



TOWN OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

<p>9 MARCH 2010</p>

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Nil.	169
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Minutes of the Ordinary Meeting of Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 9 March 2010, commencing at 6.00pm.

1. DECLARATION OF OPENING

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

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr Steed Farrell – apology – arriving late due to work commitments.

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Matt Buckels	North Ward
Cr Anka Burns	South Ward (from 6.10pm.)
Cr Steed Farrell	North Ward
Cr Taryn Harvey	North Ward
Cr Sally Lake (<i>Deputy Mayor</i>)	South Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Anita Radici	Executive Assistant (Minutes Secretary) (until 8.20pm)
Richard Gunning	Arts Officer – Recipient of Employee of the Month Award (until 6.30pm)
David Bell	Journalist – “ <i>The Perth Voice</i> ” (from 6.37pm and until approximately 8.30pm)

Approximately 38 Members of the Public

(c) Members on Approved Leave of Absence:

Nil.

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

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

1. Anne McKenzie of 117 Forrest Street, North Perth – Item 9.1.2. Stated that they are not necessarily opposed to the establishment of markets in the area but object to this location. Believed the proposal is lacking a traffic management plan as it is a very busy area and does not have an adequate waste management proposal as they have a massive problem with rats in the area, most coming from the back of the applicants shop. Feels the proposed location is too small, the public facilities are not adequate for a busy market and there is no seating. Believed the proposal has the potential to directly affect their quite enjoyment of life as, it is the only morning of the week where they are not bothered by busy traffic. Believed if the start time is 7am, setup would start at approx. 5.30/6am and as Alma Rd is a cul-de-sac and crossing Fitzgerald St may be problematic, they feel it is highly likely that Forrest St, particularly outside their residence will be directly affected.

Cr Burns entered the Chamber at 6.10pm.

2. Bruce Arnold of 3A Coogee Street, Mt Hawthorn – Item 9.1.3. Stated small bars are becoming very important in forming part of a growing niche for smaller, sophisticated venues for drinking, entertainment and cultural facilities which will provide a good variety for locals and the broader community. Believed Beaufort St is becoming one of the best destination places in Perth by far and they are keen to be a part of it. Advised this will clean up a very horrid “*eye sore*” which has been there for years. Stated serious people are involved, including Gary Beetle, who will be the operator and partner owner and he has run several bars. Advised that parking is well covered in the report however, an issue has come up with the laneway, particularly clearances that and he has discussed this with Councillors i.e. a neighbour on the east is having their fence hit. He has reviewed this and believed this issue is more with the damaged bollards leading into Lawley’s which would be big service trucks. Stated their major site access for deliveries, bins etc. would be at the “*t junction*” therefore he does not want to be penalised for this as they have dealt with Town Staff and satisfied requirements. Acknowledged Cr Maier’s research regarding the Acrod bay and the fact that it can be shared if it is less than 5 bays which they have. Urged approval of the recommendation.
3. Pam Harvey of 398 Bulwer Street, West Perth – Item 9.1.5. Referred to page 49 of the Agenda “...*the original housing stock has been eroded and the original character significantly diminished...*” which she disagrees with. Stated that the end of Bulwer St between Vincent and Fitzgerald is full of original character homes with her home and the house next door were built in 1895. Advised that they do not come under Cleaver or Hyde Park Precincts. Asked the Councillors to take special consideration when zoning that area.
4. Marie Slyth of 89 Carr Street, West Perth – Item 9.1.5. Asked the Council to consider making an exception for the few special character and historic residential streetscapes however, excluding the north side of Newcastle St between Strathcona and Charles. Stated the residential streetscapes mean a lot to many people in the Cleaver Precinct who love being in the community village like atmosphere and which they believe, in time, will make the Town a very special Town for retaining such streetscapes. Hoped that the Town will arrive at a workable solution which can be decided upon to deal with the exclusion request, if it is decided that the Multiple Dwellings Policy will apply to Cleaver Precinct.
5. Brian Adcroft of 544 Newcastle Street, West Perth – Item 9.1.5 representing the large majority of owners of the property on the north side of Newcastle St between Loftus and Charles. Stated that they are unanimous in their support of the recommendation to allow multiple dwellings on their properties. Respects concerns of residents living in residential areas to the north of their properties just as they understand some concerns of owners of service industry businesses to the south. Commended Councillors and Officers in developing a modern and vibrant approach to the planning of the Town and regarding this item as taking proactive action to decide the appropriate location and density for development, rather than waiting for State Government agencies to decide it. Stated they see allowing multiple dwellings only as a first small step towards bringing their area into line with all other properties facing Newcastle St, which is a major thoroughfare through the Town linking Lord St in the east with Oxford St in the west and, is now characterised by the development of mixed use multi storey buildings at both ends and they look forward to “*filling the gap*” as soon as possible.
6. Jacquie Hunt of 394 Bulwer Street, West Perth – Item 9.1.5. Stated Bulwer St has approximately 400 properties of which 20 or so are of commercial use therefore, is unsure what constitutes a main road however believes Bulwer St is definitely more residential than commercial. Advised that she bought her property about a year ago and a reason for purchase was because of the character of the street and streetscape which did not seem diminished at the time of purchase and nothing much has changed since then.

7. Jan Adam of 133 Glendower Street, Perth – Item 9.1.5. Advised that she was initially concerned, however this was allayed by the presentation of the information given, which was excellent. Understood why some Hyde Park Precinct residents who live close to commercial areas or main roads would not have been relieved however, it is important they do not promote the view that all residents in the area will be disadvantaged should this proceed in its present form. Stated that, living as they do on the City fringe, they all have issues with traffic, noisy late night revellers, dirty streets and a general lack of recreation facilities, food shops and cafés. Stated that this relates to the amenity of the area and something everyone should be working to improve as it cannot be improved by just preserving some character houses. Believed amenity will be improved with a higher percentage of home ownership providing more voices and bringing more diversity of ideas to the Council. Believed in itself, high density will attract the type of commercial investment that home owners want rather than panel beating shops, tyre outlets and petrol stations that presently constitute much of the commercial parts of Hyde Park Precinct. Therefore, rather than taking a “*we got here first*” stand, quality reasonably priced housing that people want to make their homes (rather than rent) should be encouraged. Believed the “*character issues*” have been over emphasised – she has observed that in the area under discussion, a large number of the older houses have already been over renovated or replaced which makes it difficult to determine the character that some residents are seeking to preserve. Stated unless a building is heritage listed it is already prone to demolition with replacement usually having little empathy with adjacent housing. Believed if historical buildings are the only criteria used to define the character of their streets, then the character of the area has already been lost as these houses may pass into the hands of someone who will push the boundaries of what is allowed on the block therefore, still ending up with a massive suburban style house, basketball hoop in the concreted front apron and the owners work ute permanently parked across the footpath. Therefore, believed that perhaps the answer lies in identification and preservation of the relatively few houses still worthy of preservation which, should be worked hard to preserve and then build the character of the area by having a more diverse mix of accommodations and thus a more diverse mix of residents.

8. Judith Broadway of 102 Carr Street, West Perth – Item 9.1.5. Read out the following:
“I have been living at 102 Carr Street for 18 years and the house was built in 1907 and retains most of the original features. I was joint owner with my brother until he recently once said to me “Judy lets pull down the house and build multiple dwellings” my response to him was that it was a crime to do that and the only way was to keep the original house and build a dwelling on the back of the property if financially possible. There is already a lot of walking traffic in the area and sometimes parking for visitors is already almost impossible. I have been broken into on 3 occasions always when I didn’t have a Doberman, the last time was 2 weeks after my 14 year old Doberman passed away last year and now I feel much safer with a dog again. My concerns with passing a multiple dwellings proposal are that there will not be adequate parking, it will bring too much transient lodgers and it will totally destroy the ambiance of this beautiful precinct. I have thought that watching the rest of Carr Street and surrounding streets being slowly remodelled up until now that I should sell and move before the changes affect my property value but this is a family home, security for my children and a history I would like to carry on for generations to come. Please consider the owners that treasure the heritage and work around what we have to make a compromise between retaining and developing.”

9. Domenic Traverso of 162 Lincoln Street, Highgate – Item 9.1.5. Asked everyone to bear in mind that multiple dwellings and group dwellings, are not to be confused, as there are many ugly group dwellings that are a “*crime against humanity*” against design – there is rarely enough car parking, look horrible, “*squeezed in*” and do not look good in the suburb. Believed that multiple dwellings sometimes look more attractive when they are done in a modern way sensitive to the surroundings that they are actually between than group dwellings. Believed people need to be aware of that before they speak out against multiple dwellings as an issue in itself and they should look around and see what group dwellings can do to a streetscape. Typically 5 units in a row down a long block which is not as attractive than having underground car parking and a couple of storey’s which looks much better and believes we need to “*move with the times*”.
10. Amy Hughes of 136 Alma Road, North Perth – Item 9.1.2. Agreed with the previous speaker on this Item. Stated she only lives 30m away from the proposal and is aware there is a petition with approx. 197 signatures (which she was not approached on) however, urged the Council to consider the comments and feels of those being affect and living close by. Concerned about the increased traffic along the street from as early as 5.30/6am, lack of public parking which will result in the local streets being parked out, noise disturbance, loss of privacy on Sunday,. There is no loading zone, so presumable people will be illegally stopping in turn around zones which are highly used in Alma Road and litter which has been an ongoing source of “*argument*” between the owners of Shop 400 and nearby residents as overflowing bins have not been able to be controlled despite numerous Health Department notifications. Stated she is not opposed to markets, she loves markets and often attends them however, believes the site is inappropriate, too small for 25 stalls, too close to a major road and residents and it lacks basic public amenity i.e. seating, water, shade and sufficient numbers of toilets. Believed more suitable areas to be parks, schools and community halls and if these places are not offering markets or not amenable to them, then she does not believe there should be markets.
11. Gary Beetle of 7/83 First Avenue, Mt Lawley – Item 9.1.3, owner of 399 Bar in William Street which has been open for 8-9 months. Stated that he has a great history over 26 years of running successful hospitality businesses and he will be the operator of the venue and they will be different and a lot nicer than other venues. Advised that he targets a broader market and feels true hospitality encompasses all demographics. Believed the small bar category is important for social networking that is not available to different demographics as most venues only target a very small market. Advised that their goal is to open a unique venue which they hope to achieve by showcasing old fashion organic draft beers and matching that with good old fashion flare as well as non alcoholic and opening early in the morning, serving coffee. Believed this venue will contribute to the atmosphere of Mt Lawley bringing a more stylish and enjoyable venue to the heart of the street. Stated in an industry where people struggle to have consistent staff he always has staff going to work with them and be training by them as they have an ongoing training program which is unlike any venue Australia wide which they have won awards for and, been accoladed for training and staffing. Believed they bring a standard to the industry and by opening a venue in that area they will be contributing to the area.
12. Stuart Lofthouse of 130 Oxford Street, Leederville. Advised that he has spent 4 hours a night for the last 2 weeks going through the Leederville Masterplan, Minutes of Meetings over the last year or 2 and other information. Stated all decisions seemed to be based on a 2008 traffic report which says there is going to be a 1% increase in Leederville traffic over the next 17 years in which time, the Masterplan will come into fruition and believes there will be approx. 6,000 people more a day going into the area than now. It also states the roads and current traffic flow are adequate however, Oxford/Newcastle St intersection is listed as a major

“t junction” yet there is no traffic signal, white line across the road or give way sign. Advised that he is the business proprietor of Greens and in the first proposal stated that Greens was going to be a *“hole in the wall”* and believes the facilitator said *“we will punch a hole in the wall and put a footpath through”* which seems to still be the case although he has not been advised of this. Asked if the laneway between Kalis and Funky Bunches is Council owned?

The Presiding Member, Mayor Nick Catania advised that it is owned by the Water Corporation, but leased to the Town.

Regarding parking, he understands after development has occurred there will only be 200 more bays in the Leederville area after \$18 million is spent on the development – Frame Court and Avenue car park yet, there is a hotel in the area that will increase its numbers by approx. 2,000. Advised that at present there is not enough parking on certain nights of the week with the current capacities however, that is going to be increased and parking will only be increased by 200. Advised that he had many other questions he would like to raise and asked how he would go about this?

The Presiding Member, Mayor Nick Catania stated a submission should be submitted to the Town.

13. Alf Parolo of 78 Cleaver Street, West Perth – Item 9.1.5. Understands this is a controversial issue however, he believes that in the situation he is currently in – torn between desires of the community and the State at large, believed it should be lifted primarily because of the asset he has as well as being a *“win-win”* situation for the State being in line with the dialogue of the City. Stated that one could say he has been *“sitting there”* for years waiting for something to happen and the *“goal posts”* keep changing. Believed that if this is lifted he will be able to provide affordable housing to the community.

There being no further speakers, public question time closed at approx. 6.36pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

- 5.1 A petition was received from Mr S. Arias of Newcastle Street, Leederville, along with 49 signatures, supporting the signage at S.A.S. Locksmiths at Unit 17/663 Newcastle Street, Leederville.

The Chief Executive Officer recommended that this petition be received and referred to the Director Development Services for investigation and report.

Moved Cr Farrell, Seconded Cr Burns

That the Petition be received, as recommended.

CARRIED (9-0)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Meeting of Council held on 23 February 2010.

Moved Cr Burns, Seconded Cr Maier

That the Minutes of the Ordinary Meeting of Council held 23 February 2010 be confirmed as a true and correct record.

CARRIED (9-0)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Employee of the Month Award – March 2010

For March 2010, the award is presented Richard Gunning, Arts Officer in the Town's Community Development Section. Richard is nominated by the Director Corporate Services and Manager Community Development.

“Richard is the Town's Arts Officer, a position he has held since April 2004 and is primarily responsible for overseeing art within the Town and organising the Town's Annual Art Exhibition.

He is also involved in other projects, including the development of the Town's Wetlands Heritage Trail Website and Hyde Park Podcast, which was launched in February 2010.

The website is user-friendly, informative and clearly provides maps, directions and illustrates the innovative aspects of the Town's Heritage Trail. The linkages to each aspect of the trail is interesting and provides historical information that has been carefully sourced from the Town's records.

Richard has worked tirelessly with the web designer to ensure that the website is artistically illustrated, using images that has been sourced from archives and utilising modern day technology to capture contemporary images of various significant sites. This innovative project encourages and motivates visitors to the park and is accessible to all.

This project has attracted the attention of other local governments, with Richard being asked to provide information on the project details and methodology to other Council Officers who wish to follow suit.”

Congratulations Richard and well done!!

Received with Acclamation!

7.2 Beatty Park Leisure Centre

I am delighted to bring to your attention Item 9.3.3 concerning the State Government announcement that it has contributed \$2.5 million towards the redevelopment of Beatty Park Leisure Centre as part of the State Government Community Sport and Recreation Facility Fund Program (CSRFF).

The announcement last Tuesday by Terry Waldron, Minister for Sport and Recreation is fantastic news and will be used to upgrade the existing facility, particularly the plant room, piping infrastructure and main pool. The Town is now awaiting a decision from the Australian Government concerning the outcome of its funding submission as part of the Regional and Local Community Infrastructure Program – Strategic Projects 2010.

The Chief Executive Officer advises that once a decision is known, a report will be submitted to the Council – hopefully in April/May 2010.

I wish to congratulate the Project Team comprising of the Chief Executive Officer, Director Corporate Services, Manager Beatty Park Leisure Centre – Dale Morrissy, Assistant Manager – Aquatic and Operations – Jeff Fodacaro and Peter Hunt Architect for their hard work to date. Also to Jamie Bennett, Senior Community Development Officer for his assistance in preparing the CSRFF Grant.

7.3 Hyde Park Lakes

I am delighted to bring to your attention Item 9.2.1 concerning the announcement last week by the Honourable Penny Wong, the Federal Minister for Climate Change, Energy Efficiency and Water, confirming funding of \$2 million for the Restoration of the Hyde Park Lakes as part of the Australian Government's National Water Security Plan for Cities and Town's Program.

The confirmation of the \$2 million funding grant will enable the Town to proceed with the project, which will assist in addressing and rectifying the environmental and water quality issues which have plagued the Lakes over decades.

I wish to congratulate the Councillors, Project Working Group Members and Technical Services Staff particularly the Director, Rick Lotznicker and Managers Jeremy van den Bok and Craig Wilson for their hard work to date.

7.4 Medibank Stadium

Last Saturday the Chief Executive Officer and I represented the Town as guests of Subiaco Football Club at the National Australia Bank Cup held at Medibank Stadium whereby the West Coast Eagles "demolition" Carlton. The game was attended by 7,219 spectators and our Rangers reported that less than 20 parking tickets were issued.

I am very pleased to advise the Council that extremely positive comments were received from Club Officials, AFL Representatives, newspaper, radio and television media, players and spectators about how good the Stadium and surrounds looked. The playing surface looked magnificent and has been ranked as one of the best in Australia by the AFL players.

Congratulations to the Town's Technical Services staff, East Perth and Subiaco Football Clubs and Turfing Contractor – Turf Master for an excellent job in maintaining the facility. Also to the Town's Rangers for their efforts in assisting in minimising parking problems on the day.

7.5 Greenfleet Certificate

I am pleased to announce that the Town has received a certificate from Greenfleet, certifying that it has contributed to offsetting green house gas emissions.

Greenfleet is a not-for-profit organisation dedicated to reducing the impact of Greenhouse gas emissions from transport, air travel, business and household energy use.

The Town's contribution will enable Greenfleet to plant 3,249 native trees to establish a biodiverse forest and offset approximately 870 tonnes of greenhouse gas generated by the Town of Vincent from July 2008 to June 2009.

As well as offsetting greenhouse gas, this action will help to improve water quality, reduce soil degradation and provide essential habitat for native species.

For information, there are more than 11.5 million cars on Australian roads – each releasing an average of around 4 tonnes of green house gases per year (equivalent to around 46 million tonnes of carbon dioxide being added to the atmosphere every year).

The Town's participation in this project is part of its Sustainability initiatives.

8. DECLARATIONS OF INTERESTS

- 8.1 Cr Burns declared a Financial interest in Item 9.1.3 – No. 560 (Lot 4 D/P: 692) Beaufort Street, Mount Lawley – Proposed Change of Use from Recreational Facility (Pool Hall) to Unlisted Use (Small Bar) with Associated Alterations and Additions. The extent of her interest being that the law firm she is employed with acts for the Lessee's of this Item, her husband and father are Directors of the Lessee company and she and her husband are shareholders in the Lessee company in their capacity as trustees of a trust.
- 8.2 Mayor Catania declared an interest affecting Impartiality in Item 9.1.2 – No. 400 (Strata Plan 8289) Fitzgerald Street, North Perth – Proposed Sunday Markets. The extent of his interest being that he knows the Applicant Mr I. Messina, as he was a former Town of Vincent Councillor for the South Ward.
- 8.3 Cr Farrell declared an interest affecting Impartiality in Item 9.1.2 – No. 400 (Strata Plan 8289) Fitzgerald Street, North Perth – Proposed Sunday Markets. The extent of his interest being that he knows the Applicant Mr I. Messina, as he served as a Town of Vincent Councillor.
- 8.4 Cr Burns declared an interest affecting Impartiality in Item 9.1.2 – No. 400 (Strata Plan 8289) Fitzgerald Street, North Perth – Proposed Sunday Markets. The extent of her interest being that she served on the Town of Vincent Council for 2 years with the Applicant Mr I. Messina.
- 8.5 Chief Executive Officer declared an interest affecting Impartiality in Item 9.1.2 - No. 400 (Strata Plan 8289) Fitzgerald Street, North Perth – Proposed Sunday Markets. The extent of his interest being that he knows the Applicant Mr I. Messina as he was a former Town of Vincent Councillor for the South Ward. He stated that his involvement in this matter was limited to answering several enquires from various persons, Council Members and Town staff about process and his normal overseeing of the compilation of the Agenda. He stated that he did not have any direct involvement with the preparation of the report.

- 8.6 Director Development Services declared an interest affecting Impartiality in Item 9.1.2 – No. 400 (Strata Plan 8289) Fitzgerald Street, North Perth – Proposed Sunday Markets. The extent of his interest being that he knows the Applicant Mr I. Messina as he was a former Town of Vincent Councillor for the South Ward. He stated that his involvement in this matter was limited to answering several enquires from the Town's Officers about process and overseeing/checking/endorsing the Agenda report.
- 8.7 Cr Topelberg declared an interest affecting Impartiality in Item 9.3.1 – Festivals Programme 2010/2011. The extent of his interest being that his business operates on William Street in one of the recommended festival areas.

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

Nil.

10. REPORTS

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

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

Items 9.1.2, 9.1.3 and 9.1.5.

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

Items 10.2.

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

Item 9.1.3.

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

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

Cr Farrell	Nil.
Cr Topelberg	Items 9.1.1, 9.1.7, 9.1.9, 9.3.1 and 9.3.3.
Cr Buckels	Nil.
Cr McGrath	Items 9.2.1, 9.4.3 and 9.4.5.
Cr Harvey	Nil.
Cr Lake	Nil.
Cr Burns	Nil.
Cr Maier	Items 9.1.4 and 9.2.2.
Mayor Catania	Nil.

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

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

Items 9.1.6, 9.1.8, 9.3.2, 9.4.1, 9.4.2, 9.4.4, 9.4.6, 9.4.7 and 9.4.8.

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

Nil.

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

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

Items 9.1.6, 9.1.8, 9.3.2, 9.4.1, 9.4.2, 9.4.4, 9.4.6, 9.4.7 and 9.4.8.

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

Items 9.1.2, 9.1.3 and 9.1.5.

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

Moved Cr Topelberg, Seconded Cr Harvey

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

Items 9.1.6, 9.1.8, 9.3.2, 9.4.1, 9.4.2, 9.4.4, 9.4.6, 9.4.7 and 9.4.8.

CARRIED (9-0)

9.1.6 Department of Planning – Public Consultation on Model Subdivision Conditions Schedule Review

Ward:	-	Date:	2 March 2010
Precinct:	-	File Ref:	ORG0027
Attachments:	001		
Reporting Officer:	E Lebbos, Strategic Planning Officer S Kendall, Senior Strategic Planning Officer		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES:**
- (a) *the report relating to the Department of Planning (DoP) Model Subdivision Conditions Schedule Review; and*
 - (b) *the Model Subdivision Conditions Schedule Review Consultation Paper, as shown in Attachment 001;*
- (ii) *advises the DoP that the Council SUPPORTS IN PRINCIPLE the Model Subdivision Conditions Schedule Review as outlined in this report, along with the following comments being forwarded to the Department of Planning;*
- (a) *Layout and Setting - Given the requirements for subdivision and conditions imposed for established urban areas and undeveloped Greenfield areas are significantly different, to enable the document to be user friendly and conditions easy to locate, it may be appropriate to have the document divided into two parts, under the headings Urban and Regional;*
 - (b) *Wording of Conditions - In some instances, the conditions do not clearly articulate what is actually required to satisfy the condition. Applicants often argue that other Local Governments have different standards of completion. The Conditions Schedule should not only be a tool to ensure consistency in approvals, but rather as a tool, to assist applicants implement the conditions, in a consistent way. A column could be included in the Conditions Schedule, which outlines the objectives of the conditions to assist in this regard;*
 - (c) *Clarity- Code B16 requires an existing dwelling to comply with the Residential Design Codes (R Codes) but it does not specify which elements of the R Codes are to be complied with (that is stores, car parking, open space outdoor living areas, etc). Clarification on the elements of the R Codes to be complied with should be provided;*
 - (d) *Heritage Conditions - The Heritage condition requires an ethnographic survey to be undertaken prior to the commencement of subdivision works. However, such a survey may render an approval redundant if the findings do not support the subdivision. Further consideration of Indigenous Heritage needs to be given during the assessment stage, prior to approval;*
 - (e) *Relevancy - Conditions should not address post subdivision 'development' matters that are dealt with by Local Governments in the Planning Application process. (that is Design Guidelines Code as per RD 1). Such matters have no relevancy to the land title process;*

- (f) *Terms of Condition – In the event an applicant is required to undertake a particular action (that is to prepare a geotechnical report), the condition should outline when the actions should occur (that is prior to the commencement of subdivision works);*
- (g) *Less Conditions - It is noted that there is a difference in professional opinion between the need for more specific, less generic conditions, against the use of model conditions that allow flexibility. It is considered important to acknowledge that each subdivision/amalgamation application is different, and a one size fits all approach, is not always appropriate. An 'insert here' clause within certain conditions would allow for flexibility and the inclusion of specific Local Government requirements; and*
- (h) *Ease of Use - The finalised conditions should be available either on the Western Australian Planning Commission (WAPC) website or via CD Rom as a word document (not PDF), to enable Local Governments to easily upload the information onto their computer systems; and*
- (iii) *advises the Department of Planning that the Council SUPPORTS the provision of regular training sessions for Local Government staff on policies, procedures and practices related to subdivision condition setting and clearance procedures as part of the Model Subdivision Conditions Schedule Review.*

COUNCIL DECISION ITEM 9.1.6

Moved Cr Topelberg, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the *Model Subdivision Conditions Schedule Review*, which is currently being undertaken by the Department of Planning (DoP) and being advertised for public comment until 15 March 2010. A summary of the document and proposed recommendations for the DoP's consideration is also provided.

BACKGROUND:

The Model Subdivision Conditions Schedule was last reviewed by the WAPC in 2005, with copies of the schedule forwarded to Local Government for information and use in the provision of referral responses; minor updates have occurred since 2005.

In March 2009, the Government released the *Building a Better Planning System Consultation Paper*, which set out a range of proposed planning reform initiatives. One of the initiatives discussed, was the review of the Model Conditions Schedule. Subsequent to this, the WAPC and Department of Planning released *Planning Makes it Happen – a Blueprint for Planning Reform*, which also identified the following objectives of the review:

- *“Reduce the number of conditions imposed on approvals;*
- *Standardise and simplify conditions to core issues;*
- *Ensure conditions are specific, so that proponents and approval agencies are clear as to requirements;*
- *Ensure consistency with the validity rules set by the State Administrative Tribunal (SAT); and*
- *Avoid condition duplication.”*

The Town received a letter dated 1 February 2010 inviting the Town to comment on the Consultation Paper. A Town Officer attended a workshop on 23 February 2010 to assist identifying issues with the current condition schedule, and potential areas for improvement.

The Town commenced its participation in the WAPC 'shorttrack' system of subdivision referrals on 18 January 2010. The 'shorttrack' system incorporates standard conditions and advice notes to be used by the Town and other participating Local Governments.

DETAILS:

The Model Subdivision Conditions Schedule is a document which contains a list of conditions that are to be applied to all approvals to subdivide freehold, survey strata and strata titled land in Western Australia. It is intended that all Local Governments and other service providers, use the conditions in the Schedule when formulating a recommendation to the WAPC on subdivision/amalgamation applications, as opposed to utilising their own conditions and/or wording. The use of model conditions aims to improve the consistency of decisions making and approval documents.

The Model Conditions Schedule currently contains 178 conditions and 86 advice notes. The Model Conditions Schedule Review has identified that some of these conditions have never or are rarely used; some conditions are repetitive; some conditions are unclear, and some referral agencies do not use the conditions in the schedule. In light of these findings, the review aims to:

- *'undertake an audit and review the effectiveness, validity and application of model subdivision conditions; and*
- *formulate a revised Model Conditions Schedule suitable for release and use by the WAPC and referral authorities that:*
 - *provides for reducing the number of conditions imposed on approvals;*
 - *standardises and simplifies conditions to core issues;*
 - *ensures conditions are specific so that proponents and approval agencies are clear as to requirements;*
 - *ensures consistency with the validity rules set by SAT; and*
 - *avoids condition duplication.*
- *provide a recommendation regarding training programs for state and local government approval/referral officers in the validity of conditions and the use of the Model Conditions Schedule; and*
- *develop standard condition templates for common application types and reach agreement with local government/referral authorities regarding the use of these templates.'*

It is noted that the review does not extend to policy provisions or subdivision requirements.

CONSULTATION/ADVERTISING:

The DoP is currently advertising the Consultation Paper for public comment, which closes on 15 March 2010.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

The Town of Vincent Strategic Plan 2009-2014 states;

“Leadership, Governance and Management

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

4.1.3 Plan effectively for the future.”

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

SUSTAINABILITY IMPLICATIONS:

As part of the State Government’s commitment to improving the planning system in Western Australia, the review of the Model Subdivision Conditions Schedule addresses aspects of social sustainability.

It is envisaged that the review of this document will streamline and reduce the complexity of requirements relating to the planning approvals process, resulting in the reduction of the timeframe taken to process subdivision, survey strata and strata approvals. In turn, this will result in the quicker release of residential land, which will facilitate easing the residential land shortage currently being experienced in Western Australia.

COMMENTS:

A review of *Model Subdivision Conditions Schedule* has been undertaken by the Town's Officers with the following issues identified.

- **Layout and Setting** - Given the requirements for subdivision and conditions imposed for established urban areas and undeveloped Greenfield areas are significantly different, to enable the document to be user friendly and conditions easy to locate, it may be appropriate to have the document divided into two parts, under the headings Urban and Regional;
- **Wording of Condition**- In some instances, the conditions do not clearly articulate what is actually required to satisfy the condition. Applicants often argue that other Local Governments have different standards of completion. The Conditions Schedule should not only be a tool to ensure consistency in approvals, but rather as a tool, to assist applicants implement the conditions, in a consistent way. A column could be included in the Conditions Schedule, which outlines the objectives of the conditions to assist in this regard;
- **Clarity**- Code B16 requires an existing dwelling to comply with the Residential Design Codes (R Codes) but it does not specify which elements of the R Codes are to be complied with (that is stores, car parking, open space outdoor living areas, etc). Clarification on the elements of the R Codes to be complied with should be provided;
- **Heritage Conditions** - The Heritage condition requires an ethnographic survey to be undertaken prior to the commencement of subdivision works. However, such a survey may render an approval redundant if the findings do not support the subdivision. Further consideration of Indigenous Heritage needs to be given during the assessment stage, prior to approval;

- **Relevancy** - Conditions should not address post subdivision 'development' matters that are dealt with by Local Governments in the Planning Application process. (that is. Design Guidelines Code as per RD 1). Such matters have no relevancy to the land title process;
- **Terms of Condition** - In the event an applicant is required to undertake a particular action (that is to prepare a geotechnical report), the condition should outline when the actions should occur (that is prior to the commencement of subdivision works);
- **Less Conditions** - It is noted that there is a difference in professional opinion between the need for more specific, less generic conditions, against the use of model conditions that allow flexibility. It is considered important to acknowledge that each subdivision/amalgamation application is different, and a one size fits all approach, is not always appropriate. An 'insert here' clause within certain conditions would allow for flexibility and the inclusion of specific Local Government requirements; and
- **Ease of Use** - The finalised conditions should be available either on the Western Australian Planning Commission (WAPC) website or via CD Rom as a word document (not PDF), to enable Local Governments to easily upload the information onto their computer systems.

In light of the above, it is recommended that the Council receive the report and support the Officer Recommendation to advise the DoP that the Town of Vincent supports the intent and content of the *Model Subdivision Conditions Schedule Review*, along with the additional recommendations as outlined.

9.1.8 Agreement for the Town to Undertake Parking Enforcement on Private land at No. 8 Kadina Street, North Perth

Ward:	North	Date:	2 March 2010
Precinct:	Charles Centre; P7	File Ref:	PRO1020
Attachments:	001		
Reporting Officer:	J MacLean, Manager Ranger and Community Safety		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council:

- (i) **APPROVES** a Formal Agreement between the Owners of Northwood Apartments, No. 8 Kadina Street, North Perth and the Town of Vincent for Rangers to enforce "No Stopping" restrictions, on the right-of-way portion of the private property at No. 8 Kadina Street, North Perth, subject to the following conditions:
- (a) *all signage, erected within the complex, will comply with the requirements of the Australian Standard AS/NZS 1742.3;*
 - (b) *all costs for the purchase and erection of required signage rests with the Owners of Northwood Apartments, No. 8 Kadina Street, North Perth;*
 - (c) *the erection of the signage will be in accordance with Town of Vincent requirements; and*
- (ii) **AUTHORISES** the Formal Agreement being signed by the Mayor and Chief Executive Officer and having the Town of Vincent Common Seal affixed to it.

COUNCIL DECISION ITEM 9.1.8

Moved Cr Topelberg, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

PURPOSE OF REPORT:

The purpose of the report is to seek approval from the Council for Town of Vincent Rangers to enforce No Stopping restrictions in the right of way on the northern boundary of the property at No. 8 Kadina Street, North Perth.

BACKGROUND:

An approach has been received from the Owners of Northwood Apartments, seeking the assistance of Rangers in enforcing a No Stopping restriction, within the private property at No. 8 Kadina Street, North Perth.

DETAILS:

The Town has been approached by the owners of an apartment complex at No. 8 Kadina Street North Perth, seeking assistance in the enforcement of a No Stopping restriction in the right of way on the northern property boundary. Apparently, vehicles that do not belong to the residents, or their visitors, are regularly parked in the private right of way, which creates a situation where an emergency vehicle may be unable to gain access, in the event of an emergency. The Strata Management Group have notified everyone in the complex that they intended to seek assistance from the Town of Vincent to ensure that the right of way is kept clear and they have only received comments of support.

While it is not usual for a local government to enter into this sort of formal agreement with a private property owner, in this case, because the right of way is clearly signed as a No Stopping area, operating at all times, it is suggested that, for a small effort on the part of the Rangers, a potentially dangerous situation can be avoided.

It is further suggested that, after an initial "blitz" of the right of way, for approximately two weeks, Rangers would only need to re-check the area occasionally, to ensure continued compliance.

A copy of the Agreement, signed and sealed by the Owners of Northwood Apartments has been "Laid on the Table". This document is similar to a number of other Agreements that are currently in place, between the Town and other property owners.

CONSULTATION/ADVERTISING

There is no need for consultation or advertising in this case.

