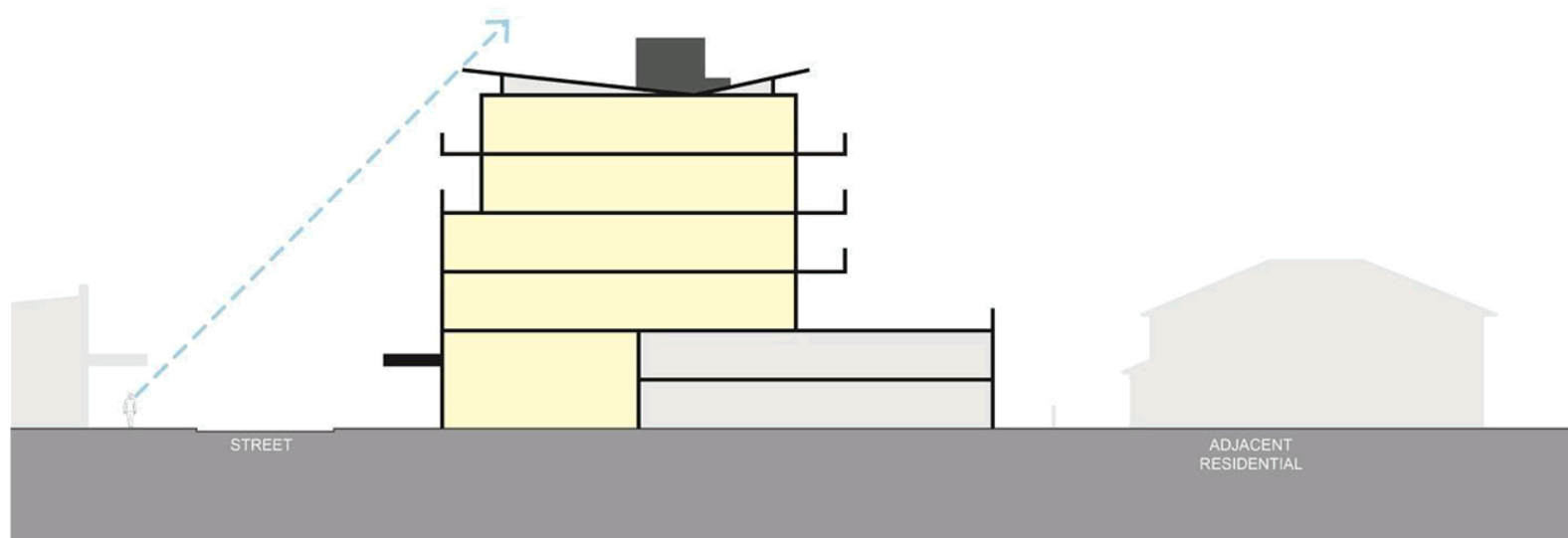


Figure 1 – 1.7 – External Fixtures

1.8 Environmentally Sustainable Design

Local Housing Objectives	
P1.8.1	Development that considers the whole of life environmental impact of the building and incorporates measures to reduce this impact.
P1.8.2	Development that optimises thermal performance of the building throughout the year through design elements and material selection.
P1.8.3	Development shall incorporate: <ul style="list-style-type: none"> • Site planning principles that maximise solar passive design opportunities for both summer and winter; • Natural ventilation and daylight penetration to reduce energy consumption; • Daytime areas with north-facing glazing to allow passive solar heating during winter; • Openable windows and/or ceiling fans to habitable rooms or occupied spaces that allow natural and cross ventilation; • Recovery and re-use of rainwater, storm water, grey water and/or black water for non-potable water applications; • Shading devices to reduce unwanted solar gain in summer and increase passive solar gain in winter; and • Integration of renewable energy and energy storage systems to optimise energy consumption.
P1.8.4	Flat roof structures that are not visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.4.
P1.8.5	Pitched roof structures or roof structures that are visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.5, unless a suitable alternative is identified in the Urban Design Study.
P1.8.6	Demonstrate that the development is capable of achieving one of the environmental performance standards shown in the below table, or a recognised equivalent*.

Accepted Rating Framework	Specification / Compliance Requirements	Minimum Requirement to be Achieved	Evidence
Life Cycle Assessment in Accordance with EN15978 – Sustainability of construction works – Assessment of environmental performance of buildings – Calculation method.	System Boundary must include all Life Cycle Modules (A1-2, B1-7, C1-4 and D) in addition to nonintegrated energy (plug loads)	Global Warming Potential and Net Fresh Water Use Performance Reduction as per Table *** below.	Independently Reviewed EN15978 Compliant Target Setting LCA with a 20% factor of safety applied to improvement strategies

Building Type	Performance Requirement	
	Global Warming Potential	Net Fresh Water Use
Residential (BCA Class 1-3)	< 2,250 kgCO ₂ e / Occupant / Year (50% saving against Perth statistical average residences)	< 57m ³ / Occupant / Year (50% saving against Perth statistical average residences)
Commercial Office (BCA Class 5)	< 104 kgCO ₂ e / m ² Net Lettable Area / year (30% saving against Perth statistical average office)	< 1.25 m ³ / m ² Net Lettable Area / year (25% saving against Perth statistical average office)
All Other Building Types	30% saving against Code-Compliant design	25% saving against Code-Compliant design

*The City accepts sustainability assessment frameworks and mechanisms that are nationally or internationally recognised, compliant with applicable Australian/ international standards and subject to oversight by a certifying body.

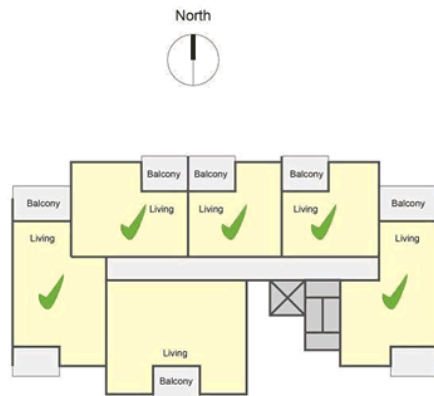


Figure 1 – 1.8.1 – Solar orientation

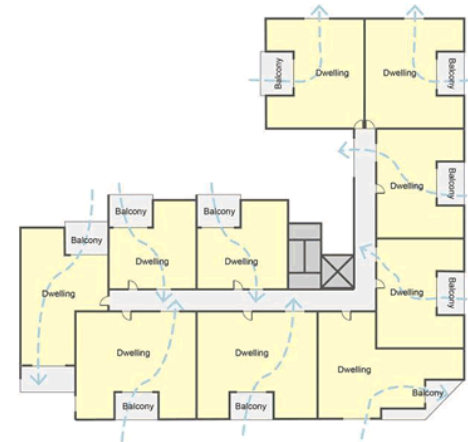


Figure 1 – 1.8.2 – Cross Ventilation

1.9 Urban Design Study

Local Housing Objectives

An Urban Design Study is to be submitted with the application for development approval and must consider all of the following local housing objectives:

- P1.9.1** Appropriate use of a variety of materials and finishes that complement elements of the existing local character whilst avoiding the use of faux (made as an imitation, fake or false) materials.
- P1.9.2** Articulation that uses architectural elements in addition to setbacks to reduce its impact on adjoining properties and improves the amenity of adjoining properties and the streetscape.
- P1.9.3** Fire boosters, mail boxes and external fixtures that are integrated in the early design stage and located to minimise the impact on the public realm.
- P1.9.4** Development that achieves visual interaction with the vehicle and pedestrian approaches.
- P1.9.5** Development which integrates and/or acknowledges the design elements and character of the streetscape identified in the Urban Design Study.
- P1.9.6** Development which incorporates the design elements of the predominant streetscape character of the urban design study area outlined in Appendix 2.
- P1.9.7** Development on corner sites that is designed to express significance and frame the corner to define the built form and give a strong edge to the public realm.
- P1.9.8** Development expressed with strong visual elements that integrate with all street frontages and right of ways.
- P1.9.9** Create cohesion of all street frontages and contribute to a comfortable pedestrian environment by addressing each frontage with passive surveillance and safe sight lines.
- P1.9.10** Development shall integrate with adjoining public spaces by including visual surveillance or clearly visible entrances and paths directly onto the public space.
- P1.9.11** Emphasise vertical articulation to break up building mass and highlight street level uses and details.
- P1.9.12** Development designed to be adaptive and cater for changing uses over time within the relevant zone.
- P1.9.13** High quality durable materials and textures used at street level and upper levels which express the architectural style of the surrounding context.
- P1.9.14** Design which is responsive to any existing and/or proposed verge trees and will promote greening in town centres.

SECTION 2 – ACTIVITY CORRIDOR

2.1 Building Height

R CODES	REPLACE	REMAIN
	Volume 1, Clause 2.1 replaces Clause 5.1.6 C6 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed to Comply
P2.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.	C2.1.1 Development that is consistent with the building heights provided in Table 1-2.1 and Figure 2.
P2.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale in neighbouring properties and the streetscape.	C2.1.2 External fixtures may extend beyond the maximum height in Table 1-2.1 and Figure 2 where they are not visible from the street or neighbouring properties.
P2.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.	C2.1.3 The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
P2.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.	C2.1.4 The City may approve development which exceeds the maximum height stated in Table 1-2.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P2.1.1 – P2.1.4.

TABLE 1 – 2.1: Building Height – Activity Corridors

Activity Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Oxford Street	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Scarborough Beach Road	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Fitzgerald Street (Newcastle St to Vincent St)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Fitzgerald Street (Vincent St to Raglan Road)	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Newcastle Street	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Beaufort Street (Newcastle St to Lincoln St)	5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
Beaufort Street (Lincoln St to Walcott St)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m

2.2 Activity Corridor Development Requirements

2.2.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.3.

SECTION 3 – MIXED USE

3.1 Building Height

Local Housing Objectives		Deemed to Comply	
P3.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.	C3.1.1	Development that is consistent with the building heights provided in Table 1-3.1 and Figure 2.
P3.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale in neighbouring properties and the streetscape.	C3.1.2	External fixtures may extend beyond the maximum height in Table 1-3.1 and Figure 2 where they are not visible from the street or neighbouring properties.
P3.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.	C3.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
P3.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.	C3.1.4	The City may approve development which exceeds the maximum height stated in table 1-3.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P3.1.1 – P3.1.4.



TABLE 1 – 3.1: Building Height – Mixed Use Areas

Mixed Use Area	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Area bounded by Newcastle St, Loftus St, Mitchell Freeway and Charles St	7 storeys	22.6m	23.6m	22.6m	23.6m	25.6m
Area bounded by Carr St, Charles St, Newcastle St and Fitzgerald St	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Between Fitzgerald St and William St	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Brisbane St						
Bulwer St						
Charles St						
Green St						
Walcott St						
William St						
Between William St and Lord St	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
North Perth						
Area bounded by Summers St, Lord St, Graham Farmer Freeway and East Parade (Except where defined below)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Edward St South	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m
Edward St North	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Caversham South	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m
Caversham North	10 storeys	31.9m	32.9m	31.9m	32.9m	34.9m
Cheriton South	10 storeys	31.9m	32.9m	31.9m	32.9m	34.9m
Cheriton North	12 storeys	38.1m	39.1m	38.1m	39.1m	41.1m

3.2 Mixed Use Development Requirements

3.2.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.3.



SECTION 4 – TRANSIT CORRIDOR

4.1 Street Setbacks (Primary and Secondary)

R CODES	REPLACE	REMAIN
	Volume 1, Clause 4.1 replaces Clause 5.1.2 C2.1 and C2.2 of the R Codes Volume 1.	Clauses 5.1.2 C2.3 and C2.4 of the R Codes Volume 1 remain and apply.
Local Housing Objectives		Deemed to Comply
P4.1.1	Development which incorporates design elements that reduce the impact of building bulk.	C4.1.1 The primary and secondary street setback is as per Clause 5.1.2 of the R Codes Volume 1.
P4.1.2	Development which maximises natural light access, natural ventilation, internal and external privacy.	C4.1.2 Primary and secondary street setback for the third storey and above must incorporate articulation and the use of varying colours and materials which minimise the bulk and scale of the building on the streetscape.
P4.1.3	Setbacks that facilitate the provision of deep soil areas and canopy coverage.	
P4.1.4	Development which activates and addresses rights of way.	

4.2 Lot Boundary Setbacks

R CODES

REPLACE

Volume 1, Clause 4.2 amends Clause 5.1.3 of the R Codes Volume 1.*

REMAIN

Clause 5.1.3 C3.3 of the R Codes remains and applies.

Local Housing Objectives

P4.2.1

Development which incorporates design elements that reduce the impact of building bulk.

P4.2.2

Development which maximises natural light access, natural ventilation, internal and external privacy.

P4.2.3

Setbacks that facilitate the provision of deep soil areas and canopy coverage.

P4.2.4

Development which activates and addresses rights of way.

Deemed to Comply

C4.2.2

Lot boundary setbacks are to be in accordance with tables 1-4.2a, 1-4.2b and 1-4.2c:

Table 1 – 4.2a

Neighbouring Property

Residential Built Form Area

R20

A

R30

A

R40

A

R50

A

R60

A

R80

A

R100+

A

No R – Code

A

Non-Residential Built Form Area

A

Table 1 – 4.2b

Setback for ground floor, second storey and third storey

Setback for the fourth storey and above

A

R Codes Volume 1 table 2a and 2b;

R Codes Volume 1 table 2a and 2b;

B

4.5m

6.5m

C

6.5m

12.5

D

Table 1-1.2c

Table 1-1.2c

Table 1 – 4.3c

Width of lot in metres

≤14

≥14

Setback in metres

3

4

C4.2.3

Clause 5.1.3 C3.2 of the R Codes Volume 1 apply to the development of walls up to two side boundaries.

C4.2.4

Where development adjoins a right of way the setback shall be measured from the midpoint of the right of way.

C4.2.5

Development must address adjoining rights of way by providing passive surveillance and openings to the right of way.

4.3 Building Height

R CODES	REPLACE	REMAIN
	Volume 1, Clause 4.3 replaces Clause 5.1.6 C6 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed to Comply
P4.3.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.	C4.3.1 Development that is consistent with the building heights provided in Table 1-4.3 and Figure 2.
P4.3.2	Development that incorporates design measures to reduce the impact of height, bulk and scale in neighbouring properties and the streetscape.	C4.3.2 External fixtures may extend beyond the maximum height in Table 1-4.3 and Figure 2 where they are not visible from the street or neighbouring properties.
P4.3.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.	C4.3.3 The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
P4.3.4	Design which minimises overlooking and overshadowing where it impacts residential development.	C4.3.4 The City may approve development which exceeds the maximum height stated in table 1-4.3 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P4.2.1 – P4.2.4.

TABLE 1 – 4.3: Building Height – Transit Corridors

Transit Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Loftus Street	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Charles Street: Between Newcastle St and Carr St	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
West side and lots fronting Newcastle East side	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Charles Street (Carr Street to Walcott St)	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R80 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Fitzgerald Street (Angove St to Walcott St)	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Walcott Street	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Lord Street	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
East Parade	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
William Street (Vincent St to Walcott St)	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m

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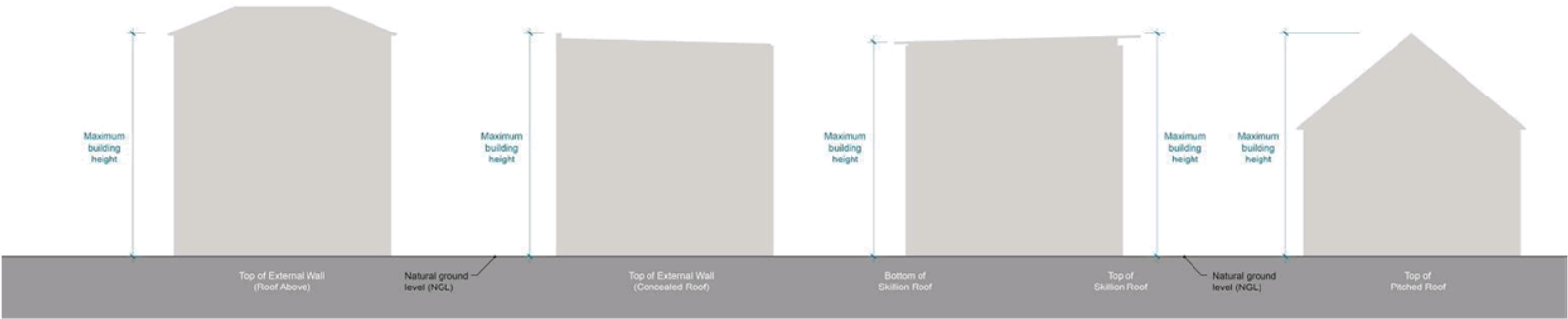


Figure 1 – 4.3 – Building Height and Measurement

4.4 Street Walls and Fences

R CODES		REPLACE	REMAIN
		Volume 1, Clause 4.4 replaces Clause 5.2.4 C4 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed to Comply	
P4.4.1	Front fences and walls which enable surveillance and enhance streetscape.	C4.4.1	Street walls, street fences and gates are to be of a style and materials compatible with those of the development on site and/or walls, fences and gates of the immediate surrounding area excluding fibre cement.
P4.4.2	Development which adds interest to the street and minimises blank facades.	C4.4.2	Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new dwellings fronting a right of way or dedicated road to be as follows: <ol style="list-style-type: none"> 1. Maximum height of 1.8 metres above the natural ground level; 2. Maximum height of piers with decorative capping to be 2 metres above the natural ground level; 3. Maximum height of solid portion of wall to be 1.2 metres above adjacent footpath level and are to be visually permeable above 1.2 metres; 4. Posts and piers are to have a maximum width 400 millimetres and a maximum diameter of 500 millimetres; and 5. The distance between piers should not be less than the height of the piers except where pedestrian gates are proposed.
		C4.4.3	Street walls, fences and gates to secondary streets, behind the primary street setback line, or walls, fences and gates to the primary streets where those streets are district distributor roads to be as follows: <ol style="list-style-type: none"> (a) Solid portion of wall may increase to a maximum height of 1.8 metres above adjacent footpath level provided that the wall or fence has at least two significant appropriate design features (to the satisfaction of the City of Vincent) to reduce the visual impact – for example, significant open structures, recesses and/or planters facing the road at regular intervals and varying materials, finishes and/or colours; and (b) Maximum height of piers with decorative capping to be 2 metres above adjacent footpath level.
		C4.4.4	Exposed boundary walls visible to the street are to incorporate the following design features: <ul style="list-style-type: none"> • Indentations; • Varying heights; • Varying materials, colours and textures; or Public artwork.
		C4.4.5	Any proposed vehicular or pedestrian entry gates shall be visually permeable.
		C4.4.6	Walls and fences on the side boundaries, only within the primary street setback area, constructed from metal sheeting are permitted provided they meet all other requirements relating to height, provide adequate sight lines and are not a side boundary fence facing a secondary street.

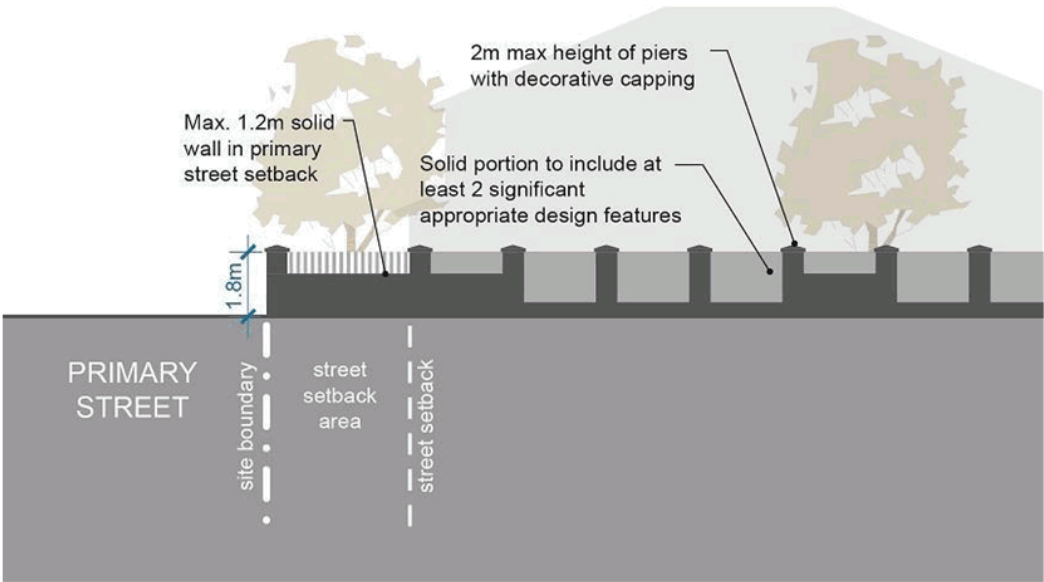


Figure 1 – 4.4 – Street walls and fences

4.6 External Fixtures, Utilities and Facilities

R CODES	REPLACE	REMAIN
	Volume 1, Clause 4.6 replaces Clause 5.4.4 C4.3 and C4.4 of the R Codes Volume 1.	Clauses 5.4.4 C4.1 and C4.2 of the R Codes Volume 1 remain and apply.
Local Housing Objectives		Deemed-to-Comply
P4.6.1	Where Part 5 of the R Codes applies all Design Principles of clause 5.4.4 of the R Codes apply. Where Part 6 of the R Codes applies, and for all other development, all Design Principles of clause 6.4.5 of the R Codes apply.	C4.6.1
		External fixtures are permitted where they are: <ul style="list-style-type: none"> not visible from the street and surrounding properties; or integrated with the design of the building.
		C4.6.2
		If external fixtures cannot be integrated into the design of the building to be concealed from the street and surrounding properties they will be required to be screened as follows: <ul style="list-style-type: none"> continuous vertical or horizontal opaque material more than 50mm in width, occupying a minimum of three quarters of the total surface area in aggregate; or a surface offering equal or more obstruction to view which does not compromise ventilation.
		C4.6.3
		For single houses and grouped dwellings, air conditioning fixtures are to be placed at the rear of the ground floor. The highest point of the air conditioning fixture is to be a maximum 1.8 metres above natural ground level or below the existing fence line.

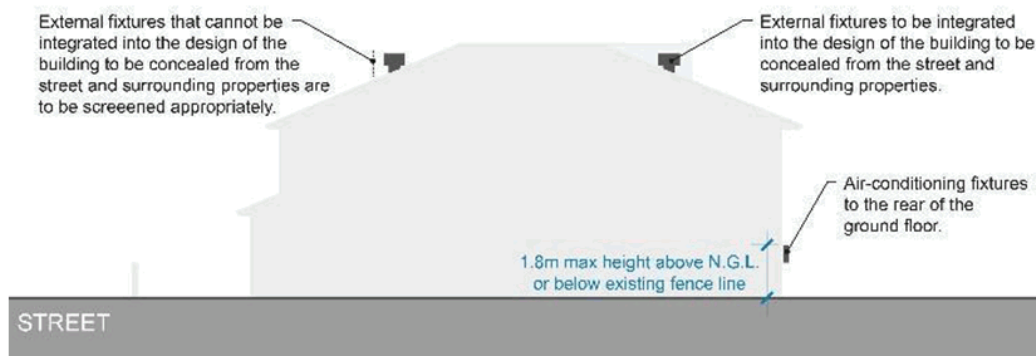


Figure 1 – 4.6 – External Fixtures

4.7 Environmentally Sustainable Design

- 4.7.1** Clause 1.8 of this Policy applies to development in the Transit Corridor Built Form Area.
- 4.8** Urban Design Study
- 4.8.1** Clause 1.9 of this Policy applies to development in the Transit Corridor Built Form Area.

SECTION 5 – RESIDENTIAL

5.1 Street Setback (Primary and Secondary)

R CODES	REPLACE	REMAIN
	Volume 1, Clause 5.1 replaces Clause 5.1.2 C2.1 and C2.2 of the R Codes Volume 1.	Clauses 5.1.2 C2.3 and C2.4 of the R Codes Volume 1 remain and apply.
Local Housing Objectives		Deemed-to-Comply
P5.1.1	Development which incorporates predominant features of the streetscape.	C5.1.1 The primary street setback is to be calculated by averaging the setback of the five adjoining properties, either side of the proposed development.
P5.1.2	Development which clearly distinguishes all upper floors from lower storeys to clearly distinguish the parts of the dwelling.	C5.1.2 For the purpose of averaging, the primary street setback is to be measured from the street alignment to the nearest wall of the dwelling excluding porches, verandahs, carports and balconies.
P5.1.3	Development which minimises the visual bulk of the buildings through articulation of larger wall lengths and the stepping back of upper storeys walls.	C5.1.3 Walls on upper floors setback a minimum of 2 metres behind the ground floor predominant building line (excluding any porch or verandah), as determined by the City. C5.1.4 Balconies on upper floors setback a minimum of 1 metre behind the ground floor predominant building line (excluding any porch or verandah), as determined by the City. C5.1.5 The ground floor secondary street setback is to be as per the R Codes. C5.1.6 Secondary street setbacks for upper floors is to be 1.5 metres behind each portion of the ground floor setback.

5.2 Lot Boundary Setback

R CODES

REPLACE

REMAIN

Volume 1, Clause 5.2 amends Clause 5.1.3 of the R Codes Volume 1.*

Clause 5.1.3 C3.3 of the R Codes remains and applies.

Local Housing Objectives

Deemed-to-Comply

P5.2.1

Development which preserves and enhances the visual character of the existing streetscape by considering building setbacks.

C5.2.1

Clause 5.1.3 C3.2 of the R Codes Volume 1 applies to walls and is acceptable up to two side boundaries.

C5.2.2

Lot boundary setbacks are to be in accordance with tables 1-5.2a, 1-5.2b and 1-5.2c:

Table 1 – 5.2a

		Subject Property									
		R20	R30	R40	R50	R60	R80	R100+	R – AC3	No R – Code	
Neighbouring Property	Residential Built Form Area	R20	A	A	A	C	C	C	C	C	C
		R30	A	A	A	B	C	C	C	C	
		R40	A	A	A	B	B	C	C	C	
		R50	A	A	A	A	B	B	C	C	
		R60	A	A	A	A	A	B	B	B	
		R80	A	A	A	A	A	D	D	D	
		R100+	A	A	A	A	A	D	D	D	
	Non-Residential Built Form Area	A	A	A	A	A	D	D	D	D	

Table 1 – 5.2b

	Setback for ground floor, second storey and third storey	Setback for the fourth storey and above
A	R Codes Volume 1 table 2a and 2b;	R Codes Volume 1 table 2a and 2b;
B	4.5m	6.5m
C	6.5m	12.5
D	Table 1-5.2c	Table 1-5.2c

Table 1 – 5.2c

	Width of lot in metres	
	≤14	>14
Setback in metres	3	4

C5.2.3

Where development adjoins a right of way the setback shall be measured from the midpoint of the right of way.

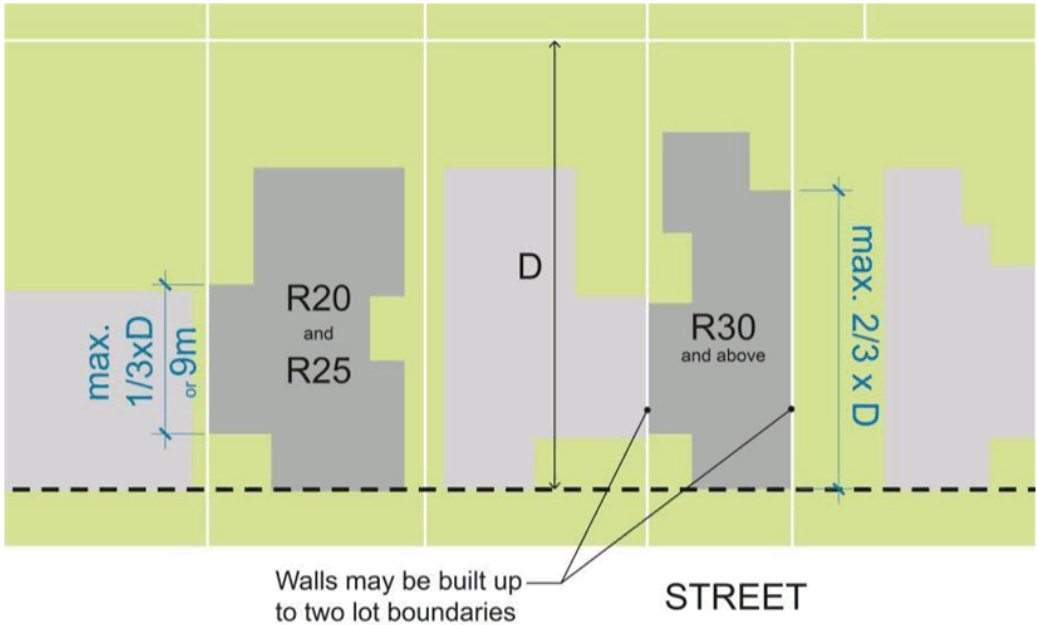


Figure 1 – 5.2 – Residential lot boundary setbacks

5.3 Building Height

R CODES	REPLACE	REMAIN
	Volume 1, Clause 5.3 replaces Clause 5.1.6 C6 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed-to-Comply
P5.3.1	Buildings which respond and contribute to neighbourhood context and streetscape character, and do not overwhelm or dominate existing development.	C5.3.1 Development that is consistent with the building heights provided in Table 1-5.3 and Figure 2.
P5.3.2	Design which is complimentary to existing developments.	C5.3.2 External fixtures may extend beyond the maximum height in Table 1-5.3 and Figure 2 where they are not visible from the street or neighbouring properties.
P5.3.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.	C5.3.3 The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
P5.3.4	Design which minimises overlooking and overshadowing.	C5.3.4 The City may approve development which exceeds the maximum height stated in Table 1-5.3 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P5.3.1 – P5.3.5.
P5.3.5	Development which preserves and enhances the visual character of the existing streetscape by considering building bulk and scale.	

TABLE 1 – 5.3: Building Height – Residential Area

Maximum No. of Storeys as per Figure 2	Maximum Building Height				
	Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
1 storey	3m	4m	3m	4m	6m
2 storeys	6m	7m	6m	7m	9m
3 storeys	9m	10m	9m	10m	12m
4 storeys	12m	13m	12m	13m	15m
5 storeys	16m	17m	16m	17m	18m

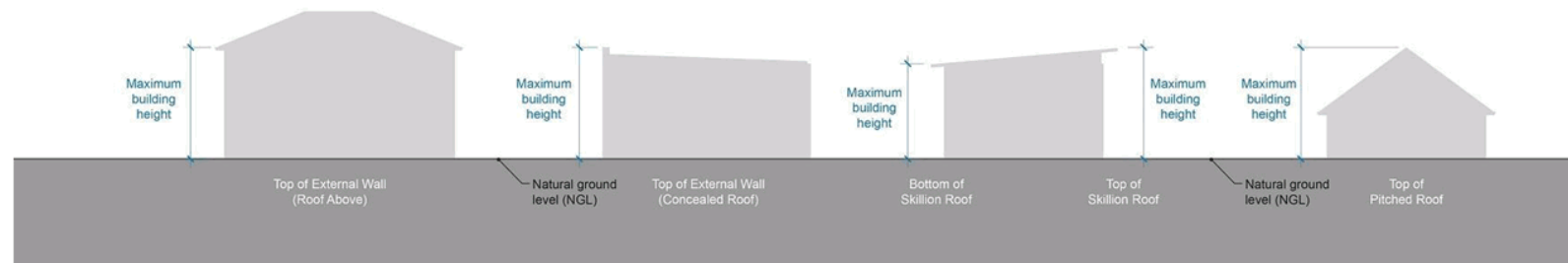


Figure 1 – 5.3 – Residential Building Heights



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5.4 Garages and Carports

R CODES	REPLACE	REMAIN
	Volume 1, Clause 5.4 replaces Clause 5.2.1 C1.1, C1.2, C1.4 and C1.5 of the R Codes Volume 1.	Clause 5.2.1 C1.3 of the R Codes Volume 1 remains and applies.
Local Housing Objectives		Deemed-to-Comply
P5.4.1	The setting back of carports and garages to maintain clear sight lines along the street and not to detract from the streetscape or appearance of dwellings; or dominate views of dwellings from the street and vice versa.	C5.4.1 Vehicular access to car parking, carports and garages from the street are subject to compliance with clause 5.3.5 of the R Codes.
P5.4.2	Development which preserves and enhances the visual character of the existing streetscape by considering building bulk, scale, setbacks and design.	C5.4.2 Garages are to be setback a minimum of 500mm behind the dwelling alignment (excluding any porch portico verandah or balcony or the like).
		C5.4.3 Carports shall be setback in accordance with Clause 5.2.1 of this Policy. This setback may be reduced in accordance with Clause 5.1.2 C2.1 iii of the R Codes Volume 1.
		C5.4.4 Garages and carports must match the existing dwellings predominant colour, scale and materials and must be complementary and subservient to the dwelling.
		C5.4.5 Carports must provide an unobstructed view to major openings of the dwelling from the street. Gates or doors to carports are required to be visually permeable.
		C5.4.6 Carports shall allow light and ventilation to the major openings of the dwelling.
		C5.4.7 The total width of any carport within the street setback area is not to exceed 50 per cent of the frontage (including strata lots) of the lot or six metres whichever is the lesser.

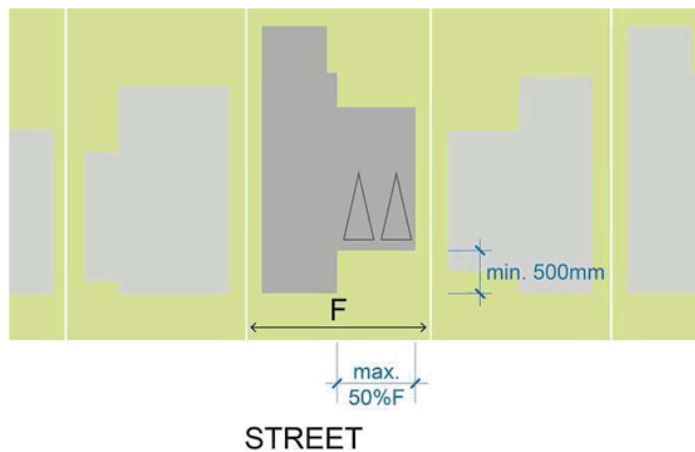


Figure 1 – 5.4.1 – Garage Street Setback

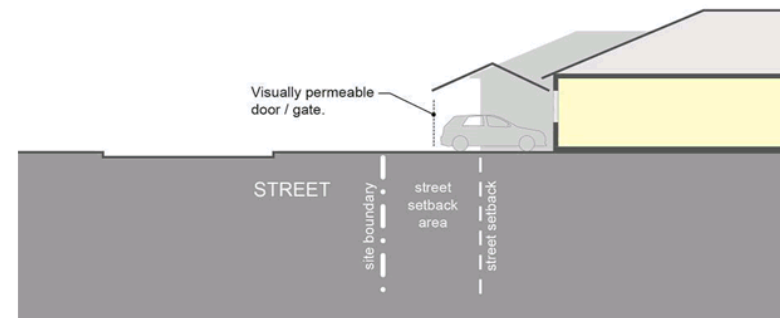


Figure 1 – 5.4.2 – Carports within Street Setback

5.5 Garage Width

R CODES	REPLACE	REMAIN
	Volume 1, Clause 5.5 replaces Clause 5.2.2 C2 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed-to-Comply
P5.5.1	Development which preserves and enhances the visual character of the existing streetscape and minimises the visual impact of the garage.	<p>C5.5.1 Garages which are 50% or less than the width of the lot.</p> <p>C5.5.2 For lots less than 10 metres wide, garages which are a maximum of 4 metres wide.</p>

5.6 Street Surveillance

R CODES	REPLACE	REMAIN
	Clause 5.6 applies in addition to Clause 5.2.3 of the R Codes Volume 1.	Clause 5.2.3 of the R Codes Volume 1 remains and applies.
Local Housing Objectives		Deemed-to-Comply
P5.6.1	Where Part 5 of the R Codes applies, and for all other development, all Design Principles of clause 5.2.3 of the R Codes apply. Where Part 6 of the R Codes applies all Design Principles of clause 6.2.1 of the R Codes apply.	<p>C5.6.1 The primary street elevation of the dwelling is to address the street and shall include the main entry (front door) to the dwelling.</p> <p>Sites which abut a right-of-way and do not designate another primary street shall address the right-of-way as though it were its primary street for the purposes of this clause.</p>

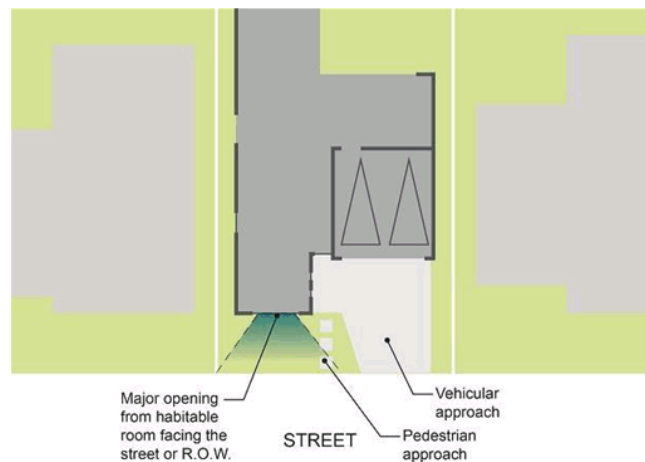


Figure 1 – 5.6 – Street Surveillance

5.7 Street Walls and Fences

R CODES	REPLACE	REMAIN
	Volume 1, Clause 5.7 replaces Clause 5.2.4 C4 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed-to-Comply
P5.7.1	Development which preserves and enhances the visual character of the existing streetscape by considering bulk, scale, setbacks, design, relationship between the private and public domain, and fencing styles.	
	C5.7.1	Street walls, street fences and gates are to be of a style and materials compatible with those of the dwelling on site and/or walls, fences and gates of the immediate surrounding area excluding fibre cement and metal sheeting.
	C5.7.2	Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new dwellings fronting a right of way or dedicated road to be as follows: <ol style="list-style-type: none"> 1. Maximum height of 1.8 metres above the natural ground level; 2. Maximum height of piers with decorative capping to be 2 metres above the natural ground level; 3. Maximum height of solid portion of wall to be 1.2 metres above adjacent footpath level and are to be visually permeable above 1.2 metres; 4. Posts and piers are to have a maximum width 400 millimetres and a maximum diameter of 500 millimetres; and 5. The distance between piers should not be less than the height of the piers except where pedestrian gates are proposed.
	C5.7.3	Street walls, fences and gates to secondary streets, behind the primary street setback line, or walls, fences and gates to the primary streets where those streets are district distributor roads to be as follows: <ul style="list-style-type: none"> • Solid portion of wall may increase to a maximum height of 1.8 metres above adjacent footpath level provided that the wall or fence has at least two significant appropriate design features (to the satisfaction of the City of Vincent) to reduce the visual impact – for example, significant open structures, recesses and/or planters facing the road at regular intervals and varying materials, finishes and/or colours; and • Maximum height of piers with decorative capping to be 2 metres above adjacent footpath level.
	C5.7.4	Walls, fences and gates on the side boundaries within the primary street setback area, constructed from metal sheeting are permitted provided they meet all other requirements relating to height, provide adequate sight lines and are not a side boundary fence facing a secondary street.
<p><i>Note: The measurement of street walls, fences and gates is to include any retaining walls and is to be measured from the natural ground level immediately below the base of the wall to the top of the wall above, within the development site. In the case of primary street frontage the measurement of street walls, fences and gates is to be measured from the natural ground level of the footpath immediately below the base of the wall to the top of the wall above.</i></p>		

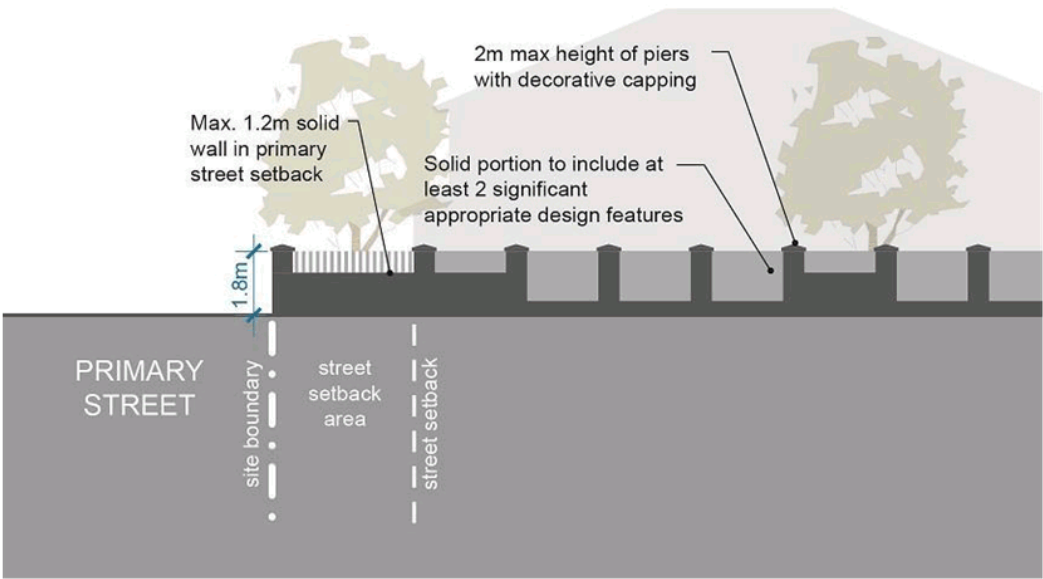


Figure 1 – 5.7 – Street Walls and Fences

5.8 Sight Lines

R CODES		REPLACE	REMAIN
		Clause 5.8 replaces Clause 5.2.5 C5 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed-to-Comply	
P5.8.1	Development which allows safe vehicle movement between the private and public domain.	C5.8.1	<p>Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences and other structures adjoin vehicle access points, where a driveway meets a public street and where two streets intersect, with the exception of:</p> <ul style="list-style-type: none"> • One pier/pillar with a maximum width and depth of 400 millimetres and 1.8 metres height above NGL, or 2.0 metres tall to the top of decorative capping above the NGL; • Fence slats or infill higher than 0.75 metres above NGL that provides a Clear Sight Line; • If a gate is proposed across a vehicle access point where a driveway meets a public street and where two streets intersect, the gate must provide: <ul style="list-style-type: none"> • When Closed: a minimum of 50 per cent unobstructed view; • When Open: a Clear Sight Line from 0.75m above the NGL within 1.5m of where the vehicle access way joins the street; <p>For the purposes of this clause a Clear Sight Line means:</p> <ul style="list-style-type: none"> • Continuous horizontal or vertical gaps that constitute a minimum of 50% of the total surface area; • A minimum gap size of 40mm; • If slats are orientated to be deeper than they are wide - the distance between the slats must be no less than two-times the depth of the slat; • Clear non-reflective glass.

5.9 Landscaping

R CODES	REPLACE	REMAIN												
	Volume 1, Clauses 5.9 replaces Clause 5.3.2 C2 of the R Codes Volume 1.*	–												
Local Housing Objectives		Deemed-To-Comply												
P5.9.1	Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces.	C5.9.1 Deep Soil Areas shall be provided in accordance with the following requirements: <table><tr><th>Site Area</th><th>Minimum Area & Minimum Dimensions</th><th>Deep Soil Areas (minimum % of site)</th></tr><tr><td><650m2</td><td>1m2 1m x 1m</td><td>12%</td></tr><tr><td>650m2 – 1,500m2</td><td>1m2 1m x 1m</td><td>12%</td></tr><tr><td>>1,500m2</td><td>1m2 1m x 1m</td><td>12%</td></tr></table>	Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)	<650m2	1m2 1m x 1m	12%	650m2 – 1,500m2	1m2 1m x 1m	12%	>1,500m2	1m2 1m x 1m	12%
Site Area	Minimum Area & Minimum Dimensions		Deep Soil Areas (minimum % of site)											
<650m2	1m2 1m x 1m		12%											
650m2 – 1,500m2	1m2 1m x 1m		12%											
>1,500m2	1m2 1m x 1m	12%												
P5.9.2	Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings.													
P5.9.3	The integration of sustainable landscape design with the building creating a greater landscaping amenity for residents and occupants and the community.													
P5.9.4	The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect.	C5.9.2 Planting Areas shall be provided in accordance with the following requirements: <table><tr><th>Site Area</th><th>Minimum Area & Minimum Dimensions</th><th>Deep Soil Areas (minimum % of site)</th></tr><tr><td><650m2</td><td>1m2 1m x 1m</td><td>3%</td></tr><tr><td>650m2 – 1,500m2</td><td>1m2 1m x 1m</td><td>3%</td></tr><tr><td>>1,500m2</td><td>1m2 1m x 1m</td><td>3%</td></tr></table>	Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)	<650m2	1m2 1m x 1m	3%	650m2 – 1,500m2	1m2 1m x 1m	3%	>1,500m2	1m2 1m x 1m	3%
Site Area	Minimum Area & Minimum Dimensions		Deep Soil Areas (minimum % of site)											
<650m2	1m2 1m x 1m		3%											
650m2 – 1,500m2	1m2 1m x 1m		3%											
>1,500m2	1m2 1m x 1m	3%												
P5.9.5	Development that prioritises the retention of mature and healthy trees													
P5.9.6	Landscaping at the rear of the property should not negatively impact on the use and activation of a right of way.													
P5.9.7	Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.	C5.9.3 The required Deep Soil Area may be reduced to 10% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained. C5.9.4 At least 30% of the site area is provided as canopy coverage at maturity. C5.9.5 Open air car parks, including access ways, shall have a minimum of 60% canopy coverage at maturity. C5.9.7 The perimeter of all open-air parking areas shall be landscaped by a planting strip with a minimum dimension of 1.5m. C5.9.8 Existing trees shall be retained where they are: (a) Healthy specimens with ongoing viability; and (b) Species not included on an applicable weed register. C5.9.9 The above landscaping provisions apply to additions and alterations that affect an existing Deep Soil Area, canopy cover or tree on the subject lot.												
P5.9.8	Design which retains existing mature trees on site.													
P5.9.9	The provision of a combination of evergreen and deciduous plant species which would improve the thermal performance of the development.													

5.10 External Fixtures, Utilities and Facilities

R CODES	REPLACE	REMAIN
	Volume 1, Clause 5.10 replaces Clause 5.4.4 C4.3 and C4.4 of the R Codes Volume 1.	Clauses 5.4.4 C4.1 and C4.2 of the R Codes Volume 1 remain and apply.
Local Housing Objectives		Deemed-to-Comply
P5.10.1 Development which preserves and enhances the visual character of the existing streetscape by considering building bulk, scale and design.	C5.10.1 External fixtures are permitted where they are: <ul style="list-style-type: none"> not visible from the street and surrounding properties; or integrated with the design of the building. 	C5.10.2 If external fixtures cannot be integrated into the design of the building to be concealed from the street and surrounding properties they will be required to be screened as follows: <ul style="list-style-type: none"> continuous vertical or horizontal opaque material more than 50mm in width, occupying a minimum of three quarters of the total surface area in aggregate; or a surface offering equal or more obstruction to view which does not compromise ventilation. C5.10.3 For single houses and grouped dwellings, air conditioning fixtures are to be placed at the rear of the ground floor. The highest point of the air conditioning fixture is to be a maximum 1.8 metres above natural ground level or below the existing fence line.

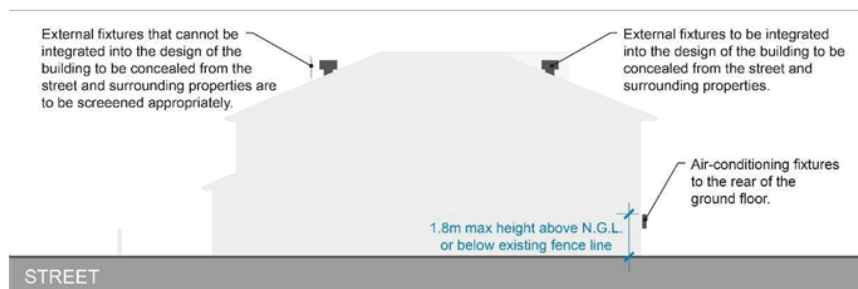


Figure 1 – 5.10.1 – External Fixtures

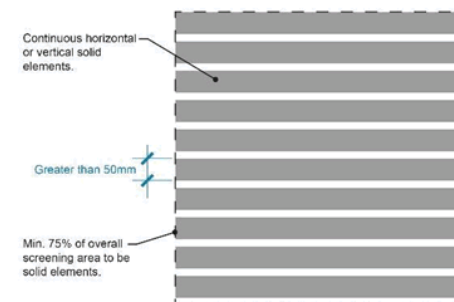
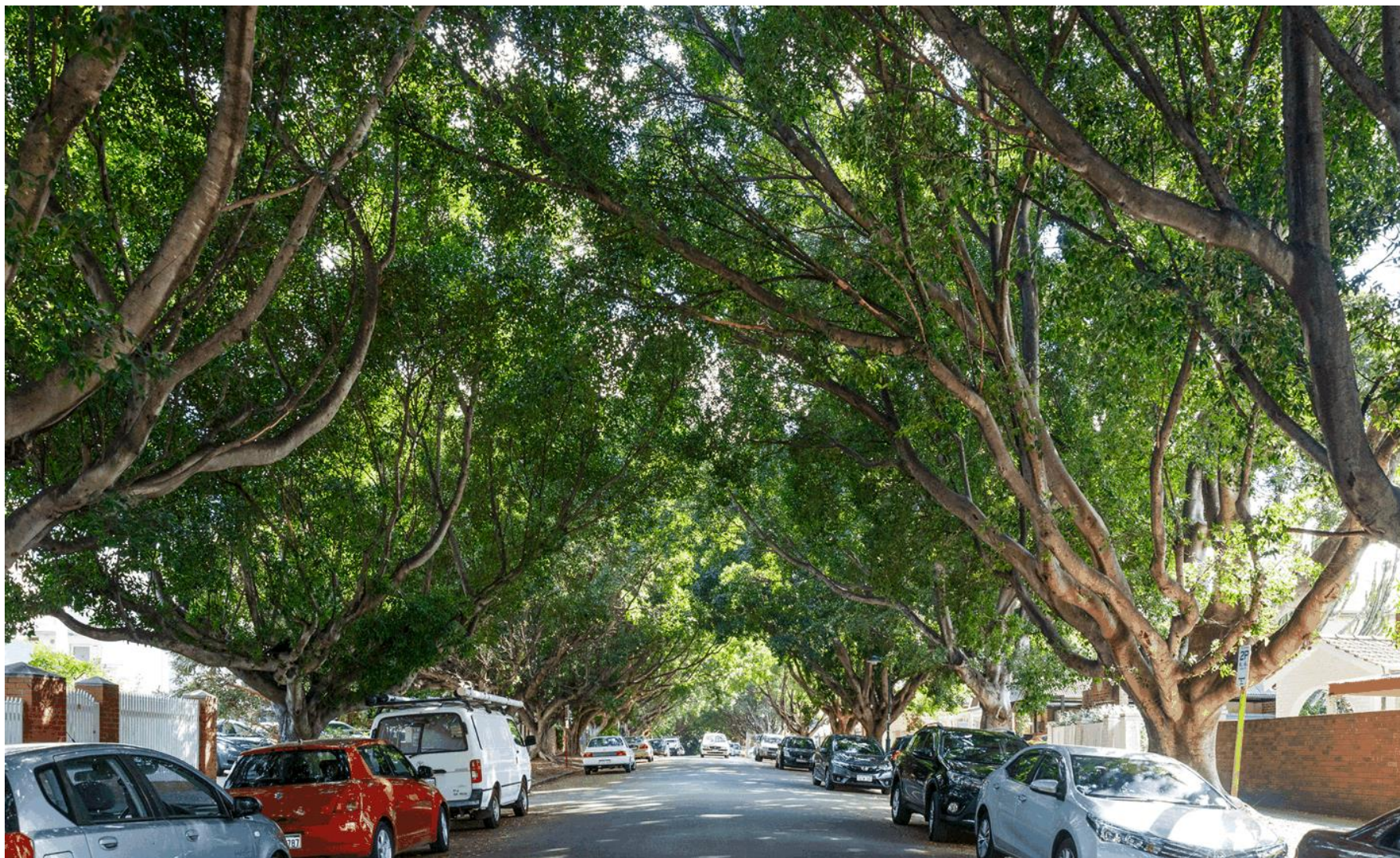


Figure 1 – 5.10.2 – Screening of External Fixtures



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5.11 Environmentally Sustainable Design

5.11.1 Clause 1.8 of this Policy applies to development in the Residential Built Form Area.

5.12 Urban Design Study

5.12.1 Clause 1.9 of this Policy applies to development in the Residential Built Form Area.

5.13 Development on Rights of Way

Local Housing Objectives

- P5.13.1 Development which appropriately addresses rights of way to facilitate spaces which are welcoming and safe for residents and visitors.
- P5.13.2 Development which provides appropriate pedestrian access to a dedicated road with suitable space for service areas and waste management.
- P5.13.3 Development which provides suitable space for safe vehicle movement in the right of way.
- P5.13.4 Development on rights of ways is to be in accordance with the Western Australian Planning Commission's Planning Bulletin 33 Rights of Way or Laneways in Established Areas – Guidelines.

Orientation

- P5.13.5 Where a dwellings' primary street frontage is a right of way, or where no primary street or secondary street frontage exists, it is to be oriented to address the right of way using clearly defined entry points and major openings as if it were a primary street.

Setbacks

- P5.13.6 Development must be setback 1 metre from a right of way. If the site is subject to right of way widening, the setback is measured from the new lot boundary after the widening is applied. Clause C5.2.1 of the R Codes is replaced by this clause where development has its primary street frontage to a right of way.

Access

- P5.13.7 Each lot that does not have direct frontage to a dedicated road is to be provided with a pedestrian access way to a dedicated road. The width of the pedestrian access way shall be 1.5 metres.
- P5.13.8 Access to a right of way is required to be trafficable to the nearest dedicated road. The cost to upgrade a right of way to make it trafficable is to be borne by the applicant.

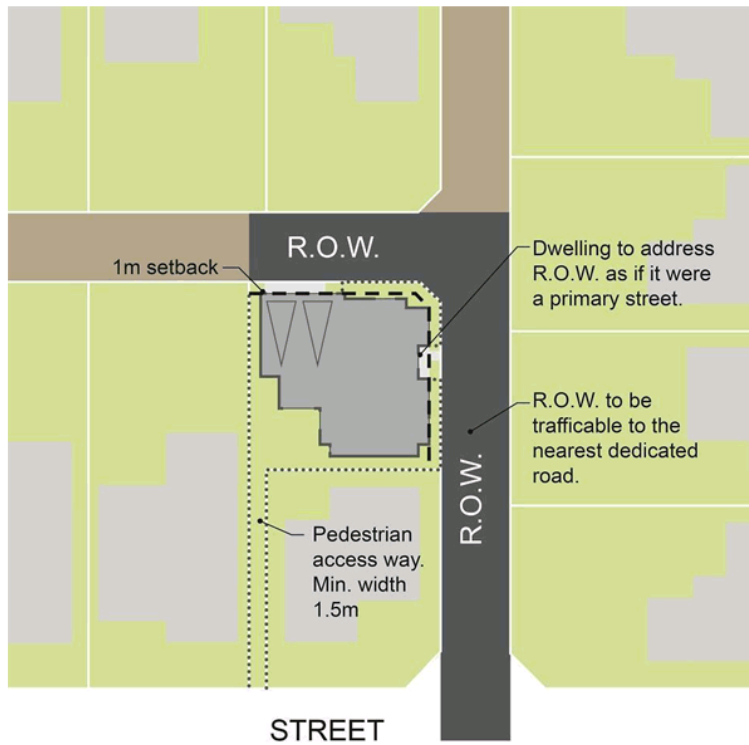


Figure 1 – 5.13.1 Corner development on rights of way

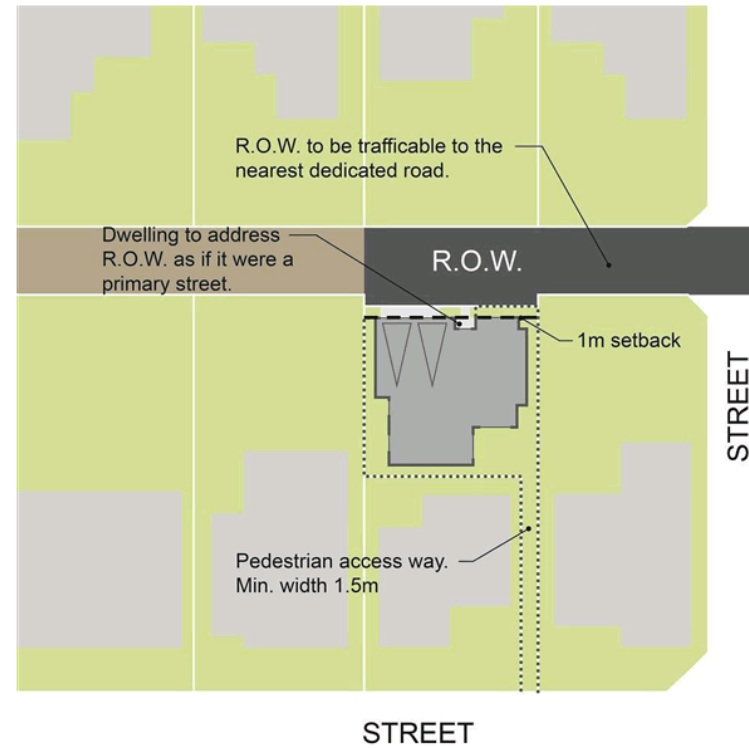


Figure 1 – 5.13.2 Development on rights of way



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VOLUME 2

MULTIPLE DWELLINGS AND MIXED USE

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SECTION 1 TOWN CENTRE

1.1 Building Height

R CODES	REPLACE	REMAIN
	Volume 2, Clauses 1.1, 2.1, 3.1 replace Acceptable Outcome A 2.2.1 of the R Codes Volume 2.	–
Acceptable Outcomes		
A1.1.1	Development that is consistent with the building heights provided in Table 2-1.1 and Figure 2.	
A1.1.2	External fixtures may extend beyond the maximum height in Table 2-1.1 and Figure 2 where they are not visible from the street or neighbouring properties.	
A1.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height.	
A1.1.4	The City may approve development which exceeds the maximum height stated in Table 2-1.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan, Master Plan or Structure Plan.	

TABLE 2 – 1.1: Building Height – Town Centres

Location	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Leederville	In accordance with the Leederville Masterplan, and where no height is stated the maximum is to be 6 storeys, with the exception of the below requirements.: Vincent Street – 5 storeys Carr Place – 4 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
	Vincent Street – 5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
	Carr Place – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
North Perth	Fitzgerald Street – 6 storeys Angove Street – 4 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
	Angove Street – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Perth	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Mount Lawley / Highgate	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Mount Hawthorn	5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
Glendalough	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m

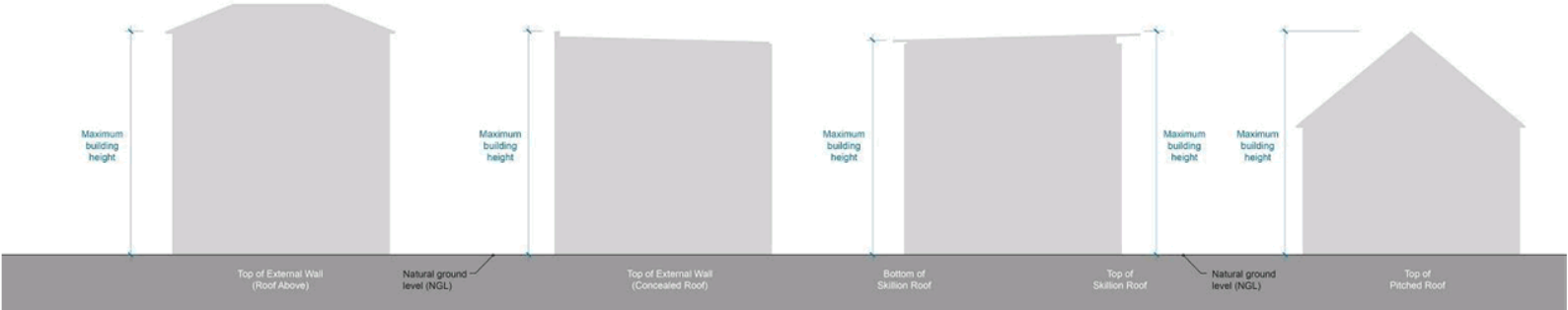


Figure 2 – 1.1 – Building Height Measurement



1.2 Street Setbacks

R CODES	REPLACE	REMAIN
	Volume 2, Clause 1.2 replaces Acceptable Outcome A 2.3.1 of the R Codes Volume 2.	–
Acceptable Outcomes		

A1.2.1 Primary and secondary street setback is nil.

1.3 Side and Rear Setbacks

R CODES	REPLACE	REMAIN
	Volume 2, Clause 1.3 replaces Acceptable Outcome A 2.4.1 of the R Codes Volume 2.	Clause A 2.4.2 of the R Codes Volume 2 remains and applies.
Acceptable Outcomes		

A1.3.1 Side and rear setbacks in accordance with Tables 1.3a, 1.3b and 1.3c.

Development Adjoining Rights of Way

A1.3.2 Where development adjoins a right of way the setback shall be measured from the midpoint of the right of way.

A1.3.3 Development must address adjoining rights of way by providing passive surveillance and openings to the right of way.

Table 1.3a

Table 1.3a		Subject Property									
			R20	R30	R40	R50	R60	R80	R100+	R – AC3	No R – Code
Neighbouring Property	Residential Built Form Area	R20	A	A	A	C	C	C	C	C	C
		R30	A	A	A	B	C	C	C	C	C
		R40	A	A	A	B	B	C	C	C	C
		R50	A	A	A	A	B	B	C	C	C
		R60	A	A	A	A	A	B	B	B	B
		R80	A	A	A	A	A	D	D	D	D
		R100+	A	A	A	A	A	D	D	D	D
	No R – Code	A	A	A	A	A	D	D	D	D	
	Non-Residential Built Form Area		E	E	E	E	E	F	F	F	F

Table 1.3b

	Setback for ground floor, second storey and third storey	Setback for the fourth storey and above
A	Table 1.3c	Table 1.3c
B	4.5m	6.5m
C	6.5m	12.5
D	R Codes Volume 2 Table 2.1	R Codes Volume 2 Table 2.1
E	Nil	Table 1.3c
F	Nil	R Codes Volume 2 Table 2.1

Table 1.3c

Wall length (m)														
	9 or less	10	11	12	13	14	15	16	17	18	19	20	25	Over 25
Wall height (m)														
3.5 or less	1	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
4	1.1	1.5	1.5	1.5	1.5	1.5	1.5	1.6	1.6	1.6	1.6	1.7	1.7	1.8
4.5	1.1	1.5	1.5	1.5	1.5	1.5	1.6	1.7	1.7	1.7	1.7	1.7	1.8	2.0
5	1.1	1.5	1.5	1.5	1.5	1.6	1.7	1.8	1.8	1.8	1.8	1.9	2.0	2.3
5.5	1.2	1.5	1.5	1.5	1.6	1.7	1.8	1.9	1.9	2.0	2.0	2.1	2.3	2.5
6	1.2	1.5	1.5	1.5	1.6	1.8	1.9	2.0	2.0	2.1	2.1	2.2	2.4	2.8
6.5	1.2	1.5	1.5	1.6	1.7	1.9	2.0	2.1	2.1	2.2	2.2	2.3	2.7	3.0
7	1.2	1.5	1.5	1.6	1.8	2.0	2.1	2.2	2.2	2.3	2.4	2.5	2.8	3.3
7.5	1.3	1.5	1.6	1.7	1.9	2.1	2.2	2.3	2.3	2.4	2.5	2.6	3.0	3.5
8	1.3	1.5	1.6	1.7	1.9	2.1	2.2	2.4	2.4	2.5	2.6	2.7	3.1	3.8
8.5	1.4	1.6	1.7	1.8	2.0	2.2	2.3	2.5	2.6	2.7	2.8	2.9	3.3	4.1
9	1.4	1.7	1.7	1.8	2.0	2.3	2.4	2.6	2.7	2.8	2.9	3.0	3.6	4.3
9.5	1.4	1.7	1.8	1.9	2.1	2.4	2.5	2.7	2.8	2.9	3.0	3.2	3.8	4.6
10	1.5	1.8	1.9	2.0	2.2	2.4	2.6	2.8	2.9	3.0	3.1	3.3	4.0	4.8

1.4 Tree Canopy and Deep Soil Areas

	REPLACE	REMAIN
R CODES	<p>Volume 2, Clauses A1.4.1 and A1.4.2 replace A 3.3.4 of the R Codes Volume 2.</p> <p>Volume 2, Clauses A1.4.3 and A1.4.7 replace A 3.3.7 of the R Codes Volume 2.</p> <p>Volume 2, Clauses A1.4.4, A1.4.5 and A1.4.6 replace A 3.3.5 of the R Codes Volume 2.*</p>	<p>Clauses A 3.3.1, A 3.3.2, A 3.3.3 and A 3.3.6 of the R Codes Volume 2 remain and apply.</p>

Acceptable Outcomes

- A1.4.1** Deep soil areas are provided as a minimum of 12% of the site area. Deep soil areas are to be co-located with existing trees for retention and/or adjoining trees, or alternatively provided in a location that is conducive to tree growth and suitable for communal open space.
- A1.4.2** If existing trees, which meet the criteria of A 3.3.1 of the R Codes Volume 2, are retained on site the minimum deep soil area is to be 10% of the site area.
- A1.4.3** Planting Areas are provided as a minimum of 3% of the site area.
- A1.4.4** Landscaping includes existing and new trees with shade producing canopies in accordance with Tables 3.3a and 3.3b of the R Codes Volume 2 to achieve canopy coverage of 80% in the ground floor lot boundary setback.
- A1.4.5** Evergreen tree species where landscaping is used to reduce the impact of building bulk.
- A1.4.6** Deciduous tree species to the north and south of development to allow natural light penetration to the development and adjoining buildings.
- A1.4.7** Where the required deep soil areas cannot be provided due to site restrictions, planting on structure with an area equivalent to two times the shortfall in deep soil area provision is provided to a minimum depth and dimension of 1 metre

1.5 Pedestrian access and entries

	REPLACE	REMAIN
R CODES	<p>For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 1.5 applies in addition to Clauses A 3.7.1 to A 3.7.6 of R Codes Volume 2.</p>	<p>Clauses A 3.7.1 to A 3.7.6 of R Codes Volume 2 remain and apply.</p>

Acceptable Outcomes

- A1.5.1** Pedestrian access which is identifiable from the street and visitor car parking areas and other public areas.
- A1.5.2** Access for pedestrians which directly fronts the primary street.
- A1.5.3** Developments shall distinguish residential entries from retail and other commercial entries.
- A1.5.4** Internal ground floor level to be at grade.
- A1.5.5** Design of balustrades to be integrated into the design of the development.
- A1.5.6** Ramps are not to exceed 50% of the active frontage.

1.6 Vehicle Access

R CODES	REPLACE	REMAIN
	Clause 1.6, 4.6 and 5.6 applies in addition to Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2.	Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A1.6.1	Service areas and vehicular access shall be: (a) Taken from the rear laneway or secondary street in the first instances; or (b) Collocated where taken from the primary street to maximise the width of active frontages.	
A1.6.2	Access to on-site car parking spaces to be provided: <ul style="list-style-type: none"> where available, from a right of way available for lawful use to access the relevant lot and which is adequately paved and drained from the property boundary to a dedicated road; from a secondary street where no right of way exists; or from the primary street frontage where no secondary street or right-of way exists. 	
A1.6.3	Access to a right of way is required to be trafficable to the nearest dedicated road. The cost to upgrade a right of way to make it trafficable is to be borne by the applicant.	
A1.6.4	Where vehicular access is provided from a street, all vehicles are required to enter and exit the site in forward gear.	
A1.6.5	Roller shutters, doors and screens are to be visually permeable.	
A1.6.6	Onsite parking for a development shall be located beneath or at the rear of buildings.	
A1.6.7	In a mixed-use development, car bays should be clearly signposted differentiating between the residential car bays and the commercial car bays.	
A1.6.8	Where on-site parking provided for customer/client use is not directly visible from the adjacent street, adequate signage is to be provided to promote public knowledge of and direction to the car park. This signage is to comply with the requirements of the City's Policy relating to Signs and Advertising.	
A1.6.9	Existing trees must not be removed to provide for vehicle access.	
A1.6.10	Each lot is to provide a maximum of one crossover.	
A1.6.11	The maximum width of a single crossover is 3m. The maximum width of a double crossover is 5m.	

1.7 Car and bicycle parking

R CODES	REPLACE	REMAIN
	For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause A1.7.1 replaces Clause A 3.9.9.*	Clauses A 3.9.1 to A 3.9.8 and A3.9.10 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A1.7.1	Uncovered at-grade parking is planted with trees at a minimum rate of one tree per four bays to achieve canopy coverage of 60% of the site.	

1.8 Façade design

R CODES	REPLACE	REMAIN
	For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 1.8 applies in addition to Clause A 4.10.1 – A 4.10.6 of R Codes Volume 2.	Clause A 4.10.1 – A 4.10.6 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A1.8.1	Commercial Development which fronts the public realm shall provide active frontages including glazing, openings and operable windows to ensure activity, interaction and surveillance of the street.	A1.8.6 Where provided, doorways shall have a depth between 500mm and 1.5m to clearly articulate entrances to commercial buildings and tenancies.
A1.8.2	Commercial Ground floor spaces shall have a maximum width of 9m and a finished floor level to finished ceiling level height of a minimum of 3.5m.	A1.8.7 Where provided, windows, seating ledges, sills, stall risers and other detailing shall have a minimum depth of 300mm.
A1.8.3	Development shall identify key design elements in the local area and streetscape through an Urban Design Study and integrate and acknowledge these design elements where possible whilst avoiding the use of faux materials.	A1.8.8 Where provided, stall risers shall be a minimum height of 450mm.
A1.8.4	Development which incorporates the design elements of the predominant streetscape character of the urban design study area outlined in Appendix 2.	A1.8.9 Commercial Ground floor glazing and/or tinting shall have a minimum of 70% visible light transmission to provide unobscured visibility.
A1.8.5	Commercial Building facades visible from the public realm shall: <ul style="list-style-type: none"> • Incorporate a variety of materials, colours, textures and depths; • Not present a blank, monotonous, repetitious or dominant building treatment; • Incorporate architectural or functional elements integrated into the façade, rather than cosmetic or superficial attachments to the building; • Incorporate vertical articulation by using tall and narrow façade treatments; • Incorporate articulation such as doorways, windows, seating ledges, sills, stall risers and other detailing; • Minimise use of shallow framings systems and thin wall/glazing systems; • Integrate fire boosters, mail boxes and external fixtures into the building design or screen them so they appear as part of the façade; and • Integrate signage into the design and articulation on the ground floor. 	A1.8.10 Security measures shall be: <ul style="list-style-type: none"> • Located and installed internally behind the glazing line or recessed between elements in the façade such as columns or doorway recesses; and • Transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street.
		A1.8.11 Commercial Development shall provide a protective continuous awning over the pedestrian footpath, which shall: <ul style="list-style-type: none"> • Be minimum height of 3.5m and a maximum height of 4m from finished floor level to the underside of the awning to accommodate under awning signage; • Be setback a minimum of 600mm from the face of kerb; • Respond to any existing and/or proposed verge trees; • Respond to the height, depth and form of existing awnings on the subject and adjoining buildings; • Respond to the slope of the site; and • Integrated with the design of the façade.
		A1.8.12 Verandahs and colonades are only permitted where they are constructed wholly within the lot boundaries of development site.

1.9 Roof design

R CODES	REPLACE	REMAIN
	For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 1.9 applies in addition to Clauses A 4.11.1 – A 4.11.3 of R Codes Volume 2.	Clauses A 4.11.1 – A 4.11.3 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A1.9.1	Flat roof structures that are not visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.4.	
A1.9.2	Pitched roof structures or roof structures that are visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.5, unless a suitable alternative is identified in the Urban Design Study.	

1.10 Energy efficiency

R CODES	REPLACE	REMAIN
	Volume 2, Clauses A1.10.1 and A1.10.2 replace A4.15.1 of the R Codes Volume 2.*	–

Objectives

1.10.1 Development that considers the whole of life environmental impact of the building and incorporates measures to reduce this impact.

Acceptable Outcomes

- A1.10.1** Development shall incorporate:
- Site planning principles that maximise solar passive design opportunities for both summer and winter; and
 - Recovery and re-use of rainwater, storm water, grey water and/or black water for non-potable water applications.
- A1.10.2** Development achieves the environmental performance standards shown in the below table, or their equivalent*.

Accepted Rating Framework	Specification / Compliance Requirements	Minimum Requirement to be Achieved	Evidence
Green Building Council of Australia's Green Star Rating System	Current Design and As-Built rating tool	5 star Green Star rating	Preliminary Sustainable Design Report prepared by a Green Star Accredited Professional using the current Green Star Design and As-Built rating tool scorecard to demonstrate eligibility for 5 star Green Star rating.
Life Cycle Assessment in Accordance with EN15978- Sustainability of construction works – Assessment of environmental performance of buildings – Calculation method.	System Boundary must include all Life Cycle Modules (A1-2, B1-7, C1-4 and D) in addition to nonintegrated energy (plug loads)	Global Warming Potential and Net Fresh Water Use Performance Reduction as per Table *** below.	Independently Reviewed EN15978 Compliant Target Setting LCA with a 20% factor of safety applied to improvement strategies

Building Type	Performance Requirement	
	Global Warming Potential	Net Fresh Water Use
Residential (BCA Class 1-3)	< 2,250 kgCO ₂ e / Occupant / Year (50% saving against Perth statistical average residences)	< 57m ³ / Occupant / Year (50% saving against Perth statistical average residences)
Commercial Office (BCA Class 5)	< 104 kgCO ₂ e / m ² Net Lettable Area / year (30% saving against Perth statistical average office)	< 1.25 m ³ / m ² Net Lettable Area / year (25% saving against Perth statistical average office)
All Other Building Types	30% saving against Code-Compliant design	25% saving against Code-Compliant design

*The City accepts sustainability assessment frameworks and mechanisms that are nationally or internationally recognised, compliant with applicable Australian/international standards and subject to oversight by a certifying body.

SECTION 2 ACTIVITY CORRIDORS

2.1 Building Height

R CODES	REPLACE	REMAIN
	Volume 2, Clauses 1.1, 2.1, 3.1 replace Acceptable Outcome A 2.2.1 of the R Codes Volume 2.	–
Acceptable Outcomes		
A2.1.1	Development that is consistent with the building heights provided in Table 2-2.1 and Figure 2.	
A2.1.2	External fixtures may extend beyond the maximum height in Table 2-2.1 and Figure 2 where they are not visible from the street or neighbouring properties.	
A2.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height.	
A2.1.4	The City may approve development which exceeds the maximum height stated in Table 2-2.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan.	

TABLE 2 – 2.1: Building Height – Activity Corridors

Activity Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Oxford Street	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Scarborough Beach Road	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Fitzgerald Street (Newcastle St to Vincent St)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Fitzgerald Street (Vincent St to Raglan Road)	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Newcastle Street	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Beaufort Street (Newcastle St to Lincoln St)	5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
Beaufort Street (Lincoln St to Walcott St)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m

2.2 Activity Corridor Development Requirements

2.2.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.1.

SECTION 3 MIXED USE

3.1 Building Height

R CODES	REPLACE	REMAIN
	Volume 2, Clauses 1.1, 2.1, 3.1 replace Acceptable Outcome A 2.2.1 of the R Codes Volume 2.	—
Acceptable Outcomes		
A3.1.1	Development that is consistent with the building heights provided in Table 2-3.1 and Figure 2.	
A3.1.2	External fixtures may extend beyond the maximum height in Table 2-3.1 and Figure 2 where they are not visible from the street or neighbouring properties.	
A3.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height.	
A3.1.4	The City may approve development which exceeds the maximum height stated in Table 2-3.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan.	



TABLE 2 – 3.1: Building Height – Mixed Use Areas

Mixed Use Areas	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Area bounded by Newcastle St, Loftus St, Mitchell Freeway and Charles St	7 storeys	22.6m	23.6m	22.6m	23.6m	25.6m
Area bounded by Carr St, Charles St, Newcastle St and Fitzgerald St	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Between Fitzgerald St and William St	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Brisbane St						
Bulwer St						
Charles St						
Green St						
Walcott St						
William St						
Between William St and Lord St	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
North Perth						
Area bounded by Summers St, Lord St, Graham Farmer Freeway and East Parade (Except where defined below)						
Edward St South	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m
Edward St North	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Caversham South	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m
Caversham North	10 storeys	31.9m	32.9m	31.9m	32.9m	34.9m
Cheriton South	10 storeys	31.9m	32.9m	31.9m	32.9m	34.9m
Cheriton North	12 storeys	38.1m	39.1m	38.1m	39.1m	41.1m

3.2 Mixed Use Development Requirements

3.2.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.1.

SECTION 4 TRANSIT CORRIDORS

4.1 Building Height

R CODES	REPLACE	REMAIN
	Volume 2, Clause 4.1 replaces Acceptable Outcome A 2.2.1 of the R Codes Volume 2.	–
Acceptable Outcomes		
A4.1.1	Development that is consistent with the building heights provided in Table 2-4.1 and Figure 2.	
A4.1.2	External fixtures may extend beyond the maximum height in Table 2-4.1 and Figure 2 where they are not visible from the street or neighbouring properties.	
A4.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height.	
A4.1.4	The City may approve development which exceeds the maximum height stated in Table 2-4.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan.	

TABLE 2 – 4.1: Building Height – Transit Corridors

Transit Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Loftus Street	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Charles Street: Between Newcastle St and Carr St						
West side and lots fronting Newcastle	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
East side	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Charles Street (Carr Street to Walcott St)	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R80 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Fitzgerald Street (Angove St to Walcott St)	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Walcott Street	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m

Transit Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Lord Street	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
East Parade	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
William Street (Vincent St to Walcott St)	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m

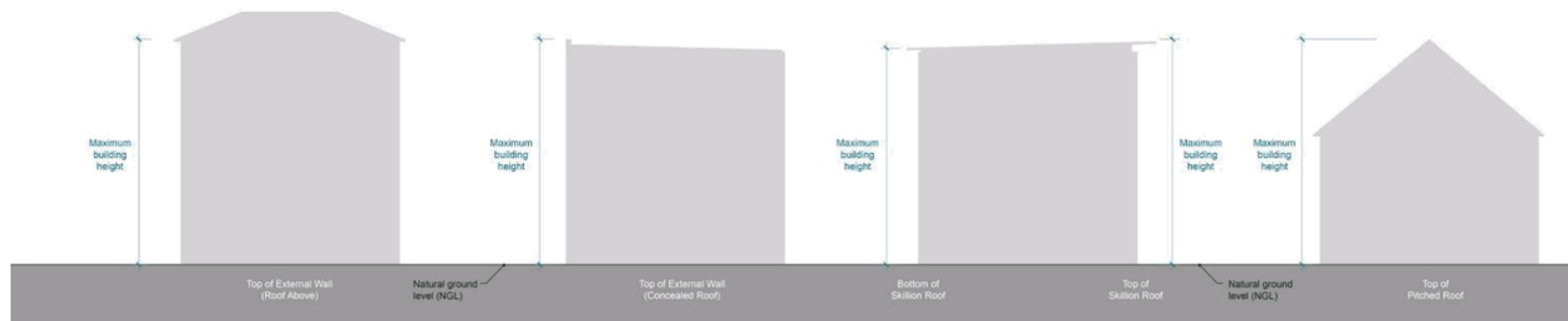


Figure 2 – 4.2 – Building Height and Measurement

4.2 Street Setbacks

R CODES	REPLACE	REMAIN
	Volume 2, Clause 4.2 replaces Acceptable Outcome A 2.3.1 of the R Codes Volume 2.	–
Acceptable Outcomes		
A4.2.1	Development complies with the street setback set out in Table 2.1 of the R Codes Volume 2.	
A4.2.2	Primary and secondary street setback for the third storey and above must incorporate articulation and the use of varying colours and materials which minimise the bulk and scale of the building on the streetscape.	

4.3 Tree canopy and deep soil areas

R CODES	REPLACE	REMAIN
	Volume 2, Clauses A4.3.1, A4.3.2 and A4.3.8 replace A 3.3.4 of the R Codes Volume 2. Volume 2, Clauses A4.3.3 and A4.3.7 replace A 3.3.7 of the R Codes Volume 2. Volume 2, Clauses A4.3.4, A4.3.5 and A4.3.6 replace A 3.3.5 of the R Codes Volume 2.*	Clauses A 3.3.1, A 3.3.2, A 3.3.3 and A 3.3.6 of the R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A4.3.1	Deep soil areas are provided as a minimum of 12% of the site area. Deep soil areas are to be co-located with existing trees for retention and/or adjoining trees, or alternatively provided in a location that is conducive to tree growth and suitable for communal open space.	
A4.3.2	If existing trees, which meet the criteria of A 3.3.1 of the R Codes Volume 2, are retained on site the minimum deep soil area is to be 10% of the site area.	
A4.3.3	Planting Areas are provided as a minimum of 3% of the site area.	
A4.3.4	Landscaping includes existing and new trees with shade producing canopies in accordance with Tables 3.3a and 3.3b of the R Codes Volume 2 to achieve canopy coverage of 30% of the site area.	
A4.3.5	Evergreen tree species where landscaping is used to reduce the impact of building bulk.	
A4.3.6	Deciduous tree species to the north and south of development to allow natural light penetration to the development and adjoining buildings.	
A4.3.7	Where the required deep soil areas cannot be provided due to site restrictions, planting on structure with an area equivalent to two times the shortfall in deep soil area provision is provided to a minimum depth and dimension of 1 metre.	
A4.3.8	A minimum of 50% of the front setback shall be provided as soft landscaping.	

4.4 Public domain interface

REPLACE		REMAIN
R CODES	For Transit Corridor and Residential Built Form Areas Clause 4.5 and 5.4 apply in addition to Clauses A 3.6.1 – A 3.6.9 of R Codes Volume 2.	Clauses A 3.6.1 – A 3.6.9 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A4.4.1	Street walls, fences and gates are to be of a style and materials compatible with those of the development on site and/or walls, fences and gates of the immediate surrounding area excluding fibre cement.	A4.4.3 Street walls, fences and gates to secondary streets, behind the primary street setback line, or walls, fences and gates to the primary streets where those streets are district distributor roads to be as follows: <ul style="list-style-type: none"> • Solid portion of wall may increase to a maximum height of 1.8 metres above adjacent footpath level provided that the wall or fence has at least two significant appropriate design features (to the satisfaction of the City of Vincent) to reduce the visual impact – for example, significant open structures, recesses and/or planters facing the road at regular intervals and varying materials, finishes and/or colours; and • Maximum height of piers with decorative capping to be 2 metres above adjacent footpath level.
A4.4.2	Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new dwellings fronting a right of way or dedicated road to be as follows: <ul style="list-style-type: none"> • Maximum height of 1.8 metres above the natural ground level; • Maximum height of piers with decorative capping to be 2 metres above the natural ground level; • Maximum height of solid portion of wall to be 1.2 metres above adjacent footpath level and are to be visually permeable above 1.2 metres; • Posts and piers are to have a maximum width 400 millimetres and a maximum diameter of 500 millimetres; and • The distance between piers should not be less than the height of the piers except where pedestrian gates are proposed. 	A4.4.4 Exposed boundary walls visible to the street are to incorporate the following design features: <ul style="list-style-type: none"> • Indentations; • Varying heights; • Varying materials, colours and textures; or • Public artwork. A4.4.5 Any proposed vehicular or pedestrian entry gates shall be visually permeable. A4.4.6 Walls and fences on the side boundaries, only within the primary street setback area, constructed from metal sheeting are permitted provided they meet all other requirements relating to height, provide adequate sight lines and are not a side boundary fence facing a secondary street.

4.5 Vehicle Access

REPLACE		REMAIN
R CODES	Clause 4.5 applies in addition to Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2.	Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A4.5.1	Garages which are 50% or less than the width of the lot.	
A4.5.2	For lots less than 10 metres wide, garages which are a maximum of 4 metres wide.	
A4.5.3	Access to a right of way is required to be trafficable to the nearest dedicated road. The cost to upgrade a right of way to make it trafficable is to be borne by the applicant.	

4.6 Transit Corridor Development Requirements

4.6.1 All development requirements of Section 1 – Town Centres apply with the exception of Clause 1.1, 1.2 and 1.4.

SECTION 5 RESIDENTIAL

5.1 Building Height

R CODES	REPLACE	REMAIN
	Volume 2, Clause 5.1 replaces Acceptable Outcome A 2.2.1 of the R Codes Volume 2.	–

Acceptable Outcomes

- A5.1.1 Development that is consistent with the building heights provided in Table 2-5.1 and Figure 2.
- A5.1.2 External fixtures may extend beyond the maximum height in Table 2-5.1 and Figure 2 where they are not visible from the street or neighbouring properties.
- A5.1.3 The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height.
- A5.1.4 The City may approve development which exceeds the maximum height stated in Table 2-5.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan.

TABLE 2 – 5.1: Building Height – Residential Area

Maximum No. of Storeys as per Figure 2	Maximum Building Height				
	Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
1 storey*	3m	4m	3m	4m	6m
2 storeys	6m	7m	6m	7m	9m
3 storeys	9m	10m	9m	10m	12m
4 storeys	12m	13m	12m	13m	15m
5 storeys	16m	17m	16m	17m	18m

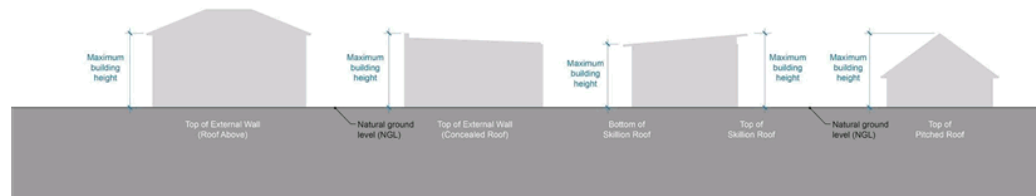


Figure 2 – 5.1 – Residential Building Heights

5.2 Street setbacks

R CODES	REPLACE	REMAIN
	Volume 2, Clause 1.2 replaces Acceptable Outcome A 2.3.1 of the R Codes Volume 2.	–
Acceptable Outcomes		
A5.2.1	The primary street setback is to be calculated by averaging the setback of the five dwellings adjoining properties, either side of the proposed development.	
A5.2.2	For the purpose of averaging, the primary street setback is to be measured from the street alignment to the nearest wall of the dwelling excluding porches, verandahs, carports and balconies.	
A5.2.3	Walls on upper floors setback a minimum of 2 metres behind the ground floor predominant building line (excluding any porch or verandah), as determined by the City.	
A5.2.4	Balconies on upper floors setback a minimum of 1 metre behind the ground floor predominant building line (excluding any porch or verandah), as determined by the City.	
A5.2.5	The ground floor secondary street setback is to be as per the R Codes.	
A5.2.6	Secondary street setbacks for upper floors is to be 1.5 metres behind each portion of the ground floor setback.	

5.3 Tree canopy and deep soil areas

R CODES	REPLACE	REMAIN
	Volume 2, Clauses A5.3.1 and A5.3.2 replace A 3.3.4 of the R Codes Volume 2.	Clauses A 3.3.1, A 3.3.2, A 3.3.3 and A 3.3.6 of the R Codes Volume 2 remain and apply.
	Volume 2, Clauses A5.3.3 and A5.3.7 replace A 3.3.7 of the R Codes Volume 2.	
	Volume 2, Clauses A5.3.4, A5.3.5 and A5.3.6 replace A 3.3.5 of the R Codes Volume 2.*	
Acceptable Outcomes		
A5.3.1	Deep soil areas are provided as a minimum of 12% of the site area. Deep soil areas are to be co-located with existing trees for retention and/or adjoining trees, or alternatively provided in a location that is conducive to tree growth and suitable for communal open space.	
A5.3.2	If existing trees, which meet the criteria of A 3.3.1 of the R Codes Volume 2, are retained on site the minimum deep soil area is to be 10% of the site area.	
A5.3.3	Planting Areas are provided as a minimum of 3% of the site area.	
A5.3.4	Landscaping includes existing and new trees with shade producing canopies in accordance with Tables 3.3a and 3.3b of the R Codes Volume 2 to achieve canopy coverage of 30% of the site area.	
A5.3.5	Evergreen tree species where landscaping is used to reduce the impact of building bulk.	
A5.3.6	Deciduous tree species to the north and south of development to allow natural light penetration to the development and adjoining buildings.	
A5.3.7	Where the required deep soil areas cannot be provided due to site restrictions, planting on structure with an area equivalent to two times the shortfall in deep soil area provision is provided to a minimum depth and dimension of 1 metre.	

5.4 Public domain interface

R CODES	REPLACE	REMAIN
	Clause 5.4 applies in addition to Clauses A 3.6.1 – A 3.6.9 of R Codes Volume 2.	Clauses A 3.6.1 – A 3.6.9 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A5.4.1	Street walls, fences and gates are to be of a style and materials compatible with those of the development on site and/or walls, fences and gates of the immediate surrounding area excluding fibre cement.	
A5.4.2	Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new dwellings fronting a right of way or dedicated road to be as follows: <ul style="list-style-type: none"> • Maximum height of 1.8 metres above the natural ground level; • Maximum height of piers with decorative capping to be 2 metres above the natural ground level; • Maximum height of solid portion of wall to be 1.2 metres above adjacent footpath level and are to be visually permeable above 1.2 metres; • Posts and piers are to have a maximum width 400 millimetres and a maximum diameter of 500 millimetres; and • The distance between piers should not be less than the height of the piers except where pedestrian gates are proposed. 	
A5.4.3	Street walls, fences and gates to secondary streets, behind the primary street setback line, or walls, fences and gates to the primary streets where those streets are district distributor roads to be as follows: <ul style="list-style-type: none"> • Solid portion of wall may increase to a maximum height of 1.8 metres above adjacent footpath level provided that the wall or fence has at least two significant appropriate design features (to the satisfaction of the City of Vincent) to reduce the visual impact – for example, significant open structures, recesses and/or planters facing the road at regular intervals and varying materials, finishes and/or colours; and • Maximum height of piers with decorative capping to be 2 metres above adjacent footpath level. <p><i>Note: The measurement of street walls, fences and gates is to include any retaining walls and is to be measured from the natural ground level immediately below the base of the wall to the top of the wall above, within the development site. In the case of primary street frontage the measurement of street walls, fences and gates is to be measured from the natural ground level of the footpath immediately below the base of the wall to the top of the wall above.</i></p>	
A5.4.4	Walls, fences and gates on the side boundaries within the primary street setback area, constructed from metal sheeting are permitted provided they meet all other requirements relating to height, provide adequate sight lines and are not a side boundary fence facing a secondary street	
A5.4.5	<p>Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences and other structures adjoin vehicle access points, where a driveway meets a public street and where two streets intersect, with the exception of:</p> <ul style="list-style-type: none"> • One pier/pillar with a maximum width and depth of 400 millimetres and 1.8 metres height above NGL, or 2.0 metres tall to the top of decorative capping above the NGL; • Fence slats or infill higher than 0.75 metres above NGL that provides a Clear Sight Line; • If a gate is proposed across a vehicle access point where a driveway meets a public street and where two streets intersect, the gate must provide: <ul style="list-style-type: none"> • When Closed: a minimum of 50 per cent unobstructed view; • When Open: a Clear Sight Line from 0.75m above the NGL within 1.5m of where the vehicle access way joins the street. <p>For the purposes of this clause a Clear Sight Line means:</p> <ul style="list-style-type: none"> • Continuous horizontal or vertical gaps that constitute a minimum of 50% of the total surface area; • A minimum gap size of 40mm; • If slats are orientated to be deeper than they are wide - the distance between the slats must be no less than two-times the depth of the slat; • Clear non-reflective glass. 	

5.5 Vehicle Access

R CODES	REPLACE	REMAIN
	Clause 5.5 applies in addition to Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2.	Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2 remain and apply.
5.5.1	Clause 4.5 applies to development in the Residential Built Form Area.	

5.6 Residential Built Form Area Development Requirements

5.6.1 All development requirements of Section 1 – Town Centres apply with the exception of Clause 1.1, 1.2 and 1.4.



VOLUME 3

COMMERCIAL

CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL | POLICY NO. 7.1.1 | BUILT FORM | 83

SECTION 1 TOWN CENTRE

1.1 Building Height

Element Objectives	
O1.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.
O1.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale on neighbouring properties and the streetscape.
O1.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.
O1.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.
O1.1.5	The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.
O1.1.6	The height of buildings within a development responds to changes in topography.
O1.1.7	Development incorporates articulated roof design.
O1.1.8	The height of development recognises the need for daylight and solar access to adjoining and nearby residential development.
Acceptable Outcomes	
A1.1.1	Development that is consistent with the building heights provided in Table 3-1.1 and Figure 2.
A1.1.2	External fixtures may extend beyond the maximum height in Table 3-1.1 and Figure 2 where they are not visible from the street or neighbouring properties.
A1.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
A1.1.4	The City may approve development which exceeds the maximum height stated in Table 3-1.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P1.1.1 – P1.1.4.

TABLE 3 – 1.1: Building Height – Town Centres

Location	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Leederville	In accordance with the Leederville Masterplan, and where no height is stated the maximum is to be 6 storeys, with the exception of the below requirements.: Vincent Street – 5 storeys Carr Place – 4 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
	Vincent Street – 5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
	Carr Place – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
North Perth	Fitzgerald Street – 6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
	Angove Street – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Perth	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Mount Lawley / Highgate	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Mount Hawthorn	5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
Glendalough	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m

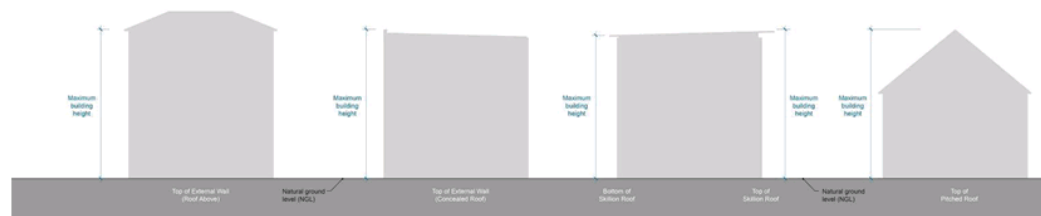


Figure 3 – 1.1 – Building Height Measurement

1.2 Street Setbacks (Primary and Secondary)

Element Objectives	
O1.2.1	Development which incorporates design elements that reduce the impact of building bulk.
O1.2.2	Development which maximises natural light access, natural ventilation and, internal and external privacy.
O1.2.3	Development which activates and addresses rights of way.
O1.2.4	Street setbacks that facilitate the provision of useable open space, alfresco dining opportunities and landscaping which contributes to canopy coverage.
O1.2.5	The setback of the development from the street reinforces and/or complements the character of the street.
O1.2.6	The setback of the development enables passive surveillance and outlook to the street.
Acceptable Outcomes	
A1.2.1	Primary and secondary street setback is nil.

1.3 Side and rear setbacks

Element Objectives	
O1.3.1	Development which incorporates design elements that reduce the impact of building bulk.
O1.3.2	Development which maximises natural light access, natural ventilation and, internal and external privacy.
O1.3.3	Setbacks that facilitate the provision of landscaping.
O1.3.4	Development which activates and addresses rights of way.
O1.3.5	Building boundary setbacks provide for adequate separation between neighbouring properties.
O1.3.6	Building boundary setbacks address the existing streetscape pattern and the desired streetscape character.
O1.3.7	The setback of development from side and rear boundaries enables retention of existing trees and provision of deep soil areas that reinforce the landscape character of the area, support tree canopy and assist with stormwater management.
O1.3.8	The setback of development from side and rear boundaries provides a transition between sites with different land uses or intensity of development.
Acceptable Outcomes	
A1.3.1	Development complies with the side and rear setbacks set out in Table 1.3a, 1.3b and 1.3c.

Table 1.3a

Table 1.3a		Subject Property									
			R20	R30	R40	R50	R60	R80	R100+	R – AC3	No R – Code
Neighbouring Property	Residential Built Form Area	R20	A	A	A	C	C	C	C	C	C
		R30	A	A	A	B	C	C	C	C	C
		R40	A	A	A	B	B	C	C	C	C
		R50	A	A	A	A	B	B	C	C	C
		R60	A	A	A	A	A	B	B	B	B
		R80	A	A	A	A	A	D	D	D	D
		R100+	A	A	A	A	A	D	D	D	D
		No R – Code	A	A	A	A	A	D	D	D	D
	Non-Residential Built Form Area		E	E	E	E	E	F	F	F	F

Table 1.3c

		Wall length (m)													
		9 or less	10	11	12	13	14	15	16	17	18	19	20	25	Over 25
Wall height (m)															
3.5 or less	1	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
4	1.1	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.6	1.6	1.6	1.6	1.7	1.7	1.8
4.5	1.1	1.5	1.5	1.5	1.5	1.5	1.5	1.6	1.7	1.7	1.7	1.7	1.7	1.8	2.0
5	1.1	1.5	1.5	1.5	1.5	1.5	1.6	1.7	1.8	1.8	1.8	1.8	1.9	2.0	2.3
5.5	1.2	1.5	1.5	1.5	1.5	1.6	1.7	1.8	1.9	1.9	2.0	2.0	2.1	2.3	2.5
6	1.2	1.5	1.5	1.5	1.5	1.6	1.8	1.9	2.0	2.0	2.1	2.1	2.2	2.4	2.8
6.5	1.2	1.5	1.5	1.5	1.6	1.7	1.9	2.0	2.1	2.1	2.2	2.2	2.3	2.7	3.0
7	1.2	1.5	1.5	1.6	1.8	2.0	2.1	2.2	2.2	2.3	2.4	2.4	2.5	2.8	3.3
7.5	1.3	1.5	1.6	1.7	1.9	2.1	2.2	2.3	2.3	2.4	2.5	2.5	2.6	3.0	3.5
8	1.3	1.5	1.6	1.7	1.9	2.1	2.2	2.4	2.4	2.5	2.6	2.7	2.7	3.1	3.8
8.5	1.4	1.6	1.7	1.8	2.0	2.2	2.3	2.5	2.6	2.7	2.8	2.8	2.9	3.3	4.1
9	1.4	1.7	1.7	1.8	2.0	2.3	2.4	2.6	2.7	2.8	2.9	3.0	3.0	3.6	4.3
9.5	1.4	1.7	1.8	1.9	2.1	2.4	2.5	2.7	2.8	2.9	3.0	3.2	3.2	3.8	4.6
10	1.5	1.8	1.9	2.0	2.2	2.4	2.6	2.8	2.9	3.0	3.1	3.3	3.3	4.0	4.8

Table 1.3b

	Setback for ground floor, second storey and third storey	Setback for the fourth storey and above
A	Table 1.3c	Table 1.3c
B	4.5m	6.5m
C	6.5m	12.5
D	R Codes Volume 2 Table 2.1	R Codes Volume 2 Table 2.1
E	Nil	Table 1.3c
F	Nil	R Codes Volume 2 Table 2.1

Development Adjoining Rights of Way

A1.2.2 Where development adjoins a right of way the setback shall be measured from the midpoint of the right of way.

A1.2.3 Development must address adjoining rights of way by providing passive surveillance and openings to the right of way.



1.4 Orientation

Element Objectives	
O1.4.1	Building layouts respond to the streetscape, topography and site attributes while optimising solar and daylight access within the development.
O1.4.2	Building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties during mid-winter.
Acceptable Outcomes	
A1.4.1	Buildings are oriented to maximise northern solar access.
A1.4.2	Development shall be designed such that the shadow cast at midday on 21st June onto any adjoining property does not exceed: <ul style="list-style-type: none">• adjoining properties coded R25 and lower – 25% of the site area;• adjoining properties coded R30 – R40 - 35% of the site area;• adjoining properties coded R50 – R60 – 50% of the site area; or• adjoining properties coded R80 or higher – Nil requirements.
A1.4.3	Where adjoining sites are coded R40 or less, buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites.

1.5 Tree canopy and deep soil areas

Element Objectives

- O1.5.1 Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces.
 O1.5.2 Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings.
 O1.5.3 The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect.
 O1.5.4 Development that prioritises the retention of mature and healthy trees
 O1.5.5 Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.
 O1.5.6 Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.

Acceptable Outcomes

- A1.5.1 Deep Soil Areas shall be provided in accordance with the following requirements:

Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)
<650m ²	1m ² 1m x 1m	12%
650m ² – 1,500m ²	1m ² 1m x 1m	12%
>1,500m ²	1m ² 1m x 1m	12%

- A1.5.2 The required Deep Soil Area may be reduced to 10% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained.

- A1.5.3 Planting Areas shall be provided in accordance with the following requirements:

Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)
<650m ²	1m ² 1m x 1m	3%
650m ² – 1,500m ²	1m ² 1m x 1m	3%
>1,500m ²	1m ² 1m x 1m	3%

- A1.5.4 At least 80%* of the lot boundary setback area at ground level shall be provided as canopy coverage at maturity.

- A1.5.5 Evergreen tree species where landscaping is used to reduce the impact of building bulk.

- A1.5.6 Deciduous tree species to the north and south of development to allow natural light penetration to the development and adjoining buildings.

- A1.5.7 Open air car parks, including access ways, shall have a minimum of 60% canopy coverage at maturity.

- A1.5.8 All open-air parking areas shall be landscaped at a minimum rate of one tree per four car bays.

- A1.5.9 The perimeter of all open-air parking areas shall be landscaped by a planting strip with a minimum dimension of 1.5m.

- A1.5.10 Existing trees shall be retained where they are:

- Healthy specimens with ongoing viability; and
- Species not included on an applicable weed register.

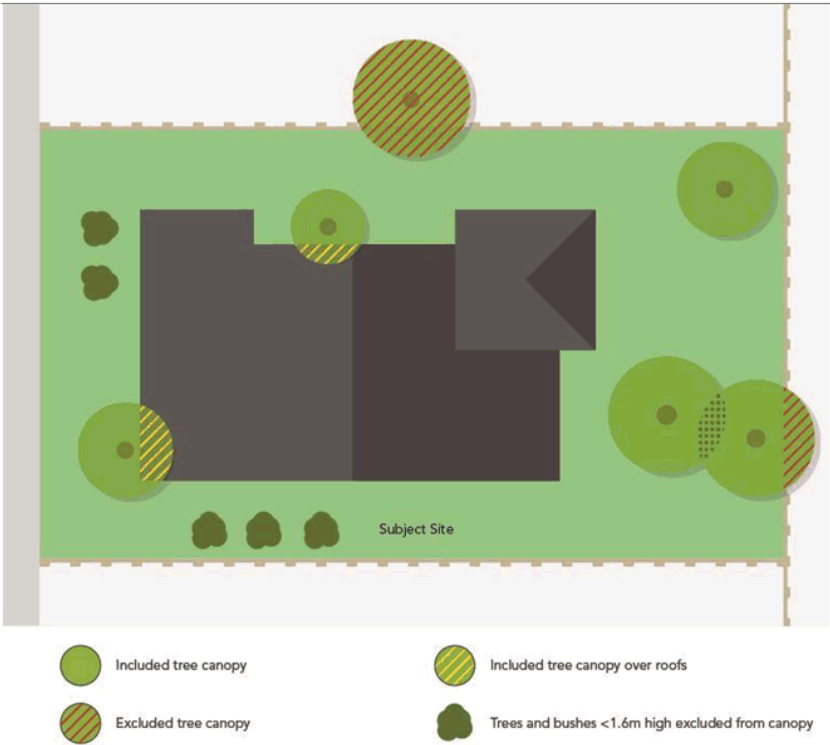


Figure 3 – 1.5.1

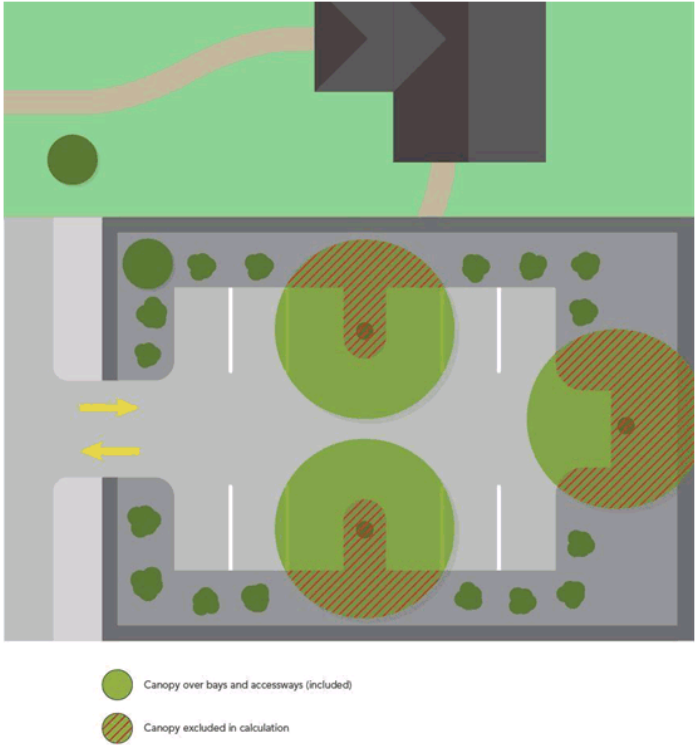


Figure 3 – 1.5.2

1.6 Visual Privacy

Element Objectives

- O1.6.1** The orientation and design of buildings, windows and balconies minimises direct overlooking of habitable rooms and private outdoor living areas of neighbouring properties.

1.7 Public domain interface

Element Objectives

- O1.7.1** The transition between the private and public domain enhances the privacy and safety of residents.
O1.7.2 Street facing development and landscape design retains and enhances the amenity and safety of the adjoining public domain, including the provision of shade.

Acceptable Outcomes

- A1.7.1** Car-parking is not located within the primary street setback; and where car parking is located at ground level behind the street setback it is designed to integrate with landscaping and the building façade (where part of the building).
A1.7.2 Upper level balconies and/or windows overlook the street and public domain areas.
A1.7.3 Balustrading includes a mix of visually opaque and visually permeable materials to provide residents with privacy while maintaining casual surveillance of adjoining public domain areas.
A1.7.4 Changes in level between the ground floor level of the building and the street level average less than 1m and do not exceed 1.2m.
A1.7.5 Front fencing includes visually permeable materials above 1.2m and the average height of solid walls or fences to the street does not exceed 1.2m.
A1.7.6 Fencing, landscaping and other elements on the frontage are designed to eliminate opportunities for concealment.
A1.7.7 Bins are not located within the primary street setback or in locations visible from the primary street.
A1.7.8 Services and utilities that are located in the primary street setback are integrated into the design of the development and do not detract from the amenity and visual appearance of the street frontage.

1.8 Pedestrian access and entries

Element Objectives

- O1.8.1** Entries and pathways are universally accessible, easy to identify and safe for residents and visitors.
O1.8.2 Entries to the development connect to and address the public domain with an attractive street presence.

Acceptable Outcomes

- A1.8.1** Pedestrian access which is identifiable from the street and visitor car parking areas and other public areas.
A1.8.2 Access for pedestrians which directly fronts the primary street.
A1.8.3 Developments shall distinguish residential entries from retail and other commercial entries.
A1.8.4 Internal ground floor level to be at grade.
A1.8.5 Design of balustrades to be integrated into the design of the development.
A1.8.6 Ramps are not to exceed 50% of the active frontage.

1.9 Vehicle Access

Element Objectives	
O1.9.1	Vehicle access points are designed and located to provide safe access and egress for vehicles and to avoid conflict with pedestrians, cyclists and other vehicles.
O1.9.2	Vehicle access points are designed and located to reduce visual impact on the streetscape.
Acceptable Outcomes	
A1.9.1	Service areas and vehicular access shall be: <ul style="list-style-type: none"> • Taken from the rear laneway or secondary street in the first instances; or • Collocated where taken from the primary street to maximise the width of active frontages.
A1.9.2	Access to on-site car parking spaces to be provided: <ul style="list-style-type: none"> • where available, from a right of way available for lawful use to access the relevant lot and which is adequately paved and drained from the property boundary to a dedicated road; • from a secondary street where no right of way exists; or • from the primary street frontage where no secondary street or right-of way exists.
A1.9.3	Access to a right of way is required to be trafficable to the nearest dedicated road. The cost to upgrade a right of way to make it trafficable is to be borne by the applicant.
A1.9.4	Where vehicular access is provided from a street, all vehicles are required to enter and exit the site in forward gear.
A1.9.5	Roller shutters, doors and screens are to be visually permeable.
A1.9.6	Onsite parking for a development shall be located beneath or at the rear of buildings.
A1.9.7	Where on-site parking provided for customer/client use is not directly visible from the adjacent street, adequate signage is to be provided to promote public knowledge of and direction to the car park. This signage is to comply with the requirements of the City's Policy relating to Signs and Advertising.
A1.9.8	Existing trees must not be removed to provide for vehicle access.
A1.9.9	Each lot is to provide a maximum of one crossover.
A1.9.10	The maximum width of a single crossover is 3m. The maximum width of a double crossover is 5m.
A1.9.11	The location of crossovers should maximize the ability to provide on-street car parking spaces.
A1.9.12	Where a crossover meets a pedestrian path there must be clear communication of pedestrian priority.
A1.9.13	Crossovers must be setback a minimum of 0.5m from the lot boundary.

1.10 Car and bicycle parking

Element Objectives	
O1.10.1	Parking and facilities are provided for cyclists and other modes of transport including Electric Vehicle charging stations.
O1.10.2	Car parking provision is appropriate to the location, with reduced provision possible in areas that are highly walkable and/or have good public transport or cycle networks and/or are close to employment centres.
O1.10.3	Car parking is designed to be safe and accessible.
O1.10.4	The design and location of car parking minimises negative visual and environmental impacts on amenity and the streetscape.
Acceptable Outcomes	
A1.10.1	Uncovered at-grade parking is planted with trees at a minimum rate of one tree per four bays to achieve canopy coverage of 60% of the site.
A1.10.2	Secure, undercover bicycle parking is provided in accordance with Local Planning Policy 7.7.1 – Non-Residential Development Parking Requirements.
A1.10.3	Parking is provided for cars and motorcycles in accordance with Local Planning Policy 7.7.1 – Non-Residential Development Parking Requirements.
A1.10.4	Car parking and vehicle circulation areas are designed in accordance with AS2890.1 (as amended).
A1.10.5	Car parking areas are not located within the street setback and are not visually prominent from the street.

1.11 Managing the impact of noise

Element Objectives	
O1.11.1	The siting and layout of development minimises the impact of external noise sources and provides appropriate acoustic privacy to dwellings on adjoining properties.
O1.11.2	Acoustic treatments are used to reduce sound transfer within and between dwellings and to reduce noise transmission from external noise sources.
Acceptable Outcomes	
A1.11.1	Ground floor tenancies within new commercial buildings shall provide an acoustic report which demonstrates that they are capable of attenuating noise for a range of land uses including high intensity uses such as small bars, gyms and restaurants.
A1.11.2	Potential noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open space and refuse bins are not located adjacent to the external wall of dwellings on adjoining properties.

1.12 Universal Design

Element Objectives

- O1.12.1** Development includes universal design features providing options for people living with disabilities or limited mobility and/or to facilitate ageing in place.

1.13 Façade design

Element Objectives

- O1.13.1** Building façades incorporate proportions, materials and design elements that respect and reference the character of the local area.
O1.13.2 Building façades express internal functions and provide visual interest when viewed from the public realm.

Acceptable Outcomes

- A1.13.1** Commercial Development which fronts the public realm shall provide active frontages including glazing, openings and operable windows to ensure activity, interaction and surveillance of the street.
- A1.13.2** Commercial Ground floor spaces shall have a maximum width of 9m and a finished floor level to finished ceiling level height of a minimum of 3.5m.
- A1.13.3** Commercial Development shall provide a continuous protective awning over the pedestrian footpath.
- A1.13.4** Development shall identify key design elements in the local area and streetscape through an Urban Design Study and integrate and acknowledge these design elements whilst avoiding the use of faux materials.
- A1.13.5** Commercial Building facades visible from the public realm shall:
- Incorporate a variety of materials, colours, textures and depths;
 - Not present a blank, monotonous, repetitious or dominant building treatment;
 - Incorporate architectural or functional elements integrated into the façade, rather than cosmetic or superficial attachments to the building;
 - Incorporate vertical articulation by using tall and narrow façade treatments;
 - Incorporate articulation such as doorways, windows, seating ledges, sills, stall risers and other detailing;
 - Minimise use of shallow framings systems and thin wall/glazing systems;
 - Integrate fire boosters, mail boxes and external fixtures into the building design or screen them so they appear as part of the façade; and
 - Integrate signage into the design and articulation on the ground floor.
- A1.13.6** Where provided, doorways shall have a depth between 500mm and 1.5m to clearly articulate entrances to commercial buildings and tenancies.
- A1.13.7** Where provided, windows, seating ledges, sills, stall risers and other detailing shall have a minimum depth of 300mm.
- A1.13.8** Where provided, stall risers shall be a minimum height of 450mm.
- A1.13.9** Commercial Ground floor glazing and/or tinting shall have a minimum of 70% visible light transmission to provide unobscured visibility.
- A1.13.10** Security measures shall be:
- Located and installed internally behind the glazing line or recessed between elements in the façade such as columns or doorway recesses; and
 - Transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street.
- A1.13.11** Where provided, awnings shall be:
- A minimum height of 3.5m and a maximum height of 4m from finished floor level to the underside of the awning to accommodate under awning signage;
 - Be setback a minimum of 600mm from the face of kerb;
 - Respond to any existing and/or proposed verge trees;
 - Respond to the height, depth and form of existing awnings on the subject and adjoining buildings; (e) Respond to the slope of the site; and
 - Integrated with the design of the façade.
- A1.13.12** Verandahs and collonades are only permitted where they are constructed wholly within the lot boundaries of development site.

1.14 Roof design

Element Objectives	
O1.14.1	Roof forms are well integrated into the building design and respond positively to the street.
O1.14.2	Where possible, roof spaces are utilised to add open space, amenity, solar energy generation or other benefits to the development.
Acceptable Outcomes	
A1.14.1	The roof form or top of building complements the façade design and desired streetscape character.
A1.14.2	Building services located on the roof are not visually obtrusive when viewed from the street.
A1.14.3	Useable roof space is safe for users and minimises overlooking and noise impacts on adjoining sites.
A1.14.4	Flat roof structures that are not visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.4.
A1.14.5	Pitched roof structures or roof structures that are visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.5, unless a suitable alternative is identified in the Urban Design Study.

1.15 Landscape design

Element Objectives	
O1.15.1	Landscape design enhances streetscape and pedestrian amenity, and improves the visual appeal of the development.
O1.15.2	Plant selection is appropriate to the orientation, exposure and site conditions and is suitable for the adjoining uses.
O1.15.3	Landscape design includes water efficient irrigation systems and where appropriate incorporates water harvesting or water re-use technologies.
O1.15.4	Landscape design is integrated with the design intent of the architecture including its built form, materiality, key functional areas and sustainability strategies.
Acceptable Outcomes	
A1.15.1	Submission of a landscape plan prepared by a registered landscape architect. This is to include a species list and irrigation plan.
A1.15.2	Landscaped areas are located and designed to support mature, shade-providing trees.
A1.15.3	Building services fixtures are integrated in the design of the landscaping and are not visually intrusive.

1.16 Adaptive reuse

Element Objectives	
O1.16.1	New additions to existing buildings are contemporary and complementary and do not detract from the character and scale of the existing building.
Acceptable Outcomes	
A1.16.1	New additions to buildings that have heritage value do not mimic the existing form and are clearly identifiable from the original building.
A1.16.2	New additions complement the existing building by referencing and interpreting the scale, rhythm and materiality of the building.

1.17 Environmentally Sustainable Design

Element Objectives	
O1.17.1	Development that considers the whole of life environmental impact of the building and incorporates measures to reduce this impact.
O1.17.2	Development which reduces the impact of solar radiation in summer and increase passive solar gain in winter.
Acceptable Outcomes	
A1.17.1	<p>Development shall incorporate:</p> <ul style="list-style-type: none"> • Site planning principles that maximise solar passive design opportunities for both summer and winter; • Natural ventilation and daylight penetration to reduce energy consumption; • Daytime areas with north-facing glazing to allow passive solar heating during winter; • Openable windows and/or ceiling fans to habitable rooms or occupied spaces that allow natural and cross ventilation; • Recovery and re-use of rainwater, storm water, grey water and/or black water for non-potable water applications; • Shading devices to reduce unwanted solar gain in summer and increase passive solar gain in winter; and • Integration of renewable energy and energy storage systems to optimise energy consumption.
A1.17.2	Development achieves one of the environmental performance standards shown in the below table, or their equivalent*.

Accepted Rating Framework	Specification / Compliance Requirements	Minimum Requirement to be Achieved	Evidence
Green Building Council of Australia's Green Star Rating System	Current Design, As-Built and Performance rating tool	5 star Green Star rating	<p>Preliminary Sustainable Design Report prepared by a Green Star</p> <p>Accredited Professional using the current Green Star Design and As-Built rating tool scorecard to demonstrate eligibility for 5 star Green Star rating.</p>
Life Cycle Assessment in Accordance with EN15978-	System Boundary must include all Life Cycle Modules (A1-2, B1-7,	Global Warming Potential and Net Fresh Water Use	Independently Reviewed EN15978 Compliant
Sustainability of construction works – Assessment of environmental performance of buildings – Calculation method.	C1-4 and D) in addition to nonintegrated energy (plug loads)	Performance Reduction as per Table *** below.	Target Setting LCA with a 20% factor of safety applied to improvement strategies

Building Type	Performance Requirement	
	Global Warming Potential	Net Fresh Water Use
Residential (BCA Class 1-3)	< 2,250 kgCO ₂ e / Occupant / Year (50% saving against Perth statistical average residences)	< 57m ³ / Occupant / Year (50% saving against Perth statistical average residences)
Commercial Office (BCA Class 5)	< 104 kgCO ₂ e / m ² Net Lettable Area / year (30% saving against Perth statistical average office)	< 1.25 m ³ / m ² Net Lettable Area / year (25% saving against Perth statistical average office)
All Other Building Types	30% saving against Code-Compliant design	25% saving against Code-Compliant design

*The City accepts sustainability assessment frameworks and mechanisms that are nationally or internationally recognised, compliant with applicable Australian/ international standards and subject to oversight by a certifying body.

1.18 Water management and conservation

Element Objectives	
O1.18.1	Minimise potable water consumption throughout the development.
O1.18.2	Stormwater runoff from small rainfall events is managed on-site, wherever practical.
O1.18.3	Reduce the risk of flooding so that the likely impacts of major rainfall events will be minimal.
Acceptable Outcomes	
A1.18.1	Stormwater runoff generated from small rainfall events is managed on-site.
A1.18.2	Provision of an overland flow path for safe conveyance of runoff from major rainfall events to the local stormwater drainage system.

1.19 Waste Management

Element Objectives	
O1.19.1	Waste storage facilities minimise negative impacts on the streetscape and building entries.
O1.19.2	Waste to landfill is minimised by providing safe and convenient bins and information for the separation and recycling of waste.
Acceptable Outcomes	
A1.19.1	Sufficient area is provided to accommodate the required number of bins for the separate storage of green waste, recycling and general waste.
A1.19.2	Communal waste storage is sited and designed to be screened from view from the street.
A1.19.3	Where there is an increased waste requirement, an area for waste management must be provided in accordance with the City's Waste Requirement Guidelines.



1.20 Utilities

Element Objectives	
O1.20.1	The site is serviced with power, water, gas (where available), wastewater, fire services and telecommunications/broadband services that are fit for purpose and meet current performance and access requirements of service providers.
O1.20.2	All utilities are located such that they are accessible for maintenance and do not restrict safe movement of vehicles or pedestrians.
O1.20.3	Utilities, such as distribution boxes, power and water meters are integrated into design of buildings and landscape so that they are not visually obtrusive from the street.
Acceptable Outcomes	
A1.20.1	Utilities that must be located within the front setback, adjacent to the building entry or on visible parts of the roof are integrated into the design of the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive.

SECTION 2 ACTIVITY CORRIDOR

2.1 Building Height

Element Objectives	
O2.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.
O2.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale on neighbouring properties and the streetscape.
O2.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.
O2.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.
O2.1.5	The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.
O2.1.6	The height of buildings within a development responds to changes in topography.
O2.1.7	Development incorporates articulated roof design.
O2.1.8	The height of development recognises the need for daylight and solar access to adjoining and nearby residential development.
Acceptable Outcomes	
A2.1.1	Development that is consistent with the building heights provided in Table 3-2.1 and Figure 2.
A2.1.2	External fixtures may extend beyond the maximum height in Table 3-2.1 and Figure 2 where they are not visible from the street or neighbouring properties.
A2.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
A2.1.4	The City may approve development which exceeds the maximum height stated in Table 3-2.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P1.1.1 – P1.1.4.



TABLE 3 – 2.1: Building Height – Activity Corridors

Activity Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Oxford Street	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Scarborough Beach Road	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Fitzgerald Street (Newcastle St to Vincent St)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Fitzgerald Street (Vincent St to Raglan Road)	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Newcastle Street	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Beaufort Street (Newcastle St to Lincoln St)	5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
Beaufort Street (Lincoln St to Walcott St)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m

2.2 Activity Corridor Development Requirements

2.2.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.1.

SECTION 3 MIXED USE

3.1 Building Height

Element Objectives	
O3.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.
O3.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale on neighbouring properties and the streetscape.
O3.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.
O3.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.
O3.1.5	The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.
O3.1.6	The height of buildings within a development responds to changes in topography.
O3.1.7	Development incorporates articulated roof design.
O3.1.8	The height of development recognises the need for daylight and solar access to adjoining and nearby residential development.
Acceptable Outcomes	
A3.1.1	Development that is consistent with the building heights provided in Table 3-3.1 and Figure 2.
A3.1.2	External fixtures may extend beyond the maximum height in Table 3-3.1 and Figure 2 where they are not visible from the street or neighbouring properties.
A3.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
A3.1.4	The City may approve development which exceeds the maximum height stated in Table 3-3.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P1.1.1 – P1.1.4.

TABLE 3 – 3.1: Building Height – Mixed Use Areas

Mixed Use Areas	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Area bounded by Newcastle St, Loftus St, Mitchell Freeway and Charles St	7 storeys	22.6m	23.6m	22.6m	23.6m	25.6m
Area bounded by Carr St, Charles St, Newcastle St and Fitzgerald St	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m

Mixed Use Areas	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Between Fitzgerald St and William St	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Brisbane St						
Bulwer St						
Charles St						
Green St						
Walcott St						
William St						
Between William St and Lord St						
North Perth	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Area bounded by Summers St, Lord St, Graham Farmer Freeway and East Parade (Except where defined below)						
Edward St South	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m
Edward St North	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Caversham South	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m
Caversham North	10 storeys	31.9m	32.9m	31.9m	32.9m	34.9m
Cheriton South	10 storeys	31.9m	32.9m	31.9m	32.9m	34.9m
Cheriton North	12 storeys	38.1m	39.1m	38.1m	39.1m	41.1m

3.2 Mixed Use Development Requirements

3.2.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.1.

SECTION 4 TRANSIT CORRIDOR

4.1 Building height

Element Objectives	
O4.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.
O4.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale on neighbouring properties and the streetscape.
O4.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.
O4.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.
O4.1.5	The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.
O4.1.6	The height of buildings within a development responds to changes in topography.
O4.1.7	Development incorporates articulated roof design.
O4.1.8	The height of development recognises the need for daylight and solar access to adjoining and nearby residential development.
Acceptable Outcomes	
A4.1.1	Development that is consistent with the building heights provided in Table 3-4.1 and Figure 2.
A4.1.2	External fixtures may extend beyond the maximum height in Table 3-4.1 and Figure 2 where they are not visible from the street or neighbouring properties.
A4.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
A4.1.4	The City may approve development which exceeds the maximum height stated in Table 3-4.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P1.1.1 – P1.1.4.

TABLE 3 – 4.1: Building Height – Transit Corridors

Transit Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Loftus Street	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Charles Street: Between Newcastle St and Carr St						
West side and lots fronting Newcastle	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
East side	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Charles Street (Carr Street to Walcott St)	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R80 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Fitzgerald Street (Angove St to Walcott St)	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Walcott Street	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Lord Street	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
East Parade	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
William Street (Vincent St to Walcott St)	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m



4.2 Street Setbacks (Primary and Secondary)

Element Objectives

- O4.2.1 Development which incorporates design elements that reduce the impact of building bulk.
- O4.2.2 Development which maximises natural light access, natural ventilation and, internal and external privacy.
- O4.2.3 Development which activates and addresses rights of way.
- O4.2.4 Street setbacks that facilitate the provision of useable open space, alfresco dining opportunities and landscaping which contributes to canopy coverage.
- O4.2.5 The setback of the development from the street reinforces and/or complements the character of the street.
- O4.2.6 The street setback provides a clear transition between the public and private realm.
- O4.2.7 The setback of the development enables passive surveillance and outlook to the street.

Acceptable Outcomes

- A4.2.1 Primary and secondary street setback of 4m for development on sites coded R40.
- A4.2.2 Primary and secondary street setback of 4m for development on sites coded R50 and above and sites which do not have an R Code.
- A4.2.3 Primary and secondary street setback for the third storey and above must incorporate articulation and the use of varying colours and materials which minimise the bulk and scale of the building on the streetscape.

4.3 Landscaping

Element Objectives

- O4.3.1** Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces.
O4.3.2 Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings.
O4.3.3 The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect.
O4.3.4 Development that prioritises the retention of mature and healthy trees
O4.3.5 Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.
O4.3.6 Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.

Acceptable Outcomes

- A4.3.1** Deep Soil Areas shall be provided in accordance with the following requirements:

Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)
<650m ²	1m ² 1m x 1m	12%
650m ² – 1,500m ²	1m ² 1m x 1m	12%
>1,500m ²	1m ² 1m x 1m	12%

- A4.3.2** The required Deep Soil Area may be reduced to 10% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained.

- A4.3.3** A minimum of 50% of the front setback shall be provided as soft landscaping.

- A4.3.4** Planting Areas shall be provided in accordance with the following requirements

Site Area	Minimum Area & Minimum Dimensions	Planting Area (minimum % of site)
<650m ²	1m ² 1m x 1m	3%
650m ² – 1,500m ²	1m ² 1m x 1m	3%
>1,500m ²	1m ² 1m x 1m	3%

- A4.3.5** At least 30% of the site area is provided as canopy coverage at maturity.

- A4.3.6** Open air car parks, including access ways, shall have a minimum of 60% canopy coverage at maturity.

- A4.3.7** All open-air parking areas shall be landscaped at a minimum rate of one tree per four car bays.

- A4.3.8** The perimeter of all open-air parking areas shall be landscaped by a planting strip with a minimum dimension of 1.5m.

- A4.3.9** Existing trees shall be retained where they are:

- Healthy specimens with ongoing viability; and
- Species not included on an applicable weed register.

4.4 Street Walls and Fences

Element Objectives	
O4.4.1	Front fences and walls which enable surveillance and enhance streetscape.
O4.4.2	Development which adds interest to the street and minimises blank facades.
Acceptable Outcomes	
A4.4.1	Street walls, fences and gates are to be of a style and materials compatible with those of the development on site and/or walls, fences and gates of the immediate surrounding area excluding fibre cement.
A4.4.2	Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new development fronting a right of way or dedicated road to be as follows: <ul style="list-style-type: none"> • Maximum height of 1.8 metres above the natural ground level; • Maximum height of piers with decorative capping to be 2 metres above the natural ground level; • Maximum height of solid portion of wall to be 1.2 metres above adjacent footpath level and are to be visually permeable above 1.2 metres; • Posts and piers are to have a maximum width 400 millimetres and a maximum diameter of 500 millimetres; and • The distance between piers should not be less than the height of the piers except where pedestrian gates are proposed.
A4.4.3	Street walls, fences and gates to secondary streets, behind the primary street setback line, or walls, fences and gates to the primary streets where those streets are district distributor roads to be as follows: <ul style="list-style-type: none"> • Solid portion of wall may increase to a maximum height of 1.8 metres above adjacent footpath level provided that the wall or fence has at least two significant appropriate design features (to the satisfaction of the City of Vincent) to reduce the visual impact – for example, significant open structures, recesses and/or planters facing the road at regular intervals and varying materials, finishes and/or colours; and • Maximum height of piers with decorative capping to be 2 metres above adjacent footpath level.
A4.4.4	Exposed boundary walls visible to the street are to incorporate the following design features: <ul style="list-style-type: none"> • Indentations; • Varying heights; • Varying materials, colours and textures; or • Public artwork.
A4.4.5	Any proposed vehicular or pedestrian entry gates shall be visually permeable.
A4.4.6	Walls and fences on the side boundaries, only within the primary street setback area, constructed from metal sheeting are permitted provided they meet all other requirements relating to height, provide adequate sight lines and are not a side boundary fence facing a secondary street.

4.5 Transit Corridor Development Requirements

4.5.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.1, 1.2 and 1.15.

SECTION 5 RESIDENTIAL

5.1 Building Height

Element Objectives	
O5.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.
O5.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale on neighbouring properties and the streetscape.
O5.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.
O5.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.
O5.1.5	The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.
O5.1.6	The height of buildings within a development responds to changes in topography.
O5.1.7	Development incorporates articulated roof design.
O5.1.8	The height of development recognises the need for daylight and solar access to adjoining and nearby residential development.
Acceptable Outcomes	
A5.1.1	Development that is consistent with the building heights provided in Table 3-5.1 and Figure 2.
A5.1.2	External fixtures may extend beyond the maximum height in Table 3-5.1 and Figure 2 where they are not visible from the street or neighbouring properties.
A5.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
A5.1.4	The City may approve development which exceeds the maximum height stated in Table 3-5.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Element Objectives O5.1.1 – O5.1.8.

TABLE 3 – 5.1: Building Height – Residential Area

Maximum No. of Storeys as per Figure 2	Maximum Building Height				
	Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
1 storey	3m	4m	3m	4m	6m
2 storeys	6m	7m	6m	7m	9m
3 storeys	9m	10m	9m	10m	12m
4 storeys	12m	13m	12m	13m	15m
5 storeys	16m	17m	16m	17m	18m

5.2 Street Setback (Primary and Secondary)

Element Objectives	
O5.2.1	Development which incorporates design elements that reduce the impact of building bulk.
O5.2.2	Development which maximises natural light access, natural ventilation and, internal and external privacy.
O5.2.3	Development which activates and addresses rights of way.
O5.2.4	Street setbacks that facilitate the provision of useable open space, alfresco dining opportunities and landscaping which contributes to canopy coverage.
O5.2.5	The setback of the development from the street reinforces and/or complements the character of the street.
O5.2.6	The street setback provides a clear transition between the public and private realm.
O5.2.7	The setback of the development enables passive surveillance and outlook to the street.
O5.2.8	Development which incorporates predominant features of the landscape.
O5.2.9	Development which clearly distinguishes all upper floors from lower storeys to clearly distinguish the parts of the dwelling.
O5.2.10	Development which minimises the visual bulk of the buildings through articulation of larger wall lengths and the stepping back of upper storeys walls.
Acceptable Outcomes	
A5.2.1	The primary street setback is to be calculated by averaging the setback of the five adjoining properties, either side of the proposed development.
A5.2.2	For the purpose of averaging, the primary street setback is to be measured from the street alignment to the nearest wall of the building excluding porches, verandahs, carports and balconies.
A5.2.3	Walls on upper floors setback a minimum of 2 metres behind the street setback.
A5.2.4	Balconies on upper floors setback a minimum of 1 metre behind the ground floor setback.
A5.2.5	The secondary street setback is to be 2 metres. Secondary street setbacks for upper floors is to be 1.5 metres behind each portion of the ground floor setback for walls on upper floors.
A5.2.6	Primary and secondary street setback for the third storey and above must incorporate articulation and the use of varying colours and materials which minimise the bulk and scale of the building on the streetscape.

5.3 Landscaping

Element Objectives

- O5.3.1 Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces.
- O5.3.2 Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings.
- O5.3.3 The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect.
- O5.3.4 Development that prioritises the retention of mature and healthy trees
- O5.3.5 Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.
- O5.3.6 Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.

Acceptable Outcomes

- A5.3.1 Deep Soil Areas shall be provided in accordance with the following requirements:

Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)
<650m ²	1m ² 1m x 1m	12%
650m ² – 1,500m ²	1m ² 1m x 1m	12%
>1,500m ²	1m ² 1m x 1m	12%

- A5.3.2 The required Deep Soil Area may be reduced to 10% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained.

- A5.3.3 Planting Areas shall be provided in accordance with the following requirements:

Site Area	Minimum Area & Minimum Dimensions	Planting Area (minimum % of site)
<650m ²	1m ² 1m x 1m	3%
650m ² – 1,500m ²	1m ² 1m x 1m	3%
>1,500m ²	1m ² 1m x 1m	3%

- A5.3.4 At least 30% of the site area is provided as canopy coverage at maturity.
- A5.3.5 Open air car parks, including access ways, shall have a minimum of 60% canopy coverage at maturity.
- A5.3.6 All open-air parking areas shall be landscaped at a minimum rate of one tree per four car bays.
- A5.3.7 The perimeter of all open-air parking areas shall be landscaped by a planting strip with a minimum dimension of 1.5m.
- A5.3.8 Existing trees shall be retained where they are:
- Healthy specimens with ongoing viability; and
 - Species not included on an applicable weed register

5.4 Setback of Garages and Carports

Element Objectives	
O5.4.1	The setting back of carports and garages to maintain clear sight lines along the street and not to detract from the streetscape or appearance of buildings; or obstruct views of buildings from the street and vice versa.
O5.4.2	Development which preserves and enhances the visual character of the existing streetscape by considering building bulk, scale, setbacks and design.
Acceptable Outcomes	
A5.4.1	Garages are to be setback a minimum of 500mm behind the building line.
A5.4.2	Garages and carports must match the existing building's predominant colour, scale and materials and must be complementary and subservient to the building.
A5.4.3	Carports must provide an unobstructed view to the building from the street. Gates or doors to carports are required to be visually permeable.
A5.4.4	Carports shall allow light and ventilation to the building.
A5.4.5	The total width of any carport within the street setback area is not to exceed 50 per cent of the frontage (including strata lots) of the lot or six metres whichever is the lesser.

5.5 Garage Width

Element Objectives	
O5.5.1	Development which preserves and enhances the visual character of the existing streetscape.
Acceptable Outcomes	
A5.5.1	Garages which are 50% or less than the width of the lot.
A5.5.2	For lots which are 10 metres wide or less, a garage is to be a maximum width of 4 metres.



5.6 Development on Rights of Way

Element Objectives

- O5.6.1** Development which appropriately addresses rights of way to facilitate spaces which are welcoming and safe.
- O5.6.2** Development which provides suitable space for safe vehicle movement in the right of way.

Acceptable Outcomes

- A5.6.1** Development on rights of ways is to be in accordance with the Western Australian Planning Commission's Planning Bulletin 33 Rights of Way or Laneways in Established Areas – Guidelines.

Orientation

- A5.6.2** Where a building's primary street frontage is a right of way, or where no primary street or secondary street frontage exists, it is to be oriented to address the right of way using clearly defined entry points and major openings as if it were a primary street.

Setbacks

- A5.6.3** Development must be setback 1 metre from a right of way. If the site is subject to right of way widening, the setback is measured from the new lot boundary after the widening is applied.

Access

- A5.6.4** Access to a right of way is required to be trafficable to the nearest dedicated road. The cost to upgrade a right of way to make it trafficable is to be borne by the applicant.

5.7 Residential Area Development Requirements

- 5.7.1** All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.1, 1.2 and 1.15.
- 5.7.2** Volume 3, Section 4, Clause 4.4 applies to development in the Residential Built Form Area.

APPENDICES

APPENDIX 1 DESIGN PRINCIPLES

1. Context and character

Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.

The distinctive characteristics of a local area include its prominent natural and built features, the overall qualities of its built environment, significant heritage elements, as well as social, economic and environmental conditions.

Good design responds intelligently and sensitively to these factors, interpreting rather than replicating existing features and enhancing the identity of the area, including the adjacent sites, streetscape and neighbourhood.

Good design also responds positively to the intended future character of an area. It delivers appropriate densities that are consistent with projected population growth, and are able to be sustained by existing or proposed transport, green networks and social infrastructure.

Consideration of local context is particularly important for sites in established areas that are undergoing change or identified for change.

2. Landscape quality

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.

Good landscape design protects existing environmental features and ecosystems, enhances the local environmental context and regenerates lost or damaged ecosystem functionality, where possible. It balances consideration of environmental factors such as water and soil management, ground conditions,

solar access, microclimate, tree canopy, habitat creation and preservation of green infrastructure with social, cultural and economic conditions.

Good landscape design employs hard and soft landscape and urban design elements to create external environments that interact in a considered manner with built form, resulting in wellintegrated, engaging places that contribute to local identity and streetscape character.

Good landscape design provides optimal levels of external amenity, functionality and weather protection while ensuring social inclusion, equitable access and respect for the public and neighbours. Well-designed landscape environments ensure effective establishment and facilitate ease of long term management and maintenance.

3. Built form and scale

Good design provides development with massing and height that is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.

Good design achieves an appropriate built form by responding to its site, as well as surrounding built

fabric, in a considered manner, mitigating negative impacts on the amenity of neighbouring properties and public realm.

Good design considers the orientation, proportion, composition, and articulation of built form elements, to deliver an outcome that is suited to the building's purpose, defines the public domain, respects important views, contributes to the character of adjacent streetscapes and parks, and provides a good pedestrian environment at ground level.

4. Functionality and build quality

Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full life-cycle.

Designing functional environments involves ensuring that spaces are suited to their intended purpose and arranged to facilitate ease of use and good relationships to other spaces. Good design provides flexible and adaptable spaces, to maximise utilisation and accommodate appropriate future requirements without the need for major modifications.

Good build quality is achieved by using good quality and robust materials, finishes, elements and

systems. Projects should be well-detailed, resilient to the wear and tear expected from its intended use, and easy to upgrade and maintain.

Good design accommodates required services in an integrated manner, without detriment to the overall design outcome.

5. Sustainability

Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.

Sustainable buildings incorporate effective environmental design measures that respond to local climate and site conditions by providing optimal orientation, shading, thermal performance and natural ventilation. Reducing reliance on energy intensive systems for heating and cooling improves energy efficiency, minimises resource consumption and reduces operating costs over the entire life-cycle of the building.

Other sustainable design measures may also include the use of sustainable construction materials, recycling, material re-use, harnessing of renewable energy sources, appropriate water management and/or adaptive re-use of existing buildings. Good design considers the ease with which sustainability initiatives can be maintained and managed.

Sustainable landscape and urban design adheres to established principles of water-sensitive urban design, and minimises negative impacts on existing natural features and ecological processes, as well as facilitating green infrastructure at all project scales.

6. Amenity

Good design optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive.

Good design provides internal rooms and spaces that are adequately sized, comfortable and easy to use and furnish, with good levels of daylight, natural ventilation and outlook. Delivering good levels of internal amenity also includes the provision of appropriate levels of acoustic protection and visual privacy, adequate storage space, and ease of access for all.

Well-designed external spaces provide welcoming, comfortable environments that are universally accessible, with effective shade as well as protection from unwanted wind, rain, traffic and noise. Good design mitigates negative impacts on surrounding buildings and places, including overshadowing, overlooking, glare, reflection and noise.

7. Legibility

Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.

Good urban design makes places easy to navigate, with recognisable routes, intersections and landmarks while being well-connected to existing movement networks. Sightlines are wellconsidered, with built form responding to important vantage points.

Within buildings, legibility is served by a clear hierarchy of spaces with identifiable entries and clear wayfinding. Externally, buildings and spaces should allow their purpose to be easily understood, and provide clear distinction between public and private spaces.

Good design provides environments that are logical and intuitive, at the scale of building, site and precinct.

8. Safety

Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.

Safety and security is promoted by maximising opportunities for passive surveillance of public and communal areas and providing clearly defined, well-lit, secure access points that are easily maintained and appropriate to the purpose of the development.

Good design provides a positive, clearly defined relationship between public and private spaces and addresses the need to provide optimal safety and security both within a development and to adjacent public realm.

Designing for safety also involves mitigating any potential occupational safety and health hazards that might result from a development during its construction, maintenance and operation.

9. Community

Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.

Good design encourages social engagement and physical activity in an inclusive manner, enabling stronger communities and improved public health outcomes.

In residential developments, good design achieves a mix of dwelling types, providing housing choice for different demographics, living needs and household budgets, and facilitating ageing-in-place.

10. Aesthetics

Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.

Good design resolves the many competing challenges of a project into an elegant and coherent outcome. A well-conceived design concept informs all scales, from the articulation of building form through to materiality and detail, enabling sophisticated, integrated responses to the complexities of local built form and landscape character.

In assessing design quality, consideration of aesthetics should not be limited to style and appearance; it should also account for design integrity, creativity, conceptual coherence and cultural relevance in a proposal.

APPENDIX 2 – STREETSCAPE CHARACTER

Housing Type	Key Features		
	Roof Form	Materials	Exterior Feature
Late Colonial Georgian Dwellings (pre 1890)	<ul style="list-style-type: none"> Low pitched roof. 	<ul style="list-style-type: none"> Corrugated iron roofing. Painted wall finish or smooth textured walling of stucco, painted white or yellow. Simple, double-hung sash windows. 	<ul style="list-style-type: none"> Verandah erected around the dwelling, often to the rear skillion, to protect the principal rooms from the penetrating sun. Verandah usually a lower pitched extension of the main roof.
Queen Anne Federation (1895–1915)	<ul style="list-style-type: none"> Dominant roof form, often broken by false gables. 	<ul style="list-style-type: none"> Roof capped by terracotta frilled ridges. Red brick walls (though some built of stone or timber). Leadlight windows. Use of subtle colours such as cream and brown or cream and red. 	<ul style="list-style-type: none"> Verandah under the main roof, featuring decorative timber work and floor tiles.
Federation Bungalows (1890–1915)	<ul style="list-style-type: none"> Simple hipped roofs often with a protecting gable. Witches hats, gablets and various gables feature in grander bungalows. Roofs are usually steeply sloped with wide eaves. 	<ul style="list-style-type: none"> Tuck pointed brick material for the dwelling. Roofs are covered in terracotta tiles or painted corrugated metal. Round bullseye to multi-paned and coloured casement sash window, often with leadlights featuring Australian flora or fauna. 	<ul style="list-style-type: none"> Verandah ornamented with turned timber or cast iron columns, balustrades and a frieze.
Weatherboard Dwelling (1900–1930s)	<ul style="list-style-type: none"> Simple hipped roofs. 	<ul style="list-style-type: none"> Modest structure of simple design with no ornamentation. Corrugated iron roofs. Weatherboard walls, painted in whites, creams and green colours. Timber sash windows place in the middle of each room often flanking a central doorway. 	<ul style="list-style-type: none"> Full width verandah or no verandah.
Inter-War Californian Bungalows (1920s–1945)	<ul style="list-style-type: none"> Low-pitched roofs emphasising horizontal lines. 	<ul style="list-style-type: none"> Lower portion of wall brown brick, roughcast or pebble dash render or weatherboard walls. Upper portion of wall rendered and painted in oft-white, beige or cream. Roofs are covered in terracotta tiles. Windows either double hung or casement, with panes in small rectangles or diamonds or featuring Art Nouveau or Arts and Crafts patterned stained glass. 	<ul style="list-style-type: none"> Deep, shady verandah under a low pitch or flat roof. Verandah posts are heavily built.
Post War Bungalows (1945–1960s)	<ul style="list-style-type: none"> Hipped/gabled roofs with a low-lying gable of around 30 degrees. Flat roofs introduced in more contemporary designs. 	<ul style="list-style-type: none"> Plain red brick or fibro walls and chimneys with minimal exterior decorative elements. Plain timber or aluminium windows. Cement roof tiles. 	<ul style="list-style-type: none"> Rectangular or L-shaped house, with minimal or no verandah.



CITY OF VINCENT

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CITY OF VINCENT

BUILT FORM

POLICY NO. 7.1.1



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4 | PART 1 PRELIMINARY

PART 1

PRELIMINARY

CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL | POLICY NO. 7.1.1 | BUILT FORM | 5

POLICY DEVELOPMENT

This Policy has been prepared under the provisions of Schedule 2, Part 2, Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

PURPOSE & APPLICATION

The purpose of this Policy is to provide guidance on the planning and design of all development in the City of Vincent.

This Policy applies to all development in the City of Vincent as follows:

Built Form Area (as identified in Figure 1)	Applicable Section of Policy
Town Centre	Part 1; and Part 2, Volumes 1, 2 and 3, Section 1
Activity Corridor	Part 1; and Part 2, Volumes 1, 2 and 3, Section 2
Mixed Use	Part 1; and Part 2, Volumes 1, 2 and 3, Section 3
Transit Corridor	Part 1; and Part 2, Volumes 1, 2 and 3, Section 4
Residential	Part 1; and Part 2, Volumes 1, 2 and 3, Section 5
Reserves	Nil

POLICY OBJECTIVES

The objective of this Policy is for all development to:

Context

1. Integrate land use, public space and the form of the built environment to enable attractive, interesting outcomes for people;
2. Be respectful of local and historic context;
3. Preserve and reinterpret established built form and social character;
4. Maintain and enhance amenity;

Design

5. Be high quality and well-designed, including both buildings and landscaping;
6. Contribute to public spaces through design and maximise street level interest, articulation, materiality, openness, and interaction between inside and outside;
7. Encourage active participation and have a positive influence on public health by improving walkability and interest for people;
8. Design for a human scale, minimising blank walls and the detrimental impacts of services, utilities and car parking structures;
9. Encourage direct street level pedestrian access wherever possible;

10. Incorporate the principles of Crime Prevention through Environmental Design;
11. Respond to future changes in use, lifestyle and demography;
12. Provide sufficient privacy for residents without the need to retrofit screening devices;
13. Provide natural amenity and landscaping, including areas of deep soil that supports healthy plant and tree growth and contributes to the City's tree canopy, reduces urban heat island effect, and provides natural beauty and amenity to residents and visitors;

Sustainability

14. Respond to the changing needs of the community, environment and the economy over time in an efficient, functional and attractive manner;
15. Improve resource, energy and water efficiency throughout the development lifecycle including during construction, maintenance and ongoing use;
16. Incorporate sustainable and energy efficient design that befits the local climate and provides comfortable living conditions while reducing greenhouse gas emissions;

Movement

17. Maximise the opportunities provided by the City of Vincent's proximity to major public transport routes, cycling networks and activity centres;

Housing

18. Provide a range of development types and housing typologies to cater to the needs of the community;
19. Retain and adaptively re-use the City's building stock; and
20. Provide affordable housing.

Additional objectives specific to Built Form Areas are as follows:

Activity Corridor

21. To improve the built form connection and design between the City's Town Centres.

Mixed Use

22. To provide for a variety of built form that facilitates a positive interaction between a mix of land uses and residential densities.

Transit Corridor

23. To provide for high quality design of medium to high-density residential development.

Residential

24. To provide for high quality design of low, medium and high-density residential development.

RELATIONSHIP TO OTHER DOCUMENTS

This Local Planning Policy forms part of the City of Vincent (the City) local planning policy framework. Where this Policy is inconsistent with the City's local planning scheme, the local planning scheme prevails. Where this Policy is inconsistent with an adopted Local Development Plan, Activity Centre Plan or Structure Plan, the adopted Local Development Plan, Activity Centre Plan or Structure Plan prevails.

Where this Policy is inconsistent with the provisions of a specific Policy, Master Plan or Guidelines applying to a particular site or area (e.g. Character Retention Area Guidelines), the provisions of that specific Policy, Master Plan or Guidelines shall prevail.

DEFINITIONS

Active Frontage	A ground floor space where there is visual and/or physical engagement between those in the street and those on the ground floors of buildings.
Adjoining Property	Any lot which shares a boundary or portion of a boundary with a lot on which there is a proposed residential development site or is separated from that lot by a right-of-way, vehicle access way, pedestrian access way, access leg of a battleaxe lot or the equivalent not more than 6m in width.
Articulation	Architectural composition in which elements and parts of the building are expressed logically, distinctly, and consistently, with clear joints. For the purposes of this Policy articulation refers to points within a dwelling that clearly distinguish one part of the dwelling from another, such as setback between the ground and upper floors and indentations or 'breaks' within building walls.
Awning	A roof like structure attached to a building to provide shelter.
Building Height	As per the R Codes Volume 1.
Canopy Coverage	Land area covered by tree crowns (branches, leaves, and reproductive structures extending from the trunk or main stems) from trees located within the subject site, excluding any area that falls within an adjoining privately owned lot.
Climate Moderation Devices	A structure or element which provides suitable control of internal temperature and air conditions, but does not include air conditioners.
Colonnade	A sequence of columns, covered or open, free-standing or part of a building.
Dedicated Road	A road which has been committed to public use in accordance with the <i>Land Administration Act 1997</i> .
Deemed Provisions	Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Deep Soil Area	As per the R Codes Volume 2.

External Fixtures	As per the R Codes Volume 1.
Landscaping	As per the R Codes with additional clarification on "any other such area approved of by the decision-maker as landscaped area" to be defined as: Landscaped areas which are available for the use and enjoyment of the occupants, can include common and/or private open areas and recreational areas but does not include covered portions of driveways, hard paved driveways and parking areas, open air porous parking areas and driveways, or green walls.
Natural Ground Level	As per the R Codes Volume 1 and Volume 2.
Permanent Structure	Building or development which is not temporary and cannot be easily removed, this includes but is not limited to development with footings.
Planting Area	An area, with a minimum soil depth and dimension of 1 metre that supports growth of medium to large canopy trees.
Primary Street	As per the R Codes.
R Codes Volume 1	Refers to State Planning Policy 7.3: Residential Design Codes Volume 1 (as amended).
R Codes Volume 2	Refers to State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments (as amended).
Secondary Street	As per the R Codes Volume 1.
Skillion Roof	A mono-pitch roof form.
Soft Landscaping	An area with a minimum soil depth of 300mm that contains in-ground planting, excluding removable planter boxes/pots, artificial turf, green walls and porous paving areas.
Solar Absorptance	The proportion of incident solar radiation that is absorbed by an external surface when exposed to the sun.
Stall Riser	The part of a shop front below a window.
Storey	That portion of a building which is situated between the top of any floor and the top of the floor next above it and, if there is no floor above it, that portion between the top of the floor and the ceiling above it but excludes any portion of a building used solely for car parking that is at least 50% below ground level.
Streetscape Design Elements	Design features of the street including, colour palette, texture, scale, materials, roof pitch and open spaces that combine to form the street's character.
Streetscape	The visual elements of a street.
Verandah	As per the R Codes Volume 1.
Visible Light Transmission	Light passing directly through glass.
Visually permeable	As per the R Codes Volume 1 and Volume 2.



ASSESSMENT PROCESS

1. Single Houses and Grouped Dwellings – Volume 1.

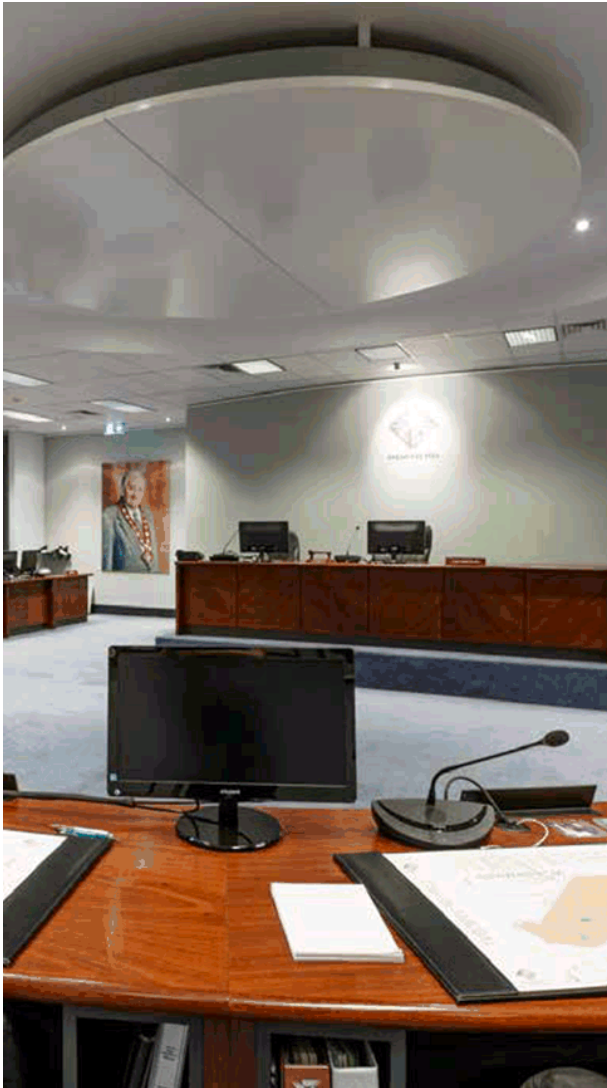
- 1.1. Applications for development approval where the R Codes apply shall be assessed in accordance with the R Codes.
- 1.2. In assessing applications for development approval and local development plans the City shall have regard to the Policy Objectives of Part 1 and Design Principles included in Appendix 1.
- 1.3. In accordance with Clause 7.3.2 of the R Codes Volume 1, this Policy contains Local Housing Objectives as follows:
 - 1.3.1. Clauses 1.1 – 1.7, 2.1, 3.1, 4.1 – 4.6, 5.1 – 5.9 guide judgements about the merits of proposals where that aspect of residential development does not meet the applicable requirements of the R Codes Volume 1; and
 - 1.3.2. Clauses 1.8 – 1.9 and 5.12 guide judgements about the merits of proposals of aspects of residential development not provided for under the R Codes Volume 1.
- 1.4. In accordance with Clause 7.3 of the R Codes Volume 1, this Policy contains provisions that amend or replace the deemed-to-comply provisions set out in Part 5 of the R Codes. The Design Principles of the R Codes Volume 1 remain and apply. The table below details which deemed to comply provisions of the R Codes Volume 1 have been amended (clarified) or replaced (provide new) by deemed to comply provisions of Volume 1 of the Built Form Policy.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
5.1.1 Site area	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.1.1 of the R Codes Volume 1 remains and applies.
5.1.2 Street Setback	1.1	4.1	5.1	Volume 1, Clause 1.1, 4.1 and 5.1 replace Clause 5.1.2 C2.1, C2.2 and C2.4 of the R Codes Volume 1. Clauses 5.1.2 C2.3 of the R Codes Volume 1 remains and applies.
5.1.3 Lot Boundary Setback (C3.1–3.3)*	1.2*	4.2*	5.2*	Volume 1, Clause 1.2, 4.2 and 5.2 amend Clause 5.1.3 of the R Codes.* For Town Centre, Mixed Use and Activity Corridor Built Form Areas Clauses 5.1.3 C3.2 and C3.3 of the R Codes Volume 1 remain and apply. For Residential Built Form Areas Clause 5.1.3 C3.1 ii, C3.2, C3.3 and C3.4 remain and apply.
5.1.4 Open space	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.1.4 of the R Codes Volume 1 remains and applies.
5.1.5 Communal open space	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.1.5 of the R Codes Volume 1 remains and applies.
5.1.6 Building height	1.3, 2.1 and 3.1	4.3	5.3	Volume 1, Clause 1.3, 2.1, 3.1, 4.3 and 5.3 replace Clause 5.1.6 C6 of the R Codes Volume 1.
5.2.1 Garages and carports	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	5.4	Volume 1, Clause 5.4 replaces Clause 5.2.1 C1.1, C1.2, C1.4 and C1.5 of the R Codes Volume 1. For Residential Built Form Area Clause 5.2.1 C1.3 of the R Codes Volume 1 remains and applies. For Town Centres, Mixed Use and Activity Corridors Built Form Areas Clause 5.2.1 of the R Codes Volume 1 remains and applies.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
5.2.2 Garage width	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	5.5	For Residential Built Form Areas Volume 1, Clause 5.5 replaces Clause 5.2.2 C2 of the R Codes Volume For Town Centres, Mixed Use and Activity Corridors Built Form Areas Clause 5.2.2 of the R Codes Volume 1 remains and applies.
5.2.3 Street surveillance	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	5.6	For Residential Built Form Areas Volume 1, Clause 5.6 applies in addition to Clause 5.2.3 of the R Codes Volume 1. For Town Centres, Mixed Use and Activity Corridors Built Form Areas Clause 5.2.3 of the R Codes Volume 1 remains and applies.
5.2.4 Street walls and fences	No Built Form Policy deemed to comply requirements.	4.4	5.7	For Transit Corridor and Residential Built Form Areas Volume 1, Clause 4.4 and 5.7 replaces Clause 5.2.4 C4.1 and C4.2 of the R Codes. For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 5.2.4 of R Codes Volume 1 remains and applies.
5.2.5 Sight lines	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	5.8	For the Residential Built Form Areas Volume 1, Clause 5.8 replaces Clause 5.2.5 C5 of the R Codes.
5.2.6 Appearance of retained dwelling	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.2.6 of the R Codes Volume 1 remains and applies.
5.3.1 Outdoor living areas	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.1 of the R Codes Volume 1 remains and applies.
5.3.2 Landscaping*	1.4*	4.5*	5.9*	Volume 1, Clauses 1.4, 4.5 and 5.9 replace Clause 5.3.2 C2 of the R Codes Volume 1.*
5.3.3 Parking	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.3 of the R Codes Volume 1 remains and applies.
5.3.4 Design of car parking spaces	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.4 of the R Codes Volume 1 remains and applies
5.3.5 Vehicular access	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.5 of the R Codes Volume 1 remains and applies
5.3.6 Pedestrian access	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.6 of the R Codes Volume 1 remains and applies.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
5.3.7 Site works	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.7 of the R Codes Volume 1 remains and applies.
5.3.8 Retaining walls	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.8 of the R Codes Volume 1 remains and applies.
5.3.9 Stormwater management	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.3.9 of the R Codes Volume 1 remains and applies.
5.4.1 Visual privacy	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.4.1 of the R Codes Volume 1 remains and applies.
5.4.2 Solar access for adjoining sites	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.4.2 of the R Codes Volume 1 remains and applies.
5.4.3 Outbuildings	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.4.3 of the R Codes Volume 1 remains and applies.
5.4.4 External fixtures, utilities and facilities	1.7	4.6	5.10	Volume 1, Clause 1.7, 4.6 and 5.10 replaces Clause 5.4.4 C4.3 and C4.4 of the R Codes Volume 1. Clauses 5.4.4 C4.1 and C4.2 of the R Codes Volume 1 remain and apply.
5.5.1 Ancillary dwellings	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.5.1 of the R Codes Volume 1 remains and applies.
5.5.2 Aged or dependent persons' dwelling C2.1ii	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.5.2 of the R Codes Volume 1 remains and applies.
5.5.3 Single bedroom dwellings	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	No Built Form Policy deemed to comply requirements.	Clause 5.5.3 of the R Codes Volume 1 remains and applies.