LEGAL/POLICY IMPLICATIONS:

There is no legal impediment to the Town enforcing the No Stopping restriction, within the private property, at No. 8 Kadina Street, North Perth and Rangers would enforce this restriction in the same manner as they do for other similar restrictions. Clause 1.5(2)(a) of the Town's Parking and Parking Facilities Local Law states:

"1.5 Application

- (2) (a) *The local government may enter into an agreement in writing with the owner or occupier of a parking facility or a parking station that is not owned or occupied by the local government for the application of this local law to the facility or station."*

STRATEGIC IMPLICATIONS:

This proposal is in accordance with the Town's Strategic Plan 2009 - 2014, at action Plan 3.1.3(a) - *"Determine the requirements of the community and ensure that the services provided meet those needs"*

SUSTAINABILITY IMPLICATIONS:

Nil

FINANCIAL/BUDGET IMPLICATIONS:

There are no costs, associated with this proposal. The Town's minimal costs would be offset by the revenue derived from the infringement notices that are issued. The modified penalty for parking in a No Stopping Area is \$125.00.

COMMENTS:

An approach has been received from the owners of a private residential development, at No. 8 Kadina Street, North Perth, seeking assistance from the Town's Rangers in the enforcement of a No Stopping restriction, in a right of way, within the property boundaries. This will not place a burden on Rangers' time, because after an initial 2-week period of concentrated enforcement, there will only be a need for Rangers to check the area occasionally, to ensure continued compliance.

As a result, the report is recommended for approval.

9.3.2 Percent for Art - Artwork for 394-398 Newcastle Street, Perth

Ward:	South	Date:	25 February 2010
Precinct:	Beaufort	File Ref:	PRO3657
Attachments:	001		
Reporting Officer:	R. Gunning, Arts Officer J. Anthony, Manager Community Development		
Responsible Officer:	M. Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council APPROVES the recommendation of the Town's Art Advisory Group for the Percent for Art artwork for the development at 394 Newcastle Street, Perth as shown in the photographs and plans attached as Appendix 9.3.2A, B, C, D and E.

COUNCIL DECISION ITEM 9.3.2

Moved Cr Topelberg, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

PURPOSE OF REPORT:

To provide details relating to the Percent for Art artwork designs of artwork for the development at 394 Newcastle Street, Perth as part of the Town of Vincent's Percent for Art Scheme and to obtain Council approval to refer this matter to the Town's Art Advisory Group for consideration and recommendation.

BACKGROUND:

The Council considered the application at its Ordinary Meeting, held on 9 February 2010, Item 9.3.6 and resolved as follows:

"That the Council REFERS the matter of the Percent for Art artwork for the development at 394 Newcastle Street, Perth as shown in the photographs and plans attached as Appendix 9.3.6A, B, C, D and E, to the Town's Art Advisory Group for consideration."

The development at 394 Newcastle Street is a mixed use development which is subject to the Town's Percent for Art Scheme requirements. The amount required to be spent by the developers on public art, as determined by the Town, is \$130,000. The developers have in accordance with policy elected to manage the artwork project themselves and have engaged artist Flynn Talbot.

The artwork proposed by the artist is a kinetic art piece that will adorn the Newcastle façade of the building. Kinetic art is an art form that emerged in the 1960's when artists started experimenting with moving components (such as flashing lights) as a way of extending the potential of abstract art. With advances in technology (in particular computer technology), a younger generation of artists have seen a new set of aesthetic possibilities to explore; Flynn Talbot is one such artist.

DETAILS:

The artwork titled 'Peak Hour' will be approximately eight metres high and sixteen metres wide, spanning the majority of the Newcastle street façade. The artist states the "work is planned to be subtle during the day and come alive at night". In the day time, the sun will produce a subtle shift of shadows and textures. At night the effect will be a field of coloured lights that will glow and fade at different intervals and alludes to the urban setting of the building with its passing traffic of the nearby intersection. The facade will be made up of a series of etched glass panels in a detailed design of etched circles in a series of patterns. The etched sections of the artwork will be backlit by linear colour changing LED strips. A colour palette of white, amber and red will be used to illuminate the artwork. Software based effects of soft colour fades and washes will be introduced with a programmed loop of approx fifteen minutes to play for a determined time throughout the year depending on the time of the setting sun.

The proposed artwork has been reviewed by the Manager of Asset and Design Services and deemed to have no safety issues regarding the illumination of the building and interference to traffic etc.

Town's Art Advisory Group

This matter was recommended for referral to the Town's Art Advisory Group for consideration and recommendation. The Art Advisory Group considered the matter at its meeting on 24 February 2010. Members discussed the proposed artwork at length, including consideration on the impact on the community.

The Advisory Group agreed that the submitted artwork was a unique proposition and had minimal impact on residents, given the type of lighting used and the fact that it was not facing any residential areas.

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

The artwork has been commissioned in accordance with the Town of Vincent's Percent for Art Policy which states:

"For a commercial, non-residential, and/or mixed residential/commercial developments over the value of \$1,000,000 are to set aside a minimum of one percent of the estimated total project cost of the development of public art works which reflect the place, locality and/or community."

STRATEGIC IMPLICATIONS:

Plan for the Future- Strategic Plan 2009-2014 Key Result Area Three – Community Development:

- 3.1 *Enhance and promote community development and well being.*
 - 3.1.1 *Celebrate and acknowledge the Town's cultural and social diversity"*

SUSTAINABILITY IMPLICATIONS:

The artwork will use LED fixtures that will run on very low energy consumption, while producing vivid light effects. The estimated life of these fittings is approximately twenty five years before they will need to be replaced or maintained. The artwork will employ etched 6mm toughened glass and will be resistant from vandalism as it starts almost four metres above street level. Overall the artwork is sustainable in its low maintenance requirements and low energy consumption.

FINANCIAL/BUDGET IMPLICATIONS:

The amount required to be spent by the developers on public art, as determined by the Town, is \$130,000. The developers have stated that the cost of the artwork will be \$146,800.

COMMENTS:

The artwork proposed by Flynn Talbot promises to be a highly original and unique work that will add to the diversity of public art in the Town. The Town's Percent for Art policy states the artwork should reflect "the place, locality and/or community". The proposed artwork will clearly be in keeping with the policy as it offers a poetic interpretation of the surrounding streetscape of the development, whilst reflecting the contemporary approach of the building's architecture.

9.4.1 Use of the Council's Common Seal

Ward:	-	Date:	2 March 2010
Precinct:	-	File Ref:	ADM0042
Attachments:	-		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

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

COUNCIL DECISION ITEM 9.4.1

Moved Cr Topelberg, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

BACKGROUND:

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

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

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

Date	Document	No of copies	Details
01/02/2010	Deed of License	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021, for an event to be held on 18 April 2010 - Jamfest 2010.
02/02/2010	Memorandum of Understanding	3	Town of Vincent and Central Tafe of 164-194- Oxford Street, Leederville WA 6007 for the use of Britannia Reserve for a Surveying and Mining Course
17/02/2010	Memorandum of Understanding	3	Town of Vincent and Central Tafe of 164-194 Oxford Street, Leederville WA 6007 for the use of Medibank Stadium during the course semester for Sport and Recreation Courses practical sessions.
22/02/2010	Deed of License	3	Town of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Western Australian Rugby Union (Inc) of Meagher Drive, Floreat WA 6014 for the use of ME Bank Stadium for use by Rugby WA from 1 February 2010 to 31 December 2012.
26/02/2010	Deed of Covenant	4	Town of Vincent and Casson Homes Inc of 2-8 Woodville Street, North Perth WA 6006 for Amalgamation of No. 2-10 (Lots 24 & 25; C/P 2028 and Lot 34; D/P 41316) Woodville Street, North Perth.

9.4.2 Local Government Statutory Compliance Audit 2009

Ward:	-	Date:	3 March 2010
Precinct:	-	File Ref:	ADM0019
Attachments:	001		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council ADOPTS the Local Government Statutory Compliance Audit for 2009, as shown in Appendix 9.4.2 and this be forwarded to the Department of Local Government.

COUNCIL DECISION ITEM 9.4.2

Moved Cr Topelberg, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of this report is for the Council to consider and approve of the Local Government Statutory Compliance Audit 2009.

BACKGROUND:

The Department of Local Government and Regional Development has issued a “*Local Government Statutory Compliance Audit*” to all Local Governments throughout Western Australia. This return requires the Chief Executive Officer and Mayor to certify that the statutory obligations of the Local Government have been complied with. The Chief Executive Officer has delegate several section to the Director Corporate Services and Director Development Services to complete part of the Return, for matters under their direct responsibility.

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

The completion of the Statutory Compliance Return is compulsory, in accordance with Section 7.13(1) of the Local Government Act 1995 and Local Government (Audit) Regulations (Regulation 13). A copy has been included in the Agenda, as an attachment to this report.

The Town has an Audit Committee. The Committee, comprising the Mayor, Cr Farrell, Cr Topelberg A. Macri and S Menon (Auditors), with the Chief Executive Officer and Director Corporate Services (ex officio and non-voting) met on 27 February 2009 to review this Audit.

STRATEGIC IMPLICATIONS:

The Town's Strategic Plan 2009-2014 lists the following objectives;

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

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The Town of Vincent has complied with all statutory compliance provisions and accordingly it is recommended to the Council that the Local Government Statutory Compliance Audit 2009 be adopted and forwarded to the Department of Local Government and Regional Development.

9.4.4 Loftus Recreation Centre Management Committee – Receiving of Unconfirmed Minutes

Ward:	North	Date:	25 February 2010
Precinct:	Leederville	File Ref:	TEN0390
Attachments:	001		
Reporting Officer:	M Rootsey, Director Corporate Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Unconfirmed Minutes of the Loftus Recreation Centre Management Committee Meeting held on 24 February 2010, as shown in Appendix 9.4.4.

COUNCIL DECISION ITEM 9.4.4

Moved Cr Topelberg, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of the report is for the Council to receive the Unconfirmed Minutes of the Loftus Recreation Centre Management Committee meeting held on the 24 February 2010.

BACKGROUND:

At the Ordinary Meeting of Council held on 19 December 2006, the Council approved of a Management Committee for the Loftus Recreation Centre, as follows:

“That the Council APPROVES BY AN ABSOLUTE MAJORITY;

- (i) pursuant to Section 5.9(2)(c) of the Local Government Act 1995, to establish a Committee to supervise the Loftus Recreation Centre, 99 Loftus Street, Leederville;*
- (ii) in accordance with the Deed of Contract between the Town and Belgravia Leisure Pty Ltd, to APPOINT the Chief Executive Officer and Executive Manager Corporate Services, with the Manager Community Development as Deputy to both, to the Committee; and*
- (iii) to delegate the following functions to the Committee;*
 - (a) to supervise the performance of the Services by the Contractor and to ensure that the Contractor performs the Services in accordance with the KPIs and the Contract;*
 - (b) to establish and review the Key Performance Indicators (KPIs) in conjunction with the Contractor;*
 - (c) to receive and consider Performance Reports;*

- (d) *to advise the Town on Capital Improvements required for the Recreation Centre and the Premises and to make recommendations to the Town about the use of the Reserve Fund; and*
- (e) *to review the Risk Management Plan for the Premises."*

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

It is the Town's practice that Committee Meeting Minutes be reported to the Council.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2009-2014:

Key Result Area Four - "*Leadership, Governance and Management*", in particular,

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

SUSTAINABILITY IMPLICATION:

N/A

FINANCIAL/BUDGET IMPLICATIONS:

N/A

COMMENT:

The reporting of the Town's Committee Minutes to the Council Meeting is in keeping with the Local Government Act (1995) and its regulations.

9.4.6 Town of Vincent Internal Organisational Review 2009 – Recommendations – Progress Report No. 2

Ward:	Both	Date:	3 March 2010
Precinct:	All	File Ref:	ADM0061
Attachments:	001		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Progress Report No. 2 as at 1 March 2010, concerning on the Town of Vincent Internal Organisational Review 2009, as detailed in this report; and*
- (ii) *NOTES:*
 - (a) *that cost savings which have been achieved (or will be achieved), as outlined in this report;*
 - (b) *the Chief Executive Officer has completed the implementation of a number of recommendations of an administrative nature as detailed in this report; and*
 - (c) *a further report will be submitted in mid 2010.*

COUNCIL DECISION ITEM 9.4.6

Moved Cr Topelberg, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

PURPOSE OF THE REPORT:

To inform the Council of the progress of the implementation of the recommendations of the Internal Organisational Review, which was conducted by the Town’s Chief Executive Officer during March-April 2009.

BACKGROUND:

As reported to the Ordinary Meeting of Council 24 March 2009, the Chief Executive Officer conducted an internal review of the Town’s organisation under the following terms of reference:

REVIEW - TERMS OF REFERENCE

- 1. *Review the current Organisational Structure to ascertain if it best meets the needs of our organisation to achieve our current and future objectives, as outlined in our Strategic Plan 2009-2014 and Plan for the Future 2009-2014.*

2. *Identify better efficiencies and improvements which can be achieved in our internal and external service delivery.*
3. *Review our;*
 - (a) *processes, procedures and Council Policies/Guidelines (and other relevant documentation) to;*
 - (i) *improve the processing of development applications, subdivisions to ensure they are issued within the statutory timeframes;*
 - (ii) *and the issuing of building licences within 20 working days; and*
 - (b) *processes and procedures with the view to improving our internal customer service and external customer focus and delivery and focus.*
4. *Review our employee resources, including remuneration levels and performance expectations, when benchmarked against other similar local governments and organisations.*
5. *Review and reassess the organisation and its service delivery and practises to;*
 - (a) *achieve a minimum of 3% cost savings against the Draft Operating Budget 2009-10, without impacting or reducing our front line services or levels delivered to the community;*
 - (b) *identify other improvements and efficiencies;*
 - (c) *identify whether any current services could be discontinued, modified and/or reduced; and*
 - (d) *identify additional sources of revenue/income.*

A Progress Report No. 1 was reported to the Ordinary Meeting of Council 8 September 2009 whereby the Council resolved as follows:

“That the Council;

- (i) *RECEIVES the Progress Report as at 3 September 2009, concerning on the Town of Vincent Internal Organisational Review 2009, as detailed in this report; and*
- (ii) *NOTES:*
 - (a) *that cost savings which have been achieved (or will be achieved) during the 2009-2010 financial year, as outlined in this report;*
 - (b) *the Chief Executive Officer has commenced implementation of a number of recommendations of an administrative nature on the priority basis of:*
 - *“High;*
 - *Medium;*
 - *Low”;*
 - (c) *the action taken concerning a review of the Town of Vincent Development Approval Process, as outlined in this report;*
 - (d) *that any Officer Recommendations which require a Council decision will be reported to the Council, as required; and*
 - (e) *further reports will be submitted, as the matter is further progressed.”*

The Chief Executive Officer presented information to an Elected Member Forum (confidential) on 16 June 2009.

A summary of the Recommendations/Suggestions is shown below:

TERM OF REFERENCE NO. 1

Review the current Organisational Structure to ascertain if it best meets the needs of our organisation to achieve our current and future objectives, as outlined in our Strategic Plan 2009-2014 and Plan for the Future 2009-2014.

Chief Executive Officer’s Comment:

All changes to the Organisational Structure were completed by late 2009.

TERM OF REFERENCE NO. 2

Identify better efficiencies and improvements which can be achieved in our internal and external service delivery.

Recommendations:

Listed below are a number of “*high priority*” recommendations. The list is not exhaustive and recommendations of a “*medium*” and “*low*” priority or of an administrative nature only have not been included.

No.	Item/Recommendation	Indicative Cost Savings/ Increased Revenue (per annum)	Priority	Status
1.	Transfer of Leases from Corporate Services to New Property Unit	\$5,0008	High	Completed on 1.7.2009
2.	Introduction of regular meetings between Customer Service Centre and “back office” sections	Unspecified	High	Completed – on-going
3.	Introduction of centralised ordering of stationery	\$10,000	High	Completed on 1.7.2009
4.	Improvements to online orders and requisition process	Unspecified	High	Completed on 1.7.2009
5.	Introduce restrictions on use of colour printing	\$2,500	High	Completed
6.	Introduce quarterly internal customer service surveys	Unspecified	High	Completed
7.	Improve online payment facilities	Unspecified	High	Ongoing
8.	Review Town’s Welcome Packs and contents	\$2,500	High	Completed on 1.7.2009
9.	Review Town’s advertising	\$22,500*	High	Implemented January 2010
10.	Review Town’s catering and discontinue meals/sandwiches at some meetings	\$1,500	High	Implemented on 1.10.2009
11.	Down size two vehicles to four cylinders	\$6,000	High	Completed
12.	Discontinue media monitoring	\$4,800	High	Completed on 1.1.2010
13.	Review mobile phone allocation and expenses	\$2,500	High	Completed on 1.7.2009
14.	Introduce new procedures for use of fuel cards	\$5,000	High	Completed on 1.11.2009
15.	Discontinue attendance to after hours noise complaints (after purchase of monitoring equipment)	\$9,000	High	Completed on 1.7.2009
16.	Review application forms	Unspecified	High	Completed in August 2009
17.	Review purchase and use of consumables (teas, coffee, milk etc.)	\$3,500*	High	Completed on 1.7.2009
18.	Review payment of home telephone allowance to save FBT	\$2,600	High	Completed in Nov. 2009
19.	Review allocation of responsibilities in financial services section for works bonds, Leederville Garden Retirement Village accounts etc.	Unspecified	Medium/ High	Completed
20.	Implement emailing of EFT creditor payments instead of hard copy to save postage, envelopes etc.	\$2,000	High	Completed and on-going

No.	Item/Recommendation	Indicative Cost Savings/ Increased Revenue (per annum)	Priority	Status
21.	Creation of print prompt before printing to save unnecessary printing/wastage	\$1,000	High	To be implemented March 2010
22.	Rates section to have higher involvement in debt collection thereby saving legal costs etc	\$10,000	High	To commence March 2010
23.	Implement changes to Investment Policy to change institutions for higher return	\$70,000*	High	Estimate at year end
24.	Provide enhancement to Town's GIS System	\$5,000	Medium/ High	Ongoing
25.	Provide improvements to IT Helpdesk	Unspecified	Medium/ High	<i>Part completed to be reviewed May 2010</i>
26.	Review use of two-way radio costs and procedures	\$5,000	High	Completed new tender awarded late 2009
27.	Review Town's webpage	Unspecified	Medium/ High	<i>Part completed Working Group established – Budget for 2010-11</i>
28.	Review use of temporary employees for annual leave of less than two weeks in some positions	\$25,000*	High	Completed on 1.7.2009
29.	Review and improve employee annual performance review forms	Unspecified	Medium/ High	<i>Part completed to be completed by 2010</i>
30.	Review training requirements for employees	Unspecified	Medium/ High	<i>Part completed to be completed by May/June 2010</i>
31.	Review all existing contracts/quotes, due to change in labour market	\$10,000*	Medium/ High	<i>Part completed and on-going</i>
32.	Review preparation and printing of Annual Report	\$3,500	High	Completed in October 2009
33.	Review air conditioning use and temperature controls	\$1,500*	Medium/ High	Completed on 1.7.2009
34.	Review responsibility for verge permits	Unspecified	Medium/ High	Completed on 1.7.2009
35.	Investigate introduction of automated library books	Unspecified	Medium/ High	To be included in draft Budget 10-11
36.	Introduce stricter control for use of solicitors	\$5,000*	Medium/ High	Completed – Policy amended Feb. 2010

No.	Item/Recommendation	Indicative Cost Savings/ Increased Revenue (per annum)	Priority	Status
37.	Lease main photocopier (instead of purchase)	\$1,000	High	Completed – Budget 09/10
38.	Review procedures for traffic management requirements	\$10,000*	Medium/ High	Completed – Budget 09/10
39.	Investigate energy (electricity and gas) providers	Unspecified	Medium/ High	To be implemented March 2010
40.	Restructure rosters for gym contract staff at Beatty Park	\$18,000	High	Completed – Budget 09/10
41.	Change membership mail out procedures at Beatty Park	\$3,600	High	Completed – Budget 09/10
42.	Change swim school mail out procedures at Beatty Park	\$1,100	High	Completed – Budget 09/10
	TOTAL	\$247,100 approx.		

* estimate only

TERM OF REFERENCE NO. 3

Review our;

- (a) *processes, procedures and Council Policies/Guidelines (and other relevant documentation) to;*
- (i) *improve the processing of development applications, subdivisions to ensure they are issued within the statutory timeframes;*
 - (ii) *and the issuing of building licences within 20 working days; and*
- (b) *processes and procedures with the view to improving our internal customer service and external customer focus and delivery and focus.*

Chief Executive Officer's Comment:

The Chief Executive Officer considers it necessary to review and improve our development approval process for the following reasons:

1. negative feedback received from applicants, builders and residents concerning a variety of matters (e.g. delays, need to supply too much information, employee non-performance, conditions too onerous etc.);
2. comments from the Department of Local Government in response to the Town of Vincent Checklist No. 1 requesting the Town to address '*delays with processing development applications*';
3. negative feedback received from Council Members considering various aspects of the development approval process (time delays, onerous conditions); and
4. requests from Town's Officers involved in the process for a need for change (e.g. ambiguity in some areas, need to simplify etc.).

Local Government Structural Reform Process

As previously reported to the Council, on 5 February 2009, the Minister for Local Government; Heritage; Citizenship and Multicultural Interests, the Hon G M (John) Castrilli, MLA issued Circular No. 1 - 2009 which provided the following information in relation to the State Government's package of Local Government reform strategies.

The Minister required that all Local Governments forward their final Reform Submission by 31 August 2009 (subsequently extended to 30 September 2009). Such submissions are to include the following items:

- Voluntary amalgamation;
- The number of Elected Members required(with a range of six (6) to nine (9));
- Regional Groupings; and
- A transition timeline.

Stage 1 of the Reform Agenda required the completion of a Local Government Reform Checklist. The Town's submitted its Checklist on 30 April 2009 and this was subsequently amended on several occasions by providing additional information to the Department of Local Government. The Checklist was then assessed by the Local Government Reform Steering Committee. On 23 July 2009 the Town received a letter from the Department of Local Government which advised as follows:

“On the basis of the checklists assessment, the Town of Vincent was placed in Category One: "evidence indicates that there is existing organisational and financial capacity to meet current and future community needs. Local governments should still consider reform opportunities which enhance service provision to local and regional communities.

Whilst the checklist and attached documents demonstrate the Town's capacity to implement long term strategic and financial planning processes, areas where improvements are required were identified in relation to;

- ***noted delays with processing development applications.”***

The Town of Vincent submitted the mandatory Local Government Reform Checklist in April 2009. A copy of the section of the Checklist relating to the processing of building applications and development applications is detailed below:

"5. Proficient organisational capacity

...

<input type="radio"/> <i>Your local government processes residential building licence applications within 20 working days.</i>	-	Yes	<i>Building Licence applications from 1 July 2007 to 30 June 2008 took an average 8.5 working days.</i> <i>Building Licence applications from 1 July 2008 to 31 March 2009 took an average 7.6 working days.</i>
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<i>Guiding principle</i>	<i>Are these elements in place at your organisation?</i>		<i>Explanatory comment</i>
	<i>Yes</i>	<i>No</i>	
<input type="radio"/> <i>Under delegations, your local government processes development applications within 20 working days.</i>	-	No	<i>Development applications processed under Delegated Authority:</i> <ul style="list-style-type: none"> • <i>Determination of Subdivisions from 1 July 2007 to 30 June 2008 took an average of 25 working days.</i> • <i>Determination of Subdivisions from 1 July 2008 to 31 March 2009 took an average of 30 working days.</i>

			<ul style="list-style-type: none"> • Determination of Development Applications from 1 July 2007 to 31 March 2008 took an average of 36 working days. • Determination of Development Applications from 1 July 2008 to 31 March 2009 took an average of 43 working days.
<ul style="list-style-type: none"> ○ <i>All other development applications are processed within 40 working days.</i> 	-	No	<p>Development applications approved/refused by Council:</p> <ul style="list-style-type: none"> • Determination of Subdivisions from 1 July 2007 to 30 June 2008 took an average of 80 working days. • Determination of Subdivisions from 1 July 2008 to 31 March 2009 took an average of 39 working days. • Determination of Development Applications from 1 July 2007 to 31 March 2008 took an average of 61 working days. • Determination of Development Applications from 1 July 2008 to 31 March 2009 took an average of 59 working days.

...."

Town of Vincent – Overview of Building Application and Development Application Processing Time July 2007 to March 2009

Application Type	Period	Average Processing Time	Statutory Requirement
Building Licence Applications	1 July 2007 to 30 June 2008	8.5 working days	35 or 60 days*
Building Licence Applications	1 July 2008 to 31 March 2009	7.6 working days	35 or 60 days*
Development Applications under delegation	1 July 2007 to 31 March 2008	36 working days	60 calendar days as stipulated in the Town Planning Regulations 1967 and Town's Town Planning Scheme No 1. This equates to 44 working days. For Heritage listed properties, the period is 120 calendar days as stipulated in the Town's Town Planning Scheme No. 1. This equates to 88 workings days.
Development Applications under delegation	1 July 2008 to 31 March 2009	43 working days	60 calendar days as stipulated in the Town Planning Regulations and Town's Town Planning Scheme No 1. This equates to 44 working days. For Heritage listed properties, the period is 120 calendar days as stipulated in the Town's Town Planning Scheme No. 1. This equates to 88 working days.
Subdivision Applications under delegation	1 July 2007 to 30 June 2008	25 working days	42 calendar days as required in the Planning and Development Act 2005. This equates to 30 working days.

Application Type	Period	Average Processing Time	Statutory Requirement
Subdivision Applications under delegation	1 July 2008 to 31 March 2009	30 working days	42 calendar days as required in the Planning and Development Act 2005. This equates to 30 working days.
Development Applications determined by Council	1 July 2007 to 31 March 2008	61 working days	60 calendar days as stipulated in the Town Planning Regulations and Town's Town Planning Scheme No 1. This equates to 44 working days. For Heritage listed properties, the period is 120 calendar days as stipulated in the Town's Town Planning Scheme No. 1. This equates to 88 working days.
Development Applications determined by Council	1 July 2008 to 31 March 2009	39 working days	60 calendar days as stipulated in the Town Planning Regulations and Town's Town Planning Scheme No 1. This equates to 44 working days. For Heritage listed properties, the period is 120 calendar days as stipulated in the Town's Town Planning Scheme No. 1. This equates to 88 working days.
Subdivision Applications considered by Council	1 July 2007 to 30 June 2008	80 working days	42 calendar days as required in the Planning and Development Act 2005. This equates to 30 working days.
Subdivision Applications considered by Council	1 July 2008 to 31 March 2009	39 working days	42 calendar days as required in the Planning and Development Act 2005. This equates to 30 working days.

* The time period stipulated within the requirements of Section 374 (2a) of the Local Government (Miscellaneous Provisions) Act 1960 is *35 days*, and *60 days* in cases when the Heritage of Western Australia Act 1990 applies. It is noted that the Act does not specifically distinguish between working days or calendar days.

Shading denotes non-compliance with statutory requirements.

Reduction in Processing Time

It is noted that a reduction in the number of days taken to deal with planning applications has been evidenced as a result of further monitoring of outstanding planning applications, cancellation of proposals that have been in the system for long periods of time, and also due to planning applications being referred to the Planning Officers within 24 hours of being received at the Customer Service Centre. With respect to subdivision applications, the target response period has been reduced to 21 days from the required 42 days statutory period.

Notwithstanding the above, the following table outlines a number of initiatives recommended in the review of the Development Approval process to ensure all development applications are determined within the statutory timeframes.

Short Term Initiatives (Immediate to 2 months – 1 July 2009-31 August 2009)

No.	Initiative	Timeframe	Comment - Status Update
1.	Immediate collection and allocation to a Planning Officer or planning applications by the CSP	Commenced April 2009 and successfully implemented.	New procedure working well. - COMPLETED -
2.	Increase in the regularity of DAT from 3 days per week to daily and ensure that a representative from all Service areas attend DAT.	Commenced April 2009 and successfully implemented.	New procedure working well. - COMPLETED-
3.	Implementation of new target response times for subdivision applications to the WAPC is 21 days. (Statutory Requirement 42 days for subdivision applications).	Commenced 13 March 2009 and successfully implemented.	- IMPLEMENTATION COMPLETED- Determination of Subdivisions There were 6 subdivisions <u>determined under delegation</u> during the period from 29 January 2010 to 25 February 2010, which were all completed in less than 21 working days and therefore 100% in less than the statutory 42 working days. Determination of Subdivisions There were no subdivision applications determined <u>by Council</u> during the period from 29 January 2010 to 25 February 2010.
4.	Implementation of new target response times for built strata applications to the WAPC is 14 days.	Commenced 13 March 2009 and successfully implemented.	- IMPLEMENTATION COMPLETED -
5.	Review of the Town's checklist for Planning and Building Applications.	Commenced July 2009 and scheduled to be completed August 2009.	- IMPLEMENTATION COMPLETED - Both Building and Planning Checklists have been reviewed and consolidated. Amended Checklists forwarded to the Chief Executive Officer on 14 August 2009. Approval was granted by the Chief Executive Officer on 14 August 2009 to trial the new forms which took effect on Monday 17 August 2009. A review was undertaken in December 2009 and the new forms were adopted.
6.	Improve clearance procedures (internal referrals) for Building Licence clearances.	Commenced July 2009 and procedure put in place by August 2009.	- IMPLEMENTATION COMPLETED - Meeting held on 21 August 2009 with relevant Officers to discuss change. A new timeframe of 5 working days for internal referrals between Sections was introduced.
7.	Review of Community Consultation Policy and Consultation Procedures.	Policy review completed June 2009 and Draft Agenda Report prepared.	- IN PROGRESS - Amended Policy was presented at OMC 15 December 2010. Not approved. Referred to Council Member Forum scheduled for 16 February 2010. Council Member comments obtained. Policy is currently being reviewed.

No.	Initiative	Timeframe	Comment - Status Update
8.	Planning, Building Heritage Services be provided with a full complement of staff.		- COMPLETED - All positions in Planning, Building and Heritage Services were filled by late 2009.
9.	Pre-application meetings between applicants and planning officers to be restricted to (1) meeting per application and only (1) set of revised plans will be accepted per application.	Practice to be implemented by <u>mid September 2009</u> .	- COMPLETED - Discussed at Working Group Meeting on 15/10/2009, resolved to incorporate as an informal practice undertaken by Planning Officers at their discretion, rather than a formal requirement.
10.	Any more than 2 on-site meetings with regard to Strata Form 7 clearance/certificate of classification shall be subject to a flat-rate inspection fee.	<u>Consideration of the introduction of a new fee to be investigated.</u>	- INVESTIGATION COMPLETED - (No further action to be taken at this time). The Town's Building Services has investigated the matter as follows: It is acknowledged that such inspections fees and charges are required at the abovementioned Local Governments. Recent telephone discussions with other Municipal Building Surveyors revealed that these additional inspection fees (Strata and Certificate of Building Classification) may possibly conflict with the Local Government (Miscellaneous Provisions) Act 1960 and Building Regulations 1989. This is because, on the interpretation of the Act and Regulations, the Building Licence application fees, payable by the Builders/Applicants, are for the overall building control services including the assessments, approvals and subsequent complaint inspections.
11.	Provide relief staff for extended leave over two weeks.		This practice has not yet been required.
12.	Reduce the processing time of Development Applications determined by Council.	To commence August 2009.	- IMPLEMENTED - During the period from 29 January 2010 to 26 February 2010, there were 13 applications <u>determined by Council</u> with 61% being determined in less than 40 days and 8% (1 application) being determined in less than 60 days.
13.	Reduce the processing time of Development Applications determined under delegation.	To commence August 2009.	- IMPLEMENTED - During the period from 29 January 2010 to 26 February 2010, there were 25 applications <u>determined under delegated authority</u> with 44% (up from 39% last period) determined in less than 20 working days and 100% in less than the 60 statutory timeframe.

No.	Initiative	Timeframe	Comment - Status Update
14.	New approach to compiling submissions in Agenda Reports.	To commence inclusion in relevant Council Reports both for statutory and strategic related matters, where numerous submissions are received, to take effect as of next Council Meeting scheduled for 8 September 2009.	- IMPLEMENTED - New format to be formalised and made available to relevant service areas as a priority.
15.	Implement new approach to the procedures of Development Approval Team (DAT)	New system commenced on 2 September 2009.	- IMPLEMENTED - A new procedure for DAT commenced on 2 September 2009 and is working well.
16.	Monitor the processing time of Building Licences.	To be completed October 2009.	- IMPLEMENTED - During the 2008/2009 financial year, Building Licences were processed on average in 4.4. days. This is well within the statutory requirement of 35 days and the 20 day target indicated in the Local Government Reform paper. Between 1 July to 29 October 2009, the average time for processing Building Licences was 7.1 days. Whilst still within the statutory and local government reform timeframes, this increase is explained by the incomplete compliment of staff within Building Services currently. A new Building Surveyor was appointed in late 2009 (however, the Town's Co-ordinator Building Services resigned in February 2010 and the position is currently being advertised).

Medium Term Initiatives (3 months to 6 months – 1 September 2009-31 January 2010)

No.	Initiative	Timeframe	Comment - Status Update
1.	Investigate improvement of the Authority System to work to the Town's needs.	Interim progress table to be prepared by September 2009. To be supported by extensive internal review of Authority System to commence in September/October 2009 following the preparation of a Brief to the Consultants, CIVICA.	Initial meeting with Kay Leftwich IT consultant on 11 August 2009. <ul style="list-style-type: none"> ▪ Consultant to customise Engineering Conditions (Completed) ▪ Refresher Training for all relevant Officers – in progress ▪ Induction Training for new Officers – implemented and on-going <p>A Gantt chart has been prepared by A/MPBHS with respect to actions and timeframes for review of the Authority system and all other outstanding matters from Progress Reports and matters arising from BA/DA Working Groups. Weekly meetings currently being held to consolidate workflows and conditions.</p>

No.	Initiative	Timeframe	Comment - Status Update
2.	Formalise a BL 'fastrack' approval process for minor BL's such as patios, sheds, pools. etc.	To commence August 2009.	- COMPLETED - New workflow was formalised and circulated to all relevant Officers.
3.	Short Track Subdivision System - formal arrangement between the DOP and Town of Vincent.	To commence October 2009.	- COMPLETED - Memorandum formalising "short track" subdivision system between the Town and Department of Planning has been completed. The Town's Offices have had training on the new procedures, which is to be implemented on 18 January 2010, and going live on 19 January 2010.
4.	Cancellation and Suspension practices of DA and BL applications to be reviewed for consistency.	To commence August 2009.	- IMPLEMENTED and ON-GOING - The Town's Officers met with Authority Consultant on 11 August 2009 to discuss measures to improve the use and reporting methods of Authority. Item discussed at BA/DA Working Group Meeting on 29 October 2009. All applications over 60 days were currently within the system over 60 days with the responsible Officer, with the view that all outstanding applications to be removed from the system by 13 November 2009. In addition, it was resolved at the Working Group Meeting that the Town would take a hard line approach to cancel and deem refusal to all applications in the system over 60 days.
5.	A system relating to the re-allocation of Applications to Officers whilst on leave is set in place to ensure continued accountability and consistency.	New procedure to be put in place by September 2009.	- COMPLETED -
6.	Form a Working Group to assist in facilitating and monitoring the progression of improving the efficiency of the planning and building application process.	Working Group to commence meetings in August 2009.	- COMPLETED - Working Group Meetings are held fortnightly.