**The Built Form Policy Deemed to Comply provisions represent a Council adopted policy position however do not apply as Deemed to Comply provisions until the Western Australian Planning Commission (WAPC) have granted approval in accordance with section 7.3 of the R Codes Volume 1. Until the WAPC have granted approval the relevant Deemed to Comply provisions of the R Codes Volume 1 apply.*



2. Multiple Dwellings and Mixed Use – Volume 2

- 2.1. In accordance with the Clause 1.2.2 of R Codes Volume 2, this Policy contains provisions that amend or replace the Acceptable Outcomes set out in Part 2, 3 and 4 of the R Codes Volume 2. The Element Objectives of the R Codes Volume 2 remain and apply. The table below details which Acceptable Outcomes of the R Codes Volume 2 have been amended or replaced by Acceptable Outcomes of Volume 2 of the Built Form Policy.
- 2.2. In accordance with Part 1, Clause 1.2.4 of the R Codes Volume 2 Objective 1.10.1 guides judgement about the merits of proposals relating to environmentally sustainable design which is not provided for under the R-Codes Volume 2
- 2.3. The R-AC3 provisions of the R Codes Volume 2 shall apply to all multiple dwelling and mixed use applications for development approval on sites zoned Regional Centre, District Centre, Local Centre and Commercial.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
2.1 Primary controls	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	There are no Acceptable Outcomes in this section of the R Codes Volume 2 however subsequent provisions refer to parts of Table 2.1 – Primary controls table.
2.2 Building height	1.1, 2.1 & 3.1	4.1	5.1	Volume 2, Clauses 1.1, 2.1, 3.1, 4.1 and 5.1 replace Acceptable Outcome A 2.2.1 of the R Codes Volume 2.
2.3 Street setbacks	1.2	4.2	5.2	Volume 2, Clauses 1.2, 4.2 and 5.2 replace Acceptable Outcome A 2.3.1 of the R Codes Volume 2.
2.4 Side and rear setbacks	1.3	1.3	1.3	Volume 2, Clause 1.3 replaces Acceptable Outcome A 2.4.1 of the R Codes Volume 2. Clause A 2.4.2 of the R Codes Volume 2 remains and applies.
2.5 Plot ratio	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 2.5 of R Codes Volume 2 remains and applies.
2.6 Building depth	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 2.6 of R Codes Volume 2 remains and applies.
2.7 Building separation	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 2.7 of R Codes Volume 2 remains and applies.
2.8 Development incentives for community benefit	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	There are no Acceptable Outcomes in Clause 2.8 of the R Codes Volume 2.
3.1 Site analysis and design response	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	There are no Acceptable Outcomes in Clause 3.1 of the R Codes Volume 2.
3.2 Orientation	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 3.2 of R Codes Volume 2 remains and applies.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
3.3 Tree canopy and deep soil areas*	1.4*	4.3*	5.3*	<p>Volume 2, Clauses A1.4.1, A1.4.2, A4.3.1, A4.3.2, A4.3.8, A5.3.1 and A5.3.2 replace A 3.3.4 of the R Codes Volume 2.</p> <p>Volume 2, Clauses A1.4.3, A1.4.7, A4.3.3, A4.3.7, A5.3.3 and A5.3.7 replace A 3.3.7 of the R Codes Volume 2.</p> <p>Volume 2, Clauses A1.4.4, A1.4.5, A1.4.6, A4.3.4, A4.3.5, A4.3.6, A5.3.4, A5.3.5 and A5.3.6 replace A 3.3.5 of the R Codes Volume 2.</p> <p>Clauses A 3.3.1, A 3.3.2, A 3.3.3 and A 3.3.6 of the R Codes Volume 2 remain and apply.</p>
3.4 Communal open space	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 3.4 of R Codes Volume 2 remains and applies.
3.5 Visual privacy	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 3.5 of R Codes Volume 2 remains and applies.
3.6 Public domain interface	No Built Form Policy Acceptable Outcomes.	4.4	5.4	<p>For Transit Corridor and Residential Built Form Areas Clause 4.5 and 5.4 apply in addition to Clauses A 3.6.1 – A 3.6.9 of R Codes Volume 2.</p> <p>For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clauses A 3.6.1 – A 3.6.9 R Codes Volume 2 remain and apply.</p>
3.7 Pedestrian access and entries	1.5	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	<p>For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 1.5 applies in addition to Clauses A 3.7.1 to A 3.7.6 of R Codes Volume 2.</p> <p>For Transit Corridors and Residential Built Form Areas Clauses A 3.7.1 to A 3.7.6 of R Codes Volume 2 remain and apply.</p>
3.8 Vehicle Access	1.6	4.5	5.5	Clause 1.6, 4.5 and 5.5 applies in addition to Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
3.9 Car and bicycle parking*	1.7*	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause A1.7.1 replaces Clause A 3.9.9.* For Transit Corridor and Residential Built Form Areas Clauses A 3.3.1 – 3.3.10 of R Codes Volume 2 remain and apply.
4.1 Solar and daylight access	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.1 of R Codes Volume 2 remains and applies.
4.2 Natural ventilation	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.2 of R Codes Volume 2 remains and applies.
4.3 Size and layout of dwellings	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.3 of R Codes Volume 2 remains and applies.
4.4 Private open space and balconies	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.4 of R Codes Volume 2 remains and applies.
4.5 Circulation and common spaces	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.5 of R Codes Volume 2 remains and applies.
4.6 Storage	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.6 of R Codes Volume 2 remains and applies.
4.7 Managing the impact of noise	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.7 of R Codes Volume 2 remains and applies.
4.8 Dwelling mix	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.8 of R Codes Volume 2 remains and applies.
4.9 Universal design	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.9 of R Codes Volume 2 remains and applies.
4.10 Façade design	1.8	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 1.8 applies in addition to Clause A 4.10.1 – A 4.10.6 of R Codes Volume 2. For Transit Corridors and Residential Built Form Areas Clause A 4.10.1 – A 4.10.6 of R Codes Volume 2 remain and apply.

R Code Design Element	Applicable Built Form Policy Clause No.			
	Town Centre; Mixed Use; and Activity Corridors	Transit Corridors	Residential	Applicable Deemed to comply standard
4.11 Roof design	1.9	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 1.9 applies in addition to Clauses A 4.11.1 – A 4.11.3 of R Codes Volume 2. For Transit Corridors and Residential Built Form Areas Clauses A 4.11.1 – A 4.11.3 of R Codes Volume 2 remain and apply.
4.12 Landscape design	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.12 of R Codes Volume 2 remains and applies.
4.13 Adaptive reuse	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.13 of R Codes Volume 2 remains and applies.
4.14 Mixed use	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.14 of R Codes Volume 2 remains and applies.
4.15 Energy efficiency	1.10*	1.10*	1.10*	Volume 2, Clauses A1.10.1 and A1.10.2 replace A4.15.1 of the R Codes Volume 2.
4.16 Water management and conservation	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.16 of R Codes Volume 2 remains and applies.
4.17 Waste management	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.17 of R Codes Volume 2 remains and applies.
4.18 Utilities	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	No Built Form Policy Acceptable Outcomes.	Clause 4.18 of R Codes Volume 2 remains and applies.
N/A	1.10	N/A	N/A	For Town Centre, Mixed Use and Activity Corridors Clause 1.10 augments R Codes Volume 2.*

**The Built Form Policy Acceptable Outcomes represent a Council adopted policy position however do not apply as Acceptable Outcomes until the Western Australian Planning Commission (WAPC) have granted approval in accordance with section 1.2 of the R Codes Volume 2. Until the WAPC have granted approval the relevant Acceptable Development provisions of the R Codes Volume 1 apply.*



Commercial – Volume 3

- 3.1. In assessing applications for development approval against Volume 3, the decision-maker shall have regard to:
- the objectives of the Local Planning Scheme; and
 - policy objectives provided in Part 1, Design Principles provided in Appendix 1 and the Element Objectives provided in Part 2.
- 3.2. Volume 3 applies throughout the City of Vincent to the development of commercial buildings.
- 3.3. The element objectives are to be used in the preparation, submission and assessment of proposals for the purpose of determining their compliance with the Built Form Policy.
- 3.4. Applications for development approval need to demonstrate that the design achieves the objectives of each design element. While addressing the Acceptable Outcomes is likely to achieve the Objectives, they are not a deemed-to-comply pathway and the proposal will be assessed in context of the entire design solution to ensure the Objectives are achieved. Proposals may also satisfy the Objectives via alternative means or solutions.

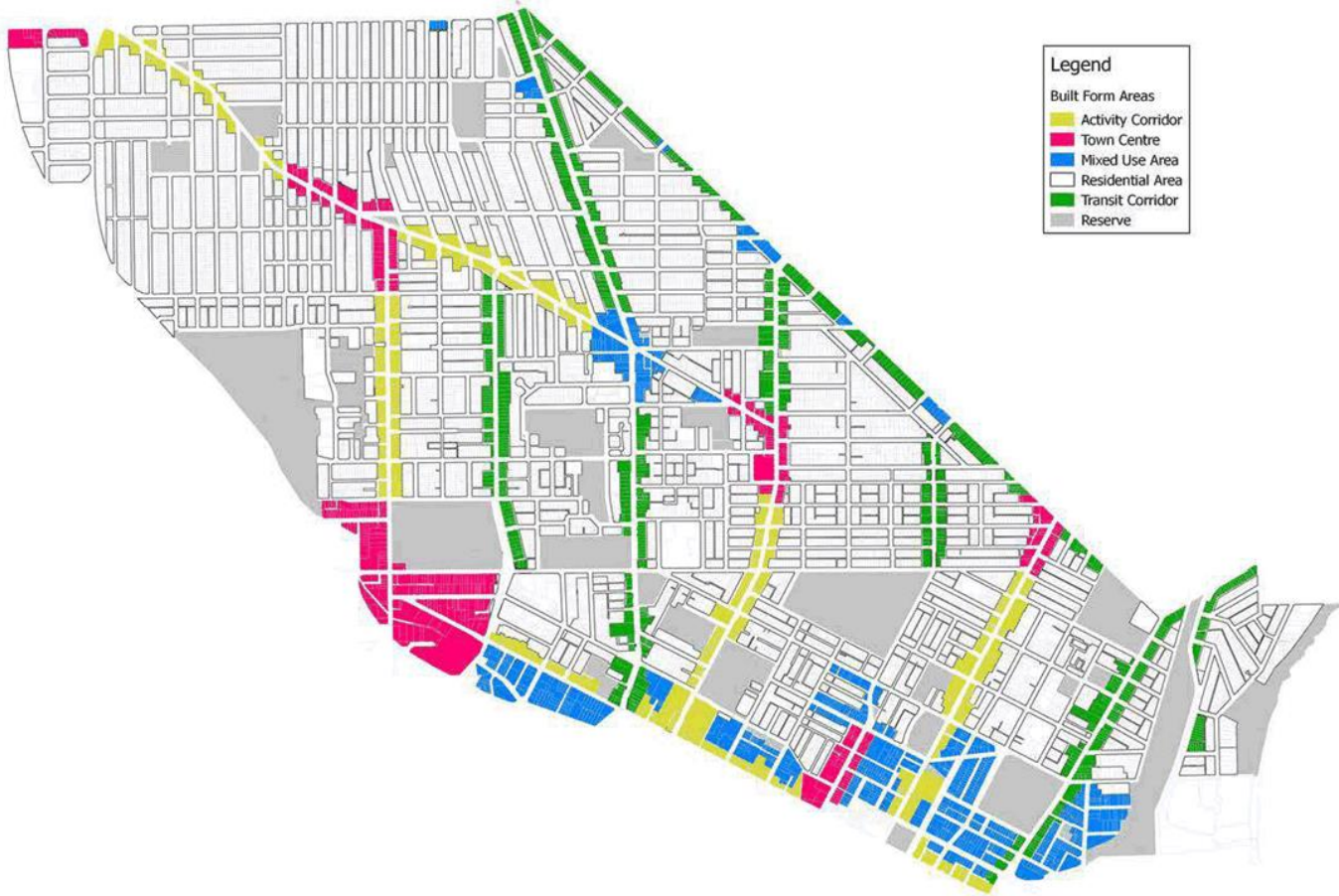


FIGURE 1 – BUILT FORM AREAS

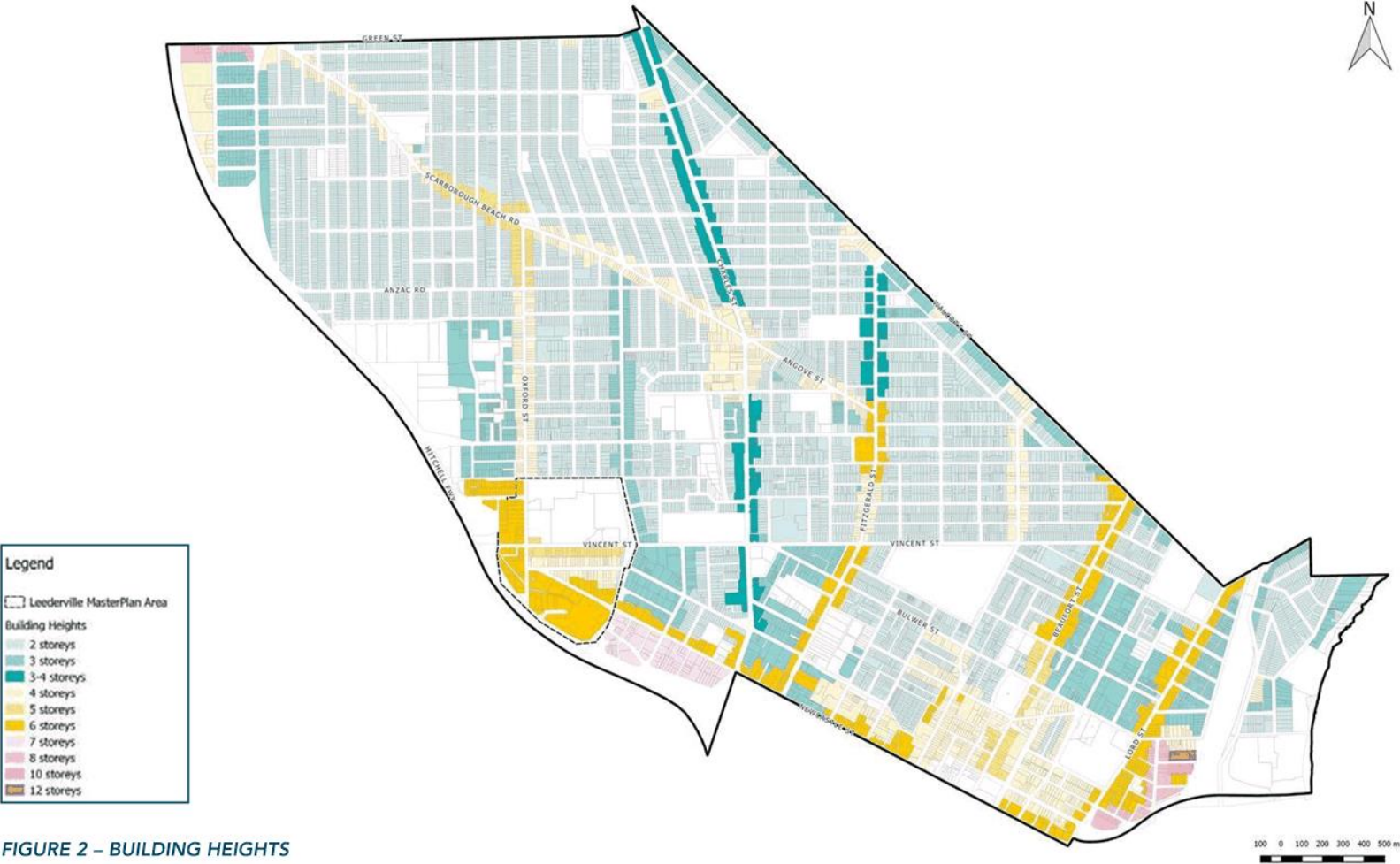
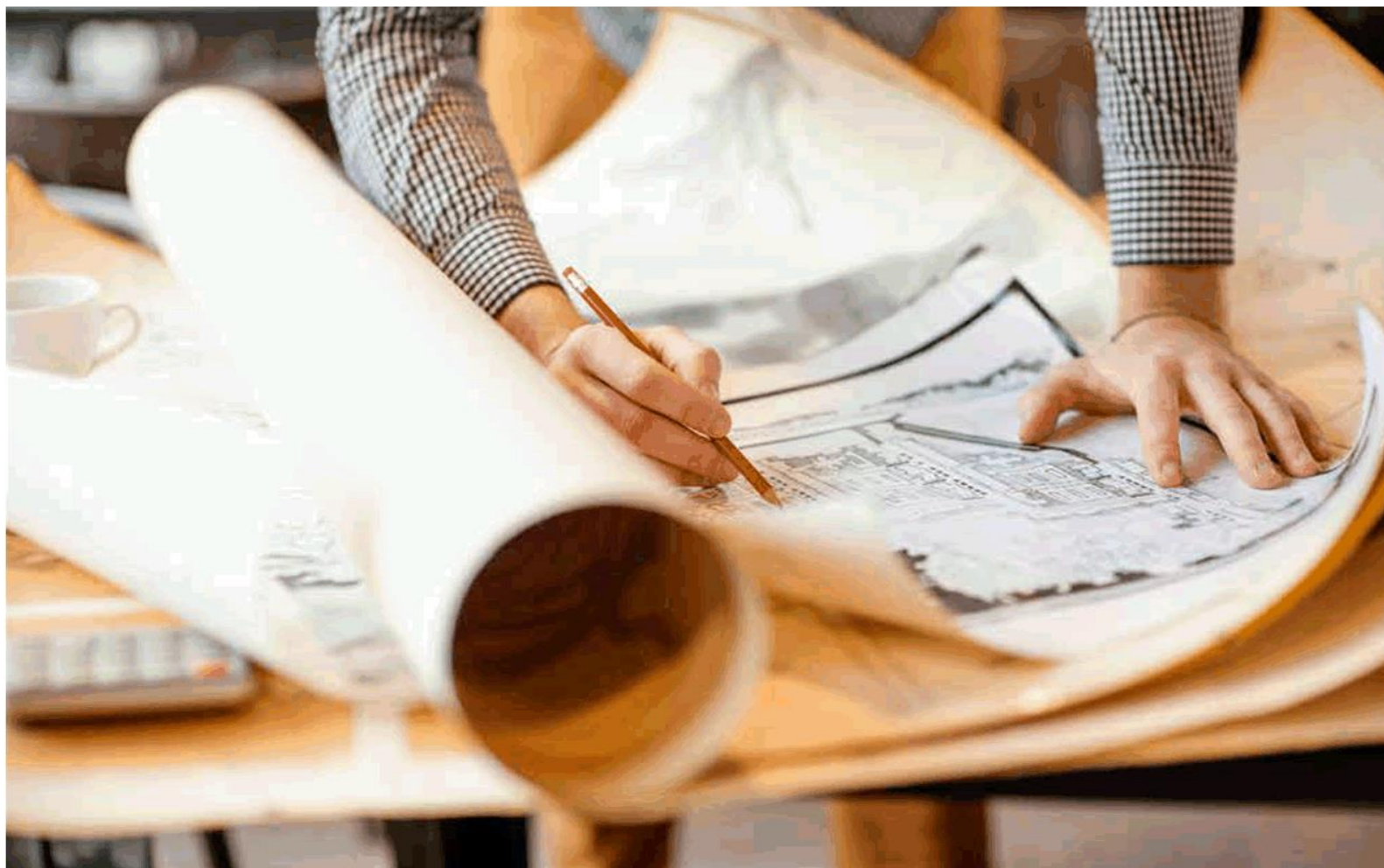


FIGURE 2 – BUILDING HEIGHTS



PART 2

POLICY PROVISIONS

CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL | POLICY NO. 7.1.1 | BUILT FORM | 23

VOLUME 1

SINGLE HOUSES AND GROUPED DWELLINGS

24 | VOLUME 1, SECTION 1 | TOWN CENTRE



SECTION 1 – TOWN CENTRE

1.1 Street Setbacks (Primary and Secondary)

R CODES	REPLACE	REMAIN
	Volume 1, Clause 1.1 replaces Clause 5.1.2 C2.1 and C2.2 of the R Codes Volume 1.	Clauses 5.1.2 C2.3 and C2.4 of the R Codes Volume 1 remain and apply.
Local Housing Objectives		Deemed to Comply
P1.1.1	Development which incorporates design elements that reduce the impact of building bulk.	C1.1.1 Primary and secondary street setback is nil.
P1.1.2	Development which maximises natural light access, natural ventilation and, internal and external privacy.	
P1.1.3	Setbacks that facilitate the provision of landscaping.	
P1.1.4	Development which activates and addresses rights of way.	
P1.1.5	Street setbacks that facilitate the provision of useable open space, alfresco dining opportunities and landscaping which contributes to canopy coverage.	

1.2 Lot Boundary Setbacks

R CODES		REPLACE	REMAIN								
		Volume 1, Clause 1.2 amends Clause 5.1.3 of the R Codes Volume 1.*	For Town Centre, Mixed Use and Activity Corridor Built Form Areas Clauses 5.1.3 C3.2 and C3.3 of the R Codes Volume 1 remain and apply.								
Local Housing Objectives		Deemed to Comply									
P1.2.1	Development which incorporates design elements that reduce the impact of building bulk	C1.2.1 Lot boundary setbacks in accordance tables 1 – 1.2a and 1 – 1.2b:									
P1.2.2	Development which maximises natural light access, natural ventilation and, internal and external privacy.	Table 1 – 1.2a									
P1.2.3	Setbacks that facilitate the provision of deep soil areas and canopy coverage.	Subject Property									
P1.2.4	Development which activates and addresses rights of way.										
		R20	R30	R40	R50	R60	R80	R100+	R – AC3	No R – Code	
		R20	A	A	A	C	C	C	C	C	
		R30	A	A	A	B	C	C	C	C	
		R40	A	A	A	B	B	C	C	C	
		R50	A	A	A	A	B	B	C	C	
		R60	A	A	A	A	A	B	B	B	
		R80	A	A	A	A	A	D	D	D	
		R100+	A	A	A	A	A	D	D	D	
		No R – Code	A	A	A	A	A	D	D	D	
		Non-Residential Built Form Area	E	E	E	E	E	F	F	F	
		Table 1 – 1.2b									
		Setback for ground floor, second storey and third storey				Setback for the fourth storey and above					
		A	R Codes Volume 1 table 2a and 2b;				R Codes Volume 1 table 2a and 2b;				
		B	4.5m				6.5m				
		C	6.5m				12.5				
		D	Table 1-1.2c				Table 1-1.2c				
		E	Nil				R Codes Volume 1 table 2a and 2b				
		F	Nil				Table 1-1.2c				
		Table 1 – 1.2c									
		Width of lot in metres									
		Setback in metres									
		≤14									
		>14									
		3									
		4									
		Development Adjoining Rights of Way									
		C1.2.2 Where development adjoins a right of way the setback shall be measured from the midpoint of the right of way.									
		C1.2.3 Development must address adjoining rights of way by providing passive surveillance and openings to the right of way.									

1.3 Building Height

R CODES	REPLACE	REMAIN
	Volume 1, Clause 1.3 replaces Clause 5.1.6 C6 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed to Comply
P1.3.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.	C1.3.1 Development that is consistent with the building heights provided in Table 1 – 1.3 and Figure 2.
P1.3.2	Development that incorporates design measures to reduce the impact of height, bulk and scale in neighbouring properties and the streetscape.	C1.3.2 External fixtures may extend beyond the maximum height in Table 1 – 1.3 and Figure 2 where they are not visible from the street or neighbouring properties.
P1.3.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.	C1.3.3 The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
P1.3.4	Design which minimises overlooking and overshadowing where it impacts residential development.	C1.3.4 The City may approve development which exceeds the maximum height stated in Table 1-1.3 where it is stipulated in an approved Local Development Plan, Activity Centre Plan, Master Plan or Structure Plan and addresses Design Principles P1.3.1 – P1.3.4.



TABLE 1 – 1.3: Building Height – Town Centres

Location	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Leederville	In accordance with the Leederville Masterplan, and where no height is stated the maximum is to be 6 storeys, with the exception of the below requirements: Vincent Street – 5 storeys Carr Place – 4 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
	Vincent Street – 5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
	Carr Place – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
North Perth	Fitzgerald Street – 6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
	Angove Street – 4 storeys					
	Angove Street – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Perth	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Mount Lawley / Highgate	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Mount Hawthorn	5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
Glendalough	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m

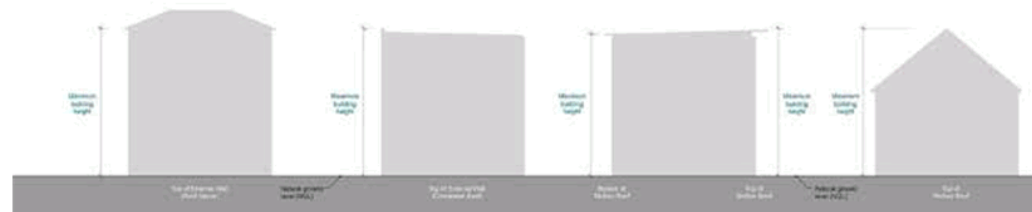


Figure 1–1.3 – Building Height Measurement

1.4 Landscaping

R CODES	REPLACE	REMAIN												
	Volume 1, Clauses 1.4 replaces Clause 5.3.2 C2 of the R Codes Volume 1.*	–												
Local Housing Objectives		Deemed to Comply												
P1.4.1	Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces.	C1.4.1 Deep Soil Areas shall be provided in accordance with the following requirements :												
P1.4.2	Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings.	<table> <tr> <th>Site Area</th><th>Minimum Area & Minimum Dimensions</th><th>Deep Soil Areas (minimum % of site)</th></tr> <tr> <td><650m²</td><td>1m² 1m x 1m</td><td>12%</td></tr> <tr> <td>650m² – 1,500m²</td><td>1m² 1m x 1m</td><td>12%</td></tr> <tr> <td>>1,500m²</td><td>1m² 1m x 1m</td><td>12%</td></tr> </table>	Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)	<650m ²	1m ² 1m x 1m	12%	650m ² – 1,500m ²	1m ² 1m x 1m	12%	>1,500m ²	1m ² 1m x 1m	12%
Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)												
<650m ²	1m ² 1m x 1m	12%												
650m ² – 1,500m ²	1m ² 1m x 1m	12%												
>1,500m ²	1m ² 1m x 1m	12%												
P1.4.3	The integration of sustainable landscape design with the building creating a greater landscaping amenity for residents and occupants and the community.													
P1.4.4	The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect.													
P1.4.5	Development that prioritises the retention of mature and healthy trees.													
P1.4.6	Landscaping at the rear of the property should not negatively impact on the use and activation of a right of way.													
P1.4.7	Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.	C1.4.2 The required Deep Soil Area may be reduced to 10% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained.												
P1.4.8	The provision of a combination of evergreen and deciduous plant species which would improve the thermal performance of the development.	C1.4.3 Planting Areas shall be provided in accordance with the following requirements: <table> <tr> <th>Site Area</th><th>Minimum Area & Minimum Dimensions</th><th>Planting Area (minimum % of site)</th></tr> <tr> <td><650m²</td><td>1m² 1m x 1m</td><td>3%</td></tr> <tr> <td>650m² – 1,500m²</td><td>1m² 1m x 1m</td><td>3%</td></tr> <tr> <td>>1,500m²</td><td>1m² 1m x 1m</td><td>3%</td></tr> </table>	Site Area	Minimum Area & Minimum Dimensions	Planting Area (minimum % of site)	<650m ²	1m ² 1m x 1m	3%	650m ² – 1,500m ²	1m ² 1m x 1m	3%	>1,500m ²	1m ² 1m x 1m	3%
Site Area	Minimum Area & Minimum Dimensions	Planting Area (minimum % of site)												
<650m ²	1m ² 1m x 1m	3%												
650m ² – 1,500m ²	1m ² 1m x 1m	3%												
>1,500m ²	1m ² 1m x 1m	3%												
		C1.4.4 At least 80%* of the lot boundary setback area at ground level shall be provided as canopy coverage at maturity.												
		C1.4.5 Open air car parks, including access ways, shall have a minimum of 60% canopy coverage at maturity.												
		C1.4.6 All open-air parking areas shall be landscaped at a minimum rate of one tree per four car bays.												
		C1.4.7 The perimeter of all open-air parking areas shall be landscaped by a planting strip with a minimum dimension of 1.5m.												
		C1.4.8 Existing trees shall be retained where they are: <ul style="list-style-type: none"> • Healthy specimens with ongoing viability; and • Species not included on an applicable weed register. 												

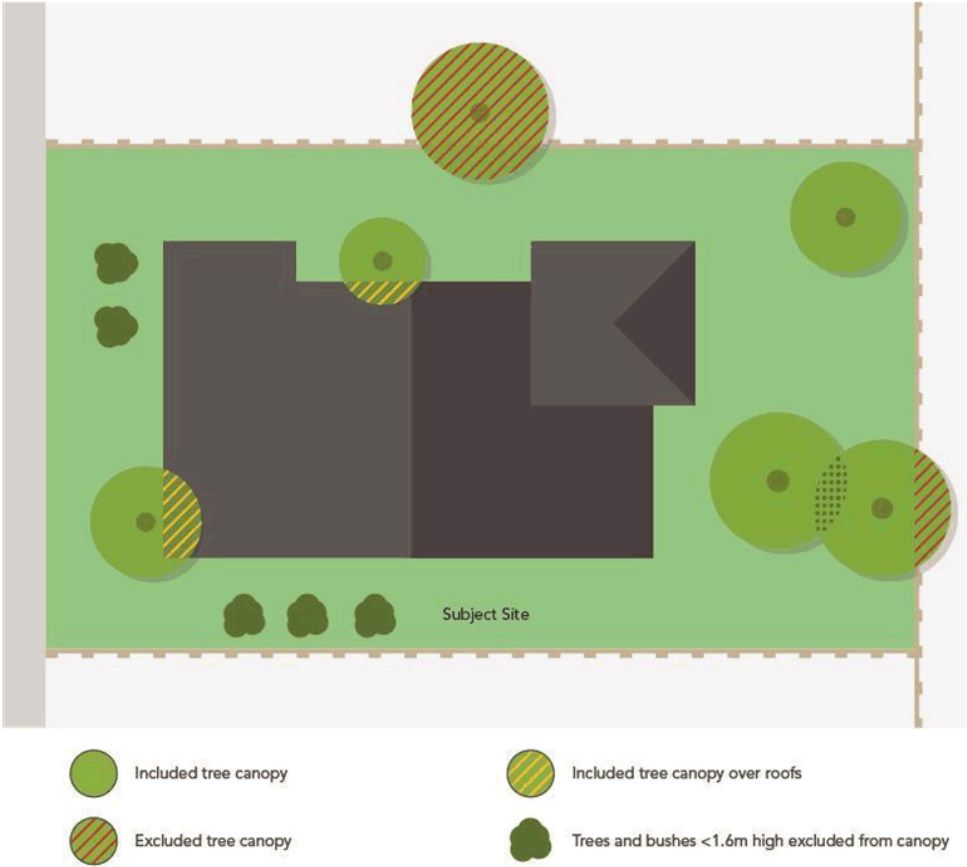


Figure 1 – 1.4.1

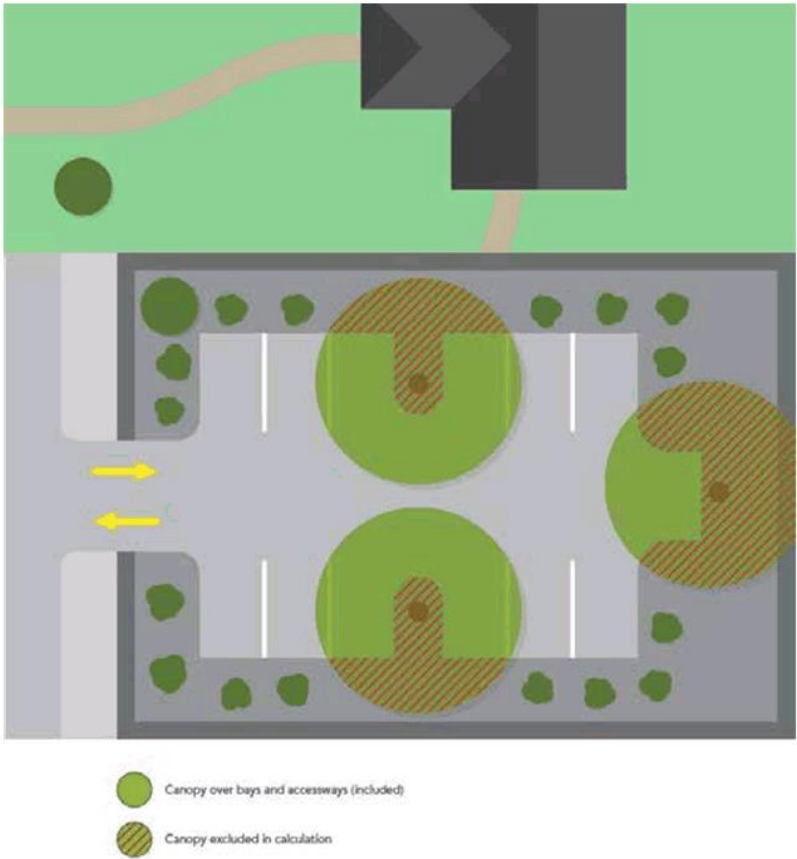


Figure 1 – 1.4.2

1.5 Parking

Local Housing Objectives

- P1.5.1** Minimise visual impact of car parking and supporting infrastructure from the primary or secondary streets.
P1.5.2 Suitable end of trip facilities should be included in the initial design of the building.

1.6 Vehicular Access

Local Housing Objectives

- P1.6.1** Vehicle access to and from site is to be safe, manageable and convenient.
P1.6.2 Pedestrian priority and safety is to be ensured by minimising the number, location and design of vehicle crossovers.
P1.6.3 Minimise breaks in the street wall to maximise active frontages.
P1.6.4 Service areas, loading bays and vehicle entrances should gain access from the Secondary Street or right of way where ever possible.
P1.6.5 Maximise the retention of existing mature vegetation through the location and design of vehicle access.

1.7 External Fixtures, utilities and facilities

R CODES	REPLACE	REMAIN
	Volume 1, Clause 1.7 replaces Clause 5.4.4 C4.3 and C4.4 of the R Codes Volume 1.	Clauses 5.4.4 C4.1 and C4.2 of the R Codes Volume 1 remain and apply.
Local Housing Objectives		Deemed to Comply
P1.7.1	Service areas and external fixtures shall be easily maintained, adequate and attractive and should be incorporated into the overall design of buildings and support renewable energy initiatives.	C1.7.1 Development must comply with Western Power Corporation Easements and Restriction Zones.
P1.7.2	Developments should provide adequate waste storage facilities for each dwelling and this should be considered at the early stage of the design process.	C1.7.2 External fixtures are required to be concealed from the street and surrounding properties, located on the roof, basement or at the rear of the development.
P1.7.3	New development should consider the undergrounding of power supply in order to improve the streetscape and provide space for increased landscaping, canopy coverage and development.	C1.7.3 External fixtures are permitted where they are: <ul style="list-style-type: none"> not visible from the street and surrounding properties; or integrated with the design of the building. C1.7.4 If external fixtures cannot be integrated into the design of the building to be concealed from the street and surrounding properties they will be required to be screened as follows: <ul style="list-style-type: none"> continuous vertical or horizontal opaque material more than 50mm in width, occupying a minimum of three quarters of the total surface area in aggregate; or a surface offering equal or more obstruction to view which does not compromise ventilation.

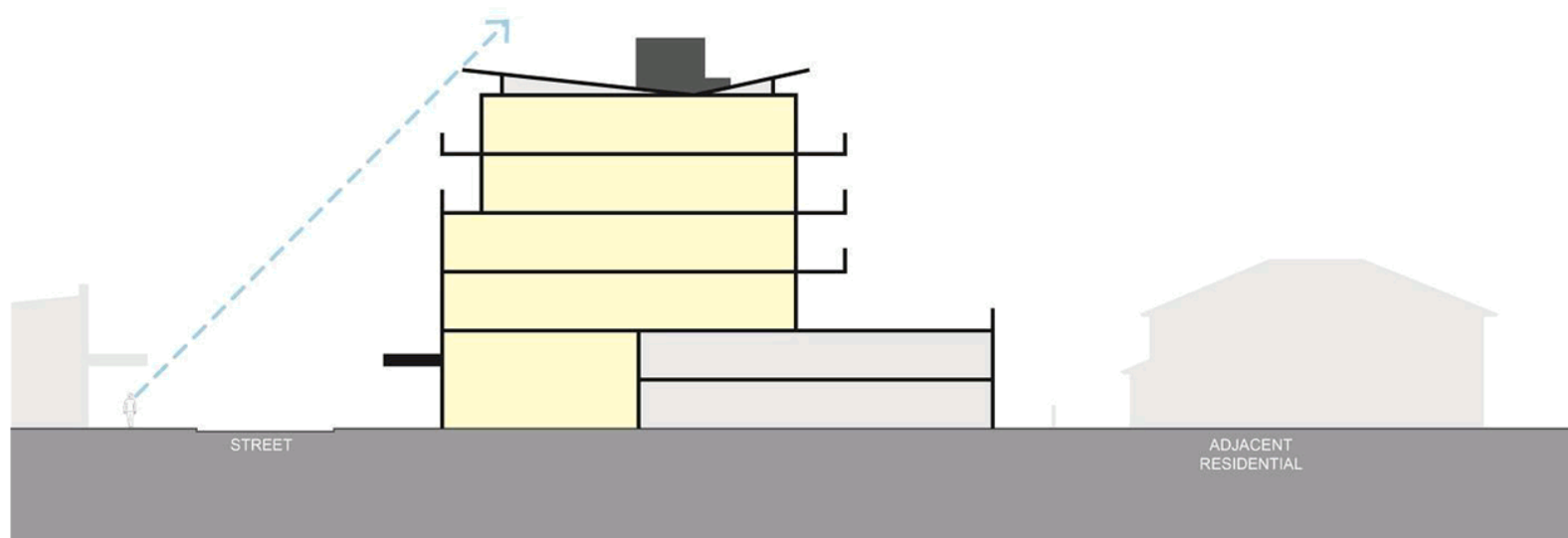


Figure 1 – 1.7 – External Fixtures

1.8 Environmentally Sustainable Design

Local Housing Objectives	
P1.8.1	Development that considers the whole of life environmental impact of the building and incorporates measures to reduce this impact.
P1.8.2	Development that optimises thermal performance of the building throughout the year through design elements and material selection.
P1.8.3	Development shall incorporate: <ul style="list-style-type: none"> • Site planning principles that maximise solar passive design opportunities for both summer and winter; • Natural ventilation and daylight penetration to reduce energy consumption; • Daytime areas with north-facing glazing to allow passive solar heating during winter; • Openable windows and/or ceiling fans to habitable rooms or occupied spaces that allow natural and cross ventilation; • Recovery and re-use of rainwater, storm water, grey water and/or black water for non-potable water applications; • Shading devices to reduce unwanted solar gain in summer and increase passive solar gain in winter; and • Integration of renewable energy and energy storage systems to optimise energy consumption.
P1.8.4	Flat roof structures that are not visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.4.
P1.8.5	Pitched roof structures or roof structures that are visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.5, unless a suitable alternative is identified in the Urban Design Study.
P1.8.6	Demonstrate that the development is capable of achieving one of the environmental performance standards shown in the below table, or a recognised equivalent*.

Accepted Rating Framework	Specification / Compliance Requirements	Minimum Requirement to be Achieved	Evidence
Life Cycle Assessment in Accordance with EN15978 – Sustainability of construction works – Assessment of environmental performance of buildings – Calculation method.	System Boundary must include all Life Cycle Modules (A1-2, B1-7, C1-4 and D) in addition to nonintegrated energy (plug loads)	Global Warming Potential and Net Fresh Water Use Performance Reduction as per Table *** below.	Independently Reviewed EN15978 Compliant Target Setting LCA with a 20% factor of safety applied to improvement strategies

Building Type	Performance Requirement	
	Global Warming Potential	Net Fresh Water Use
Residential (BCA Class 1-3)	< 2,250 kgCO ₂ e / Occupant / Year (50% saving against Perth statistical average residences)	< 57m ³ / Occupant / Year (50% saving against Perth statistical average residences)
Commercial Office (BCA Class 5)	< 104 kgCO ₂ e / m ² Net Lettable Area / year (30% saving against Perth statistical average office)	< 1.25 m ³ / m ² Net Lettable Area / year (25% saving against Perth statistical average office)
All Other Building Types	30% saving against Code-Compliant design	25% saving against Code-Compliant design

*The City accepts sustainability assessment frameworks and mechanisms that are nationally or internationally recognised, compliant with applicable Australian/international standards and subject to oversight by a certifying body.



Figure 1 – 1.8.1 – Solar orientation



Figure 1 – 1.8.2 – Cross Ventilation

1.9 Urban Design Study

Local Housing Objectives

An Urban Design Study is to be submitted with the application for development approval and must consider all of the following local housing objectives:

- P1.9.1** Appropriate use of a variety of materials and finishes that complement elements of the existing local character whilst avoiding the use of faux (made as an imitation, fake or false) materials.
- P1.9.2** Articulation that uses architectural elements in addition to setbacks to reduce its impact on adjoining properties and improves the amenity of adjoining properties and the streetscape.
- P1.9.3** Fire boosters, mail boxes and external fixtures that are integrated in the early design stage and located to minimise the impact on the public realm.
- P1.9.4** Development that achieves visual interaction with the vehicle and pedestrian approaches.
- P1.9.5** Development which integrates and/or acknowledges the design elements and character of the streetscape identified in the Urban Design Study.
- P1.9.6** Development which incorporates the design elements of the predominant streetscape character of the urban design study area outlined in Appendix 2.
- P1.9.7** Development on corner sites that is designed to express significance and frame the corner to define the built form and give a strong edge to the public realm.
- P1.9.8** Development expressed with strong visual elements that integrate with all street frontages and right of ways.
- P1.9.9** Create cohesion of all street frontages and contribute to a comfortable pedestrian environment by addressing each frontage with passive surveillance and safe sight lines.
- P1.9.10** Development shall integrate with adjoining public spaces by including visual surveillance or clearly visible entrances and paths directly onto the public space.
- P1.9.11** Emphasise vertical articulation to break up building mass and highlight street level uses and details.
- P1.9.12** Development designed to be adaptive and cater for changing uses over time within the relevant zone.
- P1.9.13** High quality durable materials and textures used at street level and upper levels which express the architectural style of the surrounding context.
- P1.9.14** Design which is responsive to any existing and/or proposed verge trees and will promote greening in town centres.

SECTION 2 – ACTIVITY CORRIDOR

2.1 Building Height

R CODES	REPLACE	REMAIN
	Volume 1, Clause 2.1 replaces Clause 5.1.6 C6 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed to Comply
P2.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.	C2.1.1 Development that is consistent with the building heights provided in Table 1-2.1 and Figure 2.
P2.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale in neighbouring properties and the streetscape.	C2.1.2 External fixtures may extend beyond the maximum height in Table 1-2.1 and Figure 2 where they are not visible from the street or neighbouring properties.
P2.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.	C2.1.3 The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
P2.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.	C2.1.4 The City may approve development which exceeds the maximum height stated in Table 1-2.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P2.1.1 – P2.1.4.

TABLE 1 – 2.1: Building Height – Activity Corridors

Activity Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Oxford Street	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Scarborough Beach Road	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Fitzgerald Street (Newcastle St to Vincent St)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Fitzgerald Street (Vincent St to Raglan Road)	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Newcastle Street	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Beaufort Street (Newcastle St to Lincoln St)	5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
Beaufort Street (Lincoln St to Walcott St)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m

2.2 Activity Corridor Development Requirements

2.2.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.3.

SECTION 3 – MIXED USE

3.1 Building Height

Local Housing Objectives		Deemed to Comply	
P3.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.	C3.1.1	Development that is consistent with the building heights provided in Table 1-3.1 and Figure 2.
P3.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale in neighbouring properties and the streetscape.	C3.1.2	External fixtures may extend beyond the maximum height in Table 1-3.1 and Figure 2 where they are not visible from the street or neighbouring properties.
P3.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.	C3.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
P3.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.	C3.1.4	The City may approve development which exceeds the maximum height stated in table 1-3.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P3.1.1 – P3.1.4.

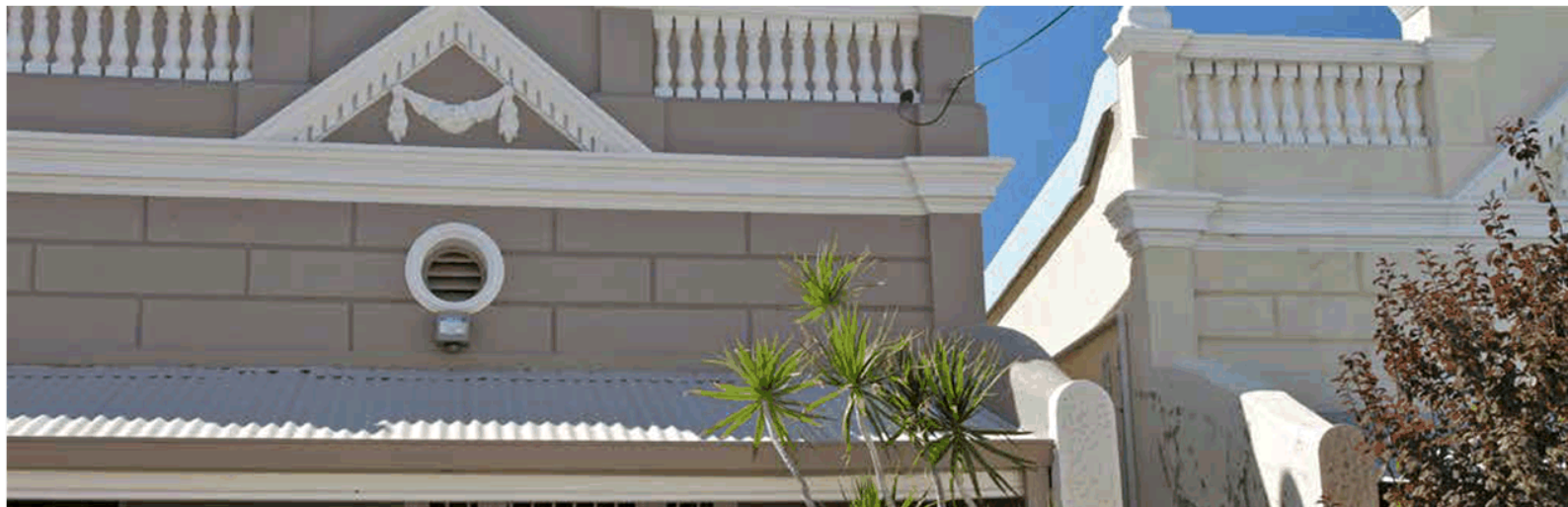


TABLE 1 – 3.1: Building Height – Mixed Use Areas

Mixed Use Area	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Area bounded by Newcastle St, Loftus St, Mitchell Freeway and Charles St	7 storeys	22.6m	23.6m	22.6m	23.6m	25.6m
Area bounded by Carr St, Charles St, Newcastle St and Fitzgerald St	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Between Fitzgerald St and William St	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Brisbane St						
Bulwer St						
Charles St						
Green St						
Walcott St						
William St						
Between William St and Lord St	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
North Perth						
Area bounded by Summers St, Lord St, Graham Farmer Freeway and East Parade (Except where defined below)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Edward St South	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m
Edward St North	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Caversham South	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m
Caversham North	10 storeys	31.9m	32.9m	31.9m	32.9m	34.9m
Cheriton South	10 storeys	31.9m	32.9m	31.9m	32.9m	34.9m
Cheriton North	12 storeys	38.1m	39.1m	38.1m	39.1m	41.1m

3.2 Mixed Use Development Requirements

3.2.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.3.



SECTION 4 – TRANSIT CORRIDOR

4.1 Street Setbacks (Primary and Secondary)

R CODES		REPLACE	REMAIN
		Volume 1, Clause 4.1 replaces Clause 5.1.2 C2.1 and C2.2 of the R Codes Volume 1.	Clauses 5.1.2 C2.3 and C2.4 of the R Codes Volume 1 remain and apply.
Local Housing Objectives		Deemed to Comply	
P4.1.1	Development which incorporates design elements that reduce the impact of building bulk.	C4.1.1	The primary and secondary street setback is as per Clause 5.1.2 of the R Codes Volume 1.
P4.1.2	Development which maximises natural light access, natural ventilation, internal and external privacy.	C4.1.2	Primary and secondary street setback for the third storey and above must incorporate articulation and the use of varying colours and materials which minimise the bulk and scale of the building on the streetscape.
P4.1.3	Setbacks that facilitate the provision of deep soil areas and canopy coverage.		
P4.1.4	Development which activates and addresses rights of way.		

R CODES		REPLACE	REMAIN										
		Volume 1, Clause 4.2 amends Clause 5.1.3 of the R Codes Volume 1.*	Clause 5.1.3 C3.3 of the R Codes remains and applies.										
Local Housing Objectives		Deemed to Comply											
P4.2.1	Development which incorporates design elements that reduce the impact of building bulk.	C4.2.2 Lot boundary setbacks are to be in accordance with tables 1-4.2a, 1-4.2b and 1-4.2c:											
P4.2.2	Development which maximises natural light access, natural ventilation, internal and external privacy.	Table 1 – 4.2a		Subject Property									
P4.2.3	Setbacks that facilitate the provision of deep soil areas and canopy coverage.			R20	R30	R40	R50	R60	R80	R100+	R – AC3	No R – Code	
P4.2.4	Development which activates and addresses rights of way.	Neighbouring Property	Residential Built Form Area	R20	A	A	A	C	C	C	C	C	C
	R30			A	A	A	B	C	C	C	C	C	C
	R40			A	A	A	B	B	C	C	C	C	C
	R50			A	A	A	A	B	B	C	C	C	C
	R60			A	A	A	A	A	B	B	B	B	B
	R80			A	A	A	A	A	D	D	D	D	D
	R100+			A	A	A	A	A	D	D	D	D	D
	No R – Code		A	A	A	A	A	D	D	D	D	D	D
	Non-Residential Built Form Area		A	A	A	A	A	D	D	D	D	D	
Table 1 – 4.2b		Setback for ground floor, second storey and third storey					Setback for the fourth storey and above						
A		R Codes Volume 1 table 2a and 2b;					R Codes Volume 1 table 2a and 2b;						
B		4.5m					6.5m						
C		6.5m					12.5						
D		Table 1-1.2c					Table 1-1.2c						
Table 1 – 4.3c		Width of lot in metres											
		≤14	≥14										
Setback in metres		3	4										
C4.2.3	Where development adjoins a right of way the setback shall be measured from the midpoint of the right of way.												
C4.2.4	Development must address adjoining rights of way by providing passive surveillance and openings to the right of way.												

4.3 Building Height

R CODES	REPLACE	REMAIN
	Volume 1, Clause 4.3 replaces Clause 5.1.6 C6 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed to Comply
P4.3.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.	C4.3.1 Development that is consistent with the building heights provided in Table 1-4.3 and Figure 2.
P4.3.2	Development that incorporates design measures to reduce the impact of height, bulk and scale in neighbouring properties and the streetscape.	C4.3.2 External fixtures may extend beyond the maximum height in Table 1-4.3 and Figure 2 where they are not visible from the street or neighbouring properties.
P4.3.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.	C4.3.3 The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
P4.3.4	Design which minimises overlooking and overshadowing where it impacts residential development.	C4.3.4 The City may approve development which exceeds the maximum height stated in table 1-4.3 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P4.2.1 – P4.2.4.

TABLE 1 – 4.3: Building Height – Transit Corridors

Transit Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Loftus Street	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Charles Street: Between Newcastle St and Carr St	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
West side and lots fronting Newcastle East side	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Charles Street (Carr Street to Walcott St)	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R80 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Fitzgerald Street (Angove St to Walcott St)	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Walcott Street	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Lord Street	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
East Parade	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
William Street (Vincent St to Walcott St)	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m

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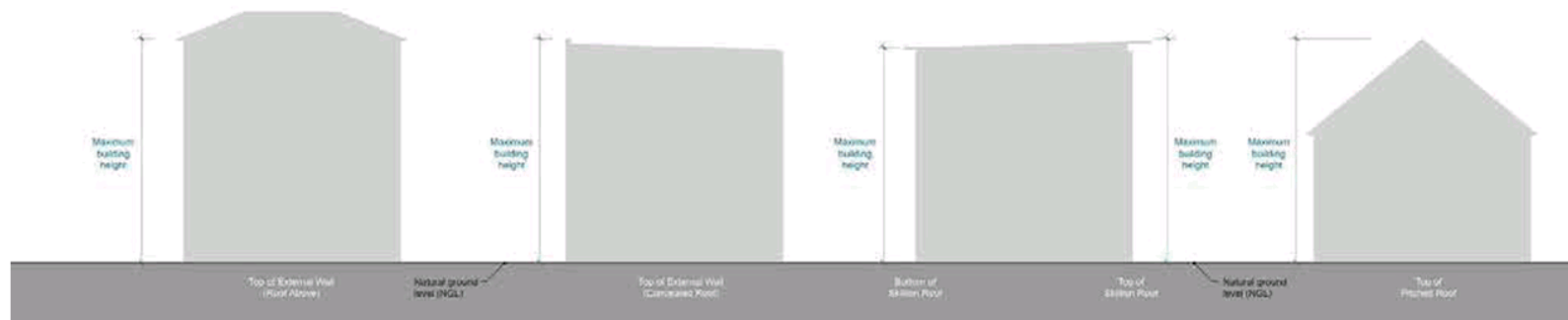


Figure 1 – 4.3 – Building Height and Measurement

4.4 Street Walls and Fences

R CODES		REPLACE	REMAIN
		Volume 1, Clause 4.4 replaces Clause 5.2.4 C4 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed to Comply	
P4.4.1	Front fences and walls which enable surveillance and enhance streetscape.	C4.4.1	Street walls, street fences and gates are to be of a style and materials compatible with those of the development on site and/or walls, fences and gates of the immediate surrounding area excluding fibre cement.
P4.4.2	Development which adds interest to the street and minimises blank facades.	C4.4.2	Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new dwellings fronting a right of way or dedicated road to be as follows: <ol style="list-style-type: none"> 1. Maximum height of 1.8 metres above the natural ground level; 2. Maximum height of piers with decorative capping to be 2 metres above the natural ground level; 3. Maximum height of solid portion of wall to be 1.2 metres above adjacent footpath level and are to be visually permeable above 1.2 metres; 4. Posts and piers are to have a maximum width 400 millimetres and a maximum diameter of 500 millimetres; and 5. The distance between piers should not be less than the height of the piers except where pedestrian gates are proposed.
		C4.4.3	Street walls, fences and gates to secondary streets, behind the primary street setback line, or walls, fences and gates to the primary streets where those streets are district distributor roads to be as follows: <ol style="list-style-type: none"> (a) Solid portion of wall may increase to a maximum height of 1.8 metres above adjacent footpath level provided that the wall or fence has at least two significant appropriate design features (to the satisfaction of the City of Vincent) to reduce the visual impact – for example, significant open structures, recesses and/or planters facing the road at regular intervals and varying materials, finishes and/or colours; and (b) Maximum height of piers with decorative capping to be 2 metres above adjacent footpath level.
		C4.4.4	Exposed boundary walls visible to the street are to incorporate the following design features: <ul style="list-style-type: none"> • Indentations; • Varying heights; • Varying materials, colours and textures; or Public artwork.
		C4.4.5	Any proposed vehicular or pedestrian entry gates shall be visually permeable.
		C4.4.6	Walls and fences on the side boundaries, only within the primary street setback area, constructed from metal sheeting are permitted provided they meet all other requirements relating to height, provide adequate sight lines and are not a side boundary fence facing a secondary street.

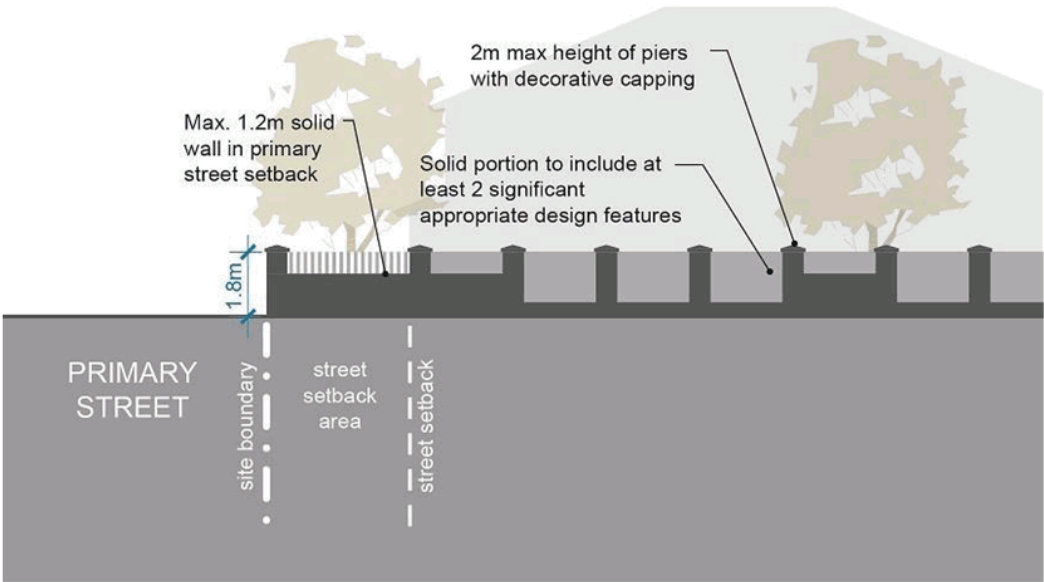


Figure 1 – 4.4 – Street walls and fences

4.5 Landscaping

R CODES	REPLACE	REMAIN												
	Volume 1, Clauses 4.5 replaces Clause 5.3.2 C2 of the R Codes Volume 1.*	–												
Local Housing Objectives		Deemed-To-Comply												
P4.5.1	Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces.	C4.5.1 Deep Soil Areas shall be provided in accordance with the following requirements: <table><tr><th>Site Area</th><th>Minimum Area & Minimum Dimensions</th><th>Deep Soil Areas (minimum % of site)</th></tr><tr><td><650m2</td><td>1m2 1m x 1m</td><td>12%</td></tr><tr><td>650m2 – 1,500m2</td><td>1m2 1m x 1m</td><td>12%</td></tr><tr><td>>1,500m2</td><td>1m2 1m x 1m</td><td>12%</td></tr></table>	Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)	<650m2	1m2 1m x 1m	12%	650m2 – 1,500m2	1m2 1m x 1m	12%	>1,500m2	1m2 1m x 1m	12%
Site Area	Minimum Area & Minimum Dimensions		Deep Soil Areas (minimum % of site)											
<650m2	1m2 1m x 1m		12%											
650m2 – 1,500m2	1m2 1m x 1m		12%											
>1,500m2	1m2 1m x 1m	12%												
P4.5.2	Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings.													
P4.5.3	The integration of sustainable landscape design with the building creating a greater landscaping amenity for residents and occupants and the community.													
P4.5.4	The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect.	C4.5.2 A minimum of 50% of the front setback shall be provided as soft landscaping. C4.5.3 Planting Areas shall be provided in accordance with the following requirements <table><tr><th>Site Area</th><th>Minimum Area & Minimum Dimensions</th><th>Planting Area (minimum % of site)</th></tr><tr><td><650m2</td><td>1m2 1m x 1m</td><td>3%</td></tr><tr><td>650m2 – 1,500m2</td><td>1m2 1m x 1m</td><td>3%</td></tr><tr><td>>1,500m2</td><td>1m2 1m x 1m</td><td>3%</td></tr></table>	Site Area	Minimum Area & Minimum Dimensions	Planting Area (minimum % of site)	<650m2	1m2 1m x 1m	3%	650m2 – 1,500m2	1m2 1m x 1m	3%	>1,500m2	1m2 1m x 1m	3%
Site Area	Minimum Area & Minimum Dimensions		Planting Area (minimum % of site)											
<650m2	1m2 1m x 1m		3%											
650m2 – 1,500m2	1m2 1m x 1m		3%											
>1,500m2	1m2 1m x 1m	3%												
P4.5.5	Development that prioritises the retention of mature and healthy trees													
P4.5.6	Landscaping at the rear of the property should not negatively impact on the use and activation of a right of way.	C4.5.4 The required Deep Soil Area may be reduced to 10% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained. C4.5.5 At least 30% of the site area is provided as canopy coverage at maturity. C4.5.6 Open air car parks, including accessways, shall have a minimum of 60% canopy coverage at maturity. C4.5.7 All open-air parking areas shall be landscaped at a minimum rate of one tree per four car bays. C4.5.8 The perimeter of all open-air parking areas shall be landscaped by a planting strip with a minimum dimension of 1.5m. C4.5.9 Existing trees shall be retained where they are: a. Healthy specimens with ongoing viability; and b. Species not included on an applicable weed register.												
P4.5.7	Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.													
P4.5.8	The provision of a combination of evergreen and deciduous plant species which would improve the thermal performance of the development.													

4.6 External Fixtures, Utilities and Facilities

R CODES	REPLACE	REMAIN
	Volume 1, Clause 4.6 replaces Clause 5.4.4 C4.3 and C4.4 of the R Codes Volume 1.	Clauses 5.4.4 C4.1 and C4.2 of the R Codes Volume 1 remain and apply.
Local Housing Objectives		Deemed-to-Comply
P4.6.1	Where Part 5 of the R Codes applies all Design Principles of clause 5.4.4 of the R Codes apply.	<p>C4.6.1 External fixtures are permitted where they are:</p> <ul style="list-style-type: none"> not visible from the street and surrounding properties; or integrated with the design of the building. <p>C4.6.2 If external fixtures cannot be integrated into the design of the building to be concealed from the street and surrounding properties they will be required to be screened as follows:</p> <ul style="list-style-type: none"> continuous vertical or horizontal opaque material more than 50mm in width, occupying a minimum of three quarters of the total surface area in aggregate; or a surface offering equal or more obstruction to view which does not compromise ventilation. <p>C4.6.3 For single houses and grouped dwellings, air conditioning fixtures are to be placed at the rear of the ground floor. The highest point of the air conditioning fixture is to be a maximum 1.8 metres above natural ground level or below the existing fence line.</p>

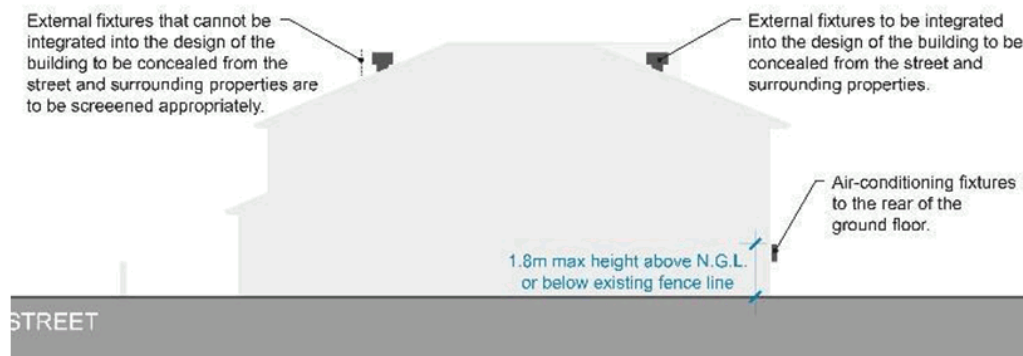


Figure 1 – 4.6 – External Fixtures

4.7 Environmentally Sustainable Design

4.7.1 Clause 1.8 of this Policy applies to development in the Transit Corridor Built Form Area.

4.8 Urban Design Study

4.8.1 Clause 1.9 of this Policy applies to development in the Transit Corridor Built Form Area.

SECTION 5 – RESIDENTIAL

5.1 Street Setback (Primary and Secondary)

R CODES	REPLACE	REMAIN
	Volume 1, Clause 5.1 replaces Clause 5.1.2 C2.1 , C2.2 and C2.4 of the R Codes Volume 1.	Clauses 5.1.2 C2.3 and C2.4 of the R Codes Volume 1 remains and applies.
Local Housing Objectives		Deemed-to-Comply
P5.1.1	Development which incorporates predominant features of the streetscape.	C5.1.1 The primary street setback is to be calculated by averaging the setback of the five adjoining properties, either side of the proposed development.
P5.1.2	Development which clearly distinguishes all upper floors from lower storeys to clearly distinguish the parts of the dwelling.	C5.1.2 For the purpose of averaging, the primary street setback is to be measured from the street alignment to the nearest wall of the dwelling excluding porches, verandahs, carports and balconies.
P5.1.3	Development which minimises the visual bulk of the buildings through articulation of larger wall lengths and the stepping back of upper storeys walls.	C5.1.3 An unenclosed porch, verandah or the equivalent may (subject to the Building Codes of Australia) project into the primary street setback area to a maximum of half the required primary street setback area.
		C5.1.4 Walls on upper floors setback a minimum of 2 metres behind the ground floor predominant building line (excluding any porch or verandah), as determined by the City.
		C5.1.5 Balconies on upper floors setback a minimum of 1 metre behind the ground floor predominant building line (excluding any porch or verandah), as determined by the City.
		C5.1.6 The ground floor secondary street setback is to be as per the R Codes.
		C5.1.7 Secondary street setbacks for upper floors is to be 1.5 metres behind each portion of the ground floor setback.

5.2 Lot Boundary Setback

R CODES

REPLACE

Volume 1, Clause 5.2 amends Clause 5.1.3 of the R Codes Volume 1.*

REMAIN

Clause 5.1.3 C3.1 ii, C3.2, C3.3 and C3.4 of the R Codes remain and apply.

Local Housing Objectives

Deemed-to-Comply

P5.2.1

Development which preserves and enhances the visual character of the existing streetscape by considering building setbacks.

C5.2.1

Clause 5.1.3 C3.1(ii) of the R Codes Volume 1 applies.

C5.2.2

Lot boundary setbacks are to be in accordance with tables 1-5.2a, 1-5.2b and 1-5.2c:

Table 1 – 5.2a

		Subject Property									
		R20	R30	R40	R50	R60	R80	R100+	R – AC3	No R – Code	
Neighbouring Property	Residential Built Form Area	R20	A	A	A	C	C	C	C	C	C
		R30	A	A	A	B	C	C	C	C	C
		R40	A	A	A	B	B	C	C	C	C
		R50	A	A	A	A	B	B	C	C	C
		R60	A	A	A	A	A	B	B	B	B
		R80	A	A	A	A	A	D	D	D	D
		R100+	A	A	A	A	A	D	D	D	D
		No R – Code	A	A	A	A	A	D	D	D	D
Non-Residential Built Form Area		A	A	A	A	A	D	D	D	D	

Table 1 – 5.2b

	Setback for ground floor, second storey and third storey	Setback for the fourth storey and above
A	R Codes Volume 1 table 2a and 2b;	R Codes Volume 1 table 2a and 2b;
B	4.5m	6.5m
C	6.5m	12.5
D	Table 1-5.2c	Table 1-5.2c

Table 1 – 5.2c

Width of lot in metres	
	≤14 >14
Setback in metres	3 4

C5.2.3

Where development adjoins a right of way the setback shall be measured from the midpoint of the right of way.

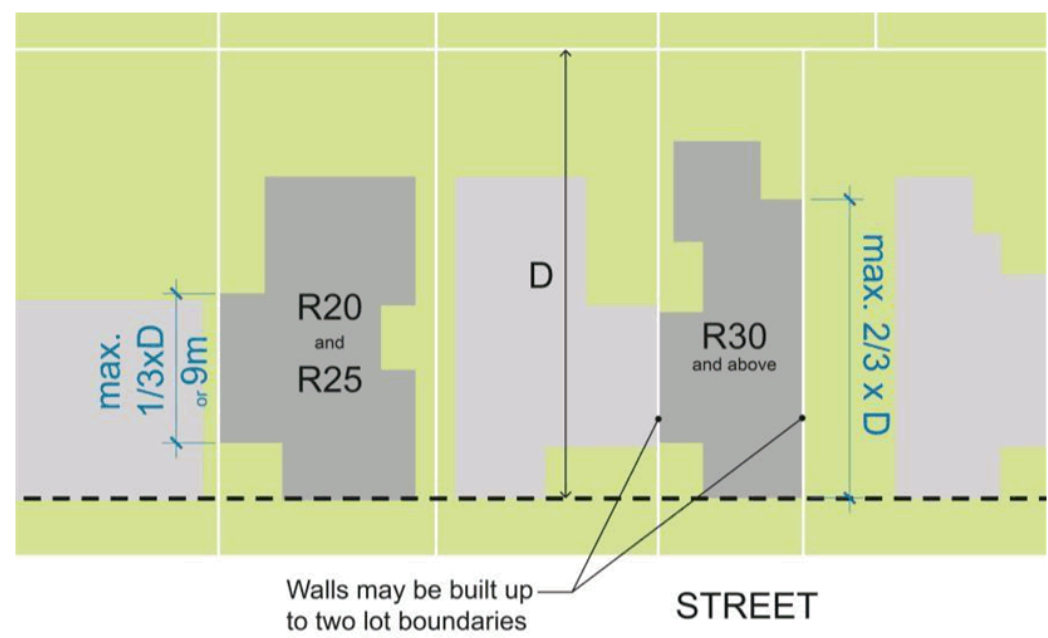


Figure 1 – 5.2 – Residential lot boundary setbacks

5.3 Building Height

R CODES	REPLACE	REMAIN
	Volume 1, Clause 5.3 replaces Clause 5.1.6 C6 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed-to-Comply
P5.3.1	Buildings which respond and contribute to neighbourhood context and streetscape character, and do not overwhelm or dominate existing development.	C5.3.1 Development that is consistent with the building heights provided in Table 1-5.3 and Figure 2.
P5.3.2	Design which is complimentary to existing developments.	C5.3.2 External fixtures may extend beyond the maximum height in Table 1-5.3 and Figure 2 where they are not visible from the street or neighbouring properties.
P5.3.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.	C5.3.3 The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
P5.3.4	Design which minimises overlooking and overshadowing.	C5.3.4 The City may approve development which exceeds the maximum height stated in Table 1-5.3 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P5.3.1 – P5.3.5.
P5.3.5	Development which preserves and enhances the visual character of the existing streetscape by considering building bulk and scale.	

TABLE 1 – 5.3: Building Height – Residential Area

Maximum No. of Storeys as per Figure 2	Maximum Building Height				
	Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
1 storey	3.5m	5m	3.5m	5m	7m
2 storeys	7m	8m	7m	8m	10m
3 storeys	9m	10m	9m	10m	12m
4 storeys	12m	13m	12m	13m	15m
5 storeys	16m	17m	16m	17m	18m



Figure 1 – 5.3 – Residential Building Heights



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5.4 Garages and Carports

R CODES	REPLACE	REMAIN
	Volume 1, Clause 5.4 replaces Clause 5.2.1 C1.1, C1.2, C1.4 and C1.5 of the R Codes Volume 1.	Clause 5.2.1 C1.3 of the R Codes Volume 1 remains and applies.
Local Housing Objectives		Deemed-to-Comply
P5.4.1	The setting back of carports and garages to maintain clear sight lines along the street and not to detract from the streetscape or appearance of dwellings; or dominate views of dwellings from the street and vice versa. Development which preserves and enhances the visual character of the existing streetscape by considering building bulk, scale, setbacks and design.	C5.4.1
P5.4.2		C5.4.2
		C5.4.3
		C5.4.4
		C5.4.5
		C5.4.6
		C5.4.7

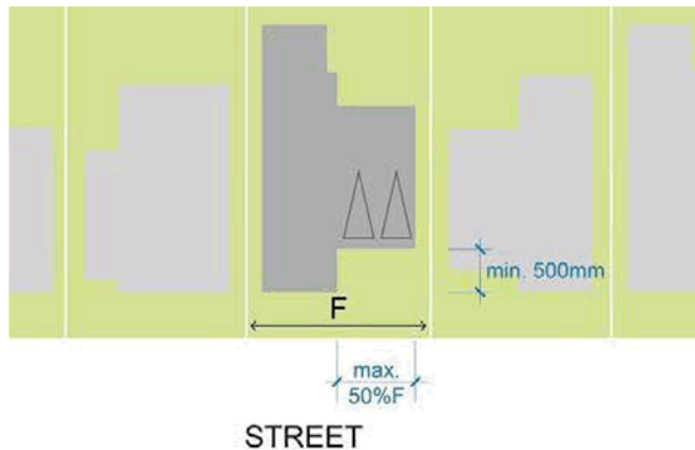


Figure 1 – 5.4.1 – Garage Street Setback

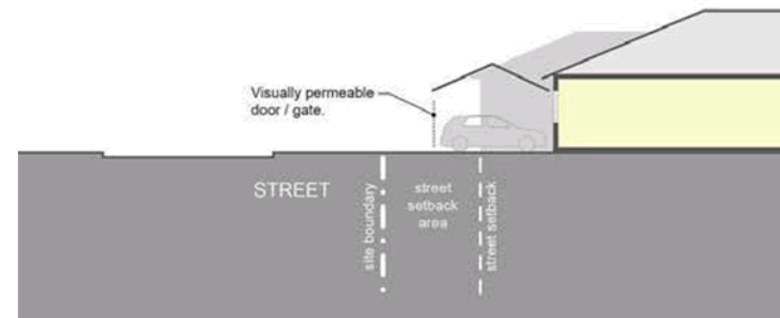


Figure 1 – 5.4.2 – Carports within Street Setback

5.5 Garage Width

R CODES	REPLACE	REMAIN
	Volume 1, Clause 5.5 replaces Clause 5.2.2 C2 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed-to-Comply
P5.5.1	Development which preserves and enhances the visual character of the existing streetscape and minimises the visual impact of the garage.	C5.5.1 Garages which are 50% or less than the width of the lot. C5.5.2 For lots less than 10 metres wide, garages which are a maximum of 4 metres wide.

5.6 Street Surveillance

R CODES	REPLACE	REMAIN
	Clause 5.6 applies in addition to Clause 5.2.3 of the R Codes Volume 1.	Clause 5.2.3 of the R Codes Volume 1 remains and applies.
Local Housing Objectives		Deemed-to-Comply
P5.6.1	Where Part 5 of the R Codes applies, and for all other development, all Design Principles of clause 5.2.3 of the R Codes apply.	C5.6.1 The primary street elevation of the dwelling is to address the street and shall include the main entry (front door) to the dwelling. Sites which abut a right-of-way and do not designate another primary street shall address the right-of-way as though it were its primary street for the purposes of this clause.

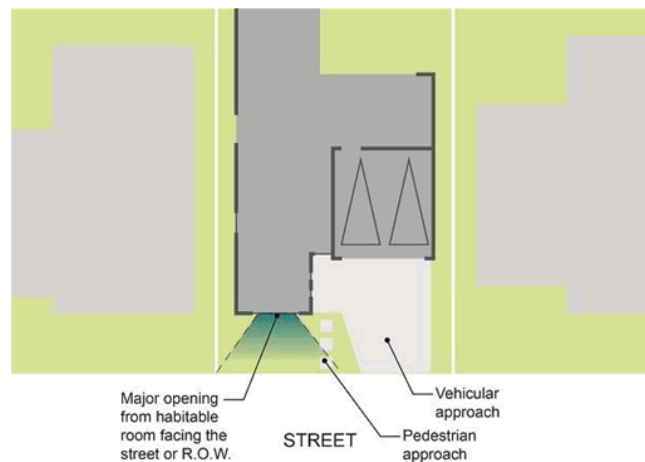


Figure 1 – 5.6 – Street Surveillance

5.7 Street Walls and Fences

R CODES		REPLACE	REMAIN
		Volume 1, Clause 5.7 replaces Clause 5.2.4 C4.1 and C4.2 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed-to-Comply	
P5.7.1	Development which preserves and enhances the visual character of the existing streetscape by considering bulk, scale, setbacks, design, relationship between the private and public domain, and fencing styles.	<p>C5.7.1 Street walls, street fences and gates are to be of a style and materials compatible with those of the dwelling on site and/or walls, fences and gates of the immediate surrounding area excluding fibre cement and metal sheeting.</p> <p>C5.7.2 Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new dwellings fronting a right of way or dedicated road to be as follows:</p> <ol style="list-style-type: none"> 1. Maximum height of 1.8 metres above the natural ground level; 2. Maximum height of piers with decorative capping to be 2 metres above the natural ground level; 3. Maximum height of solid portion of wall to be 1.2 metres above adjacent footpath level and are to be visually permeable above 1.2 metres; 4. Posts and piers are to have a maximum width 400 millimetres and a maximum diameter of 500 millimetres; and 5. The distance between piers should not be less than the height of the piers except where pedestrian gates are proposed. <p>C5.7.3 Street walls, fences and gates to secondary streets, behind the primary street setback line, or walls, fences and gates to the primary streets where those streets are district distributor roads to be as follows:</p> <ul style="list-style-type: none"> • Solid portion of wall may increase to a maximum height of 1.8 metres above adjacent footpath level provided that the wall or fence has at least two significant appropriate design features (to the satisfaction of the City of Vincent) to reduce the visual impact – for example, significant open structures, recesses and/or planters facing the road at regular intervals and varying materials, finishes and/or colours; and • Maximum height of piers with decorative capping to be 2 metres above adjacent footpath level. <p>C5.7.4 Walls, fences and gates on the side boundaries within the primary street setback area, constructed from metal sheeting are permitted provided they meet all other requirements relating to height, provide adequate sight lines and are not a side boundary fence facing a secondary street.</p>	<p><i>Note: The measurement of street walls, fences and gates is to include any retaining walls and is to be measured from the natural ground level immediately below the base of the wall to the top of the wall above, within the development site. In the case of primary street frontage the measurement of street walls, fences and gates is to be measured from the natural ground level of the footpath immediately below the base of the wall to the top of the wall above.</i></p>

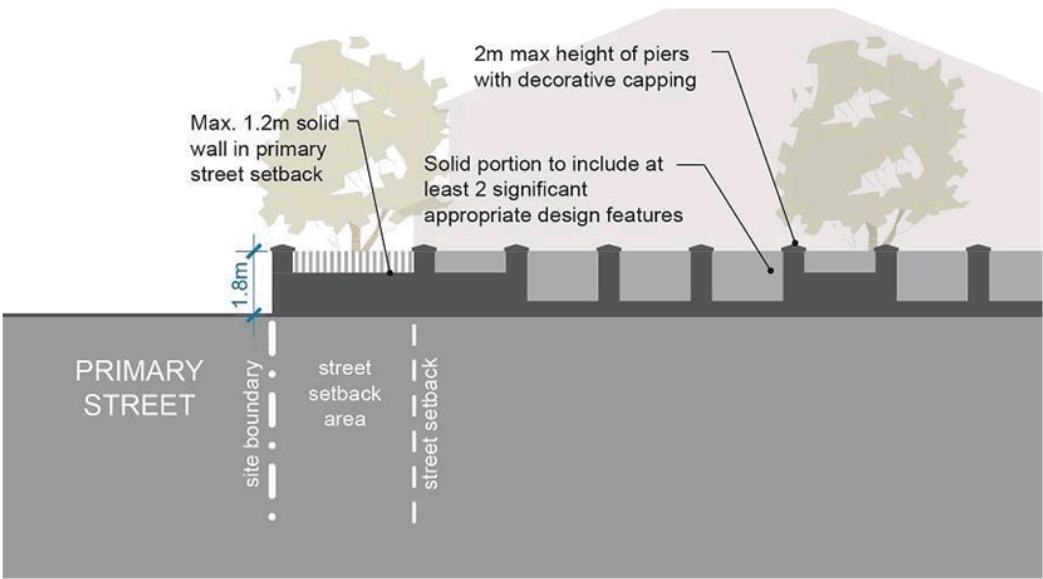


Figure 1 – 5.7 – Street Walls and Fences

5.8 Sight Lines

R CODES		REPLACE	REMAIN
		Clause 5.8 replaces Clause 5.2.5 C5 of the R Codes Volume 1.	–
Local Housing Objectives		Deemed-to-Comply	
P5.8.1	Development which allows safe vehicle movement between the private and public domain.	C5.8.1	<p>Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m where walls, fences, or other structures adjoin a driveway that intersects a street, right-of-way, communal street; and a right-of-way or communal street that intersects a public street; and two streets that intersect with the exception of:</p> <ul style="list-style-type: none"> • One pier/pillar with a maximum width and depth of 400 millimetres and 1.8 metres height above NGL, or 2.0 metres tall to the top of decorative capping above the NGL; • Fence slats or infill higher than 0.75 metres above NGL that provides a Clear Sight Line; • If a gate is proposed across a vehicle access point where a driveway meets a public street and where two streets intersect, the gate must provide: <ul style="list-style-type: none"> • When Closed: a minimum of 50 per cent unobstructed view; • When Open: a Clear Sight Line from 0.75m above the NGL within 1.5m of where the vehicle access way joins the street; <p>For the purposes of this clause a Clear Sight Line means:</p> <ul style="list-style-type: none"> • Continuous horizontal or vertical gaps that constitute a minimum of 50% of the total surface area; • A minimum gap size of 40mm; • If slats are orientated to be deeper than they are wide - the distance between the slats must be no less than two-times the depth of the slat; • Clear non-reflective glass.

5.9 Landscaping

R CODES	REPLACE	REMAIN												
	Volume 1, Clauses 5.9 replaces Clause 5.3.2 C2 of the R Codes Volume 1.*	–												
Local Housing Objectives		Deemed-To-Comply												
P5.9.1	Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces.	C5.9.1 Deep Soil Areas shall be provided in accordance with the following requirements: <table><tr><th>Site Area</th><th>Minimum Area & Minimum Dimensions</th><th>Deep Soil Areas (minimum % of site)</th></tr><tr><td><650m2</td><td>1m2 1m x 1m</td><td>12%</td></tr><tr><td>650m2 – 1,500m2</td><td>1m2 1m x 1m</td><td>12%</td></tr><tr><td>>1,500m2</td><td>1m2 1m x 1m</td><td>12%</td></tr></table>	Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)	<650m2	1m2 1m x 1m	12%	650m2 – 1,500m2	1m2 1m x 1m	12%	>1,500m2	1m2 1m x 1m	12%
Site Area	Minimum Area & Minimum Dimensions		Deep Soil Areas (minimum % of site)											
<650m2	1m2 1m x 1m		12%											
650m2 – 1,500m2	1m2 1m x 1m		12%											
>1,500m2	1m2 1m x 1m	12%												
P5.9.2	Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings.													
P5.9.3	The integration of sustainable landscape design with the building creating a greater landscaping amenity for residents and occupants and the community.													
P5.9.4	The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect.	C5.9.2 Planting Areas shall be provided in accordance with the following requirements: <table><tr><th>Site Area</th><th>Minimum Area & Minimum Dimensions</th><th>Planting Area (minimum % of site)</th></tr><tr><td><650m2</td><td>1m2 1m x 1m</td><td>3%</td></tr><tr><td>650m2 – 1,500m2</td><td>1m2 1m x 1m</td><td>3%</td></tr><tr><td>>1,500m2</td><td>1m2 1m x 1m</td><td>3%</td></tr></table>	Site Area	Minimum Area & Minimum Dimensions	Planting Area (minimum % of site)	<650m2	1m2 1m x 1m	3%	650m2 – 1,500m2	1m2 1m x 1m	3%	>1,500m2	1m2 1m x 1m	3%
Site Area	Minimum Area & Minimum Dimensions		Planting Area (minimum % of site)											
<650m2	1m2 1m x 1m		3%											
650m2 – 1,500m2	1m2 1m x 1m		3%											
>1,500m2	1m2 1m x 1m	3%												
P5.9.5	Development that prioritises the retention of mature and healthy trees													
P5.9.6	Landscaping at the rear of the property should not negatively impact on the use and activation of a right of way.													
P5.9.7	Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.	C5.9.3 The required Deep Soil Area may be reduced to 10% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained. C5.9.4 At least 30% of the site area is provided as canopy coverage at maturity. C5.9.5 Open air car parks, including access ways, shall have a minimum of 60% canopy coverage at maturity. C5.9.7 The perimeter of all open-air parking areas shall be landscaped by a planting strip with a minimum dimension of 1.5m. C5.9.8 Existing trees shall be retained where they are: (a) Healthy specimens with ongoing viability; and (b) Species not included on an applicable weed register. C5.9.9 The above landscaping provisions apply to additions and alterations that affect an existing Deep Soil Area, canopy cover or tree on the subject lot.												
P5.9.8	Design which retains existing mature trees on site.													
P5.9.9	The provision of a combination of evergreen and deciduous plant species which would improve the thermal performance of the development.													

5.10 External Fixtures, Utilities and Facilities

R CODES	REPLACE	REMAIN
	Volume 1, Clause 5.10 replaces Clause 5.4.4 C4.3 and C4.4 of the R Codes Volume 1.	Clauses 5.4.4 C4.1 and C4.2 of the R Codes Volume 1 remain and apply.
Local Housing Objectives		
P5.10.1	Development which preserves and enhances the visual character of the existing streetscape by considering building bulk, scale and design.	
	Deemed-to-Comply	
	C5.10.1	External fixtures are permitted where they are: <ul style="list-style-type: none">not visible from the street and surrounding properties; orintegrated with the design of the building.
	C5.10.2	If external fixtures cannot be integrated into the design of the building to be concealed from the street and surrounding properties they will be required to be screened as follows: <ul style="list-style-type: none">continuous vertical or horizontal opaque material more than 50mm in width, occupying a minimum of three quarters of the total surface area in aggregate; ora surface offering equal or more obstruction to view which does not compromise ventilation.
	C5.10.3	For single houses and grouped dwellings, air conditioning fixtures are to be placed at the rear of the ground floor. The highest point of the air conditioning fixture is to be a maximum 1.8 metres above natural ground level or below the existing fence line.



Figure 1 – 5.10.1 – External Fixtures

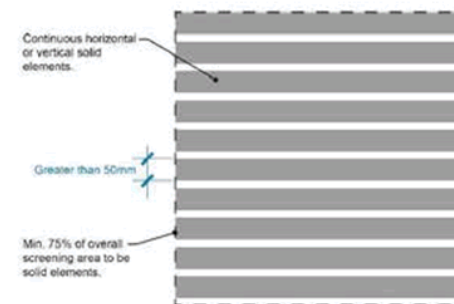


Figure 1 – 5.10.2 – Screening of External Fixtures



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5.11 Environmentally Sustainable Design

5.11.1 Clause 1.8 of this Policy applies to development in the Residential Built Form Area.

5.12 Urban Design Study

5.12.1 Clause 1.9 of this Policy applies to development in the Residential Built Form Area.

5.13 Development on Rights of Way

Local Housing Objectives

- P5.13.1 Development which appropriately addresses rights of way to facilitate spaces which are welcoming and safe for residents and visitors.
- P5.13.2 Development which provides appropriate pedestrian access to a dedicated road with suitable space for service areas and waste management.
- P5.13.3 Development which provides suitable space for safe vehicle movement in the right of way.
- P5.13.4 Development on rights of ways is to be in accordance with the Western Australian Planning Commission's Planning Bulletin 33 Rights of Way or Laneways in Established Areas – Guidelines.

Orientation

- P5.13.5 Where a dwellings' primary street frontage is a right of way, or where no primary street or secondary street frontage exists, it is to be oriented to address the right of way using clearly defined entry points and major openings as if it were a primary street.

Setbacks

- P5.13.6 Development must be setback 1 metre from a right of way. If the site is subject to right of way widening, the setback is measured from the new lot boundary after the widening is applied. Clause C5.2.1 of the R Codes is replaced by this clause where development has its primary street frontage to a right of way.

Access

- P5.13.7 Each lot that does not have direct frontage to a dedicated road is to be provided with a pedestrian access way to a dedicated road. The width of the pedestrian access way shall be 1.5 metres.
- P5.13.8 Access to a right of way is required to be trafficable to the nearest dedicated road. The cost to upgrade a right of way to make it trafficable is to be borne by the applicant.

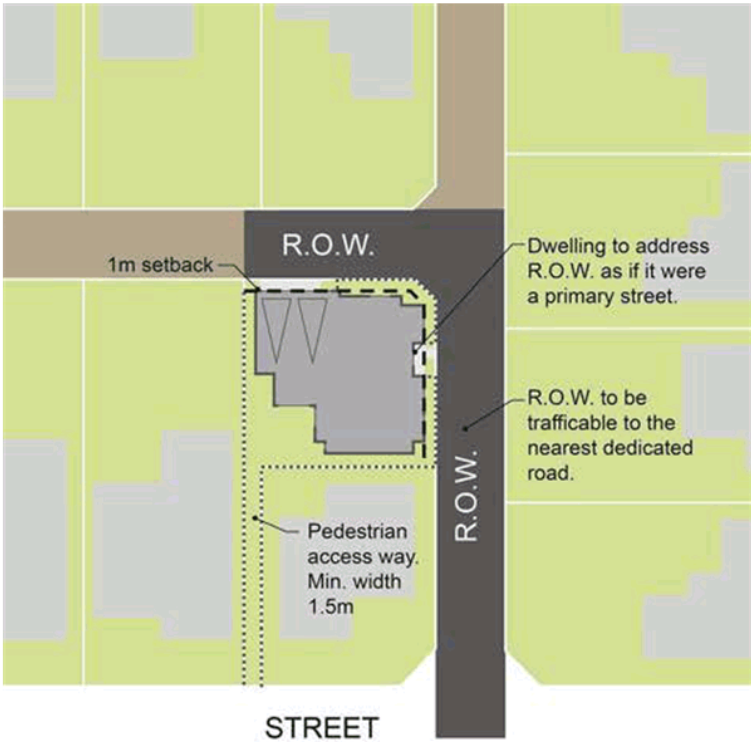


Figure 1 – 5.13.1 Corner development on rights of way

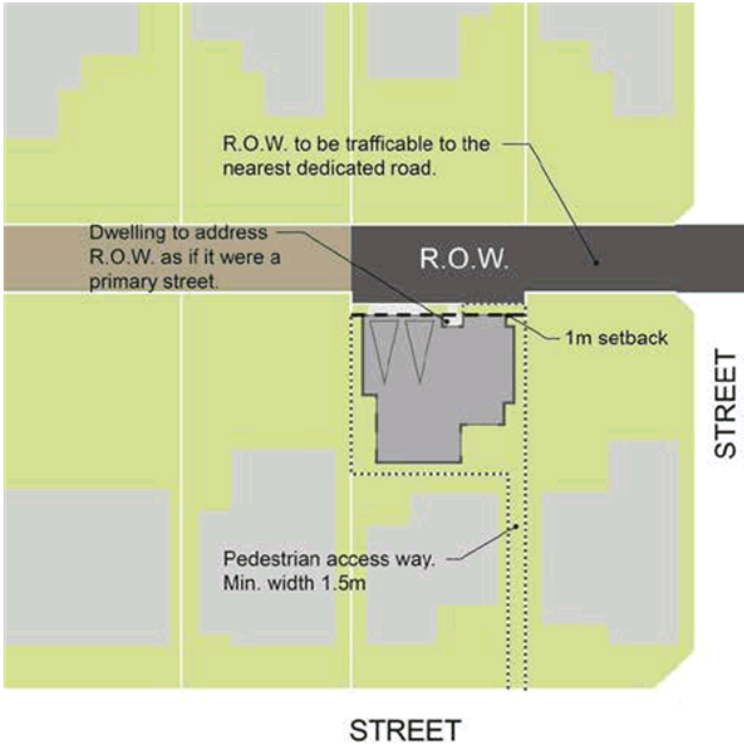


Figure 1 – 5.13.2 Development on rights of way



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VOLUME 2

MULTIPLE DWELLINGS AND MIXED USE

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SECTION 1 TOWN CENTRE

1.1 Building Height

R CODES	REPLACE	REMAIN
	Volume 2, Clauses 1.1, 2.1, 3.1 replace Acceptable Outcome A 2.2.1 of the R Codes Volume 2.	–
Acceptable Outcomes		
A1.1.1	Development that is consistent with the building heights provided in Table 2-1.1 and Figure 2.	
A1.1.2	External fixtures may extend beyond the maximum height in Table 2-1.1 and Figure 2 where they are not visible from the street or neighbouring properties.	
A1.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height.	
A1.1.4	The City may approve development which exceeds the maximum height stated in Table 2-1.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan, Master Plan or Structure Plan.	

TABLE 2 – 1.1: Building Height – Town Centres

Location	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Leederville	In accordance with the Leederville Masterplan, and where no height is stated the maximum is to be 6 storeys, with the exception of the below requirements: Vincent Street – 5 storeys Carr Place – 4 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
	Vincent Street – 5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
	Carr Place – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
North Perth	Fitzgerald Street – 6 storeys Angove Street – 4 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
	Angove Street – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Perth	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Mount Lawley / Highgate	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Mount Hawthorn	5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
Glendalough	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m

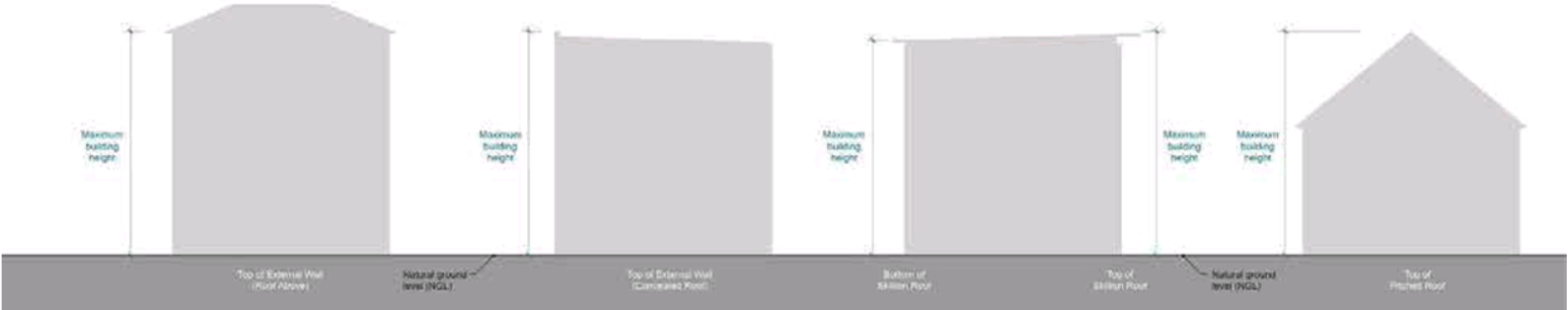
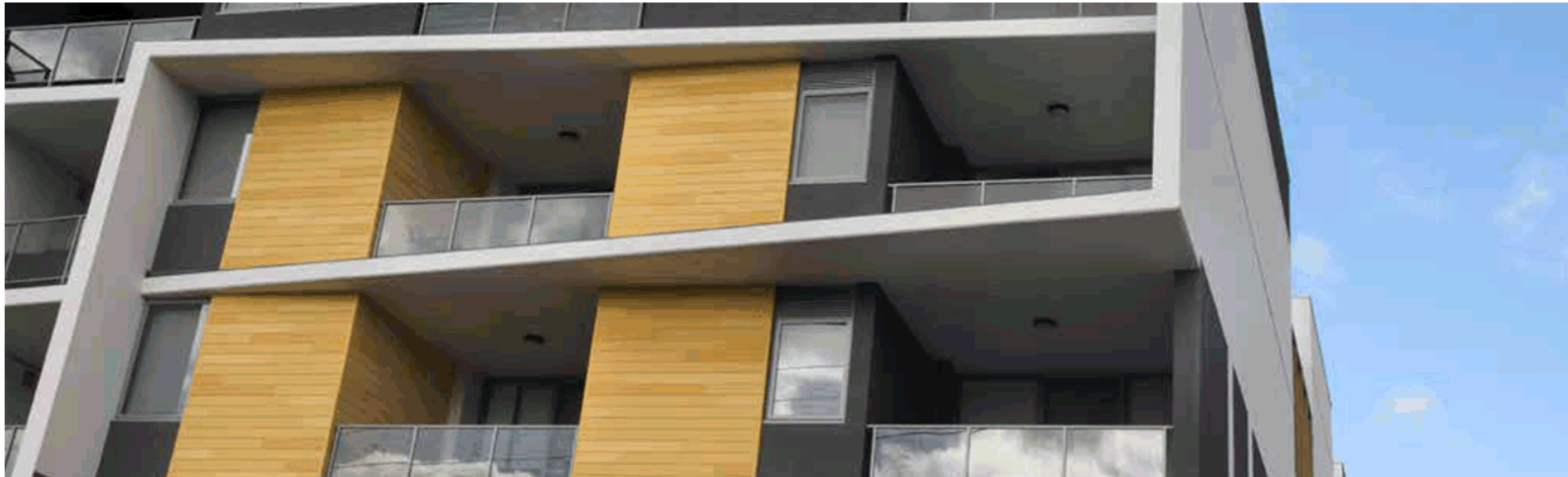


Figure 2 – 1.1 – Building Height Measurement



1.2 Street Setbacks

R CODES	REPLACE	REMAIN
	Volume 2, Clause 1.2 replaces Acceptable Outcome A 2.3.1 of the R Codes Volume 2.	–
Acceptable Outcomes		

A1.2.1 Primary and secondary street setback is nil.

1.3 Side and Rear Setbacks

R CODES	REPLACE	REMAIN
	Volume 2, Clause 1.3 replaces Acceptable Outcome A 2.4.1 of the R Codes Volume 2.	Clause A 2.4.2 of the R Codes Volume 2 remains and applies.
Acceptable Outcomes		

A1.3.1 Side and rear setbacks in accordance with Tables 1.3a, 1.3b and 1.3c.

Development Adjoining Rights of Way

A1.3.2 Where development adjoins a right of way the setback shall be measured from the midpoint of the right of way.

A1.3.3 Development must address adjoining rights of way by providing passive surveillance and openings to the right of way.

Table 1.3a

Table 1.3a		Subject Property									
			R20	R30	R40	R50	R60	R80	R100+	R – AC3	No R – Code
Neighbouring Property	Residential Built Form Area	R20	A	A	A	C	C	C	C	C	C
		R30	A	A	A	B	C	C	C	C	C
		R40	A	A	A	B	B	C	C	C	C
		R50	A	A	A	A	B	B	C	C	C
		R60	A	A	A	A	A	B	B	B	B
		R80	A	A	A	A	A	D	D	D	D
		R100+	A	A	A	A	A	D	D	D	D
	No R – Code	A	A	A	A	A	D	D	D	D	
	Non-Residential Built Form Area		E	E	E	E	E	F	F	F	F

Table 1.3b

	Setback for ground floor, second storey and third storey	Setback for the fourth storey and above
A	Table 1.3c	Table 1.3c
B	4.5m	6.5m
C	6.5m	12.5
D	R Codes Volume 2 Table 2.1	R Codes Volume 2 Table 2.1
E	Nil	Table 1.3c
F	Nil	R Codes Volume 2 Table 2.1

Table 1.3c

Wall length (m)														
	9 or less	10	11	12	13	14	15	16	17	18	19	20	25	Over 25
Wall height (m)														
3.5 or less	1	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
4	1.1	1.5	1.5	1.5	1.5	1.5	1.5	1.6	1.6	1.6	1.6	1.7	1.7	1.8
4.5	1.1	1.5	1.5	1.5	1.5	1.5	1.6	1.7	1.7	1.7	1.7	1.7	1.8	2.0
5	1.1	1.5	1.5	1.5	1.5	1.6	1.7	1.8	1.8	1.8	1.8	1.9	2.0	2.3
5.5	1.2	1.5	1.5	1.5	1.6	1.7	1.8	1.9	1.9	2.0	2.0	2.1	2.3	2.5
6	1.2	1.5	1.5	1.5	1.6	1.8	1.9	2.0	2.0	2.1	2.1	2.2	2.4	2.8
6.5	1.2	1.5	1.5	1.6	1.7	1.9	2.0	2.1	2.1	2.2	2.2	2.3	2.7	3.0
7	1.2	1.5	1.5	1.6	1.8	2.0	2.1	2.2	2.2	2.3	2.4	2.5	2.8	3.3
7.5	1.3	1.5	1.6	1.7	1.9	2.1	2.2	2.3	2.3	2.4	2.5	2.6	3.0	3.5
8	1.3	1.5	1.6	1.7	1.9	2.1	2.2	2.4	2.4	2.5	2.6	2.7	3.1	3.8
8.5	1.4	1.6	1.7	1.8	2.0	2.2	2.3	2.5	2.6	2.7	2.8	2.9	3.3	4.1
9	1.4	1.7	1.7	1.8	2.0	2.3	2.4	2.6	2.7	2.8	2.9	3.0	3.6	4.3
9.5	1.4	1.7	1.8	1.9	2.1	2.4	2.5	2.7	2.8	2.9	3.0	3.2	3.8	4.6
10	1.5	1.8	1.9	2.0	2.2	2.4	2.6	2.8	2.9	3.0	3.1	3.3	4.0	4.8

1.4 Tree Canopy and Deep Soil Areas

	REPLACE	REMAIN
R CODES	<p>Volume 2, Clauses A1.4.1 and A1.4.2 replace A 3.3.4 of the R Codes Volume 2.</p> <p>Volume 2, Clauses A1.4.3 and A1.4.7 replace A 3.3.7 of the R Codes Volume 2.</p> <p>Volume 2, Clauses A1.4.4, A1.4.5 and A1.4.6 replace A 3.3.5 of the R Codes Volume 2.*</p>	<p>Clauses A 3.3.1, A 3.3.2, A 3.3.3 and A 3.3.6 of the R Codes Volume 2 remain and apply.</p>
Acceptable Outcomes		
A1.4.1	Deep soil areas are provided as a minimum of 12% of the site area. Deep soil areas are to be co-located with existing trees for retention and/or adjoining trees, or alternatively provided in a location that is conducive to tree growth and suitable for communal open space.	
A1.4.2	If existing trees, which meet the criteria of A 3.3.1 of the R Codes Volume 2, are retained on site the minimum deep soil area is to be 10% of the site area.	
A1.4.3	Planting Areas are provided as a minimum of 3% of the site area.	
A1.4.4	Landscaping includes existing and new trees with shade producing canopies in accordance with Tables 3.3a and 3.3b of the R Codes Volume 2 to achieve canopy coverage of 80% in the ground floor lot boundary setback.	
A1.4.5	Evergreen tree species where landscaping is used to reduce the impact of building bulk.	
A1.4.6	Deciduous tree species to the north and south of development to allow natural light penetration to the development and adjoining buildings.	
A1.4.7	Where the required deep soil areas cannot be provided due to site restrictions, planting on structure with an area equivalent to two times the shortfall in deep soil area provision is provided to a minimum depth and dimension of 1 metre	

1.5 Pedestrian access and entries

	REPLACE	REMAIN
R CODES	<p>For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 1.5 applies in addition to Clauses A 3.7.1 to A 3.7.6 of R Codes Volume 2.</p>	<p>Clauses A 3.7.1 to A 3.7.6 of R Codes Volume 2 remain and apply.</p>
Acceptable Outcomes		
A1.5.1	Pedestrian access which is identifiable from the street and visitor car parking areas and other public areas.	
A1.5.2	Access for pedestrians which directly fronts the primary street.	
A1.5.3	Developments shall distinguish residential entries from retail and other commercial entries.	
A1.5.4	Internal ground floor level to be at grade.	
A1.5.5	Design of balustrades to be integrated into the design of the development.	
A1.5.6	Ramps are not to exceed 50% of the active frontage.	

1.6 Vehicle Access

R CODES	REPLACE	REMAIN
	Clause 1.6, 4.6 and 5.6 applies in addition to Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2.	Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A1.6.1	Service areas and vehicular access shall be: (a) Taken from the rear laneway or secondary street in the first instances; or (b) Collocated where taken from the primary street to maximise the width of active frontages.	
A1.6.2	Access to on-site car parking spaces to be provided: <ul style="list-style-type: none"> where available, from a right of way available for lawful use to access the relevant lot and which is adequately paved and drained from the property boundary to a dedicated road; from a secondary street where no right of way exists; or from the primary street frontage where no secondary street or right-of way exists. 	
A1.6.3	Access to a right of way is required to be trafficable to the nearest dedicated road. The cost to upgrade a right of way to make it trafficable is to be borne by the applicant.	
A1.6.4	Where vehicular access is provided from a street, all vehicles are required to enter and exit the site in forward gear.	
A1.6.5	Roller shutters, doors and screens are to be visually permeable.	
A1.6.6	Onsite parking for a development shall be located beneath or at the rear of buildings.	
A1.6.7	In a mixed-use development, car bays should be clearly signposted differentiating between the residential car bays and the commercial car bays.	
A1.6.8	Where on-site parking provided for customer/client use is not directly visible from the adjacent street, adequate signage is to be provided to promote public knowledge of and direction to the car park. This signage is to comply with the requirements of the City's Policy relating to Signs and Advertising.	
A1.6.9	Existing trees must not be removed to provide for vehicle access.	
A1.6.10	Each lot is to provide a maximum of one crossover.	
A1.6.11	The maximum width of a single crossover is 3m. The maximum width of a double crossover is 5m.	

1.7 Car and bicycle parking

R CODES	REPLACE	REMAIN
	For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause A1.7.1 replaces Clause A 3.9.9.*	Clauses A 3.9.1 to A 3.9.8 and A3.9.10 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A1.7.1	Uncovered at-grade parking is planted with trees at a minimum rate of one tree per four bays to achieve canopy coverage of 60% of the site.	

1.8 Façade design

R CODES	REPLACE	REMAIN
	For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 1.8 applies in addition to Clause A 4.10.1 – A 4.10.6 of R Codes Volume 2.	Clause A 4.10.1 – A 4.10.6 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A1.8.1	Commercial Development which fronts the public realm shall provide active frontages including glazing, openings and operable windows to ensure activity, interaction and surveillance of the street.	A1.8.6 Where provided, doorways shall have a depth between 500mm and 1.5m to clearly articulate entrances to commercial buildings and tenancies.
A1.8.2	Commercial Ground floor spaces shall have a maximum width of 9m and a finished floor level to finished ceiling level height of a minimum of 3.5m.	A1.8.7 Where provided, windows, seating ledges, sills, stall risers and other detailing shall have a minimum depth of 300mm.
A1.8.3	Development shall identify key design elements in the local area and streetscape through an Urban Design Study and integrate and acknowledge these design elements where possible whilst avoiding the use of faux materials.	A1.8.8 Where provided, stall risers shall be a minimum height of 450mm.
A1.8.4	Development which incorporates the design elements of the predominant streetscape character of the urban design study area outlined in Appendix 2.	A1.8.9 Commercial Ground floor glazing and/or tinting shall have a minimum of 70% visible light transmission to provide unobscured visibility.
A1.8.5	Commercial Building facades visible from the public realm shall: <ul style="list-style-type: none"> • Incorporate a variety of materials, colours, textures and depths; • Not present a blank, monotonous, repetitious or dominant building treatment; • Incorporate architectural or functional elements integrated into the façade, rather than cosmetic or superficial attachments to the building; • Incorporate vertical articulation by using tall and narrow façade treatments; • Incorporate articulation such as doorways, windows, seating ledges, sills, stall risers and other detailing; • Minimise use of shallow framings systems and thin wall/glazing systems; • Integrate fire boosters, mail boxes and external fixtures into the building design or screen them so they appear as part of the façade; and • Integrate signage into the design and articulation on the ground floor. 	A1.8.10 Security measures shall be: <ul style="list-style-type: none"> • Located and installed internally behind the glazing line or recessed between elements in the façade such as columns or doorway recesses; and • Transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street.
		A1.8.11 Commercial Development shall provide a protective continuous awning over the pedestrian footpath, which shall : <ul style="list-style-type: none"> • Be minimum height of 3.5m and a maximum height of 4m from finished floor level to the underside of the awning to accommodate under awning signage; • Be setback a minimum of 600mm from the face of kerb; • Respond to any existing and/or proposed verge trees; • Respond to the height, depth and form of existing awnings on the subject and adjoining buildings; • Respond to the slope of the site; and • Integrated with the design of the façade.
		A1.8.12 Verandahs and colonades are only permitted where they are constructed wholly within the lot boundaries of development site.

1.9 Roof design

R CODES	REPLACE	REMAIN
	For Town Centre, Mixed Use and Activity Corridors Built Form Areas Clause 1.9 applies in addition to Clauses A 4.11.1 – A 4.11.3 of R Codes Volume 2.	Clauses A 4.11.1 – A 4.11.3 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A1.9.1	Flat roof structures that are not visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.4.	
A1.9.2	Pitched roof structures or roof structures that are visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.5, unless a suitable alternative is identified in the Urban Design Study.	

1.10 Energy efficiency

R CODES	REPLACE	REMAIN
	Volume 2, Clauses A1.10.1 and A1.10.2 replace A4.15.1 of the R Codes Volume 2.*	–

Objectives

1.10.1 Development that considers the whole of life environmental impact of the building and incorporates measures to reduce this impact.

Acceptable Outcomes

- A1.10.1** Development shall incorporate:
- Site planning principles that maximise solar passive design opportunities for both summer and winter; and
 - Recovery and re-use of rainwater, storm water, grey water and/or black water for non-potable water applications.
- A1.10.2** Development achieves the environmental performance standards shown in the below table, or their equivalent*.

Accepted Rating Framework	Specification / Compliance Requirements	Minimum Requirement to be Achieved	Evidence
Green Building Council of Australia's Green Star Rating System	Current Design and As-Built rating tool	5 star Green Star rating	Preliminary Sustainable Design Report prepared by a Green Star Accredited Professional using the current Green Star Design and As-Built rating tool scorecard to demonstrate eligibility for 5 star Green Star rating.
Life Cycle Assessment in Accordance with EN15978- Sustainability of construction works – Assessment of environmental performance of buildings – Calculation method.	System Boundary must include all Life Cycle Modules (A1-2, B1-7, C1-4 and D) in addition to nonintegrated energy (plug loads)	Global Warming Potential and Net Fresh Water Use Performance Reduction as per Table *** below.	Independently Reviewed EN15978 Compliant Target Setting LCA with a 20% factor of safety applied to improvement strategies

Building Type	Performance Requirement	
	Global Warming Potential	Net Fresh Water Use
Residential (BCA Class 1-3)	< 2,250 kgCO ₂ e / Occupant / Year (50% saving against Perth statistical average residences)	< 57m ³ / Occupant / Year (50% saving against Perth statistical average residences)
Commercial Office (BCA Class 5)	< 104 kgCO ₂ e / m ² Net Lettable Area / year (30% saving against Perth statistical average office)	< 1.25 m ³ / m ² Net Lettable Area / year (25% saving against Perth statistical average office)
All Other Building Types	30% saving against Code-Compliant design	25% saving against Code-Compliant design

*The City accepts sustainability assessment frameworks and mechanisms that are nationally or internationally recognised, compliant with applicable Australian/international standards and subject to oversight by a certifying body.

SECTION 2 ACTIVITY CORRIDORS

2.1 Building Height

R CODES	REPLACE	REMAIN
	Volume 2, Clauses 1.1, 2.1, 3.1 replace Acceptable Outcome A 2.2.1 of the R Codes Volume 2.	–
Acceptable Outcomes		
A2.1.1	Development that is consistent with the building heights provided in Table 2-2.1 and Figure 2.	
A2.1.2	External fixtures may extend beyond the maximum height in Table 2-2.1 and Figure 2 where they are not visible from the street or neighbouring properties.	
A2.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height.	
A2.1.4	The City may approve development which exceeds the maximum height stated in Table 2-2.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan.	

TABLE 2 – 2.1: Building Height – Activity Corridors

Activity Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Oxford Street	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Scarborough Beach Road	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Fitzgerald Street (Newcastle St to Vincent St)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Fitzgerald Street (Vincent St to Raglan Road)	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Newcastle Street	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Beaufort Street (Newcastle St to Lincoln St)	5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
Beaufort Street (Lincoln St to Walcott St)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m

2.2 Activity Corridor Development Requirements

2.2.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.1.

SECTION 3 MIXED USE

3.1 Building Height

R CODES	REPLACE	REMAIN
	Volume 2, Clauses 1.1, 2.1, 3.1 replace Acceptable Outcome A 2.2.1 of the R Codes Volume 2.	—
Acceptable Outcomes		
A3.1.1	Development that is consistent with the building heights provided in Table 2-3.1 and Figure 2.	
A3.1.2	External fixtures may extend beyond the maximum height in Table 2-3.1 and Figure 2 where they are not visible from the street or neighbouring properties.	
A3.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height.	
A3.1.4	The City may approve development which exceeds the maximum height stated in Table 2-3.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan.	



TABLE 2 – 3.1: Building Height – Mixed Use Areas

Mixed Use Areas	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Area bounded by Newcastle St, Loftus St, Mitchell Freeway and Charles St	7 storeys	22.6m	23.6m	22.6m	23.6m	25.6m
Area bounded by Carr St, Charles St, Newcastle St and Fitzgerald St	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Between Fitzgerald St and William St	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Brisbane St						
Bulwer St						
Charles St						
Green St						
Walcott St						
William St						
Between William St and Lord St	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
North Perth						
Area bounded by Summers St, Lord St, Graham Farmer Freeway and East Parade (Except where defined below)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Edward St South	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m
Edward St North	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Caversham South	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m
Caversham North	10 storeys	31.9m	32.9m	31.9m	32.9m	34.9m
Cheriton South	10 storeys	31.9m	32.9m	31.9m	32.9m	34.9m
Cheriton North	12 storeys	38.1m	39.1m	38.1m	39.1m	41.1m

3.2 Mixed Use Development Requirements

3.2.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.1.

SECTION 4 TRANSIT CORRIDORS

4.1 Building Height

R CODES	REPLACE	REMAIN
	Volume 2, Clause 4.1 replaces Acceptable Outcome A 2.2.1 of the R Codes Volume 2.	–
Acceptable Outcomes		
A4.1.1	Development that is consistent with the building heights provided in Table 2-4.1 and Figure 2.	
A4.1.2	External fixtures may extend beyond the maximum height in Table 2-4.1 and Figure 2 where they are not visible from the street or neighbouring properties.	
A4.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height.	
A4.1.4	The City may approve development which exceeds the maximum height stated in Table 2-4.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan.	

TABLE 2 – 4.1: Building Height – Transit Corridors

Transit Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Loftus Street	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Charles Street: Between Newcastle St and Carr St						
West side and lots fronting Newcastle	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
East side	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Charles Street (Carr Street to Walcott St)	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R80 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Fitzgerald Street (Angove St to Walcott St)	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Walcott Street	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m

Transit Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Lord Street	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
East Parade	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
William Street (Vincent St to Walcott St)	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m

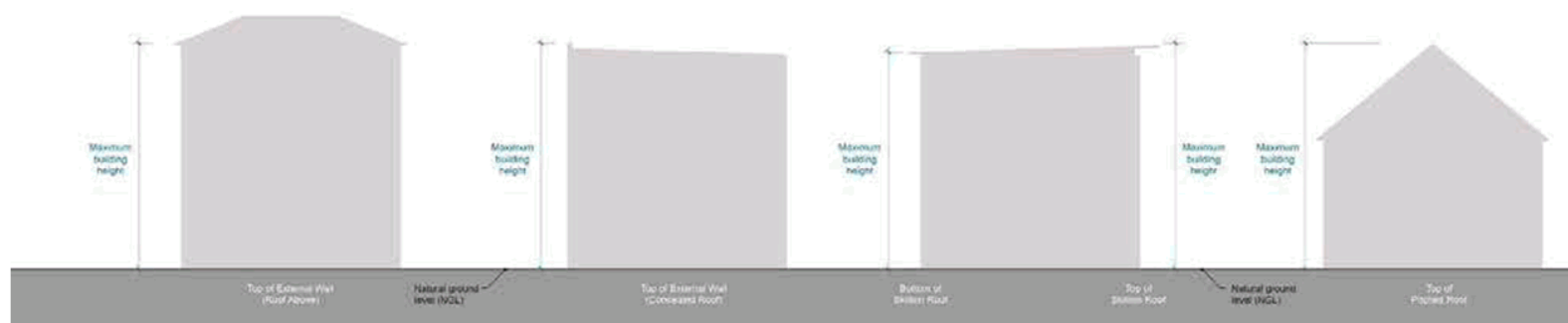


Figure 2 – 4.2 – Building Height and Measurement

4.2 Street Setbacks

R CODES	REPLACE	REMAIN
	Volume 2, Clause 4.2 replaces Acceptable Outcome A 2.3.1 of the R Codes Volume 2.	–
Acceptable Outcomes		
A4.2.1	Development complies with the street setback set out in Table 2.1 of the R Codes Volume 2.	
A4.2.2	Primary and secondary street setback for the third storey and above must incorporate articulation and the use of varying colours and materials which minimise the bulk and scale of the building on the streetscape.	

4.3 Tree canopy and deep soil areas

R CODES	REPLACE	REMAIN
	Volume 2, Clauses A4.3.1, A4.3.2 and A4.3.8 replace A 3.3.4 of the R Codes Volume 2. Volume 2, Clauses A4.3.3 and A4.3.7 replace A 3.3.7 of the R Codes Volume 2. Volume 2, Clauses A4.3.4, A4.3.5 and A4.3.6 replace A 3.3.5 of the R Codes Volume 2.*	Clauses A 3.3.1, A 3.3.2, A 3.3.3 and A 3.3.6 of the R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A4.3.1	Deep soil areas are provided as a minimum of 12% of the site area. Deep soil areas are to be co-located with existing trees for retention and/or adjoining trees, or alternatively provided in a location that is conducive to tree growth and suitable for communal open space.	
A4.3.2	If existing trees, which meet the criteria of A 3.3.1 of the R Codes Volume 2, are retained on site the minimum deep soil area is to be 10% of the site area.	
A4.3.3	Planting Areas are provided as a minimum of 3% of the site area.	
A4.3.4	Landscaping includes existing and new trees with shade producing canopies in accordance with Tables 3.3a and 3.3b of the R Codes Volume 2 to achieve canopy coverage of 30% of the site area.	
A4.3.5	Evergreen tree species where landscaping is used to reduce the impact of building bulk.	
A4.3.6	Deciduous tree species to the north and south of development to allow natural light penetration to the development and adjoining buildings.	
A4.3.7	Where the required deep soil areas cannot be provided due to site restrictions, planting on structure with an area equivalent to two times the shortfall in deep soil area provision is provided to a minimum depth and dimension of 1 metre.	
A4.3.8	A minimum of 50% of the front setback shall be provided as soft landscaping.	

4.4 Public domain interface

R CODES	REPLACE	REMAIN
	For Transit Corridor and Residential Built Form Areas Clause 4.5 and 5.4 apply in addition to Clauses A 3.6.1 – A 3.6.9 of R Codes Volume 2.	Clauses A 3.6.1 – A 3.6.9 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A4.4.1	Street walls, fences and gates are to be of a style and materials compatible with those of the development on site and/or walls, fences and gates of the immediate surrounding area excluding fibre cement.	
A4.4.2	Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new dwellings fronting a right of way or dedicated road to be as follows: <ul style="list-style-type: none"> • Maximum height of 1.8 metres above the natural ground level; • Maximum height of piers with decorative capping to be 2 metres above the natural ground level; • Maximum height of solid portion of wall to be 1.2 metres above adjacent footpath level and are to be visually permeable above 1.2 metres; • Posts and piers are to have a maximum width 400 millimetres and a maximum diameter of 500 millimetres; and • The distance between piers should not be less than the height of the piers except where pedestrian gates are proposed. 	
A4.4.3	Street walls, fences and gates to secondary streets, behind the primary street setback line, or walls, fences and gates to the primary streets where those streets are district distributor roads to be as follows: <ul style="list-style-type: none"> • Solid portion of wall may increase to a maximum height of 1.8 metres above adjacent footpath level provided that the wall or fence has at least two significant appropriate design features (to the satisfaction of the City of Vincent) to reduce the visual impact – for example, significant open structures, recesses and/or planters facing the road at regular intervals and varying materials, finishes and/or colours; and • Maximum height of piers with decorative capping to be 2 metres above adjacent footpath level. 	
A4.4.4	Exposed boundary walls visible to the street are to incorporate the following design features: <ul style="list-style-type: none"> • Indentations; • Varying heights; • Varying materials, colours and textures; or • Public artwork. 	
A4.4.5	Any proposed vehicular or pedestrian entry gates shall be visually permeable.	
A4.4.6	Walls and fences on the side boundaries, only within the primary street setback area, constructed from metal sheeting are permitted provided they meet all other requirements relating to height, provide adequate sight lines and are not a side boundary fence facing a secondary street.	

4.5 Vehicle Access

R CODES	REPLACE	REMAIN
	Clause 4.5 applies in addition to Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2.	Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A4.5.1	Garages which are 50% or less than the width of the lot.	
A4.5.2	For lots less than 10 metres wide, garages which are a maximum of 4 metres wide.	
A4.5.3	Access to a right of way is required to be trafficable to the nearest dedicated road. The cost to upgrade a right of way to make it trafficable is to be borne by the applicant.	

4.6 Transit Corridor Development Requirements

4.6.1 All development requirements of Section 1 – Town Centres apply with the exception of Clause 1.1, 1.2 and 1.4.

SECTION 5 RESIDENTIAL

5.1 Building Height

R CODES	REPLACE	REMAIN
	Volume 2, Clause 5.1 replaces Acceptable Outcome A 2.2.1 of the R Codes Volume 2.	–

Acceptable Outcomes

- A5.1.1 Development that is consistent with the building heights provided in Table 2-5.1 and Figure 2.
- A5.1.2 External fixtures may extend beyond the maximum height in Table 2-5.1 and Figure 2 where they are not visible from the street or neighbouring properties.
- A5.1.3 The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height.
- A5.1.4 The City may approve development which exceeds the maximum height stated in Table 2-5.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan.

TABLE 2 – 5.1: Building Height – Residential Area

Maximum No. of Storeys as per Figure 2	Maximum Building Height				
	Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
1 storey*	3m	4m	3m	4m	6m
2 storeys	6m	7m	6m	7m	9m
3 storeys	9m	10m	9m	10m	12m
4 storeys	12m	13m	12m	13m	15m
5 storeys	16m	17m	16m	17m	18m



Figure 2 – 5.1 – Residential Building Heights

5.2 Street setbacks

R CODES	REPLACE	REMAIN
	Volume 2, Clause 1.2 replaces Acceptable Outcome A 2.3.1 of the R Codes Volume 2.	–
Acceptable Outcomes		
A5.2.1	The primary street setback is to be calculated by averaging the setback of the five dwellings adjoining properties, either side of the proposed development.	
A5.2.2	For the purpose of averaging, the primary street setback is to be measured from the street alignment to the nearest wall of the dwelling excluding porches, verandahs, carports and balconies.	
A5.2.3	Walls on upper floors setback a minimum of 2 metres behind the ground floor predominant building line (excluding any porch or verandah), as determined by the City.	
A5.2.4	Balconies on upper floors setback a minimum of 1 metre behind the ground floor predominant building line (excluding any porch or verandah), as determined by the City.	
A5.2.5	The ground floor secondary street setback is to be as per the R Codes.	
A5.2.6	Secondary street setbacks for upper floors is to be 1.5 metres behind each portion of the ground floor setback.	

5.3 Tree canopy and deep soil areas

R CODES	REPLACE	REMAIN
	Volume 2, Clauses A5.3.1 and A5.3.2 replace A 3.3.4 of the R Codes Volume 2. Volume 2, Clauses A5.3.3 and A5.3.7 replace A 3.3.7 of the R Codes Volume 2. Volume 2, Clauses A5.3.4, A5.3.5 and A5.3.6 replace A 3.3.5 of the R Codes Volume 2.*	Clauses A 3.3.1, A 3.3.2, A 3.3.3 and A 3.3.6 of the R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A5.3.1	Deep soil areas are provided as a minimum of 12% of the site area. Deep soil areas are to be co-located with existing trees for retention and/or adjoining trees, or alternatively provided in a location that is conducive to tree growth and suitable for communal open space.	
A5.3.2	If existing trees, which meet the criteria of A 3.3.1 of the R Codes Volume 2, are retained on site the minimum deep soil area is to be 10% of the site area.	
A5.3.3	Planting Areas are provided as a minimum of 3% of the site area.	
A5.3.4	Landscaping includes existing and new trees with shade producing canopies in accordance with Tables 3.3a and 3.3b of the R Codes Volume 2 to achieve canopy coverage of 30% of the site area.	
A5.3.5	Evergreen tree species where landscaping is used to reduce the impact of building bulk.	
A5.3.6	Deciduous tree species to the north and south of development to allow natural light penetration to the development and adjoining buildings.	
A5.3.7	Where the required deep soil areas cannot be provided due to site restrictions, planting on structure with an area equivalent to two times the shortfall in deep soil area provision is provided to a minimum depth and dimension of 1 metre.	

5.4 Public domain interface

R CODES	REPLACE	REMAIN
	Clause 5.4 applies in addition to Clauses A 3.6.1 – A 3.6.9 of R Codes Volume 2.	Clauses A 3.6.1 – A 3.6.9 of R Codes Volume 2 remain and apply.
Acceptable Outcomes		
A5.4.1	Street walls, fences and gates are to be of a style and materials compatible with those of the development on site and/or walls, fences and gates of the immediate surrounding area excluding fibre cement.	
A5.4.2	Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new dwellings fronting a right of way or dedicated road to be as follows: <ul style="list-style-type: none"> • Maximum height of 1.8 metres above the natural ground level; • Maximum height of piers with decorative capping to be 2 metres above the natural ground level; • Maximum height of solid portion of wall to be 1.2 metres above adjacent footpath level and are to be visually permeable above 1.2 metres; • Posts and piers are to have a maximum width 400 millimetres and a maximum diameter of 500 millimetres; and • The distance between piers should not be less than the height of the piers except where pedestrian gates are proposed. 	
A5.4.3	Street walls, fences and gates to secondary streets, behind the primary street setback line, or walls, fences and gates to the primary streets where those streets are district distributor roads to be as follows: <ul style="list-style-type: none"> • Solid portion of wall may increase to a maximum height of 1.8 metres above adjacent footpath level provided that the wall or fence has at least two significant appropriate design features (to the satisfaction of the City of Vincent) to reduce the visual impact – for example, significant open structures, recesses and/or planters facing the road at regular intervals and varying materials, finishes and/or colours; and • Maximum height of piers with decorative capping to be 2 metres above adjacent footpath level. <p><i>Note: The measurement of street walls, fences and gates is to include any retaining walls and is to be measured from the natural ground level immediately below the base of the wall to the top of the wall above, within the development site. In the case of primary street frontage the measurement of street walls, fences and gates is to be measured from the natural ground level of the footpath immediately below the base of the wall to the top of the wall above.</i></p>	
A5.4.4	Walls, fences and gates on the side boundaries within the primary street setback area, constructed from metal sheeting are permitted provided they meet all other requirements relating to height, provide adequate sight lines and are not a side boundary fence facing a secondary street	
A5.4.5	Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m where walls, fences, or other structures adjoin a driveway that intersects a street, right-of-way, communal street; and a right-of-way or communal street that intersects a public street; and two streets that intersect with the exception of: <ul style="list-style-type: none"> • One pier/pillar with a maximum width and depth of 400 millimetres and 1.8 metres height above NGL, or 2.0 metres tall to the top of decorative capping above the NGL; • Fence slats or infill higher than 0.75 metres above NGL that provides a Clear Sight Line; • If a gate is proposed across a vehicle access point where a driveway meets a public street and where two streets intersect, the gate must provide: <ul style="list-style-type: none"> • When Closed: a minimum of 50 per cent unobstructed view; • When Open: a Clear Sight Line from 0.75m above the NGL within 1.5m of where the vehicle access way joins the street. <p>For the purposes of this clause a Clear Sight Line means:</p> <ul style="list-style-type: none"> • Continuous horizontal or vertical gaps that constitute a minimum of 50% of the total surface area; • A minimum gap size of 40mm; • If slats are orientated to be deeper than they are wide - the distance between the slats must be no less than two-times the depth of the slat; • Clear non-reflective glass. 	

5.5 Vehicle Access

R CODES	REPLACE	REMAIN
	Clause 5.5 applies in addition to Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2.	Clause A 3.8.1 – A 3.8.7 of R Codes Volume 2 remain and apply.

5.5.1 Clause 4.5 applies to development in the Residential Built Form Area.

5.6 Residential Built Form Area Development Requirements

5.6.1 All development requirements of Section 1 – Town Centres apply with the exception of Clause 1.1, 1.2 and 1.4.



VOLUME 3

COMMERCIAL

CITY OF VINCENT PLANNING AND BUILDING POLICY MANUAL | POLICY NO. 7.1.1 | BUILT FORM | 83

SECTION 1 TOWN CENTRE

1.1 Building Height

Element Objectives	
O1.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.
O1.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale on neighbouring properties and the streetscape.
O1.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.
O1.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.
O1.1.5	The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.
O1.1.6	The height of buildings within a development responds to changes in topography.
O1.1.7	Development incorporates articulated roof design.
O1.1.8	The height of development recognises the need for daylight and solar access to adjoining and nearby residential development.
Acceptable Outcomes	
A1.1.1	Development that is consistent with the building heights provided in Table 3-1.1 and Figure 2.
A1.1.2	External fixtures may extend beyond the maximum height in Table 3-1.1 and Figure 2 where they are not visible from the street or neighbouring properties.
A1.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
A1.1.4	The City may approve development which exceeds the maximum height stated in Table 3-1.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P1.1.1 – P1.1.4.

TABLE 3 – 1.1: Building Height – Town Centres

Location	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Leederville	In accordance with the Leederville Masterplan, and where no height is stated the maximum is to be 6 storeys, with the exception of the below requirements.: Vincent Street – 5 storeys Carr Place – 4 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
	Vincent Street – 5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
	Carr Place – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
North Perth	Fitzgerald Street – 6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
	Angove Street – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Perth	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Mount Lawley / Highgate	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Mount Hawthorn	5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
Glendalough	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m

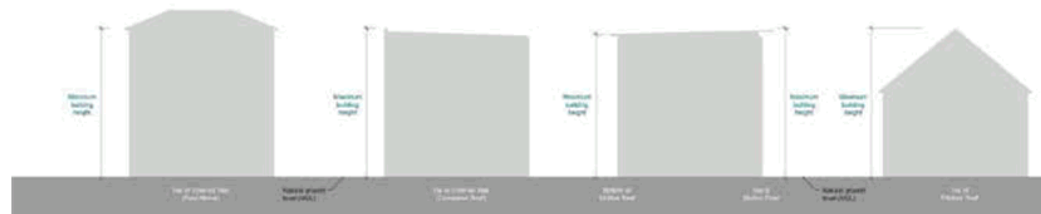


Figure 3 – 1.1 – Building Height Measurement

1.2 Street Setbacks (Primary and Secondary)

Element Objectives	
O1.2.1	Development which incorporates design elements that reduce the impact of building bulk.
O1.2.2	Development which maximises natural light access, natural ventilation and, internal and external privacy.
O1.2.3	Development which activates and addresses rights of way.
O1.2.4	Street setbacks that facilitate the provision of useable open space, alfresco dining opportunities and landscaping which contributes to canopy coverage.
O1.2.5	The setback of the development from the street reinforces and/or complements the character of the street.
O1.2.6	The setback of the development enables passive surveillance and outlook to the street.
Acceptable Outcomes	
A1.2.1	Primary and secondary street setback is nil.

1.3 Side and rear setbacks

Element Objectives	
O1.3.1	Development which incorporates design elements that reduce the impact of building bulk.
O1.3.2	Development which maximises natural light access, natural ventilation and, internal and external privacy.
O1.3.3	Setbacks that facilitate the provision of landscaping.
O1.3.4	Development which activates and addresses rights of way.
O1.3.5	Building boundary setbacks provide for adequate separation between neighbouring properties.
O1.3.6	Building boundary setbacks are address the existing streetscape pattern and the desired streetscape character.
O1.3.7	The setback of development from side and rear boundaries enables retention of existing trees and provision of deep soil areas that reinforce the landscape character of the area, support tree canopy and assist with stormwater management.
O1.3.8	The setback of development from side and rear boundaries provides a transition between sites with different land uses or intensity of development.
Acceptable Outcomes	
A1.3.1	Development complies with the side and rear setbacks set out in Table 1.3a, 1.3b and 1.3c.

Table 1.3a

Table 1.3a		Subject Property									
			R20	R30	R40	R50	R60	R80	R100+	R – AC3	No R – Code
Neighbouring Property	Residential Built Form Area	R20	A	A	A	C	C	C	C	C	C
		R30	A	A	A	B	C	C	C	C	C
		R40	A	A	A	B	B	C	C	C	C
		R50	A	A	A	A	B	B	C	C	C
		R60	A	A	A	A	A	B	B	B	B
		R80	A	A	A	A	A	D	D	D	D
		R100+	A	A	A	A	A	D	D	D	D
	No R – Code	A	A	A	A	A	D	D	D	D	D
Non-Residential Built Form Area		E	E	E	E	E	F	F	F	F	

Table 1.3c

		Wall length (m)													
		9 or less	10	11	12	13	14	15	16	17	18	19	20	25	Over 25
Wall height (m)															
3.5 or less	1	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5
4	1.1	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.6	1.6	1.6	1.6	1.7	1.7	1.8
4.5	1.1	1.5	1.5	1.5	1.5	1.5	1.5	1.6	1.7	1.7	1.7	1.7	1.7	1.8	2.0
5	1.1	1.5	1.5	1.5	1.5	1.5	1.6	1.7	1.8	1.8	1.8	1.8	1.9	2.0	2.3
5.5	1.2	1.5	1.5	1.5	1.5	1.6	1.7	1.8	1.9	1.9	2.0	2.0	2.1	2.3	2.5
6	1.2	1.5	1.5	1.5	1.5	1.6	1.8	1.9	2.0	2.0	2.1	2.1	2.2	2.4	2.8
6.5	1.2	1.5	1.5	1.5	1.6	1.7	1.9	2.0	2.1	2.1	2.2	2.2	2.3	2.7	3.0
7	1.2	1.5	1.5	1.6	1.8	2.0	2.1	2.2	2.2	2.3	2.4	2.4	2.5	2.8	3.3
7.5	1.3	1.5	1.6	1.7	1.9	2.1	2.2	2.3	2.3	2.4	2.5	2.5	2.6	3.0	3.5
8	1.3	1.5	1.6	1.7	1.9	2.1	2.2	2.4	2.4	2.5	2.6	2.7	2.7	3.1	3.8
8.5	1.4	1.6	1.7	1.8	2.0	2.2	2.3	2.5	2.6	2.7	2.8	2.8	2.9	3.3	4.1
9	1.4	1.7	1.7	1.8	2.0	2.3	2.4	2.6	2.7	2.8	2.9	2.9	3.0	3.6	4.3
9.5	1.4	1.7	1.8	1.9	2.1	2.4	2.5	2.7	2.8	2.9	3.0	3.0	3.2	3.8	4.6
10	1.5	1.8	1.9	2.0	2.2	2.4	2.6	2.8	2.9	3.0	3.1	3.1	3.3	4.0	4.8

Table 1.3b

	Setback for ground floor, second storey and third storey	Setback for the fourth storey and above
A	Table 1.3c	Table 1.3c
B	4.5m	6.5m
C	6.5m	12.5
D	R Codes Volume 2 Table 2.1	R Codes Volume 2 Table 2.1
E	Nil	Table 1.3c
F	Nil	R Codes Volume 2 Table 2.1

Development Adjoining Rights of Way

A1.2.2 Where development adjoins a right of way the setback shall be measured from the midpoint of the right of way.

A1.2.3 Development must address adjoining rights of way by providing passive surveillance and openings to the right of way.



1.4 Orientation

Element Objectives

- O1.4.1** Building layouts respond to the streetscape, topography and site attributes while optimising solar and daylight access within the development.
- O1.4.2** Building form and orientation minimises overshadowing of the habitable rooms, open space and solar collectors of neighbouring properties during mid-winter.

Acceptable Outcomes

- A1.4.1** Buildings are oriented to maximise northern solar access.
- A1.4.2** Development shall be designed such that the shadow cast at midday on 21st June onto any adjoining property does not exceed:
- adjoining properties coded R25 and lower – 25% of the site area;
 - adjoining properties coded R30 – R40 - 35% of the site area;
 - adjoining properties coded R50 – R60 – 50% of the site area; or
 - adjoining properties coded R80 or higher – Nil requirements.
- A1.4.3** Where adjoining sites are coded R40 or less, buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites.

1.5 Tree canopy and deep soil areas

Element Objectives

- O1.5.1 Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces.
- O1.5.2 Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings.
- O1.5.3 The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect.
- O1.5.4 Development that prioritises the retention of mature and healthy trees
- O1.5.5 Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.
- O1.5.6 Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.

Acceptable Outcomes

- A1.5.1 Deep Soil Areas shall be provided in accordance with the following requirements:

Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)
<650m ²	1m ² 1m x 1m	12%
650m ² – 1,500m ²	1m ² 1m x 1m	12%
>1,500m ²	1m ² 1m x 1m	12%

- A1.5.2 The required Deep Soil Area may be reduced to 10% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained.

- A1.5.3 Planting Areas shall be provided in accordance with the following requirements:

Site Area	Minimum Area & Minimum Dimensions	Planting Area (minimum % of site)
<650m ²	1m ² 1m x 1m	3%
650m ² – 1,500m ²	1m ² 1m x 1m	3%
>1,500m ²	1m ² 1m x 1m	3%

- A1.5.4 At least 80%* of the lot boundary setback area at ground level shall be provided as canopy coverage at maturity.

- A1.5.5 Evergreen tree species where landscaping is used to reduce the impact of building bulk.

- A1.5.6 Deciduous tree species to the north and south of development to allow natural light penetration to the development and adjoining buildings.

- A1.5.7 Open air car parks, including access ways, shall have a minimum of 60% canopy coverage at maturity.

- A1.5.8 All open-air parking areas shall be landscaped at a minimum rate of one tree per four car bays.

- A1.5.9 The perimeter of all open-air parking areas shall be landscaped by a planting strip with a minimum dimension of 1.5m.

- A1.5.10 Existing trees shall be retained where they are:

- Healthy specimens with ongoing viability; and
- Species not included on an applicable weed register.

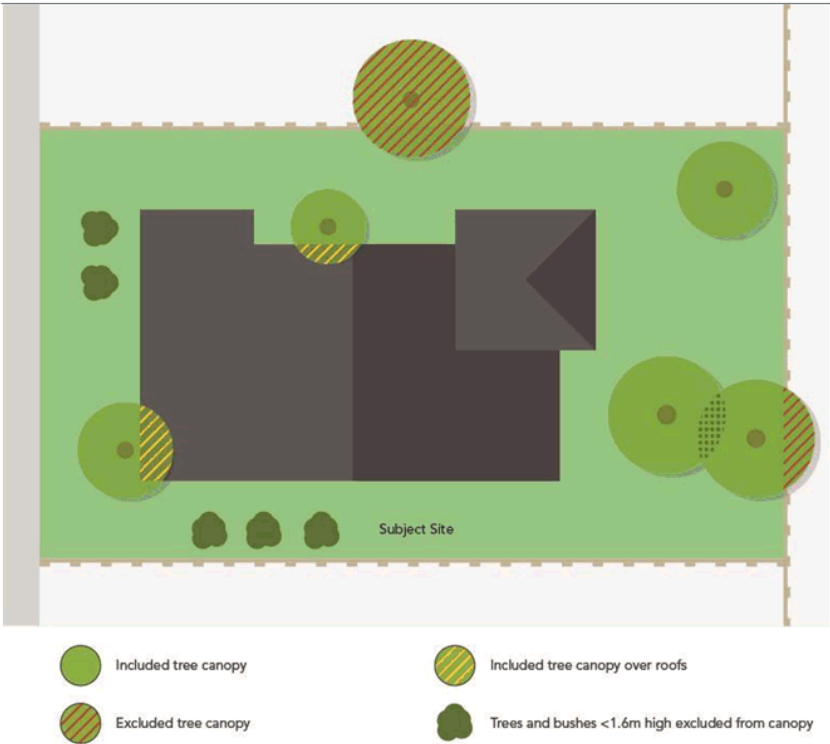


Figure 3 – 1.5.1

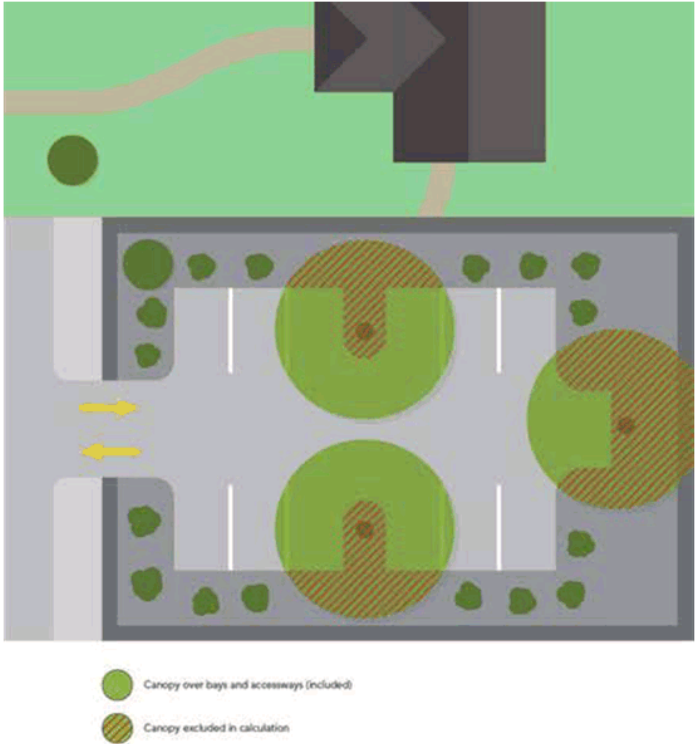


Figure 3 – 1.5.2

1.6 Visual Privacy

Element Objectives

- O1.6.1** The orientation and design of buildings, windows and balconies minimises direct overlooking of habitable rooms and private outdoor living areas of neighbouring properties.

1.7 Public domain interface

Element Objectives

- O1.7.1** The transition between the private and public domain enhances the privacy and safety of residents.
O1.7.2 Street facing development and landscape design retains and enhances the amenity and safety of the adjoining public domain, including the provision of shade.

Acceptable Outcomes

- A1.7.1** Car-parking is not located within the primary street setback; and where car parking is located at ground level behind the street setback it is designed to integrate with landscaping and the building façade (where part of the building).
A1.7.2 Upper level balconies and/or windows overlook the street and public domain areas.
A1.7.3 Balustrading includes a mix of visually opaque and visually permeable materials to provide residents with privacy while maintaining casual surveillance of adjoining public domain areas.
A1.7.4 Changes in level between the ground floor level of the building and the street level average less than 1m and do not exceed 1.2m.
A1.7.5 Front fencing includes visually permeable materials above 1.2m and the average height of solid walls or fences to the street does not exceed 1.2m.
A1.7.6 Fencing, landscaping and other elements on the frontage are designed to eliminate opportunities for concealment.
A1.7.7 Bins are not located within the primary street setback or in locations visible from the primary street.
A1.7.8 Services and utilities that are located in the primary street setback are integrated into the design of the development and do not detract from the amenity and visual appearance of the street frontage.

1.8 Pedestrian access and entries

Element Objectives

- O1.8.1** Entries and pathways are universally accessible, easy to identify and safe for residents and visitors.
O1.8.2 Entries to the development connect to and address the public domain with an attractive street presence.

Acceptable Outcomes

- A1.8.1** Pedestrian access which is identifiable from the street and visitor car parking areas and other public areas.
A1.8.2 Access for pedestrians which directly fronts the primary street.
A1.8.3 Developments shall distinguish residential entries from retail and other commercial entries.
A1.8.4 Internal ground floor level to be at grade.
A1.8.5 Design of balustrades to be integrated into the design of the development.
A1.8.6 Ramps are not to exceed 50% of the active frontage.

1.9 Vehicle Access

Element Objectives	
O1.9.1	Vehicle access points are designed and located to provide safe access and egress for vehicles and to avoid conflict with pedestrians, cyclists and other vehicles.
O1.9.2	Vehicle access points are designed and located to reduce visual impact on the streetscape.
Acceptable Outcomes	
A1.9.1	Service areas and vehicular access shall be: <ul style="list-style-type: none"> • Taken from the rear laneway or secondary street in the first instances; or • Collocated where taken from the primary street to maximise the width of active frontages.
A1.9.2	Access to on-site car parking spaces to be provided: <ul style="list-style-type: none"> • where available, from a right of way available for lawful use to access the relevant lot and which is adequately paved and drained from the property boundary to a dedicated road; • from a secondary street where no right of way exists; or • from the primary street frontage where no secondary street or right-of way exists.
A1.9.3	Access to a right of way is required to be trafficable to the nearest dedicated road. The cost to upgrade a right of way to make it trafficable is to be borne by the applicant.
A1.9.4	Where vehicular access is provided from a street, all vehicles are required to enter and exit the site in forward gear.
A1.9.5	Roller shutters, doors and screens are to be visually permeable.
A1.9.6	Onsite parking for a development shall be located beneath or at the rear of buildings.
A1.9.7	Where on-site parking provided for customer/client use is not directly visible from the adjacent street, adequate signage is to be provided to promote public knowledge of and direction to the car park. This signage is to comply with the requirements of the City's Policy relating to Signs and Advertising.
A1.9.8	Existing trees must not be removed to provide for vehicle access.
A1.9.9	Each lot is to provide a maximum of one crossover.
A1.9.10	The maximum width of a single crossover is 3m. The maximum width of a double crossover is 5m.
A1.9.11	The location of crossovers should maximize the ability to provide on-street car parking spaces.
A1.9.12	Where a crossover meets a pedestrian path there must be clear communication of pedestrian priority.
A1.9.13	Crossovers must be setback a minimum of 0.5m from the lot boundary.

1.10 Car and bicycle parking

Element Objectives	
O1.10.1	Parking and facilities are provided for cyclists and other modes of transport including Electric Vehicle charging stations.
O1.10.2	Car parking provision is appropriate to the location, with reduced provision possible in areas that are highly walkable and/or have good public transport or cycle networks and/or are close to employment centres.
O1.10.3	Car parking is designed to be safe and accessible.
O1.10.4	The design and location of car parking minimises negative visual and environmental impacts on amenity and the streetscape.
Acceptable Outcomes	
A1.10.1	Uncovered at-grade parking is planted with trees at a minimum rate of one tree per four bays to achieve canopy coverage of 60% of the site.
A1.10.2	Secure, undercover bicycle parking is provided in accordance with Local Planning Policy 7.7.1 – Non-Residential Development Parking Requirements.
A1.10.3	Parking is provided for cars and motorcycles in accordance with Local Planning Policy 7.7.1 – Non-Residential Development Parking Requirements.
A1.10.4	Car parking and vehicle circulation areas are designed in accordance with AS2890.1 (as amended).
A1.10.5	Car parking areas are not located within the street setback and are not visually prominent from the street.

1.11 Managing the impact of noise

Element Objectives	
O1.11.1	The siting and layout of development minimises the impact of external noise sources and provides appropriate acoustic privacy to dwellings on adjoining properties.
O1.11.2	Acoustic treatments are used to reduce sound transfer within and between dwellings and to reduce noise transmission from external noise sources.
Acceptable Outcomes	
A1.11.1	Ground floor tenancies within new commercial buildings shall provide an acoustic report which demonstrates that they are capable of attenuating noise for a range of land uses including high intensity uses such as small bars, gyms and restaurants.
A1.11.2	Potential noise sources such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment, active communal open space and refuse bins are not located adjacent to the external wall of dwellings on adjoining properties.

1.12 Universal Design

Element Objectives

- O1.12.1 Development includes universal design features providing options for people living with disabilities or limited mobility and/or to facilitate ageing in place.

1.13 Façade design

Element Objectives

- O1.13.1 Building façades incorporate proportions, materials and design elements that respect and reference the character of the local area.
O1.13.2 Building façades express internal functions and provide visual interest when viewed from the public realm.

Acceptable Outcomes

- A1.13.1 Commercial Development which fronts the public realm shall provide active frontages including glazing, openings and operable windows to ensure activity, interaction and surveillance of the street.
- A1.13.2 Commercial Ground floor spaces shall have a maximum width of 9m and a finished floor level to finished ceiling level height of a minimum of 3.5m.
- A1.13.3 Commercial Development shall provide a continuous protective awning over the pedestrian footpath.
- A1.13.4 Development shall identify key design elements in the local area and streetscape through an Urban Design Study and integrate and acknowledge these design elements whilst avoiding the use of faux materials.
- A1.13.5 Commercial Building facades visible from the public realm shall:
- Incorporate a variety of materials, colours, textures and depths;
 - Not present a blank, monotonous, repetitious or dominant building treatment;
 - Incorporate architectural or functional elements integrated into the façade, rather than cosmetic or superficial attachments to the building;
 - Incorporate vertical articulation by using tall and narrow façade treatments;
 - Incorporate articulation such as doorways, windows, seating ledges, sills, stall risers and other detailing;
 - Minimise use of shallow framings systems and thin wall/glazing systems;
 - Integrate fire boosters, mail boxes and external fixtures into the building design or screen them so they appear as part of the façade; and
 - Integrate signage into the design and articulation on the ground floor.
- A1.13.6 Where provided, doorways shall have a depth between 500mm and 1.5m to clearly articulate entrances to commercial buildings and tenancies.
- A1.13.7 Where provided, windows, seating ledges, sills, stall risers and other detailing shall have a minimum depth of 300mm.
- A1.13.8 Where provided, stall risers shall be a minimum height of 450mm.
- A1.13.9 Commercial Ground floor glazing and/or tinting shall have a minimum of 70% visible light transmission to provide unobscured visibility.
- A1.13.10 Security measures shall be:
- Located and installed internally behind the glazing line or recessed between elements in the façade such as columns or doorway recesses; and
 - Transparent and visually permeable to allow views inside the building and enable internal light sources to be seen from the street.
- A1.13.11 Where provided, awnings shall be:
- A minimum height of 3.5m and a maximum height of 4m from finished floor level to the underside of the awning to accommodate under awning signage;
 - Be setback a minimum of 600mm from the face of kerb;
 - Respond to any existing and/or proposed verge trees;
 - Respond to the height, depth and form of existing awnings on the subject and adjoining buildings; (e) Respond to the slope of the site; and
 - Integrated with the design of the façade.
- A1.13.12 Verandahs and collonades are only permitted where they are constructed wholly within the lot boundaries of development site.

1.14 Roof design

Element Objectives	
O1.14.1	Roof forms are well integrated into the building design and respond positively to the street.
O1.14.2	Where possible, roof spaces are utilised to add open space, amenity, solar energy generation or other benefits to the development.
Acceptable Outcomes	
A1.14.1	The roof form or top of building complements the façade design and desired streetscape character.
A1.14.2	Building services located on the roof are not visually obtrusive when viewed from the street.
A1.14.3	Useable roof space is safe for users and minimises overlooking and noise impacts on adjoining sites.
A1.14.4	Flat roof structures that are not visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.4.
A1.14.5	Pitched roof structures or roof structures that are visible from the street or adjacent properties shall have a maximum solar absorptance rating of 0.5, unless a suitable alternative is identified in the Urban Design Study.

1.15 Landscape design

Element Objectives	
O1.15.1	Landscape design enhances streetscape and pedestrian amenity, and improves the visual appeal of the development.
O1.15.2	Plant selection is appropriate to the orientation, exposure and site conditions and is suitable for the adjoining uses.
O1.15.3	Landscape design includes water efficient irrigation systems and where appropriate incorporates water harvesting or water re-use technologies.
O1.15.4	Landscape design is integrated with the design intent of the architecture including its built form, materiality, key functional areas and sustainability strategies.
Acceptable Outcomes	
A1.15.1	Submission of a landscape plan prepared by a registered landscape architect. This is to include a species list and irrigation plan.
A1.15.2	Landscaped areas are located and designed to support mature, shade-providing trees.
A1.15.3	Building services fixtures are integrated in the design of the landscaping and are not visually intrusive.

1.16 Adaptive reuse

Element Objectives	
O1.16.1	New additions to existing buildings are contemporary and complementary and do not detract from the character and scale of the existing building.
Acceptable Outcomes	
A1.16.1	New additions to buildings that have heritage value do not mimic the existing form and are clearly identifiable from the original building.
A1.16.2	New additions complement the existing building by referencing and interpreting the scale, rhythm and materiality of the building.