Long Term Initiatives (6 to 12 months – 1 February 2010-30 June 2010)

No.	Initiative	Timeframe	Comment - Status Update
1.	Review and consolidate the Town's Planning and Building Policy Manual as part of the Town Planning Scheme Review.	Review and consolidation of the Town's Planning, Building and Policy Manual commenced as part of the Scheme Review in May 2009. Complete consolidation of Manual is determined by the promulgation of the Town's TPS No. 2 likely to	Meetings held with the Town's Strategic Planning Officers and the Department of Planning on 12 August 2009 and 2 October 2009. Review of the Town's Local Planning Strategy (LPS) has been completed by Department of Planning and written feedback on the document was forwarded to the Town in early December 2009. At

No.	Initiative	Timeframe	Comment - Status Update
		<p>be in July 2010; however, in the process, some Policies can be reviewed to be rescinded in the interim.</p>	<p>the OMC on 15 December 2009, the Draft Town Planning Scheme No. 2 (TPS No. 2) and Maps were deferred for consideration at the Council Member Forum scheduled for 16 February 2010. Strategic Planning Officers have commenced the review and consolidation of the Town's Planning Policy Manual.</p> <p>Work has commenced on the review of the existing Manual, which is based on the following principles:</p> <ul style="list-style-type: none"> • Update Policies to reflect Local Planning Strategy; • Remove redundant policies; • To ensure existing and proposed polices have a clear planning purpose; • To distinguish between a policy and a procedure; • To minimise replication of requirements, especially where a requirement may be subject to separate and adequate legalisation. • To address issues as identified by the Town's Statutory Planners.
2.	Commence extensive review of the Residential Design Elements Policy.	Extensive review of Policy to commence September 2009 and completed by March 2010.	The key focus of the Strategic Planning Officers to date has been to finalise the draft Town Planning Scheme No. 2 and Maps. The review of the Residential Design Elements Policy commenced in January 2010 and will aim to streamline and consolidate the existing policy.
3.	Research electronic systems in place at other local government authorities in WA and interstate regarding the lodging and processing of development applications and building licences.	Research commenced August 2009 and to continue in the next 6 months with the intention of reporting with recommendations in due course. Implementation dependent on suitability of alternative system for the Town and budgetary constraints.	Contact has been made with the City of Wanneroo to investigate rolling out of electronic Development Applications and Building Licences with CIVICA. The City of Wanneroo advised that they are currently undergoing a similar process to the Town to update their version of Authority to broaden its functionality, including on-line lodging of applications. It was advised that at the moment the City of Wanneroo is preparing a detailed report to set up the necessary requirements to effectively implement the new functions on Authority. Further to this, the City of Wanneroo was looking to better integrate all systems, including their records systems to work better together.

No.	Initiative	Timeframe	Comment - Status Update
			<p>Initial research has been made into the Shire of Tweed Heads in NSW. (To be followed up further).</p> <p>The Town is investigating with Civica a module which facilitates the lodging of planning applications and the receiving of payments on-line. This functionality becomes available in the new version "Authority Web Platform". The platform (not the portal) is required to enable DA/BA's to be received on-line. The transition to the Platform requires several upgrades and series of systems to be made prior.</p> <p>It is considered that the first priority is to customise Authority to work better for the Town's BA/DA work flows, prior to any further investigation and research.</p>

TERM OF REFERENCE NO. 4

Review our employee resources, including remuneration levels and performance expectations, when benchmarked against other similar local governments and organisations.

Recommendations:

A number of positions had their salary band increased, to reflect the job market place, increased responsibility, to maintain competitiveness with other local governments.

Several positions had their salary band reduced. It should be noted that the current incumbents are not affected and the changes will occur when the position becomes vacant.

All of the above changes are adequately covered in the Town's Operational Budget and there are no financial implications for the Town.

TERM OF REFERENCE NO. 5

Review and reassess the organisation and its service delivery and practises to;

- (a) *achieve a minimum of 3% cost savings against the Draft Operating Budget 2009-10, without impacting or reducing our front line services or levels delivered to the community;*
- (b) *identify other improvements and efficiencies;*
- (c) *identify whether any current services could be discontinued, modified and/or reduced; and*
- (d) *identify additional sources of revenue/income.*

Chief Executive Officer's Comments:

As Council Members are aware, the global financial crisis has had a devastating effect on many economies, including (to a lesser degree) Australia. Therefore, to ensure any rate increase is kept to a minimum, employees were requested to achieve a minimum of 3% cost savings, without impacting or reducing frontline services, identify which services could be discontinued or modified, reduce duplication and identify additional services of revenue. Such reviews are common place now days.

Recommendation/Findings:

Listed below are a number of high priority recommendations. The list is not exhaustive and recommendations of a medium and low priority have not been included. The indicative cost savings have been included into the 2009-10 Budget. Only one item (No. 25 – Review of Tariffs for “green energy”) is to be actioned, as all others have been implemented.

No.	Item/Recommendation	Indicative Cost Savings/ Increased Revenue (per annum)	Priority	Status
1.	Change six monthly fire inspection program to annual	\$5,500	High	Budget 09/10
2.	Utilise in-house photographer for Garden Competition	\$1,500	High	Budget 09/10
3.	Review annual turf renovation contracts	\$20,000	High	Budget 09/10
4.	Review Town property annual termite inspections	\$1,300	High	Budget 09/10
5.	Review procedures of manual watering of trees/gardens	\$10,000	High	Budget 09/10
6.	Review Garden Competition, Photographic Competition Awards/Functions	\$5,000	High	Budget 09/10 – Invitation list amended by Council
7.	Review Annual Art Exhibition and Award Function	\$20,000	High	Budget 09/10
8.	Review herbicide treatment to footpaths and kerbs	\$45,000	High	Budget 09/10
9.	Minimise Town employees involvement in new cross-over installations	\$15,000	High	Budget 09/10
10.	Introduce installation of parking and other minor signage erection instead of contractor	\$5,000	High	Budget 09/10
11.	Increase usage of in-house employees for design works	\$10,000	High	Budget 09/10
12.	Introduce in-house Sunday Swim School Programmes at Beatty Park due to increased demand	\$65,000	High	Budget 09/10
13.	Reduce advertising in Beatty Park pool area	\$1,500	High	Budget 09/10
14.	Review procedures for high precision cleaning of tiled areas	\$4,200	High	Budget 09/10
15.	Minimise use of indoor plants and pool area at Beatty Park	\$1,500	High	Budget 09/10
16.	Reduce café opening hours in winter to save salaries at Beatty Park	\$7,000	High	Budget 09/10
20.	Pursue additional sponsorship of Town events	\$5,000	Medium/ High	Budget 09/10
21.	Investigate introduction of fee for overdue books	\$5,000	Medium	Budget 09/10

No.	Item/Recommendation	Indicative Cost Savings/ Increased Revenue (per annum)	Priority	Status
22.	Investigate introduction of follow up inspection fee for major developments	\$9,000	Medium/ High	Budget 09/10
23.	Commission library media room for possible use	\$5,000	High	Budget 09/10
24.	Introduce fee for non-ratepayers for library internet use	\$15,000	High	Budget 09/10
25.	Review tariff for "green energy" from 25% to 10% (subject to Council decision – report to Ordinary meeting of Council 22 September 2009)	\$35,000	High	To be reported in March 2010
	TOTAL	\$291,500		

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The Local Government Act Section 5.41 prescribes the functions and duties of the Chief Executive Officer and these include:

“(d) manage the day to day operations of the local government;” and

“(g) be responsible for the employment, management, supervision and dismissal of other employees (except designated senior employees)”.

The conducting of a review is one of the functions of the Chief Executive Officer.

Changes to the development approval process are in accordance with the following legislation:

Planning and Development Act 2005
Town Planning Scheme No. 1
Town Planning Regulations 1967 and Model Scheme Text
Local Government (Miscellaneous Provisions) Act 1960
Building Regulations 1989
Planning and Development Regulations 2009
Local Planning Strategy
Planning Building Policy Manual

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Plan for the Future - Strategic Plan 2009-2014, which states:

“Leadership Governance and Management

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

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

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The financial implications of the Internal Organisational Review are as follows:

1. Term of Reference No. 1 – Organisational Structure

The restructure of the Organisation, including a number of positions, made redundant and new positions created, has resulted in savings of \$591,000 (approx) and expenditure of \$417,000, with **saving of \$204,000** (approx) – some of this saving was included in the 2008-09 Budget and the majority included in the 2009-10 Budget.

2. Term of Reference No. 2 – Service Delivery

Cost savings/increased revenue of approximately **\$247,100** have been identified. At the time of writing this report, the following is the progress of the items:

Completed items:	33
Part completed items:	5
Yet to be completed items:	4
Total:	42

3. Term of Reference No. 3 – Development Approval Process

Specific financial savings have not been qualified at the time of writing this report, as the effect of the various changes has not been fully determined.

An improvement in the Development Approval processing time has been achieved, as shown in Tables in Appendix 9.4.6.

Applications Over 60 days in Council

At the time of writing this report there were 3 applications in the system:

- 381 Beaufort Street, Perth – Applicant has requested further time in order to consult with the School and local residents concerning the hotel complex. This application has subsequently been suspended until the Applicant is ready to proceed;
- 55 Burt Street, Perth – Application cannot be determined until lots are formally subdivided. This application has been suspended until the subdivision conditions have been cleared; and
- 208 Beaufort Street, Perth – Application for a McDonald's store was deferred at the Ordinary Meeting of Council held on 23 February 2010. This application has subsequently been suspended until the Applicant is ready to proceed

4. Term of Reference No. 4 – Remuneration Levels

A number of positions had their salary band increased, to reflect the job market place, increased responsibility and to maintain competitiveness with other local governments.

Several positions had their salary band reduced. It should be noted that the current incumbents are not affected and the changes will occur when their position becomes vacant.

All of the above changes are adequately covered in the Town's Operational Budget and there are no financial implications for the Town.

5. Term of Reference No. 5 – Achieve 3% cost savings

Cost savings/increased revenue of approximately **\$291,500** have been identified. At the time of writing this report, all items except 1, have been successfully completed.

The review has resulted in cost savings of approximately **\$742,600** as a result of “high” priority recommendations. Final cost savings will not be identified until the end of the financial year. (It should be noted that some of the savings have been included in the 2009/10 Budget).

COMMENTS:

The Chief Executive Officer is pleased to report that implementation of the recommendations has been successfully actioned.

The outcome of the Internal Organisation Review has resulted in immediate significant cost savings and improved efficiencies for both internal and external customer services. It has also resulted in significant improvements to the development approval process – however, a number are still to be implemented.

The Chief Executive Officer will continue to implement the recommendations over the forthcoming months in order to improve efficiency and service and will submit a further report in mid 2010.

9.4.7 Local Government Structural Reform – Progress Report No. 6

Ward:	-	Date:	3 March 2010
Precinct:	-	File Ref:	ORG0031
Attachments:	001 , 002		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council:

- (i) **RECEIVES** the Progress Report No. 6 as at 1 March 2010 concerning Local Government Structural Reform 2009 as outlined in this report; and
- (ii) **NOTES:**
 - (a) that the Town has NOT received any request from the Minister for Local Government; Heritage; Citizenship and Multicultural Interests to alter its boundaries or enter into a Regional Transition Group (RTG);
 - (b) the Town has not responded to the Cities of Stirling and Bayswater Submissions; and
 - (c) that no further action is required by the Council at this stage.

COUNCIL DECISION ITEM 9.4.7

Moved Cr Topelberg, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the progress concerning the Minister for Local Government’s announcement concerning his strategies for local government structural reform, as at 1 March 2010. One of the Chief Executive Officer’s Key Performance Indicators requires him to submit a report to the Council on a quarterly basis.

BACKGROUND:

The Council previously considered the matter of local government reform at the Ordinary Meetings of Council held on 22 September 2009, 7 September 2005, 20 December 2005, 16 March 2009, 28 April 2009, 7 July 2009 and 25 August 2009.

DETAILS:

At the Ordinary Meeting of Council held on 22 September 2009 the Council considered this matter and resolved as follows:

“That the Council;

- (i) **RECEIVES:**
 - (a) the Progress Report No. 5 as at 16 September 2009 concerning Local Government Structural Reform 2009 and the Town’s Submission to the Minister for Local Government; and

- (b) *the Minutes of the Town of Vincent Structural Reform Project Team Meetings as “Laid on the Table”;*
- (ii) *APPROVES of the Town of Vincent Submission to the Minister for Local Government as shown in Appendix 14.4 attached to this report;*
- (iii) *NOTES that:*
- (a) *the Town’s Local Government Structural Reform Checklist received a Category 1 ranking by the Department of Local Government; and*
- (b) *the results of the Community Consultation were taken into account in compiling the Town’s Final Reform Submission;*
- (iv) *RESOLVES to retain its status as a independently sustainable local government, based on the assessment by the Department of Local Government (noting that the Town is sustainable in its current form), together with the results of the Community Consultation;*
- (v) *RECOMMENDS to the Minister for Local Government, Heritage, Citizenship and Multicultural Interest that:*
- (a) *the Town of Vincent DOES NOT SUPPORT amalgamation with any neighbouring local government authority including the Cities of Stirling, Perth, Bayswater or Town of Cambridge;*
- (b) *the Town of Vincent REQUESTS THAT ALTERATIONS TO ITS BOUNDARIES be considered in the following order of preference:*
1. *Option 1 – Acquire Mt Lawley (only);*
 2. *Option 2 – Acquire Mt Lawley and part of Menora (south of Alexander Drive);*
 3. *Option 3 – Acquire Mt Lawley, Menora and Coolbinia;*
 4. *Option 4 – Acquire Joondanna; and*
 5. *Option 5 – Acquire Mt Lawley, Menora, Coolbinia and Joondanna;*
- (c) *the number of Elected Members for the Town of Vincent NOT BE REDUCED, as the current number of nine Elected Members is within the prescribed range of between six and nine as recommended by the Minister;*
- (d) *the present arrangements for the Town’s regional groupings of local government is considered appropriate, and NOTES that the Town will continue to work collaboratively with other relevant local governments and Regional Councils; and*
- (e) *the City of Perth Submission BE REJECTED; and*
- (vi) *AUTHORISES:*
- (a) *the Chief Executive Officer, in liaison with the Mayor, to finalise and submit the Town’s Submission to the Minister for Local Government;*

- (b) *the Mayor and Chief Executive Officer to meet the Minister for Local Government, other local governments and other relevant persons, concerning local government structural reform;*
- (c) *the Mayor and Chief Executive Officer to formally advise the Cities of Stirling, Bayswater and Perth and the Town of Cambridge of the Council's decision; and*
- (d) *the Chief Executive Officer to make public the Council Report and Submission after 30 September 2009."*

On 2 February 2010 the Minister for Local Government wrote to the Town as follows:

(Refer Appendix A)

"Dear Mayor Catania

First, let me acknowledge your reform submission and the position your council has taken on reform. As a courtesy, I am now writing to you to keep you informed of developments in the reform process.

Many local governments indicated a willingness to amalgamate and undertake reform but were unable to reach final agreement with their neighbours. The options I am now proposing provide like minded local governments with a clear staged path to voluntary reform through a series of defined milestones.

Briefing sessions to explain these options, the Regional Transition Group (RTG) model and the Regional Collaborative Group (RCG), have commenced and will continue through February focusing initially on regional areas and the Western suburbs.

For your information, I would like to clarify the following key points:

- *The process remains voluntary. The decision to participate is a matter for each local government.*
- *The ultimate membership of each group is also up to local governments to determine.*
- *Due to factors of remoteness and distances, I have invited local governments in the Kimberley, the Pilbara, the northern Goldfields and the Murchison to consider participating in Regional Collaborative Group (RCG).*
- *Other local governments are invited to consider participating in a RTG.*
- *A model agreement to establish the RTG and a flowchart are attached for information.* The core elements of the agreement are:*
 - *The State will provide funding to assist each group development and regional business plan.*
 - *Any participant can withdraw from the group once the business plan is finalised. I believe this is reasonable as development of the plan requires input from all participants in each group. I anticipate up to nine months would be required to prepare the plan.*
 - *Even after local governments have resolved to participate, the RTG can be terminated if the majority of the group decides that this is the best course of action. I anticipate efforts will be made to resolve concerns before such a decision is made.*
 - *The Local Government Advisory Board statutory processes, including the poll provision, apply once the RTG proposal to amalgamate is received by the Board.*
- *I have lodged my funding request to assist local government reform for inclusion in the 2010/11 State budget.*

The RTG agreements will not override the requirements of Schedule 2.1 of the Local Government Act 1995, ensuring that local communities are involved in the reform process.

I have asked relevant local governments to indicate to me by 26 March 202010 their local government's willingness to proceed to an RTG or RCG and have encouraged them to be represented at the briefings. They are also invited to contact any of the following officers to assist with enquiries:

Wendy Murray	wendy.murray@dlg.wa.gov.au	tel: 9217 1440
Tim Fowler	tim.fowler@dlg.wa.gov.au	tel: 9217 1439
Chris Berry	chris.berry@dlg.wa.gov.au	tel: 9217 1417

More information on the RTG and RCG models, including how they will work, will be available from the Department of Local Government's website www.dlg.wa.gov.au."

* The Model Agreement is "Laid on the Table".

Reform Announcement – February 2009

On 5 February 2009, the Minister for Local Government; Heritage; Citizenship and Multicultural Interests, the Hon G M (John) Castrilli, MLA issued Circular No. 1 - 2009 which provided the following information in relation to the State Government's package of Local Government reform strategies.

The Minister required that all Local Governments forward their final Reform Submission by 31 August 2009 (subsequently extended to 30 September 2009). Such submissions are to include the following items:

- Voluntary amalgamation;
- The number of Elected Members required (with a range of six (6) to nine (9));
- Regional Groupings; and
- A transition timeline.

Local Government Reform Steering Committee

On 10 February 2009, the Minister for Local Government announced the creation of the Local Government Reform Steering Committee which is responsible for facilitating the reform process. The Steering Committee's role is to develop guidelines to assist Councils to consider amalgamations and to reduce elected member numbers. The Steering Committee will also oversee the following four Working Groups:

- Corporate and Strategic Planning
- Commercial Enterprises and Urban Development
- Training and Capacity Building
- Legislative Reform

Local Government - Brief Overview

In Western Australia, there are 139 local governments, of which 85 have a population less than 2,000 and with a ratio of electors to each elected member of less than 1 per 100. These local governments are almost all country councils (the only notable exception in Perth is the Shire of Peppermint Grove). There are 30 local governments in the metropolitan area.

Town of Vincent Structural Reform Project Team Meetings

The Council's Structural Reform Project Team (comprising Mayor Catania, Cr Farrell, Cr Burns and the Chief Executive Officer) has not met since 7 September 2009, as there has been no reason to do so.

ACTION SINCE 22 SEPTEMBER 2009**Consultation with Adjoining Local Governments**

Date	Item
25 September 2009	The Town wrote to Cities of Bayswater, Stirling, Perth and Town of Cambridge advising of its Council decision relating to the Structural Reform Submission and requesting a meeting (City of Stirling declined to meet with the Town)
25 September 2009	The Town received a letter from the City of Stirling advising of its Submission – refer to Appendix B
1 October 2009	The Town received a letter from the City of Bayswater advising of its Submission – refer to Appendix C
9 October 2009	The Town received a letter from the Town of Cambridge advising of its Submission – refer to Appendix D

Note: No formal correspondence was received from the City of Perth

Information from Minister of Local Government/Department of Local Government (DLG)

Date	Item
7 October 2009	Letter from Minister for Local Government received acknowledging Town's Submission
8 October 2009	Minister for Local Government – Circular No. 06-2009
21 October 2009	Letter from DLG requesting acquittal of funding
27 October 2009	Minister for Local Government – Circular No. 07-2009 – Update
7 December 2009	Minister for Local Government – Circular No. 08-2009 – Interim analysis of Reform Submissions
7 December 2009	Letter from Minister for Local Government received advising that DLG will be arranging meetings commencing March 2010
17 December 2009	Letter from DLG received advising that grant was successfully acquitted
18 December 2009	Circular 31-2009 from the Director General of DLG advising that the Department will be contacting Local Government Chief Executive Officers "over the next few days" – no contact received as yet
2 February 2010	Letter from Minister for Local Government received advising of progress concerning Regional Transition Groups and requesting a response from relevant Local Governments by 26 March 2010 – Town has not received any request

Information from Western Australia Local Government

Date	Item
5 October 2009	Info Page issued
11 December 2009	Reform Report Bulletin 12
17 December 2009	Info Page issued – WALGA to clarify reform process (together with options)
21 January 2010	President's Report on reform process
9 February 2010	WALGA Local Government Forum at Ascot Racecourse – attended by Mayor and Chief Executive Officer. Better Local Government Communique – refer Appendix E

Miscellaneous

Date	Item
13 January 2010	Media Statement from Paul Papalia – Shadow Minister for Local Government; Corrective Services
15 January 2010	Media Statement from Paul Papalia – Shadow Minister for Local Government; Corrective Services
20 January 2010	Media Statement from Paul Papalia – Shadow Minister for Local Government; Corrective Services

City of Perth Submission

City of Perth Council Decision

In September 2009 the City of Perth made a submission to the Minister for Local Government.

The City of Perth resolved as follows:

“That the Council:

1. *recommends to the Minister for Local Government, Heritage Citizenship and Multicultural Interests that:*
 - 1.1 *the current City of Perth boundary will constrain the growth of the city and its ability to become a world-class city;*
 - 1.2 *the boundary of the City of Perth should encompass an area of an appropriate radius from the city centre that can contain the range of facilities expected in a capital city considering its role as a centre for commerce, government, culture, and education, noting that the previous submission to the Local Government Advisory Board on 1 May 2006 recommended that the City of Perth extend its northern boundary to Bulwer Street;*
 - 1.3 *ad hoc amalgamation of local governments in the metropolitan area can compound existing problems with in appropriate boundaries and any proposed changes should be based on the criteria used by the Local Government Advisory Board when considering changes to the boundaries of a district and be part of a comprehensive review of the number of local governments in the metropolitan area;*
 - 1.4 *consideration of the needs of the City of Perth as a capital city be given due attention when consideration reform of local government in the metropolitan area;*
 - 1.5 *support is required for the formal recognition of the capital city status of the City of Perth and the establishment of a suitable governance framework through the signing of the proposed Capital City Charter;*
 - 1.6 *the number of Elected Members in the City of Perth Council is appropriate for its functions as a capital city;*

1.7 *Present arrangements for regional groupings of local government are appropriate.”*

(Adopted at Ordinary Meeting of Council 25 August 2009).

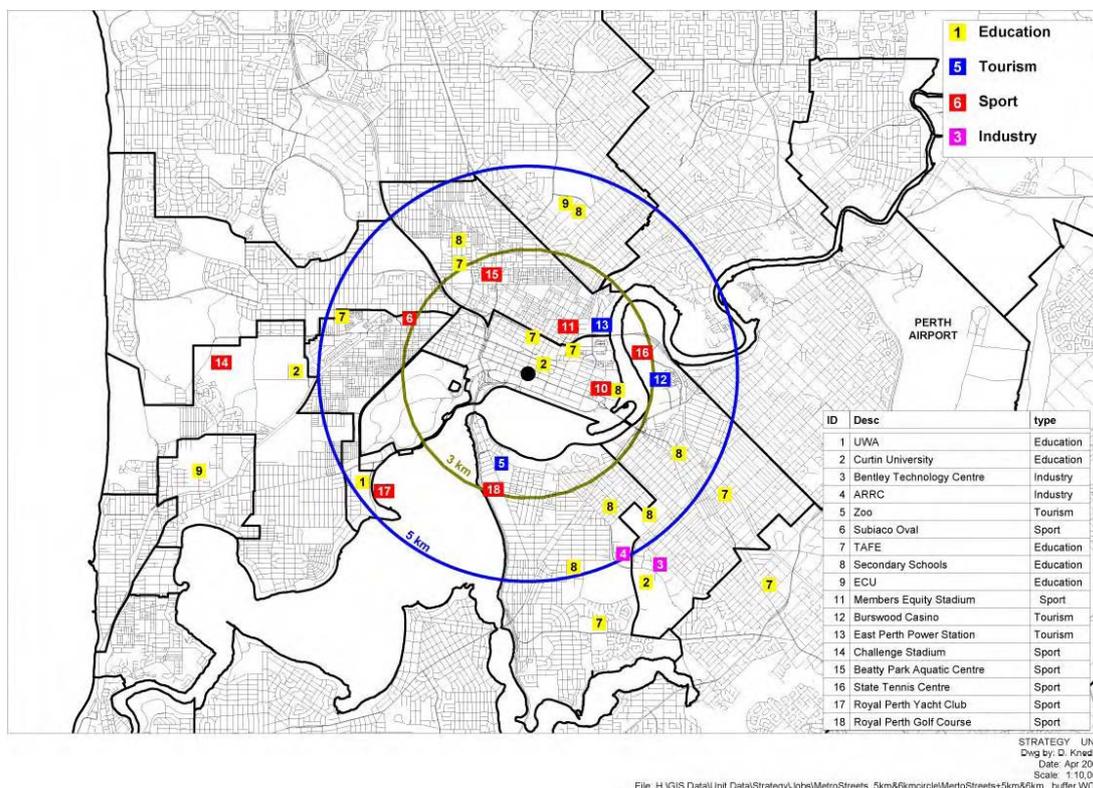


Figure 7.2: Map showing areas that fall within a 3km and 5km radius of the City Centre (Source: City of Perth)”

City of Stirling Submission

The City of Stirling letter dated 25 September 2009 stated (in part) as follows:

- “...3. *Boundary adjustments which involve simply ceding areas of the City of Stirling to adjoining local governments are not supported as:*
- i. *Analysis shows this has a negative effect on the City’s economies of scale and will lead to increased costs, reduction in service levels or a combination of both; and*
 - ii. *Boundary adjustments to ‘prop up’ adjoining local governments do not achieve a stated aim of the reform process, being a reduction in the numbers of local governments in the State.*
 - iii. *The City supports the community of interest that all suburbs within its current boundaries contribute to the character, historical and social mix of the City of Stirling as represented through numerous community and sporting associations.*
4. *Given its strong financial position, existing support infrastructure and current size, the City of Stirling considers there is no pressing need to merge with adjoining local governments from its own perspective, but considers it is well place to manage and deal with mergers or amalgamations with smaller adjoining local governments if requested to do so by the state Government and in particular would support:*
- *A merger of the Town of Vincent with the Cities of Perth and Stirling, using Summers Street (to Perth-Midland rail line), Bulwer and Vincent Streets as the boundary; and/or*

- *A merger with the Town of Cambridge, subject to minor adjustments to the Town's current southern boundaries (such as the use of the Perth-Fremantle rail line, Salvado Road, Jersey Street, Hay Street/Underwood Avenue/Stephenson Avenue, Rochdale Road and then westerly to the Indian Ocean); and/or*
- *A merger of the City of Bayswater with the Cities of Swan and Stirling, using the Tonkin and Reid Highways as the new boundary...*

City of Bayswater Submission

The City of Bayswater letter dated 1 October 2009 stated as follows:

"That the City of Bayswater's official response to the Minister for Local Government's Structural Reform Guidelines be as follows:

1. *Following meetings with adjoining Local Governments it was established that voluntary amalgamation was not achievable.*
2. *The city of Bayswater has undertaken an individual view that there is a need for structural change and has recommended the following:*
 - (a) *The Amalgamation of the Town of Bassendean with the City of Bayswater.*
 - (b) *The relocation of the western boundary of the City of Bayswater to Alexander drive transferring the suburbs of Inglewood and portion of the suburbs of Mount Lawley, Menora, Yokine and Dianella from the City of Stirling to the City of Bayswater.*
 - (c) *The relocation of the northern boundary of the City of Bayswater to Hepburn Avenue and Marshall Road transferring the suburbs of Ballajura, Malaga, Beechboro, Kiara, Lockridge and portion of the suburb of Noranda from the City of Swan to the City of Bayswater.*
 - (d) *The relocation of the eastern boundary of the City of Bayswater to the new proposed alignment of Lord Street transferring the suburb of Lockridge and portion of the suburbs of West Swan and Caversham from the City of Swan to the City of Bayswater.*
3. *The Council's Elected Member Representation remain at eleven (11) as the Council believes any less would have a detrimental effect on the Council's community engagement perspective.*
4. *the Council also believes that local governments having a population of more than 100,000 residents should be permitted to have a maximum of fifteen (15) elected members as per the current arrangements permitted under the Local Government Act 1995...*

Town of Cambridge Submission

The Town of Cambridge letter dated 9 October 2009 stated (in part) as follows:

"...The Town's position, as submitted to the Minister, is that we do not support an amalgamation of Cambridge with any of our neighbouring councils because:

- (a) *there are no logical merger candidates; and*
- (b) *we do not need to amalgamate to achieve financial sustainability.*

We are of the view that Cambridge works effectively at its current size however, as the Minister has asked councils to consider their appropriate size, the Council decided to propose expanding its boundaries to include:

- *Wembley Downs, Churchlands, part of Woodlands, Herdsman Lake and that part of Wembley now not in the Town from the City of Stirling;*
- *City West 'beak' area in West Perth separated by the freeway and Perth to Fremantle railway line from the City of Perth; and*

- *Hackett estate in Floreat, all of AK Reserve and UWA Sports Park, the commercial area down to Lemnos Street including the Town's depot, and part of the Swanbourne army reserve and beach from the City of Nedlands.*

The Town is also proposing to transfer the following areas to neighbouring councils:

- *Part of Daglish south of Hay Street and Jolimont south of Hay Street and east of Jersey Street to the City of Subiaco; and*
- *Part of Mt Claremont south of Rochdale Road to the City of Nedlands...*

Action Relating to Other Local Governments

Western Suburbs (Subiaco, Nedlands, Claremont, Cottesloe, Mosman Park and Peppermint Grove)

The Western Suburbs local governments have been requested to enter into a Regional Transition Group.

Town of Cambridge

Has received no communication from the Department of Local Government – is in a similar position to the Town of Vincent.

Town of Bassendean and City of Bayswater

Have received a letter from the Minister to consider amalgamation and/or entering into a RTG.

Town of East Fremantle and City of Fremantle

Have received a letter from the Minister to consider amalgamation and/or entering into a RTG.

Country Local Governments

It is understood that those local governments which received a Ranking 2 or 3 have received a letter from the Minister recommending they enter into a RTG. Currently seven (7) local governments have indicated they will amalgamate to form two (2) new entities in 2011 and a further four (4) have indicated they will amalgamate to form two (2) new entities by 2013.

Kimberley, Pilbara and Goldfields Regions

Due to factors of remoteness and distance, the Minister has invited local governments in the Kimberley, the Pilbara, the northern Goldfields and the Murchison to consider participating in a RCG. This is similar to a Regional Council (without the legal structure), whereby resources are shared and collaboration takes place.

CONSULTATION/ADVERTISING:

Not applicable.

There has been considerable media reporting concerning Local Government Structural Reform in Western Australia, however, very little specifically relates to the Town of Vincent.

LEGAL/POLICY:

Any local government boundary amendment is subject to the provisions of Schedule 2.1 of the Local Government Act 1995, relating to creating, changing the boundaries of, and abolishing districts.

Current legislation requires a structural reform proposal to be made to the Local Government Advisory Board which will then hold a formal inquiry on the proposal. The Advisory Board will then make recommendations on the proposal and electors of each Local Government are then provided with an opportunity to demand a poll.

The Schedule provides that electors may demand a poll be conducted on any recommended amalgamation. It provides that the request for a poll is to be signed by at least 250, or at least 10% of electors of one of the affected districts. To be considered valid, at least 50% of the electors of one of the affected districts must vote and of those electors who vote, should a majority vote against the recommendation, the Minister is to reject the recommendation.

Should a poll be requested and at least 50% of the electors of one of the districts vote; and of those electors of that district who vote, a majority vote against the recommendation, the Minister is to reject the recommendation.

Based on previous experience, the structural reform process would normally take 18 months to two years, following a Council resolution to formally proceed with a proposal.

The Local Government Advisory Board is required to consider the following criteria when looking into structural reform changes:

- Community of interest
- Physical and topographic factors
- Demographic factors
- Economic matters
- History of the area
- Transport and communication
- Matters affecting viability of the Local Government(s) involved
- Delivery of Local Government services

Additionally, Schedule 2.1 provides that the employment of staff is not to be terminated or varied as a result of amalgamation unless compensation acceptable to the person is made, or a period of at least two years has elapsed since the order for amalgamation had effect.

STRATEGIC IMPLICATIONS:

The Town's Strategic Plan 2009-2014 provides various stated objectives of financial sustainability, sustainable community infrastructure and best management practices.

SUSTAINABILITY IMPLICATIONS:

The Town has been independently assessed in a statewide survey by Access Economics, in 2006, as being viable and sustainable. However, the survey highlights that 83 local governments are not sustainable in the long term. The majority are in country areas, but 10% (3) metropolitan local governments have also been identified. These serve 21% of the State's population.

The Town is in a strong financial position, with considerable funds in reserve, debts covered by money-back guarantees, considerable future revenue from its share of the Tamala Park land and with potential income from the future redevelopment in Leederville.

Over previous years, the Town has been active in its asset management replacement and this will continue.

During 2009, the Town's Administration will be developing a policy and strategy for the Town's assets together with asset management plans for specific classes of assets. This project is conducted in conjunction with the Western Australian Local Government Association (WALGA) and reflects the importance of asset management in the sustainability of the Town.

The desired outcome of Structural Reform is a strong sustainable local government in Western Australia.

FINANCIAL/BUDGET IMPLICATIONS:

The Town's Budget 2009/10 does not include any funds to cover any costs associated with the structural reform review.

The Checklist No. 1 has been completed by the Chief Executive Officer and Directors, in addition to their normal duties and costs have been absorbed in the current operating budget. Work for Stage 1 involved approximately 32 hours (to research and prepare current information concerning local government amalgamation/reform). Work on Stage 2 7 July 2009-16 September 2009 has taken approximately 120 hours of the Chief Executive Officer's time (much of which was outside normal working hours).

The Town's Submission was prepared "in-house" by the Town's Chief Executive Officer, with assistance from the Town's Directors – providing relevant information pertaining to their field of responsibility and expertise. (A further 20 hours (approx.) was involved).

Mones for community consultation are included in the Town's Operating Budget. There are no specific funds for this specific matter included in the 2009/10 Budget (other than the \$10,000 grant received from the Department of Local Government).

The following is the indicative expenditure for Stage 2-5;

(a) Special Edition Newsletter to all Ratepayers

Indicative Costing based on 20,000 Newsletters: (approx. \$18,430)

(b) Public Meeting

Indicative Costing (approx. \$100). Cost absorbed by the Town's Operating Budget.

(c) Posters

The display of Posters in the Administration and Civic Centre, Library and Local History Centre and Beatty Park Leisure Centre, was prepared and copied in house. (approx. \$100).

(d) Town of Vincent Webpage - Online Survey

An online survey - work to be done by Town's IT Officers and costs absorbed by the Town's IT Operating Budget.

TOTAL \$18,630

Funding Grant

The Town's Application for a \$10,000 grant to the Department of Local Government was approved.

COMMENTS:

The Minister for Local Government's letter dated 2 February 2010 (**Appendix A**) is the most recent communication the Town has received concerning Structural Reform. No response is required from the Town as it has not been indicated for the Town to enter into a Regional Transition Group.

The Chief Executive Officer telephoned a Senior Officer of the Department of Local Government on 2 March 2010 and discussed the matter. The Department of Local government advised that it is their intention to make contact with local governments in March 2010. The Minister for Local Government has not made public the Local Government Reform Steering Committee Interim Report or Final Report. The final Report was due by March 2010.

The Chief Executive Officer has held several discussions with the Town of Cambridge who have also not had any contact from the Department of Local Government.

In view of the above, it is appropriate that the Council note the information and await any contact from the Department or Minister for Local Government.

9.4.8 Information Bulletin

Ward:	-	Date:	3 March 2010
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer:	A Radici, Executive Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Information Bulletin dated 9 March 2010, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.4.8

Moved Cr Topelberg, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

DETAILS:

The items included in the Information Bulletin dated 9 March 2010 are as follows:

ITEM	DESCRIPTION
IB01	Letter of Appreciation from the Office of the Commissioner regarding the Town’s letter regarding Inspector Mike Green
IB02	Letter of Appreciation from Mr G. Hughes regarding Gift from the Town for his 100 th Birthday
IB03	Safer Vincent Crime Prevention Partnership (SVCPP) Minutes of Meeting held on 2 December 2009
IB04	Register of Petitions - Progress Report - March 2010
IB05	Register of Notices of Motion - Progress Report - March 2010
IB06	Register of Reports to be Actioned - Progress Report - March 2010
IB07	Register of Legal Action (Confidential – Council Members Only) - Progress Report - March 2010
IB08	Register of State Administrative Tribunal Appeals - Progress Report - March 2010
IB09	Notice of Forum - 16 March 2010

9.1.2 No. 400 (Strata Plan 8289) Fitzgerald Street, North Perth - Proposed Sunday Markets

Ward:	South	Date:	2 March 2010
Precinct:	North Perth Centre: P09	File Ref:	PRO0132; 5.2009.533.1
Attachments:	001 , 002		
Reporting Officer:	D Pirone, Statutory Planning Officer		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application submitted by I Messina on behalf of the owners of land relating to Strata Plan 8289 for proposed Sunday Markets, at No. 400 (Strata Plan 8289) Fitzgerald Street, North Perth, and as shown on plans stamp-dated 27 November 2009, for the following reasons:

- (i) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (ii) *the non-compliance with the Car Parking requirements of the Town's Policies relating to Parking and Access; and*
- (iii) *consideration of the objections received.*

COUNCIL DECISION ITEM 9.1.2

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Farrell, Seconded Cr Buckels

That the item be DEFERRED for further consideration.

PROCEDURAL MOTION PUT AND CARRIED (6-3)

For: Mayor Catania, Cr Buckels, Cr Burns, Cr Farrell, Cr Harvey, Cr McGrath

Against: Cr Lake, Cr Maier, Cr Topelberg

Landowner:	Owners of Strata Plan 8289
Applicant:	I Messina
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): District Centre
Existing Land Use:	Car Park
Use Class:	Unlisted Use – Market
Use Classification:	"SA"
Lot Area:	1386 square metres
Access to Right of Way	East side, 3 metres wide, sealed, privately owned

BACKGROUND:

- 15 September 1980 The City of Perth Council approved an application for the construction of a commercial (retail) building at the subject property.
- 28 July 2009 The Council at its Ordinary Meeting conditionally approved a retrospective application for proposed change of use from shop to light industry (food manufacturing) and refrigerated storage addition to existing commercial building at strata lot 1.
- 4 September 2009 The Town under delegated authority from the Council conditionally approved an application for change of use from shop to eating house and associated alterations and additions.

DETAILS:

The proposal involves a Sunday Market within the car park of the subject property fronting Fitzgerald Street, North Perth.

The applicant's submission is "*Laid on the Table*" and outlined below:

“Style of Markets

The idea to incorporate a community market of approximately 25 stalls selling products from the local community, incorporating and not limited to textiles, clothing, jewellery, food and other associated products, the markets are to run every Sunday from 7.00am until 3.00pm each Sunday of the month from September to May. The community markets will be marketed in the local newspaper by the organizers of the markets, Fiorentina cafe at no expense to the community stall holders nor the strata owners of the strata property. The organizers are to provide 3 meter by 3 meter covered marquee at no expense to the stall holders which will be erected 1 hour prior to the markets commencing and dismantled after the markets have closed. These marquees are to be provided by the organizers of the markets, Fiorentina cafe at no expense to the stall holders.

Costs

All costs associated with public liability, costs of erecting structures, cleaning of common area, provisions of bins and advertising shall be borne by the applicants, namely Fiorentina patisserie. Fiorentina patisserie will in turn use the common area and pay the strata property \$100 per Sunday of trade to the Fitzgerald forum to be used at the forums discretion. No costs shall be charged to the stall holders at any time.

Selection of stall holders.

The stalls are open to any member of the community and each business within the strata property shall be given first right to take up 1 stall if they so wish. Stalls will be allocated to community groups and individuals in a first come first serve basis, with no competing stalls to be allowed. Stall holders are responsible for the maintenance of each area, and the distribution of goods.

Food stall holders will be allowed to trade as long as they comply with the Town of Vincent health laws. All associated power (if required) will be provided by Fiorentina cafe and shall comply with the occupational health and safety laws of WA. It is the intention to limit the amount of food uses and provide more dry uses such as textiles and clothing and the provision of items from local art students and community groups.

Amenities

The rear toilets of the strata lot shall be available to local community and stall holders. These will be cleaned at the end of the day and locked as currently prescribed. Kitchen facilities if any are required will be provided in the kitchen of the Fiorentina cafe. All power and water will be provided by the Fiorentina cafe also. The car lot at the conclusion of the day shall be washed down and all waste disposed off. Provision of rubbish bins is to be provided at the costs of the applicants, Fiorentina cafe. Waste shall be disposed of by Fiorentina contractor, SITA environment every Sunday evening.

Car parking will not be provided on site, and all stall holders and patrons are recommended to park in the Wasleys street or Alma road car parks which are underutilized on a Sunday.

Insurance

Crema Dolce PTY LTD trading as Fiorentina Patisserie, will provide public liability insurance to the value of \$20,000,000.00 to cover all public liability issues, each stall holder is requested to provide insurance indemnity also. A copy of this insurance is provided for your reference.

Signage.

No signage will be erected on site; however local newspaper advertisements shall advertise the markets locally, via the community newspaper group.

Conclusion.

The intention of the markets is to provide a vibrant place for people to meet and sample some of the produce from the local communities. All stall holders will not pay for the use of the marquee with costs associated with the purchase of marquee, public liability insurance, cleaning and waste removal to be borne by Fiorentina cafe.

Further to this the peppercorn lease costs associated with the car park of \$100 per Sunday shall be borne by Fiorentina cafe also, with funds possibly being utilized to upgrade and maintain the building.

The grounds for our support of the application are as follows:

- 1. The markets will create a strong social interactivity with the community and the general business district.*
- 2. The markets will promote North Perth as a destination and town centre, to create further social, economical and environmental benefits to the local community by facilitating a place where people can socialise, spend money amongst and in the local Vincent community, promote the local businesses, walk, cycle or ride to the local markets and engage in community and social debate.*
- 3. The markets can facilitate the Towns local area marketing strategies by creating and fostering a culture within the local and surrounding communities.*
- 4. Creating a vibrant town centre which is different to Mt Lawley, Leederville and Mt Hawthorn by promoting grass roots and social activities rather than creating another cafe strip.*
- 5. The impacts on the local facilities will be minimal, as the markets are proposed to be held on private property.*
- 6. The impact on parking in the vicinity will be minimal as the local town centre, shopping centre and council car parks are infrequently utilized on SUNDAYS.*
- 7. The markets will only trade for no more than 6 hours and have minimal impact on any retailer in the district as there is no other retailer participating in the sale of preserves and jams, fresh flowers, meat and seafood native and exotic plants, cupcakes and textiles in the district on Sundays.*
- 8. Fresh and local produce supplied and sourced from Western Australia will be utilized and promoted in the markets.*

9. *The demand for local markets has substantially increased over the years with demand for fresh local and straight from the producer in high demand. The amalgamation of the fields of greens markets in Leederville to this site will help promote and provide longevity to this already successful market.”*

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio:	N/A	N/A	Noted.
Car Parking			
Car parking requirement (nearest whole number) <ul style="list-style-type: none"> • Market (common area) – 3 spaces per stall Number of Stalls = 19 Stalls (requires 57 car bays) • Eating House (units 3, 4 and 5) – 1 space per 4.5 square metres of public floor area Public Floor Area = 93 square metres (requires 20.67 car bays) Total car bays required = 77.67 car bays			= 78 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of a public car parking place with in excess of 75 car parking spaces) • 0.90 (the proposed development is within a District Centre Zone) Minus the car parking provided on-site (rear car parking only)			(0.65025) = 50.72 car bays
Minus the most recently approved on-site car parking shortfall. Planning Approval issued under Delegated Authority from the Council on 4 September 2009			9 car bays 0.10 car bays
Resultant shortfall			41.62 car bays
Consultation Submissions			
Support (1 written letter)	<ul style="list-style-type: none"> • “Very good idea.” 	<ul style="list-style-type: none"> • Noted. 	
Support (1 petition with 197 signatures)	<ul style="list-style-type: none"> • No Comment. 	<ul style="list-style-type: none"> • Noted. 	
Objection (12)	<ul style="list-style-type: none"> • Lack of car parking, due to markets being held in car park. • Will be unsafe due to its close proximity to a main road. • Results in increased traffic. • No unloading zone proposed. • There are not enough toilet facilities on-site to cater for the markets. 	<ul style="list-style-type: none"> • Supported – The proposed Sunday markets requires 57 car bays (before adjustment factors) and results in a loss of 14 on-site car bays. • Noted. • Supported. • Noted – There is no requirement for markets to provide loading zones. • Supported – In the event of an approval, the provision of toilets will be required to comply with the Building Code of Australia. 	

	<ul style="list-style-type: none"> • Lack of waste management plan. • The markets will look “<i>messy and tacky</i>” and is not suitable for area. • There is limited shade and no seating or water fountains on or near the site for customers. • The area is too small. • The markets will impact on the surrounding businesses. • The proposed set up time of 6:00am will cause early morning noise disturbance to surrounding residents. 	<ul style="list-style-type: none"> • Supported – In the event of an approval, this will be required to comply with the requirements for commercial bins. • Noted. • Noted. • Noted. • Noted. • Noted – In the event of an approval, the markets will be required to comply with the Health (Noise) requirements..
Other Implications		
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).	
Strategic Implications	Nil	
Financial/Budget Implications	Nil	
Sustainability Implications	Nil	

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

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

COMMENTS:

It is noted that whilst the Town has received a petition of support for the proposal with 197 signatures, the Town also received significant objections from those directly affected by the proposal, including the adjoining landowners and the current tenants of the existing shops.

Whilst the markets would contribute to the vitality and liveliness of the North Perth Town Centre on Sundays, from a planning viewpoint, the applicant has not secured alternative parking to that lost as a result of this application. The proposal represents a loss of available parking within the site and reliance on private car parks, notably North Perth Plaza, which cannot be considered, as it is on private property.

In view of the above, the application is recommended for refusal, as it is considered the use would have a detrimental impact on the amenity of the surrounding area by virtue of the significant shortfall in car parking and community objection.

9.1.3 No. 560 (Lot 4 D/P: 692) Beaufort Street, Mount Lawley - Proposed Change of Use from Recreational Facility (Pool Hall) to Unlisted Use (Small Bar) with Associated Alterations and Additions

Ward:	South	Date:	2 March 2010
Precinct:	Mount Lawley Centre, P11	File Ref:	PRO0710; 5.2010.2.1
Attachments:	001 ; 002		
Reporting Officer:	T Cappellucci, Statutory Planning Officer		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Bruce Arnold Architects on behalf of the owner M D'Aurizio for proposed Change of Use from Recreational Facility (Pool Hall) to Unlisted Use (Small Bar) with Associated Alterations and Additions, at No. 560 (Lot 4 D/P: 692) Beaufort Street, Mount Lawley, and as shown on plans stamp-dated 4 January 2010 and amended floor plan of Small Bar stamp-dated 18 February 2010, subject to:

- (i) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (ii) *the maximum number of patrons to occupy the small bar at any one time shall be 120 persons;*
- (iii) *packaged liquor shall not be sold at the premises;*
- (iv) *prior to the issue of the Building Licence or first occupation of the development, whichever occurs first, revised plans and details shall be submitted and approved demonstrating the bin compound being redesigned to accommodate the following bins:*

General Waste: One (1) mobile garbage bin or equal to 240 litres per commercial unit or 200 square metres of floor space, or part thereof (collected weekly); and

Recycle Waste: One (1) mobile recycle bin or equal to 240 litres per commercial unit or 200 square metres of floor space, or part thereof (collected fortnightly).

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

- (v) *within twenty-eight (28) days of the issue date of this 'Approval to Commence Development,' the owner(s), or the applicant on behalf of the owner(s) shall comply with the following requirements:*

- (a) *pay a cash-in-lieu contribution of \$5,760 for the equivalent value of 2.057 car parking spaces, based on the cost of \$2,800 per bay as set out in the Town's 2009/2010 Budget; OR*

(b) *lodge an appropriate assurance bond/bank guarantee of a value of \$5,760 to the satisfaction of the Town. This assurance bond/bank guarantee will only be released in the following circumstances:*

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

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

- (vi) *the windows, doors and adjacent floor area facing Beaufort Street shall maintain an active and interactive frontage to Beaufort Street; and*
- (vii) *a detailed management plan that addresses the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection and litter associated with the development and any other appropriate matters shall be submitted to and approved by the Town prior to the first occupation of the development, and thereafter implemented and maintained.*

The Presiding Member, Mayor Catania advised that Cr Burns had declared a financial interest in Item 9.1.3. She departed the Chamber at 7.07pm. and did not speak or vote on this matter.

Moved Cr Farrell, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Lake, Seconded Cr Topelberg

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

“(viii) the applicant paying for the installation of five (5) bollards (at an estimated cost of \$750) to protect the fence to the rear across the right of way.”

Debate ensued.

AMENDMENT PUT AND CARRIED (7-1)

For: Mayor Catania, Cr Buckels, Cr Farrell, Cr Harvey, Cr Lake, Cr McGrath, Cr Topelberg

Against: Cr Maier

(Cr Burns was absent from the Chamber and did not vote on this matter.)

MOTION AS AMENDED PUT AND CARRIED (8-0)

(Cr Burns was absent from the Chamber and did not vote on this matter.)

Cr Burns returned to the Chamber at 7.10pm. The Presiding Member, Mayor Catania advised that the item was carried with an amendment.

COUNCIL DECISION ITEM 9.1.3

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Bruce Arnold Architects on behalf of the owner M D'Aurizio for proposed Change of Use from Recreational Facility (Pool Hall) to Unlisted Use (Small Bar) with Associated Alterations and Additions, at No. 560 (Lot 4 D/P: 692) Beaufort Street, Mount Lawley, and as shown on plans stamp-dated 4 January 2010 and amended floor plan of Small Bar stamp-dated 18 February 2010, subject to:

- (i) all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (ii) the maximum number of patrons to occupy the small bar at any one time shall be 120 persons;*
- (iii) packaged liquor shall not be sold at the premises;*
- (iv) prior to the issue of the Building Licence or first occupation of the development, whichever occurs first, revised plans and details shall be submitted and approved demonstrating the bin compound being redesigned to accommodate the following bins:*

General Waste: One (1) mobile garbage bin or equal to 240 litres per commercial unit or 200 square metres of floor space, or part thereof (collected weekly); and

Recycle Waste: One (1) mobile recycle bin or equal to 240 litres per commercial unit or 200 square metres of floor space, or part thereof (collected fortnightly).

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

- (v) within twenty-eight (28) days of the issue date of this 'Approval to Commence Development,' the owner(s), or the applicant on behalf of the owner(s) shall comply with the following requirements:*
 - (a) pay a cash-in-lieu contribution of \$5,760 for the equivalent value of 2.057 car parking spaces, based on the cost of \$2,800 per bay as set out in the Town's 2009/2010 Budget; OR*
 - (b) lodge an appropriate assurance bond/bank guarantee of a value of \$5,760 to the satisfaction of the Town. This assurance bond/bank guarantee will only be released in the following circumstances:*
 - (1) to the Town at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or*

- (2) *to the owner(s)/applicant following receipt by the Town with a Statutory Declaration on the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development,'; or*
- (3) *to the owner(s)/applicant where the subject 'Approval to Commence Development,' did not commence and subsequently expired.*

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

- (vi) *the windows, doors and adjacent floor area facing Beaufort Street shall maintain an active and interactive frontage to Beaufort Street;*
- (vii) *a detailed management plan that addresses the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection and litter associated with the development and any other appropriate matters shall be submitted to and approved by the Town prior to the first occupation of the development, and thereafter implemented and maintained; and*
- (viii) *the applicant paying for the installation of five (5) bollards (at an estimated cost of \$750) to protect the fence to the rear across the right of way.*

Landowner:	M D'Aurizio
Applicant:	Bruce Arnold Architects
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Commercial
Existing Land Use:	Recreational Facility
Use Class:	Unlisted Use (Small Bar)
Use Classification:	"SA"
Lot Area:	455 square metres
Access to Right of Way	Eastern side, 3 metres wide, sealed, Town owned.

BACKGROUND:

- 16 November 1992 The City of Perth approved the change of use of the subject site from retail (furniture store) to amusement centre. This approval was granted for a period of twelve months as it was considered *'undesirable for the premise to remain unoccupied.'*
- A total of 34 car bays were required for the proposed amusement centre at this time. However, the applicant objected to the requirement as being too excessive and that the Council should reduce the requirement to a level that could be achieved. The Council considered a 20 car parking bay requirement more appropriate, even though no car was parking provided on-site.
- 14 March 1993 The then Minister for Planning, Richard Lewis JP MLA upheld an appeal in relation to the twelve month restriction on the use.
- 3 December 1993 In response to a request to increase the maximum number of occupants of the place to 150 persons, the applicant was advised that the maximum number of occupants of the place shall be 50 persons due to insufficient parking for the site.

- 28 August 2007 The Town received a planning application for change of use from recreational facility (pool hall) to tavern, at the subject property.
- 20 November 2007 The Council at its Ordinary Meeting considered the above application and resolved "*that the item be DEFERRED for further investigation.*"
- 18 December 2007 The Council at its Ordinary Meeting resolved to refuse the application for change of use from recreational facility (pool hall) to tavern, at the subject property for the following reasons:
- "(i) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
 - (ii) *the non-compliance with the requirements of the Town's Policies relating to Parking and Access (Policy No. 3.7.1), the Mount Lawley Centre Precinct (Policy No. 3.1.11), and Waste Management (Policy No. 2.2.18); and*
 - (iii) *consideration of the objections received.*"
- 18 January 2008 The applicant lodged a review application with the SAT in relation to the refused planning application.
- 30 January 2008 Direction Hearing at the SAT and orders were made requiring the parties to '*further discuss with each other on a without prejudice basis the modified proposal (dealing with reduced patronage, a change of description of bar use, and possible dual use of the premises) outlined in discussion in the Tribunal on 30 January 2008*'.
- 7 February 2008 The Town's Planning Officers met with the applicant and architect/consultant regarding the above SAT order.
- 13 February 2008 Mediation at SAT.
- 19 February 2008 The Town received Orders inviting the Town under Section 31 of the SAT Act 2004, to determine the subject application; (*that is, to (a) affirm the decision; (b) vary the decision; or (c) set aside the decision and substitute its new decision*).
- 13 March 2008 The revised application, as a result of the SAT mediation, was refused by the Acting Chief Executive Officer under delegated authority from the Council. In the Town's Delegated Authority Register for 2007-2008, which was adopted by the Council at its Ordinary Meeting held on 14 August 2007, the Council has delegated to the Chief Executive Officer (CEO) (and the CEO has delegated to the Director Development Services and Manager Planning, Building and Heritage Services) '*authority to exercise discretion and to respond to appeals lodged with the State Administrative Tribunal for the determination of planning application appeals under Part 14 of the Planning and Development Act 2005 and the Town of Vincent Town Planning Scheme No. 1.*'
- 17 March 2008 A further Directions Hearing was held at the SAT to discuss the Town's decision to progress the matter under delegated authority from the Council. The SAT was of a view that the matter should be referred to the Council, and not be determined under delegated authority from the Council by the Town's Officers as the Council was the previous/original decision maker.

25 March 2008 The Council at its Ordinary Meeting considered a revised application, under the provisions of Section 31 of the State Administrative Tribunal Act 2004. The main difference between the revised proposal and the proposal, which was refused at the Ordinary Meeting of Council held on 18 December 2007, included the following:

- The premises were proposed to be operated under a Small Bar Licence, as opposed to Tavern, which would limit the number of patrons to a maximum of 120 persons.
- The public floor area was reduced from 200 square metres to 128 square metres.
- A designated bin store area was incorporated into the proposal. The applicant advised that the existing roller door access could be modified to suit the Council's requirement for collection, in the event of an approval.

The Council resolved to refuse the revised application for the following reasons:

- "(a) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (b) the non-compliance with the requirements of the Town's Policies relating to Parking and Access (Policy No. 3.7.1) and the Mount Lawley Centre Precinct (Policy No. 3.1.11); and*
- (c) consideration of the objections received."*

This proposal resulted in a 10.11 car bay shortfall.

26 August 2008 The State Administrative Tribunal resolved to dismiss the above appeal (D/R12 of 2008) in the particular circumstances of the case, the Tribunal resolved that it would be *'inconsistent with orderly and proper planning for a private development, which is unable to meet any of its parking obligations on the subject land, to monopolise presently available public car parking spaces.'*

Furthermore, the Tribunal advised in its decision *'that a cash-in-lieu contribution would do little to alleviate an immediate car parking demand emanating from the development with a consequential effect on the amenity of the adjacent residential locality; particularly during the evening and late night hours.'*

11 June 2009 The Town received a planning application for change of use from recreational facility (pool hall) to restaurant, at the subject property at No. 560 (Lot 4 D/P: 692) Beaufort Street, Mount Lawley.

11 August 2009 The Council at its Ordinary Meeting considered the above application and resolved *"that the item be DEFERRED at the request of the applicant."*

29 September 2009 The applicant withdrew the application to further consider their position as well as that of the Council.

DETAILS:

The proposal involves the Change of Use from Recreational Facility (Pool Hall) to Unlisted Use (Small Bar) with Associated Alterations and Additions, at No. 560 Beaufort Street, Mount Lawley.

The subject site comprises an existing recreational facility (pool hall), which is built out to all four site boundaries and has no provision for car parking on-site. The main difference between the subject proposal and the small bar proposal, which was refused at the Ordinary Meeting of Council held on 25 March 2008, and dismissed by the State Administrative Tribunal on 26 August 2008, includes the following:

- The applicant has provided three (3) on-site car bays as opposed to none being provided in the original small bar application;
- The applicant has decreased the areas of the kitchen and cool room significantly, to enable the premises to provide car parking on-site;
- A feature sculpture atrium garden area with translucent roof sheet has been depicted;
- The applicant has enclosed the bin area, provided car wheel stops, to suit the Town's requirements, in the event of an approval; and
- The premises are proposed to have a Licensed Area of 177 square metres.

The applicant's submission and parking survey conducted are "*Laid on the Table*".

ASSESSMENT:

Car Parking

Car Parking			
Car parking requirement (nearest whole number)		27 car bays (nearest whole number)	
Proposed Small Bar (1 space per 4.5 persons of maximum number of persons approved for the site (120))			
<ul style="list-style-type: none"> • Small Bar proposed maximum of 120 patrons 			
Total car bays required = $120/4.5 = 26.66$ car bays			
Apply the adjustment factors.		(0.7225)	
<ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop/station) • 0.85 (within 400 metres of a car park within excess of 75 car parking spaces) 		19.507 car bays	
Minus the car parking provided on-site		3 car bays	
Minus the most recently approved on-site car parking shortfall		14.45 car bays	
Resultant shortfall		2.057 car bays	
Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Car Parking	5.057 car bays. Based on the above car parking assessment for the proposed Small Bar.	3 car bays provided on-site.	Supported – In determining whether a proposed development should be refused on car parking grounds, clause 22 of the Town's Parking and Access Policy states that as a guide, a minimum of 15 per cent of

			<p>the required car bays should be provided on-site where the total requirement is between 11 and 40 car bays (after adjustment factors), and the balance should be provided as a cash-in-lieu contribution. The subject application has a total car parking requirement of 19.507 car bays (after adjustment factors). If the above clause of the Parking and Access Policy is applied to the subject application, a total of 2.92, say 3 car bays, are required to be provided on-site and the balance should be provided as a cash-in-lieu contribution. As this requirement has been satisfied, the car parking shortfall of 2.057 car bays and the resultant cash-in-lieu contribution can be supported.</p>
Mount Lawley Centre Precinct	Adequate car parking is to be provided on-site to ensure that unreasonable commercial parking does not spill into adjacent residential streets	3 car bays	Supported – As above, and the proposal is considered not to have an undue impact on the amenity of the area.
Consultation Submissions			
Support (3)	<ul style="list-style-type: none"> No comments provided and no address. 	<ul style="list-style-type: none"> Noted. 	
	<ul style="list-style-type: none"> No comments provided. 	<ul style="list-style-type: none"> Noted. 	
	<ul style="list-style-type: none"> Does not object to proposal in principle, but has concerns with use of lane and access to commercial properties. Measures need to be put in place to ensure management of bins. Measures for ensuring neighbouring fences/properties are protected from damage by vehicles. 	<ul style="list-style-type: none"> Noted. Supported in Part – The proposed bin storage area meets the Town’s requirements; however, the applicant will be required, as requested by the Town’s Waste Management, to enclose the area. Supported – Technical Services have requested wheel stops be placed 820mm from the wall to restrict vehicles from impacting the wall. 	

Objection (1)	• No comments	• Noted.
Department of Planning	• No objection to the proposal.	• Noted.
Other Implications		
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).	
Strategic Implications	Nil	
Financial/Budget Implications	Nil	
Sustainability Implications	Nil	

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

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

Applicants Additional Parking Information:

The applicant has conducted a parking availability survey for the Barlee Street Car Park for the subject site at No. 560 Beaufort Street, Mount Lawley. The survey data was conducted by the applicant during the period from Monday, 25 January 2010 to Sunday, 21 February 2010 inclusive.

The survey results conducted for the Barlee Street Car Park, which has a total of 47 car bays, detail that there is a sufficient amount of vacant car bays available, in particular on Monday through to Thursday, and Sunday. The survey results are noted, however the application of the Town's Parking and Access Policy already allows the car parking requirement to be partly or wholly reduced through the application of adjustment factors reflecting particular site and design factors, of which, public car parking is considered.

COMMENTS:

Small Bar

In May 2007, an amendment was made to section 41 of the *Liquor Control Act 1988*, to include a Small Bar Licence as a form of Hotel Licence. A Small Bar Licence differs from Hotel and Tavern Licences by the conditions imposed to restrict the scope of the licence. A Small Bar Licence is a form of a Hotel Licence with:

- *A condition prohibiting the sale of packaged liquor; and*
- *A condition limiting the number of persons who may be on the licenced premises to a maximum of 120.*

Car Parking

The Town's Policy relating to Parking and Access suggests that the Council may determine to accept a cash-in-lieu payment where the shortfall is greater than 0.5 car bay to provide and/or upgrade parking in other car parking areas.

Clause 22 (ii) of the Town's Parking and Access Policy states that in determining whether this development should be refused on car parking grounds, the following percentage should be used as a guide:

"If the total requirement (after adjustment factors have been taken into account) is 11- 40 bays, a minimum of 15 per cent of the required bays is to be provided."

The subject application for No. 560 Beaufort Street has an amended total car parking requirement of 19.507 car bays (after adjustment factors). If the above clause of the Parking and Access Policy is applied to the subject application, for the place at No. 560 Beaufort Street, a total of 2.92 car bays are required to be provided on-site. Three car bays are provided on-site for this development.

The subject site is located within the Mount Lawley Centre Precinct, which states:

“Careful control is to be exercised over the nature of commercial uses and the design and site layout of development to ensure levels of noise, visual amenity and privacy are appropriate to any adjacent residences.

Adequate car parking is to be provided on-site to ensure that unreasonable commercial parking does not spill into adjacent residential streets.

Car parks should not visually detract from the public environment or character of the area and, preferably, should not be visible from streets and public spaces.”

The subject proposal now provides three (3) on-site car parking bays which are located off the rear right of way.

In light of the above, the proposal satisfies the Parking and Access Policy for cash-in-lieu, and it is not considered that the small bar’s scale and nature will have an undue impact on the amenity of the area.

Accordingly, it is recommended that the application be approved as per the Officer Recommendation.

9.1.5 Proposed Amendment No. 25 to the Town's Town Planning Scheme No. 1 - Clause 20 (4) (a) and (e) Relating to No Multiple Dwellings in the Cleaver and Hyde Park Precincts

Ward:	South	Date:	2 March 2010
Precinct:	Cleaver P5; Hyde Park P12	File Ref:	PLA0192
Attachments:	001 , 002 , 003		
Reporting Officer:	S Kendall, Senior Strategic Planning Officer		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to Proposed Amendment No. 25 to the Town's Town Planning Scheme No. 1 - Clause 20 (4) (a) and (e) Relating to No Multiple Dwellings in the Cleaver and Hyde Park Precincts;*
- (ii) *ADVISES the Department of Planning that the Council SUPPORTS the progression of Town Planning Scheme Amendment No. 25 with Clauses 20 (4) (a) relating to No Multiple Dwellings in the Cleaver Precinct being REMOVED from the Town's Town Planning Scheme No. 1;*
- (iii) *ADVISES the Department of Planning that the Council SUPPORTS the progression of Town Planning Scheme Amendment No. 25 with Clauses 20 (4) (e) relating to No Multiple Dwellings in the Hyde Park Precinct being REMOVED and REPLACED with the following Clause:*
 - “(a) *Hyde Park Precinct P12,*
 - (i) *Multiple Dwellings are not permitted in the area east of Fitzgerald, Street coded Residential R80 excluding the area bound, by Fitzgerald, Randell, Palmerston and Stuart Streets, Perth.”*
- (iv) *ADVISES the Department of Planning that the Council SUPPORTS the progression of Town Planning Scheme Amendment No. 25 and the proposed recommendation by the Department of Planning that Clauses 20(4)(b), 20(4)(g)(i) and 20(4)(d)(i) are removed from the Town's Town Planning Scheme No. 1, altogether; and*
- (v) *AUTHORISES the Chief Executive Officer to review and amend for further consideration the Town's Policy No. 3.4.8 relating to Multiple Dwellings to REMOVE Bulwer Street as a major road for the purpose of limiting the height of new development in areas coded Residential R80, along Bulwer Street.*

Moved Cr McGrath, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO 1

Moved Cr McGrath, Seconded Cr Topelberg

That clause (ii) be amended as follows:

“(ii) ADVISES the Department of Planning that the Council SUPPORTS the progression of Town Planning Scheme Amendment No. 25 with Clauses 20 (4) (a) relating to No Multiple Dwellings in the Cleaver Precinct being REMOVED from the Town's Town Planning Scheme No.1 and REPLACED with the following Clause:

(a) Cleaver Precinct P5,

(i) Multiple Dwellings are not permitted in the area east of Cleaver Street coded Residential R80 excluding lots, which front Newcastle, Charles, Vincent and Cleaver Streets.”

Debate ensued.

AMENDMENT NO 1 PUT AND CARRIED (6-3)

For: Cr Buckels, Cr Harvey, Cr Lake, Cr McGrath, Cr Maier, Cr Topelberg

Against: Mayor Catania, Cr Burns, Cr Farrell

Cr Burns departed the Chamber at 8.02pm.

Debate ensued.

Cr Burns returned to the Chamber at 8.04pm.

Debate ensued.

Cr Topelberg departed the Chamber at 8.06pm.

Debate ensued.