1.17 Environmentally Sustainable Design

Element Objectives	
O1.17.1	Development that considers the whole of life environmental impact of the building and incorporates measures to reduce this impact.
O1.17.2	Development which reduces the impact of solar radiation in summer and increase passive solar gain in winter.
Acceptable Outcomes	
A1.17.1	Development shall incorporate: <ul style="list-style-type: none"> • Site planning principles that maximise solar passive design opportunities for both summer and winter; • Natural ventilation and daylight penetration to reduce energy consumption; • Daytime areas with north-facing glazing to allow passive solar heating during winter; • Openable windows and/or ceiling fans to habitable rooms or occupied spaces that allow natural and cross ventilation; • Recovery and re-use of rainwater, storm water, grey water and/or black water for non-potable water applications; • Shading devices to reduce unwanted solar gain in summer and increase passive solar gain in winter; and • Integration of renewable energy and energy storage systems to optimise energy consumption.
A1.17.2	Development achieves one of the environmental performance standards shown in the below table, or their equivalent*.

Accepted Rating Framework	Specification / Compliance Requirements	Minimum Requirement to be Achieved	Evidence
Green Building Council of Australia's Green Star Rating System	Current Design, As-Built and Performance rating tool	5 star Green Star rating	Preliminary Sustainable Design Report prepared by a Green Star Accredited Professional using the current Green Star Design and As-Built rating tool scorecard to demonstrate eligibility for 5 star Green Star rating.
Life Cycle Assessment in Accordance with EN15978-	System Boundary must include all Life Cycle Modules (A1-2, B1-7,	Global Warming Potential and Net Fresh Water Use	Independently Reviewed EN15978 Compliant
Sustainability of construction works – Assessment of environmental performance of buildings – Calculation method.	C1-4 and D) in addition to nonintegrated energy (plug loads)	Performance Reduction as per Table *** below.	Target Setting LCA with a 20% factor of safety applied to improvement strategies

Building Type	Performance Requirement	
	Global Warming Potential	Net Fresh Water Use
Residential (BCA Class 1-3)	< 2,250 kgCO ₂ e / Occupant / Year (50% saving against Perth statistical average residences)	< 57m ³ / Occupant / Year (50% saving against Perth statistical average residences)
Commercial Office (BCA Class 5)	< 104 kgCO ₂ e / m ² Net Lettable Area / year (30% saving against Perth statistical average office)	< 1.25 m ³ / m ² Net Lettable Area / year (25% saving against Perth statistical average office)
All Other Building Types	30% saving against Code-Compliant design	25% saving against Code-Compliant design

**The City accepts sustainability assessment frameworks and mechanisms that are nationally or internationally recognised, compliant with applicable Australian/international standards and subject to oversight by a certifying body.*

1.18 Water management and conservation

Element Objectives	
O1.18.1	Minimise potable water consumption throughout the development.
O1.18.2	Stormwater runoff from small rainfall events is managed on-site, wherever practical.
O1.18.3	Reduce the risk of flooding so that the likely impacts of major rainfall events will be minimal.
Acceptable Outcomes	
A1.18.1	Stormwater runoff generated from small rainfall events is managed on-site.
A1.18.2	Provision of an overland flow path for safe conveyance of runoff from major rainfall events to the local stormwater drainage system.

1.19 Waste Management

Element Objectives	
O1.19.1	Waste storage facilities minimise negative impacts on the streetscape and building entries.
O1.19.2	Waste to landfill is minimised by providing safe and convenient bins and information for the separation and recycling of waste.
Acceptable Outcomes	
A1.19.1	Sufficient area is provided to accommodate the required number of bins for the separate storage of green waste, recycling and general waste.
A1.19.2	Communal waste storage is sited and designed to be screened from view from the street.
A1.19.3	Where there is an increased waste requirement, an area for waste management must be provided in accordance with the City's Waste Requirement Guidelines.



1.20 Utilities

Element Objectives	
O1.20.1	The site is serviced with power, water, gas (where available), wastewater, fire services and telecommunications/broadband services that are fit for purpose and meet current performance and access requirements of service providers.
O1.20.2	All utilities are located such that they are accessible for maintenance and do not restrict safe movement of vehicles or pedestrians.
O1.20.3	Utilities, such as distribution boxes, power and water meters are integrated into design of buildings and landscape so that they are not visually obtrusive from the street.
Acceptable Outcomes	
A1.20.1	Utilities that must be located within the front setback, adjacent to the building entry or on visible parts of the roof are integrated into the design of the building, landscape and/or fencing such that they are accessible for servicing requirements but not visually obtrusive.

SECTION 2 ACTIVITY CORRIDOR

2.1 Building Height

Element Objectives	
O2.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.
O2.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale on neighbouring properties and the streetscape.
O2.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.
O2.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.
O2.1.5	The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.
O2.1.6	The height of buildings within a development responds to changes in topography.
O2.1.7	Development incorporates articulated roof design.
O2.1.8	The height of development recognises the need for daylight and solar access to adjoining and nearby residential development.
Acceptable Outcomes	
A2.1.1	Development that is consistent with the building heights provided in Table 3-2.1 and Figure 2.
A2.1.2	External fixtures may extend beyond the maximum height in Table 3-2.1 and Figure 2 where they are not visible from the street or neighbouring properties.
A2.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
A2.1.4	The City may approve development which exceeds the maximum height stated in Table 3-2.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P1.1.1 – P1.1.4.



TABLE 3 – 2.1: Building Height – Activity Corridors

Activity Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Oxford Street	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Scarborough Beach Road	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Fitzgerald Street (Newcastle St to Vincent St)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Fitzgerald Street (Vincent St to Raglan Road)	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Newcastle Street	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Beaufort Street (Newcastle St to Lincoln St)	5 storeys	16.4m	17.4m	16.4m	17.4m	19.4m
Beaufort Street (Lincoln St to Walcott St)	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m

2.2 Activity Corridor Development Requirements

2.2.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.1.

SECTION 3 MIXED USE

3.1 Building Height

Element Objectives	
O3.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.
O3.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale on neighbouring properties and the streetscape.
O3.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.
O3.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.
O3.1.5	The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.
O3.1.6	The height of buildings within a development responds to changes in topography.
O3.1.7	Development incorporates articulated roof design.
O3.1.8	The height of development recognises the need for daylight and solar access to adjoining and nearby residential development.
Acceptable Outcomes	
A3.1.1	Development that is consistent with the building heights provided in Table 3-3.1 and Figure 2.
A3.1.2	External fixtures may extend beyond the maximum height in Table 3-3.1 and Figure 2 where they are not visible from the street or neighbouring properties.
A3.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
A3.1.4	The City may approve development which exceeds the maximum height stated in Table 3-3.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P1.1.1 – P1.1.4.

TABLE 3 – 3.1: Building Height – Mixed Use Areas

Mixed Use Areas	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Area bounded by Newcastle St, Loftus St, Mitchell Freeway and Charles St	7 storeys	22.6m	23.6m	22.6m	23.6m	25.6m
Area bounded by Carr St, Charles St, Newcastle St and Fitzgerald St	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m

Mixed Use Areas	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Between Fitzgerald St and William St	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Brisbane St						
Bulwer St						
Charles St						
Green St						
Walcott St						
William St						
Between William St and Lord St						
North Perth	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
Area bounded by Summers St, Lord St, Graham Farmer Freeway and East Parade (Except where defined below)						
Edward St South	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m
Edward St North	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Caversham South	8 storeys	25.7m	26.7m	25.7m	26.7m	28.7m
Caversham North	10 storeys	31.9m	32.9m	31.9m	32.9m	34.9m
Cheriton South	10 storeys	31.9m	32.9m	31.9m	32.9m	34.9m
Cheriton North	12 storeys	38.1m	39.1m	38.1m	39.1m	41.1m

3.2 Mixed Use Development Requirements

3.2.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.1.

SECTION 4 TRANSIT CORRIDOR

4.1 Building height

Element Objectives	
O4.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.
O4.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale on neighbouring properties and the streetscape.
O4.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.
O4.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.
O4.1.5	The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.
O4.1.6	The height of buildings within a development responds to changes in topography.
O4.1.7	Development incorporates articulated roof design.
O4.1.8	The height of development recognises the need for daylight and solar access to adjoining and nearby residential development.
Acceptable Outcomes	
A4.1.1	Development that is consistent with the building heights provided in Table 3-4.1 and Figure 2.
A4.1.2	External fixtures may extend beyond the maximum height in Table 3-4.1 and Figure 2 where they are not visible from the street or neighbouring properties.
A4.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
A4.1.4	The City may approve development which exceeds the maximum height stated in Table 3-4.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Design Principles P1.1.1 – P1.1.4.

TABLE 3 – 4.1: Building Height – Transit Corridors

Transit Corridors	Maximum No. of Storeys	Maximum Building Height				
		Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
Loftus Street	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Charles Street: Between Newcastle St and Carr St						
West side and lots fronting Newcastle	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
East side	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Charles Street (Carr Street to Walcott St)	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R80 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Fitzgerald Street (Angove St to Walcott St)	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
Walcott Street	3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
Lord Street	6 storeys	19.5m	20.5m	19.5m	20.5m	22.5m
East Parade	R60 – 3 storeys	10.2m	11.2m	10.2m	11.2m	13.2m
	R100 – 4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m
William Street (Vincent St to Walcott St)	4 storeys	13.3m	14.3m	13.3m	14.3m	16.3m



4.2 Street Setbacks (Primary and Secondary)

Element Objectives

- O4.2.1 Development which incorporates design elements that reduce the impact of building bulk.
- O4.2.2 Development which maximises natural light access, natural ventilation and, internal and external privacy.
- O4.2.3 Development which activates and addresses rights of way.
- O4.2.4 Street setbacks that facilitate the provision of useable open space, alfresco dining opportunities and landscaping which contributes to canopy coverage.
- O4.2.5 The setback of the development from the street reinforces and/or complements the character of the street.
- O4.2.6 The street setback provides a clear transition between the public and private realm.
- O4.2.7 The setback of the development enables passive surveillance and outlook to the street.

Acceptable Outcomes

- A4.2.1 Primary and secondary street setback of 4m for development on sites coded R40.
- A4.2.2 Primary and secondary street setback of 4m for development on sites coded R50 and above and sites which do not have an R Code.
- A4.2.3 Primary and secondary street setback for the third storey and above must incorporate articulation and the use of varying colours and materials which minimise the bulk and scale of the building on the streetscape.

4.3 Landscaping

Element Objectives

- O4.3.1** Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces.
- O4.3.2** Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings.
- O4.3.3** The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect.
- O4.3.4** Development that prioritises the retention of mature and healthy trees
- O4.3.5** Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.
- O4.3.6** Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.

Acceptable Outcomes

- A4.3.1** Deep Soil Areas shall be provided in accordance with the following requirements:

Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)
<650m ²	1m ² 1m x 1m	12%
650m ² – 1,500m ²	1m ² 1m x 1m	12%
>1,500m ²	1m ² 1m x 1m	12%

- A4.3.2** The required Deep Soil Area may be reduced to 10% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained.

- A4.3.3** A minimum of 50% of the front setback shall be provided as soft landscaping.

- A4.3.4** Planting Areas shall be provided in accordance with the following requirements

Site Area	Minimum Area & Minimum Dimensions	Planting Area (minimum % of site)
<650m ²	1m ² 1m x 1m	3%
650m ² – 1,500m ²	1m ² 1m x 1m	3%
>1,500m ²	1m ² 1m x 1m	3%

- A4.3.5** At least 30% of the site area is provided as canopy coverage at maturity.

- A4.3.6** Open air car parks, including access ways, shall have a minimum of 60% canopy coverage at maturity.

- A4.3.7** All open-air parking areas shall be landscaped at a minimum rate of one tree per four car bays.

- A4.3.8** The perimeter of all open-air parking areas shall be landscaped by a planting strip with a minimum dimension of 1.5m.

- A4.3.9** Existing trees shall be retained where they are:

- Healthy specimens with ongoing viability; and
- Species not included on an applicable weed register.

4.4 Street Walls and Fences

Element Objectives	
O4.4.1	Front fences and walls which enable surveillance and enhance streetscape.
O4.4.2	Development which adds interest to the street and minimises blank facades.
Acceptable Outcomes	
A4.4.1	Street walls, fences and gates are to be of a style and materials compatible with those of the development on site and/or walls, fences and gates of the immediate surrounding area excluding fibre cement.
A4.4.2	Street walls, fences and gates within the primary street setback area, including along the side boundaries, and front walls and fences to new development fronting a right of way or dedicated road to be as follows: <ul style="list-style-type: none"> • Maximum height of 1.8 metres above the natural ground level; • Maximum height of piers with decorative capping to be 2 metres above the natural ground level; • Maximum height of solid portion of wall to be 1.2 metres above adjacent footpath level and are to be visually permeable above 1.2 metres; • Posts and piers are to have a maximum width 400 millimetres and a maximum diameter of 500 millimetres; and • The distance between piers should not be less than the height of the piers except where pedestrian gates are proposed.
A4.4.3	Street walls, fences and gates to secondary streets, behind the primary street setback line, or walls, fences and gates to the primary streets where those streets are district distributor roads to be as follows: <ul style="list-style-type: none"> • Solid portion of wall may increase to a maximum height of 1.8 metres above adjacent footpath level provided that the wall or fence has at least two significant appropriate design features (to the satisfaction of the City of Vincent) to reduce the visual impact – for example, significant open structures, recesses and/or planters facing the road at regular intervals and varying materials, finishes and/or colours; and • Maximum height of piers with decorative capping to be 2 metres above adjacent footpath level.
A4.4.4	Exposed boundary walls visible to the street are to incorporate the following design features: <ul style="list-style-type: none"> • Indentations; • Varying heights; • Varying materials, colours and textures; or • Public artwork.
A4.4.5	Any proposed vehicular or pedestrian entry gates shall be visually permeable.
A4.4.6	Walls and fences on the side boundaries, only within the primary street setback area, constructed from metal sheeting are permitted provided they meet all other requirements relating to height, provide adequate sight lines and are not a side boundary fence facing a secondary street.

4.5 Transit Corridor Development Requirements

4.5.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.1, 1.2 and 1.15.

SECTION 5 RESIDENTIAL

5.1 Building Height

Element Objectives	
O5.1.1	Height that is situated on a site to minimise amenity impacts to neighbouring properties and the streetscape.
O5.1.2	Development that incorporates design measures to reduce the impact of height, bulk and scale on neighbouring properties and the streetscape.
O5.1.3	Development that considers and responds to the natural features of the site and requires minimal excavation/fill.
O5.1.4	Design which minimises overlooking and overshadowing where it impacts residential development.
O5.1.5	The height of development responds to the desired future scale and character of the street and local area, including existing buildings that are unlikely to change.
O5.1.6	The height of buildings within a development responds to changes in topography.
O5.1.7	Development incorporates articulated roof design.
O5.1.8	The height of development recognises the need for daylight and solar access to adjoining and nearby residential development.
Acceptable Outcomes	
A5.1.1	Development that is consistent with the building heights provided in Table 3-5.1 and Figure 2.
A5.1.2	External fixtures may extend beyond the maximum height in Table 3-5.1 and Figure 2 where they are not visible from the street or neighbouring properties.
A5.1.3	The lowest point of a skillion roof is to be a maximum of the 'Top of external wall (roof above)' height stated in Part 1 of this Policy.
A5.1.4	The City may approve development which exceeds the maximum height stated in Table 3-5.1 where it is stipulated in an approved Local Development Plan, Activity Centre Plan or Structure Plan and addresses Element Objectives O5.1.1 – O5.1.8.

TABLE 3 – 5.1: Building Height – Residential Area

Maximum No. of Storeys as per Figure 2	Maximum Building Height				
	Top of external wall (roof above)	Top of external wall (concealed roof)	Bottom of skillion roof	Top of skillion roof	Top of pitched roof
1 storey	3m	4m	3m	4m	6m
2 storeys	6m	7m	6m	7m	9m
3 storeys	9m	10m	9m	10m	12m
4 storeys	12m	13m	12m	13m	15m
5 storeys	16m	17m	16m	17m	18m

5.2 Street Setback (Primary and Secondary)

Element Objectives	
O5.2.1	Development which incorporates design elements that reduce the impact of building bulk.
O5.2.2	Development which maximises natural light access, natural ventilation and, internal and external privacy.
O5.2.3	Development which activates and addresses rights of way.
O5.2.4	Street setbacks that facilitate the provision of useable open space, alfresco dining opportunities and landscaping which contributes to canopy coverage.
O5.2.5	The setback of the development from the street reinforces and/or complements the character of the street.
O5.2.6	The street setback provides a clear transition between the public and private realm.
O5.2.7	The setback of the development enables passive surveillance and outlook to the street.
O5.2.8	Development which incorporates predominant features of the landscape.
O5.2.9	Development which clearly distinguishes all upper floors from lower storeys to clearly distinguish the parts of the dwelling.
O5.2.10	Development which minimises the visual bulk of the buildings through articulation of larger wall lengths and the stepping back of upper storeys walls.
Acceptable Outcomes	
A5.2.1	The primary street setback is to be calculated by averaging the setback of the five adjoining properties, either side of the proposed development.
A5.2.2	For the purpose of averaging, the primary street setback is to be measured from the street alignment to the nearest wall of the building excluding porches, verandahs, carports and balconies.
A5.2.3	Walls on upper floors setback a minimum of 2 metres behind the street setback.
A5.2.4	Balconies on upper floors setback a minimum of 1 metre behind the ground floor setback.
A5.2.5	The secondary street setback is to be 2 metres. Secondary street setbacks for upper floors is to be 1.5 metres behind each portion of the ground floor setback for walls on upper floors.
A5.2.6	Primary and secondary street setback for the third storey and above must incorporate articulation and the use of varying colours and materials which minimise the bulk and scale of the building on the streetscape.

5.3 Landscaping

Element Objectives

- O5.3.1** Landscaping is to be designed to reduce the impact of development on adjoining residential zones and public spaces.
- O5.3.2** Landscaping should provide increased urban air quality, tree and vegetation coverage and a sense of open space between buildings.
- O5.3.3** The provision of landscaping that will make an effective and demonstrated contribution to the City's green canopy to reduce the impact of the urban heat island effect.
- O5.3.4** Development that prioritises the retention of mature and healthy trees
- O5.3.5** Open air car parks should be appropriately landscaped to provide adequate shading and reduce the impact on adjoining properties.
- O5.3.6** Development includes deep soil areas, or other infrastructure to support planting on structures, with sufficient area and volume to sustain healthy plant and tree growth.

Acceptable Outcomes

- A5.3.1** Deep Soil Areas shall be provided in accordance with the following requirements:

Site Area	Minimum Area & Minimum Dimensions	Deep Soil Areas (minimum % of site)
<650m ²	1m ² 1m x 1m	12%
650m ² – 1,500m ²	1m ² 1m x 1m	12%
>1,500m ²	1m ² 1m x 1m	12%

- A5.3.2** The required Deep Soil Area may be reduced to 10% where mature trees, which contribute to 30% or more of the required canopy coverage, are retained.

- A5.3.3** Planting Areas shall be provided in accordance with the following requirements:

Site Area	Minimum Area & Minimum Dimensions	Planting Area (minimum % of site)
<650m ²	1m ² 1m x 1m	3%
650m ² – 1,500m ²	1m ² 1m x 1m	3%
>1,500m ²	1m ² 1m x 1m	3%

- A5.3.4** At least 30% of the site area is provided as canopy coverage at maturity.

- A5.3.5** Open air car parks, including access ways, shall have a minimum of 60% canopy coverage at maturity.

- A5.3.6** All open-air parking areas shall be landscaped at a minimum rate of one tree per four car bays.

- A5.3.7** The perimeter of all open-air parking areas shall be landscaped by a planting strip with a minimum dimension of 1.5m.

- A5.3.8** Existing trees shall be retained where they are:

- Healthy specimens with ongoing viability; and
- Species not included on an applicable weed register

5.4 Setback of Garages and Carports

Element Objectives	
O5.4.1	The setting back of carports and garages to maintain clear sight lines along the street and not to detract from the streetscape or appearance of buildings; or obstruct views of buildings from the street and vice versa.
O5.4.2	Development which preserves and enhances the visual character of the existing streetscape by considering building bulk, scale, setbacks and design.
Acceptable Outcomes	
A5.4.1	Garages are to be setback a minimum of 500mm behind the building line.
A5.4.2	Garages and carports must match the existing building's predominant colour, scale and materials and must be complementary and subservient to the building.
A5.4.3	Carports must provide an unobstructed view to the building from the street. Gates or doors to carports are required to be visually permeable.
A5.4.4	Carports shall allow light and ventilation to the building.
A5.4.5	The total width of any carport within the street setback area is not to exceed 50 per cent of the frontage (including strata lots) of the lot or six metres whichever is the lesser.

5.5 Garage Width

Element Objectives	
O5.5.1	Development which preserves and enhances the visual character of the existing streetscape.
Acceptable Outcomes	
A5.5.1	Garages which are 50% or less than the width of the lot.
A5.5.2	For lots which are 10 metres wide or less, a garage is to be a maximum width of 4 metres.



5.6 Development on Rights of Way

Element Objectives

- O5.6.1** Development which appropriately addresses rights of way to facilitate spaces which are welcoming and safe.
O5.6.2 Development which provides suitable space for safe vehicle movement in the right of way.

Acceptable Outcomes

- A5.6.1** Development on rights of ways is to be in accordance with the Western Australian Planning Commission's Planning Bulletin 33 Rights of Way or Laneways in Established Areas – Guidelines.

Orientation

- A5.6.2** Where a building's primary street frontage is a right of way, or where no primary street or secondary street frontage exists, it is to be oriented to address the right of way using clearly defined entry points and major openings as if it were a primary street.

Setbacks

- A5.6.3** Development must be setback 1 metre from a right of way. If the site is subject to right of way widening, the setback is measured from the new lot boundary after the widening is applied.

Access

- A5.6.4** Access to a right of way is required to be trafficable to the nearest dedicated road. The cost to upgrade a right of way to make it trafficable is to be borne by the applicant.

5.7 Residential Area Development Requirements

5.7.1 All development requirements of Section 1 – Town Centres applies with the exception of Clause 1.1, 1.2 and 1.15.

5.7.2 Volume 3, Section 4, Clause 4.4 applies to development in the Residential Built Form Area.

APPENDICES

APPENDIX 1 DESIGN PRINCIPLES

1. Context and character

Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.

The distinctive characteristics of a local area include its prominent natural and built features, the overall qualities of its built environment, significant heritage elements, as well as social, economic and environmental conditions.

Good design responds intelligently and sensitively to these factors, interpreting rather than replicating existing features and enhancing the identity of the area, including the adjacent sites, streetscape and neighbourhood.

Good design also responds positively to the intended future character of an area. It delivers appropriate densities that are consistent with projected population growth, and are able to be sustained by existing or proposed transport, green networks and social infrastructure.

Consideration of local context is particularly important for sites in established areas that are undergoing change or identified for change.

2. Landscape quality

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.

Good landscape design protects existing environmental features and ecosystems, enhances the local environmental context and regenerates lost or damaged ecosystem functionality, where possible. It balances consideration of environmental factors such as water and soil management, ground conditions,

solar access, microclimate, tree canopy, habitat creation and preservation of green infrastructure with social, cultural and economic conditions.

Good landscape design employs hard and soft landscape and urban design elements to create external environments that interact in a considered manner with built form, resulting in wellintegrated, engaging places that contribute to local identity and streetscape character.

Good landscape design provides optimal levels of external amenity, functionality and weather protection while ensuring social inclusion, equitable access and respect for the public and neighbours. Well-designed landscape environments ensure effective establishment and facilitate ease of long term management and maintenance.

3. Built form and scale

Good design provides development with massing and height that is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.

Good design achieves an appropriate built form by responding to its site, as well as surrounding built

fabric, in a considered manner, mitigating negative impacts on the amenity of neighbouring properties and public realm.

Good design considers the orientation, proportion, composition, and articulation of built form elements, to deliver an outcome that is suited to the building's purpose, defines the public domain, respects important views, contributes to the character of adjacent streetscapes and parks, and provides a good pedestrian environment at ground level.

4. Functionality and build quality

Good design meets the needs of users efficiently and effectively, balancing functional requirements to deliver optimum benefit and performing well over the full life-cycle.

Designing functional environments involves ensuring that spaces are suited to their intended purpose and arranged to facilitate ease of use and good relationships to other spaces. Good design provides flexible and adaptable spaces, to maximise utilisation and accommodate appropriate future requirements without the need for major modifications.

Good build quality is achieved by using good quality and robust materials, finishes, elements and

systems. Projects should be well-detailed, resilient to the wear and tear expected from its intended use, and easy to upgrade and maintain.

Good design accommodates required services in an integrated manner, without detriment to the overall design outcome.

5. Sustainability

Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.

Sustainable buildings incorporate effective environmental design measures that respond to local climate and site conditions by providing optimal orientation, shading, thermal performance and natural ventilation. Reducing reliance on energy intensive systems for heating and cooling improves energy efficiency, minimises resource consumption and reduces operating costs over the entire life-cycle of the building.

Other sustainable design measures may also include the use of sustainable construction materials, recycling, material re-use, harnessing of renewable energy sources, appropriate water management and/or adaptive re-use of existing buildings. Good design considers the ease with which sustainability initiatives can be maintained and managed.

Sustainable landscape and urban design adheres to established principles of water-sensitive urban design, and minimises negative impacts on existing natural features and ecological processes, as well as facilitating green infrastructure at all project scales.

6. Amenity

Good design optimises internal and external amenity for occupants, visitors and neighbours, contributing to living and working environments that are comfortable and productive.

Good design provides internal rooms and spaces that are adequately sized, comfortable and easy to use and furnish, with good levels of daylight, natural ventilation and outlook. Delivering good levels of internal amenity also includes the provision of appropriate levels of acoustic protection and visual privacy, adequate storage space, and ease of access for all.

Well-designed external spaces provide welcoming, comfortable environments that are universally accessible, with effective shade as well as protection from unwanted wind, rain, traffic and noise. Good design mitigates negative impacts on surrounding buildings and places, including overshadowing, overlooking, glare, reflection and noise.

7. Legibility

Good design results in buildings and places that are legible, with clear connections and memorable elements to help people find their way around.

Good urban design makes places easy to navigate, with recognisable routes, intersections and landmarks while being well-connected to existing movement networks. Sightlines are wellconsidered, with built form responding to important vantage points.

Within buildings, legibility is served by a clear hierarchy of spaces with identifiable entries and clear wayfinding. Externally, buildings and spaces should allow their purpose to be easily understood, and provide clear distinction between public and private spaces.

Good design provides environments that are logical and intuitive, at the scale of building, site and precinct.

8. Safety

Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.

Safety and security is promoted by maximising opportunities for passive surveillance of public and communal areas and providing clearly defined, well-lit, secure access points that are easily maintained and appropriate to the purpose of the development.

Good design provides a positive, clearly defined relationship between public and private spaces and addresses the need to provide optimal safety and security both within a development and to adjacent public realm.

Designing for safety also involves mitigating any potential occupational safety and health hazards that might result from a development during its construction, maintenance and operation.

9. Community

Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.

Good design encourages social engagement and physical activity in an inclusive manner, enabling stronger communities and improved public health outcomes.

In residential developments, good design achieves a mix of dwelling types, providing housing choice for different demographics, living needs and household budgets, and facilitating ageing-in-place.

10. Aesthetics

Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.

Good design resolves the many competing challenges of a project into an elegant and coherent outcome. A well-conceived design concept informs all scales, from the articulation of building form through to materiality and detail, enabling sophisticated, integrated responses to the complexities of local built form and landscape character.

In assessing design quality, consideration of aesthetics should not be limited to style and appearance; it should also account for design integrity, creativity, conceptual coherence and cultural relevance in a proposal.

APPENDIX 2 – STREETScape CHARACTER

Housing Type	Key Features		
	Roof Form	Materials	Exterior Feature
Late Colonial Georgian Dwellings (pre 1890)	<ul style="list-style-type: none"> Low pitched roof. 	<ul style="list-style-type: none"> Corrugated iron roofing. Painted wall finish or smooth textured walling of stucco, painted white or yellow. Simple, double-hung sash windows. 	<ul style="list-style-type: none"> Verandah erected around the dwelling, often to the rear skillion, to protect the principal rooms from the penetrating sun. Verandah usually a lower pitched extension of the main roof.
Queen Anne Federation (1895–1915)	<ul style="list-style-type: none"> Dominant roof form, often broken by false gables. 	<ul style="list-style-type: none"> Roof capped by terracotta frilled ridges. Red brick walls (though some built of stone or timber). Leadlight windows. Use of subtle colours such as cream and brown or cream and red. 	<ul style="list-style-type: none"> Verandah under the main roof, featuring decorative timber work and floor tiles.
Federation Bungalows (1890–1915)	<ul style="list-style-type: none"> Simple hipped roofs often with a protecting gable. Witches hats, gablets and various gables feature in grander bungalows. Roofs are usually steeply sloped with wide eaves. 	<ul style="list-style-type: none"> Tuck pointed brick material for the dwelling. Roofs are covered in terracotta tiles or painted corrugated metal. Round bullseye to multi-paned and coloured casement sash window, often with leadlights featuring Australian flora or fauna. 	<ul style="list-style-type: none"> Verandah ornamented with turned timber or cast iron columns, balustrades and a frieze.
Weatherboard Dwelling (1900–1930s)	<ul style="list-style-type: none"> Simple hipped roofs. 	<ul style="list-style-type: none"> Modest structure of simple design with no ornamentation. Corrugated iron roofs. Weatherboard walls, painted in whites, creams and green colours. Timber sash windows place in the middle of each room often flanking a central doorway. 	<ul style="list-style-type: none"> Full width verandah or no verandah.
Inter-War Californian Bungalows (1920s–1945)	<ul style="list-style-type: none"> Low-pitched roofs emphasising horizontal lines. 	<ul style="list-style-type: none"> Lower portion of wall brown brick, roughcast or pebble dash render or weatherboard walls. Upper portion of wall rendered and painted in oft-white, beige or cream. Roofs are covered in terracotta tiles. Windows either double hung or casement, with panes in small rectangles or diamonds or featuring Art Nouveau or Arts and Crafts patterned stained glass. 	<ul style="list-style-type: none"> Deep, shady verandah under a low pitch or flat roof. Verandah posts are heavily built.
Post War Bungalows (1945–1960s)	<ul style="list-style-type: none"> Hipped/gabled roofs with a low-lying gable of around 30 degrees. Flat roofs introduced in more contemporary designs. 	<ul style="list-style-type: none"> Plain red brick or fibro walls and chimneys with minimal exterior decorative elements. Plain timber or aluminium windows. Cement roof tiles. 	<ul style="list-style-type: none"> Rectangular or L-shaped house, with minimal or no verandah.

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The following table has been prepared for reference purposes to assist R-Code users in identifying the changes and help with the transition occurring on 2 July 2021.

Please refer to the Schedule of Amendments and Government Gazette for all formal purposes such as design, assessment and decision making.

CLAUSE CHANGES		
NO.	ELEMENT	TRACKED CHANGES
1.	Title page	20 19 ²¹ R-Codes (incorporating amendments gazetted on 2/8/2013, 23/10/2015, 2/3/2018 and , 24/5/2019 and 2/7/2021)
2.	2.3	2.3 Planning approval for single houses on small lots Development approval is required for the erection of a single house on any lot smaller than 260m², except where the single house complies with a structure plan or local development plan. Clause 2.3 Planning approval for single houses on small lots deleted by amendment dated 2/7/2021
3.	5.1	Objectives (a) To ensure that residential development meets community expectations in regard to regarding appearance, use and density. (b) To ensure that designs respond to the key natural and built features of the area and respond to the local context in terms of bulk and scale, or and , in the case of precincts undergoing a transition, will respond to the desired future character as stated in the local planning framework . (c) To ensure adequate provision of direct sunlight and ventilation for buildings and to ameliorate limit the impacts of building bulk, privacy overlooking , and overshadowing on adjoining properties . (d) To ensure that open space (private and communal) is provided on site that and : <ul style="list-style-type: none"> is landscaped to establish enhance streetscapes; complements nearby provide a balanced setting and relationship to buildings; and provides privacy, direct sunlight and recreational opportunities. (e) To ensure that design and development and design is appropriately scaled, particularly in respect to bulk and height, and is sympathetic to the scale of the street and surrounding buildings , or in precincts undergoing a transition, development achieves the desired future character of the area identified in local planning framework .
4.	5.1.1 C1.3	The following adjustments shall apply for the purposes of assessing compliance of a proposed development with the minimum and average site areas set out in Table 1, the following adjustments for the purposes of calculating the minimum and average site area shall apply of Table 1: i. in the case of a lot with a corner truncation, up to a maximum of 20m ² of that truncation shall be added to the area of the adjoining lot, survey strata lot or strata lot as the case may be (refer Figure 1a); or ii. in the case of a rear battleaxe site, the site area is inclusive of the access leg provided that the area of the access leg contributes no more than 20 per cent of the site area as required by Table 1 . Where the battleaxe lot (excluding the access leg) adjoins or abuts a right-of-way or reserve for open space , pedestrian access, school site or equivalent, half the width (up to a maximum depth of 2m) may be added to the site area (refer Figure 1b).
5.	5.1.1 C1.4	Subject to clause 5.1.1 C1.3 only, the following variations to the minimum and average site area set out in Table 1 may be made: i. for the purposes of an aged or dependent persons' dwelling or a single bedroom dwelling that is the subject of a proposed development , the site area may be reduced by up to one third, in accordance with clauses 5.5.2 and 5.5.3. which shall only be applied where development is proposed ; ii. in the case of a single house , grouped dwelling or multiple dwelling ; the area of a lot , survey strata lot or strata lot approved by the WAPC ; or iii. the area of any existing lot, survey strata lot or strata lot with permanent legal access to a public road, notwithstanding that the site area it is less than that required in Table 1 .

CLAUSE CHANGES		
NO.	ELEMENT	TRACKED CHANGES
6.	5.1.2 C2.1	<p>Buildings, excluding carports, unenclosed porches, balconies, verandahs, or equivalent set back from the primary street boundary:</p> <ol style="list-style-type: none"> in accordance with Table 1; corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street; reduced by up to 50 per cent provided that the area of any building, including a carport or garage intruding encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the setback line and line drawn parallel to it at twice the setback distance (refer Figure 2a, 2b and 2c); in the case of areas coded R15 or higher, the street setback may be reduced to 2.5m, or 1.5m to a porch, balcony, verandah, or the equivalent (refer Figure 2e), where: <ul style="list-style-type: none"> a grouped dwelling has its main frontage to a secondary street; or a single house results from subdivision of an original corner lot and has its frontage to the original secondary street; or a single house or grouped dwelling (where that grouped dwelling is not adjacent to the primary street), has its main frontage to a communal street, right-of-way or shared pedestrian or vehicle access way the street setback may be reduced to 2.5m, or 1.5m to a porch, verandah, balcony or the equivalent (refer Figure 2b and 2d); and to provide for registered easements for essential services.
7.	5.1.2 C2.4	<p>An unenclosed porch, balcony, verandah, chimney or the equivalent may (subject to the Building Code of Australia) project not more than 1m into the primary street setback area. Projections up to 1m are not subject to a compensating area, provided that the total of such projections does not exceed 20 per cent of the building façade as viewed from the street (refer Figure 2b). Projections greater than 1m and exceeding 20 per cent of the building facade at any level are subject to an equivalent open to a maximum of half the required primary street setback without applying the compensating area under of clause 5.1.2 5.2.1 C2.1 iii (Refer Figure 2e).</p>
8.	5.1.3 C3.1	<p>Buildings which are set back in accordance with the following provisions, subject to any additional measures in other elements of the R-Codes:</p> <ol style="list-style-type: none"> buildings set back from lot boundaries in accordance with Table 1, and Tables 2a and 2b (refer to Figure Series 3 and 4); for patios, verandahs or equivalent structures, the lot boundary setbacks in Table 1 and Tables 2a and 2b may be reduced to nil to the posts where the structure*: <ol style="list-style-type: none"> is not more than 10m in length and 2.7m in height; is located behind the primary street setback; and has eaves, gutters and roofs set back at least 450mm from the lot boundary; unenclosed areas accessible for use as outdoor living areas, elevated 0.5m or more above natural ground level, set back as though they were major openings to habitable rooms within in accordance with Table 2b as though they have a wall height of 2.4m above their floor level; separate single house, grouped or multiple dwelling buildings on the same site lot, or facing portions of the same multiple dwelling building, set back from each other as though there were a lot boundary between them; minor projections such as a chimney, other architectural feature or an eaves overhang, or other architectural feature, or an eaves overhang not projecting more than 0.75m into a setback area; and the stated setback distances may be reduced by half the width of an adjoining right-of-way, pedestrian access way, communal street or battleaxe lot access leg, to a maximum reduction of 2m (refer to figures 2b and 4f). <p>Note: *There are separate building code requirements which may also apply.</p>

CLAUSE CHANGES		
NO.	ELEMENT	TRACKED CHANGES
9.	5.1.3 C3.2 and Note	<p>Boundary walls may be built up to a lot boundary behind the street setback (specified in Table 1 and in accordance with clauses 5.1.2 and 5.2.1 5.2.2), within the following limits and subject to the overshadowing provisions of clause 5.4.2 and Figure Series 11:</p> <ul style="list-style-type: none"> i. where the wall abuts an existing or simultaneously constructed boundary wall of similar boundary wall of equal or greater dimension; or ii. in areas coded R20 and R25, walls not higher than 3.5m with an average of 3m or less, up to a maximum length of the greater of 9m or one-third the length of the balance of the lot site boundary behind the front setback, to one side boundary only up to two site boundaries; or iii. in areas coded R30 and higher, walls not higher than 3.5m with an average of 3m or less for two-thirds the length of the balance of the lot site boundary behind the front setback, to one side boundary only up to two site boundaries; or iv. where both the subject site and the affected adjoining site are created in a plan of subdivision submitted concurrently with the development application for the proposed development, and the boundary walls are interfacing and of equal dimension. <p>(Refer Figure Series 5)</p> <p>Note:</p> <ul style="list-style-type: none"> • The term 'up to a lot boundary' means a wall, on or less than 600mm from any lot boundary (green title or survey strata lot), other than a street boundary. • Pillars and posts with a horizontal dimension of 450mm by 450mm, or less, do not constitute a boundary wall. • Retaining walls do not constitute boundary walls for the purpose of this clause. Setbacks for retaining walls are to be calculated in accordance with clause 5.3.7.
10.	5.1.3 C3.4 NEW	<p>C3.4 Where boundary walls and retaining walls are proposed concurrently and the boundary wall is located immediately above the retaining wall:</p> <ul style="list-style-type: none"> i. clause 5.3.7 does not apply; and ii. the boundary wall height is to include the height of the retaining wall for the purpose of clause 5.1.3 C3.2, with the exception of a retaining wall approved through a plan of subdivision.
11.	5.2.1 C1.2	<p>Carports set back from in accordance with the primary street in accordance with clause 5.1.2 C2.1 setback requirements of clause 5.1.2 C2.1i, except that the setback may be reduced by up to 50 per cent of the minimum setback stated in Table 1 where:</p> <ul style="list-style-type: none"> i. the width of the carport does not exceed 60 per cent of the frontage; ii. the construction allows an unobstructed view between the dwelling and the street, right-of-way or equivalent.; and iii. the carport roof pitch, colours and materials are compatible with the dwelling. <p>(Refer to Figure 8a)</p>
12.	5.2.1 C1.3	<p>Garages and carports built up to the boundary abutting a private communal street or right-of-way which is not the primary or secondary street boundary for the dwelling, with manoeuvring space of at least 6m, located immediately in front of the opening to the garage or carport and permanently available.</p>
13.	5.2.1 P1.1	<p>The setting back of Carports and garages set back to maintain clear sight lines along the street, and to not to detract obstruct from the streetscape or appearance of dwellings; or obstruct views of dwellings from the street and vice versa views of dwellings from the street and vice versa, and designed to contribute positively to streetscapes and to the appearance of dwellings.</p>
14.	5.2.1 P1.2 NEW	<p>Garages and/or carports set back to ensure any vehicle parking on a driveway does not impede on any existing or planned adjoining pedestrian, cycle or dual-use path.</p>
15.	5.2.2 C2	<p>Where A garage is located in front or within 1m of the building, a garage door and its supporting structures (or a garage wall where a garage is aligned parallel to the street) facing the primary street is not to occupy more than 50 per cent of the frontage at the setback line as viewed from the street (refer Figure 8c). This may be increased up to 60 per cent where an upper floor or balcony extends for the full more than half the width of the garage and its supporting structures (or a garage wall where a garage is aligned parallel to the street) and the entrance to the dwelling is clearly visible from the primary street (refer to Figure 8c).</p>
16.	5.2.4 C4.1	<p>Front fences within the primary street setback area that are visually permeable above 1.2m of natural ground level, measured from the primary street side of the front fence (refer Figure 12).</p>
17.	5.2.4 C4.2 NEW	<p>Solid pillars that form part of front fences not more than 1.8m above natural ground level provided the horizontal dimension of the pillars is not greater than 400mm by 400mm and pillars are separated by visually permeable fencing in line with C4.1 (Refer Figure 12).</p>

CLAUSE CHANGES		
NO.	ELEMENT	TRACKED CHANGES
18.	5.2.5 C5	<p>Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, or other structures adjoin vehicle-access points where a driveway meets a public street and where two streets intersect:</p> <ol style="list-style-type: none"> a driveway that intersects a street, right-of-way or communal street; a right-of-way or communal street that intersects a public street; and two streets that intersect (refer Figure Series 9a).
19.	5.3.1 P1.1	<p>A consolidated outdoor living areas is provided to each single house and grouped dwelling which provides spaces for entertaining, leisure and connection to the outdoors that is:</p> <ul style="list-style-type: none"> of sufficient size and dimension to be functional and usable; capable of use in conjunction with a habitable room primary living space of the dwelling; open to sufficient in uncovered area to allow for winter sun and natural ventilation into the dwelling; sufficient in uncovered area to provide for landscaping, including the planting of a tree(s); and optimises use of the northern aspect of the site
20.	5.3.1 P1.2	<p>Balconies or equivalent outdoor living areas capable of use in conjunction with a habitable room of each dwelling, and if possible, open to winter sun.</p> <p>Multiple dwellings to be designed to have direct access to a balcony, courtyard or equivalent outdoor living area that:</p> <ol style="list-style-type: none"> Is of sufficient size to be used by the intended number of dwelling occupants; Is sited, oriented and designed for occupant amenity, including consideration of solar access and natural ventilation appropriate to the climatic region; and Is capable of being used in conjunction with the primary living space.
21.	5.3.1 P1.3 NEW	<p>Where provided within the street setback area, the outdoor living area to a single house or grouped dwelling:</p> <ul style="list-style-type: none"> achieves the design principles of clause 5.3.1 P1.1; is designed to facilitate street surveillance between the dwelling and the street; and minimises the use of visually impermeable or solid front fences above 1.2m in height.
22.	5.3.1 C1.1	<p>An outdoor living area to be provided:</p> <ol style="list-style-type: none"> in accordance with Table 1; behind the street setback area; directly accessible from a habitable room the primary living space of the dwelling; with a minimum length and width dimension of 4m; and to have with at least two-thirds of the required area without permanent roof cover (Figure 13).
23.	5.3.1 C1.2	<p>Each multiple dwelling is provided with at least one balcony or the equivalent, opening directly from a habitable room the primary living space and with a minimum area of 10m² and minimum dimension of 2.4m.</p> <p><i>Note: Minimum dimension refers to the minimum length and width of all areas that contribute to the outdoor living area or balcony (or equivalent) space.</i></p>
24.	5.3.2 P2	<p>Landscaping of grouped and multiple dwelling common property and communal open spaces that:</p> <ul style="list-style-type: none"> contribute to the appearance and amenity of the development for the residents; contribute to the streetscape; enhance security and safety for residents; contribute to positive local provide for microclimates, including provision of shade and solar access as appropriate; and retains existing trees and/or provides new trees to maintain and enhance the tree canopy and a local sense of place.

CLAUSE CHANGES																			
NO.	ELEMENT	TRACKED CHANGES																	
25.	5.3.2 C2.1	<p>Landscaping of grouped and multiple dwelling common property and communal open spaces in accordance with the following:</p> <ul style="list-style-type: none">i. the street setback area developed without car parking, except for visitors' bays and with a maximum of 50 per cent hard surfaces;ii. separate pedestrian path access providing wheelchair accessibility connecting entries to all ground floor buildings with the public footpath and car parking areas;iii. landscaping between each six consecutive external car parking spaces to include shade trees one tree to provide shade for every four uncovered car parking spaces (in addition to the trees required in C2.2), with the total number of trees to be rounded up to the nearest whole number;iv. lighting to pathways, and communal open space and car parking areas;v. bin storage areas conveniently located and screened from view;vi. trees which are greater than 3m in height shall be retained, in communal open space areas which are is provided for the development;vii. adequate sight lines for pedestrians and vehicles;viii. clear line of sight between areas designated as communal open space and at least two habitable room windows; andix. clothes drying areas which are secure and screened from view. ; andx. Unroofed visitors' car parking spaces to be effectively screened from the street.																	
26.	5.3.2 C2.2 NEW	<p>Landscaping of single houses, grouped dwellings and multiple dwellings to include the following:</p> <ul style="list-style-type: none">i. the minimum number of trees and associated planting areas in the table below; andii. landscaping of the street setback area, with not more than 50 per cent of this area to consist of impervious surfaces. <table><tr><th colspan="2">Dwelling type</th><th>Minimum tree requirement</th><th>Minimum tree planting area</th></tr><tr><td colspan="2">Single houses and grouped dwellings (tree per dwelling)</td><td>1 tree</td><td rowspan="4">2m x 2m</td></tr><tr><td rowspan="3">Multiple dwellings (trees per site)</td><td>Less than 700m2</td><td>2 trees</td></tr><tr><td>700-1000m2</td><td>3 trees</td></tr><tr><td>Greater than 1000m2</td><td>4 trees</td></tr></table> <p>Note:</p> <ul style="list-style-type: none">i. The minimum tree planting area is to be provided for each tree and shown on the site plan that is submitted with the application.ii. The tree planting area is to be free of impervious surfaces and roof cover.	Dwelling type		Minimum tree requirement	Minimum tree planting area	Single houses and grouped dwellings (tree per dwelling)		1 tree	2m x 2m	Multiple dwellings (trees per site)	Less than 700m2	2 trees	700-1000m2	3 trees	Greater than 1000m2	4 trees		
Dwelling type		Minimum tree requirement	Minimum tree planting area																
Single houses and grouped dwellings (tree per dwelling)		1 tree	2m x 2m																
Multiple dwellings (trees per site)	Less than 700m2	2 trees																	
	700-1000m2	3 trees																	
	Greater than 1000m2	4 trees																	
27.	5.3.3 C3.1	<p>The following minimum number of on-site car parking spaces is to be provided for each single house, grouped welling and special purpose dwelling comprising the following number of bedrooms:</p> <table><tr><th rowspan="2">Type of dwelling</th><th colspan="2">Car parking spaces</th></tr><tr><th>Location A</th><th>Location B</th></tr><tr><td>1 bedroom dwelling</td><td>1</td><td>1</td></tr><tr><td>2+ bedroom dwelling</td><td>1</td><td>2</td></tr><tr><td>Aged persons' dwelling</td><td>1</td><td>1</td></tr><tr><td>Ancillary dwelling</td><td>Nil</td><td>1</td></tr></table> <p>Location A = within:</p> <ul style="list-style-type: none">• 800m of a train station on a high frequency rail route, measured in a straight line from the pedestrian entry to the train station platform to any part of a lot; or• 250m of a high frequency bus route, or multiple bus routes that, if combined, have timed stops every 15 minutes during weekday peak periods (7 – 9am and 5 – 7pm), measured in a straight line from along any part of the bus route to any part of a the lot. <p>B= not within the distances outlined in A above.</p> <p>Location B = includes all land that is not within Location A.</p>	Type of dwelling	Car parking spaces		Location A	Location B	1 bedroom dwelling	1	1	2+ bedroom dwelling	1	2	Aged persons' dwelling	1	1	Ancillary dwelling	Nil	1
Type of dwelling	Car parking spaces																		
	Location A	Location B																	
1 bedroom dwelling	1	1																	
2+ bedroom dwelling	1	2																	
Aged persons' dwelling	1	1																	
Ancillary dwelling	Nil	1																	

CLAUSE CHANGES																
NO.	ELEMENT	TRACKED CHANGES														
28.	5.3.3 C3.2	<p>On-site visitors' car parking spaces for grouped and multiple dwelling developments provided at a rate of one space for each four dwellings, or part thereof in excess of four dwellings, served by a common access.</p> <table><tr><th>Dwellings</th><th>Visitor bays</th></tr><tr><td>0 - 3</td><td>nil</td></tr><tr><td>4</td><td>1</td></tr><tr><td>5 - 8</td><td>2</td></tr><tr><td>9 - 12</td><td>3</td></tr><tr><td>13 - 16</td><td>4</td></tr><tr><td>17 +</td><td>1 additional bay for every 4 dwellings or part thereof</td></tr></table>	Dwellings	Visitor bays	0 - 3	nil	4	1	5 - 8	2	9 - 12	3	13 - 16	4	17 +	1 additional bay for every 4 dwellings or part thereof
Dwellings	Visitor bays															
0 - 3	nil															
4	1															
5 - 8	2															
9 - 12	3															
13 - 16	4															
17 +	1 additional bay for every 4 dwellings or part thereof															
29.	5.3.5 C5.1	<p>Access to on-site car parking spaces to be provided:</p> <ul style="list-style-type: none">where available, from a communal street or right-of-way available for lawful use to access the relevant lot site and which is adequately paved and drained from the property boundary to a constructed street; orfrom a secondary street where no right-of-way or communal street exists; orfrom the primary street frontage where no secondary street, or right-of way, or communal street exists.														
30.	5.3.6 C6.1	<p>Where a group of 10 or more dwellings is served by a communal street, either between a public street or a communal car parking area and individual dwellings; a minimum 1.2m wide pedestrian path, separate from the vehicular access, is provided, and designed according to AS1428.1 (as amended) provides an accessible path of travel and is at least 1.2m in width.</p>														
31.	5.3.6 C6.3	<p>A communal street or pedestrian path is to be no closer than 3-2.5m to any wall with a major opening unless privacy screening is provided to the communal street or pedestrian path.</p>														
32.	5.3.7 C7.1	<p>Excavation or filling between the street and building, or within 3m of Retaining walls, fill and excavation between the street alignment boundary and the street setback, whichever is the lesser, shall not exceed 0.5m, not more than 0.5m above or below the natural ground level, except where necessary to provide for pedestrian, universal and/or vehicle access, drainage works or natural light for to a dwelling.</p>														
33.	5.3.7 C7.2	<p>Excavation or filling Retaining walls, fill and excavation within a the site and behind the required a street setback line limited by compliance with building height limits and building setback requirements to comply with Table 4.</p>														

CLAUSE CHANGES																
NO.	ELEMENT	TRACKED CHANGES														
34.	Table 4 NEW	<p>Table 4 – Setback of site works and retaining walls</p> <table><tr><th>Height of site works and/or retaining walls</th><th>Required minimum setback</th></tr><tr><td>0.5m or less</td><td>0m</td></tr><tr><td>1m</td><td>1m</td></tr><tr><td>1.5m</td><td>1.5m</td></tr><tr><td>2m</td><td>2m</td></tr><tr><td>2.5m</td><td>2.5m</td></tr><tr><td>3m</td><td>3m</td></tr></table> <p>Notes:</p> <p>i. Take the nearest higher value for all height and length calculations.</p> <p>ii. Measurement of the height of site works or retaining walls for the purpose of calculating Table 4 setback is to be taken from the natural ground level at the lot boundary adjacent to that point of the site works or retaining wall.</p> <p>iii. Visual privacy provisions under clause 5.4.1 and overshadowing provisions under clause 5.4.2 apply.</p> <p>iv. Where a boundary wall incorporates a retaining wall directly beneath the boundary wall, the retaining wall does not require assessment under clause 5.3.7 and is to be included in the wall height for the purpose of clause 5.1.3.</p>	Height of site works and/or retaining walls	Required minimum setback	0.5m or less	0m	1m	1m	1.5m	1.5m	2m	2m	2.5m	2.5m	3m	3m
Height of site works and/or retaining walls	Required minimum setback															
0.5m or less	0m															
1m	1m															
1.5m	1.5m															
2m	2m															
2.5m	2.5m															
3m	3m															
35.	5.3.8	<p>Clause 5.3.8 Retaining walls deleted by amendment dated 02/07/2021</p> <p>C8-Retaining walls greater than 0.5m in height set back from lot boundaries in accordance with the setback provisions of Table 1. Retaining walls 0.5m or less in height may be located up to the lot boundary.</p> <p>P8-Retaining walls greater than 0.5m in height set back from lot boundaries in accordance with the setback provisions of Table 1. Retaining walls 0.5m or less in height may be located up to the lot boundary.</p>														
36.	5.3.8 P8	<p>Move 5.3.8 P8 to 5.3.7 P7.3</p> <p>Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped having due regard to clauses 5.3.7 and 5.4.1.</p>														
37.	5.4.2 C2.1 Note	<p>Note: With regard to clause 5.4.2 C2.1:</p> <ul style="list-style-type: none">dividing fences of up to 2.0 metres in height do not contribute to overshadowing calculations; andsite area refers to the surface of the adjoining lot and is measured without regard to any building on it but taking into account its natural ground levels.														

CLAUSE CHANGES								
NO.	ELEMENT	TRACKED CHANGES						
38.	5.4.3 C3	<p>Outbuildings that:</p> <p>i. are not attached to a dwelling;</p> <p>ii. are non-habitable;</p> <p>iii. collectively do not exceed 60m² in area or 10 per cent in aggregate of the</p> <p>iv. site area, whichever is the lesser;</p> <p>v. do not exceed a wall height of 2.4m;</p> <p>vi. do not exceed ridge height of 4.2m;</p> <p>vii. are not within the primary or secondary street setback area;</p> <p>viii. do not reduce the amount of open space required in Table 1; and</p> <p>ix. are set back in accordance with Tables 2a and 2b.</p> <p>Outbuildings associated with a dwelling site address either:</p> <p>i. the standards for small outbuildings (A. Small outbuilding); or</p> <p>ii. the standards for large and multiple outbuildings (B. Large and multiple outbuildings).</p> <table><tr><td>A. Small outbuilding</td><td>(i) no more than one outbuilding per dwelling site; (ii) has no more than two boundary walls; (iii) does not exceed 10m² in area; (iv) does not exceed a wall and ridge height of 2.7m; (v) not located within the primary or secondary street setback area; and (vi) does not reduce open space and outdoor living area requirements in Table 1.</td></tr><tr><td colspan="2"></td></tr><tr><td>B. Large and multiple outbuildings</td><td>(i) individually or collectively does not exceed 60m² in area or 10 per cent in aggregate of the site area, whichever is the lesser; (ii) set back in accordance with Table 2a; (iii) does not exceed a wall height of 2.4m; (iv) does not exceed a ridge height of 4.2m; (v) not located within the primary or secondary street setback area; and (vi) does not reduce the open space and outdoor living area requirements in Table 1.</td></tr></table> <p>Notes:</p> <p>i. An outbuilding wall that meets (ii) for small outbuildings does not contribute to the number or dimension of boundary walls under clause 5.1.3.</p> <p>ii. An existing outbuilding that meets the development standards for small outbuildings does not need to be setback in accordance with Table 2a for additional outbuildings that are proposed under B. Large and multiple outbuildings.</p> <p>iii. There are separate building code requirements that may also apply.</p>	A. Small outbuilding	(i) no more than one outbuilding per dwelling site; (ii) has no more than two boundary walls; (iii) does not exceed 10m ² in area; (iv) does not exceed a wall and ridge height of 2.7m; (v) not located within the primary or secondary street setback area; and (vi) does not reduce open space and outdoor living area requirements in Table 1.			B. Large and multiple outbuildings	(i) individually or collectively does not exceed 60m ² in area or 10 per cent in aggregate of the site area, whichever is the lesser; (ii) set back in accordance with Table 2a; (iii) does not exceed a wall height of 2.4m; (iv) does not exceed a ridge height of 4.2m; (v) not located within the primary or secondary street setback area; and (vi) does not reduce the open space and outdoor living area requirements in Table 1.
A. Small outbuilding	(i) no more than one outbuilding per dwelling site; (ii) has no more than two boundary walls; (iii) does not exceed 10m ² in area; (iv) does not exceed a wall and ridge height of 2.7m; (v) not located within the primary or secondary street setback area; and (vi) does not reduce open space and outdoor living area requirements in Table 1.							
B. Large and multiple outbuildings	(i) individually or collectively does not exceed 60m ² in area or 10 per cent in aggregate of the site area, whichever is the lesser; (ii) set back in accordance with Table 2a; (iii) does not exceed a wall height of 2.4m; (iv) does not exceed a ridge height of 4.2m; (v) not located within the primary or secondary street setback area; and (vi) does not reduce the open space and outdoor living area requirements in Table 1.							

CLAUSE CHANGES		
NO.	ELEMENT	TRACKED CHANGES
39.	5.5.1 C1	<p>Ancillary dwelling associated with a single house and on the same lot where:</p> <ul style="list-style-type: none"> i. the lot is not less than 450 350m² in area; ii. there is a maximum plot ratio area of 70m²; iii. parking is provided in accordance with clause 5.3.3 C3.1; and iv. ancillary dwelling is located behind the street setback line; v. ancillary dwelling is designed to be compatible with the colour, roof pitch and materials of the single house on the same lot; vi. ancillary dwelling does not preclude the single house from meeting the required minimum open space and outdoor living area; and vii. ancillary dwelling complies with all other R-Code provisions, only as they apply to single houses, with the exception of clauses: <ul style="list-style-type: none"> (a) 5.1.1 Site area; (b) 5.2.3 Street surveillance (except where located on a lot with secondary street or right-of-way access); and (c) 5.3.1 Outdoor living areas.
40.	5.5.1 P1	<p>Ancillary dwelling for is of a small scale and designed to support people who live either living independently or semi-dependently to the residents of the single house, sharing some site facilities and services and without compromising the amenity of surrounding properties.</p>
41.	5.5.1 P2 NEW	<p>Ancillary dwellings to positively contribute to its setting, including the existing single house and, where visible from the street or adjoining properties, to the amenity of the streetscape and context.</p>
42.	7.2	<p>Pre-existing local planning policies</p> <p>If a properly adopted local planning policy which came into effect prior to the gazettal of the R-Codes Volume 1 (as amended), is inconsistent with the R-Codes Volume 1, the R-Codes Volume 1 prevail over the policy to the extent of the inconsistency.</p> <p>If a properly adopted local planning policy, which came into effect prior to the gazettal of the R-Codes (as amended), is inconsistent with the R-Codes Volume 1:</p> <ul style="list-style-type: none"> a) For those sections of Part 5 modified in accordance with section 7.3.1, or modified with WAPC approval in accordance with section 7.3.2, the provisions of the R-Codes do not supersede any development standard provided for in that local planning policy. b) For those sections of Part 5 that are not identified in clause 7.3.1 and modified without WAPC approval, the provisions of the R-Codes Volume 1 prevail over that local planning policy to the extent of any inconsistency.

CLAUSE CHANGES																																						
NO.	ELEMENT	TRACKED CHANGES																																				
43.	7.3.1	<p>Local planning policies, local development plans and activity centre plans may contain provisions that:</p> <p>a) amend or replace the following deemed-to-comply provisions set out in Part 5 of the R-Codes Volume 1:</p> <table><tr><td colspan="2">Context</td></tr><tr><td>5.1.2</td><td>street setbacks</td></tr><tr><td>5.1.3 C3.2 – 3.3</td><td>lot boundary setbacks</td></tr><tr><td>5.1.6</td><td>building height</td></tr><tr><td colspan="2">Streetscape</td></tr><tr><td>5.2.1</td><td>setback of garages and carports</td></tr><tr><td>5.2.2</td><td>garage width</td></tr><tr><td>5.2.3</td><td>street surveillance</td></tr><tr><td>5.2.4</td><td>street walls and fences</td></tr><tr><td>5.2.5</td><td>sight lines</td></tr><tr><td>5.2.6</td><td>appearance of retained dwelling</td></tr><tr><td colspan="2">Site planning and design</td></tr><tr><td>5.3.7</td><td>retaining walls and site works</td></tr><tr><td colspan="2">Building design</td></tr><tr><td>5.4.3</td><td>outbuildings</td></tr><tr><td>5.4.4</td><td>external fixtures, utilities and facilities</td></tr><tr><td colspan="2">Special purpose dwellings</td></tr><tr><td>5.5.2 C2.1 ii)</td><td>aged and dependent persons' dwelling(s)</td></tr></table> <p>b) augment the R-Codes Volume 1 by providing local housing objectives to guide judgements about the merits of proposals for any aspect of residential development covered by this volume that does not meet the requirements or is not provided for, under the R-Codes Volume 1.</p> <p>Amendments or replacements to deemed-to-comply provisions are to be consistent with the relevant design principle.</p>	Context		5.1.2	street setbacks	5.1.3 C3.2 – 3.3	lot boundary setbacks	5.1.6	building height	Streetscape		5.2.1	setback of garages and carports	5.2.2	garage width	5.2.3	street surveillance	5.2.4	street walls and fences	5.2.5	sight lines	5.2.6	appearance of retained dwelling	Site planning and design		5.3.7	retaining walls and site works	Building design		5.4.3	outbuildings	5.4.4	external fixtures, utilities and facilities	Special purpose dwellings		5.5.2 C2.1 ii)	aged and dependent persons' dwelling(s)
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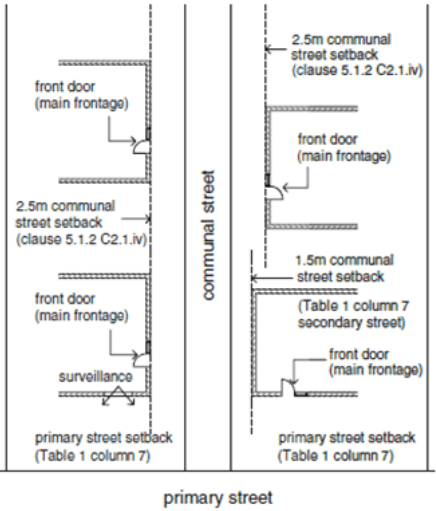
		<table><tr><td>Top of pitched roof (iii) (iv)</td><td>6m</td><td>9m</td><td>12m</td></tr></table>	Top of pitched roof (iii) (iv)	6m	9m	12m														
Top of pitched roof (iii) (iv)	6m	9m	12m																	
		<table><tr><th rowspan="2">Building category</th><th rowspan="2">Maximum height of wall</th><th colspan="2">Maximum total building height</th></tr><tr><th>Gable, skillion and concealed roof</th><th>Hipped and pitched roof</th></tr><tr><td>Category A</td><td>3.5m</td><td>5m</td><td>7m</td></tr><tr><td>Category B</td><td>7m</td><td>8m</td><td>10m</td></tr><tr><td>Category C</td><td>9m</td><td>10m</td><td>12m</td></tr></table>	Building category	Maximum height of wall	Maximum total building height		Gable, skillion and concealed roof	Hipped and pitched roof	Category A	3.5m	5m	7m	Category B	7m	8m	10m	Category C	9m	10m	12m
Building category	Maximum height of wall	Maximum total building height																		
		Gable, skillion and concealed roof	Hipped and pitched roof																	
Category A	3.5m	5m	7m																	
Category B	7m	8m	10m																	
Category C	9m	10m	12m																	
		<p>i. Category B will apply unless a scheme, the relevant local planning policy, structure plan or local development plan requires the application of category A (generally single level development) or category C (development on three levels) or an alternative standard.</p> <p>ii. Gable walls above eaves height:</p> <ul style="list-style-type: none">• less than 9m long: exempted• greater than 9m long: add one third of the height of the gable, between the eaves and the apex of the gable wall, to the eaves height. <p>iii. Applies to ridges greater than 6m long. Short ridges: add 0.5m height for each 2m reduction in length.</p> <p>iv. Applies to roof pitches up to 25 degrees. In some localities steeper pitches may be required and greater height permitted in accordance with the provisions of the scheme, the relevant local planning policy, structure plan or local development plan.</p>																		

NO.	ELEMENT	TRACKED CHANGES
DEFINITIONS		
46.	Activity Centre Plan	As defined under the Planning and Development (Local Planning Schemes) Regulations 2015 and are prepared in accordance with State Planning Policy 4.2.
47.	Boundary, wall NEW	A wall, on or less than 600mm from any site boundary (green title or survey strata lot), other than a street boundary.
48.	Height, wall	This is the vertical distance from between the point where the base of the wall meets the natural ground level at the boundary immediately adjacent to the wall to the roof or top of the parapet at any point in accordance with Figure Series 3 and 5.
49.	Impervious area/surface NEW	Surfaces that do not permit the penetration of rainwater into the ground and instead generate stormwater run-off, typically to drainage systems.
50.	National Construction Code (NCC) NEW	National Construction Code, comprising the Building Code of Australia (BCA) and Plumbing Code of Australia (PCA).
51.	Open space	<p>Generally that area of a lot not occupied by any building and includes:</p> <ul style="list-style-type: none"> open areas of accessible and useable flat roofs and outdoor living areas above natural ground level; areas beneath eaves; verandahs, patios or other such roofed structures not more than 0.5m above natural ground level, unenclosed on at least two sides, and covering no more than 10 per cent of the site area or 50m² whichever is the lesser; unroofed open structures such as pergolas; uncovered driveways (including access aisles in car parking areas) and uncovered car parking spaces; <p>but excludes:</p> <ul style="list-style-type: none"> non-accessible roofs, verandahs, balconies and outdoor living areas over 0.5m above natural ground level; and/or covered car parking spaces and covered walkways, areas for rubbish disposal, stores, outbuildings or plant rooms.
52.	Pergola	An open-framed structure covered in a water permeable material, or operable louvred unroofed roofing, which may or may not be attached to a dwelling.
53.	Primary living space NEW	The area within a dwelling that is the focus of life and activity and usually the largest room. This area is connected with the outdoor living area or balcony, and includes the following room types: living room, lounge room, games room, family room, or an integrated living area that has one of these room types together with a kitchen or dining area.
54.	Street setback	The horizontal distance between the street alignment boundary and a building, measured at right angles (90 degrees) to the street alignment boundary.
55.	Street setback area	The area between the street alignment boundary and the street setback line as set out in Tables 1 and 4 or as established in a particular case in accordance with the provisions of design element 5.2.

FIGURES			
NO.	FIGURE NO.	CURRENT FIGURE	AMENDED FIGURE
56.	Figure 2a	<p>Figure 2a – Measuring primary street setbacks (clause 5.1.2 C2.1iii)</p> <p>Figures</p> <p>S1 Primary street setback distance (Table 1)</p> <p>S2 Distance behind the primary street setback, equal to S1</p> <p>S3 Side boundary setback (Table 2a and 2b)</p> <p>S4 Maximum reduced primary street setback (half of S1)</p> <p>S5 Maximum 1m projection as per clause 5.1.2 C2.4</p> <p>A1 Area of building forward of primary street setback</p> <p>A2 Compensating open area behind primary street setback</p> <p>L1 Maximum 20 per cent of building façade</p>	<p>Figure 2a – Measuring primary street setbacks (clause 5.1.2 C2.1 iii)</p> <p>A1 Area of building forward of primary street setback</p> <p>A2 Compensating open area behind primary street setback</p> <p>A3 The carport in S1 does not need to be compensated for in S2. The portion of the carport within S2 does not constitute open space and cannot contribute to A2</p> <p>S1 Primary street setback distance (Table 1)</p> <p>S2 Distance behind the primary street setback, equal to S1</p> <p>S3 Side boundary setback (Table 2a and 2b)</p> <p>S4 Maximum reduced primary street setback (half of S1)</p>

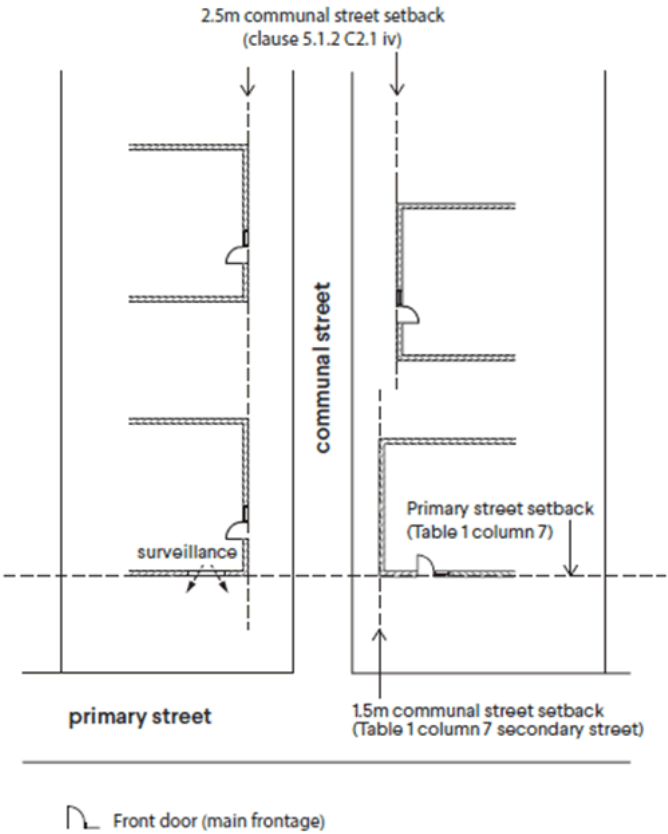
57.	Figure 2b	<p>Figure 2b – Measuring minor projections into primary street setback (clause 5.1.2 C2.4)</p>	<p>DELETED</p> <p>Figure 2b – Measuring minor projections into primary setback (clause 5.1.2 C2.4) deleted by amendment dated 2/7/2021</p>
58.	Figure 2c	<p>Figure 2c – Measuring street setback for garages and carports (clause 5.2.1)</p> <p>S1 Primary street setback distance (Table 1)</p> <p>S2 Distance behind the primary street setback, equal to S1</p> <p>S3 Side boundary setback (Table 2a and 2b)</p> <p>S4 Maximum reduced primary street setback (half of S1)</p>	<p>Figure 2c - Measuring street setback for garages (clause 5.1.2 and 5.2.1)</p> <p>Garage setback may be reduced in accordance with 5.2.1 C1.1 (i and ii)</p> <p>A1 Area of building forward of primary street setback</p> <p>A2 Compensating open area behind primary street setback</p> <p>S1 Primary street setback distance (Table 1)</p> <p>S2 Distance behind the primary street setback, equal to S1</p> <p>S3 Side boundary setback (Table 2a and 2b)</p> <p>S4 Maximum reduced primary street setback (half of S1)</p>

Figure 2d – Measuring communal street setbacks (clause 5.1.2 C2.1iv)

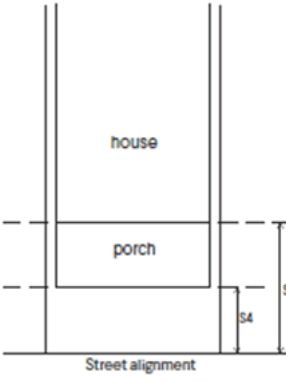
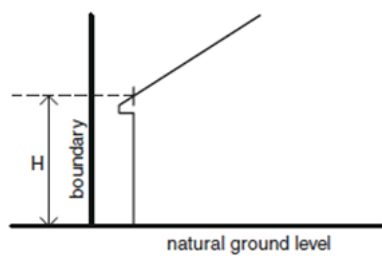
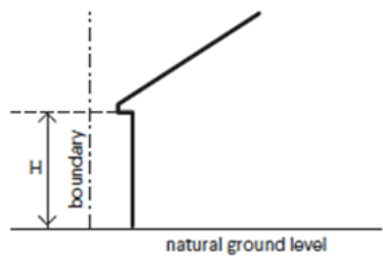
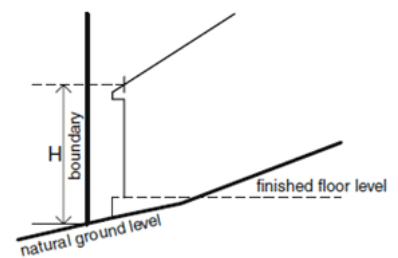
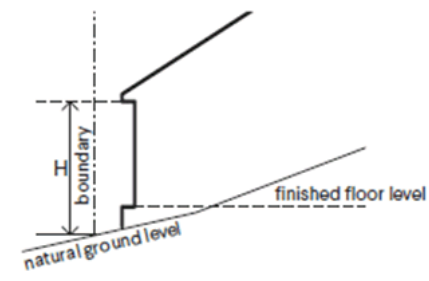


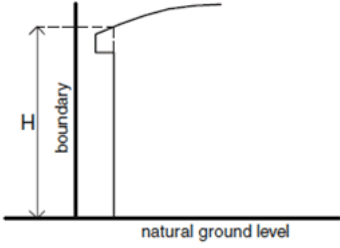
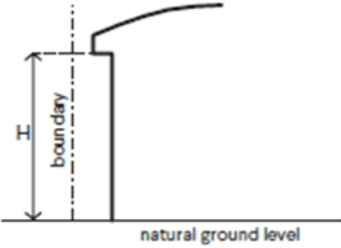
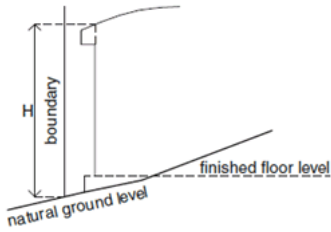
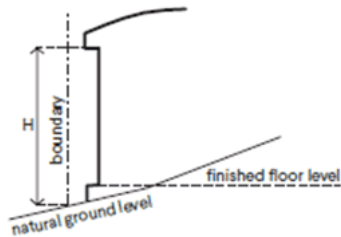
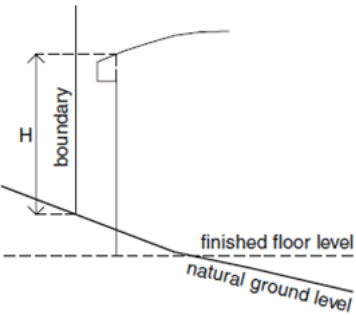
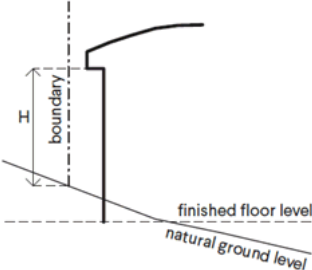
- S5 Maximum 1m projection as per clause 5.1.2 C2.4
- A1 Area of building forward of **primary street setback**
- A2 Compensating open area behind **primary street setback**
- L1 Maximum 20 per cent of building façade

Figure 2d – Measuring communal street setbacks (clause 5.1.2 C2.1 iv)



Front door (main frontage)

60.	Figure 2e NEW		<p>Figure 2e - Measuring minor projections into primary street setback (clause 5.1.2 C2.4)</p>  <p>Note: a porch, balcony, verandah or equivalent is not subject to the compensating area requirement stated in 5.1.2 C2.1 iii</p>
61.	Figure 3a	<p>Figure 3a – Cross section, flat site</p> 	<p>Figure 3a - Cross section, flat site</p> 
62.	Figure 3b	<p>Figure 3b – Cross section, sloping site</p> 	<p>Figure 3b - Cross section, sloping site</p> 

63.	Figure 3c	<p>Figure 3c – Cross section, flat site</p>  <p>The diagram shows a vertical boundary line. To the left of the boundary, a vertical dimension line is labeled 'H'. To the right of the boundary, a horizontal line is labeled 'natural ground level'. A curved line representing a roof or ground surface is shown to the right of the boundary.</p>	<p>Figure 3c- Cross section, flat site</p>  <p>The diagram shows a vertical boundary line. To the left of the boundary, a vertical dimension line is labeled 'H'. To the right of the boundary, a horizontal line is labeled 'natural ground level'. A curved line representing a roof or ground surface is shown to the right of the boundary.</p>
64.	Figure 3d	<p>Figure 3d – Cross section, sloped site</p>  <p>The diagram shows a vertical boundary line. To the left of the boundary, a vertical dimension line is labeled 'H'. To the right of the boundary, a horizontal line is labeled 'finished floor level'. A diagonal line is labeled 'natural ground level'. A curved line representing a roof or ground surface is shown to the right of the boundary.</p>	<p>Figure 3d - Cross section, sloped site</p>  <p>The diagram shows a vertical boundary line. To the left of the boundary, a vertical dimension line is labeled 'H'. To the right of the boundary, a horizontal line is labeled 'finished floor level'. A diagonal line is labeled 'natural ground level'. A curved line representing a roof or ground surface is shown to the right of the boundary.</p>
65.	Figure 3e	<p>Figure 3e – Cross section, sloped site</p>  <p>The diagram shows a vertical boundary line. To the left of the boundary, a vertical dimension line is labeled 'H'. To the right of the boundary, a horizontal line is labeled 'finished floor level'. A diagonal line is labeled 'natural ground level'. A curved line representing a roof or ground surface is shown to the right of the boundary.</p>	<p>Figure 3e – Cross section, sloped site</p>  <p>The diagram shows a vertical boundary line. To the left of the boundary, a vertical dimension line is labeled 'H'. To the right of the boundary, a horizontal line is labeled 'finished floor level'. A diagonal line is labeled 'natural ground level'. A curved line representing a roof or ground surface is shown to the right of the boundary.</p>

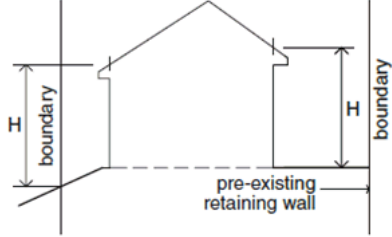
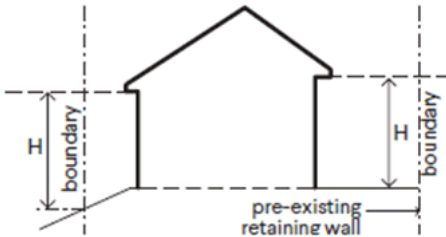
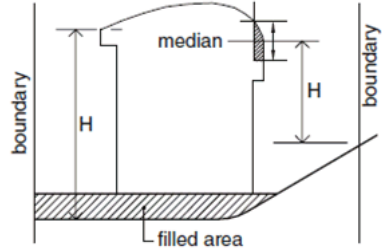
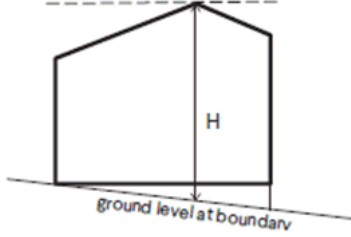
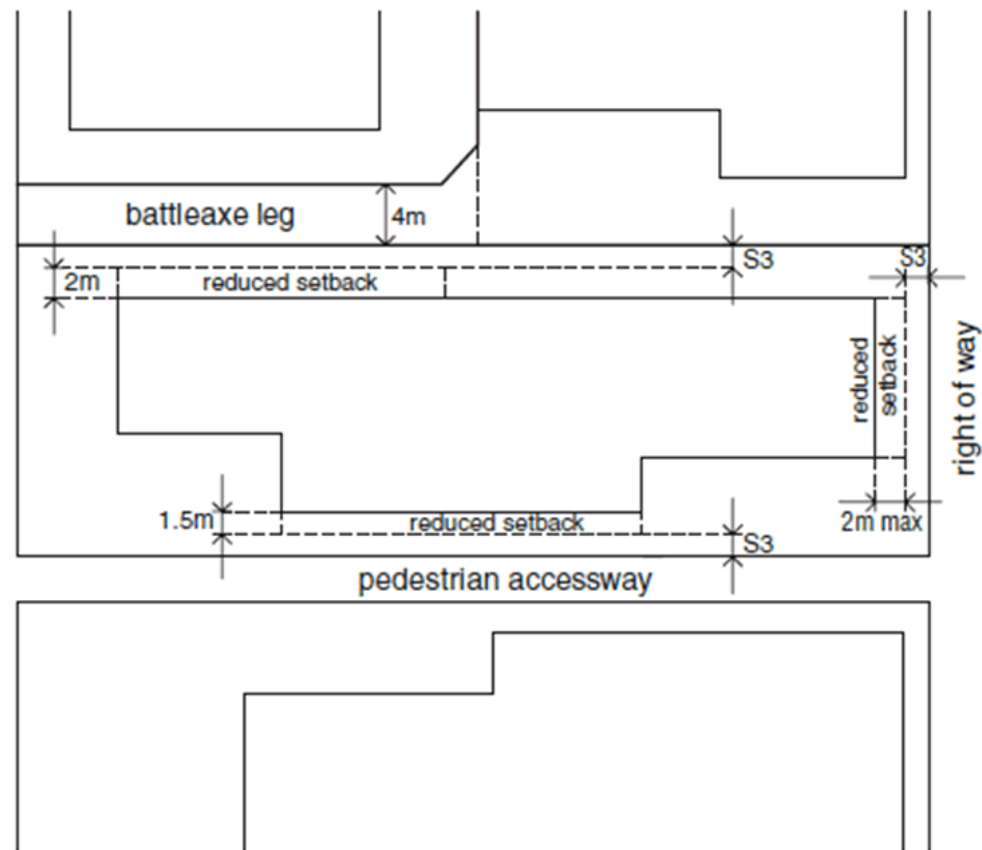
66.	Figure 3f	<p>Figure 3f – Cross section, alternate levels with existing retaining</p> 	<p>Figure 3f - Cross section, alternate levels with existing retaining wall</p> 
67.	Figure 3g	<p>Figure 3g – Cross section, alternate levels with fill</p> 	<p>Figure 3g- Skillion roof</p> 
68.	Figure 3 Series Notes	<p>Notes</p> <p>H = The height of the wall for the measurement of setbacks is measured from the natural ground level at the lot boundary adjacent to the wall to the highest point of the building vertically above that point where the wall touches the roof (Figure 3a-3h, 3b and 3c).</p> <p>Where the lot boundary adjacent to the wall is lower than the natural ground level at the base of the wall, the greater height is used (Figure 3b, 3d, 3f and 3h).</p> <p>Where the lot boundary adjacent to the wall is higher than the natural ground level at the base of the wall, the lesser height is used (Figure 3e and 3g).</p>	<p>NOTES:</p> <p>H = The height of the wall for the measurement of setbacks is measured from the natural ground level at the lot boundary adjacent to the wall to the highest point of the building vertically above that point where the wall touches the underside of the eave/gutter (Figures 3a-3g).</p> <p>Where the lot boundary adjacent to the wall is lower than the natural ground level at the base of the wall, the greater height is used (Figures 3b, 3d and 3f).</p> <p>Where the lot boundary adjacent to the wall is higher than the natural ground level at the base of the wall, the lesser height is used (Figure 3e).</p> <p>Where a wall has a skillion roof or gable roof above, the height of the wall is calculated to the highest point of the skillion or gable roof (Figure 3g).</p>
69.	Figure 4e		<p>DELETED</p> <p>Figure 4e – Boundary setbacks for walls greater than Table 2a and 2b deleted by amendment dated 2/7/2021</p>

Figure 4f – Reduced boundary setbacks (clause 5.1.3 C3.1)

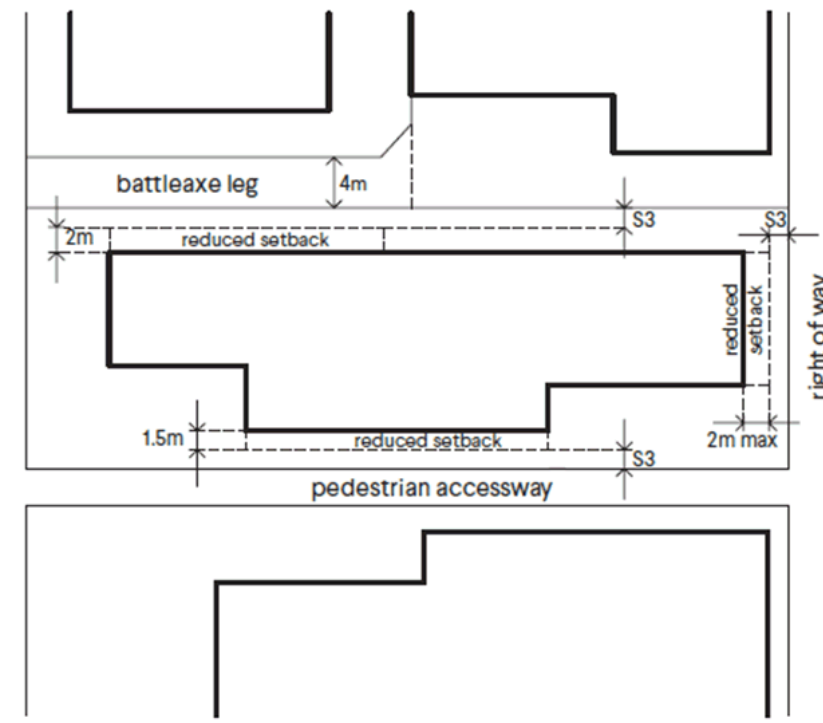


Notes

S3 Side boundary setback (Table 2a and 2b).

Setbacks can be reduced by half the width of adjoining battleaxe lot legs, pedestrian access ways or rights-of-way to a maximum of 2m.

Figure 4f – Reduced boundary setbacks (clause 5.1.3 C3.1 i and vi)



Notes

S3 Side boundary setback (Tables 2a and 2b)

Setbacks can be reduced by half the width of adjoining battleaxe lot legs, pedestrian access ways or rights-of-way to a maximum of 2m.

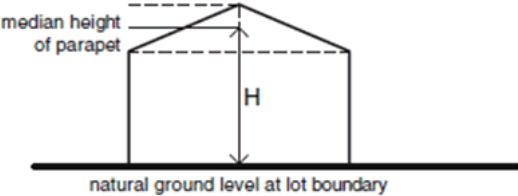
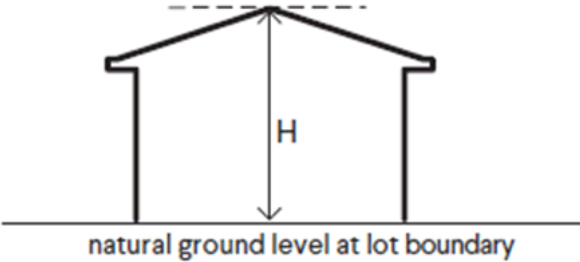
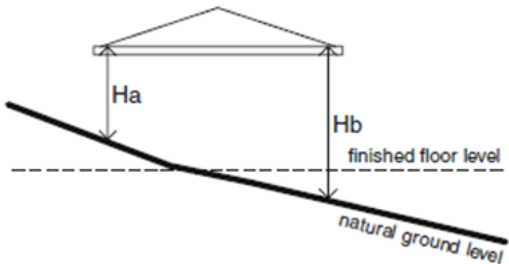
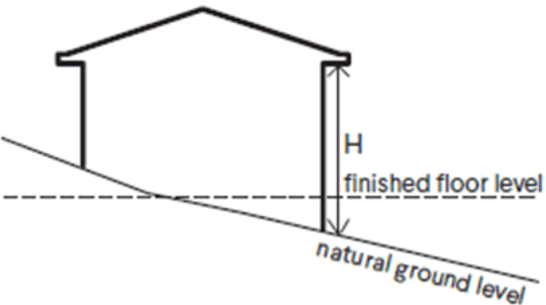
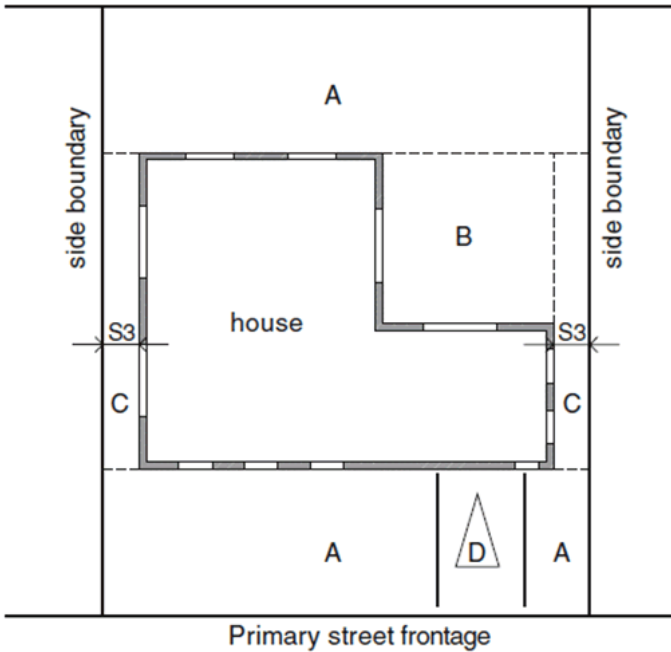
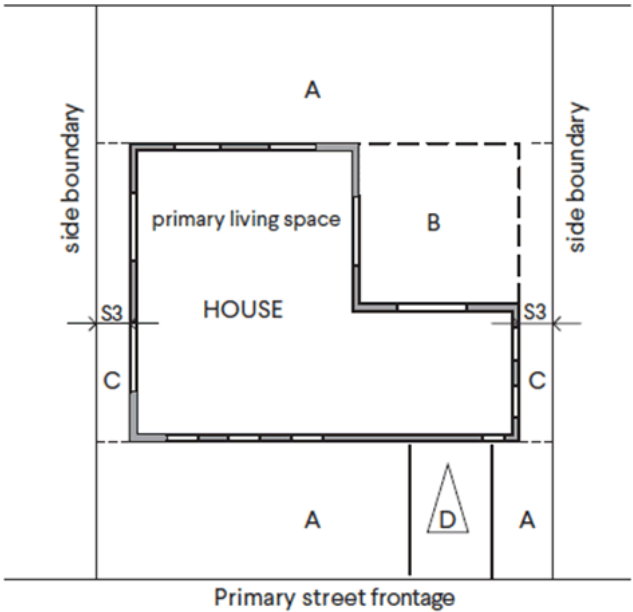
71.	Figure 5a	<p>Figure 5a – Elevation – flat site</p>  <p>Notes The height of a lot boundary wall shall be measured to the point immediately above the natural ground level below.</p> <p>5a Where the boundary wall is not consistent in height for its length, or comprises a pitch, the height shall be measured as the midpoint between the lowest point immediately above the natural ground level below and the highest point immediately above the natural ground level below.</p>	<p>Figure 5a - Elevation: flat site</p>  <p>Notes: The height of a lot boundary wall shall be measured to the point immediately above the natural ground level below.</p>
72.	Figure 5b	<p>Figure 5b – Elevation – sloped site</p>  <p>5b Where the boundary is sloped the height shall be the average of the heights of the wall at its highest and lowest point above natural ground level (Ha and Hb).</p>	<p>Figure 5b - Elevation: sloped site</p>  <p>Notes: The height shall be the height of the wall at its highest point above the natural ground level (H)</p>

Figure 6a – Measuring open space (clause 5.1.4 C5)



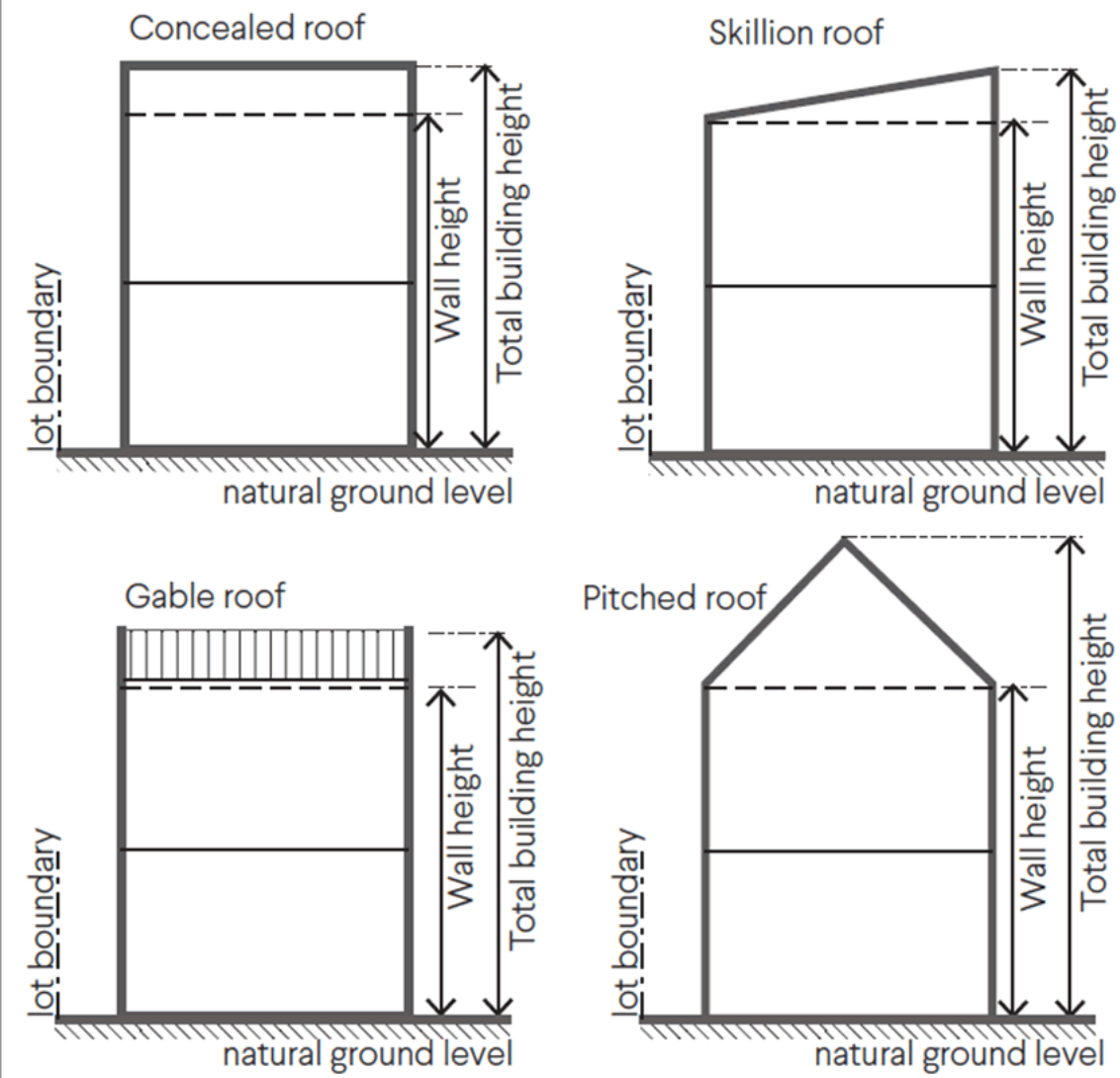
- Notes**
- S3 Side boundary setback (Table 2a and 2b)
 - A Uncovered open space
 - B Unenclosed, covered outdoor living area (to a maximum 10 per cent site area or 50m², whichever is lesser)
 - C Side setback area
 - D Uncovered driveway or uncovered car parking spaces
- Open space = A + B + C + D

Figure 6a - Measuring open space (clause 5.1.4 C4)



- Notes**
- S3 Side boundary setback (Tables 2a and 2b)
 - A Uncovered open space
 - B Unenclosed, covered outdoor living area (to a maximum 10 per cent site area or 50m², whichever is lesser)
 - C Side setback area
 - D Uncovered driveway or uncovered car parking spaces
- OPEN SPACE = A + B + C + D**

74.

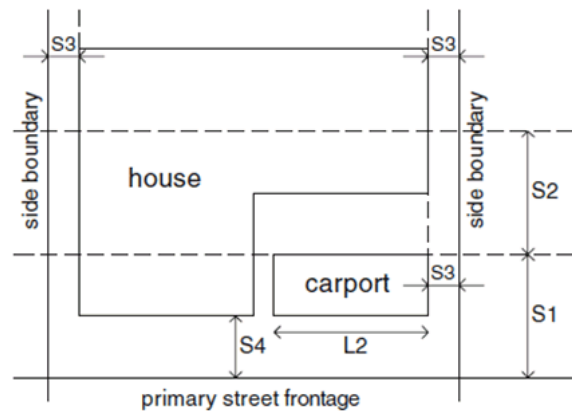
Figure 7c
NEW

Two storey example for wall and building height

75.

Figure 8a

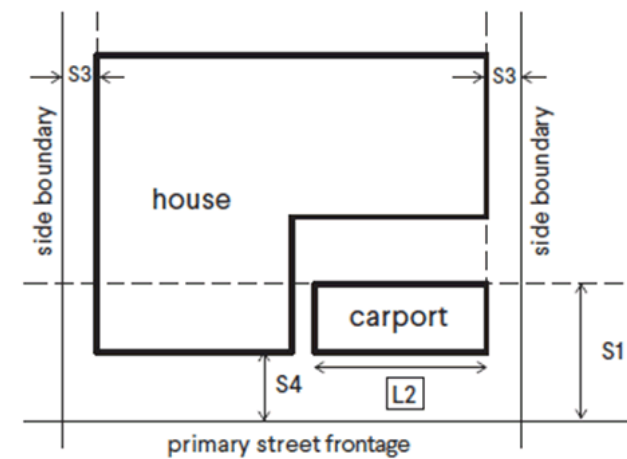
Figure 8a – Carport setbacks (clause 5.2.1 C1.5)



Notes

- S1 Primary street setback distance (Table 1)
- S2 Distance behind the primary street setback, equal to S1
- S3 Side boundary setback (Table 2a and 2b)
- S4 Maximum reduced setback (half S1)
- S6 Minimum 4.5m as per clause 5.2.1 C1.1
- L2 Maximum 50 per cent of frontage

Figure 8a- Carport setbacks (clause 5.2.1 C1.2)



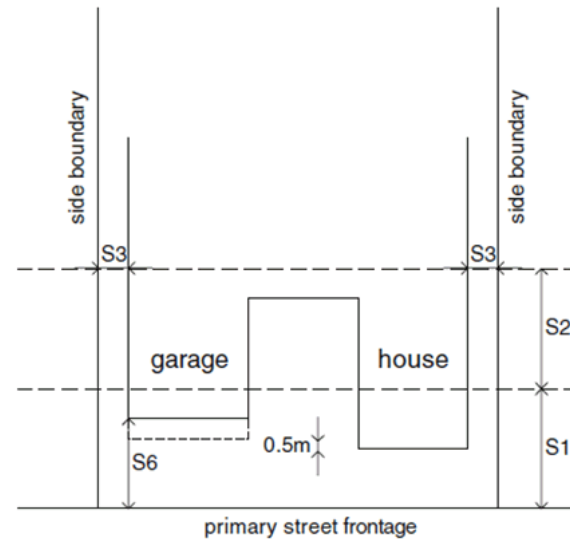
NOTES:

- S1 Primary street setback distance (Table 1)
- S3 Side boundary setback (Tables 2a and 2b)
- S4 Maximum reduced setback (half S1)
- L2 Maximum 60 per cent of frontage

76.

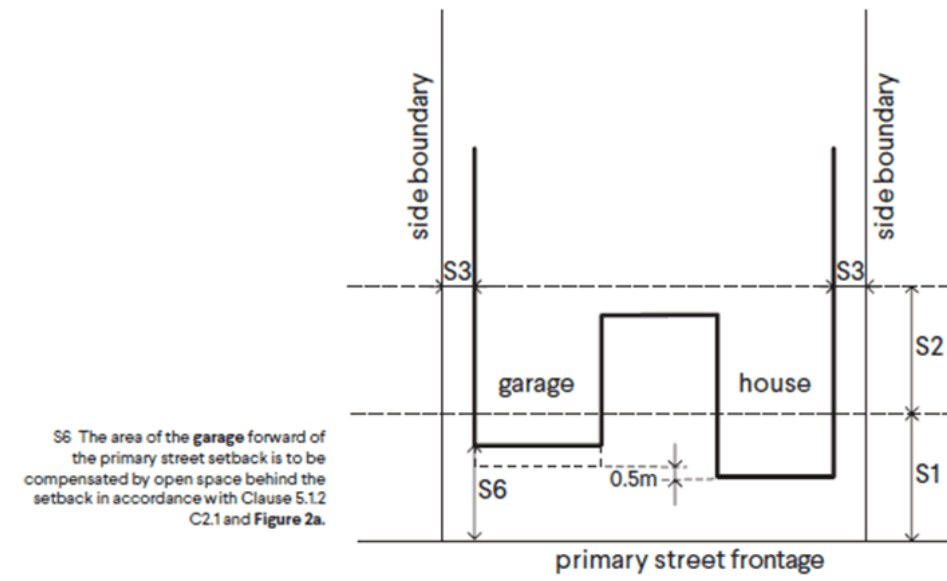
Figure 8b

Figure 8b – Garage setbacks (clause 5.2.1 C1.1)



The area of the **carport** or **garage** forward of the primary street setback is to be compensated by open space behind the setback in accordance with clause 5.1.2 C2.1iii and **Figure 2a**.

Figure 8b – Garage setbacks (clause 5.2.1 C1.1)



S6 The area of the **garage** forward of the primary street setback is to be compensated by open space behind the setback in accordance with Clause 5.1.2 C2.1 and **Figure 2a**.

77.

Figure 9a

Figure 9a – Locations of truncations or reduced fence height

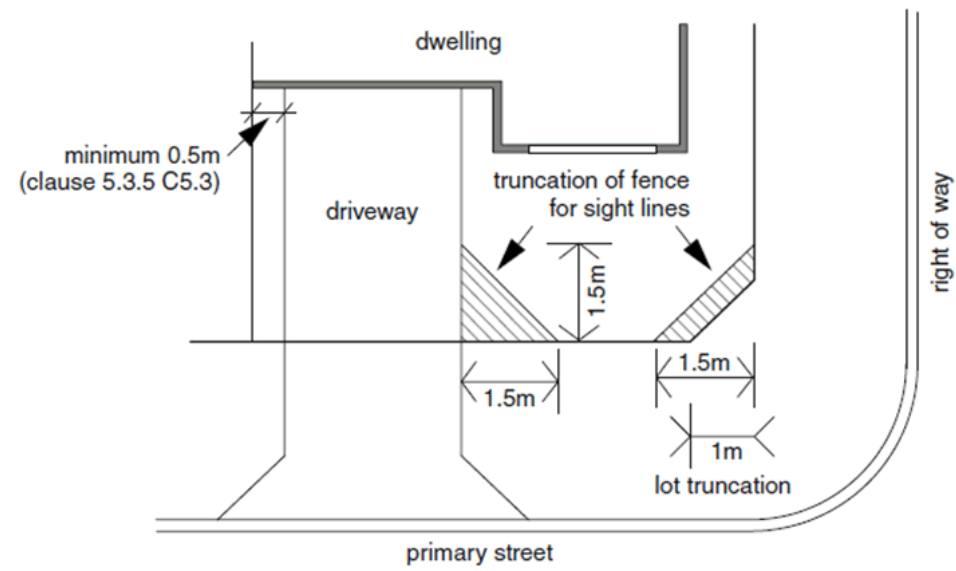
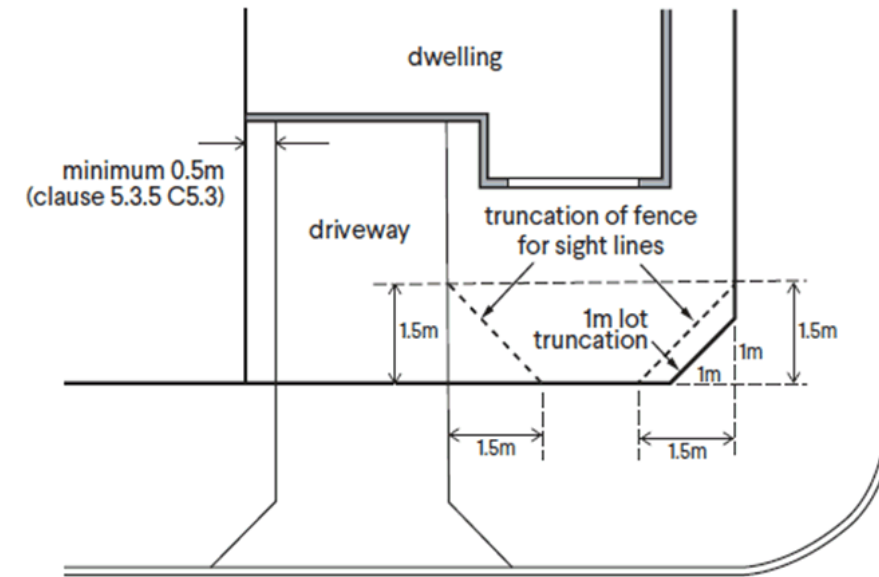


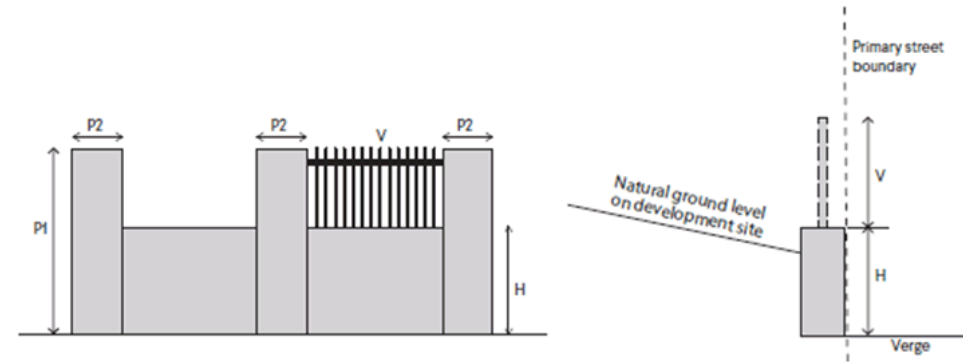
Figure 9a - Locations of truncations or reduced fence height



78.

Figure 12
NEW

Figure 12 - Measuring visually permeable fences above 1.2m (Clause 5.2.4)



Note:

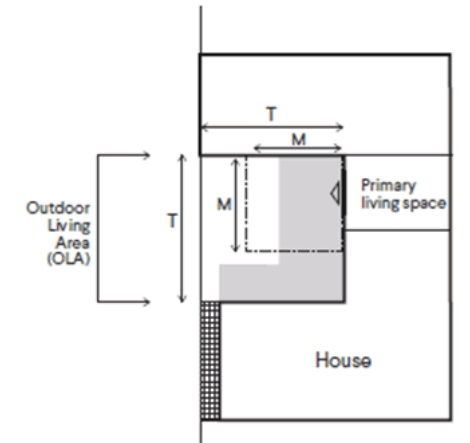
- H maximum height of visually impermeable fencing 1.2 m *
- P1 maximum pillar height of 1.8m*
- P2 pillar dimension 400mm x 400mm maximum
- V area above 1.2m to be visually permeable*

* measured from natural ground level on the primary street side of the fence

79.

Figure 13
NEW

Figure 13 - Dimensions and calculations for outdoor living areas (clause 5.3.1 C1.1)



Notes

(M x M) = Minimum dimension (4m) for a space to contribute to outdoor living area.




(T x T) = Minimum OLA (m²) required under Table 1

Maximum 2/3 of OLA may be covered area under roof space or eaves.

Areas with dimensions less than 4m and not consolidated with OLA are not to contribute to required OLA.

OLA to be accessible from the primary living space

5.5 BRITANNIA RESERVE DEVELOPMENT PLAN

- Attachments:**
1. **Britannia Reserve Draft Development Plan** [↓](#) 
 2. **Britannia Reserve Draft Changeroom Concept** [↓](#) 
 3. **Britannia Reserve Engagement Plan** [↓](#) 

RECOMMENDATION:**That Council:**

1. **APPROVES** the Draft Britannia Reserve Development Plan to be advertised for community consultation in accordance with the City's Policy No. 4.1.5 – Community Consultation; and
2. **NOTES** that the Draft Britannia Reserve Development Plan will be presented back to Council In August 2021 for endorsement following the Community Consultation.

PURPOSE OF REPORT:

To seek Council consideration and endorsement of the Draft Britannia Reserve Development Plan (Development Plan) for the purpose of community consultation.

BACKGROUND:

At the Ordinary Council Meeting on 12 November 2019, Council noted that the City would work collaboratively with Floreat Athena Football Club (FAFC) and the Australian Government to obtain \$3 million through the Community Development Grants Program towards upgraded sporting facilities, including a full integration between Litis Stadium and Britannia Reserve and rationalising any non-essential assets.

The planned project was intended to ensure that any funding opportunities, or resources that are invested would be used to further an overall vision for the site. Consideration was also given to reducing costs including identifying opportunities for multi-purpose infrastructure and reducing ongoing maintenance expenses. The agreed vision was *'To identify the optimum layout for community and sporting use of the site which develops a strong connection between Litis Stadium and Britannia Reserve'*.

Between February and August 2020, the City liaised with FAFC through ongoing Working Group meetings to determine their requirements for the site. This information was detailed at the Council Workshop on 17 August 2020 where Council were presented with the City's and FAFC's project priority details and options.

Rigorous discussion has been held between the City and FAFC through working group meetings to come to the now preferred option to locate the change rooms on the current site of the grandstand, based off the initial options within the project's Business Case. Construction of the change rooms on other potential locations and restoration of the current grandstand were explored, however due to the grandstand's condition and the estimated cost of restoration and maintenance it was deemed that this option was significantly beyond what both parties could facilitate. A structural assessment of the grandstand at Litis Stadium was undertaken in December 2020, finding that the grandstand was in poor condition making it unsuitable for continued occupation. The grandstand is currently non-operational.

Following Council direction and feasibility analysis of the site, the City continued to work with FAFC through additional project meetings from August 2020 to May 2021 to finalise the draft Development Plan.

The cost to deliver new change rooms and renewal and upgraded FAFC clubroom facilities has been estimated at \$3 million, meaning the \$3 million Federal Government grant could not be used for renewal and upgrade of the Britannia Reserve floodlighting. Additional funding has been provided by the Department of Infrastructure, Transport, Regional Development and Communications for this floodlighting renewal and upgrade. The total project cost for the lighting is \$750,000. Grant funding has been approved through the Local Roads & Community Infrastructure Program funding \$491,444 of the floodlighting. The balance is proposed to be funded through the City's capital works budget in the 2021/22 financial year.

The City has also been approached by Optus regarding the pending decommissioning of their current mobile phone tower located between Anzac Road and Lynton Street in Mount Hawthorn. Optus have proposed to locate a replacement tower on the western side of Britannia Reserve, near the freeway in order to fill the mobile reception blackspot that would be left when the existing tower is decommissioned.

DETAILS:

Change rooms and FAFC Clubrooms

The City and FAFC have been working closely to come up with a concept for the change rooms, clubrooms and floodlighting that would meet the requirements of the grant; meet the objectives of the City and FAFC respectively; and result in a positive outcome for the community.

The draft Development Plan in **Attachment 1** incorporates a newly constructed change room facility and refurbishment of the current clubroom facility, with both the City and FAFC Board now in agreement of this as a preferred option for the site. This is in line with the Masterplan for the site. Feedback received through this process will inform future masterplanning.

Attachment 2 displays the design proposed for the new community change room facility. The remaining grant funding is proposed to be used for renewal and upgrade of the existing clubroom facility.

The plan proposed the following work be carried out:

- Demolition of current grandstand and adjacent toilet block;
- Following demolition of grandstand and adjacent toilet block, build new fit-for-purpose change rooms and public toilets to the north of existing FAFC clubrooms;
- Address unsafe and non-compliant accessibility and general amenity to the existing Floreat Athena clubrooms and stands; and
- Renewal and upgrade of FAFC clubrooms.

Future improvements could then be considered in future years, pending funding, such as:

- Create new open forecourt to FAFC clubrooms.
- Remove portion of the former velodrome on the south east side, which would open up the field with the rest of Britannia Reserve, and provide a strong visual and physical link between the two facilities and parks.
- Improve pedestrian and cycling link around the site.
- Improve the ecological and environmental performance of the area with native planter beds and additional tree canopy.

Sports Lighting Renewal and Upgrade

The Local Roads & Community Infrastructure Program has committed to fund \$491,444 of the project to renew and upgrade the lights at Britannia Reserve and address the problem definition outlined as:

Sports group floodlights are failing. This is a heavily used community reserve for cricket and football (soccer).

The area to be lit at Britannia Reserve is identified in **Attachment 1**. This would include lighting the western field up to 200lux to incorporate evening usage by the cricket club, whilst the remaining areas indicated would be lit up to 100lux. This would allow the club to train and play during the evenings across each of these grounds and reduces damage to the playing fields.

Telecommunications Tower

Optus have proposed to locate a telecommunications tower which would also accommodate Telstra and Vodafone on Britannia Reserve. This would reduce the demand for additional towers elsewhere in Mount Hawthorn.

CONSULTATION/ADVERTISING:

If approved, the Development Plan would be advertised for community consultation through the following mediums:

- Social media campaign;
- Letter to surrounding residents;
- Signage in Britannia Reserve;
- Imagine Vincent project page;
- Online survey;
- News item on website; and
- Workshop with FAFC.

Attachment 3 shows the Engagement Plan and further outlines the process of consultation to the community.

The specific consultation in relation to the Britannia Reserve Sports Lighting Renewal is being carried out as a separate exercise due to the short timescale in which this capital project needs to be completed (December 2021) as a requirement of the grant funding.

LEGAL/POLICY:

- Policy No. 4.1.5 – Community Consultation; and
- State Planning Policy 5.2 – Telecommunications Infrastructure (<https://www.dplh.wa.gov.au/spp5-2>).

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to approve the Development Plan for community consultation.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Enhanced Environment

Our parks and reserves are maintained, enhanced and well utilised.

Connected Community

We have enhanced opportunities for our community to build relationships and connections with each other and the City.

Our community facilities and spaces are well known and well used.

Thriving Places

Our physical assets are efficiently and effectively managed and maintained.

Sensitive Design

Our planning framework supports quality design, sustainable urban built form and is responsive to our community and local context.

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

PUBLIC HEALTH IMPLICATIONS:

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Increased mental health and wellbeing

Increased physical activity

FINANCIAL/BUDGET IMPLICATIONS:

The cost of advertising will be met through the City's existing operational budget.

Change rooms and FAFC Clubrooms

The Federal Government Department of Infrastructure, Transport, Cities and Regional Development announced a \$3 million funding commitment through their Community Development Grants Programme to Floreat Athena Football Club for the redevelopment of Litis Stadium, which is located on property owned in freehold by the City.

A Schematic Cost Estimate of \$2,386,138 has been provided for the demolition of the grandstand and construction of the new change room and spectator seating, as per the plans shown in **Attachments 1 and 2**.

The estimated remaining funds of \$613,862 would be used by FAFC to renew and upgrade their existing clubroom.

Floodlighting

The estimated total cost of renewing and upgrading floodlighting on Britannia Reserve in line with recommended floodlighting option is \$750,000.

Local Roads and Community Infrastructure Program has provided a funding allocation of \$491,444 towards the construction of the new floodlights on Britannia Reserve. The remaining costs would be contributed by the City which would come to an estimated total of \$258,556.

Telecommunications Tower

The rental return rates in the area have been estimated to be between \$25k-\$30k for this type of structure.

COMMENTS:

Britannia Reserve plays a key role in providing sufficient recreational and sporting opportunities to the local and wider community. The current assets are dated and below current standards, and these developments will greatly enhance the useability and quality of the respective facilities to meet growing community needs. The Development Plan aims to achieve full integration between Litis Stadium and Britannia Reserve, and rationalise any non-essential assets.

The respective potential investments of \$3 million (Community Development Grants Programme) and \$491,444 (Local Roads and Community Infrastructure Program) from the Australian Government into sporting and community facilities at Litis Stadium and Britannia Reserve would be of great benefit to the current users and local community.

The next steps will be to present the Development Plan to the community for feedback on the current proposed elements and potential improvements in the future.



Introduction

Following a number of site visits, meetings, presentations and briefings with Vincent staff and Floreat Athena Club representatives, a number of concept plan iterations were explored. A strategic direction was established with the design included in this report as preferred.

With negotiations between the City of Vincent and Floreat Athena Club now in general agreement the proposed design will soon go to community consultation.

Project: Britannia Reserve Landscape Masterplan & Change Facility
Authors: Damien Pericles

Client: City of Vincent
Date: 20th September 2020

Document Issue:

Issue for:	Revision:	Date:
Presentation	A	20/09/2020
Draft Revision	B	08/10/2020
Presentation	C	05/11/2020
MP Update	D	23/12/2020
MP Review	E	21/01/2021
Final Report	F	27/04/2021
Final Report	G	06/05/2021
Final Report	H	17/05/2021

Prepared by:





Existing Conditions - Litas Stadium and Surrounds

Existing Conditions - Site Images



Existing Floreat Athena grand stand and toilet block - view from north



View to Floreat Athena Club entry not clear -



Existing entry to Floreat Athena Club



Access grades non-compliant



Access grades non-compliant



Northern edge condition of park



Northern edge condition of park looking east



View to Floreat Athena Club looking south west

Existing Conditions - Site Images



View looking west



Existing Cricket Clubrooms



Existing terraced spectator seating



Existing maintenance access



View from existing car park towards Floreat Athena Club - Views and connection blocked



View from car park towards existing toilet block



Existing Heritage Building



Existing toilet block

Strategic Opportunities

The following key strategic opportunities are identified;

Immediate Opportunities:

- 1. Following demolition of grand stand and adjacent toilet block build new fit-for-purpose change rooms and public toilets to north of existing Floreat Athena Clubrooms. Rework open air stands if funds available.
- 2. Create a new and open forecourt to Floreat Athena Clubrooms - potential to reconfigure vehicle entry and address CPTED issues in that location.
- 3. Address unsafe and non-compliant accessibility and general amenity to the existing Floreat Athena Clubrooms and stands.
- 4. Upgrade to FAFC clubrooms to achieve compliance.

Future Opportunities:

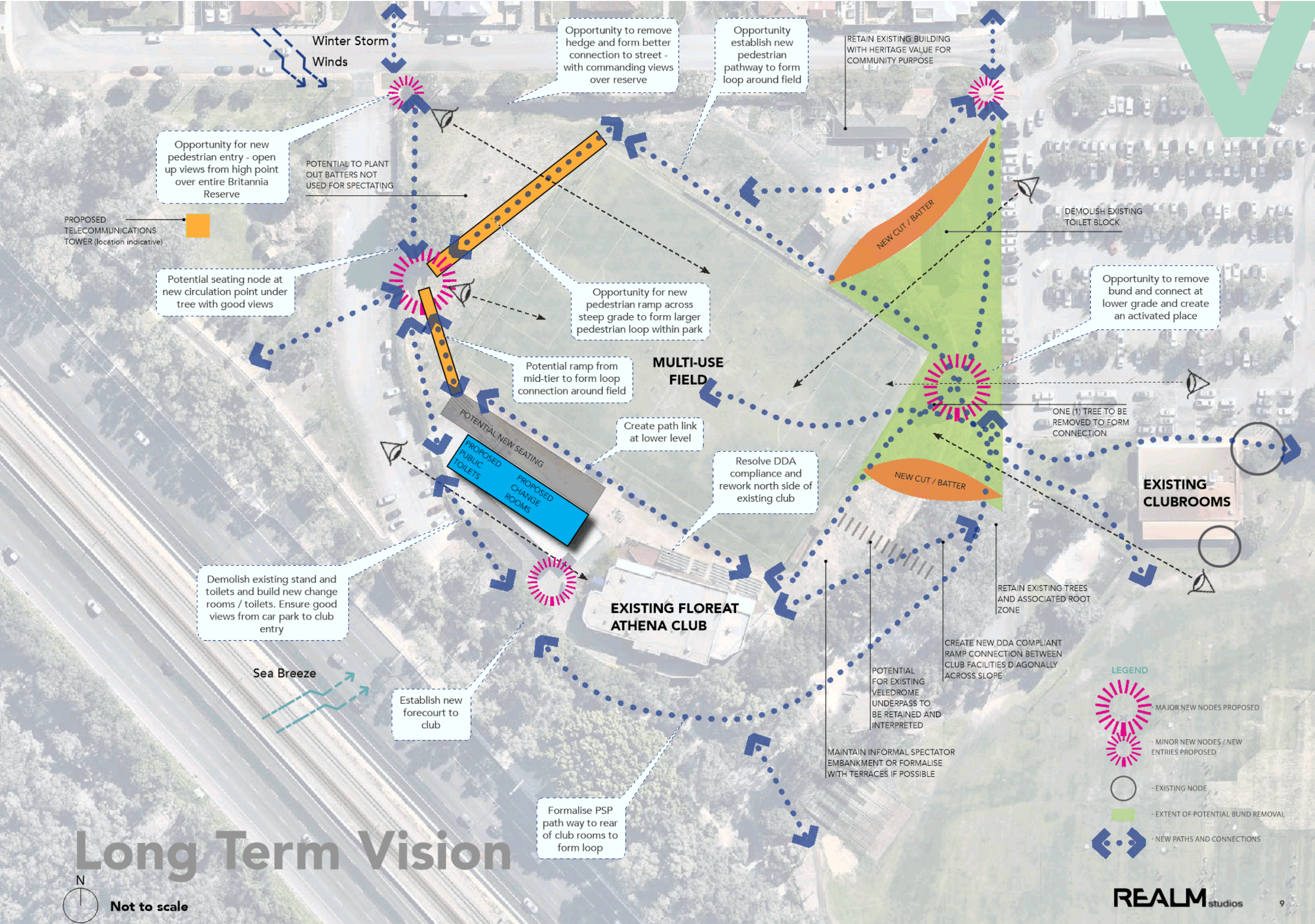
- 5. Remove a portion of the former velodrome topography (bund to the SE) that creates separation and a barrier with rest of Britannia Reserve. Establish a strong visual and physical link between the two facilities / parks and carpark and establish an activity node at pitch level.
- 6. At location of newly connected ground plane there is potential to create a new node/hub based around; fitness, play, BBQ facilities or other community function.
- 7. Create an attractive public walkway/footpath that loops around the proposed multi-use field - partly at grade of field and partly ramping up batters to the north side. Loop is already used by those who know about it.
- 8. Similarly, create an improved pedestrian and cycling link to southern side of Floreat Athena Clubrooms.
- 9. Potential to improve the ecological & environmental performance of the area with native planter beds replacing turf areas and additional tree canopy to align with Vincent Greening Plan.



Existing conditions: View looking south



Proposed cut in bund with new Change & Toilet Facility: View looking east





Sportsfield lighting

The cricket and football community are heavy users of the Reserve into the evening. Currently exiting lighting is in disrepair and floodlights are failing. Consequently lighting upgrades are proposed.

There is an opportunity for this to be partially funded through The Local Roads & Community Infrastructure Program.

LEGEND

-  - PROPOSED LIGHTING 100 LUX
 -  - PROPOSED LIGHTING 200 LUX
- LIGHT POST HEIGHTS, NUMBER AND LOCATION TBD







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Changeroom Concept



City of Vincent
E & D Litis Stadium
41 Britannia Road, Leederville

03/06/21 Amended CS
design
RIGHT
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Craig 0438 975 039
designright@bigpond.com

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4	Existing Plan
5	Proposed Works Siteplan
6	Proposed Works Plan
7	Proposed Works 3D Elevations
8	Selections

City of Vincent
E & D Litis Stadium
41 Britannia Road, Leederville

SHEET 1 of 8

03/06/21 Amended CS

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Executive Summary

Executive Summary

The existing Grandstand has been determined to be in a dilapidated condition and not economically viable to be retained, remodelled or repurposed. Similarly the existing toilet block to the south of the Grandstand is also not compliant or suitable for continued use.

It was proposed that Design Right undertake preliminary Project Design work on two Options that have been broadly discussed by the club or council, for the purposes of considering and evaluating the merits of each option.

Consider the following;

Demolition of the existing Grandstand and Toilet Block.

Provide Accessible footpath/ramps to allow people with disabilities to access the proposed toilet facilities and a designated viewing location via an accessible path to a compliant carparking bay.

Both options are substantially different in terms of Civil Works and the overall use and functioning of the facility. Consideration should be given to the differing impacts both of these options have on the existing infrastructure, parking, access and use of the facility by the Club and members.

Whilst the concepts do include toilet facilities for the Players, Officials and Wheel Chair bound visitors, the proposed changerooms do not seek to provide for the amount of toilet facilities that may be required to suit large amounts of spectators. Further analysis of the existing facilities and/or the use of temporary toilet facilities is required to ensure that the location can cater adequately for the intended "game-day" capacities.

The proposed facilities have been designed to suit approx 14 players per team. A review of various resources was undertaken to determine the appropriate number of fixtures and fittings and overall sizing of the changerooms. These publications include:

NCC Building Code of Australia Volume 1
Sport and Recreation Victoria - Design for Everyone Guide
NSW Sport - Clubrooms and Change Facilities Guide
Football Victoria Building Development Guide

There is some variation within these documents with regards to the number of fixtures required. The BCA document should be seen as establishing the required minimum standard and Football Victoria's recommendations possibly being considered more relevant to this project. Attached is a table taken from Football Victoria's publication.

This document should be used to assist discussions with the various stake holders including the broader Community, Club Members, the Local Authority, Builders and others prior to undertaking the preparation of more detailed documentation and the approvals process.

The following is a summary of minimum accommodation requirements for each of the above categories:



	NATIONAL PREMIER LEAGUE	LOCAL & COMMUNITY COMP LEVEL	
		SENIOR LEVEL	JUNIOR LEVEL
OUTDOOR			
Pitch Size	100-105m x 60-68m	96-105m x 60-68m	90-105m x 50-68m
Pitch Runoff (min.)	3m	3m	3m
Covered Players Race	2m wide x 2.2m high covered race from change rooms to playing fields	NIL	NIL
Technical Area	Formally line marked	Marked by cones	Marked by cones
BUILDING			
Players Change Room	4no. @ 35sqm each	2no. @ 25sqm	2no. @ 25sqm
Players Amenities	4no. @ 25sqm (min. 3 pans, 3 showers in each)	2no. @ 16sqm (min. 2 pans, 2 showers in each)	2no. @ 16sqm (min. 2 pans, 2 showers in each)
Match Officials Room	20sqm	20sqm	No min size. (More than 15sqm recommended)

City of Vincent
E & D Litis Stadium
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SHEET 2 of 8

03/06/21 Amended CS

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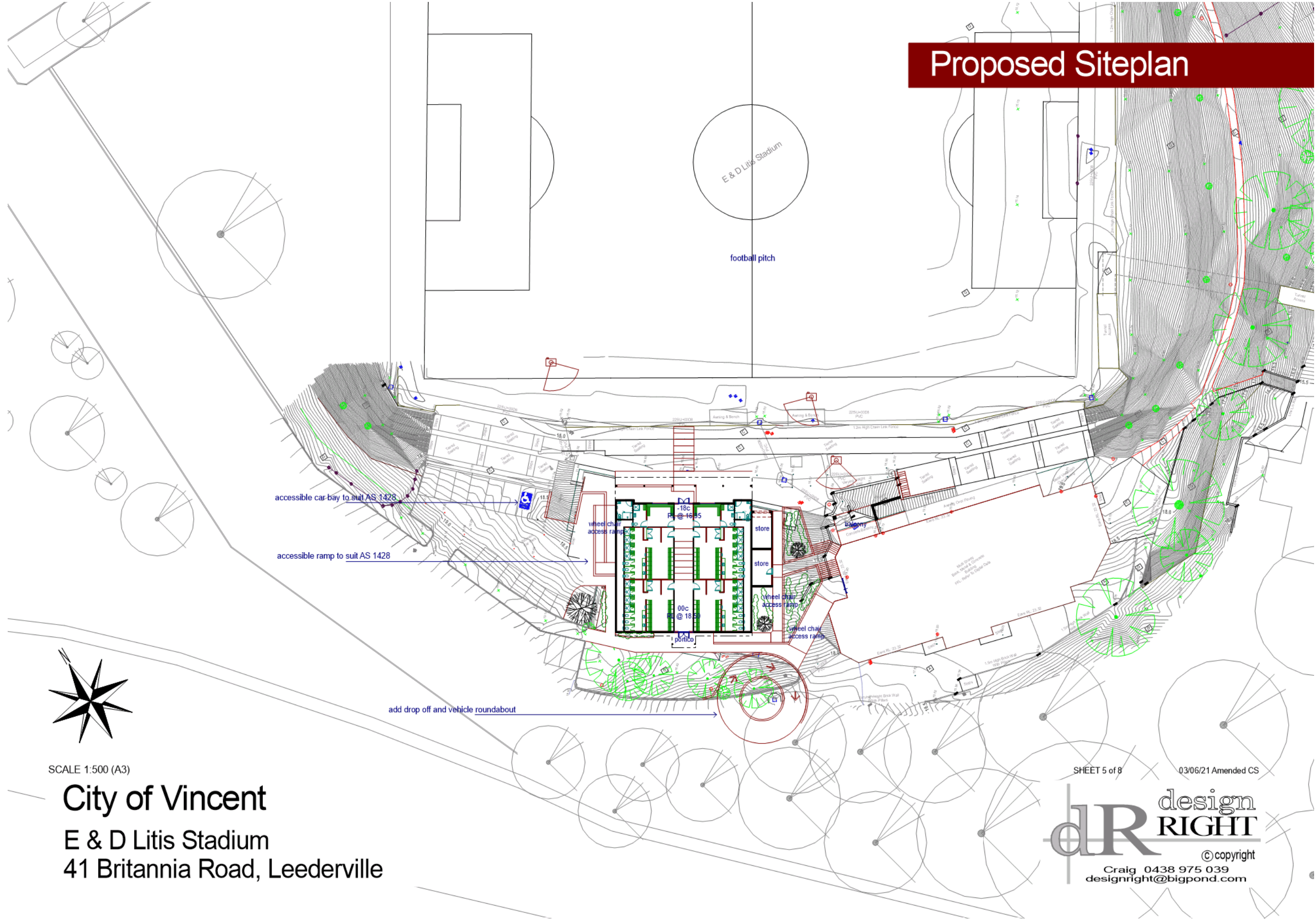
Location Plan

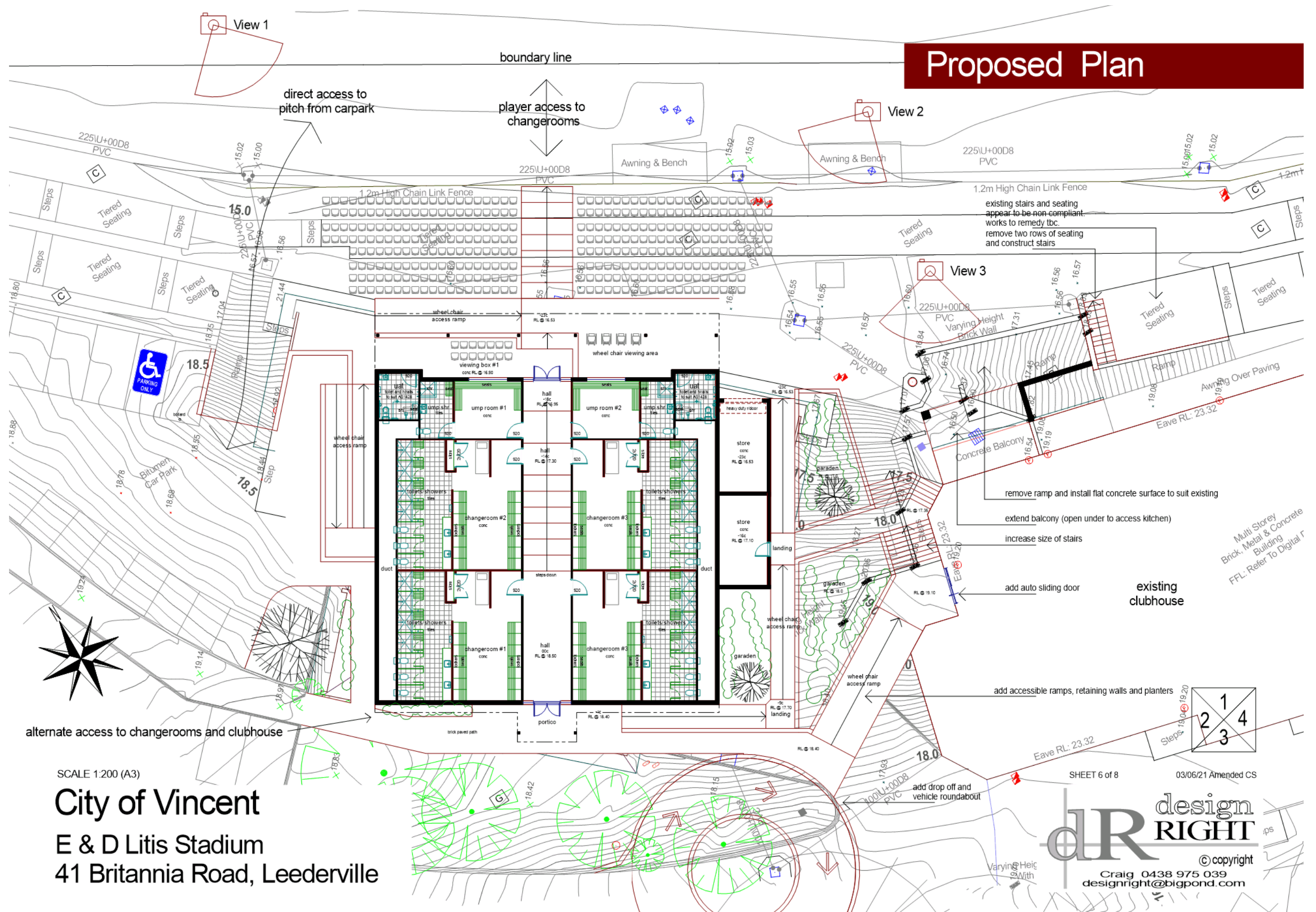


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E & D Litis Stadium
41 Britannia Road, Leederville

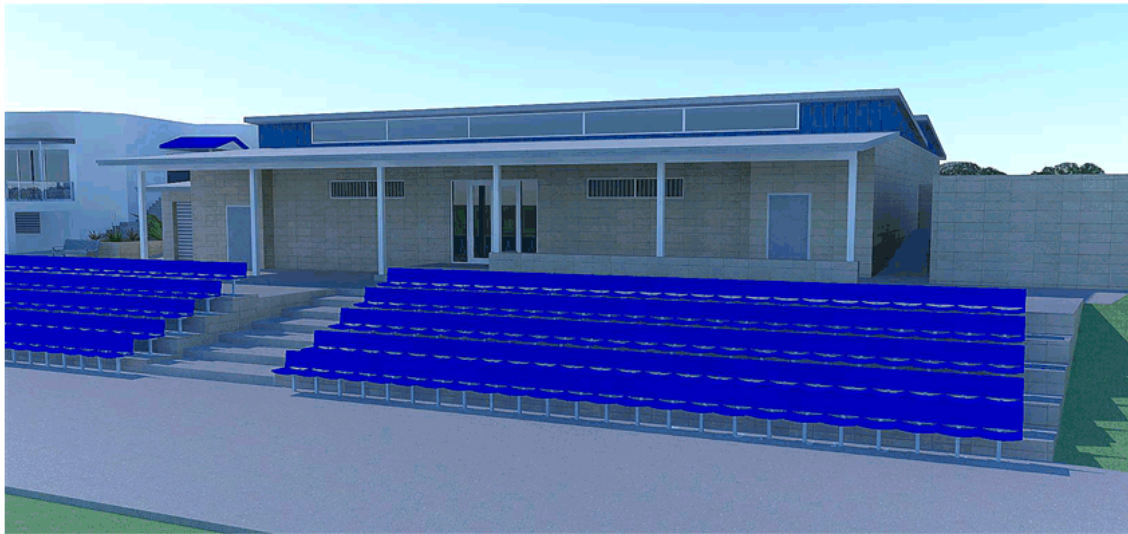
SHEET 3 of 803/06/21 Amended CS


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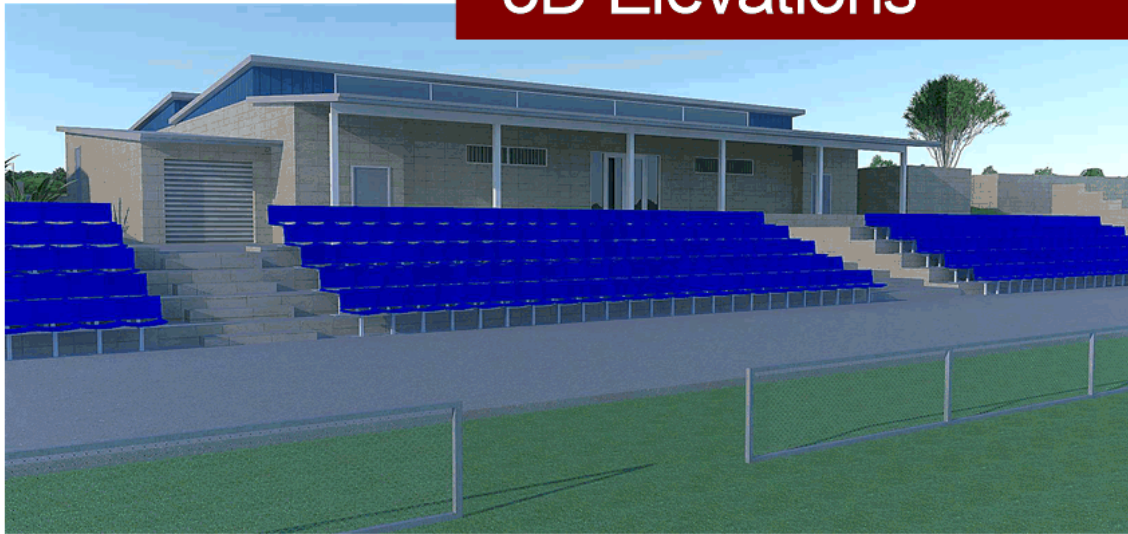




3D Elevations



View 1



View 2



View 3

City of Vincent
E & D Litis Stadium
41 Britannia Road, Leederville

SHEET 7 of 8

03/06/21 Amended CS

dR

design
RIGHT

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Plumbing Selections

The above pictures illustrate, in a general context the plumbing fixtures to be selected and fittings to be provided. They are generally consistent with the City of Vincents' standard plumbing selections.



Typical Toilet selections
Caroma Cube or Similar Vitreous China Suite



Typical Toilet and Shower Partitioning
Signage to suit Aust Standards



Typical Basin Selections



Indicative Shower Cubicle Design
Plumbing Fixtures as per City of Vincents' Standard Specification

City of Vincent
E & D Litis Stadium
41 Britannia Road, Leederville

Project Name	Britannia Reserve Development Plan	Project Contacts	Tara Gloster/Ryan Gray	Engagement level (IAP2)	Consult
Project in a nutshell?	Topic One: Inform residents and users of the Britannia Reserve of the lighting upgrades. Topic Two: The Floreat Athena Football Club (FAFC) will receive upgrades to its clubrooms. The existing grandstand will be removed to make way for new changeroom facilities, consult with the community on the design of these as well as further consultation on the future amenity of Britannia Reserve.		Important dates or milestones	Topic One: Inform Topic Two: Inform and consult	
Communication and Engagement Objectives		Key stakeholders		Key risks and mitigations	
Topic One: To inform the community on the installation of new lighting at the Britannia Reserve. Topic Two: To seek community views on the improvements planned for FAFC. To close the loop on feedback received and incorporate feedback into the final outcomes.		Residents surrounding Britannia Reserve. Users of Britannia Reserve. Members of the Floreat Athena Football Club. Member of the local sporting groups that use the Britannia Reserve ovals, including soccer and cricket clubs. Elected Members.		Topic One: Local residents concerned about light spillage. Possible calls for additional lighting. Topic Two: Possible perception of choosing one sporting codes needs over another. General considerations/risks: Number of consultations running at the same time.	
Communication/ consultation phases		IAP2 level	Key messages (simple – to be further refined)		
Phase 1: Community information campaign (6 weeks design and deliver / 3 weeks in market) Phase 2: Community consultation (6 weeks design and deliver / 3 weeks in market) Phase 3: Results of community consultation (4 weeks post council decision)		Inform Consult Inform	Topic One: Three sporting fields will be illuminated to increase the ability for local sporting clubs to play and train at night. Topic Two: Improvements to the FAFC will increase the amenity of the facilities for club members and the local community. The improvements will also address the unsafe and non-compliant accessibility issues in the clubhouse and stands and upgrade FAFC to achieve compliance.		
Description of communication and engagement tactics (What)	Target timeframe delivery* (When)	Audiences / stakeholders (Who to)	Responsible (Who by)	Notes (How / Why / How much)	
Topic One: Inform – Lighting					
Social media campaign		Vincent Residents	M&C		
Letter to surrounding residents		Local residents	M&C		
Door knock and discussion with direct impacts		Impacted residents	M&C		
Email/call local sporting clubs		Local sporting clubs	M&C		
Signage in Britannia Reserve		Park users	M&C/Parks		
Topic 2 - Community Consultation - FAFC					
Survey developed with options – where they exist		All stakeholders	M&C		
Imagine Vincent project page created		All stakeholders	M&C		
News item on website		Vincent residents	M&C		
Social media campaign		Vincent residents	M&C		
Signage in Britannia Reserve – around FAFC		Park users	M&C / Parks		
Letter or postcard to surrounding residents		Impacted residents	M&C		
Workshop with FAFC		FAFC members	M&C		
Phase 3 – results of consultation					
Imagine Vincent project page updated		Vincent residents	M&C		
Email to those who engaged		Vincent residents	M&C	Include details of when report going to Council	
Council report with results of consultation		Elected Members	Rangers		
Letter to surrounding residents		Local residents	M&C		
Phase 4 – Implementation (if change to occur)					
Imagine Vincent project page updated		Vincent residents	M&C		
Noticeboard in library		Library visitors	M&C		
Email to those who engaged in consultation		Engaged stakeholders	M&C		
Press release		Local media	M&C		
News item on website		Vincent residents	M&C		
Social media		Vincent residents	M&C		
Signs at FAFC		Park users	M&C/ Parks		
How will we measure success?	No. of people engaging in consultation		Proposed budget & GL	02.00003405.5802.0714	

* Timeframes are suggested and may change

6 INFRASTRUCTURE & ENVIRONMENT

6.1 E-PERMITS IMPLEMENTATION PROGRESS REPORT

Attachments: Nil

RECOMMENDATION:

That Council **NOTES** the progress in the implementation of the E-Permit system.

PURPOSE OF REPORT:

To provide an update to Council on the progress of the implementation of the e-permits system.

BACKGROUND:

At the Ordinary Council Meeting of 23 March 2021, Council requested Administration to provide a monthly report on the progress of the implementation system.

This report has been prepared to address that request.

DETAILS:

Since the e-permit system went live on 2 November 2020, there has been a total of 3,344 residents who have created an account and are utilising the new system. This number consists of current permit holders and new residents. Of the current permit holders who were notified of the new system, approximately 78% have created an e-permits account.

There are 889 current permit holders who have not yet created an account despite two letters sent, an email and some have also been contacted by telephone. These residents have not made any contact with the City and so it appears that many of these existing permit holders either no longer live in Vincent or no longer require permits (e.g. have sufficient off street parking).

Telephone calls to current permit holders who have not yet registered will continue with the hope that they can be contacted to ascertain if they no longer reside within the City, or if they are experiencing any difficulty in accessing the system. From the 1st of April, Rangers began informal enforcement by issuing a caution to residents displaying paper permits. The process does not attract a parking fine and the intention is to encourage eligible residents to make contact with the City or to register. To date there have been a total number of 65 cautions issued, which resulted in 17 accounts created and/or vehicle registrations activated.

From the 1st of July 2021, Rangers will commence issuing infringement notices for those vehicles without an active e-permit, in line with standard procedure.

CONSULTATION/ADVERTISING:

Two letters and an email have been sent to all current paper permit holders who have not registered for e-permits. Phone calls have also been made and will continue.

LEGAL/POLICY:

The City has run a security assessment against the e-permits system based on the Australian Cyber Security Centre framework, including confirmation of various security arrangements by the software vendor. The City is satisfied with data security controls that are in place for the e-permits system.

The City also reviewed the e-permits system against the Australian Privacy Principles. The Principles helped the City review how it intended to collect and use personally identifiable information for e-permits. The City has identified several opportunities to improve its management of the information captured by e-Permits and is working on its own policies and also with the software vendor on suitable changes.

The City's *Register of delegations, authorisations and appointments* identifies which users within Administration have access to the e-permits database. Any additional requests for access to this information must be authorised by the CEO directly. No other external authorities have access to the e-permits database, nor is there any intention to make this data available to any external authority.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to have the e-permits system implemented. There are a small number of residents who have ongoing concerns about the use of this technology for the City's residential parking permit system. Administration is working with these residents to address these concerns.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:
Enhanced Environment

We have minimised our impact on the environment.
Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

SUSTAINABILITY IMPLICATIONS:

This is in keeping with the following key sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*.

Waste Reduction

The replacement of approximately 10,000 paper permits with e-permits is a more sustainable option.

PUBLIC HEALTH IMPLICATIONS:

This is not in keeping with any of the priority health outcomes of the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

The e-permits system will result in an estimated financial saving of \$6,200 per annum.

E-permits also provides a more efficient and reliable system for enforcement of the residential parking permit policy to ensure only those residents entitled to the permits are using them.

6.2	WASTE STRATEGY PROJECT - 8 COMMERCIAL WASTE COLLECTION - PROGRESS UPDATE AND RESPONSE TO PETITIONS
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The Waste Strategy Project - 8 Commercial Waste Collection - Progress Update and Response to Petitions will be finalised and published prior to the 15 June Council Briefing.

Justification for its inclusion in accordance with clause 2.5 of the City's [Meeting Procedures Policy](#) will be provided in the late agenda.

7 COMMUNITY & BUSINESS SERVICES

7.1 LEEDERVILLE GARDENS TRUST FUND COVID-19 RELIEF GRANTS UPDATE

Attachments: 1. [!\[\]\(2e65b0dde21e5aef9bd1646cd710d9b5_img.jpg\) !\[\]\(1337de361020a241382a28e42b394c56_img.jpg\)](#) Leederville Gardens Trust Fund Grant Recipients Program Status Update

RECOMMENDATION:

That Council:

1. **NOTES** the progress of the funding provided to benevolent not-for-profit organisations under the Leederville Gardens Trust COVID-19 Relief Grant Funding program;
2. **APPROVES** the request from Foodbank WA Inc for an extension to the terms of their Leederville Gardens Trust COVID-19 Relief Grant Agreement and for a variation to the agreed funding amount as detailed in this Report;
3. **APPROVES** the request from People Who Care Inc for an extension to the terms of their Leederville Gardens Trust COVID-19 Relief Grant Agreement as detailed in this Report; and
4. **NOTES** that the Executive Director, Community & Business Services will prepare and enter into a variation to the funding agreements for Foodbank WA Inc and People Who Care Inc.

PURPOSE OF REPORT:

To provide an update for the COVID-19 Relief and Recovery Committee on the progress of the grants provided under the Leederville Gardens Trust COVID-19 Relief Funding program and to seek approval of a variation for the Foodbank WA Inc (Foodbank) Grant Agreement and the People Who Care Inc (PWC) Grant Agreement.

BACKGROUND:

At the Special Meeting of Council on 30 March 2020 it was resolved that Council:

1. *As trustee of the Leederville Gardens trust fund ENDORSES the allocation of up to \$1 million from those funds for the provision of urgent relief of people in need as a direct or indirect consequence of the conditions imposed by COVID-19;*
2. *INVITES Expressions of Interest from Registered Public Benevolent Institutions to be considered for funding under Recommendation 1 above; and*
3. *NOTES that the outcome of the expression of interest process in Recommendation 2 above will be presented to the City's COVID-19 Relief and Recovery Committee for consideration and approval.'*

Following this, administration invited suitable Public Benevolent Institutions (PBI's) to submit their Expression of Interest for funding under this program. Applications were assessed by Administration and funds approved to PBI's at the COVID-19 Relief and Recovery Committee meetings as per the below schedule:

Meeting Date	PBI	Amount
28 April 2020	St Vincent De Paul	\$200,000
28 April 2020	Uniting Care West	\$129,000
5 May 2020	RUAH	\$27,800
5 May 2020	People Who Care	\$105,000
12 May 2020	YMCA of WA	\$138,000
9 June 2020	Foodbank WA	\$178,476
30 June 2020	Derbarl Yerrigan Health Service	\$68,559

Agreements have been entered into for all organisations listed in the above schedule.

In September 2020, Foodbank formally requested an extension and variation to their grant, following lower than expected uptake of their support and services within Vincent. Foodbank asked that the range of products that they deliver be expanded and to be able to distribute support to partner community service organisations delivering services within the City of Vincent. This would enable them to expand their support to people experiencing homelessness and those who accessed services within Vincent but were not residents.

At the meeting on 3 November 2020 it was resolved that the COVID-19 Relief and Recovery Committee:

- ‘1. *NOTES the progress of the funding provided to benevolent not-for-profit organisations under the Leederville Gardens Trust COVID-19 Relief Grant Funding program;*
2. *APPROVES the request from Foodbank WA Inc for a variation to the terms of their Leederville Gardens Trust COVID-19 Relief Grant Agreement as detailed in this Agenda Paper; and*
3. *NOTES that the Executive Director, Community & Business Services will prepare and enter into a variation to the funding agreement for Foodbank WA Inc.’*

A request for an extension of the grant period by Foodbank WA was not endorsed, however it was noted by the Committee that Foodbank could resubmit their request for extension closer to the end of the grant funding period should they still wish to do so.

DETAILS:

Administration has worked closely with the grant recipients to monitor the progress of the grant programs. Further details regarding the progress of each grant is listed in Attachment 1.

The original intent of the COVID-19 Relief Funding program, as set out in the agenda paper presented on 30 March 2020 states:

The current COVID-19 pandemic has raised the potential of imminent hardship being experienced by many of our more disadvantaged and at-risk community members. This may place extra strain on the services and programmes currently provided by various not-for-profit, charitable or volunteer organisations and exacerbate areas of underserviced demand.

It is noted that all the organisations delivering emergency relief and financial relief support have seen a slower than expected uptake in services. It is believed that the financial support measures which were implemented on a Federal level, including Jobkeeper and Jobseeker payments, utility and mortgage relief, provided a ‘buffer’ to people who may have been experiencing financial difficulty. Since these measures have been wound back, there has been no significant increase in demand from City residents for these support services.

The end of the State Government Rent Moratorium means that there may be spike in demand over the coming months if rental price and availability pressures result in additional people experiencing financial hardship.

Foodbank WA Inc Grant Extension and Variation Request

The City has received a second request from Foodbank for extension of their grant.

Foodbank received grant funding to the amount of \$178,476.00 plus GST to deliver food hampers and some ready-made meals to residents in the City from July 2020 to March 2021.

Following continued lower than expected uptake of emergency relief, Foodbank have resubmitted their request for a grant extension until 31 December 2021 (see Attachment 2 {two}). Additionally they are requesting to return \$160,476 of the grant funding as they do not believe they can acquit the full funding amount even with an extension. This would result in their total grant funding reducing to \$18,000 plus GST.

In support of their request, Foodbank has advised that in February 2021, they commenced delivering (at their own cost) orders to Perth Inner City Youth Service (PICYS) and the Centre for Asylum Seekers, Refugees and Detainees (CARAD) who both operate within the City of Vincent. Up until 28 February 2021 Foodbank have expended a total of \$4,611. Based on the current demand from these agencies, Foodbank believe that revising the grant funding to \$18,000 will allow them to continue to support PICYS and CARAD throughout 2021. Foodbank would continue to arrange delivery to these agencies at their own cost, meaning the entire service would be free of charge to PICYS and CARAD.

It should be noted that Foodbank have continued to approach other charitable agencies within the City to offer support to residents, however there have been no other agencies who have taken up this service.

Administration is recommending an extension be granted to Foodbank until 31 December, and a reduction in total grant funding to \$18,000 plus GST, noting the grantee will return \$160,476 of grant funding as services were not required.

People Who Care Inc Grant Extension and Variation Request

People Who Care (PWC) have also requested a grant extension.

PWC received grant funding to the amount of \$105,000 to provide utility, medical, emergency and financial relief to residents in the City from May 2020 to June 2021.

PWC have advised that they have been working closely with local community organisations, however the demand for their services has been low within the City of Vincent. PWC have indicated that they expect the end of the rental moratorium could result in an increase in need. As of the end of February 2021, PWC have expended a total of \$34,259 with a total of \$70,741 remaining.

As noted in Attachment 3, they have requested to continue to provide support to residents within the City in need until the remaining funds have been utilised. Administration is supportive of an extension however believes that a fixed end date is required. Therefore, Administration is recommending an extension be granted to PWC until 31 December 2021.

CONSULTATION/ADVERTISING:

Relevant programs have been promoted through the City's communication channels and partnerships to provide awareness of assistance available to residents.

LEGAL/POLICY:

Nil.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to extend the grant period for these grants. This is being managed by monitoring and the risk is minimal, given grant agreements stipulate a return, or partial return, of grant funding is required if agreed outcomes are unable to be met. Additionally, reducing the grant amount for Foodbank will reduce the potential financial risk.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Connected Community

We are an inclusive, accessible and equitable City for all.

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes.

PUBLIC HEALTH IMPLICATIONS:

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Increased healthy eating

Mitigate the impact of public health emergencies

FINANCIAL/BUDGET IMPLICATIONS:

The full grant funding amount has already been provided to both Foodbank and PWC. Approval of the variation to Foodbank's grant would result in the return of \$160,476 + GST to the Leederville Gardens Trust Fund.

COMMENTS:

While it is not standard practice for the City to provide long term extensions to grant funding, it is noted that the nature of the COVID-19 emergency and unpredictability of the pandemic's impacts over the coming year means that it is not straightforward to predict the demand for support in the community.

Regardless of whether an increase in demand is experienced following the end of the rental moratorium, the nature of the grants provided to PWC and Foodbank ensures that funds are being provided to people experiencing genuine financial distress and who are most at risk should there be further impacts from the COVID-19 Pandemic. Therefore Administration recommends that both grants are extended until 31 December 2021 and that the variation to the funding amount for Foodbank is approved, with the additional funds to be returned to the City immediately.

Organisation	Funding Type	Amount	Agreement date
YMCA	Mental Health, Youth Services	\$138,000.00	29/05/2020
People Who Care	Financial support services	\$105,000.00	29/05/2020
RUAH Community Services	Domestic Violence Services	\$27,800.00	29/05/2020
St Vincent de Paul (Passages)	Youth Services, Homelessness	\$200,000.00	29/05/2020
Uniting Care West	Homelessness	\$129,000.00	29/05/2020
Foodbank WA	Emergency Relief	\$178,476.00	23/07/2020
Derbarl Yerrigan Health Services	Aboriginal Health Services	\$68,559.00	21/08/2020

Grant period End Date	Acquittal Due Date
31/05/2021	30/06/2021
14/06/2021	14/07/2021
31/05/2021 (extended)	30/06/2021
30/11/2020	30/12/2020
20/10/202	20/11/2020
31/03/2021	30/04/2021
30/06/2021 (extended)	30/07/2021

Status Update

In progress. The 5 Youth Mental Health First Aid courses have been delivered. Expecting completion and acquittal as per agreed timeline

Seeking extension and variation to reduce grant amount as per report

In progress - extension was granted as funds have not been fully expended




Grant has been acquitted. An amount of \$12,438 was returned due to an underspend in program costs.

Acquittal received, currently seeking further information before finalising this.