Cr Topelberg returned to the Chamber at 8.08pm.

Debate ensued.

Cr Harvey departed the Chamber at 8.13pm.

Debate ensued.

AMENDMENT NO 2

Moved Cr Maier, Seconded Cr Topelberg

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

“(vi) REQUESTS that the Chief Executive Officer give consideration to coding those areas in the Hyde Park and Cleaver Precincts which are currently proposed to retain a multiple dwelling prohibition to Residential R60, and investigate mechanisms to allow multiple dwellings in these areas as part of the Review of Town Planning Scheme No.1.”

Debate ensued.

AMENDMENT NO 2 PUT AND CARRIED (8-0)

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

Debate ensued.

Cr Harvey returned to the Chamber at 8.17pm.

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 9.1.5

That the Council;

- (i) *RECEIVES the report relating to Proposed Amendment No. 25 to the Town's Town Planning Scheme No. 1 - Clause 20 (4) (a) and (e) Relating to No Multiple Dwellings in the Cleaver and Hyde Park Precincts;*
- (ii) *ADVISES the Department of Planning that the Council SUPPORTS the progression of Town Planning Scheme Amendment No. 25 with Clauses 20 (4) (a) relating to No Multiple Dwellings in the Cleaver Precinct being REMOVED and REPLACED with the following Clause:*
 - “(a) *Cleaver Precinct P5,*
 - (i) *Multiple Dwellings are not permitted in the area east of Cleaver Street coded Residential R80 excluding lots, which front Newcastle, Charles, Vincent and Cleaver Streets.”;*
- (iii) *ADVISES the Department of Planning that the Council SUPPORTS the progression of Town Planning Scheme Amendment No. 25 with Clauses 20 (4) (e) relating to No Multiple Dwellings in the Hyde Park Precinct being REMOVED and REPLACED with the following Clause:*
 - “(a) *Hyde Park Precinct P12,*
 - (i) *Multiple Dwellings are not permitted in the area east of Fitzgerald, Street coded Residential R80 excluding the area bound, by Fitzgerald, Randell, Palmerston and Stuart Streets, Perth.”;*
- (iv) *ADVISES the Department of Planning that the Council SUPPORTS the progression of Town Planning Scheme Amendment No. 25 and the proposed recommendation by the Department of Planning that Clauses 20(4)(b), 20(4)(g)(i) and 20(4)(d)(i) are removed from the Town's Town Planning Scheme No. 1, altogether;*
- (v) *AUTHORISES the Chief Executive Officer to review and amend for further consideration the Town's Policy No. 3.4.8 relating to Multiple Dwellings to REMOVE Bulwer Street as a major road for the purpose of limiting the height of new development in areas coded Residential R80, along Bulwer Street; and*
- (vi) *REQUESTS that the Chief Executive Officer give consideration to coding those areas in the Hyde Park and Cleaver Precincts which are currently proposed to retain a multiple dwelling prohibition to Residential R60, and investigate mechanisms to allow multiple dwellings in these areas as part of the Review of Town Planning Scheme No.1.*

PURPOSE OF REPORT:

To inform the Council of the recent Community Information Presentations relating to the proposed amendment to remove Clause 20 (4) (a) and (e) Relating to '*No Multiple Dwellings*' in the Cleaver and Hyde Park Precincts.

The report also outlines recommendations to progress the proposed amendment relating to the Cleaver and Hyde Park Precincts to the Council for consideration.

BACKGROUND:

The Council its Ordinary Meeting held on 27 May 2008, resolved to initiate Scheme Amendment No. 25 to the Town of Vincent Town Planning Scheme No. 1, by modifying clause 20 (4) of the Scheme Text relating to '*no multiple dwellings*' in the following Precincts:

- Cleaver Precinct;
- Smith's Lake Precinct;
- Norfolk Precinct;
- Hyde Park Precinct; and
- Banks Precinct.

At this time, it was proposed to modify the clause, which prohibited multiple dwellings in all or part of the above Precincts, by amending it to enable multiple dwellings subject to the proposed multiple dwelling development being consistent with the Town of Vincent Policy No. 3.4.8 relating to Multiple Dwellings.

In accordance with the *Town Planning Regulations 1967*, the Town commenced community consultation, and referred the proposed amendment to other relevant government authorities for comment. The Council at its Ordinary Meeting held on 28 October 2008, considered the submissions received as part of the advertising, and resolved to adopt and execute Amendment No. 25 to the Town of Vincent Town Planning Scheme No. 1. It was also resolved to forward the relevant executed documents to the Honourable Minister for Planning and the Western Australian Planning Commission, for final endorsement. It is noted that this resolution effectively endorsed the removal of the restriction relating to '*no multiple dwellings*' in all the Precincts, including the Cleaver and Hyde Park Precincts.

On 22 September 2009, an email was received from the Department of Planning (DoP) advising that following the assessment of the Amendment, the DoP have questioned the Town's proposal to link the permissibility of the use to built form outcomes by stating, '*multiple dwellings will only be permitted where Council is satisfied that the development is consistent with the Town of Vincent Policy relating to Multiple Dwellings*'. As such, the DoP have requested the Town provide comment as to whether it would object to a modification to the Amendment which would remove Clauses 20 (4) (a) (i), 20 (4) (b), 20 (4) (e) (i), 20 (4) (g) (i), and 20(4) (d) (i) from the Town's Town Planning Scheme altogether.

The Council its Ordinary Meeting held on 15 December 2009, considered this request from the DoP, and resolved to advise the DoP, that it supports in principle the progression of Town Planning Scheme Amendment No. 25, with the deletion of the clause prohibiting multiple dwellings in the following Precincts:

- Smith's Lake Precinct P6;
- Norfolk Precinct P10; and
- Banks Precinct P15.

At this meeting, the Council acknowledged the strong desire of the community in the Hyde Park and Cleaver Precincts to be further consulted in relation to the proposed Scheme Amendment, and associated Policy No. 3.4.8 relating to Multiple Dwellings. In relation to the Hyde Park and Cleaver Precincts, it was resolved:

- *"to prepare an Information Sheet relating to Policy No. 3.4.8 relating to Multiple Dwellings and the proposed Town Planning Scheme Amendment No. 25 with an accompanying letter of invitation to a Community Information Presentation to be held in the New Year.*
- *to advise the Department of Planning in relation to clauses 20(4)(a)(i) and 20(4)(e)(i) that at this time the Town is considering reinstating the clause that "Multiple dwellings are not permitted in this Precinct" in the Town's Town Planning Scheme No. 1 or altering its decision of 27 May 2008 in relation to clauses 20(4)(a)(i) – Cleaver Precinct P5 and 20(4)(e)(i) – Hyde Park Precinct P12."*

To further engage and inform the community on this amendment, the Town held three Community Information Presentations at the Town's Administration and Civic Centre, as follows:

- **Session 1** – Wednesday, 10 February 2010 5:30pm - 6.30pm;
- **Session 2** – Wednesday, 10 February 2010 7pm - 8pm; and
- **Session 3** – Friday, 12 February 2010 12.30pm - 1.30pm.

The workshops comprised a power point presentation by the Town's Officers; a question and answer time; and the provision of written feedback sheets.

DETAILS:

The Community Information Presentations held in February 2010, were undertaken to further inform and consult with the residents of the Hyde Park and Cleaver Precincts, on proposed Amendment No. 25 and Policy No. 3.4.8 relating to Multiple Dwellings. There were a total of 68 participants at the three workshops, who provided written feedback. Since this time, 11 additional feedback forms/comments have been submitted. A letter has also been received from the Heritage Council of Western Australia.

Of the 79 submissions received;

- 52 % supported the proposal to remove the Multiple Dwelling Restriction;
- 42 % objected to the proposal to remove the Multiple Dwelling Restriction; and
- 6 % were undecided.

The above statistics demonstrate that more of the attendees support the proposed amendment to remove the restriction relating to No Multiple Dwellings, than those who objected. A break down of the responses in the relevant Precinct areas however, illustrates a significant variation in the responses from the two Precinct areas.

It is evident from the statistics, that the majority of responses received from the Cleaver Precinct area supported the proposed amendment to remove the restriction to allow Multiple dwellings.

	Support	Object	Undecided
Cleaver Precinct	75%	21.88%	3.12%

There was a stronger percentage of responses received from the Hyde Park Precinct area who objected to the proposed amendment, as demonstrated in the following table.

	Support	Object	Undecided
Hyde Park Precinct	34.1%	56.8%	9.1%

A summary of the comments received from the Written Feedback Sheets are provided below, in two sections '*Positives and Opportunities*' and '*Negatives and Concerns*'. A full listing of comments is provided in the Attachment (001) to this report.

1. Positives and Opportunities

- The current restriction has serious implications in achieving the full development potential of a number of sites;
- Provide for greater opportunities to align density in nodes near major transport infrastructure;
- Allows more people opportunity to live close to the CBD and adds vibrancy to the area;
- Housing choice; and
- Modern multiple dwellings can be designed to look better than grouped dwellings.

Officer Comment:

As identified above, the existing provision restricting multiple dwellings in certain Precincts in the Town has been seen by some as an impediment to new, innovative development, especially along major roads and residential/commercial areas.

The Residential Design Codes of WA 2008 (R Codes) define a Multiple Dwelling as, "*a dwelling in a group of more than one dwelling on a lot where any part of a dwelling is vertically above part of any other but:*

- *does not include a grouped dwelling; and*
- *Includes any dwellings above the ground floor in a mixed use development.*

The R Codes prior to 2008 did not include the above underlined provision relating to dwellings above the ground floor in a mixed use development. This has resulted in the Council being rendered unable to approve mixed use developments in the commercial and residential/commercial areas of the Hyde Park and Cleaver Precincts. It is noted that a number of mixed use buildings are extant and have recently been constructed in these Precincts, given their approval under the superseded 2002 R Codes.

A Multiple Dwelling, which requires a lesser minimum site area (125 square metres) than a single house or a group dwelling is seen as a popular housing choice within inner-urban areas; are the preferred dwelling type for State Government Network City and Directions 2031 publications; promotes 'transit-oriented developments;' and allows opportunity for greater diversity of housing choice.

2. Negatives and Concerns

- Problems with overlooking, shadowing, noise and parking would all be exacerbated;
- Some streets already have parking and traffic issues and could not cope with additional pressure;
- A blanket approach is not warranted as whole streets with residential appeal will be destroyed;
- The proposal will allow and encourage the demolition of character homes;
- The lack of ability to ensure quality developments;

- The primary reason the area has appeal is because of the character housing if these go, the amenity of the area will be lost;
- 5 storeys along Bulwer Street is inappropriate;
- Existing dwellings located behind 5 storey multiple dwellings will be negatively impacted;
- Increased density will affect ambient temperature in the local area;
- Loss of trees and less gardens results in less water being returned to the water table;
- Insufficient services available to cater for such development;
- Will result in increase in antisocial behaviour; and
- Exhaust fumes associated with increased cars utilising narrow lanes.

Officer Comment:

The Town's Officers acknowledge the various concerns relating to multiple dwelling development outlined above.

Of particular note, to ensure new multiple dwelling developments positively contribute and respond creatively to their existing context, it is noted that the Council adopted Policy No. 3.4.8 relating to Multiple Dwellings. The main elements of this Policy, which aim to reduce the potential for inappropriate development, are as follows:

- Height - All Multiple Dwellings within Residential zoned areas not located along a major road are to be a maximum height of 2 storeys in accordance with the Town's existing policies relating to residential development.
- Front Setbacks - The front setbacks of buildings are to be in accordance with the Town's Policy No. 3.2.1 relating to Residential Design Elements Policy and the Residential Design Codes (which is in-line with predominate setback pattern).
- Design Response - For developments comprising of three or more multiple dwellings, applicants are required to submit a Neighbourhood Context Report.
- Major Roads - Buildings along Major Roads, whilst having opportunity for greater height must stagger the building height to all boundaries to reduce the building bulk and to ameliorate any adverse impact on adjacent neighbours.

Bulwer Street

Much concern has been raised regarding the allocation of Bulwer Street as a Major Road in Policy No. 3.4.8, which would potentially allow multiple dwelling development to a height of 5 storeys. The Major Roads were selected on the basis that they were *District Distributors* under the *Main Roads Functional Classification*, which is based on traffic volume, and to capitalise on the associated public transport infrastructure that traverse such roads.

Bulwer Street has a considerable variety of development stretching from pre World War 1 to the Late Modern Period, which demonstrates the evolution of the built form of the area. It is considered the community concern relating to this element of the Policy should be acknowledged and that a review of the Policy, to reconsider the maximum allowable height within the areas coded Residential R80, along Bulwer Street be undertaken.

Overshadowing and Parking

The Residential Design Codes provide the maximum standards for overshadowing and minimum standards for car parking requirements. Issues of overshadowing and car parking are not a direct outcome of this proposed Amendment, rather of development generally.

Landscaping and Loss of Trees

The Residential Design Codes provide the standards for open space, communal open space and landscaping for residential development. Issues of landscaping and loss of trees is a result of development generally, and not an outcome of this proposed Amendment. Opportunities to require more, and quality landscaping, can be addressed through policy to provide higher standards for developers.

COMMENTS;

Notice of Motion

In considering whether to progress Proposed Amendment No. 25, the options proposed by a Notice of Motion considered by Council at its Ordinary Meeting held on 23 February 2010, are explored below, to assist Council progress the matter:

Proposed Option	Advantages	Disadvantages
<p>No Change to the current Town Planning Scheme (that is multiple dwellings prohibited) in the stated Precincts.</p>	<ul style="list-style-type: none"> • There will be no change to the Town's current planning provisions. 	<ul style="list-style-type: none"> • Not consistent with resolution of the Council made at its Ordinary Meeting held on 28 October 2008, to support Amendment No. 25 to remove the restriction relating to 'no multiple dwellings' in ALL Precincts. • Not consistent with reasoning for proposed amendment relating to: <ul style="list-style-type: none"> ○ Transit orientated development; ○ Affordable Housing; ○ Housing choice; and ○ Direction of State Government documents <i>Network City</i> and <i>Directions 2031</i>. • Impediment to development potential in areas zoned Commercial. • Impediment to development in residential areas which do not have established character housing.
<p>Allow multiple dwellings in the stated Precincts.</p>	<ul style="list-style-type: none"> • This option would align with reasoning for proposed amendment relating to: <ul style="list-style-type: none"> ○ Transit orientated development; ○ Affordable Housing; ○ Housing choice; and ○ Direction of <i>Network City's</i> and <i>Directions 2031</i>. 	<ul style="list-style-type: none"> • A blanket approach could potentially create a greater incentive to demolish existing original residential housing stock, particularly in the area east of Fitzgerald Street in the Hyde Park Precinct. A survey of lot sizes indicated that should multiple dwellings be allowed in this Precinct, 34.4% of lots, largely concentrated in the eastern portion of the Hyde Park Precinct, could potentially be subdivided for multiple dwelling developments, creating a new market of development in this area.

<p>Allow multiple dwellings but maintain the current effective density by recoding to R60 (that is recode areas shown as R80 to R60) in the stated Precincts of Hyde Park and Cleaver.</p>	<ul style="list-style-type: none"> • Confusion amongst rate payers would be alleviated, as all development provisions for multiple dwellings, grouped and single house, would all be as per the R60 standards, rather than different development standards for multiple, grouped and single developments at R80. • At R60 the average site area for grouped dwellings (180 square metres per dwelling) and the site area for multiple dwellings (166 square metres) are similar which would not necessarily direct applicants directly to multiple dwellings development. • Would serve to further promote housing diversity. 	<ul style="list-style-type: none"> • This option will require the Town to commence a new Scheme Amendment.
<p>Only allow multiple dwellings on commercially zoned land and designated main roads within these Precincts.</p>	<ul style="list-style-type: none"> • Would create opportunity for, and promote transit orientated development and the promotion of 'Activity Corridors'. • Would create opportunity for greater Affordable Housing options. • Would allow for mixed use style development representative of transit orientated development, currently restricted in the Hyde Park and Cleaver Precinct commercial zonings as a result of the introduction of the new R Codes definition of Multiple Dwellings introduced in 2008. 	<ul style="list-style-type: none"> • This option would prevent the development of multiple dwellings in residential areas, in turn diminishing options for housing choice and diversity that would be guided by the provisions of the Town's Policy No. 3.4.8 relating to Multiple Dwellings, to ensure site responsive design.
<p>Allow multiple dwellings throughout the Precincts and recode residential areas to the current effective density of R60 except for properties along designated main roads which are to remain at R80</p>	<ul style="list-style-type: none"> • Would create opportunity for transit orientated development and the promotion of 'Activity Corridors'. • Would create opportunity for greater Affordable Housing options. • Would allow for housing diversity. • Confusion amongst rate payers would be alleviated, as all 	<ul style="list-style-type: none"> • This option will require the Town to commence a new Scheme Amendment.

	<p>development provisions for multiple dwellings, grouped and single house, would all be as per the R60 standards, rather than different development standards for multiple, grouped and single developments at R80.</p>	
<p>Identify smaller areas (street bounded blocks) within each precinct to actively promote regeneration allowing multiple dwellings, higher densities while recoding residential areas to the current effective density of R60.</p>	<ul style="list-style-type: none"> • Confusion amongst rate payers would be alleviated, as all development provisions for multiple dwellings, grouped and single house, would all be as per the R60 standards, rather than different development standards for multiple, grouped and single developments at R80. • Would create greater opportunity for Affordable Housing options. • Would allow for housing diversity. 	<ul style="list-style-type: none"> • Concern regarding this option may arise as a result of inconsistency in selection and assessment criteria, which may lead to some owners/residents feeling unfairly omitted and with stifled development potential. • Strategic Development sites have been identified in the Town's Local Planning Strategy. • Areas suited to regeneration would only be encouraged along major roads. • Regeneration would not be allowed in smaller areas (street bounded blocks) within the residential areas of these Precincts. As the development would be isolated, may not correlate with transit orientated opportunities and would be restricted to a two storey height limit. • This option will require the Town to commence a new Scheme Amendment.

Hyde Park Precinct

The 'no multiple dwellings' provision originated from the former City of Perth City Planning Scheme which the Town inherited on its formation in July 1994. At that time, the provision related only to the area known as the 'Brisbane-Lake Street Precinct' (a portion of the Hyde Park Precinct as shown in the attachment) with the express purpose of maintaining the low scale and residential character of that area and to preclude the development of 'flats'.

A large proportion of the original housing stock remains in this Precinct, with most buildings built prior to World War 1. Modest, single-storey, attached pairs and detached Workers' Cottages, are common styles in the area, reflecting the demographic and socio-economic nature of the area at the time it was being developed. There are also many examples of Federation Bungalows, and a smaller number of substantial 'gentlemen's residences' built early last century. It is evident from the feedback from the workshops and an understanding of the existing built form, that the maintenance of this low scale residential character is still of value and importance.

A site visit has observed that the original housing stock in the Residential R80 area west of Fitzgerald Street has been interrupted by redevelopment of multiple dwelling developments and terrace housing. This form of development has segmented and reduced the original housing stock.

In light of the history of preventing multiple dwellings in this area, the concentration of original housing stock and as a result of the feedback from the workshops, the Officers recommend that the provision relating to '*no multiple dwellings*' in the area of the Hyde Park Precinct, be maintained, for the area east of Fitzgerald Street coded Residential R80 excluding the street block bounded by Fitzgerald, Randell, Palmerston and Stuart Streets. This provision would however, allow multiple dwellings in areas zoned commercial.

It is recommended that multiple dwellings be permitted in the Hyde Park Precinct west of Fitzgerald Street, and the street block bounded by Fitzgerald, Randell, Palmerston and Stuart Streets where the original housing stock has been eroded, and the character significantly diminished (refer to Attachment 002).

In the event the recommendation is endorsed by the Council, it is further recommended that consideration be given to down coding the area east of Fitzgerald Street, to Residential R60, as part of the Town Planning Scheme No. 1 Review, to alleviate confusion with the Residential R80 requirements.

Cleaver Precinct

Cleaver Precinct has clear boundaries formed by the four arterial roads of Loftus Street, Newcastle Street, Charles Street and Vincent Street. The majority of the Precinct comprises original houses, including some large Federation houses, and many semi-detached and detached houses from the 1920s and 1930s. The original character has however, been eroded by substantial infusions of flats, largely constructed in the 1960s. These flats (especially the tower blocks) are a product of the planning codes of the time, which awarded density bonuses, in the form of higher plot ratios, to larger parcels of land developed with lower site coverage.

It is evident from the feedback from the workshops that whilst the low scale residential character is of value and importance, there is a strong interest in allowing greater development opportunities within this Precinct. A survey of lot sizes has indicated that approximately 17 per cent of lots in the area would gain development potential if the amendment to allow multiple dwellings, was endorsed. It is noted that Carr Street and Florence Street, which both contain character dwellings, already comprise lots of sufficient size, to accommodate more than one dwelling, under the current Scheme Provisions.

As discussed in the above table, State Government strategic documents *Network City* and *Directions 2031* have made projections that by 2031 the Perth and Peel Region will have a population of 2.2 million people, which will require approximately 328,000 new dwellings. *Directions 2031* has set a target of a 47 percent increase in infill development rates to ensure growth of the city can be sustained beyond 2031. This does not mean that existing inner and middle suburbs will be subject to blanket redevelopment, rather, targeted opportunities for increased housing density and diversity will be identified. In this respect, it is considered that the Cleaver Precinct presents an opportunity to facilitate greater infill development, which can be achieved by allowing multiple dwellings.

Noting the above, and in light of the two storey height limit for development, not abutting Major Roads, it is recommended that the Multiple dwellings be permitted in the Cleaver Precinct.

In consideration of the above discussion, it is recommended that the Council advise the Department of Planning that it supports the progression of Town Planning Scheme Amendment No. 25, with the deletion of the clause prohibiting multiple dwellings in the Cleaver Precinct, and replacing Clause 20 (4) (e) relating to the Hyde Park Precinct, with the following clause:

- “(a) Hyde Park Precinct P12,
- (i) Multiple Dwellings are not permitted in the area east of Fitzgerald Street coded Residential R80 excluding the area bounded by Fitzgerald, Randell, Palmerston and Stuart Streets, Perth.”

Further in line with the resolution of the Council at its Ordinary Meeting held on 15 December 2009, it is recommended that the Council reinstate its support for the progression of Town Planning Scheme Amendment No. 25, with the deletion of the clause prohibiting multiple dwellings, in the following Precincts:

- Smith’s Lake Precinct P6;
- Norfolk Precinct P10; and
- Banks Precinct P15.

Further, it is recommended that the Council authorise the Chief Executive Officer to undertake a review of Policy No. 3.4.8 relating to Multiple Dwellings to reconsider the maximum allowable height, within the areas coded Residential R80 along Bulwer Street, which is designated a Major Road.

9.1.1 FURTHER REPORT - Draft Car Parking Strategy 2010 and Precinct Parking Management Plans 2010

Ward:	Both Wards	Date:	2 March 2010
Precinct:	All Precincts	File Ref:	PLA0084
Attachments:	001 002 003 004 005 006 – Also Laid on the Table		
Reporting Officer:	T Woodhouse, Co-ordinator Strategic Planning		
Responsible Officer:	R Boardman, Director Development Services		

FURTHER OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to the review of the Town's Car Parking Strategy 2010 and preparation of associated Precinct Parking Management Plans 2010 (PPMPs);*
- (ii) *CONSIDERS the nine (9) written submissions in relation to the Draft Car Parking Strategy 2010 received by the Town during the Community Consultation Period, as shown in Attachment 001;*
- (iii) *ADOPTS the Draft Car Parking Strategy 2010 and associated Precinct Parking Management Plans 2010 and their respective recommendations as shown in Attachment 002 and Attachment 003 respectively, as key guiding documents in the approach to parking management in the Town;*
- (iv) *RECEIVES the:*
 - (a) *High Density Residential Parking Survey 2010, as shown in Attachment 004;*
 - (b) *Draft Parking Survey Report 2010, as shown in Attachment 005, as a working document to be amended on a regular basis; and*
 - (c) *report dated 10 September 2009 submitted by Luxmoore Parking Consultants on the replacement program for all existing ticket machines and the identification of the most suitable machines for installation, as shown in Attachment 006.*
- (v) *LISTS for consideration in the DRAFT 2010-2011 Budget appropriate resources to implement a selection of "high priority" recommendations outlined in the Draft Car Parking Strategy 2010 and associated Precinct Parking Management Plans 2010, including:*
 - (a) *installation of new ticketing machines as outlined in Appendix C of the Precinct Parking Management Plans (\$1,728,000);*
 - (b) *undertake surveys of current parking ratios to inform review of the Town's Policy No. 3.7.1 relating to Parking and Access (\$25,000);*
 - (c) *replacement of existing ticket parking machines with new technology (\$126,000); and*
 - (d) *preparation of Wayfinding Signage Strategy and installation of new Wayfinding Signage (\$40,000); and*
 - (e) *preparation and distribution of promotional material to educate the need for and benefits of managing parking demand (\$5,000);*

- (vi) *AUTHORISES the Chief Executive Officer to prepare an Implementation Plan comprising; Short term recommendations (2010 to 2012), Medium term recommendations (2013 - 2017) and long term recommendations (2018+), outlined within the Draft Car Parking Strategy 2010 and associated Precinct Parking Management Plans 2010, to be reported to the Council by no later than 27 April 2010.*
-

Moved Cr Farrell, Seconded Cr Topelberg

That the recommendation be adopted.

Debate ensued.

Cr McGrath departed the Chamber at 8.20pm.

Debate ensued.

Cr McGrath returned to the Chamber at 8.22pm.

Debate ensued.

AMENDMENT NO 1

Moved Cr Maier, Seconded Cr McGrath

That a new subclause (v)(f) be inserted to read as follows:

“(v)(f) provision for two additional Rangers, one Customer Service Officer, one small vehicle and ancillary equipment/requirements at an estimated cost of \$240,000 and providing revenue of \$298,000.”

Debate ensued.

Cr Farrell departed the Chamber at 8.30pm.

Debate ensued.

AMENDMENT NO 1 PUT AND LOST (2-6)

For: Cr Buckels, Cr Maier

Against: Mayor Catania, Cr Burns, Cr Harvey, Cr Lake, Cr McGrath, Cr Topelberg

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

AMENDMENT NO 1

Moved Cr Maier, Seconded Cr Topelberg

That new clauses (vii) and (viii) be inserted as follows:

“(vii) REQUESTS that the Implementation Plan referred to in clause (vi) above, include alternative models for financing the new ticket machines referred to in clause (v) (a), including finance arrangements whereby the cost of the machine can be amortised over several years and paid for from future income earned by the machines; and

- (viii) *REQUESTS that the Implementation Plan referred to in clause (vi) include any required staff increases, and reports on the feasibility of introducing dedicated parking inspectors to enforce parking rules.*”

Debate ensued.

AMENDMENT NO 2 PUT AND CARRIED (9-0)

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 9.1.1

That the Council;

- (i) *RECEIVES the report relating to the review of the Town's Car Parking Strategy 2010 and preparation of associated Precinct Parking Management Plans 2010 (PPMPs);*
- (ii) *CONSIDERS the nine (9) written submissions in relation to the Draft Car Parking Strategy 2010 received by the Town during the Community Consultation Period, as shown in Attachment 001;*
- (iii) *ADOPTS the Draft Car Parking Strategy 2010 and associated Precinct Parking Management Plans 2010 and their respective recommendations as shown in Attachment 002 and Attachment 003 respectively, as key guiding documents in the approach to parking management in the Town;*
- (iv) *RECEIVES the:*
- (a) *High Density Residential Parking Survey 2010, as shown in Attachment 004;*
- (b) *Draft Parking Survey Report 2010, as shown in Attachment 005, as a working document to be amended on a regular basis; and*
- (c) *report dated 10 September 2009 submitted by Luxmoore Parking Consultants on the replacement program for all existing ticket machines and the identification of the most suitable machines for installation, as shown in Attachment 006.*
- (v) *LISTS for consideration in the DRAFT 2010-2011 Budget appropriate resources to implement a selection of “high priority” recommendations outlined in the Draft Car Parking Strategy 2010 and associated Precinct Parking Management Plans 2010, including:*
- (a) *installation of new ticketing machines as outlined in Appendix C of the Precinct Parking Management Plans (\$1,728,000);*
- (b) *undertake surveys of current parking ratios to inform review of the Town's Policy No. 3.7.1 relating to Parking and Access (\$25,000);*
- (c) *replacement of existing ticket parking machines with new technology (\$126,000); and*
- (d) *preparation of Wayfinding Signage Strategy and installation of new Wayfinding Signage (\$40,000); and*
- (e) *preparation and distribution of promotional material to educate the need for and benefits of managing parking demand (\$5,000);*

- (vi) *AUTHORISES the Chief Executive Officer to prepare an Implementation Plan comprising; Short term recommendations (2010 to 2012), Medium term recommendations (2013 - 2017) and long term recommendations (2018+), outlined within the Draft Car Parking Strategy 2010 and associated Precinct Parking Management Plans 2010, to be reported to the Council by no later than 27 April 2010;*
- (vii) *REQUESTS that the Implementation Plan referred to in clause (vi) above, include alternative models for financing the new ticket machines referred to in clause (v) (a), including finance arrangements whereby the cost of the machine can be amortised over several years and paid for from future income earned by the machines; and*
- (viii) *REQUESTS that the Implementation Plan referred to in clause (vi) include any required staff increases, and reports on the feasibility of introducing dedicated parking inspectors to enforce parking rules.*

FURTHER REPORT:

The Council considered an initial report in this regard at its Ordinary Meeting held on 15 December 2009, and resolved as follows:

"That the item be DEFERRED for further consideration at a Forum in early 2010."

In light of the above resolution, the matter was presented by Luxmoore Parking Consultants at the Council Member Forum held on 16 February 2010. The presentation provided an overview of both the Car Parking Strategy and the Precinct Parking Management Plans and the key recommendations contained within the two documents. A summary of the comments raised at the Council Members Forum are listed below:

- Implementation of consistency in parking requirements within the Town's highly utilised car parks;
- Enter into discussions with the City of Stirling in respect of deck parking within close proximity to the Beaufort and Walcott Streets intersection;
- Relationship of not providing any free parking and the impact on the viability of surrounding businesses, particularly in Mount Lawley;
- Notion of 'predict and provide' and whether this automatically applied to the adoption of a Transport Demand Management (TDM) approach to parking within the Town, and the limitations of the existing public transport options within the Town/Perth;
- Operation of '*parking benefit districts*' for example Carr Place;
- Operation of '*park and ride*' and '*park and walk*' options within the Town of Vincent;
- Impact of removing parking along Oxford Street to businesses owners;
- Correlation between the identification of high priority recommendations with the individual concerns relating to parking raised in the community;
- The role of WALGA in instigating a new approach to the allocation of parking ratios for development applications; and
- Relevancy of surveys undertaken in 2008.

It is considered that the Car Parking Strategy 2010 and associated Precinct Parking Management Plans 2010 in their current form provide adequate flexibility to address the matters outlined above, and will allow for the appropriate implementation of strategies and actions to improve the management of parking at the Town.

To ensure the key recommendations of the Car Parking Strategy 2010 and associated Precinct Parking Management Plans 2010 are implemented in an effective and timely manner, the Town's Officers will prepare an Implementation Plan for the Car Parking Strategy and associated Precinct Parking Management Plans that provides a clear timeframe for implementation and consideration to budgetary requirements over the short term (to 2012), the medium term (2013 - 2017) and the long term (2018+). As outlined in the Officer Recommendation of this report, the Implementation Plan will be reported to the Council by no later than 27 April 2010.

The following is a verbatim copy of the Item placed before the Council at its Ordinary Meeting held on 15 December 2009.

“OFFICER RECOMMENDATION:

That the Council;

- (i) RECEIVES the report relating to the review of the Town's Car Parking Strategy and preparation of associated Precinct Parking Management Plans (PPMP's);
- (ii) CONSIDERS the nine (9) written submissions in relation to the Draft Car Parking Strategy forwarded to the Town during the Community Consultation Period, as shown in Appendix 9.1.20A;
- (iii) ENDORSES the Draft Car Parking Strategy and associated Precinct Parking Management Plans and their respective recommendations as 'Laid on the Table' as key guiding documents in the approach to parking management in the Town; and
- (iv) AUTHORISES the Chief Executive Officer to prepare an Implementation Plan encompassing the full range of recommendations in Appendix C of the Precinct Parking Management Plans in relation to 'Recommended locations for new ticket machines', as shown in Appendix 9.1.20B, as a matter of priority; and REQUESTS a further report comprehensively outlining the practical and financial implications of implementing all the recommendations within the Town in the 2009 - 2010 financial year and this be reported to the Council at an Ordinary Meeting to be held in February 2009;
- (v) RECEIVES:
 - (a) the High Density Residential Parking Survey as 'Laid on the Table';
 - (b) RECEIVES the Draft Parking Survey Report as shown as 'Laid on the Table' as a working document to be amended on a regular basis; and
 - (c) RECEIVES the report submitted by Luxmoore Parking Consultants on the replacement program for all existing ticket machines and the identification of the most suitable machines for installation as shown as 'Laid on the Table.'

COUNCIL DECISION ITEM 9.1.20

PROCEDURAL MOTION

Moved Cr Maier, Seconded Cr McGrath

That the item be DEFERRED for further consideration at a Forum in early 2010.

PROCEDURAL MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with an overview of the Community Consultation in relation to the Draft Car Parking Strategy. Additionally, this report seeks the Council's approval to endorse the Draft Car Parking Strategy and associated Precinct Parking Management Plans and their respective recommendations, as guiding documents for the management of parking at the Town in the short, medium and long term. All hard copy versions of the documents listed above have been circulated to the Council Members.

BACKGROUND:

12 February 2002 The Council at its Ordinary Meeting adopted the Town of Vincent Car Parking Strategy 2002.

26 February 2008 The Council at its Ordinary Meeting considered and approved of an additional 16 Key Performance Indicators for the Chief Executive Officer. In particular, the Key Performance Indicator:

“6 (n) 2.1.4 (b)

Review and update the Town’s Car Parking Strategy, (January 2002) including a timeframe to implement recommendations.”

11 March 2008 The Council at its Ordinary Meeting resolved the following:

“That the Council APPROVES BY AN ABSOLUTE MAJORITY the reallocation of \$30,000 from Parking Income to carry out a review of the Town of Vincent Car Parking Strategy.”

22 April 2008 The Council at its Ordinary Meeting resolved as follows:

“That the Council;

- (i) RECEIVES the Report relating to Appointment of a Consultant to Review and Update the Town of Vincent Car Parking Strategy;*
- (ii) APPROVES the quotation submitted by Luxmoore Parking Consultants Pty Ltd to Review and Update the Town of Vincent Car Parking Strategy, for the sum of \$48,928; and*
- (iii) REQUESTS the Chief Executive Officer to identify a source of additional funds of \$18,928 in the 2007/2008 Budget to cover the shortfall of funds for the Review and Update of the Car Parking Strategy.”*

17 June 2008 The Consultants, Luxmoore Parking Consultants Pty Ltd presented their Findings and Recommendations to a Council Members Forum.

24 June 2008 The Council at its Ordinary Meeting resolved as follows:

“(i) RECEIVES the Town of Vincent Car Parking Strategy Review (Draft Version) dated 16 June 2008, as "Laid on the Table" and circulated separately to Council Members; and

- (ii) *NOTES that;*
- (a) *the Town of Vincent Car Parking Strategy Review (Draft version) document will be presented for further consideration and discussion at a Forum scheduled for 15 July 2008;*
 - (b) *the Town's Administration will be providing further information and comment about the report and its Recommendations; and*
 - (c) *a further report on the timeline, financial/budget implications and implementation of the Recommendations is to be submitted to a Council Meeting in September 2008."*

- 15 July 2008 The Town of Vincent Draft Car Parking Strategy Review was further considered and discussed at a Council Members Forum.
- 29 August 2008 The Consultant provided the Town with a draft version of the Strategy Review Report.
- 15 September 2008 The Consultant provided the Town with a subsequent version of the Strategy Review Report following changes requested by the Town's Officers.
- 23 September 2008 The Council at its Ordinary Meeting resolved the following in relation to parking in streets in the vicinity Forrest Park, Mount Lawley:
- "That the Council;*
- (i) *RECEIVES the report regarding parking in the vicinity of Forrest Park, Mount Lawley as identified by the local community, and considered by the Council at its Ordinary Meeting held on 22 July 2008;*
 - (ii) *NOTES the following parking related information concerning the Streets in the vicinity of Forrest Park;*
 - (a) *to determine the parking availability for both residents and others, an assessment was carried out in the following streets (the study area);*
 - *Roy Street*
 - *Gerald Street*
 - *Barlee Street*
 - *Clarence Street*
 - *Harold Street – Beaufort Street to Lord Street*
 - *Smith Street – Harold Street to Broome Street*
 - *Wright Street – Harold Street to Broome Street*
 - (b) *eighty four (84%) percent of properties in the study area have 'off road' parking and the total number of 'on road' parking bays, restricted and unrestricted comprise 414 and therefore these residents would be ineligible for the issue of Residential Parking Permits;*

- (c) *the Town's Rangers carry out regular patrols (both weekday and weekends) and will continue to maintain a presence at Forrest Park on training nights and match days to ensure compliance with the relevant parking restrictions and parking laws.*
 - (d) *line marking of resident driveways was carried out in May 2008 in Roy, Barlee, Gerald, Clarence and Harold Streets and that since regular patrols commenced in May 2008, very little parking contravention has been observed;*
 - (e) *parking restrictions are considered appropriate in certain streets such as in the vicinity of paid public parking facilities, however they would not be appropriate in other streets until the provision of additional paid public parking was further investigated as it is considered that the need of residents and others needed to be balanced with the demands on parking in what are "public streets" that service a residential, commercial and recreational area;*
- (iii) *DOES NOT SUPPORT the introduction of a Residential Parking Zone in the area bounded by Beaufort Street, Harold Street, Lord Street and Walcott Street, Mount Lawley for the following reasons;*
- (a) *the streets would remain predominantly empty, as the majority of residents are able to park "off road";*
 - (b) *with the study area's proximity to the Beaufort Street "entertainment strip", residential only parking would result in businesses being unable to sustain their customer base, as customers would be unable to park within relative closeness to Beaufort Street;*
 - (c) *the restriction would reduce the number of "on-street" bays and cause an unreasonable imposition on users of Forrest Park and other surrounding streets;*
 - (d) *there is anecdotal evidence that vehicles parked 'on road' provide traffic calming, whereas empty streets facilitate higher vehicle speeds and possible rat running.*
- (iv) *DOES NOT SUPPORT the extension of the current Members Equity Stadium exclusion zone, to include Clarence Street, Barlee Street, Roy Street and Gerald Street, Mount Lawley for the following reasons;*
- (a) *the results of surveys indicate that an overall average of only 38% of 'on road' parking spaces were utilised during the assessment period;*

- (b) *the results of surveys indicated that an overall average of only 45% of the 'on road' parking spaces were utilised when a Perth Glory game was being played during the assessment period;*
- (c) *the results of surveys indicate that there is a 4% decrease in the 'on road' parking usage when Perth Glory was playing at Members Equity Stadium still leaving 55% of 'on road' parking available;*
- (v) *FURTHER investigates the possible availability of Central TAFE (Mount Lawley campus) land for parking outside of TAFE hours;*
- (vi) *MAKES no changes in the 'study area' until the recommendations of the car parking Strategy have been adopted; and*
- (vii) *RECEIVES a further report in relation to the streets in the vicinity of Forrest Park once the Car parking Strategy implementation plan has been adopted and/or when additional information is available."*

14 October 2008

The Council at its Ordinary Meeting resolved the following in relation to the review and update of the Town of Vincent Car Parking Strategy.

- “(i) RECEIVES the Draft Town of Vincent Car Parking Strategy Review Report dated 15 September 2008, prepared by Luxmoore Parking Consultants as shown at Appendix 7.1 and as 'Laid on the Table'”;*
- (ii) ADVERTISES the Draft Town of Vincent Car Parking Strategy Review Report for public comment for a period of twenty eight (28) days inviting written submissions from the public and for the Council to consider any submissions at the conclusion of this period; and*
- (iii) APPROVES BY AN ABSOLUTE MAJORITY for Luxmoore Parking Consultants to:*
 - (a) prepare a Precinct Parking Management Plan, including the examination of demand, volumes, duration of stay, peak usage and compliance with restrictions for the areas that have undergone significant change since 2002 and within 500 metres of each of the high activity centres being;*
 - Mount Hawthorn, (area generally bounded by:
The Boulevard,
Scarborough Beach Road,
Matlock Street,
Woodstock Street,
Fairfield Street,
Oxford Street, and
Anzac Road – as shown in Map 1);*

- *Leederville, (area generally bounded by: Richmond Street, Loftus Street, Mitchell Freeway, and Oxford Street – as shown in Map 2);*
 - *North Perth, (area generally bounded by: Woodville Street, Menzies Street, Fitzgerald Street, Alma Road, Leake Street, and View Street – as shown in Map 3); and*
 - *Perth, (area generally bounded by: Newcastle Street, Lake Street, Bulwer Street, and Beaufort Street – as shown in Map 4); and”*
- (b) *prepare a Precinct Parking Management Plan, including the re-examination of demand, volumes, duration of stay, peak usage and compliance with restrictions and general impacts of parking for the Mount Lawley/Highgate commercial area and surrounds, in particular, Forrest Park, the Members Equity Stadium “exclusion area” and affected residential areas generally bounded by Walcott, Lord, Newcastle, Beaufort, Bulwer, William, Vincent and Beaufort Streets as shown in Map 5; and*
- (iv) *REQUESTS the Chief Executive Officer to identify \$25,000 (excluding GST), at the next 2008/2009 Budget Review for the above consultancy; and*
- (v) *NOTES that:*
- (a) *a process to monitor progress towards implementation of the Consultants Recommendations approved by the Council, will be prepared and submitted to the Council after the Council has considered the submissions received from the community consultation;*
 - (b) *a review of the West Perth Regeneration Masterplan Study are will be further considered after the Council has progressed and advertised the Draft West Perth Regeneration Masterplan; and*
 - (c) *the financial and budget implications of the Consultants report will be further considered when the Council adopted the specific recommendations outlined in the Consultant’s Report;*
- (vi) *NOTES that Luxmoore Parking Consultants will complete their Precinct Parking Management Plans by early December 2008 and the information will be submitted to the Council in December 2008; and*
- (viii) *UNDERTAKES a survey/analysis of high density housing occupants’ car ownership as part of the Precinct Parking Management Plan as proposed in clause (iii).”*

- 24 November 2008 Completion of four (4) week advertising period of Draft Car Parking Strategy. Nine (9) submissions received and forwarded to Luxmoore Parking Consultants for consideration in preparation of Precinct Parking Management Plans.
- 28 November 2008 Surveys of identified Activity Centres undertaken by Luxmoore Parking Consultants for identified High Activity Centres in line with clause (iii) (a) and (b) of the above resolution of 14 October 2008. Draft Parking Survey Report dated 28 November 2008 submitted to the Town on 4 December 2008.
- 17 December 2008 Final proposal and quotation submitted by Luxmoore Parking Consultants to prepare Precinct Parking Management Plans in accordance with recommendation 5.4.2 of the Town's Draft Car Parking Strategy 2008 and in addition to the Precinct Parking Management Plans [Surveys] outlined in clause (iii) (a) and (b) of the above resolution of 14 October 2008.
- 22 December 2008 Consultant from Luxmoore Parking Consultants presents an overview of Car Parking Strategy to Council Member Forum.
- 27 February 2009 Survey of High Density Housing completed by Consultants in accordance with clause (viii) of the above resolution of 14 October 2008.
- 9 February 2009 Letter written to Luxmoore Parking Consultants requesting that the Precinct Management Plans include in their scope, recommended locations of new ticketing machines, together with justification for locations and a replacement program for all ticketing machines and identification of the most suitable machines for installation.
- 16 February 2009 Initial draft of Precinct Parking Management Plan for Mount Hawthorn submitted to Town by Luxmoore Parking Consultants.
- 18 February 2009 Meeting held with Consultants and the Town's then Acting Senior Planning Officer (Strategic), Manager Ranger and Community Safety Services and then Acting Manager Planning, Building and Heritage Services, to provide initial feedback on the content and layout of the Precinct Parking Management Plan.
- 3 March 2009 Letter received from Luxmoore Parking Consultants advising that as requested in letter dated 9 February 2009, the Precinct Parking Management Plans could include in their scope recommended locations of new ticketing machines, together with justification for locations; however, that a replacement program for all ticketing machines and the identification of the most suitable machines for installation was outside the scope of the Precinct Management Plans and would require a separate report, quoted at \$2,970.00.
- 13 March 2009 Further Draft Precinct Parking Management Plan submitted for Mount Hawthorn.
- 17 March 2009 Final copy of the High Density Residential Parking Survey submitted to the Town by Luxmoore Parking Consultants in accordance with clause (viii) of the above resolution of 14 October 2008.

- 30 March 2009 Draft Precinct Parking Management Plan submitted for Leederville.
- 1 May 2009 Meeting held with Luxmoore Parking Consultants and the Town's then Acting Senior Planning Officer (Strategic) and Manager Ranger and Community Safety Services to discuss progression of Draft Precinct Parking Management Plans. At this meeting, the contact details of owner of Planet Video on the corner of Beaufort and Walcott Streets, was provided to the Consultants to arrange a meeting to discuss the compilation of the Precinct Parking Management Plan for Mount Lawley/Highgate.
- 4 May 2009 Petition from business owners adjacent to the Raglan Road Car Park dated 24 April 2009 forwarded to the Consultants to inform the compilation of the Precinct Parking Management Plan for Mount Lawley/Highgate.
- 7 May 2009 Minutes of the Ordinary Meeting of Council held on 28 April 2009 relating to Item 13.2 - Urgent Business - Car Parking Strategy, was forwarded to Luxmoore Parking Consultants for consideration in the preparation of the Precinct Parking Management Plans, with a summary of salient points made by Councillors relating to the Item.
- 8 May 2009 Request by Councillor Maier to add two (2) new Rangers to the Draft Budget at the Special Meeting of Council held on 5 May 2009 was forwarded to Luxmoore Parking Consultants for consideration in the preparation of the Precinct Parking Management Plans.
- 13 May 2009 Minutes of the Ordinary Meeting of Council held on 28 April 2009 relating to Item 9.1.16, concerning a public meeting to discuss the parking and anti-social behaviour in the Mount Lawley Precinct and renewal of extended trading permit for the Flying Scotsman, forwarded to Luxmoore Planning Consultants for consideration of the Parking Precinct Management Plan for Mount Lawley.
- 18 May 2009 Authorisation provided to Luxmoore Parking Consultants to prepare a separate report relating to the replacement program for all existing machines (particularly the 8 MAX100 machines) and the identification of the most suitable machines for installation.
- 27 May 2009 Further Draft Precinct Parking Management Plan for Leederville submitted by Luxmoore Parking Consultants.
- 28 May 2009 Further Draft Precinct Parking Management Plan for Mount Hawthorn submitted by Luxmoore Parking Consultants.
- 17 June 2009 Further Draft Precinct Parking Management Plans submitted for Mount Hawthorn and Leederville and first draft submitted for Mount Lawley/Highgate by Luxmoore Parking Consultants.
- 23 June 2009 Contact details of property owner in Clarence Street forwarded to Luxmoore Parking Consultants to discuss the proposed recommendations within the Precinct Parking Management Plans concerning Mount Lawley/Highgate.
- 24 June 2009 Further Draft Precinct Parking Management Plan for Mount Lawley/Highgate submitted to the Town by Luxmoore Parking Consultants.

- 30 June 2009 First drafts of Precinct Parking Management Plans for Perth and North Perth submitted to the Town by Luxmoore Parking Consultants.
- 22 July 2009 Consolidated Precinct Parking Management Plans for all 5 identified Activity Centres submitted to the Town by Luxmoore Parking Consultants.
- 7 September 2009 Revised Consolidated Precinct Parking Management Plans for all 5 identified Activity Centres submitted to the Town by Luxmoore Parking Consultants.
- 10 September 2009 Report submitted by Luxmoore Parking Consultants comprising a replacement program for all existing ticketing machines and the identification of the most suitable machines for installation.
- 15 September 2009 Presentation by Consultant from Luxmoore Parking Consultants, to a Council Member Forum relating to the Precinct Parking Management Plans for the 5 identified Activity Centres.
- 24 September 2009 Additional information compiled by Luxmoore Parking Consultants relating to cash - in lieu provided in a Memorandum dated 24 September 2009 from Director Development Services to the Mayor and all Council Members.
- 23 October 2009 Review of Draft Car Parking Strategy and consolidated Precinct Parking Management Plans undertaken by the Town's Technical Services and forwarded to Luxmoore Parking Consultants.
- 3 November 2009 Final draft report of consolidated Precinct Parking Management Plans submitted to the Town by Luxmoore Parking Consultants.
- 20 November 2009 Meeting held with Luxmoore Parking Consultants and the Town's Technical Services and Co-ordinator Strategic Planning to discuss matters relating to Technical Services and other final amendments to the Precinct Parking Management Plans.
- 30 November 2009 Final copies of Precinct Parking Management Plans submitted to the Town by Luxmoore Parking Consultants dated 25 November 2009.

DETAILS:

Car Parking Strategy

In accordance with the Council's decision to appoint Luxmoore Parking Consultants Pty Ltd and the requirements of the Project Brief for the review and update of the Town of Vincent's Car Parking Strategy, the Consultants delivered first and second versions of a draft Car Parking Strategy Review on 13 and 16 June 2008, respectively, and a subsequent third version on 15 September 2008, following consideration and discussion at a Council Members Forum.

The objectives of the Draft Car Parking Strategy Review (2008 Review) were to address the following:

- “ ♦ *To examine and review the existing and future car parking supply and demand and to determine whether existing and future car parking supply and demand satisfies the objectives and requirements of the Town of Vincent Town Planning Scheme No. 1 and Policies;*

- ♦ *To review the provision of the Town of Vincent Town Planning Scheme No. 1 and Policies relating to car parking in light of the findings of the study and recommend any changes; and*
- ♦ *To identify alternative transport initiatives and make recommendations on the feasibility of these within the Town of Vincent in relation to the existing and future needs of the community.”*

In undertaking this project, Luxmoore Parking Consultants have produced a comprehensive document covering the entire Town, to be used as a reference document addressing such issues as the cost of providing parking, minimum parking ratios, and most importantly, the necessity for a fundamental change in the Town’s Policy towards parking supply.

In reviewing the 2002 Strategy, the Consultants have found it to be a comprehensive, well researched report, with conclusions and findings that are still relevant today. However, it is recommended that without a fundamental shift and a consolidated management approach towards parking within the Town, steps towards the resolution of parking issues will continue to be reactive, rather than proactive, and ultimately unsustainable in the future.

The report notes that, ‘If no action is taken to better manage parking resources, the Town cannot sustain the current demand satisfaction approach where each development provides its own parking, where drivers and property occupiers expect that they have a right to unlimited free parking and consequently, more and more parking will be needed to be provided by the Town and developers. ...’

In reviewing the Draft Car Parking Strategy Review prepared by Luxmoore Parking Consultants, the Town’s Officers consider that the Consultant's report has comprehensively reviewed and updated the 2002 Strategy and sufficiently met the objectives of the Project Brief. Further to this, it should be noted that surveys on supply and demand were last undertaken in 2002. Updating these was recommended in the 2002 Strategy; however, due to the limited time given to prepare the review it was not part of the scope of the 2008 Review, which has been undertaken based on the 2002 survey data. In reference to No. 8 of the Consolidated Recommendations, the Consultants have made the following recommendation:

‘Re-examine demand, volumes, duration of stay, peak usage and compliance with restrictions in areas that have undergone significant change since 2002 and within 500 m of each of the high activity centres being Mount Hawthorn, Leederville, Mount Lawley and Newcastle/Lord Streets Perth.

In light of the above recommendation, the Council at its Special Meeting held on 14 October 2008, resolved as follows:

“..."

(iii) *APPROVES BY AN ABSOLUTE MAJORITY for Luxmoore Parking Consultants to:*

(a) *prepare a Precinct Parking Management Plan, including the examination of demand, volumes, duration of stay, peak usage and compliance with restrictions for the areas that have undergone significant change since 2002 and within 500 metres of each of the high activity centres being;*

...

(b) *prepare a Precinct Parking Management Plan, including the re-examination of demand, volumes, duration of stay, peak usage and compliance with restrictions and general impacts of parking for the Mount Lawley/Highgate commercial area and surrounds, in particular, Forrest Park, the Members Equity Stadium “exclusion area” and affected residential areas generally bounded by Walcott, Lord, Newcastle, Beaufort, Bulwer, William, Vincent and Beaufort Streets as shown in Map 5; and*

...”

For ease of clarification, it is noted that the above terminology outlined in the resolution, is to be read as 'Survey', rather than 'Plan'. As detailed in the Background section of this report, the 'Surveys' for the Activity Centres were prepared in accordance with the clauses (iii) (a) and (b) of the Special Meeting held on 14 October 2008, and submitted in the form of a report dated 28 November 2008.

Following this, the Consultants were further engaged by the Town to prepare Precinct Parking Management Plans for each of the 5 Activity Centres, in accordance with the recommendation 5.4.2 of the Draft Car Parking Strategy 2008.

Precinct Parking Management Plans

In line with the Council Resolution (iii) (a) and (b) outlined above, Luxmoore Parking Consultants prepared surveys of the 5 identified Activity Centres and submitted a Draft Parking Survey Report summarising the findings. These findings were then used to inform the Precinct Parking Management Plans that were prepared by the Consultants for each of the 5 Activity Centres, geographically based on the Town Centre areas identified in the Town's Local Planning Strategy, and in accordance with recommendation 5.4.2 of the Draft Car Parking Strategy 2008.

The Consultants delivered a number of draft versions of the Precinct Parking Management Plans and presented an overview of the Plans to a Council Member Forum held on 15 September 2009.

The key objectives and recommendations for Precinct Parking Management Plans outlined in section 5.4.2 of the Draft Car Parking Strategy 2008 are as follows:

"

- identify parking supply and management policies and actions to support the short and longer term development of a centre with specific emphasis on land use intensification and supporting the centre's economic viability and vitality;
- integrate parking policy and management and the location of off-street parking facilities with committed and planning transport improvements with particular emphasis on public transport infrastructure and service improvements, the pedestrian and cycle networks and urban design objectives;
- better internalise the cost of parking in decision making and , over time, to generate a rate of return on public parking facilities which reflects the opportunity cost of capital; and
- ensure an equitable cost of parking for drivers.

Each Precinct Parking Management Plan will provide detailed guidance over a 10 year planning horizon in relation to the management and control of parking together with a process for the phased implementation of a place based package of measures as the centres move to higher density. The geographic and temporal measures need to be highlighted both in a map and a timeline. There are some key measures such as location of on-street pay parking, time restrictions, residents parking (if any), car park buildings, cycle parking areas, mobility parks, reduction in parking and spill-over areas that will need to be identified in the plan.

A detailed plan for dealing with specific parking issues in each high activity centre in the short, medium and long term will allow local issues to be considered, and transitional arrangements permitted in line with broad transport policy and strategic plans."

Consistent with the above recommendation, the Precinct Parking Management Plans have been prepared and submitted by the Consultants, in the following format.

Section 1 -Executive Summary

This section outlines the key elements of the Precinct Parking Management Plans.

Section 2 - Introduction

This section provides a consolidated summary of the content and layout of the Precinct Parking Management Plans.

Section 3 - General Parking Issues in the Town of Vincent

This section of the document draws on section 4 of the Draft Car Parking Strategy 2008, relating to fundamental parking issues within the Town. For the purpose of providing a context to the analysis and recommendations of the Precinct Parking Management Plans, this section summarises the key parking issues identified in the high activity centres within the Town. Of particular note, these issues include; way finding signage, unifying adjoining car parks and future changes in parking supply.

Section 4 - Implementation of Parking Measures

This section of the document considers the implementation of several parking measures detailed within the Draft Car Parking Strategy 2008, and concludes with a list of recommendations which are common to all five Activity Centres. Some of these measures include; shared parking, amendments to the Town's approach to cash in lieu, introduction of more paid parking, parking for residents and managing spill-over, over-flow parking for special events and peak demand periods, parking control and management plans for developments seeking more than 50 parking spaces, motorcycle, scooter and bicycle parking, mobility parking, CPTED, parking permits, pedestrian routes, education, park and ride, parking technology and installation of new ticket machines.

These measures have been incorporated into short, medium and long term actions, and listed in order of priority, common to all 5 Activity Centres.

Section 5 - 9 - Precinct Parking Management Plans

Sections 5 - 9 list the Precinct Parking Management Plans for each of the identified Activity Centres in the following order:

- Section 5 - Leederville Precinct;
- Section 6 - Mount Hawthorn Precinct;
- Section 7 - Mount Lawley/Highgate Precinct;
- Section 8 - North Perth Precinct; and
- Section 9 - Perth Precinct.

Each of these sections provide information on the subject Activity Centres area, an analysis of the existing parking situation based on the surveys undertaken in November 2008, a summary of findings, and a series of parking management recommendations to be undertaken in the short term (by 2012), medium term (2013 to 2017), and long term (2018+). These recommendations are detailed in order of priority, in a table format in the Precinct Parking Management Plans for each Activity Centre.

Appendix A - Parking Requirements in the Town of Vincent

This section provides the Town's existing Land Use Parking Requirement Table extracted from the Town's Policy No. 3.7.1 relating to Parking and Access.

Appendix B - Consolidated and Prioritised Recommendations

This section provides a consolidated table on all the recommendations contained within the Precinct Parking Management Plans in order of priority, and identifies which of the Activity Centres the recommendations apply.

Appendix C - Recommended Locations for New Ticket Machines

This section provides a table outlining the proposed location and the quantity of new ticketing machines to be installed in order of priority, and the Activity Centre to which they apply.

Appendix D - Event Management Plan

This section provides a template for the preparation and management of parking, during large scale events.

CONSULTATION/ADVERTISING:

In accordance with the Council's resolution at its Special Meeting held on 14 October 2008, the Draft Car Parking Strategy was advertised for public comment for a period of twenty eight (28) days. During this period, nine (9) submissions were received and forwarded to Luxmoore Parking Consultants for consideration in the preparation of Precinct Parking Management Plans. A summary of the submissions are tabled as an Appendix to this report.

The key issues that were raised in the submissions related to cash - in -lieu; spill-over of parking into residential areas; integration of parking management within a regional context; and the importance of facilitating cultural change from parking demand satisfaction, to a parking demand management approach.

On reviewing the comments received during the consultation period, the Town's Officers considered that the comments were best addressed by being incorporated into the Precinct Parking Management Plans themselves, and did not warrant amendments to the Car Parking Strategy itself.

As such, all nine (9) submissions, and other information that the Town has received relating to Parking Issues since the advertising of the Town's Car Parking Strategy, was forwarded to Luxmoore Parking Consultants, to consider in the preparation of the Precinct Parking Management Plans.

LEGAL/POLICY:

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

STRATEGIC IMPLICATIONS:

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

“Objective 1.1 Improve and maintain environment and infrastructure

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

(d) implement and promote a policy to encourage a proportion of affordable housing, in partnership with the State Government.”

SUSTAINABILTY IMPLICATIONS:

The long-term sustainability for the Town's current parking operations are questioned in the Car Parking Strategy Review Report. The Strategy Review Report details methods in which the Town can affect a paradigm shift in its methods of providing and managing parking throughout the Town, with a view to greater sustainability. These principles are supported further in the recommendations detailed in the Precinct Parking Management Plans.

FINANCIAL/BUDGET IMPLICATIONS:

The preparation of the Precinct Parking Management Plans has been funded from the 2009 - 2010 Budget.

COMMENTS:

The Draft Car Parking Strategy Review focuses on the idea that the Town of Vincent has adopted traditional 'supply and demand' approaches to parking, whereby motorists should nearly always be able to easily find convenient, free parking at every destination. This attitude also appeared prevalent in the community vision workshops undertaken as part of Vincent Vision 2024. The Draft Car Parking Strategy Review addresses why this current parking strategy is not sustainable, and offers significant recommendations, to ensure that the Town can provide sufficient parking in the long term, to support prosperous and vibrant commercial centres and encourage accessibility to these centres by sustainable transport modes, including walking, cycling and public transport.

It is emphasised that the Draft Car Parking Strategy Review recommends that a fundamental change in the way the Town manages parking is required, not only to ensure an adequate supply of parking for current and future needs, but also to make certain that the social, environmental and financial impact of parking, is successfully managed.

Recognising that in order to adequately progress a significant number of the Consolidated Recommendations made in the Draft Car Parking Strategy Review, current surveys of supply and demand were undertaken in the identified Activity Centres by Luxmoore Parking Consultants in November 2008.

Following the compilation of the Survey results, the Town further engaged Luxmoore Parking Consultants to prepare Precinct Parking Management Plans for each of the Activity Centres. Informed by the Survey results, the Precinct Parking Management Plans support the information within the Draft Car Parking Strategy 2008 and apply best practice principles. The Precinct Parking Management Plans provide both a context for the Town to adopt a new approach to parking management, whilst also drawing on key recommendations as they relate to each of the Activity Centres. It is considered that the Precinct Parking Management Plans provide a sound and accessible document to progress the recommended actions in the short, medium and long term.

In respect of recommendations proposed in The Precinct Parking Management Plans Appendix C - Recommended Locations for New Ticket Machines and the additional post note that 'It is recommended that new ticket machines are installed in all high priority locations by 2012. As a matter of urgency the 31 machines in Leederville and the 23 machines in Perth should be installed first', it is considered appropriate that immediate action be taken to prepare an implementation plan detailing the practical and financial implications of carrying out the full range of recommendations in the current 2009/2010 financial year. A further report outlining this plan will be presented to the Council at its first Ordinary Meeting in February 2010.

This section provides a table outlining the proposed location and the quantity of new ticketing machines to be installed in order of priority, and the Activity Centre to which they apply.

In light of the above, it is recommended that the Council endorses the Draft Car Parking Strategy Review and the associated Precinct Parking Management Plans as key guiding documents to facilitate the appropriate management of parking in the Town in the short, medium and long term.

9.1.4 Nos.178-182 (Lot: 28 D/P: 96829) Stirling Street, corner Parry Street, Perth - Proposed Four-Storey Mixed Use Development Comprising Eight (8) Offices, Eleven (11) Multiple Dwellings and Associated Basement Car Parking

Ward:	South	Date:	2 March 2010
Precinct:	Beaufort, P13	File Ref:	PRO0956 5.2009.582.1
Attachments:	001		
Reporting Officer:	R Narroo, Senior Planning Officer (Statutory)		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

(i) in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Clarendon Reality on behalf of the owner Golden Eagle (WA) Pty Ltd for Proposed Four (4) Storey Mixed Use Development Comprising Eight (8) Offices, Eleven (11) Multiple Dwellings and Basement Car Parking, at Nos. 178-182 (Lot: 28 D/P: 96829) Stirling Street, corner Parry Street, Perth, and as shown plans stamp-dated 22 December 2009 and 23 February 2010, subject to the following conditions:

- (i a) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Stirling and Parry Streets;*
- (ii b) prior to the issue of a Building Licence, an acoustic report prepared in accordance with the Town's Policy relating to Sound Attenuation shall be submitted and approved by the Town. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;*
- (iii c) in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$20,000 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services. An application to the Town for the refund of the upgrading bond must be made in writing;*
- (iv d) the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*

~~(*)~~ ***e)*** *the owner(s), or the applicant on behalf of the owner(s), shall comply with the Town of Vincent Percent for Public Art Policy No. 3.5.13 and the Percent for Public Art Guidelines for Developers, including:*

~~(a)~~ ***1)*** *within twenty eight (28) days of the issue date of this ‘Approval to Commence Development’, elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash-in-Lieu Percent for Public Art Contribution, of \$32,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$ 3,200,000); and*

~~(b)~~ ***2)*** *in conjunction with the above chosen option;*

(A) *Option 1 –
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and
prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;*

OR

(B) *Option 2 –
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;*

~~(*)~~ ***f)*** *prior to the issue of the Building Licence, revised plans shall be submitted to and be approved by the Town demonstrating the following:*

~~(a)~~ ***1)*** *a visual truncation of 1 metre by 1 metre being provided at the intersection of the right of carriageway and vehicle access point;*

~~(b)~~ ***2)*** *a bin compound being provided in accordance with the Town’s Health Services Section’s Specifications, divided into commercial and residential areas and sized to contain:*

- ***Residential***
*1 x mobile garbage bin per unit; and
1 x general recycle bin per 2 Units.*
- ***Commercial***
*1 x mobile garbage bin per unit; and
1 x paper recycle bin per unit, or per 200 square metres of floor space.*

A Waste Management Plan is to be submitted to the Town’s waste management team to assess and approve prior to the first occupation of the development; and

~~(e)~~ ***3)*** *the windows awnings encroaching in the road reserve are not approved as part of this application.*

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

- ~~(vii)~~ **g**) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- ~~(viii)~~ **h**) *first obtaining the consent of the owners of Nos. 188-194 Stirling Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 188-194 in a good and clean condition;*
- ~~(ix)~~ **i**) *prior to the first occupation of the development, four (4) class one or two bicycle parking facility, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*
- ~~(x)~~ **j**) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- ~~(xi)~~ **k**) *doors, windows and adjacent floor areas on the ground floor fronting Stirling and Parry Streets shall maintain an active and interactive relationship with these streets;*
- ~~(xii)~~ **l**) *the maximum total gross floor area of the offices shall be limited to 803 square metres;*
- ~~(xiii)~~ **m**) *prior to the first occupation of the development, twenty-two (22) car parking spaces, provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development;*
- ~~(xiv)~~ **n**) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town;*
- ~~(xv)~~ **o**) *the on-site car parking area for the offices/non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- ~~(xvi)~~ **p**) *the car parking area shown for the offices/non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- ~~(xvii)~~ **q**) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*

 - ~~(a)~~ **1**) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*

~~(b 2)~~ *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the units. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*

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

~~(xviii r)~~ *any proposed vehicular entry gates adjacent to the commercial car parking area shall a minimum 50 per cent visually permeable and shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors for the commercial and residential tenancies at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the development;*

~~(xix s)~~ *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks Services. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);*

~~(xx t)~~ *the car park shall be used only by employees, tenants, residents and visitors directly associated with the development;*

~~(xxi u)~~ *prior to the first occupation of the development, each multiple dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer; and*

~~(xxii ii)~~ *GRANTS ITS PERMISSION, and RECOMMENDS that the Minister for Lands grants approval, under the provisions of s400 (1b) of the Local Government (Miscellaneous Provisions) Act for the encroachment of the decorative strips and window awnings, within the Road Reserve.*

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

Moved Cr Buckels, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Burns

That subclause (i)(f)(3) be deleted.

AMENDMENT CARRIED (9-0)

The Presiding Member, Mayor Catania requested it be noted in the Minute that Cr Lake brought to the Council's attention that she considers the decorative art deco panels should not be considered as eligible for their Percent for Art contribution and the Percent for Art should be original art work.

The Presiding Member, Mayor Catania requested the Town's Administration consider this matter at the appropriate time.