Seeking extension and variation to reduce grant amount as per report

In progress - extension was granted as funds have not been fully expended

7.2 MANAGEMENT AGREEMENT - VINCENT TOOL LIBRARY - PORTION OF BRITANNIA RESERVE, 41 BRITANNIA ROAD, MOUNT HAWTHORN

- Attachments:**
1.  Proposed Management Agreement Area for Tools N Things Library Inc [↓](#)
 2.  Storage Cage requested for inclusion under Management Agreement area Tools n Things Library Inc [↓](#) 

RECOMMENDATION:

That Council:

1. **APPROVES** a Management Agreement for a portion of Britannia Reserve, 41 Britannia Road, Mt Hawthorn (as shown in Attachment 1) to Tools n Things Library Inc (TNTL) on the following key terms:
 - 1.1 **Term:** 6 (six) months
 - 1.2 **Option term:** 1 x 6 (six) months at City's sole discretion;
 - 1.3 **Tenancy Fee:** \$246 (excluding GST) per term, which includes a 50% community benefit rebate, indexed at CPI;
 - 1.4 **Outgoings:** Emergency Services Levy (ESL) to be paid by TNTL, all other outgoings payable by the City;
 - 1.5 **Public liability:** TNTL to effect and maintain current public liability insurance of not less than \$20,000,000 (per claim);
 - 1.6 **Condition:** provided in 'as is, where is' condition. The City will not undertake any capital or renewal works during the term of the Management Agreement, which includes repairing or replacing any fixtures or fittings at the end of their life;
 - 1.7 **Building insurance:** payable by the City with excess on any claim payable by TNTL;
 - 1.8 **Maintenance/repairs:** responsibility of TNTL, this includes keeping the Premises interior and exterior clean and tidy and repairing or replacing any fittings or fixtures if required;
 - 1.9 **Capital upgrades:** City will not undertake capital or renewal works; and
 - 1.10 **Damage to Premises:** in the event the Premises is damaged so it becomes unfit for use the City may at its discretion terminate the Management Agreement, and no compensation will be payable to the tenant.
2. Subject to final satisfactory negotiations being carried out between TNTL and the Chief Executive Officer, **AUTHORISES** the Mayor and Chief Executive Officer to affix the common seal and execute the Management Agreement in recommendation 1 above; and
3. **APPROVES** a waiver of fees in the amount of \$246 for the first term of the Management Agreement in order to provide further assistance with the establishment of the Tool Library in the City of Vincent.

PURPOSE OF REPORT:

To consider entering into a management agreement for the Turnstile building located at 41 Britannia Road, Mt Hawthorn to Tools n Things Library Inc and extension of the premises to include the outdoor storage cage adjacent to the Turnstile building (Attachment 2).

BACKGROUND:

In June 2020 Administration became aware that Transition Town Vincent (TTV) had entered into a sub-lease arrangement with Floreat Athena Football Club to use the undercroft area of the grandstand at Litis Stadium for a community Tool Library.

The City's consent was not sought prior to entering the sub-lease, however Administration permitted TTV to continue to occupy the space on a temporary basis, while assisting TTV to find an alternate premise. In July 2020, the Tool Library formally separated from TTV and became incorporated under the name of Tools N Things Library Inc (TNTL).

Floreat Athena Football Club's lease and the sub-lease expired in September 2020 and Administration agreed to TNTL's continued occupation of the space, on the basis that the nearby turnstile building at Litis Stadium was to be investigated as a suitable new location for the Tool Library.

A structural assessment of the grandstand at Litis Stadium was undertaken in December 2020, finding that the grandstand was in poor condition making it unsuitable for continued occupation by TNTL. On 15 January 2021, the Acting Chief Executive Officer, under Delegated Authority, approved the following:

1. *NOTES that Tools N Things Library Inc (TNTL) are currently occupying a portion of the grandstand at Litis Stadium, 41 Britannia Road, Leederville, for the purposes of a Tool Library and that the building is unsuitable for continued use due to its condition;*
2. *APPROVES a licence for TNTL to occupy the turnstile building at Litis Stadium, 41 Britannia Road, Leederville, as shown in the plan at Attachment 1, for a period of 6 months commencing 15 January 2021, on the following key terms:*
 - 2.1 *Rent:* *Nil;*
 - 2.2 *Outgoings:* *To be paid by the City;*
 - 2.3 *Building Condition:* *Provided in 'as is, where is' condition. The City will not undertake any capital or renewal works during the term, except at its sole discretion;*
 - 2.4 *Repairs and Maintenance:* *City is responsible for repairs and maintenance. TNTL to keep premises in a clean and tidy condition and repair any damage it causes;*
 - 2.5 *Insurance:* *TNTL to effect and maintain a public liability policy with cover not less than \$20 million;*
 - 2.6 *Indemnification:* *TNTL to indemnify the City against all costs and claims;*
 - 2.7 *Permitted Purpose:* *Tool library and associated community activities; and*
 - 2.8 *Alterations:* *Not without the prior approval in writing of the City.*
3. *NOTES that the Chief Executive Officer will present a further report to Council in respect to a longer term arrangement between the City and TNTL prior to the expiry of the temporary licence, which is on 15 July 2021.*

DETAILS:

TNTL have been operating out of the Turnstile building since late January and held their official 'housewarming' launch event, which was funded by the City of Vincent Community Grants program, on 20

March 2021. Their opening hours are Wednesdays 4 - 6pm and Saturdays 10am - 12noon. Tool Library memberships are currently available for a 'foundation member' rate of \$75 for an 18 month period and will change to a standard member rate of \$75 for a 12 month period later this year.

TNTL now have a total of 65 members, with approximately 5 to 10 items being borrowed each week. They have 12 volunteers. The library is continuing to grow with more than 450 items now available for loan.

In May 2021 the TNTL committee wrote to Administration, requesting to extend the agreement for use of the Turnstile building for another 12 months with a further waiver of fees for this period for use of the property. Additionally, TNTL requested that the storage cage located adjacent to their building be included in their Management Agreement area, as they wish to utilise this for storage and working space.

Administration is supportive of TNTL's ongoing use of the building, however it is recommended that the Management Agreement provide an initial 6 month term with a further 6 month option at the City's sole discretion. This is due to the upcoming public consultation process for Britannia Reserve Development Plan which will take place in the second half of 2021.

The storage cage that TNTL are seeking to utilise is approximately 26 square metres in area. This asset is not being actively used by the City and relevant Administration teams have indicated their support for allowing TNTL to utilise this space.

The Gross Rental Value (GRV) for the turnstile building is \$9,875. In accordance with the terms of the Property Management Framework for Category 1 groups, the tenancy fee has been calculated as 10% of the GRV, with a 50% community benefit rebate applicable. This equates to \$493 per year, or \$246 per 6 month term as per Recommendation 1.

Given that TNTL have already received a waiver for the first 6 months use of this building in addition to the period which they utilised the grandstand undercroft area for free, Administration believes that an additional 6 month waiver is appropriate, rather than a further 12 month waiver as requested by TNTL.

CONSULTATION/ADVERTISING:

The proposed Management Agreement to TNTL does not require public notice, in accordance with section 3.58 (Disposal of property) of the *Local Government Act 1995*, as TNTL has cultural and recreational purposes and members do not receive any pecuniary profit. As a result, the exemption under Regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996* applies.

LEGAL/POLICY:

Regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996*:

'(2) A disposition of land is an exempt disposition if —

(b) the land is disposed of to a body, whether incorporated or not —

- (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
- (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions...'*

The proposed Management Agreement terms align with the City's Property Management Framework for a Category 1 tenant, with the exception of the Term. It is considered appropriate to enter into a shorter lease Term given the current Britannia Reserve Development Plan process, until such time as it is determined that the Plan will not impact on the future availability of the Turnstile Building for use by TNTL.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to consider a Management Agreement for a community building.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Connected Community

Our community facilities and spaces are well known and well used.

Thriving Places

Our physical assets are efficiently and effectively managed and maintained.

SUSTAINABILITY IMPLICATIONS:

This is in keeping with the following priority outcomes of the City's *Sustainable Environment Strategy 2019-2024*:

Waste reduction

PUBLIC HEALTH IMPLICATIONS:

This is in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:

Increased mental health and wellbeing

FINANCIAL/BUDGET IMPLICATIONS:

The proposed tenancy fee is \$987 per annum excluding GST. The Tools n Things Tool Library is eligible for a 50% community benefit rebate, which means the annual tenancy fee payable is \$493. As the proposed term is for a 6 month period, with a further 6 month option at the City's discretion, the tenancy fee payable per term is \$246. Administration propose that the initial term 6 months tenancy fee is waived to allow TNTL to establish and build a sustainable operation.

Utilities will be paid for by the City with TNTL responsible for ESL and building insurance excess.

Attachment 1 – Proposed Management Agreement Area for Tools N Things Library Inc



Attachment 2 – Storage Cage requested for inclusion under Management Agreement area.



7.3 SUPPORT FOR ULURU STATEMENT FROM THE HEART - RESPONSES

- Attachments:**
1. Letter from Hon Ken Wyatt - Uluru Statement from the Heart  
 2. Letter from Hon Linda Burney - Uluru Statement from the Heart  

RECOMMENDATION:

That Council

1. **NOTES** the receipt of letters from Hon Ken Wyatt AM MP and Hon Linda Burney MP in response to letters sent by the City of Vincent supporting the Uluru Statement from the Heart.

PURPOSE OF REPORT:

To present two letters received in response to letters from Mayor Emma Cole expressing Council's support of the Uluru Statement from the Heart.

BACKGROUND:

At the Ordinary Council Meeting on 15 December 2020 a report outlining the City's support of the Uluru Statement from the Heart was passed unanimously with the following actions:

That Council:

1. *SUPPORTS the Uluru Statement from the Heart with the following actions:*
 - 1.1 *acknowledges Aboriginal and Torres Strait Islander Peoples as the Traditional Owners of this Country and pay respect to their ongoing spiritual and cultural connections;*
 - 1.2 *recognises the need for constitutional change that goes beyond the symbolic, and gives breath to the benefits that a treaty offers all Australians as we move towards a reconciled Australia;*
 - 1.3 *endorses the Mayor submitting a letter to the Prime Minister and key Federal Parliamentarians expressing Council's support for the Uluru Statement from the Heart; and*
 - 1.4 *requests that there is a focus on community engagement and awareness surrounding the Uluru Statement from the Heart as part of the annual NAIDOC and Reconciliation Week events.*

Letters were sent by Mayor Emma Cole to the Prime Minister and key Federal Parliamentarians in March 2021 expressing Council's support for the Uluru Statement from the Heart.

DETAILS:

Two responses were received from the Minister for Indigenous Australians Hon Ken Wyatt AM MP as at **Attachment 1** and the Shadow Minister for Indigenous Australians the Hon Linda Burney MP as at **Attachment 2**.

The letters were presented to the Reconciliation Action Plan Working Group (RAPWG) on 10 May.

CONSULTATION/ADVERTISING:

Nil

LEGAL/POLICY:

Nil

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to receive the letters.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Connected Community

We recognise, engage and partner with the Whadjuk Noongar people and culture.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes.

PUBLIC HEALTH IMPLICATIONS:

This is not in keeping with any of the priority health outcomes of the City's *Public Health Plan 2020-2025*.



The Hon Ken Wyatt AM MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MC21-001422

Councillor Emma Cole
Mayor
City of Vincent
Emma.Cole@vincent.wa.gov.au


Dear Mayor

Thank you for your correspondence of 24 March 2021 regarding the City of Vincent's support for the Uluru Statement from the Heart.

The Joint Select Committee on Constitutional Recognition Relating to Aboriginal and Torres Strait Islander Peoples 2018 was formed to inquire into and report on matters relating to constitutional change, including considering the Uluru Statement from the Heart. The Committee acknowledged further work is required to define the detail of an Indigenous Voice and recommended a co-design process ahead of considering its legal form.

In line with the recommendations of the Committee, the Morrison Government supports finalising the details of an Indigenous Voice through the co-design process ahead of considering its legal form. In October 2019, I announced the start of a co-design process to determine options for an Indigenous Voice.

Throughout 2020, three Indigenous Voice Co-design groups, made up of 52 mostly Indigenous members from around the country, have worked together. Through robust and rigorous discussion they have developed the detail of what an Indigenous Voice could look like, and how it could work. Consultation on these proposals is now underway.

Members developed proposals for an Indigenous Voice with two complementary parts, a National Voice and Local and Regional Voices. These proposals are detailed in the *Indigenous Voice Co-design Process Interim Report to the Australian Government*, available online at voice.niaa.gov.au. A range of resources and consultation material outlining the proposals is also available on this site.

The co-design groups are currently seeking feedback on the proposed features of an Indigenous Voice. It is important that everyone has an opportunity to have a say on the proposals so that co-design groups can continue to refine them. There are a range of ways for the City of Vincent Council to provide feedback, including taking a survey, attending a consultation session, or providing a formal submission. Information about each of these opportunities, and more, is available online at voice.niaa.gov.au.

Parliament House CANBERRA ACT 2600

As you would be aware, the National Agreement on Closing the Gap came into effect through signature by the Prime Minister, the Hon Scott Morrison MP, the Convenor of the Coalition of Peaks, the First Ministers of state and territory governments, and the President of the Australian Local Government Association in July 2020.

Listening to the voices of Indigenous Australians is vital to the success of Closing the Gap and the National Agreement requires all parties to work in partnership with Indigenous Australians in policy development and program and service delivery. All governments are expected to consider the views and expertise of Aboriginal and Torres Strait Islander people, including Elders, Traditional Owners and Native Title holders, leaders and their communities and organisations in implementing these commitments.

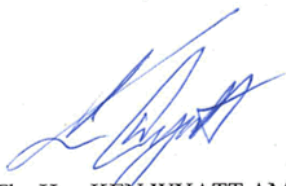
Underpinning this new Agreement are four priority reforms that will change how governments work with Aboriginal and Torres Strait Islander people. These are:

- Shared decision making between Aboriginal and Torres Strait Islander people and governments
- Building and working with the Aboriginal and Torres Strait Islander community controlled service sector
- Transforming mainstream government services to work better for Aboriginal and Torres Strait Islander people
- Building better data and sharing access to the right data to support Aboriginal and Torres Strait Islander communities to make informed decisions with us.

The Morrison Government will continue working with all governments and our Aboriginal and Torres Strait Islander partners to implement actions to achieve the outcomes of the National Agreement. More information is available at www.closingthegap.gov.au.

Thank you for raising these important matters and I encourage you and the City of Vincent Council to participate in the current Indigenous Voice consultation process.

Yours sincerely



The Hon KEN WYATT AM MP
Minister for Indigenous Australians

29/4/2021

Hon Linda Burney MP

Shadow Minister for Families and Social Services
Shadow Minister for Indigenous Australians

Ref:cityofvincent/MB

30th March 2021

Ms Emma Cole
Mayor City of Vincent
PO Box 82
Leederville WA 6902

City Of Vincent Records
RECEIVED

08 APR 2021

CTN Ref: _____
REC No: _____

Dear ~~Mayor~~ Emma

Uluru Statement from the Heart

Thank you for writing to me re the Uluru Statement from the Heart.

The Federal Opposition is committed to the Uluru Statement in its entirety:

1. Enshrining a First Nations Voice to Parliament in the constitution
2. Makarrata Commission
3. Treaty process

As you would be aware the Federal Government is undertaking consultations around the country on a co-design process for a Voice. When the Government finalises their process and provides a report to parliament, the ALP will consider the report and proposal at such time.

Regards



Linda Burney
Shadow Minister for Families and Social Services
Shadow Minister for Indigenous Australians



Office: 203 / 13A Montgomery Street, Kogarah NSW 2217
Mail: PO Box 32, Kogarah NSW 2217
Phone: (02) 9587 1555 Email: Linda.Burney.MP@aph.gov.au

Authorised and Printed by Linda Burney MP, Australian Labor Party, 202/203/13A Montgomery St, Kogarah NSW, 2217



7.4 INVESTMENT REPORT AS AT 30 APRIL 2021**TRIM Ref:** D21/82414**Author:** Nalukui Mwale, Coordinator Financial Services**Authoriser:** David MacLennan, Chief Executive Officer**Attachments:** 1. Investment Statistics as at 30 April 2021 [↓](#) **RECOMMENDATION:**

That Council **NOTES** the Investment Statistics for the month ended 30 April 2021 as detailed in Attachment 1.

PURPOSE OF REPORT:

To advise Council of the nature and value of the City's Investments as at 30 April 2021 and the interest amounts earned year to date.

BACKGROUND:

The City's surplus funds are invested in bank term deposits for various terms to facilitate maximum investment returns in accordance to the City's Investment Policy (No. 1.2.4).

Details of the investments are included in **Attachment 1** and outline the following information:

- Investment performance and policy compliance charts;
- Investment portfolio data;
- Investment interest earnings; and
- Current investment holdings.

DETAILS:**Summary of key investment decisions in this reporting period**

- No additional funds have been invested in April to ensure cash flows are maintained at an optimum level; and
- (a)
- The City's non-fossil fuel exposure has maintained its low levels for the past few months due to the following reasons:
 - Record low interest rates offered by banks divested in fossil fuel activities; and
 - Smaller divested banks have capped the number of term deposits they can undertake due to surplus cash positions primarily fuelled by low borrowing costs in the market.

Investment Status

As at 30 April 2021, the total funds held in the City's operating account (including on call) is \$33,129,488. Interest bearing term deposits account for \$30,931,997 and the remaining \$2,197,491 is held in a non-interest bearing account.

The following table shows funds under management for the previous and current year: -

Month Ended	2019/20		2020/21	
	Total funds held	Total term deposits	Total funds held	Total term deposits
July	\$32,209,493	\$26,105,854	\$21,740,955	\$17,906,824
August	\$49,641,327	\$44,977,692	\$26,788,392	\$16,238,861
September	\$44,876,698	\$41,017,535	\$38,460,372	\$23,921,321
October	\$46,846,286	\$37,782,515	\$37,495,284	\$34,251,899
November	\$46,118,236	\$36,123,083	\$39,183,018	\$35,651,552
December	\$38,557,295	\$34,633,796	\$38,061,941	\$33,065,398
January	\$37,915,806	\$33,773,707	\$38,678,150	\$33,457,047
February	\$35,377,640	\$33,681,961	\$38,487,371	\$30,813,182
March	\$33,969,162	\$28,466,025	\$35,043,974	\$31,443,637
April	\$30,832,893	\$25,975,451	\$33,129,488	\$27,858,186
May	\$28,935,398	\$22,319,031		
June	\$25,079,463	\$17,565,310		

Interest Status

Total accrued interest earned on investments as at 30 April 2021 is:

Total Accrued Interest Earned on Investment	Original Budget	Revised Budget	Budget YTD	Actual YTD	% of FY Budget
Municipal	\$230,000	\$100,000	\$69,895	\$61,558	88.07%
Reserve	\$180,205	\$130,205	\$130,205	\$73,791	56.67%
Subtotal	\$410,205	\$230,205	\$200,100	\$135,349	67.64%
Leederville Gardens Inc. Surplus Trust*	\$0	\$0	\$0	\$60,501	0.00%
Total	\$410,205	\$230,205	\$200,100	\$195,850	97.88%

*Interest estimates for Leederville Gardens Inc. Surplus Trust were not included in the 2020/21 Budget as actual interest earned is restricted.

The City has a weighted average interest rate of 0.49% for current investments whereas the Reserve Bank 90 days accepted bill rate for April 2021 is 0.03%. Further Commonwealth bank have advised Administration that the online Saver interest rate of 0.2% will be reduced to 0.1% from the 1st May 2021.

Due to the impact of the current economic situation the interest forecast will be adjusted in the third Budget review in May 2021.

Sustainable Investments

The City's investment policy requires that in the first instance, the City considers rate of return of the fund. All things being equal, the City then prioritises funds with no current record of funding fossil fuels. The City can increase the number of non-fossil fuel lenders but will potentially result in a lower rate of return.

Administration utilises 'Market Forces' to ascertain the level of exposure banks have in fossil fuel activities and utilises a platform called 'Yield Hub' to determine daily interest rates published by banks.

As at 30 April 2021, \$1,119,330 (3.6%) of the City's investments are held in financial institutions considered to be investing in non-fossil fuel related activities.

Investment Guideline update

In March 2021 Administration updated the investment guidelines which is the supplementary document to the Council Investment Policy. The new investment guidelines conform with the investment policy objective to give preference to institutions that:

- are assessed to have a higher social and environmental responsibility rating; and
- have been assessed to have no current record of funding fossil fuels, providing that doing so will secure a rate of return that is at least equal to alternatives offered by other institutions.

As a result, the maximum exposure limits to divested institutions have been increased to 90% as reflected in the below table. The majority of divested institutions lie within A-2 and A-1 categories.

Short Term Rating (Standard & Poor's) or Equivalent	Direct Investments Maximum %with any one institution		Maximum % of Total Portfolio	
	Guideline	Current position	Guideline	Current position
A1+	30%	15.9%	90%	52.4%
A-1	25%	10.0%	90%	10.1%
A-2	20%	18.8%	90%	37.5%
				100%

Administration will continuously explore options to ascertain if a balanced investment strategy can be developed where investments in divested banks can be increased with a minimal opportunity cost of loss in interest rate returns for instances when banks not divested in fossil fuel activities offer a higher rate of return.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

The power to invest is governed by the *Local Government Act 1995*.

“6.14. Power to invest

- (1) *Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds under the Trustees Act 1962 Part III.*
- (2A) *A local government is to comply with the regulations when investing money referred to in subsection (1).*
- (2) *Regulations in relation to investments by local governments may —*
 - (a) *make provision in respect of the investment of money referred to in subsection (1); and*
 - (b) *deleted]*
 - (c) *prescribe circumstances in which a local government is required to invest money held by it; and*
 - (d) *provide for the application of investment earnings; and*
 - (e) *generally provide for the management of those investments.*

Further controls are established through the following provisions in the *Local Government (Financial Management) Regulations 1996*:

19. Investments, control procedures for

- (1) *A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.*
- (2) *The control procedures are to enable the identification of —*
 - (a) *the nature and location of all investments; and*
 - (b) *the transactions related to each investment.*

19C. Investment of money, restrictions on (Act s. 6.14(2)(a))

- (1) *In this regulation —*
authorised institution *means —*

- (a) *an authorised deposit-taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or*
 - (b) *the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986;*
- foreign currency** means a currency except the currency of Australia.

- (2) *When investing money under section 6.14(1), a local government may not do any of the following —*
- (a) *deposit with an institution except an authorised institution;*
 - (b) *deposit for a fixed term of more than 3 years;*
 - (c) *invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;*
 - (d) *invest in bonds with a term to maturity of more than 3 years;*
 - (e) *invest in a foreign currency.”*

Council has delegated the authority to invest surplus funds to the Chief Executive Officer or his delegate to facilitate prudent and responsible investment.

RISK MANAGEMENT IMPLICATIONS:

Low: Administration has developed effective controls to ensure funds are invested in accordance with the City's Investment Policy. This report enhances transparency and accountability for the City's investments.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes.

PUBLIC HEALTH IMPLICATIONS:

This report has no implication on the priority health outcomes of the City's Public Health Plan 2020-2025.

FINANCIAL/BUDGET IMPLICATIONS:

The financial implications of this report are as noted in the details section of the report. Administration is satisfied that appropriate and responsible measures are in place to protect the City's financial assets.

**CITY OF VINCENT
INVESTMENT PORTFOLIO
AS AT 30 APRIL 2021**

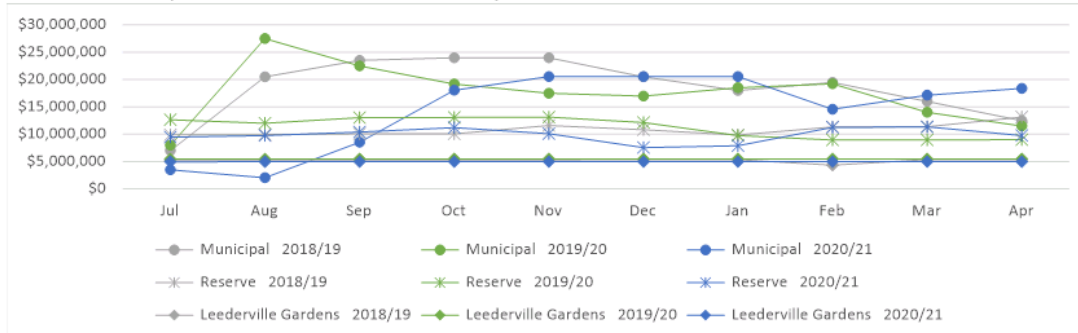
	Municipal	Reserve	Leederville Gardens Inc Surplus Trust	Total	Total
	\$	\$	\$	\$	%
BY INVESTMENT HOLDINGS					
Municipal Account	2,197,491	0	0	2,197,491	6.6%
Online Saver	3,073,811	0	0	3,073,811	9.3%
Term Deposits	13,100,000	9,770,910	4,987,276	27,858,186	84.1%
	18,371,302	9,770,910	4,987,276	33,129,488	100.0%
BY INSTITUTION					
Bank of Queensland	4,100,000	0	899,629	4,999,629	15.0%
Commonwealth Bank of Australia	5,271,302	0	0	5,271,302	15.9%
National Australia Bank	6,500,000	1,500,000	0	8,000,000	24.0%
Westpac Banking Corp	0	0	4,087,647	4,087,647	12.3%
AMP Bank	2,500,000	3,725,729	0	6,225,729	18.8%
Macquarie Bank	0	3,353,851	0	3,353,851	10.0%
Defense Bank	0	1,191,330	0	1,191,330	4.0%
	18,371,302	9,770,910	4,987,276	33,129,488	100.0%
BY CREDIT RATINGS (SHORT-TERM ISSUE)					
A-1+	11,771,302	1,500,000	4,087,647	17,358,949	52.4%
A-1	0	3,353,851	0	3,353,851	10.1%
A-2	6,600,000	4,917,059	899,629	12,416,688	37.5%
	18,371,302	9,770,910	4,987,276	33,129,488	100.0%
BY TERMS					
0-30 days	5,271,302	0	0	5,271,302	15.9%
91-180 days	10,600,000	853,851	0	11,453,851	34.6%
181-270 days	2,500,000	4,191,330	0	6,691,330	20.2%
270-365 days	0	4,725,729	4,987,276	9,713,005	29.3%
	18,371,302	9,770,910	4,987,276	33,129,488	100.0%
BY MATURITY					
0-30 days	7,771,302	1,800,000	0	9,571,302	28.9%
31-90 days	3,000,000	2,779,580	2,147,499	7,927,079	23.9%
91-180 days	7,600,000	3,000,000	1,940,148	12,540,148	37.9%
181-270 days	0	2,191,330	899,629	3,090,959	9.3%
	18,371,302	9,770,910	4,987,276	33,129,488	100.0%
BY FOSSIL FUEL EXPOSURE (as determined by www.marketforces.org.au)					
Fossil Fuel Lending	18,371,302	8,579,580	4,987,276	31,938,158	96.4%
Non Fossil Fuel Lending	0	1,191,330	0	1,191,330	3.6%
	18,371,302	9,770,910	4,987,276	33,129,488	100.0%

**CITY OF VINCENT
CURRENT INVESTMENT HOLDING
AS AT 30 APRIL 2021**

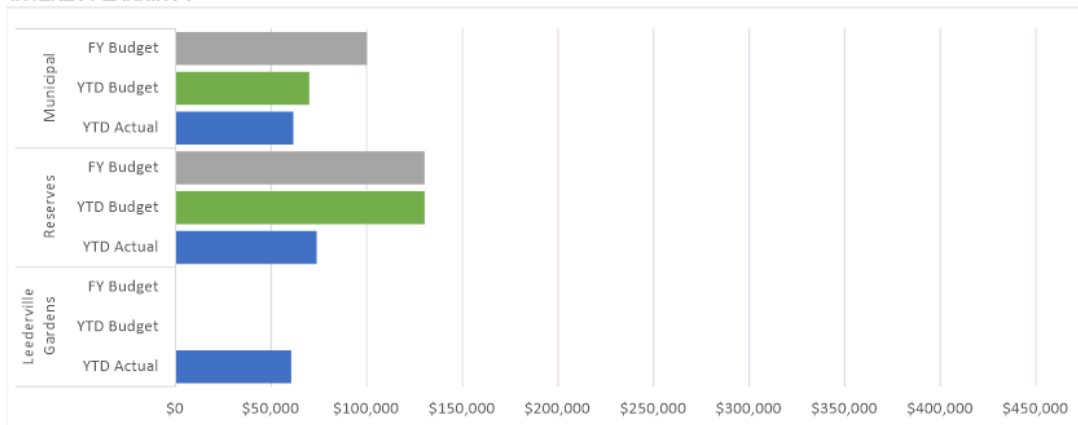
Funds	Institution	Investment Date	Maturity Date	Term	Interest Rate	Principal \$
Municipal	Commonwealth Bank of Australia				0.00%	2,197,491
Total Operating Funds						2,197,491
<u>ONLINE SAVER</u>						
Municipal	Commonwealth Bank of Australia		Ongoing		0.20%	3,073,811
Total						3,073,811
<u>TERM DEPOSITS</u>						
Leederville Gardens Inc Surplus Trust	Westpac Banking Corp	22/07/2020	28/06/2021	341	0.95%	2,147,499
Reserve	AMP Bank	18/08/2020	17/05/2021	272	0.80%	1,800,000
Leederville Gardens Inc Surplus Trust	Westpac Banking Corp	01/09/2020	16/08/2021	349	0.80%	1,940,148
Reserve	AMP Bank	27/10/2020	29/07/2021	275	0.55%	1,925,729
Municipal	AMP Bank	26/11/2020	24/05/2021	179	0.70%	2,500,000
Municipal	Bank of Queensland	29/01/2021	28/06/2021	150	0.30%	1,500,000
Municipal	National Australia Bank	29/01/2021	26/07/2021	178	0.30%	1,500,000
Reserve	National Australia Bank	29/01/2021	20/09/2021	234	0.30%	1,500,000
Reserve	Macquarie Bank	01/02/2021	16/08/2021	196	0.30%	1,500,000
Reserve	Macquarie Bank	01/02/2021	01/11/2021	273	0.55%	1,000,000
Reserve	Macquarie Bank	01/02/2021	15/06/2021	134	0.45%	853,851
Leederville Gardens Inc Surplus Trust	Bank of Queensland	18/03/2021	20/12/2021	277	0.40%	899,629
Municipal	Bank of Queensland	18/03/2021	13/09/2021	179	0.40%	2,600,000
Reserve	Defense Bank	18/03/2021	13/12/2021	270	0.37%	1,191,330
Municipal	National Australia Bank	18/03/2021	16/08/2021	151	0.30%	2,500,000
Municipal	National Australia Bank	18/03/2021	18/10/2021	214	0.31%	2,500,000
Total Investment Including At Call						33,129,488

**CITY OF VINCENT
INVESTMENT PERFORMANCE
AS AT 30 APRIL 2021**

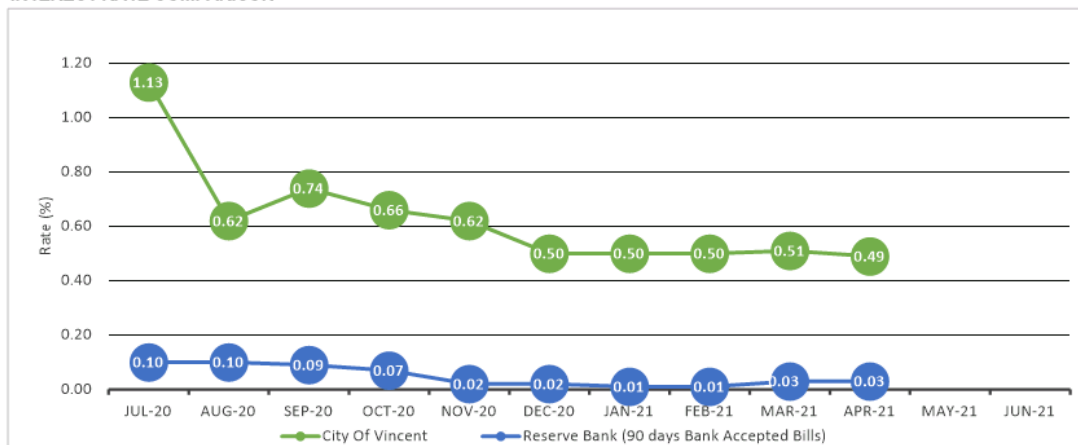
FUNDS INVESTED (ONLINE SAVER AND TERM DEPOSITS)



INTEREST EARNINGS

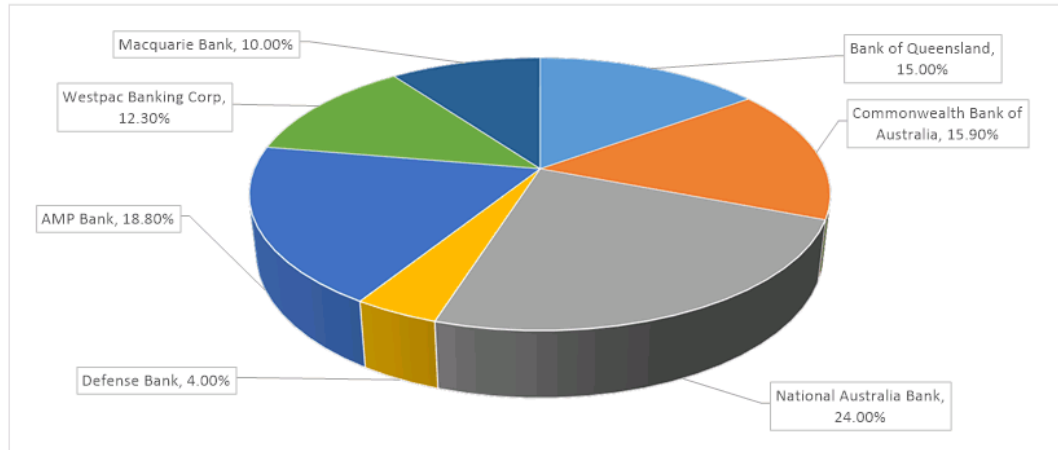


INTEREST RATE COMPARISON

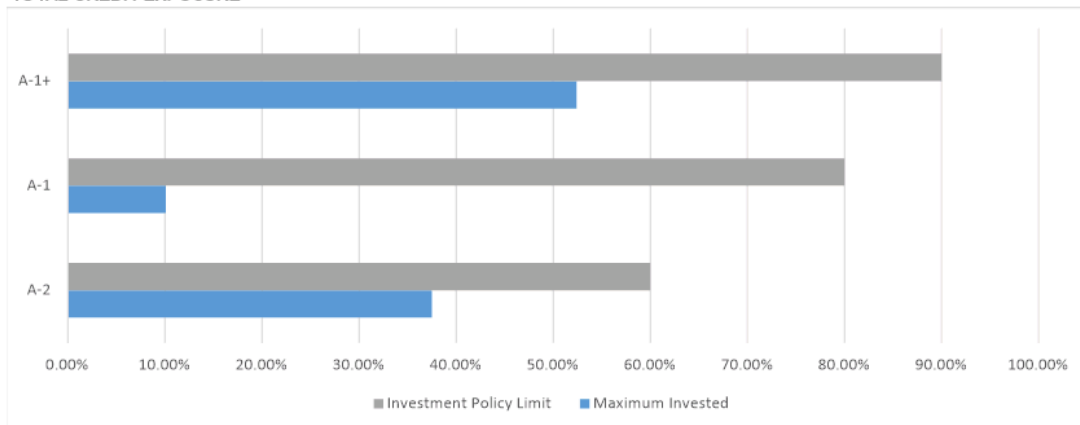


**CITY OF VINCENT
INVESTMENT POLICY COMPLIANCE
AS AT 30 APRIL 2021**

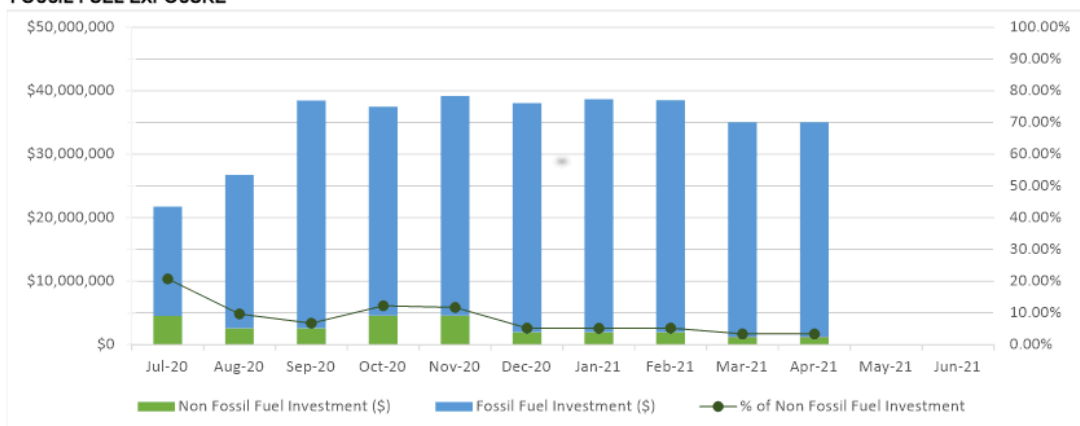
TOTAL PORTFOLIO EXPOSURE



TOTAL CREDIT EXPOSURE



FOSSIL FUEL EXPOSURE



* Selection of non fossil fuel investments is based on information provided by www.marketforces.org.au.

**CITY OF VINCENT
INVESTMENT INTEREST EARNINGS
AS AT 30 APRIL 2021**

	YTD 30/04/2021 \$	YTD 30/04/2020 \$	FY 2020/21 \$	FY 2019/20 \$
MUNICIPAL FUNDS				
Budget	69,895	308,330	100,000	250,000
Interest Earnings	61,558	271,890	61,558	297,684
% Income to Budget	88.07%	88.18%	61.56%	119.07%
RESERVE FUNDS				
Budget	130,205	232,240	130,205	200,000
Interest Earnings	73,791	200,683	73,791	223,720
% Income to Budget	56.67%	86.41%	56.67%	111.86%
LEEDERVILLE GARDENS INC SURPLUS TRUST				
Budget	0	0	0	0
Interest Earnings	60,501	89,687	52,484	29,316
% Income to Budget	0.00%	0.00%	0.00%	0.00%
TOTAL				
Budget	200,100	540,570	230,205	450,000
Interest Earnings	195,850	562,260	187,833	550,720
% Income to Budget	97.88%	104.01%	81.59%	122.38%
Variance	(4,250)	21,690	(42,372)	100,720
% Variance to Budget	-2.12%	4.01%	-18.41%	22.38%
TOTAL (EXCL. LEEDERVILLE GARDENS INC SURPLUS TRUST)				
Budget	200,100	540,570	230,205	450,000
Interest Earnings	135,349	472,573	135,349	521,404
% Income to Budget	67.64%	87.42%	58.79%	115.87%
Variance	(64,751)	(67,997)	(94,856)	71,404
% Variance to Budget	-32.36%	-12.58%	-41.21%	15.87%

7.5	AUTHORISATION OF EXPENDITURE FOR THE PERIOD 1 APRIL 2021 TO 30 APRIL 2021
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- Attachments:
1. Payments by EFT and Payroll April 21 [!\[\]\(5adf5605ac46e0befc0b3c1d908b8ed9_img.jpg\)](#) [!\[\]\(74a2ef519f6e0e6216dc099e2b893920_img.jpg\)](#)
 2. Payments by Direct Debit April 21 [!\[\]\(8788ca1cece3715a089d987f44d38ab7_img.jpg\)](#) [!\[\]\(ce781cbb44e0c0edf3139760598346e7_img.jpg\)](#)

RECOMMENDATION:

That Council RECEIVES the list of accounts paid under delegated authority for the period 1 April 2021 to 30 April 2021 as detailed in Attachments 1, 2 and 3 as summarised below:

EFT payments, including payroll	\$4,244,354.40
Cheques	\$0.00
Direct debits, including credit cards	\$162,518.93
Total payments for April 2021	\$4,406,873.33

PURPOSE OF REPORT:

To present to Council the list of expenditure and accounts paid for the period 1 April 2021 to 30 April 2021.

BACKGROUND:

Council has delegated to the Chief Executive Officer (Delegation No. 2.2.18) the power to make payments from the City's Municipal and Trust funds. In accordance with *Regulation 13(1) of the Local Government (Financial Management) Regulations 1996* a list of accounts paid by the Chief Executive Officer is to be provided to Council, where such delegation is made.

The list of accounts paid must be recorded in the minutes of the Council Meeting.

DETAILS:

The Schedule of Accounts paid for the period 1 April 2021 to 30 April 2021, covers the following:

FUND	CHEQUE NUMBERS/ BATCH NUMBER	AMOUNT
Municipal Account (Attachment 1, 2 and 3)		
EFT Payments	2662 – 2669 and 2672	\$3,038,028.00
Payroll by Direct Credit	April 2021	\$1,206,326.40
Sub Total		\$4,244,354.40
Cheques		
Cheques		\$0.00
Sub Total		\$0.00

Direct Debits (including Credit Cards)

Lease Fees	\$29,064.30
Loan Repayments	\$100,782.60
Bank Charges – CBA	\$23,223.23
Credit Cards	\$9,448.80
Sub Total	\$162,518.93

Total Payments **\$4,406,873.33**

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Regulation 12(1) and (2) of the *Local Government (Financial Management) Regulations 1996* refers, i.e.-

“12. Payments from municipal fund or trust fund, restrictions on making

(1) A payment may only be made from the municipal fund or the trust fund —

- if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
- otherwise, if the payment is authorised in advance by a resolution of Council.*

(2) Council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to Council.”

Regulation 13(1) and (3) of the *Local Government (Financial Management) Regulations 1996* refers, i.e.-

“13. Lists of Accounts

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –

- the payee’s name;*
- the amount of the payment;*
- the date of the payment; and*
- sufficient information to identify the transaction.*

(2) A list prepared under sub regulation (1) is to be —

- presented to Council at the next ordinary meeting of Council after the list is prepared; and*
- recorded in the minutes of that meeting.”*

RISK MANAGEMENT IMPLICATIONS:

Low: Management systems are in place that establish satisfactory controls, supported by the internal and external audit functions. Financial reporting to Council increases transparency and accountability.

STRATEGIC IMPLICATIONS:

This is in keeping with the City’s *Strategic Community Plan 2018-2028*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Expenditure covered in this report includes various projects, programs, services and initiatives that contribute to protecting/enhancing the City's built and natural environment and to improving resource efficiency.

PUBLIC HEALTH IMPLICATIONS:

Expenditure covered in this report includes various projects, programs and services that contribute to the priority health outcomes within the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

All municipal fund expenditure included in the list of payments is in accordance with Council's annual budget.

Creditors Report - Payments by EFT and Payroll 01/04/21 to 30/04/21			
<i>Date</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
30/04/2021	A A Kaddis	Refund of infrastructure bond	\$ 2,750.00
13/04/2021	A Austin	Fitness instructor fees	\$ 170.52
13/04/2021	A Lazarus	Fitness instructor fees	\$ 56.84
23/04/2021	A M Curtin	Expense reimbursement - road closure application	\$ 84.30
23/04/2021	A Radici	Expense reimbursement - catering for City event (training and development)	\$ 316.05
30/04/2021	Academy Services WA Pty Ltd	Cleaning services and cleaning materials - various locations	\$ 48,473.56
30/04/2021	Acqua E Sale Pty Ltd	Refund of planning application fee	\$ 295.00
13/04/2021	Acurix Networks Pty Ltd	Public Wi Fi service - various locations	\$ 1,419.00
30/04/2021	Alerton Australia	Building management system control contract - BPLC	\$ 2,131.80
23/04/2021	Alinta Energy	Gas charges - various locations	\$ 129.30
30/04/2021	Alinta Energy	Gas charges - various locations	\$ 132.35
30/04/2021	Allmark and Associates Pty Ltd	Car park signs	\$ 715.00
13/04/2021	Alsco Pty Ltd	Air freshener and mat supplies	\$ 670.33
13/04/2021	Ampol Australia Petroleum Pty Ltd	Fuel and oils	\$ 26,986.59
13/04/2021	AMS Installation & Maintenance Solutions WA	Repairs to spa heater - BPLC	\$ 363.00
13/04/2021	Anna Cappelletta	Fitness instructor fees	\$ 1,960.00
13/04/2021	APARC	Meter maintenance (two months)	\$ 49,665.00
30/04/2021	APARC	Central management system, software licensing, Ticketor enforcement, meter maintenance, sensor maintenance and credit card transactions	\$ 54,905.48
13/04/2021	Apollo Plumbing and Gas Pty Ltd	Plumbing services - various locations	\$ 4,102.50
30/04/2021	Apollo Plumbing and Gas Pty Ltd	Plumbing services - various locations	\$ 6,271.48
13/04/2021	ARM Security	Alarm monitoring - various locations	\$ 544.54
13/04/2021	Artery Media Solutions	Artwork concept - North Perth Pride mural	\$ 275.00
13/04/2021	Asphaltech Pty Ltd	Asphalt supplies - various locations	\$ 33,724.07
30/04/2021	Asphaltech Pty Ltd	Asphalt supplies - various locations	\$ 6,763.91
30/04/2021	Assured Group WA Pty Ltd	Certification services - Loftus Community Centre	\$ 550.00
13/04/2021	ATF Services Pty Ltd	Security fence - Cheriton Street	\$ 490.71
13/04/2021	Ausblue Pty Ltd	Ad blue supplies - additive to reduce truck carbon emissions	\$ 1,069.55
30/04/2021	Australasian Performing Right Association Ltd	Music licence fees - various halls	\$ 1,024.72
13/04/2021	Australia Post	Postage charges	\$ 5,509.75
13/04/2021	Australia Post (Agency Commission)	Commission charges	\$ 653.60
13/04/2021	Australian HVAC Services Pty Ltd	Air conditioning maintenance and repairs - various locations	\$ 3,080.00
06/04/2021	Australian Services Union	Payroll deduction	\$ 310.80
23/04/2021	Australian Services Union	Payroll deduction	\$ 310.80
06/04/2021	Australian Taxation Office	Payroll deduction	\$ 181,183.00

Date	Payee	Description	Amount
23/04/2021	Australian Taxation Office	Payroll deduction	\$ 171,140.11
30/04/2021	Award Contracting	Locating services - various locations	\$ 1,358.50
30/04/2021	AWB Co	Plumbing services - Hyde Park	\$ 979.00
13/04/2021	B S Yates	Part refund of dog registration	\$ 205.00
13/04/2021	B Tombides	Part refund of Beatty Park Leisure Centre fees	\$ 137.70
30/04/2021	Baileys Fertilisers	Fertiliser supplies	\$ 13,198.90
30/04/2021	BCITF Building & Construction Industry Training	Levy collection	\$ 7,560.34
13/04/2021	BDD Australia Pty Ltd	Milk supplies - BPLC	\$ 11.26
23/04/2021	BDD Australia Pty Ltd	Milk supplies - BPLC	\$ 32.76
30/04/2021	BDD Australia Pty Ltd	Milk supplies - BPLC	\$ 36.84
13/04/2021	Belgravia Health & Leisure Group Pty Ltd	Gym equipment repairs- Loftus Recreation Centre	\$ 231.00
13/04/2021	Benara Nurseries	Supply of plants	\$ 702.50
30/04/2021	Benara Nurseries	Supply of plants	\$ 8,045.69
23/04/2021	Bent Logic	Supply of membership wristbands - BPLC	\$ 1,567.50
13/04/2021	Bicycles for Humanity (WA) Inc.	Stall fees from Bike Market	\$ 170.00
13/04/2021	Blackwoods	Hardware supplies - Depot	\$ 438.07
30/04/2021	Blackwoods	Hardware supplies - Depot	\$ 347.69
30/04/2021	Blue Zoo Holdings Pty Ltd	Cyber awareness training and support	\$ 563.75
30/04/2021	BOC Limited	Medical oxygen supplies and CO2 for beverage	\$ 677.66
30/04/2021	Booktalk	Payment for provision of books for COV book clubs	\$ 70.00
30/04/2021	Boral Construction Materials Group Limited	Concrete supplies	\$ 1,741.39
13/04/2021	Boyan Electrical Services	Electrical services - various locations	\$ 8,512.34
30/04/2021	Boyan Electrical Services	Electrical services - various locations	\$ 8,358.76
30/04/2021	Briskleen Supplies	Toiletry and cleaning products; sanipod service - BPLC	\$ 6,682.36
13/04/2021	Bucher Municipal Pty Ltd	Supply of gutter brooms	\$ 748.99
30/04/2021	Bucher Municipal Pty Ltd	Plant repairs and maintenance	\$ 10,194.20
30/04/2021	Bunnings Trade	Hardware supplies - various locations	\$ 357.46
30/04/2021	C J Fogarty	Part refund of Beatty Park Leisure Centre fees	\$ 142.10
13/04/2021	C Pacifici	Community donation - Neighbour Day event	\$ 100.00
13/04/2021	C Saffer	Fitness instructor fees	\$ 110.00
30/04/2021	Capozzi Building	Refund of infrastructure bond	\$ 3,000.00
30/04/2021	Carramar Coastal Nursery	Supply of plants	\$ 137.50
13/04/2021	Charmaine Amanda Magness	Fitness instructor fees	\$ 454.72
06/04/2021	Child Support Agency	Payroll deduction	\$ 941.42
23/04/2021	Child Support Agency	Payroll deduction	\$ 941.42
13/04/2021	Chittering Valley Worm Farm	Worms and castings	\$ 240.00
13/04/2021	Christou Nominees Pty Ltd	Design advisory meeting and consultancy fees	\$ 1,210.00
30/04/2021	Citizens Advice Bureau of WA Inc	Mediation services 2020/21	\$ 2,200.00
13/04/2021	City Of Perth	BA archive retrievals	\$ 292.13

Date	Payee	Description	Amount
30/04/2021	City of South Perth	Dog impound fees	\$ 231.00
30/04/2021	City of Stirling	Meals on Wheels	\$ 519.44
30/04/2021	City of Stirling	Mixed waste tipping fees	\$ 22,092.60
06/04/2021	City of Vincent	Payroll deduction	\$ 332.20
23/04/2021	City of Vincent	Payroll deduction	\$ 965.25
06/04/2021	City of Vincent Staff Social Club	Payroll deduction	\$ 454.00
23/04/2021	City of Vincent Staff Social Club	Payroll deduction	\$ 450.00
13/04/2021	Civica Pty Limited	Websphere application annual licence and maintenance and BIS upgrade	\$ 1,255.00
30/04/2021	Civica Pty Limited	Implementation of Authority user access and security restructure; consulting assistance with Authority online requisitions	\$ 4,124.67
13/04/2021	Clarity Corporate Communications Pty Ltd	Review of communications and marketing strategy	\$ 550.00
13/04/2021	Cleanaway	Recycling contract	\$ 76,493.73
30/04/2021	Cleanaway	Recycling contract	\$ 83,409.98
13/04/2021	Clever Patch	Library supplies	\$ 81.90
13/04/2021	CMJ Australia	Merchandise - BPLC	\$ 1,175.00
13/04/2021	Cobblestone Concrete Pty Ltd	Concrete path repairs and crossover installation - various locations	\$ 12,023.22
30/04/2021	Cobblestone Concrete Pty Ltd	Concrete path repairs and crossover installation - various locations	\$ 15,748.70
30/04/2021	Cockburn Party Hire	Marquee hire for native plant sale	\$ 2,606.25
13/04/2021	Compu-Stor	Records digitisation and off-site storage	\$ 389.68
13/04/2021	Contraflow Pty Ltd	Traffic management services - various locations	\$ 4,895.00
30/04/2021	Contraflow Pty Ltd	Traffic management services - various locations	\$ 47,087.64
13/04/2021	Corsign WA Pty Ltd	Sign supplies - various	\$ 600.60
30/04/2021	Corsign WA Pty Ltd	Sign supplies - various	\$ 2,665.30
15/04/2021	Cr A Castle	ICT allowance - 50%	\$ 3,185.83
15/04/2021	Cr Ashley Wallace	ICT allowance - 50%	\$ 3,185.83
15/04/2021	Cr D Loden	ICT allowance - 50%	\$ 3,185.83
15/04/2021	Cr J Fotakis	ICT allowance - 50%	\$ 3,185.83
15/04/2021	Cr J Hallett	ICT allowance - 50%	\$ 3,185.83
15/04/2021	Cr J Topelberg	ICT allowance - 50%	\$ 3,185.83
15/04/2021	Cr S Gontaszewski	ICT allowance - 50%	\$ 4,505.70
15/04/2021	Cr Sally Smith	ICT allowance - 50%	\$ 3,185.83
23/04/2021	Credit Clear Pty Ltd	Debt recovery services	\$ 87.45
30/04/2021	CSE Crosscom Pty Ltd	Software and network access for hand held radios; supply of hand held radio for Nyoongar patrol	\$ 8,020.10
30/04/2021	CSP Group Pty Ltd	Plant repairs and maintenance	\$ 413.75
13/04/2021	Cundall	Design advisory meeting fee	\$ 440.00
13/04/2021	D Dama	Fitness instructor fees	\$ 227.36
30/04/2021	D Dama	Fitness instructor fees	\$ 227.36
30/04/2021	D I Loden	Refund of infrastructure bond	\$ 1,000.00

Date	Payee	Description	Amount
30/04/2021	D J and K M Hoghton	Part refund of Beatty Park Leisure Centre fees	\$ 122.40
13/04/2021	D M Gordon	Speaker fee - Library event	\$ 360.00
30/04/2021	Dale Alcock Homes Pty Ltd	Refund of infrastructure bond	\$ 1,250.00
30/04/2021	Dalin Electrical Controls	Repairs to geothermal system - BPLC	\$ 2,008.04
13/04/2021	Daniela Toffali	Fitness instructor fees	\$ 260.00
30/04/2021	David Gray & Co Pty Ltd	Plant repairs and maintenance	\$ 3,441.35
23/04/2021	Department of Mines, Industry Regulation and Safety	Building services levy collection	\$ 18,295.10
13/04/2021	Department of Transport	Vehicle ownership searches	\$ 2,100.50
06/04/2021	Depot Social Club	Payroll deduction	\$ 56.00
23/04/2021	Depot Social Club	Payroll deduction	\$ 56.00
30/04/2021	Design Right Pty Ltd	Design services - Menzies Park clubroom	\$ 3,300.00
13/04/2021	Devco Builders	Maintenance and repairs - various locations	\$ 35,474.93
23/04/2021	Devco Builders	Maintenance and repairs - various locations	\$ 58,457.25
30/04/2021	Devco Builders	Maintenance and repairs - various locations	\$ 109,960.48
13/04/2021	DNX Energy Pty Ltd	Air conditioning maintenance and repairs - BPLC	\$ 550.00
30/04/2021	Domus Nursery	Supply of plants	\$ 599.82
13/04/2021	Donegan Enterprises Pty Ltd	Playground repairs, maintenance and safety inspections - various locations	\$ 9,487.50
30/04/2021	Donegan Enterprises Pty Ltd	Playground repairs, maintenance and safety inspections - various locations	\$ 4,565.00
30/04/2021	Downer EDI Engineering Power Pty Ltd	CCTV repairs - various locations	\$ 396.00
23/04/2021	E Bentley	Expense reimbursement - heart rate monitor for gym	\$ 139.00
23/04/2021	E McCue	Rates refund - due to overpayment	\$ 694.67
13/04/2021	East Perth Football Club (Inc)	Facility hire for Arts Relief project	\$ 100.00
23/04/2021	Eastside Concrete Contracting	Kerbing services - Frame Court	\$ 4,275.10
30/04/2021	Eastside Concrete Contracting	Kerbing services - various locations	\$ 21,334.35
13/04/2021	Elliotts Irrigation Pty Ltd	Reticulation repairs and maintenance - various locations	\$ 1,468.88
30/04/2021	Elliotts Irrigation Pty Ltd	Reticulation repairs and maintenance - various locations	\$ 572.00
13/04/2021	Enviroblast Cannington	Pressure cleaning services	\$ 1,574.10
30/04/2021	Enviroblast Cannington	Pressure cleaning services	\$ 145.20
13/04/2021	F Polizzi	Refund of infrastructure bond and crossover subsidy	\$ 2,085.00
30/04/2021	Farinosi & Sons Pty Ltd	Hardware supplies	\$ 48.60
30/04/2021	Financially Empowered	Financial education workshop for youth week	\$ 1,100.00
13/04/2021	Flexi Staff Pty Ltd	Temporary staff - various departments	\$ 13,018.24
30/04/2021	Flexi Staff Pty Ltd	Temporary staff - various departments	\$ 18,808.66
13/04/2021	Flick Anticimex Pty Ltd	Pest control services - various locations	\$ 2,868.25
23/04/2021	Flick Anticimex Pty Ltd	Pest control services - Admin	\$ 168.30
30/04/2021	Fulton Hogan Industries Pty Ltd	Asphalt supplies	\$ 3,722.40
23/04/2021	G Burgess	Distribution services - 17000 green waste pamphlets	\$ 4,488.00
30/04/2021	G Burgess	Distribution services - 1300 various notices	\$ 792.00
13/04/2021	G Edwards	Fitness instructor fees	\$ 170.52

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Date	Payee	Description	Amount
30/04/2021	G Edwards	Fitness instructor fees	\$ 101.84
13/04/2021	Garage Sale Trail Foundation Ltd	Garage sale trail membership fee 2021	\$ 6,462.50
13/04/2021	GHD Pty Ltd	Beatty Park leisure pool assessment	\$ 8,571.09
30/04/2021	Giant Autos (1997) Pty Ltd	Vehicle services and repairs	\$ 3,706.00
23/04/2021	Gow Property	Rates refund - due to overpayment	\$ 607.65
30/04/2021	Great Lakes Community Resources	Street goods collection services	\$ 1,911.80
13/04/2021	Gymcare	Gym equipment repairs and maintenance - BPLC	\$ 604.23
30/04/2021	Gymcare	Gym equipment repairs and maintenance - BPLC	\$ 813.45
30/04/2021	Hays Specialist Recruitment (Australia) Pty Ltd	Temporary staff - Building	\$ 12,759.69
06/04/2021	Health Insurance Fund of WA	Payroll deduction	\$ 255.25
23/04/2021	Health Insurance Fund of WA	Payroll deduction	\$ 255.25
30/04/2021	Holcim Australia Pty Ltd (Wembley Cement)	Supply of drainage covers	\$ 1,397.00
30/04/2021	Hotchkin Hanly	COVID-19 deferral documents and advice	\$ 2,222.16
30/04/2021	Ian Collins Homes Pty Ltd	Refund of infrastructure bond	\$ 1,500.00
23/04/2021	Initial Hygiene	Sharps disposal services (3 months)	\$ 2,437.62
13/04/2021	Innovations Catering	Catering for City event - Council	\$ 595.00
30/04/2021	Innovations Catering	Catering for City event - Council	\$ 557.00
13/04/2021	Instant Toilets & Showers Pty Ltd t/as Instant Products Hire	Hire of portable toilets - Banks Pavilion	\$ 1,915.11
30/04/2021	Instant Windscreens	Windscreen repairs	\$ 145.00
30/04/2021	Isubscribe Pty Ltd	Library magazine subscriptions	\$ 1,179.60
30/04/2021	J & K Hopkins	Office furniture supplies - Admin	\$ 1,676.00
13/04/2021	J Banister	Expense reimbursement - safety boots	\$ 160.00
13/04/2021	J Tooley	Part refund of Beatty Park Leisure Centre fees	\$ 665.55
13/04/2021	JBA Surveys	Surveying services - Newcastle Street	\$ 2,585.00
30/04/2021	Jubilee Construction Pty Ltd	Refund of infrastructure bond	\$ 1,500.00
13/04/2021	K A Balm	Expense reimbursement - coffee pods and storage containers for Community Centre	\$ 84.20
13/04/2021	K Grant	Fitness instructor fees	\$ 420.00
30/04/2021	K Grant	Fitness instructor fees	\$ 280.00
13/04/2021	K Harcus	Fitness instructor fees	\$ 780.00
30/04/2021	K Harcus	Fitness instructor fees	\$ 540.00
30/04/2021	K J Gaunt	Rates refund - due to overpayment	\$ 235.00
13/04/2021	K McPherson	Artist concept fee - Pride mural	\$ 250.00
13/04/2021	Kambarang Services Pty Ltd	Facilitation of cultural awareness training	\$ 2,541.00
30/04/2021	Karri Real Estate	Parking revenue distribution - 375 William Street	\$ 35,200.37
23/04/2021	Keep Australia Beautiful	Supply of car litter bags	\$ 50.00
30/04/2021	Kelly Gardner	Vocal performance - native plant sale	\$ 300.00
13/04/2021	KGCC Properties Pty Ltd	Rates refund - due to overpayment	\$ 491.59
16/04/2021	KJ Concha Pty Ltd ATF HODL Superannuation Fund	Superannuation	\$ 1,359.81

Date	Payee	Description	Amount
30/04/2021	Kleen West Distributors	Supply of soap dispensers	\$ 72.37
30/04/2021	Konica Minolta Business Solutions Australia Pty Ltd	Copy costs - various departments	\$ 876.53
13/04/2021	Kott Gunning	Legal services - compliance matter	\$ 1,141.14
13/04/2021	L A Firth	Reimbursement from heritage assistance fund	\$ 5,000.00
30/04/2021	L S Hoedemaker	Refund of infrastructure bond	\$ 1,500.00
06/04/2021	L.G.R.C.E.U.	Payroll deduction	\$ 20.50
23/04/2021	L.G.R.C.E.U.	Payroll deduction	\$ 20.50
13/04/2021	Landgate	Gross rental valuations for interims	\$ 1,074.05
30/04/2021	Landgate	Gross rental valuations for interims; land enquiries	\$ 1,023.45
13/04/2021	Leo Heaney Pty Ltd	Reticulation flushing	\$ 1,056.00
13/04/2021	Les Mills Asia Pacific	Licence fees for fitness classes	\$ 1,605.96
30/04/2021	Line Marking Specialists	Line marking services - various locations	\$ 3,116.30
13/04/2021	M C Darrach	Part refund of Beatty Park Leisure Centre fees	\$ 7.50
13/04/2021	M G Jajko	Fitness instructor fees	\$ 170.52
30/04/2021	M G Jajko	Fitness instructor fees	\$ 56.84
30/04/2021	M L Humich	Fitness instructor fees	\$ 625.24
23/04/2021	M M Santosa	Artist fee - William Street murals	\$ 1,000.00
30/04/2021	M R Scampoli	Refund of infrastructure bond and crossover subsidy	\$ 810.00
13/04/2021	M Slater	Fitness instructor fees	\$ 120.58
30/04/2021	M Slater	Fitness instructor fees	\$ 60.29
23/04/2021	M Truong	Refund of infrastructure bond	\$ 3,000.00
30/04/2021	M Waters	Part refund of dog registration	\$ 150.00
13/04/2021	M2M One Pty Ltd	Mobile SIMs for parks reticulation devices	\$ 303.60
13/04/2021	Main Roads WA	Refund of grant for Fitzgerald Street pedestrian crossing as works were completed by Main Roads (\$165,000); COV contribution for 40 kph speed zone trial signage (\$88,000)	\$ 253,000.00
30/04/2021	Major Motors Pty Ltd	Truck repairs and maintenance	\$ 1,261.79
13/04/2021	Marindust Sales (Inc) Ace Flagpoles	Flagpole repairs - various locations	\$ 1,158.30
30/04/2021	Marketforce Pty Ltd	Advertising services - various departments	\$ 2,079.57
13/04/2021	Massey's Herd	Milk supplies - Depot	\$ 464.10
30/04/2021	Massey's Herd	Milk supplies - Depot	\$ 420.75
23/04/2021	Matthew and Fiona Potter	Rates refund - due to overpayment	\$ 511.54
30/04/2021	Maxima Group Training	School based trainees - Apprenticeship Cert II in business	\$ 365.84
15/04/2021	Mayor E Cole	ICT allowance - 50%	\$ 9,125.25
30/04/2021	McGees Property	Market valuation - 25 Sydney Street	\$ 1,375.00
30/04/2021	McLeods Barristers & Solicitors	Legal advice - smoke free areas	\$ 2,081.77
30/04/2021	MessageMedia	SMS integrating for Phoenix	\$ 155.93
13/04/2021	Messages on Hold	'On hold' equipment and programming	\$ 434.34
30/04/2021	Metal Artwork Creations	Supply of name badges - BPLC	\$ 277.20

Date	Payee	Description	Amount
30/04/2021	Micktrics Pty Ltd	Removal of lanterns - Lunar New Year	\$ 1,188.00
13/04/2021	Midland Toyota	Purchase of vehicle, as per fleet management programme	\$ 26,552.89
13/04/2021	Mindarie Regional Council	Processable and non processable waste	\$ 103,511.39
30/04/2021	Mindarie Regional Council	Processable and non processable waste	\$ 104,174.39
30/04/2021	My Best Friend Veterinary Centre	Vet services	\$ 1,938.00
13/04/2021	My Media Intelligence Pty Ltd	Copyright charges for press articles	\$ 116.49
30/04/2021	N Curtis	Refund of infrastructure bond	\$ 500.00
30/04/2021	N L Nguyen	Refund of parking permits	\$ 360.00
30/04/2021	N Licastro	Part refund of dog registration	\$ 150.00
30/04/2021	Natural Area Holdings Pty Ltd	Weed control - Les Lilleyman Reserve (Autumn)	\$ 2,586.54
23/04/2021	News Limited	Newspaper subscription - library	\$ 624.01
30/04/2021	Nightlife Music Pty Ltd	Crowd DJ and hire of audio/video equipment - BPLC	\$ 518.77
30/04/2021	Noma Pty Ltd	Design advisory meeting fees	\$ 1,100.00
23/04/2021	Northshore Unit Inc. - SES	FESA SES contribution - 4th quarter 2021	\$ 15,765.20
13/04/2021	Officeworks Ltd	Office supplies and consumables; supply of office chairs for Loftus Community Centre	\$ 1,484.32
30/04/2021	Optus Billing Services Pty Ltd	Telephone and internet charges - various locations	\$ 8,434.87
30/04/2021	P M Cribb	Refund of infrastructure bond	\$ 275.00
13/04/2021	P Passmore	Refund of planning application fee	\$ 147.00
30/04/2021	Penterpaper	Copy writing - Imagine Vincent and BPLC websites	\$ 1,300.00
30/04/2021	Perth Office Equipment Repairs	Office equipment repairs - folder insert	\$ 432.31
13/04/2021	Perth Property Management	Refund of parking permits	\$ 540.00
13/04/2021	Perth Temporary Fencing	Hire of temporary fencing - Shady Sounds music event	\$ 957.00
30/04/2021	Plantrite	Supply of plant labels for native plant sale	\$ 950.40
13/04/2021	Plastic Card Printing Pty Ltd	Supply of authorisation cards; supply of bar code cards for Library	\$ 896.28
13/04/2021	Poolshop Online Pty Ltd	Pool chemicals - BPLC	\$ 1,694.00
30/04/2021	Poolshop Online Pty Ltd	Pool chemicals - BPLC	\$ 2,541.00
30/04/2021	Price Consulting Group Pty Ltd	HR consulting services - CEO performance review	\$ 1,320.00
13/04/2021	Print and Sign Co	Printing services - various departments	\$ 909.14
30/04/2021	Print and Sign Co	Printing services - various departments	\$ 2,146.76
30/04/2021	Pro Turf Services	Plant repairs and maintenance	\$ 3,718.44
13/04/2021	Professional Tree Surgeons	Tree pruning and removal services - various locations	\$ 1,754.50
30/04/2021	Professional Tree Surgeons	Tree pruning and removal services - various locations	\$ 1,694.00
13/04/2021	Proficiency Group Pty Ltd	Information management and ICT support services	\$ 165.00
13/04/2021	Programmed Integrated Workforce Ltd	Temporary staff - various departments	\$ 7,627.37
23/04/2021	Programmed Integrated Workforce Ltd	Temporary staff - Engineering	\$ 2,256.60
30/04/2021	Programmed Integrated Workforce Ltd	Temporary staff - various departments	\$ 10,994.29
13/04/2021	Protector Fire Services Pty Ltd	Fire equipment maintenance - BPLC	\$ 1,199.00
30/04/2021	Protector Fire Services Pty Ltd	Fire equipment maintenance - BPLC	\$ 2,582.25

Date	Payee	Description	Amount
30/04/2021	Quality Press	Printing services - posters and flyers for Community Centre	\$ 209.88
30/04/2021	R Bottrell	Music performance for youth event	\$ 400.00
23/04/2021	R Crawford	Artist fee - William Street murals	\$ 1,000.00
13/04/2021	R and S Rasano	Rates refund - due to overpayment	\$ 265.16
13/04/2021	Rada & Neso Services	Cleaning services - BPLC	\$ 11,070.00
13/04/2021	Rawlinsons (WA)	Cost estimate report - Litis Stadium project	\$ 1,980.00
13/04/2021	Raymond Sleeman	Fitness instructor fees	\$ 397.88
13/04/2021	REALMstudios Pty Ltd	Design advisory meeting fee	\$ 440.00
23/04/2021	REALMstudios Pty Ltd	Planning project - Britannia North West Reserve	\$ 2,000.00
30/04/2021	REALMstudios Pty Ltd	Planning project - Britannia North West Reserve	\$ 1,600.00
30/04/2021	Red Spear Pty Ltd	Welcome to Country - Hyde Park music event	\$ 600.00
13/04/2021	Reece's Event Hire	Hire of marquee for 12 metre pool - BPLC	\$ 2,800.01
13/04/2021	Regents Commercial	Variable outgoings - Barlee Street car park	\$ 323.76
30/04/2021	Regents Commercial	Rent - Barlee Street car park	\$ 6,050.00
30/04/2021	Renew Property Maintenance	Clearing rights of way and tipping fees - various locations	\$ 4,345.00
23/04/2021	Revelation Perth International Film Festival Inc.	CoV short film competition 2021 - 1st instalment	\$ 17,600.00
13/04/2021	Richard Harrison	Bee removal services - various locations	\$ 600.00
13/04/2021	Rockwater Pty Ltd	Geothermal monitoring review - BPLC	\$ 3,252.43
30/04/2021	Roof Safety Solutions Pty Ltd	Height safety inspections - various locations	\$ 2,596.00
30/04/2021	Rosemount Hotel	Parking revenue distribution	\$ 18,467.21
23/04/2021	Rotary Club Of North Perth Inc.	Partial bond refund - Hyde Park Fair 2021	\$ 1,749.00
13/04/2021	RPG Auto Electrics	Plant repairs and maintenance	\$ 2,217.53
30/04/2021	RPG Auto Electrics	Plant repairs and maintenance	\$ 1,201.48
13/04/2021	RTRfm 92.1	Refund of bond - Neon Picnic event	\$ 1,100.00
30/04/2021	Rubek Automatic Doors	Repair automatic door - Mt Hawthorn Lesser Hall	\$ 407.00
30/04/2021	S F Russell	Crossover subsidy	\$ 630.00
13/04/2021	S M Armstrong	Repairs to geothermal production borehead - BPLC	\$ 14,352.49
13/04/2021	S Patchett	Fitness instructor fees	\$ 315.00
30/04/2021	S Patchett	Fitness instructor fees	\$ 270.00
30/04/2021	S Paull	Part refund of dog registration	\$ 51.66
30/04/2021	S Simmony	Part refund of Beatty Park Leisure Centre fees	\$ 313.80
13/04/2021	S Walsh	Artist concept design fee - BPLC pool tiles	\$ 200.00
30/04/2021	S Walsh	Artist fee - BPLC pool tile artwork	\$ 4,000.00
30/04/2021	Salt Residential WA Pty Ltd	Refund of infrastructure bond	\$ 1,000.00
30/04/2021	Sam's Repairs & Maintenance	Sign installation and maintenance - various locations	\$ 8,492.00
13/04/2021	Sanderson's Outdoor Power Equipment	Plant repairs and maintenance	\$ 164.00
30/04/2021	SAS Locksmiths	Key cutting and lock maintenance service - various locations	\$ 1,230.00
30/04/2021	Scarboro Toyota	Vehicle services and repairs	\$ 815.22
23/04/2021	Sean Cappeau	Installation of stickers on signage - HBF Park	\$ 1,212.00

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Date	Payee	Description	Amount
13/04/2021	Securus	Security services - Britannia Reserve Pavilion	\$ 295.48
30/04/2021	Securus	Security services - Depot	\$ 475.00
13/04/2021	Sexual Health Quarters	Facilitation of diversity and inclusion training	\$ 2,640.00
13/04/2021	Shred-X Pty Ltd	Security bin exchange - BPLC	\$ 115.50
30/04/2021	Sigma Chemicals	Pool chemicals - BPLC	\$ 790.46
30/04/2021	Signbiz WA Pty Ltd	Sign supplies - Banks Reserve Pavilion	\$ 121.00
30/04/2021	Skate Sculpture	Insulate skate ramp and record acoustic levels before and after - Oxford Street skate park	\$ 1,100.00
06/04/2021	Smartsalary Pty Limited	Payroll deduction	\$ 681.63
23/04/2021	Smartsalary Pty Limited	Payroll deduction	\$ 681.63
13/04/2021	SpacetoCo Pty Ltd	Facilities weekly reporting and financial handling	\$ 660.00
13/04/2021	Speedo Australia Pty Ltd	Merchandise - BPLC	\$ 907.50
30/04/2021	Speedo Australia Pty Ltd	Merchandise - BPLC	\$ 15,621.65
13/04/2021	Sportsworld Of WA	Merchandise - BPLC	\$ 444.40
30/04/2021	Sportsworld Of WA	Merchandise - BPLC	\$ 137.50
23/04/2021	Steann Pty Ltd	Bulk green waste collection	\$ 4,454.84
16/04/2021	Steeg Banham Superannuation Fund	Superannuation	\$ 288.48
30/04/2021	Stephen Carrick Architects Pty Ltd	Design advisory meeting fee and heritage advice	\$ 880.00
13/04/2021	Subthermal Solutions Pty Ltd	Geothermal consultancy - BPLC	\$ 1,980.00
30/04/2021	Suez Recycling & Recovery Pty Ltd	Waste collection - BPLC	\$ 1,356.30
16/04/2021	SuperChoice Services Pty Ltd	Superannuation	\$ 217,644.72
13/04/2021	Synergy	Electricity and gas charges - various locations	\$ 16,632.24
23/04/2021	Synergy	Electricity and gas charges - various locations	\$ 56,882.78
30/04/2021	Synergy	Electricity and gas charges - various locations	\$ 42,114.13
13/04/2021	T A Jackson	Music performance - Shady Sounds event	\$ 100.00
30/04/2021	T Salvia	Refund of infrastructure bond and crossover subsidy	\$ 1,725.00
30/04/2021	T Tudor-Owen	Part refund of Beatty Park Leisure Centre fees	\$ 77.35
30/04/2021	T&H Wilkes Pty Ltd	Gravel supplies	\$ 1,100.00
13/04/2021	Tail Art (Peter Ryan)	Concept design - Pride mural 2021	\$ 275.00
30/04/2021	Tail Art (Peter Ryan)	Artist fee - William Street mural	\$ 550.00
30/04/2021	Technology One Ltd	GIS consulting services	\$ 4,312.00
13/04/2021	Teena Smith	Fitness instructor fees	\$ 190.00
30/04/2021	Teena Smith	Fitness instructor fees	\$ 850.00
13/04/2021	Telstra Corporation Ltd	Telephone and internet charges - various locations	\$ 1,478.87
30/04/2021	Telstra Corporation Ltd	Telephone and internet charges - various locations	\$ 508.35
30/04/2021	The BBQ Man	BBQ and pressure cleaning services - various locations	\$ 6,117.64
13/04/2021	The Nappy Guru	Cloth nappy subsidy program	\$ 70.00
13/04/2021	The Royal Life Saving Society Western Australia Inc	Servicing of AIDS memorial fountain; maintenance of Hyde Park water playground; pool lifeguard challenge registration for two teams	\$ 6,284.02

Date	Payee	Description	Amount
30/04/2021	The Royal Life Saving Society Western Australia Inc	Staff training - first aid courses (Library)	\$ 218.00
16/04/2021	The Trustee for Fergco Family Super Fund	Superannuation	\$ 1,920.74
16/04/2021	The Trustee for Guild Retirement Fund	Superannuation	\$ 531.59
30/04/2021	The Trustee for the Forever Project Trust	Sustainability gardening specialist for native plant sale	\$ 726.00
30/04/2021	TJ Depiazzi & Sons	Supply of mulch	\$ 3,491.40
13/04/2021	Tom Lawton - Bobcat Hire	Bobcat hire and tipping fees	\$ 9,213.60
30/04/2021	Tom Lawton - Bobcat Hire	Bobcat hire	\$ 2,833.60
13/04/2021	Top Spins Group Pty Ltd	Purchase of table tennis tables - Loftus Community Centre	\$ 1,972.00
30/04/2021	Total Eden Pty Ltd	Reticulation supplies	\$ 121.44
30/04/2021	Totally Workwear	Uniform supplies - various departments	\$ 1,913.10
30/04/2021	Tranen Pty Ltd	Supply of seeds	\$ 330.00
13/04/2021	Tree Amigos	Street trees and parks pruning/removal - various locations	\$ 4,880.16
13/04/2021	Trisley's Hydraulic Services Pty Ltd	Pool filtration renewal and associated works - progress claim	\$ 368,643.83
13/04/2021	Trisley's Hydraulic Services Pty Ltd	Pool equipment maintenance and water treatment - BPLC	\$ 4,880.70
30/04/2021	Trisley's Hydraulic Services Pty Ltd	Pool equipment maintenance - BPLC	\$ 810.70
13/04/2021	Truck Centre (WA) Pty Ltd	Truck repairs and maintenance	\$ 5,772.90
30/04/2021	Truck Centre (WA) Pty Ltd	Truck repairs and maintenance	\$ 586.85
30/04/2021	Turf Care WA Pty Ltd	Turf maintenance - various locations	\$ 5,632.00
30/04/2021	Turf Developments (WA) Pty Ltd	Turf maintenance - Les Lilleyman Reserve	\$ 1,606.00
30/04/2021	Turfmaster Facility Management	Turf maintenance and irrigation repairs - various locations	\$ 9,514.54
30/04/2021	Universal Diggers	Plant hire - Depot	\$ 8,624.00
13/04/2021	Vorgee Pty Ltd	Merchandise - BPLC	\$ 1,485.00
30/04/2021	W.A. Hino Sales & Service	Plant repairs and maintenance	\$ 601.05
30/04/2021	W.A. Limestone Co	Supply of limestone	\$ 1,151.88
13/04/2021	WA Police	Return of unused grant funds - targeting graffiti hotspots in Vincent	\$ 12,232.00
30/04/2021	WALGA	Landing page customisation - Council Connect	\$ 1,183.00
13/04/2021	Ward Packaging	Supply of paper cups	\$ 167.02
30/04/2021	WARP Traffic Management	Traffic management services - various locations	\$ 2,285.44
13/04/2021	Water Corporation	Water charges - various locations	\$ 10,593.02
30/04/2021	Water Corporation	Water charges - various locations	\$ 991.60
13/04/2021	WC Convenience Management Pty Ltd	Maintenance of exelooos - various locations	\$ 3,992.44
13/04/2021	Western Power	Tree pruning services - The Boulevarde	\$ 419.27
13/04/2021	West-Sure Group Pty Ltd	Cash collection services - various locations	\$ 282.15
30/04/2021	West-Sure Group Pty Ltd	Cash collection services - parking	\$ 1,878.53
13/04/2021	Wheelers Books	Supply of library books	\$ 73.47
13/04/2021	Wilson Security	Security services - Loftus Centre	\$ 71.50
30/04/2021	Wilson Security	Security services - Depot	\$ 71.50
30/04/2021	Winc Australia Pty Ltd	Office supplies and consumables	\$ 778.18
13/04/2021	Woodlands Distributors Pty Ltd	Supply of compostable dog waste bags	\$ 7,319.40

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Date	Payee	Description	Amount
13/04/2021	Work Metrics Pty Ltd	Online inductions - BPLC	\$ 110.00
30/04/2021	Workwear Group Pty Ltd	Uniform supplies - Rangers	\$ 184.00
13/04/2021	Worldwide East Perth	Printing services - various	\$ 748.00
23/04/2021	Worldwide East Perth	Printing services - public health plans	\$ 583.00
30/04/2021	Worldwide East Perth	Printing services - Hyde Park kiosk signs	\$ 792.00
13/04/2021	YogaNut	Fitness instructor fees	\$ 240.00
13/04/2021	Yolande Gomez	Fitness instructor fees	\$ 260.52
30/04/2021	Yolande Gomez	Fitness instructor fees	\$ 236.84
13/04/2021	ZIP Heaters Aust Pty Ltd	Hydrotap maintenance - Admin	\$ 477.30
13/04/2021	Zoho Corporation Pty Ltd	Annual subscription - ManageEngine	\$ 5,093.00
13/04/2021	Zumba Fitness Patricia Rojo	Fitness instructor fees	\$ 248.00
30/04/2021	Zurich Australian Insurance Ltd	Insurance excesses	\$ 635.10
			\$ 3,038,028.00
Payroll			
01/04/21	Ad hoc		\$ 433.62
13/04/21	Pay 21		\$ 592,405.46
27/04/21	Pay 22		\$ 613,487.32
Total Payroll			\$ 1,206,326.40
Total Payments			\$ 4,244,354.40

Creditors Report - Payments by Direct Debit				
01/04/21 to 30/04/21				
Credit Card Transactions for the Period 10 March 2021 - 9 April 2021				
Card Holder	Date	Payee	Description	Amount
CEO	25/03/2021	Funky Bunches	Wreath for 200th anniversary of the National day of Greece	\$ 100.00
	03/04/2021	West Australian Newspapers Limited	Newspaper subscription	\$ 83.60
				\$ 183.60
Director Community & Business Services	16/03/2021	Australian Computer	Staff training - Google analytics essentials virtual course (Marketing)	\$ 895.00
Manager ICT	10/03/2021	Zoho Corporation Pty Ltd	ManageEngine subscription for ICT ticketing system	\$ 2,000.00
	10/03/2021	Zoho Corporation Pty Ltd	ManageEngine subscription for ICT ticketing system	\$ 189.00
	10/03/2021	Officeworks	Purchase of mobile phones for Rangers ePermits testing	\$ 1,984.00
	11/03/2021	Officeworks	Purchase of mobile phone cases for Rangers' phones	\$ 132.79
	19/03/2021	Zoom.com	Video conferencing	\$ 369.47
	01/04/2021	Safetyculture	Mobile inspection application	\$ 52.80
	02/04/2021	Assetsonar.com	IT asset management software	\$ 265.48
	02/04/2021	International transaction fee	IT asset management software	\$ 6.64
				\$ 5,000.18
Procurement and Contracts Officer	10/03/2021	RK Designs	Book for Library	\$ 65.95
	10/03/2021	Book Depository	Books for Library	\$ 206.50
	10/03/2021	Bandlab Technologies	Library magazine subscription	\$ 115.99
	10/03/2021	Mailchimp	Email campaign	\$ 370.28
	15/03/2021	Shutterstock	Image download subscription	\$ 99.00
	22/03/2021	Asana.com	Subscription - work flow graphic design tool	\$ 790.08
	22/03/2021	International transaction fee	Subscription - work flow graphic design tool	\$ 19.75
	23/03/2021	Booktopia Pty Ltd	Books for Library	\$ 89.10
	23/03/2021	Survey Monkey	Survey tool annual subscription	\$ 384.00
	23/03/2021	Book Depository	Books for Library	\$ 163.73
	31/03/2021	Facebook	Advertising	\$ 110.00
	05/04/2021	Facebook	Advertising	\$ 29.39
	08/04/2021	Booktopia Pty Ltd	Books for Library	\$ 730.25
	08/04/2021	Kmart online	Furniture for pop up Library services	\$ 49.00
	08/04/2021	Kmart online	Furniture for pop up Library services	\$ 147.00
				\$ 3,370.02

<i>Card Holder</i>	<i>Date</i>	<i>Payee</i>	<i>Description</i>	<i>Amount</i>
Total Corporate Credit Cards				\$ 9,448.80
Direct Debits				
Lease Fees	01/04/2021	All Leasing 279258	Beatty Park Leisure Centre cleaning equipment	\$ 2,642.54
	01/04/2021	All Leasing 279259	Upgrade kit for parking meters	\$ 26,025.92
			Total All Leasing	\$ 28,668.46
	21/04/2021	Pitney Bowes Leasing	Postal scales	\$ 395.84
			Total Lease Fees	\$ 29,064.30
Loan Repayments		Treasury Corporation	Department Sport and Recreation Building, Loftus Centre, Loftus Underground Car Park and Beatty Park Leisure Centre	\$ 100,782.60
Bank Fees and Charges		Commonwealth Bank	Bank fees	\$ 23,223.23
Total Direct Debits including Credit Cards				\$ 162,518.93

7.6 FINANCIAL STATEMENTS AS AT 30 APRIL 2021

Attachments: 1. Financial Statements as at 30 April 2021  

RECOMMENDATION:

That Council **RECEIVES** the Financial Statements for the month ended 30 April 2021 as shown in Attachment 1.

PURPOSE OF REPORT:

To present the statement of financial activity for the period ended 30 April 2021.

BACKGROUND:

Regulation 34 (1) of the *Local Government (Financial Management) Regulations 1996* requires a local government to prepare each month a statement of financial activity including the sources and applications of funds, as compared to the budget.

DETAILS:

The following documents, included as **Attachment 1**, comprise the statement of financial activity for the period ending 30 April 2021: -

Note	Description	Page
1.	Statement of Financial Activity by Program Report and Graph	1-3
2.	Statement of Comprehensive Income by Nature or Type Report	4
3.	Net Current Funding Position	5
4.	Summary of Income and Expenditure by Service Areas	6-46
5.	Capital Expenditure including Funding graph and Capital Works Schedule	47-52
6.	Cash Backed Reserves	53
7.	Rating Information and Graph	54-55
8.	Debtors Report	56
9.	Beatty Park Leisure Centre Financial Position	57

Comments on the Statement of Financial Activity (as at Attachment 1)

Operating revenue is reported separately by '*Program*' and '*Nature or Type*' respectively. The significant difference between the two reports is that operating revenue by '*Program*' includes 'Profit on sale of assets and the report for '*Nature or Type*' includes 'Rates revenue'.

Revenue by Program is favourable compared to the YTD budget by \$2,351,246 (16.1%). The following items materially contributed to this position:

- A favourable variance of \$477,752 relating to increased revenue from activities at Beatty Park, public halls, and sporting grounds (**Recreation and Culture**) within the City and higher than anticipated swim school and retail revenue.

A favourable variance of \$1,546,147 compared to the year- to-date budget. (**Transport**): -

- A favourable variance of \$924,400 relating to increased revenue generated from parking activities within the City and \$600,000 grant funding from Main Roads (restricted grant funds) being released to unrestricted grant.

Revenue by Nature or Type is favourable compared to the YTD budget by \$2,315,383 (4.6%). The following items materially contributed to this position: -

- A favourable variance of \$1,651,176 resulting from increased activity at Beatty Park and parking facilities within the City (**Fees and charges**) and higher than anticipated Swim School and Retail revenues.
- There is favourable variance of \$543,229 (operating grants, subsidies and contributions) due to grant funding from Main Roads (restricted grant funds) being released to unrestricted grant.

Expenditure by Program is favourable, attributed by an under-spend of \$1,966,510 (3.9%) compared to the year-to-date budget. The following items materially contributed to this position: -

- A favourable variance of \$347,149 mainly contributed by a budget to actuals timing variance relating to legal and subscription costs, management & operating initiative programmes in the CEO's section, IT software maintenance and records management (**Governance**).
- A favourable variance of \$657,537 primarily contributed by a budget to actuals timing variance relating to the provision of waste tipping, bulk verge, and recycling services (**Community Amenities**).
- Favourable variance of \$578,823 mainly attributed to reduced vehicle maintenance costs, delay in some scheduled programs and projects as planned and other timing variances relating to various works (**Other Property Services**).

Expenditure by Nature or Type is favourable, attributed by an under-spend of \$1,896,770 (3.8%). The following items materially contributed to this position: -

- Employee costs reflects a favourable variance of \$311,537 mainly attributed to the following items:
 - Staff training courses and agency labour costs yet to be required due to timing variance.
 - Vacant staff positions still to be filled.
- There is a favourable variance of \$987,176 primarily attributed to an underspend and timing variance of works under Materials and Contracts:
 - Waste services - \$456,059 relating to tipping, bulk verge & recycling costs.
 - Vehicle maintenance costs -\$108,790 relating to fuel & repairs; and
 - Maintenance works - \$409,557 relating to building maintenance; various sites & street cleaning works.
- There is a favourable variance of \$430,259 relating to Other Expenditure largely contributed by timing variance in the delivery of works in multiple service areas:
 - Leisure & Strategic planning programmes (Policy & Place services) and Statutory planning services - \$203,200.
 - Health Programmes (syringe disposal strategy) and Library services local history programmes - \$63,400.
 - Recreational programmes, community arts programmes, community safety programmes, artwork maintenance and public - \$148,400

Surplus Position – 2020/2021

As at 30 April 2021 the closing budget surplus position for 2020/21 was \$15,903. This position will change in May as a result of the third quarter budget position.

The actual surplus position for April is \$15,005,740 as compared to \$17,557,346 in March 2021. This surplus is anticipated to decrease as the City incurs expenditure for normal operating activities and complete its capital expenditure program for the year.

The estimated closing surplus calculated for the draft budget for 2021/22 is \$5,166,974 of which \$2,378,675 relates to carry forwards, \$1,288,299 relates to restricted grants and an estimated surplus projection of \$1,500,000 due to savings and underestimation of carry forwards.

The closing surplus for this financial year will be finalised when the audit for the City is completed during the latter part of the year.

Content of Statement of Financial Activity

An explanation of each report in the Statement of Financial Activity (**Attachment 1**), along with some commentary, is below:

1. Statement of Financial Activity by Program Report (Note 1 Page 1)

This statement of financial activity shows operating revenue and expenditure classified by Program

2. Statement of Comprehensive Income by Nature or Type Report (Note 2 Page 4)

This statement of Comprehensive Income shows operating revenue and expenditure classified by Nature or Type.

3. Net Current Funding Position (Note 3 Page 5)

'Net current assets' is the difference between the current assets and current liabilities, less committed assets and restricted assets.

4. Summary of Income and Expenditure by Service Areas (Note 4 Page 6 – 46)

This statement shows a summary of operating revenue and expenditure by service unit including variance commentary.

5. Capital Expenditure and Funding Summary (Note 5 Page 47 - 52)

Below is a summary of the year-to-date expenditure of each asset category and the funding source associated to the delivery of capital works

	Revised Budget	YTD Budget	YTD Actual	Remaining Budget
	\$	\$	\$	%
Land and Buildings	5,865,504	3,597,934	1,782,807	69.6%
Infrastructure Assets	6,332,790	3,624,167	2,595,285	59.0%
Plant and Equipment	398,812	358,550	334,342	16.2%
Furniture and Equipment	1,272,100	939,600	295,309	76.8%
Total	13,869,206	8,520,251	5,007,743	63.9%
FUNDING	Revised Budget	YTD Budget	YTD Actual	Remaining Budget
	\$	\$	\$	%
Own Source Funding - Municipal	8,025,873	6,131,101	3,167,187	60.5%
Cash Backed Reserves	3,365,850	380,000	334,549	90.1%
Capital Grant and Contribution	1,704,483	1,236,150	578,574	66.1%
Other (Disposals/Trade In)	773,000	773,000	927,433	-20.0%
Total	13,869,206	8,520,251	5,007,743	63.9%

The full capital works program is listed in detail in Note 5 in **Attachment 1**.

6. Cash Backed Reserves (Note 6 Page 53)

The cash backed reserves schedule provides a detailed summary of the movements in the reserve portfolio, including transfers to and from the reserve. The balance as at 30 April 2021 is \$10,332,578.

7. Rating Information (Note 7 Page 54 - 55)

The notices for rates and charges levied for 2020/21 were issued on 7 August 2020. *The Local Government Act 1995* provides for ratepayers to pay rates by four instalments. The due dates for each instalment are:

	Due Date
First Instalment	18 September 2020
Second Instalment	18 November 2020
Third Instalment	18 January 2021
Fourth Instalment	18 March 2021

Rates debtors for 2020/21 was raised on 29 July 2020 after the adoption of the budget.

The outstanding rates debtors balance as at 30 April 2021 was \$2,096,136 excluding deferred rates of \$103,294. The outstanding rates percentage as at 30 April 2021 was 5% compared to 4% for the similar period last year. This is comprised of:

- 62 ratepayers opting to pay their rates by Special Payment Arrangement of weekly, fortnightly, or monthly through direct debit.
- 46 ratepayers seeking hardship support, with deferred rates. Administration is reviewing and finalising the hardship rebate of \$500 for these applications.

8. Receivables (Note 8 Page 56)

Total trade and other receivables as at April 2021 was \$1,944,657.

Below is a summary of the significant items with outstanding balance over 90 days: -

- \$1,473,824 (97%) relates to unpaid infringements (plus costs) over 90 days. Infringements that remain unpaid for more than two months are referred to the Fines Enforcement Registry (FER), which then collects the outstanding balance on behalf of the City for a fee.

\$971,183 of the unpaid infringements has been transferred to long-term infringement debtors (non-current portion).

As a result, a doubtful debt provision has also been allowed for:

- \$181,310 has been provided for doubtful debt (Current – Up to 12 months).
- \$238,616 has been provided for doubtful debt (Non- Current. Over 12 months). This complies with Australian Accounting standard (AASB 9).
- \$137,883 (8%) relates to cash-in-lieu of car parking debtors. In accordance with the *City's Policy 7.7.1 Non-residential parking*, Administration has entered into special payment arrangements with long outstanding cash in lieu parking debtors to enable them to pay their debt over a fixed term of five years.

However, on 8 April 2020, the Minister of Planning WA issued a provision that exempts proponents from making cash in lieu related payments for existing or new non-residential development to the City. This exemption is effective up to the earlier date of either: -

- 90 days after the date upon which the State of Emergency Declaration ceases to have effect or is revoked; or
 - Midnight, 1 May 2023.
- Tenancy related debts have been dealt with in accordance to the direction approved by the City's COVID-19 Committee.
 - Health licenses debtors are being followed up with final reminders. Thereafter, the debts will be sent to the debt collectors for further follow up.

9. Beatty Park Leisure Centre – Financial Position report (Note 9 Page 57)

As at 30 April 2021, the Centre's operating deficit position was \$113,999 (excluding depreciation) compared to a surplus position of \$28,505 in March 2021. This position is favourable compared to the budgeted deficit of \$274,899.

10. Explanation of Material Variances

The materiality thresholds used for reporting variances are 10% and \$20,000, respectively. This means that variances will be analysed and separately reported when they are more than 10% (+/-) of the year-to-date budget and where that variance exceeds \$20,000 (+/-). This threshold was adopted by Council as part of the budget adoption for 2020/2021 and is used in the preparation of the statements of financial activity when highlighting material variance in accordance with *Financial Management Regulation 34(1) (d)*.

In accordance with the above, all material variances as at 30 April 2021 have been detailed in the variance comments report in **Attachment 1**.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial report for the preceding year and other financial reports as prescribed.

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare a statement of financial activity each month, reporting on the source and application of funds as set out in the adopted annual budget.

A statement of financial activity and any accompanying documents are to be presented at an Ordinary Meeting of the Council within two months after the end of the month to which the statement relates. *Section 6.8 of the Local Government Act 1995* specifies that a local government is not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority decision of Council.

RISK MANAGEMENT IMPLICATIONS:

Low: Provision of monthly financial reports to Council fulfils relevant statutory requirements and is consistent with good financial governance.

STRATEGIC IMPLICATIONS:

Reporting on the City's financial position is aligned with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

Our community is aware of what we are doing and how we are meeting our goals.

Our community is satisfied with the service we provide.

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

Expenditure within this report facilitates various projects, programs, services and initiatives that contribute to protecting/enhancing the City's built and natural environment and to improving resource efficiency.

PUBLIC HEALTH IMPLICATIONS:

Expenditure within this report facilitates various projects, programs and services that contribute to the priority health outcomes within the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

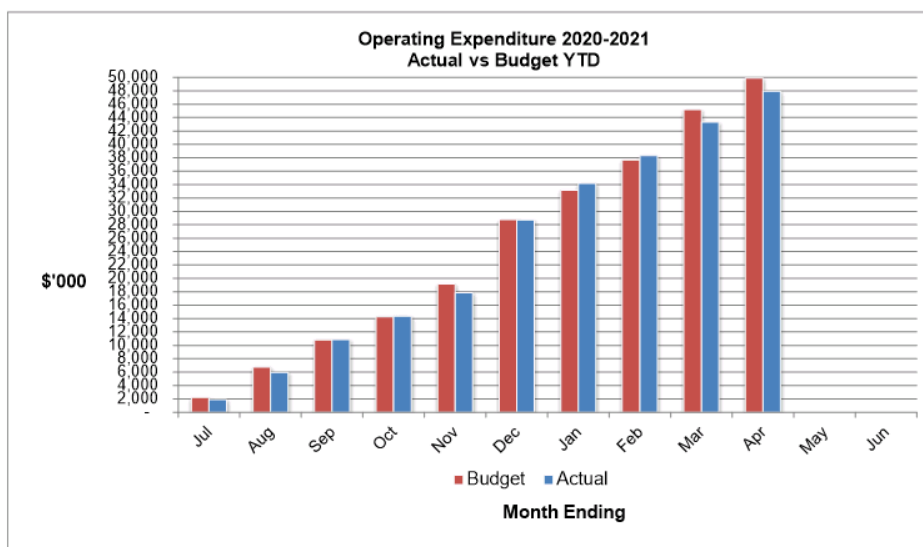
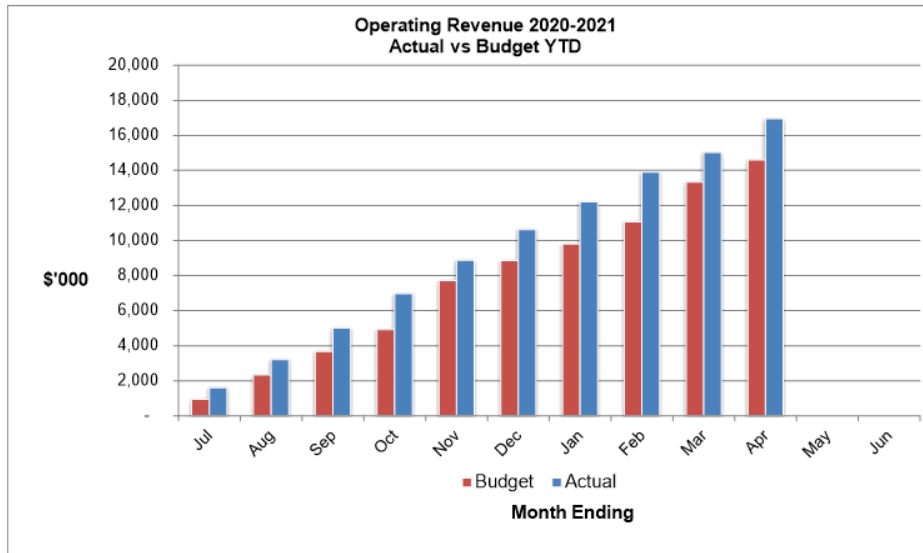
As contained in this report.

CITY OF VINCENT
NOTE 1 - STATEMENT OF FINANCIAL ACTIVITY
BY PROGRAM
FOR THE PERIOD ENDED 30 APRIL 2021

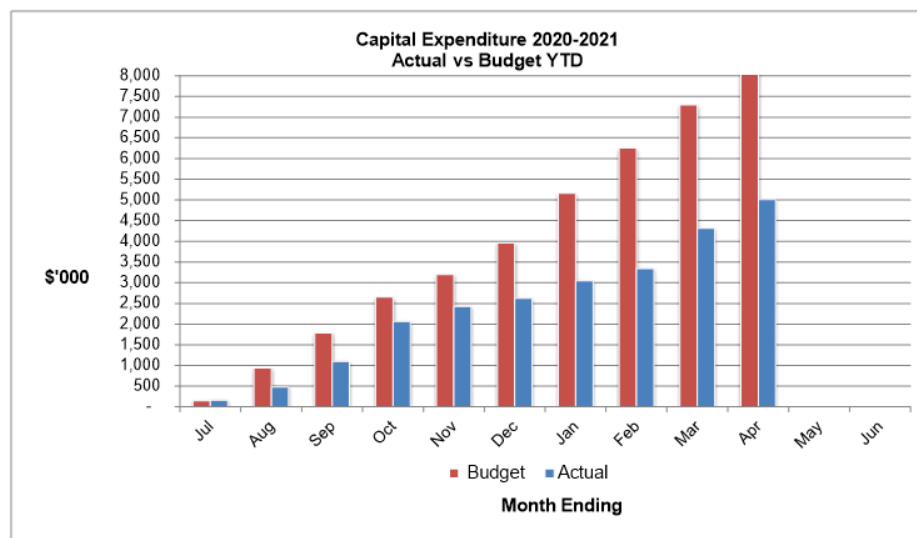
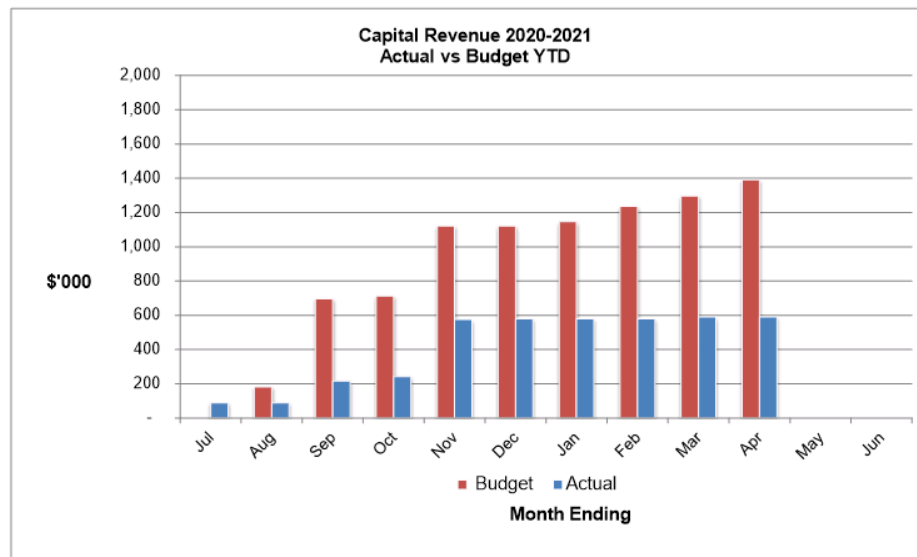


	Revised Budget	YTD Budget	YTD Actual	YTD Variance	YTD Variance
	2020/21	30/04/2021	30/04/2021		
	\$	\$	\$	\$	%
Opening Funding Surplus/(Deficit)	2,122,499	2,122,499	2,122,499	0	0.0%
Revenue from operating activities					
Governance	58,186	50,186	52,959	2,773	5.5%
General Purpose Funding	1,309,457	1,100,948	1,124,130	23,182	2.1%
Law, Order and Public Safety	282,600	193,474	250,193	56,719	29.3%
Health	356,217	345,906	362,969	17,063	4.9%
Education and Welfare	121,781	100,521	104,033	3,512	3.5%
Community Amenities	835,928	733,944	804,607	70,663	9.6%
Recreation and Culture	7,148,078	6,109,705	6,587,457	477,752	7.8%
Transport	6,728,948	5,476,544	7,022,691	1,546,147	28.2%
Economic Services	249,960	204,092	274,755	70,663	34.6%
Other Property and Services	1,756,783	293,454	376,226	82,772	28.2%
	18,847,938	14,608,774	16,960,020	2,351,246	16.1%
Expenditure from operating activities					
Governance	(3,530,620)	(2,878,958)	(2,531,809)	347,149	-12.1%
General Purpose Funding	(735,956)	(574,545)	(495,281)	79,264	-13.8%
Law, Order and Public Safety	(1,661,608)	(1,370,442)	(1,225,858)	144,584	-10.6%
Health	(1,693,316)	(1,354,935)	(1,259,137)	95,798	-7.1%
Education and Welfare	(355,858)	(295,570)	(330,575)	(35,005)	11.8%
Community Amenities	(12,399,657)	(9,688,987)	(9,031,450)	657,537	-6.8%
Recreation and Culture	(23,311,801)	(19,362,637)	(19,202,833)	159,804	-0.8%
Transport	(13,835,076)	(11,398,280)	(11,548,959)	(150,679)	1.3%
Economic Services	(651,719)	(550,945)	(461,710)	89,235	-16.2%
Other Property and Services	(2,956,133)	(2,428,209)	(1,849,386)	578,823	-23.8%
	(61,131,744)	(49,903,508)	(47,936,998)	1,966,510	-3.9%
Add Deferred Rates Adjustment	0	0	29,893	29,893	0.0%
Add Back Depreciation	14,068,923	11,724,129	11,595,070	(129,059)	-1.1%
Adjust (Profit)/Loss on Asset Disposal	(142,768)	107,232	(5,688)	(112,920)	-105.3%
Restricted Unspent Grant	600,000				
	14,526,155	11,831,361	11,619,275	(212,086)	-1.8%
Amount attributable to operating activities	(27,757,651)	(23,463,373)	(19,357,703)	4,105,670	-17.5%
Investing Activities					
Non-operating Grants, Subsidies and Contributions	1,709,795	1,391,150	590,743	(800,407)	-57.5%
Purchase Land and Buildings	(5,865,504)	(3,597,934)	(1,782,675)	1,815,259	-50.5%
Purchase Infrastructure Assets	(6,332,790)	(3,624,167)	(2,596,286)	1,027,881	-28.4%
Purchase Plant and Equipment	(398,812)	(358,550)	(333,473)	25,077	-7.0%
Purchase Furniture and Equipment	(1,272,100)	(939,600)	(295,309)	644,291	-68.6%
Proceeds from Joint Venture Operations	250,000	0	0	0	0.0%
Proceeds from Disposal of Assets	950,733	950,733	1,005,263	54,530	5.7%
Amount attributable to investing activities	(10,958,678)	(6,178,368)	(3,411,737)	2,766,631	-44.8%
Financing Activities					
Proceeds from Self Supporting Loan	2,500	2,500	0	(2,500)	-100.0%
Principal elements of finance lease payments	(91,377)	(91,377)	(91,377)	0	0.0%
Repayment of Debentures	(887,431)	(705,057)	(705,057)	0	0.0%
Transfer to Reserves	(2,366,450)	(1,802,552)	(1,433,155)	369,397	-20.5%
Transfer from Reserves	4,118,183	2,012,140	2,077,102	64,962	3.2%
Amount attributable to financing activities	775,425	(584,346)	(152,487)	431,859	-73.9%
Surplus/(Deficit) before general rates	(35,818,405)	(28,103,588)	(20,799,428)	7,304,160	-26.0%
Total amount raised from general rates	35,834,308	35,797,856	35,805,168	7,312	0.0%
Closing Funding Surplus/(Deficit)	15,903	7,694,268	15,005,740	7,311,472	95.0%

CITY OF VINCENT
 NOTE 1 - STATEMENT OF FINANCIAL ACTIVITY
 BY PROGRAM - GRAPH
 AS AT 30 APRIL 2021



CITY OF VINCENT
NOTE 1 - CAPITAL REVENUE / EXPENDITURE PROGRAM
AS AT 30 APRIL 2021



CITY OF VINCENT
NOTE 2 - STATEMENT OF COMPREHENSIVE INCOME
BY NATURE OR TYPE
FOR THE PERIOD ENDED 30 APRIL 2021



	Revised Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	YTD Variance %
Revenue					
Rates	35,834,308	35,797,856	35,805,168	7,312	0%
Operating Grants, Subsidies and Contributions	1,915,011	542,940	1,086,169	543,229	100.1%
Fees and Charges	14,831,882	12,512,732	14,163,908	1,651,176	13.2%
Interest Earnings	495,705	450,043	427,355	(22,688)	-5.0%
Other Revenue	1,269,835	1,017,554	1,153,908	136,354	13.4%
	54,346,741	50,321,125	52,636,508	2,315,383	4.6%
Expenses					
Employee Costs	(24,263,354)	(19,883,165)	(19,571,628)	311,537	-1.6%
Materials and Contracts	(17,566,399)	(13,969,110)	(12,981,934)	987,176	-7.1%
Utility Charges	(1,661,940)	(1,318,479)	(1,290,601)	27,878	-2.1%
Depreciation on Non-Current Assets	(14,068,923)	(11,724,129)	(11,595,070)	129,059	-1.1%
Interest Expenses	(491,960)	(363,856)	(352,995)	10,861	-3.0%
Insurance Expenses	(512,653)	(426,034)	(426,034)	0	0.0%
Other Expenditure	(2,373,778)	(2,025,998)	(1,595,739)	430,259	-21.2%
	(60,939,007)	(49,710,771)	(47,814,001)	1,896,770	-3.8%
	(6,592,266)	610,354	4,822,507	4,212,153	690.1%
Non-operating Grants, Subsidies and Contributions	1,704,483	1,391,150	590,743	(800,407)	-57.5%
Profit on Disposal of Assets	85,505	85,505	128,682	43,177	50.5%
Loss on Disposal of Assets	(192,737)	(192,737)	(122,994)	69,743	-36.2%
Profit on Assets Held for Sale (TPRC Joint Venture)	250,000	0	0	0	0.0%
	1,847,251	1,283,918	596,431	(687,487)	-53.5%
Net result	(4,745,015)	1,894,272	5,418,938	3,524,666	186.1%
Other comprehensive income					
<i>Items that will not be reclassified subsequently to profit or loss</i>					
Total other comprehensive income	0	0	0	0	0.0%
Total comprehensive income	(4,745,015)	1,894,272	5,418,938	3,524,666	186.1%

CITY OF VINCENT
 NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
 NOTE 3 - NET CURRENT FUNDING POSITION
 FOR THE PERIOD ENDED 30 APRIL 2021



	Note	YTD Actual 30/04/2021	YTD Actual 30/04/2020
			\$
Current Assets			
Cash Unrestricted		17,845,208	15,947,131
Cash Restricted		10,332,578	9,417,475
Investments		11,000	11,000
Receivables - Rates	7	2,096,136	1,685,125
Receivables - Other	8	1,944,657	2,295,049
Inventories		195,892	211,951
		<u>32,425,471</u>	<u>29,567,731</u>
Less: Current Liabilities			
Payables		(4,710,964)	(3,702,481)
Provisions - employee		(4,352,110)	(4,048,083)
		<u>(9,063,074)</u>	<u>(7,750,564)</u>
Unadjusted Net Current Assets		23,362,397	21,817,167
Adjustments and exclusions permitted by FM Reg 32			
Less: Reserves - restricted cash	6	(10,332,578)	(9,417,475)
Less: Restricted- Sundry Debtors(Non-Operating Grant)		0	0
Less: Shares transferred from non current asset		(11,000)	(11,000)
Add: Current portion of long term borrowings		922,901	879,982
Add: Infringement Debtors transferred to non current asset		971,182	775,111
Add: Current portion of long term finance lease liabilities		92,838	92,839
		<u>(8,356,657)</u>	<u>(7,680,543)</u>
Adjusted Net Current Assets		15,005,740	14,136,624

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Chief Executive Officer						
Chief Executive Officer Expenditure						
Employee Costs	390,409	317,737	321,336	3,599	1%	
Other Employee Costs	25,566	22,850	18,734	(4,116)	-18%	
Other Expenses	120,700	114,810	64,451	(50,359)	-44%	Timing variance on management programmes.
Operating Projects	40,000	15,000	0	(15,000)	-100%	
Chief Executive Officer Expenditure Total	576,675	470,397	404,522	(65,875)	-14%	
Chief Executive Officer Indirect Costs						
Allocations	(551,877)	(445,398)	(404,522)	40,876	-9%	
Chief Executive Officer Indirect Costs Total	(551,877)	(445,398)	(404,522)	40,876	-9%	
Chief Executive Officer Total	24,998	24,999	0	(24,999)	-100%	
Members of Council						
Members Of Council Expenditure						
Employee Costs	124,953	100,989	71,622	(29,367)	-29%	Timing variance.
Other Employee Costs	20,000	16,670	0	(16,670)	-100%	
Other Expenses	352,600	297,094	290,686	(6,408)	-2%	
Members Of Council Expenditure Total	497,553	414,753	362,308	(52,445)	-13%	
Members Of Council Indirect Costs						
Allocations	43,790	35,054	32,246	(2,808)	-8%	
Members Of Council Indirect Costs Total	43,790	35,054	32,246	(2,808)	-8%	
Members of Council Total	541,343	449,807	394,554	(55,253)	-12%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Corporate Strategy and Governance Expenditure						
Corporate Strategy and Governance Expenditure						
Employee Costs	719,263	586,044	584,050	(1,994)	0%	
Other Employee Costs	12,000	10,000	993	(9,007)	-90%	
Other Expenses	148,950	124,140	94,315	(29,825)	-24%	\$17k legal cost not yet required and other variances are individually immaterial.
Operating Projects	67,000	56,000	48,006	(7,994)	-14%	
Corporate Strategy and Governance Expenditure Total	947,213	776,184	727,363	(48,821)	-6%	
Corporate Strategy and Governance Expenditure Total	947,213	776,184	727,363	(48,821)	-6%	
Corporate Strategy and Governance Indirect Costs						
Corporate Strategy and Governance Indirect Costs						
Allocations	379,076	304,763	282,952	(21,811)	-7%	
Corporate Strategy and Governance Indirect Costs Total	379,076	304,763	282,952	(21,811)	-7%	
Corporate Strategy and Governance Indirect Costs Total	379,076	304,763	282,952	(21,811)	-7%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Human Resources						
Human Resources Revenue						
Revenue	(50,000)	(50,000)	(52,773)	(2,773)	6%	
Human Resources Revenue Total	(50,000)	(50,000)	(52,773)	(2,773)	6%	
Human Resources Expenditure						
Employee Costs	857,742	728,174	738,622	10,448	1%	
Other Employee Costs	139,835	116,153	28,663	(87,490)	-75%	Favourable variance - \$12k external recruitment, \$16k training courses and \$21k agency labour cost not required as yet.
Other Expenses	98,829	83,040	50,728	(32,312)	-39%	\$21k timing variance on subscriptions expense.
Human Resources Expenditure Total	1,096,406	927,367	818,013	(105,354)	-12%	
Human Resources Indirect Costs						
Allocations	(1,046,406)	(877,367)	(765,240)	112,127	-13%	
Human Resources Indirect Costs Total	(1,046,406)	(877,367)	(765,240)	112,127	-13%	
Human Resources Total	0	0	0	0	100%	
Information Technology						
Information Technology Expenditure						
Employee Costs	477,030	387,968	352,025	(35,943)	-9%	Favourable variance due to position vacant.
Other Employee Costs	6,000	4,500	527	(3,973)	-88%	
Other Expenses	1,539,900	1,315,744	1,181,008	(134,736)	-10%	
Operating Projects	80,000	66,668	66,797	129	0%	
Information Technology Expenditure Total	2,102,930	1,774,880	1,600,358	(174,522)	-10%	
Information Technology Indirect Costs						
Allocations	(2,102,930)	(1,774,880)	(1,600,358)	174,522	-10%	
Information Technology Indirect Costs Total	(2,102,930)	(1,774,880)	(1,600,358)	174,522	-10%	
Information Technology Total	0	0	0	0	100%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance %	Variance Commentary
Records Management						
Records Management Revenue						
Revenue	(186)	(186)	(186)	0	0%	
Records Management Revenue Total	(186)	(186)	(186)	0	0%	
Records Management Expenditure						
Employee Costs	285,768	233,316	232,044	(1,272)	-1%	
Other Employee Costs	4,000	2,703	(141)	(2,844)	-105%	
Other Expenses	38,650	31,392	11,520	(19,872)	-53%	
Operating Projects	11,405	11,405	11,405	0	0%	
Records Management Expenditure Total	340,823	278,816	254,829	(23,987)	-9%	
Records Management Indirect Costs						
Allocations	(340,637)	(278,630)	(254,643)	23,987	-9%	
Records Management Indirect Costs Total	(340,637)	(278,630)	(254,643)	23,987	-9%	
Records Management Total	0	0	0	0		
Director Community and Business Services						
Director Community and Business Services						
Revenue	0	0	0	0		
Employee Costs	297,778	243,194	262,362	19,168	8%	
Other Employee Costs	3,671	3,060	1,726	(1,334)	-44%	
Other Expenses	4,250	3,530	1,562	(1,968)	-56%	
Director Community and Business Services Total	305,699	249,784	265,650	15,866	6%	
Director Community and Business Services Total	305,699	249,784	265,650	15,866	6%	
Director Community and Business Ser Indirect Costs						
Director Community and Business Ser Indirect Costs						
Allocations	(305,699)	(249,784)	(265,650)	(15,866)	6%	
Director Community and Business Ser Indirect Costs Total	(305,699)	(249,784)	(265,650)	(15,866)	6%	
Director Community and Business Ser Indirect Costs Total	(305,699)	(249,784)	(265,650)	(15,866)	6%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Finance Services						
Finance Services Revenue						
Revenue	(3,500)	(2,930)	(3,293)	(363)	12%	
Finance Services Revenue Total	(3,500)	(2,930)	(3,293)	(363)	12%	
Finance Services Expenditure						
Employee Costs	928,001	734,232	716,012	(18,220)	-2%	
Other Employee Costs	9,100	9,080	7,622	(1,458)	-16%	
Other Expenses	209,900	(29,036)	37,574	66,610	-229%	Variance due to budget phasing, to be adjusted during 3rd quarter budget review.
Finance Services Expenditure Total	1,147,001	714,276	761,207	46,931	7%	
Finance Services Indirect Costs						
Allocations	(1,143,501)	(711,346)	(757,915)	(46,569)	7%	
Finance Services Indirect Costs Total	(1,143,501)	(711,346)	(757,915)	(46,569)	7%	
Finance Services Total	0	0	(0)	0	100%	
Insurance Premium						
Insurance Premium Expenditure						
Other Expenses	512,653	426,034	426,034	0	0%	
Insurance Premium Expenditure Total	512,653	426,034	426,034	0	0%	
Insurance Premium Recovery						
Allocations	(512,653)	(426,034)	(426,034)	0	0%	
Insurance Premium Recovery Total	(512,653)	(426,034)	(426,034)	0	0%	
Insurance Premium Total	0	0	0	0		

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Insurance Claim						
Insurance Claim Recoup						
Revenue	(65,000)	(71,285)	(77,382)	(6,097)	9%	
Insurance Claim Recoup Total	(65,000)	(71,285)	(77,382)	(6,097)	9%	
Insurance Claim Expenditure						
Other Expenses	5,000	4,129	5,590	1,461	35%	
Insurance Claim Expenditure Total	5,000	4,129	5,590	1,461	35%	
Insurance Claim Total	(60,000)	(67,156)	(71,793)	(4,637)	7%	
Mindarie Regional Council						
Mindarie Regional Council Revenue						
Revenue	(191,110)	(144,048)	(208,249)	(64,201)	45%	Land sales withholding tax higher than anticipated.
Mindarie Regional Council Revenue Total	(191,110)	(144,048)	(208,249)	(64,201)	45%	
Mindarie Regional Council Expenditure						
Other Expenses	32,000	32,000	28,617	(3,383)	-11%	
Land - Revaluation Decrement	0	0	0	0		
Mindarie Regional Council Expenditure Total	32,000	32,000	28,617	(3,383)	-11%	
Mindarie Regional Council Total	(159,110)	(112,048)	(179,633)	(67,585)	60%	
General Purpose Revenue						
General Purpose Revenue						
Revenue	(1,950,201)	(628,514)	(563,677)	64,837	-10%	Interest revenue lower than budget estimates.
General Purpose Revenue Total	(1,950,201)	(628,514)	(563,677)	64,837	-10%	
General Purpose Revenue Total	(1,950,201)	(628,514)	(563,677)	64,837	-10%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Rates Services						
Rates Services Revenue						
Revenue	(36,335,008)	(36,270,290)	(36,365,622)	(95,332)	0%	
Rates Services Revenue Total	(36,335,008)	(36,270,290)	(36,365,622)	(95,332)	0%	
Rates Services Expenditure						
Employee Costs	259,111	210,791	216,152	5,361	3%	
Other Employee Costs	0	0	0	0		
Other Expenses	180,950	171,950	153,143	(18,807)	-11%	
Operating Projects	150,000	75,000	18,500	(36,500)	-75%	Hardship application reviewed and rebates applied to eligible ratepayer.
Rates Services Expenditure Total	590,061	457,741	387,795	(29,946)	-15%	
Rates Services Indirect Costs						
Allocations	145,895	116,804	107,485	(9,319)	-8%	
Rates Services Indirect Costs Total	145,895	116,804	107,485	(9,319)	-8%	
Rates Services Total	(35,599,952)	(35,595,745)	(35,870,341)	(174,596)	0%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance Variance Commentary %
Marketing and Communications					
Marketing and Communications Revenue					
Revenue	(8,000)	0	0	0	
Marketing and Communications Revenue Total	(8,000)	0	0	0	
Marketing and Communications Expenditure					
Employee Costs	709,451	577,095	583,140	6,045	1%
Other Employee Costs	1,000	1,000	68	(932)	-93%
Other Expenses	467,643	376,675	208,651	(168,024)	-45% Timing variance of works relating to advertising, community arts programmes, artwork maintenance and public relations with possible savings.
Operating Projects	50,000	30,300	15,223	(15,077)	-50%
Marketing and Communications Expenditure Total	1,228,054	985,070	807,081	(177,989)	-18%
Marketing and Communications Indirect Costs					
Allocations	359,896	288,135	267,086	(21,049)	-7%
Marketing and Communications Indirect Costs Total	359,896	288,135	267,086	(21,049)	-7%
Marketing and Communications Total	1,579,950	1,273,205	1,074,167	(195,038)	-16%
Art and Culture					
Art and Culture					
Other Expenses	46,000	14,000	31,056	17,056	122%
Art and Culture Total	46,000	14,000	31,056	17,056	122%
Art and Culture Total	46,000	14,000	31,056	17,056	122%

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Community Partnerships Revenue						
Community Partnerships Revenue						
Revenue	(32,559)	(31,850)	(1,149)	30,701	-96%	Timing variance on receipt of grant funding.
Community Partnerships Revenue Total	(32,559)	(31,850)	(1,149)	30,701	-96%	
Community Partnerships Revenue Total	(32,559)	(31,850)	(1,149)	30,701	-96%	
Community Partnership Expenditure						
Community Partnership Expenditure						
Employee Costs	419,967	341,921	334,918	(7,003)	-2%	
Other Employee Costs	9,430	8,690	3,690	(5,000)	-58%	
Other Expenses	230,300	163,046	68,070	(94,976)	-58%	Timing variance relating to the delivery of events, recreational programmes and donations with possible savings.
Operating Projects	30,000	0	0	0		
Community Partnership Expenditure Total	689,697	513,657	406,678	(106,979)	-21%	
Community Partnership Expenditure Total	689,697	513,657	406,678	(106,979)	-21%	
Community Partnerships Indirect Costs						
Community Partnerships Indirect Costs						
Community Partnerships Mgmt Admin Alloca	0	0	0	0		
Library Occupancy Costs Allocations	0	0	0	0		
Community Partnerships Indirect Costs Total	226,571	181,483	175,667	(5,817)	-3%	
Community Partnerships Indirect Costs Total	226,571	181,483	175,667	(5,817)	-3%	
Beatty Park Leisure Centre Administration						
Beatty Park Leisure Centre Admin Revenue						
Revenue	(1,919,400)	(1,742,557)	(1,975,309)	(232,752)	13%	Revenue has been updated in the September budget review.
Beatty Park Leisure Centre Admin Revenue Total	(1,919,400)	(1,742,557)	(1,975,309)	(232,752)	13%	
Beatty Park Leisure Centre Admin Indirect Revenue						
Allocations	1,919,400	1,742,557	1,975,309	232,752	13%	
Beatty Park Leisure Centre Admin Indirect Revenue Total	1,919,400	1,742,557	1,975,309	232,752	13%	
Beatty Park Leisure Centre Admin Expenditure						
Employee Costs	809,832	644,815	603,098	(41,717)	-6%	
Other Employee Costs	21,628	18,597	8,400	(10,197)	-55%	
Other Expenses	145,850	122,135	114,940	(7,195)	-6%	
Beatty Park Leisure Centre Admin Expenditure Total	977,310	785,547	726,438	(59,109)	-8%	
Beatty Park Leisure Centre Admin Indirect Costs						
Allocations	(977,310)	(785,547)	(726,438)	59,109	-8%	
Beatty Park Leisure Centre Admin Indirect Costs Total	(977,310)	(785,547)	(726,438)	59,109	-8%	
Beatty Park Leisure Centre Administration Total	0	0	(0)	(0)	100%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance Variance Commentary %
Beatty Park Leisure Centre Building					
Beatty Park Leisure Centre Building Revenue					
Revenue	(292,386)	(207,063)	(133,378)	73,685	-36% \$70k timing variance on lease and rental property income.
Beatty Park Leisure Centre Building Revenue Total	(292,386)	(207,063)	(133,378)	73,685	-36%
Beatty Park Leisure Centre Occupancy Costs					
Building Maintenance	437,350	365,069	368,706	3,637	1%
Ground Maintenance	41,800	34,659	65,078	30,419	88% \$26k capital works incorrectly costed to operating expense, to be reversed in May 2021.
Refabrication - Revaluation Decrement	0	0	0	0	
Beatty Park Leisure Centre Occupancy Costs Total	2,455,436	2,013,167	2,055,582	42,415	2%
Beatty Park Leisure Centre Indirect Costs					
Allocations	(2,163,050)	(1,832,569)	(1,922,204)	(89,635)	5%
Beatty Park Leisure Centre Indirect Costs Total	(2,163,050)	(1,832,569)	(1,922,204)	(89,635)	5%
Beatty Park Leisure Centre Building Total	0	(26,465)	0	26,465	-100%
Swimming Pool Areas					
Swimming Pool Areas Revenue					
Revenue	(1,165,250)	(1,075,473)	(1,064,417)	11,056	-1%
Swimming Pool Areas Revenue Total	(1,165,250)	(1,075,473)	(1,064,417)	11,056	-1%
Swimming Pool Areas Indirect Revenue					
Allocations	(309,601)	(281,076)	(318,815)	(37,739)	13%
Swimming Pool Areas Indirect Revenue Total	(309,601)	(281,076)	(318,815)	(37,739)	13%
Swimming Pool Areas Expenditure					
Employee Costs	882,549	730,187	795,059	64,872	9%
Other Employee Costs	14,500	14,375	9,637	(4,738)	-33%
Other Expenses	150,470	124,755	178,301	53,546	43% Unfavourable variance, \$14k relates to water treatment and \$15k relates to equipment hire, to be adjusted in 3rd quarter budget review.
Swimming Pool Areas Expenditure Total	1,047,519	869,317	982,997	113,680	13%
Swimming Pool Areas Indirect Costs					
Allocations	2,444,193	2,034,628	2,059,488	24,860	1%
Swimming Pool Areas Indirect Costs Total	2,444,193	2,034,628	2,059,488	24,860	1%
Swimming Pool Areas Total	2,016,861	1,547,396	1,659,253	111,857	7%

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance Variance Commentary %
Swim School					
Swim School Revenue					
Revenue	(1,068,500)	(926,000)	(1,062,740)	(136,740)	15% Revenue higher than anticipated.
Swim School Revenue Total	(1,068,500)	(926,000)	(1,062,740)	(136,740)	15%
Swim School Indirect Revenue					
Allocations	(3,546)	(3,310)	(3,556)	(246)	7%
Swim School Indirect Revenue Total	(3,546)	(3,310)	(3,556)	(246)	7%
Swim School Expenditure					
Employee Costs	713,508	638,751	636,197	(2,554)	0%
Other Employee Costs	6,000	5,000	1,415	(3,585)	-72%
Other Expenses	28,000	22,054	19,294	(2,760)	-13%
Swim School Expenditure Total	747,508	665,805	656,906	(8,699)	-1%
Swim School Indirect Costs					
Allocations	181,262	147,800	142,776	(5,024)	-3%
Swim School Indirect Costs Total	181,262	147,800	142,776	(5,024)	-3%
Swim School Total	(143,376)	(115,705)	(266,615)	(150,910)	130%
Cafe Expenditure					
Employee Costs	34,280	34,280	34,280	0	0%
Other Employee Costs	0	0	0	0	
Other Expenses	0	0	735	735	100%
Cafe Expenditure Total	34,280	34,280	35,015	735	2%
Cafe Total	34,280	34,280	35,015	735	2%

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Retail						
Retail Revenue						
Revenue	(510,000)	(460,000)	(497,513)	(37,513)	8%	Revenue higher than anticipated.
Retail Revenue Total	(510,000)	(460,000)	(497,513)	(37,513)	8%	
Retail Indirect Revenue						
Allocations	(765)	(695)	(790)	(95)	14%	
Retail Indirect Revenue Total	(765)	(695)	(790)	(95)	14%	
Retail Expenditure						
Employee Costs	53,255	43,367	48,154	4,787	11%	
Other Employee Costs	250	250	0	(250)	-100%	
Other Expenses	185,400	173,000	251,748	78,748	46%	Timing variance relating to the purchase of stock.
Retail Expenditure Total	238,905	216,617	299,902	83,285	38%	
Retail Indirect Costs						
Allocations	73,991	60,801	59,938	(863)	-1%	
Retail Indirect Costs Total	73,991	60,801	59,938	(863)	-1%	
Retail Total	(197,869)	(183,277)	(138,463)	44,814	-24%	
Health and Fitness						
Health and Fitness Revenue						
Revenue	(119,600)	(101,490)	(115,859)	(14,369)	14%	
Health and Fitness Revenue Total	(119,600)	(101,490)	(115,859)	(14,369)	14%	
Health and Fitness Indirect Revenue						
Allocations	(1,062,198)	(964,333)	(1,092,746)	(128,413)	13%	
Health and Fitness Indirect Revenue Total	(1,062,198)	(964,333)	(1,092,746)	(128,413)	13%	
Health and Fitness Expenditure						
Employee Costs	629,264	510,668	515,817	5,149	1%	
Other Employee Costs	10,700	8,900	2,430	(6,471)	-73%	
Other Expenses	108,000	91,912	68,373	(23,539)	-26%	Favourable variance of \$20k on purchase of furniture and equipment which is not yet required.
Health and Fitness Expenditure Total	747,964	611,480	586,619	(24,861)	-4%	
Health and Fitness Indirect Costs						
Allocations	509,420	422,013	423,469	1,456	0%	
Health and Fitness Indirect Costs Total	509,420	422,013	423,469	1,456	0%	
Health and Fitness Total	75,586	(32,330)	(198,517)	(166,187)	514%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance Variance Commentary %
Group Fitness					
Group Fitness Revenue					
Revenue	(70,000)	(60,000)	(66,611)	(6,611)	11%
Group Fitness Revenue Total	(70,000)	(60,000)	(66,611)	(6,611)	11%
Group Fitness Indirect Revenue					
Allocations	(360,656)	(327,427)	(371,161)	(43,734)	13%
Group Fitness Indirect Revenue Total	(360,656)	(327,427)	(371,161)	(43,734)	13%
Group Fitness Expenditure					
Employee Costs	165,596	140,534	183,139	42,605	30% Revenue has been updated in the September budget review.
Other Employee Costs	3,500	2,750	318	(2,432)	-88%
Other Expenses	124,245	112,825	104,663	(8,162)	-7%
Group Fitness Expenditure Total	293,341	256,109	288,120	32,011	12%
Group Fitness Indirect Costs					
Allocations	178,228	147,354	146,552	(802)	-1%
Group Fitness Indirect Costs Total	178,228	147,354	146,552	(802)	-1%
Group Fitness Total	40,913	16,036	(3,100)	(19,136)	-119%
Aqua Fitness					
Aqua Fitness Revenue					
Revenue	(12,000)	(14,005)	(12,255)	1,750	-12%
Aqua Fitness Revenue Total	(12,000)	(14,005)	(12,255)	1,750	-12%
Aqua Fitness Indirect Revenue					
Allocations	(152,784)	(138,707)	(157,235)	(18,528)	13%
Aqua Fitness Indirect Revenue Total	(152,784)	(138,707)	(157,235)	(18,528)	13%
Aqua Fitness Expenditure					
Employee Costs	18,284	14,914	21,666	6,752	45%
Other Employee Costs	450	450	0	(450)	-100%
Other Expenses	11,600	10,830	5,690	(5,140)	-47%
Aqua Fitness Expenditure Total	30,334	26,194	27,357	1,163	4%
Aqua Fitness Indirect Costs					
Allocations	103,300	84,002	80,570	(3,432)	-4%
Aqua Fitness Indirect Costs Total	103,300	84,002	80,570	(3,432)	-4%
Aqua Fitness Total	(31,150)	(42,516)	(61,563)	(19,047)	45%

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Crèche						
Crèche Revenue						
Revenue	(20,000)	(18,123)	(14,326)	3,797	-21%	
Crèche Revenue Total	(20,000)	(18,123)	(14,326)	3,797	-21%	
Crèche Indirect Revenue						
Allocations	(29,750)	(27,009)	(30,617)	(3,608)	13%	
Crèche Indirect Revenue Total	(29,750)	(27,009)	(30,617)	(3,608)	13%	
Crèche Expenditure						
Employee Costs	145,427	118,489	130,126	11,667	10%	
Other Employee Costs	750	750	652	(99)	-13%	
Other Expenses	2,110	1,840	206	(1,634)	-89%	
Crèche Expenditure Total	148,287	121,049	130,984	9,335	8%	
Crèche Indirect Costs						
Allocations	89,612	73,875	73,069	(806)	-1%	
Crèche Indirect Costs Total	89,612	73,875	73,069	(806)	-1%	
Crèche Total	188,149	149,792	159,110	9,318	6%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance Variance Commentary %
Customer Service Centre					
Customer Services Centre Expenditure					
Employee Costs	550,070	447,584	386,196	(61,388)	-14% Customer Service staff are supporting the community Centre
Other Employee Costs	6,050	5,040	2,675	(2,365)	-47%
Other Expenses	24,550	20,528	15,878	(4,650)	-23%
Customer Services Centre Expenditure Total	580,670	473,152	404,749	(68,403)	-14%
Customer Services Centre Indirect Costs					
Customer Services Centre Indirect Costs Total	(580,670)	(473,152)	(404,749)	68,403	-14%
Customer Service Centre Total	0	0	(0)	(0)	100%
Library Services					
Library Services Revenue					
Revenue	(10,336)	(8,566)	(11,089)	(2,523)	29%
Library Services Revenue Total	(10,336)	(8,566)	(11,089)	(2,523)	29%
Library Services Expenditure					
Employee Costs	913,928	756,340	772,145	15,805	2%
Other Employee Costs	7,100	5,910	5,261	(649)	-11%
Other Expenses	96,000	80,526	48,429	(32,097)	-40% \$8k timing variance for Local History programmes, other positive variances are individually immaterial.
Library Services Expenditure Total	1,017,028	842,776	825,835	(16,941)	-2%
Library Services Indirect Costs					
Allocations	425,742	339,014	321,230	(17,784)	-5%
Community Partnerships Mgmt Admin Allocated	0	0	0	0	
Library Occupancy Costs Allocations	13,239	10,942	54,958	44,016	402%
Library Services Indirect Costs Total	438,981	349,956	376,188	26,232	7%
Library Services Total	1,445,673	1,184,166	1,190,933	6,767	1%
Library Building					
Library Occupancy Costs					
Building Maintenance	94,700	76,560	87,651	11,091	14%
Ground Maintenance	5,000	5,000	0	(5,000)	-100%
Office Furniture and Equipment - Revaluation	0	0	0	0	
Library Occupancy Costs Total	262,945	217,266	221,438	4,172	2%
Library Indirect Costs					
Allocations	6,185	5,150	5,150	0	0%
Library Occupancy Costs Recovery	(53,826)	(44,483)	(223,498)	(179,015)	402%
Library Indirect Costs Total	(47,641)	(39,333)	(218,348)	(179,015)	455%
Library Building Total	215,304	177,933	3,090	(174,843)	-98%

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance %	Variance Commentary
Loftus Community Centre Revenue						
Loftus Community Centre Revenue						
Revenue	(56,000)	(44,998)	(58,762)	(13,764)	31%	
Loftus Community Centre Revenue Total	(56,000)	(44,998)	(58,762)	(13,764)	31%	
Loftus Community Centre Revenue Total	(56,000)	(44,998)	(58,762)	(13,764)	31%	
Loftus Community Centre Expenditure						
Loftus Community Centre Expenditure						
Employee Costs	89,581	86,577	105,090	18,513	21%	
Other Employee Costs	1,500	1,250	604	(646)	-52%	
Building Maintenance	16,272	13,560	0	(13,560)	-100%	
Other Expenses	36,160	30,605	15,107	(15,498)	-51%	
Loftus Community Centre Expenditure Total	143,513	131,992	120,801	(11,191)	-8%	
Loftus Community Centre Expenditure Total	143,513	131,992	120,801	(11,191)	-8%	
Loftus Community Centre Indirect Costs						
Loftus Community Centre Indirect Costs						
Allocations	44,577	35,500	33,467	(2,033)	-6%	
Loftus Community Centre Indirect Costs Total	44,577	35,500	33,467	(2,033)	-6%	
Loftus Community Centre Indirect Costs Total	44,577	35,500	33,467	(2,033)	-6%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance %	Variance Commentary
Senior and Disability Services Revenue						
Senior and Disability Services Revenue						
Revenue	(13,500)	(9,125)	(4,408)	4,717	-52%	
Senior and Disability Services Revenue Total	(13,500)	(9,125)	(4,408)	4,717	-52%	
Senior and Disability Services Revenue Total	(13,500)	(9,125)	(4,408)	4,717	-52%	
Senior and Disability Services Expenditure						
Other Employee Costs	0	0	0	0		
Operating Projects	0	0	0	0		
Senior and Disability Services Expenditure Total	20,000	12,500	13,750	1,250	10%	
Senior and Disability Services Expenditure Total	20,000	12,500	13,750	1,250	10%	
Director Strategy and Development Services						
Director Strategy and Development Services						
Employee Costs	316,562	287,752	283,022	25,270	10%	Budget phasing variance.
Other Employee Costs	1,100	920	45	(875)	-95%	
Other Expenses	1,800	1,500	431	(1,069)	-71%	
Director Strategy and Development Services Total	319,462	260,172	283,497	23,325	9%	
Director Strategy and Development Services Total	319,462	260,172	283,497	23,325	9%	
Director Strategy and Development Ser indirect Co						
Director Strategy and Development Ser indirect Co						
Allocations	(319,462)	(260,172)	(283,497)	(23,325)	9%	
Director Strategy and Development Ser indirect Co Total	(319,462)	(260,172)	(283,497)	(23,325)	9%	
Director Strategy and Development Ser indirect Co Total	(319,462)	(260,172)	(283,497)	(23,325)	9%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance Variance Commentary %
Health Administration and Inspection					
Health Administration and Inspection Revenue					
Revenue	(326,720)	(321,119)	(333,868)	(12,753)	4%
Health Administration and Inspection Revenue Total	(326,720)	(321,119)	(333,868)	(12,753)	4%
Health Administration and Inspection Expenditure					
Employee Costs	964,754	778,802	745,757	(33,045)	-4%
Other Employee Costs	24,819	20,352	9,202	(11,150)	-55%
Other Expenses	73,340	47,630	19,612	(28,018)	-59% \$8k timing variance on Health programmes, \$8k favourable variance on syringe disposal strategy and other favourable variances that are individually immaterial.
Health Administration and Inspection Expenditure Total	1,062,909	846,784	774,579	(72,214)	-5%
Health Administration and Inspection Indirect Cost					
Allocations	535,830	429,651	400,368	(29,283)	-7%
Health Administration and Inspection Indirect Cost Total	535,830	429,651	400,368	(29,283)	-7%
Health Administration and Inspection Total	1,272,019	955,320	841,070	(114,250)	-12%
Food Control					
Food Control Revenue					
Revenue	(500)	(500)	0	500	-100%
Food Control Revenue Total	(500)	(500)	0	500	-100%
Food Control Expenditure					
Other Expenses	12,500	10,080	4,743	(5,337)	-53%
Food Control Expenditure Total	12,500	10,080	4,743	(5,337)	-53%
Food Control Total	12,000	9,580	4,743	(4,637)	-50%
Health Clinics					
Health Clinics Revenue					
Revenue	(28,997)	(24,291)	(29,102)	(4,811)	20%
Health Clinics Revenue Total	(28,997)	(24,291)	(29,102)	(4,811)	20%
Health Clinics Expenditure					
Building Maintenance	18,600	15,407	20,614	5,207	34%
Ground Maintenance	0	0	1,963	1,963	100%
Relocation - Revaluation Decrement	0	0	0	0	
Health Clinics Expenditure Total	80,109	66,780	77,816	11,036	17%
Health Clinics Indirect Costs					
Allocations	1,968	1,640	1,640	0	0%
Health Clinics Indirect Costs Total	1,968	1,640	1,640	0	0%
Health Clinics Total	53,080	44,129	50,355	6,226	14%

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % Variance Commentary
Statutory Planning Services					
Statutory Planning Services Revenue					
Revenue	(383,530)	(315,464)	(359,855)	(44,391)	14% Favourable variance due to higher than anticipated development application fees.
Statutory Planning Services Revenue Total	(383,530)	(315,464)	(359,855)	(44,391)	14%
Statutory Planning Services Expenditure					
Employee Costs	1,098,225	893,360	838,624	(54,736)	-6%
Other Employee Costs	11,074	9,230	7,070	(2,160)	-23%
Other Expenses	184,590	134,130	68,082	(66,048)	-49% \$9k timing variance on design advisory committee member fee, \$26k on legal costs, \$14k on consultants and other favourable variances that are individually immaterial.
Statutory Planning Services Expenditure Total	1,293,889	1,036,720	913,777	(122,943)	-12%
Statutory Planning Services Indirect Costs					
Allocations	539,467	432,045	402,074	(29,971)	-7%
Statutory Planning Services Indirect Costs Total	539,467	432,045	402,074	(29,971)	-7%
Statutory Planning Services Total	1,449,826	1,153,301	955,956	(197,305)	-17%
Compliance Services					
Compliance Services Revenue					
Revenue	(43,313)	(38,858)	(43,717)	(4,859)	13%
Compliance Services Revenue Total	(43,313)	(38,858)	(43,717)	(4,859)	13%
Compliance Services Expenditure					
Employee Costs	444,376	361,455	344,783	(16,672)	-5%
Other Employee Costs	12,721	9,850	4,812	(5,038)	-51%
Other Expenses	67,100	55,910	40,933	(14,977)	-27%
Compliance Services Expenditure Total	524,197	427,215	390,528	(36,687)	-9%
Compliance Services Indirect Costs					
Allocations	250,202	200,546	191,922	(8,624)	-4%
Compliance Services Indirect Costs Total	250,202	200,546	191,922	(8,624)	-4%
Compliance Services Total	731,086	588,903	538,734	(50,165)	-9%

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BY SERVICE AREAS
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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Policy and Place Services						
Policy and Place Services Revenue						
Revenue	(1,800)	(1,500)	(4,713)	(3,213)	214%	
Policy and Place Services Revenue Total	(1,800)	(1,500)	(4,713)	(3,213)	214%	
Policy and Place Serv Expenditure						
Employee Costs	1,230,977	1,001,599	1,047,369	45,770	5%	
Other Employee Costs	13,600	11,330	8,142	(3,188)	-28%	
Other Expenses	726,346	298,393	113,173	(185,220)	-62%	Timing variance of works relating to leisure and strategic planning programmes.
Operating Projects	0	0	0	0		
Policy and Place Serv Expenditure Total	1,970,923	1,311,322	1,168,684	(142,638)	-11%	
Policy and Place Services Indirect Cost						
Allocations	657,618	526,685	492,118	(34,567)	-7%	
Policy and Place Services Indirect Cost Total	657,618	526,685	492,118	(34,567)	-7%	
Policy and Place Services Total	2,626,741	1,836,507	1,656,089	(180,418)	-10%	
Building Control						
Building Control Revenue						
Revenue	(246,050)	(200,182)	(264,219)	(64,037)	32%	Building licenses revenue higher than anticipated.
Building Control Revenue Total	(246,050)	(200,182)	(264,219)	(64,037)	32%	
Building Control Expenditure						
Employee Costs	317,479	258,328	254,275	(4,053)	-2%	
Other Employee Costs	42,064	40,522	33,807	(6,715)	-17%	
Other Expenses	10,850	9,050	5,157	(3,893)	-43%	
Building Control Expenditure Total	370,393	307,900	293,239	(14,661)	-5%	
Building Control Indirect Costs						
Allocations	180,326	144,545	149,013	4,468	3%	
Building Control Indirect Costs Total	180,326	144,545	149,013	4,468	3%	
Building Control Total	304,663	252,263	178,033	(74,230)	-29%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Director Infrastructure and Environment Expe						
Director Infrastructure and Environment Expe						
Employee Costs	394,438	321,143	313,079	(8,064)	-3%	
Other Employee Costs	7,518	6,260	7,407	1,147	18%	
Other Expenses	48,480	35,589	32,409	(3,180)	-9%	
Director Infrastructure and Environment Expe Total	450,406	362,992	352,894	(10,098)	-3%	
Director Infrastructure and Environment Expe Total	450,406	362,992	352,894	(10,098)	-3%	
Director Infrastructure and Environment Indirect						
Director Infrastructure and Environment Indirect						
Allocations	(450,406)	(362,992)	(352,894)	10,098	-3%	
Director Infrastructure and Environment Indirect Total	(450,406)	(362,992)	(352,894)	10,098	-3%	
Director Infrastructure and Environment Indirect Total	(450,406)	(362,992)	(352,894)	10,098	-3%	
Ranger Services Administration						
Ranger Services Administration Revenue						
Revenue	(3,000)	(2,523)	(2,058)	465	-18%	
Ranger Services Administration Revenue Total	(3,000)	(2,523)	(2,058)	465	-18%	
Ranger Services Administration Expenditure						
Employee Costs	2,324,136	1,899,524	1,869,784	(29,740)	-2%	
Other Employee Costs	51,034	44,831	27,996	(16,835)	-38%	
Other Expenses	206,000	162,308	119,753	(42,555)	-26%	Favourable variance - \$10k furniture and equipment maintenance, \$10k postage costs not required as yet, other variances are individually immaterial.
Lease Expenses	3,263	3,263	3,263	(0)	0%	
Ranger Services Administration Expenditure Total	2,584,433	2,109,926	2,020,795	(89,131)	-4%	
Ranger Services Administration Indirect Costs						
Allocations	(2,580,433)	(2,106,573)	(2,018,737)	87,836	-4%	
Ranger Services Administration Indirect Costs Total	(2,580,433)	(2,106,573)	(2,018,737)	87,836	-4%	
Ranger Services Administration Total	1,000	830	0	(830)	-100%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance %	Variance Commentary
Fire Prevention						
Fire Prevention Revenue						
Revenue	(2,500)	0	(2,801)	(2,801)	100%	
Fire Prevention Revenue Total	(2,500)	0	(2,801)	(2,801)	100%	
Other Employee Costs	0	0	0	0		
Other Expenses	100	0	0	0		
Fire Prevention Expenditure Total	100	0	0	0		
Fire Prevention Indirect Costs						
Allocations	35,536	28,823	29,982	1,159	4%	
Fire Prevention Indirect Costs Total	35,536	28,823	29,982	1,159	4%	
Fire Prevention Total	33,136	28,823	27,181	(1,642)	-6%	
Animal Control						
Animal Control Revenue						
Revenue	(92,450)	(85,690)	(90,584)	(4,894)	6%	
Animal Control Revenue Total	(92,450)	(85,690)	(90,584)	(4,894)	6%	
Other Employee Costs	0	0	0	0		
Other Expenses	19,800	15,112	18,481	3,369	22%	
Animal Control Expenditure Total	19,800	15,112	18,481	3,369	22%	
Animal Control Indirect Costs						
Allocations	284,402	230,681	228,632	(2,049)	-1%	
Animal Control Indirect Costs Total	284,402	230,681	228,632	(2,049)	-1%	
Animal Control Total	211,752	160,103	156,529	(3,574)	-2%	

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NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance Variance Commentary %
Local Laws (Law and Order)					
Local Laws (Law and Order) Revenue	(134,650)	(92,761)	(134,964)	(42,203)	45% Favourable variance due to higher than anticipated revenue for work zone licences and permits.
Local Laws (Law and Order) Revenue Total	(134,650)	(92,761)	(134,964)	(42,203)	45%
Local Laws (Law and Order) Indirect Costs					
Allocations	455,044	369,091	365,811	(3,280)	-1%
Local Laws (Law and Order) Indirect Costs Total	455,044	369,091	365,811	(3,280)	-1%
Local Laws (Law and Order) Total	320,394	276,330	230,847	(45,483)	-16%
Abandoned Vehicles					
Abandoned Vehicles Revenue	(9,500)	(7,283)	(8,926)	(1,643)	23%
Abandoned Vehicles Revenue Total	(9,500)	(7,283)	(8,926)	(1,643)	23%
Other Employee Costs	0	0	0	0	
Other Expenses	6,000	4,625	1,185	(3,440)	-74%
Abandoned Vehicles Expenditure Total	6,000	4,625	1,185	(3,440)	-74%
Abandoned Vehicles Indirect Costs					
Allocations	398,162	322,953	320,085	(2,868)	-1%
Abandoned Vehicles Indirect Costs Total	398,162	322,953	320,085	(2,868)	-1%
Abandoned Vehicles Total	394,662	320,295	312,344	(7,951)	-2%

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Inspectorial Control						
Inspectorial Control Revenue						
Revenue	(1,983,647)	(1,663,588)	(1,734,467)	(70,879)	4%	
Inspectorial Control Revenue Total	(1,983,647)	(1,663,588)	(1,734,467)	(70,879)	4%	
Other Employee Costs	0	0	0	0		
Car Park Development - Revaluation Decre	0	0	0	0		
Inspectorial Control Expenditure Total	1,144,386	990,781	1,011,426	20,645	2%	
Inspectorial Control Indirect Costs						
Allocations	2,559,618	2,076,133	2,057,688	(18,445)	-1%	
Inspectorial Control Indirect Costs Total	2,559,618	2,076,133	2,057,688	(18,445)	-1%	
Inspectorial Control Total	1,720,357	1,403,326	1,334,647	(68,679)	-5%	
Car Park Control						
Car Park Control Revenue						
Revenue	(2,242,216)	(1,802,778)	(2,156,916)	(354,138)	20%	Revenue higher than anticipated as a result of increased visitor activity within the City.
Car Park Control Revenue Total	(2,242,216)	(1,802,778)	(2,156,916)	(354,138)	20%	
Car Park Control Expenditure						
Ground Maintenance	149,000	124,157	151,828	27,671	22%	Timing variance on maintenance works.
Other Expenses	649,022	494,901	625,235	130,334	26%	Timing variance on parking revenue reimbursement.
Car Park Control Expenditure Total	798,022	619,058	777,063	158,005	26%	
Car Park Control Total	(1,444,194)	(1,183,720)	(1,379,853)	(196,133)	17%	
Kerbside Parking Control						
Kerbside Parking Control Revenue						
Revenue	(2,128,811)	(1,685,178)	(2,207,109)	(521,931)	31%	Revenue has been updated in the September budget review.
Kerbside Parking Control Revenue Total	(2,128,811)	(1,685,178)	(2,207,109)	(521,931)	31%	
Kerbside Parking Control Expenditure						
Other Expenses	492,763	385,371	426,116	40,745	11%	
Kerbside Parking Control Expenditure Total	492,763	385,371	426,116	40,745	11%	
Kerbside Parking Control Total	(1,636,048)	(1,299,807)	(1,780,993)	(481,186)	37%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Dog Pound Expenditure						
Dog Pound Expenditure						
Building Maintenance	1,500	1,500	1,509	9	1%	
Buildings - Revaluation Decrement	0	0	0	0		
Dog Pound Expenditure Total	1,500	1,500	2,162	662	44%	
Dog Pound Expenditure Total	1,500	1,500	2,162	662	44%	
Community Connections Revenue						
Community Connections Revenue						
Revenue	(50,000)	(12,500)	0	12,500	-100%	
Community Connections Revenue Total	(50,000)	(12,500)	0	12,500	-100%	
Community Connections Revenue Total	(50,000)	(12,500)	0	12,500	-100%	
Community Connections						
Community Connections Expenditure						
Employee Costs	50,533	41,136	42,164	1,028	3%	
Other Employee Costs	0	0	0	0		
Other Expenses	98,880	91,001	65,268	(25,733)	-28%	Timing variance of works relating to community safety programmes.
Operating Projects	50,000	30,000	12,482	(17,518)	-58%	
Community Connections Expenditure Total	199,413	162,137	119,914	(42,223)	-26%	
Community Connections Indirect Costs						
Allocations	23,965	19,082	23,660	4,578	24%	
Community Partnerships Mgmt Admin Alloca	0	0	0	0		
Library Occupancy Costs Allocations	746	616	3,084	2,468	401%	
Community Connections Indirect Costs Total	24,711	19,698	26,744	7,046	36%	
Community Connections Total	224,124	181,835	146,659	(35,176)	-19%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Engineering Design Services						
Engineering Design Services Revenue						
Revenue	(6,000)	(5,250)	(2,461)	2,789	-53%	
Engineering Design Services Revenue Total	(6,000)	(5,250)	(2,461)	2,789	-53%	
Engineering Design Services Expenditure						
Employee Costs	564,141	455,495	486,014	30,519	7%	
Other Employee Costs	39,213	32,332	58,159	25,827	80%	Unfavourable variance as a result of agency labour costs relating to a position within the section. This will be offset by the savings identified from the salaries budgeted for the same position.
Other Expenses	123,450	101,124	73,696	(27,428)	-27%	Favourable variance of \$15k on Asset Management - Data collection and \$15k building condition survey. Unfavourable variance of \$14k on traffic survey.
Operating Projects	180,124	180,124	180,124	0	0%	
Engineering Design Services Expenditure Total	906,928	769,075	797,993	28,918	4%	
Engineering Design Services Indirect Costs						
Allocations	291,444	233,623	236,194	2,531	1%	
Engineering Design Services Indirect Costs Total	291,444	233,623	236,194	2,531	1%	
Engineering Design Services Total	1,192,372	997,445	1,031,687	34,239	3%	
Bike Station Expenditure						
Bike Station Expenditure						
Other Expenses	6,000	4,500	1,369	(3,131)	-70%	
Bike Station Expenditure Total	6,000	4,500	1,369	(3,131)	-70%	
Bike Station Expenditure Total	6,000	4,500	1,369	(3,131)	-70%	
Street Lighting						
Street Lighting Revenue						
Revenue	(24,500)	0	0	0		
Street Lighting Revenue Total	(24,500)	0	0	0		
Street Lighting Expenditure						
Other Expenses	756,000	566,997	531,796	(35,201)	-6%	
Street Lighting Expenditure Total	756,000	566,997	531,796	(35,201)	-6%	
Street Lighting Total	731,500	566,997	531,796	(35,201)	-6%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance Variance Commentary %
Bus Shelter					
Bus Shelter Revenue					
Revenue	(64,000)	(41,250)	(50,039)	(8,789)	21%
Bus Shelter Revenue Total	(64,000)	(41,250)	(50,039)	(8,789)	21%
Other Expenses	134,241	111,869	119,405	7,536	7%
Street Furniture - Revaluation Decrement	0	0	0	0	
Bus Shelter Expenditure Total	134,241	111,869	119,405	7,536	7%
Bus Shelter Total	70,241	70,619	69,366	(1,253)	-2%
Parking and Street Name Signs Expenditure					
Parking and Street Name Signs Expenditure					
Other Expenses	90,000	89,500	88,397	(1,103)	-2%
Parking and Street Name Signs Expenditure Total	90,000	89,500	88,397	(1,103)	-2%
Parking and Street Name Signs Expenditure Total	90,000	89,500	88,397	(1,103)	-2%
Crossovers					
Crossovers Revenue					
Revenue	(500)	(375)	0	375	-100%
Crossovers Revenue Total	(500)	(375)	0	375	-100%
Crossovers Expenditure					
Other Expenses	15,000	12,500	15,204	2,704	22%
Crossovers Expenditure Total	15,000	12,500	15,204	2,704	22%
Crossovers Total	14,500	12,125	15,204	3,079	25%