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 9.1.4

That the Council;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Clarendon Reality on behalf of the owner Golden Eagle (WA) Pty Ltd for Proposed Four (4) Storey Mixed Use Development Comprising Eight (8) Offices, Eleven (11) Multiple Dwellings and Basement Car Parking, at Nos. 178-182 (Lot: 28 D/P: 96829) Stirling Street, corner Parry Street, Perth, and as shown plans stamp-dated 22 December 2009 and 23 February 2010, subject to the following conditions:*
- (a) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Stirling and Parry Streets;*
- (b) *prior to the issue of a Building Licence, an acoustic report prepared in accordance with the Town's Policy relating to Sound Attenuation shall be submitted and approved by the Town. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;*
- (c) *in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$20,000 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services. An application to the Town for the refund of the upgrading bond must be made in writing;*
- (d) *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*

- (e) *the owner(s), or the applicant on behalf of the owner(s), shall comply with the Town of Vincent Percent for Public Art Policy No. 3.5.13 and the Percent for Public Art Guidelines for Developers, including:*
- (1) *within twenty eight (28) days of the issue date of this 'Approval to Commence Development', elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash-in-Lieu Percent for Public Art Contribution, of \$32,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$ 3,200,000); and*
- (2) *in conjunction with the above chosen option;*
- (A) *Option 1 –
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and
prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;*
- OR*
- (B) *Option 2 –
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;*
- (f) *prior to the issue of the Building Licence, revised plans shall be submitted to and be approved by the Town demonstrating the following:*
- (1) *a visual truncation of 1 metre by 1 metre being provided at the intersection of the right of carriageway and vehicle access point;*
- (2) *a bin compound being provided in accordance with the Town's Health Services Section's Specifications, divided into commercial and residential areas and sized to contain:*
- *Residential
1 x mobile garbage bin per unit; and
1 x general recycle bin per 2 Units.*
 - *Commercial
1 x mobile garbage bin per unit; and
1 x paper recycle bin per unit, or per 200 square metres of floor space.*
- A Waste Management Plan is to be submitted to the Town's waste management team to assess and approve prior to the first occupation of the development; and*
- The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes;*
- (g) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*

- (h) *first obtaining the consent of the owners of Nos. 188-194 Stirling Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 188-194 in a good and clean condition;*
- (i) *prior to the first occupation of the development, four (4) class one or two bicycle parking facility, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*
- (j) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (k) *doors, windows and adjacent floor areas on the ground floor fronting Stirling and Parry Streets shall maintain an active and interactive relationship with these streets;*
- (l) *the maximum total gross floor area of the offices shall be limited to 803 square metres;*
- (m) *prior to the first occupation of the development, twenty-two (22) car parking spaces, provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development;*
- (n) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town;*
- (o) *the on-site car parking area for the offices/non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (p) *the car parking area shown for the offices/non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (q) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*
 - (1) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
 - (2) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the units. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*

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

- (r) *any proposed vehicular entry gates adjacent to the commercial car parking area shall a minimum 50 per cent visually permeable and shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors for the commercial and residential tenancies at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the development;*
- (s) *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks Services. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);*
- (t) *the car park shall be used only by employees, tenants, residents and visitors directly associated with the development;*
- (u) *prior to the first occupation of the development, each multiple dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer; and*
- (ii) **GRANTS ITS PERMISSION, and RECOMMENDS that the Minister for Lands grants approval, under the provisions of s400 (1b) of the Local Government (Miscellaneous Provisions) Act for the encroachment of the decorative strips and window awnings, within the Road Reserve.**

Landowner:	Golden Eagle WA Pty Ltd
Applicant:	Clarendon Realty
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential/Commercial (R 80)
Existing Land Use:	Vacant Land
Use Class:	Office Building and Multiple Dwellings
Use Classification:	"AA" and "P"
Lot Area:	1506 square metres
Access to Right of Way	East side, 6 metres wide, sealed, right of carriageway easement

BACKGROUND:

- 23 October 2001 The Council at its Ordinary Meeting resolved to conditionally approve the construction of a warehouse, two showrooms, one shop and two offices on the subject site.
- 14 May 2002 The Council at its Ordinary Meeting granted conditional approval for proposed mezzanine level to approved warehouse, two showrooms, one shop and two offices.
- 8 October 2002 The Council at its Ordinary Meeting granted conditional approval for proposed warehouse.
- 7 July 2004 The Council at its Ordinary Meeting refused an application for proposed car park.
- 12 February 2008 The Council at its Ordinary Meeting resolved to conditionally approve the construction of a four storey mixed use development comprising eight offices, eleven multiple dwellings and basement car park.

16 December 2008 The Council at its Ordinary Meeting resolved to refuse an application for the construction of a four-storey mixed use development comprising eight offices, eleven multiple dwellings and basement car park- reconsideration of previous condition (xxii).

DETAILS:

The proposal involves the construction of a four-storey mixed use development comprising eight (8) offices, eleven (11) multiple dwellings and basement car park.

The Council at its Ordinary Meeting held on 12 February 2008, conditionally approved the construction of a four-storey mixed use development comprising eight offices, eleven multiple dwellings and basement car park. The planning approval expired on 12 February 2010 and, therefore, the applicant submitted a new application for the proposed development.

The main difference between the plans approved by the Council on 12 February 2008, and the new plans submitted, are as follows.

One of the conditions of planning approval dated 12 February 2008 stated the following:

“(xxi) if applicable, prior to the issue of a Building Licence, the written approval of the Minister for Lands and/or Western Australian Planning Commission, whichever is applicable, for the encroachment of the balconies structure(s) over the adjacent Crown land, including roads, shall be obtained and submitted to and approved by the Town. If this written consent cannot be obtained, revised plans shall be submitted and approved demonstrating the proposed balconies being contained entirely within the lot boundaries and adjacent to the street and shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;”

The applicant advised the Town that he could not get the written approval of the Minister for Lands and/or Western Australian Planning Commission for the encroachment of the proposed balconies on the road reserve. Therefore, the new plans submitted do not include balconies within the road reserve. For this new application however, the applicant is proposing new decorative strips and windows awnings, which are encroaching in the road reserve. In addition to the removal of the balconies and the new encroachments, the layout of the rooms within the multiple dwellings have been modified, which result in an increase in plot ratio, from what was approved previously. The height of the building where the lift is located will be 14.5 metres.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	R 80 or 12 multiple dwellings	R 73 or 11 multiple dwellings	Noted-No variation.
Plot Ratio	1 or 1506 square metres	1.2 or 1807square metres	Supported- It is considered that the variation to the plot ratio will not have an undue impact on adjacent properties and streetscape in terms of scale and bulk.

Number of Storeys	Two Storeys	4 storeys plus basement	Supported- Refer to 'Comments'.
Building Height	Two Storeys- 7 metres	4 storeys- 13.7 metres to 14.5 metres	Supported- Refer to 'Comments'.
Building Setbacks			
Ground Floor			
Front-West-Stirling Street (Primary Street)	4 metres or maintaining existing front setback.	Nil	Supported- Not considered to have an undue impact on the streetscape, and other properties along Stirling Street have nil setbacks.
North	Walls on boundary for 2/3 of the boundary behind street setback up to 6 metres in height.	Wall within the street setback. Height of the boundary wall= 10.6 metres	Supported- Not considered to have an undue impact on the streetscape, other properties along Stirling Street have nil street setback and, therefore, there is no unreasonable visual impact on the streetscape. The proposed boundary wall height will face the existing boundary wall on the adjoining property. Though it will be slightly higher by 1.2 metres than the existing boundary wall on the adjoining property, it will not have an unreasonable undue impact on the adjoining property in terms of visual impact, ventilation and overshadowing.
East	6 metres	Nil	Supported- The subject property abuts the right of carriageway easement and, therefore, no undue impact in terms of visual impact, ventilation and overshadowing.
South-Parry Street-Secondary Street	1.5 metres	Nil	Supported- No undue impact on the streetscape given nil setbacks are consistent along Parry Street.

First, Second and Third Floors-Front-West-Stirling Street-Primary Street	6 metres	Nil-Wall within the street setback	Supported- No undue impact on the streetscape as other properties along Stirling Street have nil setbacks up to the third floor.
North	Walls on boundary for 2/3 of the boundary behind street setback up to 6 metres in height	Height of boundary wall= 10.6 metres	Supported- No undue impact on the streetscape given nil setbacks are consistent along Stirling Street. The proposed boundary height will face the existing boundary wall on the adjoining property. Whilst the wall will be higher by 1.2 metres than the existing boundary wall on the adjoining property, it will not have an undue impact on the adjoining property in terms of visual impact, ventilation and overshadowing.
East	6 metres	Nil	Supported- The subject property abuts the right of carriageway easement and, therefore, no undue impact in terms of visual impact, ventilation and overshadowing.
South-Parry Street-Secondary Street	1.5 metres	Nil	Supported- No undue impact on the streetscape as other properties along Parry Street have nil setbacks.
Decorative Strips and Windows Awnings	To be located within the site boundaries	Encroaching in the Road Reserve.	Part Supported- refer to 'Comments' below.
Consultation Submissions			
Support (2)	No specific comments.		Noted.
Objection	Nil		Noted.
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Sustainability Implications			Nil
Financial/Budget Implications			Nil

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

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

Residential Car Parking

Car parking requirements for the residential component of the development have been calculated using the requirement for mixed use development in the Residential Design Codes (R Codes). The residential component requires 11 car bays, based on the standard of one (1) car bay for each of the 11 proposed multiple dwellings. However, the applicant has advised that two parking bays will be provided for each residential unit and the remaining bays will be commercial and visitors parking. Therefore, the number of car bays provided for the residential component will be 22 bays. A total of 56 car bays have been provided for the entire development; therefore, resulting in thirty-four (34) car bays available for the commercial component.

Commercial Car Parking

Requirements as per Parking and Access Policy	Required
Total car parking required before adjustment factor (nearest whole number) Office-1 car bay per 50 square metres gross floor area (proposed 803 square metres) = 16.06 car bays.	16 car bays
Apply the parking adjustment factors. <ul style="list-style-type: none"> ▪ 0.80 (mix of uses with greater than 45 percent of the gross floor area is residential) ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.85 (within 400 metres of an existing public car park) 	(0.578) 9.248 car bays
Car parking provided on-site for commercial component	34 car bays
Minus the most recently approved on-site parking shortfall on-site	Nil
Resultant surplus	24.752 car bays

Bicycle Parking

Requirements	Required	Provided
Office 1 per 200 (proposed 803) square metres gross floor area for employees (class 1 or 2).	4 spaces	Bicycle parking shown on plans, within the car park at the ground level
1 space per 750 square metres over 1000 square metres for visitors (class 3).	N/A	N/A

COMMENTS:

Number of Storeys and Height

The proposed height of the building is generally 13.7 metres; however, the lift section is 14.5 metres. The proposal has only one dwelling on the fourth level at the corner between Parry Street and Stirling Street. The subject site is a corner lot and it is crucial that development on this site exhibits a strong presence and encourages maximum interaction at street level.

The height and overall design of the proposal is considered not to create an unacceptable bulk and scale issue. Furthermore, there is an existing development of four storeys opposite the subject site along Parry Street. The proposed development matches the existing development located on the opposite side of Parry Street in terms of height and number of storeys and also the adjoining right of carriageway provides a buffer zone. Therefore, it is considered that the variations do not unduly impact on the amenity of the adjacent neighbours or streetscape.

New Encroachments in the Road Reserve

There are two proposed encroaching structures in the road reserve as follows:

- (i) the decorative strips as highlighted yellow on plan A4.1b and A6.14b “*Encroachment Details*” on both the south-west and north-west elevations; and
- (ii) the window awnings as highlighted green on plan A4.1b and A6.14b “*Encroachment Details*” on both the south west and north west elevations.

The provisions of Section 400 of the Local Government (Miscellaneous Provisions) Act 1960 state:

“400. *Encroachment over, on, or under street*

1. (a) *Except to the extent permitted, and in the manner prescribed, by any regulations made under this Part, a person shall not, without the permission of the local government granted only with the approval of the Minister —*
 - (i) *erect a building so as to encroach on, over, or under a street, way, or other public place, in its district;*
 - (ii) *rebuild an existing building which encroaches on, over, or under a street, way, or other public place in the district, so as to encroach on, over, or under a street, way, or other public place in the district.*
 - (b) *The local government shall not grant its permission and the Minister shall not give his approval unless each is of opinion that having regard to the size of the building, and the circumstances of the case it is necessary for the stability of the building that the permission should be granted and the approval should be given.*
 - (c) *The local government with the approval of the Minister may grant the permission subject to such conditions as the local government and the Minister think fit.*
 - (d) *A person who so erects or rebuilds a building in purported pursuance of permission so granted but does not observe the conditions, if any, on which it is granted, is to be regarded as having erected or rebuilt the building without the permission of the local government.*
- (1a) *For the purposes of subsection (1), a building that has thereon string courses, cornices, copings, eaves or window sills that project not more than 230 millimetres on or over a street way or public place in a district, shall be held not to encroach on or over the street way or public place by reason of that fact only.*
- (1b) *Where a local government is of opinion that for the purpose of making more effective use of any land within its district that is a pedestrian way, of not more than 10 metres in width, or in the interest of attractive development of the area where that land is situated, it is desirable so to do, the local government may, with the consent of the Minister, grant permission to a person to erect a building above or over that pedestrian way at such height as the local government may specify and upon and subject to such conditions as the local government may impose.’*

As per Clause (1a) above, though the decorative strips are encroaching up to a maximum of 60 millimetres into the road reserve (up to 230 millimetres is allowed), they are not consistent within the category of string courses, cornices, copings, eaves or window sills.

With regard to the window awnings, the encroachment will be 835 millimetres within the Road Reserve. As per Clause (1a) above, the window awnings do not comply with permissible projections (230 millimetres) and do not fall within the category of string courses, cornices, copings, eaves or window sills.

The applicant has provided the following justification for these two encroachments:

“1. That the detail strips be considered by the elected members of the council and be submitted to the Minister for approval as they add to the Art Deco style of the building and their omission would devalue the overall appearance of the façade.

These detail strips originated as part of the design as explained in our letter to you on 14 January 2008, a paragraph of which read:

Inspiration has been drawn from many examples of art deco classic designs including the form and lines found in the lift doors of the Chrysler Building designed by William van Alen, a Helen Jardine illustration from the 1920's and a wrought iron fire screen designed by Edgar Brands in 1925. There is also a motif taken from a French poster of unknown design from the early 1900's. The façade panel edging and columns are inspired by designs and forms used on apartment blocks on The Grand Boulevard and Concourse (commonly called the Grand Concourse) which runs about four and a half miles through the centre of the West Bronx from Mott Avenue and 138th Street North to Mosholu Parkway near Van Cortlandt Park in New York.

The detail strips which run vertically up the building are a continuation of the 'cornice' at the top of each of the panels. The proposed detail is exactly the same and as such we ask that they be allowed on the building as they are part of this element.

2. That the window awnings be considered by the elected members of the council and be submitted to the Minister for approval as they add to the Art Deco style of the building and their omission would devalue the overall appearance of the façade. These elements have been added to the façade to enable the building to better comply with the requirements of Section J of the BCA. Omission of these awnings would result in each of the windows being subject to an uncomfortable heat loading at certain times of the day.”

It is considered that the decorative strips will contribute to the 'Art Deco' style of the proposed development, and aesthetically, will add value to the appearance of the building and in turn, the visual amenity of the area. Accordingly, it is recommended that these encroachments be supported subject to approval from the Minister for Lands.

With regard to the window awnings, whilst it is noted they are proposed to contribute to the 'Art Deco' style of the building, and reduce heat transference in the building, their projection 850 millimetres into the road reserve is considered significant, and is not supported.

In light of the above, the application is considered acceptable and would not result in any undue impact on the amenity of the surrounding area. The application is therefore supported, subject to standard and appropriate conditions to address the above matters.

9.1.7 City of Stirling – Draft Coolbinia – Inglewood – Menora – Mount Lawley Local Area Plan

Ward:	-	Date:	2 March 2010
Precinct:	-	File Ref:	ORG0016
Attachments:	001		
Reporting Officer:	E Lebbos, Strategic Planning Officer		
Responsible Officer:	R Boardman Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES:**
- (a) *the report relating to the City of Stirling Draft Coolbinia – Inglewood – Menora – Mount Lawley Local Area Plan; and*
 - (b) *the Draft Coolbinia – Inglewood – Menora – Mount Lawley Local Area Plan, as shown in Attachment 001;*
- (ii) *advises the City of Stirling that the Council SUPPORTS IN PRINCIPLE the Draft Coolbinia – Inglewood – Menora – Mount Lawley Local Area Plan as outlined in this report; however, has some concerns in relation to the following:*
- (a) *the improved public transport route identified in the Key Opportunities Map, particularly the Beaufort Street Activity Corridor, as certain routes identified extend into the Town of Vincent and an integrated approach to addressing these routes should be undertaken; and*
 - (b) *the car parking implications in relation to the proposed Mount Lawley Commercial Precinct Improvement Area, as the Town has recognised that there are currently heightened issues relating to parking within the Mount Lawley/Highgate area;*
- (iii) *ADVISES the City that the Council SUPPORTS a more integrated approach to the above concerns, across neighbouring Local Government boundaries; and*
- (iv) *PROVIDES the City of Stirling with those sections of the Car Parking Strategy 2010 and Precinct Parking Management Plans 2010 that relate to the Mount Lawley area.*

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

COUNCIL DECISION ITEM 9.1.7

Moved Cr Topelberg, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the City of Stirling's Draft *Coolbinia – Inglewood – Menora – Mount Lawley Area Plan* currently being advertised for public comment until 26 March 2010.

BACKGROUND:

The Draft Local Area Plan aims to establish a community vision-based strategy, which will guide the planning and management of the Coolbinia, Inglewood, Menora, and Mount Lawley (CIMM) area over the next ten to fifteen years. It combines the community consultation findings with the City's strategic and operational objectives for the area.

The Town received a letter dated 9 February 2010, inviting the Town to comment on the Draft Local Area Plan, in order to obtain feedback to inform the development and implementation of the document, prior to it being finalised by the City.

DETAILS:

The well established CIMM area is fairly uniform in land use character, with mostly low density/medium density residential development and pockets of high density housing. It is located within the Perth Metropolitan Region, approximately 4km north of the Perth City Centre. The area is strongly positioned in its proximity to the Perth City Centre. This, in addition to the character of the area, has contributed to the high desirability of the CIMM area. The most regionally significant places within the CIMM area include:

- *'The Beaufort Street Commercial Strip, which provides a popular dining and shopping precinct for local residents and surrounding areas;*
- *Edith Cowan University which is a key tertiary educational facility for a range of students across the Perth Metropolitan Area; and*
- *Regional Reserves including Yokine Reserve and Mount Lawley Golf Course.'*

The CIMM area also includes regionally significant transport routes such as Alexander Drive and Beaufort Street, the latter of which has been identified as potentially being developed into an activity corridor whereby a variety of activities cluster around good public transport services. The Perth-Midland railway also abuts the CIMM area, which forms a key part of the Metropolitan Railway Network serving Perth's eastern suburbs.

The CIMM Local Area Planning Project commenced in August 2008. The Draft Local Area Plan is the sixth comprehensive, community based plan that has been produced as part of the City's Local Area Planning program. The document presents a detailed profile of the CIMM local area and how it relates to the wider metropolitan area, providing the context for analysing potential future direction for the area. Planning research, outcomes of community engagement and visions for the local area, are profiled together to form the basis of the Draft Local Area Plan. The document then instigates achievable actions to work towards the realisation of the community's vision, and also serves as a reference guide and decision making tool, for the City's business units, Council, landowners and community members.

In summary, the Draft Local Area Plan outlines the following:

- CIMM focus area profiles, in terms of:
 - Community and Cultural Development;
 - Natural Environment Profile;
 - Built Environment Profile;
 - Economic Development Profile; and
 - Transport and Movement Network Profile;

- Community engagement undertaken, in terms of the process, priorities and vision;
- Issues, opportunities, and outcomes for each of the focus areas listed above; and
- Key opportunities for the CIMM area presented on a Key Opportunities Map, illustrating, among other things, the Mount Lawley Commercial Precinct Improvement Area, Beaufort Street Activity Corridor, Adair Parade Precinct, and Improved Public Transport Routes.

CONSULTATION/ADVERTISING:

The City is currently advertising the Draft Local Area Plan for public comment, which closes on 26 March 2010.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

The Town of Vincent Strategic Plan 2009-2014 states;

“Economic Development

Objective 2.1 Progress economic development with adequate financial resources

2.12 Develop and promote partnerships and alliances with key stakeholders.”

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

SUSTAINABILITY IMPLICATIONS:

The Local Area Planning Process relating to the Draft *Coolbinia – Inglewood – Menora – Mount Lawley Area Plan* has been guided by a number of principles, one of which states ‘*sustainability integrates positive community, environmental and economic outcomes to provide quality of life for today’s and tomorrow’s communities.*’

In terms of the natural environment focus area, there is more natural bushland in Coolbinia and Menora. However, the nature of development that has occurred over Mount Lawley and Inglewood over the past 100 years has limited the amount of natural vegetation retention in these areas. Opportunities to increase the sustainability of these areas have been identified in the Draft Local Area Plan, including the use of native plants as part of streetscaping projects and public open space landscaping.

In terms of the built environment focus area, one of the outcomes regarding this related to increasing the sustainability of homes and buildings through design guidelines and City led initiatives. The City is currently examining the most effective way forward in this regard. According to the Draft Local Area Plan, ‘*a Sustainable Building Policy or a Scheme amendment mandating specific design elements will be developed with the intention to provide a framework for ensuring that buildings greatly increase their energy and water efficiency.*’

In terms of the transport and movement networks focus area, a key priority to emerge from the community forums was the need to improve the connectivity of the transport network across the CIMM area. Of these aspects, it was identified that the cycling network particularly requires attention. The City is developing a Bicycle Plan which seeks to improve the network and associated facilities, which is consistent with moves to address environmental problems at a regional and global scale.

Furthermore, it should be noted that the Draft Local Area Plan identifies the planning frameworks that are in place over the Perth Metropolitan Area and the City of Stirling, in order to ensure that the document is consistent with broader policy and strategic objectives. As part of this, the State Sustainability Strategy and Bush Forever have been identified as crucial documents in the planning framework for the CIMM area.

COMMENTS:

It is considered that the proposed development/improvements outlined in the Draft *Coolbinia – Inglewood – Menora – Mount Lawley Local Area Plan*, particularly relating to the Mount Lawley Commercial Precinct Improvement Area and the Adair Parade Precinct as shown in the Key Opportunities Map, which are located on the border of the boundary between the City of Stirling and the Town of Vincent, are consistent with the Town's strategic direction for the area. In particular, the Mount Lawley Precinct Improvement Area supports the Town of Vincent's Mount Lawley/Highgate Town Centre, on the south portion of the intersection between Beaufort Street and Walcott Street as identified in the Town's Local Planning Strategy. It should be noted however, that *Directions 2031*, an overarching State Planning Policy, has not identified Mount Lawley as an activity centre, which is considered an oversight in this regard.

Nevertheless, in relation to the improved public transport route identified in the Key Opportunities Map, the Town's Officers consider that an integrated approach to the development of these routes, particularly the Beaufort Street Activity Corridor, should be pursued, in order to achieve a holistic and successful planning outcome. It is envisaged that a similar approach should be undertaken to that of the Scarborough Beach Road Activity Corridor, where a collaborative Working Group has been established (involving the Department of Planning, City of Stirling, Town of Vincent and various other State Government Authorities), in order to achieve an effective planning outcome for the Activity Corridor. Likewise, the Town's Officers consider that an integrated approach to Alexander Drive/Fitzgerald Street, in terms of an improved public transport route, should be pursued.

Furthermore, it is noted through the work undertaken in the preparation of the Draft Capital City Planning Framework, Beaufort Street and Alexander Drive/Fitzgerald Street have been identified as significant routes. This further supports the Town's recommendation to holistically address and manage the development of these routes in an integrated manner, across neighbouring local government boundaries.

In addition, it is noted that *Directions 2031* supports the principle of activity corridors. In light of the fact that the Department of Planning are currently undertaking two activity corridor pilot projects, along Stirling Highway and Scarborough Beach Road, it is considered a valuable opportunity to undertake the planning of Beaufort Street as a further pilot project to inform the future policy position on activity corridors.

In terms of the car parking implications relating to the Mount Lawley Commercial Precinct Improvement Area, it has been recognised that there are increased issues relating to parking within the Town of Vincent, and therefore, the Town has engaged Luxmoore Parking Consultants Pty Ltd to review the Town's Car Parking Strategy. In addition to this, the Town has engaged the Consultants to undertake surveys of the Town's key Activity Centres, to inform the preparation of Precinct Parking Management Plans, specific to each of the Centres, with Mount Lawley/Highgate being one of the key Activity Centres.

In draft format, the intent of the Precinct Parking Management Plans is to improve the management and control of parking within the Centres and surrounding residential areas, together with a process of phased implementation as these Centres move to accommodate higher densities and intensities of use. In terms of Mount Lawley/Highgate, a series of short, medium and long term recommendations have been prepared, including:

- In the short term, the recommendations seek to make more efficient use of the available parking;
- In the medium term, the recommendations continue to provide efficient and cost effective parking, whilst also making explicit use of parking as a travel demand tool; and
- In the long term, the measures are designed to promote a paradigm shift in the approach to parking, from 'supply and demand', to a sustainable travel demand management tool.

In addition, the Town has been engaged with regional approaches to parking management. This has been demonstrated through its endorsement of a Town of Victoria Park initiative, to prepare an Integrated Transport Parking Strategy, together with its involvement in the Capital City Planning Framework, facilitated by the Department of Planning. The Capital City Planning Framework comprises the local government areas identified in the Central Sub Region, within the State strategic planning document, *Directions 2031 - Draft Spatial Framework for Perth and Peel*, and includes both the Town of Vincent and the City of Stirling.

In light of the above, and in line with the recommendation for an integrated approach to addressing the Beaufort Street Activity Corridor, the Town's Officers considers it appropriate for the City of Stirling to develop a Car Parking Management Plan that corresponds to the findings and outcomes identified in the Town of Vincent's Car Parking Strategy and the Precinct Parking Management Plan relating to the Mount Lawley/Highgate Activity Centre. This is so as to consolidate the car parking outcomes for the area, and avoid piecemeal and isolated solutions that may result in additional car parking problems rather than addressing and solving the issues at hand.

In light of the above, it is considered that the Council receive the report and endorse the Officer Recommendation to advise the City of Stirling that the Town of Vincent supports in principle the intent and content of the *Draft Coolbinia – Inglewood – Menora – Mount Lawley Local Area Plan*, however, has some concerns as outlined in the Officer Recommendation.

9.1.9 Request from Annual General Meeting of Electors (AGM) 2009 - Desktop Review relating to Multiple Dwellings

Ward:	Both	Date:	4 March 2010
Precinct:	All	File Ref:	PLA0192/ADM0009
Attachments:	-		
Reporting Officers:	T Woodhouse, Co-ordinator Strategic Planning		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council:

- (i) *RECEIVES the report relating to the request from the Annual General Meeting of Electors (AGM) 2009 to investigate how an independent 'desktop review' can best be undertaken, the likely costs and a timeframe for such a review; and*
- (ii) **NOTES:**
 - (a) *the three quotations from; Planning Solutions as shown in Appendix 001, Greg Rowe and Associates as shown in Appendix 002, and RPS Koltasz Smith as shown in Appendix 003, relating to the request from the Annual General Meeting of Electors (AGM) 2009 to investigate how an independent 'desktop review' can best be undertaken, the likely costs and a timeframe for such a review; and*
 - (b) *that Item No. 9.1.5 of this Agenda, relating to Proposed Amendment No. 25 to the Town's Town Planning Scheme No.1 Clause 20 (4) (a) and (e) Relating to No Multiple Dwellings in the Cleaver and Hyde Park Precincts, makes recommendation on how to proceed with finalising Amendment No. 25 to the Town's Town Planning Scheme No.1.*

COUNCIL DECISION ITEM 9.1.9

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of the report is for the Council to receive the information relating to how an independent desktop review can be undertaken, including the likely costs and a timeframe for such a review.

BACKGROUND:

At the Ordinary Meeting of Council held on 23 February 2010, the Council resolved as follows:

"That the Council:

- (i) *NOTES the responses as detailed in the Officer Report concerning the decisions made at the Annual General Meeting of Electors held on Monday 23 November 2009; and*
- (ii) *REQUESTS a further report be presented at the meeting of 9 March 2010 which identifies how an independent 'desktop review' can best be undertaken, the likely costs and a timeframe for such a review."*

DETAILS:

The Desktop Review was requested to provide information on the potential impact of various matters, on the characteristics of the building stock within the Town previously designated as either a Residential Streetscape or Townscapes, in either:

1. the formerly proposed Residential Streetscape Policy; or
2. the District Survey & Municipal Heritage Inventory Review conducted by Hocking Planning and Architecture Collaboration.

The matters were identified as follows:

- (a) the Town's Multiple Dwelling Policy 3.4.8;
- (b) the Town's Town Planning Scheme Amendment No. 25 (relating to multiple dwellings);
- (c) the effective density increase to R80 in areas previously coded R60 with 'no multiple dwellings allowed'; and
- (d) Clause 40 of the Town's Town Planning Scheme No. 1 in combination with rules governing multiple dwellings.

Following the resolution made at the Ordinary Meeting of Council held on 23 February 2010 and to enable the Town to report back to the Council by 9 March 2010, the Town's Officers prepared a Request for Quotation - Project Brief for a Desktop Review Relating to Multiple Dwellings. Invitations for quote were distributed to a total of fourteen (14) planning consultants by email on 25 February 2010. Copies of the formerly proposed Residential Streetscape Policy and the District Survey & Municipal Heritage Inventory Review were provided to the consultants, together with the relevant information pertaining to the matters listed (a) to (d) above. Three (3) consultants provided written quotations by 3 March 2010, as summarised below:

Consultant	Quotation	Timeframe
Greg Rowe and Associates	\$7,200 (excluding GST and disbursements such as plan printing)	4 weeks as outlined in the Project Brief
Planning Solutions	\$9,380 (excluding GST)	4 weeks as outlined in the Project Brief
RPS Koltasz Smith	\$13,817.10 (excluding GST)	4 weeks as outlined in the Project Brief

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

The Local Government Act 1995 states;

- “5.27 (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.”*

“5.33 (1) *All decisions made at an electors’ meeting are to be considered at the next ordinary council meeting or, if that is not practicable -*

(a) at the first ordinary meeting after that meeting; or

(b) at a special meeting called for that purpose,

whichever happens first.

(2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors’ meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.”

STRATEGIC IMPLICATIONS:

Nil.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

There are no specific funds in the 2009/2010 Budget to implement the Annual Meeting Decision No.8 in relation to the proposed Desktop Review relating to Multiple Dwellings. If the Council wishes to proceed with the matter, it will require an absolute majority decision of the Council to approve of the funding.

COMMENTS:

It is recommended that the Council receive this report and quotations from the 3 planning consultants; however, due consideration should be given the Officer Recommendation at Item No. 9.1.5 of this Agenda relating to Proposed Amendment No. 25 to the Town's Town Planning Scheme No.1 Clause 20 (4) (a) and (e) Relating to No Multiple Dwellings in the Cleaver and Hyde Park Precincts.

It is considered that the proposed Desktop Review will further delay a determination on the proposed Scheme Amendment No.25 to the Town's Town Planning Scheme No.1 by at least 3-4 months, and that it is considered Item No. 9.1.5 adequately addresses matters relating to character and streetscape the subject of the request at the Annual General Meeting 2009 relating to Multiple Dwellings.

9.2.1 Hyde Park Lakes Restoration Project - Progress Report No. 8

Ward:	South	Date:	2 March 2010
Precinct:	Hyde Park P12	File Ref:	RES0042
Attachments:	001 , 002 , 003		
Reporting Officers:	R Lotznicker, Director Technical Services J van den Bok, Manager Parks & Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES progress report No 8 as at 2 March 2010 on the Hyde Park Lakes Restoration and receives further progress reports as additional relevant information becomes available;*
- (ii) *REQUESTS the Town's Hyde Park Lakes Restoration Working Group TO meet monthly, (or as required), to consider relevant matters concerning the restoration project; and*
- (iii) *NOTES that:*
 - (a) *the Federal Minister for Climate Change, Energy Efficiency and Water, the Senator the Honourable Penny Wong announced as part of the Australian Government's National Water Security Plan for Cities and Town's Program on 3 March 2010 funding of \$2 million for the Restoration of the Hyde Park Lakes, as shown in Appendix 9.2.1; and*
 - (b) *the Working Group Unconfirmed Minutes will be submitted to the Council as soon as practicable following each meeting.*

COUNCIL DECISION ITEM 9.2.1

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to provide a further progress report to the Council on the Hyde Park Lakes Restoration Project.