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance %	Variance Commentary
Roads Linemarking Expenditure						
Roads Linemarking Expenditure						
Other Expenses	68,000	56,670	51,695	(4,975)	-9%	
Roads Linemarking Expenditure Total	68,000	56,670	51,695	(4,975)	-9%	
Roads Linemarking Expenditure Total	68,000	56,670	51,695	(4,975)	-9%	
Tree Lighting Leederville Expenditure						
Tree Lighting Leederville Expenditure						
Other Expenses	70,000	70,000	67,364	(2,636)	-4%	
Tree Lighting Leederville Expenditure Total	70,000	70,000	67,364	(2,636)	-4%	
Tree Lighting Leederville Expenditure Total	70,000	70,000	67,364	(2,636)	-4%	
Parklets Expenditure						
Parklets Expenditure						
Other Expenses	3,500	3,500	518	(2,982)	-85%	
Parklets Expenditure Total	3,500	3,500	518	(2,982)	-85%	
Parklets Expenditure Total	3,500	3,500	518	(2,982)	-85%	
Environmental Services						
Environmental Services Revenue						
Revenue	(14,000)	(7,000)	(10,466)	(3,466)	50%	
Environmental Services Revenue Total	(14,000)	(7,000)	(10,466)	(3,466)	50%	
Environmental Services Expenditure						
Employee Costs	90,279	73,357	75,461	2,104	3%	
Other Employee Costs	0	0	0	0		
Other Expenses	202,290	135,070	126,420	(8,650)	-6%	
Environmental Services Expenditure Total	292,569	208,427	201,881	(6,546)	-3%	
Environmental Services Indirect Costs						
Allocations	45,142	36,176	34,870	(1,306)	-4%	
Environmental Services Indirect Costs Total	45,142	36,176	34,870	(1,306)	-4%	
Environmental Services Total	323,711	237,603	226,284	(11,319)	-5%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance %	Variance Commentary
Property Management Administration						
Property Management Administration Revenue						
Revenue	(2,000)	(1,670)	(2,034)	(364)	22%	
Property Management Administration Revenue Total	(2,000)	(1,670)	(2,034)	(364)	22%	
Property Management Administration Expenditure						
Employee Costs	322,887	258,290	244,828	(13,462)	-5%	
Other Employee Costs	5,100	4,250	4,250	0	0%	
Other Expenses	17,000	17,000	17,976	976	6%	
Property Management Administration Expenditure Total	344,987	279,540	267,054	(12,486)	-4%	
Property Management Administration Indirect Costs						
Allocations	150,313	120,937	114,734	(6,203)	-5%	
Property Management Administration Indirect Costs Total	150,313	120,937	114,734	(6,203)	-5%	
Property Management Administration Total	493,300	398,807	379,754	(19,053)	-5%	
Civic Centre Building						
Civic Centre Building Expenditure						
Building Maintenance	182,000	154,080	163,433	9,353	6%	
Plant and Equipment - Revaluation Decrem	0	0	0	0		
Office Furniture and Equipment - Revalua	0	0	0	0		
Civic Centre Building Expenditure Total	888,352	743,672	597,289	(146,383)	-20%	
Civic Centre Building Indirect Costs						
Allocations	(888,352)	(728,672)	(597,289)	131,383	-18%	
Civic Centre Building Indirect Costs Total	(888,352)	(728,672)	(597,289)	131,383	-18%	
Civic Centre Building Total	0	15,000	0	(15,000)	-100%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance %	Variance Commentary
Child Care Centres and Play Groups						
Child Care Centres and Play Groups Revenue						
Revenue	(9,474)	(6,904)	(7,053)	(149)	2%	
Child Care Centres and Play Groups Revenue Total	(9,474)	(6,904)	(7,053)	(149)	2%	
Child Care Centres and Play Groups Expenditure						
Building Maintenance	7,150	7,150	38,230	31,080	435%	Storm damage works required at Early birds playgroup and general maintenance works at Mount Hawthorn playgroup. Budget will be adjusted at 3rd quarter budget review.
Parks Development - Revaluation Decrements	0	0	0	0		
Fencing - Revaluation Decrement	0	0	0	0		
Child Care Centres and Play Groups Expenditure Total	55,069	47,040	78,167	31,067	66%	
Child Care Centres and Play Groups Indirect Costs						
Allocations	2,441	2,040	2,040	0	0%	
Child Care Centres and Play Groups Indirect Costs Total	2,441	2,040	2,040	0	0%	
Child Care Centres and Play Groups Total	47,976	42,176	73,095	30,919	73%	
Pre Schools and Kindergartens						
Pre Schools and Kindergartens Revenue						
Revenue	(61,849)	(54,520)	(52,676)	1,844	-3%	
Pre Schools and Kindergartens Revenue Total	(61,849)	(54,520)	(52,676)	1,844	-3%	
Pre Schools and Kindergartens Expenditure						
Playground Equipment - Revaluation Decrements	0	0	0	0		
Reticulation - Revaluation Decrement	0	0	0	0		
Pre Schools and Kindergartens Expenditure Total	53,301	44,531	47,528	2,997	7%	
Pre Schools and Kindergartens Indirect Costs						
Allocations	1,749	1,460	1,460	0	0%	
Pre Schools and Kindergartens Indirect Costs Total	1,749	1,460	1,460	0	0%	
Pre Schools and Kindergartens Total	(6,799)	(8,529)	(3,687)	4,842	-57%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance %	Variance Commentary
Community and Welfare Centres						
Community and Welfare Centres Revenue						
Revenue	(36,958)	(29,972)	(39,896)	(9,924)	33%	
Community and Welfare Centres Revenue Total	(36,958)	(29,972)	(39,896)	(9,924)	33%	
Community and Welfare Centres Expenditure						
Building Maintenance	31,050	27,431	35,455	8,024	29%	
Plant and Equipment - Revaluation Decrease	0	0	0	0		
Parks Development - Revaluation Decrease	0	0	0	0		
Community and Welfare Centres Expenditure Total	215,681	181,599	181,289	(310)	0%	
Community and Welfare Centres Indirect Costs						
Allocations	7,677	6,400	6,400	0	0%	
Community and Welfare Centres Indirect Costs Total	7,677	6,400	6,400	0	0%	
Community and Welfare Centres Total	186,400	158,027	147,753	(10,234)	-6%	
Department of Sports and Recreation Building						
Dept of Sports and Recreation Building Revenue						
Revenue	(823,580)	(666,310)	(694,343)	(28,033)	4%	
Dept of Sports and Recreation Building Revenue Total	(823,580)	(666,310)	(694,343)	(28,033)	4%	
Dept of Sports and Recreation Building Expenditure						
Building Maintenance	97,000	74,670	62,986	(11,684)	-16%	
Buildings - Revaluation Decrease	0	0	0	0		
Parks Development - Revaluation Decrease	0	0	0	0		
Dept of Sports and Recreation Building Expenditure Total	992,786	910,516	883,522	(26,594)	-3%	
Dept of Sports and Recreation Building Indirect Costs						
Allocations	12,811	10,680	10,680	0	0%	
Dept of Sports and Recreation Building Indirect Costs Total	12,811	10,680	10,680	0	0%	
Department of Sports and Recreation Building Total	182,017	254,886	199,859	(55,027)	-22%	

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	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
nib stadium						
nib Stadium Revenue						
Revenue	(27,847)	(27,847)	(27,847)	(0)	0%	
nib Stadium Revenue Total	(27,847)	(27,847)	(27,847)	(0)	0%	
nib Stadium Expenditure						
Fencing - Revaluation Decrement	0	0	0	0		
Reticulation - Revaluation Decrement	0	0	0	0		
nib Stadium Expenditure Total	2,028,810	1,690,674	1,690,675	1	0%	
nib Stadium Total	2,000,963	1,662,827	1,662,828	1	0%	
Leederville Oval						
Leederville Oval Revenue						
Revenue	(156,539)	(131,294)	(108,653)	22,641	-17%	Journal needs to be prepared as variable outgoing revenue is received after deducting expenditure.
Leederville Oval Revenue Total	(156,539)	(131,294)	(108,653)	22,641	-17%	
Leederville Oval Expenditure						
Building Maintenance	19,700	15,100	15,358	258	2%	
Fencing - Revaluation Decrement	0	0	0	0		
Reticulation - Revaluation Decrement	0	0	0	0		
Leederville Oval Expenditure Total	576,277	481,845	478,178	(3,667)	-1%	
Leederville Oval Indirect Costs						
Allocations	13,365	11,140	11,140	0	0%	
Leederville Oval Indirect Costs Total	13,365	11,140	11,140	0	0%	
Leederville Oval Total	433,003	361,691	380,665	18,974	5%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance Variance Commentary %
Loftus Centre					
Loftus Centre Revenue					
Revenue	(553,288)	(356,623)	(451,715)	(95,092)	27% Favourable variance as payment of deferred loan repayments have commenced.
Loftus Centre Revenue Total	(553,288)	(356,623)	(451,715)	(95,092)	27%
Loftus Centre Expenditure					
Building Maintenance	227,500	189,580	133,148	(56,432)	-30% Timing variance of works.
Park Furniture - Revaluation Decrement	0	0	0	0	
Playground Equipment - Revaluation Decre	0	0	0	0	
Loftus Centre Expenditure Total	1,015,608	848,282	764,576	(83,706)	-10%
Loftus Centre Indirect Costs					
Allocations	24,424	20,360	20,360	0	0%
Loftus Centre Indirect Costs Total	24,424	20,360	20,360	0	0%
Loftus Centre Total	486,744	512,019	333,221	(178,798)	-35%
Public Halls					
Public Halls Revenue					
Revenue	(215,659)	(154,834)	(142,673)	12,161	-8%
Public Halls Revenue Total	(215,659)	(154,834)	(142,673)	12,161	-8%
Public Halls Expenditure					
Building Maintenance	192,000	169,894	182,245	12,351	7%
Playground Equipment - Revaluation Decre	0	0	0	0	
Reticulation - Revaluation Decrement	0	0	0	0	
Public Halls Expenditure Total	489,560	421,873	440,029	18,156	4%
Public Halls Indirect Costs					
Allocations	6,438	5,360	5,360	0	0%
Public Halls Indirect Costs Total	6,438	5,360	5,360	0	0%
Public Halls Total	280,359	272,359	302,716	30,317	11%

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Reserves Pavilions and Facilities						
Reserves Pavilions and Facilities Revenue						
Revenue	(26,415)	(19,834)	(15,962)	3,872	-20%	
Reserves Pavilions and Facilities Revenue Total	(26,415)	(19,834)	(15,962)	3,872	-20%	
Reserves Pavilions and Facilities Expenditure						
Building Maintenance	390,901	342,766	306,243	(36,523)	-11%	Favourable variance, no major maintenance yet required.
Buildings - Revaluation Decrement	0	0	0	0		
Office Furniture and Equipment - Revalua	0	0	0	0		
Reserves Pavilions and Facilities Expenditure Total	712,040	609,897	566,602	(43,295)	-7%	
Reserves Pavilions and Facilities Indirect Costs						
Allocations	6,501	5,410	5,410	0	0%	
Reserves Pavilions and Facilities Indirect Costs Total	6,501	5,410	5,410	0	0%	
Reserves Pavilions and Facilities Total	692,126	595,473	556,049	(39,424)	-7%	
Sporting Clubs Buildings						
Playground Equipment - Revaluation Decre	0	0	0	0		
Reteculation - Revaluation Decrement	0	0	0	0		
Sporting Clubs Buildings Expenditure Total	963,294	765,219	780,213	14,994	2%	
Sporting Clubs Buildings Indirect Costs						
Allocations	31,149	25,950	25,950	0	0%	
Sporting Clubs Buildings Indirect Costs Total	31,149	25,950	25,950	0	0%	
Sporting Clubs Buildings Total	874,723	691,686	705,269	13,583	2%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Parks and Reserves Administration						
Parks and Reserves Administration Revenue						
Revenue	(3,200)	(2,670)	(2,814)	(144)	5%	
Parks and Reserves Administration Revenue Total	(3,200)	(2,670)	(2,814)	(144)	5%	
Parks and Reserves Administration Expenditure						
Employee Costs	1,047,503	831,587	851,485	19,898	2%	
Playground Equipment - Revaluation Decre	0	0	0	0		
Reticulation - Revaluation Decrement	0	0	0	0		
Parks and Reserves Administration Expenditure Total	1,318,382	1,057,825	1,045,502	(7,923)	-1%	
Parks and Reserves Administration Indirect Costs						
Allocations	1,470,487	1,181,208	1,152,189	(29,019)	-2%	
On Costs Recovery	(1,497,018)	(1,247,510)	(977,257)	270,253	-22%	
Parks and Reserves Administration Indirect Costs Total	(26,531)	(66,302)	174,932	241,234	-364%	
Parks and Reserves Administration Total	1,289,251	988,853	1,222,020	233,167	24%	
Parks and Reserves						
Parks and Reserves Revenue						
Revenue	(9,300)	(9,301)	(46,493)	(37,192)	400%	Favourable variance, ground hire revenue higher than anticipated.
Parks and Reserves Revenue Total	(9,300)	(9,301)	(46,493)	(37,192)	400%	
Parks and Reserves Expenditure						
Playground Equipment - Revaluation Decre	0	0	0	0		
Reticulation - Revaluation Decrement	0	0	0	0		
Parks and Reserves Expenditure Total	2,773,853	2,324,888	2,212,403	(112,485)	-5%	
Parks and Reserves Indirect Costs						
Allocations	364	300	300	0	0%	
Parks and Reserves Indirect Costs Total	364	300	300	0	0%	
Parks and Reserves Total	2,764,357	2,315,887	2,166,210	(149,677)	-6%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance Variance Commentary %
Sporting Grounds					
Sporting Grounds Revenue					
Revenue	(1,134)	(849)	(32,740)	(31,891)	3756% Favourable variance, reserves and ground hire revenue higher than anticipated.
Sporting Grounds Revenue Total	(1,134)	(849)	(32,740)	(31,891)	3756%
Sporting Grounds Expenditure					
Playground Equipment - Revaluation Decre	0	0	0	0	
Reticulation - Revaluation Decrement	0	0	0	0	
Sporting Grounds Expenditure Total	1,712,703	1,433,924	1,413,345	(20,579)	-1%
Sporting Grounds Total	1,711,569	1,433,075	1,380,605	(52,470)	-4%
Road Reserves Expenditure					
Road Reserves Expenditure					
Ground Maintenance	328,005	273,710	289,098	15,388	6%
Other Expenses	10,700	8,025	13,544	5,519	69%
Road Reserves Expenditure Total	338,705	281,735	302,641	20,906	7%
Road Reserves Expenditure Total	338,705	281,735	302,641	20,906	7%
Parks Other					
Parks Other Revenue					
Revenue	(219,425)	(219,425)	(217,425)	2,000	-1%
Parks Other Revenue Total	(219,425)	(219,425)	(217,425)	2,000	-1%
Parks Other Expenditure					
Other Expenses	1,478,450	1,341,276	1,374,943	33,667	3%
Money/Monger Street Trees Surgery	0	22,000	12,772	(9,228)	-42%
Parks Other Expenditure Total	1,478,450	1,363,276	1,387,715	24,439	2%
Parks Other Total	1,259,025	1,143,851	1,170,290	26,439	2%

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Processable Waste Collection						
Processable Waste Collection Revenue						
Revenue	(315,700)	(313,189)	(289,699)	23,490	-8%	
Processable Waste Collection Revenue Total	(315,700)	(313,189)	(289,699)	23,490	-8%	
Processable Waste Collection Expenditure						
Employee Costs	992,177	801,305	833,504	32,199	4%	
Other Expenses	3,864,812	3,106,658	3,041,605	(65,053)	-2%	
Rubbish Bins - Revaluation Decrement	0	0	0	0		
Operating Projects	80,000	66,400	751	(65,649)	-99%	Timing variance relating to FOGO marketing campaign.
Processable Waste Collection Expenditure Total	4,934,417	4,022,223	3,909,010	(113,213)	-3%	
Processable Waste Collection Indirect Costs						
Allocations	868,715	697,471	669,416	(28,055)	-4%	
On Costs Recovery	(876,250)	(730,210)	(575,954)	154,256	-21%	
Processable Waste Collection Indirect Costs Total	(7,535)	(32,739)	93,462	126,201	-385%	
Processable Waste Collection Total	4,671,182	3,676,295	3,712,774	36,479	1%	
Other Waste Services						
Other Waste Services Revenue						
Revenue	(10,065)	(8,380)	(12,938)	(4,558)	54%	
Other Waste Services Revenue Total	(10,065)	(8,380)	(12,938)	(4,558)	54%	
Other Waste Services Expenditure						
Other Expenses	580,192	501,442	337,193	(164,249)	-33%	Favourable variance on general maintenance.
Household Hazardous Waste Collection Day	2,200	2,200	2,439	239	11%	
Other Waste Services Expenditure Total	582,392	503,642	339,632	(164,010)	-33%	
Recycling Revenue Total	0	0	0	0		
Recycling Expenditure						
Recycling Expenditure	1,051,725	817,922	658,728	(159,194)	-19%	\$162k timing variance on recycling collection.
Recycling Expenditure Total	1,051,725	817,922	658,728	(159,194)	-19%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance %	Variance Commentary
Public Works Overhead						
Public Works Overhead Revenue						
Revenue	(61,700)	(32,121)	(47,224)	(15,103)	47%	
Public Works Overhead Revenue Total	(61,700)	(32,121)	(47,224)	(15,103)	47%	
Public Works Overhead Expenditure						
Employee Costs	438,017	352,586	340,690	(11,896)	-3%	
Other Employee Costs	45,059	37,550	23,288	(14,262)	-38%	
Other Expenses	58,850	49,040	53,991	4,951	10%	
Public Works Overhead Expenditure Total	541,926	439,176	417,969	(21,207)	-5%	
Public Works Overhead Indirect Costs						
Allocations	636,242	511,521	492,554	(18,967)	-4%	
On Costs Recovery	(191,782)	(159,820)	(380,371)	(220,551)	-138%	
Public Works Overhead Indirect Costs Total	444,460	351,701	112,183	(239,618)	-68%	
Public Works Overhead Total	924,686	758,756	482,928	(275,828)	-36%	
Plant Operating						
Other Expenses	1,856,692	1,547,231	1,436,424	(110,807)	-7%	
Plant and Equipment - Revaluation Decrem	0	0	0	0		
Plant Operating Expenditure Total	1,856,692	1,547,231	1,436,424	(110,807)	-7%	
Plant Operating Indirect Costs						
Allocations	(1,102,377)	(933,837)	(1,162,315)	(228,478)	24%	
Plant Operating Indirect Costs Total	(1,102,377)	(933,837)	(1,162,315)	(228,478)	24%	
Plant Operating Total	754,315	613,394	274,109	(339,285)	-55%	
Recoverable Works						
Recoverable Works Revenue						
Revenue	(12,309)	(10,260)	(17,708)	(7,448)	73%	
Recoverable Works Revenue Total	(12,309)	(10,260)	(17,708)	(7,448)	73%	
Recoverable Works Expenditure						
Other Expenses	12,309	10,260	18,989	8,729	85%	
Recoverable Works Expenditure Total	12,309	10,260	18,989	8,729	85%	
Recoverable Works Total	0	0	1,280	1,280	100%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance %	Variance Commentary
Drainage Expenditure						
Other Expenses	376,443	280,029	299,966	19,937	7%	
Drainage - Revaluation Decrement	0	0	0	0		
Drainage Expenditure Total	376,443	280,029	299,966	19,937	7%	
Drainage Expenditure Total	376,443	280,029	299,966	19,937	7%	
Footpaths/Cycleways Expenditure						
Other Expenses	1,049,151	872,176	926,556	54,380	6%	
Footpaths - Revaluation Decrement	0	0	0	0		
Footpaths/Cycleways Expenditure Total	1,049,151	872,176	926,556	54,380	6%	
Leederville Gdn Retirement Village Indirect Costs Total	0	0	0	0		
Rights of Way Expenditure						
Other Expenses	284,292	236,914	223,532	(13,382)	-6%	
Rights of Way - Revaluation Decrement	0	0	0	0		
Rights of Way Expenditure Total	284,292	236,914	223,532	(13,382)	-6%	
Rights of Way Expenditure Total	284,292	236,914	223,532	(13,382)	-6%	
Roads Expenditure						
Other Expenses	3,199,876	2,668,177	2,699,682	31,505	1%	
Roads - Revaluation Decrement	0	0	0	0		
Roads Expenditure Total	3,199,876	2,668,177	2,699,682	31,505	1%	
Roads Expenditure Total	3,199,876	2,668,177	2,699,682	31,505	1%	
Street Cleaning Expenditure						
Street Cleaning Expenditure						
Other Expenses	1,373,615	1,142,524	886,887	(255,637)	-22%	Timing variance relating to maintenance works.
Street Cleaning Expenditure Total	1,373,615	1,142,524	886,887	(255,637)	-22%	
Street Cleaning Expenditure Total	1,373,615	1,142,524	886,887	(255,637)	-22%	

CITY OF VINCENT
 NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
 BY SERVICE AREAS
 AS AT 30 APRIL 2021



	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance %	Variance Commentary
<u>Traffic Control for Roadworks Expenditure</u>						
Traffic Control for Roadworks Expenditure						
Other Expenses	85,000	72,554	77,717	5,163	7%	
Traffic Control for Roadworks Expenditure Total	85,000	72,554	77,717	5,163	7%	
<u>Roadwork Signs and Barricades Expenditure Total</u>	2,000	1,336	3,486	2,150	161%	
<u>Sump Expenditure</u>						
Sump Expenditure						
Other Expenses	500	500	501	1	0%	
Sump Expenditure Total	500	500	501	1	0%	
<u>Sump Expenditure Total</u>	500	500	501	1	0%	
<u>Works Depot Revenue</u>						
Works Depot Revenue						
Revenue	(1,259)	(1,050)	(847)	203	-19%	
Works Depot Revenue Total	(1,259)	(1,050)	(847)	203	-19%	
<u>Works Depot Revenue Total</u>	(1,259)	(1,050)	(847)	203	-19%	

CITY OF VINCENT
NOTE 4 - SUMMARY OF INCOME AND EXPENDITURE
BY SERVICE AREAS
AS AT 30 APRIL 2021

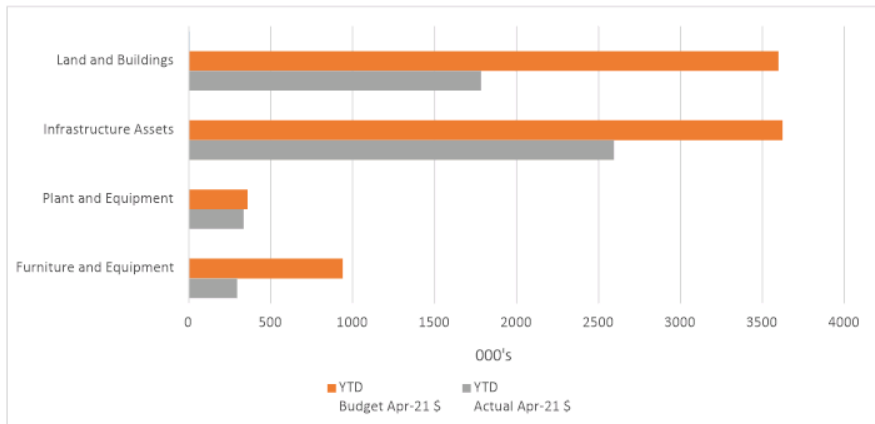


	Current Budget 2020/21 \$	YTD Budget 30/04/2021 \$	YTD Actual 30/04/2021 \$	YTD Variance \$	Variance % %	Variance Commentary
Works Depot						
Works Depot Expenditure						
Employee Costs	183,986	149,581	144,661	(4,920)	-3%	
Other Employee Costs	2,500	2,080	885	(1,195)	-57%	
Other Expenses	9,750	8,130	1,674	(6,456)	-79%	
Works Depot Expenditure Total	196,236	159,791	147,220	(12,571)	-8%	
Works Depot Indirect Costs						
Allocations	(194,977)	(158,741)	(146,372)	12,369	-8%	
Works Depot Indirect Costs Total	(194,977)	(158,741)	(146,372)	12,369	-8%	
Works Depot Total	1,259	1,050	647	(203)	-19%	
Depot Building						
Depot Occupancy Costs						
Building Maintenance	90,000	73,500	104,178	30,678	42%	Timing variance relating to maintenance works.
Depot Occupancy Costs Total	329,068	276,802	306,955	30,153	11%	
Depot Indirect Costs						
Allocations	(329,068)	(276,802)	(306,955)	(30,153)	11%	
Depot Indirect Costs Total	(329,068)	(276,802)	(306,955)	(30,153)	11%	
Depot Building Total	0	0	0	0		
Net Operating	6,592,266	(610,354)	(4,222,503)	(3,612,149)	552%	

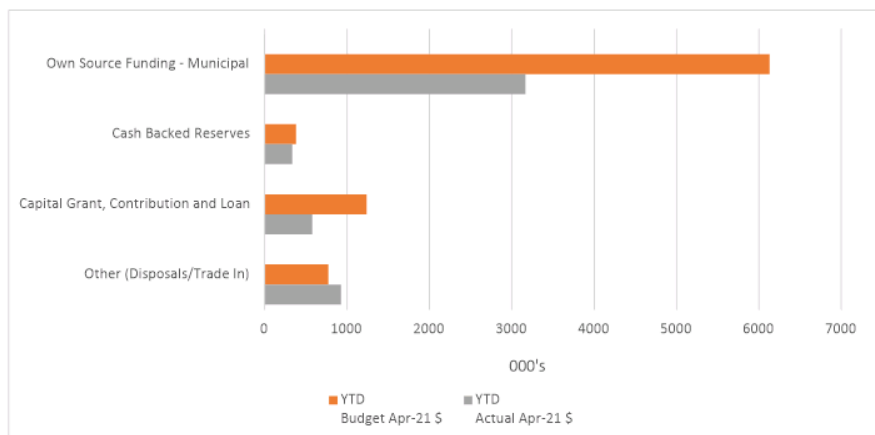
CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2020/21
AS AT 30 APRIL 2021



CAPITAL EXPENDITURE	Revised Budget 2020/21	YTD Budget Apr-21	YTD Actual Apr-21	YTD Variance	Variance
	\$	\$	\$	\$	%
Land and Buildings	5,865,504	3,597,934	1,782,807	(1,815,127)	-50%
Infrastructure Assets	6,332,790	3,624,167	2,595,285	(1,028,882)	-28%
Plant and Equipment	398,812	358,550	334,342	(24,208)	-7%
Furniture and Equipment	1,272,100	939,600	295,309	(644,291)	-69%
Total	13,869,206	8,520,251	5,007,743	(3,512,508)	-41%



FUNDING	Revised Budget 2020/21	YTD Budget Apr-21	YTD Actual Apr-21	YTD Variance	Variance
	\$	\$	\$	\$	%
Own Source Funding - Municipal	8,025,873	6,131,101	3,167,187	(2,963,914)	-48%
Cash Backed Reserves	3,365,850	380,000	334,549	(45,451)	-12%
Capital Grant, Contribution and Loan	1,704,483	1,236,150	578,574	(657,576)	-53%
Other (Disposals/Trade In)	773,000	773,000	927,433	154,433	20%
Total	13,869,206	8,520,251	5,007,743	(3,512,508)	-41%



CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2020/21
AS AT 30 APRIL 2021

Description	Revised Budget 2020/21	YTD Budget 2020/21	YTD Actual 2020/21	YTD Variance	Variance	Commitment (PO) Balance	Variance Commentary
LAND & BUILDING ASSETS							
ADMIN CENTRE							
Air Conditioning & HVAC Renewal - Admin Building HVAC	300,000	60,000	0	(60,000)	-100%	142,170	Quotes received, project to commence in May.
BEATTY PARK LEISURE CENTRE							
Beatty Park Leisure Centre - Facilities Infrastructure Renewal	3,377,570	1,800,000	1,072,017	(727,983)	-40%	1,431,124	Works in progress, \$1.5m to be carried forward to FY 21-22. Works for filtration, tiling nearing completion. The change room project and electric board works to commence.
Beatty Park - Replacement of gym carpet	9,851	9,851	9,345	(506)	-5%	506	Works completed.
Beatty Park Leisure Centre - Concourse Tiling	200,000	50,000	0	(50,000)	-100%	36,338	In planning stage, \$165k to be carried forward to FY 21-22.
Beatty Park Leisure Centre - Repair and maintain Heritage Grandstand	450,000	150,000	0	(150,000)	-100%	-	\$450k to be carried forward to FY 21-22.
LIBRARY							
Upgrade Library counter to enhance customer service delivery	50,000	50,000	1,500	(48,500)	-97%	0	Budget carry forward to FY 21-22.
LOFTUS CENTRE							
Loftus Community Centre - ceiling fabric, lighting and bathroom renewal	170,000	170,000	88,771	(81,229)	-48%	83,100	Works in progress. To be completed by June
Loftus Centre - Stormwater Retention tank	120,000	120,000	118,353	(1,648)	-1%	5,454	Works completed.
Loftus Recreation Centre - Change room upgrade	141,700	141,700	141,889	(11)	0%	0	Works completed.
DEPARTMENT OF SPORTS AND RECREATION							
DLGSC renewal/upgrade-Lease obligation	196,000	196,000	92,706	(103,294)	-53%	81,152	\$80K to be carried forward to FY 21-22.
MISCELLANEOUS							
Solar Photovoltaic Panel System Installation - Mt Hawthorn Community Centre	8,900	8,900	188	(8,732)	-98%	0	Budget carry forward to FY 21-22.
Solar Photovoltaic Panel System Installation - North Perth Town Hall	8,900	8,900	0	(8,900)	-100%	0	Deferred to future budget year.
Solar Photovoltaic Panel System Installation - Vincent Community Centre	20,150	20,150	0	(20,150)	-100%	0	Budget carry forward to FY 21-22.
Solar Photovoltaic Panel System Installation - Britannia Reserve Pavilion	8,900	8,900	0	(8,900)	-100%	0	Budget carry forward to FY 21-22.
Solar Photovoltaic Panel System Installation - Perth Soccer Club	30,000	30,000	1,100	(28,900)	-96%	0	Deleted from scope until current arrears recouped.
LED floodlight upgrade - Leederville Tennis Club	21,548	21,548	21,548	0	0%	0	Works completed.
Royal Park Hall - Kitchen and amenities renewal	190,000	190,000	196,700	6,700	4%	547	Works completed - awaiting invoices.
Roofing Renewal-Loton Park Tennis Club Room	180,000	180,000	1,800	(178,401)	-99%	176,690	\$178K to be carried forward to FY 21-22.
Air Conditioning & HVAC Renewal - Belgrave Leisure Centre	50,000	50,000	3,323	(46,677)	-93%	0	Works in progress.
Leederville Oval Stadium - Electrical renewal - 3 boards	300,000	300,000	1,912	(298,088)	-99%	0	Budget carry forward to FY 21-22.
Public Toilet - Hyde park east - renewal	31,985	31,985	31,985	0	0%	0	Works completed.
FOR LAND & BUILDING ASSETS	5,865,504	3,597,934	1,782,807	(1,815,127)	-50%	1,957,081	

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2020/21
AS AT 30 APRIL 2021

Description	Revised Budget 2020/21	YTD Budget 2020/21	YTD Actual 2020/21	YTD Variance	Variance	Commitment (PO) Balance	Variance Commentary
INFRASTRUCTURE ASSETS							
LOCAL ROADS PROGRAM							
Newcastle, Lofus - Charles St Rd Rehabilitation	10,000	10,000	10,859	859	7%	0	Works completed.
Eton St - Gill St to Hobart St	61,029	61,029	58,484	(2,545)	-4%	0	Works completed.
Coronation St - Chamberlain St to Scarborough Beach Rd	111,500	111,500	115,025	3,525	3%	2,273	Works completed.
Edinboro St-Hobart St to Scarborough Beach Rd	51,730	51,730	55,688	3,858	7%	0	Works completed.
Edinboro St-Hobart St to Edinboro St Reserve	108,000	108,000	111,659	3,659	3%	0	Works completed.
Seabrook St-Anzac Rd to Brentham St	27,238	27,238	28,318	(920)	-3%	0	Works completed.
Lake St-Glendower St to Bulwer St	69,500	69,500	40,702	(28,798)	-41%	1,920	Works completed, awaiting final invoices.
Lake St-Stuart St to Brisbane St	94,500	94,500	101,164	6,664	7%	20,308	Works completed.
Cantle St-Lord St to West Parade	74,500	74,500	55,900	(18,600)	-25%	489	Works completed.
Chapman St-Lord St to West Parade	89,000	89,000	70,712	(18,288)	-21%	3,951	Works completed.
Thorley St-Brewer St to Edward St	52,000	52,000	31,328	(20,672)	-40%	340	Works completed.
Blackford St-Egina St to Cul-de-sac	43,212	43,212	42,027	(1,185)	-3%	-	Works completed.
The Boulevard-Scarborough Beach Rd to Berryman St	62,000	62,000	70,375	8,375	14%	119	Works completed.
Kalgoorlie St-Berryman St to Scarborough Beach Rd	69,259	69,259	69,259	0	0%	0	Works completed.
Ellesmere St-Matlock St to Flinders St	77,000	77,000	76,707	2,707	4%	3,745	Works completed.
Laneway Rear of Leederville Hotel-Oxford Street to rear of 228 Carr Place	155,808	0	0	0	0%	0	Awaiting invoices from Developer.
Norfolk St-Burt St to Forrest St	88,000	88,000	33,425	(54,575)	-62%	6,791	Works in progress.
Kadina St-Pennant St to Bourke St	5,000	5,000	1,721	(3,279)	-66%	0	Works completed.
Howlett St-Pennant St to Hardy St	2,500	2,500	645	(1,855)	-74%	0	Works completed.
Chamberlain St-Coronation St to Pennant St	1,250	1,250	1,522	272	22%	0	Works completed.
Eton St-Hobart St to Haynes St	2,500	2,500	825	(1,675)	-67%	0	Works completed.
Emmerson St-Morrison St to Lofus St	1,800	1,800	840	(960)	-53%	0	Works completed.
Cleaver St-Newcastle St to Old Aberdeen Place	88,950	88,950	2,613	(86,338)	-97%	97,501	Works scheduled for May 2021.
Ellesmere St - Flinders St to Shakespeare St	148,839	0	0	0	0%	0	Works to be scheduled.
Berryman St - The Boulevard to Kalgoorlie St	56,181	56,181	0	(56,181)	-100%	22,519	Works to be scheduled.
The Boulevard - Berryman St to Larne	53,090	53,090	0	(53,090)	-100%	43,356	Works to be scheduled.
Bruce Street - Leicester Street to Oxford St	137,800	45,000	43,518	(1,482)	-3%	0	Works commenced.
Leicester Street - Richmond to Bourke St	105,280	35,000	30,615	(4,385)	-13%	680	Works commenced.
ROAD TO RECOVERY							
Sasse Avenue-Purslowe St to Anzac Rd	212,190	212,190	208,462	(3,698)	-3%	320	Works completed.
The Avenue-Vincent Street to Car Park	47,700	47,700	47,689	(11)	0%	0	Works completed.
Vincent St - Mitchell FW overpass to Leederville P	2,762	2,762	1,847	(915)	-33%	0	Works completed.
TRAFFIC MANAGEMENT							
Improved pedestrian crossings at signalised intersections (Walcott St & William St, Bulwer St, Fitzgerald St)	24,100	24,100	24,100	0	0%	0	Works completed.
Alma/Claverton Local Area Traffic Management	50,000	0	1,045	1,045	100%	0	Budget carry forward to FY 21-22.
Harold and Lord St Intersection	26,000	0	0	0	0%	0	Budget carry forward to FY 21-22.

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2020/21
AS AT 30 APRIL 2021

Description	Revised Budget 2020/21	YTD Budget 2020/21	YTD Actual 2020/21	YTD Variance	Variance	Commitment (PO) Balance	Variance Commentary
BLACK SPOT PROGRAM							
Vincent - Fitzgerald St to Chelmsford Rd	72,800	0	56,453	56,453	100%	7,039	Works completed.
Intersection of Brady and Milton St, Mt Hawthorn	45,000	20,000	53,514	33,514	168%	4,819	Works completed.
Intersection of Bulwer and Stirling St, Perth	100,000	40,000	4,040	(35,960)	-90%	0	\$95k budget carry forward to FY 21-22.
Intersection of Green, Tyler & Merredin St, Mt Hawthorn/Joondanna	30,000	20,000	3,620	(16,380)	-82%	0	\$30k budget carry forward to FY 21-22.
Intersection of Beaufort and Harold Streets, Highgate	100,000	40,000	2,820	(37,180)	-93%	0	Works cancelled, to be deferred for two years.
Intersection of Loftus and Vincent Streets, West Perth/Leederville	250,000	130,000	4,730	(125,270)	-96%	0	\$245k budget carry forward to FY 21-22. To commence in Dec 21
Intersection of Fitzgerald Street & Raglan Road, North Perth	80,000	35,000	6,620	(28,380)	-81%	0	Works cancelled.
Minor Traffic Management Improvement Program	80,000	62,000	47,846	(4,154)	-8%	8,738	Works in progress.
STREETSCAPE IMPROVEMENTS							
Minor streetscape improvements	30,000	25,000	17,295	(7,705)	-31%	590	Works in progress.
Streetscape Improvements-Cleaver St	50,000	0	10,628	10,628	100%	37,203	Works scheduled for May 2021.
Streetscape Improvements-Angove St and Fitzgerald St	10,000	0	0	0	0%	0	Budget carry forward to FY 21-22.
North Perth Public Open Space	3,000	3,000	0	(3,000)	-100%	0	Purchase order raised, works to be completed by June 2021.
ROADWORKS - REHABILITATION (MRRG PROGRAM)							
Bulwer St - Beaufort St to Williams St	43,424	43,424	30,747	(12,677)	-29%	12,677	Works completed.
Loftus St - Bourke St to Scarborough Beach Rd	15,000	15,000	10,044	(4,956)	-33%	0	Works completed.
Newcastle St-Beaufort St to Lord St - Eastbound	143,800	143,800	141,806	(2,194)	-2%	2,258	Works completed.
Smith St-Bulwer to Lincoln St	107,500	107,500	67,821	(39,679)	-37%	5,437	Works completed.
Brisbane St-Bulwer St to Stirling St	120,900	120,900	93,721	(27,179)	-22%	0	Works completed.
RIGHTS OF WAY							
Annual review based upon the most recent condition assessment survey	80,000	0	48,606	48,606	100%	7,287	Works in progress.
SLAB FOOTPATH PROGRAMME							
Golding St-Newcastle St to Old Aberdeen St	38,180	38,180	0	(38,180)	-100%	27,808	Works scheduled.
Brisbane Trc (North)-Lake St to Brisbane Plc	27,620	27,620	1,272	(26,348)	-95%	0	Works scheduled.
Brisbane Trc (South)-Lake St to Brisbane Plc	26,761	26,761	0	(26,761)	-100%	0	Works scheduled.
Lake St-Brisbane Trc to Robinson Avenue	5,603	5,603	2,611	(2,992)	-50%	0	Works completed.
Lake St-Newcastle St to Forbes Rd	2,310	2,310	2,262	(48)	-2%	0	Works completed.
Leeder St-Jugan St to Cul-de-sac	3,353	3,353	3,868	515	15%	0	Works completed.
Caversham St-Claisebrook Rd to Cul-de-sac	12,869	12,869	9,428	(3,441)	-26%	0	Works completed.
Mary St (North)-William St to Mereny Lane	13,000	13,000	15,210	2,210	17%	0	Works commenced.
Mary St (South)-William St to Mereny Lane	13,000	13,000	12,549	(451)	-3%	0	Works commenced.
Broome St-Smith St to Briganti Gardens	5,500	5,500	681	(4,819)	-88%	4,500	Works completed.
London St-Intersection of Scarborough Beach Road	60,104	60,104	0	(60,104)	-100%	0	Works scheduled.

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2020/21
AS AT 30 APRIL 2021

Description	Revised Budget 2020/21	YTD Budget 2020/21	YTD Actual 2020/21	YTD Variance	Variance	Commitment (PO) Balance	Variance Commentary
BICYCLE NETWORK							
Florence/Strathcona/Golding Safe Active Street	300,000	0	28,666	28,666	100%	160,561	Works scheduled.
Design for Norfolk St N/S Route	50,000	0	41,365	41,365	100%	0	\$8k budget carry forward to FY 21-22.
Design for Glendalough to Brady	15,000	0	5,470	5,470	100%	0	Works at design stage.
DRAINAGE							
Britannia Reserve Main Drain Renewal stage 1&2	80,000	0	0	0	0%	16,364	\$63k budget carry forward to FY 21-22.
Minor drainage improvement program	50,000	0	0	0	0%	0	Works to be scheduled.
Gully Soak-well program	60,000	0	21,882	21,882	100%	0	Works in progress.
CAR PARK DEVELOPMENT							
Car Parking Upgrade-Melrose St angled parking	75,000	0	66,625	66,625	100%	6,405	Works completed.
Car Parking Upgrade-Strathcona St angled parking	20,000	0	0	0	0%	0	Budget carry forward to FY 21-22.
Car Parking Upgrade-Albert St angled parking Stage 3	55,000	0	4,040	4,040	100%	0	Project scheduled.
Depot - Car park lighting Renewal	60,000	60,000	32,979	(27,021)	-45%	32,396	Works in progress.
PARKS AND RESERVES							
Banks Reserve Master Plan Implementation - Stage 1	239,109	239,109	212,193	(26,916)	-11%	-	Works completed.
Greening Plan-Pansy Street carpark	25,000	25,000	8,959	(16,041)	-64%	0	Works in progress.
Greening Plan-Pansy Street	5,000	5,000	3,130	(1,870)	-37%	0	Works in progress.
Greening Plan-West End Arts Precinct	30,000	30,000	12,101	(17,899)	-60%	0	Works in progress.
Greening Plan-Norham Street	15,000	15,000	2,100	(12,901)	-86%	500	Project at design stage.
Greening Plan-Highlands Road	10,000	10,000	1,796	(8,205)	-82%	0	Project at design stage.
Greening Plan-Hawthorn Street	10,000	10,000	3,523	(6,477)	-65%	0	Project at design stage.
Greening Plan-Little Walcott Street	5,000	5,000	10,369	5,369	108%	0	Project at design stage.
Lynton Street Park Upgrade	18,145	18,145	14,235	(3,910)	-22%	3,910	Works completed.
Forrest Park Floodlight Renewal	130,000	130,000	0	(130,000)	-100%	125,699	Works to be completed by June 2021.
Birdwood Square Floodlight Renewal	20,000	20,000	20,908	908	5%	0	Works to be completed by June 2021.
Minor infrastructure improvements	20,000	20,000	11,816	(8,185)	-41%	1,615	Works to be completed by June 2021.
Littis Stadium & Britannia Res End of Le	120,000	40,000	53,485	13,485	34%	69,283	Works to be completed by June 2021.
Braithwaite Park - Rope Bridge	14,250	14,250	0	(14,250)	-100%	0	
Greening Plan - Coogee St Car Park	30,000	10,000	0	(10,000)	-100%	6,181	Works to be scheduled.
Greening Plan - Russell Avenue	15,000	15,000	0	(15,000)	-100%	0	Works to be scheduled.
Greening Plan - Howlett Street	15,000	15,000	0	(15,000)	-100%	0	Works to be scheduled.
Greening Plan - Little Russell Street	10,000	10,000	0	(10,000)	-100%	0	Works to be scheduled.
RETICULATION							
Britannia Reserve - renew groundwater bore (south) No.40	45,000	0	40,381	40,381	100%	0	Works completed.
Kyllia Park - replace irrigation subside	15,000	15,000	0	(15,000)	-100%	0	Works to be scheduled.
Auckland/Hobart Street Reserve - replace irrigation	50,000	0	7,219	7,219	100%	0	Works in progress.
Auckland/Hobart St Res Renew Inground Irrigation	50,000	0	0	0	0%	0	Works to be scheduled.

CITY OF VINCENT
NOTE 5 - CAPITAL WORKS SCHEDULE 2020/21
AS AT 30 APRIL 2021

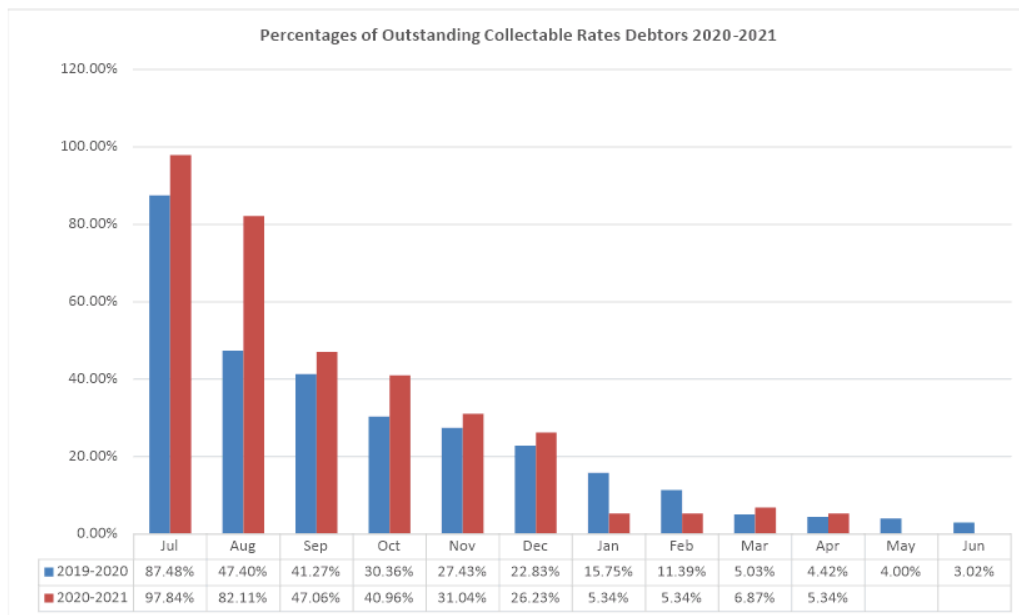
Description	Revised Budget 2020/21	YTD Budget 2020/21	YTD Actual 2020/21	YTD Variance	Variance	Commitment (PO) Balance	Variance Commentary
PARKS FURNITURE							
Brentham Street Reserve - Lighting	70,000	0	0	0	0%	53,010	Seeking quotes.
Miscellaneous Park - LED Lighting	50,000	0	0	0	0%	10,422	Seeking quotes.
Brittania Reserve - Floodlight Repair	741,444	247,148	0	(247,148)	-100%	25,000	Budget carry forward to FY 21-22.
STREET FURNITURE							
Bus Shelter Replacement	20,000	0	259	259	100%	20,400	Project in design phase.
Bus Shelter-William St	15,000	0	4,465	4,465	100%	2,325	Works completed.
FOR INFRASTRUCTURE ASSETS	6,332,790	3,624,167	2,595,285	-1,028,882	-	16	854,209
PLANT & EQUIPMENT ASSETS							
LIGHT FLEET VEHICLE REPLACEMENT PROGRAMME							
Light Fleet - Annual Changeover	190,000	190,000	195,762	5,762	3%	28,200	Fleet replacement programme progressing as planned.
MAJOR PLANT REPLACEMENT PROGRAMME							
Single Axle Tipper Truck	138,550	138,550	138,550	(0)	0%	0	Truck delivered in July 2020.
MISCELLANEOUS							
Parking Sensors Pilot Project	11,810	0	0	0	0%	0	Project scope changed, funds to be returned as surplus.
Water and Energy Efficiency Initiatives	38,452	30,000	0	(30,000)	-100%	10,480	Associated projects not commenced as yet.
Parking Machines Asset Replacement Prog	20,000	0	0	0	0%	0	Works to be scheduled.
TOTAL EXPENDITURE FOR PLANT & EQUIPMENT ASSETS	398,812	358,550	334,342	(24,208)	-7%		38,680
FURNITURE & EQUIPMENT ASSETS							
INFORMATION TECHNOLOGY							
Enterprise Applications upgrade	440,000	190,000	94,115	(95,885)	-50%	35,791	Implementation & training of Contracts management module completed. Upgrade of Authority in progress.
Building Management System software-Admin	120,000	50,000	0	(50,000)	-100%	0	Project not commenced as yet.
MARKETING & COMMUNICATIONS							
COVID-19 Artwork relief project	525,600	525,600	132,964	(392,636)	-75%	8,500	Monies have started being distributed to the successful applicants.
Beatty Park Leisure Centre							
Beatty Park Leisure Centre - Non Fixed Assets Renewal	71,500	71,500	14,070	(57,430)	-80%	28,825	Works being completed on a needs basis.
MISCELLANEOUS							
Miscellaneous Assets Renewal	75,000	62,500	48,728	(15,772)	-25%	25,137	Works in progress at various locations.
CCTV Renewal Civic and Loftus Precinct	40,000	40,000	7,432	(32,568)	-81%	0	Works in progress.
TOTAL EXPENDITURE FOR FURNITURE & EQUIPMENT ASSETS	1,272,100	939,600	295,309	(644,291)	-69%		215,012
TOTAL CAPITAL EXPENDITURE	13,869,206	8,520,251	5,007,743	(3,512,508)	-41%	3,064,982	\$3Million of expenditure was committed via PO.

CITY OF VINCENT
NOTE 6 - CASH BACKED RESERVES
AS AT 30 APRIL 2021



Reserve Particulars	Budget Opening Balance 01/07/2020 \$	Actual Opening Balance 01/07/2020 \$	Budget Transfers to Reserve 30/06/2021 \$	YTD Actual Transfers to Reserve 30/04/2021 \$	Budget Interest Earned 30/06/2021 \$	YTD Actual Interest Earned 30/04/2021 \$	Budget Transfers from Reserve 30/06/2021 \$	YTD Actual Transfers from Reserve 30/04/2021 \$	Budget Closing Balance 30/06/2021 \$	Actual Closing Balance 30/04/2021 \$
Asset Sustainability Reserve	5,293,197	5,293,197	1,743,000	1,093,000	61,887	35,089	(2,869,583)	(1,715,616)	4,228,501	4,705,670
Beatty Park Leisure Centre Reserve	101,218	101,218	(0)	0	1,183	671	0	0	102,401	101,889
Cash in Lieu Parking Reserve	1,926,192	1,926,192	6,000	4,429	22,521	12,767	(527,000)	(135,816)	1,427,713	1,807,572
Hyde Park Lake Reserve	159,269	159,269	(0)	0	1,862	1,056	0	0	161,131	160,325
Land and Building Acquisition Reserve	297,471	297,471	0	0	3,478	1,972	0	0	300,949	299,443
Leederville Oval Reserve	94,069	94,069	0	0	1,100	625	0	0	95,169	94,694
Loftus Community Centre Reserve	36,901	36,901	(0)	0	431	244	0	0	37,332	37,145
Loftus Recreation Centre Reserve	171,525	171,525	51,664	37,641	2,005	1,141	0	0	225,194	210,307
Office Building Reserve - 246 Vincent Street	401,156	401,156	(0)	0	4,690	2,658	(196,000)	(92,706)	209,846	311,108
Parking Facility Reserve	105,607	105,607	0	0	1,235	699	0	0	106,842	106,306
Percentage For Public Art Reserve	488,867	488,867	18,000	59,797	5,716	3,380	(525,600)	(132,964)	(13,017)	419,080
Plant and Equipment Reserve	22,483	22,483	0	0	263	149	0	0	22,746	22,632
State Gymnastics Centre Reserve	110,197	110,197	9,682	6,428	1,288	730	0	0	121,167	117,355
Strategic Waste Management Reserve	997,471	997,471	(0)	0	11,662	6,611	0	0	1,009,133	1,004,082
Tamala Park Land Sales Reserve	340,902	340,902	250,000	0	3,986	2,274	0	0	594,888	343,176
Underground Power Reserve	210,051	210,051	0	0	2,456	1,392	0	0	212,507	211,443
Waste Management Plant and Equipment Reserve	219,949	219,949	0	0	2,572	1,459	0	0	222,521	221,408
POS reserve - Haynes Street	0	0	157,899	157,899	1,870	1,044	0	0	159,769	158,943
	10,976,525	10,976,525	2,236,245	1,359,194	130,205	73,961	(4,118,183)	(2,077,102)	9,224,792	10,332,578

CITY OF VINCENT
NOTE 7 - RATING INFORMATION
AS AT 30 APRIL 2021



CITY OF VINCENT
NOTE 7 - RATING INFORMATION
FOR THE MONTH ENDED 30 APRIL 2021



	Rateable Value	Rate in Dollar	Budget	Actual	Rates Levied to Budget
	\$	Cents	\$	\$	%
Rate Revenue					
General Rate					
10726 Residential	240,742,009	0.0779	18,744,512	18,744,512	100.0%
168 Vacant Residential	4,110,000	0.0725	297,975	297,975	100.0%
1610 Other	122,800,566	0.0672	8,249,742	8,249,742	100.0%
46 Vacant Commercial	2,355,370	0.1282	301,888	301,888	100.0%
Minimum Rate					
6184 Residential @ \$1,211.9	78,526,492		7,494,390	7,494,390	100.0%
157 Vacant Residential @ \$1,211.9	1,926,000		190,268	190,268	100.0%
150 Other @ \$1,197.7	1,873,844		179,655	179,655	100.0%
0 Vacant Commercial			0	0	
Interim Rates	0		300,000	474,599	158.2%
Rates Waiver	0		(145,000)	(127,860)	88.2%
Total Amount Made up from Rates	452,334,281		35,613,430	35,805,168	
Non Payment Penalties					
Instalment Interest @ 5.5%			160,000	161,078	100.7%
Penalty Interest @ 8%			90,000	130,321	144.8%
Administration Charge - \$8 per instalment			160,000	141,834	88.6%
Legal Costs Recovered			0	116	100.0%
			36,023,430	36,238,517	
Other Revenue					
Exempt Bins - Non Rated Properties			185,420	158,479	85.5%
Commercial / Residential Additional Bins			174,534	118,474	67.9%
Swimming Pools Inspection Fees			18,800	14,377	76.5%
			36,402,184	36,529,846	
Opening Balance				978,892	
Total Collectable			36,402,184	37,508,738	103.04%
Less					
Cash Received				34,459,344	
Rebates Allowed				1,105,648	
Rates Balance To Be Collected			36,402,184	1,943,578	5.34%
Add					
ESL Debtors				166,061	
Pensioner Rebates Not Yet Claimed				80,206	
ESL Rebates Not Yet Claimed				9,584	
Less					
Deferred Rates Debtors				(103,294)	
Current Rates Debtors Balance				2,096,136	

CITY OF VINCENT
NOTE 8 - DEBTOR REPORT
FOR THE MONTH ENDED 30 APRIL 2021



DESCRIPTION	CURRENT \$	31-59 DAYS \$	60-89 DAYS \$	OVER 90 DAYS \$	BALANCE \$
DEBTOR CONTROL - HEALTH LICENCES	1,955	1,332	1,885	177,564	182,736
DEBTOR CONTROL - RUBBISH CHARGES	0	0	0	0	0
DEBTOR CONTROL - CASH IN LIEU CAR PARKING	0	0	0	137,883	137,883
DEBTOR CONTROL - PROPERTY INCOME	98,900	25,574	30,845	57,099	212,419
DEBTOR CONTROL - RECOVERABLE WORKS	2,477	0	930	0	3,407
DEBTOR CONTROL - BEATTY PARK LEISURE CENTRE	0	0	0	0	0
DEBTOR CONTROL - OTHER	(114,676)	18,485	15,386	113,789	32,980
DEBTOR CONTROL - % ART CONTRIBUTIONS	0	0	0	0	0
DEBTOR CONTROL - PLANNING SERVICES FEES	200	0	0	1,310	1,510
DEBTOR CONTROL - GST	(109,323)	78,515	0	90,822	14
DEBTOR CONTROL - INFRINGEMENT	25,881	(25,592)	41,593	1,473,824	1,515,886
PROVISION FOR DOUBTFUL DEBT (CURRENT)	0	0	0	(181,310)	(181,310)
IMPAIRMENT OF RECEIVABLES	0	0	0	(194,671)	(194,671)
TOTAL DEBTORS OUTSTANDING AS AT 30/04/2021	(154,609)	98,314	90,638	1,676,310	1,710,653

ACCURED INCOME	47,480
ACCURED INTEREST	33,358
PREPAYMENTS	153,168
TOTAL TRADE AND OTHER RECEIVABLES	1,944,657

DATE	SUNDY DEBTORS OVER 90 DAYS	AMOUNT	DEBT DETAILS	Comments
11/03/2019	Tennis Seniors Western Australia	5,728.05	Building Insurance 2018/19 & 2019/20	In the process to debt collection
20/10/2020	Department of Education	1,687.70	Building Insurance and Water Recoup	On-going discussion to ascertain if the Club qualifies for COVID-19 relief.
01/01/2021	Belgravia Health & Leisure Group	48,427.24	January Lease and Vos	Waiting confirmation of payment.
29/01/2021	Pride Western Australia	1,057.88	Building Insurance and Water Recoup	Waiting confirmation of payment.
04/11/2016	C Cafereili	28,600.00	Outstanding court costs awarded to COV	Have been handed over to FER
22/08/2018	C D Hunter	14,655.25	Outstanding court costs awarded to COV	Have been handed over to FER.
21/01/2019	Matthew Slinger	21,800.30	Cost for court fine	Sent to debt collection agency.
5694.09	Kamran Beykpour	25,813.00	Court fines and costs re: 155 Walcott St	Pleaded not guilty. Court trial adjourned to 27 July 2021
5808.09	D Bianchi	16,149.00	Court fines and costs re: 193-195 Scarborough	\$200 Monthly Repayment in progress from Dec20
28/11/2019	A Kindu	2,339.25	Outstanding court costs awarded to COV	with debt collector
09/07/2019	R Cox	1,170.00	Breach of condition of hall hire	with debt collector
BALANCE OF 90 DAY DEBTORS OVER \$500.00		167,407.67		

CITY OF VINCENT
NOTE 9 - BEATTY PARK LEISURE CENTRE FINANCIAL POSITION
AS AT 30 APRIL 2021



	Revised Budget 2020/21 \$	YTD Budget Apr-21 \$	YTD Actuals Apr-21 \$	YTD Actuals Apr-20 \$	Month Actuals Apr-21 \$	Month Actuals Apr-20 \$
ADMINISTRATION						
Revenue	0	0	0	(2,295)	0	0
Expenditure	0	26,465	0	53	0	(2,898)
Surplus/(Deficit)	0	26,465	0	(2,242)	0	(2,898)
SWIMMING POOLS AREA						
Revenue	1,474,851	1,356,549	1,383,232	1,730,400	69,944	4,868
Expenditure	(3,491,712)	(2,903,945)	(3,042,485)	(3,350,116)	(297,549)	(273,256)
Surplus/(Deficit)	(2,016,861)	(1,547,396)	(1,659,253)	(1,619,716)	(227,605)	(268,388)
SWIM SCHOOL						
Revenue	1,072,146	929,310	1,066,296	1,196,792	66,646	(335)
Expenditure	(928,770)	(813,605)	(799,681)	(910,707)	(70,283)	(42,725)
Surplus/(Deficit)	143,376	115,705	266,615	286,085	(3,637)	(43,060)
CAFÉ						
Revenue	0	0	0	534,889	0	157
Expenditure	(34,280)	(34,280)	(35,015)	(634,319)	(3)	(24,292)
Surplus/(Deficit)	(34,280)	(34,280)	(35,015)	(99,430)	(3)	(24,135)
RETAIL SHOP						
Revenue	510,765	460,695	498,303	412,393	26,852	(1)
Expenditure	(312,896)	(277,418)	(359,840)	(323,054)	(42,306)	(32,663)
Surplus/(Deficit)	197,869	183,277	138,463	89,339	(15,455)	(32,664)
HEALTH & FITNESS						
Revenue	1,181,798	1,065,823	1,208,605	1,277,820	110,464	(2,361)
Expenditure	(1,257,384)	(1,033,493)	(1,010,089)	(1,045,560)	(96,418)	(66,292)
Surplus/(Deficit)	(75,586)	32,330	198,517	232,261	14,047	(68,652)
GROUP FITNESS						
Revenue	430,656	387,427	437,772	490,365	38,689	(649)
Expenditure	(471,569)	(403,463)	(434,672)	(477,268)	(44,275)	(23,962)
Surplus/(Deficit)	(40,913)	(16,036)	3,100	13,097	(5,586)	(24,612)
AQUAROBICS						
Revenue	164,784	152,712	169,490	188,685	14,847	(301)
Expenditure	(133,634)	(110,196)	(107,927)	(126,226)	(11,602)	(8,425)
Surplus/(Deficit)	31,150	42,516	61,563	62,460	3,245	(8,727)
CRECHE						
Revenue	49,750	45,132	44,943	52,315	3,897	(58)
Expenditure	(237,899)	(194,924)	(204,053)	(255,170)	(18,340)	(11,085)
Surplus/(Deficit)	(188,149)	(149,792)	(159,110)	(202,854)	(14,443)	(11,143)
Net Surplus/(Deficit)	(1,983,394)	(1,347,211)	(1,185,122)	(1,241,002)	(249,438)	(484,279)
Less: Depreciation	(1,286,776)	(1,072,312)	(1,071,122)	(1,143,504)	(106,934)	(114,225)
Cash Surplus/(Deficit)	(696,618)	(274,899)	(113,999)	(97,498)	(142,504)	(370,054)











7.7 ADOPTION OF THE ANNUAL BUDGET 2021/22

The Annual Budget 2021/22 Report will be finalised and published following Budget Workshop 8 June 2021.

In accordance with clause 2.5 of the City's [Meeting Procedures Policy](#) this report will supplement the agenda as a late report due to the following circumstances:

- the urgency of the adoption of the Annual Budget is such that the business cannot await inclusion at a subsequent meeting; and
- the delay in referring the adoption of the Annual Budget to a subsequent meeting could have adverse legal or financial implications for the City.

8 CHIEF EXECUTIVE OFFICER**8.1 RESULTS OF CONSULTATION - BARLEE STREET CAR PARK OPTIONS FOR FUTURE USE**

- Attachments:**
1. Summary of Community Consultation - Graphs  
 2. Summary of Community Consultation - Detail  
 3. Submission - survey of local business owners - Confidential
 4. Transition Plan for conversion to park/town square  
 5. Submission - Additional #1  
 6. Submission - Additional #2  

RECOMMENDATION:**That Council:**

1. **NOTES** the results of community consultation and Administration's responses as at Attachment 2;
2. **NOTES** the potential park/town square proposal received strong support through the community consultation, reflected in the Transition Plan at Attachment 4;
3. **NOTES** the agent for the private landowners have advised that they intend to pursue a mixed use development outcome on their lots irrespective of the land swap proposal;
4. **NOTES** that Administration considers a market sale for the City-owned lot is the most viable option given the number of uncertainties involved in executing the Transition Plan and following a detailed financial analysis;
5. **AUTHORISES** the Chief Executive Officer to commence the advertising for sale of the City's lot 48 (No. 590) Beaufort Street, Mount Lawley, pursuant to section 3.58 of the *Local Government Act 1995*;
6. **NOTES** any proceeds of a sale as per Recommendation 5 would be held in the Public Open Space reserve to create or enhance POS within the City of Vincent;
7. **AUTHORISES** the Chief Executive Officer to negotiate a financially sustainable management agreement or lease extension with the owners of the car park for the interim period before any sale is finalised;
8. **AUTHORISES** the Chief Executive Officer to continue discussions with the current or future landowners on the Transition Plan at Attachment 4 if a sale process of lot 48 (No. 590) as per Recommendation 5 does not elicit offers which exceed the market valuation;
2. **REQUESTS** the Chief Executive Officer to provide a further report to Council on potential public or shared spaces within Beaufort Street including the potential for trialling pedestrian spaces at Grosvenor Road or Barlee Street.

PURPOSE OF REPORT:

To consider the community submissions in regard to the future use of Barlee Street car park, Mount Lawley and to determine the future use of the car park.

BACKGROUND:

The City owns Lot 48 on Deposited Plan 692, known as 590 Beaufort Street, Mount Lawley (Lot 48). Pursuant to a lease dated 29 March 2001 (Lease), the City leases Lots 49 and 50 on Deposited Plan 692, known as 596 Beaufort Street, Mount Lawley (Premises) from Theo Anthony Palassis, George Anthony Palassis and Palassis Holdings Pty Ltd (ACN 008 779 128) (Owners). The Lease expires on 13 February 2022.

At the Ordinary Meeting of Council held on 7 April 2020 (Item 12.3), Council approved consultation with the community, including through on-site signage, regarding the potential sale of Lot 48.

Subsequent to this meeting, Administration discussed the potential sale of Lot 48 with the Owners. The Owners expressed interest in an equal area land exchange (Lot 48 for an equal area of Lot 50), subject to the land acquired by the City becoming a park. The land exchange would allow the Owners to construct their development so it opened onto and interacted with the park and would result in a park/town square of approximately 455sqm adjacent to Barlee Street.

At the Ordinary Meeting of Council held on 20 October 2020 (Item 12.6) Council approved a one year lease extension to allow the use of the Barlee Street car park to continue in the interim to the future use of Lot 48 being determined.

Council also considered the land exchange proposal and community consultation approach, and resolved in part as follows:

- “5. *NOTES the proposal from the Owners of 596 Beaufort Street, Mount Lawley for an equal area land exchange (Lot 48 for an equal area of Lot 50), as shown in Confidential Attachment 2, noting that it would be subject to the City using the acquired land as a park.*
6. *APPROVES the Chief Executive Officer consulting with the community on the potential sale of Lot 48 in early 2021, which will include the proposal for a land exchange as set out in Recommendation 5. above. The results of the community consultation will be presented to Council by April 2021.*
7. *REQUESTS that a map similar to that in Attachment 4 which shows the access to any public open space in the area surrounding Lot 48 is included in the community consultation material referred to in Recommendation 6.”*

Public advertising occurred between 22 February 2021 and 21 March 2021 by:

- Public notice in the Perth Voice (27 February and 6 March 2021);
- Public notice in the Stirling-Vincent Reporter (4 March 2021);
- Notice on Imagine Vincent (EHQ) (from 22 February 2021 to 21 March 2021)
- Notice on the City's website and social media;
- Flyer delivered to businesses on Beaufort Street and the nearest 1,500 residents;
- Five large format signs installed in and around Barlee Street car park; and
- Notice in City's February e-newsletter.

The consultation asked for submissions on the following options:

1. Sell the land – Money generated from the sale would then be used to upgrade or fund another public open space;
2. Swap the land – A land swap with the neighbouring property would allow the City to create a park or town square on the corner of Barlee and Beaufort; or
3. Keep the land – Keep the land and seek a new lease with the neighbouring property owners to allow the City to continue operating the car park.

DETAILS:

The project page had a total of 777 visits during the consultation period and 303 users interacted with the information provided on the project page to learn more. There were 124 survey responses, with 78 (63%) responses in favour of Option 2 (swapping the land to create a park/town square). A further 20 responses were submitted to Administration directly by email leading to a total of 144 submissions as follows:

	Option 1 – sell land	Option 2 – land swap and park/square	Option 3 – keep carpark	Other	Total submissions received
Submissions in favour	17	85	41	1	144
% of total submissions	11.8%	59%	28.5%	0.69%	100%

A summary of all submissions is at **Attachment 1**, with further detail provided at **Attachment 2**.

Approximately 59% of respondents are in favour of Option 2 (land swap to create a park or town square) with the next preferred being Option 3 (retaining the carpark) at approximately 28.5%.

The City also received a submission which contained a survey of local businesses owners and their staff, as a confidential **Attachment 3**. The survey demonstrates support by around 300 local business owners and staff for Option 3 to retain the car park. Administration confirmed with the respondent that he wished the survey to be attached as a confidential attachment to the report as he conducted the survey on the basis that all responders' details would be kept confidential. The respondent is also aware that, as the survey is not being treated as a petition, his response will count as one submission.

The main comments raised during consultation were as follows:

1. A low confidence in the City-wide parking survey from 2018;
2. Concern around pedestrian crossings in Mt Lawley/Highgate; and
3. Various ideas were submitted for the park/town square concept.

1. Parking and Barlee Street Car Park Usage

The consultation raised queries in respect to the current use of, and demand for, parking in the Barlee Street car park. The 2018 parking survey does not address queries, specifically around the occupancy of the car park.

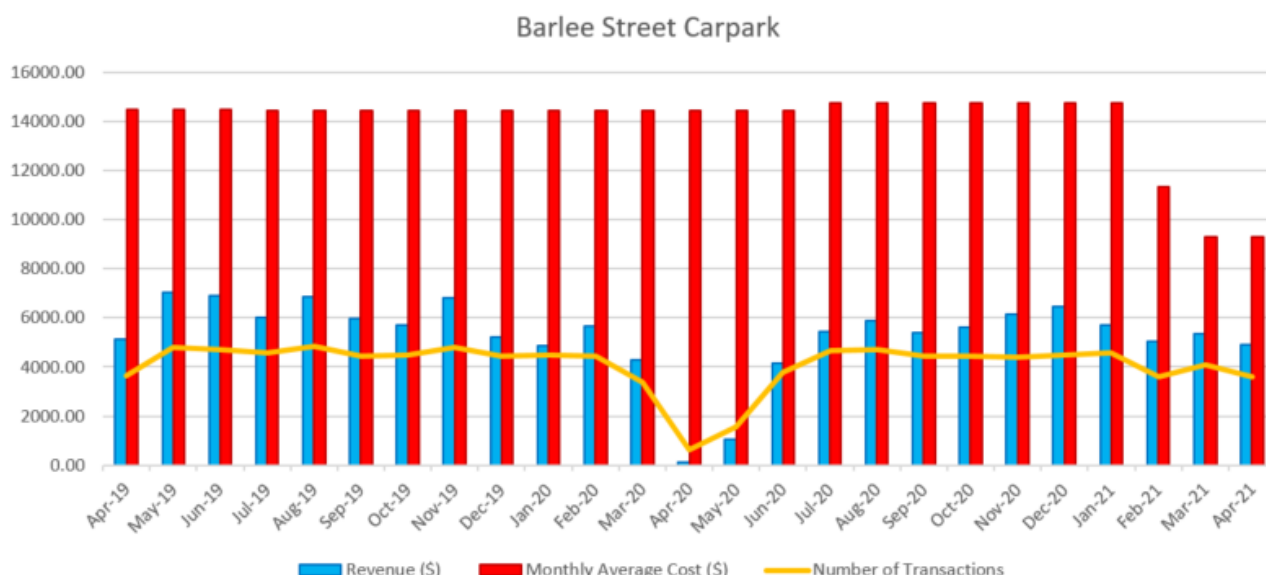
		Barlee St Car Park		Raglan Road Car Park		Chelmsford Road Car Park		Combined Occupancy		Combined Occupancy without Barlee	
Total Bays		49		80		58		187		138	
		Count	Occupancy	Count	Occupancy	Count	Occupancy	Count	Occupancy	Count	Occupancy
Monday 19 April 2021	8-10am	1	2%	22	28%	3	5%	26	14%	26	19%
	12-2pm	12	24%	52	65%	17	29%	81	43%	81	59%
	2-4pm	16	33%	33	41%	15	26%	64	34%	64	46%
	6-8pm	12	24%	23	29%	24	41%	59	32%	59	43%
Tuesday 20 April 2021	8-10am	1	2%	26	33%	6	10%	33	18%	33	24%
	12-2pm	13	27%	65	81%	22	38%	100	53%	100	72%
	2-4pm	16	33%	38	48%	26	45%	80	43%	80	58%
	6-8pm	15	31%	26	33%	20	34%	61	33%	61	44%
Wednesday 21 April 2021	8-10am	4	8%	22	28%	4	7%	30	16%	30	22%
	12-2pm	11	22%	57	71%	24	41%	92	49%	92	67%
	2-4pm	14	29%	52	65%	28	48%	94	50%	94	68%
	6-8pm	17	35%	25	31%	23	40%	65	35%	65	47%
Thursday 22 April 2021	8-10am	5	10%	20	25%	5	9%	30	16%	30	22%
	12-2pm	10	20%	58	73%	21	36%	89	48%	89	64%
	2-4pm	14	29%	50	63%	27	47%	91	49%	91	66%
	6-8pm	43	88%	54	68%	56	97%	153	82%	153	111%
Friday 23 April 2021	8-10am	7	14%	28	35%	10	17%	45	24%	45	33%
	12-2pm	9	18%	82	103%	32	55%	123	66%	123	89%
	2-4pm	18	37%	47	59%	26	45%	91	49%	91	66%
	6-8pm										

Parking was observed the week of 19 April 2021 to observe the occupancy of the Barlee Street car park, as well as Raglan Road and Chelmsford car parks. The observations were disrupted and did not continue once the WA State Government announced Perth and Peel lockdown restrictions as of 24 April 2021. The times the parking was observed, the parking demand could be accommodated by Chelmsford and Raglan Road car parks if the parking were to be removed from Barlee Street car park, except on Thursday evening.

		Count	Occupancy
Friday 28 May 2021	8-10am	8	16%
	12-2pm	18	37%
	2-4pm	13	27%
	6-8pm	20	41%
Saturday 29 May 2021	8-10am	5	10%
	12-2pm	20	41%
	2-4pm	28	57%
	6-8pm	32	65%
Sunday 30 May 2021	8-10am	3	6%
	12-2pm	13	27%
	2-4pm	12	24%
	6-8pm	18	37%

The City undertook further surveys of Barlee Street Car Park as above.

To help validate the car parking surveys, the City undertook a review of parking revenue information. Based on ticket sales for this car park over the last two years, usage of the car park has remained relatively consistent. The only significant downturn in use of the car park occurred because of COVID-19, with ticket sales decreasing between March and June 2020. The graph below shows the revenue generated from this car park based on the ticket sales data (number of transactions) in comparison with the lease costs (including the management fee).



The data from ticket sales does not provide the occupancy of the car park, but has been used to understand the trends and compare revenue to outgoing costs. On this basis, the five days of surveys undertaken could be considered as a 'standard' week, along with the extra weekend days later surveyed.

2. Improving pedestrian crossings on Beaufort Street

Comments identified existing issues with the ability for pedestrians to cross Beaufort Street. Some respondents were of the opinion that proceeds of the potential sale should be used to improve crossing arrangements.

The Draft Beaufort Street Town Centre Place Plan identifies in Action 2.3 to investigate pedestrian crossing improvements on Beaufort Street in 2021/22, which was endorsed for advertising on 27 April 2021.

It is too early to determine exactly where or how many improvements would be required without undertaking the investigation.

3. Ideas and proposals for Park/Town Square concept

Comments suggested a number of proposals for a future park or town square, including:

- That the City should try to maintain the Beaufort Street sign;
- Green space would be preferable;
- A park should be children- and family-friendly;
- A town square could be used for markets; and
- Parking bays are still essential.

If the City proceeds with a proposal to create a park/town square, Administration would undertake community consultation of concepts in late 2021.

It is Administration's intention to try and retain the concrete Beaufort Street sign public art. The retention of the sign is, however, dependent on the proposed development of the private lots. As a result, it may be necessary to relocate part or all of the sign into another property.

From 2021/22, the City will implement Action 2.4 – Trial Pedestrian Streets in the Draft Beaufort Street Town Centre Place Plan. The City is proposing to trial the temporary closure of Barlee Street or Grosvenor Road to understand if the space is suitable for a more permanent transformation of implementing a shared space, similar to the Leederville Village Square. The results of these trials would inform a co-design process with the community, local businesses and the Beaufort Street Network for the concept development and planning for a future park/town square.

Analysis of Options

Option 1 (Sale)

Option 1 received the lowest (11.8%) overall support from the community.

The sale of Lot 48 could result in \$955,000 revenue for the City, as per a formal valuation from August 2020. This money could be used for a variety of purposes, including the improvement or creation of public spaces on Beaufort Street.

As an initial concept, Administration has investigated the potential for 'Micro-spaces' along Beaufort Street verge and medians, or on side streets including Grosvenor Road, Chelmsford Road, and Barlee Street. These spaces could provide multiple opportunities for respite and activity in the town centre and could include a combination of green space, shade, and seating. These spaces would respond to and reflect the way people are already using the built environment, rather than acting as attractions in themselves. In a future annual review of the Beaufort Street Town Centre Place Plan, a new action can be created to capture the visioning and development of the micro spaces.

The proceeds of sale could also be used to improve parking arrangements in other nearby car parks such as those between Raglan Road and Chelmsford Road. This could take the form of access upgrades, improved pedestrian accessibility, or even general maintenance. In accordance with the City's Accessible City Strategy, once a precinct parking management plan is prepared, there may be an ability for the sale proceeds to increase the available parking in the area.

There are a number of projects in the draft [Beaufort Street Town Centre Place Plan](#) that could be funded from the proceeds of sale, including:

- Plan improvements to the pedestrian environment on Beaufort Street;
- Investigate options to repair, replace or remove medians along Beaufort Street; and
- Trial pedestrianisation of Grosvenor Road and Barlee Street.

Grosvenor Road presents an opportunity to host events and gatherings in a safe manner away from the busy traffic and high frequency buses of Beaufort Street. If the City were to trial a closure to vehicle traffic, residents could retain access via Raglan Road or a possible reopening of Hutt Street.

If Council determine to sell the land, it is not recommended to make a decision on the expenditure of the proceeds until the land is actually sold. This will provide more time to prepare concepts and gauge community opinions on all of the above options, as well as taking into account the City's financial position at the time the revenue is received.

Option 2 (Land Exchange)

The land exchange option received the majority of support (59%) from the recent community consultation.

The proposed location of the park/town square is north facing and would have minimal overshadowing, while also having three street frontages on Beaufort Street, Barlee Street and Kaata Lane.

Public advertising identified that the land could be used as a park or a town square. A key rationale was that the Public Open Space Strategy identifies a lack of usable public open space in this section of Mount Lawley.

The proposed lot of 455sqm would provide a usable sized public open space. The park would likely fill the role of a casual place for relaxation and respite. There would be the existing noise and safety concerns from traffic on Beaufort Street. Design of a new public space would need to incorporate best practice CPTED principles to minimise the risk of anti-social behaviour.

Forrest Park is within 300m of the car park and serves a neighbourhood purpose for residents on the east of Beaufort Street. Ideally, a new park would be located on the west of Beaufort Street to improve accessibility.

If Council chooses Option 2, the final outcome would occur over a number of years in accordance with the draft Transition Plan at **Attachment 4**. During construction of the adjacent private development, the City's newly-acquired lot could be used for parking by the construction workers to reduce impact on adjoining streets. Even after development has finished, there is the option for the City to carry on using its lot as a car park until it is in a position to be able to create the public space.

The estimated cost of the public space would be between \$500,000 and \$1 million.

Option 3 (Keep Car Park)

Maintaining the car park received 28.5% community support and an informal 300 person submission.

The City's lease of the car park (at \$60,000 p.a.) expires at the end of February 2022. The City may be able to negotiate another year at the current rate, but it is unlikely to be successful beyond that timeframe without an increased rent.

If Barlee Street car park is retained, there is an opportunity to increase the revenue to operate the car park at a profit. If the City were to remove the first hour free parking, based on the 2020 parking demand, the City could receive between \$110,000 and \$145,000 in revenue. It is expected there would be some decrease in demand, however this is difficult to determine in advance and would require monitoring over time.

Some members of the public consider the car park should not need to cover its cost and should be subsidised by ratepayers as a broader community service. Administration does not support continuing an unfavourable lease for private land to operate a loss making car park given there is sufficient supply of alternative public car parking within the vicinity.

CONSULTATION/ADVERTISING:

If the land sale or land exchange options are supported by Council, then the City would provide local public notice for a period of 14 days. This would include:

- Notice on the City's website/social media;
- Sign on site; and
- Notice in a local newspaper.

LEGAL/POLICY:

Section 3.58(3) of the *Local Government Act 1995* sets out the public notice requirements for disposal of property to a commercial entity.

RISK MANAGEMENT IMPLICATIONS

Low: There is a medium risk of reputational damage in proceeding with an option that was not supported by community engagement.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Thriving Places

Our physical assets are efficiently and effectively managed and maintained.

Innovative and Accountable

Our resources and assets are planned and managed in an efficient and sustainable manner.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes.

PUBLIC HEALTH IMPLICATIONS:

This is not in keeping with any of the priority health outcomes of the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:Car Park Costs

The City operating the Barlee Street Car Park previously resulted in an annual loss of approximately \$100,000 due to the lease costs, management fee and ticket machine costs. This annual loss has now reduced to \$40,000 due to the renegotiation of the lease fee last year. The new lease fee is \$60,000 (as opposed to approximately \$120,000), and applied from 13 February 2021 to February 2022.

The revenue derived from ticket sales to date compared with the lease and carpark operation costs are set out in the table below.

Items	20/21 to date	2019/20	2018/19
Parking revenue (ticket machines)	53,763.49	57,366	75,425
Carpark Cleaning	-698.82	-1,130	-1,222
Utilities	-2,271.65	-2,837	-3,016
Lease Costs (incl. rates, land tax and management fee)	-147,011.54	-161,819	-159,888
Car park operation costs	-6,206.55	-7,188	-10,212
Car park costs	-156,188.56	-172,974	-174,338
Total (loss)	-102,425.07	-115,608	-98,913

While the lease fee and revenue currently balance, there are an additional ~\$45,000 of other fees and costs that would be saved if the City closed the Barlee Street Car Park.

The revenue the City generates from the car park ticket sales and fines (~\$60,000) is unlikely to be significantly affected as alternative car parks in Mount Lawley would fill this demand without reaching capacity at most times. The ultimate result of this change would be an approximately \$105,000 net change in financial position, from a \$45,000 loss to a \$60,000 annual profit.

Discussions with the Owners indicate that they will not be willing to maintain the car park lease at \$60,000 past February 2023.

Development of Adjacent Private Lots

If developed as a mixed-use building, the 1,052sqm private lots (that make up the balance of the car park) could realistically generate between \$52,000 and \$58,000 in rates income per annum for the City depending on the mix of residential and commercial. This would be on top of the \$150,000 change in financial position as a result of closing the car park.

Sale of Lot 48

A valuation received August 2020 shows Lot 48 'as is' could receive \$955,000 on the open market. With the private owners' development unimpeded by the sale of Lot 48, this option would return between \$52,000 and \$58,000 in rates income per annum, as well as a saving of \$105,000 from the closure of the car park.

The sale or development of these lots could take up to five years. Administration is supportive of the car park continuing during this time as long as it is financially sustainable. As described in Detail (Option 3) above, that would require removal of the 'first hour free' from ticket sales.

Land Swap Proposal

The land swap proposal would be contingent on the City committing to the Owners through legal agreement that the acquired lot does not ever become developed for commercial use. Based on this, the City's land assets position would reduce by the value of the existing commercial Lot 48 (\$955,000 + improvements).

The park/town square has not been scoped yet. It is likely that it would include turf, paths, bins, seating, lighting and shade (natural). The estimated cost is between \$500,000 and \$1 million depending on the structures and landscaping. This cost is not included in the City's Long Term Financial Plan. The potential funding sources are as follows:

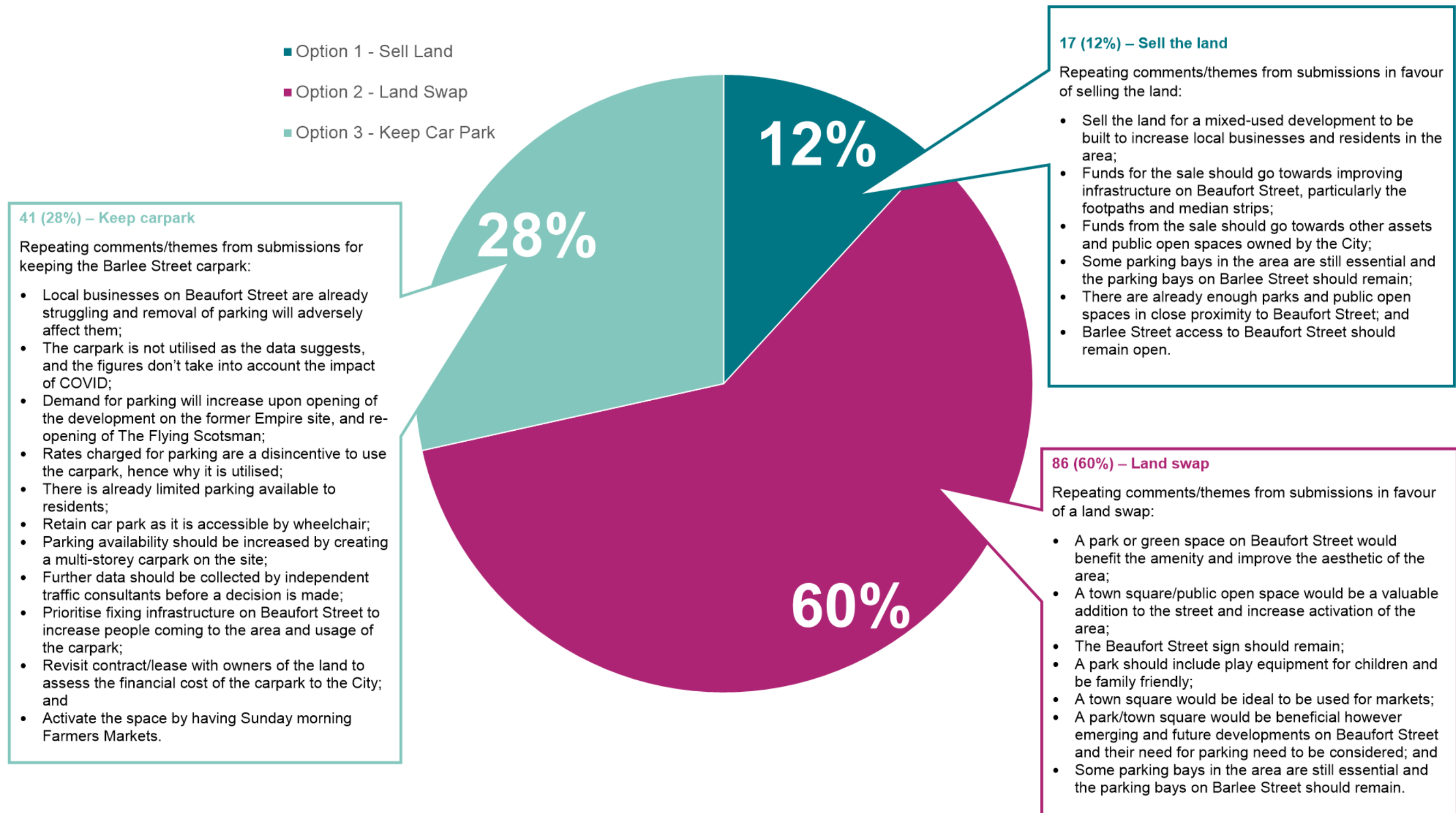
- Settlement proceeds from the sale of 202 Vincent Street in late 2020 (revenue included in the POS acquisition fund) - \$470,000; and
- Settlement proceeds from the sale of 150 Charles Street in late 2020 (revenue included in the POS acquisition fund) - \$200,000.

Since the land being acquired would have zero market value, the result of this transaction would show on the City's balance sheet as a net \$955,000 loss. The improvements to the acquired land would be shown on the balance sheet as both expenditure of up to \$1,000,000 and a capital improvement on the land of \$1,000,000; therefore, net zero impact. However, it is important to note that the capital improvement would not have any real market value. This means that the ultimate cost to the City, despite what would be shown on balance sheets, is up to \$1,955,000.

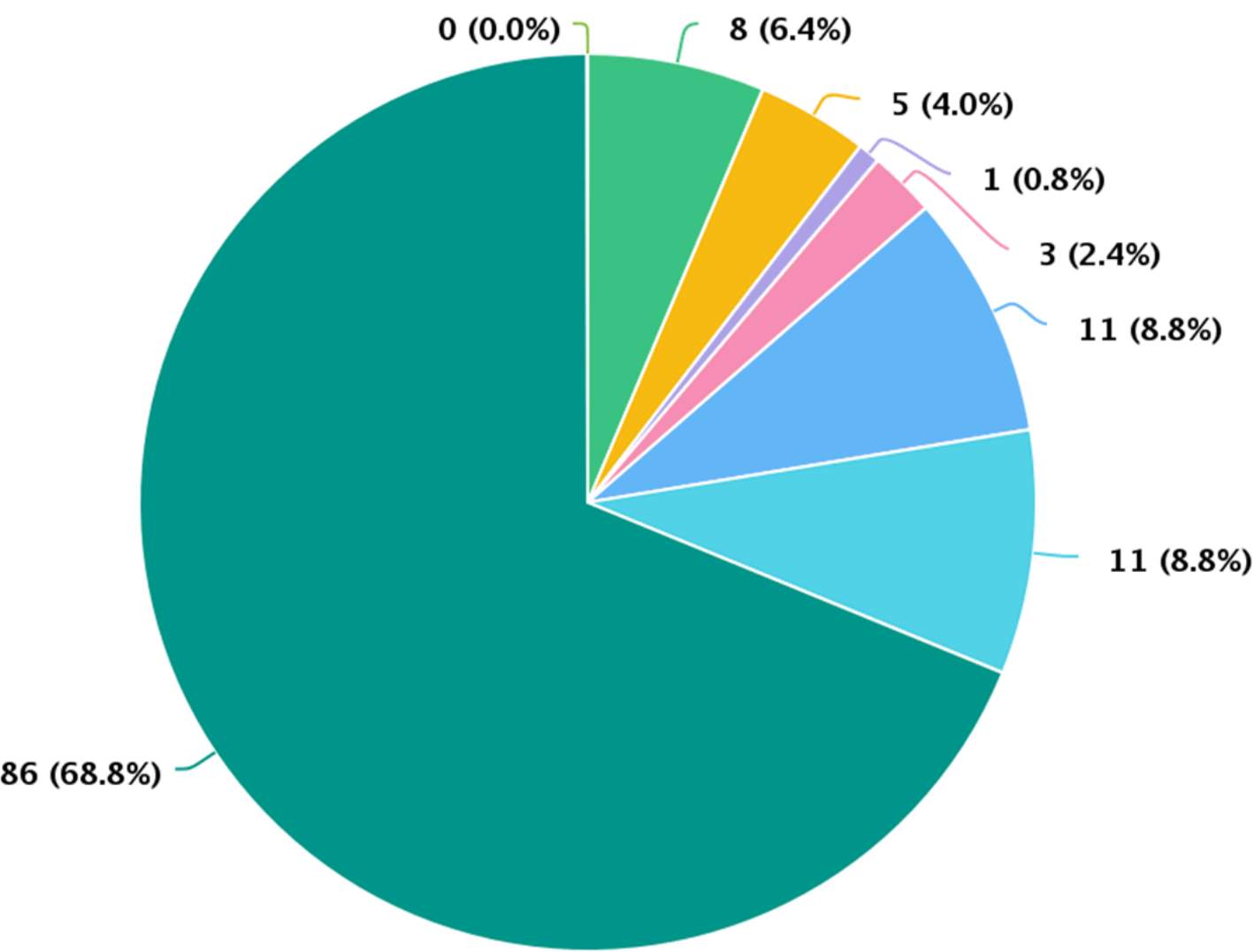
Financial Summary of Options

	Revenue	Expenditure
1. Sale	955,000 50,000 p.a. (rates) 105,000 p.a. (saving)	Future decision
2. Land Swap	50,000 p.a. (rates) 105,000 p.a. (saving)	955,000 (loss of asset) 1,000,000 (construction of park)
3a. Car Park with No Free Tickets	145,000 p.a.	60,000 p.a. rent 45,000 p.a. other costs
3b. Car Park with 1hr Free	60,000 p.a.	60,000 p.a. rent 45,000 p.a. other costs

Barlee Street Car Park Preferred Option – 144 Respondents



Roughly, how often do you park at the Barlee Street Carpark?
– 125 Respondents



Question options
(Click items to hide)

- Daily
- A few times per week
- A few times per month
- Once per month
- A few times per year
- Once per year or less often
- Never
- Unsure

Identified Theme	Administration Comments
Priority for Beaufort Street should be making it more pedestrian friendly	The Draft Beaufort Street Town Centre Place Plan identifies in Action 2.3 to investigate pedestrian crossing improvements on Beaufort Street in 2021/22.
Sell the land to allow for development potential on the site	Noted. If the land is sold, it is proposed that any funds generated by the sale would be used to upgrade or fund another public open space within the area.
Sell the land and use funds for other infrastructure improvements/assets	
Town square/park should be family friendly and include childrens play equipment	If the City proceeds with the proposal to create a town square, Administration will undertake community consultation in regard to concepts for this area in late 2021. Consultation comments relating to this concern will be considered at the concept development stage for the town square.
Green space/park would benefit the area/aesthetic of Beaufort Street	
Town square/space for markets/event space would benefit the area	
Beaufort Street sign should be retained	It is Administration's intention to try and retain the concrete Beaufort Street sign public art regardless of the future of the site. The retention of the sign is, however, dependent on the proposed development of the lots. As a result, it may be necessary to relocate part or all of the sign into the boundary of the City owned lot. Further investigation of the town square proposal, and how that could incorporate the sign, is necessary.
Consideration that the emerging/future developments on Beaufort Street will need adequate parking	Administration notes the support for local food business and owners. Over the coming years, in accordance with the City's Accessible City Strategy, Administration will undertake parking surveys in all the City's town centres (including Mt Lawley). This data will inform the Administration's management of car parks and parking generally in the future.
Carpark is not unutilised/skeptical of data shown	To supplement a lack of data around the Barlee Street car park usage, Administration undertook a review of parking revenue information. Based on ticket sales for this car park over the last two years, usage of this car park has remained relatively consistent. The only significant downturn in use of the car park occurred because of COVID-19, with ticket sales decreasing between March and June 2020.
Retain entire carpark as parking in the area is essential	Administration notes that the City only owns one of the three lots that comprises the car park. If the two privately owned lots are sold or developed (which, in light of the value of the land, is a likely outcome in the future) it is unlikely the remaining City owned lot will be sustainable as a car park. Therefore, it is not possible for the City to guarantee this car park will remain in its current state beyond the expiry of the current lease term (at the end of 2021), alternative uses for the land should be investigated. Car parking data for Mt Lawley indicates that even at peak times, the current capacity of Barlee Street car park could be accommodated across other car parks within in the area.
Carpark is accessible by wheelchair	
Create a multi-story carpark	
Local businesses will be adversely affected by removal of parking	
Other	Noted
No specific/additional comment	None.

No.	Option 1, 2 or 3	Additional comments/thoughts	Theme
1	Option 1 - sell the land	The general environment of Beaufort Street is incredibly poor. The pedestrian priority at cross streets is almost absent and the streetscape is old and dated. Funds should be used to correct this. The City should be more concerned in increasing the resident and worker population of Beaufort Street via new development instead of another public space. The street is the public space.	Priority for Beaufort Street should be making it more pedestrian friendly
2	Option 1 - sell the land	The options in this survey are extremely limiting. They lead the respondent to input only one of a handful of preselected solutions all of which are obviously scenarios put forward by admin. This property should be sold and the funds used for MAINTENANCE. There are crumbling roads, pavements and infrastructure all over our city especially on Beaufort st. We do not need another town square...which in the past has proven extremely expensive and moderately to barely successful. Repair cracked concrete medians, repair dangerous cracks in extremely old concrete footpaths (William St). Add more safe pedestrian crossings on roads like William St and Fitzgerald St, where 100s of commuters catch the bus to work everyday and dart thru traffic to get to/from home. Re surface (the whole length!) roads like Norfolk st which is supposed to be a principal bicycle route but is so rough and in disrepair its an unpleasant commute for those on skateboards/bicycle/scooters.	Priority for Beaufort Street should be making it more pedestrian friendly
3	Option 1 - sell the land	Does not support Option 2 or 3. The reality is the City doesn't have a lot of money to splash so a decision to sell will be the last cash injection the street will see for a while. The car parking site should absolutely be redeveloped by a private developer as a whole, but the City should be fighting hard for integrated community outcomes, like it does (or should be doing) for all other developments. I will never advocate to 'save' car parks but they do play a role in the function of the town centre and will have to be negotiated /stipulated on this site whether that be through Planning Policy or by putting caveats on the title before sale or as a condition of sale....IGA up the road in Mt Lawley seemed to develop a good model of public private parking arrangements...The sale should be funding a complete facelift of the street that should include a deep clean, new median strips, street lamp refurbishment, kerb and footpath replacement and laneway resurfacing (worth a million just there), the priority should be creating focal points in front of existing businesses that have been asked to do it tough for too long without any reward. I have outlined the justification for this in previous sections... Councillors have a responsibility to set businesses and residents up for success by making the right decisions at the right time using a number of informing factors. In this case you just have to take a walk down Beaufort Street and a side lane to see just how bad the physical environment is. Views taken directly from the community (through the BSN Kids Walk) and my professional experience [REDACTED] have informed this submission which I hope will be reported and considered adequately. See Attachments for further comments	Priority for Beaufort Street should be making it more pedestrian friendly
4	Option 1 - sell the land	Selling the land will give the opportunity for a new property owner to come in a develop the land with an exciting building on a small site or the land could be sold to adjacent car park owner to develop a larger building. This will continue the momentum of the long awaited investments we are currently seeing in the area with the upgrades to the Fresh Provisions building, the Elford (old Flying Scotsman), the Highgate Drycleaners site building, the proposed Empire development by the Old Synagogue team, the Beaufort tavern and the new Woolworths on the corner of Bulwer and Stirling. Small public spaces, unless adjoined to a popular venue or building serve little purpose. The area has access to great large parks in Forrest Park down Barlee Street and Hyde Park so in my opinion does not need this. Focus on Mary Street piazza for small events. I honestly think the car park is not needed here and that it should be looked at to develop the entire three adjacent lots, even incorporating a laneway behind the beaufort sign along the street. There is a lot of opportunity for this site.	Sell the land to allow for development potential on the site
5	Option 1 - sell the land	We would like to see a mixed use development in keeping with the Mt Lawley heritage landscape	Sell the land to allow for development potential on the site
6	Option 1 - sell the land	Please consider the land use of this important corner site in the Town Centre for a mixed-use zoning with community/retail uses at ground floor and with good landscape and street trees / deep root zones - do not need more large, under-utilised and ugly carparks causing "gaps" in the Main Street. I would be happy to see the land sold and for the three separate and private land owners co-operating on a building development. Happy for CoV funds received for the land sale to upgrade existing parks, particularly Axford Park that seems to have stalled in its landscape/streetscape improvement and functionality.	Sell the land to allow for development potential on the site
7	Option 1 - sell the land	Question 1 is too limited. What's wrong with selling the land and re-investing the money into some other worthwhile community asset? It is wrong to think that more open space / piazzas etc are automatically good. It is the quality of public realm that is important, not quantity. Please don't build more tokenistic 'squares' like Mary St or the one in North Perth. If the City needs a proper town square, work out strategically where it should be and buy the land to make it a truly good one. (budget around \$10-15m) ... or don't do it at all. The quality and success of a public square is generated by the activities around its edge and not having cars go through it. The idea of a town square on the corner of Beaufort and Barlee on a skinny piece of land will not work. To make this part of Vincent more livable, we need more residents on this site, as well as a broader spread of land uses at ground level. We used to have a really diverse mix of retail, Italian deli, etc until the hospitality industry was allowed to take everything over. Poor place management. So, What about selling the land, getting residential above, and using City funds to encourage a more diverse land use mix at ground level. And encourage the neighbouring 2 private lots to do the same. Let's get real change in the Beaufort Street neighbourhood and improve the livability for inner-city residents. (BTW, we have Forrest Park and Hyde Park within easy walking distance - just make these places really good and a respite from the busy streets.)	Sell the land to allow for development potential on the site
8	Option 1 - sell the land	Land sale profit should be used to repair the grand stand at the old velodrome so as to preserve our heritage.	Sell the land and use funds for other infrastructure improvements / assets
9	Option 1 - sell the land	There are plenty of parks and open spaces in a close proximity to Barlee Street. If another park or open space was built, it could potentially attract unsavoury people to gather and create more noise and disturbances. Often young adults congregate in the carpark as it is and have parties in the carpark. Selling the land will encourage people not to drive and seek alternative transport, plus there is already plenty of parking in Mount Lawley. The funds from the sale of land can be put towards other projects which are more of a priority.	Sell the land and use funds for other infrastructure improvements / assets
10	Option 1 - sell the land	Although I like the idea of it being turned in a park/town square I'm not sure it would really offer much value to the area, I can't see it being utilised that much by anyone to sit in and linger, and with no playground etc. for kids I can't see families using it. Also with no funds to actually do it, I think obtaining extra funds would allow you to do something on other sites you own straight away.	Sell the land and use funds for other infrastructure improvements / assets
11	Option 1 - sell the land	Land should be developed with some public car spaces set aside at the back or side. Money should be used to upgrade existing public areas of beaufort st	Sell the land and use funds for other infrastructure improvements / assets

No.	Option 1, 2 or 3	Additional comments/thoughts	Theme
12	Option 1 - sell the land	How on earth can a carpark cost \$104,000 to operate? There is no security, a bit of lighting, 2 ticket machines. That's it!	Other
13	Option 1 - sell the land	Barlee street... I just wanted to say that, should the council decide to close off Barlee street from Beaufort Street in any way it will be hugely detrimental to my business. It's already not possible to enter Barlee street when you're driving away from the city and we rely heavily on the morning trade coming into the city and how easy it is for cars to turn into Barlee street on their way in. I more or less don't mind what gets done with the carpark and am happy with more community spaces but I will have to fight any decision to close off Barlee street or remove any of the street parking from Barlee street.	Other
14	Option 1 - sell the land	Surely there is a fourth option, land swap and keep as small car park as it is required especially given further restaurant and bar developments in the pipeline. We never agreed with the Mary St square, we wanted it in Barlee St as we need to spread the activity along the entire strip and Mary St area already well supported. Anyway that did not happen. Will the vacant land owned by others be developed or left as a car park? We all need more information to see the entire picture i.e. the private land owners and City plans. Why is the car park not being used? The car park behind IGA and Fresh Provisions is always busy. The City should step back and see the full picture to support the retailers residents and visitors to our community.	Other
15	Option 1 - sell the land	There are better locations for a park than on Beaufort street	Other
16	Option 1 - sell the land		No specific/additional comment
17	Option 1 - sell the land		No specific/additional comment
18	Option 2 - land swap	Anything that can improve the amenity of Beaufort St would be appreciated. Further seating for takeaway food, green space would be a huge improvement. A parklet like Mary Street would be great potentially with some play equipment.	Town square / park should be family friendly and include childrens play equipment
19	Option 2 - land swap	I would love to see another green fun space in the heart of Beaufort Street! This could be geared towards families - with play equipment for kids.	Town square / park should be family friendly and include childrens play equipment
20	Option 2 - land swap	The redevelopment of the Barlee Street carpark into a Town Square will benefit the local community. This initiative will activate an under-utilised space and provide health benefits. It would be great to see the development of a skate path / playground for use by young people in the City. Development of a skate park at the proposed Town Square would fulfil a commitment in the City's Youth Action Plan to create more youth-friendly spaces.	Town square / park should be family friendly and include childrens play equipment
21	Option 2 - land swap	There are plans to build and/or reopen at least 5 bars/restaurants in the immediate area over the next year. From what I have seen, none of the new developments include sufficient parking for their staff, let alone for the expected customers. On weekends, many of the short streets in the immediate area are already filled with residents and visitors parking in the streets. While a green park would be great to have, I am concerned the increase in customers visiting the new bars and restaurants will make it more difficult for residents and their visitors to park in their streets. I add that many of the residents do not have off street parking which is readily accessible from the streets.	Consideration that the emerging / future developments on Beaufort Street will need adequate parking
22	Option 2 - land swap	A town square would be perfect in that location, but in making the decision it would also be worthwhile considering future developments that could cause parking issues and lead to increased demand, eg Empire and Flying Scotsman sites.	Consideration that the emerging / future developments on Beaufort Street will need adequate parking
23	Option 2 - land swap	With the approval of other large venues on Beaufort Street recently being made (bar, restaurants) its important to consider public congestion and traffic on Beaufort and the effects on residents. The approval of a bar, restaurant venue on Beaufort street opposite The Queens which will hold circa 600 patrons with no provision of parking will have a significant impact on the area. Harold Street parking is full every evening with patrons of local venues. Alternative car parks should be thought to meet the current and future demand.	Consideration that the emerging / future developments on Beaufort Street will need adequate parking
24	Option 2 - land swap	A green space would allow for community socialising and engagement. Like Mary St green space does.	Green space / park would benefit the area / aesthetic of Beaufort Street
25	Option 2 - land swap	The creation of a park is a good idea.	Green space / park would benefit the area / aesthetic of Beaufort Street
26	Option 2 - land swap	Swap the land, make a green space utilising the swapped land and the start of barlee street (ie block barlee street from entering beaufort)	Green space / park would benefit the area / aesthetic of Beaufort Street
27	Option 2 - land swap	I would like this turned into a park to: -soften the aesthetic -have a green space to hang out and drink takeaway coffee -from an environmental footprint perspective increase trees -create a green belt corridor linking Forrest Park and Hyde Park -Will create a soft shady space to have community place making events such as markets, music etc	Green space / park would benefit the area / aesthetic of Beaufort Street
28	Option 2 - land swap	A park would be great as I believe the car park is under utilised and Beaufort street needs another soft landscape area.	Green space / park would benefit the area / aesthetic of Beaufort Street
29	Option 2 - land swap	A park would be great to create a gap between the buildings along Beaufort st. Selling it would just bulk up the area a bit much. A park would make this section more of a destination and provide a spot to go with a coffee or takeaway snack from one of the nearby spots. Only concern is about it becoming a place for homeless people to congregate (alternatively you could donate the land to build a homeless shelter/hostel).	Green space / park would benefit the area / aesthetic of Beaufort Street
30	Option 2 - land swap	If this was to become a public park, then I would hope that the result is one which is extremely useable. Native trees which offer excellent shade canopy, herb garden, interesting artwork etc are some ideas which could be implemented. I'm sure between consultations already undertaken by the City coupled with data from the Beaufort Street Network can be used to inform the community's needs/wants for the space. The amount of money that went into the North Perth Common is an example of a very poor outcome for public use. It is mainly all hard surfaces and zero shade. Putting in a removable pop-up umbrella which has usually blown over is embarrassing. Very unusable, very unappealing and a completely wasted opportunity. I frequent the area weekly and have never seen anybody using it.	Green space / park would benefit the area / aesthetic of Beaufort Street

No.	Option 1, 2 or 3	Additional comments/thoughts	Theme
31	Option 2 - land swap	A green public space would be ideal at this location!	Green space / park would benefit the area / aesthetic of Beaufort Street
32	Option 2 - land swap	need more green spaces and community areas in that area of Mount Lawley	Green space / park would benefit the area / aesthetic of Beaufort Street
33	Option 2 - land swap	This part of Beaufort Street has dining options but nowhere particularly nice to hang out (given how close everything is to the road). A park would create some space and improve the aesthetics of the area, and potentially give those on a "pub crawl" from Highgate to The Elford a space to stop and enjoy the street scape without being "on it".	Green space / park would benefit the area / aesthetic of Beaufort Street
34	Option 2 - land swap	more green space	Green space / park would benefit the area / aesthetic of Beaufort Street
35	Option 2 - land swap	We fully support the City pursuing swapping the land and then developing the land to a park/square - for example similar to the Beaufort Street end of Mary Street	Green space / park would benefit the area / aesthetic of Beaufort Street
36	Option 2 - land swap	A green space would enhance the are, the car park is under utilised.	Green space / park would benefit the area / aesthetic of Beaufort Street
37	Option 2 - land swap	The private land will be developed into high rise apartments. Beaufort street needs some open space and trees to soften the streetscape.	Green space / park would benefit the area / aesthetic of Beaufort Street
38	Option 2 - land swap	Would be good to have more trees in area, partly to make the area feel a bit cooler and less desolate in summer. Hopefully a park would attract people to the area a bit more.	Green space / park would benefit the area / aesthetic of Beaufort Street
39	Option 2 - land swap	Imagine if you could convert the HJs block into a park	Green space / park would benefit the area / aesthetic of Beaufort Street
40	Option 2 - land swap	Having a park in that area would certainly help revitalise Beaufort Street. It has suffered from the down turn in the food industry and rising rents. So I feel a park like this will draw more of the community back to the area which would feed back into the businesses that have been suffering.	Green space / park would benefit the area / aesthetic of Beaufort Street
41	Option 2 - land swap	A park will make the street more attractive and appealing	Green space / park would benefit the area / aesthetic of Beaufort Street
42	Option 2 - land swap	A park would be a wonderful idea and provide some green space in such a vibrant part of the neighbourhood	Green space / park would benefit the area / aesthetic of Beaufort Street
43	Option 2 - land swap	I've always thought it's seemed like a bit of a white elephant site. I would welcome development on the privately owned sites. I don't think a million dollars is worth as much as the land opportunity. However, I would like something more akin to Mary Street's Park (which works) than North Perth Common (which has not worked). Use a bit more imagination than that sketch shows please (water features maybe?). Be good to have something like the Urban Orchard (next to the Art Gallery) there, with fruit trees/herbs etc for community consumption	Green space / park would benefit the area / aesthetic of Beaufort Street
44	Option 2 - land swap	As well as a park I suggest you convert the leased carpark into a GREEN carpark that has quick charge stations for electric vehicles	Green space / park would benefit the area / aesthetic of Beaufort Street
45	Option 2 - land swap	Green space along Beaufort St is sorely lacking. A small park in this location would generate a very positive space and transform the atmosphere of this end of Beaufort St.	Green space / park would benefit the area / aesthetic of Beaufort Street
46	Option 2 - land swap	More trees and public open space would be great	Green space / park would benefit the area / aesthetic of Beaufort Street
47	Option 2 - land swap	A town square with green space is a fantastic idea! The strip is crying out for it, needs greening and will add value, otherwise it would just end up as another apartment block.	Green space / park would benefit the area / aesthetic of Beaufort Street
48	Option 2 - land swap	Green space is better than using land for storing unused vehicles.	Green space / park would benefit the area / aesthetic of Beaufort Street
49	Option 2 - land swap	I'd like to see a park for increasing the appearance of the street and for relaxation for the community	Green space / park would benefit the area / aesthetic of Beaufort Street
50	Option 2 - land swap	We need more green open space! I have observed for over 16 years while I have been a Highgate property owner, that carpark is not ever used at capacity. Please please please create an inviting grassed open with some mature trees area even bigger and better than Mary St Piazza.	Green space / park would benefit the area / aesthetic of Beaufort Street
51	Option 2 - land swap	Develop the city portion of land as a park, or sell to developers so that all 3 parcels are developed. Maintaining as a car park would be the worst of 3 outcomes.	Green space / park would benefit the area / aesthetic of Beaufort Street
52	Option 2 - land swap	I think it would be lovely to have a green space here, provided further parking is provided in the precinct.	Green space / park would benefit the area / aesthetic of Beaufort Street
53	Option 2 - land swap	Keen to see the Council keep the land, but change the City owned portion of the Lot changes into a green space / public space.	Green space / park would benefit the area / aesthetic of Beaufort Street
54	Option 2 - land swap	Live on Barlee St. Delighted to see City is thinking of revamping the carpark. Would love to see a land swap. Some ideas for the block of land/parts of it: - Community Herb Garden - Worm farm - could be a compost drop off point? - Recycling drop off point for plastics, cans, e waste - Neon light mural after dark (see: https://streetsdept.com/2020/11/16/philadelphias-newest-mural-is-electric/) - Public art space - Playground for kids and adults, like big swings, giant chess or checker board - Giant musical instruments - Pop-up markets or education spaces. Rotating on a monthly or three monthly basis? Men's shed, kids mental health - Soup kitchen - Food trucks - A little free library or a big one - More bike parking - Beautiful bins - Beautiful bus stops.	Green space / park would benefit the area / aesthetic of Beaufort Street
55	Option 2 - land swap	I would really like to see a public space/ park especially around the iconic Beaufort street sign. This could be a shared space to sit have lunch /dinner from all the restaurants along the strip.	Beaufort Street sign should be retained

No.	Option 1, 2 or 3	Additional comments/thoughts	Theme
56	Option 2 - land swap	I would really like to see the space turned into a park with trees to soften the Beaufort/Barlee street frontage. its okay to keep the street parking here but the carpark is definitely underutilised and a 'hot spot' due to all the bitumen. Also, the Beaufort St artwork needs a better paint job.	Beaufort Street sign should be retained
57	Option 2 - land swap	A green space or town square would provide something unique and interesting to Mt Lawley which is needed. I would like to see the "Beaufort Street" artwork kept or re-purposed along Beaufort street.	Beaufort Street sign should be retained
58	Option 2 - land swap	Fantastic that the City is looking into this site. My thoughts on each scenario in order of least to most preferred is as follows. Keep the land – I sincerely hope the City do not choose this option. The fact that significant ratepayer's funds have been spent over the years on an underused car park is a real shame. The savings of \$80k annually would be a great contribution to a town square/park type initiative which will benefit the locality much better than keeping it as a car park. Sell the land – I do not support selling the land unless there is a clear commitment in place to spend the funds directly in the Mt Lawley town centre. I fully support the investments the City has made in recent years improving the public realm in other local places such as Leederville, North Perth, Mt Hawthorn and Highgate and would love to see the same investment made in Mt Lawley. If the subject site was sold instead of being used for public space I would also welcome investment in improving Grosvenor Road between the IGA and former Flying Scotsman as a potential town square type space. Swap the land – my strong preference is that the City pursues the land swap and creates a local civic space whether that be of a town square or a more parklike design as decided in consultation with the local community. The Mt Lawley town centre is severely lacking in spaces for people to meet without being a patron of a business. This site is well located to fill this void and has the potential to provide a great community asset in an area that will only have an increasing demand for quality public spaces into the future. I also hope that under all scenarios the Beaufort sign will be retained!	Beaufort Street sign should be retained
59	Option 2 - land swap	Please keep the Beaufort St artwork	Beaufort Street sign should be retained
60	Option 2 - land swap	I think it would be a great shame to lose the Beaufort Street sign after all of the work and cost that went into it, and now having lighting (finally). Beaufort Street, like many major roads in Perth, needs cooling in the Summer months to enhance the dining/shopping experience on the strip, which will assist business. (Trees should have been planted behind the Beaufort street sign when it was built to shade the car park). A park on the corner with shade would be a welcome addition on this side of the road.	Beaufort Street sign should be retained
61	Option 2 - land swap	Live [REDACTED] from the Barlee Street Car Park. One observation is that free, unrestricted street-parking on Barlee Street, Roy Street etc will generally fill during peak periods such as Friday and Saturday evenings. Many visitors to the area seem happy to park in these streets and walk a little further, rather than utilise the carpark. This will also occur during the day, for short stays e.g. a visit to Modus Cafe. Two "imperatives" determining the best option for the future of the carpark. (1) That the land does not become available in the future for redevelopment into a residential medium-rise/high-rise apartments, as has already occurred on the adjacent side of Barlee/Beaufort Streets. (2) That the "Beaufort Street" blocks facing Beaufort Street are retained; it is part of the neighbourhood's identity. Least in favour of selling the land - unless there are clear guidelines (restrictions) about what type of development could proceed if the land is solely-owned. Most in favour of swapping the land - with the potential for developing a town square on the corner lot. Could help "soften" the aesthetics of the area, provide a nice background to the Beaufort Street blocks, and could help nearby businesses selling takeaway coffees etc. The third option - continuing with the carpark - seems to be economically unappealing, but would prefer that rather than the risk issues outlined at (1).	Beaufort Street sign should be retained
62	Option 2 - land swap	The carpark is a bit of a blight in an otherwise thriving area. A small town square would bring some welcome focus to the area. To be successful this would need to be coupled to with pedestrian improvements in the area, especially making the corners of Vincent/Beaufort and Barlee/Beaufort easier to cross for pedestrians (raised pedestrian crossings on side roads, tighter curve radii, zebra or signalised ped crossings, etc).	Priority for Beaufort Street should be making it more pedestrian friendly
63	Option 2 - land swap	I think the opportunity to create more public space and encourage a sense of connection along our street could be achieved by the development of a town square. It has been proven that creating a more pedestrian friendly environment encourages more foot traffic to local businesses, providing economic benefit to the local area. Creating welcoming useful public spaces makes people want to spend time in their town centre vs. just passing through.	Priority for Beaufort Street should be making it more pedestrian friendly
64	Option 2 - land swap	I do not believe the figures stated, especially that the carpark is only 60% used on Saturday evenings. In recent months it is close to full most Saturdays and that is while significant businesses in the area, such as the (former) Flying Scotsman remain closed. And if income is an issue, removal of the First Hour Free is well overdue, given the high level of usage. Given that, if the City goes ahead with reducing available parking in the area, a campaign to encourage those visiting licensed premises to use other means of travelling to and from the area should be developed. It could be funded in part by cash-in-lieu payments from new licensed developments like that proposed at the closed retail/warehouse site. Secondly, if a park is developed Do consult with the community and make sure the spaces are usable and fit for purpose. PS I am concerned that the land swap may be more costly than envisaged given the differing sizes between the current corner lot and the City's lot. requiring a new sub-division. Has this been looked into?	Carpark is not unutilised / skeptical of data shown
65	Option 2 - land swap	A town square/park would be a fantastic addition to the area and accommodate a number of activations and provide for event space in addition to a spot for visitors to the strip to sit/relax/enjoy food and drinks etc increasing the duration of their stay in the area.	Town square / space for markets / event space would benefit the area
66	Option 2 - land swap	The markets there are really good when they are occasionally on, it would be sad to lose those so I would like the town square / park option with an increase in events there. It would be great to block Barlee Street off and use the road space to make the town square bigger because it would also stop the rat runs from people wanting to turn right from Walcott St onto Beaufort Street.	Town square / space for markets / event space would benefit the area
67	Option 2 - land swap	It would be great to see town square with an architecturally recognisable fountain, where people could sit, talk, read or even play a game of chess. It could become a recognisable meeting point in Mt Lawley.	Town square / space for markets / event space would benefit the area
68	Option 2 - land swap	This is a fantastic opportunity to show City of Vincent are progressive and support for people prioritised town centres. This should happen at a number of underutilised areas up Beaufort Street. I look forward to this progressing and the program to be expanded.	Town square / space for markets / event space would benefit the area
69	Option 2 - land swap	Mary St piazza has been a huge success this could be even better	Town square / space for markets / event space would benefit the area

No.	Option 1, 2 or 3	Additional comments/thoughts	Theme
70	Option 2 - land swap	As a long time resident of this area (15years) and very involved in the community, I believe the locals are in need of more free public space, where people can meet/ kids can play/ locals can read their books, drink their coffees. All successful strips have somewhere like this, and the mary street plaza isn't quite big enough, or flat enough/ green enough to do this. Free public space with trees/ shade/ flowers/ greenery binds the retail/ hospitality and community together, creates flow and space to rest and chill, and, always attracts families to visit for the day.	Town square / space for markets / event space would benefit the area
71	Option 2 - land swap	I strongly support the green space area. I am a market operator, I strongly believe that the area needs a great community hub that will bring the community together. Mary Street Piazza is a total waste of space, too small to host anything. We need to have an area like our neighbours up the road in Inglewood where small events, farmers markets and alike can be held. The sign is gorgeous (when lit up), albeit a bit run down like the whole street is to be honest. I for one would love to hold my markets back in the Barlee Street Carpark area on a regular basis and bring back some much needed retail to the strip. if the Barlee Street area was conducive with shade and landscaping, markets and food trucks would be a hit. With soooo many pubs going up in the area and fewer restaurants these days, I am afraid this side of Beaufort Street will ne longer be conducive for families. Parking is not an issue on Beaufort Strip, with ride shares plentiful these days and so many bars on our Strip, one would think that you would take a ride share to the venues if you where planning to drink. The Laneways and Beaufort Street needs a massive upgrade with better footpaths and added greenery. Great signage and light poles down the middle of the Street would look attractive also similar to Inglewood	Town square / space for markets / event space would benefit the area
72	Option 2 - land swap	In the event, you cannot swap the land, I think the land should be kept and options looked at for a public open space. There is a lot of high density living in the area, so public space is invaluable.	Town square / space for markets / event space would benefit the area
73	Option 2 - land swap	A new public open space would support life/vibrancy and Business viability of Beaufort st	Town square / space for markets / event space would benefit the area
74	Option 2 - land swap	I love the idea of having a public space: trees, seating, shelter from rain and sunshine, a public/council noticeboard and local artworks. I look forward to learning other comments and ultimately, what Council decides to do. I appreciate this opportunity to have input.	Town square / space for markets / event space would benefit the area
75	Option 2 - land swap	I believe that the conversion of the Barlee Street carpark into a Town Square would be hugely beneficial to the Vincent community. This initiative would activate an under-utilised space, alleviate the financial liability of running the carpark and provide a range of health and community-related benefits to residents and visitors. It would be fantastic to see the development of a skate path / playground for use by young people in the City, who are a key part of the City's demographic. The recent successful redevelopment of Banks Reserve has illustrated the City's appetite for active leisure spaces such as this and is already exceeding capacity. As such, the development of a complementary skate path space at the proposed Town Square would provide significant benefits to the community	Town square / space for markets / event space would benefit the area
76	Option 2 - land swap	We would love more public spaces on Beaufort and especially on Barlee as the car park is often under utilised..	Town square / space for markets / event space would benefit the area
77	Option 2 - land swap	Firstly, do not sell the land. There is no need to - Beaufort Street needs more public spaces so it is not controlled by "cars"... A public space, like a "shady" park at Barlee St would be great for this site — "cars are not King". In regards to cars... The volume of traffic along Beaufort street is already at its peak & the majority of drivers speed over the 40km limit especially heading down from Walcott St. Just stand there from 7am & watch. The idea of creating areas along Beaufort as public spaces is necessary especially along a major arterial road like this.	Town square / space for markets / event space would benefit the area
78	Option 2 - land swap	I love the idea of a town square or park on the site rather than an under-utilised car park. This option would see the redevelopment of a local resource with enhanced environmental and recreational benefits for the community. Selling the land, as in the first option, could result in the funds being used outside of the immediate local area which would have limited or no positive impact on local residents.	Town square / space for markets / event space would benefit the area
79	Option 2 - land swap	It will be great to have event such as weekend market etc to drive a traffic.	Town square / space for markets / event space would benefit the area
80	Option 2 - land swap	Council should make the most of this great opportunity to swap the land and develop as a town square and make Beaufort St a more attractive place for business and residents. Land in such a unique location does not come along every day. Public land is fore ever whereas council can always seek funding / raise money in the future.	Town square / space for markets / event space would benefit the area
81	Option 2 - land swap	Create a heart and hub for the community	Town square / space for markets / event space would benefit the area
82	Option 2 - land swap	Everyday when we walk past it's always empty or only has a few cars in it. It seems a waste of prime real estate. A park or town square would add vibrancy to the Beaufort Street strip.	Town square / space for markets / event space would benefit the area
83	Option 2 - land swap	I support turning the carpark into a town square or park. I think it would contribute to activation of the strip and I think the carpark is unsightly and detracts from the streetscape.	Town square / space for markets / event space would benefit the area
84	Option 2 - land swap	Request the land be used for low cost retail opportunities. Hearing from customers and locals, and being locals, this is the major requirement of Mt Lawley. Quite frankly there is a complete lack of reason to come to Mt Lawley at the moment unless one wishes to get drunk. Obviously this doesn't incline to a healthy community experience. There are plenty of open community spaces available just off Beaufort St, there is no need to have them taking up major shopping space. Ideally the council would put in place space available to retailers and the like that would otherwise be unable to afford to operate on the strip.	Town square / space for markets / event space would benefit the area
85	Option 2 - land swap	Live in Mount Lawley and commonly walk past this car park. Keen for option to turn it into a town square. It would be a nice spot for the school kids who have their unfortunate ritual of getting a frozen drink and finding a place to kick it after school. Right now they just hang out in the car park. It would also be good for all the great food places around. So often the Beaufort street shops are quite small and it's hard to get a table. to be able to take your food away and sit in that space would be an absolute treat. Beaufort street is such a nice place, why not just have a nice town square to soak up everything. Maybe a place to enjoy a coffee and read a book from planet. Could breath life into the struggling strip. Don't like the carpark. It's more expensive and people tend to just use it as a way to turn their car around.	Town square / space for markets / event space would benefit the area
86	Option 2 - land swap	I'd prefer see the land sold and funds used for something more productive than parks, given there are already a number of parks in proximity eg Hyde Park, Mary St and St Andrews. The City is a bit nuts about putting in parklets everywhere, View St cost blew out and is rarely ever used! A million dollars could be put to better use. But if the City is determined to build a park then the land swap is best.	Sell the land and use funds for other infrastructure improvements / assets

No.	Option 1, 2 or 3	Additional comments/thoughts	Theme
87	Option 2 - land swap	I live on Barlee Street and it is a lovely street joining up with Beaufort.	Other
88	Option 2 - land swap	No one is interested in paying for parking so I don't think it will ever be a success unless it's the only option.	Other
89	Option 2 - land swap	Could the City please put more focus into the illegal graffiti which has engulfed the city.	Other
90	Option 2 - land swap	Keeping a part of the area seems the most sensible suggestion.	Other
91	Option 2 - land swap	maybe build a underground carpark to support future growth with a park above.	Other
92	Option 2 - land swap	option 4. Swap land and keep car park on corner. A park that small is pointless and generates no income to maintain it	Other
93	Option 2 - land swap		No specific/additional comment
94	Option 2 - land swap		No specific/additional comment
95	Option 2 - land swap		No specific/additional comment
96	Option 2 - land swap		No specific/additional comment
97	Option 2 - land swap		No specific/additional comment
98	Option 2 - land swap		No specific/additional comment
99	Option 2 - land swap		No specific/additional comment
100	Option 2 - land swap		No specific/additional comment
101	Option 2 - land swap		No specific/additional comment
102	Option 2 - land swap		No specific/additional comment
103	Option 2 - land swap		No specific/additional comment
104	Option 3 - keep carpark	When I am there in the evenings, this car park is full. There is already limited options for parking for businesses and visitors. We are using residential street parking also. This will affect residents. Do you have a solution for more parking if you take this car park away?	Carpark is not utilised / skeptical of data shown
105	Option 3 - keep carpark	Last night (Wednesday) I noticed the car park was full and parking is really needed somewhere in the area or local residents who only have street parking will be affected. Selling off the land will only lead to more building development hardly conducive to enjoying open space which would be my second preference.	Carpark is not utilised / skeptical of data shown
106	Option 3 - keep carpark	Live Barlee Street. The parking lot in question gets a lot more use than supplied feedback seems to indicate. If City abandons the idea of parking on this location the parking on surrounding streets will become more problematic than it currently is.	Carpark is not utilised / skeptical of data shown
107	Option 3 - keep carpark	City of Vincent should most definitely retain the Barlee Street car park and explore the option of compulsorily acquiring the other two lots it does not own under any applicable 'just terms' state compensation scheme. During the acquisition process land had to be valued at its existing zoning, rather than possible future zonings. I note Vincent has not revealed when the current leasing arrangement for the other two lots comes to an end or options likely to be exercised. It may be of concern that the City of Vincent, as a local government agency was "capturing the value" of the development potential in the land before any attractive future development proposal 'for profit' down the track is realised – say a future underground or high rise car park combination / mixed use shopping complex. Self evidently Vincent should be saying that the land needs to be acquired for the purposes of delivering the infrastructure. Certainly in its current use the car parking bays are quickly utilised on any Friday or Saturday nights of the week.	Carpark is not utilised / skeptical of data shown
108	Option 3 - keep carpark	Property manager for apartments on Beaufort St opposite Barlee Street car park. One of the biggest issues with finding and keeping tenants in the building is car parking. As there is limited time parking space all around the area it is the biggest complaint I have from prospective, current and past tenants. I have always encouraged people to use the paid car bays across the road. I am constantly at the building and the Barlee Street car park is almost always full during the day. All the tradesmen we use park there. I park there as there is such limited street parking with restricted time constraints. There are people who park illegally in the alleyways and block entrances etc. If you are going to change the status of the area then I would highly recommend that surrounding residents have a free parking permit.	Carpark is not utilised / skeptical of data shown
109	Option 3 - keep carpark	As an owner of a unit on Beaufort street, I feel that the only option would be to continue the carpark. Over the past three years we have had to deal with illegally parked cars in our driveway, in the rear lane causing narrowing of the laneway access and on verges due to the lack of parking in the area. I feel strongly that the carpark Cnr Beaufort and Barley should remain a car park. I do believe that this carpark is well used and if it was closed would create further carparking mayhem! To have a small park area also would be advantageous to the local residents, some artwork perhaps as well. Though as mentioned above, truly, parking is always an issue in these beautiful bustling small community areas and to reduce access to available parking will have an impact on these small local business.....	Carpark is not utilised / skeptical of data shown
110	Option 3 - keep carpark	Keep the carpark. With new venues opening up in the area it will be needed. There are no other options for parking. The carpark was also used as an area for markets that were held once a month which was great.	Consideration that the emerging / future developments on Beaufort Street will need adequate parking
111	Option 3 - keep carpark	I believe that largely the reason the Barlee St car park is underused by people is due to the price. Parking in Mt Lawley is already rather awful and now is not the time to make it worse. We are having 3 different venues open this year. Beaufort St Tavern, Elford. And what is going into The former Empire building. These will already make the awful parking situation in Mt Lawley far worse. And you are discussing removing parking? That's ridiculous.	Consideration that the emerging / future developments on Beaufort Street will need adequate parking
112	Option 3 - keep carpark	Keep the entire Barlee St carpark operating as a carpark. Already on the weekend evenings Chelmsford Road gets very busy with non-resident cars - presumably from people socialising in the local area. Parking will become a bigger issue when the old Empire building is transformed into an entertainment venue, believe in need of all the additional parking possible. It would be great if the carpark could be utilised on Sunday mornings for a regular market, e.g. farmers market, artisan market. This happens occasionally but a regular event would be great. The weekend Subi Farmers Market is great and always attracts a crowd.	Consideration that the emerging / future developments on Beaufort Street will need adequate parking

No.	Option 1, 2 or 3	Additional comments/thoughts	Theme
113	Option 3 - keep carpark	Keep the carpark and continue to operate as is. The rates charged are a disincentive to use the carpark, it should be trialled a 3-hour free carpark to encourage people to use the carpark for a 1-2 year period before dropping back to first hour free. Stopped shopping on Beaufort street when the parking fees were introduced and changed habits to go elsewhere such as the Mez. When the 1-hour free parking was discovered, returned for some of the incidental shopping such as grabbing a couple of things from IGA /fresh provs etc but the change to shopping habits remain. Beaufort street is run down in the midst of Covid19, high rents and a shift to online shopping. Need to spend some money to revitalise the area. There's a set of apartments going up on Harold that will reactivate the area and the developers wont provide enough parks and it will put further pressure on the area. The new development planned in the old Empire warehouse will undoubtedly not have the 40-50 car bays it will require and the Barlee street carpark will be required. Supportive of the development as it will bring people to the area and hopefully they'll spend money at other shops whilst in the area. Please keep the Barlee street carpark, the future Beaufort street needs it.	Consideration that the emerging / future developments on Beaufort Street will need adequate parking
114	Option 3 - keep carpark	I struggle to believe that utilisation is an issue for the Barlee Street car park or any other car park in the area. I suspect the person who determined the utilisation has missed something. Parking in this part of Highgate/Mount lowly during busy times is difficult. I have not done a quantitative assessment of this car park, but I often see more than 60% occupancy during busy nights. Was the utilisation assessment done at night time and over what duration? The business along the Beaufort Street entertainment strip need to be supported so they can survive. Making parking less available is not going to help. There are also business trying to expand in the area such as the old Empire furniture development (which somehow is being considered without any parking being provided) and the redevelopment of the Flying Scotsman. Plus lets hope a few of the other locations will reopen in the near future. All will require significant parking to support the influx of people required to make them viable. Although we would like to believe in the magical world where patrons will arrive by public transport/bicycle/walk or ride share that is not reality. We are still car dependent society. Utopia has not materialised yet. It is because of this night life that some of us live in the area and hence making it a desirable place to reside. So please think of supporting these businesses when making such decisions and consider the long term not the short. Think expansion and post covid increases not contraction.	Carpark is not unutilised / skeptical of data shown + Consideration that the emerging / future developments on Beaufort Street will need adequate parking
115	Option 3 - keep carpark	The City's strategy should be to buy the land back in it's entirety! Failing that, they should renegotiate the leases to retain the car park. Using Covid figures as an indication of its under use is irrelevant when all businesses were seriously affected. The City fails to understand that it approves developments (seemingly) without consideration for the subsequent parking needs, when said businesses come online. In particular I'm referring to the new Beaufort Tavern (soon to open), The Elford Hotel, formerly The Flying Scotsman (due to open in June) and the huge entertainment development planned for the former "Empire" site. Not to mention the building of many new apartments. These developments alone will drive an enormous influx of patrons from far and wide and many will want to drive and park. Subsequent to what some believe, patrons are drinking less, eating more and therefore preferring to drive to their venue/s of choice. Beaufort Street has wonderful public transport but many won't partake of it, simply because they refuse to catch a bus! I think to remove the car park is a very foolish move, with so many businesses about to join "The Strip." Also, in the past, the car park has been used to host markets and such. Perhaps the City could/should expand on that idea? Given that Forrest Park is at the end of the street, I don't think more open space is needed! The City should leave the site as a car park and focus on the beautification of the Beaufort Street "Strip" as a whole, with more trees, upgraded paving and lighting. Removing the car park is a shortsighted move. It should definitely be retained.	Carpark is not unutilised / skeptical of data shown + Consideration that the emerging / future developments on Beaufort Street will need adequate parking
116	Option 3 - keep carpark	The car park is currently under utilised according to historical data however the future developments within close proximity to the car park will be dependant upon parking. Specifically, the old Flying Scotsman will be re-opening shortly. This does not have parking. Additionally, the proposed redevelopment of the Empire site expects to bring in hundreds of people and there is no parking associated with the application. Given these are two big draw cards to the area, I do not feel a park or green space is reflective of the needs in that particular part of Beaufort Street.	Carpark is not unutilised / skeptical of data shown + Consideration that the emerging / future developments on Beaufort Street will need adequate parking
117	Option 3 - keep carpark	I believe it is short sighted to take parking away based on evidence of the past two years (2020 Covid-19 and 2019 Beaufort down turn). In the next 12 months there will be two new major venues opening on Beaufort street and the Barlee St carpark will become very important for patrons visiting the area. Just on Monday night (15/03/21) the Barlee Street carpark was at least 75% full, thats with a major venue in the vicinity currently not in operation. Furthermore the Chelmsford Rd and Raglan Rd carparks are at capacity during peak times in the evenings and weekends. Chelmsford Road and the surrounding roads are full at the same time showing the appetite to visit the area by car is strong and likely to become stronger with the re-opening of The Flying Scotsman and the Empire building development. The City of Vincent should look to beautify the Barlee St carpark so that it can be used daily as a carpark and periodically for community events. The City of Vincent end of Beaufort street has been neglected by the city in recent years and I believe it is time that the city considers spending some money on their section of Beaufort street. I don't believe that the footpath has been properly cleaned since I moved into the area in 2015, it is littered with chewing gum, general grime(urine around the pubs) and past art installations that have been left in disrepair. Given the lack of use of the Mary street piazza I don't think Beaufort street needs more green space. We are fortunate enough to have Hyde park, Forest park Birdwood Square and Brigatti Gardens all in close proximity of Beaufort street. As a father of two young children I am more likely to take them to the safer surrounds of those parks instead of a green space on Beaufort street.	Carpark is not unutilised / skeptical of data shown + Consideration that the emerging / future developments on Beaufort Street will need adequate parking
118	Option 3 - keep carpark	See Attachment for submission.	Carpark is not unutilised / skeptical of data shown + Consideration that the emerging / future developments on Beaufort Street will need adequate parking

No.	Option 1, 2 or 3	Additional comments/thoughts	Theme
119	Option 3 - keep carpark	I am a long term resident living on Beaufort street and am passionate about the development, accessibility and value of this area, as it is my home. I believe keeping the space as a car park would be the most ideal, followed closely by a land swap to create a public park with a carpark. As a resident on Beaufort street I am acutely aware of the lack of parking availability in the area for visitors to my home and when meeting friends in the area. The issue has become such a challenge that I will often meet outside of Mt Lawley to minimise the stress and challenge that parking in the area causes. This disappoints me, because Mt Lawley has a lot to offer and I am passionate about supporting local, particularly with restaurants and café's closing due to lack of business. Maintaining the area as a carpark would continue to offer parking facilities for those visiting the area and promote business in the area. Alternatively, a small park / open space on Beaufort street would also encourage take away in café's / restaurants which would increase business and the well known and loved vibe of Mt Lawley. Secondly, I am an Occupational therapist by profession and spend time in the area with my clients. My clients are young children and adults with disabilities that use prams and wheelchairs as their functional mobility. The Barlee street carpark is a central and accessible carpark that allows carers, parents and disabled individuals to park close to and access the amenities of Beaufort street. Without this carpark individuals who use wheelchairs will need to park on side streets (if they are able to find one) or out of area, both result in significant effort and time for our vulnerable community members to access the area. Mt Lawley and Beaufort street has a lot to offer both able bodied and disabled individuals, we have incredible services and facilities to offer. Maintaining the carpark space would ensure accessibility and inclusion for all individuals and increase business for the much need shops and restaurants.	Carpark is accessible by wheelchair
120	Option 3 - keep carpark	I'd like to voice my opinion and keep it as a car park but with more ACROD bays for people like myself. One ACROD bay is not enough and it shows you do not care about the people visiting and trying to enjoy the area.	Carpark is accessible by wheelchair
121	Option 3 - keep carpark	I don't think this would be a good place for a town square. Its a bit in the middle of nowhere. I think in between the Scotsman Hotel and IGA (on Grosvenor Road) would be better. Just a few trees, park benches, bike parking, small children play equipment. I don't believe we can afford to loose any parking spaces. New business's setting up are reliant on council provided parking, as the street shops have no capacity to provide parking. I'd even look at creating a multi storey carpark (say 3 levels) and really beautifying it with creepers, trees, art work etc. You could then use the rooftop for public events eg food markets, bike swap, craft markets.	Create a multi-story carpark
122	Option 3 - keep carpark	Suggest that either directly by the council, or in combination with a corporate via a lease, that the site is developed into a multi-story car park. By doing this, on-street car parks could be removed and thus reduce congestion and increase the safety of the area as traffic flow becomes more predictable. With the soon to be completed ex-Flying Scotsman having potential to be popular and lots of empty shops needing to attract customers, making it easy to park would be great for the area, plus the carpark will generate cash flows itself for the council.	Create a multi-story carpark
123	Option 3 - keep carpark	Definitely keep in car park. Should build a double or triple story car park. Demolishing the car park will instantly destroy the foot traffic. Where's everyone going to park?	Create a multi-story carpark
124	Option 3 - keep carpark	Should be make more parking space - not less - to increase foot traffic and spending.	Local businesses will be adversely affected by removal of parking
125	Option 3 - keep carpark	Keep parking I need it for work our business need parking	Local businesses will be adversely affected by removal of parking
126	Option 3 - keep carpark	There are already many businesses up for lease on Beaufort St so building more business sites seems arbitrary. The Council is trying to bring business into Mt Lawley/Highgate but surely having even less parking would dissuade people from visiting? The parking inspectors come around frequently so parking is already an issue and I feel removing this carpark would compound this. Creating a park would again be arbitrary as we already have Hyde Park, Jack Marks Park and Forrest Park. I truly believe removing the carpark is a bad idea and would not help to further to area.	Local businesses will be adversely affected by removal of parking
127	Option 3 - keep carpark	It should not be sold to use the funds elsewhere. Keep it as a car park for use to support local businesses.	Local businesses will be adversely affected by removal of parking
128	Option 3 - keep carpark	As a business owner, City of Vincent continue to screw us over with minimal support. You have choked customer traffic with only 1 hour free parking and forcing consumers to go elsewhere. Now removing parking will further detract business customers from attending Beaufort St. Wake up City of Vincent and bring Beaufort St back to life. Where are you expecting Beaufort St customers to park if you remove the car park? COV continues to be joke for small business.	Local businesses will be adversely affected by removal of parking
129	Option 3 - keep carpark	I am a business owner on Beaufort St. My business relies on the carpark for its patrons. The Beaufort St strip is under massive pressure and reducing parking will only make it harder for business. Why would council make the square into a park when Hyde Park is 300mtrs away. The Council needs to support business and that means providing joint public parking at inner city locations. We pay high rates to conduct our business at these locations and this money should be used by council to provide the carpark. When I saw the sign I was shocked that the council was proposing this. The harm that it would do to small business on the strip is immeasurable. You will make Beaufort St a ghost town similar to the actions of the Subiaco Council.	Local businesses will be adversely affected by removal of parking
130	Option 3 - keep carpark	I feel as though the loss of this space as a public carpark would be detrimental to the success and feasibility of the many small businesses that operate on Beaufort Street nearby. The prospect of creating a small park/town square seems a bit silly, as the space would be quite small, and wouldn't really match the overall urban style of the nearby thriving area. Plus, you'd still have two privately owned sections of land immediately behind it - what would become of these? It would be odd to have a small rectangular town square adjacent to two buildings like that. And that's before we even begin to consider the cost of funding this venture. Leave the carpark! But perhaps jazz it up a little?	Local businesses will be adversely affected by removal of parking
131	Option 3 - keep carpark	This Car Park is essential to keep business running smoothly in the area. Parking space on Beaufort street is already short in supply and as a business owner we believe this car park being moved/removed would have a negative effect on our business and surrounding businesses. It would deter customers from eating at restaurants in the vicinity as they would not find a suitable place that is easy to park. We vote to keep the parking space.	Local businesses will be adversely affected by removal of parking

No.	Option 1, 2 or 3	Additional comments/thoughts	Theme
132	Option 3 - keep carpark	Resident and owner of properties in Mount Lawley for many decades... I believe it is in the best interest to maintain the existing Car Park in situ. I have been a long-term community member of City of Vincent for nearly 4 decades. Further to your invitation I took the opportunity to meet and discuss with a handful of local businesses immediately surrounding the Car Park to seek their input and concerns. It is clear from my discussions with them that there is genuine preference for the Car Park to remain as is. To demonstrate the demand for the Car Park a short poll/survey was conducted from 7 to 19 March 2021 with [11 businesses] neighbouring the Car Park. Please note: the survey was conducted in Confidence and should be treated as such. On behalf of the businesses along with the attached signatories (343 signatories), it would be disappointing to see Council remove an important Car Park servicing the immediate area. Mount Lawley continues to evolve as it has over the past four decades but there is one thing we need to maintain and it is the Barlee Street Car Park (especially with new taverns, bars and cafes shortly commencing trade e.g. The Eiford ex-The Flying Scotsman; tri level hospitality hub – 521-535 Beaufort Street Mount Lawley ex-Empire Warehouse; and Shisha Bar/Café 624 Beaufort Street Mount Lawley). See Attachments for survey	Local businesses will be adversely affected by removal of parking
133	Option 3 - keep carpark	As the owner of apartments on Beaufort st & 3 commercial tenancies along Beaufort st I'm deeply concerned that any option to reduce parking in the Beaufort st vicinity is being considered, we constantly lose residential tenants due to the lack of available parking for visiting friends and most recently two commercial tenants due to lack of foot traffic and available parking to visit their stores. If a study was done on the numerous retail/ commercial tenancies closed in the last 12 months the TOV would understand the need for more and better located parking, our previous two commercial tenancies that closed [REDACTED] both sited clients frustration in finding parking and moved to outer areas for their services combined with reducing visiting local foot traffic its killing retail in the area. We have a high turnover of residential tenants who love the area and ambiance but complain about illegal parking in side streets and entrances to our development frustrating their access and lack of parking for friends or family visiting, this is the reason why they do not renew their leases. I would suggest anything the TOV engages a traffic management consultant to do a study on parking ratios & local businesses issues before anything is considered, while at the moment I understand it's a cost to TOV the commercial benefit to local residents & local struggling businesses' far outweighs the cost. If a change of use is required I would suggest a land swap and a mix of street parking and community seating would be the best option.	Local businesses will be adversely affected by removal of parking
134	Option 3 - keep carpark	We manage a number of retail properties in close proximity to the Barlee St carpark and each one of them have asked that we collectively express our concern at any changes that see the number of available car bays reduced. There is a significant shortage of parking on Beaufort St and this impacts on customer convenience and therefore footfall past many of the retailers that we manage in this locality. In addition the lack of car bays results in a significant amount of illegal parking occurring that impedes access to genuine customers at peak periods of the day. I would urge that further studies be done by reputable and independent traffic engineering firms before any decision is made to alter or remove the carparking facility at Barlee St.	Local businesses will be adversely affected by removal of parking
135	Option 3 - keep carpark	I live on Beaufort Street hence why I don't use the car park. Mount Lawley is not as attractive as it was a few years ago and businesses are working hard to make it vibrant again. I believe it is essential to keep the car park operating to support the effort of local businesses. I hope the artwork will be preserved regardless of the decision taken for the car park.	Beaufort Street sign should be retained
136	Option 3 - keep carpark	Although I ticked keep the property, it could be sold and the money could then be used to make Beaufort St (between Walcott and St Albans ave) a more pedestrian friendly as there is currently no controlled pedestrian cross walk except at Walcott. Green Space created at Mary Street only really benefits the surrounding businesses (Mary Street Bakery and Sidedoor BBQ) and not used otherwise which would be the same at Barlee.	Priority for Beaufort Street should be making it more pedestrian friendly
137	Option 3 - keep carpark	We need to get the fundamentals right at the Vincent end of Beaufort Street before adding another gimmicky green space (the Mary Street Piazza is just up the road and barely gets used - walking past it yesterday mid-afternoon, a perfect sunny Sunday - not a soul there). The Vincent end of Beaufort needs a good deep clean - the pavements are filthy, graffiti needs removing, there is blue paint spilt everywhere (presumably an old "activation" that was never removed), and cracked kerbs and pavers need fixing. We don't use the street anywhere near as much as we used to (we live 100m from it) for these reasons. As residents, it is sadly difficult to take pride in the street when the City of Vincent has let it fall into such a state. The City of Stirling takes far more pride in Beaufort Street and gets the fundamentals right, as we can see with the revitalisation of Inglewood. That area is buzzing on the weekends, whereas the Vincent end is dead during daylight hours, as it's simply not a pleasant place to be. I would love to see the City of Vincent take more pride in what has become a very neglected strip. Yes, times have been tough but the City of Vincent has not upheld their duties in getting the basics right (like cleanliness) on Beaufort Street. Another unused green space is not the answer - let's give the street itself a clean up and facelift so we can try and attract tenants and foot traffic back.	Priority for Beaufort Street should be making it more pedestrian friendly
138	Option 3 - keep carpark	Taking away the car park reduces the parking available in the area. Use the Subiaco and Fremantle areas as a precedent. These areas are 'withering on the vine' as they are no longer an area that attracts foot traffic. Why - nowhere to park and little choice upon arrival. The Beaufort St precinct is so similar. Costs of Car Park - the contracts with the private owners and parking fees needs to be revisited. A business cashflow model plan that results in a 'break even' is acceptable. This means the leases with the private owners needs to be re-assessed as does the cost of parking. Will a reduced fee result in an increase on the 60% occupancy? Do local businesses need to contribute to the cost (they are the benefactors)? A simple sale is the easiest option, but the land will be developed and car park lost. A land swap is just so messy and expensive.	Retain entire carpark as parking in the area is essential
139	Option 3 - keep carpark	I like the idea of another town square or park, however not at the expense of parking! The entertainment strip needs parking more than POS.	Retain entire carpark as parking in the area is essential
140	Option 3 - keep carpark	Keep parking please	Retain entire carpark as parking in the area is essential
141	Option 3 - keep carpark	The land should be kept as a car park	Retain entire carpark as parking in the area is essential

No.	Option 1, 2 or 3	Additional comments/thoughts	Theme
142	Option 3 - keep carpark	It would be appreciated if could understand the global car parking strategy for the Mt Lawley commercial precinct. Often provided feedback from customers, staff and retailers that parking within the overall precinct can be challenging, it would be good to retain as much parking in the precinct as possible.	Retain entire carpark as parking in the area is essential
143	Option 3 - keep carpark	Please keep the land to continue operating the carpark.	Retain entire carpark as parking in the area is essential
144	Option 3 - keep carpark	There is already a lack of parking in Mt Lawley/Highgate, reducing it further will put more strain on surrounding streets.	Retain entire carpark as parking in the area is essential



CITY OF VINCENT

BARLEE ST CARPARK

Transition Plan



Land
exchange
occurs

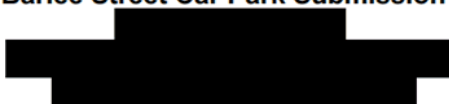


Privately
owned lots
developed



Public park or
town square
constructed



City of Vincent Barlee Street Car Park Submission – 10 March 2021

I write in response to the City requesting a debate and discussion about the future of the Barlee Street carpark on the Beaufort Street with local community members.

This is one of the most important decision Council will have to make with the decision either making or breaking Beaufort Street for another generation.

I understand this is a complex political, social and economic issue with several options on the table and I am committed to being as constructive with my comments on the matter as I can while still presenting frank and full insights, which to be fair, Council have asked for.

Of the three options presented to the community, I outright **object** to the land swap deal, where the caveat is the development of a town square. I also **object** to the car park being allowed to continue to be used and the current leasing arrangements to continue in perpetuity EXCEPT for the extension of the lease for an additional year while the mechanics and logistics of the sale and planning for the money spend is sorted. I **do support** the sale of the lot to the other owners with the proceeds being spent on relevant Beaufort Street upgrades as outlined in this submission.

Land Swap that requires the development of a town square - OBJECT

The idea of a new 'town square' that serves no need in front of businesses that don't exist is not smart spending and is taking away from other much needed improvements / maintenance critical to setting existing businesses up for success.

The current state of the public realm of Beaufort Street is an atrocious mess and is frankly embarrassing for the brand and competitiveness of Beaufort Street (see images attached). Clearly replacement and/or maintenance through 'annual operational costs' isn't working because those curbs and traffic islands are remnants from decades ago and the laneways are falling to bits. There's only so far that having a rep of being quirky and grimy will get us when the street is unsafe in parts. How are we ever going to compete with Inglewood and the various public spaces in Perth City with such a degraded place when shopping centres are already succeeding at killing the main streets that aren't keeping up.

We should be working smarter not harder with our public spaces. Another formal space/square/piazza will not fix the problem. It's not even been defined what problem we are fixing, actually. Street corners are left empty or with dying shrubs which are opportunities for invigoration and out of the box thinking as places designed by and for our local teens or kids (for example). Raw data from a Kids Walk the Beaufort Street Network ran is provided as part of this submission as an example.

Street corners could become a deconstructed town centre and mini destinations in themselves and all within the current unused public verge area and would add way more value than 'green spaces' we are apparently in such short supply of. There is Hyde Park within 400m west of the street and the huge Forrest Park 400m in the other

direction. There is also the leafy front yard of St Albans church I understand is open to the community and giant Birdwood Square opposite the Brisbane Hotel.

The recently named local laneways could be reimagined to be channels of activity, creative hubs and value adds to adjoining businesses in ways which haven't even been dreamt up yet because they haven't been given the opportunity. Instead they are rotting and unsafe. The Beaufort Street Network worked in partnership with landscape architecture students of UWA to reimagine Beaufort Street with big and small interventions some time ago. These resources and ideas could inform a total rethink of the streets design and interactivity at a fraction of the cost (some pictures of this attached).

In 2020, the City's financial health rating was one of the worst in WA. A 'green, leafy space/town square/piazza' will cost at least \$1M on its own. Mary Street Piazza, built in 2014 was around \$300K and View Street, North Perth was upward of \$700K in 2019. The City can't afford a project like this. Plain and simple. And don't forget there's already a piazza 300m south (left mostly inactive by both the City and the local town team) and one proposed just north of Walcott St by City of Stirling.

Continue the car parking lease in perpetuity- OBJECT

Clearly the car park cannot keep operating in its current form at its current cost, running at a cost to the City. Operationally that is a bad choice and from a planning and sustainability viewpoint it is a bad choice. All the research shows that parking rates and supply / demand realities or perceptions are mythical, but it plays an undeniable part in the function of a town centre. If Council isn't already it should be already be considering smart parking options (variable signage with occupancy rates and surge pricing on parking metres for example) to address the provision of adequate parking but also ensuring the infrastructure of the future is being planned for such as PEV's (personal electric vehicles i.e. electric scooters / electric skateboards), uber delivery and taxi drones which all reduce car trips into the town centre.

The planning for and the provision of more jobs and homes in town centres also reduce car trips in local areas as people 'stay local' and a culture of walking, cycling or PEVing everywhere increases.

It is undeniable that the site(s) should and will be developed and will be required to provide car parking for both building occupants and visitors. The City should play an active role in brokering that deal. As a compromise, a quasi or partial PPP deal could be explored where community parking is required to be retained and managed by the City but there is also a cash component of the sale, at a portion of the value, which will be used to benefit Beaufort Street.

Sale of the land and upgrade Beaufort Street - SUPPORT

The reality is the City doesn't have a lot of money to splash so a decision to sell will be the last cash injection the street will see for a while.

The car parking site should absolutely be redeveloped by a private developer as a whole, but the City should be fighting hard for integrated community outcomes, like it does (or should be doing) for all other developments. I will never advocate to 'save' car parks but they do play a role in the function of the town centre and will have to be

negotiated /stipulated on this site whether that be through Planning Policy or by putting caveats on the title before sale or as a condition of sale and as discussed in the previous section.

IGA up the road in Mt Lawley seemed to develop a good model of public private parking arrangements.

For reasons outlined previously, the sale should be funding a complete facelift of the street that should include a deep clean, new median strips, street lamp refurbishment, kerb and footpath replacement and laneway resurfacing (worth a million just there), the priority should be creating focal points in front of existing businesses that have been asked to do it tough for too long without any reward. I have outlined the justification for this in previous sections and have supplied photographs to support my argument.

Councillors have a responsibility to set businesses and residents up for success by making the right decisions at the right time using a number of informing factors. In this case you just have to take a walk down Beaufort Street and a side lane to see just how bad the physical environment is. Views taken directly from the community (through the BSN Kids Walk) and my professional experience in place, planning and local government have informed this submission which I hope will be reported and considered adequately.

This submission will also be distributed direct to Elected Members when the agenda is issued in its full form.

BARLEE STREET CAR PARK

I am disappointed that there has been no analysis on the impact the removal of the car park will have on surrounding businesses. I support eventually getting rid of the car park BUT it should not be done until the impact on local businesses is understood and measures put in place to address any negative impact.

Actual current demand

The limited figures that the administration has used to float the idea that the car park is underutilised are dubious at best. They are just 3 days in late 2018 and they don't even get the car park capacity correct – which car park was the consultant actually looking at?

The figures also seem quite low compared to the current situation. I have recently started to count the cars each time I walk past the car park. There is no set schedule and I have counted the cars parked in the perpendicular bays in Barlee Street as well, as one proposal shows these being removed.

The figures so far are:

Date	Time	Main carpark	Perpendicular
Thu – 4 March	6:15 pm	31	11
Sun – 7 March	7:40 pm	38	11
Tue – 9 March	6:50 pm	23	8
Fri – 12 March	7:45 pm	39	11
Sun – 14 March	11:30 am	19	8
Sun – 14 March	7:10 pm	36	11

It has to be realised that the main purpose of the car park was to cater for evening trade. This reflects the sad transition of the strip into a café and bar area. It was intended to provide visible parking in the evening in order to take some pressure off surrounding residential streets.

I would suggest that fresh counts be undertaken to work out what the real current demand is. The impact of removing 58 bays (car park and perpendicular bays) should also be determined.

Also, there needs to be recognition that there is a development proposed at the old Domain site, not far away, that proposes to cater for 600 patrons but offers no parking. This will only increase the demand in the area.

Cost of operating the car park

There were some figures provided showing the car park makes a loss. That has always been the case. Ten years ago it was costing about \$40,000 nett, with the biggest cost being the lease of the other two blocks.

It was seen as a cost of supporting the local businesses. Right from the beginning it was treated as a service much like the library is a loss-making service – in this case it was providing something so the businesses could see that they were getting something for their rates.

Unfortunately, the loss has increased with the significant increase in lease fees, and no commensurate increase in fees. Plus, the 'first hour free' is a significant loss of potential revenue – it costs \$2.90 for every car that parks there, remembering the figures I provided above were just a snap-shot and that churn increases the daily cost!

BARLEE STREET CAR PARK

If the financial cost is an issue then the City should be looking at increasing the hourly rate, or have variable rates (cheap during the day – more expensive at night) or dropping the first hour free either completely or just at night.

I think if you had more accurate occupation rates you may find that the potential increase in local trade may offset the cost of providing the car park.

Type of open space proposed.

It is of concern that there is talk of providing a 'local public open space' as if people are going to go down there for a bit of relaxation or exercise or to take the kids for an adventure. I'm talking about a 'local' POS as per the POS hierarchy. It must be recognised that a higher order POS also provides the amenity of a lower order POS. For example: I'm near Hyde Park and that is my 'local' POS as well as being a regional POS.

Forrest Park can be seen from the edge of the car park – that is the public open space for the local community. If there are features that would be normally found in a 'local' POS but they are missing from Forrest Park, then the best solution is to put them in Forrest Park, not provide them in a noisy, car fume filled space.

While the idea of a 'plaza', as opposed to a local park, sounds good, it needs to be designed well. The City has failed in its previous two attempts – Mary Street and North Perth Common. Mary Street has failed because the design is poor – it elevates the space above Beaufort Street rather than making it part of that space; and the North Perth Common seems to be in the wrong spot.

I am not against 'plazas' as such, having unsuccessfully moved a motion to investigate these in December 2011. It is just that they need to be placed in the right spot, taking into account surrounding businesses, and it needs to be designed well.

I don't think that the decision to put a 'plaza' or town square here should be driven by the fact that the city owns some land here, it must be driven by the best location for a 'plaza'.

Consultation

The two groups that will be impacted most are the businesses and the people who park there, which almost by definition are people who don't live in the area. There are signs in the car park inviting comment but they have no 'closing date'. I doubt that anybody would bother going through a convoluted process to fill in a survey. They will eventually simply go elsewhere (i.e. stop supporting local businesses).

If you were genuine in wanting to know the impact of removing the car park you would front up with a clipboard and ask people when they get out of their car – what would they do if the car park was closed.

Summary

I think that the City should firstly do a proper analysis of the usage of the car park and work out what impact getting rid of it (and the perpendicular bays) would have on surrounding businesses.

If the cost of running the car park is an issue, the City should look at modifying the fees – either higher fees, different rates throughout the day to reflect demand, or dropping the first hour free.

The City should continue operating the car park while it can still lease the two properties and until it has worked out the impact on the businesses and how that may be addressed.

8.2 REPEAL OF LOCAL GOVERNMENT PROPERTY LOCAL LAW 2008 AND APPROVAL TO ADVERTISE LOCAL GOVERNMENT PROPERTY LOCAL LAW 2021

- Attachments:
1. Submission on draft Local Law [!\[\]\(40ad571422c175e6e0d7b9bd139e9bcd_img.jpg\)](#) [!\[\]\(863b57d188cdf6272e01506e49ad5532_img.jpg\)](#)
 2. Local Government Property Local Law 2021 - Tracked Changes [!\[\]\(7e361c3c8a8f6268d2f78e286eaa8179_img.jpg\)](#) [!\[\]\(5c24a0d2975f8a31430265c6aae6a991_img.jpg\)](#)
 3. Local Government Property Local Law 2021 [!\[\]\(f420a3bd3561eec2b30900b99c0fce2b_img.jpg\)](#) [!\[\]\(13b57be15bdbc686d28bd2fa2d6c21c0_img.jpg\)](#)

RECOMMENDATION:**That Council:**

1. **RECOMMENCE** the process of repealing the Local Government Property Local Law 2008 and adopting the Local Government Property Local Law 2021, pursuant to section 3.13 of the Local Government Act 1995;
2. **AUTHORISES** the Chief Executive Officer to provide Statewide and local public notice in accordance with section 3.12(3) of the Local Government Act 1995, for a period of at least 6 weeks, that:
 - 2.1 it is proposed to repeal the City of Vincent Local Government Property Local Law 2008 and replace it with the City of Vincent Local Government Property Local Law 2021 at Attachment 3;
 - 2.2 the purpose of repealing the City of Vincent Local Government Property Local Law 2008 and replacing it with the City of Vincent Local Government Property Local Law 2021 is to:
 - 2.2.1 increase the efficiency in the management of signs located on local government property;
 - 2.2.2 provide the City with a discretion to require a permit for the erection or display of an election sign on local government property;
 - 2.2.3 remove provisions regarding animals;
 - 2.2.4 assist with the management and regulation of security deposits and bank guarantees provided by developers constructing on private land;
 - 2.2.5 increase the deterrent for:
 - (a) causing damage to local government property;
 - (b) increasing the risk of public harm or harming fauna on local government property; and
 - (c) using local government property for a commercial activity without a permit;
 - 2.2.6 increase the deterrent for offensive and indecent behaviour on local government property;
 - 2.2.7 increase the efficiency in the management (beautification) of verges;
 - 2.2.8 deter damage or removal of trees on verges, thoroughfares or local government property;
 - 2.2.9 prohibit and effectively deter the use of recording devices within change rooms;
 - 2.2.10 amend the local law in accordance with prior advice received from the Department of Local Government, Sport and Cultural Industries;

- 2.2.11 make administrative modifications so that the local law aligns with common practice and the City's current objectives and processes; and
- 2.2.12 provide the City with discretion to make a determination prescribing a local government property or thoroughfare as a smoke free area;
- 2.3 the effect of the repeal and replacement of the City of Vincent Local Government Property Local Law 2008 with the City of Vincent Local Government Property Local Law 2021 is that:
 - 2.3.1 conditions relating to when a sign permit will be required are now provided;
 - 2.3.2 election signs placed on local government property will now be governed by the proposed City of Vincent Election Signs Policy;
 - 2.3.3 provisions relating to animals will be incorporated into the proposed City of Vincent Animals Local Law;
 - 2.3.4 when and how the City may use security deposits or bank guarantees to rectify damage to local government property is regulated;
 - 2.3.5 increased penalties will apply for:
 - (a) causing damage to local government property;
 - (b) using local government property for a commercial activity without a permit;
 - (c) taking, injuring or killing (or attempting to) any fauna on local government property; and
 - (d) placing/draining offensive fluid or lighting a fire on a thoroughfare without a permit;
 - 2.3.6 increased penalties will apply for:
 - (a) offensive behaviour in a toilet block or changeroom on local government property;
 - (b) being indecently clothed on local government property; and
 - (c) spitting on or within community facilities;
 - 2.3.7 the conditions relating to management (beautification) of verges, prescribed in the City's relevant policy, are incorporated in the local law;
 - 2.3.8 increased penalties will apply for damage or removal of trees on verges, thoroughfares or local government property;
 - 2.3.9 the use of recording devices within change rooms is prohibited and an appropriate penalty is applicable; and
 - 2.3.10 amendments are incorporated in the local law in line with the Department of Local Government, Sport and Cultural Industries recommendations;
 - 2.3.11 administrative modifications are made to ensure the local law aligns with common practice and the City's current objectives and processes; and
 - 2.3.12 the procedure for making a smoke free area determination is specified and a penalty for smoking in a smoke free area is applicable.

3. **NOTES** that in accordance with Section 3.12(3)(b) of the Local Government Act 1995 a copy of the City of Vincent Local Government Property Local Law 2021 and the public notice will be provided to the Minister for Local Government; and
4. **NOTES** that any submissions received as a result of the public notice provided as set out in recommendation 2. above will be presented to Council for consideration.

PURPOSE OF REPORT:

To consider recommencing:

- the repeal of Local Government Property Local Law 2008; and
- the making of City of Vincent Local Government Property Local Law 2021 (2021 Local Law),

in accordance with s 3.13 of the *Local Government Act 1995* (Act).

BACKGROUND:

At the 21 July 2020 Council meeting, Council reviewed the draft Local Government Property Local Law 2020 (2020 Local Law) and:

- authorised the CEO providing Statewide and local public notice of the 2020 Local Law in accordance with s 3.12 of the Act for a period of at least 6 weeks;
- noted that in accordance with s 3.12(3)(b) of the Act, a copy of the 2020 Local Law would be provided to the Minister for Local Government; and
- noted that any submissions received as a result of the public notice, would be presented Council for consideration.

The 2020 Local Law was advertised between 11 August and 1 October 2020 by way of publication:

- on the Imagine Vincent website;
- on the City of Vincent website;
- on notice boards at the City's Administration Centre and Library;
- in the Perth Voice newspaper (Saturday, 15 August 2020);
- in the Vincent Eastern Reporter (Thursday, 13 August 2020); and
- in The West Australian Newspaper (Saturday, 15 August 2020).

DETAILS:

One person submitted a comment during the public notice period. A copy of the submission and Administration's response is at **Attachment 1**. No modifications are proposed as a result of this submission.

In October 2020, the Department of Local Government, Sport and Cultural Industries (DLGSC) provided a number of minor grammatical and formatting comments and suggestions. All of the suggested changes have been made and included in the 2021 Local Law.

At its 20 October 2020 Meeting, Council approved the adoption of the Public Health Plan 2020-2025 (PHP). A key objective within the PHP is to achieve 'Smoke-free Town Centres by 2025', to reduce community exposure to environmental tobacco smoke. In response to the PHP, Administration has made substantive amendments to Part 1 (Preliminary) and Part 5 (Matters relating to particular local government property) of the 2020 Local Law to reflect the smoke free town centres objective of the PHP. It is these changes that trigger the requirement to recommence the making of the local law under section 3.13 of the Act.

The City referred the proposed additions to DLGSC, who provided the following comments:

- *In the past, local laws have been made to prohibit smoking on local government property and on public beaches vested under the control of a local government (refer to City of Joondalup local law – see below summary).*
- *The Parliament's Delegated Legislation Committee concluded that these local laws fell within the general power in the Local Government Act 1995 to make local laws "for good governance".*
- *However, it is uncertain whether the Committee would accept a local law which:*
 1. *bans smoking from thoroughfares and other public areas; or*
 2. *creates a mechanism by which the Council could implement such a ban, either incrementally or in one go.*
- *If the Delegated Legislation Committee concludes that the City's proposed amendment is beyond what is contemplated under the LG Act, they might recommend that Parliament disallow the local law.*
- *The Parliament also has the discretion to disallow the local law for any other reason the Parliament deems appropriate (for example, the Parliament may take the view that irrespective of the law's legality, it's something they wish to reserve for State legislation).*
- *The proposed amendment will be a "determination device" which allows the establishment of anti-smoking areas by simple majority resolution of Council.*
- *The Delegated Legislation Committee has allowed these kinds of devices in the past. However, this is on the condition that:*
 - (a) *they follow the consultation process specified in the WALGA model (i.e. clause 2.2 of the principal local law);*
 - (b) *the determinations must be recorded in a publicly accessible register; and*
 - (c) *the local law must explicitly state that the power is not delegable to staff.*

Administration has reviewed the Delegated Legislation Committee's (Committee) decision of 2015 (referred to in the DLGSC's feedback), which relates to the City of Joondalup's inclusion in its local law of a provision stating that 'a person must not smoke in contravention of a sign erected on a beach which prohibits the act of smoking'. In making its determination, the Committee considered:

- (a) section 3.1 of the Act - which specifies that the general function of a local government is to provide for the good government of persons in its district;
- (b) case law in which the High Court considered the scope of the general function of a local government; and
- (c) whether the *Tobacco Products Control Act 2006* (which allowed for smoking to be banned in public places) was the preferred method of introducing a ban rather than a local law,

and concluded that this particular issue '*fell within the powers of a local government to make laws for the good government of the locality, which included physical areas outside of what was dealt with in state-wide laws*'.

While the above decision suggests that the Committee might support the inclusion of smoke free area clauses in the 2021 Local Law, there is still a possibility that Parliament may exercise its discretion to disallow the 2021 Local Law if (for example) it does not approve of the scope of these provisions. To mitigate against this, Administration has taken into account DLGSC's suggestions and provided for any decision of Council to prescribe an area as smoke free be made in the form of a determination under the 2021 Local Law, rather than some other mechanism.

To summarise, the proposed amendments and additions to the 2021 Local Law which relate to smoke free areas are as follows:

1. clause 1.6 includes definitions of e-cigarette, smoke/smoking and tobacco product,
2. new clause 5.16 – defines smoke free area;
3. new clause 5.17 (Prohibition on smoking) – provides that:
 - a person must not smoke in a smoke free area; and
 - that an authorised person may direct a person contravening this clause to extinguish the tobacco product or e-cigarette;
4. new clause 5.18 (Determination in regard to smoke free area) – provides that the City may make a determination prescribing a local government property or thoroughfare (or part thereof) as a smoke free area;
5. new clause 5.19 (Procedure for making smoke free area determination):
 - requires the City to provide local public notice of the proposed determination;
 - specifies the requirements of the local public notice;
 - sets out the process for making, amending or not proceeding with the determination (as the case may be); and
 - provides that Council cannot delegate a decision to make, amend or not proceed with a determination;
6. new clause 5.20 (Considerations in making a determination) – sets out the factors (such as submissions from the community and benefits versus detriments to the community) the City must consider in effecting a proposed determination;
7. new clause 5.21 (Signage) - allows the City to erect a sign identifying an area as smoke free;
8. new clause 5.22 (Application of clauses 2.5 and 2.6) – states that clause 2.5 (requiring all determinations be placed on a register) and clause 2.6 (relating to the amendment or revocation of a determination) apply to determinations made under this Division; and
9. new penalties added to Schedule 1:
 - a person must not smoke in a smoke free area - \$100; and
 - failure to extinguish the tobacco product or e-cigarette upon direction of an authorised person - \$200.

As the 2021 Local Law will not be subject to review for five years following its enactment, Administration undertook a final review of the modified penalties for infringement notice offences specified in Schedule 1 of the 2021 Local Law. The following penalties are proposed to be increased based on the seriousness of the offence in question:

Item	Clause	Description	Previous modified penalty \$	Proposed modified penalty \$
11.	4.2(3)(a)	Loiter outside or act in an unacceptable manner in any toilet block	100	200
12.	4.2(3)(b)	Enter or attempt to enter an occupied cubicle or compartment	100	200
13.	4.3(1)	Failure to wear adequate clothing to secure decency	100	200
16.	4.5(2)(a)	Take, injure or kill, or attempt to take, injure or kill any fauna	250	500

32.	5.3(k)	Spitting or expectorating in any part of the community facility, other than in a water closet	100	300
89.	10.2(1)(e)	Placing or draining offensive fluid on thoroughfare without a permit	200	300
91.	10.2(1)(g)	Lighting a fire on a thoroughfare without a permit	200	300

A complete copy of the 2021 Local Law marked up in tracked changes (including the amendments included in the 2020 Local Law, recommended by the DLGSC and the amendments described above) is at **Attachment 2**. A clean copy of the draft 2021 Local Law is included at **Attachment 3**.

Following advertising, any submissions and proposed modifications will be presented to Council for a final decision before publishing the final version of the 2021 Local Law in the Government Gazette.

CONSULTATION/ADVERTISING:

In accordance with section 3.12 of the Local Government Act 1995, the City will provide public notice of the repeal and replacement of the 2008 Local Law in the following ways for a period of no less than six weeks:

- notice in The West Australian newspaper;
- notice in local newspapers; and
- notice on the City's website, social media and e-newsletter.

LEGAL/POLICY:

Section 3.12 of the Act sets out the requirements for making a local law, more particularly s 3.12(2) specifies:

At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

Section 3.13 of the Act provides:

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to provide public notice of the proposed *City of Vincent Local Government Property Local Law 2021*.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Thriving Places

Our town centres and gathering spaces are safe, easy to use and attractive places where pedestrians have priority.

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any environmental sustainability outcomes.

PUBLIC HEALTH IMPLICATIONS:

If the smoke free area clauses are adopted in the 2021 Local Law, this will be in keeping with the following priority health outcomes of the City's *Public Health Plan 2020-2025*:
Reduced smoking

FINANCIAL/BUDGET IMPLICATIONS:

The costs of advertising the City of Vincent Local Government Property Local Law 2021 can be covered by the City's operational budget.

Submission	Administration response
<p>I do not support the endorsement of permanent 'bin stands' on the verge, as a right, as included in 9.8 (4). While the practice of permanently storing bins on the verge has been tolerated in the past, actually endorsing it will restrict the City's power to tidy up the streetscapes in future. This may become more of an issue with the introduction of the third bin.</p>	<p>This comment relates to clause 9.7(4) which provides that paved pathways and bin stands (for non-parking purposes) must:</p> <p>(a) <i>'be finished level to be flush with the adjacent footpath, driveway, kerb and verge soil level; and</i></p> <p>(b) <i>provide a minimum 0.5 metre setback from any street trees.'</i></p> <p>The Amendments to Part 9 of the Local Law to incorporate relevant terms of Policy No. 2.2.4 - Verge Treatments, Plantings and Beautification (Policy) were made on the advice receiving by Administration from the Department of Local Government, Sports and Cultural Industries (DLGSC). DLGSC advised that local laws should not refer to policy terms that are required to be complied with under the local law. Instead, relevant policy terms should be reflected in the provisions of the local law. This is particularly relevant where it is proposed to enforce compliance with a clause of the local law. Therefore, while clause 9.7 is a new clause for the purpose of the Local Law, it reflects the City's current policy position under the Policy (see clause 1.4.4(viii) of the Policy).</p>
<p>The Law seems to prohibit synthetic turf in a very roundabout way. There are definitions for 'garden' and 'lawn'. The definition for 'verge treatment' is restricted to 'garden', 'lawn' and 'landscaping feature', which in turn is defined in 9.7. None of the 4 categories in 9.7 includes synthetic turf so it would appear synthetic turf is not allowed.</p> <p>There is a get-out where 9.7 says <i>'unless otherwise approved by the local government'</i>. This does not seem to provide any certainty.</p> <p>It would appear that the local law does not allow 'synthetic turf'. In the same way it does not cater for brick paved hardstand that is used for parking, even though these are widespread.</p> <p>I don't have an issue with limiting paving for parking purposes on the verge, but think that there is scope to allow synthetic turf. I think the key considerations are aesthetic and environmental.</p>	<p>This comment relates to clause 9.4 and 9.7 of the draft Local Law.</p> <p>As noted above, the Amendments to Part 9 of the Local Law to incorporate relevant terms of Policy were made on the advice of the DLGSC.</p> <p>While clauses 9.4 and 9.7 are new clauses for the purpose of the Local Law, they reflects the City's current policy position under the Policy (at clause 1.3):</p> <p><i>'The installation of synthetic turf on verges is not an approved treatment.'</i></p> <p>In regard to the preference of synthetic turf over the paving of verges, Administration notes clause 4 of the Policy which provides:</p> <p><i>'The City discourages parking on street verges. However it is acknowledged</i></p>

The early generations of synthetic turf did look just that – synthetic, but the technology has changed. Newer products are difficult to identify other than at close range and the usual clue is that they look too perfect and too uniform. Organisation like the MRA (DevelopmentWA) have used synthetic turf in relatively recent projects in the public domain. I don't think the aesthetic argument can be used.

The issue then becomes how the turf is installed in an environmental sense. Laying it down on a compacted, water impermeable base is unacceptable and is contrary to the City's claim to follow Water Sensible Urban Design principles. In such cases any rainfall would likely flow to the street and the stormwater system. However, if the turf was laid on a water permeable base any rainfall would be absorbed and would be available to the local environment.

So, while I'm not a great fan of synthetic turf, I think that, where it is done right it is better than some other alternatives (e.g. brick paving).

I think that the law needs to indicate that synthetic turf is allowed, either be explicitly including conditions such as water permeability, or by saying it must be approved on a case by case basis. I don't think the vague '*unless otherwise approved by the local government*' (9.7) is sufficient. For example, if a person gets permission for synthetic turf under the 'otherwise approved' provision, does that mean synthetic turf is now approved in every case irrespective of quality of installation technique?

that in some Precincts within the City there is limited kerbside and off-street parking available to residents.

In locations where there is sufficient room to park a light vehicle on the verge without obstructing the footpath or creating a traffic hazard, the City will approve the paving of a portion of the verge for parking.'

City of Vincent

Local Government Act 1995

Local Government Property Local Law 2021

Local Government Property Local Laws 2021

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LOCAL GOVERNMENT ACT 1995

CITY OF VINCENT

LOCAL GOVERNMENT PROPERTY LOCAL LAW 2021

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the City of Vincent resolved on (date) to make the following local law.

Part 1 - Preliminary**1.1 Citation**

This local law may be cited as the *City of Vincent Local Government Property Local Law 2021*.

1.2 Objective

- (1) The objective of this local law is to provide for the regulation, control and management of activities and facilities on local government property, thoroughfares and public places within the district.
- (2) The effect of this local law is to establish the requirements with which any person using or being on local government property, thoroughfares and public places within the district must comply.

1.3 Commencement

This local law comes into operation 14 days after the date of its publication in the Government Gazette.

1.4 Repeal

The following local laws adopted by the City of Vincent:

- (a) Local Government Property Local Law 2008, published in the Government Gazette on 15 April 2008;
- (b) Local Government Property Amendment Local Law 2008, published in the Government Gazette on 7 October 2008;
- (a)(c) Local Government Property Amendment Local Law 2009, published in the Government Gazette on 27 February 2009; and
- (b)(d) Local Government Property Local Law No.1, 2013, published in the Government Gazette on 21 May 2013,

are repealed on the day this local law comes into operation.

1.5 Application

- (1) This local law applies throughout the district.
- (2) Unless otherwise provided for in this local law, the local government may –
 - (a) hire local government property to any person; or
 - (b) enter into an agreement with any person regarding the use and/or occupation of any local government property.

City of Vincent Local Government Property Local Law 2021

1.6 **Headings**~~Definitions~~

In this local law unless the context requires otherwise –

Act means the Local Government Act 1995;

~~“amend” means replace, substitute, in whole or in part, add to or vary, and the doing of any two or more of such things simultaneously or by the same written law;~~

applicant means a person ~~or a body corporate~~ who applies to the local government to use local government property, in accordance with this local law;

authorised person means a person authorised by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

~~“bathing” means the act of entering a swimming pool, or other water body, to swim or for pleasure;~~

~~“bicycle” means a vehicle with two or more wheels that is built to be propelled by human power through a belt, chain or gears (whether or not it has an auxiliary motor);~~

boat means any ship, structure or vessel, capable of being used in navigation by water, however propelled or moved, and includes a jet ski or dinghy whether motorised or not and made or used to travel or float on or through water or travel under water;

~~“body corporate” means a legal entity, such as an association, company, government, government agency, institution, partnership, or person that is a corporation created by charter, prescription or legislation;~~

carriageway means the bitumen or paved portion of a thoroughfare used or intended for use by vehicles;

CEO means the Chief Executive Officer of the local government;

change room means the room or area designated as a change room, bathroom or toilet in a public place such as a pool premises;

commencement day means the day on which this local law comes into operation;

community facility means a facility being local government property operated for the benefit of the public, and includes a hall, public swimming pool, library, leisure centre, recreation centre, child care centre, child health clinic, aged persons centre and the like;

Council means the Council, from time to time, of the local government;

decency means wearing of proper and adequate clothing for the occasion, so as to prevent indecent exposure;

determination means a determination made under clause 2.1;

district means the district of the local government;

~~“drip line” in relation to a street tree means the area of land under the perimeter of a street tree canopy;~~

drone means a powered aerial vehicle that does not carry a human operator and is piloted remotely;

e-cigarette means a portable device that is designed to generate or release an aerosol or vapour for personal use;

face of kerb means the side of the kerb adjacent to the carriageway;

fence means any artificially created barrier whether temporary or permanent including post and rails, chain, metal, wire or pipe;

firework means a device such as a Catherine wheel, a roman candle, a rocket or the like, in which combustible materials are ignited and produce coloured smoke, flames, and (sometimes) an explosion

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or loud noise ~~and fireworks display~~ means a show of a number of fireworks ~~on occasion~~ set off over a pre-arranged period ~~for the purpose of providing enjoyment or entertainment to those persons able to view them;~~

fishing means to use any line, lure, rod, pot or other method for the purpose of catching marine life;

footpath means a path set aside for use by pedestrians and cyclists that is on ~~or runs through a road reserve, park, reserve or~~ thoroughfare, and includes all that part of a thoroughfare lying between the edge of the carriageway and the property boundary nearest to that edge on the same side of the thoroughfare;

function means an event or activity characterised by all or any of the following –

- (1) formal organisation and preparation;
- (2) its occurrence is generally advertised or notified in writing to particular persons;
- (3) organised by or on behalf of a club;
- (4) payment of a fee to attend it; and
- (5) systematic recurrence in relation to the day, time and place,

indecent exposure means the revealing to view of those parts of the body, especially the genitals, which by law and convention should be covered by clothing under the given circumstances;

garden means a verge ~~or other area within a local government property that is~~ planted, developed or treated, otherwise than as a lawn, with one or more plants;

kerb means the edge of a carriageway;

landscaping feature means any:

- (1) ~~raised garden beds;~~
- (2) ~~rocks, stones or logs;~~
- (3) ~~compacted crushed gravel pathways;~~
- (4) ~~paved pathways or bin stand areas;~~
- (5) ~~seating or benches; and/or~~
- (6) ~~decorations and lighting~~

~~garden bed, rock, pathway, seating, decoration, lighting or similar feature,~~ installed within a ~~garden or~~ verge;

lawn means a verge ~~or other area within a local government property~~ which is planted only with grass, or with a similar plant, but will include any other plant provided that it has been planted by the local government such as a tree;

liquor has the same meaning as is given to it in section 3 of the Liquor Control Act 1988 ~~from time to time;~~

local government means the City of Vincent;

local government property means anything except a thoroughfare –

- (1) which is owned or leased by the local government;
- (2) of which the local government is the management body under the *Land Administration Act 1997*; or

City of Vincent Local Government Property Local Law 2021

- (3) which is an “otherwise unvested facility” within the district as defined in section 3.53 of the Act;

local public notice has the same meaning as is given to it in section 1.7(1) of the Act from time to time;

lot means a defined portion of land in accordance with the meaning given to it in section 4(1) of the Planning and Development Act 2005 from time to time;

M**anager** means the person for the time being employed by the local government to control and manage a community facility or other facility which is local government property and includes the person’s assistant or deputy;

Notice means a written notice (in any form, including electronic) issued by the local government or an authorised person under these local laws;

nuisance means any activity, thing, condition, circumstance or state of affairs caused or contributed to by a person which:

- (1) is injurious or dangerous to the health of another person of normal susceptibility; or
- (2) which has a disturbing effect on the state of the physical, mental or social well-being of another person of normal susceptibility;
- (3) ~~anything a person does in or on a public place which unreasonably detracts from or interferes with the enjoyment or value of nearby land owned by another person, provided that anything done in accordance with the law or a legal right or which is consistent with the standard of behaviour in the relevant locality shall not be unreasonable for the purpose of this local law; being of another person of normal susceptibility;~~

~~(4)(2)~~

permit means written confirmation from the local government of an applicant’s right to use local government property in accordance with this local law and may include electronic confirmation and/or a reference number;

permit holder means a person who holds a valid permit;

person means a natural person, body corporate (as defined in the Corporations Act 2001 (Cth)) or other legal entity such as an incorporated association, government or government agency but does not include the local government;

premises means a building, stadium or structure which is located on local government property, but excludes an open public space such as a park or a playing field;

private property means any real property, parcel of land or lot that has a separate certificate of title, which is in private ownership or the subject of a lease or agreement with a person enabling its use for private purposes and includes any building or structure thereon;

publication date means, where local public notice is required to be given of a matter under this local law, the date on which notice of the matter is published in a newspaper circulating generally throughout the district;

public place ~~includes~~ means any thoroughfare or place which the public are allowed to use, whether the thoroughfare or place is or is not on private property and includes parklands, squares, reserves, beaches and other lands set apart for the use and enjoyment of the public, including local government property, but does not include a premises building or structure on private property from which trading is lawfully conducted ~~under a written law;~~

Regulations means the *Local Government (Functions and General) Regulations 1996*;

Relevant Authority:

- (1) any government or government authority in any jurisdiction, whether federal, state, territorial or local (including the Western Australian Planning Commission);

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(2) ~~any provider of public utility services, whether statutory or not; and~~

(3) ~~any other person, authority, instrumentality or body having jurisdiction, rights, powers, duties or responsibilities over the affected land or any part of them;~~

sign includes a notice, flag, mark, structure or device on which may be shown words, numbers, expressions or symbols;

smoke and/or **smoking** means to:

(1) ~~smoke, hold or otherwise have control over an ignited tobacco product;~~

(2) ~~light a tobacco product; or~~

(3) ~~use an e-cigarette;~~

street tree means a tree in a thoroughfare;

thoroughfare ~~has the same meaning as is~~ defined in section 1.4 of the Act, ~~from time to time, and includes a footpath that is local government property;~~

tobacco product ~~has the same meaning as defined in the Tobacco Products Control Act 2006;~~

trading means selling or hiring, or offering for sale or hire, goods or services, and includes displaying goods for the purpose of: ~~of, or the soliciting of orders for goods or services in a public place;~~

(1) ~~displaying goods in any public place for the purpose of—~~

(2)(1) ~~offering them for sale or hire;~~

(3)(2) ~~inviting offers for their sale or hire;~~

(4)(3) ~~soliciting orders for them; or~~

(5)(4) ~~carrying out any other transaction in relation to them;~~

~~the going from place to place, whether or not public places, and—~~

~~offering goods or services for sale or hire;~~

~~inviting offers or soliciting orders for the sale or the hire of goods or services; or~~

~~carrying out any other transaction in relation to goods or services;~~

valid in relation to a permit issued under this local law means current, with all relevant conditions met and for which all the associated fees have been paid in full;

vehicle includes —

(1) every conveyance and ~~every~~ object capable of being propelled or drawn on wheels, tracks or by any means;

(2) an animal being ridden or driven; and

(3) a vehicle described ~~or prescribed by the~~ Road Traffic (*Vehicles*) Act 2014;

but excludes a —

(4) wheel-chair or any device designed for use by physically impaired persons ~~on a footpath;~~

(5) pram, stroller or similar device;

(6) ~~wheeled recreational device, wheeled toy or a scooter used by a person aged under 12 years;~~ and

(7) train, boat or aircraft;

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verge means that part of a thoroughfare between the carriageway and the private land which abuts the thoroughfare, but does not include any footpath or kerb; and

wheeled recreational device means a wheeled device built to transport a person (whether propelled by human power, electricity, motor or gravity) including:

- (1) a bicycle or unicycle;
- (2) in-line skates, roller-skates, a skateboard or similar device; and
- (3) a scooter being used by a person aged 12 years or older.

1.7 Interpretation

In this local law unless the context requires otherwise a reference to local government property includes a reference to any part of that local government property.

1.8 Fees and Charges

All fees and charges applicable under this local law shall be determined by the local government from time to time in accordance with sections 6.16 to 6.19 of the Act, and will be specified in the City local government's Schedule of Fees & Charges as amended from time to time.

1.9 Assistance animals

This local law is subject to any written law and law of the Commonwealth about assistance animals as defined in the Disability Discrimination Act 1992 (Commonwealth) section 9(2).

Part 2 - Determinations in respect of Local Government Property

Division 1 - Determinations

2.1 Determinations as to use of local government property

- (1) The local government may make a determination in accordance with clause 2.2 –
 - (a) setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7;
 - (b) prohibiting a person from pursuing all or any of the activities referred to in clause 2.8 on specified local government property;
 - (c) as to the matters in clauses 2.7(2) and 2.8(2); and
 - (d) as to any matter ancillary or necessary to give effect to a determination.
- ~~(0) The determinations in Schedule 2 –~~
 - ~~(–) are to be taken to have been made in accordance with clause 2.2;~~
 - ~~(–) may be amended or revoked in accordance with clause 2.6; and~~
 - ~~(–) have effect on the commencement day.~~

~~2.6~~ 2.2 Procedure for making a determination

- (1) The local government is to give local public notice of its intention to make a determination.
- (2) The local public notice referred to in subclause (1) is to state that –
 - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
 - (b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and
 - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the publication date.
- (3) If no submissions are received in accordance with subclause (2)(c), the Council is to decide to –
 - (a) give local public notice that the proposed determination has effect as a determination on and from the publication date;
 - (b) amend the proposed determination, in which case subclause (5) will apply; or
 - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c), the Council is to –
 - (a) consider those submissions; and
 - (b) decide –
 - (i) whether or not to amend the proposed determination; or
 - (ii) not to continue with the proposed determination.

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- (5) If the Council decides to amend the proposed determination, it is to give local public notice –
 - (a) of the effect of the amendments; and
 - (b) that the proposed determination has effect as a determination on and from the publication date.
- (6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the publication date.
- (7) A proposed determination is to have effect as a determination on and from the publication date of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) is not to be delegated by the Council.

2.72.3 Discretion to erect sign

The local government may erect a sign on any local government property to give notice of the effect of a determination which applies to that property.

2.82.4 Determination to be complied with

A person must comply with a determination.

2.92.5 Register of determinations

- (1) The local government is to keep a register of determinations made under clause 2.1, and of any amendments to or revocations of determinations made under clause 2.6.
- (2) Sections 5.94 and 5.95 of the Act are to apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within section 5.94(u)(i) of the Act.

2.102.6 Amendment or revocation of a determination

- (1) The Council may amend or revoke a determination.
- (2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.
- (3) If the Council revokes a determination, it is to give local public notice of the revocation and the determination is to cease to have effect on the publication date.

Division 2 – Activities which may be pursued or prohibited under a determination**2.112.7 Activities which may be pursued on specified local government property**

- (1) A determination may provide that specified local government property is set aside as an area on which a person may –
 - (a) bring, ride or drive an animal;
 - (b) take, ride or drive a vehicle, or a particular class of vehicle;
 - (c) fly or use a motorised model aeroplane, drone or other similar remotely piloted device;
 - (d) use a children's playground provided that the person is under an age specified in the determination, but the determination is not to apply to a person having the charge of a person under the specified age;

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- (e) launch, beach or leave a boat;
 - (f) take or use a boat, or a particular class of boat;
 - (g) deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified areas of that local government property;
 - (h) play or practice –
 - (i) golf or archery;
 - (ii) pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 1973*; or
 - (iii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
 - (i) ~~ride a bicycle, a skateboard, rollerblades, a sandboard or a similar device~~ use a wheeled recreational device; and
 - (j) wear no clothing.
- (2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular –
- (a) the days and times during which the activity may be pursued;
 - (b) that an activity may be pursued on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is to be taken to be prohibited on all local government property other than that specified in the determination;
 - (d) may limit the activity to a class of vehicles, boats, equipment or things, or may extend it to all vehicles, boats, equipment or things;
 - (e) may specify that the activity can be pursued by a class of persons or all persons; and
 - (f) may distinguish between different classes of the activity.

2.122.8 Activities which may be prohibited on specified local government property

- (1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property:
- (a) smoking;
 - (b) ~~riding a bicycle using~~ a skateboard, rollerblades, a sandboard or a similar wheeled recreational device;
 - (c) taking, riding or driving a vehicle or a particular class of vehicle;
 - (d) riding or driving a vehicle of a particular class or any vehicle above a specified speed;
 - (e) taking or using a boat, or a particular class of boat;
 - (f) the playing or practice of:
 - (i) golf, archery, pistol shooting or rifle shooting; or
 - (ii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;

City of Vincent Local Government Property Local Law 2021

- (g) the playing or practice of any ball game which may cause detriment to the property or any fauna on the property; ~~and~~
 - ~~(h)~~ the traversing of sand dunes or land which in the opinion of the local government has environmental value warranting such protection, either absolutely or except by paths provided for that purpose; ~~and~~
 - ~~(h)(i)~~ the use of a motorised model aeroplane, drone or other similar remotely piloted device.
- (2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular –
- (a) the days and times during which the activity is prohibited;
 - (b) that an activity is prohibited on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is prohibited in respect of a class of vehicles, boats, equipment or things, or all vehicles, boats, equipment or things;
 - (d) that an activity is prohibited in respect of a class of persons or all persons; and
 - ~~(e)~~ — may distinguish between different classes of the activity.
 - ~~(f)~~ —
 - ~~(g)~~ — (1) — In this clause —
 - ~~(h)~~ —
 - ~~(e)~~ — “premises” means a building, stadium or similar structure which is local government property, but not an open space such as a park or a playing field.

Division 3 – Transitional considerations**2.132.9 Signs taken to be determinations**

- (1) Where a sign erected on local government property has been erected under a ~~by-law or~~ local law ~~of that is the local government~~ repealed by this local law, then it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1.
- (2) Clause 2.5 does not apply to a sign referred to in subclause (1).

City of Vincent Local Government Property Local Law 2021

Part 3 - Permits

Division 1 – ~~Application of this Part~~ Preliminary

3.1 Terms used

In this Part:

- (1) ~~Property~~ means a local government property or a thoroughfare or a portion thereof; and
- (2) ~~facility~~ means a caravan park or camping ground in accordance with section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.

3.13.2 Application of this Part 3

- (1) This Part does not apply to a person who uses or occupies local government property under a written agreement with the local government, ~~which includes including~~ (but ~~is~~ not limited to) a lease, licence, ~~management agreement~~ or shared use agreement.
- (2) This Part applies to any application for a permit to use ~~local government property or a thoroughfare~~ a Property.

Division 2 – Applying for a Permit

3.23.3 Application for Permit

- (1) ~~Where a~~ A person ~~is~~ required to obtain a permit under this local law, ~~must~~ that person shall apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this local law ~~shall~~ must –
 - (a) be in the form determined by the local government;
 - (b) provide the information ~~and any further documentation~~ required by the form, ~~which may including (but not limited to)~~ a plans, specifications ~~and/or~~ photographs; and
 - (c) be forwarded to the local government ~~or the specified person at the local government~~ together with any fee specified in the form or as specified in the ~~City's local government's~~ Schedule of Fees and Charges.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) The local government may, ~~prior to granting a permit, give local public notice of the application for a permit~~ require by an applicant to ~~give local public notice of the application for a permit~~.
- (5) The local government may refuse to consider an application for a permit –
 - (a) which does not comply with the requirements in subclause (2);
 - (b) which is not properly completed; or
 - (c) where any required ~~documentation~~, plan, specification or photograph does not in the opinion of the CEO or an authorised person, contain sufficient information or is not sufficiently clear to enable the local government to properly consider the application.

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3.3.3.4 Relevant considerations in determining application for permit

Where a clause of this local law refers to matters which the local government is to have regard to in determining an application for a permit, the local government shall have regard to those matters prior to making a decision on an application for a permit under clause 3.5 and, in addition, may have regard to the following matters:

- (a) the desirability of the proposed activity;
- (b) the location of the proposed activity; and
- (c) such other matters as the local government may consider to be relevant in the circumstances of the case.

3.4.3.5 Decision on application for permit

- (1) The local government may –
 - (a) approve an application for a permit unconditionally or subject to any –conditions, including but not limited to those conditions in clause 3.7 ~~3.7.3.4~~; or
 - (b) refuse to approve an application for a permit on any of the grounds specified in clause 3.6 ~~3.3A~~, or for any other reason determined at the sole discretion of the local government.
- (2) If the local government approves an application for a permit, it will provide the ~~Applicant applicant~~ with ~~written confirmation~~ Notice accordingly in a form determined by the local government, which could be electronic.
- ~~(3) If the local government refuses to approve an application for a permit, it is to give Nwritten notice (which includes electronic) of that refusal, including the reasons for the local government's refusal, to the applicant.~~
- ~~(0) It is not necessary for the local government to provide reasons for the refusal.~~

3.6 Grounds on which an application may be refused

The local government may refuse an application for a permit under this Division on any one or more of the following grounds:

- (a) that within the preceding 5 years the applicant has committed a breach of any provision of this local law, or any other written law or condition of a lease or licence or hire arrangement between the applicant and the local government relevant to the activity in respect of which the permit is sought;
- (b) that the applicant in the opinion of the local government is not a fit and proper person to hold a permit;
- (c) that –
 - (i) the applicant is an undischarged bankrupt or is in liquidation; or
 - (ii) the applicant has entered into any composition or arrangement with ~~C~~reditors; or
a manager, an administrator, a trustee, a receiver, or a receiver and manager has been appointed in relation to any part of the applicant's undertakings or property;
or
- (d) the local government deems the permit application to be for an activity which is not appropriate for the local government property or thoroughfare for which the permit is sought ~~in respect to~~; or

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- (e) such other grounds as the local government may consider to be relevant in the circumstances of the case.

Division 3 - Conditions**3.7 Conditions which may be imposed on a permit**

Without limiting the generality of clause 3.5(1)(a) ~~3.3(1)(a)~~, the local government may approve an application for a permit subject to conditions relating to –

- (a) the payment of fees, charges and bonds, as determined by the local government in accordance with sections 6.16 and 6.19 of the Act and specified in the City's local government's Schedule of Fees and Charges, as amended from time to time, or as otherwise determined at the local government's sole discretion;
- (b) compliance with a standard or policy of the local government adopted by the local government;
- (c) the duration and commencement of the permit;
- (d) the commencement of the permit being contingent on the happening of an event;
- (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
- (f) the approval of another application for a permit which may be required by the local government under any written law;
- (g) the area of the district to which the permit applies;
- (h) where a permit is issued for an activity which will or may cause damage to local government property, the payment of a deposit, bond or secure sum against such damage; and
- (i) the obtaining of public liability insurance in an amount and on terms reasonably required by the local government as set out in clause 13.4.

3.8 Compliance with permit conditions

Where an application for a permit has been approved for an activity defined in clause ~~3.18(1)3-14(1)~~ subject to conditions, the permit holder shall comply with each of those conditions.

3.9 Amendment of permit conditions

- (1) A permit holder may apply in writing to the local government to vary or amend any of the terms or conditions of the permit.
- (2) The local government may, in respect of an application under sub-clause (1) –
 - (a) amend the permit, either in accordance with the application or otherwise as it sees fit; or
 - (b) refuse to amend the permit.
- (3) The local government may, at any time, amend any of the terms or conditions of a permit, subject to providing the permit holder with ~~written notice~~ **Notice** of the reasons for the amendment.
- (4) If the local government amends a permit under this clause, it is to notify the permit holder in writing of the amendment as soon as practicable and the amended condition(s) shall apply from the date of notification, unless otherwise specified in the amendment.

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Division 4 – General**3.10 Erection of a building**

- (1) Where a person applies for a permit to erect a building on local government property, the local government may enter into an agreement with the permit holder in respect of the ownership of the materials in the building.
- (2) The person is required to obtain all other necessary approvals to govern the erection of a building, including but not limited to development approval, if applicable, and a permit for use of the local government property.

3.11 Duration of permit

A permit is valid for one year from the date on which it is issued, unless:

(a) it is otherwise stated in this local law or the period specified in the permit; or

(a)(b) unless cancelled in accordance with clause 3.15-3.11.

3.12 Renewal of permit

- (1) A permit holder may apply to the local government in writing prior to the expiry of a permit for the renewal of the permit.
- (2) The provisions of this Part shall apply to an application for the renewal of a permit the extent that it is applicable for a permit renewal with all necessary modifications.

3.13 Transfer of permit

- (1) An application for the transfer of a valid permit is to –
 - (a) be made in writing;
 - (b) be signed by the permit holder and the proposed transferee of the permit;
 - (c) provide such information as the local government may require to enable the application to be determined; and
 - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (2) The local government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.
- (3) Where the local government approves an application for the transfer of a permit, it will provide written confirmation to the former permit holder and the transferee.

3.14 Production of permit

(1) A permit holder is to produce evidence of a permit to an authorised person immediately upon being required to do so by that authorised person.

(1)(2) The eEvidence referred to in subclause (1) may include the written confirmation (electronic version acceptable) provided by the local government City or the permit number (if applicable).

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3.15 Cancellation of permit

- (1) Subject to clause 12.1, a permit may be cancelled by the local government on any one or more of the following grounds:
 - (a) the permit holder has not complied with –
 - (i) condition of the permit; or
 - (ii) provision of this local law or any other written law relating to the activity regulated by the permit.
 - (b) the permit holder is convicted of an offence against this local law;
 - (c) the permit holder fails to maintain any required public liability insurance or ceases to indemnify the local government against damages in connection with loss or damage in connection with an activity conducted by the permit holder under the permit;
 - (d) the permit holder has become bankrupt or gone into liquidation;
 - (e) the permit holder has entered into any composition or arrangement with creditors;
 - ~~(f)(e)~~ a manager, administrator, trustee, receiver or receiver and manager is appointed in relation to any part of the permit holder's undertakings or property;
 - ~~(g)(f)~~ if the permit holder's application is subsequently found to be incomplete, insufficient or not containing a required document;
 - ~~(h)(g)~~ if the permit holder's application is subsequently found to contain incorrect or falsified information and/or documents;
 - ~~(i)(h)~~ if the local government City reasonably considers that the activity permitted by the permit may create a public health, safety or amenity issue;
 - ~~(j)(i)~~ if valid development approval is required and not held for the abutting premises at which the business relating to the activity authorised by the permit is conducted; or
 - ~~(k)(j)~~ another permit for an outdoor eating area, goods display or portable advertising sign (as the case may be) has been granted, and remains in effect, in relation to the building or business premises related to the permit.
- (2) On the cancellation of a permit, the local government will provide the permit holder with ~~written n~~Notice that the permit has been cancelled.
- (3) On receiving ~~N~~notice that the permit has been cancelled in accordance with subclause (2):
 - (a) the permit holder must immediately cease using the local government property or the thoroughfare unless the ~~N~~notice ~~from the local government~~ provides otherwise; and
 - (b) any fees paid by the permit holder in respect of the permit are forfeited and will not be refunded by the local government.

3.16 Suspension of permit holder's rights and privileges

- (1) The rights and privileges granted to a permit holder on the issue of a permit, shall be automatically suspended, where the public liability insurance required as a condition of a permit, lapses, is cancelled or is no longer current.
- (2) The rights and privileges granted to a permit holder on the issue of a permit, may be suspended by the local government by ~~notice in writing~~Notice to the permit holder for the purpose of and during the carrying out of any works by or on behalf of the State, or an agency or instrumentality of the Crown, or the local government, in or adjacent to the area the subject of the permit.

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- (3) The rights and privileges granted to a permit holder on the issue of a permit may be suspended by the local government where –
- (a) the permit holder's application is subsequently found to be incomplete, insufficient or not containing a required document;
 - (b) the permit holder's application is subsequently found to contain incorrect or falsified information and/or documents; or
 - (c) the ~~local government~~ City considers the activity permitted by the permit may create a public health, safety or amenity issue,
- until the defect in the permit holder's application is rectified to the satisfaction of the local government and/or the local government considers that the activity may be conducted in a manner which does not create a public health, safety or amenity issue.

3.17 Other approvals

The requirement ~~for~~ of a permit under this local law is additional to the requirement, if any, for any other approvals, including but not limited to development approval.

Division 5 – When a permit is required**3.18 Activities on local government property or thoroughfares needing a permit**

- (1) A person shall not without a permit –
- (a) subject to subclause (3), use ~~local government property of a thoroughfare a~~ Property for any purpose which amounts to exclusive use of the whole or a portion of the Property for any period of time;
 - (b) advertise anything by any means on ~~local government property or a thoroughfare a~~ Property, except where the person holds a permit issued under another local law of the local government authorising such advertising in that location;
 - (c) erect a structure for public amusement or for any performance, whether for gain or otherwise, on ~~a Property local government property or a thoroughfare~~;
 - (d) plant any plant, sow any seeds or install any other landscaping feature on local government property, unless in accordance with clause ~~9.59.4~~ of this local law;
 - (e) carry on any trading on local government property unless the trading is conducted in accordance with a permit issued under the City's Trading in Public Places Local Law 2008 (as amended from time to time);
- ~~with the consent of a person who holds a permit to conduct a function, and where the trading is carried on under and in accordance with the permit, or a permit issued under the City's Trading in Places Local Law;~~
- ~~by a person who has a licence or permit to carry on trading on local government property under any written law;~~
- ~~(h)(f)~~ (g) unless an employee of the local government in the course of their duties or on an area set aside for that purpose –
- (i) drive or ride or take any vehicle onto local government property; or
 - (ii) park or stop any vehicle on local government property;
- ~~(h)(g)~~ (g) conduct a function or public gathering on local government property;

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- (h) charge any person for entry to local government property, unless the charge is for entry to area or a building hired or leased from the local government, and that hire or lease arrangement provides that a fee for entry may be charged;
 - (i) light a fire on ~~local government property or on a thoroughfare~~ a Property except in a facility provided by the local government for that purpose;
 - (j) parachute, hang glide, abseil or base jump from or onto ~~local government property or a thoroughfare~~ a Property;
 - (k) erect a building or a refuelling site on local government property;
 - (l) make any excavation on or erect or remove any fence on local government property;
 - (m) erect or install any structure above or below ground, which is local government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person;
 - (n) depasture any horse, sheep, cattle, goat, camel, ass or mule on local government property;
 - (o) light or set off any fireworks or conduct a fireworks display on local government property;
 - (p) operate any broadcasting or public address system or sound amplification equipment or apparatus on local government property;
 - (q) erect, display, post, stick, stamp, stencil, paint or otherwise affix or cause to be erected, displayed, posted, stuck, stamped, stencilled or otherwise affixed any sign, banner, placard, handbill, notice, advertisement, writing or picture whatsoever upon any tree, plant, building, structure, fitting or soil being local government property or on any other local government property, except where the person holds a permit issued under another local law of the local government authorising such an activity in that location;
 - (r) carry out filming, shooting or take a recording on local government property or within a thoroughfare where exclusive use of portion of the local government property or thoroughfare is required; or
 - (s) construct anything or place any infrastructure on a ~~local government property or a thoroughfare~~ Property, including but not limited to paving, planter boxes and outdoor seating.
- (2) A person shall not without a permit carry out works in a thoroughfare or on local government property, including but not limited to –
- (a) verge treatments, unless the verge treatment is in accordance with clause 9.59.4 of this local law;
 - (b) vehicle crossovers;
 - (c) crossing a footpath with a vehicle which is likely to cause or causes damage to the footpath;
 - (d) locating construction materials on a verge or thoroughfare; or
 - (e) undertaking construction activities adjacent to a verge or thoroughfare which results in the use of the verge or thoroughfare.
- (3) A person shall not without a permit use local government property or a community facility for a profit purpose, including but not limited to:
- (a) group fitness classes;
 - (b) life coaching or counselling;
 - (c) meetings or seminars; or

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- (d) guided walks or tours.
- (4) The local government may, at its sole discretion, exempt a person from compliance with subclauses (1), (2) or (3) on the application of that person by providing ~~notice in writing~~Notice to that person.
- (5) The local government may exempt specified local government property or a class of local government property from the application of subclause (1)(a).

3.19 Permit required to camp outside a facility

(1) ~~In this clause –~~

~~“facility” has the same meaning as is given to it in section 5(1) of the Caravan Parks and Camping Grounds Act 1995.~~

~~(3)~~(1) A person shall not without a permit –

- (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property;
- (b) erect any tent, camp, hut, or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day; or
- (c) camp on or occupy any vehicle at night for the purpose of sleeping in a public place.

~~(4)~~(2) The maximum period for which the local government may approve an application for a permit in respect of ~~subclause paragraph (1)(a) or (1)(b) or of subclause (2)~~ is that provided in regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*.

~~(5)~~(3) This clause does not apply to a facility operated by the local government.

3.20 Permit required for possession and consumption of liquor

A person on local government property, shall not consume any liquor or have in their possession or under their control any liquor, unless –

- (a) permitted under the *Liquor Control Act 1988*;
- (b) a permit has been obtained for that purpose; or

~~(c) consumption is in accordance with the relevant local government policy, as amended from time to time, and does not, in the reasonable opinion of the City local government, result in any anti-social or unsafe behaviour or cause risk to members of the public accessing the local government property.~~

~~(c)~~

~~(d)~~

Division 6 – Responsibilities of permit holder**3.21 Responsibilities of permit holder**

A holder of a permit shall, in respect of local government property to which the permit relates –

- (a) ensure that an authorised person has unobstructed access to the local government property for the purpose of inspecting the property or enforcing any provision of this local law;
- (b) leave the local government property in a clean and tidy condition after its use;

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- (c) ensure that the local government property is fully locked or secured after its use where it can be so locked or secured;
- (d) report any damage or defacement of the local government property to the local government; and
- (e) prevent the consumption of any liquor on the local government property unless the permit allows it and a licence has been obtained under the Liquor Control Act 1988 for that purpose.

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~~Part 6~~ Part 4 - Behaviour on Local Government Property***Division 1 – Behaviour on and interference with local government property*****~~6.14.1~~ Personal behaviour**

A person shall not, in or on any local government property, behave in a manner which -

- (a) causes or is likely to cause injury to, or to interrupt, disturb or interfere with the enjoyment of, a person who might use the property; or
- (b) may be considered disorderly or offensive by a person on the local government property.

~~6.24.2~~ Only specified gender to use entry of toilet block or change room

- (1) Subject to clause 4.2(2), ~~Where~~ a sign on a toilet block or change room specifies that a particular toilet block or change room is to be used by –

- (a) females, then a person of the male gender over the age of 6 years shall not use that toilet block or change room;

- ~~(b)~~ males, then a person of the female gender over the age of 6 years shall not use the toilet block or change room; ~~or~~

- ~~(b)(c)~~ families, then, where the toilet block or change room is being used by a family, only an immediate member of that family may use that toilet block or change room.

- ~~(2)~~ Subclause (1) does not apply to a toilet block or change room where a sign designates that particular toilet block or change room as unisex.

- ~~(2)(3)~~ A person over the age of 6 years shall not, on any local government property or public place –

- (a) loiter outside or act in an ~~unacceptable~~ offensive manner, in any portion of a toilet block or change room, or

- ~~(b)~~ enter, or attempt to enter, a cubicle or compartment of a toilet block or change room which is already occupied or in use.

- ~~(3)(4)~~ Subclause (3)(b) does not apply to a parent, guardian or caregiver accompanying a child under the age of 6 years.

~~6.34.3~~ Proper and adequate clothing

- (1) A person over the age of 6 years shall not on any local government property or public place appear in public unless decently clothed.
- (2) Where an authorised person considers that a person on any local government property or public place appearing in public is not decently clothed, the authorised person may direct that person to put on clothing so as to be decently clothed and that person shall comply with the direction immediately.
- (3) In this clause, *decently clothed* means the wearing of proper and adequate clothing for the occasion, so as to prevent indecent exposure.

~~6.44.4~~ Behaviour detrimental to property

- (1) In this clause 4.4, *detrimental to the property* includes –
 - (a) removing any thing from local government property such as a sign, rock, plant or seat provided for the use of any person;

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- (b) destroying, defacing or damaging any thing on the local government property, such as a sign, plant, tree or a seat provided for the use of any person; and
 - (c) climbing on or over local government property.
- (2) A person shall not behave in or on any local government property in a way which is or might be detrimental to the property.

6.54.5 Taking or injuring any fauna or flora

- (1) In this clause –
- (a) ~~animal means any living thing that is not a human being or plant; and~~
 - (b)(a) **fauna means** any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal –
 - (i) any class of animal or individual member;
 - (ii) the eggs or larvae; or
 - (iii) the carcass, skin, plumage or fur; **and**
 - (e)(b) **flora means all vascular plants other than plants recognised as weeds.**
- (2) A person shall not, on or above any local government property, unless that person is authorised under a written law to do so –
- (a) take, injure, kill or attempt to take, injure or kill any fauna; or
 - (b) take on to, set or use, or attempt to take on to, set or use any animal trap, bird trap, fish trap, net or similar device; **or**
 - (b)(c) **remove, prune or damage any flora.**

6.64.6 Intoxicated persons not to enter local government property

A person shall not enter or remain on any local government property while under the influence of liquor; (unless pursuant to a permit issued under clause ~~3.203-18~~), or a prohibited drug or substance.

6.74.7 No prohibited drugs or substances

A person shall not take a prohibited drug or substance, consume or use a prohibited drug or substance, on any local government property.

Division 2 – Signs**6.84.8 Signs**

- (1) A local government may erect a sign on local government property specifying any conditions of use which apply to that property.
- (2) A person shall comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is –
 - (a) not to be inconsistent with any provision of this local law or any determination; and
 - (b) to be for the purpose of giving notice of the effect of a provision of this local law.

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~~Part 11~~ **Part 5 -** Matters relating to particular local government property

Division 1 – Community facilities

~~11.15.1~~ **Definitions**

In this Division –

(a) ~~administration centre~~ means the local government's administration centre which is currently located on Crown Land Lot 502, being Reserve 50345 and having an address of 244 Vincent Street, Leederville; ~~and;~~

(a) _____

~~change room~~ means the room or area designated for a public place such as a pool premises, and includes any bathroom or toilet at the public place;

~~library~~ means the place or premises provided by the local government for the purpose of borrowing books and local history, and includes the library and the local history centre located on a portion of Crown Land Lot 501, being Reserve 39009 and having an address of 99 Loftus Street, Leederville; and

(d)(b) ~~pool premises~~ means the place or premises provided by the local government for the purpose of swimming or bathing, and includes Beatty Park Leisure Centre which is located on portion of Crown Land Lot 1618, being Reserve 884 and having an address of 220 Vincent Street, North Perth, and includes all buildings, fences, gardens, car parks, structures, fittings, fixtures, machinery, chattels, furniture and equipment forming part of the place or premises or used in connection with it.

~~11.25.2~~ **Direction of mManager or authorised person to be observed**

- (1) The Mmanager or an authorised person may refuse admission to, may direct to leave, or may remove or cause to be removed from the administration centre ~~or a community facility, library or pool premises,~~ a person who –
 - (a) in her or his opinion is –
 - (i) under the age of 12 years and who is unaccompanied in the water by a responsible person 16 years or older;
 - (ii) ~~under the age of 5 years and who is unaccompanied in the water by a responsible person 16 years or older;~~
 - (iii)(ii) suffering from any contagious, infectious or cutaneous disease or complaint;
 - (iv)(iii) in an unclean condition; or
 - (v)(iv) under the influence of liquor or a prohibited mind altering drug or substance;
 - (b) is to be refused admission under and in accordance with a decision of the local government for breaching any clause of this local law.
- (2) ~~Subject to subclause (1), A~~ a person shall, on being requested by the Mmanager or an authorised person ~~to do so, to~~ leave the administration centre ~~or community facility, library or pool premises, subject to subclause (1), do so~~ immediately, quietly and peaceably.

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- (3) A person who fails to comply with a request under subclause (2) may be removed from the administration centre, ~~library or pool premises~~ or community facility, by the ~~M~~Manager, and authorised person or a Police Officer.

11.35.3 Responsibilities of users of a community facility

A person while in the administration centre, ~~library, pool premises~~ or a community facility, shall not –

- (a) ~~smoke~~, consume foodstuffs or drinks in any specific area in which ~~smoking or food~~ or ~~beverage~~ consumption is prohibited;
- (b) climb up or upon any roof, fence, wall, partition or other structure not intended for climbing;
- (c) enter the premises if suffering from a contagious, infectious or cutaneous disease or whilst in an unclean condition;
- (d) use soap or shampoo in any part of the premises other than in a change-room;
- (e) use any detergent, ~~or any~~ substance or oil in any pool or spa;
- (f) foul or pollute the water in any shower, pool or spa;
- (g) bring into any part of the pool premises or place thereon any chemical substance, liquid or powder;
- (h) bring into any part of the pool premises any glass containers;
- (i) smoke ~~tobacco or any other substance~~ in or about a community facility;
- (j) deliberately waste or wastefully use fresh or potable water in a community facility;
- (k) spit or expectorate in any part of a community facility, other than in a water closet;
- (l) enter a pool or spa on the pool premises in a dirty or unclean condition; and
- (m) use a mobile phone, camera or other similar recording device in a change room at a ~~pool premises, library or other~~ community facility.

Division 2 – Fishing and boat launching**11.45.4 Definition**

In this Division, –

river means the Swan River as referred to in the *Swan and Canning Rivers Management Act 2006*.

11.55.5 Boat launching

- (1) A person shall not launch a boat into the river other than at a boat launching ramp designed, constructed and approved for that purpose, or from the river where this activity is permitted and designated by signs.
- (2) A person shall not launch a personal water craft into the river other than at a boat launching ramp designed, constructed and approved for that purpose.

11.65.6 Fishing

- (1) A person shall not fish on or from any local government property where fishing is prohibited or restricted and the prohibition or restriction is designated by signs.

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- (2) A person shall not on any local government property whether fishing is permitted or not –
- (a) clean fish or cut bait such that it may cause a nuisance to river users; or
 - (b) leave or deposit fish offal or bait on land or in the river.

Division 3 – Fenced or closed property**11.75.7 No entry to fenced or closed local government property**

A person shall not enter local government property which has been fenced off or closed to the public by a sign or otherwise, unless that person is authorised to do so by the local government.

Division 4 – Air conditioning units over thoroughfares**11.85.8 Definition**

In this Division –

“*air conditioning unit*” means any machine, device, equipment, plant or part thereof which constitutes or is part of any mechanical system of ventilation or air conditioning; ~~and~~

“*thoroughfare*” ~~has the meaning in section 1.4 of the Act and includes a pedestrian way that is local government property;~~

11.105.9 Siting and design of air conditioning units

- (1) A person shall not install an air conditioning unit on or over a thoroughfare without the approval of the local government, which ~~may be granted or withheld by the local government at its absolute discretion of the City.~~ may be granted or withheld by the local government at its absolute discretion.
- (2) If the local government provides approval in accordance with subclause (1)-above, the air conditioning unit shall not:
 - (a) project over any part of a thoroughfare unless provision is made, to the satisfaction of the CEO or an authorised person, for the collection of water discharged from such unit and for its disposal into the stormwater drainage system provided that where such unit is installed above a ~~veranda~~verandah, balcony or awning no such provision shall be necessary;
 - (b) project over any part of a thoroughfare unless the bottom of such unit is not less than 2,750 millimetres above such thoroughfare;
 - (c) project more than 300 millimetres over any part of a thoroughfare not more than 10 metres in width;
 - (d) project more than 450 millimetres over any part of a ~~thoroughfare~~ thoroughfare more than 10 metres in width.
- (3) No air conditioning unit which exhausts foul or vitiated air over or into a thoroughfare shall be installed under a ~~verandah~~verandah, balcony or awning which projects over any part of a thoroughfare.

Division 5 – Awnings, balconies and ~~veranda~~verandahs over thoroughfares**11.115.10 Definitions**

In this Division –

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- (a) “awning” means a roof-like covering to shelter persons or protect parts of a building from the effects of sun or rain, which extends or can be made to extend over any part of a thoroughfare;
- (b) “balcony” means an open or covered platform attached to an upper part of a building, projecting from or recessed into the face of a wall and protected by a railing or balustrade and accessible from an adjacent room;
- (c) “permanent structure” means a structure which is affixed to the ground and is considered to form part of the ground, ~~and includes~~ including verandah verandah posts and canopy structures;
- (d) road means Crown land dedicated at common law or reserved, declared or otherwise dedicated under an act as an alley, bridge, court, lane, road, street, thoroughfare or yard for the passage of pedestrians or vehicles or both and which the local government has care, control and management of, pursuant to section 55(2) of the *Land Administration Act 1997*;
- (d)(e) “road reserve” means ~~Crown land which the local government has care, control and management of, pursuant to section 55(2) of the Land Administration Act 1997~~ that area of a road which is reserved but not used as a carriageway and includes the verge, kerb and footpath; and
- (e) “thoroughfare” has the meaning in section 1.4 of the Act and includes a pedestrian way that is local government property; and
- (f) “verandah verandah” means a roofed structure attached to a building with the outer edge supported on posts and covered either by the main roof or a separate, lower roof, of which any part extends over any part of a thoroughfare.

11.125.11 Approval to erect or maintain an awning, balcony or verandah verandah

The local government may approve an awning, balcony or verandah verandah over a thoroughfare provided it complies with the dimensions and design requirements as set out in clauses 5.12 and 5.13.

11.135.12 Dimensions of awnings, balconies and verandah verandahs

An awning, balcony or verandah erected over a thoroughfare must have:

- (a) a minimum clearance of 2,750 millimetres above the thoroughfare;
- (b) a maximum fascia depth of 300 millimetres; and
- (c) a minimum distance of 600 millimetres from the face of the kerb.

11.145.13 Design of awnings, balconies and verandah verandahs

The following design requirements apply for an awning, balcony or verandah erected over a thoroughfare are:

- (a) the design, colour and materials shall be compatible with the aesthetics and character of the thoroughfare, in the opinion of the local government;
- (b) the height and width shall be uniform with other verandah verandahs and awnings over the thoroughfare;
- (c) the form shall be cantilevered or suspended, unless otherwise approved by the local government; and
- (d) the design shall not allow water to be retained on the structure or allow water to fall onto the thoroughfare.

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11.155.14 Maintenance and public safety

The owner and occupier for the time being of any building to which any awning, balcony or veranda~~verandah~~ is attached shall keep the awning, balcony or veranda~~verandah~~ clean, painted, watertight, in a sound and safe structural condition and in good and substantial repair.

11.165.15 Permanent structures within a thoroughfare or road reserve

~~Subject to obtaining any other approvals required, including development approval and any approvals required by a Relevant Authority, a~~ A person shall not erect or maintain a permanent structure within a road reserve or thoroughfare without the prior written approval of the local government ~~and subject to the person obtaining any other approvals required, including development approval.~~

Division 6 – Smoke free areas**5.16 Definitions**

In this Division – smoke free area means an area prescribed by Council under this Division as an area where smoking is prohibited.

5.17 Prohibition on smoking

- (1) A person must not smoke in a smoke free area.
- (2) Where an authorised person believes on reasonable grounds that a person is contravening or has contravened subclause (1), the authorised person may direct the person to extinguish the tobacco product or e-cigarette.

5.18 Determination in regard to smoke free area

The local government may make a determination in accordance with clause 5.19 prescribing a local government property or thoroughfare, or any part thereof, as a smoke free area.

5.19 Procedure for making smoke free area determination

- (1) The local government is to give local public notice of its intention to make a determination in accordance with clause 5.18.
- (2) The local public notice referred to in subclause (1) is to state that –
 - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
 - (b) a copy of the determination may be inspected and obtained from the offices of the local government; and
 - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the publication date.
- (3) If no submissions are received in accordance with subclause (2)(c), the Council is to decide to –
 - (a) give local public notice that the proposed determination has effect as a determination on and from the date of publication;
 - (b) amend the proposed determination, in which case subclause (5) will apply; or
 - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c) the Council is to –

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- (a) consider those submissions in accordance with clause 5.20; and
- (b) decide –
 - (i) whether or not to amend the proposed determination; or
 - (ii) not to continue with the proposed determination.
- (5) If the Council decides to amend the proposed determination, it is to give local public notice –
 - (a) of the effect of the amendments; and
 - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) is not to be delegated by the Council.

5.20 Considerations in making a determination

In effecting a proposed determination in accordance with subclause 5.19(3), (5) or (6), the local government must have regard to the following factors –

- (a) the size of the proposed smoke free area;
- (b) the submissions from the community, including the opinions of the owners and occupiers of the land immediately adjoining the proposed smoke free area;
- (c) the proximity of the proposed smoke free area to a public place, part or all of which is not in a smoke free area;
- (d) the extent and outcome of public consultation on the proposed smoke free area (in accordance with clause 5.19);
- (e) any benefits to the community which would be achieved by the Council prescribing the proposed smoke free area; and
- (f) any detriments to the community which would be caused by the Council prescribing the proposed smoke free area.

5.21 Signage

The local government may erect or caused to be erected a sign identifying an area as smoke free.

5.22 Application of clauses 2.5 and 2.6

Clause 2.5 (Register of determinations) and clause 2.6 (Amendment or revocation of a determination) apply to any determination of the local government made under this Division.

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~~Part 13~~ **Part 6 - Signs**

Division 1 – Preliminary

~~13.16.1~~ **Definitions**

In this Part, unless the context otherwise requires –

- (a) ~~“advertising sign”~~ means a sign, which may or may not be permanently attached to a structure or fixed on ~~or to~~ the ground, that is –
 - (i) used or intended to be used for the purpose of advertising any premises, services, ~~property~~, business, function, event, product or thing; and
 - (ii) not a portable advertising sign under the ~~local government~~ *City of Vincent Trading in Public Places Local Law 2008*; -
- (b) ~~“direction sign”~~ means a sign which indicates the direction of another place, activity or event, but does not include any such sign erected or affixed by the local government or the Commissioner of Main Roads;
- (c) ~~“election sign”~~ means a sign which advertises any aspect of a forthcoming Federal, State or Local Government election;
- (d) ~~“frame sign”~~ means a folding sign which is hinged at the top to provide a stable structure when open;
- (e) ~~“minor nature development”~~ means a sign that is characterised as:
 - (i) ~~small in scale and composition and which will not unduly adversely affect the local government property;~~
 - (ii) ~~of a temporary nature occurring on one-off occasions (although may occur on a number of days) but not of any permanent nature or reoccurrence; and~~
 - (iii) ~~uses which will not adversely affect the amenity, streetscape or day-to-day activities of the local government property or any other use which, in the opinion of the local government, constitutes a minor use;~~
- (~~e~~)(f) ~~“permit holder”~~ means the person to whom a sign permit has been issued;
- (~~f~~)(g) ~~“portable direction sign”~~ means a portable free standing direction sign;
- (~~g~~)(h) ~~“sign”~~ includes a notice, poster, flag, mark, word, letter, model, placard, structure, device or representation and includes advertising signs, portable direction signs and election signs; ~~and~~
- (i) ~~“sign permit”~~ means a permit to display a sign.

Division 2 – Advertising signs and portable direction signs

6.2 Advertising signs

- (1) ~~Subject to subclause (2), a person shall not display an advertising sign on local government property unless that person is the holder of a valid sign permit.~~
- (2) ~~Notwithstanding subclause (1), a sign permit is not required to display an advertising sign on local government property if the advertising sign is:~~
 - (a) ~~a minor nature development;~~

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(b) ~~does not exceed 500mm in height nor 0.5m² in area, on any side; and~~

(c) ~~is not illuminated and does not incorporate reflective or fluorescent materials;~~

~~provided that:~~

(d) ~~no more than one (1) advertising sign shall be erected in relation to the one building or business without a sign permit; and~~

(e) ~~a person requiring more than one (1) advertising sign per building or business must obtain a sign permit for each additional advertising sign.~~

(3) ~~The local government may grant approval for the erection or display of an advertising sign for the duration of the period specified in the sign permit.~~

(4) ~~No clause of this local law will be taken to permit the permanent display of an advertising sign on local government property.~~

~~13.2~~ ~~6.1A~~ Permit period for advertising sign

~~The local government may grant approval for the erection or display of an advertising sign for the duration of the period specified in the permit.~~

~~6.1B~~ Advertising sign permit

~~A person shall not display an advertising sign on local government property unless that person is the holder of a valid permit.~~

~~13.86.3~~ Portable direction signs permit

(1) Subject to ~~sub~~clause ~~6-2~~(2), a person shall not, without a ~~sign~~ permit erect or place portable direction sign on local government property.

(2) ~~Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which is:~~

(a) ~~a minor nature development;~~

(b) ~~does not exceed 500mm-750mm in height nor 0.5sqm in area, on any side; and~~

(c) ~~provided that the sign is placed or erected on a thoroughfare or local government property on an infrequent or occasional basis and only to direct attention to a place, activity or event during the hours of that activity or event;~~

~~provided that:~~

(d) ~~no more than one (1) portable direction sign shall be erected in relation to the one building or business without a sign permit; and~~

(a)(e) ~~a person requiring more than one (1) portable direction sign per building or business must obtain a sign permit for each additional portable direction sign.~~

~~13.96.4~~ ~~Nature and position of~~ **Location, maintenance and design of** an advertising sign or portable direction sign

(1) Notwithstanding any provision of this local law, a person shall not erect or place an advertising sign or portable direction sign –

(a) over any footpath where the resulting vertical clearance between the sign and footpath is less than 2,700 millimetres;

(b) on or within 600 millimetres from the face of ~~the~~ kerb;

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- (c) in any other location where, in the opinion of the local government or an authorised person, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
 - (d) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.
- (2) A person erecting or placing an advertising sign or portable direction sign on local government property must:
- (a) maintain the sign in a safe and serviceable condition at all times and remove the sign upon it ceasing to be serviceable;
 - (b) ensure that the sign is of a stable design and is not readily moved by the wind, and does not by the nature of its design or anything else cause any hazard or danger to any person using local government property;
 - (c) ensure the free passage at all times of persons using the local government property; and
 - (d) if it relates to a business or event, be removed each day at the close of the business or event to which it relates and not be erected again until the business or event next opens for trading.

Division 3 – Applications and Conditions on sign permits**13.106.5 Matters to be considered in determining application for a sign permit**

In determining an application for a permit for an advertising sign or a portable direction sign, the local government is to have regard to –

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other signs already approved or erected in the vicinity of the proposed location of the signs;
- (d) whether or not the signs will create a hazard to persons using a thoroughfare;
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant;
- (f) whether the sign would –
 - (i) obstruct the visibility or clear sight lines of any person at an intersection of thoroughfares; or
 - (ii) impede pedestrian access; and
- (g) whether the sign may obstruct or impede the use of the footpath for the purpose for which it is used.

13.116.6 Conditions on portable-direction-sign permits

- (1) If the local government approves an application for a sign permit for an advertising sign or portable direction sign, the application is to be taken to be approved subject to the following conditions –
 - (a) the portable-direction-sign shall –
 - (i) not exceed 1,000 millimetres in height;
 - (ii) not exceed an area of 0.8 square metres on any side;

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- (iii) ~~if a portable direction sign~~, relate only to directions to the place described on the permit;
 - (iv) not be placed closer than 600 millimetres to the face of ~~the~~ kerb or further than 1200 millimetres from the kerb so as to ensure the free passage of persons using the footpath;
 - (v) if it relates to a business or event, be removed each day at the close of the business or event to which it relates and not be erected again until the business or event next opens for trading;
 - (vi) be secured in position in accordance with any requirements of the local government;
 - (vii) be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person or the sight line of any vehicle drivers; and
 - (viii) be maintained in good condition; and
- (b) no more than one ~~advertising sign or~~ portable direction sign shall be erected in relation to the one building or business, ~~unless otherwise approved by the local government~~.
- (2) The permit holder of a permit for an ~~advertising sign or~~ portable direction sign shall comply with each of the conditions in subclause (1) in addition to any other conditions imposed on the ~~sign~~ permit by the local government.

6.7 Obligations of permit holderThe permit holder shall –

- (a) ~~maintain the sign in a safe and serviceable condition at all times;~~
- (b) ~~display the permit number provided by the local government in a conspicuous place on the sign and whenever requested by an authorised person to do so, produce the sign permit to that person;~~
- (c) ~~ensure that the sign is of a stable design and is not readily moved by the wind, and does not by the nature of its design or anything else cause any hazard or danger to any person using local government property;~~
- (d) ~~where a sign is to be displayed on a footpath, display that sign in the location approved by the local government and as specified in the permit; and~~
- (e) ~~ensure the free passage at all times of persons using the local government property.~~

6.8 ~~Conditions on~~ Election signs permit

~~The local government may issue a permit for the erection or display of an election sign on local government property.~~

- (1) ~~If the local government approves an application for a permit for the erection or placement of an election sign on property, the application is to be taken to be approved subject to the sign~~
- (2) ~~A person who wishes to place an election sign within the local government shall comply with the following requirements—~~
 - ~~being erected at least 30 metres from any intersection of thoroughfares;~~
 - (a) ~~being free standing and not being affixed to any existing sign, post, power or light pole, or similar structure;~~

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- ~~(i) — being placed so as not to obstruct or impede the reasonable use of local government property or access to a place by any person;~~
- ~~— being placed so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;~~
- ~~(b) — being maintained in good condition;~~
- ~~(b) — not being erected until the election to which it relates has been officially announced;~~
- ~~(b) — being removed within 24 hours of the close of polls on voting day;~~
- ~~(b) — not being placed within 100 metres of any works on the local government property;~~
- ~~(b) — being securely installed;~~
- ~~(b) — not being an illuminated sign;~~
- ~~(b) — not incorporating reflective or fluorescent materials; and~~
- ~~(b) — not displaying only part of a message which is to be read with other separate signs in order to obtain the whole message.~~
- ~~(2) — The permit holder of a permit for the erection or placement of an election sign shall comply with each of the conditions in subclause (1) in addition to any other conditions imposed on the permit by the local government.~~
- ~~— The local government may direct that election signs are not to be placed in certain areas, which may include parks and other recreation areas, on the verge on residential streets or within town centres.~~

In addition to the requirements in subclause (1), a person who wishes to place an election sign within the local government must observe the requirements set out in the City of Vincent Signs and Advertising Policy *Division 4 – sign requirements*

13.13 — Obligations of permit holder

The permit holder shall—

- ~~(-) — maintain the sign in a safe and serviceable condition at all times;~~
- ~~(-) — display the permit number provided by the local government in a conspicuous place on the sign and whenever requested by an authorised person to do so, produce the sign permit to that person;~~
- ~~(-) — ensure that the sign is of a stable design and is not readily moved by the wind, and does not by the nature of its design or anything else cause any hazard or danger to any person using local government property;~~
- ~~(-) — where a sign is to be displayed on a footpath, display that sign in the location approved by the local government and as specified in the permit; and~~
- ~~(-) — ensure the free passage at all times of persons using the local government property.~~

13.206.9 Safety of persons

A person shall not cause or permit a sign to be erected or displayed in such condition, which in the opinion of an authorised person, causes or is likely to cause injury or danger to any person or damage to the clothing or possessions of any person.

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13.216.10 Removal of sign for works

When directed to do so by an authorised person, a ~~A permit holder~~ person who has displayed a sign on local government property will ~~shall~~ ensure that ~~the~~ a sign is removed ~~from any local government property~~ to permit the local government property to be swept or to permit any other authorised work to be carried out ~~when directed to do so by an authorised person~~.

13.226.11 Removal of sign which does not comply

A person shall remove any sign which does not comply with the requirements of this local law, from any local government property when directed to do so by an authorised person.

13.236.12 Unlawful placement of signs

A person who places, causes or permits to be placed on any local government property any sign which does not comply with the requirements of this local law, commits an offence.

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~~Part 15~~ Part 7 - Obstructing ~~Animals or~~ Shopping Trolleys**~~Division 1~~ Animals****~~Leaving animal in a public place~~**

(0) ~~A person shall not leave an animal on a public place so that it obstructs the use of any part of that public place, unless that person has first obtained a permit or is authorised to do so under a written law.~~

(0) ~~A person will not contravene subclause (1) where the animal is secured or tethered for a period not exceeding 1 hour.~~

~~15.1~~ Prohibitions relating to animals

(0) ~~In subclause (2), “owner” in relation to an animal includes—~~

~~(-) and owner of it;~~

~~(-) a person in possession of it;~~

~~(-) a person who has control of it; and~~

~~(-) a person who ordinarily occupies the premises where the animal is permitted to stay.~~

(0) ~~An owner of an animal shall not—~~

~~(-) allow the animal to enter or remain for any time on any thoroughfare except for the use of the thoroughfare as a thoroughfare and unless it is led, ridden or driven;~~

~~(-) allow an animal which has a contagious or infectious disease to be led, ridden or driven in a public place; or~~

~~(-) train or race the animal on a thoroughfare.~~

(0) ~~An owner of a horse shall not lead, ride or drive a horse on a thoroughfare in a built-up area, unless that person does so under a permit or under the authority of a written law.~~

~~Division 2~~ 1 – Shopping trolleys**~~15.2~~ 7.1 Definitions**

In this Part, ~~unless the context otherwise requires –~~

(a) ~~“retailer”~~²² means a proprietor of a shop which provides shopping trolleys for the use of customers of the shop; ~~and~~

(b) ~~“shopping trolley”~~²² means a container or receptacle on wheels provided by a retailer for the transport of goods.

~~15.3~~ 7.2 Name of owner of shopping trolley

A retailer shall clearly mark its name or trading name on any shopping trolley made available for the use of customers and which may be left on a public place by the customer.

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15.47.3 Shopping trolleys in public places

- (1) A person shall not leave a shopping trolley in a public place or on local government property, other than in an area set aside for the storage of shopping trolleys.
- (2) A shopping trolley left in a public place or on local government property is not obstructing unless it is left for a period exceeding three (3) hours.

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Part 17—Part 8 - ~~Bond~~Bank Guarantee or Security Deposit

~~17.18.1~~ Definitions

In this Part, unless the context otherwise requires –

- (a) **~~approval~~** means ~~approval of a~~ development application ~~approval granted by the local government to a developer in accordance with the Planning Act;~~
- (b) **~~bank guarantee~~** means an unconditional, irrevocable bank guarantee ~~provided by an Australian trading bank carrying on business in Western Australia, in favour of the local government;~~
- (c) **~~building permit~~** ~~has the same meaning as defined in section 3 of the Building Act 2011, from time to time~~ means a building permit granted (subject to conditions or otherwise) by the local government to a developer, in accordance with the *Building Act 2011* as amended from time to time, to build a development;
- (d) **~~developer~~** means the developer, builder or land owner or occupier proposing to undertake the development;
- (e) **~~development~~** has the same meaning as defined in section 4 of the *Planning Act*, as amended from time to time, but includes proposals to subdivide or amalgamate land;
- (f) **~~development application~~** has the same meaning as defined in section 4 of the *Planning Act*, from time to time;
- (g) **~~land~~** means privately owned land the subject of a development application; and
- (h) **~~Planning Act~~** means the *Planning and Development Act 2005*, as amended from time to time.

~~17.28.2~~ Security for restoration and reinstatement

- (1) ~~Where a developer proposes to undertake a development, the local government may require the applicant developer to pay a bond security deposit or provide a bank guarantee or security of a kind and to a value determined by the local government as a condition of an approval or a building permit and payable before the issue of the approval or building permit, or where a land owner proposes to develop, amalgamate or subdivide the land for the purpose of ensuring that –~~
 - (a) hired local government property, including fixtures and fittings can be cleaned, replaced or repaired;
 - (b) a footpath or local government property damaged, removed or destroyed during the ~~construction of any building development on an adjacent land~~et, can be repaired or reinstated;
 - (c)(b) ~~a footpath or local government property damaged, removed or destroyed during the amalgamation or subdivision of adjacent land, can be repaired or reinstated; and/or~~
 - (d)(c) conditions of an approval or **building** permit insofar as they relate to local government property or a thoroughfare, are complied with.
- (2) A ~~bond or security deposit~~ required under subclause (1) is to be ~~paid held~~-into an account established by the local government for the purpose of this clause prior to any work **on the development** commencing, unless otherwise agreed by the local government.

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17.38.3 Use by local government of bond or securityRestoration or reinstatement of local government property

- (1) If a ~~permit or approval holder or adjacent owner or occupier~~ developer fails to carry out or complete ~~the~~ reinstatement works on affected local government property as required by the building permit or approval conditions, or by a Nnotice served by the local government, either –
- (a) within the time specified in that clause, those conditions or the Nnotice (as the case may be); ~~or~~
 - (b) where no such time has been specified, a reasonable time from the expiration of the building permit or approval to complete the restoration or reinstatement works; or
 - (c) within 14 days or such time as specified in the Nnotice ~~given by the local government~~,
- then, the local government may carry out or cause to be carried out, the required restoration and reinstatement works ~~or as much work as remains undone~~ (restoration works). All costs incurred by the local government relating to the restoration works are a debt owing by the developer to the local government. Any costs relating to the work carried out by the local government exceeding the bond paid by the applicant is a debt owing to the local government.
- ~~(2)~~ Where a bank guarantee or security deposit has been provided by the developer and the costs of the restoration works exceed the bank guarantee or security deposit amount, the balance of the costs will be a debt owing by the developer to the local government.
- ~~(2)(3)~~ The ~~permit or approval holder, owner or occupier~~ developer shall pay to the local government on demand all administrative, legal, contractor and other costs including, but not limited to loss of income, estimated or incurred by the local government to restore and reinstate the site or which the local government may be required to pay under this clause.
- ~~(3)(4)~~ The local government may apply the proceeds of any ~~bond~~, bank guarantee or security deposit obtained under clause ~~8.28-1~~ to meet any costs incurred by it under this clause.
- ~~(5)~~ The liability of the ~~applicant, permit or approval holder, adjacent owner or occupier~~ developer to pay the local government's costs under this clause is not limited to the amount, if any, secured under clause ~~8.28-1~~.

8.4 Obligation to provide bank guarantee or security deposit

When required under this local law, a developer must provide the local government with a bank guarantee or pay a security deposit in the amount determined by the local government.

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~~Part 19~~ – ~~Part 9~~ - Works on or affecting a thoroughfare

Division 1 – Works affecting a thoroughfare

~~19.19.1~~ No damage to thoroughfare

A person shall not damage, without lawful authority, a thoroughfare or anything belonging to or under the care, control or management of the local government that is on a thoroughfare, including but not limited to a footpath, verge or street tree.

~~19.29.2~~ Footpath, verge and street tree protection

- (1) The owner, occupier, licensee or contractor who undertakes works on a private property adjacent to a footpath, verge or street tree, shall –
 - (a) take all necessary precautions to ensure that the footpath, verge or street tree is not damaged during the course of the works;
 - (b) take all necessary action to ensure that the footpath remains in a safe functional state suitable for use by the public; and
 - (c) notify the local government of any existing damage to the footpath, verge or street tree prior to the commencement of the works.
- (2) A person who carries out any building or other operations or works on private property necessitating the crossing of a footpath with vehicles that may cause damage to the footpath, verge or a street tree, shall ensure that –
 - (a) all reasonable precautions are taken to prevent damage to the footpath, verge or street tree during the course of the works; and
 - (b) heavy vehicles that access the private property, are to cross the footpath at the designated area for the proposed vehicle crossing for that private property.
- (3) If a person fails to comply with subclause (1) or (2) and a footpath, verge or street tree is thereby damaged, the local government may by ~~notice-in-writing~~Notice to that person require that person within the time stated in the ~~N~~notice to pay the costs of reinstating or repairing the footpath, verge or street tree.
- (4) On a failure to comply with a ~~N~~notice issued under subclause (3), the local government may recover the costs referred to in the ~~n~~Notice as a debt due to it in a court of competent jurisdiction.

~~19.39.3~~ Liability for damage to thoroughfare

- (1) Where a person unlawfully damages a thoroughfare or any thing belonging to or under the care, control or management of the local government that is on a thoroughfare, the local government may by ~~notice-in-writing~~Notice to that person require that person within the time stated in the ~~N~~notice to, at the option of the local government, pay the costs of –
 - (a) reinstating the thoroughfare or thing to the state it was in prior to the occurrence of the damage; or
 - (b) replacing that thing.
- (2) On a failure to comply with a ~~n~~Notice issued under subclause (1), the local government may recover the costs referred to in the ~~N~~notice as a debt due to in a court of competent jurisdiction.

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Division 2 – Verge treatments**9.4 Definitions**

In this Part, unless the context otherwise requires –

- (a) **garden** means a verge that is planted, developed or treated, otherwise than as a lawn, with one or more plants that:
 - (i) where possible, are waterwise or native;
 - (ii) are not prickly and do not have spines;
 - (iii) are not known to be poisonous or cause allergic reactions;
- (b) **lawn** means a verge which is planted only with grass, or with a similar plant but does not include synthetic turf or lawn;
- (c) **owner** means an owner or occupier of land adjacent to a verge; and
- (d) **verge treatment** means a:
 - (i) garden;
 - (ii) lawn; and/or
 - (iii) landscaping feature,

installed in a verge and includes reticulation pipes and sprinklers but excludes paving or other treatments for the purpose of parking vehicles.

19.49.5 Verge treatment

~~(1) An~~The owner or occupier of land adjacent to any verge may only treat the verge in front of such land in accordance with the City policy in respect toinstall a verge treatment on a verges, in accordance with the requirements of this Part 9 Division 2–planting and beautifications of a verge, as amended from time to time.

9.6 Maintenance of verge treatments

An owner who installs or maintains a verge treatment must ensure:

- (a) the verge treatment is maintained:
 - (i) in good and tidy condition, including removing build-up of leaves and grass clippings; and
 - (ii) to ensure clear lines of sight for pedestrians, cyclists and motorists are provided at all times;
- (b) if the treatment includes lawn, the lawn is regularly mowed;
- (c) the verge treatment is setback from and provides clear access to any infrastructure such as power poles and underground services within, under or over the verge; and
- (d) any footpath running alongside the verge is kept clear of plants and landscaping features.

9.7 Permitted landscaping features

Unless otherwise approved by the local government, the following restrictions apply to landscaping features installed in a verge:

- (1) raised garden beds, seating or benches, decorations and lighting must:

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- (a) be constructed of durable material, securely installed with no sharp edges, corners or fixtures;
- (b) be built to a height not exceeding 0.5 metres;
- (c) provide a minimum 0.5 metre setback from any street tree;
- (d) provide a minimum 0.5 metre setback from the face of the kerb;
- (e) maintain clear access for parked cars at all times; and
- (f) only solar lighting is permitted within a verge;
- (2) rocks, stones or logs must:
 - (a) maintain clear access for parked vehicles at all times; and
 - (b) be of a size and installed securely so as to not be easily moved;
- (3) compacted gravel pathways must provide a minimum 0.5 metre setback from any street trees; and
- (4) paved pathways and bin stands (for non-parking purposes) must:
 - (a) be finished level to be flush with the adjacent footpath, driveway, kerb and verge soil level; and
 - (a)(b) provide a minimum 0.5 metre setback from any street trees.

9.8 Damage to local government property

Any damage to the footpath, kerb, thoroughfare or carriageway caused by a person installing a verge treatment must be repaired or made good, to the satisfaction of the local government, by that person at his or her cost.

9.9 Removal of verge treatments

The local government may remove any verge treatment at any time if it considers the verge treatment is contrary to these local laws or poses a hazard to or interference with persons or property.

19.59.10 Enforcement

The local government may give a ~~notice in writing~~ Notice to ~~the an~~ an owner ~~or occupier of land adjacent to a verge~~ who has installed or maintained a ~~treatment on the~~ treatment in front of ~~such their~~ land, requiring that owner ~~or occupier~~, within the time specified in the ~~N~~ notice, to make good any breach of this Division, or to remove all or any part of a verge treatment that does not comply with this Division.

Division 3 – Public works**19.69.11 Public works on verges**

- (1) For the purpose of carrying out any works the local government or any authority empowered by law to dig up a thoroughfare or carry out any other works on a thoroughfare, may without notice and without being liable to compensate any person, dig up all or part of a thoroughfare and disturb any verge treatment placed there by an owner or occupier of adjacent land.
- (2) Where the local government digs up or carries out any works in a verge which has a verge treatment which complies with Division 2, then the local government shall use its best endeavours to –

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- (a) replace and restore any reticulation pipes and sprinklers; and
- (b) back fill with sand any garden or lawn, but otherwise shall not be liable to replace or restore any verge treatment and in particular any plant, or other vegetation or any surface or in any event, shall not be liable to any person for any damage or disturbance caused.

19.79.12 Contribution towards construction of standard vehicle crossings

For the purpose of determining the local government's contribution towards the construction of a standard vehicle crossing as stipulated in regulation 15 of the *Local Government (Uniform Local Provisions) Regulations 1996*, a "standard crossing" is a standard vehicle crossing for a residential area.

19.89.13 Temporary vehicle crossings

- (1) Where it is likely that works on a lot will involve vehicles leaving on a thoroughfare and entering the lot, the person responsible for the works shall obtain a permit for the construction of a temporary crossing to protect the existing carriageway, kerb, drains and footpath, where –
 - (a) a crossing does not exist; or
 - (b) a crossing does exist, but the nature of the vehicles and their loads is such that they are likely to cause damage to the crossing.
- (2) The "person responsible for the works" in subclause (1) is to be taken to be –
 - (a) the builder named on the building licence issued under the *Local Government (Miscellaneous Provisions) Act 1960*, if one has been issued in relation to the works; or
 - (b) the registered proprietor of the lot, if no building licence has been issued under the *Local Government (Miscellaneous Provisions) Act 1960* in relation to the works.
- (3) If the local government approves an application for a permit for the purpose of subclause (1), the permit is taken to be issued on the condition that until such time as the temporary crossing is removed, the permit holder shall keep the temporary crossing in good repair and in such a condition so as not to create any danger or obstruction to persons using the thoroughfare.

19.99.14 Removal of redundant vehicles crossings

- (1) Where works on a lot will result in a crossing no longer giving access to an internal driveway or constructed parking amenity on the lot, the crossing is to be removed and the kerb, drain, footpath, verge and any other part of the thoroughfare affected by the removal are to be reinstated to the satisfaction of the local government.
- (2) The local government may give written notice to the owner or occupier of a lot requiring her or him to –
 - (a) remove any part or all of a crossing which does not give access to the lot; and
 - (b) reinstate the kerb, drain, footpath, verge and any other part of the thoroughfare, which may be affected by the removal, within the period of time stated in the notice, and the owner or occupier of the lot shall comply with that notice.

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~~Part 21~~—Part 10 - Activities on thoroughfares and local government property

~~21.1~~10.1 General prohibitions

A person shall not –

- (a) plant any tree or plant (~~which exceeds or may exceed 500 millimetres in height on a thoroughfare so that the plant is~~ **except grasses or a similar plant**) within 10 metres from the truncation of an intersection;
- (b) damage a lawn or a garden or remove a plant or part of a plant from local government property unless –
 - (i) the person is the owner or the occupier of the land abutting that portion of the thoroughfare and the lawn or the garden or the particular plant has not been installed or planted by the local government; or
 - (ii) the person is acting under the authority of a written law;
- (c) place on any footpath any fruit, fruit skins or other substance or fluid (whether vegetable or otherwise, but not water) which may create a hazard for any person using the footpath;
- (d) unless at the direction of the local government, damage, remove or interfere with any signpost, direction plate, guidepost, notice, shelter, shed, fence or any structure erected on a thoroughfare by the local government or a person acting under the authority of a written law;
- (e) within a mall, arcade or ~~veranda~~**verandah** of a shopping centre, ride any wheeled recreational device or similar device; or
- (f) prune, injure, poison, remove or kill by felling, poisoning or other means, any tree on a thoroughfare or any local government property, unless the person is:
 - (i) acting under the authority of the local government; or
 - (ii) acting under authority of a written law.

~~21.2~~10.2 Activities allowed with a permit

- (1) ~~The local government may grant~~**A person will not without** a permit ~~for the following activities:~~
 - (a) dig or otherwise create a trench through or under a kerb, **carriageway** or footpath;
 - (b) subject to Part 9 of this local law, throw, place or deposit any thing on a verge except for removal by the local government under a bulk rubbish collection, and then only during the period of time advertised in connection with that collection by the local government;
 - (c) cause any obstruction to a vehicle or a person using a thoroughfare as a thoroughfare;
 - (d) cause any obstruction to a water channel or a water course in a thoroughfare;
 - (e) throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare;
 - (f) damage a thoroughfare;
 - (g) light any fire or burn any thing on a thoroughfare;
 - (h) fell any tree onto a thoroughfare;

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- (i) ~~unless if~~ installing a verge treatment in accordance with any requirements specified in this local law, ~~to - or in the local government's policy -~~
- (i) lay pipes under or provide taps on any verge; or
- (ii) place or install any thing on any part of a thoroughfare, and without limiting the generality of the foregoing, any gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust;
- (j) provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare;
- (k) on a public place use anything or do anything so as to create a nuisance;
- (l) place or cause to be placed on a thoroughfare a bulk rubbish container;
- (m) interfere with the soil of, or anything in a thoroughfare or take anything from a thoroughfare; or
- (n) place or cause to be placed on a footpath or thoroughfare, a planter box or pots.
- (2) The local government may grant ~~the a~~ permit ~~in accordance with subclause 10.2~~(1) subject to conditions.

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~~Part 23~~—Part 11 - Notices of breach**~~23.1~~11.1 Offence to fail to comply with ~~N~~notice**

Whenever the local government serves a ~~n~~Notice under this local law requiring a person to do any thing, if a person fails to comply with the ~~N~~notice, that person commits an offence.

~~23.2~~11.2 Local government may undertake requirements of ~~n~~Notice

Where a person fails to comply with a ~~N~~notice referred to in clause 11.1, the local government may by its employees, agents or contractors carry out the works and do all things specified in the ~~N~~notice and may recover from that person, as a debt, the costs incurred in so doing.

~~23.3~~11.3 Notice to remove, redirect or repair sprinkler

Where a lawn or a garden is being watered with a sprinkler which is on the lawn or the garden, in a manner which causes or may cause an inconvenience or obstruction to any person using a thoroughfare, the local government or an authorised person may give a ~~N~~notice to the owner or the occupier of the land abutting on the lawn or the ~~garden~~ garden, requiring the owner or the occupier or both to either remove, move or alter the direction of the sprinkler or other watering equipment.

~~23.4~~11.4 Hazardous plants

Where a plant or tree in a garden creates or may create a hazard for any person using a thoroughfare, the local government or an authorised person may give a ~~N~~notice to the owner or the occupier of the land abutting on the garden to remove, cut, move or otherwise deal with that plant so as to remove the hazard.

~~23.5~~11.5 Notice to repair damage to thoroughfare

(1) Where any portion of a thoroughfare, verge or footpath has been damaged, or is in the opinion of an authorised person, dangerous to the public, the local government or an authorised person may by ~~N~~notice to the person who caused the damage or dangerous condition, order the person to repair or replace that portion of the thoroughfare, verge or footpath to the satisfaction of the local government, and within the timeframe stipulated in the ~~N~~notice.

~~(1)(2)~~ If ~~a~~the person does not comply with ~~the a~~ ~~N~~notice provided under subclause (1), ~~to the~~ satisfaction of the local government, ~~th~~at person commits an offence.

~~23.6~~11.6 Notice to remove thing unlawfully placed on thoroughfare

Where any thing is placed on a thoroughfare in contravention of this local law, the local government may by ~~notice in writing~~~~Notice~~ to the owner or the occupier of the land abutting on that portion of the thoroughfare where the thing has been placed, or such other person who may be responsible for the thing being so placed, requiring that person or the owner or occupier, as the case may be, to remove the thing within the time specified in the above ~~N~~notice.

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~~Part 24~~

~~Part 25~~

~~Part 26~~ Part 12 - **Objections and review**

~~26.1~~ 12.1 **Application of Division 1, Part 9 of the Act**

When the local government makes a decision as to whether it will –

- (a) grant a person a permit, approval or consent under this local law; or
- (b) renew, vary or cancel a permit, approval or consent that a person has under this local law, the provisions of Division 1 of Part 9 of the Act and regulation 33 of the Regulations apply to that decision.

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~~Part 28~~Part 13 - Miscellaneous**~~28.1~~13.1 Authorised person to be obeyed**

A person on local government property shall obey any lawful direction of a ~~man~~Manager or an authorised person.

~~28.2~~13.2 Persons may be refused admission or directed to leave local government property or a community facility

(1) ~~Subject to subclause (2), a~~An authorised person or ~~M~~Manager may refuse ~~admission or to allow entry, suspend admission or~~ direct a person to leave local government property where:

- (a) the authorised person or ~~M~~Manager reasonably suspects that the person has –
 - (i) contravened a provision of this local ~~law~~;
 - (ii) behaved in a disorderly manner;
 - (iii) used indecent, offensive, profane or insulting language;
 - (iv) created or taken part in any disturbance whereby a crowd has gathered;
 - (v) committed an act of indecency; or
- (b) the person has been deemed undesirable by the local government or the authorised person by reason of his or her past conduct.

~~(2) The refusal or suspension referred to in subclause (1) can be for a period of up to 12 months as decided by the authorised person or Manager.~~

~~(2)(3)~~ A person shall, on being requested by the authorised person to ~~do~~leave the local government property, do so immediately, quietly and peaceably.

~~(3)(4)~~ A person who fails to comply with a request under subclause ~~(23)~~ may be removed from the local government property by an authorised person or a Police Officer.

~~28.3~~13.3 Liability for damage to local government property

Where a person unlawfully damages or causes damage to or detrimentally affects the appearance or nature of any local government property, the local government may by ~~a~~Notice ~~in writing~~ to that person require that person within the time specified in the ~~N~~otice to, at the option of the local government, pay the costs of –

- (a) reinstating the property to the state it was in prior to the occurrence of the damage; or
- (b) replacing that property.

~~28.4~~13.4 Public liability insurance policy

~~(2)(1)~~ Where, as a condition of a permit, the permit holder is required to obtain and maintain a public liability insurance policy, the permit holder shall –

- (a) ~~effect and~~ maintain a policy of insurance in the name of the permit holder in respect to any injury to any person or any damage to any property which may occur in connection with the use of the local government property by the permit holder;

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- (b) ensure that any policy of insurance referred to in subclause (1)(a) indemnifies the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the local government property by the permit holder;
 - (c) effect and maintain the policy of insurance referred to in subclause (1)(a) for the duration of the permit;
 - (d) immediately notify the local government if the policy of insurance cover lapses, in which case the permit may be cancelled by the local government in accordance with clause 3.153-11;
 - (e) at any time requested by the local government, provide the local government with a certificate of currency confirming that public liability insurance cover is in place at any time requested by the local government;
 - (f) ensure that, as a minimum, the permit holder's public liability insurance policy provides coverage of \$1020 million (ten twenty million dollars), or such other amount as the local government considers appropriate to the risk and liability involved in the activity authorised by the permit;
 - (g) upon the request At the discretion of the local government (in its absolute discretion), increase the minimum value of coverage required may be increased at the public liability insurance policy renewal date; and
 - (h) ensure that the public liability insurer of the permit holder is a reputable insurer licensed to conduct insurance business in Australia in accordance with the guidelines issued by the Australian Prudential Regulatory Authority.
- (3)(2) A permit holder who refuses to or cannot provide a current certificate of insurance at least 14 days prior to the commencement of any activity, action or thing performed or erected in accordance with the permit, as required in accordance with subclause (1) commits an offence.
- (4)(3) A permit holder must provide the local government with a copy of their certificate of insurance currency at any time requested by the local government, including at the permit application stage.

28.513.5 **Payment of application fees**

Where a fee or charge applies to the entry to, use of or participation in an activity on or in any local government property, a person shall not enter that property without first paying the applicable fee or charge, unless that person has been exempted by the local government from paying that fee or charge.

28.613.6 **No unauthorised entry to function**

- (1) A person shall not enter local government property on such days or during such times as the property may be set aside for a function for which a charge for admission is authorised, except –
 - (a) through the proper entrance for that purpose; and
 - (b) on payment of the fee chargeable for admission at the time.
- (2) The local government may exempt a person from compliance with subclause (1)(b).

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~~Part 29~~ Part 14 - Offences***Division 1 – Offences and penalties*****~~29.1~~14.1 Offences and general penalties**

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not less than \$300 and not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

~~29.2~~14.2 Prescribed offences

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purpose of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.
- (3) For the purpose of guidance only, before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that –
 - (a) commission of the prescribed offence is a relatively minor matter; and
 - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

~~29.3~~14.3 Infringement notices and infringement withdrawal notices

- (1) For the purpose of this local –
 - (a) where a vehicle is involved in the commission of an offence, the form of the infringement notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
 - (b) the form of the infringement notice referred to in section 9.16 and 9.17 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
 - (c) the form of the withdrawal notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.
- (2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

~~29.4~~14.4 Evidence of a determination

- (1) In any legal proceedings, evidence of a determination may be given by tendering the register referred to in clause 2.5 or a copy of an extract from the register certified as a true copy by the CEO.
- (2) It is to be presumed, unless the contrary is proved, that the determination was properly made and that every requirement for it to be made and have effect has been satisfied.
- (3) Subclause (2) does not make valid a determination that has not been properly made.

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Schedule 1***Prescribed offences (clause 14.2(1))***

<u>Item</u>	Clause	Description	Modified Penalty \$
	1.8	Failure to pay the fees and charges fixed by the local government from time to time	100
<u>1.</u>	2.4	Failure to comply with determination	100
<u>2.</u>	3.5(1)8	Failure to comply with conditions of a permit	100
	3.5(2)	Failure to comply with conditions of a permit for works on local government property	500
<u>3.</u>	3.143.10	Failure to produce permit when required by an authorised person	100
<u>4.</u>	3.18(1)3.14(1)	Failure to obtain a permit	250
<u>5.</u>	3.18(2)3.14(2)	Failure to obtain a permit to carry out works on local government property	500
<u>6.</u>	3.18(3)3.14(3)	Failure to obtain a permit to use local government property or a community facility for a for profit purpose	500
<u>7.</u>	3.19(1)3.15(2)	Failure to obtain a permit to camp outside a facility or erect structure	100
<u>8.</u>	3.203.16(1)	Consumption or possession of liquor without a permit	100
<u>9.</u>	3.213.17	Failure of permit holder to comply with responsibilities	100
	4.1(e)	Disorderly or offensive conduct, or use of indecent or improper language	100
<u>10.</u>	4.2(1)	Gender not specified using Failure to use correct toilet block or change room	100
<u>11.</u>	4.2(3)(a)4.2(2)(a)	Loiter outside or act in an unacceptable-offensive manner in any toilet block	100 200
<u>12.</u>	4.2(3)(b)4.2(2)(b)	Enter or attempt to enter an occupied cubicle or compartment	100 200
<u>13.</u>	4.3(1)	Failure to wear adequate clothing to secure decency	1 200
<u>14.</u>	4.3(2)	Failure to comply with direction of authorised person, to wear adequate clothing	250
<u>15.</u>	4.4(2)4.4(1)	Behaviour detrimental to property	100

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<u>16.</u>	4.5(2)(a) 4.5(1)(a)	Take, injure or kill, or attempt to take, injure or kill any fauna	250 500
<u>17.</u>	4.5(2)(b) 4.5(1)(b)	Take onto, set or use any animal, bird or fish trap while on any local government property	250
<u>18.</u>	4.5(2)(c)	Remove, prune or damage any flora	250
<u>19.</u>	4.6	Under influence of liquor or prohibited drug or substance	100
<u>20.</u>	4.7	Take, consume or use a prohibited drug or substance on local government property	250
<u>21.</u>	4.98(2)	Failure to comply with sign on local government property	100
<u>22.</u>	5.3-(a)	Smoke or c Consume food or drink in a prohibited area	100
<u>23.</u>	5.3-(b)	Climbing up or upon a community facility	100
<u>24.</u>	5.3-(c)	Enter or use, or attempt to enter or use a community facility whilst unclean or suffering from a contagious, infectious or cutaneous disease	100
<u>25.</u>	5.3-(d)	Using soap or shampoo in any part of the pool area other than in the change rooms	100
<u>26.</u>	5.3-(e)	Using any detergent, or any substance or oil in any pool or spa whereby the water may be discoloured or contaminated or rendered turbid or, in the opinion of the Manager or authorised person, in anyway unfit	100
<u>27.</u>	5.3-(f)	Fouling or polluting the water in any shower, pool or spa in the pool area	100
<u>28.</u>	5.3-(g)	Bringing into any part of the pool area or place thereon any chemical substance, liquid or powder	100
<u>29.</u>	5.3-(h)	Bringing into any part of the pool area any glass containers	100
<u>30.</u>	5.3-(i)	Smoking tobacco or any other substance in or about the community facility	100
<u>31.</u>	5.3-(j)	Deliberately waste or wastefully use fresh or potable water in the pool area	100
<u>32.</u>	5.3-(k)	Spitting or expectorating in any part of the community facility, other than in a water closet	3 100
<u>33.</u>	5.3-(l)	Entering a pool or spa in a dirty or unclean condition	100
<u>34.</u>	5.3-(m)	Using a mobile phone, camera or other recording device in a change room at in a pool premises, library or other community facility	500
<u>35.</u>	5.5-(1)	Launch a boat into river other than from an approved boat launching ramp or area permitted by signs	100

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<u>36.</u>	5.5-(2)	Launch personal water-craft into river other than from a boat launching ramp	100
<u>37.</u>	5.6-(1)	Fishing in an area where fishing is prohibited or restricted by signs	100
<u>38.</u>	5.6-(2)-(a)	Clean fish or cut bait that causes a nuisance to river users	100
<u>39.</u>	<u>5.6(2)(b)</u>	<u>Leave or deposit fish offal or bait on land or in the river</u>	<u>100</u>
<u>40.</u>	5.7	Unauthorised entry to an area fenced off or closed to the public	250
<u>41.</u>	5.9-(1)	Installing an air conditioning unit without approval	250
<u>42.</u>	5.11	Erecting or maintaining an awning, balcony or veranda <u>verandah</u> without a permit <u>or approval</u>	250
<u>43.</u>	5.12	Erecting an awning, balcony or veranda <u>verandah</u> <u>that does not comply</u> with incorrect dimensions	250
<u>44.</u>	5.13	Erecting an awning, balcony or veranda <u>verandah</u> <u>that does not comply</u> with incorrect design requirements	250
<u>45.</u>	5.15	Erecting a permanent structure within a thoroughfare or road reserve <u>without approval</u>	250
<u>46.</u>	<u>5.17(1)</u>	<u>Smoke in a smoke free area.</u>	<u>100</u>
<u>47.</u>	<u>5.17(2)</u>	<u>Failure to extinguish tobacco product or e-cigarette upon direction of an authorised person</u>	<u>200</u>
<u>48.</u>	<u>6.2(1)</u>	<u>Displaying an advertising sign that requires a sign permit on local government property without a sign permit</u>	<u>250</u>
<u>49.</u>	<u>6.3(1)</u>	<u>Erecting or placing a portable direction sign that requires a sign permit on local government property without a sign permit</u>	<u>250</u>
<u>50.</u>	<u>6.4(1)</u>	<u>Placing or erecting an advertising sign or portable direction sign in a prohibited area</u>	<u>250</u>
<u>51.</u>	<u>6.4(2)(a)</u>	<u>Failing to maintain a sign in safe and serviceable condition at all times</u>	<u>100</u>
<u>52.</u>	<u>6.4(2)(b)</u>	<u>Failing to ensure that a sign is of a safe and stable design</u>	<u>100</u>
<u>53.</u>	<u>6.4(2)(c)</u>	<u>Failing to ensure the free passage of persons using footpath at all times</u>	<u>100</u>
<u>54.</u>	<u>6.4(2)(d)</u>	<u>Failing to remove sign at close of business each day or end of event</u>	<u>100</u>
<u>55.</u>	<u>6.6(2)</u>	<u>Failing to display a sign in accordance with conditions of sign permit</u>	<u>100</u>

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56.	6.7(a)	Failing to maintain sign in safe and serviceable condition at all times	100
57.	6.7(b)	Refusing to conspicuously display the sign permit number on a sign	50
58.	6.7(c)	Failing to ensure that a sign is of a safe and stable design	100
59.	6.7(d)	Failing to display sign in the approved location	100
60.	6.7(e)	Failing to ensure the free passage of persons using the footpath	100
61.	6.8	Erecting or displaying an election sign without a permit when a permit is required by the local government	500
	6.1B (1)	Displaying advertising sign on a local government property without a permit	250
	6.2(1)	Placing sign or advertising sign on a thoroughfare without a permit	250
	6.3	Erecting or placing of advertising sign in a prohibited area	250
	6.5 (2)	Failure to comply with conditions for portable direction sign	250
	6.6 (2)	Failure to comply with conditions for election sign	250
	6.7 (a)	Failing to maintain an advertising sign in a safe and serviceable condition at all times	100
	6.7 (b)	Refusing to conspicuously display the permit number on an advertising sign	50
	6.7 (c)	Failure to display a sign in accordance with conditions of permit	100
	6.7 (d)	Failing to display the advertising sign in the approved location	100
62.	6.9 6.7 (e)	Permitting a sign to be displayed in an unsafe or dangerous manner Failing to ensure the free passage of persons using the footpath	250 100
63.	6.10 6.8	Refusing or failing to remove a sign to allow sweeping, cleaning or other authorised works Permitting an advertising sign to be displayed in an unsafe or dangerous manner	100 250
64.	6.11 6.9	Refusing or failing to remove a sign when requested to do so Refusing or failing to remove an advertising sign to allow sweeping, cleaning or other authorised works	250 100
65.	6.12 6.10	Placing or permitting a sign contrary to the requirements of the local law Refusing or failing to remove an advertising sign or item when requested to do so	250 250

City of Vincent Local Government Property Local Law 2021

	6.11	Placing or permitting an advertising sign contrary to the requirements of the local law	250
	7.1 (1)	Leaving an animal on a public place without permit	100
	7.1 (2)	Leaving an animal secured or tethered for in excess of 1 hour	100
	7.2 (2) (a)	Allowing an animal to enter or remain on a thoroughfare or public place without authority, unless it is led, ridden or driven	100
	7.2 (2) (b)	Allowing an animal which has a contagious or infectious disease to be on a thoroughfare	250
	7.2 (2) (c)	Training or racing an animal on a thoroughfare	100
	7.2 (3)	Leading, driving or riding a horse on a thoroughfare in a built-up area without a permit	100
66.	7.53 (1)	Leaving a shopping trolley in public place other than trolley bay	100
67.	7.53 (2)	Leaving a shopping trolley for a period in excess of 3 hours	100
	8.8 (2)	Failure to pay a required bond or security	500
68.	8.3 (1)	Failure to carry out or complete reinstatement works on affected local government property	500
69.	8.4	Failure to provide a bank guarantee or pay a security deposit when required by local government	500
70.	9.1	Damaging a thoroughfare or anything belonging to or under the care control and management of the local government that is on a thoroughfare	500
71.	9.2 (1) (a)	Failing to take necessary precautions to ensure footpaths, verges or trees are not damaged during works	500
72.	9.2 (1) (b)	Failing to ensure footpath remains in a safe and functioning state suitable for use by the public	500
73.	9.2 (1) (c)	Failing to notify local government of existing footpath damage prior to commencement of works	100
74.	9.2 (2) (a)	Failing to take reasonable precautions to prevent damage to footpath, verge or street tree	500
75.	9.54	Failure to install or maintain a verge in accordance with the relevant City policy, as amended from time to time local laws	250
76.	9.8	Failing to rectify damage caused to footpath, kerb, thoroughfare or carriageway when installing a verge	250
77.	9.138 (1)	Failing to obtain permit for temporary crossing	200

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<u>78.</u>	9.14 9 (2)	Filing to comply with notice to remove crossing and reinstate kerb	250
<u>79.</u>	10.1-(a)	Planting of tree or plant which exceeds 0.75metres <u>500mm</u> in height on local government property within 10metres from the truncation of an intersection	100
<u>80.</u>	10.1-(b)	Damaging lawn or garden, or remove any plant without authority	100
<u>81.</u>	10.1-(c)	Placing any fruit, substance or fluid on footpath which may create a hazard	100
<u>82.</u>	10.1-(d)	Damaging or interfering with signpost or structure on thoroughfare	200
<u>83.</u>	10.1-(e)	Riding any wheeled recreational device in a mall, arcade or veranda <u>verandah</u> of a shopping centre	100
<u>84.</u>	10.1-(f)	Damaging <u>pruning, injuring, poisoning, removing or killing</u> or removing a tree, which includes a tree on a verge, thoroughfare or local government property without the approval of the local government	500
<u>85.</u>	10.2-(1)-(a)	Digging a trench through a kerb or footpath without a permit	200
<u>86.</u>	10.2-(1)-(b)	Throwing or placing anything on a verge without a permit	200
<u>87.</u>	10.2-(1)-(c)	Causing obstruction to vehicle or person on thoroughfare without a permit	200
<u>88.</u>	10.2-(1)-(d)	Causing obstruction to water channel on thoroughfare without a permit	200
<u>89.</u>	10.2-(1)-(e)	Placing or draining offensive fluid on thoroughfare without a permit	200 <u>300</u>
<u>90.</u>	10.2-(1)-(f)	Damaging a thoroughfare	200
<u>91.</u>	10.2-(1)-(g)	Lighting a fire on a thoroughfare without a permit	200 <u>300</u>
<u>92.</u>	10.2-(1)-(h)	Felling tree onto thoroughfare without a permit	200
<u>93.</u>	10.2-(1)-(i)	Installing pipes or stone on thoroughfare without a permit	200
<u>94.</u>	10.2-(1)-(j)	Installing a hoist or other thing on a structure or land for use over a thoroughfare without a permit	200
<u>95.</u>	10.2-(1)-(k)	Creating a nuisance on a public place without a permit	200
<u>96.</u>	10.2-(1)-(l)	Placing a bulk rubbish container on a thoroughfare without a permit	100
<u>97.</u>	10.2(1)(m)	Interfering with anything on a thoroughfare without a permit	200
<u>98.</u>	10.2(1)(n)	Placing a planter box or pot on a footpath or thoroughfare	100

City of Vincent Local Government Property Local Law 2021

<u>99.</u>	11.1	Failing to comply with notice given under local law where not specified in Schedule 1	500
<u>100.</u>	13.4(2)	Failure to hold or provide a current certificate of currency to an authorised person when requested	250
<u>101.</u>	13.5	Failing to pay the applicable fee to enter, use or participate in an activity on local government property	100
<u>102.</u>	13.6(1)	Entering local government property or building other than through the proper entrance or without payment of the admission fee	100
<u>103.</u>	14.1(1)	Other offences not specified	100

Schedule 2***Determinations***

~~The following determinations are to be taken to have been made by the local government under clause 2.1.~~

PART 1—PRELIMINARY**1.1—Definitions**

~~In these determinations unless the context requires otherwise—~~

~~local law means the City of Vincent Local Government Property Local Law 2019.~~

1.2—Interpretation

~~Unless the context requires otherwise, where a term is used but not defined in a determination and that term is defined in the local law then the term shall have the meaning given to it in the local law.~~

1.3—Determinations

~~As at the date of gazettal of this local law, the local government has not made any determinations.~~

Date of Council Resolution	Date of Gazettal	Details of Amendment
08-07-2008	01-10-2008	Title and Schedule 2, Clause 1.1—delete 2007 and replace it with 2008 Clause 5.2—subclause (1) delete “or a community facility” also delete subclauses (1)(c), (1)(d), (4) and (5). Clause 13.4—amended to be brought in line with the current standard wording for public liability insurance policies.
10-02-2009	27-02-2009	To amend the process for applications and permits, specify obligations of permit holders and conditions for signs.

~~This local law was made by the City of Vincent at an Ordinary Meeting held on (date).~~

City of Vincent Local Government Property Local Law 2021

~~The Common Seal of the City of Vincent was affixed by authority of a resolution of the Council in the presence of—~~

~~EMMA COLE,~~

~~MAYOR~~

~~DAVID MACLENNAN,~~

~~CHIEF EXECUTIVE OFFICER~~

City of Vincent

Local Government Act 1995

Local Government Property Local Law 2021

Local Government Property Local Laws 2021

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LOCAL GOVERNMENT ACT 1995**CITY OF VINCENT****LOCAL GOVERNMENT PROPERTY LOCAL LAW 2021**

Under the powers conferred by the Local Government Act 1995 and under all other powers enabling it, the Council of the City of Vincent resolved on (date) to make the following local law.

Part 1 - Preliminary**1.1 Citation**

This local law may be cited as the *City of Vincent Local Government Property Local Law 2021*.

1.2 Objective

- (1) The objective of this local law is to provide for the regulation, control and management of activities and facilities on local government property, thoroughfares and public places within the district.
- (2) The effect of this local law is to establish the requirements with which any person using or being on local government property, thoroughfares and public places within the district must comply.

1.3 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.4 Repeal

The following local laws adopted by the City of Vincent:

- (a) *Local Government Property Local Law 2008*, published in the Government Gazette on 15 April 2008;
- (b) *Local Government Property Amendment Local Law 2008*, published in the Government Gazette on 7 October 2008;
- (c) *Local Government Property Amendment Local Law 2009*, published in the Government Gazette on 27 February 2009; and
- (d) *Local Government Property Local Law No.1, 2013*, published in the Government Gazette on 21 May 2013,

are repealed on the day this local law comes into operation.

1.5 Application

- (1) This local law applies throughout the district.
- (2) Unless otherwise provided for in this local law, the local government may –
 - (a) hire local government property to any person; or
 - (b) enter into an agreement with any person regarding the use and/or occupation of any local government property.

City of Vincent Local Government Property Local Law 2021

1.6 Definitions

In this local law unless the context requires otherwise –

Act means the *Local Government Act 1995*;

applicant means a person who applies to the local government to use local government property, in accordance with this local law;

authorised person means a person authorised by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

boat means any ship, structure or vessel, capable of being used in navigation by water, however propelled or moved, and includes a jet ski or dinghy;

carriageway means the bitumen or paved portion of a thoroughfare used or intended for use by vehicles;

CEO means the Chief Executive Officer of the local government;

change room means the room or area designated as a change room, bathroom or toilet in a public place such as a pool premises;

commencement day means the day on which this local law comes into operation;

community facility means a facility being local government property operated for the benefit of the public, and includes a hall, public swimming pool, library, leisure centre, recreation centre, child care centre, child health clinic, aged persons centre and the like;

Council means the Council, from time to time, of the local government;

decency means wearing of proper and adequate clothing for the occasion, so as to prevent indecent exposure;

determination means a determination made under clause 2.1;

district means the district of the local government;

drone means a powered aerial vehicle that does not carry a human operator and is piloted remotely;

e-cigarette means a portable device that is designed to generate or release an aerosol or vapour for personal use;

face of kerb means the side of the kerb adjacent to the carriageway;

fence means any artificially created barrier whether temporary or permanent including post and rails, chain, metal, wire or pipe;

firework means a device such as a Catherine wheel, a roman candle, a rocket or the like, in which combustible materials are ignited and produce coloured smoke, flames and (sometimes) an explosion or loud noise and *fireworks display* means a show of a number of fireworks set off over a pre-arranged period;

fishing means to use any line, lure, rod, pot or other method for the purpose of catching marine life;

footpath means a path set aside for use by pedestrians and cyclists that is on or runs through a road reserve, park, reserve or thoroughfare, and includes all that part of a thoroughfare lying between the edge of the carriageway and the property boundary nearest to that edge on the same side of the thoroughfare;

function means an event or activity characterised by all or any of the following –

- (1) formal organisation and preparation;
- (2) its occurrence is generally advertised or notified in writing to particular persons;

City of Vincent Local Government Property Local Law 2021

- (3) organised by or on behalf of a club;
- (4) payment of a fee to attend it; and
- (5) systematic recurrence in relation to the day, time and place,

indecent exposure means the revealing to view of those parts of the body, especially the genitals, which by law and convention should be covered by clothing under the given circumstances;

garden means a verge or other area within a local government property that is planted, developed or treated, otherwise than as a lawn, with one or more plants;

kerb means the edge of a carriageway;

landscaping feature means any:

- (1) raised garden beds;
- (2) rocks, stones or logs;
- (3) compacted crushed gravel pathways;
- (4) paved pathways or bin stand areas;
- (5) seating or benches; and/or
- (6) decorations and lighting,

installed within a garden or verge;

lawn means a verge or other area within a local government property which is planted only with grass, or with a similar plant, but will include any other plant provided that it has been planted by the local government such as a tree;

liquor has the same meaning as is given to it in section 3 of the *Liquor Control Act 1988* from time to time;

local government means the City of Vincent;

local government property means anything except a thoroughfare –

- (1) which is owned or leased by the local government;
- (2) of which the local government is the management body under the *Land Administration Act 1997*; or
- (3) which is an “otherwise unvested facility” within the district as defined in section 3.53 of the Act;

local public notice has the same meaning as is given to it in section 1.7(1) of the Act from time to time;

lot means a defined portion of land in accordance with the meaning given to it in section 4(1) of the *Planning and Development Act 2005* from time to time;

Manager means the person for the time being employed by the local government to control and manage a community facility or other facility which is local government property and includes the person’s assistant or deputy;

Notice means a written notice (in any form, including electronic) issued by the local government or an authorised person under these local laws;

nuisance means any activity, thing, condition, circumstance or state of affairs caused or contributed to by a person which:

- (1) is injurious or dangerous to the health of another person of normal susceptibility; or

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- (2) which has a disturbing effect on the state of the physical, mental or social well-being of another person of normal susceptibility;

permit means written confirmation from the local government of an applicant's right to use local government property in accordance with this local law and may include electronic confirmation and/or a reference number;

permit holder means a person who holds a valid permit;

person means a natural person, body corporate (as defined in the *Corporations Act 2001* (Cth)) or other legal entity such as an incorporated association, government or government agency but does not include the local government;

premises means a building, stadium or structure which is located on local government property, but excludes an open public space such as a park or a playing field;

private property means any real property, parcel of land or lot that has a separate certificate of title, which is in private ownership or the subject of a lease or agreement with a person enabling its use for private purposes and includes any building or structure thereon;

publication date means, where local public notice is required to be given of a matter under this local law, the date on which notice of the matter is published in a newspaper circulating generally throughout the district;

public place means any thoroughfare or place which the public are allowed to use, whether the thoroughfare or place is or is not on private property and includes parklands, squares, reserves, beaches and other lands set apart for the use and enjoyment of the public, including local government property, but does not include a building or structure on private property from which trading is lawfully conducted;

Regulations means the *Local Government (Functions and General) Regulations 1996*;

Relevant Authority:

- (1) any government or government authority in any jurisdiction, whether federal, state, territorial or local (including the Western Australian Planning Commission);
- (2) any provider of public utility services, whether statutory or not; and
- (3) any other person, authority, instrumentality or body having jurisdiction, rights, powers, duties or responsibilities over the affected land or any part of them;

sign includes a notice, flag, mark, structure or device on which may be shown words, numbers, expressions or symbols;

smoke and/or **smoking** means to:

- (1) smoke, hold or otherwise have control over an ignited tobacco product;
- (2) light a tobacco product; or
- (3) use an e-cigarette;

street tree means a tree in a thoroughfare;

thoroughfare has the same meaning as defined in section 1.4 of the Act, from time to time, and includes a footpath that is local government property;

tobacco product has the same meaning as defined in the *Tobacco Products Control Act 2006*;

trading means selling or hiring, or offering for sale or hire, goods or services, and includes displaying goods for the purpose of:

- (1) offering them for sale or hire;

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- (2) inviting offers for their sale or hire;
- (3) soliciting orders for them; or
- (4) carrying out any other transaction in relation to them;

valid in relation to a permit issued under this local law means current, with all relevant conditions met and for which all the associated fees have been paid in full;

vehicle includes –

- (1) every conveyance and object capable of being propelled or drawn on wheels, tracks or by any means;
- (2) an animal being ridden or driven; and
- (3) a vehicle described or prescribed by the *Road Traffic (Vehicles) Act 2014*;

but excludes a –

- (4) wheel-chair or any device designed for use by physically impaired persons on a footpath;
- (5) pram, stroller or similar device;
- (6) wheeled recreational device, wheeled toy or a scooter used by a person aged under 12 years; and
- (7) train, boat or aircraft;

verge means that part of a thoroughfare between the carriageway and the land which abuts the thoroughfare, but does not include any footpath or kerb; and

wheeled recreational device means a wheeled device built to transport a person (whether propelled by human power, electricity, motor or gravity) including:

- (1) a bicycle or unicycle;
- (2) in-line skates, roller-skates, a skateboard or similar device; and
- (3) a scooter being used by a person aged 12 years or older.

1.7 Interpretation

In this local law unless the context requires otherwise a reference to local government property includes a reference to any part of that local government property.

1.8 Fees and Charges

All fees and charges applicable under this local law shall be determined by the local government from time to time in accordance with sections 6.16 to 6.19 of the Act and will be specified in the local government's Schedule of Fees & Charges as amended from time to time.

1.9 Assistance animals

This local law is subject to any written law and law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992* (Commonwealth) section 9(2).

City of Vincent Local Government Property Local Law 2021

Part 2 - Determinations in respect of Local Government Property

Division 1 - Determinations

2.1 Determinations as to use of local government property

The local government may make a determination in accordance with clause 2.2 –

- (a) setting aside specified local government property for the pursuit of all or any of the activities referred to in clause 2.7;
- (b) prohibiting a person from pursuing all or any of the activities referred to in clause 2.8 on specified local government property;
- (c) as to the matters in clauses 2.7(2) and 2.8(2); and
- (d) as to any matter ancillary or necessary to give effect to a determination.

2.2 Procedure for making a determination

- (1) The local government is to give local public notice of its intention to make a determination.
- (2) The local public notice referred to in subclause (1) is to state that –
 - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
 - (b) a copy of the proposed determination may be inspected and obtained from the offices of the local government; and
 - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the publication date.
- (3) If no submissions are received in accordance with subclause (2)(c), the Council is to decide to –
 - (a) give local public notice that the proposed determination has effect as a determination on and from the publication date;
 - (b) amend the proposed determination, in which case subclause (5) will apply; or
 - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c), the Council is to –
 - (a) consider those submissions; and
 - (b) decide –
 - (i) whether or not to amend the proposed determination; or
 - (ii) not to continue with the proposed determination.
- (5) If the Council decides to amend the proposed determination, it is to give local public notice –
 - (a) of the effect of the amendments; and
 - (b) that the proposed determination has effect as a determination on and from the publication date.

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- (6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the publication date.
- (7) A proposed determination is to have effect as a determination on and from the publication date of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) is not to be delegated by the Council.

2.3 Discretion to erect sign

The local government may erect a sign on any local government property to give notice of the effect of a determination which applies to that property.

2.4 Determination to be complied with

A person must comply with a determination.

2.5 Register of determinations

- (1) The local government is to keep a register of determinations made under clause 2.1, and of any amendments to or revocations of determinations made under clause 2.6.
- (2) Sections 5.94 and 5.95 of the Act are to apply to the register referred to in subclause (1) and for that purpose the register is to be taken to be information within section 5.94(u)(i) of the Act.

2.6 Amendment or revocation of a determination

- (1) The Council may amend or revoke a determination.
- (2) The provisions of clause 2.2 are to apply to an amendment of a determination as if the amendment were a proposed determination.
- (3) If the Council revokes a determination, it is to give local public notice of the revocation and the determination is to cease to have effect on the publication date.

Division 2 – Activities which may be pursued or prohibited under a determination**2.7 Activities which may be pursued on specified local government property**

- (1) A determination may provide that specified local government property is set aside as an area on which a person may –
 - (a) bring, ride or drive an animal;
 - (b) take, ride or drive a vehicle, or a particular class of vehicle;
 - (c) fly or use a motorised model aeroplane, drone or other similar remotely piloted device;
 - (d) use a children's playground provided that the person is under an age specified in the determination, but the determination is not to apply to a person having the charge of a person under the specified age;
 - (e) launch, beach or leave a boat;
 - (f) take or use a boat, or a particular class of boat;
 - (g) deposit refuse, rubbish or liquid waste, whether or not of particular classes, and whether or not in specified areas of that local government property;

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- (h) play or practice –
 - (i) golf or archery;
 - (ii) pistol or rifle shooting, but subject to the compliance of that person with the *Firearms Act 1973*; or
 - (iii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
- (i) use a wheeled recreational device; and
- (j) wear no clothing.
- (2) A determination may specify the extent to which and the manner in which an activity referred to in subclause (1) may be pursued and in particular –
 - (a) the days and times during which the activity may be pursued;
 - (b) that an activity may be pursued on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is to be taken to be prohibited on all local government property other than that specified in the determination;
 - (d) may limit the activity to a class of vehicles, boats, equipment or things, or may extend it to all vehicles, boats, equipment or things;
 - (e) may specify that the activity can be pursued by a class of persons or all persons; and
 - (f) may distinguish between different classes of the activity.

2.8 Activities which may be prohibited on specified local government property

- (1) A determination may provide that a person is prohibited from pursuing all or any of the following activities on specified local government property:
 - (a) smoking;
 - (b) using a wheeled recreational device;
 - (c) taking, riding or driving a vehicle or a particular class of vehicle;
 - (d) riding or driving a vehicle of a particular class or any vehicle above a specified speed;
 - (e) taking or using a boat, or a particular class of boat;
 - (f) the playing or practice of:
 - (i) golf, archery, pistol shooting or rifle shooting; or
 - (ii) a similar activity, specified in the determination, involving the use of a projectile which, in the opinion of the local government may cause injury or damage to a person or property;
 - (g) the playing or practice of any ball game which may cause detriment to the property or any fauna on the property;
 - (h) the traversing of sand dunes or land which in the opinion of the local government has environmental value warranting such protection, either absolutely or except by paths provided for that purpose; and
 - (i) the use of a motorised model aeroplane, drone or other similar remotely piloted device.

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- (2) A determination may specify the extent to which and the manner in which a person is prohibited from pursuing an activity referred to in subclause (1) and, in particular –
- (a) the days and times during which the activity is prohibited;
 - (b) that an activity is prohibited on a class of local government property, specified local government property or all local government property;
 - (c) that an activity is prohibited in respect of a class of vehicles, boats, equipment or things, or all vehicles, boats, equipment or things;
 - (d) that an activity is prohibited in respect of a class of persons or all persons; and
 - (e) may distinguish between different classes of the activity.

Division 3 – Transitional considerations**2.9 Signs taken to be determinations**

- (1) Where a sign erected on local government property has been erected under a local law that is repealed by this local law, then it is to be taken to be and have effect as a determination on and from the commencement day, except to the extent that the sign is inconsistent with any provision of this local law or any determination made under clause 2.1.
- (2) Clause 2.5 does not apply to a sign referred to in subclause (1).

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Part 3 - Permits

Division 1 – Application of this Part

3.1 Terms used

In this Part:

- (1) ***Property*** means a local government property or a thoroughfare or a portion thereof; and
- (2) ***facility*** means a caravan park or camping ground in accordance with section 5(1) of the *Caravan Parks and Camping Grounds Act 1995*.

3.2 Application of this Part 3

- (1) This Part does not apply to a person who uses or occupies local government property under a written agreement with the local government, including (but not limited to) a lease, licence, management agreement or shared use agreement.
- (2) This Part applies to any application for a permit to use a Property.

Division 2 – Applying for a Permit

3.3 Application for Permit

- (1) A person required to obtain a permit under this local law, must apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this local law must –
 - (a) be in the form determined by the local government;
 - (b) provide the information and any further documentation required by the form, including (but not limited to) plans, specifications and/or photographs; and
 - (c) be forwarded to the local government together with any fee specified in the form or as specified in the local government's Schedule of Fees and Charges.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) The local government may, prior to granting a permit, give local public notice of the application for a permit by an applicant to.
- (5) The local government may refuse to consider an application for a permit –
 - (a) which does not comply with the requirements in subclause (2);
 - (b) which is not properly completed; or
 - (c) where any required documentation, plan, specification or photograph does not in the opinion of the CEO or an authorised person, contain sufficient information or is not sufficiently clear to enable the local government to properly consider the application.

3.4 Relevant considerations in determining application for permit

Where a clause of this local law refers to matters which the local government is to have regard to in determining an application for a permit, the local government shall have regard to those matters prior to making a decision on an application for a permit under clause 3.5 and, in addition, may have regard to the following matters:

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- (a) the desirability of the proposed activity;
- (b) the location of the proposed activity; and
- (c) such other matters as the local government may consider to be relevant in the circumstances of the case.

3.5 Decision on application for permit

- (1) The local government may –
 - (a) approve an application for a permit unconditionally or subject to any conditions, including but not limited to those conditions in clause 3.7; or
 - (b) refuse to approve an application for a permit on any of the grounds specified in clause 3.6, or for any other reason determined at the sole discretion of the local government.
- (2) If the local government approves an application for a permit, it will provide the applicant with Notice accordingly.
- (3) If the local government refuses to approve an application for a permit, it is to give Notice of that refusal, including the reasons for the local government's refusal, to the applicant.

3.6 Grounds on which an application may be refused

The local government may refuse an application for a permit under this Division on any one or more of the following grounds:

- (a) that within the preceding 5 years the applicant has committed a breach of any provision of this local law, or any other written law or condition of a lease or licence or hire arrangement between the applicant and the local government relevant to the activity in respect of which the permit is sought;
- (b) that the applicant in the opinion of the local government is not a fit and proper person to hold a permit;
- (c) that –
 - (i) the applicant is an undischarged bankrupt or is in liquidation; or
 - (ii) the applicant has entered into any composition or arrangement with creditors;
- (d) the local government deems the permit application to be for an activity which is not appropriate for the local government property or thoroughfare for which the permit is sought; or
- (e) such other grounds as the local government may consider to be relevant in the circumstances of the case.

Division 3 - Conditions**3.7 Conditions which may be imposed on a permit**

Without limiting the generality of clause 3.5(1)(a), the local government may approve an application for a permit subject to conditions relating to –

- (a) the payment of fees, charges and bonds, as determined by the local government in accordance with sections 6.16 and 6.19 of the Act and specified in the local government's Schedule of Fees and Charges, as amended from time to time;
- (b) compliance with a standard or policy of the local government adopted by the local government;

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- (c) the duration and commencement of the permit;
- (d) the commencement of the permit being contingent on the happening of an event;
- (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;
- (f) the approval of another application for a permit which may be required by the local government under any written law;
- (g) the area of the district to which the permit applies;
- (h) where a permit is issued for an activity which will or may cause damage to local government property, the payment of a deposit, bond or secure sum against such damage; and
- (i) the obtaining of public liability insurance in an amount and on terms reasonably required by the local government as set out in clause 13.4.

3.8 Compliance with permit conditions

Where an application for a permit has been approved for an activity defined in clause 3.18(1) subject to conditions, the permit holder shall comply with each of those conditions.

3.9 Amendment of permit conditions

- (1) A permit holder may apply in writing to the local government to vary or amend any of the terms or conditions of the permit.
- (2) The local government may, in respect of an application under subclause (1) –
 - (a) amend the permit, either in accordance with the application or otherwise as it sees fit, or
 - (b) refuse to amend the permit.
- (3) The local government may, at any time, amend any of the terms or conditions of a permit, subject to providing the permit holder with Notice of the reasons for the amendment.
- (4) If the local government amends a permit under this clause, it is to notify the permit holder in writing of the amendment as soon as practicable and the amended condition(s) shall apply from the date of notification, unless otherwise specified in the amendment.

Division 4 – General**3.10 Erection of a building**

- (1) Where a person applies for a permit to erect a building on local government property, the local government may enter into an agreement with the permit holder in respect of the ownership of the materials in the building.
- (2) The person is required to obtain all other necessary approvals to govern the erection of a building, including but not limited to development approval, if applicable, and a permit for use of the local government property.

3.11 Duration of permit

A permit is valid for one year from the date on which it is issued, unless:

- (a) it is otherwise stated in this local law or the permit; or
- (b) cancelled in accordance with clause 3.15.

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3.12 Renewal of permit

- (1) A permit holder may apply to the local government in writing prior to the expiry of a permit for the renewal of the permit.
- (2) The provisions of this Part shall apply to an application for the renewal of a permit with all necessary modifications.

3.13 Transfer of permit

- (1) An application for the transfer of a valid permit is to –
 - (a) be made in writing;
 - (b) be signed by the permit holder and the proposed transferee of the permit;
 - (c) provide such information as the local government may require to enable the application to be determined; and
 - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (2) The local government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.
- (3) Where the local government approves an application for the transfer of a permit, it will provide written confirmation to the former permit holder and the transferee.

3.14 Production of permit

- (1) A permit holder is to produce evidence of a permit to an authorised person immediately upon being required to do so by that authorised person.
- (2) The evidence referred to in subclause (1) may include the written confirmation (electronic version acceptable) provided by the local government or the permit number (if applicable).

3.15 Cancellation of permit

- (1) Subject to clause 12.1, a permit may be cancelled by the local government on any one or more of the following grounds:
 - (a) the permit holder has not complied with –
 - (i) condition of the permit; or
 - (ii) provision of this local law or any other written law relating to the activity regulated by the permit.
 - (b) the permit holder is convicted of an offence against this local law;
 - (c) the permit holder fails to maintain any required public liability insurance or ceases to indemnify the local government against damages in connection with loss or damage in connection with an activity conducted by the permit holder under the permit;
 - (d) the permit holder has become bankrupt or gone into liquidation;
 - (e) the permit holder has entered into any composition or arrangement with creditors;
 - (f) if the permit holder's application is subsequently found to be incomplete, insufficient or not containing a required document;
 - (g) if the permit holder's application is subsequently found to contain incorrect or falsified information and/or documents;

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- (h) if the local government reasonably considers that the activity permitted by the permit may create a public health, safety or amenity issue;
 - (i) if valid development approval is required and not held for the abutting premises at which the business relating to the activity authorised by the permit is conducted; or
 - (j) another permit for an outdoor eating area, goods display or portable advertising sign (as the case may be) has been granted, and remains in effect, in relation to the building or business premises related to the permit.
- (2) On the cancellation of a permit, the local government will provide the permit holder with Notice that the permit has been cancelled.
- (3) On receiving Notice that the permit has been cancelled in accordance with sub-clause (2):
- (a) the permit holder must immediately cease using the local government property or the thoroughfare unless the Notice provides otherwise; and
 - (b) any fees paid by the permit holder in respect of the permit are forfeited and will not be refunded by the local government.

3.16 Suspension of permit holder's rights and privileges

- (1) The rights and privileges granted to a permit holder on the issue of a permit, shall be automatically suspended, where the public liability insurance required as a condition of a permit, lapses, is cancelled or is no longer current.
- (2) The rights and privileges granted to a permit holder on the issue of a permit, may be suspended by the local government by Notice to the permit holder for the purpose of and during the carrying out of any works by or on behalf of the State, or an agency or instrumentality of the Crown, or the local government, in or adjacent to the area the subject of the permit.
- (3) The rights and privileges granted to a permit holder on the issue of a permit may be suspended by the local government where –
- (a) the permit holder's application is subsequently found to be incomplete, insufficient or not containing a required document;
 - (b) the permit holder's application is subsequently found to contain incorrect or falsified information and/or documents; or
 - (c) the local government considers the activity permitted by the permit may create a public health, safety or amenity issue,

until the defect in the permit holder's application is rectified to the satisfaction of the local government and/or the local government considers that the activity may be conducted in a manner which does not create a public health, safety or amenity issue.

3.17 Other approvals

The requirement for a permit under this local law is additional to the requirement, if any, for any other approvals, including but not limited to development approval.

Division 5 – When a permit is required**3.18 Activities on local government property or thoroughfares needing a permit**

- (1) A person shall not without a permit –
- (a) subject to subclause (3), use a Property for any purpose which amounts to exclusive use of the whole or a portion of the Property for any period of time;

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- (b) advertise anything by any means on a Property, except where the person holds a permit issued under another local law of the local government authorising such advertising in that location;
 - (c) erect a structure for public amusement or for any performance, whether for gain or otherwise, on a Property;
 - (d) plant any plant, sow any seeds or install any other landscaping feature on local government property, unless in accordance with clause 9.5 of this local law;
 - (e) carry on any trading on local government property unless the trading is conducted in accordance with a permit issued under the *City of Vincent Trading in Public Places Local Law 2008* (as amended from time to time);
 - (f) unless an employee of the local government in the course of their duties or on an area set aside for that purpose –
 - (i) drive or ride or take any vehicle onto local government property; or
 - (ii) park or stop any vehicle on local government property;
 - (g) conduct a function or public gathering on local government property;
 - (h) charge any person for entry to local government property, unless the charge is for entry to area or a building hired or leased from the local government, and that hire or lease arrangement provides that a fee for entry may be charged;
 - (i) light a fire on a Property except in a facility provided by the local government for that purpose;
 - (j) parachute, hang glide, abseil or base jump from or onto a Property;
 - (k) erect a building or a refuelling site on local government property;
 - (l) make any excavation on or erect or remove any fence on local government property;
 - (m) erect or install any structure above or below ground, which is local government property, for the purpose of supplying any water, power, sewer, communication, television or similar service to a person;
 - (n) depasture any horse, sheep, cattle, goat, camel, ass or mule on local government property;
 - (o) light or set off any fireworks or conduct a fireworks display on local government property;
 - (p) operate any broadcasting or public address system or sound amplification equipment or apparatus on local government property;
 - (q) erect, display, post, stick, stamp, stencil, paint or otherwise affix or cause to be erected, displayed, posted, stuck, stamped, stencilled or otherwise affixed any sign, banner, placard, handbill, notice, advertisement, writing or picture whatsoever upon any tree, plant, building, structure, fitting or soil being local government property or on any other local government property, except where the person holds a permit issued under another local law of the local government authorising such an activity in that location;
 - (r) carry out filming, shooting or take a recording on local government property or within a thoroughfare where exclusive use of portion of the local government property or thoroughfare is required; or
 - (s) construct anything or place any infrastructure on a Property, including but not limited to paving, planter boxes and outdoor seating.
- (2) A person shall not without a permit carry out works in a thoroughfare or on local government property, including but not limited to –

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- (a) verge treatments, unless the verge treatment is in accordance with clause 9.5 of this local law;
 - (b) vehicle crossovers;
 - (c) crossing a footpath with a vehicle which is likely to cause or causes damage to the footpath;
 - (d) locating construction materials on a verge or thoroughfare; or
 - (e) undertaking construction activities adjacent to a verge or thoroughfare which results in the use of the verge or thoroughfare.
- (3) A person shall not without a permit use local government property or a community facility for a profit purpose, including but not limited to:
- (a) group fitness classes;
 - (b) life coaching or counselling;
 - (c) meetings or seminars; or
 - (d) guided walks or tours.
- (4) The local government may, at its sole discretion, exempt a person from compliance with subclauses (1), (2) or (3) on the application of that person by providing Notice to that person.
- (5) The local government may exempt specified local government property or a class of local government property from the application of subclause (1)(a).

3.19 Permit required to camp outside a facility

- (1) A person shall not without a permit –
- (a) camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property;
 - (b) erect any tent, camp, hut, or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day; or
 - (c) camp on or occupy any vehicle at night for the purpose of sleeping in a public place.
- (2) The maximum period for which the local government may approve an application for a permit in respect of subclause (1)(a) or (1)(b) is that provided in regulation 11(2)(a) of the *Caravan Parks and Camping Grounds Regulations 1997*.
- (3) This clause does not apply to a facility operated by the local government.

3.20 Permit required for possession and consumption of liquor

A person on local government property, shall not consume any liquor or have in their possession or under their control any liquor, unless –

- (a) permitted under the *Liquor Control Act 1988*;
- (b) a permit has been obtained for that purpose; or
- (c) consumption does not, in the reasonable opinion of the local government, result in any anti-social or unsafe behaviour or cause risk to members of the public accessing the local government property.

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Division 6 – Responsibilities of permit holder

3.21 Responsibilities of permit holder

A holder of a permit shall, in respect of local government property to which the permit relates –

- (a) ensure that an authorised person has unobstructed access to the local government property for the purpose of inspecting the property or enforcing any provision of this local law;
- (b) leave the local government property in a clean and tidy condition after its use;
- (c) ensure that the local government property is fully locked or secured after its use where it can be so locked or secured;
- (d) report any damage or defacement of the local government property to the local government; and
- (e) prevent the consumption of any liquor on the local government property unless the permit allows it and a licence has been obtained under the Liquor Control Act 1988 for that purpose.

Part 4 - Behaviour on Local Government Property

Division 1 – Behaviour on and interference with local government property

4.1 Personal behaviour

A person shall not, in or on any local government property, behave in a manner which -

- (a) causes or is likely to cause injury to, or to interrupt, disturb or interfere with the enjoyment of, a person who might use the property; or
- (b) may be considered disorderly or offensive by a person on the local government property.

4.2 Only specified gender to use entry of toilet block or change room

- (1) Subject to clause 4.2(2), where a sign on a toilet block or change room specifies that a particular toilet block or change room is to be used by –
 - (a) females, then a person of the male gender over the age of 6 years shall not use that toilet block or change room;
 - (b) males, then a person of the female gender over the age of 6 years shall not use the toilet block or change room; or
 - (c) families, then, where the toilet block or change room is being used by a family, only an immediate member of that family may use that toilet block or change room.
- (2) Subclause (1) does not apply to a toilet block or change room where a sign designates that particular toilet block or change room as unisex.
- (3) A person over the age of 6 years shall not, on any local government property or public place –
 - (a) loiter outside or act in an offensive manner, in any portion of a toilet block or change room, or
 - (b) enter, or attempt to enter, a cubicle or compartment of a toilet block or change room which is already occupied or in use.
- (4) Subclause (3)(b) does not apply to a parent, guardian or caregiver accompanying a child under the age of 6 years.

4.3 Proper and adequate clothing

- (1) A person over the age of 6 years shall not on any local government property or public place appear in public unless decently clothed.
- (2) Where an authorised person considers that a person on any local government property or public place appearing in public is not decently clothed, the authorised person may direct that person to put on clothing so as to be decently clothed and that person shall comply with the direction immediately.
- (3) In this clause, *decently clothed* means the wearing of proper and adequate clothing for the occasion, so as to prevent indecent exposure.

4.4 Behaviour detrimental to property

- (1) In this clause 4.4, *detrimental to the property* includes –

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- (a) removing any thing from local government property such as a sign, rock, plant or seat provided for the use of any person;
 - (b) destroying, defacing or damaging any thing on the local government property, such as a sign, plant, tree or a seat provided for the use of any person; and
 - (c) climbing on or over local government property.
- (2) A person shall not behave in or any local government property in a way which is or might be detrimental to the property.

4.5 Taking or injuring any fauna or flora

- (1) In this clause –
- (a) *fauna* means any animal indigenous to or which periodically migrates to any State or Territory of the Commonwealth or the territorial waters of the Commonwealth and includes in relation to any such animal –
 - (i) any class of animal or individual member;
 - (ii) the eggs or larvae; or
 - (iii) the carcass, skin, plumage or fur; and
 - (b) *flora* means all vascular plants other than plants recognised as weeds.
- (2) A person shall not, on or above any local government property, unless that person is authorised under a written law to do so –
- (a) take, injure, kill or attempt to take, injure or kill any fauna; or
 - (b) take on to, set or use, or attempt to take on to, set or use any animal trap, bird trap, fish trap, net or similar device; or
 - (c) remove, prune or damage any flora.

4.6 Intoxicated persons not to enter local government property

A person shall not enter or remain on any local government property while under the influence of liquor (unless pursuant to a permit issued under clause 3.20) or a prohibited drug or substance.

4.7 No prohibited drugs or substances

A person shall not take a prohibited drug or substance, consume or use a prohibited drug or substance, on any local government property.

Division 2 – Signs**4.8 Signs**

- (1) A local government may erect a sign on local government property specifying any conditions of use which apply to that property.
- (2) A person shall comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is –
 - (a) not to be inconsistent with any provision of this local law or any determination; and
 - (b) to be for the purpose of giving notice of the effect of a provision of this local law.

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Part 5 - Matters relating to particular local government property

Division 1 – Community facilities

5.1 Definitions

In this Division –

- (a) **administration centre** means the local government's administration centre which is currently located on Crown Land Lot 502, being Reserve 50345 and having an address of 244 Vincent Street, Leederville; and
- (b) **pool premises** means the place or premises provided by the local government for the purpose of swimming or bathing, and includes Beatty Park Leisure Centre which is located on portion of Crown Land Lot 1618, being Reserve 884 and having an address of 220 Vincent Street, North Perth, and includes all buildings, fences, gardens, car parks, structures, fittings, fixtures, machinery, chattels, furniture and equipment forming part of the place or premises or used in connection with it.

5.2 Direction of Manager or authorised person to be observed

- (1) The Manager or an authorised person may refuse admission to, may direct to leave, or may remove or cause to be removed from the administration centre or a community facility, a person who –
 - (a) in her or his opinion is –
 - (i) under the age of 12 years and who is unaccompanied in the water by a responsible person 16 years or older;
 - (ii) suffering from any contagious, infectious or cutaneous disease or complaint;
 - (iii) in an unclean condition; or
 - (iv) under the influence of liquor or a prohibited mind altering drug or substance;
 - (b) is to be refused admission under and in accordance with a decision of the local government for breaching any clause of this local law.
- (2) Subject to subclause (1), a person shall, on being requested by the Manager or an authorised person to do so, leave the administration centre or community facility immediately, quietly and peaceably.
- (3) A person who fails to comply with a request under subclause (2) may be removed from the administration centre or community facility by the Manager, an authorised person or a Police Officer.

5.3 Responsibilities of users of a community facility

A person while in the administration centre or a community facility, shall not –

- (a) consume foodstuffs or drinks in any specific area in which food or beverage consumption is prohibited;
- (b) climb up or upon any roof, fence, wall, partition or other structure not intended for climbing;
- (c) enter the premises if suffering from a contagious, infectious or cutaneous disease or whilst in an unclean condition;
- (d) use soap or shampoo in any part of the premises other than in a change-room;

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- (e) use any detergent, substance or oil in any pool or spa;
- (f) foul or pollute the water in any shower, pool or spa;
- (g) bring into any part of the pool premises or place thereon any chemical substance, liquid or powder;
- (h) bring into any part of the pool premises any glass containers;
- (i) deliberately waste or wastefully use fresh or potable water in a community facility;
- (j) spit or expectorate in any part of a community facility, other than in a water closet;
- (k) enter a pool or spa on the pool premises in a dirty or unclean condition; and
- (l) use a mobile phone, camera or other similar recording device in a change room at a community facility.

Division 2 – Fishing and boat launching**5.4 Definition**

In this Division, **river** means the Swan River as referred to in the *Swan and Canning Rivers Management Act 2006*.

5.5 Boat launching

- (1) A person shall not launch a boat into the river other than at a boat launching ramp designed, constructed and approved for that purpose, or from the river where this activity is permitted and designated by signs.
- (2) A person shall not launch a personal water craft into the river other than at a boat launching ramp designed, constructed and approved for that purpose.

5.6 Fishing

- (1) A person shall not fish on or from any local government property where fishing is prohibited or restricted and the prohibition or restriction is designated by signs.
- (2) A person shall not on any local government property whether fishing is permitted or not –
 - (a) clean fish or cut bait such that it may cause a nuisance to river users; or
 - (b) leave or deposit fish offal or bait on land or in the river.

Division 3 – Fenced or closed property**5.7 No entry to fenced or closed local government property**

A person shall not enter local government property which has been fenced off or closed to the public by a sign or otherwise, unless that person is authorised to do so by the local government.

Division 4 – Air conditioning units over thoroughfares**5.8 Definition**

In this Division, **air conditioning unit** means any machine, device, equipment, plant or part thereof which constitutes or is part of any mechanical system of ventilation or air conditioning.

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5.9 Siting and design of air conditioning units

- (1) A person shall not install an air conditioning unit on or over a thoroughfare without the approval of the local government, which may be granted or withheld by the local government at its absolute discretion.
- (2) If the local government provides approval in accordance with subclause (1), the air conditioning unit shall not:
 - (a) project over any part of a thoroughfare unless provision is made, to the satisfaction of the CEO or an authorised person, for the collection of water discharged from such unit and for its disposal into the stormwater drainage system provided that where such unit is installed above a verandah, balcony or awning no such provision shall be necessary;
 - (b) project over any part of a thoroughfare unless the bottom of such unit is not less than 2,750 millimetres above such thoroughfare;
 - (c) project more than 300 millimetres over any part of a thoroughfare not more than 10 metres in width;
 - (d) project more than 450 millimetres over any part of a thoroughfare more than 10 metres in width.
- (3) No air conditioning unit which exhausts foul or vitiated air over or into a thoroughfare shall be installed under a verandah, balcony or awning which projects over any part of a thoroughfare.

Division 5 – Awnings, balconies and verandahs over thoroughfares**5.10 Definitions**

In this Division –

- (a) **awning** means a roof-like covering to shelter persons or protect parts of a building from the effects of sun or rain, which extends or can be made to extend over any part of a thoroughfare;
- (b) **balcony** means an open or covered platform attached to an upper part of a building, projecting from or recessed into the face of a wall and protected by a railing or balustrade and accessible from an adjacent room;
- (c) **permanent structure** means a structure which is affixed to the ground and is considered to form part of the ground, including verandah posts and canopy structures;
- (d) **road** means Crown land dedicated at common law or reserved, declared or otherwise dedicated under an act as an alley, bridge, court, lane, road, street, thoroughfare or yard for the passage of pedestrians or vehicles or both and which the local government has care, control and management of, pursuant to section 55(2) of the *Land Administration Act 1997*;
- (e) **road reserve** means that area of a road which is reserved but not used as a carriageway and includes the verge, kerb and footpath; and
- (f) **verandah** means a roofed structure attached to a building with the outer edge supported on posts and covered either by the main roof or a separate, lower roof, of which any part extends over any part of a thoroughfare.

5.11 Approval to erect or maintain an awning, balcony or verandah

The local government may approve an awning, balcony or verandah over a thoroughfare provided it complies with the dimensions and design requirements as set out in clauses 5.12 and 5.13.

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5.12 Dimensions of awnings, balconies and verandahs

An awning, balcony or verandah erected over a thoroughfare must have:

- (a) a minimum clearance of 2,750 millimetres above the thoroughfare;
- (b) a maximum fascia depth of 300 millimetres; and
- (c) a minimum distance of 600 millimetres from the face of kerb.

5.13 Design of awnings, balconies and verandahs

The following design requirements apply for an awning, balcony or verandah erected over a thoroughfare are:

- (a) the design, colour and materials shall be compatible with the aesthetics and character of the thoroughfare, in the opinion of the local government;
- (b) the height and width shall be uniform with other verandahs and awnings over the thoroughfare;
- (c) the form shall be cantilevered or suspended, unless otherwise approved by the local government; and
- (d) the design shall not allow water to be retained on the structure or allow water to fall onto the thoroughfare.

5.14 Maintenance and public safety

The owner and occupier for the time being of any building to which any awning, balcony or verandah is attached shall keep the awning, balcony or verandah clean, painted, watertight, in a sound and safe structural condition and in good and substantial repair.

5.15 Permanent structures within a thoroughfare or road reserve

Subject to obtaining any other approvals required, including development approval and any approvals required by a Relevant Authority, a person shall not erect or maintain a permanent structure within a road reserve or thoroughfare without the prior written approval of the local government.

Division 6 – Smoke free areas**5.16 Definitions**

In this Division – ***smoke free area*** means an area prescribed by Council under this Division as an area where smoking is prohibited.

5.17 Prohibition on smoking

- (1) A person must not smoke in a smoke free area.
- (2) Where an authorised person believes on reasonable grounds that a person is contravening or has contravened subclause (1), the authorised person may direct the person to extinguish the tobacco product or e-cigarette.

5.18 Determination in regard to smoke free area

The local government may make a determination in accordance with clause 5.19 prescribing a local government property or thoroughfare, or any part thereof, as a smoke free area.

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5.19 Procedure for making smoke free area determination

- (1) The local government is to give local public notice of its intention to make a determination in accordance with clause 5.18.
- (2) The local public notice referred to in subclause (1) is to state that –
 - (a) the local government intends to make a determination, the purpose and effect of which is summarised in the notice;
 - (b) a copy of the determination may be inspected and obtained from the offices of the local government; and
 - (c) submissions in writing about the proposed determination may be lodged with the local government within 21 days after the publication date.
- (3) If no submissions are received in accordance with subclause (2)(c), the Council is to decide to –
 - (a) give local public notice that the proposed determination has effect as a determination on and from the date of publication;
 - (b) amend the proposed determination, in which case subclause (5) will apply; or
 - (c) not continue with the proposed determination.
- (4) If submissions are received in accordance with subclause (2)(c) the Council is to –
 - (a) consider those submissions in accordance with clause 5.20; and
 - (b) decide –
 - (i) whether or not to amend the proposed determination; or
 - (ii) not to continue with the proposed determination.
- (5) If the Council decides to amend the proposed determination, it is to give local public notice –
 - (a) of the effect of the amendments; and
 - (b) that the proposed determination has effect as a determination on and from the date of publication.
- (6) If the Council decides not to amend the proposed determination, it is to give local public notice that the proposed determination has effect as a determination on and from the date of publication.
- (7) A proposed determination is to have effect as a determination on and from the date of publication of the local public notice referred to in subclauses (3), (5) and (6).
- (8) A decision under subclause (3) or (4) is not to be delegated by the Council.

5.20 Considerations in making a determination

In effecting a proposed determination in accordance with subclause 5.19(3), (5) or (6), the local government must have regard to the following factors -

- (a) the size of the proposed smoke free area;
- (b) the submissions from the community, including the opinions of the owners and occupiers of the land immediately adjoining the proposed smoke free area;
- (c) the proximity of the proposed smoke free area to a public place, part or all of which is not in a smoke free area;

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- (d) the extent and outcome of public consultation on the proposed smoke free area (in accordance with clause 5.19);
- (e) any benefits to the community which would be achieved by the Council prescribing the proposed smoke free area; and
- (f) any detriments to the community which would be caused by the Council prescribing the proposed smoke free area.

5.21 Signage

The local government may erect or caused to be erected a sign identifying an area as smoke free.

5.22 Application of clauses 2.5 and 2.6

Clause 2.5 (Register of determinations) and clause 2.6 (Amendment or revocation of a determination) apply to any determination of the local government made under this Division.

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Part 6 - Signs

Division 1 – Preliminary

6.1 Definitions

In this Part, unless the context otherwise requires –

- (a) **advertising sign** means a sign, which may or may not be permanently attached to a structure or fixed on or to the ground, that is –
 - (i) used or intended to be used for the purpose of advertising any premises, services, property, business, function, event, product or thing; and
 - (ii) not a portable advertising sign under the *City of Vincent Trading in Public Places Local Law 2008*;
- (b) **direction sign** means a sign which indicates the direction of another place, activity or event, but does not include any such sign erected or affixed by the local government or the Commissioner of Main Roads;
- (c) **election sign** means a sign which advertises any aspect of a forthcoming Federal, State or Local Government election;
- (d) **frame sign** means a folding sign which is hinged at the top to provide a stable structure when open;
- (e) **minor nature development** means a sign that is characterised as:
 - (i) small in scale and composition and which will not unduly adversely affect the local government property;
 - (ii) of a temporary nature occurring on one-off occasions (although may occur on a number of days) but not of any permanent nature or reoccurrence; and
 - (iii) uses which will not adversely affect the amenity, streetscape or day-to-day activities of the local government property or any other use which, in the opinion of the local government, constitutes a minor use;
- (f) **permit holder** means the person to whom a sign permit has been issued;
- (g) **portable direction sign** means a portable free standing direction sign;
- (h) **sign** includes a notice, poster, flag, mark, word, letter, model, placard, structure, device or representation and includes advertising signs, portable direction signs and election signs; and
- (i) **sign permit** means a permit to display a sign.

Division 2 – Advertising signs and portable direction signs

6.2 Advertising signs

- (1) Subject to subclause (2), a person shall not display an advertising sign on local government property unless that person is the holder of a valid sign permit.
- (2) Notwithstanding subclause (1), a sign permit is not required to display an advertising sign on local government property if the advertising sign is:
 - (a) a minor nature development;
 - (b) does not exceed 500mm in height nor 0.5m² in area, on any side; and

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- (c) is not illuminated and does not incorporate reflective or fluorescent materials;

provided that:

- (d) no more than one (1) advertising sign shall be erected in relation to the one building or business without a sign permit; and
 - (e) a person requiring more than one (1) advertising sign per building or business must obtain a sign permit for each additional advertising sign.
- (3) The local government may grant approval for the erection or display of an advertising sign for the duration of the period specified in the sign permit.
 - (4) No clause of this local law will be taken to permit the permanent display of an advertising sign on local government property.

6.3 Portable direction signs

- (1) Subject to subclause (2), a person shall not, without a sign permit erect or place portable direction sign on local government property.
- (2) Notwithstanding subclause (1), a permit is not required in respect of a portable direction sign which is:
 - (a) a minor nature development;
 - (b) does not exceed 750mm in height nor 0.5sqm in area, on any side; and
 - (c) placed or erected on a thoroughfare or local government property on an infrequent or occasional basis and only to direct attention to a place, activity or event during the hours of that activity or event;

provided that:

- (d) no more than one (1) portable direction sign shall be erected in relation to the one building or business without a sign permit; and
- (e) a person requiring more than one (1) portable direction sign per building or business must obtain a sign permit for each additional portable direction sign.

6.4 Location, maintenance and design of an advertising sign or portable direction sign

- (1) Notwithstanding any provision of this local law, a person shall not erect or place an advertising sign or portable direction sign –
 - (a) over any footpath where the resulting vertical clearance between the sign and footpath is less than 2,700 millimetres;
 - (b) on or within 600 millimetres from the face of kerb;
 - (c) in any other location where, in the opinion of the local government or an authorised person, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
 - (d) on any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.
- (2) A person erecting or placing an advertising sign or portable direction sign on local government property must:
 - (a) maintain the sign in a safe and serviceable condition at all times and remove the sign upon it ceasing to be serviceable;

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- (b) ensure that the sign is of a stable design and is not readily moved by the wind, and does not by the nature of its design or anything else cause any hazard or danger to any person using local government property;
- (c) ensure the free passage at all times of persons using the local government property; and
- (d) if it relates to a business or event, be removed each day at the close of the business or event to which it relates and not be erected again until the business or event next opens for trading.

Division 3 – Applications and Conditions on sign permits**6.5 Matters to be considered in determining application for a sign permit**

In determining an application for a permit for an advertising sign or a portable direction sign, the local government is to have regard to –

- (a) any other written law regulating the erection or placement of signs within the district;
- (b) the dimensions of the sign;
- (c) other signs already approved or erected in the vicinity of the proposed location of the signs;
- (d) whether or not the signs will create a hazard to persons using a thoroughfare;
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant;
- (f) whether the sign would –
 - (i) obstruct the visibility or clear sight lines of any person at an intersection of thoroughfares; or
 - (ii) impede pedestrian access; and
- (g) whether the sign may obstruct or impede the use of the footpath for the purpose for which it is used.

6.6 Conditions on sign permits

- (1) If the local government approves an application for a sign permit for an advertising sign or portable direction sign, the application is to be taken to be approved subject to the following conditions –
 - (a) the sign shall –
 - (i) not exceed 1,000 millimetres in height;
 - (ii) not exceed an area of 0.8 square metres on any side;
 - (iii) if a portable direction sign, relate only to directions to the place described on the permit;
 - (iv) not be placed closer than 600 millimetres to the face of kerb or further than 1200 millimetres from the kerb so as to ensure the free passage of persons using the footpath;
 - (v) if it relates to a business or event, be removed each day at the close of the business or event to which it relates and not be erected again until the business or event next opens for trading;

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- (vi) be secured in position in accordance with any requirements of the local government;
 - (vii) be placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person or the sight line of any vehicle drivers; and
 - (viii) be maintained in good condition; and
- (b) no more than one advertising sign or portable direction sign shall be erected in relation to the one building or business, unless otherwise approved by the local government.
- (2) The permit holder of a permit for an advertising sign or portable direction sign shall comply with each of the conditions in subclause (1) in addition to any other conditions imposed on the sign permit by the local government.

6.7 Obligations of permit holder

The permit holder shall –

- (a) maintain the sign in a safe and serviceable condition at all times;
- (b) display the permit number provided by the local government in a conspicuous place on the sign and whenever requested by an authorised person to do so, produce the sign permit to that person;
- (c) ensure that the sign is of a stable design and is not readily moved by the wind, and does not by the nature of its design or anything else cause any hazard or danger to any person using local government property;
- (d) where a sign is to be displayed on a footpath, display that sign in the location approved by the local government and as specified in the permit; and
- (e) ensure the free passage at all times of persons using the local government property.

6.8 Election signs

The local government may issue a permit for the erection or display of an election sign on local government property.

Division 4 – sign requirements**6.9 Safety of persons**

A person shall not cause or permit a sign to be erected or displayed in such condition, which in the opinion of an authorised person, causes or is likely to cause injury or danger to any person or damage to the clothing or possessions of any person.

6.10 Removal of sign for works

When directed to do so by an authorised person, a person who has displayed a sign on local government property will ensure that the sign is removed to permit the local government property to be swept or to permit any other authorised work to be carried out.

6.11 Removal of sign which does not comply

A person shall remove any sign which does not comply with the requirements of this local law, from any local government property when directed to do so by an authorised person.

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6.12 Unlawful placement of signs

A person who places, causes or permits to be placed on any local government property any sign which does not comply with the requirements of this local law, commits an offence.

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Part 7 - Obstructing Shopping Trolleys

Division 1 – Shopping trolleys

7.1 Definitions

In this Part, unless the context otherwise requires –

- (a) **retailer** means a proprietor of a shop which provides shopping trolleys for the use of customers of the shop; and
- (b) **shopping trolley** means a container or receptacle on wheels provided by a retailer for the transport of goods.

7.2 Name of owner of shopping trolley

A retailer shall clearly mark its name or trading name on any shopping trolley made available for the use of customers and which may be left on a public place by the customer.

7.3 Shopping trolleys in public places

- (1) A person shall not leave a shopping trolley in a public place or on local government property, other than in an area set aside for the storage of shopping trolleys.
- (2) A shopping trolley left in a public place or on local government property is not obstructing unless it is left for a period exceeding three (3) hours.

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Part 8 - Bank Guarantee or Security Deposit

8.1 Definitions

In this Part, unless the context otherwise requires –

- (a) **approval** means approval of a development application granted by the local government to a developer in accordance with the Planning Act;
- (b) **bank guarantee** means an unconditional, irrevocable bank guarantee provided by an Australian trading bank carrying on business in Western Australia, in favour of the local government;
- (c) **building permit** means a building permit granted (subject to conditions or otherwise) by the local government to a developer, in accordance with the *Building Act 2011* as amended from time to time, to build a development;
- (d) **developer** means the developer, builder or land owner or occupier proposing to undertake the development;
- (e) **development** has the same meaning as defined in section 4 of the Planning Act, as amended from time to time, but includes proposals to subdivide or amalgamate land;
- (f) **development application** has the same meaning as defined in section 4 of the Planning Act, from time to time;
- (g) **land** means privately owned land the subject of a development application; and
- (h) **Planning Act** means the *Planning and Development Act 2005*, as amended from time to time.

8.2 Security for restoration and reinstatement

- (1) Where a developer proposes to undertake a development, the local government may require the developer to pay a security deposit or provide a bank guarantee of a kind and to a value determined by the local government as a condition of an approval or a building permit and payable before the issue of the approval or building permit, for the purpose of ensuring that –
 - (a) hired local government property, including fixtures and fittings can be cleaned, replaced or repaired;
 - (b) a footpath or local government property damaged, removed or destroyed during the development on adjacent land, can be repaired or reinstated; and/or
 - (c) conditions of an approval or building permit insofar as they relate to local government property or a thoroughfare, are complied with.
- (2) A security deposit required under subclause (1) is to be held in an account established by the local government for the purpose of this clause prior to any work on the development commencing, unless otherwise agreed by the local government.

8.3 Restoration or reinstatement of local government property

- (1) If a developer fails to carry out or complete reinstatement works on affected local government property as required by the building permit or approval conditions, or by a Notice served by the local government, either –

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- (a) within the time specified in that clause, those conditions or the Notice (as the case may be);
- (b) where no such time has been specified, a reasonable time from the expiration of the building permit or approval to complete the restoration or reinstatement works; or
- (c) within 14 days or such time as specified in the Notice,

then, the local government may carry out or cause to be carried out, the required restoration and reinstatement works or as much work as remains undone (**restoration works**). All costs incurred by the local government relating to the restoration works are a debt owing by the developer to the local government.

- (2) Where a bank guarantee or security deposit has been provided by the developer and the costs of the restoration works exceed the bank guarantee or security deposit amount, the balance of the costs will be a debt owing by the developer to the local government.
- (3) The developer shall pay to the local government on demand all administrative, legal, contractor and other costs including, but not limited to loss of income, estimated or incurred by the local government to restore and reinstate the site or which the local government may be required to pay under this clause.
- (4) The local government may apply the proceeds of any bank guarantee or security deposit obtained under clause 8.2 to meet any costs incurred by it under this clause.
- (5) The liability of the developer to pay the local government's costs under this clause is not limited to the amount, if any, secured under clause 8.2.

8.4 Obligation to provide bank guarantee or security deposit

When required under this local law, a developer must provide the local government with a bank guarantee or pay a security deposit in the amount determined by the local government.

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Part 9 - Works on or affecting a thoroughfare

Division 1 – Works affecting a thoroughfare

9.1 No damage to thoroughfare

A person shall not damage, without lawful authority, a thoroughfare or anything belonging to or under the care, control or management of the local government that is on a thoroughfare, including but not limited to a footpath, verge or street tree.

9.2 Footpath, verge and street tree protection

- (1) The owner, occupier, licensee or contractor who undertakes works on a private property adjacent to a footpath, verge or street tree, shall –
 - (a) take all necessary precautions to ensure that the footpath, verge or street tree is not damaged during the course of the works;
 - (b) take all necessary action to ensure that the footpath remains in a safe functional state suitable for use by the public; and
 - (c) notify the local government of any existing damage to the footpath, verge or street tree prior to the commencement of the works.
- (2) A person who carries out any building or other operations or works on private property necessitating the crossing of a footpath with vehicles that may cause damage to the footpath, verge or a street tree, shall ensure that –
 - (a) all reasonable precautions are taken to prevent damage to the footpath, verge or street tree during the course of the works; and
 - (b) heavy vehicles that access the private property, are to cross the footpath at the designated area for the proposed vehicle crossing for that private property.
- (3) If a person fails to comply with subclause (1) or (2) and a footpath, verge or street tree is thereby damaged, the local government may by Notice to that person require that person within the time stated in the Notice to pay the costs of reinstating or repairing the footpath, verge or street tree.
- (4) On a failure to comply with a Notice issued under subclause (3), the local government may recover the costs referred to in the Notice as a debt due to it in a court of competent jurisdiction.

9.3 Liability for damage to thoroughfare

- (1) Where a person unlawfully damages a thoroughfare or any thing belonging to or under the care, control or management of the local government that is on a thoroughfare, the local government may by Notice to that person require that person within the time stated in the Notice to, at the option of the local government, pay the costs of –
 - (a) reinstating the thoroughfare or thing to the state it was in prior to the occurrence of the damage; or
 - (b) replacing that thing.
- (2) On a failure to comply with a Notice issued under subclause (1), the local government may recover the costs referred to in the Notice as a debt due to it in a court of competent jurisdiction.

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Division 2 – Verge treatments**9.4 Definitions**

In this Part, unless the context otherwise requires –

- (a) ***garden*** means a verge that is planted, developed or treated, otherwise than as a lawn, with one or more plants that:
 - (i) where possible, are waterwise or native;
 - (ii) are not prickly and do not have spines;
 - (iii) are not known to be poisonous or cause allergic reactions;
- (b) ***lawn*** means a verge which is planted only with grass, or with a similar plant but does not include synthetic turf or lawn;
- (c) ***owner*** means an owner or occupier of land adjacent to a verge; and
- (d) verge treatment means a:
 - (i) garden;
 - (ii) lawn; and/or
 - (iii) landscaping feature,

installed in a verge and includes reticulation pipes and sprinklers but excludes paving or other treatments for the purpose of parking vehicles.

9.5 Verge treatment

An owner may install a verge treatment on a verge, in accordance with the requirements of this Part 9 Division 2.

9.6 Maintenance of verge treatments

An owner who installs or maintains a verge treatment must ensure:

- (a) the verge treatment is maintained:
 - (i) in good and tidy condition, including removing build-up of leaves and grass clippings; and
 - (ii) to ensure clear lines of sight for pedestrians, cyclists and motorists are provided at all times;
- (b) if the treatment includes lawn, the lawn is regularly mowed;
- (c) the verge treatment is setback from and provides clear access to any infrastructure such as power poles and underground services within, under or over the verge; and
- (d) any footpath running alongside the verge is kept clear of plants and landscaping features.

9.7 Permitted landscaping features

Unless otherwise approved by the local government, the following restrictions apply to landscaping features installed in a verge:

- (1) raised garden beds, seating or benches, decorations and lighting must:

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- (a) be constructed of durable material, securely installed with no sharp edges, corners or fixtures;
- (b) be built to a height not exceeding 0.5 metres;
- (c) provide a minimum 0.5 metre setback from any street tree;
- (d) provide a minimum 0.5 metre setback from the face of the kerb;
- (e) maintain clear access for parked cars at all times; and
- (f) only solar lighting is permitted within a verge;
- (2) rocks, stones or logs must:
 - (a) maintain clear access for parked vehicles at all times; and
 - (b) be of a size and installed securely so as to not be easily moved;
- (3) compacted gravel pathways must provide a minimum 0.5 metre setback from any street trees; and
- (4) paved pathways and bin stands (for non-parking purposes) must:
 - (a) be finished level to be flush with the adjacent footpath, driveway, kerb and verge soil level; and
 - (b) provide a minimum 0.5 metre setback from any street trees.

9.8 Damage to local government property

Any damage to the footpath, kerb, thoroughfare or carriageway caused by a person installing a verge treatment must be repaired or made good, to the satisfaction of the local government, by that person at his or her cost.

9.9 Removal of verge treatments

The local government may remove any verge treatment at any time if it considers the verge treatment is contrary to these local laws or poses a hazard to or interference with persons or property.

9.10 Enforcement

The local government may give a Notice to an owner who has installed or maintained a verge treatment in front of their land, requiring that owner, within the time specified in the Notice, to make good any breach of this Division, or to remove all or any part of a verge treatment that does not comply with this Division.

Division 3 – Public works**9.11 Public works on verges**

- (1) For the purpose of carrying out any works the local government or any authority empowered by law to dig up a thoroughfare or carry out any other works on a thoroughfare, may without notice and without being liable to compensate any person, dig up all or part of a thoroughfare and disturb any verge treatment placed there by an owner or occupier of adjacent land.
- (2) Where the local government digs up or carries out any works in a verge which has a verge treatment which complies with Division 2, then the local government shall use its best endeavours to –
 - (a) replace and restore any reticulation pipes and sprinklers; and

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- (b) back fill with sand any garden or lawn, but otherwise shall not be liable to replace or restore any verge treatment and in particular any plant, or other vegetation or any surface or in any event, shall not be liable to any person for any damage or disturbance caused.

9.12 Contribution towards construction of standard vehicle crossings

For the purpose of determining the local government's contribution towards the construction of a standard vehicle crossing as stipulated in regulation 15 of the *Local Government (Uniform Local Provisions) Regulations 1996*, a **standard crossing** is a standard vehicle crossing for a residential area.

9.13 Temporary vehicle crossings

- (1) Where it is likely that works on a lot will involve vehicles leaving on a thoroughfare and entering the lot, the person responsible for the works shall obtain a permit for the construction of a temporary crossing to protect the existing carriageway, kerb, drains and footpath, where –
 - (a) a crossing does not exist; or
 - (b) a crossing does exist, but the nature of the vehicles and their loads is such that they are likely to cause damage to the crossing.
- (2) The **person responsible for the works** in subclause (1) is to be taken to be –
 - (a) the builder named on the building licence issued under the *Local Government (Miscellaneous Provisions) Act 1960*, if one has been issued in relation to the works; or
 - (b) the registered proprietor of the lot, if no building licence has been issued under the *Local Government (Miscellaneous Provisions) Act 1960* in relation to the works.
- (3) If the local government approves an application for a permit for the purpose of subclause (1), the permit is taken to be issued on the condition that until such time as the temporary crossing is removed, the permit holder shall keep the temporary crossing in good repair and in such a condition so as not to create any danger or obstruction to persons using the thoroughfare.

9.14 Removal of redundant vehicles crossings

- (1) Where works on a lot will result in a crossing no longer giving access to an internal driveway or constructed parking amenity on the lot, the crossing is to be removed and the kerb, drain, footpath, verge and any other part of the thoroughfare affected by the removal are to be reinstated to the satisfaction of the local government.
- (2) The local government may give Notice to the owner or occupier of a lot requiring her or him to –
 - (a) remove any part or all of a crossing which does not give access to the lot; and
 - (b) reinstate the kerb, drain, footpath, verge and any other part of the thoroughfare, which may be affected by the removal, within the period of time stated in the Notice, and the owner or occupier of the lot shall comply with that Notice.

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Part 10 - Activities on thoroughfares and local government property**10.1 General prohibitions**

A person shall not –

- (a) plant any tree or plant (except grasses or a similar plant) within 10 metres from the truncation of an intersection;
- (b) damage a lawn or a garden or remove a plant or part of a plant from local government property unless –
 - (i) the person is the owner or the occupier of the land abutting that portion of the thoroughfare and the lawn or the garden or the particular plant has not been installed or planted by the local government; or
 - (ii) the person is acting under the authority of a written law;
- (c) place on any footpath any fruit, fruit skins or other substance or fluid (whether vegetable or otherwise, but not water) which may create a hazard for any person using the footpath;
- (d) unless at the direction of the local government, damage, remove or interfere with any signpost, direction plate, guidepost, notice, shelter, shed, fence or any structure erected on a thoroughfare by the local government or a person acting under the authority of a written law;
- (e) within a mall, arcade or verandah of a shopping centre, ride any wheeled recreational device or similar device; or
- (f) prune, injure, poison, remove or kill by felling, poisoning or other means, any tree on a thoroughfare or any local government property, unless the person is:
 - (i) acting under the authority of the local government; or
 - (ii) acting under authority of a written law.

10.2 Activities allowed with a permit

- (1) A person will not without a permit -
 - (a) dig or otherwise create a trench through or under a kerb, carriageway or footpath;
 - (b) subject to Part 9 of this local law, throw, place or deposit any thing on a verge except for removal by the local government under a bulk rubbish collection, and then only during the period of time advertised in connection with that collection by the local government;
 - (c) cause any obstruction to a vehicle or a person using a thoroughfare as a thoroughfare;
 - (d) cause any obstruction to a water channel or a water course in a thoroughfare;
 - (e) throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare;
 - (f) damage a thoroughfare;
 - (g) light any fire or burn any thing on a thoroughfare;
 - (h) fell any tree onto a thoroughfare;
 - (i) if installing a verge treatment in accordance with any requirements specified in this local law, to –

City of Vincent Local Government Property Local Law 2021

- (i) lay pipes under or provide taps on any verge; or
 - (ii) place or install any thing on any part of a thoroughfare, and without limiting the generality of the foregoing, any gravel, stone, flagstone, cement, concrete slabs, blocks, bricks, pebbles, plastic sheeting, kerbing, wood chips, bark or sawdust;
 - (j) provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare;
 - (k) on a public place use anything or do anything so as to create a nuisance;
 - (l) place or cause to be placed on a thoroughfare a bulk rubbish container;
 - (m) interfere with the soil of, or anything in a thoroughfare or take anything from a thoroughfare; or
 - (n) place or cause to be placed on a footpath or thoroughfare, a planter box or pots.
- (2) The local government may grant a permit in accordance with subclause (1) subject to conditions.

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Part 11 - Notices of breach**11.1 Offence to fail to comply with Notice**

Whenever the local government serves a Notice under this local law requiring a person to do any thing, if a person fails to comply with the Notice, that person commits an offence.

11.2 Local government may undertake requirements of Notice

Where a person fails to comply with a Notice referred to in clause 11.1, the local government may by its employees, agents or contractors carry out the works and do all things specified in the Notice and may recover from that person, as a debt, the costs incurred in so doing.

11.3 Notice to remove, redirect or repair sprinkler

Where a lawn or a garden is being watered with a sprinkler which is on the lawn or the garden, in a manner which causes or may cause an inconvenience or obstruction to any person using a thoroughfare, the local government or an authorised person may give a Notice to the owner or the occupier of the land abutting on the lawn or the garden, requiring the owner or the occupier or both to either remove, move or alter the direction of the sprinkler or other watering equipment.

11.4 Hazardous plants

Where a plant or tree in a garden creates or may create a hazard for any person using a thoroughfare, the local government or an authorised person may give a Notice to the owner or the occupier of the land abutting on the garden to remove, cut, move or otherwise deal with that plant so as to remove the hazard.

11.5 Notice to repair damage to thoroughfare

- (1) Where any portion of a thoroughfare, verge or footpath has been damaged, or is in the opinion of an authorised person, dangerous to the public, the local government or an authorised person may by Notice to the person who caused the damage or dangerous condition, order the person to repair or replace that portion of the thoroughfare, verge or footpath to the satisfaction of the local government, and within the timeframe stipulated in the Notice.
- (2) If a person does not comply with a Notice provided under subclause (1), to the satisfaction of the local government, that person commits an offence.

11.6 Notice to remove thing unlawfully placed on thoroughfare

Where any thing is placed on a thoroughfare in contravention of this local law, the local government may by Notice to the owner or the occupier of the land abutting on that portion of the thoroughfare where the thing has been placed, or such other person who may be responsible for the thing being so placed, requiring that person or the owner or occupier, as the case may be, to remove the thing within the time specified in the above Notice.

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Part 12 - Objections and review

12.1 Application of Division 1, Part 9 of the Act

When the local government makes a decision as to whether it will –

- (a) grant a person a permit, approval or consent under this local law; or
- (b) renew, vary or cancel a permit, approval or consent that a person has under this local law, the provisions of Division 1 of Part 9 of the Act and regulation 33 of the Regulations apply to that decision.

City of Vincent Local Government Property Local Law 2021

Part 13 - Miscellaneous**13.1 Authorised person to be obeyed**

A person on local government property shall obey any lawful direction of a Manager or an authorised person.

13.2 Persons may be refused admission or directed to leave local government property or a community facility

- (1) Subject to subclause (2), an authorised person or Manager may refuse to allow entry, suspend admission or direct a person to leave local government property where:
 - (a) the authorised person or Manager reasonably suspects that the person has –
 - (i) contravened a provision of this local law;
 - (ii) behaved in a disorderly manner;
 - (iii) used indecent, offensive, profane or insulting language;
 - (iv) created or taken part in any disturbance whereby a crowd has gathered;
 - (v) committed an act of indecency; or
 - (b) the person has been deemed undesirable by the local government or the authorised person by reason of his or her past conduct.
- (2) The refusal or suspension referred to in subclause (1) can be for a period of up to 12 months as decided by the authorised person or Manager.
- (3) A person shall, on being requested by the authorised person to leave the local government property, do so immediately, quietly and peaceably.
- (4) A person who fails to comply with a request under subclause (3) may be removed from the local government property by an authorised person or a Police Officer.

13.3 Liability for damage to local government property

Where a person unlawfully damages or causes damage to or detrimentally affects the appearance or nature of any local government property, the local government may by Notice to that person require that person within the time specified in the Notice to, at the option of the local government, pay the costs of –

- (a) reinstating the property to the state it was in prior to the occurrence of the damage; or
- (b) replacing that property.

13.4 Public liability insurance policy

- (1) Where, as a condition of a permit, the permit holder is required to obtain and maintain a public liability insurance policy, the permit holder shall –
 - (a) effect and maintain a policy of insurance in the name of the permit holder in respect to any injury to any person or any damage to any property which may occur in connection with the use of the local government property by the permit holder;
 - (b) ensure that any policy of insurance referred to in subclause (1)(a) indemnifies the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the local government property by the permit holder;

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- (c) effect and maintain the policy of insurance referred to in subclause (1)(a) for the duration of the permit;
 - (d) immediately notify the local government if the policy of insurance cover lapses, in which case the permit may be cancelled by the local government in accordance with clause 3.15;
 - (e) at any time requested by the local government, provide the local government with a certificate of currency confirming that public liability insurance cover is in place;
 - (f) ensure that, as a minimum, the permit holder's public liability insurance policy provides coverage of \$20 million (twenty million dollars), or such other amount as the local government considers appropriate to the risk and liability involved in the activity authorised by the permit;
 - (g) upon the request . of the local government (in its absolute discretion), increase the minimum value of coverage at the public liability insurance policy renewal date; and
 - (h) ensure that the public liability insurer of the permit holder is a reputable insurer licensed to conduct insurance business in Australia in accordance with the guidelines issued by the Australian Prudential Regulatory Authority.
- (2) A permit holder who refuses to or cannot provide a current certificate of insurance at least 14 days prior to the commencement of any activity, action or thing performed or erected in accordance with the permit, as required in accordance with subclause (1) commits an offence.
- (3) A permit holder must provide the local government with a copy of their certificate of insurance currency at any time requested by the local government, including at the permit application stage.

13.5 Payment of application fees

Where a fee or charge applies to the entry to, use of or participation in an activity on or in any local government property, a person shall not enter that property without first paying the applicable fee or charge, unless that person has been exempted by the local government from paying that fee or charge.

13.6 No unauthorised entry to function

- (1) A person shall not enter local government property on such days or during such times as the property may be set aside for a function for which a charge for admission is authorised, except –
- (a) through the proper entrance for that purpose; and
 - (b) on payment of the fee chargeable for admission at the time.
- (2) The local government may exempt a person from compliance with subclause (1)(b).

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Part 14 - Offences

Division 1 – Offences and penalties

14.1 Offences and general penalties

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not less than \$300 and not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

14.2 Prescribed offences

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purpose of section 9.16(1) of the Act.
- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.
- (3) For the purpose of guidance only, before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that –
 - (a) commission of the prescribed offence is a relatively minor matter; and
 - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

14.3 Infringement notices and infringement withdrawal notices

- (1) For the purpose of this local –
 - (a) where a vehicle is involved in the commission of an offence, the form of the infringement notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
 - (b) the form of the infringement notice referred to in section 9.16 and 9.17 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
 - (c) the form of the withdrawal notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.
- (2) Where an infringement notice is given under section 9.16 of the Act in respect of an alleged offence against clause 2.4, the notice is to contain a description of the alleged offence.

14.4 Evidence of a determination

- (1) In any legal proceedings, evidence of a determination may be given by tendering the register referred to in clause 2.5 or a copy of an extract from the register certified as a true copy by the CEO.
- (2) It is to be presumed, unless the contrary is proved, that the determination was properly made and that every requirement for it to be made and have effect has been satisfied.
- (3) Subclause (2) does not make valid a determination that has not been properly made.

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Schedule 1***Prescribed offences (clause 14.2(1))***

Item	Clause	Description	Modified Penalty \$
1.	2.4	Failure to comply with determination	100
2.	3.8	Failure to comply with conditions of a permit	100
3.	3.14	Failure to produce permit when required by an authorised person	100
4.	3.18(1)	Failure to obtain a permit	250
5.	3.18(2)	Failure to obtain a permit to carry out works on local government property	500
6.	3.18(3)	Failure to obtain a permit to use local government property or a community facility for a for profit purpose	500
7.	3.19(1)	Failure to obtain a permit to camp outside a facility or erect structure	100
8.	3.20	Consumption or possession of liquor without a permit	100
9.	3.21	Failure of permit holder to comply with responsibilities	100
10.	4.2(1)	Failure to use correct toilet block or change room	100
11.	4.2(3)(a)	Loiter outside or act in an unacceptable manner in any toilet block	200
12.	4.2(3)(b)	Enter or attempt to enter an occupied cubicle or compartment	200
13.	4.3(1)	Failure to wear adequate clothing to secure decency	200
14.	4.3(2)	Failure to comply with direction of authorised person, to wear adequate clothing	250
15.	4.4(2)	Behaviour detrimental to property	100
16.	4.5(2)(a)	Take, injure or kill, or attempt to take, injure or kill any fauna	500
17.	4.5(2)(b)	Take onto, set or use any animal, bird or fish trap while on any local government property	250
18.	4.5(2)(c)	Remove, prune or damage any flora	250
19.	4.6	Under influence of liquor or prohibited drug or substance	100
20.	4.7	Take, consume or use a prohibited drug or substance on local government property	250

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21.	4.8(2)	Failure to comply with sign on local government property	100
22.	5.3(a)	Consume food or drink in a prohibited area	100
23.	5.3(b)	Climbing up or upon a community facility	100
24.	5.3(c)	Enter or use, or attempt to enter or use a community facility whilst unclean or suffering from a contagious, infectious or cutaneous disease	100
25.	5.3(d)	Using soap or shampoo in any part of the pool area other than in the change rooms	100
26.	5.3(e)	Using any detergent, substance or oil in any pool or spa	100
27.	5.3(f)	Fouling or polluting the water in any shower, pool or spa	100
28.	5.3(g)	Bringing into any part of the pool area or place thereon any chemical substance, liquid or powder	100
29.	5.3(h)	Bringing into any part of the pool area any glass containers	100
30.	5.3(i)	Smoking in or about the community facility	100
31.	5.3(j)	Deliberately waste or wastefully use fresh or potable water in the pool area	100
32.	5.3(k)	Spitting or expectorating in any part of the community facility, other than in a water closet	300
33.	5.3(l)	Entering a pool or spa in a dirty or unclean condition	100
34.	5.3(m)	Using a mobile phone, camera or other recording device in a change room at a community facility	500
35.	5.5(1)	Launch a boat into river other than from an approved boat launching ramp or area permitted by signs	100
36.	5.5(2)	Launch personal watercraft into river other than from a boat launching ramp	100
37.	5.6(1)	Fishing in an area where fishing is prohibited or restricted by signs	100
38.	5.6(2)(a)	Clean fish or cut bait that causes a nuisance to river users	100
39.	5.6(2)(b)	Leave or deposit fish offal or bait on land or in the river	100
40.	5.7	Unauthorised entry to an area fenced off or closed to the public	250
41.	5.9(1)	Installing an air conditioning unit without approval	250
42.	5.11	Erecting or maintaining an awning, balcony or verandah without a permit or approval	250

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43.	5.12	Erecting an awning, balcony or verandah that does not comply with dimensions	250
44.	5.13	Erecting an awning, balcony or verandah that does not comply with design requirements	250
45.	5.15	Erecting a permanent structure within a thoroughfare or road reserve without approval	250
46.	5.17(1)	Smoke in a smoke free area.	100
47.	5.17(2)	Failure to extinguish tobacco product or e-cigarette upon direction of an authorised person	200
48.	6.2(1)	Displaying an advertising sign that requires a sign permit on local government property without a sign permit	250
49.	6.3(1)	Erecting or placing a portable direction sign that requires a sign permit on local government property without a sign permit	250
50.	6.4(1)	Placing or erecting an advertising sign or portable direction sign in a prohibited area	250
51.	6.4(2)(a)	Failing to maintain a sign in safe and serviceable condition at all times	100
52.	6.4(2)(b)	Failing to ensure that a sign is of a safe and stable design	100
53.	6.4(2)(c)	Failing to ensure the free passage of persons using footpath at all times	100
54.	6.4(2)(d)	Failing to remove sign at close of business each day or end of event	100
55.	6.6(2)	Failing to display a sign in accordance with conditions of sign permit	100
56.	6.7(a)	Failing to maintain sign in safe and serviceable condition at all times	100
57.	6.7(b)	Refusing to conspicuously display the sign permit number on a sign	50
58.	6.7(c)	Failing to ensure that a sign is of a safe and stable design	100
59.	6.7(d)	Failing to display sign in the approved location	100
60.	6.7(e)	Failing to ensure the free passage of persons using the footpath	100
61.	6.8	Erecting or displaying an election sign without a permit when a permit is required by the local government	500
62.	6.9	Permitting a sign to be displayed in an unsafe or dangerous manner	250

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63.	6.10	Refusing or failing to remove a sign to allow sweeping, cleaning or other authorised works	100
64.	6.11	Refusing or failing to remove a sign when requested to do so	250
65.	6.12	Placing or permitting a sign contrary to the requirements of the local law	250
66.	7.3(1)	Leaving a shopping trolley in public place other than trolley bay	100
67.	7.3(2)	Leaving a shopping trolley for a period in excess of 3 hours	100
68.	8.3(1)	Failure to carry out or complete reinstatement works on affected local government property	500
69.	8.4	Failure to provide a bank guarantee or pay a security deposit when required by local government	500
70.	9.1	Damaging a thoroughfare or anything belonging to or under the care control and management of the local government that is on a thoroughfare	500
71.	9.2(1)(a)	Failing to take necessary precautions to ensure footpaths, verges or trees are not damaged during works	500
72.	9.2(1)(b)	Failing to ensure footpath remains in a safe and functioning state suitable for use by the public	500
73.	9.2(1)(c)	Failing to notify local government of existing footpath damage prior to commencement of works	100
74.	9.2(2)(a)	Failing to take reasonable precautions to prevent damage to footpath, verge or street tree	500
75.	9.5	Failure to install or maintain a verge in accordance with the local laws	250
76.	9.8	Failing to rectify damage caused to footpath, kerb, thoroughfare or carriageway when installing a verge	250
77.	9.13(1)	Failing to obtain permit for temporary crossing	200
78.	9.14(2)	Filing to comply with notice to remove crossing and reinstate kerb	250
79.	10.1(a)	Planting of tree or plant which exceeds 500mm in height on local government property within 10metres from the truncation of an intersection	100
80.	10.1(b)	Damaging lawn or garden, or remove any plant without authority	100
81.	10.1(c)	Placing any fruit, substance or fluid on footpath which may create a hazard	100

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82.	10.1(d)	Damaging or interfering with signpost or structure on thoroughfare	200
83.	10.1(e)	Riding any wheeled recreational device in a mall, arcade or verandah of a shopping centre	100
84.	10.1(f)	Damaging pruning, injuring, poisoning, removing or killing a tree, which includes a tree on a verge, thoroughfare or local government property without the approval of the local government	500
85.	10.2(1)(a)	Digging a trench through a kerb or footpath without a permit	200
86.	10.2(1)(b)	Throwing or placing anything on a verge without a permit	200
87.	10.2(1)(c)	Causing obstruction to vehicle or person on thoroughfare without a permit	200
88.	10.2(1)(d)	Causing obstruction to water channel on thoroughfare without a permit	200
89.	10.2(1)(e)	Placing or draining offensive fluid on thoroughfare without a permit	300
90.	10.2(1)(f)	Damaging a thoroughfare	200
91.	10.2(1)(g)	Lighting a fire on a thoroughfare without a permit	300
92.	10.2(1)(h)	Felling tree onto thoroughfare without a permit	200
93.	10.2(1)(i)	Installing pipes or stone on thoroughfare without a permit	200
94.	10.2(1)(j)	Installing a hoist or other thing on a structure or land for use over a thoroughfare without a permit	200
95.	10.2(1)(k)	Creating a nuisance on a public place without a permit	200
96.	10.2(1)(l)	Placing a bulk rubbish container on a thoroughfare without a permit	100
97.	10.2(1)(m)	Interfering with anything on a thoroughfare without a permit	200
98.	10.2(1)(n)	Placing a planter box or pot on a footpath or thoroughfare	100
99.	11.1	Failing to comply with notice given under local law where not specified in Schedule 1	500
100.	13.4(2)	Failure to hold or provide a current certificate of currency to an authorised person when requested	250
101.	13.5	Failing to pay the applicable fee to enter, use or participate in an activity on local government property	100
102.	13.6(1)	Entering local government property or building other than through the proper entrance or without payment of the admission fee	100

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103.	14.1(1)	Other offences not specified	100
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8.3 OUTCOME OF ADVERTISING AND ADOPTION OF NEW FRAUD CORRUPTION AND PREVENTION POLICY

- Attachments:**
1. **Fraud and Corruption Prevention Policy** [↓](#) 
 2. **Policy 4.1.17 - Fraud and Corruption Prevention** [↓](#) 

RECOMMENDATION:**That Council:**

1. **ADOPTS** the Fraud and Corruption Prevention Policy at Attachment 1; and
2. **REPEALS** Policy 4.1.17 - Fraud and Corruption Prevention at Attachment 2.

PURPOSE OF REPORT:

To consider the outcome of public consultation and determine whether to approve the Fraud and Corruption Prevention Policy at **Attachment 1**.

BACKGROUND:

At its 23 March 2021 Meeting, Council approved providing public notice of its intention to adopt a new Fraud and Corruption Prevention Policy.

In accordance with the City's Community Consultation Policy ([Appendix 2](#)), public notice was given for the period between 1 April 2021 and 27 April 2021, which is in excess of the 21 days required.

The policy was advertised on the City of Vincent website, social media and through the following public notices:

- Vincent Reporter – 1 April 2021;
- Perth Voice – 3 April 2021; and
- Notice at the City's Administration and Library and Local History Centre.

No public submissions were received.

DETAILS:

The City's Policy 4.1.17 - Fraud and Corruption Prevention was reviewed and updated in line with the recommendations in the [Office of the Auditor General's 2019 Performance Audit – Fraud Prevention](#), LGIS's guidelines and in consultation with the City's Audit Committee.

The updated policy removes administrative content and sets out high-level policy statements only.

CONSULTATION/ADVERTISING:

No further consultation is required.

LEGAL/POLICY:

Section 2.7(2)(b) of the *Local Government Act 1995* provides Council with the power to determine policies.

The City's [Policy Development and Review Policy](#) sets out the process for repealing and adopting policies.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to provide public notice of the proposed new policy.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

We are open and accountable to an engaged community.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*.

PUBLIC HEALTH IMPLICATIONS:

This report has no implications on the priority health outcomes of the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.



FRAUD AND CORRUPTION PREVENTION POLICY

Legislation / local law requirements	<i>Local Government (Audit) Regulations 1996 – r.17 – CEO to review certain systems and procedures</i> <i>Local Government (Financial Management) Regulations 1996 – r.5 – CEO's duties as to financial management</i>
Relevant delegations	Nil.
Related policy procedures and supporting documentation	Code of Conduct Governance Framework Fraud and Corruption Prevention Plan

PURPOSE

To set out the City's approach to fraud and corruption prevention, detection, monitoring and reporting. This Policy is supported by a Fraud and Corruption Prevention Plan, which provides a structured framework for fraud and corruption prevention, detection, monitoring and reporting.

OBJECTIVE

To show that the City has zero tolerance for fraud and corruption and will take all necessary steps to prevent fraud or corruption occurring.

POLICY

1. All Elected Members, employees and contractors have a responsibility to safeguard against damage and loss through fraud, corruption or misconduct and have an obligation to support efforts to reduce associated risk by behaving with integrity and professionalism in undertaking their duties.
2. The City expects its Elected Members and employees to act in compliance with the respective Code of Conduct and the City's Governance Framework and behave ethically and honestly when performing their functions and during their interactions with each other, the community and all other stakeholders.
3. The Chief Executive Officer will ensure that appropriate systems and procedures are in place to prevent, detect, report and investigate incidents of fraudulent or corrupt behaviour, and ensure that everyone is aware of their responsibilities.
4. All suspected instances of fraudulent or corrupt conduct are to be thoroughly investigated and the appropriate reporting, disciplinary, prosecution and recovery actions initiated.
5. The Chief Executive Officer will review the Fraud and Corruption Prevention Plan annually and present the outcome of the review to the Audit Committee.

SCOPE

This policy applies to Elected Members and Administration.

OFFICE USE ONLY	
Responsible Officer	Executive Manager Corporate Strategy and Governance
Initial Council adoption	DATE: <APPROVAL DATE>, REF# <TRIM REF>
Reviewed / Amended	DATE: <APPROVAL DATE>, REF#: <TRIM REF>
Next Review Date	DATE: <REVIEW DATE>.

POLICY NO: 4.1.17**FRAUD AND CORRUPTION PREVENTION****OBJECTIVES**

The objectives of this Policy are to –

- Articulate that the City of Vincent is intolerant of fraud and corruption;
- Prevent fraud or corruption occurring at the City of Vincent.

POLICY SCOPE

This policy applies to all Employees, Council Members, and Contractors' working for the City of Vincent as fraud and corruption control is the responsibility of everyone in or associated with the City.

DEFINITIONS USED IN THIS POLICY

For the purpose of this policy:

"Misconduct" shall have the same meaning as prescribed by the *Corruption and Crime Act 2003* [as shown in Appendix [4.1.17](#)]

"Corruption" is defined as:

"An act done with an intent to give or receive some advantage or benefit inconsistent with official duty and the rights of others. It includes bribery."

Australian Standard 8001–2003 defines fraud as:

'dishonest activity causing actual or potential financial loss to any persons or entity including theft of moneys or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or for improper use of information or position.'

POLICY STATEMENT

1. The City of Vincent is committed to good governance and ethical behavior as a key ingredient of responsible, effective and accountable Local Government.
2. The City of Vincent recognises that fraud and corruption is illegal and contrary to the City's organisational values. In view of this, a proactive stance is taken to ensure incidences of fraudulent or corrupt activities or behaviours do not occur.
3. Whilst the City aims to foster a culture which upholds trust and honesty as part of its core values, it is acknowledged that from time to time, instances of misconduct, corruption, fraud or dishonesty occur throughout the organization. As such, the City will ensure that the effective prevention of fraud and corruption is an integral part of its operating activities.
4. All employees are accountable for and have a role to play in fraud and corruption prevention and control. The City encourages employees to disclose actual or suspected fraudulent or corrupt activity, to the Chief Executive Officer.
5. When identified, any suspected fraudulent or corrupt activity will be promptly investigated, and where appropriate, legal remedies available under the law will be pursued. All alleged incidences will be thoroughly investigated. Wherever possible, the City will protect the anonymity of those responsible for reporting the activity. The matter will also be reported to the Corruption and Crime Commission.
6. The City will ensure that systems and procedures are in place to prevent, detect, report and investigate incidents of fraudulent or corrupt behaviour or activities and will ensure that employees are made aware of their responsibilities in respect to the prevention, detection, reporting and investigation of fraudulent or corrupt behaviour.
7. The success of this policy will be determined by the employees and Council Members (where appropriate) at the City of Vincent being aware of their responsibilities in relation to:
 - fraud and corruption prevention and control;
 - the identification of treatment and recording of fraud or corruption risks;
 - fraud or corruption auditing and detection processes;
 - reporting;
 - responsibilities; and
 - obligations and investigation procedures.

Date Adopted:	26 February 2013
Date Amended:	-
Date Reviewed:	-
Date of Next Review:	February 2018

8.4 GOVERNANCE FRAMEWORK - PROPOSED UPDATES AND PROPOSED REPEAL OF COUNCIL MEMBER AND EMPLOYEE BUSINESS DEALINGS POLICY

- Attachments:**
1. **Governance Framework 2020 - Tracked Changes**  
 2. **Policy 4.2.10 - Council Members and Employee Business Dealings with the City**  

RECOMMENDATION:**That Council:**

1. **APPROVES** the amendments to the Governance Framework 2020, as at Attachment 1; and
2. **REPEALS** Policy 4.2.10 - Council Members and Employee Business Dealings with the City, as at Attachment 2.

PURPOSE OF REPORT:

To seek Council approval of the proposed amendments to the Governance Framework 2020 at **Attachment 1** and repeal of Policy 4.2.10 - Council Members and Employee Business Dealings with the City at **Attachment 2**.

BACKGROUND:

In June 2005, Council adopted Policy 4.2.10 - Council Members and Employee Business Dealings with the City (Policy 4.2.10). The development of Policy 4.2.10 was in response to public hearings by the Corruption and Crime Commission into the awarding of tenders and contracts at the City of Bayswater. The hearing highlighted a risk area being where Elected Members may have commercial dealings with the local government.

Administration reviewed Policy 4.2.10 in April 2021 and identified that there is no longer a demonstrated need for the policy since the following adequately apply requirements for Elected Members and employees wishing to undertake business dealings with the City:

- *Local Government Act 1995* (Act) and associated regulations, specifically *Local Government (Rules of Conduct) Regulations 2007* now the *Local Government (Model Code of Conduct) Regulations 2021*;
- the related party declaration requirements of the Australian Accounting Standard; and
- the conflict of interest requirements of the City's Code of Conduct.

Administration is recommending that Council repeal Policy 4.2.10 and amend the Governance Framework to include the City's commitment to disclosing conflicts of interest.

In addition, on 3 February 2021, the *Local Government (Model Code of Conduct) Regulations 2021* (Regulations) took effect requiring all local governments to adopt a Code of Conduct modelled on the Regulations Model Code.

At its 23 March 2021 meeting, Council approved a [Code of Conduct for Elected Members, Committee Members and Candidates](#) (Nominated Members Code) and noted that amendments to the Governance Framework were proposed to reflect the content previously contained within the City's [Code of Conduct 2017](#) and to support the adopted Nominated Members Code.

The following modifications to the Governance Framework were proposed:

- update to reflect the division of the codes of conduct between Nominated Members and Administration;
- update to reflect the procedural requirement for dealing with complaints about alleged breaches of the behaviour included in Division 3 of the Nominated Members Code;
- update and clarify the gift and conflict of interest provisions in line with the new regulations;
- include the City's position on fraud and corruption; and

- include Elected Member accessibility requirements.

DETAILS:

The City proposes to make the following changes to the [Governance Framework](#):

Section	Action	Notes
Ethical Standards and Code of Conduct.	Updated to reflect the division of the codes of conduct between Nominated Members and Administration	This section currently references the superseded Code of Conduct for Elected Members, the CEO and Employees (superseded Code). Updates are required to demonstrate the division of the codes of conduct between Nominated Members and Administration.
Rules of Conduct Regulations and the Standards Panel	The header has been updated to read 'Model Code Regulations' and 3 new subsections have been added as follows: 1. Nominated Member; 2. Behavioural breach; and 3. CEO Standards.	<u>Nominated Member</u> This section has been added to reinforce the requirement for Nominated Members to comply with Council policies, procedures and resolutions (Clause 8(2)(b) of the Regulations and Nominated Code). <u>Behavioural breach</u> This section has been added to reflect the requirement for submitting complaints about alleged breaches of the behaviour included in Division 3 of the Regulations and Nominated Code. <u>CEO Standards</u> This section has been added to reflect the key provisions of the Model Standards and the adopted CEO Standards .
Employees Code of Conduct	Updated to remove reference to Elected Members and to include contractors of the City.	This section currently references the superseded Code. Updates are required to reflect the new Regulations and the division of the codes.
Fraud and Corruption	New Fraud and Corruption section has been added.	Fraud and corruption were previously addressed in the superseded Code but have not been addressed in the Nominated Members Code. This section has been added to reinforce the City's commitment to preventing, deterring, monitoring and reporting fraudulent and corrupt behaviour. The City's Fraud and Corruption Prevention Policy will be linked within this section to facilitate its implementation.
Elected Member Accessibility	New Elected Member Accessibility section has been added.	Elected Member accessibility was previously addressed in the superseded Code but has not been included in the Nominated Members Code.
Appointment to external boards and committees	New Appointment to external boards and committees' section has been added.	Appointments to External Boards, Committees and Working Groups was previously addressed in the superseded Code but have not been included in the Nominated Members Code.
Relationship between Elected Members and Administration	Regulation 9 of the <i>Local Government (Rules of Conduct) Regulations 2007</i> has been updated to read 'clause 19 and 20 of the Nominated Members Code and Regulations'.	Updated in accordance with the new legislation.

Section	Action	Notes
Conflict of interests	This section has been updated to include potential conflicts of interest that may arise from related parties and related entities.	<p>Updated to reflect and strengthen the conflict of interest provisions contained in:</p> <ul style="list-style-type: none"> • <i>Local Government Act 1995</i> (Act) and associated regulations; • related party declaration requirements of the Australian Accounting Standard; and • conflict of interest requirements of the City's Code of Conduct. <p>This addition has been included as part of Administration's recommendation to repeal Policy 4.2.10 at Attachment 2.</p>
Disclosure of interest affecting impartiality	<p>Updated to reflect the new legislative provisions that govern disclosure requirements for Elected Members, Contractors and Administration.</p> <p>The following 2 subsections have been added:</p> <ol style="list-style-type: none"> 1. Elected Members; and 2. Employees and contractors 	<p>This section currently references the <i>Local Government (Rules of Conduct) Regulations 2007</i> and superseded Code.</p> <p>Updates are required to reflect the new Regulations and Nominated Member Code.</p>
Related Party Disclosures	New Related Party Disclosure section added.	<p>This section has been added to reflect the City's commitment to comply with the requirements of the Australian Accounting Standards by identifying conflicts of interest that may arise from related parties.</p> <p>This addition also supports Administration's recommendation to repeal Policy 4.2.10 at Attachment 2.</p>
Gifts	<p>Updated to reflect the new legislative provisions that govern the disclosure of gifts and clarification of circumstances when refusal of a gift may be impossible or impractical.</p> <p>The following 2 subsections have been added:</p> <ol style="list-style-type: none"> 1. Elected Members; and 2. Employees and contractors 	The additional subsections have been added to reflect the new legislative provisions.

The proposed amendments to the Governance Framework have been prepared for Council's consideration and are tracked at **Attachment 1**.

The Governance Framework describes the principles and key roles that guide Council in its decision-making and demonstrates to the community the processes which the City uses to achieve its strategic priorities and undertake its service delivery. It is a live document and should be updated on a regular basis to reflect changes in legislation and practices.

The Governance Framework is also scheduled for review following the local government election in October this year. This will be conducted in consultation with Elected Members, ensuring new Elected Members have an opportunity to be involved.

CONSULTATION/ADVERTISING:

The Governance Framework is to be reviewed after each ordinary local government election in consultation with Elected Members. The outcome of the review and any proposed amendments will be presented to Council for adoption within 4 months of each election.

No community consultation is required for the proposed amendments.

LEGAL/POLICY:

The Governance Framework summarises key sections of the *Local Government Act 1995*, *Local Government (Administration) Regulations 1996* and *Local Government (Model Code of Conduct) Regulations 2021*.

RISK MANAGEMENT IMPLICATIONS

Low: It is low risk for Council to approve the proposed amendments to the Governance Framework and repeal of Policy 4.2.10. These amendments highlight the City's commitment to providing good governance by defining systems, policies, processes and a methodology for ensuring accountability, probity and openness in the conduct of City business.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

We are open and accountable to an engaged community.

Our resources and assets are planned and managed in an efficient and sustainable manner.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*.

PUBLIC HEALTH IMPLICATIONS:

This report has no implications on the priority health outcomes of the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

Governance Framework 2020

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Governance Framework 2020

Introduction

This framework draws on the legislative requirements, strategic direction and organisational culture that the City of Vincent (**City**) operates in accordance with, to create standard principles of corporate governance. These standard principles of corporate governance guide Elected Members and staff in their decision making and service delivery.

This document functions as an overarching framework for good governance. The framework is endorsed by Council and reflects the practices and principles Elected Members and staff will adhere to when making decisions and delivery services. The framework reinforces and expands on legislative requirements, policy statements and established practices.

Local Government defined

Local government in Western Australia is established under the *Local Government Act 1995 (LGA)* and is the third sphere of government in Australia. Local government has legislative responsibility for many functions and activities that are relevant to a local community, including waste management, road maintenance and rates collection.

As the level of government often seen as the 'closest' to the community, local government activities relate to matters that are fundamental to people's lives and impact strongly on their quality of life. This includes organising local community events, providing community spaces and recreation areas and creating liveable neighbourhoods.

What is governance?

Local governments in Western Australia must carry out their functions in accordance with the LGA and associated regulations.

Governance provides the structure through which a local government's vision and objectives are achieved within a context of competing and changing social, economic and environmental issues.

Governance is the process by which decisions are taken and implemented, the process by which organisations go about achieving their goals and producing their outputs and the process by which organisations are directed, controlled and held to account.

Why is good governance important to the City?

Good governance principles deliver confidence to the Council, the Chief Executive Officer, employees and the community that the City is being run efficiently, is compliant, sustainable and is carrying out the objectives, policies and plans of Council.

Good governance ensures that the City is able to manage its many complex responsibilities effectively in the best interests of the community.

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The Governance Institute of Australia (GIA) notes that good governance has four key components:

Transparency: being clear and unambiguous about the organisation's structure, operations and performance, both externally and internally, and maintaining a genuine dialogue with, and providing insight to, legitimate stakeholders and the market generally.

Accountability: ensuring that there is clarity of decision-making within the organisation, with processes in place to ensure that the right people have the right authority for the organisation to make effective and efficient decisions, with appropriate consequences for failures to follow those processes.

Stewardship: developing and maintaining an enterprise-wide recognition that the organisation is managed for the benefit of its shareholders/members, taking reasonable account of the interests of other legitimate stakeholders.

Integrity: developing and maintaining a culture committed to ethical behaviour and compliance with the law.

Excellence in governance occurs when it is underpinned by accountability, integrity and openness. It involves a focus on clarity of roles and responsibilities, robust systems which support both internal and external accountability and public access to decision-making and information" (CPA 2005).

The LGA defines the roles and responsibilities of Elected Members and the Chief Executive Officer to ensure that a local government fulfils its obligations and exercises its powers and functions appropriately.

Section 3.1 (1) of the LGA prescribes that the general function of a local government is to provide for the good government of persons in its district.

Governance Principles

The CPA publication *Excellence in Governance in Local Government 2007* includes four principles that provide a clear foundation for good governance:

- Culture and vision,
- Roles and Relationships;
- Decision-making and management; and
- Accountability;

The City has developed this framework based on the above four principles and has included an additional principle - Commitment to Sustainability.

These five principles govern the City's decision-making. All decisions, policies, plans and strategies should be made with reference to the five principles. This should ensure legislative compliance, alignment with the City's strategic vision, transparency and accountability.

Adherence with the five principles is the responsibility of Council, individual Elected Members, the CEO and all staff. Every decision made should be in alignment with the five governance principles and reflect best practice in governance.

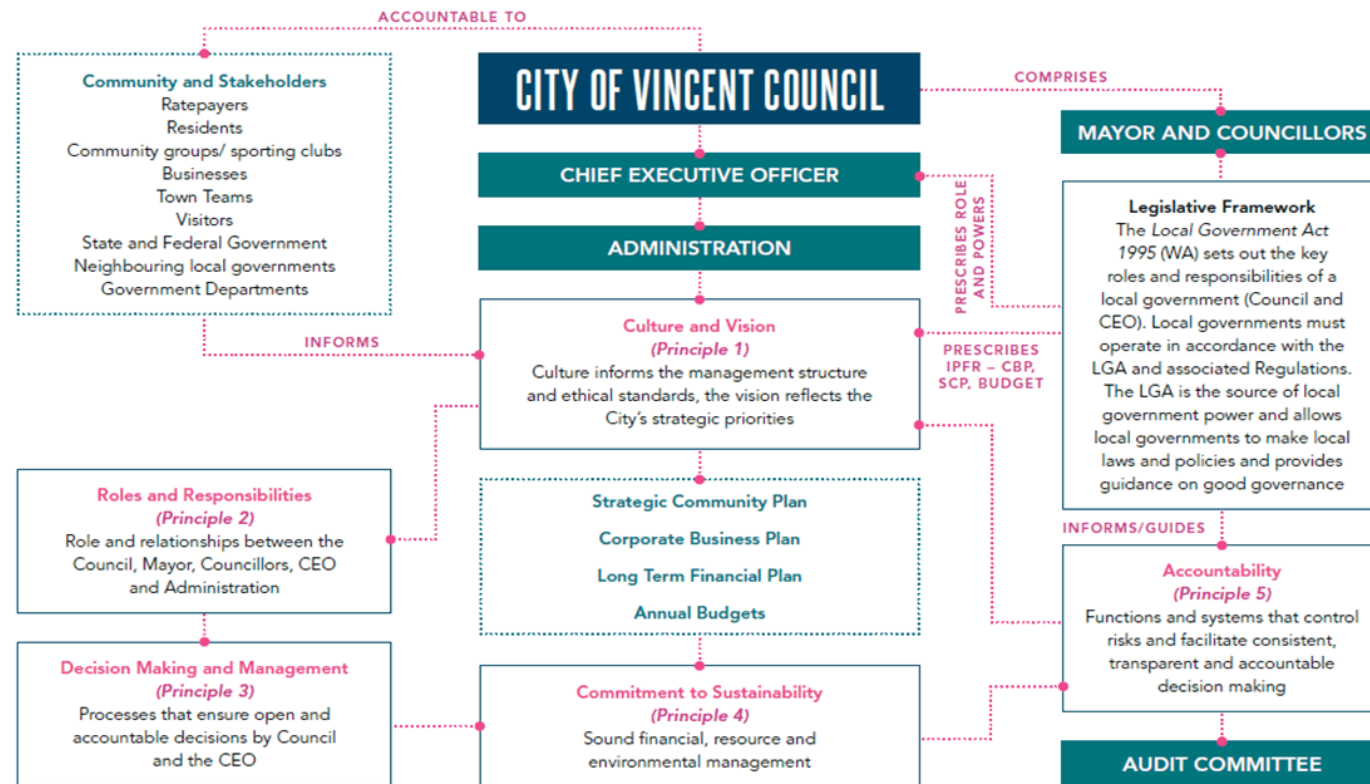
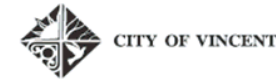
This Framework divides each principle into sub-categories. Each sub-category is defined in the context of good governance, and the sub-categories application to the City. The Governance Framework Overview below demonstrates the connection between the legislative framework all local governments must operate in accordance with, the role of the community in informing and holding the Council to account and the five governance principles.

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Governance Framework 2020



CITY OF VINCENT GOVERNANCE FRAMEWORK 2020 OVERVIEW



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Governance Framework 2020



Principle 1 – Culture and Vision

A positive culture and a clear and owned vision and accompanying strategies.

1.1 Culture

In October 2018 Council adopted a new ten-year Strategic Community plan with a vision to:

"In 2028, the City of Vincent is a leafy and vibrant 24-hour city, which is synonymous with quality design and sustainability. Its diverse population is supported in their innovative endeavours by a Council that says YES!"

The community wants us to be a Council and an organisation that is clever, creative and courageous; that is in tune with community appetites and expectations; open-minded and willing to push the boundaries and willing to think and act as an enabler rather than a traditional local government regulator.

As part of the implementation of the Strategic Community Plan, in December 2018, the Chief Executive Officer (CEO) conducted a staff consultation to update the City's organisational values reflecting the new Strategic Community Plan and a Team Vincent approach to building innovation and strategic thinking capabilities.

The corporate values chosen to guide a clever, creative and courageous organisation were: 'Engaging', 'Accountable', and 'Making a Difference'.

Engaging

Listening, understanding and communicating is the key to our success

Accountable

We work openly and transparently to earn our community's trust

Making a difference

Our work improves our community and the lives of our residents

Effective management structures and practices

The City's policy 'Organisational Structure and Designation of Senior Employees' prescribes the organisational structure of the City's Administration, including functional responsibilities and the allocation and management of resources.

The organisational objectives chart below sets out the key functions of the three directorates and the Office of the CEO.

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Governance Framework 2020



CITY OF VINCENT



CITY OF VINCENT

Organisational Structure and Objectives

CHIEF EXECUTIVE OFFICER

Office of the CEO:

Executive Management Services In 2028, the City of Vincent is a leafy and vibrant 24-hour city, which is synonymous with quality design and sustainability. Its diverse population is supported in their innovative endeavours by a Council that says YES!

Corporate Strategy & Governance To facilitate strategic, compliant and sustainable decision-making and outcomes.

Human Resources Attract, develop and retain talent. Create an environment where our people feel safe, are able to grow as individuals and professionals and create a culture that leads by example through our values and commitment to the City's priorities.

Information & Communication Technology: A workforce and community that is digitally enabled to be mobile, responsive, smart and safe

Strategy & Development Directorate

- **Policy & Place** plan high quality places for a connected community
- **Development & Design** create sensitively designed places that respect the character of our local areas.
- **Built Environment and Wellbeing** Working together as a team to monitor, investigate and ensure risks relating to building safety, amenity and public health are addressed; to promote an enhanced built environment and community wellbeing.

Infrastructure & Environment Directorate

- **Ranger Services** ensure a safe and accessible City for all.
- **Parks** Maintain and enhance our public open space to provide a sustainable green environment for the community.
- **Engineering** Build, enhance and maintain community infrastructure.
- **Waste** Delivery of the City's Waste Strategy Projects 2018-2023, with the vision of Zero Waste to Landfill by 2028

Community & Business Services Directorate

- Make **Beatty Park** a place where everyone can be physically active, connect and improve their wellbeing.
- **Community & Partnerships** Deliver the City's communication tools, messages and cultural and community outcomes.
- **Customer & Library Services** Build and strengthen community and connections
- **Financial Services** delivers value to the community through sound financial management and collaboration.

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Ethical standards and the Code of Conduct

In February 2021, the *Local Government (Administration) Amendment Regulations 2021*, *Local Government (Model Code of Conduct) Regulations 2021* (**Model Code Regulations**) and *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021* came into operation. The effect of these Regulations was to prescribe:

- (a) model standards for the recruitment, selection, performance and termination of local government CEOs;
- (b) a model code of conduct for Elected Members, committee members and candidates that sets the overarching principles to guide behaviour, specifies the standards of behaviour which reflect the principles and provides the rules of conduct that relate to the principles and behaviours; and
- (c) requirements that the CEO must include in a code of conduct for employees.

Following the enacting of the Regulations, Council adopted the:

1. Elected Member, Committee Member and Candidates Code of Conduct; and
2. Model Standard for CEO Recruitment, Performance and Termination (**CEO Standards**).

The conduct of Elected Members, committee members, the CEO, employees and contractors was previously governed by the City's Code of Conduct 2017 (**2017 Code**). The effect of the new Regulations is to require separate codes of conduct for employees, contractors and the CEO on one hand and Elected Members, committee members and candidates on the other.

A new Employee and Contractor Code of Conduct is being developed by Administration and (in accordance with the Employee Code Regulations) will be approved and implemented by the CEO.

Until such time the 2017 Code will still apply to employees and contractors and has been renamed the Code of Conduct for City of Vincent Employees and Contractors. This must be observed by the CEO, employees and contractors.

Together, these documents provide Elected Members, committee members, candidates (together **Nominated Members**), the CEO and Employees in the City of Vincent with guidelines for an acceptable minimum standard of professional conduct and behaviour in carrying out their functions and responsibility.

Rules of Conduct Regulations and the Standards Panel Model Code Regulations

The Model Code Regulations ~~*Local Government (Rules of Conduct) Regulations 2007*~~ provide minimum standards for ethical and professional conduct by Elected Members in relation to:

- standards of general behaviour;
- use of confidential information;
- securing personal advantage or advantaging/disadvantaging others;
- misuse of local government resources;
- prohibition against involvement with the organisation;
- relations with Employees; and
- disclosing interests that may affect impartiality.

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Nominated Members

Clause 8(2)(b) of the Elected Member, Committee Member and Candidates Code of Conduct (**Nominated Members Code**) (which incorporates the Model Code Regulations) requires all Nominated Members to comply with the City's policies, procedures and resolutions. The Nominated Members Code should, therefore, be read in conjunction with the provisions of the City's relevant policies and procedures, including the following:

- Meeting Procedures Local Law 2008;
- Council Members – Requests/Contact with City Employees Policy;
- Council Members – Allowances, Fees and Reimbursement of Expenses Policy; and
- Council Members Contact with Developers Policy.
- Elected Members Continuing Professional Development Policy
- Fraud and Corruption Prevention Policy
- Risk Management Policy

Behavioural breach

Clause 11 of the Nominated Members Code provides that a person may register a complaint if they believe that an Elected Member has breached the Behaviours Division of the Nominated Members Code. The complaint must be made:

- (a) in writing in the approved Complaint Form;
- (b) to the nominated Complaints Officer (the CEO); and
- (c) within one (1) month of the alleged breach occurring.

A Complaint is required to include the name and contact details of the Complainant therefore anonymous complaints cannot be accepted.

The City will take all reasonable steps to maintain confidentiality when dealing with the Complaint, in order to protect both the Complainant and Respondent.

Elected Members, employees and contractors who have a role in handling a specific complaint will be provided with sufficient information to fulfil their role. They must manage this information securely and must not disclose or inappropriately use this information.

Complainants will be advised of the level of confidentiality they can expect, and that breaches of confidentiality on their part may prejudice the progress of their Complaint.

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CEO Standards

The purpose of the CEO Standards is to ensure that the City selects a CEO in accordance with the principles of equity and transparency. Pursuant to the CEO Standards and the LGA:

- Council is required to identify and agree on the necessary qualifications and selection criteria required by a candidate to undertake the role and duties of the CEO;
- a selection panel, including one independent person (who is not an Elected Member), must be established to conduct the recruitment and selection process;
- the CEO's performance is reviewed at least once a year in accordance with performance criteria set and agreed upon in writing by the CEO and the Council; and
- where an incumbent CEO has held the position for a period of 10 or more consecutive years, a recruitment and selection process must be conducted on the expiry of the CEO's contract.

Policy No. 4.2.16 – CEO Annual Performance Review sets out the manner in which the CEO's annual performance review is to be conducted.

Comprehensive induction programs

As a result of changes to the LGA introduced by the Amendment Act, Elected Members are required to undertake mandatory training following their election. The mandatory training covers the following topics:

- Understanding local government;
- Serving on council;
- Meeting procedures;
- Conflicts of interest; and
- Understanding of financial reports and budgets

Further to the mandatory training, Elected Members are encouraged to continually improve their knowledge and expertise to enhance the quality of representation and promote well-informed decision-making. This can be achieved by participating in conferences, programs and training courses specifically designed for professional development relating to their role and responsibilities in local government.

The [Elected Members Continuing Professional Development Policy](#) provides guidance on the professional development of Elected Members.

The City maintains a [register](#) of the training and professional development completed by Elected Members and this is available on the City's [website](#). The register is reported to Council annually in accordance with section 5.127 of the LGA.

Employee Code of Conduct

The City's Code of Conduct (Code) Code of Conduct for City of Vincent Employees and Contractors (Employees and Contractors Code) provides Elected Members, the CEO, and all employees and contractors in of the City of Vincent with guidelines for an acceptable minimum standard of professional conduct and behaviour in carrying out their functions and responsibility.

The Employees and Contractors Code addresses, in a concise manner, the broader issue of ethical responsibility and encourages greater transparency and accountability in the City. It encourages a commitment to ethical and professional behaviour and outlines principles in which individual and collective responsibilities may be based.

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The Code is complementary to the principles in the LGA, which incorporate the following four fundamental aims:

- Better decision making by local governments;
- Greater community participation in the decisions and affairs of local governments;
- Greater accountability of local governments to their communities; and
- More efficient and effective local government.

~~In October 2019, the Local Government Legislation Amendment Act 2019 (Amendment Act) amended the LGA to introduce the requirement for a mandatory code of conduct for Elected Members, committee members and candidates, and model standards for CEO selection and recruitment, performance and termination.~~

~~These amendments are intended to ensure that standards of behaviour are consistent between local governments.~~

~~Parliament is scheduled to consider the accompanying regulations this year.~~

~~In accordance with the Amendment Act, the City is preparing a separate Code of Conduct for staff. Following the proclamation of the regulations, the City will present the model Code of Conduct for Elected Members, committee members and candidates to Council for adoption.~~

Fraud and Corruption

The City expects all Elected Members, Committee Members, Candidates, Employees and Contractors of the City to act in accordance with the applicable Codes and behave ethically and honestly at all times when performing their functions at the City.

The City has zero tolerance for corrupt conduct or fraudulent activities. The City is committed to preventing, deterring, detecting and investigating fraudulent and corrupt behaviour in the delivery of City services. Elected Members and Administration must not engage in practices that may constitute fraud or corruption.

In December 2020 the City prepared a Fraud and Corruption Prevention Plan (Plan) which supports Council's Fraud and Corruption Prevention Policy to provide a structured framework and approach to fraud and corruption prevention, detection, monitoring and reporting.

The Plan aligns with the Australian Standards for Fraud and Corruption Control (AS8001-2008), has been endorsed by the Executive Management Committee and will be reviewed by the Audit Committee annually.

The Plan is communicated to all staff via annual training and is available on the City's internal Intranet site. All new staff are also made aware of the Plan as part of their induction

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1.2 Vision

The City has identified the hierarchy of governing documents that drive the delivery of the community's long-term vision and sets the process by strategies, policies and action plans are developed and reviewed in consultation with the community.

The local government decision making hierarchy is on page 14 below.

Integrated planning and reporting framework

In October 2010, the LGA was amended to include a requirement for all local governments to follow an Integrated Planning and Reporting Framework (IPRF).

This IPRF aims to ensure integration of community priorities into strategic planning by local government Councils, as well as implementation of the objectives that have been set from these priorities.

The IPRF requires each local government to have three levels of integrated strategic planning, informed and supported by appropriate resourcing and asset management plans.

The key components of the IPRF are:

- Strategic Community Plan - Community vision, strategic direction, medium and longer term priorities and resourcing implications over 10+ years.
- Corporate Business Plan - Four-year delivery program, aligned to the SCP
- Long Term Financial Plan - Long term financial plan to deliver the SCP strategies and CBP actions.
- Asset Management Plans - Approach to managing assets to sustainably deliver chosen service levels.
- Workforce Plan - Shaping workforce to deliver organisational objectives now and in the future.
- Issue or Area Specific Plans & Strategies - Any other informing plans or strategies (eg ICT, recreation plans, youth plan, local area plans etc).
- Annual Budget - Financial statements, year 1 priorities and services.

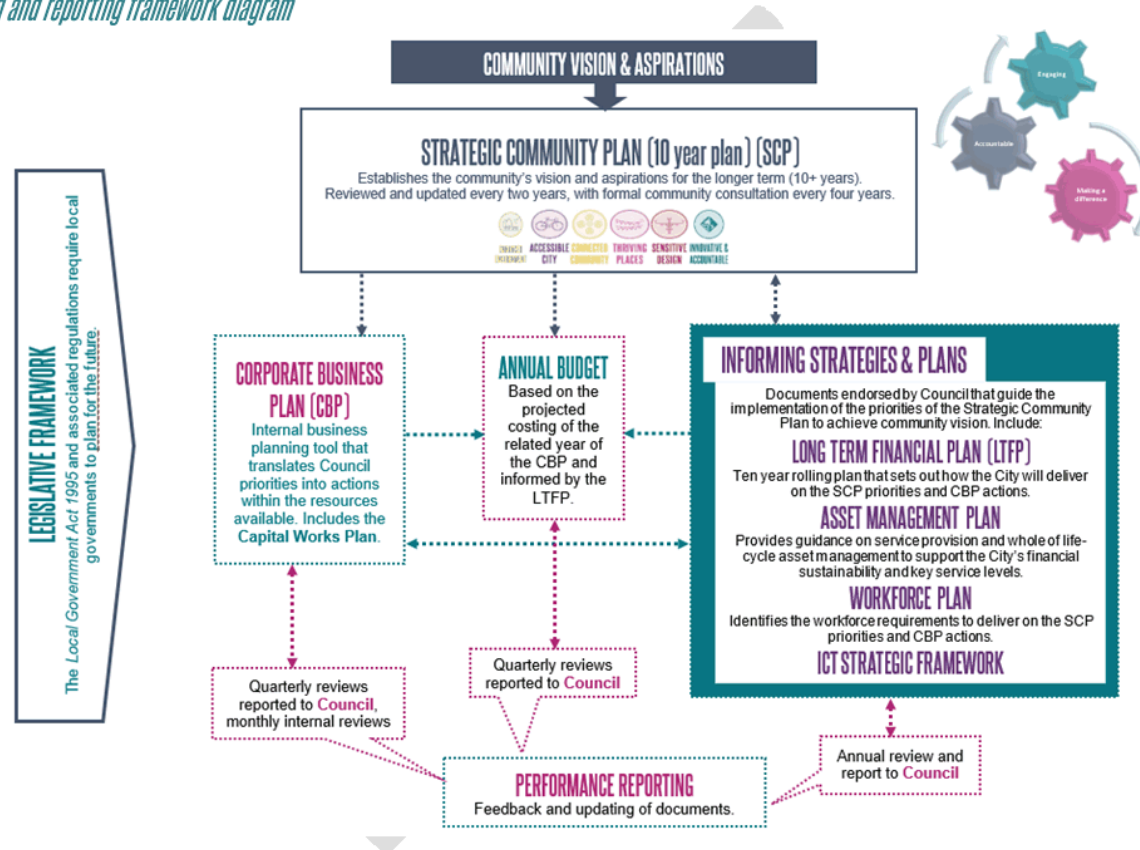
The Long Term Financial Plan, Asset Management Plans and Workforce Plan are referred to collectively as the "core" informing strategies. The diagram below shows the relationship between these information strategies, community input, the City's vision and reporting mechanisms.

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Governance Framework 2020



Integrated planning and reporting framework diagram



Governance Framework 2020



CITY OF VINCENT

Strategic Community Plan

Section 5.56 of the LGA requires every local government in Western Australia to 'plan for the future', which includes to develop a Strategic Community Plan (SCP).

Regulation 19C of the *Local Government (Administration) Regulations 1996* provides that the purpose of the SCP is to clearly define the local government's strategic priorities, actions and initiatives for the next ten years, with the SCP to be updated every four years following a review.

In October 2018, Council adopted a new SCP for 2018 - 2028, which established six priorities to guide the City in delivery a range of programs, project and services. The SCP drives the City's planning, budgeting, resource allocation and service delivery over the next decade, in order to focus efforts and align activities with the community's vision. The SCP is reviewed every two years by the City (desktop review followed by full review).

The SCP is the City's most significant guiding document and establishes the community's vision for Vincent's future.

The City's priority areas, as set out in the SCP, were determined through a robust community consultant process. The six priorities work in concert with each other and together guide the City to achieve the community's vision. The six areas are:

- **Enhanced Environment** - The natural environment contributes greatly to our inner-city community. We want to protect and enhance it, making best use of our natural resources for the benefit of current and future generations.
- **Accessible City** - We want to be a leader in making it safe, easy, environmentally friendly and enjoyable to get around Vincent.
- **Connected Community** - We are a diverse, welcoming and engaged community. We want to celebrate what makes us unique and connect with those around us to enhance our quality of life.
- **Thriving Places** - Our vibrant places and spaces are integral to our identity, economy and appeal. We want to create, enhance and promote great places and spaces for everyone to enjoy.
- **Sensitive Design** - Design that 'fits in' to our neighborhoods is important to us. We want to see unique, high quality developments that respect our character and identity and respond to specific local circumstances.
- **Innovative and Accountable** - The City of Vincent has a significant role to play in supporting our community to realise its vision. To achieve this, we will be an innovative, honest, engaged and responsible organisation that manages resources well, communicates effectively and takes our stewardship role seriously.

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CITY OF VINCENT

Corporate Business Plan

The purpose of the City's Corporate Business Plan (CBP) is to determine internal operational activities (service delivery, programs and projects) over a four-year period, which are developed to achieve the priorities in the SCP. It is a rolling four-year plan, updated annually, and informs the Long-Term Financial Plan (LTFP) and annual budget. Quarterly updates on the CBP are provided to Council.

Long Term Financial Plan

The ten-year Long-Term Financial Plan is the high-level strategic document that helps align our community aspirations, strategic intent and organisational capacity. It guides our approach to delivering infrastructure and services to the community and demonstrates our commitment to managing our operations in a responsible and sustainable manner.

The plan achieves this objective by projecting our financial position over a ten-year time horizon using a series of realistic, conservative financial assumptions.

This financial modelling provides the City with appropriate information to assess our capacity to maintain overall financial sustainability into the long term and, most importantly, ensure that we have in place the necessary funding arrangements to support proposed capital replacement programs and new capital projects.

The Long-Term Financial Plan is underpinned by the following principles:

- alignment with strategic aspirations
- responsible stewardship of community assets
- financial sustainability
- financial accountability
- prudence
- transparency

Annual Budget

The City's Annual Budget must be adopted by Council each year and should focus on the City's actions to be achieved in line with the CBP and SCP.

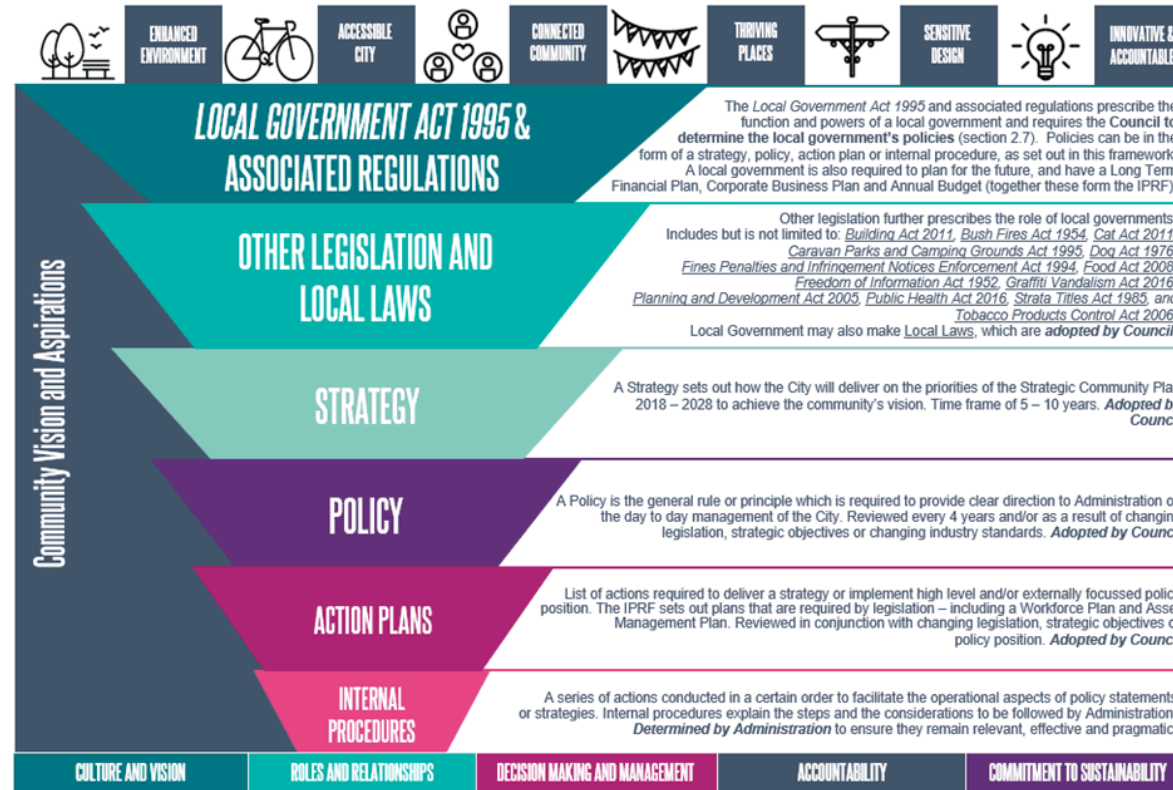
The Budget outlines operating expenditure (the money required to operate and maintain works and services, such as wages, maintenance and consumables) and capital expenditure (the money required to make capital improvements to items such as roads, buildings and plant and equipment).

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Local Government Decision Making Hierarchy



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CITY OF VINCENT

Principle 2 – Roles and Relationships

An acceptance of the different roles of the various elements of a local government and positive working relationships between these elements

There are five key roles within a local government:

1. the Council;
2. Elected Members;
3. Mayor;
4. the CEO; and
5. Administration.

The City's Council comprises nine Elected Members:

- Mayor - represents the entire district, elected at large;
- Elected Members – North Ward (4); and
- Elected Members – South Ward (4).

Elected Members are elected for a four-year term at elections held every two years, unless elected for a shorter term due to a vacancy created by the resignation or disqualification of an Elected Member during their term. There are no limitations on the maximum terms of office for Elected Members.

Effective relationships between Elected Members, the Mayor, the Council as a whole, the CEO and Administration is critical to the achievement of excellence in governance.

Council is responsible for strategy and policy. This includes the strategic planning mechanisms to ensure the continued sustainability of the organisation, the setting of strategic goals for the organisation and the monitoring of the City's performance against these strategic goals.

Council is not responsible for the day-to-day operation of the local government. All operational matters are the responsibility of the CEO.

Elected Members and employees must understand their different roles and accept the role they play in achieving the City's corporate goals and implementation of the City's strategies. This understanding is essential for the City to operate effectively and underpins good governance at the City.

The LGA sets out the roles and responsibilities of the Council, the Mayor, the Elected Members, the CEO and Administration.

Role of Council

In accordance with section 2.7 of the LGA the role of Council is to:

- Govern the City's affairs;
- Be responsible for the performance of the City's functions;
- Oversee the allocation of the City's finances and resources; and
- Determine the City's policies.

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Role and responsibilities of the Mayor

In accordance with section 2.8 of the LGA the role of the Mayor is to:

- Preside at meetings in accordance with the LGA;
- Provide leadership and guidance to the community in the district;
- Carry out civic and ceremonial duties on behalf of the City;
- Speak on behalf of the City;
- Perform such other functions in accordance with the Act or any other written law; and
- Liaise with the CEO on the City's affairs and the performance of its functions.

The relationship between the Mayor and Elected Members

The CPA Australian publication 2007 sets out the relationship as follows:

"An effective relationship between the Mayor and other Elected Members (Councillors) will help to promote the successful delivery of the Council's strategic plan and create a credible local government. The relationship needs to be based on mutual respect and understanding by all Elected Members of the role of the Mayor and their own role and responsibilities as Councillors. The Mayor does not have any legal power to exert authority over the Councillors, apart from her role as presiding member at Council Meetings.

Some important aspects of the relationship between the Mayor and Councillors are as follows:

- *The Mayor is the leader of the Council;*
- *The Mayor should facilitate an inclusive approach to decision-making and involvement in Council activities;*
- *The Mayor can assist Elected Members to get their issues considered by the Council;*
- *The Mayor should take some responsibility for Elected Member training and development and should work with the CEO to ensure that Elected Members receive necessary training opportunities.*

The Mayor should be responsible for facilitating the resolution of any disputes between Elected Members"

The relationship between the Mayor and the CEO

The CPA Australian publication 2007 sets out the relationship as follows:

"This important relationship assists in the smooth running of the local government through good communication and anticipation of issues. It should be outward looking. That is, it should be focused on ways in which Elected Members and the organisation can be supported to best achieve the Council's goals.

Some features of an effective relationship are as follows:

- *Both parties work closely together and put energy into achieving a good working relationship;*
- *The relationship is characterised by consistency, openness and good communication;*
- *Each has the responsibility to keep the other informed about important and relevant issues;*
- *Open communication ensures that both parties understand what is important.*
- *Both parties understand that they have different roles and authorities. While the Mayor is the leader of the local government, this position has limited specific authority while the CEO has particular authorities under the Local Government Act;*

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- *The relationship between the Mayor and the CEO promotes involvement and inclusion amongst the councillors and the administration. It does not seek to concentrate power in the relationship.*
- *There is consistent communication and regular meetings.*

Role and responsibilities of the Deputy Mayor

The role of the Deputy Mayor is to perform the functions of the Mayor when authorised to do so under section 5.34. This includes when the role of Mayor is vacant or when the Mayor is not available or unwilling or unable to perform her duties.

Roles and responsibilities of Elected Members

In accordance with section 2.10 of the LGA, the role of an Elected Member is to:

- Represent the interests of electors, ratepayers and residents of the district;
- Provide leadership and guidance to the community in the district;
- Facilitate communication between the community and the Council;
- Participate in the City's decision-making process; and
- Perform such other functions as prescribed in the Act or any other written law.

Elected Member accessibility

Elected Members must ensure that they make themselves accessible to the City's community through publication of a minimum set of contact details on the City's website as follows:

- postal address – personal or care of the City's address or a PO Box;
- telephone number – business, home or mobile number; and
- email address – personal, business or City email address.

Appointment to external boards, committees etc.

Elected Members representing the City at external organisations, boards, committees and working groups are to ensure that they clearly understand the basis of their appointment. They must:

- always act as a spokesperson for the City and in the City's best interests;
- provide regular reports on the activities of the organisation in accordance with the confidentiality requirements of that organisation; and
- represent the City's interests on all matters relating to that organisation while maintaining the confidentiality requirements of the City.

Relationship between Elected Members and Administration

Elected Members are entitled to be fully informed in order to carry out their role as a decision maker and may seek specific information on various issues before Council.

Elected Members can not undertake administrative tasks, as set out in regulation 9 of the Local Government (Rules of Conduct) Regulations 2007 clause 19 and 20 of the Nominated Members Code and Model Code Regulations.

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19. Prohibition against involvement in administration

- (1) A council member must not undertake a task that contributes to the administration of the local government unless authorised by the local government or the CEO to undertake that task
- (2) Subclause (1) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.

20. Relationship with local government employees

- (1) In this clause — local government employee means a person —
 - (a) employed by a local government under section 5.36(1) of the Act; or
 - (b) engaged by a local government under a contract for services.
- (2) A council member or candidate must not —
 - (a) direct or attempt to direct a local government employee to do or not to do anything in their capacity as a local government employee; or
 - (b) attempt to influence, by means of a threat or the promise of a reward, the conduct of a local government employee in their capacity as a local government employee; or
 - (c) act in an abusive or threatening manner towards a local government employee.
- (3) Subclause (2)(a) does not apply to anything that a council member does as part of the deliberations at a council or committee meeting.
- (4) If a council member or candidate, in their capacity as a council member or candidate, is attending a council or committee meeting or other organised event (for example, a briefing or workshop), the council member or candidate must not orally, in writing or by any other means —
 - (a) make a statement that a local government employee is incompetent or dishonest; or
 - (b) use an offensive or objectionable expression when referring to a local government employee.
- (5) Subclause (4)(a) does not apply to conduct that is unlawful under The Criminal Code Chapter XXXV.

The procedure for Elected Member requests for information from Administration is addressed in the City's [Policy 4.2.5 'Council Members – Requests/Contact with City employees'](#).

Role and responsibilities of the Chief Executive Officer

In accordance with section 5.41, the functions of the CEO are to:

- Advise the Council in relation to the functions of a local government under the LGA and other written laws;
- Ensure that advice and information is available to the Council so that informed decisions can be made;
- Cause Council decisions to be implemented;
- Manage day to day operations of the local government;
- Liaise with the Mayor or president on the local government's affairs and the performance of the local government's functions;
- Speak on behalf of the local government if the Mayor or President agrees;

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- Be responsible for the employment, management supervision, direction and dismissal of other senior employees (subject to section 5.37(2));
- Ensure that records and documents of the local government are properly kept for the purposes of the Act and any other written law; and
- Perform any other function specified or delegated by the local government or imposed under the Act or any other written law as a function to be performed by the CEO.

Principle 3 – Decision-making and management

Effective decision-making and related management processes that reflect transparency and accountability

Decision making forums and processes

Decision-making is the most important activity undertaken by the City, both by Elected Members and by Administration. Effective decision-making processes increase the likelihood that the decisions themselves will be in the best interest of the entire community. Good processes will ensure confidence in decision making by all Elected Members as well as the public.

Part 5 of the LGA sets out the framework whereby Elected Members meet as the governing body (Council) for the purpose of decision-making on behalf of the local government.

It is an intention of the Act that Council conducts business and makes decisions:

- openly and transparently
- with a high level of accountability to their community
- efficiently and effectively
- with due probity and integrity
- acknowledging relevant community input
- with all available information and professional advice
- with the fullest possible participation of elected members

Decisions made at meetings are recorded in the form of resolutions, which are binding on the Council until they are formally amended or repealed. Resolutions, once recorded, take effect immediately.

To facilitate transparent and accountable decision-making Elected Members and Administration are encouraged to operate in the following manner:

- Administration will endeavour to respond to any queries or requests for information from Elected Members as a priority so that Elected Members have the required information to fulfil their role and make decisions.
- Elected Members will endeavour to provide complex questions or large requests for information to Administration in advance of a Committee or Council Meeting, particularly if a detailed response is required or if it relates to a possible amendment or alternative recommendation, so that Administration has sufficient time to provide a sufficiently detailed response.

This reciprocal arrangement assists Council in fulfilling its roles and responsibilities on behalf of the community.

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Council meeting schedule

The City has adopted a monthly meeting cycle which consists of a Council Briefing, which is an opportunity for questions to be asked by Elected Members, followed by a Council Meeting. The cycle is as follows:

- second Tuesday of the month: Council Briefing; and
- third Tuesday of the month: Ordinary Council Meeting.

The February Briefing and Meeting have been brought forward one week to reduce the extent of the December / January recess period. The April and July Briefings and Meetings have also been adjusted to avoid Briefings and Meetings being held during school holidays.

The full schedule is available on the [City's website](#).

Special Meetings can be called by the Mayor, three members of Council or the Council as a whole, as set out in section 5.3 of the Act. Special Meetings of Council can be convened if an urgent matter arises which requires decision prior to the next scheduled Meeting.

Council can also delegate additional powers to the CEO over the Council recess period (between the December and February Meetings), subject to section 5.43 of the LGA (which sets out restrictions on powers and duties that can be delegated) in order to ensure the essential operations of the City can continue.

Council Workshops

Council Workshops provide an opportunity for informal discussion between Elected Members and Administration. The purpose of Council Workshops is to engage and update Elected Members on:

- Corporate Business Plan and CEO KPI Items;
- Emerging Issues;
- Council Strategy and Policy Development; and
- Major Community Engagement Activities.

Council Workshops are not decision-making forums and are not governed by the LGA or the City's *Meeting Procedures Local Law 2008*.

Council Workshops will generally involve projects or matters that are in the early planning stages and not yet ready to be presented to Council for decision.

During Council Workshops:

- the Chief Executive Officer seeks input from Elected Members that are in the research and concept stage, to allow the drafting and formalisation of the concepts to progress;
- Elected Members are fully informed on matters to enable decisions to be made in the best interests of the community; and
- Elected Members represent the views of the community in matters.

The input of Elected Members through open and free-flowing exchange of ideas provides invaluable direction to the Chief Executive Officer for the research, planning and development of matters.

Elected Members must not indicate their voting intention at Council Workshops.

Council Workshops are not open to the public but where relevant and in consultation with Elected Members, external consultants, representatives of community organisations and community members may be invited to attend.

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Council Briefings

Council Briefings are held at 6pm in the Council Chamber on the Tuesday of the week prior to the Ordinary Council Meeting. Council Briefings provide the opportunity for Elected Members and members of the public to ask questions and clarify issues relevant to the specific agenda items due to be presented and discussed at the forthcoming Council Meeting.

No decisions are made at Council Briefings. Elected Members may request additional information or may request alternative wording for motions to be prepared for possible consideration at the forthcoming Council Meeting.

Council Briefing Agendas are published on the City's website on or before the Wednesday of the week before the Council Briefing.

Council Briefings are open to the members of the public and also live streamed, with the recording available on the City's website.

Council Meetings

The Council Meeting is Council's only debating and decision-making forum. Council Meetings are conducted in strict compliance with the requirements of the LGA, its regulations and the City's Meeting Procedures Local Law.

Good decision-making at a Council Meeting is achieved by:

- a clear and informative agenda,
- good chairing and facilitation by the Presiding Member;
- adherence to the meeting procedures; and
- adherence to statutory requirements.

Council Meeting Agendas are published on the City's website on or before the Friday of the week before the Council Meeting.

The City's Council Meetings are open to the public, which ensures that the community is fully informed and, where appropriate, involved in the decisions and affairs of Council. Elected Members, the CEO and Executive Directors attend all Council meetings. Council meetings are live streamed, with the recording available on the City's website.

Community participation in the decision-making process

The City's Policy 4.1.05 Community Consultation currently prescribes the community consultation process that is undertaken to engage the community in the City's decision making process. The policy guides how the City speaks with and listens to the community. The policy is proposed to be replaced with a Community Engagement Charter.

Community and expert advice is also sought in the following ways:

- Reconciliation Action Plan Working Group – this working group is a requirement of the City's Reconciliation Action Plan (RAP) and is a key stakeholder in the delivery of the City's RAP.
- Community members (panel) – comprises of a cross section of the City's community, their feedback was used to inform the City's SCP adopted in 2018 (Imagine Vincent campaign);
- Design Review Panel – comprises of paid independent experts who provide technical advice to Administration on development design, including the amenity, architecture, landscaping and sustainability. Administration can refer developments to the panel for comment, and the recommendations of the panel are considered by Administration or Council when making a determination on the development approval.

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- Advisory Groups – since 1995 the City has had a number of groups comprising of community members and Elected Members. The groups operate in accordance with the City's Policy - 'Advisory Groups' Policy No. 4.2.12.

Agenda and Minutes

Agenda

It is a requirement of the LGA that the CEO provides 72 hours' notice of the date, time and place of an Ordinary Meeting of Council, and provides an agenda for the meeting. The City circulates the agenda for the Council Briefing on the Wednesday prior to the Briefing, and on the Friday prior to the Meeting.

Well-structured agendas lead to efficient and effective Council Briefings and Meetings, and in turn result in good decision-making.

The City's agendas comprise of reports prepared by Administration, which aim to provide the Council with sufficient and relevant information to make a decision, including the SCP alignment and budget implications.

Reports include the following information:

- Recommendation – Clearly states the action that Administration is proposing.
- Purpose of Report - Explains why the report is being prepared and what is requested from Council.
- Background – Provides the necessary background information for Council to understand the context / reason for the report.
- Details –Provides sufficient context and detail to enable a full understanding of the issue and why the recommendation is being proposed.
- Consultation/Advertising- Specifically identifies future consultation, engagement or advertising requirements. If consultation has occurred previously this should be included in the Details section and should identify who has been consulted including dates, methods, and number of responses.
- Legal/Policy – Specifies any Acts, Regulations, Local Laws and Policies that are relevant to the decision.
- Risk Management Implications –A low, medium or high-risk rating is assigned to the proposed recommendation. The risk of not making the recommended decision can also be included.
- Strategic Implications – Shows that the proposed decision is aligned with one or more priorities in the SCP.
- Sustainability Implications – Shows that the proposed decision is aligned with objectives in the City's Sustainable Environment Strategy.
- Public Health Plan Implications – Identify whether the proposed decision is aligned with one of the priority health outcomes in the City's Public Health Plan.
- Financial/Budget implications –identifies the financial impacts of the proposed decision and alignment with or impact on the LTFP.
- Comments – Allows any further comments to be included, as required to provide Council with all the information necessary to make a decision.

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Late reports

Late reports are strongly discouraged however there may be occasions when additional items are required to be presented to Council following the publishing of the Briefing or Meeting agenda. In these instances, Administration will endeavour to publish these reports as soon as possible following the publishing of the agenda, to enable sufficient time for Elected Members and the community to consider the item.

The City's Meeting Procedures Policy prescribes the circumstances that may permit the publication of a late report and includes a requirement for justification and consideration of the impact that late publication may have on community engagement.

Minutes

Regulation 13 of the *Local Government Administration Regulations 1996* prescribes that unconfirmed minutes of each Council meeting are to be available to the public within 10 business days after the meeting.

The minutes of a Council Meeting comprise of all items considered at the meeting and include attendances, all motions, their movers, seconders, and the results of the motions.

In the interests of accountability and transparency, the City circulates the minutes on the Friday following the Meeting. If for any reason the Minutes are not available for circulation by the Friday, an explanation is provided on the website.

The minutes are confirmed at the first Council Meeting immediately thereafter.

Meeting procedures

Council have adopted a [Meeting Procedures Local Law](#) that sets out the conduct, process and protocols of Council meetings and Briefings. The Meeting Procedures Local Law is required to be reviewed every 8 years.

Council have also adopted a [Meeting Procedures Policy](#) which provides high level clarification on the conduct of Council Meetings and Briefings, where not addressed in the Meeting Procedures Local Law. The policy is supported by the [Council Briefings Guidelines](#) and [Electronic Council Proceedings Guidelines](#) which are publicly available and linked within the Policy.

Decisions on land use planning and development

Development and land use proposals on properties may be required to be assessed and approved via a Development Application pursuant to the City's Local Planning Scheme No. 2. Depending on the type and scale of the development, the development determination will be made by Council, Administration or the Metropolitan West Joint Development Assessment Panel (JDAP). The Town of Cambridge, Town of Claremont, Town of Cottesloe, Town of Mosman Park, City of Nedlands, Shire of Peppermint Grove and City of Subiaco are part of the JDAP.

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Conflict of interest

Elected Members, CEO's and employees must make decisions in the best interests of their community. To do this, they must consider each issue on its merits.

A conflict of interest occurs when a person's position within the City of Vincent, or their financial or other personal interests, affect, have the potential to affect, or could have the appearance of affecting, their judgement, objectivity or independence.

Decision-making could be influenced, or perceived to be influenced, in a number of ways, including through financial relationships, personal relationships and the receipt of gifts. Conflicts of interests may arise from a number of sources, including friends, relatives, close associates, financial investments, business interests or dealings or past employment.

The LGA and related party declaration requirements of the Australian Accounting Standard set out requirements for Elected Members, CEOs and local government employees to disclose interests to ensure transparency and accountability in decision-making.

Elected Members, the CEO and employees must declare any actual or perceived conflict of interest between their personal interests and the impartial fulfilment of their professional duties in accordance with the requirements outlined below.

Disclosure of interests affecting impartiality

An impartiality interest does not apply to an interest referred to in section 5.60 of the LGA – i.e. it does not include financial or proximity interests.

Elected Members

In accordance with clause 22 of the Nominated Members Code, an Elected Member who has an impartiality interest in any matter to be discussed at a council or committee meeting attended by the Elected Member must disclose the nature of the interest:

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

Employees and contractors

In accordance with the Employee Code of Conduct and the Administration Regulations, Employees who have an impartiality interest in a matter must disclose that interest:

1. where they are attending the council or committee meeting at which the matter is being discussed; or
2. if they have given, or will give, advice in respect to the matter at a council or committee meeting not attended by the Employee.

In the first instance, the interest must be disclosed in writing to the CEO before the meeting or at the meeting immediately before the matter is discussed. In the second instance, the interest must be disclosed in writing to the CEO before the meeting or at the time the advice is given by the Employee.

An impartiality interest is defined in Regulation 34C of the Local Government (Administration) Regulations 1996 and Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007.

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~~11. Disclosure of interest~~

- ~~1. In this regulation – interest means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.~~
- ~~2. A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose the nature of the interest –
a. in a written notice given to the CEO before the meeting; or
b. at the meeting immediately before the matter is discussed.~~
- ~~3. Subregulation (2) does not apply to an interest referred to in section 5.60 of the Act.~~
- ~~4. Subregulation (2) does not apply if –
a. a person who is a council member fails to disclose an interest because the person did not know he or she had an interest in the matter; or
b. a person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.~~

~~Elected Members and employees (including persons under contract) are required to disclose interests affecting impartiality and must disclose the nature of the interest in a written notice given to the CEO before the meeting; or at the meeting immediately before the meeting is discussed.~~

~~Disclosure of interests of employees~~

~~Similar to Elected Members it is a requirement of the LGA that employees disclose any interest in any matter when providing advice or reporting directly to Council.~~

~~In accordance with section 5.70 of the LGA;~~

~~"An employee who has an interest in any matter in respect of which the employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when giving the advice or report."~~

~~Such interest is to be disclosed in writing to the CEO before the meeting.~~

~~The City's Code of Conduct also requires an employee to disclose any interests, where the interest could, or could reasonably be perceived to, affect the impartiality of the employee having the interests and includes an interests arising from kinship, friendship or membership of an association. In some situations, this may require the employee to disqualify themselves from dealing with a particular matter.~~

~~The City maintains a register of staff conflicts of interest, and any staff disclosing a conflict of interest that cannot be appropriately managed will be removed from the decision-making process.~~

Financial and Proximity Interests

Elected Members and employees must comply with the laws governing financial interests, including the disclosure of financial interests, set out in the LGA. Sections 5.59-5.90 of the LGA establish the requirements for disclosure by Elected Members and employees and contractors of financial interests (including proximity interests).

The onus is on Elected Members, employees and contractors to identify possible financial interests (including proximity interests and non-financial interests), to determine whether an interest exists and whether any statutory exemption applies.

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The statutory definition of a financial interest is set out in section 5.60A of the *Local Government Act 1995* as follows:

5.60A. Financial interest

For the purposes of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

Proximity

The LGA requires you to disclose a proximity interest that you, or a person with whom you are closely associated, has in a matter before Council or a Committee.

A proximity interest arises if:

- a proposed change to a planning scheme affects land that adjoins your land;
- a proposed change to the zoning or use of land that adjoins your land; or
- a proposed development of land that adjoins your land (development refers to the development, maintenance or management of the land or of services or facilities on the land).

The existence of a proximity interest is established purely by the location of land. A financial effect on the valuation of your land or on the profitability of your business does not have to be established. It is therefore important that you fully understand when a proximity interest exists.

The person's land referred to is both land in which you, or a person with whom you are closely associated, has any estate or interest.

Land that adjoins a person's land is defined by the LGA as land that:

- not being a thoroughfare, has a common boundary with the person's land;
- is directly across a thoroughfare from the person's land; or
- is that part of a thoroughfare that has a common boundary with the person's land.

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The statutory definition of a proximity interest is set out in section 5.60B of the *Local Government Act 1995* as follows:

5.60B. Proximity interest

- (1) For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns —
 - (a) a proposed change to a planning scheme affecting land that adjoins the person's land; or
 - (b) a proposed change to the zoning or use of land that adjoins the person's land; or
 - (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.
- (2) In this section, land (the proposal land) adjoins a person's land if —
 - (a) the proposal land, not being a thoroughfare, has a common boundary with the person's land; or
 - (b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - (c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
- (3) In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

Related Party Disclosures

In July 2016 the scope of the Australian Accounting Standard (AASB) 124 Related Party Disclosures (Standard) was extended to local governments. The Standard requires key management personnel (Elected Members and Directors) to disclose information about transactions that have occurred between the local government and its key management personnel or their related parties.

At the end of each respective financial year, key management personnel must disclose information about transactions that have occurred between themselves, or their related parties, and the City. Examples of "related parties" include close family members (typically spouse and any dependents), companies and trusts under their control.

The City is committed to complying with the disclosure requirements for related party transactions under the Australian Accounting Standards. Disclosure of relevant related party information provides greater transparency and identifies potential conflicts of interest.

Primary and Annual Returns

Elected Members and 'designated employees' are required to complete primary and annual returns in accordance with the requirements of Division 6 of Part 5 of the LGA. Primary and Annual outline financial interests, including property ownership. These interests could give rise to a conflict of interest.

Section 5.75 of the LGA requires Elected Members and 'designated employees' to complete a Primary Return within three months of commencing in their role.

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A primary return is a snapshot of personal financial information as it exists at the time of commencement.

At the end of each respective financial year, Elected Members and 'designated employees' must complete an Annual Return, which discloses any changes to the information previously disclosed in their Primary Return or new interests that have accumulated since completing their Primary Return or last Annual Return.

Primary Returns and Annual Returns assist with the decision-making process as they highlight an individual's interests at a particular point in time, thereby clarifying whether a conflict of interest may arise.

A relevant person is defined under section 5.74 of the *Local Government Act 1995* as a person who is a:

- Mayor or president
- Council member, and
- designated employee.

Designated employees include:

- CEO,
- employees with delegated powers and duties under Part 5, Division 4 of the Act,
- employees who are members of committees comprising elected members and employees, and
- other employees nominated by the local government.

Gifts

It is the City's position that Elected Members, the CEO and employees should not seek or accept (either directly or indirectly) any immediate or future gift (including any financial benefit, reward, donation or hospitality) for themselves, or for any other person or body, as a result of their role with the City.

However, it is acknowledged that there may be instances when receiving a gift is unavoidable or when refusal of a gift may be ~~inappropriate impossible or impractical~~. These circumstances will depend on the cultural context of the giving of a gift, the nature of the gift (perishable food or beverages or of no monetary value) and the relationship with the person giving the gift. In such a circumstance the gift may be accepted on behalf of the City but should be disclosed in accordance with the requirements outlined below.

Elected Member gifts

It is the City's position that any gift received (and not able to be returned) by an Elected Member and **valued above \$50** is to be disclosed and included in the City's [Register of Gifts](#). This requirement goes beyond the legislative requirement, which requires disclosure of gifts above \$300 only.

The Department of Local Government, Sport and Cultural Industries has prepared the frameworks shown at attachments A, B, and C to assist Elected Members and CEO's in disclosing gifts.

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In accordance with the LGA, Elected Members (section 5.87A) and CEOs (section 5.87B) are required to disclose gifts that are received in their capacity as an Elected Member or CEO and:

- are valued over \$300; or
- are of a cumulative value that exceeds \$300 where the gifts are received from the same donor in a 12-month period.

Additionally, a gift given by two or more related bodies corporate (as defined by section 50 of the *Corporations Act 2001* (Cth)) is considered to have been given by a single corporation.

The City current and previous register of gifts are publicly available on the City's [website](#).

These provisions recognise that a relationship is created between the donor and a recipient of a gift that could be perceived to affect decision-making. The reason for the receipt of the gift is irrelevant. This means that if the gift is received in an Elected Member or CEO's personal capacity it still needs to be disclosed in accordance with the LGA requirements (there are a number of exemptions, which relate to gifts from family members.)

The primary consideration is whether there is a matter before Council that the donor could benefit or suffer detriment as a result of.

Elected Members should not participate in any part of the Meeting that involves the donor (section 5.67). Elected Members must disclose the interest, in accordance with section 5.65, in writing to the CEO before the Meeting or immediately before the matter is discussed.

The CEO is also bound by these requirements and must not be involved in the preparation of the report to Council, either directly or indirectly (section 5.71A).

The statutory definition of a gift is set out in section 5.57 of the *Local Government Act 1995* as follows:

5.57. Terms used

In this Division, unless the contrary intention appears —
gift means —

- (a) a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or
- (b) a travel contribution; *travel* includes accommodation incidental to a journey; *travel contribution* means a financial or other contribution made by 1 person to travel undertaken by another person.

Employee gifts

Employees are prohibited from accepting certain gifts as follows:

- a gift from a contractor, supplier, developer or applicant;
- a gift with a value of \$300 or more; or
- a number of gifts from the same person/company equating to a value of \$300 or more over a 6-month period.

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It is the City's position that any gift received (that is not a prohibited gift as outlined above and is not able to be returned) it must be disclosed using the City's Gift Disclosure Form within 10 days of acceptance. The reason for the acceptance of the gift needs to be noted in the gift disclosure form.

Gifts accepted will be recorded on the City's internal Gift Register. Gifts with a value over \$50 will also be included in a public version of the register which is accessible on the City's website.

CEO gifts

It is the City's position that any gift received (and not able to be returned) by the CEO is to be disclosed and using the City's Gift Disclosure Form within 10 days of acceptance. The reason for the acceptance of the gift needs to be noted in the gift disclosure form.

Gifts accepted will be recorded on the City's internal Gift Register. Gifts with a value over \$50 will also be included in a public version of the register which is accessible on the City's website.

The CEO must not be involved in the preparation of a report to Council, either directly or indirectly, if in receipt of a gift in relation to that advice or report (s 5.71A of the LGA):

5.71 CEOs to disclose interests relating to gifts in connection with advice or reports

- (1) A CEO who has an interest relating to a gift in a matter in respect of which the CEO proposes to provide advice or a report, directly or indirectly, to the council or a committee must disclose the nature of the interest in a written notice given to the council.
- (2) A CEO who makes a disclosure under subsection (1) must not provide the advice or report unless the CEO is allowed to do so under section 5.71B(2) or (6).
- (3) A CEO who has an interest relating to a gift in a matter in respect of which another employee is providing advice or a report directly to the council or a committee must disclose the nature of the interest when the advice or report is provided.

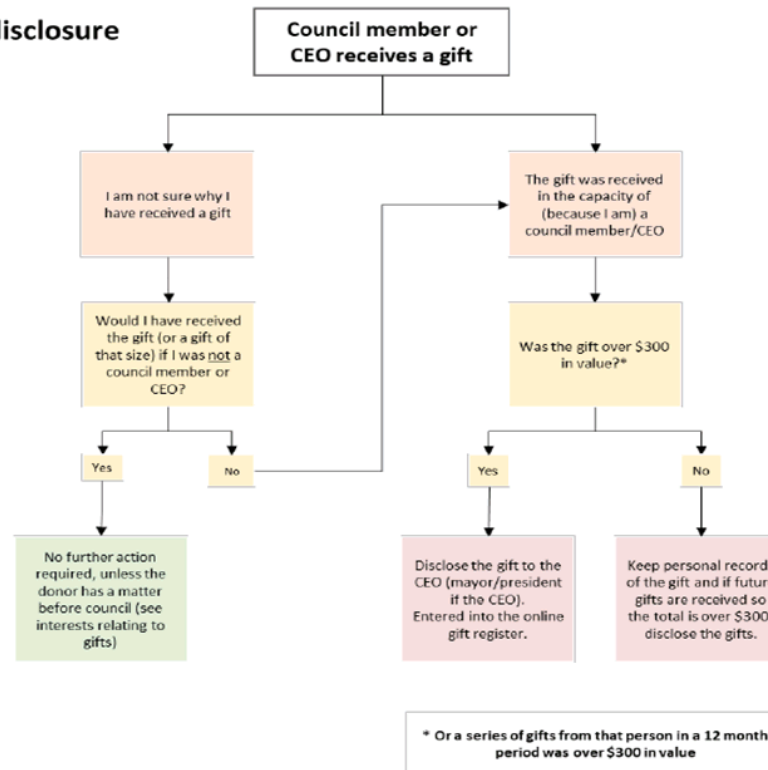
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Attachment A - Gift reporting framework under the Local Government Act 1995.

Gift framework - disclosure



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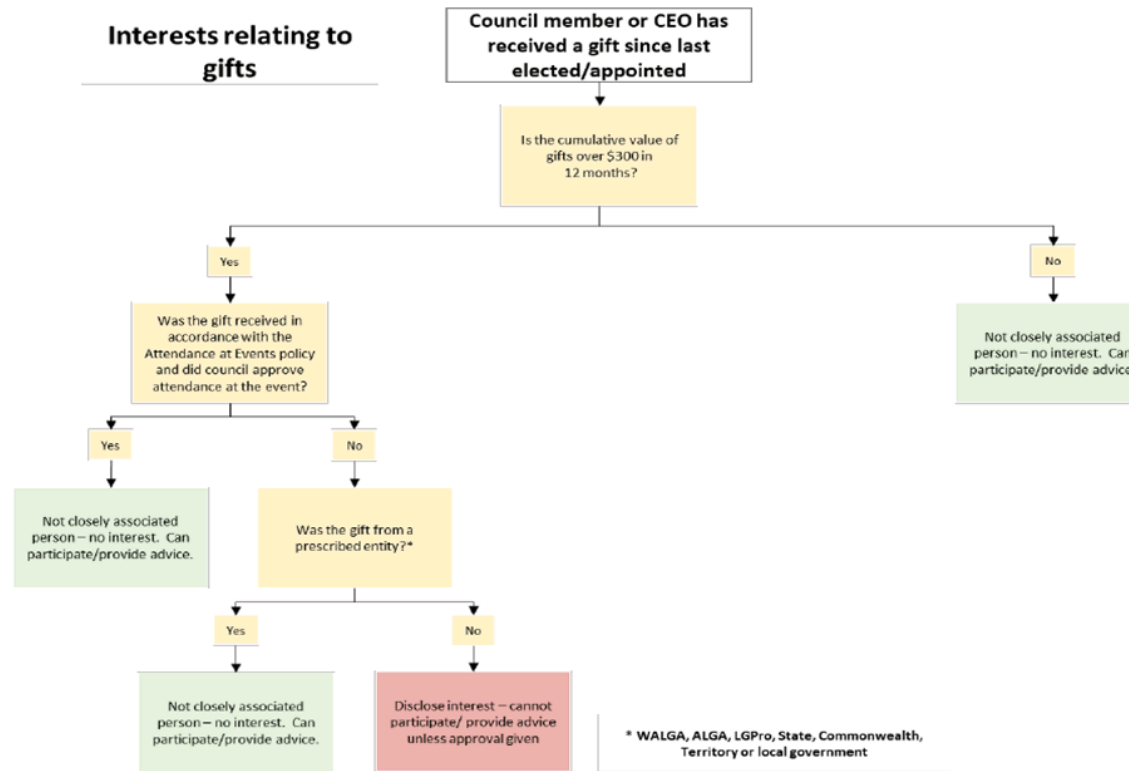


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Attachment B - Interests relating to gifts under the Local Government Act 1995.



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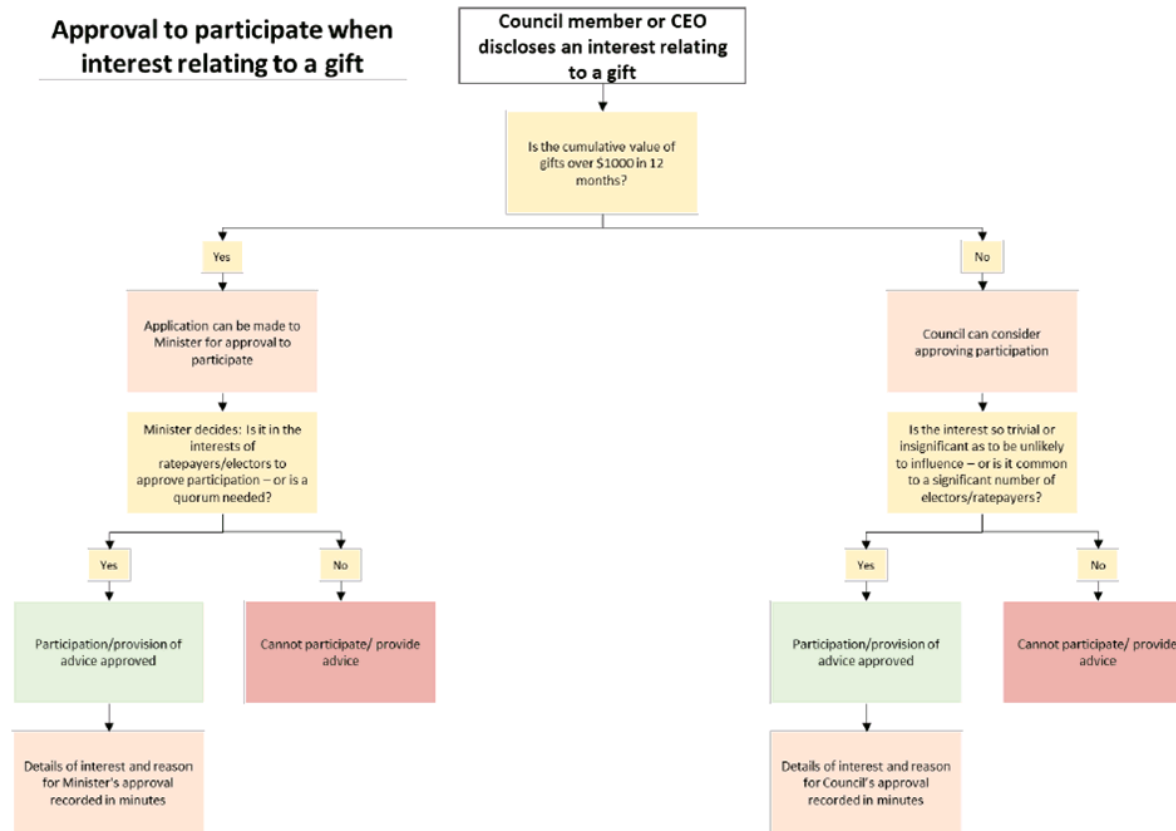
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Attachment C - Approval to participate when there is an interest under the Local Government Act 1995.

Approval to participate when interest relating to a gift



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Contact with developers

Contact with developers is a normal and necessary function of the role of an Elected Member. However, the nature and frequency of that contact can sometimes lead to allegations or perceptions of bias, influence or even corruption being made towards Elected Members. Ensuring that decision-making processes are open and transparent reduces the opportunities for such allegations or perceptions to be raised.

Elected Members are to record any prescribed contact they have with developers on the City's "Contact with Developers Register" in accordance with the City's [Council Member Contact with Developers Policy](#).

The [Council Member Contact with Developers Register](#) is maintained by the CEO and published on the City's website.

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Delegations

Some legislation confers powers on local governments to allow Council to delegate power to a committee of the local government, the local governments CEO or in limited circumstances other persons or employees.

The purpose of delegating a power is to allow matters that are routine, may have a time constraint or can change rapidly to be dealt with efficiently.

The extent of delegation, conditions that may be applied, records that must be kept and the review and amendment processes depend on the various heads of power in the Acts themselves.

Western Australian legislation may be accessed online at the State Law Publisher's website at <https://www.legislation.wa.gov.au>

Delegates exercise the delegated decision-making function in their own right, in other words they have discretionary decision-making powers. The use of delegated authority means that a large volume of routine work can be effectively managed and acted on promptly, which in turn facilitates efficient service delivery to the community.

In situations where an employee has been delegated a power or duty by the CEO, and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and must either disclose the nature of the interest to the CEO (or should the employee be the CEO, disclose the nature of the interest to the Mayor).

The City's '[Register of Delegation, Authorisations and Appointments](#)' is reviewed by Council on an annual basis and is available on the City's website.

This register includes:

- Delegations from Council to the CEO;
- Sub delegations from CEO to other employees;
- Appointments of authorised persons; and
- Appointments of other employees.

The provisions of the LGA which provide for delegations by a local government or its CEO are as follows:

- Section 5.16(1), states: 'Under and subject to section 5.17, a local government may delegate to a committee any of its powers and duties other than this power of delegation.'
- Section 5.42(1), states: 'A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.'
- Section 5.44(1), states: 'A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.'

The Act has been framed in a way that determines whether powers and duties can be delegated or not. If the term 'council' is used then it is the council itself which must carry out that function. If the term 'local government' is used then it may be possible to use delegation, subject to any other express powers against delegation or the desirability in using 'acting through' where it may be a better way of carrying out the power or duty.

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Concept of acting through

Employees do not always need delegations or sub delegations to carry out their tasks and functions on behalf of the local government. Basically, a function may be undertaken through the "acting through" concept where a person has no discretion in carrying out that function – the outcome will not be substantially different regardless of the circumstances or who exercised the power.

The key difference between a delegation and acting through is that a delegate exercises a decision-making function in his or her own right. For example, an employee may pay an account or issue an approval if directed to do so by another employee who has the authority to make such a decision and chooses to "act through" another employee.

Authorised persons

Authorised persons are given powers to do certain things under an Act, Regulation or local law; usually to issue an infringement, make inquiries, enter on to property, issue a notice or to enforce a provision.

The CEO has been delegated the authority to appoint authorised persons for the purpose of fulfilling prescribed functions within the LGA and its subsidiary legislation, including LGA Regulations, the *Local Government (Miscellaneous Provisions) Act 1960* and Local Laws made under the LGA.

An authorised person, once appointed, is responsible for fulfilling the powers and duties assigned under law to an authorised person, which may be specified or limited in an Act or Regulation, or the certificate of authorisation.

Local laws

The Council is responsible for adopting a set of local laws under section 3.5 of the LGA.

Council, when making local laws, must be aware of their legislative effect and the process as outlined in the LGA.

The City's Local Laws reflect community standards and provide for the good governance of the City.

The process for adopting local laws provides the community with a six-week advertising period to allow for the opportunity to comment on proposed local laws. The local law is then presented once more to Council and any public submissions are considered. Upon final adoption the local laws are gazetted and considered by the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

The City is required to review all its local laws every eight years from the date they came into operation or from the date, they were last reviewed. This review process also allows for community consultation and feedback.

The City has the following local laws:

- [Dogs Local Law 2007](#);
- [Fencing Local Law 2008](#);
- [Health Local Law 2004](#);
- [Local Government Property Local Law 2008](#);
- [Parking & Parking Facilities Local Law 2007](#);
- [Meeting Procedures Local Law 2008](#); and
- [Trading in Public Places Local Law 2008](#)

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Policies

Section 2.7(2)(b) of the LGA states that the Council is to “determine the local government’s policies”.

Policies guide decision making by Council and Administration. Policy provisions are at the discretion of the Council, provided they are in accordance with relevant legislation and align with the City’s SCP.

Council is responsible for making, amending and revoking policies as required to ensure policies remain relevant and reflect community views and current practices.

In addition, policies may also be prepared under statutory instruments (e.g., local planning policies prepared under the City’s Local Planning Scheme No. 2 (LPS2)). In such cases, the legal effect of the policy will be documented in the relevant statutory instrument.

Policies are to be reviewed in accordance with [Policy 4.1.1 - Policy Manual – Adoption and Review of Policies](#)

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Principle 4 – Commitment to Sustainability

The City recognises the importance of not only addressing the current needs of the community, but also the needs of future generations. To do this, the City must operate in a manner, which considers the long term environmental, financial and resource implications.

Environmental

The City's commitment to environmental sustainability is reflected in its Sustainable Environment Strategy 2019-2024 (SES). The SES sets out achievable actions for the City to implement over the next five years, to:

- ensure that the City acts in an environmentally sustainable manner in all of its operations, and
- encourages, empowers and supports the City's community to live in an environmentally sustainable manner.

The SES includes a number of positive actions for delivering a sustainable natural and built environment for the community.

The SES sets out actions to be undertaken across four areas:

- [Air & Emissions](#)
- [Water Quality & Consumption](#)
- [Greening Vincent](#)
- [Reduce, Reuse, Recycle](#)

Financial Management

Role of the CEO

The CEO is accountable to Council for the financial performance of the City. The CEO must ensure that certain fundamentals are in place including, but not limited to:

- appropriate financial systems, plans, strategies and protocols
- adequate resources to support the City's activities and financial monitoring and performance
- suitable internal review and audit mechanisms
- an organisational culture where responsibility and accountability are clearly delineated and understood
- adherence to and compliance with legislative provisions.

Asset management

In accordance with section 5.56(1) of the LGA, local governments are required to plan for the future, which includes the management of assets. The asset management plan and strategy will inform the annual budget and LTFP.

The Department of Local Government, Sport and Cultural Industries (DLGSCI) guidelines state that:

"Asset management is critical to meeting local government strategic goals within an Integrated Planning and Reporting approach. Asset Management Policies, Asset Management Strategies and Asset Management Plans (AMP) are informed by, and in turn inform, the community aspirations and service requirements in the Strategic Community Plan."

The City's current Asset Strategy (2010-2020) is due to be reviewed this year.

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The main objective of the Asset Management Strategy is to outline how the City will meet its commitment to asset management over the coming ten years.

An Asset Management Strategy recognises the need to manage assets effectively as part of the City's service delivery, where the service areas delivering the service should be responsible for managing assets that are associated with that (service) area. Failure to adequately plan for the renewal of existing assets, and the development of new assets, will invariably result in the accepted "levels of service" declining.

The City has historically prepared a 12 month capital works program for incorporation into the annual budget. The City is developing a 4 year capital works program which is aligned to the LTFP.

The City is continuing to develop processes to improve the robustness of the capital works program, informed by a comprehensive Asset Maintenance Framework.

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Principle 5 – Accountability

The need for local governments to account for their activities and have systems in place, which support and reinforce this accountability

Excellence in governance is based on the premise that those who are involved in governance, both Elected Members and Administration are held to account for what they do.

Accountability means holding Elected Members, the CEO and employees of a local government responsible for its performance. The public trust placed in the public sector and in its Elected Members to act in the public interest can be justified in the manner in which their duties have been performed.

Compliance Audit

Section 7.13(1)(i) of the LGA requires local governments to undertake an audit of compliance “in the prescribed manner and in a form approved by the Minister”. In accordance with section 7.13(1)(i), the Department of Local Government, Sport and Cultural Industries (Department) requires that all local governments complete a CAR by 31 March of the following year.

In accordance with Regulation 14(3a) of the *Local Government (Audit) Regulations 1996*, the Audit Committee is to review the CAR prior to the CAR being presented to Council for approval.

Audit Committee

The City's Audit committee is responsible for the reviewing and making recommendations to Council regarding financial management, risk management, internal controls, legislative compliance, internal and external audit planning and reporting.

The primary objectives of the Audit Committee are to:

- Accept responsibility for the annual external audit; and
- Liaise with the local government's internal and external auditors so that Council can be satisfied with the performance of the local government in managing its affairs.

Reports from the Committee assist Council in discharging its legislative responsibility of controlling the local government's affairs, determining the local government's policies and overseeing the allocation of the local government's finances and resources. The committee ensures openness in the local government's financial reporting and liaises with the CEO to ensure the effective and efficient management of the local government's financial accounting systems and compliance with legislation.

The Committee facilitates:

- The enhancement of the credibility and objectivity of internal and external financial reporting;
- Effective management of financial and other risks and the protection of Council assets;
- Compliance with laws and regulations as well as use of best practice guidelines relative to audit, risk management, internal control and legislative compliance;
- The coordination of the internal audit function with the external audit; and
- The provision of an effective means of communication between the external auditor, internal auditor, the CEO and the Council.

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Customer Service and Complaints Management

The City has adopted a [Customer Service Charter](#), which reflects the City's commitment to providing quality service and outlines what the community can expect from the City.

Customer service requests or complaints are processed in accordance with the [City's Customer Service Complaints Management Policy 4.1.3](#) and the City's comprehensive Customer Service Complaints Management Procedure.

The City strives to provide a friendly, professional and efficient service which meets the needs of the community.

Access to information

Section 5.94 of the LGA sets out certain Local Government information that members of the public can inspect with limits on those rights detailed in Section 5.95.

The Western Australian *Freedom of Information Act 1992* gives people a right to access documents of an agency, subject to the sensitivity of the document and the exemptions applied pursuant to the Act. The Act is designed to make State and local government more open and accountable to the public by creating a general right of access.

The City is committed to transparency and accountability and seeks to provide members of the public with access to information in the most time efficient and low-cost methods, while ensuring the privacy of staff and the public is protected.

This position has been formalised in the following documents:

- [Freedom of Information Statement 2019](#);
- [Freedom of Information Access Arrangements](#); and
- [Freedom of Information Policy 4.1.4](#)

Performance management and reporting

The Council is accountable for monitoring performance in the achievement of the City's strategic direction, goals and financial outcomes.

The management of the City's performance and the reporting of that performance to the community is achieved in several ways.

Annual Financial Report

The *Local Government Act 1995* (the Act) requires local governments to prepare an Annual Financial Report (Report) on its operations for the preceding financial year. The annual report provides information about the City's financial activities, income and expenditure.

The City's Annual Financial Report is to be audited by an external auditor and is to be considered by the City's Audit Committee before being submitted to Council for adoption.

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Annual Report

In accordance with section 5.53 of the LGA the City prepares an Annual Report each financial year.

The City's Annual Report is the City's key reporting document that details a summary of the City's activities throughout each year, and outlines progress made towards strategic objectives set out in the City's guiding strategic documents.

CEO performance review

Section 5.38 of the LGA requires Council to review the performance of the CEO at least once each year. Conducting this review is an important function of Council because the CEO is Council's only employee and it is through this review process that Council can also review the performance of the organisation.

[Council's Policy No. 4.2.16 – CEO Annual Performance Review](#) sets out the manner in which this annual review is to be conducted.

Employee performance review

In accordance with the Act, the performance of all employees is to be reviewed at least once in relation to every year of their employment.

The City's performance and development procedure ensures the consistent review of employee performance and development and encourages open and honest communication between employees and leaders.

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Revisions

Office use only			
Review	Council Item	CM Ref	Details
18/08/2020	OMC - 12.5 Minutes	D20/148041	Adoption
20/10/2020	OMC – 9.4 Minutes	D20/195873	Updated to include priority health outcome consideration from the Public Health Plan 2020 – 2025 in Council reports.

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POLICY NO. 4.2.10

**COUNCIL MEMBERS AND EMPLOYEES
BUSINESS DEALINGS WITH THE CITY**

OBJECTIVE

To provide an open, transparent and accountable procedure for entering into any contracts with business entities that has a relationship with any serving Council Member or Employee.

POLICY STATEMENT

1. All commercial/ business dealings (including the awarding of contracts) with the City of Vincent by Council Members and Employees (and their closely associated persons) shall at all times be open, transparent and accountable.
2. All Council Members and Employees (and their closely associated persons) wishing to carry out any business activities with the City shall only do so in strict accordance with this Policy.
3. Where a Council Member or an Employee owns or is closely associated to a business from which the City purchases, or intends to purchase, goods and services, the Council/City will strictly follow this policy.
4. Any Council Member or Employee who wishes to do business with the City of Vincent must register their interest in writing to the Chief Executive Officer, by the 1st July of each year, or in the case of a newly elected Council Member or new Employee, or one who decides to do business with the City because of their purchase of a new business entity, register as the matter arises or must register as soon as is practicable after being elected to the Council, or in the case of an Employee, after their appointment has been confirmed.
5. A "Council Member/Employee Business Dealings/Contracts Register" ("the Register") will be maintained by the Chief Executive Officer and will be available for public inspection.
6. The Register will contain the following details;
 - (i) Name of business entity/company/Trading Name;
 - (ii) Name and addresses of persons associated with the business entity;
 - (iii) the position and extent of authority of persons in the business;
 - (iv) the type/range of goods and services the business entity provides; and
 - (v) any other relevant business.
7. The Council Member and Employee shall at all times only deal with the Chief Executive Officer (or where delegated, with the relevant Executive Manager). Employees directly involved with the contract shall not be contacted or approached.
8. Where the City decides to conduct business with such an entity, it will disclose the extent of the funds paid to it by way of a separate note in the Annual Report - financial accounts.
9. Where tenders, expressions of interest (EOI) or quotations are publicly advertised, any business entities that have a closely associated person with any serving Council Member or Employee of the Council, are required to state the nature of the association and to advise/declare in writing to the Chief Executive Officer that they wish to perform business with the City. This requirement will be included in the tender/quotation documentation.

CITY OF VINCENT POLICY MANUAL
CHIEF EXECUTIVE OFFICER - GOVERNANCE
POLICY NO: 4.2.10

COUNCIL MEMBERS AND EMPLOYEES BUSINESS DEALINGS WITH THE CITY

10. Quotations, and/or expressions of interest that are not publicly advertised, shall also include the declaration requirement in the same manner as tenders and expressions of interest.
11. That all tenders/quotations under this policy shall have a written scope of works or services being sought and an Evaluation Criteria. Employees assessing the awarding of such contracts shall prepare a report assessing all tenders/quotations against the Evaluation Criteria. In these cases, an Evaluation Panel comprising of the Employee directly responsible for the tender/quotation and at least one other employee not directly associated with the matter. The Evaluation Panel report is to be independently reviewed by the relevant Director and/or Director Corporate Services. Prior to any contract being awarded, it is to be approved by the Chief Executive Officer, who will advise the Mayor and/or Council in writing of the matter. If the Mayor is involved in the contract, the Deputy Mayor shall be advised.
12. The Chief Executive Officer (or their closely associated persons) shall not conduct any business/ commercial dealings with the City of Vincent.
13. The Chief Executive Officer shall accurately maintain the Register of any Council Member or Employee (or their closely associated persons) submission details of tenders/quotations being considered under this policy and this shall also be reported to the Council on a quarterly basis (if a contract has been considered).
14. When reporting to Council on a tender, expression of interest or quotation in which there is Council Member interest, this should be done under separate and confidential cover with the item not being distributed to the Council Member who has the interest. This information shall not be made available to the Council Member tendering, lodging an expression of interest or quoting.
15. All enquires and any complaints pertaining to the tender, expression of interest or quotation must be in writing and addressed to the Chief Executive Officer, who has the discretion to resolve any issue or refer the matter to the Council.
16. "Closely associated person" shall have the same meaning as defined in Section 5.62 of the Local Government Act 1995 and in summary, includes as follows:
 - (a) the person is in business partnership or Body Corporate with the relevant person;
 - (b) the person is the spouse (or de facto spouse) or child of the relevant person and is living with the relevant person.(Note: This policy will also be included by reference in the Council's Code of Conduct.)

Date Adopted:	28 June 2005
Date Amended:	-
Date Reviewed:	1 February 2010
Date of Next Review:	February 2015

8.5 ANNUAL REVIEW OF COUNCIL DELEGATIONS

Attachments: 1. Register of Council Delegations for review - marked up  

RECOMMENDATION:**That Council:**

1. **NOTES** the annual review of its delegations in accordance with Section 5.46(2) of the *Local Government Act 1995*, as outlined in this report; and
2. **DELEGATES BY ABSOLUTE MAJORITY** the local government functions listed in the City's Council Delegated Authority Register included as Attachment 1.

PURPOSE OF REPORT:

To consider amendments to the City's Delegated Authority Register (Register), following a review as required under the *Local Government Act 1995* (Act).

BACKGROUND:

All delegations made under the Act must be made by absolute majority and recorded in a register. Sections 5.18 and 5.46 of the Act require that at least once every financial year, delegations are to be reviewed by the delegator for those delegations under the Act, but also presents an opportunity to review delegations made under other legislation. Council undertook its last annual review of delegations in May 2020 and endorsed the proposed outcome of that review at its 16 June 2020 Meeting.

The purpose of delegating power is to enable routine decision making to be undertaken in a cost effective and efficient manner, or rapidly where a time imperative may be involved.

Council is required to make decisions of high importance, some of which require absolute majority decisions and cannot be delegated.

Council also has discretionary functions that involve making routine decisions that are high frequency and low risk. It is appropriate for Council to delegate these functions to the CEO. The Register of Delegations sets out the powers and functions delegated from Council to the CEO.

DETAILS:

The annual review of delegations by Council is a statutory requirement and is also necessary to ensure the delegations remain consistent with legislation and applicable to the City's current operational needs.

In April 2021, Administration undertook a review of the City's delegations. A 'tracked changes' version of the Council Delegations Register is at **Attachment 1**.

Proposed changes to the Council delegations are as follows.

Delegation	Action	Notes
16.1.1 - Determination of various applications for development approval under the City's Local Planning Scheme	Extend the delegation function to determining accompanying material requirements for Local Development Plans under Clause 49 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> including the type and extent of accompanying material requirements.	The delegations do not currently extend to determine the accompanying material for a Local Development Plan when lodged with the City. .
Proposed amendments to Delegation 16.1.1 conditions as follows:		
Condition 1	Addition of 'Restricted Premises' removal of 'Small Bar' and clarification of 'Tavern'.	Delegation is currently provided to deal with Restricted Premises. This is more appropriate to be dealt with by Council irrespective of the number of objections received through consultation due to sensitivities with the community given the nature of the use. Small Bar has been removed as this use is now exempt in Centre zones under recent changes to the planning framework to support small businesses. It would be unreasonable to mandatorily refer applications for such a use to Council for determination where it is located in a Commercial or Mixed Use zone. Any application would still be subject to community consultation which could trigger the need for Council determination dependent on the number of objections received. Recently the Department of Local Government, Sport and Cultural Industries have changed historic liquor licences of current venues from Hotel to Tavern liquor licence. The approved land use of these premises remain Hotel. The definition of these land uses under the City's Local Planning Scheme No. 2 (LPS2) reference the liquor licence type. Development applications typically related to alterations and additions for these premises then require a change to the land use to align with the definitions in LPS2. In such a circumstance, these applications would be required to be referred to Council for determination, even when there is no change to the existing operation. Any application would still be subject to community consultation which could trigger the need for Council determination dependent on the number of objections received.
Condition 2	Clarification of the Acceptable Outcomes set by State Planning Policy 7.3: Residential Design Codes added	To clarify that the building height is to satisfy both the deemed-to-comply number of storeys and the height measured in metres. The current wording does not specify what is meant by height.
Condition 6	Clause is broadened to include demolition of buildings and/or alterations and/or additions to buildings except where external fixtures (as defined by the Residential Design Codes) or restoration and remediation works are proposed to the building.	To clarify types of development to heritage-listed properties that are of a scale which should be determined by Council, irrespective of the outcome of community consultation.

Delegation	Action	Notes
New Condition 9C	<p>i) <i>Where the development relates to a non-residential use, the adjacent property (as shown in the Community Consultation Policy) is not used for a residential purpose; or</i></p> <p>ii) <i>For all other development where the amendment</i></p>	To provide further clarification on where an amendment to a previous Council decision for non-residential development can be determined by Administration. This is consistent with recent changes to the planning framework to support businesses and where there would be no impact on residential amenity.
New Condition 12	<p><i>This delegation does not extend to applications for development approval that propose permanent structures on City owned or managed land, except where:</i></p> <p><i>a. The structure is an awning, verandah or similar; or</i></p> <p><i>b. The structure is for a ground anchor; or</i></p> <p><i>c. The structure is for an encroachment which:</i></p> <p><i>i. is an architectural feature and does not encroach by greater than 250 millimetres; or</i></p> <p><i>ii. is a window or shutter that encroaches on a road or public space by no more than 50 millimetres when open, and is at least 2.75 metres above the ground level;</i></p> <p><i>as outlined in the Minster's for Land's authorisations.</i></p>	To clarify types of development on City owned or managed land that should be determined by Council.
Proposed amendments to Section 11 as follows:		
Delegation: 11.1 11.2 11.3 11.4 11.5	<p>Remove extension of the following delegations made under the <i>Food Act 2008</i> from Manager Development and Design:</p> <p>11.1 Determine Compensation;</p> <p>11.2 Prohibition orders;</p> <p>11.3 Food business registrations;</p> <p>11.4 Debt recovery and prosecutions; and</p> <p>11.5 Food businesses list – public access</p>	The functions of these delegations are undertaken by the Manager Built Environment and Wellbeing. The extension of these delegations to the Manager Development and Design is no longer required.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Section 5.46(2) of the Act requires Council to review of its delegations at least once every financial year.

RISK MANAGEMENT IMPLICATIONS

Low There is low risk in Council approving the new delegations due to the conditions on the delegations which define clear authorities and accountabilities for City officers.

STRATEGIC IMPLICATIONS:

This is in keeping with the City's *Strategic Community Plan 2018-2028*:

Innovative and Accountable

We are open and accountable to an engaged community.

Our resources and assets are planned and managed in an efficient and sustainable manner.

SUSTAINABILITY IMPLICATIONS:

This does not contribute to any specific sustainability outcomes of the *City's Sustainable Environment Strategy 2019-2024*.

PUBLIC HEALTH IMPLICATIONS:

This report has no implications on the priority health outcomes of the City's *Public Health Plan 2020-2025*.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.



CITY OF VINCENT

REGISTER OF DELEGATIONS, AUTHORISATIONS AND APPOINTMENTS

Delegations from Council to the CEO

Proposed changes are in Red

Reviewed by Administration ~~23 April 2020~~ 22 April 2021

Reviewed by Council ~~16 June 2020~~ 22 June 2021

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1 Introduction

This document is a register of the delegations, authorisations and appointments of the City of Vincent.

Some legislation confers powers on local governments to allow Council to delegate power to a committee of the local government, the local governments CEO or in limited circumstances other persons or employees.

The purpose of delegating a power is to allow matters that are routine, may have a time constraint or can change rapidly to be dealt with efficiently.

The extent of delegation, conditions that may be applied, records that must be kept and the review and amendment processes depend on the various heads of power in the Acts themselves.

Western Australian legislation may be accessed online at the State Law Publisher's website at <https://www.legislation.wa.gov.au/>.

This register includes:

- Delegations from Council to the CEO;
- Sub delegations from CEO to other employees;
- Appointments of authorised persons; and
- Appointments of other employees.

1.1 The difference between a delegation, 'acting through' another person and an 'authorised person'

A Delegation

Simply put, a delegation is the process prescribed in legislation for assigning authority to exercise an express power or duty from the delegate to another person (named by position title or office) or an entity (the delegate).

Some legislation confers a power directly on a person. A person appointed to a statutory office does not need any further delegation or authorisation in order to fulfil those assigned powers and duties. For example:

- The *Local Government Act 1995* lists statutory offices including Mayor, CEO and Returning Officer;
- The *Public Health Act 2016* assigns duties to Environmental Health Officers;
- The *Building Act 2011* assigns duties to Building Surveyors; and
- The *Local Government Act 1995*, *Cat Act 2011* and *Graffiti Vandalism Act 2016* also allow a local government CEO to delegate any powers or duties assigned to their office.

Acting through another person

Employees do not always need delegations or sub delegations to carry out their tasks and functions on behalf of the local government. Basically a function may be undertaken through the "acting through" concept where a person has no discretion in carrying out that function – the outcome will not be substantially different regardless of the circumstances or who exercised the power.

Section 5.16(4) of the *Local Government Act 1995* provides that:

(4) Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.

Similarly, s5.45(2) Act provides that:

Nothing in this Division (Division 4 - Local Government Employees) is to be read as preventing –

- a) a local government from performing any of its functions by acting through a person other than the Chief Executive Officer; or*

- b) *a Chief Executive Officer from performing any of his or her functions by acting through another person.*

The key difference between a delegation and acting through is that a delegate exercises a decision making function in his or her own right. For example, an employee may pay an account or issue an approval if directed to do so by another employee who has the authority to make such a decision and chooses to "act through" another employee.

Authorised persons

Authorised persons (and who under some Acts do not necessarily have to be employees of the local government but often are) are given powers to do certain things under an Act, Regulation or local law; usually to issue an infringement, make inquiries, enter on to property, issue a notice or to enforce a provision.

Note that a council can delegate authority to its CEO to appoint authorised persons under the *Local Government Act 1995* and other legislation; in some Acts an employee or other person holding an office are directly authorised under that Act itself. Provisions vary by Act.

An authorised person, once appointed, is responsible for fulfilling the powers and duties assigned under law to an authorised person, which may be specified or limited in an Act or Regulation, or the certificate of authorisation. An authorised person cannot delegate their powers and duties to another person.

Who may appoint authorised persons depends on the enabling legislation. Section 9.10 of the *Local Government Act 1995* provides that:

- (1) *The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.*
- (2) *The local government is to issue to each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person.*

Authorised persons may or may not have delegated authority to undertake certain actions – the delegation of authority is a separate matter, although they are included in this register for ease of reference and review.

1.2 The Interpretation Act 1984 – principles of delegation

Section 59 of the *Interpretation Act 1984* prescribes the framework for how delegated authority must be structured in Western Australian law.

In summary:

1. The written law (head of power) must include an express power to delegate, which specifically enables a person (the delegator) to make a delegation;
2. In that same written law, there must be an express power or duty conferred or imposed on the delegator and it must be capable of being delegated. This means that:
 - a. The power or duty proposed for delegation must be written in the same law as the express power to delegate; and
 - b. That written law must not prohibit the power or duty from being delegated or contain limitations or conditions, which the proposed delegation exceeds.
3. The power to delegate cannot be delegated;
4. Delegations must be in writing (the instrument of delegation); and
5. Delegations must be advised to the delegate in writing.

Note that nothing prevents the delegating body or person from taking back a delegation or sub delegation, or actually making the relevant decision on a particular issue. Similarly, a delegator does not have to exercise the delegation and may refer the decision back to the delegator.

Similarly, section 59(2) provides that:

The delegation of a power shall be deemed to include the delegation of any duty incidental thereto or connected therewith and the delegation of a duty shall be deemed to include the delegation of any power incidental thereto or connected therewith.

Delegation by office or by name

Section 53 of the *Interpretation Act 1984* provides that a delegation can be to the holder of an office (whether acting or permanent) or by naming an individual:

Where a written law confers a power or imposes a duty upon a person to appoint or designate a person to —

- (a) perform any function; or*
 - (b) be a member of any board, tribunal, commission, committee, council, or other similar body, whether corporate or unincorporate; or*
 - (c) be or do any other thing,*
- that person may make the appointment or designation either by appointing or designating a person by name or by appointing or designating the holder of an office by the term designating his office; and any such appointment or designation of the holder of an office shall be construed as the appointment or designation of the person from time to time holding, acting in, or lawfully performing the functions of the office.*

Delegations made by the City are to the holder of an office.

1.3 How this document is structured

Matters that apply generally to delegations and authorisations are set out in this introduction. As there can be differences in legislation, delegations that may be made under various Acts are set out by Act, rather than by employee or organisational structure.

While generally prohibited, some legislation does allow sub-delegation (mainly the Local Government Act) from Council to the CEO, and from the CEO to other employees. Delegations from the CEO to other employees and appointments of authorised persons are listed in other documents.

Each section of this document is structured as follows:

- Guidance notes, including any particular requirements of the enabling legislation of unusual features;
- Delegations from Council to a committee (if allowed by the enabling legislation and if the City has any committees established to deal with the power to be exercised);
- Delegations from the CEO to an employee (or other person if allowed by the enabling legislation); and
- A list of persons authorised to perform certain functions under the enabling legislation.

The individual delegations are set out as follows.

Heading

A snapshot of what it is that is delegated

Delegation from Council to CEO

Most legislation refers to a 'local government'. This heading makes it clear that in this case, this is a delegation from Council to the CEO. Under most Acts, Council can only delegate to the CEO.

Delegator: <i>Power / Duty assigned in legislation to:</i>	<i>'Local Government' will be the entity in most cases.</i>
Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>This sets out the head of power in the Act or regulation that allows a power to be delegated; eg</i> <i>Local Government Act 1995:</i> <i>s.5.42 Delegation of some powers or duties to the CEO</i> <i>s.5.43 Limitations on delegations to the CEO</i>

Express Power or Duty Delegated:	<i>The section or part of the Act that is being delegated; eg:</i> <i>Local Government Act 1995:</i> s 5.50 Making payments to employees in addition to contract or award.
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<i>A summary of what is delegated; eg:</i> The Chief Executive Officer is delegated the power to approve of making payment to employees in addition to their contract or Award.
Council Conditions on this Delegation:	<i>This sets out any conditions or limitations; e.g.:</i> Payments must be in accordance with Council policy 1234
Express Power to Sub-Delegate:	<i>Some legislation allows sub-delegation from the CEO to another employee and some does not.</i> <i>Local Government Act 1995:</i> s 5.44 CEO may delegate some powers and duties to other employees

Delegation by CEO to other employees

Where subdelegation is allowed, this section sets out who it is to, and what additional conditions might apply.

Sub-Delegate/s: <i>Appointed by CEO</i>	
CEO Conditions on this Sub-Delegation: <i>Conditions on the original delegation also apply to the sub-delegations.</i>	

Notes

This sets out any matters that might relate to the power delegated not covered above, links to policies, local laws or administrative procedures that might apply.

1.4 Exercising delegated authority

Overall requirements

Before using a delegated authority a delegate must familiarise themselves with the legislative framework, conditions and limitations relevant to the statutory power or duty that informs the decisions they will make.

The delegate must also consider and apply local laws, Council decisions, policy, procedures or standards that are relevant to the decisions they are empowered to make.

Conflicts of interest

The City requires persons to whom authority has been delegated to deal appropriately with conflicts of interest.

Section 5.71 of the *Local Government Act 1995* provides that employees must disclose interests relating to delegated functions:

5.71. Employees to disclose interests relating to delegated functions

If, under Division 4, an employee has been delegated a power or duty relating to a matter and the employee has an interest in the matter, the employee must not exercise the power or discharge the duty and —

- (a) in the case of the CEO, must disclose to the mayor or president the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter; and*
- (b) in the case of any other employee, must disclose to the CEO the nature of the interest as soon as practicable after becoming aware that he or she has the interest in the matter.*

Penalty: \$10 000 or imprisonment for 2 years.

A conflict of interest arises where a personal interest is in conflict with the public interest. Delegates must disclose any conflict of interest which may require them to be removed from the decision making process.

A delegate may also refer the decision making back to the delegator, where they consider there is a risk or sensitivity, which makes it more appropriate for the delegator to make that decision.

The City's Code of Conduct also applies.

Requirement for annual return and disclosures by delegate

An employee to whom a duty or power is delegated under the *Local Government Act 1995* is considered a 'designated employee' under section 5.74(1) of the Act and is required to complete a primary and annual return each year.

Keeping a record of decisions made under delegated authority

In accordance with Section 5.46(3) of the *Local Government Act 1995*, a person to whom a power or duty is delegated is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Regulation 19 of the Local Government (Administration) Regulations 1996 requires a delegate to keep a written record of:

- a. how the person exercised the power or discharged the duty;
- b. when the person exercised the power or discharged the duty; and
- c. the person or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

The City has decided that this applies regardless of the enabling legislation.

A central record of decisions made under a delegation is unnecessary but a record must be kept by the person exercising the power.

A record made that complies with the City's record keeping policy (e.g. a letter or email sent in accordance with that policy) is sufficient.

2 Delegations made under the *Local Government Act 1995*

The *Local Government Act 1995* (the Act) is the legislation most widely used for delegations by local governments.

The Act confers some powers directly on a CEO, and s 5.44 sets out the duties of a CEO.

This part of the register deals with delegations from Council under the Act. Under this Act, Council may delegate authority to a committee or to the CEO.

Council may place restrictions or conditions on the exercise of that power or duty such as a financial amount, to take into account a policy or direction from Council, or something particular only to the matter delegated.

Delegation from Council to a committee

Section 5.16 of the *Local Government Act 1995* allows Council to delegate by an absolute majority vote some powers and duties to certain committees. This is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Subject to sections 58 and 59 of the *Interpretation Act 1984* —

- (a) A delegation made to a committee under s5.16 has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and
- (b) Any decision to amend or revoke a delegation under this section is to be by an absolute majority.

There are limits on delegation of powers and duties to certain committees set out in s5.17:

- (1) *A local government can delegate —*
 - (a) *to a committee comprising council members only, any of the council's powers or duties under this Act except —*
 - (i) *any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; and*
 - (ii) *any other power or duty that is prescribed;*
 - and*
 - (b) *to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and*
 - (c) *to a committee referred to in section 5.9(2)(c), (d) or (e)*, any of the local government's powers or duties that are necessary or convenient for the proper management of —*
 - (i) *the local government's property; or*
 - (ii) *an event in which the local government is involved.*
- (2) *A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f)**.*

* A committee comprising:

- (c) council members, employees and other persons; or
- (d) council members and other persons; or
- (e) employees and other persons.

** A committee comprising of other persons only.

Delegation from Council to the CEO

Section 5.42 allows Council to delegate to the Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under the Act.

It cannot delegate to any other person or employee unless expressly provided for in legislation.

All delegations made by Council to the CEO must be by an absolute majority decision, and must be reviewed at least annually.

Restrictions on delegations from the Council to the CEO

Section 5.43 of the Act restricts what can be delegated by Council to the CEO:

- A power under sections 214(2), (3) or (5) of the *Planning and Development Act 2005* (which relate to a local government's powers to deal with Illegal development);
- Any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- Accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- Appointing an auditor;
- Acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- Any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100 (which relate to fees for elected members, an allowance for the Deputy Mayor, meeting fees and reimbursement of expenses, and payments for certain committee members);
- Borrowing money on behalf of the local government;
- Hearing or determining an objection of a kind referred to in section 9.5 (which relates to an objection or appeal in response to a decision to grant a person an authorisation under Part 3 or under any local law or regulation that is to operate as if it were a local law; or to renew, vary, or cancel an authorisation that a person has under any of those provisions);
- The power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- Any power or duty that requires the approval of the Minister or the Governor;
- Such other powers or duties as may be prescribed under the Local Government (Administration) Regulations 1996, and which are under :
 - section 7.12A(2), (3)(a) or (4) of the Act (which relate to duties of local government with respect to audits, determine if any matters raised by the audit report, require action to be taken by the local government, prepare a report addressing any matters identified as significant by the auditor in the audit report and advise the Minister); and
 - Regulations 18C and 18D which relate to the selection and appointment process for CEOs and the local government's duties in relation to a performance review of CEO.
- Regulation 6 of the Local Government (Financial Management) Regulations 1996 prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.

Delegation from the CEO to another employee

Under s5.44 the CEO may sub-delegate any of these powers and duties functions to another employee, other than the power of delegation itself.

Those delegations are also subject to any restrictions or conditions that the Council may have placed on the delegation to the CEO. The CEO may add further conditions or restrictions, and which also must be reviewed annually.

Parameters are summarised below, as are the delegations themselves. More detail about the particular sections of the Act that apply is also made under each heading.

2.1 Delegations from Council to committees

2.1.1 Delegation to COVID-19 Relief and Recovery Committee

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.16 and 5.17 Delegation of some powers and duties to certain committees Regulations 81-84 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s3.57 Tenders for providing goods or services s3.58 Disposing of property s6.12 Power to defer, grant discounts, waive or write off debts Determination of an application for development approval under clause 68 of Schedule 2 of the <i>Planning and Development (Local Planning Scheme) Regulations</i> ; subclause 29(2) of the <i>Metropolitan Region Scheme</i> ; and subsection 31(2) of the <i>State Administrative Tribunal Act 2004</i> .
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Power to accept tenders over \$250,000 in accordance with section 3.57 of the Local Government Act 1995 and regulation 18 of the Local Government (Functions and General) Regulations 1996; 2. Power to dispose of property in accordance with section 3.58 of the <i>Local Government Act 1995</i>; 3. Power to waive fees or grant concessions or write-off debts over \$5,000 in accordance with section 6.12 of the Local Government Act 1995; 4. Power to determine an application for development approval under clause 68 of Schedule 2 of the <i>Planning and Development (Local Planning Scheme) Regulations</i>; subclause 29(2) of the <i>Metropolitan Region Scheme</i>; and subsection 31(2) of the <i>State Administrative Tribunal Act 2004</i>, where that power is not delegated to the Chief Executive Officer; and 5. Power to determine applications to amend a development approval previously determined under delegated authority, where that power is not delegated to the Chief Executive Officer.
Council Conditions on this Delegation:	Decisions are to be made in accordance with the Covid-19 Relief and Recovery Committee Terms of Reference . Minutes of all Committee Meetings will be presented to Council as part of the InfoBulletin.
Express Power to Sub-Delegate:	Nil..

2.2 Delegations from Council to the CEO

2.2.1 Appointment of an acting CEO

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	Section 5.42 <i>Local Government Act 1995</i>
Express Power or Duty Delegated:	Power to appoint an Acting Chief Executive Officer under s5.36(1)(a).
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to appoint an Acting Chief Executive Officer under s5.36(1)(a).
Council Conditions on this Delegation:	<ul style="list-style-type: none"> • The Employee being designated a "Senior Employee", as prescribed by the Local Government Act; • Appointments being no longer than 30 days; • Council Members to be advised of acting Chief Executive Officer; • The acting role to be rotated between the Executive Directors of the City where practicable.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously Delegation 1.1 of the City's 2018/19 Register.

2.2.2 Serving of notices requiring certain things to be done by owner or occupier of land

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> Sections 3.25(1) and 3.26
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated the power to: <ol style="list-style-type: none"> 1) Issue a notice in writing relating to the land requiring the person to do anything specified in Schedule 3.1, Division 1 or for the purpose of remedying or mitigating the effects of any offence prescribed in Schedule 3.1, Division 2; and 2) do anything that he considers necessary to achieve, so far as is practicable, the purpose for which the notice was given, including recovering the cost of anything it does as a debt due from the person who failed to comply with the notice.
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation 1.3 of the City's 2018/19 Register.

2.2.3 Performing particular things on land which is not local government property

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> Section 3.27 A local government may perform its general functions of the things prescribed in Schedule 3.2 of the Act on land, even though the land is not local government property and the local government does not have consent to do it.
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated the power to carry out things prescribed in Schedule 3.2 even though the land is not local government property and the local government does not have consent to do it.
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

2.2.4 Powers of entry

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.28 When this Subdivision applies s.3.32 Notice of entry s.3.33 Entry under warrant s.3.34 Entry in an emergency s.3.36 Opening fences
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to exercise powers of enter to enter onto land to perform any of the local Government functions under this Act, other than entry under a Local Law [s.3.28]. 2. Authority to give notice of entry [s.3.32]. 3. Authority to seek and execute an entry under warrant [s.3.33]. 4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Authority to give notice and effect entry by opening a fence [s.3.36].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation No 1.5 of the City's 2018/19 Register.

Powers of entry to enter property to seize dogs are dealt with under the *Dog Act 1976*.

2.2.5 Declare vehicle is abandoned vehicle wreck

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.40A(4) Abandoned vehicle wreck may be taken
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Declare that an impounded vehicle is an abandoned vehicle wreck [s.3.40A(4)].
Council Conditions on this Delegation:	The declaration is to be recorded in the appropriate record to meet legislative requirements.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation No 1.6 of the City's 2018/19 Register.

2.2.6 Confiscated or uncollected goods

Guidance note

Section.3.47 of the Act specifies that s.3.58 applies to disposal of goods under s.3.47.

Note however, that the s.3.57 tender requirements do not apply to either the disposal of confiscated or uncollected goods OR the Disposal of Property under s.3.58. (s3.57 applies only to "contracts... under which another person is to supply goods or service") .

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.46 Goods May be withheld until costs paid s.3.47 Confiscated or uncollected goods, disposal of s.3.48 Impounding expenses, recovery of
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to refuse to allow goods impounded under s.3.39 or 3.40A to be collected until the costs of removing, impounding and keeping them have been paid to the local government. [s.3.46] 2. Authority to sell or otherwise dispose of confiscated or uncollected goods or vehicles that have been ordered to be confiscated under s.3.43 [s.3.47]. 3. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Council Conditions on this Delegation:	Disposal of confiscated or uncollected goods, including abandoned vehicles, with a market value less than \$20,000 may, in accordance with Functions and General Regulation 30, be disposed of by any means considered to provide best value, provided the process is transparent and accountable.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation No 1.7 of the City's 2018/19 Register.

2.2.7 Disposal of sick or injured animals

Note that this delegation relates only to animals not covered by the *Dog Act 1976* or *Cat Act 2011*.

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.47A Sick or injured animals, disposal of s.3.48 Impounding expenses, recovery of
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s.3.47A(1)]. 2. Authority to recover expenses incurred for removing, impounding, and disposing of confiscated or uncollected goods [s.3.48].
Council Conditions on this Delegation:	Delegation only to be used where the Delegate's reasonable efforts to identify and contact an owner have failed.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

2.2.8 Closing thoroughfares to vehicles

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.50 Closing certain thoroughfares to vehicles s.3.50A Partial closure of thoroughfare for repairs or maintenance s.3.51 Affected owners to be notified of certain proposals
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to close a thoroughfare (wholly or partially) to vehicles or particular classes of vehicles for a period not exceeding 4-weeks [s.3.50(1)]. 2. Authority to determine to close a thoroughfare for a period exceeding 4-weeks and before doing so, to: <ul style="list-style-type: none"> • give; public notice, written notice to the Commissioner of Main Roads and written notice to prescribed persons and persons that own prescribed land; and • consider submissions relevant to the road closure/s proposed [s.3.50(1a), (2) and (4)]. 3. Authority to revoke an order to close a thoroughfare [s.3.50(6)]. 4. Authority to partially and temporarily close a thoroughfare without public notice for repairs or maintenance, where it is unlikely to have significant adverse effect on users of the thoroughfare [s.3.50A] 5. Before doing anything to which section 3.51 applies, take action to notify affected owners and give public notice that allows reasonable time for submissions to be made and consider any submissions made before determining to fix or alter the level or alignment of a thoroughfare or draining water from a thoroughfare to private land [s3.51].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. If, under s.3.50(1), a thoroughfare is closed without giving local public notice, local public notice is to be given as soon as practicable after the thoroughfare is closed [s.3.50(8)]. b. Maintain access to adjoining land [s.3.52(3)] c. Permanent closures to be referred to Council for determination.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes: Previously delegations No 1.10, 1.12 and 1.13 of the City's 2018/19 Register.

2.2.9 Control reserves and certain unvested facilities

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.53(3) Control of certain unvested facilities s.3.54(1) Reserves under control of local government
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to agree the method for control and management of an unvested facility which is partially within 2 or more local government districts. [s.3.53(3)]. 2. Authority to do anything for the purpose of controlling and managing land under the control and management of the City that the City could do under s.5 of the Parks and Reserves Act 1895 . [s.3.54(1)].
Council Conditions on this Delegation:	Limited to matters where the financial implications do not exceed a relevant and current budget allocation and which do not create a financial liability in future budgets.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

2.2.10 Obstruction of footpaths and thoroughfares

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.5(2) Interfering with, or taking from, local government land r.6 Obstruction of public thoroughfare by things placed and left - Sch. 9.1 cl. 3(1)(a) r.7A Obstruction of public thoroughfare by fallen things – Sch.9.1 cl.3(1)(b) r.7 Encroaching on public thoroughfare – Sch.9.1. cl.3(2)
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> Authority to determine, by written notice served on a person who is carrying out plastering, painting or decorating operations (the work) over or near a footpath on land that is local government property, to require the person to cover the footpath during the period specified in the notice so as to: <ol style="list-style-type: none"> prevent damage to the footpath; or prevent inconvenience to the public or danger from falling materials [ULP r.5(2)]. Authority to provide permission including imposing appropriate conditions or to refuse to provide permission, for a person to place on a specified part of a public thoroughfare one or more specified things that may obstruct the public thoroughfare. [ULP r.6(2) and (4)]. Authority to renew permission to obstruct a thoroughfare and to vary any condition imposed on the permission effective at the time written notice is given to the person to whom permission is granted [ULP r.6(6)]. Authority to require an owner or occupier of land to remove any thing that has fallen from the land or from anything on the land, which is obstructing a public thoroughfare [ULP r.7A]. Authority to require an owner occupier of land to remove any part of a structure, tree or plant that is encroaching, without lawful authority on a public thoroughfare [ULP r.7].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> Where appropriate, obtained written permission from each owner of adjoining or adjacent property which may be impacted by the proposed obstruction. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good public assets damaged by the obstruction at the completion of works. Provided evidence of sufficient Public Liability Insurance. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.

Express Power to Sub-Delegate:*Local Government Act 1995:*

s.5.44 CEO may delegate some powers and duties to other employees

Notes:

2.2.11 Public thoroughfares – dangerous excavations

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.11(1), (4), (6) & (8) Dangerous excavation in or near public thoroughfare – Sch.9.1 cl.6
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine if an excavation in or on land adjoining a public thoroughfare is dangerous and take action to fill it in or fence it or request the owner / occupier in writing to fill in or securely fence the excavation [ULP r.11(1)]. 2. Authority to determine to give permission or refuse to give permission to make or make and leave an excavation in a public thoroughfare or land adjoining a public thoroughfare [ULP r.11(4)]. 3. Authority to impose conditions on granting permission [ULP r.11(6)]. 4. Authority to renew a permission granted or vary at any time, any condition imposed on a permission granted [ULP r.11(8)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public assets at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

2.2.12 Crossovers - construction, repair and removal

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Uniform Local Provisions) Regulations 1996:</i> r.12(1) Crossing from public thoroughfare to private land or private thoroughfare – Sch.9.1 cl.7(2) r.13(1) Requirement to construct or repair crossing – Sch.9.1 cl.7(3)
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to approve or refuse to approve, applications for the construction of a crossing giving access from a public thoroughfare to land or private thoroughfare serving land [ULP r.12(1)]. 2. Authority to determine the specifications for construction of crossings to the satisfaction of the Local Government [ULP r.12(1)(a)]. 3. Authority to give notice to an owner or occupier of land requiring the person to construct or repair a crossing [ULP r.13(1)]. 4. Authority to initiate works to construct a crossing where the person fails to comply with a notice requiring them to construct or repair the crossing and recover 50% of the cost of doing so as a debt due from the person [ULP r.13(2)].
Council Conditions on this Delegation:	a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation 2.5B (part) of City's 2018/19 Register.

2.2.13 Private works on, over or under public places

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> r.17 Private works on, over, or under public places – Sch.9.1 cl.8
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to grant permission or refuse permission to construct a specified thing on, over, or under a specified public thoroughfare or public place that is local government property [ULP r.17(3)]. 2. Authority to impose conditions on permission including those prescribed in r.17(5) and (6) [ULP r.17(5)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Actions under this Delegation must comply with procedural requirements detailed in the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>. b. Permission may only be granted where, the proponent has: <ol style="list-style-type: none"> i. Where appropriate, obtained written permission from or entered into a legal agreement with, each owner of adjoining or adjacent property which may be impacted by the proposed private works. ii. Provided a bond, sufficient to the value of works that may be required if the proponent does not satisfactorily make good the public place at the completion of works. iii. Provided evidence of sufficient Public Liability Insurance. iv. Provided pedestrian and traffic management plans which are sufficient for the protection of public safety and amenity.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

2.2.14 Expressions of interest for goods and services

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.21 Limiting who can tender, procedure for r.23 Rejecting and accepting expressions of interest to be acceptable tenderer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine when to seek Expressions of Interest and to invite Expressions of Interest for the supply of goods or services [F&G r.21]. 2. Authority to consider Expressions of Interest which have not been rejected and determine those which are capable of satisfactorily providing the goods or services, for listing as acceptable tenderers [F&G r.23].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

2.2.15 Tenders for goods and services

Guidance notes:

Contract Variations

The Local Government ([Functions and General \) Regulations](#) (reg 21A) enables contract variations applying only to contracts formed with a successful tenderer. A delegation of reg 21A is required for the CEO (or any sub-delegate) to vary a tender contract.

Making, varying or discharging contracts formed through mechanisms other than a tender, are not subject to reg 21A. Section.9.49B9 of the Act applies to non-tender contracts and requires that any person making decisions to make, vary or discharge a contract must do so under the authority of the Local Government. Meaning there must either be an express Council resolution enabling the CEO to administer the contract OR the contract is operational in nature and may be administered by the CEO (or officers by Acting Through).

Contract Management

In addition, the CEO may assign operational responsibilities for contract administration via position descriptions or documented procedures.

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.57 Tenders for providing goods or services <i>Local Government (Functions and General) Regulations 1996:</i> r.11 When tenders have to be publicly invited r.13 Requirements when local government invites tenders though not required to do so r.14 Publicly inviting tenders, requirements for r.18 Rejecting and accepting tenders r.20 Variation of requirements before entry into contract r.21A Varying a contract for the supply of goods or services
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to call tenders [F&G r.11(1)]. 2. Authority to, because of the unique nature of the goods or services or for any other reason it is unlikely that there is more than one supplier, determine a sole supplier arrangement [F&G r.11(f)]. 3. Authority to invite tenders although not required to do so [F&G r.13]. 4. Authority to determine in writing, before tenders are called, the criteria for acceptance of tenders [F&G r.14(2a)]. 5. Authority to determine the information that is to be disclosed to those interested in submitting a tender [F&G r.14(4)(a)]. 6. Authority to vary tender information after public notice of invitation to tender and before the close of tenders, taking reasonable steps to ensure each person who has sought copies of the tender information is provided notice of the variation [F&G r.14(5)]. 7. Authority to evaluate tenders, by written evaluation, and decide which is the most advantageous [F&G r.18(4)] and either:

	<ul style="list-style-type: none"> i. Accept, or reject tenders under a value of \$250,000 in accordance with the requirements of the Functions and General Regulations [F&G r.18(2) and (4)]; or ii. Recommend to council acceptance or rejection of all other tenders. <p>8. Authority to determine that a variation proposed is minor in context of the total goods or services sought through the invitation to tender, and to then negotiate minor variations with the successful tenderer before entering into a contract [F&G r.20(1) and (3)].</p> <p>9. Authority to seek clarification from tenderers in relation to information contained in their tender submission [F&G r.18(4a)].</p> <p>10. Authority to decline any tender [F&G r.18(5)].</p> <p>11. If the chosen tenderer is unable or unwilling to form a contract OR the minor variation cannot be agreed with the successful tenderer, so that the tenderer ceases to be the chosen tenderer, authority to choose the next most advantageous tender to accept [F&G r.20(2)]</p> <p>12. Authority to:</p> <ul style="list-style-type: none"> i. Vary a contract that has been entered into with a successful tenderer, provided the variation/s do not change the scope of the original contract or increase the contract value beyond 10%. ii. Exercise an extension option that was included in the original tender specification and contract in accordance with r.11(2)(j). [F&G r.21A]. <p>13. Authority to accept another tender where within 6-months of either accepting a tender, a contract has not been entered into OR the successful tenderer agrees to terminate the contract [F&G r.18(6) & (7)].</p>
Council Conditions on this Delegation:	<p>The invitation to tender is to be entered into the Tender Register in the prescribed manner.</p> <p>Selection criteria must be recorded in the appropriate record and comply with the requirements of the Regulations.</p> <p>Details of the minor variations must be recorded in the appropriate record.</p> <p>Details of the calling of expressions of interest must be recorded in the appropriate record and in the Tender Register.</p> <p>The delegation is subject to:</p> <ul style="list-style-type: none"> 1. tenders called to comply with Council's Policy No. 1.2.2 – “Code of Tendering” and Policy No. 1.2.3 – “Purchasing Policy”; and 2. tenders can only be invited for those goods and services identified in the Annual Budget, Plan for the Future or where the expenditure has been approved in advance by Council;
Express Power to Sub-Delegate:	<p><i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees</p>

Notes:

Previously delegation 1.19 of the City's 2018/19 register.

2.2.16 Panels of pre-qualified suppliers for goods and services

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Functions and General) Regulation 1996:</i> r.24AB Local government may establish panels of pre-qualified suppliers r.24AC(1)(b) Requirements before establishing panels of pre-qualified suppliers r.24AD(3) & (6) Requirements when inviting persons to apply to join panel of pre-qualified suppliers r.24AH(2), (3), (4) and (5) Rejecting and accepting applications to join panel of pre-qualified suppliers
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine that there is a continuing need for the goods or services proposed to be provided by a panel of pre-qualified suppliers [F&G r.24AC(1)(b)]. 2. Authority to, before inviting submissions, determine the written criteria for deciding which application should be for inclusion in a panel of pre-qualified suppliers should be accepted [F&G r.24AD(3)]. 3. Authority to vary panel of pre-qualified supplier information after public notice inviting submissions has been given, taking reasonable steps to each person who has enquired or submitted an application is provided notice of the variation [F&G r.24AD(6)]. 4. Authority to reject an application without considering its merits, where it was submitted at a place and within the time specified, but fails to comply with any other requirement specified in the invitation [F&G r.24AH(2)]. 5. Authority to assess applications, by written evaluation of the extent to which the submission satisfies the criteria for deciding which applicants to accept, and decide which applications to accept as most advantageous [F&G r.24AH(3)]. 6. Authority to request clarification of information provided in a submission by an applicant [F&G r.24AH(4)]. 7. Authority to decline to accept any application [F&G r.24AH(5)]. 8. Authority to enter into contract, or contracts, for the supply of goods or services with a pre-qualified supplier, as part of a panel of pre-qualified suppliers for those particular goods or services [F&G r.24AJ(1)].
Council Conditions on this Delegation:	a. Panels of pre-qualified suppliers may only be established, where the total consideration under the resulting contract is \$250,000 or less and the expense is included in the adopted Annual Budget.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation 1.27 of the City's 2018/19 register.

2.2.17 Disposing of property

Note that s.3.57 tender requirements do not apply to the Disposal of Property under s.3.58 (s.3.57 applies only to "contracts ... under which another person is to supply goods or service").

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58(2) & (3) Disposing of Property
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to dispose of property to: <ol style="list-style-type: none"> (a) to the highest bidder at public auction [s.3.58(2)(a)]. (b) to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tenders [s.3.58(2)(b)] 2. Authority to dispose of property by private treaty only in accordance with section 3.58(3) and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. Disposal of land or building assets is limited to matters specified in the Annual Budget and in any other case, a Council resolution is required. b. In accordance with s.5.43, disposal of property, for any single project or where not part of a project but part of a single transaction, is limited to a maximum value of \$250,000 or less. c. When determining the method of disposal: <ul style="list-style-type: none"> • Where a public auction is determined as the method of disposal: <ul style="list-style-type: none"> ○ Reserve price has been set by independent valuation. ○ Where the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. • Where a public tender is determined as the method of disposal and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method and if so, must determine not to accept any tender and use an alternative disposal method. • Where a private treaty is determined [s.3.58(3)] as the method of disposal, authority to: <ul style="list-style-type: none"> ○ Negotiate the sale of the property up to a -10% variance on the valuation; and ○ Consider any public submissions received and determine if to proceed with the disposal, ensuring that the reasons for such a decision are recorded. d. Where the market value of the property is determined as being less than \$20,000 (F&G r.30(3) excluded disposal) may be undertaken: <ul style="list-style-type: none"> • Without reference to Council for resolution; and

	<ul style="list-style-type: none">• In any case, be undertaken to ensure that the best value return is achieved however, where the property is determined as having a nil market value, then the disposal must ensure environmentally responsible disposal.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation 1.23 of the City's 2018/19 Register.

2.2.18 Leases and licences to Small Community Groups, Sporting Clubs and Community Groups and Organisations in accordance with the Property Management Framework

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.58 Disposing of Property
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	To approve and execute any new lease, licence or management agreement or variation, extension or assignment of an approved lease, licence or management agreement, in respect to a: <ul style="list-style-type: none"> Category One (1) – Small Community Group, pursuant to the adopted Property Management Framework, or Category Two (2) Sporting Clubs and Community Groups and Organisations, pursuant to the adopted Property Management Framework
Council Conditions on this Delegation:	<ol style="list-style-type: none"> The terms and conditions of any lease, licence or management agreement must be in accordance with the terms and conditions approved by Council as set out in the Property Management Framework – Category One (1) and Two (2). Requests from community or sporting groups not currently occupying a City building in Category One (1) or Category Two (2), will require a specific resolution of Council. The delegation does not extend to Category Three (3) or Four (4) of the Property Management Framework. Any leases or licences in accordance with Category Three (3) or Four (4) will require a specific resolution of Council.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

2.2.19 Payments from the municipal or trust funds

Guidance notes

The difference between incurring liabilities and making payments

The following information will assist in understanding the legislative framework that informs:

- Incurring a liability as a procedural matter subject to CEO authorisations; and
- Making payments as an express (written) statutory power which is capable of being delegated.

Incurring liabilities (procedures and administrative authorities)

Incurring liabilities is not described in the Local Government Act or Regulations as an express power or duty, rather it is only described as a requirement for the Local Government and the CEO to control by developing "systems and procedures" [see FM Regs 5 and 11].

Incurring liabilities is therefore not an express (written) power or duty which is capable of being delegated. The CEO must establish systems and written procedures which give effect to compliance with legislation and purchasing policy and provide appropriate internal controls and risk mitigation for incurring liabilities.

- Issuing a requisition – a requisition is only a proposal to purchase (FM Regs 5 & 11) describing the goods or services required to enable a decision to issue a purchase order. It does not incur a liability as the goods / services may only be provided on the basis of an appropriately issued purchase order. Administrative procedures should establish which positions are authorised to issue requisitions.

A decision to issue a requisition and therefore a purchase order is informed by other, previous Council decisions, for example – the budget adopted by Council, Council decisions to approve projects or implement policies.

The decision to incur a liability where a budget provision has been made is part of implementing a Council decision and therefore accords with the CEO's duties under s.5.41(c).

- Issuing a purchase order – a purchase order creates a contract between the supplier and the local government. It incurs a liability (FM Regs.5 & 11) provided that the goods or services are ultimately supplied in accordance with the requirements specified in the purchase order. Administrative procedures should establish which positions are authorised to issue purchase orders, with pre-requisite requirements for a purchase order to only be issued, where due diligence confirms:
 - Compliance with the local governments purchasing policy;
 - The committal value of the purchase order is within an appropriate and available budget allocation; and
 - The proposed goods / services / works are within the scope of implementing a Council decision, either specific or generally.
- Using a credit or transaction card (store card, fuel card or corporate credit card) – transaction cards are a method of incurring a liability, with the goods or services received and a statement provided to the local government for acquittal on at least a monthly basis. Procedures should prescribe the positions which are authorised to use transaction cards and the limits and obligations for use for their use when incurring liabilities and the requirements for acquittal of statements to enable payment.
- Verification of a liability
 - Goods / services received – a record that evidences that the goods or services have been received in accordance with the purchase order.
 - Verification of invoice – the charges align with the accepted quote or the contracted schedule of rates as relevant, which have been checked against the record of goods / services received.

- Verification of transaction card statements – transactions accord with the card holder limits and conditions, transactions are for a proper purpose (not personal) and the goods / services obtained are within the scope of implementing a Council decision either specific or generally.

An element of the internal control is the separation of roles from employees who incur liabilities and those who make payments. This means that a person who has responsibility for incurring a liability should not also be responsible for verifying the liability or approving the relevant payment.

In addition, Council (and also through its audit committee) may form an opinion as to its satisfaction the procedures prepared in accordance with FM 11, when it undertakes its biennial review of Internal Controls in accordance with Audit Reg. 17(1)(b).

Making payments (delegated authority)

Financial Management Reg.12(1)(a) prescribes the ability for the Council to delegate to the CEO its power to make payments from the Municipal or the Trust Fund. Financial Management Reg.13 prescribes the procedural matters that the CEO must comply with if the power to make payments is delegated.

A payment can only be made, where an opinion has been formed (delegated authority decision FM Reg12(1)(a)) that the goods or services specified in the purchase order have been satisfactorily received.

Procedural reviews

Audit Regulations [r.17(1)(b) & (2)] require the CEO to review procedures and report the outcomes of the review to the Audit Committee at least once in every 3 financial years.

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government (Financial Management) Regulations1996:</i> r.12(1)(a) Payments from municipal fund or trust fund, restrictions on making
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make payments from the municipal or trust funds [r.12(1)(a)]. 2. Authority to transfer funds held in the Trust Fund for over 10 years to the Municipal Fund.
Council Conditions on this Delegation:	a. Authority to make payments is subject to annual budget limitations.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegations 1.14 and 1.24 of the City's 2018/19 register.

2.2.20 Defer payment, grant discounts, waive fees or write off debts

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.12 Power to defer, grant discounts, waive or write off debts
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Waive a debt which is owed to the City [s.6.12(1)(b)]. 2. Grant a concession in relation to money owed to the City [s.6.12(1)(b)]. 3. Write off an amount of money owed to the City [s.6.12(1)(c)]
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. The power to waive fees or write off money is subject to the amount not exceeding \$5000. b. The power to waive fees or write off debts relating to infringements is subject to the debt not exceeding \$270. c. The power to waive or write off library fees is subject to the debt not exceeding \$50. d. This delegation is not applicable to writing off or waiving rates or service charges. e. A debt may only be written off where all necessary measures have been taken to locate / contact the debtor and where costs associated continued action to recover the debt will outweigh the net value of the debt if recovered by the City.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation 1.15 of the City's 2018/19 register.

2.2.21 Amendment of a rate record

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.39(2)(b) Rate record
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to determine any requirement to amend the rate record for the 5-years preceding the current financial year [s.6.39(2)(b)].
Council Conditions on this Delegation:	Delegates must comply with the requirements of s.6.40 of the Act.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation 1.18 of the City's 2018/19 register.

2.2.22 Agreement as to payment of rates and service charges

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.49 Agreement as to payment of rates and service charges
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to make an agreement with a person for the payment of rates or service charges [s.6.49].
Council Conditions on this Delegation:	Subject to Council Policy No. 1.2.12 – Rates and Service Charges.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation 1.16 of the City's 2018/19 register.

2.2.23 Determine due date for rates or service charges

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.50 Rates or service charges due and payable
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to determine the date on which rates or service charges become due and payable to the City [s.6.50].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

2.2.24 Recovery of rates or service charges

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.56 Rates or service charges recoverable in court
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to recover rates or service charges, as well as costs of proceedings for the recovery, in a court of competent jurisdiction [s.6.56(1)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously 1.25 in the City's 2018/19 register.

2.2.25 Recovery of rates debts – require lessee to pay rent

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.60 Local Government may require lessee to pay rent
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to give notice to a lessee of land in respect of which there is an unpaid rate or service charge, requiring the lessee to pay its rent to the City [s.6.60(2)]. 2. Authority to recover the amount of the rate or service charge as a debt from the lessee if rent is not paid in accordance with a notice [s.6.60(4)].
Council Conditions on this Delegation:	Subject to Council Policy No. 1.2.13 – Collection of Rates and Service Charges.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation 1.17 of the City's 2018/19 register.

2.2.26 Recovery of rates debts - actions to take possession of the land

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.64(1) & (3) Actions to be taken s.6.69(2) Right to pay rates, service charges and costs, and stay proceedings s.6.71 Power to transfer land to Crown or local government s.6.74 Power to have land revested in Crown if rates in arrears 3 years
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to take possession of land and hold the land against a person having an estate or interest in the land where rates or service charges have remained unpaid for at least three years [s.6.64(1)], including: <ol style="list-style-type: none"> i. lease the land, or ii. sell the land; or where land is offered for sale and a contract of sale has not been entered into after 12 months: <ol style="list-style-type: none"> I. cause the land to be transferred to the Crown [s.6.71 and s.6.74]; or II. cause the land to be transferred to the City [s.6.71]. 2. Authority to lodge (and withdraw) a caveat to preclude dealings in respect of land where payment of rates or service charges imposed on that land is in arrears [s.6.64(3)]. 3. Authority to agree terms and conditions with a person having estate or interest in land and to accept payment of outstanding rates, service charges and costs within 7 days of and prior to the proposed sale [s.6.69(2)].
Council Conditions on this Delegation:	a. In accordance with s.6.68(3A), this delegation cannot be used where a decision relates to exercising a power of sale without having, within the previous 3-years attempted to recover the outstanding rates / charges through a court under s.6.56, as s.6.68(3A) requires that the reasons why court action has not been pursued must be recorded in Council Minutes.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

2.2.27 Rate record – objections

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.76 Grounds of objection
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to extend the time for a person to make an objection to a rate record [s.6.76(4)]. 2. Authority to consider an objection to a rate record and either allow it or disallow it, wholly or in part, providing the decision and reasons for the decision in a notice promptly served upon the person whom made the objection [s.6.76(5)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation 1.26 of the City's 2018/19 register.

2.2.28 Power to invest and manage investments

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.6.14 Power to invest <i>Local Government (Financial Management) Regulations 1996:</i> r.19 Investments, control procedures for
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to invest money held in the municipal fund or trust fund that is not, for the time being, required for any other purpose [s.6.14(1)]. 2. Authority to establish and document internal control procedures to be followed in the investment and management of investments [FM r.19].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> a. All investment activity must comply with the Financial Management Regulation 19C and Council Policy 1.2.4. b. A report detailing the investment portfolio's performance, exposures and changes since last reporting, is to be provided as part of the Monthly Financial Reports. c. Procedures are to be systematically documented and retained in accordance with the Plan, and must include references that enable recognition of statutory requirements and assign responsibility for actions to position titles. d. Procedures are to be administratively reviewed for continuing compliance and confirmed as 'fit for purpose' and subsequently considered by the Audit and Risk Committee at least once each financial year. [Audit r.17]
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

2.2.29 Dealing with objections under Part 9 of *Local Government Act 1995**Delegation from Council to CEO*

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> Section 9.5(2), Section 9.6(5) and 9.9(1)(b)
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated the power to: <ul style="list-style-type: none"> • receive an objection and grant an extension of time for an objection to be lodged (Section 9.5(2)). • give notice in writing of how it has been decided to dispose of the objection and the reasons for disposing of it in that way. • determine that there are reasons why the effect of a decision should not be suspended in line with the provisions of the Local Government Act 1995 Section 9.9(1)(b).
Council Conditions on this Delegation:	This delegation may not be exercised to dispose of an objection to a decision originally made by the CEO.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously 1.21 in 2018/19 register of delegations.

2.2.30 Execution of documents

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> Section 9.49A (4) and (5)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. The Chief Executive Officer is delegated authority to sign documents in relation to the administration of leases, licences, or other land agreements. 2. The Chief Executive Officer is delegated authority to sign sponsorship or grant agreements and acquittals where the City's contribution falls within budget or is consistent with a Council resolution. 3. The Chief Executive Officer is delegated authority to provide consent and execute documents in relation to any assignment or sublease where there is a request by a lessee operating under a lease agreement. 4. The Chief Executive Officer is delegated authority to sign Memorandums of Understanding (MOU) if they satisfy the following conditions: <ol style="list-style-type: none"> a) There is no additional financial contribution in excess of existing budgets required to give effect to the City's obligations under the MOU. b) Formalises an existing working relationship between the City and a government agency or department or another local government. 5. The Chief Executive Officer is delegated authority to execute, lodge, remove, withdraw, surrender or modify relating to notifications, covenants, easements and caveats under the <i>Transfer of Land Act 1893</i>. 6. The Chief Executive Officer is delegated authority to execute easements or deeds of easement under the <i>Land Administration Act 1997</i> and/or <i>Strata Titles Act 1985</i>. 7. Documents required to satisfy conditions of subdivision and/or development approval. 8. The Chief Executive Officer is delegated authority to sign Finance Leases, Contracts, Service Level agreements, and any other agreement that does not require the Common Seal of the City.
Council Conditions on this Delegation:	Execution of all documents must be in accordance with Policy 4.1.10 - Execution of Documents.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

Previously delegation 1.22 of the City's 2018/19 register.

2.2.31 Appointment of Authorised Persons

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.3.24 Authorising persons under this subdivision [Part 3, Division 3, Subdivision 2 – Certain provisions about land] s.9.10 Appointment of authorised persons
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to appoint persons or classes of persons as authorised persons for the purpose of fulfilling prescribed functions within the Local Government Act 1995 and its subsidiary legislation, including Local Government Act Regulations, the <i>Local Government (Miscellaneous Provisions) Act 1960</i> and Local Laws made under the Local Government Act. [s.3.24 and s.9.10] and any other Act under which a local law can be made.
Council Conditions on this Delegation:	a. A register of authorised persons is to be maintained as a local government record. b. Only persons who are appropriately qualified and trained may be appointed as authorised persons.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

Notes:

3 Local Laws

Guidance note

Any decision which has the effect of granting, renewing, varying or cancelling a permission or authorisation under a Local Law is a decision that is subject to Part 9, Division 1 of the Local Government Act (objection and appeal rights – see s.9.1) and can be referred to the State Administration Tribunal. Example Local Law decision include approving, refusing, applying a condition, varying an approval or condition or cancelling a permit.

Such decisions are deemed 'quasi-judicial' and imply substantial scope for decision outcomes to differ on each occasion that a decision is made. Therefore, as with other legislation, where a discretionary power or duty is assigned in a local law to the 'Local Government', the power or duty must be delegated to convey the authority to make decisions.

Note that imposition of a fee or charge where mentioned in a local law cannot be delegated and must be set by Council when adopting its budget under Part 6 of the Local Government Act 1995.

3.1 Administer Local Laws

3.1.1 Council to CEO – all Local Laws

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	Sections 3.18 and 5.42 of the <i>Local Government Act 1995</i> All powers under City's local laws: <ul style="list-style-type: none"> • <i>Dogs Local Law</i> • <i>Fencing Local Law</i> • <i>Health Local Law</i> • <i>Local Government Property Local Law</i> • <i>Parking & Parking Facilities Local Law</i> • <i>Meeting Procedures Local Law</i> • <i>Trading in Public Places Local Law</i>
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to administer the City's local laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the City under the City's local laws, including relating to: <ul style="list-style-type: none"> • Permits; • Enforcement framework; • Recovery of costs; and • Adding or changing parking restrictions.
Council Conditions on this Delegation:	Parking permits are to be issued in accordance with the City's policy number 3.9.3
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees

4 Delegations made under the *Building Act 2011*

Guidance note

Decisions under this delegated authority should be either undertaken or informed by a person qualified in accordance with r.5 of the Building Regulations 2012.

The *Building Act 2011* refers to a 'permit authority', which is the local government in this instance.

4.1 Grant or refuse a Building Permit

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.18 Further Information s.20 Grant of building permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012:</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a building permit application [s.18(1)]. 2. Authority to grant or refuse to grant a building permit [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a building permit [s.27(1) and (3)]. 4. Authority to determine an application to extend time during which a building permit has effect [r.23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the building permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the building permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a building permit [r.26].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Compliance Links:

[Building Act 2011](#)

- s.119 Building and demolition permits – application for review by SAT
- s.23 Time for deciding application for building or demolition permit
- s.17 Uncertified application to be considered by building surveyor

[Building Regulations 2012](#) – r.25 *Review of decision to refuse to extend time during which permit has effect (s.32(3))* – reviewable by SAT

Building Services (Registration Act) 2011 – Section 7

Home Building Contracts Act 1991 – Part 3A, Division 2 – Part 7, Division 2

Building and Construction Industry Training Levy Act 1990

Heritage of Western Australia Act 1990

Notes:

Previously delegation 5.1 of the City's 2018/19 register.

4.2 Demolition permits

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.18 Further Information s.21 Grant of demolition permit s.22 Further grounds for not granting an application s.27(1) and (3) Impose Conditions on Permit <i>Building Regulations 2012</i> r.23 Application to extend time during which permit has effect (s.32) r.24 Extension of time during which permit has effect (s.32(3)) r.26 Approval of new responsible person (s.35(c))
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required to determine a demolition permit application [s.18(1)]. 2. Authority to grant or refuse to grant a demolition permit on the basis that all s.21(1) requirements have been satisfied [s.20(1) & (2) and s.22]. 3. Authority to impose, vary or revoke conditions on a demolition permit [s.27(1) and (3)]. 4. Authority to determine an application to extend time during which a demolition permit has effect [r.23]. <ol style="list-style-type: none"> i. Subject to being satisfied that work for which the demolition permit was granted has not been completed OR the extension is necessary to allow rectification of defects of works for which the permit was granted [r.24(1)] ii. Authority to impose any condition on the demolition permit extension that could have been imposed under s.27 [r.24(2)]. 5. Authority to approve, or refuse to approve, an application for a new responsible person for a demolition permit [r.26].
Council Conditions on this Delegation:	a. The Chief Executive Officer is delegated authority to grant or refuse a Demolition Permit other than for buildings classified by the National Trust and Council's Heritage Register, pursuant to the Building Act 2011, Sections 21, 22.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Compliance Links:	<i>Building Act 2011</i> s.119 Building and demolition permits – application for review by SAT s.23 Time for deciding application for building or demolition permit <i>Building Services (Complaint Resolution and Administration) Act 2011</i> — Part 7, Division 2 <i>Building and Construction Industry Training Levy Act 1990</i>

	<i>Heritage of Western Australia Act 1990</i>
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Notes:

Previously delegation 5.3 of the City's 2018/19 register.

4.3 Occupancy permits or building approval certificates

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.55 Further information s.58 Grant of occupancy permit, building approval certificate s.62(1) and (3) Conditions imposed by permit authority s.65(4) Extension of period of duration <i>Building Regulations 2012</i> r.40 Extension of period of duration of time limited occupancy permit or building approval certificate (s.65)
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to require an applicant to provide any documentation or information required in order to determine an application [s.55]. 2. Authority to grant, refuse to grant or to modify an occupancy permit or building approval certificate [s.58]. 3. Authority to impose, add, vary or revoke conditions on an occupancy permit [s.62(1) and (3)]. 4. Authority to extend, or refuse to extend, the period in which an occupancy permit or modification or building approval certificate has effect [s.65(4) and r.40].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Compliance Links:	<i>Building Act 2011</i> s.59 time for granting occupancy permit or building approval certificate s.60 Notice of decision not to grant occupancy permit or grant building approval certificate s.121 Occupancy permits and building approval certificates – application for review by SAT <i>Building Services (Complaint Resolution and Administration) Act 2011</i> – Part 7, Division 2 <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage of Western Australia Act 1990</i>

Notes:

Previously delegation 5.2 of the City's 2018/19 register.

4.4 Building Orders

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.110(1) A permit authority may make a building order s.111(1) Notice of proposed building order other than building order (emergency) s.112(2) Content of building order s.117(1) and (2) A permit authority may revoke a building order or notify that it remains in effect s.118(2) and (3) Permit authority may give effect to building order if non-compliance s.133(1) A permit authority may commence a prosecution for an offence against this Act
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> Authority to make Building Orders in relation to: <ol style="list-style-type: none"> Building work Demolition work An existing building or incidental structure [s.110(1)]. Authority to give notice of a proposed building order and consider submissions received in response and determine actions [s.111(1)(c)]. Authority to issue a building order to require a person to do one or more things within a specified time period, including stopping building or demolition work and demolishing a building or structure [s. 112(2)(a)-(h)]: Authority to revoke a building order [s.117]. If there is non-compliance with a building order, authority to cause an authorised person to: <ol style="list-style-type: none"> take any action specified in the order ; or commence or complete any work specified in the order; or if any specified action was required by the order to cease, to take such steps as are reasonable to cause the action to cease [s.118(2)]. Authority to take court action to recover as a debt, reasonable costs and expense incurred in doing anything in regard to non-compliance with a building order [s.118(3)]. Authority to initiate a prosecution pursuant to section 133(1) for non-compliance with a building order made pursuant to section 110 of the <i>Building Act 2011</i>.
Council Conditions on this Delegation:	a. Subject to Sub-Section 112(2)(b) being conditional as follows; <i>"The Order to demolish, dismantle or remove a building or incidental structure that has been, or is being, built or occupied in suspected contravention of a provision of the Building Act 2011, SHALL only be issued where the building is assessed to be in a state that is dangerous and which cannot be easily rectified".</i>
Express Power to Sub-Delegate:	<i>Building Act 2011:</i>

	s.127(6A) CEO may delegate a power or duty to a local government employee subject to conditions.
Compliance Links:	<u>Building Act 2011:</u> Section 111 Notice of proposed building order other than building order (emergency) Section 112 Content of building order Section 113 Limitation on effect of building order Section 114 Service of building order Part 9 Review - s.122 Building orders – application for review by SAT

Notes:

Previously delegation 5.4 of the City's 2018/19 register.

4.5 Inspection and copies of building records

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.131(2) Inspection, copies of building records
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to determine an application from an interested person to inspect and copy a building record [s.131(2)].
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Compliance Links:	Building Act 2011 - s.146 Confidentiality

Notes:

4.6 Referrals and issuing certificates

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.145A Local Government functions
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to refer uncertified applications under s.17(1) to a building surveyor who is not employed by the local government [s.145A(1)]. 2. Authority to issue a certificate for Design Compliance, Construction Compliance or Building Compliance whether or not the land subject of the application is located in the City's District [s.145A(2)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Notes:

4.7 Private pool barrier – alternative and performance solutions

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	Building Regulations 2012: r.51 Approvals by permit authority
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to approve requirements alternative to a fence, wall, gate or other component included in the barrier, if satisfied that the alternative requirements will restrict access by young children as effectively as if there were compliance with AS 1926.1 [r.51(2)] 2. Authority to approve a door for the purposes of compliance with AS 1926.1, where a fence or barrier would cause significant structural or other problem which is beyond the control of the owner / occupier or the pool is totally enclosed by a building or a fence or barrier between the building and pool would create a significant access problem for a person with a disability [r.51(3)] 3. Authority to approve a performance solution to a Building Code pool barrier requirement if satisfied that the performance solution complies with the relevant performance requirement [r.51(5)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Notes:

4.8 Smoke alarms – alternative solutions

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	Building Regulations 2012: r.55 Terms Used (alternative building solution approval) r.61 Local Government approval of battery powered smoke alarms
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to approve alternative building solutions which meet the performance requirement of the Building Code relating to fire detection and early warning [r.55]. 2. Authority to approve or refuse to approve a battery powered smoke alarm and to determine the form of an application for such approval [r.61].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)

Notes:

4.9 Designate employees as Authorised Persons

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.96(3) Authorised persons s.99(3) Limitation on powers of authorised person
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to designate an employee as an authorised person [s.96(3)]. 2. Authority to revoke or vary a condition of designation as an authorised person or give written notice to an authorised person limiting powers that may be exercised by that person [s.99(3)].
Council Conditions on this Delegation:	a. Decisions under this delegated authority should be in accordance with r.5 of the Building Regulations 2012.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) Delegation: special permit authorities and local governments (powers of sub-delegation limited to CEO)
Compliance Links:	<u><i>Building Act 2011:</i></u> s.97 requires each person designated as an authorised person must have an identity card. r.5A Authorised persons (s.3) – definition

Notes:

4.10 Prosecutions

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Building Act 2011:</i> s.127(1) & (3) Delegation: special permit authorities and local government
Express Power or Duty Delegated:	<i>Building Act 2011:</i> s.133(1) A permit authority may commence a prosecution for an offence against this Act
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to commence a prosecution for an offence against the <i>Building Act 2011</i> [s.133(1)(b)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Building Act 2011:</i> s.127(6A) – CEO may delegate this power subject to any conditions imposed on the delegation to the CEO.

5 Delegations made under the *Fines, Penalties, and Infringement Notices Enforcement Act 1984*

5.1 Designate employees as Authorised Persons

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>
Express Power or Duty Delegated:	Section 13(2) of the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Appointment of officers as Prosecuting Officers for the purposes of the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i> , Section 13(2).
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	

Notes:

This is not in the WALGA model, but previously 2.2 in the City's 2018/19 register, and was a list of persons authorised as designated persons under the FER Act. This delegation is to the CEO to appoint those persons on the City's behalf.

6 Delegations made under the *Strata Titles Act 1985*

6.1 Issue of approval for built strata subdivision under section 25 – Forms 24 and 26

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Strata Titles Act 1985</i> Section 25 Certificate of Commission
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Power to issue a Form 24 and Form 26 (certificate of approval) pursuant to section 25 of the <i>Strata Titles Act 1985</i> , for a plan of subdivision, re-subdivision or consolidation, except those applications that: <ul style="list-style-type: none"> (a) propose the creation of a vacant lot; (b) proposed vacant air strata's in multi-tiered strata scheme developments; (c) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relating to: <ul style="list-style-type: none"> (i) a type of development; and/or (ii) land within an area, which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.
Council Conditions on this Delegation:	
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Compliance Links:	Instrument of Delegation Del 2009/03 Powers of Local Governments, dated 9 June 2009 - Delegation to local governments of certain powers and functions of the WAPC relating to the issuing of certificates of approval under section 25 of the Strata Titles Act 1985

Notes:

Previously delegation 5.6 of the City's 2018/19 register.

7 Delegations made under the *Bush Fires Act 1954*

Section 48 of the *Bush Fires Act 1954* provides that:

48. Delegation by local governments

- (1) A local government may, in writing, delegate to its chief executive officer the performance of any of its functions under this Act.
- (2) Performance by the chief executive officer of a local government of a function delegated under subsection (1) —
 - (a) is taken to be in accordance with the terms of a delegation under this section, unless the contrary is shown; and
 - (b) is to be treated as performance by the local government.
- (3) A delegation under this section does not include the power to subdelegate.
- (4) Nothing in this section is to be read as limiting the ability of a local government to act through its council, members of staff or agents in the normal course of business.

Section 59 provides that a local government may delegate to its CEO, bush fire control officer, or other officer to prosecute for offences under the Act:

59. Prosecution of offences

- (1) A person authorised by the Minister, a person employed in the Department for the purposes of this Act, an authorised CALM Act officer, a member of the Police Force, or a local government, may institute and carry on proceedings against a person for an offence alleged to be committed against this Act.
- (2) The person instituting and carrying on the proceedings shall be reimbursed out of the funds of the local government within whose district the alleged offence is committed, all costs and expenses which he may incur or be put to in or about the proceedings.
- (3) A local government may, by written instrument of delegation, delegate authority generally, or in any class of case, or in any particular case, to its bush fire control officer, or other officer, to consider allegations of offences alleged to have been committed against this Act in the district of the local government and, if the delegate thinks fit, to institute and carry on proceedings in the name of the local government against any person alleged to have committed any of those offences in the district, and may pay out of its funds any costs and expenses incurred in or about the proceedings.
- (4) A local government may by written instrument cancel, or from time to time vary, any instrument of delegation conferred under subsection (3).
- (5) Notwithstanding that a local government has under subsection (3) conferred authority on a delegate, the local government is not precluded from exercising but may itself exercise the authority.

7.1 Bush Fires Act 1954 – powers and duties

Council to CEO

Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> S48 Delegation by local governments
Express Power or Duty Delegated:	All powers, duties and functions under the <i>Bush Fires Act 1954</i> .
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer is delegated the power to perform all powers, duties and functions of a Local Government under the <i>Bush Fires Act 1954</i> , including the appointment of a Bush Fire Control Officers and all authorised persons under the Act and Regulations.
Council Conditions on this Delegation:	Decisions under s17(7) (variation of prohibited burned times) must be undertake jointly by both the Mayor and the Chief Bush Fire Control Officer and must comply with the procedural requirements of s.17(7B) and (8). Excludes powers and duties that are prescribed in the Act with the requirement for a resolution by the local government.
Head of power to Sub-Delegate:	Nil – subdelegation is prohibited under s48(3) of the <i>Bush Fires Act 1954</i> .

Notes:

Previously delegation 3.3 of the City's 2018/19 register.

Council to other officers

Note that some sections of the Bush Fires Act allow a council to directly delegate power to an employee.

Delegator: <i>Power / Duty assigned in legislation to:</i>	Local Government
Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Bush Fires Act 1954:</i> S59A(3) - Prosecution for offences under the Act
Express Power or Duty Delegated:	S59A - Prosecution for offences under the Act
Delegate:	Manager Community Safety The power to issue infringement notices, pursuant to Section 59A under the <i>Bush Fires Act 1954</i> is delegated to: Manager Community Safety Coordinator Ranger Services All Rangers
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The Chief Executive Officer and Manager Community Safety are delegated the power to undertake prosecutions for offences under the <i>Bush Fires Act 1954</i> .

Council Conditions on this Delegation:	Nil. Note: s59A(3) and Bush Fires (Infringements) Regulations 1978, Reg.4(a) provide that only the Mayor or the Chief Executive Officer may withdraw an infringement notice.
Express Power to Sub-Delegate:	Nil.

8 Delegations made under the *Cat Act 2011*

Section 44 of the *Cat Act 2011* operates in a similar manner to the delegation provisions of the *Local Government Act 1995*:

- 44. Delegation by local government**
- (1) *The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.*
 - (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
 - (3) *A decision to delegate under this section is to be made by an absolute majority.*
- 45. Delegation by CEO of local government**
- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under another provision of this Act.*
 - (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
 - (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 44, but in the case of such a power or duty —*
 - (a) *the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*
 - (b) *the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.*
 - (4) *Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
 - (5) *In subsections (3) and (4) —*
conditions *includes qualifications, limitations or exceptions.*
 - (6) *A power or duty under section 63, 64 or 65 cannot be delegated to an authorised person.*
- 46. Other matters relevant to delegations under this Division**
- (1) *Without limiting the application of the Interpretation Act 1984 sections 58 and 59 —*
 - (a) *a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*
 - (b) *any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*
 - (2) *Nothing in this Division is to be read as preventing —*
 - (a) *a local government from performing any of its functions by acting through a person other than the CEO; or*
 - (b) *a CEO from performing any of his or her functions by acting through another person.*
- 47. Register of, and review of, delegations**
- (1) *The CEO of a local government is to keep a register of the delegations made under this Division to the CEO and to employees of the local government.*
 - (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
 - (3) *A person to whom a power or duty is delegated under this Division is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

8.1 Delegations from Council to CEO

8.1.1 Cat registrations

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.9 Registration s.10 Cancellation of registration s.11 Registration numbers, certificates and tags <i>Cat Regulations 2012</i> Schedule 3, cl.1(4) Fees Payable
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to grant, or refuse to grant, a cat registration or renewal of a cat registration [s.9(1)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.9(6)]. 3. Authority to cancel a cat registration [s.10]. 4. Authority to give the cat owner a new registration certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.11(2)]. 5. Authority to reduce or waive a registration or approval to breed fee, in respect of any individual cat or any class of cats within the City's District [Regs. Sch. 3 cl.1(4)].
Council Conditions on this Delegation:	a. Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Compliance Links:	<i>Cat Regulations 2012</i> r.11 Application for registration (s.8(2)), prescribes the Form of applications for registration. r.12 Period of registration (s.9(7)) r.11 Changes in registration r.14 Registration certificate (s.11(1)(b)) r.15 Registration tags (s.76(2)) Decisions are subject to Objection and Review by the State Administration Tribunal rights – refer Part 4, Division 5 of the <i>Cat Act 2011</i> .

Notes:

Previously delegation 3.1 of the City's 2018/19 register

8.1.2 Cat control notices

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.26 Cat control notice may be given to cat owner
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to give a cat control notice to a person who is the owner of a cat ordinarily kept within the City's District [s.26].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Compliance Links:	Cat Regulations 2012 – r.20 Cat control notice [s.23(3)], prescribes the Form of the notice.

Notes:

Previously delegation 3.1 of the City's 2018/19 register.

8.1.3 Approval to breed cats

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.37 Approval to Breed Cats s.38 Cancellation of approval to breed cats s.39 Certificate to be given to approved cat breeder
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to grant or refuse to grant approval or renew an approval to breed cats [s.37(1) and (2)]. 2. Authority to refuse to consider an application for registration or renewal where an applicant does not comply with a requirement to give any document or information required to determine the application [s.37(4)]. 3. Authority to cancel an approval to breed cats [s.38]. 4. Authority to give an approved breeder a new certificate or tag, if satisfied that the original has been stolen, lost, damaged or destroyed [s.39(2)].
Council Conditions on this Delegation:	Notices of decisions must include advice as to Objection and Review rights in accordance with Part 4, Division 5 of the <i>Cat Act 2011</i> .
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Compliance Links:	<i>Cat Regulations 2012:</i> <ul style="list-style-type: none"> r.21 Application for approval to breed cats (s.36(2)) r.22 Other circumstances leading to refusal of approval to breed cats (s.37(2)(f)) r.23 Person who not be refused approval to breed cats (s.37(5)) r.24 Duration of approval to breed cats (s.37(6)) r.25 Certificate given to approved cat breeder (s.39(1))

Notes:

Previously delegation 3.1 of the City's 2018/19 register

8.1.4 Recovery of costs – destruction of cats

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.49(3) Authorised person may cause cat to be destroyed
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover the amount of the costs associated with the destruction and the disposal of a cat [s.49(3)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

Notes:

Previously delegation 3.1 of the City's 2018/19 register

8.1.5 Applications to keep additional cats

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat (Uniform Local Provisions) Regulations 2013:</i> r.8 Application to keep additional number of cats r.9 Grant of approval to keep additional number of cats
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to require any document or additional information required to determine an application [r.8(3)] 2. Authority to refuse to consider an application if the applicant does not comply with a requirement to provide any document or information required to determine an application [r.8(4)]. 2. Authority to grant or refuse approval for additional number of cats specified in an application to be kept at the prescribed premises and to determine any condition reasonably necessary to ensure premises are suitable for the additional number of cats [r.9].
Council Conditions on this Delegation:	a. Notices of decisions must include advice as to Review rights in accordance with r.11 of the Cat (Uniform Local Provisions) Regulations 2013.
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

Notes:

Previously delegation 3.1 of the City's 2018/19 register

8.1.6 Reduce or waive cat registration fee

Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	Cat Regulations 2012: Schedule 3 Fees clause 1(4)
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to reduce or waiver a fee payable under Schedule 3 clauses (2) or (3) in respect to any individual cat.
Council Conditions on this Delegation:	a. This delegation does NOT provide authority to determine to reduce or waiver the fees payable in regard to any <u>class of cat</u> within the District. This matter requires a Council decision in accordance with s.6.16, 6.17 and 6.18 of the <i>Local Government Act 1995</i> .
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

Notes:

Previously delegation 3.1of the City's 2018/19 register

8.1.7 Appointment of Authorised Persons

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.44 Delegation by local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s. 48 Authorised persons
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to appoint authorised persons by issuing a certificate of authorisation [s.48].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government

Notes:

Previously delegation 3.1of the City's 2018/19 register

8.2 Delegations direct from CEO to other employees under the *Cat Act 2011*

Sections 61 – 67 of the *Cat Act 2011* deal with infringements, and gives the CEO of local governments some direct powers. In turn the CEO may delegate these powers to another employee.

8.2.1 Infringement notices – extensions and withdrawals

Delegation from CEO to other employees

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Cat Act 2011:</i> s.45 Delegation by CEO of local government
Express Power or Duty Delegated:	<i>Cat Act 2011:</i> s.64 Extension of time s.65 Withdrawal of notice
Delegate/s:	Manager Community Safety Senior Administration Officer – Community Safety
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed [s.64]. 2. Authority, within one year of the infringement notice being given and whether or not the modified penalty has been paid, to withdraw an infringement notice [s.65].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	Nil.

Notes:

Compliance Links:	<i>Cat Regulations 2012:</i> r.28 Withdrawal of infringement notice (s.65(1))
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9 Delegations made under the *Dog Act 1976*

Section 10AA of the *Dog Act 1976* provides that:

10AA. Delegation of local government powers and duties

- (1) *A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, delegate to its chief executive officer any power or duty of the local government under another provision of this Act.*
- (2) *The delegation must be in writing.*
- (3) *The delegation may expressly authorise the delegate to further delegate the power or duty.*
- (4) *A local government's chief executive officer who is exercising or performing a power or duty that has been delegated as authorised under this section, is to be taken to do so in accordance with the terms of the delegation unless the contrary is shown.*
- (5) *Nothing in this section limits the ability of a local government's chief executive officer to perform a function through an officer or agent.*

10AB. Register of, and review of, delegations

- (1) *The chief executive officer of a local government is to keep a register of —*
 - (a) *delegations made under section 10AA(1); and*
 - (b) *further delegations made under the authority of a delegation made under section 10AA(1).*
- (2) *At least once every financial year —*
 - (a) *delegations made under section 10AA(1); and*
 - (b) *further delegations made under the authority of a delegation made under section 10AA(1),*
are to be reviewed by the delegator.

The only restrictions on what can be delegated are those that require an absolute majority decision by council under s1.4 of the *Local Government Act 1995*. These are:

- Under s31 in relation to areas where dogs are prohibited:
 - (2B) *A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a place where dogs are prohibited —*
 - (a) *at all times; or*
 - (b) *at specified times.*
- And designation of dog exercise areas under s31(3A):
 - (3A) *A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.*

9.1 Refuse or cancel registration of a dog

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.15(2) and (4A) Registration periods and fees s.16(3) Registration procedure s.17A(2) If no application for registration made s.17(4) and (6) Refusal or cancellation of registration
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to determine to refuse a dog registration and refund the fee, if any [s.16(2)]. 2. Authority to direct the registration officer to refuse to effect or renew or to cancel the registration of a dog, and to give notice of such decisions, where: <ol style="list-style-type: none"> i. the applicant, owner or registered owner has been convicted of an offence or paid a modified penalty within the past 3-years in respect of 2 or more offences against this Act, the <i>Cat Act 2011</i> or the <i>Animal Welfare Act 2002</i>; or ii. the dog is determined to be destructive, unduly mischievous or to be suffering from a contagious or infectious disease or iii. the delegate is not satisfied that the dog is or will be effectively confined in or at premises where the dog is ordinarily kept iv. the dog is required to be microchipped but is not microchipped; or v. the dog is a dangerous dog [s.16(3) and s.17A(2)]. 3. Authority to discount or waive a registration fee, including a concessional fee, for any individual dog or any class of dogs within the City's District [s15(4A)]. 4. Authority to apply to a Justice of the Peace for an order to seize a dog where, following a decision to refuse or cancel a registration and the applicant / owner has not applied to the State Administration Tribunal for the decision to be reviewed. [s.17(4)]. <ol style="list-style-type: none"> i. Authority, following seizure, to determine to cause the dog to be detained or destroyed or otherwise disposed of as though it had been found in contravention of section 31, 32 or 33A and had not been claimed [s.17(6)]
Council Conditions on this Delegation:	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Compliance Links:	<i>Dog Act 1976</i> s.17A If no application for registration made – procedure for giving notice of decision under s.16(3)

	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal – s.16A, s.17(4) and (6)
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Notes:

Previously delegation 3.5B (part) of the City's 2018/19 register.

9.2 Recovery of moneys due under the *Dog Act 1976*

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.29(5) Power to seize dogs
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to recover moneys, in a court of competent jurisdiction, due in relation to a dog for which the owner is liable [s.29(5)].
Council Conditions on this Delegation:	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties
Compliance Links:	Includes recovery of expenses relevant to: s.30A(3) Operator of dog management facility may have dog microchipped at owner's expense s.33M Local government expenses to be recoverable. s.47 Veterinary service expenses recoverable from local government r.31 Local government expenses as to dangerous dogs (declared)

Notes:

9.3 Dispose of or sell dogs liable to be destroyed

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.29(11) Power to seize dogs
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to dispose of or sell a dog which is liable to be destroyed [s.29(11)].
Council Conditions on this Delegation:	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Notes:

9.4 Declare dangerous dog

Guidance note

Section 33E also provides that this power may be exercised by an Authorised Person. If the Local Government has appointed an Authorised Person for this purpose (specified in the Certificate of Authorisation for the purposes of s.33E), then this Delegation is not required.

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.33E(1) Individual dog may be declared to be dangerous dog (declared)
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to declare an individual dog to be a dangerous dog [s.33E(1)].
Council Conditions on this Delegation:	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Notes:

9.5 Dangerous dog declared or seized – deal with objections and determine when to revoke

Guidance note

Delegation of the s.33F power to deal with an objection to a dangerous dog declaration should not be delegated to the same person / position who is delegated / authorised to exercise s.33E powers enabling the declaration of a dangerous dog.

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.33F(6) Owners to be notified of making of declaration s.33G(4) Seizure and destruction s.33H(1), (2) and (5) Local government may revoke declaration or proposal to destroy
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to consider and determine to either dismiss or uphold an objection to the declaration of a dangerous dog [s.33F(6)]. 2. Authority to consider and determine to either dismiss or uphold an objection to seizure of a dangerous dog [s.33G(4)]. 3. Authority to revoke a declaration of a dangerous dog or revoke notice proposing to cause a dog to be destroyed, only where satisfied that the dog can be kept without likelihood of any contravention of this Act [s.33H(1)]. 4. Authority to, before dealing with an application to revoke a declaration or notice, require the owner of the dog to attend with the dog a course in behaviour and training or otherwise demonstrate a change in the behaviour of the dog [s.33H(2)].
Council Conditions on this Delegation:	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal

Notes:

Note that this delegation must be exercised by someone other than a person authorised to exercise s.33E powers enabling the declaration of a dangerous dog.

9.6 Deal with objection to notice to revoke dangerous dog declaration or destruction notice

Guidance note

Delegation of the s33H(5) power to deal with an objection should not be delegated to the same person/position who is delegated/authorised to exercise s.33H(1) and (2).

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.33H(5) Local government may revoke declaration or proposal to destroy
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to consider and determine to either dismiss or uphold an objection to a decision to revoke [s.33H(5)]: (a) a notice declaring a dog to be dangerous; or (b) a notice proposing to cause a dog to be destroyed.
Council Conditions on this Delegation:	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal

9.7 Determine recoverable expenses for dangerous dog declaration

Guidance note

This delegation does not include s33M(1)(b) as the setting of a fixed fee must be Council resolution in accordance with s.6.16 of the Local Government Act 1995.

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.33M(1)(a) Local Government expenses to be recoverable
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to determine the reasonable charge to be paid by an owner at the time of payment of the registration fee under s.15, up to any maximum amount prescribed, having regard to the expenses incurred by the Local Government in making inquiries, investigations and inspections concerning the behaviour of a dog declared to be dangerous [s.33H(5)].
Council Conditions on this Delegation:	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal

Notes:

9.8 Appointment of Authorised Persons

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Dog Act 1976:</i> s.10AA Delegation of local government powers and duties
Express Power or Duty Delegated:	<i>Dog Act 1976:</i> s.11(1) Staff and Services
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to appoint Registration Officers to exercise the powers and duties conferred on a Registration Officer by this Act [s.3]. 2. Authority to appoint authorised persons to exercise the powers conferred on an authorised person by this Act [s.11(1)].
Council Conditions on this Delegation:	The Chief Executive Officer may further delegate (sub-delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	<i>Dog Act 1976:</i> s.10AA(3) Delegation of local government powers and duties (NOTE – sub-delegation only permitted where delegation to the CEO expressly authorises sub-delegation)

Notes:

Previously delegation 3.5A (delegations from CEO to employees) of the City's 2018/19 register.

10 Delegations made under the *Tobacco Products Control Act 2006*

10.1 Appointment of Authorised Persons and Restricted Investigators

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42 <i>Delegation of some powers or duties to the CEO</i> <i>s.21 Public Health Act 2016:</i>
Express Power or Duty Delegated:	<i>Tobacco Products Control Act 2006</i> s.77 Power to appoint restricted investigators <i>Public Health Act 2016</i> s.24 Power to appoint Authorised Officers under the <i>Public Health Act 2016</i> to act as Authorised Officers under the <i>Tobacco Products Control Act 2006</i> by virtue of clause 1 of the Glossary of the <i>Tobacco Products Control Act 2006</i> .
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to appoint persons as restricted investigators under s77 of the <i>Tobacco Products Control Act 2006</i> 2. Authority to appoint Authorised Officers for the purposes of the <i>Tobacco Products Control Act 2006</i> by appointing Authorised Officers under section 24 of the <i>Public Health Act 2016</i>
Council Conditions on this Delegation:	The Chief Executive Officer may further delegate (sub delegate) to employees which the CEO has determined as being suitably capable of fulfilling the powers and duties contained in this Delegation.
Express Power to Sub-Delegate:	s.5.44 <i>Local Government Act 1995</i> s.21(4) <i>Public Health Act 2016</i>

Notes:

11 Delegations made under the *Food Act 2008*

Guidance note

References to 'CEO' in the *Food Act 2008* mean the CEO of the Department of Health. There are no powers or duties assigned to the CEO of a local government in this Act.

There is also no power of sub-delegation available. As such it is important for each delegation under this Act to be made direct to delegates who are most suitable for fulfilling the power or duty.

11.1 Determine Compensation

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.56(2) Compensation to be paid in certain circumstances s.70(2) and (3) Compensation
Delegates:	Chief Executive Officer Executive Director Strategy and Development Manager Built Environment and Wellbeing Manager Development and Design
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine applications for compensation in relation to any item seized, if no contravention has been committed and the item cannot be returned [s.56(2)]. 2. Authority to determine an application for compensation from a person on whom a prohibition notice has been served and who has suffered loss as the result of the making of the order and who considers that there were insufficient grounds for making the order [s.70(2) and (3)].
Council Conditions on this Delegation:	a. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time. b. Compensation under this delegation may only be determined upon documented losses up to a maximum of \$5,000. Compensation requests above this value are to be reported to Council.
Express Power to Sub-Delegate:	NIL - Food Regulations 2009 do not provide for sub-delegation.
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal under s35(5) of the Act

Notes:

Previously delegations 4.1, 4.1A, 4.1B and 4.1C of the City's 2018/19 register.

11.2 Prohibition orders

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.65(1) Prohibition orders s.66 Certificate of clearance to be given in certain circumstances s.67(4) Request for re-inspection
Delegate:	Chief Executive Officer Executive Director Strategy and Development Manager Built Environment and Wellbeing Manager Development and Design
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to serve a prohibition order on the proprietor of a food business in accordance with s.65 of the Food Act 2008 [s.65(1)]. 2. Authority to give a certificate of clearance, where inspection demonstrates compliance with a prohibition order and any relevant improvement notices [s.66]. 3. Authority to give written notice to proprietor of a food business on whom a prohibition order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].
Council Conditions on this Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	NIL - Food Regulations 2009 do not provide for sub-delegation.
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal

Notes:

11.3 Food business registrations

Head of power or Duty Delegated:	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Delegate:	Chief Executive Officer Executive Director Strategy and Development Manager Built Environment and Wellbeing Manager Development and Design
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to consider applications and determine registration of a food business and grant the application with or without conditions or refuse the registration [s.110(1) and (5)]. 2. Authority to vary the conditions or cancel the registration of a food business [s.112].
Council Conditions on this Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	NIL – Food Regulations 2009 do not provide for sub-delegation.
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal

Notes:

11.4 Debt recovery and prosecutions

Express Power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Head of power or Duty Delegated:	<i>Food Act 2008:</i> s.54 Cost of destruction or disposal of forfeited item s.125 Institution of proceedings
Delegate:	Chief Executive Officer Executive Director Strategy and Development Manager Built Environment and Wellbeing Manager Development and Design
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in a court of competent jurisdiction [s.54(3)]. 2. Authority to institute proceedings for an offence under the Food Act 2008 [s.125].
Council Conditions on this Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	NIL - Food Regulations 2009 do not provide for sub-delegation.

Notes:

11.5 Food businesses list – public access

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Regulations 2009:</i> r.51 Enforcement agency may make list of food
Delegate:	Chief Executive Officer Executive Director Strategy and Development Manager Built Environment and Wellbeing Manager Development and Design
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to decide to make a list of food businesses maintained under s.115(a) or (b) publicly available [r.51].
Council Conditions on this Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.
Express Power to Sub-Delegate:	NIL - Food Regulations 2009 do not provide for sub-delegation.

Notes:

11.6 Appoint Authorised Officers and Designated Officers

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Food Act 2008:</i> s.118 Functions of enforcement agencies and delegation (2)(b) Enforcement agency may delegate a function conferred on it (3) Delegation subject to conditions [s.119] and guidelines adopted [s.120] (4) Sub-delegation permissible only if expressly provided in regulations
Express Power or Duty Delegated:	<i>Food Act 2008:</i> s.122(1) Appointment of authorised officers s.126(6), (7) and (13) Infringement Officers
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to appoint a person to be an authorised officer for the purposes of the <i>Food Act 2008</i> [s.122(2)]. 2. Authority to appoint an Authorised Officer appointed under s.122(2) of this Act or the s.24(1) of the <i>Public Health Act 2016</i>, to be a Designated Officer for the purposes of issuing Infringement Notices under the <i>Food Act 2008</i> [s.126(13)]. 3. Authority to appoint an Authorised Officer to be a Designated Officer (who is prohibited by s.126(13) from also being a Designated Officer for the purpose of issuing infringements), for the purpose of extending the time for payment of modified penalties [s.126(6)] and determining withdrawal of an infringement notice [s.126(7)].
Council Conditions on this Delegation:	In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time, including but not limited to: <ul style="list-style-type: none"> • Appointment of Authorised Officers as Meat Inspectors • Appointment of Authorised Officers • Appointment of Authorised Officers – Designated Officers only • Appointment of Authorised Officers – Appointment of persons to assist with the discharge of duties of an Authorised Officer
Express Power to Sub-Delegate:	NIL - Food Regulations 2009 do not provide for sub-delegation.
Compliance Links:	s.122(3) requires an Enforcement Agency to maintain a list of appointed authorised officers s.123(1) requires an Enforcement Agency to provide each Authorised Officer with a Certificate of Authority as prescribed

Notes:

12 Delegations made under the *Graffiti Vandalism Act 2016*

References to 'CEO' in the *Graffiti Vandalism Act 2016* mean the CEO of the Department of Corrective Services. There are no powers or duties assigned to the CEO of a local government within this Act.

Sections 16 and 17 allow for a local government to delegate powers and duties to its CEO however:

- 16. Delegation by local government**
- (1) *The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Part.*
 - (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
 - (3) *A decision to delegate under this section is to be made by an absolute majority.*
- 17. Delegation by CEO of local government**
- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under another provision of this Part other than this power of delegation.*
 - (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
 - (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 16, but in the case of such a power or duty —*
 - (a) *the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*
 - (b) *the exercise of that power or the discharge of that duty by the CEO's delegate,**are subject to any conditions imposed by the local government on its delegation to the CEO.*
 - (4) *Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
 - (5) *In subsections (3) and (4) —*
conditions *includes qualifications, limitations or exceptions.*

12.1 Give notice requiring obliteration of graffiti

Delegations from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Local Government Act 1995:</i> s.18(2) Notice requiring removal of graffiti s.19(3) & (4) Additional powers when notice is given
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is obliterated in an acceptable manner, within the time set out in the notice [s.18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything considered necessary to obliterate the graffiti in an acceptable manner [s.19(3)] and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].
Council Conditions on this Delegation:	Nil.

Express Power to Sub-Delegate:*Graffiti Vandalism Act 2016:*
s.17 Delegation by CEO of local government**Notes:**

Previously delegation 3.4 of the City's 2018/19 register.

12.2 Notices – deal with objections and give effect to notices

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> s.22(3) Objection may be lodged s.24(1)(b) & (3) Suspension of effect of notice
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to deal with an objection to a notice [s.22(3)]. 2. Authority, where an objection has been lodged, to: <ol style="list-style-type: none"> i. determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)] and ii. to give notice to the affected person, before taking the necessary actions [s.24(3)].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government
Compliance Links:	Note – Decisions under this delegation may be referred for review by the State Administration Tribunal

Notes:

12.3 Obliterate graffiti on private property

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> s.25(1) Local government graffiti powers on land not local government property
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to determine to obliterate graffiti applied without consent of the owner or occupier, even though the land on which it is done is not local government property and the local government does not have consent [s.25(1)].
Council Conditions on this Delegation:	a. Subject to exercising Powers of Entry. b. Graffiti removal is to be undertaken in accordance with Policy 2.1.3 – Graffiti Control and Removal.
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

Notes:

Previously 3.4 in 2018/19 register of delegations.

12.4 Powers of entry

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Graffiti Vandalism Act 2016:</i> s.16 Delegation by local government
Express Power or Duty Delegated:	<i>Graffiti Vandalism Act 2016:</i> s.28 Notice of entry s.29 Entry under warrant
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to give notice of an intended entry to the owner or occupier of land, premises or thing, specifying the purpose for which entry is required [s.28]. 2. Authority to obtain a warrant to enable entry onto any land, premises or thing for the purposes of this Act [s.29].
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Graffiti Vandalism Act 2016:</i> s.17 Delegation by CEO of local government

Notes:

13 Delegations made under the *Public Health Act 2016*

Guidance note

Section 21 of the *Public Health Act 2016* provides that powers may only be delegated to the CEO or an authorised officer designated under s.24 unless a Regulation enacted under the *Public Health Act 2016* specifically authorises a delegated power or duty of an enforcement agency to be further delegated.

Under s4 of the Act, 'enforcement agency' includes a local government.

13.1 Enforcement agency reports to the Chief Health Officer

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.22 Reports by and about enforcement agencies
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Authority to prepare and provide to the Chief Health Officer, the Local Government's report on the performance of its functions under this Act and the performance of functions by persons employed or engaged by the City [s.22(1)] 2. Authority to prepare and provide to the Chief Health Officer, a report detailing any proceedings for an offence under this Act [s.22(2)].
Council Conditions on this Delegation:	Nil
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.

Notes:

13.2 Determine compensation for seized items

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.264 Compensation
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority, in response to an application for compensation, to determine compensation that is just and reasonable in relation to any item seized under Part 16 if there has been no contravention of the Act and the item cannot be returned or has in consequence of the seizure depreciated in value [s.264].
Council Conditions on this Delegation:	Compensation is limited to a maximum value of \$5,000 with any proposal for compensation above this value to be referred for Council's determination.
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies. Note – Decisions under this delegation may be referred for review by the State Administration Tribunal

Notes:

13.3 Commence Proceedings

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.280 Commencing Proceedings
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to commence proceedings for an offence under the <i>Public Health Act 2016</i> [s.280]
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies.

Notes:

13.4 Appoint Authorised Officer or Approved Officer (Asbestos Regulations)

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Health (Asbestos) Regulations 1992:</i> r.15D(7) Infringement Notices
Express Power or Duty Delegated:	<i>Health (Asbestos) Regulations 1992:</i> r.15D(5) Infringement Notices
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Authority to appoint a person or classes of persons as an authorised officer or approved officer for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2 [r.15D(5)].
Council Conditions on this Delegation:	Subject to each person so appointed being issued with a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices [r.15D(6)].
Express Power to Sub-Delegate:	Nil – the <i>Health (Asbestos) Regulations 1992</i> do not provide a power to sub-delegate.
Compliance Links:	<i>Criminal Procedure Act 2004 – Part 2</i>

Notes:

13.5 Designate Authorised Officers

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Public Health Act 2016:</i> s.21 Enforcement agency may delegate
Express Power or Duty Delegated:	<i>Public Health Act 2016</i> s.24(1) and (3) Designation of authorised officers
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	1. Authority to designate a person or class of persons as authorised officers for the purposes of: <ol style="list-style-type: none"> The <i>Public Health Act 2016</i> or other specified Act Specified provisions of the <i>Public Health Act 2016</i> or other specified Act Provisions of the <i>Public Health Act 2016</i> or another specified Act, other than the specified provisions of that Act. Including: <ol style="list-style-type: none"> an environmental health officer or environmental health officers as a class; OR a person who is not an environmental health officer or a class of persons who are not environmental health officers, OR a mixture of the two. [s.24(1) and (3)].
Council Conditions on this Delegation:	<ol style="list-style-type: none"> Subject to each person so appointed being; <ul style="list-style-type: none"> Appropriately qualified and experienced [s.25(1)(a)]; and Issued with a certificate, badge or identity card identifying the authorised officer [s.30 and 31]. A Register (list) of authorised officers is to be maintained in accordance with s.27.
Express Power to Sub-Delegate:	Nil – Unless a Regulation enacted under the <i>Public Health Act 2016</i> specifically authorises a delegated power or duty of an enforcement agency to be further delegated [s.21(4)].
Compliance Links:	<i>Public Health Act 2016</i> s.20 Conditions on performance of functions by enforcement agencies s.25 Certain authorised officers required to have qualifications and experience. s.26 Further provisions relating to designations s.27 Lists of authorised officers to be maintained s.28 When designation as authorised officer ceases s.29 Chief Health Officer may issue guidelines about qualifications and experience of authorised officers s.30 Certificates of authority s.31 Issuing and production of certificate of authority for purposes of other written laws s.32 Certificate of authority to be returned. s.136 Authorised officer to produce evidence of authority <i>Criminal Investigation Act 2006</i> , Parts 6 and 13 – refer s.245 of the <i>Public Health Act 2016</i> <i>The Criminal Code</i> , Chapter XXVI – refer s.252 of the <i>Public Health Act 2016</i>

Notes:

14 Delegations made under the *Health (Miscellaneous Provisions) Act 1911*

Guidance note

Section 26 of the *Health (Miscellaneous Provisions) Act 1911* provides that:

26. Powers of local government

Every local government is hereby authorised and directed to carry out within its district the provisions of this Act and the regulations, local laws, and orders made thereunder:

Provided that a local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function.

14.1 Discharge of powers and duties under the Act

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Health (Miscellaneous Provisions) Act 1911: Section 26</i>
Express Power or Duty Delegated:	To exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The CEO is appointed as the City's deputy under the Act to exercise and discharge all or any of the powers and functions of the local government.
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	

Notes:

Previously delegation 4.2 of the City's 2018/19 register.

14.2 Appoint Authorised Persons

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Health (Miscellaneous Provisions) Act 1911:</i>
Express Power or Duty Delegated:	To exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	The CEO may appoint authorised persons under the Act.
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	

15 Appointment of authorised persons under the *Caravan Parks and Camping Grounds Act 1995*

Guidance note

There is no need for Council to delegate authority to the CEO to appoint persons to undertake certain matters under the *Caravan Parks and Camping Grounds Act 1995* as section 17 of the *Caravan Parks and Camping Grounds Act 1995* confers power directly on the CEO of a 'local government' authority' to appoint 'authorised persons'.

16 Delegations made under the *Planning and Development Act 2005*

Section 5.42 of the Local Government Act provides that:

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
 - (a) ...
 - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).
- * Absolute majority required.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Sections 214 (2), (3) and (5) of the *Planning and Development Act 2005* provide that:

214. Illegal development, responsible authority's powers as to

- (1) ...
- (2) If a development, or any part of a development, is undertaken in contravention of a planning scheme or an interim development order or in contravention of planning control area requirements, the responsible authority may give a written direction to the owner or any other person undertaking that development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements.
- (3) If a development has been undertaken in contravention of a planning scheme or interim development order or in contravention of planning control area requirements, the responsible authority may give a written direction to the owner or any other person who undertook the development —
 - (a) to remove, pull down, take up, or alter the development; and
 - (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority.
- (4) The responsible authority may give directions under subsections (2) and (3)(a) and (b) in respect of the same development and in the same instrument.
- (5) If it appears to a responsible authority that delay in the execution of any work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order, the responsible authority may give a written direction to the person whose duty it is to execute the work to execute that work.
- (6) ...

Regulations 81-84 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provide that:

81. Terms used

In this Division —

absolute majority has the meaning given in the *Local Government Act 1995*

section 1.4;

committee means a committee established under the *Local Government Act 1995*

section 5.8.

82. Delegations by local government

- (1) The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under this Scheme* other than this power of delegation.

(2) A resolution referred to in subclause (1) must be by absolute majority of the council of the local government.

(3) The delegation must be in writing and may be general or as otherwise provided in the instrument of delegation.

83. Local government CEO may delegate powers

(1) The local government CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's functions under this Scheme other than this power of delegation.

(2) A delegation under this clause must be in writing and may be general or as otherwise provided in the instrument of delegation.

(3) Subject to any conditions imposed by the local government on its delegation to the local government CEO under clause 82, this clause extends to a power or duty the exercise or discharge of which has been delegated by the local government to the CEO under that clause.

84. Other matters relevant to delegations under this Division

The Local Government Act 1995 sections 5.45 and 5.46 apply to a delegation made under this Division as if the delegation were a delegation under Part 5 Division 4 of that Act.

(*Underlining added - the effect of this is that a power can only be delegated if it exists in a local government's local planning scheme (LPS) in the first instance).

16.1 Delegations by Council to the CEO

16.1.1 Determination of various applications for development approval under the City's Local Planning Scheme

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	Regulations 81-84 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Express Power or Duty Delegated:	<p>Determination of an application for development approval under clause 68 of Schedule 2 of the <i>Planning and Development (Local Planning Scheme) Regulations</i>; subclause 29(2) of the <i>Metropolitan Region Scheme</i>; and subsection 31(2) of the <i>State Administrative Tribunal Act 2004</i>.</p> <p>Advertising of applications and proposals under subclauses 18(4), 23(2) and 34(4) of the City of Vincent Local Planning Scheme No. 2; Clauses 18, 34, 50 and 64 and subclauses 66(1) and 77(3) of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>; and subclause 30(1) of the <i>Metropolitan Region Scheme</i>.</p> <p>Determining accompanying material requirements for applications for development approval, including refusal to accept an application, under Clauses 11, 63 and 85 of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>Amending or cancelling development approval, including waiving or varying a requirement in Part 8 or 9 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> for minor amendments and temporary works or use, under Clause 77 and subclauses 61(1)(f)(a) and (b) (Item 17), and 61(2)(d)(f) of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p><u>Determining accompanying material requirements for Local Development Plans under Clause 49 of the Planning and Development (Local Planning Schemes) Regulations 2015.</u></p> <p>The Chief Executive Officer is delegated the power to:</p> <ul style="list-style-type: none"> • Exercise discretion, determine and apply conditions to all applications for development approval made under the City of Vincent Local Planning Scheme No. 2 and/or Metropolitan Region Scheme; • Exercise discretion and affirm, vary or set aside a decision made on an application for development approval following a request by the State Administrative Tribunal for a reconsideration to be made under section 31 of the <i>State Administrative Tribunal Act 2004</i>; • Determine the requirement for and extent of advertising of applications and proposals made under the City of Vincent Local Planning Scheme No. 2 and <i>Metropolitan Region Scheme</i>; • Determine the type and extent of accompanying material required to be lodged with applications and proposals made under the City of Vincent Local Planning Scheme No. 2 and <i>Metropolitan Region Scheme</i> and whether an application should be accepted or rejected;

	<ul style="list-style-type: none"> • Exercise discretion, determine and apply conditions to all applications to amend or cancel a development approval; • Exercise discretion, determine and apply conditions to all applications made to extend the period within which a development approved must be substantially commenced; • Exercise discretion, determine and apply conditions to all applications made under regulation 17A of the Planning and Development (Development Assessment Panels) Regulations 2011 to amend or cancel a development approval made by a Development Assessment Panel; and • Waive or vary a requirement in Part 8 or Part 9 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> in respect of an application where that application is considered to relate to a minor amendment to the development approval; and • <u>Determine the type and extent of accompanying material requirements, and any modifications required by Council in respect to a Local Development Plan under Part 6 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</u>
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<p>The determination of applications for development approval made under City of Vincent Local Planning Scheme No. 2 and the <i>Metropolitan Region Scheme</i>.</p> <p>Reconsidering a decision when invited to do so by the State Administrative Tribunal under section 31 of the <i>State Administrative Tribunal Act 2004</i>.</p> <p>Determining the requirement for and extent of advertising of applications and proposals made under the City of Vincent Local Planning Scheme No. 2 and <i>Metropolitan Region Scheme</i>.</p> <p>Determining the type and extent of accompanying material required to be lodged with applications and proposals made under the City of Vincent Local Planning Scheme No. 2 and <i>Metropolitan Region Scheme</i> and whether an application should be accepted or not;</p> <p>The determination of applications to amend or cancel a development approval made under delegated authority or to extend the period within which the development approved must be substantially commenced.</p> <p>Waiving or varying a requirement in Part 8 or Part 9 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> in respect of an application where that application is considered to relate to a minor amendment to the development approval.</p> <p><u>Determine the type and extent of accompanying material requirements, and any modifications required by Council in respect to a Local Development Plan under Part 6 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</u></p>
Council Conditions on this Delegation:	<ol style="list-style-type: none"> 1. This delegation does not extend to applications for development approval that propose to introduce one of the following land uses listed under Local Planning Scheme No. 2: <ol style="list-style-type: none"> a. Cinema/theatre; b. Club premises; c. Corrective institution; d. Exhibition centre; e. Hospital; f. Hotel; g. Motel; h. Nightclub; i. Place of worship;

	<p>j. Reception centre;</p> <p>k. Residential building;</p> <p>l. <u>Restricted Premises</u></p> <p>lm Serviced apartment;</p> <p>m. <u>Small bar</u></p> <p>n. Tavern, <u>unless the premises is already subject to a Tavern Licence issued under the Liquor Licensing Act 1985;</u></p> <p>2. This delegation does not extend to applications for development approval that propose a height of three storeys or more and do not meet the applicable Building Height deemed-to-comply standard or Acceptable Outcomes set by State Planning Policy 7.3: Residential Design Codes <u>in respect to the number of storeys and/or the height measured in metres;</u></p> <p>3. This delegation does not extend to applications for development approval that propose a new non-conforming use that is proposed to replace and effect the discontinuance of an existing non-conforming use;</p> <p>4. This delegation does not extend to applications for telecommunications infrastructure that have received one or more objections;</p> <p>5. This delegation does not extend to the approval of applications for a billboard sign or directional sign;</p> <p>6. This delegation does not extend to applications for development approval <u>for works in places that proposed demolition of buildings</u> identified in the Heritage List, within a Heritage Area, or on the State Register of Heritage Places <u>that propose:</u></p> <p><u>a. Demolition of buildings; and/or</u></p> <p><u>b. Alterations and/or additions to buildings except where external fixtures (as defined by the Residential Design Codes) or restoration and remediation works are proposed to the building;</u></p> <p>7. This delegation does not extend to applications for development approval that have received more than five (5) objections during the City's community consultation period unless the application is for a billboard sign or directional sign;</p> <p>8. Any application for development approval within a design guideline area, character retention area or heritage area adopted by Council through a local planning policy is to be advertised to all owners and occupiers within that area by the City during the community consultation period, with the exception of the William Street Design Guideline Area and Structures Above or Adjacent to the Graham Farmer Freeway Tunnel Northbridge Design Guideline Area, which shall be advertised in accordance with Policy 4.1.05 - Community Consultation;</p> <p>9. This delegation does not extend to applications to amend a development approval that was determined by Council, unless the amendments proposed;</p> <p>a. meet all equivalent acceptable or deemed-to-comply standards, or does not propose any further departure to previously approved variations to acceptable or deemed-to-comply standards, set out in the City's Local Planning Policies;</p> <p>b. meet all of the deemed-to-comply standards or element objectives and acceptable outcomes, or does not propose any further departure to previously approved variations to deemed-to-comply standards, or element objectives and acceptable outcomes, as set out in State Planning Policy 7.3 Residential Design Codes; and</p>
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	<p>c. <u>i) Where the development relates to a non-residential use, the adjacent property (as shown in the Community Consultation Policy) is not used for a residential purpose; or</u> <u>ii) For all other development where the amendment would not change the impact of any condition imposed;</u></p> <p>10. This delegation does not extend to requests from the State Administrative Tribunal for a reconsideration of a Council decision under section 31 of the <i>State Administrative Tribunal Act 2004</i>; and</p> <p>11. This delegation does not extend to applications for development approval that propose more than three (3) 'Dwellings (Grouped)' or 'Dwellings (Multiple)' and do not meet the deemed-to-comply standards or acceptable outcomes in relation to car parking of State Planning Policy 7.3: Residential Design Codes; and</p> <p>12. <u>This delegation does not extend to applications for development approval that propose permanent structures on City owned or managed land, except where:</u></p> <ul style="list-style-type: none"> a. <u>The structure is an awning, verandah or similar; or</u> b. <u>The structure is for a ground anchor; or</u> c. <u>The structure is for an encroachment which:</u> <ul style="list-style-type: none"> i. <u>is an architectural feature and does not encroach by greater than 250 millimetres; or</u> ii. <u>is a window or shutter that encroaches on a road or public space by no more than 50 millimetres when open, and is at least 2.75 metres above the ground level;</u> <p><u>as outlined in the Minister's for Land's authorisations.</u></p>
Express Power to Sub-Delegate:	

Notes:

Previously delegation 6.2 of the City's 2018/19 register.

16.1.2 Deal with illegal development under s214 of the Act

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Planning and Development Act 2005:</i> Section 214(2), (3) and (5)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Give a written direction to the owner or any other person undertaking an unauthorised development to stop, and not recommence, the development or that part of the development that is undertaken in contravention of the planning scheme, interim development order or planning control area requirements; 2. Give a written direction to the owner or any other person who undertook an unauthorised development: <ol style="list-style-type: none"> (a) to remove, pull down, take up, or alter the development; and (b) to restore the land as nearly as practicable to its condition immediately before the development started, to the satisfaction of the responsible authority. 3. Give a written direction to the person whose duty it is to execute work to execute that work where it appears that delay in the execution of the work to be executed under a planning scheme or interim development order would prejudice the effective operation of the planning scheme or interim development order.
Council Conditions on this Delegation:	Any expenses incurred by the City in carrying out the works specified in a direction notice shall be recovered from the person to whom the direction was given.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Compliance Links:	Part 13 of the Planning and Development Act 2005

Notes:

Previously delegation 6.1 of the City's 2018/19 register.

16.1.3 Enforce compliance with a direction issued under section 214 of the Act

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	<i>Local Government Act 1995:</i> s.5.42(b) Delegation of some powers or duties to the CEO s.5.43 Limitations on delegations to the CEO
Express Power or Duty Delegated:	<i>Planning and Development Act 2005:</i> Section 215(1) and (2)
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	Enforce compliance with a written direction issued under section 214 of the <i>Planning and Development Act 2005</i> to remove, pull down, take up or alter the development, restore the land as nearly as practicable to its condition immediately before the development started and to recover the costs from the person the written direction was given to.
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Local Government Act 1995:</i> s.5.44 CEO may delegate some powers and duties to other employees
Compliance Links:	Part 13 of the Planning and Development Act 2005

Notes:

Previously delegation 6.1 of the City's 2018/19 register.

16.1.4 Issue of heritage conservation notice under *Planning and Development (Local Planning Schemes) Regulations 2015*

Delegation from Council to CEO

Head of power to Delegate: <i>Power that enables a delegation to be made</i>	Regulations 81-84 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Reg 82 – the local government may, by resolution, delegate to a committee or a local government CEO any of the local government's powers or duties under this Scheme.
Express Power or Duty Delegated:	Clauses 13(2), (3), (4) and (5), Schedule 2 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> – Heritage Conservation Notice
Delegate:	Chief Executive Officer
Function: <i>This is a precis only. Delegates must act with full understanding of the legislation and conditions relevant to this delegation.</i>	<ol style="list-style-type: none"> 1. Form the view that a heritage place is not being properly maintained and give a written notice requiring the person to carry out specified repairs to the heritage place by a specified time, being a time that is not less than 60 days after the day on which the notice is given; 2. If a person fails to comply with a heritage conservation notice, enter the heritage place and carry out the repairs specified in the notice; 3. Recover the expenses incurred in carrying out repairs as a debt due from the person to whom the notice was given, in a court of competent jurisdiction; 4. Vary a heritage conservation notice to extend the time for carrying out the specified repairs; and 5. Revoke a heritage conservation notice.
Council Conditions on this Delegation:	Nil.
Express Power to Sub-Delegate:	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Reg 83 - CEO may delegate any of the CEO's powers and duties to other employees, other than power of delegation

16.1.5 Appointment of Authorised Persons

Guidance note

There is no need for Council to delegate authority to the CEO to appoint persons to undertake certain matters under the *Planning and Development Act 2005* or the LPS as:












- Section 234 of the *Planning and Development Act 2005* confers power directly on the CEO of a 'responsible authority' to appoint 'designated persons'.
- Similarly, Regulation 79 of the Planning and Development (Local Planning Scheme) Regulations provides for the CEO of a local government to appoint authorised persons to undertake certain functions.
- Finally, s20 (3) of the *Criminal Procedures Act 2004* provides that a person authorised in writing by a local government may commence proceedings for an offence under an Act if not specified in that Act.

Revisions

Review	Council Item	CM Ref	Details
25/06/2019	OMC - 12.5 Minutes	D19/92612	Annual review of Council delegations
08/07/2019	Administrative	D19/95056	Review and appointment of sub-delegations and authorisations.
03/09/2019	Administrative	D19/124944	Update of authorised officers. Approval of sub-delegation clause 2.4.10 to Manager Built Environment and Wellbeing. Extended CEO delegations to Executive Directors and Managers – Clause 2.4.11.
17/09/2019	OMC - 12.5 Minutes	D19/140608	Amendments to Council Delegations: <ul style="list-style-type: none"> • Amendment to delegations 4.4 and 10.1; • New delegations 4.10 and 17.1.3; and • Removal of delegations 2.1.1, 15.1 & 16.
24/09/2019	Administrative	D19/143297	Updated sub-delegations, authorisations and appointments
25/11/2019	Administrative	D19/181887	Position title changes <ul style="list-style-type: none"> • Executive Director Planning and Place to Executive Director Strategy and Development • Manager Regulatory Services to Manager Built Environment and Wellbeing • Manager Governance, Property and Contracts to Executive Manager, Corporate Strategy and Governance; • Manager Asset and Design Services to Manager Asset and Engineering; and • Manager Parks and Property Services to Manager Parks and Urban Green
30/03/2020	SCM - 6.1 Minutes	D20/54046 & D20/59080	Amendments to Council delegation 16.1.1 & addition of clause 2.1.1 - Delegation to the COVID Relief and Response Committee.
21/04/2020	Administrative	D20/73202	Extension of sub-delegations and authorisations to Manager Development and Design.
23/04/2020	Administrative	D20/73371	Annual review undertaken by administration proposed amendments recommended to Council
16/06/2020	OMC – 12.1 Minutes	D20/105165	Annual review undertaken by Council. Extension of CEO Delegation 2.2.29 and clarification of condition 9 of delegation 16.1.1
18/08/2020	OMC – 12.3 & 12.4 Minutes		<p><u>Item 12.3</u> Council revoked its delegation to grant licences under regulation 17 of the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> to the COVID-19 Relief and Recovery Committee. Function removed from clause 2.1.1.</p> <p><u>Item 12.4 – New delegation – 16.1.4 - Issue of Heritage Conservation Notice</u> Council delegated to the CEO the power to issue a heritage conservation notice under clause 13(2), (3), (4) and (5) of Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. Renumbered appointment of Authorised Persons under the <i>Planning and Development Act 2005</i> & LPS to 16.1.5 (previously 16.1.4)</p>

17/11/2020	OMC – 11.2 Minutes		<u>New delegation - 2.2.18 - Leases and licences to Small Community Groups, Sporting Clubs and Community Groups and Organisations in accordance with the Property Management Framework</u> Council delegated to the CEO the power to dispose of property in accordance with section 3.58 of the <i>Local Government Act 1995</i> Existing delegations 2.2.18 to 2.2.30 renumbered 2.2.19 to 2.2.31 accordingly.
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8.6 INFORMATION BULLETIN

- Attachments:**
1. **Unconfirmed Minutes of the Tamala Park Regional Council - Special Meeting of Council held on 26 May 2021** [↓](#) 
 2. **Minutes Arts Advisory Group (AAG) 19 May 2021** [↓](#) 
 3. **Minutes Reconciliation Action Plan Working Group (RAPWG) 10 May 2021** [↓](#) 
 4. **Statistics for Development Services Applications as at May 2021** [↓](#) 
 5. **Quarterly Street Tree Removal Information** [↓](#) 
 6. **Register of Legal Action and Prosecutions Monthly - Confidential**
 7. **Register of Legal Action - Orders and Notices Quarterly - Confidential**
 8. **Register of State Administrative Tribunal (SAT) Appeals - Progress report as at 4 June 2021** [↓](#) 
 9. **Register of Applications Referred to the MetroWest Development Assessment Panel - Current** [↓](#) 
 10. **Register of Applications Referred to the Design Review Panel - Current** [↓](#) 
 11. **Register of Petitions - Progress Report - May 2021** [↓](#) 
 12. **Register of Notices of Motion - Progress Report - May 2021** [↓](#) 
 13. **Register of Reports to be Actioned - Progress Report - May 2021** [↓](#) 

RECOMMENDATION:

That Council RECEIVES the Information Bulletin dated June 2021.



Special Meeting of Council

Wednesday 26 May 2021

Held Electronically

MINUTES

These Minutes were confirmed as a true and correct record of proceedings at a meeting held on 17 June 2021.

Signature:
Chair

Minutes TPRC Special Meeting of Council – 26 May 2021

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Minutes TPRC Special Meeting of Council – 26 May 2021

MEMBERSHIP

OWNER COUNCIL	MEMBER	ALTERNATE MEMBER
Town of Cambridge	Cr Andres Timmermanis (DEPUTY CHAIR)	Cr Gary Mack
City of Joondalup	Cr John Chester Cr Phillipa Taylor	Cr Christopher May Cr Suzanne Thompson
City of Perth	Cr Brent Fleeton	Cr Clyde Bevan
City of Stirling	Cr Karen Caddy (CHAIR) Cr David Lagan Cr Suzanne Migdale Cr Bianca Sandri	Cr Karlo Perkovic
Town of Victoria Park	Cr Claire Anderson	
City of Vincent	Cr Joanne Fotakis	Cr Alex Castle
City of Wanneroo	Cr Brett Treby Cr Domenic Zappa	Cr Natalie Sangalli Cr Vinh Nguyen

 Minutes TPRC Special Meeting of Council – 26 May 2021

PRESENT

Chair	Cr Karen Caddy
Councillors	Cr John Chester Cr Brent Fleeton Cr Joanne Fotakis Cr David Lagan Cr Suzanne Migdale Cr Bianca Sandri Cr Philippa Taylor Cr Andres Timmermanis Cr Domenic Zappa
Alternate Members	Cr Natalie Sangalli
Staff	Mr Tony Arias (Chief Executive Officer) Ms Vickie Wesolowski (Executive Assistant)
Apologies Councillors	Cr Claire Anderson Cr Brett Treby
Leave of Absence	Nil
Absent	Nil
Consultants	Nil
Apologies Participant Councils' Advisers	Mr John Giorgi (Town of Cambridge) Mr Stuart Jardine (City of Stirling) Mr David MacLennan (City of Vincent) Ms Michelle Reynolds (City of Perth) Mr Daniel Simms (City of Wanneroo) Mr Anthony Vuleta (Town of Victoria Park)
In Attendance Participant Councils' Advisers	Mr James Pearson (City of Joondalup) Mr Stevan Rodic (City of Stirling) Ms Noelene Jennings (City of Wanneroo)
Members of the Public	Nil
Press	Nil

Minutes TPRC Special Meeting of Council – 26 May 2021

1. OFFICIAL OPENING

The Chair declared the meeting open at 6:32pm and welcomed Cr Natalie Sangalli - Alternate Member (City of Wanneroo) to the TPRC meeting.

DISCLOSURE OF INTERESTS

Nil

2. PUBLIC STATEMENT/QUESTION TIME

Nil

3. APOLOGIES AND LEAVE OF ABSENCE

Apologies: Cr Brett Treby and Cr Claire Anderson

4. PETITIONS

Nil

5. CONFIRMATION OF MINUTES

Ordinary Meeting of Council – 15 April 2021

Moved Cr Timmermanis, Seconded Cr Chester.

That the minutes of the Ordinary Meeting of Council of 15 April 2021 be confirmed, and signed by the Chair, as a true and correct record of proceedings.

The Motion was put and declared CARRIED (11/0).

5A BUSINESS ARISING FROM MINUTES

Nil

6. ANNOUNCEMENTS BY CHAIR (WITHOUT DISCUSSION)

Nil

7. ADMINISTRATION REPORTS AS PRESENTED (ITEMS 7.1 – 7.2)

Minutes TPRC Special Meeting of Council – 26 May 2021

7.1 STATEMENT OF FINANCIAL ACTIVITY FOR THE MONTH OF MARCH 2021

Moved Cr Migdale, Seconded Cr Zappa.

[The recommendation in the agenda]

That the Council RECEIVES and NOTES the Statement of Financial Activity for the month of March 2021.

The Motion was put and declared CARRIED (11/0).

7.2 TPRC FYE 2021 BUDGET - REVIEW OF DISTRIBUTIONS

Moved Cr Zappa, Seconded Cr Migdale.

[The recommendation in the agenda]

That the Council:

- 1. APPROVES the TPRC Budget FYE 2021 being amended to increase the distribution to member local governments from \$3.0M to \$9.00M.**
- 2. REQUESTS the CEO to develop a Payment of Distributions Policy ahead of adoption of the Budget FYE 2022 in August 2021.**

The Motion was put and declared CARRIED (11/0) by ABSOLUTE MAJORITY.

8. COMMITTEE REPORT 8.1**CEO PERFORMANCE REVIEW COMMITTEE (20 MAY 2021)****8.1 PROCESS FOR APPOINTMENT OF TPRC CEO**

Moved Cr Lagan, Seconded Cr Sandri.

[The recommendation in the agenda]

- 1. That Council UNDERTAKE the appointment of a Temporary CEO for a period of 12 months.**
- 2. That the TPRC ENGAGE contract HR resources (utilising the WALGA panel if appropriate) to assist Council with the selection and engagement of the Temporary CEO and the offboarding of the current CEO.**
- 3. That a Selection Panel comprising the following members BE ESTABLISHED to support the recruitment of the temporary CEO:**
 - (a) Cr Karen Caddy (Chair);**
 - (b) Cr Andres Timmermanis (Deputy Chair);**
 - (c) Cr Claire Anderson;**
 - (d) Cr David Lagan;**
 - (e) Cr Bianca Sandri;**

Minutes TPRC Special Meeting of Council – 26 May 2021

- (f) Cr Philippa Taylor;
- (g) Cr Brett Treby.

4. That the Selection Panel REVIEW the draft Selection Criteria and Position Description provided by the CEO and recommend to Council any changes applicable to the Temporary CEO role.

The Motion was put and declared CARRIED (11/0) by ABSOLUTE MAJORITY.

9. ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

10. QUESTIONS BY ELECTED MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

11. URGENT BUSINESS APPROVED BY THE CHAIR

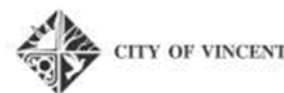
Nil

12. GENERAL BUSINESS

Nil

13. FORMAL CLOSURE OF MEETING

The Chair declared the meeting closed at 7:10pm.



ARTS ADVISORY GROUP

Wednesday, 19 May 2021 at 5.30pm

Venue: Function Room
City of Vincent
Administration and Civic Centre
244 Vincent Street Leederville

Attendees:

City of Vincent Councillors

Cr Joanne Fotakis (Chairperson) (JF)
Cr Sally Smith (SS)

Community Representatives

Ms Paula Hart (PH) Ms Suzanne Worner (SW)
Ms Claudia Alessi (CA) Mr Eduardo Cossio (EC)

City of Vincent Officers

Tara Gloster, Manager Policy and Place (TG)
Lauren Formentin, Place Planner – Pickle District (Arts) (LF)

Apologies

Ms Sioux Tempestt (ST) Mx Johnny Doan (JD)
Mr Nathan Giles (NG) Ms Alexandra Thomson (AT)

.....

1. Welcome/Declaration of Opening – Acknowledgement to Country

- JF opened the meeting and acknowledged the traditional custodians of the land on which the meeting was held.
- Consider next meeting to be longer and perhaps in the Pickle District.
- JF gave overview on recent documents, including the Pickle District Place Plan.
- Pickle District After Dark event was great, many from the AAG attended and thought it was very successful.
- Discussed late change to meeting agenda due to staffing changes, will move 'Arts Development Plan Review and Arts Development Strategy Overview' item to next meeting, and instead have added 'Arts Rebound: Town Centre Artworks' item to today's meeting.

2. Apologies

Mx Johnny Doan (JD), Mr Nathan Giles (NG), Ms Sioux Tempestt (ST) and Ms Alexandra Thomson (AT).

3. Previous Minutes

Minutes from the previous meeting held 7 April 2021 were tabled for discussion. No comments or amendments were made.

4. Business

4.1 Percent for Art Policy Review and 4.2 Public Art, Murals and Art Collection Policy Review (LF)

- Discussed City of Perth policy and their definitions of Artist and Public Art
- Differentiate between artwork types in the policy – e.g. interactive vs standalone
- Developer guidelines to be more specific and address outcome issues

- If the artist component is not 100% of the artwork application as there are significant fabrication/build/installation elements how does the outcome be quality controlled
- Purpose of the policy: it holds us to account to achieve the outcomes we want
- Public art definition needs to include:
 - Visual or solid – interactive or sculpture
 - Public – not in a private setting
 - Functional, integrated or free standing/ standalone
 - Ephemeral – yes, supportive of this
 - Arts/creative infrastructure e.g. studio space – in theory yes we would support this, but in reality/practice it would be difficult to ensure spaces are maintained and it is very resource intensive to manage these types of spaces ongoing
- Discussion on ground floor land use and what this could be, could arts outcomes be delivered at the ground floor
- Professional artists definition to:
 - Differentiate between emerging and established – they are very different, not related to age but the level of experience. Consider how these could be related to mentoring opportunities
 - Include **culture** to recognise refugee and immigrant culture as well as Indigenous
 - Include all different backgrounds and abilities e.g. disability
 - Consider how shortcomings on things such as experience can be rectified through a **team/collaboration** approach (can consider this through the current EOI)
 - Be careful around collaboration / team wording as this should encourage emerging and experienced artists working together rather than promoting big companies (e.g. UAP). Independent artists should always be promoted
 - Be specific about what the team is (who) and be transparent about the details of this
 - Consider attribution – ensure that artworks always attribute the artist not the management/consultant/fabrication company – be clear about all the people involved

4.3 Arts Rebound: Town Centre Artworks EOI feedback (LF)

- What does team mean? What collaboration opportunities are there?
- What is a capability statement – is that wording recognised?
- Give a weighting to local based artists in Vincent in the EOI assessment criteria
- Maximum number of pages allowed for previous works for individuals vs teams – make this fair
- Check objectives from ACS in regards to the Leederville location
- Administration to research and generally know more about great art around the world – how would this fit in with our policies (something to discuss at later meetings), could also potentially include these in the developer guidelines

5. Close/Next Meeting

Next meeting 30 June 2021 will have the following items:

Perth International Jazz Festival presentation (Guest)

Pickle District Place Plan presentation (JJM)

Arts Development Plan Review and Arts Development Strategy Overview (ZT)

Summary of Actions	Date	Status
LF to provide following documents through Dropbox link: <ul style="list-style-type: none"> • Arts Rebound: Town Centre Artworks EOI • Draft Leederville Town Centre Artworks • Draft Pickle District Place Plan 	28 May 2021	Complete

Signed

Councillor

(Chairperson)

Dated this _____ day of _____ 20__

MINUTES



RECONCILIATION ACTION PLAN WORKING GROUP

Monday, 10 May 2021 at 5:30pm

Venue: Committee Room

City of Vincent Administration and Civic Centre

244 Vincent Street, Leederville

Attendees:

City of Vincent Councillors

Cr Dan Loden (Chairperson)

Cr Jonathan Hallett (JH)

Community Representatives

Mikayla King (MK)

Roslyn Harley (RH)

City of Vincent Officers

Gemma Carter – (Manager Marketing & Partnerships) (GC)

Natalie Stoksik – (Community Development Advisor - Reconciliation) (NatS)

Nathan Stokes – (Executive Manager Human Resources) (NS)

Katherine Birch – (Strategic Planner) (KB)

1. **Welcome/Declaration of Opening** – Acknowledgement of Country

The meeting was opened at 5.36pm with Cr Dan Loden giving an Acknowledgment of Country.

2. **Apologies**

City of Vincent Officers

Virginia Miltrup

Karen Balm

Marilyn Lyford

Jodey Brockhurst

3. **Confirmation of Previous Minutes** – 15 February 2021

The Minutes from the previous meeting held on 15 February 2021 were confirmed as a true and correct record.

4. **Items for Discussion**

4.1 Cultural Education Program

NS presented a draft Cultural Education Program for feedback.

MK suggested reaching out to Christine Coin as an employment expert working in this field especially regarding mentorship of supervisors

JH recommended including Acknowledgment of Country signs in meeting rooms and added to agenda templates to encourage Acknowledgment of Country at all meetings.

MK consider extending volunteering leave to include leave to attend Aboriginal Cultural experiences to celebrate successes and positives, not only negatives.

Cr Loden queried if the plan includes specific training for roles. NS wanted to embed the consistent training first before exploring role specific training.

ACTION: 1) Draft Cultural Education Program to be circulated with minutes with a deadline for RAPWG feedback.

4.2 Robertson Park Development Plan

KB presented an overview of the Robertson Park Development Plan and sought advice on appropriate people to engage.

Working Group members recommended reaching out to Gordon Cole, South West Land and Sea Council, Karen Jacobs, City of Perth Elders Group.

RH noted that Robertson Park is a significant wetland and gathering place. Opportunities to involve Noongar people in choosing native vegetation, interpretive signage and other elements.

MK noted there are lots of examples on how to bring Noongar elements into public spaces through signage and art.

GC noted the City was successful in applying for a heritage grant to develop interpretive strategy at some significant sites including Robertson Park.

KB noted the consultation included a question seeking support for possible dual naming Robertson Park.

ACTION: 2) More information on Heritage Grant to develop an Interpretation Strategy for City of Vincent Aboriginal Heritage Trail to be provided at next RAPWG.

4.3 Innovate Reconciliation Action Plan (RAP) Update

GC presented the current Innovate RAP tracker and noted the deliverables unlikely to be achieved by end June 2021. Particularly in the areas of engagement, employment and procurement.

DL recommended reaching out to Perth Elders Group rather than establishing our own.

Working Group members supported seeking support from an Aboriginal business to develop engagement plan.

Discussed importance of embedding procurement from Aboriginal business in City processes.

ACTION: 3) NatS or GC to contact City of Perth to investigate opportunities to develop relationship with City of Perth Elders Group.

4.4 Planning for our next RAP

GC provided update on meeting with Reconciliation Australia and recommendation to plan for another Innovate RAP.

Cr Loden suggested he was comfortable with that approach given review of current RAP status and Innovate tracker.

RH noted it needed to be an Innovate RAP with Stretch RAP elements to push ourselves further.

ACTION: 4) Draft Innovate RAP to be developed and circulated to RAPWG in advance of next meeting.

4.5 Reconciliation Week

NatS presented City activities planned for Reconciliation Week to include:

- On country learning experience with Barry Maguire for staff at Hyde Park (Boodjamooling)
- Reconciliation Week banners displayed
- Social posts on Sorry Day and throughout Reconciliation Week

- staff e-signature changed in the lead up to and during Reconciliation Week.

RAPWG members felt planned activities didn't go far enough considering the theme of Reconciliation Week is 'More than a Word'. Discussed turning the proposed staff event into a community event to reach more people.

ACTION: 5) NatS to contact Barry Maguire and change staff event to community event and seek other opportunities for staff event.

4.6 Beatty Park Artwork

ACTION: 6) updated designs from Kardy Kreations for the murals at Beatty Park will be circulated with minutes for RAPWG awareness

4.7 Formal request to rename Weld Square by Stirling Street Action Group

ACTION: 7) more information on the request relating to Weld Square will be circulated with the minutes.

4.8 Aboriginal Community & Stakeholder Engagement Plan

Discussed Aboriginal Stakeholder Engagement Plan as an action arising from Innovate RAP discussion and seeking an Aboriginal business to do this work such as Kim Bridge based in Leederville or Danny Ford.

MK – suggested also reaching out to Gordon Cole for recommendations.

ACTION: 8) GC to contact Aboriginal businesses to determine capacity to develop an engagement plan in line with City's draft Stakeholder and Community Engagement Framework.

4.9 Update on dinner for Aboriginal residents and Indigenous Forum

Sought clarification on the action items for a dinner and a forum. RAPWG suggested that there are not many Aboriginal residents so not a big event envisaged. The forum and dinner could potentially be the same day.

4.10 Update on Uluru Statement from the Heart

GC presented letters from Hon Ken Wyatt AM MP and Hon Linda Burney MP in response to the letters sent showing Vincent's support for the Uluru Statement from the Heart as per the Council recommendation from Council Workshop on 15 December. The letter from Hon Ken Wyatt invited the City to provide feedback to the proposed features of an Indigenous Voice.

RAPWG members noted the deadline for feedback was 30 April, the date the letter was received.

ACTION: 9) Council Report will be tabled with the responses.

5. General Business

Nil.

6. Close/Next Meeting

The Chairperson closed the meeting at 7.30pm. The next meeting is scheduled to be held on 28 June 2021.

Signed _____
Councillor Dan Loden (Chairperson)

Dated this _____ day of _____ 20__

Action Items Update

Summary of Actions	Date	Status
NS to work with GC to connect and consult with the local Whadjuk residents and develop a voluntary Aboriginal and Torres Strait Islander database, accompanied by a private statement.	30 July 2020	In progress
NS to investigate a potential cultural awareness project with local Whadjuk Noongar Elders and community members.	30 September 2020	Ongoing
Human Resources to review the CATonline free demo.	30 July 2020	Ongoing
NS to explore potential dates for Cultural Immersion Workshops for COV Council and Leadership Team and inform the RAPWG	30 November 2020	In progress
NS to research and explore future opportunities for Aboriginal artists.	30 November 2020	In progress
NS to explore potential dates and explore opportunity for dinner for Aboriginal residents.	24 January 2021	In progress
NS to explore opportunities for the City to host an Indigenous Forum	15 January 2021	Not commenced

Statistics for Development Applications As at the end of May 2021

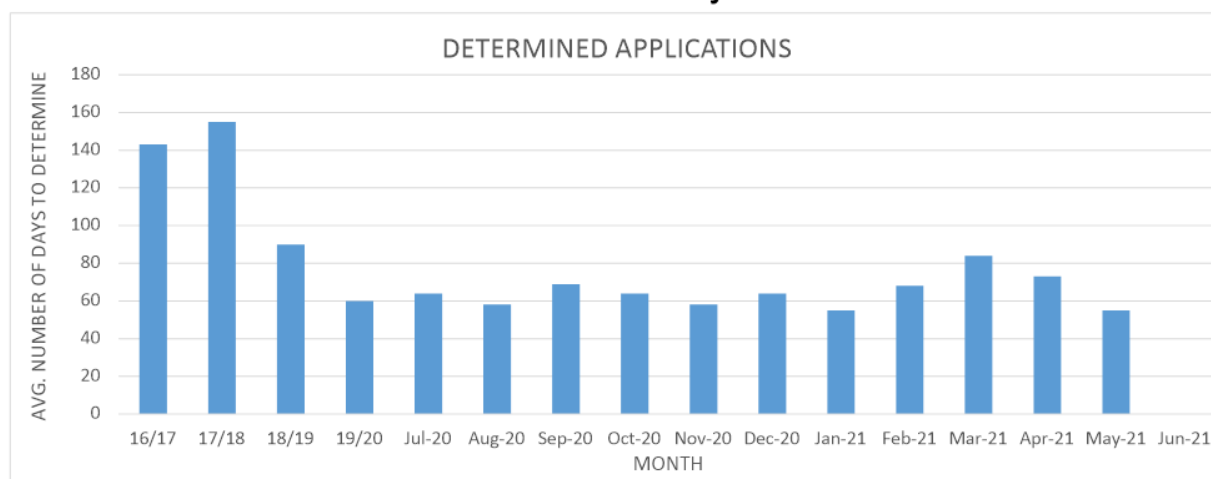


Table 1: Minimum, Average and Maximum Processing Timeframes for determined applications in each financial year since 2016/17 and each month since July 2020.

Processing Days	16/17	17/18	18/19	19/20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
Minimum	7	1	0	0	14	0	23	20	20	0	1	1	3	1	1	
Average	143	155	85	60	64	58	69	64	58	64	55	68	84	73	55	
Maximum	924	1008	787	499	113	132	191	110	141	268	90	128	225	211	150	

	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
DA's Determined	31	35	28	36	49	41	28	37	35	27	29	
Value of Determined DA's (in millions)	10.2	23.20	18.89	33.8	27.6	19.2	4.96	6.6	36.8	22.8	3.97	

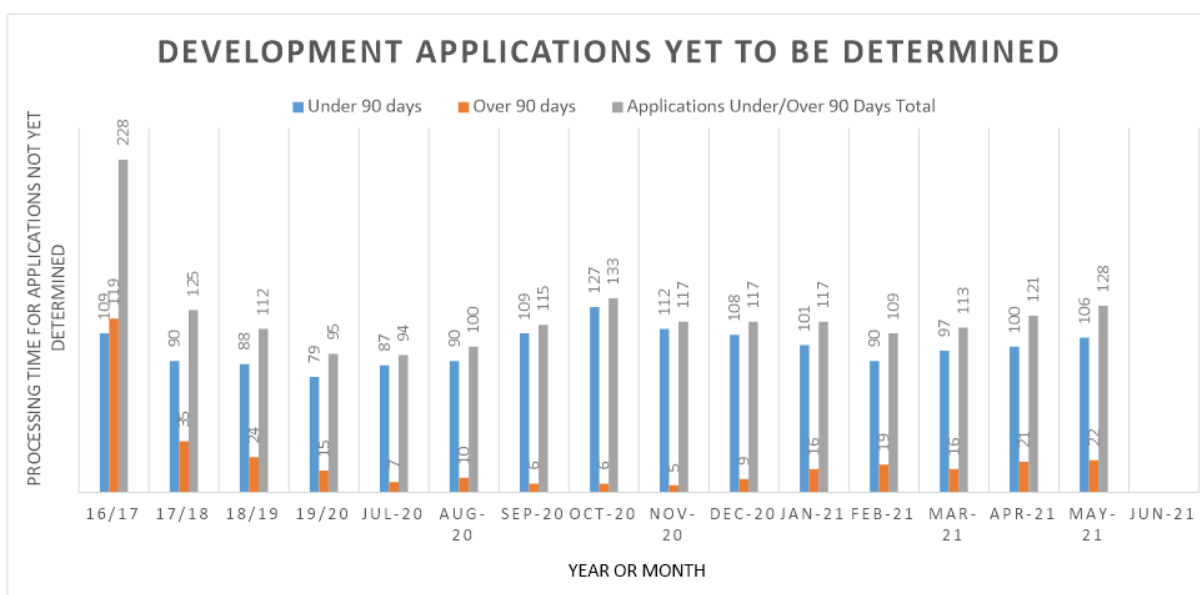


Table 2: No. of DA's to be determined

	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21
DA's lodged	26	42	47	57	38	33	31	27	40	39	41	
DA's to be Determined	94	100	115	133	117	117	117	109	113	121	128	
Value of DA's to be Determined (in millions)	36.73	35.17	42.58	57.68	35.25	61.10	64.29	66.98	46.06	39.1	45.48	



CITY OF VINCENT

INFORMATION BULLETIN

SUBJECT:	Quarterly Street Tree Removal Request Report
DATE:	11 January 2021
AUTHOR:	Tracy Bilyk, Executive Assistant John Gourdis, Supervisor Parks Services
AUTHORISER:	Yvette Plimbley, Acting Executive Director Infrastructure & Environment

PURPOSE:

To present Council with a quarterly update on street tree removal requests within the City of Vincent.

BACKGROUND:

At the Ordinary Meeting of Council on the 5 December 2017, a Notice of Motion was presented requesting Administration provide a monthly Information Bulletin to Council summarising all requests for street tree removal within the City and the outcome of each.

This decision was subsequently altered to require the report be provided on a quarterly basis at the 3 December 2019 Ordinary Meeting of Council.

COMMENTS:

Please find below listing for the period 1 October 2020 to 5 January 2021.



CITY OF VINCENT

INFORMATION BULLETIN

Date	Requested By	Location / Address	Reason for Removal	Tree Species	Inspection Comments	Number of Trees Removed	Approved for Removal (Y/N)	Replacement Tree (Y/N - species)
14/09/2020	Resident	108 Eton Street, North Perth	Resident request to remove 2 x Queensland Box trees due to fruit drop and crossover trip hazard.	<i>Lophostemon conferta</i>	Trees are in healthy condition with no disruption to paths nor walls	0	No	N/A
16/09/2020	Resident	109 Alma Road, North Perth	Trees were vandalised	<i>Jacaranda mimosaeifolia</i>	Tree vandalised - trunk snapped at base.	2	Yes	<i>Jacaranda mimosaeifolia</i> Note: resident request to match existing streetscape
16/09/2020	Supervisor Parks	201 Carr Place, Leederville	Resident request/dead tree	<i>Lophostemon conferta</i>	Tree is confirmed dead	1	Yes	<i>Jacaranda mimosaeifolia</i> Note: resident request to match existing streetscape
25/09/2020	Resident	105 Zebina Street, East Perth	Resident request/dead tree	<i>Jacaranda mimosaeifolia</i>	Tree is confirmed dead	1	Yes	<i>Jacaranda mimosaeifolia</i> Note: resident request to match existing streetscape
13/10/2020	Resident	115 Coogee Street, Mount Hawthorn	Tree is dead - stump remains	<i>Agonis flexuosa</i>	Only stump remains. Stump to be removed	1	Yes	<i>Agonis flexuosa</i>
21/10/2020	Resident	8 Forrest Street, Mount Lawley	Remove existing Tipuana and replace with WA native. Customer is tired of cleaning up leaves and flowers. Please call to advise if tree can/will be replaced.	<i>Tipuana tipu</i>	Tree is in perfect health	0	No	N/A
21/10/2020	Resident	100 Palmerston Street, Perth	Resident request/tree is dying	<i>Callistemon K.P.S.</i>	Tree in serious decline	1	Yes	<i>Melaleuca viridiflora</i>
23/10/2020	Resident	49 Burt Street, North Perth	Resident request - tree will impede proposed crossover widening	<i>Olea europaea</i>	Waiting planning approval	3 (TBD)	TBD	TBD, currently liaising with resident
29/10/2020	Supervisor Parks	86 Edinboro Street, Mt Hawthorn	Resident requested/dead tree	<i>Callistemon K.P.S.</i>	Tree is confirmed dead	1	Yes	<i>Melaleuca viridiflora</i>
29/10/2020	Supervisor Parks	119 Edinboro Street, Mt Hawthorn	Dead tree	<i>Callistemon K.P.S.</i>	Tree is confirmed dead	1	Yes	<i>Melaleuca linarifolia</i>
29/10/2020	Supervisor Parks	122 Edinboro Street, Mt Hawthorn	Dead tree	<i>Callistemon K.P.S.</i>	Tree is confirmed dead	1	Yes	<i>Melaleuca linarifolia</i>



CITY OF VINCENT

INFORMATION BULLETIN

29/10/2020	Supervisor Parks	109 London Street, Mt Hawthorn	Dead tree	<i>Callistemon K.P.S.</i>	Tree is confirmed dead	1	Yes	<i>Melaleuca viridiflora</i>
29/10/2020	Supervisor Parks	125 London Street, Mt Hawthorn	Dead tree	<i>Callistemon K.P.S.</i>	Tree is confirmed dead	1	Yes	<i>Melaleuca viridiflora</i>
29/10/2020	Supervisor Parks	137 London Street, Mt Hawthorn	Dead tree	<i>Callistemon K.P.S.</i>	Tree is confirmed dead	1	Yes	<i>Melaleuca viridiflora</i>
29/10/2020	Supervisor Parks	104 Raglan Road, Mt Lawley	Dead tree	<i>Callistemon K.P.S.</i>	Tree is confirmed dead	1	Yes	<i>Melaleuca viridiflora</i>
29/10/2020	Supervisor Parks	116 Chelmsford Road, North Perth	Dead tree	<i>Callistemon K.P.S.</i>	Tree is confirmed dead	1	Yes	<i>Sapium sebiferum</i>
29/10/2020	Supervisor Parks	41 Joel Tce, Mt Lawley	Dead tree	<i>Callistemon K.P.S.</i>	Tree is confirmed dead	1	Yes	<i>Melaleuca viridiflora</i>
29/10/2020	Supervisor Parks	122-124 Joel Tce, Mt Lawley	Dead tree	<i>Callistemon K.P.S.</i>	Tree is confirmed dead	1	Yes	<i>Melaleuca viridiflora</i>
29/10/2020	Supervisor Parks	143 Joel Tce, Mt Lawley	Dead tree	<i>Callistemon K.P.S.</i>	Tree is confirmed dead	1	Yes	<i>Melaleuca viridiflora</i>
16/11/2020	Acting Supervisor Parks	68 Shakespeare Street Mount Hawthorn	Dead tree	<i>Agonis flexuosa</i>	Tree is confirmed dead	1	Yes	<i>Agonis flexuosa</i>
16/11/2020	Acting Supervisor Parks	19 Raglan Road Mount Lawley	Dead tree	<i>Callistemon K.P.S.</i>	Tree in serious decline	1	Yes	<i>Melaleuca viridiflora</i>
17/11/2020	Resident	5 Byron Street Leederville	Dead tree	<i>Callistemon K.P.S.</i>	Tree in serious decline	1	Yes	<i>Melaleuca viridiflora</i>
19/11/2020	Resident	31 Albert Street North Perth (Vine St frontage)	Resident suspects tree is dying - tree is hollow in centre and rats are living in it.	<i>Agonis flexuosa</i>	Tree in serious decline	1	Yes	<i>Agonis flexuosa</i>
24/11/2020	Resident	17 Cliveden Street, North Perth	Tree leaning into street, causing issues for vehicles parking and passing. Please contact customer with outcome of request, he has safety concerns and has previously contacted us about this tree.	<i>Agonis flexuosa</i>	Tree is old and showing some signs of trunk opening with internal roots. Still looks sound and in reasonable health, despite having a slight lean to road side.	0	No	N/A
25/11/2020	Acting Supervisor Parks	66 Redfern Street North Perth	Tree has been damaged by vandalism	<i>Agonis flexuosa</i>	Tree sawn off at ground level	2	Yes	<i>Agonis flexuosa</i>
25/11/2020	Resident	116 Raglan Road Mount Lawley	Dead tree	<i>Callistemon K.P.S.</i>	Tree is confirmed dead	1	Yes	<i>Melaleuca viridiflora</i>
25/11/2020	Resident	31 Camelia Street North Perth	Dead tree	<i>Callistemon K.P.S.</i>	Tree in serious decline	1	Yes	<i>Melaleuca viridiflora</i>



CITY OF VINCENT

INFORMATION BULLETIN

25/11/2020	Resident	34 Camelia Street North Perth	Dead tree	<i>Callistemon</i> <i>K.P.S.</i>	Tree in serious decline	1	Yes	<i>Melaleuca viridiflora</i>
25/11/2020	Resident	26 Camelia Street North Perth	Dead tree	<i>Callistemon</i> <i>K.P.S.</i>	Tree in serious decline	1	Yes	<i>Melaleuca viridiflora</i>
25/11/2020	Resident	35 Camelia Street North Perth	Dead tree	<i>Callistemon</i> <i>K.P.S.</i>	Tree in serious decline	1	Yes	<i>Melaleuca viridiflora</i>
26/11/2020	Resident	107 Zebina Street East Perth	Dead tree	<i>Jacaranda</i> <i>mimosaeifolia</i>	Tree is confirmed dead	1	Yes	<i>Jacaranda</i> <i>mimosaeifolia</i>
30/11/2020	Resident	23 Marian Street Leederville	Dead tree	<i>Lophostemon</i> <i>confertus</i>	Tree is confirmed dead	1	Yes	<i>Corymbia eximia</i>
04/12/2020	Resident	2A Haynes Street North Perth	Dead tree	<i>Callistemon</i> <i>K.P.S.</i>	Tree in serious decline	1	Yes	<i>Melaleuca viridiflora</i>
15/12/2020	Resident	119 Egina Street, Mount Hawthorn	Resident suspects tree is dying	<i>Agonis flexuosa</i>	Tree is confirmed dead	1	Yes	<i>Agonis flexuosa</i>
05/01/2021	Resident	6b, 236 Lake Street, Perth	Dead tree	<i>Agonis flexuosa</i>	Tree is confirmed dead	1	Yes	<i>Agonis flexuosa</i>

**REGISTER OF STATE ADMINISTRATIVE TRIBUNAL (SAT) APPEALS
AS AT 4 JUNE 2021**

NO.	ADDRESS & SAT REVIEW NO.	DATE RECEIVED	APPLICANT	REVIEW MATTER & COMMENTS
1.	No. 3 Bulwer Avenue, Perth (DR 202 of 2019)	2 September 2019	Justin Mortley	<p>Application for review of decision to give a direction under Section 214 of the <i>Planning and Development Act 2005</i> (Reinstatement of Façade).</p> <p>*****</p> <p>Directions Hearing held on 25 October 2019. Directions Hearing held on 28 February 2020. Directions Hearing held on 22 May 2020. Mediations held on 15 June 2020 and 7 July 2020. Directions Hearing held on 14 August 2020. SAT advised that it cannot reopen a withdrawn SAT matter and that a new Development Application may be submitted. Applicant advised that this could be lodged within 2-3 weeks (by 4 September 2020). New development application lodged with City on 11 September 2020. Currently under assessment by Administration. Directions Hearing held on 9 October 2020 matter adjourned to 4 December 2020 to await determination of the development application. Development application approved under delegated authority on 12 November 2020. Direction Hearing held on 4 December 2020 matter adjourned to 14 May 2021 to allow time to comply with the condition of development approval relating to the removal of render and painting of the façade. Matter adjourned to 2 July 2021 to allow further time to comply with the condition of development approval relating to the removal of the render and painting of the façade.</p> <p><i>Representation by: McLeods</i></p>

**METRO INNER-NORTH JOINT DEVELOPMENT ASSESSMENT PANEL (DAP)
REGISTER OF APPLICATIONS RELATING TO THE CITY OF VINCENT
AS AT 4 JUNE 2021**

No.	ADDRESS	APPLICANT	PROPOSAL	DATE APPLICATION RECEIVED	DAP MEETING DATE	DAP DECISION
-	-	-	-	-	-	-

No Current applications.

**CITY OF VINCENT DESIGN REVIEW PANEL (DRP)
REGISTER OF APPLICATIONS CONSIDERED BY DRP
AS AT 4 JUNE 2021**

ADDRESS	APPLICANT	PROPOSAL	DRP MEETING DATE	REASON FOR REFERRAL
No. 40 Frame Court, Leederville	Hatch/Roberts Day	Local Development Plan	19/5/21	To consider amendments to the proposal made in response to the comments of the Design Review Panel (DRP) on 22 April 2020. LDP lodged.
No. 46 Joel Terrace, East Perth	Dopel Marsh Architects	Ten Multiple Dwellings	19/5/21	The proposal would benefit from referral to the Design Review Panel to consider departures to the City's Policy No. 7.1.1 – Built Form (Built Form Policy) and Residential Design Codes (R Codes), and the appropriateness of the development within its setting. No DA Lodged.
No. 179 Carr Place, Leederville	Jason Collins, Ian Collins Home Pty Ltd	Nine (9) Grouped Dwellings	19/5/21	The proposal would benefit from referral to the Design Review Panel to consider departures to the City's Policy No. 7.1.1 – Built Form (Built Form Policy) and Residential Design Codes (R Codes), and the appropriateness of the development within its setting. DA Lodged.



CITY OF VINCENT

INFORMATION BULLETIN

TITLE:	Register of Petitions – Progress Report – May 2021
DIRECTORATE:	Chief Executive Officer

DETAILS:

Petitions received by the City of Vincent are read out at the Council Meeting and are referred to the appropriate Director for investigation and report. This normally takes 6-8 weeks and the purpose of this report is to keep the Council informed on the progress of the petitions which have been reported to the Council.

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following petitions still require action or are in the process of being actioned.

Key Index:	
CEO:	Chief Executive Officer
EDCBS:	Executive Director Community & Business Services
EDIE:	Executive Director Infrastructure & Environment
EDSD:	Executive Director Strategy & Development

Date Rcd	Subject	Action Officer	Action Taken
18/5/2021	Petition requesting that Council reconsider the discontinuation of commercial waste collections for the 2,111 small businesses in our community who rely on it every week; and look at a range of alternatives such as the City acting as an agent to purchase the services required by local businesses.	EDIE	A report is being tabled at the 22 June 2021 Ordinary Council Meeting.
26/2/2021	Petition with 387 signatures requesting that Council rescind the Council decision that the Special Needs Dental Clinic at 31 Sydney Street, North Perth be vacated by 30 June 2021 and instead extend the lease until 2025, to mirror that of Kidz Galore.	CEO	At the Ordinary Council Meeting on 27 April 2021 Council approved a 3 month extension of the lease and licence term, commencing 1 July 2021 and expiring 30 September 2021, with a 3 month further extension of lease and licence term, at the discretion of the City's Chief Executive Officer based on the progress made by the Minister for Health to secure an alternative site – the Minister for Health must submit its relocation plan and timeframe to the City by 31 August 2021.



INFORMATION BULLETIN

TITLE:	Register of Notices of Motion – Progress Report – May 2021
DIRECTORATE:	Chief Executive Officer

DETAILS:

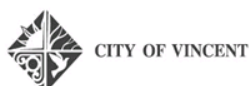
A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following Notices of Motion still require action or are in the process of being actioned.

Key Index:

CEO:	Office of the CEO
EDCBS:	Executive Director Community & Business Services
EDIE:	Executive Director Infrastructure & Environment
EDSD:	Executive Director Strategy & Development

Details	Action Officer	Comment
18 May 2021		
Local Planning Scheme No 2 – Amendment Regarding Tobacco Outlets	EDSD	Administration are preparing a report on options for changes to the planning framework. This will be presented to Council in October 2021.
27 April 2021		
Community Engagement For Ecozoning	EDIE	Chief Executive Officer to ensure that future eco-zoning initiatives in public parks/reserves will involve prior public engagement with the local community and park users on the design and implementation.
20 October 2020 – Submitted by Mayor Cole		
Review of Graffiti Removal Service in City Owned Rights of Way	EDIE	Complete. The review was presented to Council at the Workshop on 13 April 2021.
20 October 2020 – Submitted by Cr Topelberg		
Review of Local Planning Policy No. 7.5.2 - Signs and Advertising	EDSD	Notice of Motion was moved and with the timeframe amended to state the revised completion date of December 2021. Administration working on amending the policy to include the words " , excluding Clause 3(iii), " after the words "particular standard or provision of this Policy", pursuant to clause 5(1) of Schedule 2 of <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> . Administration also investigating the suitability of Billboard Signs in the City of Vincent.



INFORMATION BULLETIN

TITLE:	Register of Reports to be Actioned – Progress Report – May 2021
DIRECTORATE:	Chief Executive Officer

DETAILS:

A status report is submitted to Council as an Information Bulletin item on a monthly basis.

The following reports still require action or are in the process of being actioned.

Key Index:

CEO: Office of the CEO
 EDCBS: Executive Director Community & Business Services
 EDSD: Executive Director Strategy & Development
 EDIE: Executive Director Infrastructure & Environment

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
18 May 2021				
9.2	Draft Pickle District Place Plan	EDSD	The Draft Place Plan commenced community consultation in May 2021.	The results of community consultation and the updated Place Plan based on the feedback received will be presented to Council for final endorsement in late 2021.
10.1	Public Consultation Results - Mini-Roundabout Pilot Project	EDIE	The 40kmh consultation to be scheduled.	The roundabouts will be installed by the end of June 2021.
10.2	Advertising of new/amended policy - Memorials in Public Places and Reserves (2.1.5)	EDIE	Deferred.	To come back to Council by December 2021.
10.3	Tender no IE105/2020 Design, Supply and Install Solar Photovoltaic Systems at City of Vincent Sites	EDIE	Projects will proceed as per Capital Works Program.	As per Capital Works Program.
10.4	E-Permits Implementation Progress Report	EDIE	Monthly report.	Monthly reports will be presented as per Council decision.
11.4	Differential Rating Strategy 2021/22	EDCBS	Differential Rates have been advertised for public submissions. This closes 11 June 2021. They will then be referred back to OMC 22 June 2021 as part of the Budget adoption process.	22 June 2021
12.3	Results of Consultation - Proposal for a Commercial Kiosk at Hyde Park	EMCSG	Draft tender document for review by Mayor and CEO by 4 June 2021. Advertising of tender and providing applications to Council for review.	
27 April 2021				
9.1	Draft Robertson Park Development Plan	EDSD	The Draft Development Plan will commence community consultation in May 2021. The results of community consultation and the updated Development Plan based on the feedback received will be	Late 2021

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			presented to Council for final endorsement in late 2021.	
9.2	Community and Stakeholder Engagement Framework	EDSD	The Draft Strategy and Policy will commence community consultation in May 2021. The results of community consultation and the updated Strategy and Policy based on the feedback received will be presented to Council for final endorsement in late 2021.	Late 2021
9.3	Draft Leederville Precinct Structure Plan and Draft Leederville Place Plan	EDSD	The Draft Precinct Structure Plan and Place Plan will commence community consultation in May 2021. The results of community consultation and the updated Precinct Structure Plan and Place Plan based on the feedback received will be presented to Council for final endorsement in late 2021.	Late 2021
9.4	Draft Beaufort Street Town Centre Place Plan	EDSD	The Draft Place Plan will commence community consultation in May 2021. The results of community consultation and the updated Place Plan based on the feedback received will be presented to Council for final endorsement in late 2021.	Late 2021
10.2	Proposed 12 Month Trial of New and Amended Parking Restrictions in the Streets Surrounding Hyde Park - Vincent, Hyde, William, and Glendower Streets, Perth, North Perth, Mt Lawley and Highgate	EDIE	Carry out one final scheduled collection in July 2021. Implement an 18 month trial of the WMRC Verge Vallet from January 2022. Report to be presented to Council in March 2023	Report to be presented to Council in March 2023
12.2	Extension of Lease – North Perth Special Needs (Shalom Coleman) Dental Clinic, 31 Sydney Street, North Perth and Advertising of Sale of 25 Sydney Street, North Perth	CEO	Administration will prepare the lease extension documentation for execution, and submit the modified Transition Plan to the Attorney General. Sale of car park land will be presented separately to a future Council meeting.	Lease and transition plan must be finalised by 1 July 2021.
23 March 2021				
9.5	Community Sporting and Recreation Facilities Fund Small Grants Application – Forrest Park Croquet Club	EDSD	Grant application to be completed in March 2021.	The outcome of the grant application will be communicated to the City in June 2021.
9.6	Amendment No. 6 to Local Planning Scheme No. 2 and Amendment No. 1 to Local Planning Policy No. 7.4.5 - Temporary Accommodation	EDSD	The City will forward required documentation to the Western Australian Planning Commission pursuant to Regulation 53 of the Planning and Development (Local Planning Schemes) Regulations 2015. After the Western Australian Planning Commission has determined	Support by the Western Australian Planning Commission to be obtained in 2021. Following this both Amendment 6 to LPS2 and Amendment 1 to LPP 7.4.5 will be published simultaneously and come into effect together.

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			Amendment No. 6 to Local Planning Scheme No. 2. the City will publish notices of adoption.	
10.2	Waste Strategy Project - 2 Bulk Hard Waste Options Appraisal	EDIE	Carry out one final scheduled collection in July 2021. Implement an 18 month trial of the WMRC Verge Valet from January 2022. Further report will be provide to council on the progress and the community feedback.	Carry out one final scheduled collection in July 2021. Implement an 18 month trial of the WMRC Verge Valet from January 2022. Report to be presented to Council in March 2023
12.2	Amendment of Fraud and Corruption Prevention Policy	CEO	Policy to be advertised in April, results proposed for the June meeting	June 2021
12.6	Results of community consultation - Future use of 10 Monmouth Street, Mount Lawley	EDIE	Sketch of the eco-zoning to be prepared in consultation with the community and presented to Council in early 2021/22.	Early 2021/22
12.7	Minutes and Motions from the Annual General Meeting of Electors held on 9 February 2021	CEO	Present a report to Council on affordable financial model and feasibility of underground power by November 2021	November 2021
15 December 2020				
9.8	Beatty Park 2062 - Project Update	EDCBS	Awaiting report from Heritage Architect which will inform a report to the BP2062 Steering Committee and then to Council.	April 2021 May 2021 22 June 2021 27 July 2021
9.9	Review of Policy No. 4.1.22 - Prosecution and Enforcement	EDSD	Listed for July 2021 in Policy Review Schedule.	July 2021
10.3	North Perth Traffic Report	EDIE	Implement a 12 month trial by extending the Fitzgerald street median island through the intersection. Undertake consultation with the businesses and residents in the area bounded by Angove, Charles, Vincent and Fitzgerald Streets on the installation of mid-block traffic calming measures. Present a further report at the conclusion of public consultation in March-May 2021 Inform the petitioners of the Council's decision. Undertake traffic, speed and volume and data collection on Alma Road and present to council in March July 2021.	Public consultation in February March-April with report March May-July 2021 OMC.
17 November 2020				
9.2	No. 305 (Lot: 4, D/P: 1602) Fitzgerald Street, West Perth - Change of Use from Warehouse to Recreation Private (Amendment to Approved) (Unauthorised Existing Development)	EDSD	Deferral to allow the applicant to arrange for an Acoustic Report to be prepared and submitted prior to consideration of the item at a future Council Meeting. Applicant is currently considering their options in	During 2021

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			how to progress the matter, with this expected to be confirmed prior to commencement of 2021.	
20 October 2020				
9.5	Adoption of Amendments to Mobile Food Vendor Policy and Consideration of a Commercial Kiosk Proposal at Hyde Park	EDSD/ CEO	Consultation will occur in early March 2021. Results proposed to be presented to Council at April May mid 2021 Council Meeting.	Mid 2021
9.6	Draft Haynes Street Reserve Development Plan	EDSD	Development plan complete. Implementation phase to commence in 2021.	Implementation phase to commence in 2021/22.
9.7	Accessible City Strategy	EDSD	Strategy approved for advertising with amendment. Advertising concluded in February 2021.	Completed Strategy adopted at OMC in May 2021.
10.1	Update on Manna Inc Meal Service at Weld Square	EDIE	Service ended 24 December 2020.	Further report to Council in October 2021.
12.2	Request to the Minister for Lands to Acquire Six Rights of Way as Crown Land and Reserve as Public Rights of Way - Perth Precinct	EDCBS	Request submitted to the Minister for Lands in February 2021 Assessment expected to take 6 – 12 months.	Expected completion 31 December 2021. End of 2021/22 financial year.
15 September 2020				
9.4	City of Vincent Rebound Plan	EDSD	The Rebound Plan is a living document that will constantly update and evolve to meet the changing needs of businesses and the community. The plan will be updated and reported monthly to the Rebound Roundtable and COVID-19 Relief and Recovery Committee, and quarterly to Council. First update to council was in December 2020. With following updates each quarter.	First quarterly update due to 15 December 2020 Council meeting. The next quarterly update will be provided to Council at its meeting in April June 2021.
10.1	Waste Strategy Project - 8 Commercial Waste Collections (Update Report)	EDIE	Administration currently preparing next steps for ending commercial services as per council approved Communications Strategy. Administration is visiting all commercial premises.	Implementation review report to Council on the discontinuation of the commercial waste service will be provided six months after implementation.
11.1	Lease of Community Building at Woodville Reserve, 10 Farmer Street, North Perth, Wadjak Northside Aboriginal Community Group	EDCBS	We have been awaiting Wadjak Northside Aboriginal Community Group to return lease documentation. A memo is being prepared to the Mayor & CEO for final approval.	18 April 2021 31 May 2021 30 June 2021
12.2	Repeal of the City of Vincent Parking and Parking Facilities Amendment Local Law 2020	EMCSG	The Joint Standing Committee has been advised of Council's decision. Public notice of the repeal of the amendment local law occurred in January 2021. The public comments proposed to be provided to Council in mid 2021.	A new local law is being drafted for Council's review in mid 2021.
12.4	Outcome of advertising and adoption of Meeting Procedures policy	CEO	The Electronic Meeting Guidelines will be reviewed	15 December 2020 Early 2021

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			and updated in respect to the public question time process in early 2021.	A review of the Electronic Meeting Guidelines has been undertaken and presented in April Policy Paper. Proposed amendments will be presented to June OMC for approval to advertise.
Council Meeting – 28 July 2020				
12.7	Advertising of new Local Government Property Local Law 2020 and new Election Signs	CEO	Public notice to be provided commenced in August 2020. Minister for Local Government to be provided with draft for comment. Minister's comments on draft local laws received, review ongoing. Report to Council on amendments proposed to draft local laws and present to Council in mid 2021.	Report to Council on amendments proposed to draft local laws and present to Council in Mid 2021. February 2021 on outcomes of public notice in November 2020.
12.9	Advertising of amended Development on City Owned and Managed Land Policy	CEO	Public notice to be provided in August 2020, extended to September to allow updated policy with diagrams to be provided to public. Public consultation complete, further internal revision and discussion with relevant stakeholders required due to comments received. Report to Council proposed for mid 2021.	Report to Council on outcomes of consultation by October 2020. Report to Council proposed for February/March Mid 2021.
Council Meeting – 19 May 2020				
12.3	Grant of access easement over the City's Right of Way (Lot 303) for the benefit of Lot 49 (No.33) Scarborough Beach Road, North Perth and transfer of Lots 303 & 304 on Deposited Plan 28000 to the Crown	CEO	Land transfer with DPLH for registration. Expected to be completed by end February 2021. December 2020 – Mid 2021. The easement has been finalised.	December 2020. February 2021. Mid 2021
Council Meeting – 7 April 2020				
12.3	Sale of miscellaneous portions of City Freehold Land	CEO	Community consultation in respect to Brentham Street proposed for mid-2021. Consultation on Monmouth Street closed early 2021 and report to be presented to Council at 23 March Meeting. Administration liaising with adjacent owners regarding Barlee St car park lot. Barlee Street carpark lease extended and consultation on future use of lot occurred in March 2021.	202 Vincent Street - Complete 150 Charles Street - Complete 10 Monmouth Street – Complete sale not proceeding Barlee Street carpark – consultation complete, going to Council 27 April 23 March 22 June 2021. Brentham Street – consultation to occur mid 2021
Council Meeting – 17 March 2020				
12.6	Reimbursing the external members of the City's Audit Committee	CEO	Administration to present a report to Council prior to inviting expressions of interest for new external Audit Committee members in September 2021.	No later than July 2021
Council Meeting – 11 February 2020				

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
12.2	Acquisition of Private Rights of Way - Lots 350 - 357 on Plan 2503, bounded by Scarborough Beach Road, Green, Fairfield and Matlock Streets, Mount Hawthorn as Crown Land, and vesting in the City as Public Rights of Way	CEO	Preparing public and utility provider notification documents, with public notice to be provided from end June 2020. Request will be made to Minister for Lands in August 2020. Advertising commenced, closing 1 October 2020. Request to Minister for Lands October 2020.	Minister for Lands estimated to make a decision by February March mid 2021
Council Meeting – 10 December 2019				
12.5	Acquisition of the right of way known as Lot 305, bounded by Charles, Walcott and Hilda Streets, North Perth as Crown land, and vesting in the City as a public right of way	CEO	Department of Planning, Lands and Heritage considering the request.	Minister for Lands estimated to make a decision by October 2020. Late 2021
Council Meeting – 15 October 2019				
9.1	No. 51 (Lot: 192; D/P: 56091) Albert Street, North Perth – Proposed Alterations and Additions to the Club Premises and Change of Use from Club Premises to Club Premises and Child Care Premises and Licence for Use of Car Park at No. 160 Albert Street, North Perth	CEO	Car parking licence has been drafted and sent to applicant for review. Waiting on start date of childcare centre to be determined, as that will be commencement date of licence.	Waiting on applicant.
12.2	Dedication of lots 889 and 890 as road – Corner Fitzgerald and Bulwer Streets, Perth and write-off of outstanding rates debt	CEO	Request made to Minister for Lands in March 2020.	Minister for Lands estimated to make a decision by October 2020 early mid 2021.
Council Meeting – 23 July 2019				
9.8	Beaufort Street Change of Use Exemption and Amendment to Policy No. 7.5.1 - Minor Nature Development	EDSD	The trial has been implemented along with a number of additional exemptions implemented through the State Government in response to the COVID-19 pandemic. The draft Policy will be reviewed in the context of the current situation and will be advertised and presented back to Council for consideration.	The revised draft Policy will be presented to Council for consideration in the 2020/21 financial year.
10.3	North Perth Precinct Traffic Study	MA&E		Public consultation in February March with report to March May 2021 OMC.
Council Meeting – 30 April 2019				
11.4	Transfer and dedication of lots as road - Charles Street, North Perth	CEO	Main Roads to organise State Solicitors Office to prepare have prepared transfer documents. Awaiting signing by both parties. Acquisition of Lot 66 on hold due to adverse possession claim. Resolution of adverse possession claim waiting on Landgate decision.	To be signed by 30 October 2020. Waiting on Landgate decision
Council Meeting – 2 April 2019				
11.4	Amendments to the Trading in Public Places Local Law 2008 and Local Government Property Local Law 2008	CEO	Local Government Property Local Laws and new Election Signs Policy report provided to	Local Government Property Local Law completed (Item 12.7 28 July 2020).

Item	Report Details	Action Officer	Comments	Due Date / Timeframe for Completion / Completed
			Council 28 July 2020 for approval to advertise. Trading in Public Places Amendment Local Law will be redrafted in 20/21.	Trading in Public Places Local Law will be redrafted mid in June 2021.
Council Meeting – 5 March 2019				
10.1	Business Case for the Adoption of a Three Bin Food Organic/Garden Organics System	EDIE	Report detailing implementation considerations and further financial modelling on the implications of the adoption of FOGO system will be presented to Council as it becomes available.	Report now to be presented into 2021, as a result of project postponement due to COVID-19. Implementation now scheduled from October 2021. RFQ outcome to be discussed at 2 February Budget Workshop.
Council Meeting – 27 June 2017				
9.5	Submission to WALGA – Third Party Appeal Rights in Planning	EDSD	Administration has forwarded the submission to WALGA. The Minister for Planning and the Attorney General were not advised of Council's position in relation to Third Party Appeal Rights.	Administration is preparing advice to the Minister for Planning and the Attorney General on WALGA's revised preferred model for Third Party Appeal Rights. This is scheduled to be sent in early 2021 2020.
Council Meeting – 30 May 2017				
12.5	Perth Parking Levy	EDIE	Awaiting outcomes of the Perth CBD Transport Plan and specific recommendations regarding the Perth Parking Levy. State Government yet to release results of consultation.	Update scheduled to be provided in late 2021.
Council Meeting – 7 March 2017				
9.3.5	Review of City of Vincent Local Laws under Section 3.16 of the Local Government Act 1995 (SC2688)	EDSD	Administration is reviewing the feedback received from the Department of Local Government, Sport and Cultural Industries in respect to the new Local Government Property Local Law. Drafting of the Animal Local Law will recommence, taking this into consideration. Administration expect to present the draft Animal Local Law to Council May 2021. In the interim, Administration is exercising its discretion in applying the poultry provisions of the current Health Local Law. May 2021 – Administration is currently progressing the DRAFT Animal Local Law through the legal advice process in preparation for presentation to Council in the next quarter.	Draft proposed to be presented mid 2021. Draft proposed to be presented July – Sept 2021.
Council Meeting – 27 May 2014				
9.3.4	East Perth Football Club and Subiaco Football Club Lease additional space at Medibank Stadium	CEO	Further discussions ongoing as part of broader discussions with Football Clubs.	September 2020. November 2020 Mid 2021

9 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

10 REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

11 CLOSURE