BACKGROUND:

At its Special Meeting held on 13 October 2009 the Council considered progress Report No. 7 in relation to the Hyde Park Lakes Masterplan, and made the following decision:

"That the Council;

- (i) *RECEIVES progress report No 7 as at 8 October 2009 on the Hyde Park Lakes Restoration;*

- (ii) *CONSIDERS the submissions received as a result of the community consultation, and NOTES the majority of respondents are in favour of restoring the Hyde Park Lakes "to their former beauty";*
- (iii) *NOTES that;*
- (a) *the Commonwealth Minister for Climate Change and Water and the Federal Member for Perth, Stephen Smith, have both written to the Town seeking the adoption of a Masterplan for the restoration of the Hyde Park Lakes and for this information to be provided to them by no later than 27 November 2009;*
 - (b) *in the event that the Town does not adopt a Masterplan and advise the Commonwealth Minister by 27 November 2009 the Commonwealth Funding of \$2 million is considered to be in jeopardy;*
 - (c) *Option 2A - "Modified 'Ornamental' Permanent Water Solution" as shown on attached plan No 2665-DP-01, which incorporates many of the principles outlined the Syrinx Masterplan (dated December 2008) (Appendix 7.4A), has been developed by the Town's Technical Services Directorate as a possible alternative option to Syrinx Option 1- "Integrated Wetland Masterplan Option" and Syrinx Option 2: "The 'Ornamental' Permanent Water Solution";*
 - (d) *an Indicative Cost Estimate has been prepared for the Project options, as shown in Confidential Appendix 7.4C; and*
 - (e) *the Town's administration has formed a Project Management Team to oversee this project, comprising:*
 - 1. *Director Technical Services – Chair;*
 - 2. *Manager – Parks and Property Services;*
 - 3. *Manager – Engineering Services;*
 - 4. *Co-ordinator – Strategic Planning;*
 - 5. *Sustainability Officer; and*
 - 6. *Project Officer – Environment;*
- (iv) *APPROVES;*
- (a) *the adoption of the Hyde Park Redevelopment Masterplan (prepared by Syrinx dated 2008) as shown in Appendix 7.4A, subject to:*
 - 1. *non-acceptance of Options described in parts 11.3, 11.4, 11.5, 11.6, 11.7, 12.0, 13.0 Appendix 4, Appendix 5 – concept plans. Option 1 and 2 and deletion of pages 28(i) to 28(vi);*
 - 2. *the Town of Vincent Option 2A – “Modified 'Ornamental' Permanent Water Solution”, estimated to cost \$4 million as its preferred option being an Addendum to the Masterplan, as shown on attached Plan No 2665-DP-01 (Appendix 7.4B), for the reasons outlined in the report;*
 - (b) *of the Project Budget of \$4,555,000 comprising:*
 - 1. *Stage 1 – Essential Works* *\$4,000,000*
 - 2. *Stage 2 – Future Staged Works* *\$ 555,000*

from the following funding sources:

1.	<i>Town of Vincent – Loan</i>	<i>\$2,000,000</i>
2.	<i>Commonwealth Government</i>	<i>\$2,000,000</i>
3.	<i>Other sources (e.g. grants, donations)</i>	<i>\$ 555,000</i>
		<i>\$4,555,000</i>

- (c) *the Indicative Timeline for the implementation of the project as outlined in the report;*
- (v) *subject to clauses (iii) and (iv) above being supported, APPROVES BY AN ABSOLUTE MAJORITY pursuant to Section 6.20(2) of the Local Government Act, to borrow an amount up to \$2,000,000 for the project, subject to:*
- (a) *the Commonwealth Department of the Environment, Water, Heritage and the Arts providing funding of \$2 million to the Town;*
- (b) *the Town giving one month's public notice of its proposal to borrow such monies; and*
- (c) *the Chief Executive Officer being authorised to negotiate the most suitable loan terms and conditions and to further investigate other possible funding sources and options;*
- (vi) *AUTHORISES the Chief Executive Officer to:*
- (a) *subject to clauses (iii) and (iv) above being approved, submit the Town's Masterplan with Addendum showing, Option 2A - "Modified 'Ornamental' Permanent Water Solution", together with the Application for funding to the Commonwealth Department of the Environment, Water, Heritage and the Arts, as a matter of urgency;*
- (b) *engage the services of appropriately qualified consultants as necessary to progress and refine the detailed design and documentation of the restoration project and obtain the appropriate statutory approvals to enable the Masterplan (with Addendum) to be implemented;*
- (c) *prepare the necessary Plans, including but not limited to:*
- *Ecological Impact Plan;*
 - *Acid Sulphate Soil Plan;*
 - *Contaminated Site Management Plan; and*
 - *Environmental Management Plan;*
- (d) *further liaise with the various stakeholders, including but not limited to:*
- *Water Corporation;*
 - *Department of Water;*
 - *Department of Environment;*
 - *Heritage Council of Western Australia;*
 - *Department of Indigenous Affairs;*
 - *Swan River Trust;*
 - *Relevant Aboriginal community; and*
 - *Claise Brook Catchment Group and other relevant community groups;*

- (e) *make minor changes to the adopted Masterplan (and Addendum), which may arise and be necessary, during the design/development and construction stages;*
 - (f) *call tenders for the implementation of the project once the detailed design and documentation has been completed;*
 - (g) *issue a special edition newsletter to the Town's ratepayers/residents and advise all respondents and stakeholders of the Council's decision;*
 - (h) *review the most appropriate method of the Council's Option 2A being adopted and included as either an Addendum to the Syrinx Masterplan or included into it; and*
 - (i) *prepare a Catchment Management Plan to minimise further pollutants entering the Hyde Parks Lakes; and*
- (vii) *APPROVES that the Mayor and/or the Chief Executive Officer hold a meeting with the Water Corporation to progress a partnership concerning the restoration of Hyde Park Lakes."*

DETAILS:

Progress to date regarding the Hyde Park Restoration project in accordance with the Council decision of 13 October 2009, is as follows.

TASK	ACTION	PROGRESS/COMMENTS
1	<p>The Town's administration has formed a Project Management Team to oversee this project, comprising:</p> <ul style="list-style-type: none"> • Director Technical Services – Chair • Manager – Parks and Property Services • Manager – Engineering Services • Co-ordinator – Statutory Planning • Sustainability Officer, and • Project Officer – Environment 	<p>Completed. Group formed and has met to progress matters.</p>
2	<p>Approves by to borrow an amount up to \$2,000,000 for the project, subject to:</p> <ul style="list-style-type: none"> • the Commonwealth Department of the Environment, Water, Heritage and the Arts providing funding of \$2 million to the Town • the Town giving one month's public notice of its proposal to borrow such monies, and • the Chief Executive Officer being authorised to negotiate the most suitable loan terms and conditions and to further investigate other possible funding sources and options 	<p>Part completed. Will action a quote for rates from Treasury closer to the time when the Town will require the funds.</p>

TASK	ACTION	PROGRESS/COMMENTS
3	Submit the Town's Masterplan with Addendum showing, Option 2A - "Modified 'Ornamental' Permanent Water Solution", together with the Application for funding to the Commonwealth Department of the Environment, Water, Heritage and the Arts, as a matter of urgency	Completed. On 4 December 2009 a letter was received from the Minister for Climate Change and Water, Penny Wong approving of funding of up to \$2 million (exclusive of GST) – requested it remain confidential until funding is announced – publically announced 3 March 2010. Application for funding submitted to the Commonwealth Department of the Environment, Water, Heritage and the Arts in January 2010. Various conversations held with Department staff. Awaiting formal response.
4	Engage the services of appropriately qualified consultants as necessary to progress and refine the detailed design and documentation of the restoration project and obtain the appropriate statutory approvals to enable the Masterplan (with Addendum) to be implemented	<ul style="list-style-type: none"> • Draft DSI Completed (December 2009) • Draft DSI currently with auditor. Meeting with auditor and consultants (GHD) held in February 2010. Auditor considered that some further on site investigation is required prior to finalising the report to the Dept of Environment and Conservation (DEC).
5	Prepare the necessary Plans, including but not limited to: <ul style="list-style-type: none"> • Ecological Impact Plan • Acid Sulphate Soil Plan • Contaminated Site Management Plan, and • Environmental Management Plan 	Matters discussed in detail with auditor/consultants. Once the final DSI has been considered and signed off by the DEC the relevant plans will be further progressed.
6	Further liaise with the various stakeholders, including but not limited to: <ul style="list-style-type: none"> • Water Corporation • Department of Water (DoW) • Department of Environment • Heritage Council of Western Australia • Department of Indigenous Affairs • Swan River Trust • Relevant Aboriginal community, and • Claise Brook Catchment Group and other relevant community groups 	<ul style="list-style-type: none"> • Detailed information sent to Water Corporation (WC) regarding reducing size of lakes by 25%. In principle approval obtained. Design details being finalised by WC regarding proposed wall levels etc. • Formal letters sent to all other agencies/groups
7	Call tenders for the implementation of the project once the detailed design and documentation has been completed	Following meeting with auditor it was agreed to prepare a draft project brief for the restoration project whereby the remediation will form a part of the brief. The DSI will determine the extent of remediation required and how the sediments will be treated.

TASK	ACTION	PROGRESS/COMMENTS
8	Issue a special edition newsletter to the Town's ratepayers/residents and advise all respondents and stakeholders of the Council's decision	Completed - January 2010
9	Prepare a Catchment Management Plan to minimise further pollutants entering the Hyde Parks Lakes	Commenced– The Project Officer Environment commenced the preparation of the plan however as this position is currently vacant – no further progress has been made to date – position currently advertised to fill vacancy.
10	The Mayor and/or the Chief Executive Officer hold a meeting with the Water Corporation (WC) to progress a partnership concerning the restoration of Hyde Park Lakes	Meeting held on 16 February 2010 with Mayor, Chief Executive Officer, Director Corporate Services and 2 Senior WC Managers. Information presented to the WC representatives regarding the proposed estimated cost of the restoration project to determine a possible cost component that would be attributable to WC. WC representatives are supportive of a WC contribution to the drainage infrastructure component. Letter sent advising of indicative costings and seeking partnership and possible WC Funding.

The following 'draft 'timeline, as presented to the Council, was developed to implement option 2A.

	Item	Timeline	Comments
1	Establishment of a Hyde Park Lakes Restoration Working Group (HPLWG)	Nov 2004	Completed Established to commence a process to restore the Lakes to an acceptable level of service. Ordinary Meeting of Council held on 23 November 2004 established a Hyde Park Lakes Restoration Working Group.
2	Inaugural meeting of the HPLWG	March 2005	Completed First meeting of the group held 17 March 2005. Five (5) subsequent meetings held to identify solutions.
3	Progress Report No 1	October 2006	Completed 9 x possible' Lake restoration options (developed by the Hyde Park Lakes Restoration Working Group) presented to Council 10 October 2006. No specific option endorsed by the group further investigation/assessment/evaluation was required.
4	Progress Report No 2	February 2007	Completed OMC 13 Feb 2007 – Noted that in an effort to maintain some water in the Lakes, only the Western (deeper) Lake would be recharged with bore water and the Eastern Lake would be left to dry out naturally throughout the remainder of the summer period.

	Item	Timeline	Comments
5	Progress Report No 3	June 2007	Completed- OMC 26 June 2007 – Approved a Draft Consultants brief for the preparation of a Masterplan for the restoration of the Hyde Park Lakes
6	Progress Report No 4 and establishment of a Hyde Park Lakes Restoration Public Fund	August 2007	Completed OMC 28 August 2007 – Engaged Syrx Environmental for the preparation of the Masterplan for Hyde Park Lakes. Approved the establishment of a Hyde Park Lakes Restoration Public Fund, subject to the following:
7	Progress Report No 5	March 2008	Completed OMC 25 March 2008. Council approved a further Investigation of Hyde Park Lakes to be undertaken by Syrx Environmental due to the unique nature of the services provided in the context of the entire project
8	Council Forum	December 2008	Completed Syrx presented on overview of the Masterplan Options and the HPLRWG preferred option to a Council forum held on 9 December 2008
9	Progress Report No 6	February 2009	Completed- OMC 10 February 2009 - Noted the Hyde Park Lakes were identified, reported and recorded as a Contaminated Site with the Department of Environment and Conservation (DEC) and would require to be managed and remediated using an appropriate remediation option, prior to the Masterplan for restoration being implemented; a preliminary site investigation was previously undertaken which determined the existence of acid sulphate soils and potential acid sulphate soils and a comprehensive sample and analysis plan to undertake a DSI needs to be implemented; Approved progressing the required further in depth investigations of Hyde Park Lakes to enable a suitable remediation option/s to be progressed and costed; Adopts in Principle "Option 1– Integrated Wetland Masterplan Option" as its preferred option for the restoration of the Hyde Park Lakes; Resolved to hold a community workshop at the commencement of the public comment period and an on site Information Session at Hyde Park Lakes.
10	Community Workshop	Mar 2009	Completed - March 17th Held at the Town's Administration & Civic centre.
11	Information Session	Mar 2009	Completed - Mar 21st Held at Hyde Park.
12	Community Consultation	Mar – April 09	Completed
13	Tender No 392/09 - Consultancy for the DSI of Hyde Park Lakes and Remediation Area	Jun 09	Completed- OMC 9 June 2009 - A tender the tender submitted by Golder Associates Pty Ltd for Consultancy for a DSI of Hyde Park Lakes and Remediation Area was accepted.
14	Meeting with Dept of Water and Water Corporation	Aug 09	Completed
15	Undertake DSI	Jul 09 – Mar 10	In progress - 95% completed.

	Item	Timeline	Comments
16	Letter from Commonwealth Dept of the Environment, Water Heritage & Arts	Sept 09	Advising that they require a proposal by the end of November 2009 or the funding may be in jeopardy.
17	Final Report on DSI	Oct 09	Information will be incorporated into design.
18	Formal Submission to Commonwealth Dept of the Environment, Water, Heritage and the Arts	Oct-Nov 09	<u>Completed</u>
19	Further liaison with the Water Corporation, Department of Water, Department of Environment, Heritage Council and Swan River Trust. Provision of heritage advice, archival research, archaeological investigation, anthropological consultation.	Oct-Apr 10	In progress
20	Council meeting to consider submissions and final approval of Loan. Apply for loan funding to Commonwealth.	Oct 2009	<u>Completed</u>
21	Progress and refine detailed design & documentation & obtain appropriate approvals to enable the project to be implemented.	Oct 09- April 10	In progress.
22	Progress/prepare Acid Sulphate Soil Management Plan (ASSMP)	Oct 09-April 10	Not Commenced. Pending DSI and construction management plan
23	Progress/prepare Environmental Management Plan (EMP) (stormwater, dust, odour, noise).	Oct 09-April 10	Not Commenced. Pending DSI and construction management plan
24	Progress/prepare Contaminated Site Management Plan.	Oct 09-April 10	Not Commenced. Pending DSI and construction management plan
25	Call tenders for project	May/June 10	Tender documentation being prepared.
26	Approve tender	July 2010	Not Commenced.
27	Implement works	August 2010- Feb 2011	Not Commenced.

CONSULTATION/ADVERTISING:

Further liaison with the various stake holders progressing.

LEGAL/POLICY:

Hyde Park is included on the Heritage Council of Western Australia's Register of Heritage Places. The place has significant scientific and historic importance as a remnant of the former chain of wetlands that extended north of Perth and is valued as an important source of aesthetic and recreational enjoyment for the community. In accordance with the Heritage of Western Australia Act 1990, any proposed alteration or development to Hyde Park would be required to be referred to and approved by the Heritage Council of Western Australia prior to the commencement of works.

Hyde Park Lakes has been identified and recorded, and will need to be managed and remediated in accordance with the Contaminated Sites Act 2003 and Contaminated Sites Regulations 2006.

In addition, the proposed restoration works will impact registered Department of Indigenous Affairs (DIA) site 3792 and will require a Site Identification Survey. The survey will need to be conducted to Section 18 standards in accordance with the *Aboriginal Heritage Act 1972*.

Hyde Parks Lakes Restoration Working Group

At the Ordinary Meeting of Council held on 3 November 2009 the Council appointed the following to the Working Group:

- Mayor Catania, Chair;
- Cr Buckels;
- Cr Burns;
- Cr Lake;
- Cr McGrath;
- Cr Maier;
- Director Technical Services;
- Manager Parks and Property Services*; and
- Co-ordinator Strategic Planning.

(The Town's Project Officer – Environment to assist as required).

* Responsible Officer

The following Community/External Representatives are included as required:

- Environmental Consultants; and
- Claise Brook Catchment Group Representative.

Chief Executive Officer Comment:

It is considered appropriate that the Working Group meet on a regular basis to ensure that the project maintains momentum. It is essential that the project be progressed in accordance with adopted timeline so as not to jeopardise Federal Government Funding. Accordingly it is recommended that the Working Group meet on a monthly basis, commencing March 2010.

As is the Town's practice, Advisory and Working Group Meeting Minutes are reported to the Council on a monthly basis. This will ensure that the Council is kept well informed as to the progress of this important project.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: 1.1.4 Minimise negative impacts on the community and environment. "(e) *Adopt a Masterplan for the restoration of the Hyde Park Lakes and implement measures to remediate the Lakes and improve water quality and surrounds.*"

SUSTAINABILITY IMPLICATIONS:

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

As part of the Town's Sustainable Environment Plan 2007-2012, the Town has identified a number of objectives and the Hyde Park Lakes Restoration Project will be required to address most of the objectives listed below on various levels;

- reduce water use (reduce the size of the Lakes – Option 2A)
- use natural systems to improve water quality (construction of swale)
- encourage the planting of native species (Islands to be replanted)
- re-establish native fringing vegetation as bird habitat areas (may be possible in some locations between existing and new walling)

FINANCIAL/BUDGET IMPLICATIONS:

At the Special Council Meeting held on 13 October 2009 the Council approved of the following:

Project Budget	Amount
Stage 1 – Essential Works	\$4,000,000
Stage 2 – Future Staged Works	\$555,000
TOTAL	\$4,555,000

Funding Sources	Amount
Town of Vincent – Loan	\$2,000,000
Commonwealth Government	\$2,000,000
Other sources (e.g. grants, donations)	\$555,000
TOTAL	\$4,555,000

PRELIMINARY COST ESTIMATE – MASTERPLAN – OPTION 2A

As the tender for this matter is yet to be advertised, the detailed cost estimate breakdown is **confidential**.

No.	Item	Option 2A
1.	CONSULTANT FEES	
	Design & Development	
	Construction Documentation	
	Tender Documentation	
	Administration	
	Liability	
	Subtotal	\$350,000
2.	CIVIL WORKS	
2.1	Preliminaries	
	Preparation and mobilisation of works inclusive of construction management plan	
	Contractor overheads	
	Indigenous monitoring	
	As Constructed drawings	
	Subtotal	\$130,000
2.2	Lakes and Islands	
	Dewatering	
	Provision of access	
	Bulk earthworks	
	Dredge material	
	Envirotubes	
	Pumping to envirotubes/site prep	
	Cut to Fill	
	Cut to spoil	
	Loading & Trucking	
	Disposal	

No.	Item	Option 2A
	Pipe work	
	Inlet and outlet	
	Flow control	
	Trim subgrade prior to laying liner	
	Supply & Place Linder	
	Import Sand and place	
	Import topsoil	
	Bulk and fine grade for planning	
	Aerators (provisional Item)	
	Subtotal	\$2,148,000
2.3	Embankment Earthworks	
	Part Restoration of wall	
	Part removal of wall	
	New wall construction	
	Clear & grub	
	Import sandy fill	
	Import topsoil and place	
	Bulk and fine grade	
	Reticulation top of embankment	
	Landscaping/Reticulation behind new wall	
	Subtotal	\$608,500
2.4	Restoration of pathways	
	Pathways surrounding lakes	
	Subtotal	\$35,000
3.	ENVIRONMENTAL	
3.1	Revegetation of lakes and islands	
	Weed and woody weed removal on islands	
	Protection of heritage listed elements	
	Plantings	
	Subtotal	\$35,000
3.2	Embankment establishment	
	Soft landscape edging, embankment stabilisation	
	Plantings	
	Subtotal	-
3.3	Swale	
	Clear and grub	
	Cut to fill	
	Pipe work	
	Inlet and outlet structures	
	Roak Placement	
	Topsoil	
	Bulk and fine grade for planning	
	Reticulation (repair)	
	Planning and integration into landscape	
	Pump to recirculate water from lake to swale	
	Bridges to reconnect pathways in swale area	
	Second swale – bore outlet	
	Fees	
	Subtotal	\$456,450
4.1	Landscaping	
	Boardwalks, lookouts, terraced steps	
	Paved gathering spaces	
	Seating	
	Litterbins	
	Lighting	
	Subtotal	\$474,000

No.	Item	Option 2A
4.4	Fees	
	Construction documentation, tender prep, contract admin	
	Contractors preliminaries/overheads	
	Subtotal	\$100,000
	TOTAL	\$4,555,850

Commonwealth Department of Environment, Water, Heritage and the Arts Funding

On 4 December 2009 a letter was received from the Minister for Climate Change and Water, Penny Wong approving of funding of up to \$2 million (exclusive of GST). This was requested to remain confidential, until announced. An application for funding submitted to the Commonwealth Department of the Environment, Water, Heritage and the Arts in January 2010. Various conversations held with Department staff. Awaiting formal response.

The Minister announced the funding on 3 March 2010.

Town Loan

Whilst the Council has approved the advertising of a loan of up to \$2 million, this was necessary in order to secure the Federal funding “dollar for dollar” grant. However, at the time of writing this report, the funds are not required and the Town’s loan will be included in the forthcoming 2010/11 Draft Budget.

COMMENTS:

The completion of the DSI and sign off by the DEC is fundamental in progressing this project. Once the DSI has been signed off, a detailed Construction Management Plan and ASS Management Plan will be prepared which will determine how the identified contaminants will be treated/neutralised and what methodology will be adopted to implement this as part of the construction phase.

9.2.2 Local Plant Sales and Associated Projects

Ward:	Both	Date:	23 February 2010
Precinct:	All	File Ref:	CMS0096
Attachments:	-		
Reporting Officer:	K Godfrey, Technical Officer Parks Services		
Responsible Officer:	J van den Bok, Manager Parks & Property Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) **APPROVES** the following Local Plants projects for 2010 (as outlined in the report):
- (a) *two (2) Local Plant Sales to be held in front of the Town's Library complex on Saturday 17 April 2010 and Saturday 17 July 2010 commencing at 8.00am; and*
 - (b) *the Leederville Spring Walk to commence from the Town's Administration and Civic Centre on Saturday 18 September 2010 at 2.00pm; and*
- (ii) **AUTHORISES** the Chief Executive Officer to investigate holding further 'Great Garden Workshops in 2010/2011 to replace the Town's 'Native plant Workshops'.

Moved Cr Farrell, **Seconded** Cr Maier

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, **Seconded** Cr McGrath

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

“(iii) REQUESTS that the Chief Executive Officer advertise each of the projects identified in clause (i) at least twice.”

AMENDMENT PUT AND CARRIED (8-1)

For: Cr Buckels, Cr Burns, Cr Farrell, Cr Harvey, Cr Lake, Cr McGrath, Cr Maier, Cr Topelberg

Against: Mayor Catania

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 9.2.2

That the Council;

- (i) **APPROVES** the following *Local Plants* projects for 2010 (as outlined in the report):
 - (a) *two (2) Local Plant Sales to be held in front of the Town's Library complex on Saturday 17 April 2010 and Saturday 17 July 2010 commencing at 8.00am; and*
 - (b) *the Leederville Spring Walk to commence from the Town's Administration and Civic Centre on Saturday 18 September 2010 at 2.00pm;*
 - (ii) **AUTHORISES** the Chief Executive Officer to investigate holding further 'Great Garden Workshops in 2010/2011 to replace the Town's 'Native plant Workshops'; and
 - (iii) **REQUESTS** that the Chief Executive Officer advertise each of the projects identified in clause (i) at least twice.
-

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the continuing success of the Local Plants projects held in 2009 and to seek approval to conduct a Leederville Spring Walk and two (2) Local Plant Sales in 2010.

BACKGROUND:

A report was considered under Delegated Authority in January 2009 and confirmed at the Ordinary Meeting of Council held on 24 February 2009, where it was resolved:

"That the Council;

- (i) **RECEIVES** the report on the *Local Plant Sales held at the Town of Vincent Library and Administration and Civic Centre during 2008;*
- (ii) **APPROVES** the following *Local Plants Projects for 2009* (as outlined in the report);
 - (a) *Native Plant Workshop to be held at the Town's Administration and Civic Centre on Saturday 28 March 2009, commencing at 9.00am;*
 - (b) *Two (2) Local Plant Sales to be held in front of the Town's Library complex on Saturday 18 April 2009 and Saturday 22 August 2009 commencing at 8.00am; and*
 - (c) *Leederville Spring Walk to commence from the Town's Administration and Civic Centre on Saturday 19 September 2009 at 2.00pm; and*
- (iii) **ADVISES** the Town's Precinct Groups and the Claise Brook Catchment Group of its decision."

DETAILS:

Local Plant Sales

The first plant sale held on 18 April 2009 attracted 82 residents. This attendance figure was a notable improvement on the April 2008 sale, where only 60 residents attended.

Changing the venue of the plant sale to the front of the Town's Library has certainly assisted in greater exposure to the public, thus raising the profile of the plant sales.

The second plant sale held on 22 August 2009 attracted 103 residents. As in previous years, this figure seems to be the average attendance total for the final plant sale of the season.

Again, resident feedback regarding the sales indicated people were most appreciative of the Town of Vincent and the assistance of the Claise Brook Catchment Group for providing such an excellent opportunity to purchase native plant stock.

Claise Brook Catchment Group members have requested that the Town's Parks & Property Services consider having the August Plant Sale in mid July 2010 in order to take advantage of the winter rain. This change would result in contributing to saving water and assist the new plant/s in establishing their root systems prior to the onset of summer, thus giving the plants a greater survival rate.

Officer's Comments

It is recommended that, given the continued level of interest in local plant sales, the Town continues holding two (2) local plant sales per year and the former August plant sale be now held in July for the reasons outlined above.

Leederville Spring Walk

The Leederville Spring Walk was held on Saturday 19 September 2009, commencing from the Town's Administration and Civic Centre, with seven (7) residents registering their interest.

Attendance for these walks over the past two years has been somewhat disappointing with only eight (8) residents turning out for the guided walk in 2008.

Officer's Recommendation

Initially there was quite a good response to the first spring walk in 2006, with around twenty (20) people turning out on the day. It is recommended that staff again hold a "Spring Walk" in 2010 and then review the viability of continuing these guided walks if numbers continue to drop off.

Native Plant Workshop

The first Native Plant Workshop was held at the Town's Administration and Civic Centre on Saturday 17 March 2007. The workshop was attended by twenty five (25) residents from within the Town.

The second Native Plant Workshop scheduled for the 15 March 2008 was cancelled due to staff shortages and loss of horticultural expertise within the Parks Services section.

In 2009 the Parks Services workshop was cancelled due to lack of interest and the Town's former Environmental Officer and members of the Claise Brook Catchment Group engaged the services of the team of horticultural experts who have formed what is known as the "Great Gardens Workshop" team.

This team has a panel of horticultural expertise that cover every essential aspect of gardening, with each respective individual being involved in the horticultural industry and the media for a number of years.

The "Great Gardens Workshop" was held at the Town's Administration and Civic Centre in 2009 and attracted some eighty (80) residents from within the Town. Each member of the group presented a lecture on their specific field of horticulture.

Feedback from the workshop indicated that it was very informative and entertaining with residents gleaned useful information from the presenters.

Officer's Recommendation

Given the limited expertise of staff in presenting Plant/Gardening Workshops and the lack of interest last year, it would be worth the Town hosting further "Great Gardens Workshops" to replace the Town's own Native Plant Workshop.

CONSULTATION/ADVERTISING:

The Local Plant Sales and Leederville Spring Walk will be advertised through the local papers and the Town's website and newsletters during 2010.

The Town's Precinct Groups and the Claise Brook Catchment Group Inc. will be advised of the Council decision.

LEGAL/POLICY:

Nil

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: 1.1.4 Minimise negative impacts on the community and environment. *"(f) Enhance and protect our natural environment and, where practicable, promote the use of native local vegetation."*

SUSTAINABILITY IMPLICATIONS:

Promoting and supporting the use of local native plants and other similar species is the most suitable long term sustainable option when planning a garden in Western Australia. These plants have a greater survival rate when compared to exotic plant species and also require less water during our extreme summer period. In addition, these plants are provided to the Town's residents at a subsidised cost.

FINANCIAL/BUDGET IMPLICATIONS:

As indicated in previous reports, the plant sales provide residents with local plants at a subsidised rate. Therefore, the budget is reduced after expenditure and revenue components of each respective sale are taken into account.

The funding for the Local Plant sales is sourced from the Local Plants project budget.

COMMENTS:

The Local Plant Sale is very well attended and supported by residents within the Town. It plays a vital role in the community by raising awareness of how dry our climate is and how well suited these local native plant species are in their gardens. This change in gardening practice also plays an important environmental role when considering our drying climate and water shortages.

It is therefore recommended that Council approve the above projects and advertise the dates of the Local Plant Sales, Leederville Spring Walk and any future "Great Gardens" workshops.

9.3.1 Festivals Programme 2010/2011

Ward:	Both	Date:	28 February 2010
Precinct:	All	File Ref:	CMS0110
Attachments:	-		
Reporting Officer:	J Anthony, Manager Community Development		
Responsible Officer:	M Rootsey, Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) **APPROVES** the following festival events as part of the Festivals programme for 2010/11:
 - (a) *Beaufort Street – October 2010; and*
 - (b) *William Street – March 2011.*
- (ii) **APPROVES** sponsorship funding for the festival organised by the Mezz Shopping Centre, the Mezz Shopping Centre Food Festival in October 2010; and
- (iii) **LISTS** an amount of:
 - (a) *\$120,000 for consideration on the Draft Budget 2010/11 for the two festivals outlined in the programme and;*
 - (b) *An amount of \$7,500 for sponsorship contribution to the Mezz Shopping Centre Food Festival.*

COUNCIL DECISION ITEM 9.3.1

Moved Cr Topelberg, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

To obtain the Council's approval for two events as part of Festivals Programme for 2010/2011.

BACKGROUND:

At the Council held on 25 August 2009 the Council considered this matter and resolved as follows:

"That the Council;

- (i) **APPROVES** the following events as part of the "Cappuccino Festival 2009/10":
 - (a) *Sunday 29 November 2009 – Angove and Fitzgerald Streets, North Perth; and*
 - (b) *Sunday 28 March 2010 – Oxford Business District, Leederville.*

- (ii) *NOTES that requests for Festivals have been received from:*
- (a) *the Beaufort Traders Association (Festival for Beaufort and Walcott Street area);*
 - (b) *the owners of the Mezz Shopping Centre (for a Festival in the Mezz/Scarborough Beach Road); and*
 - (c) *Ellington Jazz Club (for a possible Jazz Festival on Weld Square); and*
- (iii) *AUTHORISES the Chief Executive Officer to investigate the events, appropriate to each location, detailed in clause (ii) above and provide a further report to the Council concerning the possible staging of such events and financial implications."*

DETAILS:

North Perth – Angove Street Festival

The North Perth Festival was held on Sunday 29 November 2009, from 10 am to 4 pm, along Angove Street, North Perth. The festival attracted over 10,000 people and the feedback received from local businesses, festival participants and those who attended was extremely positive. This year's festival had more businesses involved in the working group which is a result of the overwhelming success of the event in the previous year. A number of businesses were also willing to offer in kind sponsorship such as stage entertainment, graphic design and printing of promotional material.

Apart from entertainment on two stages, coffee workshops and over sixty (60) stallholders offering a variety of quality produce and goods, there was also a buskers' stage, both amateur and professional, plus short film screening that featured the short films that the Town has commissioned for the past three years.

Leederville Carnivale

The Leederville Carnivale is currently in the final planning stages in consultation with businesses in the Leederville area and is to be held at the end of March 2010.. The businesses are involved in a working group, which provides input into the name of the event, timing, and types of activities. The businesses are keen to present a unique event that is reflective of the cultural and social vibe of Oxford Street and its surrounds, and not simply a duplicate of another event organised by the Town. This consultative approach is essential to ensure that the event is supported by the local businesses and is part of the economic development strategy for the Town.

The Mezz Shopping Centre Festival

The Mezz Shopping Centre held their festival on 17 October 2009 from 9 am to 3pm. The Mezz had their own staff to organise the festival as part of their promotional strategy for the centre. Given that the Town's staff were already committed to the two (2) major festivals in North Perth and Leederville, a contribution was offered as sponsorship support for the event. The Town's Public Relations Officer set up and manned a display stall at the event to promote the services of the Town.

Beaufort Street Festival

The officers of the Town have met with representatives of the Beaufort Street Network, a group of local businesses, who have written to Council, expressing their keen interest to have a similar festival type event in their local area. Again, the group wants a unique event for their area that is re-badged to reflect the style and boutique culture of the Beaufort Street shopping strip. The group have also further developed an event proposal suggesting that the timing be around October 2010.

The Town recently received a detailed project festival brief for the Festival from the Beaufort Street Network in the summary the following is outlined:

- The role of Beaufort Street Network Festival Committee;
- Ideas for creative events for the Festival;
- Sponsorship proposals/suggestion; and
- Key planning issues in regards to street and traffic management issues.

Jazz Festival

The Ellington Jazz Club has also met with officers of the Town. They wish to take a more commercial approach in organising an event at Weld Square. The club wishes to have a weekend of jazz performances, timing it with the Sydney Jazz festival which is traditionally held around January each year. This would enable the Ellington Jazz Club to source the same quality performers who have travelled from all over the world to perform in Western Australia. The event would be fenced off and ticketed with approximate prices for tickets at \$120 for the weekend. This appears to be a commercial venture and is not being pursued by the Town's Officers.

William Street Festival

A survey of the businesses on William Street (between Newcastle and Brisbane Streets) was conducted in late September 2009. Officers walked the street and handed out surveys to eighty businesses in the area. Fifteen surveys were returned with the following responses to the listed survey questions:

Q1. Do you think a Street Festival should be organised in William Street?

A.

Yes 13
No 2

Q2. Which month/s would you prefer for the timing of a festival?

A.

Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
3	5	7	8	6	4	3	3	5	7	5	3

Q3. Please indicate your preferred timing/day for the Festival:

A.

10am to 5pm 4
1pm to 9pm 7
Saturday 8
Sunday 4

2 respondents wanted weekdays rather than weekends

Q4. Do you have alfresco dining?

A.

Yes 1
No 14

Q5. Would you consider alfresco dining during the Festival?

A.

Yes	5
No	94

Q6. Would you be interested in participating in the Festival?

A.

No	3
Yes – As a trader	10
Yes – As organising committee member	2
Yes – As a corporate sponsor	3

Q7. Contacts details of the fifteen (15) respondents were provided.

Q8. The following comments were recorded from the respondents:

- "We have a serious problem with people drinking alcohol outside our premises during the Pride Parade and would not be supportive of any similar event."
- "Great idea. Love a street festival."
- "Chinese New Year Times and other cultural events can be incorporated."
- "Our only concern is our regular customers may have difficulty visiting our shop due to traffic changes/restrictions."
- "Please organise more security people for safe festival."
- "Would like a festival once a month of the year."
- "It does not matter which month the festival is held as long as it does not affect business from operating as usual."
- "Could be part of a larger Vincent South Ward festival, with William Street as the hub. Happy to discuss further."
- "Would like to have the festival on the Chinese New Year."

Each festival event requires a significant allocation of financial and staff resources as indicated in the report. It is critical that the timing of the events are suitably spaced to enable adequate planning and organisation. The minimum timing between the two major festival events is recommended at no less than six (6) months. Current staffing and budget commitments to other community development projects allows for a maximum of two major festivals to be incorporated as part of the event calendar.

Given that the Angove Street festival has been held for two years, it would be a good opportunity to work with businesses in other locations of the Town to give them the same opportunities as was given at Angove Street. It is suggested that each location be selected for a maximum of two annual events and then for the festival to be rotated to other locations in the Town. This would be cost efficient and beneficial for the Town and also provide a variety and continuing interest for the Town's residents and ratepayers. Two years organising a festival at each location with the businesses as part of the working group, may also serve as a tool to motivate them to continue with such events as a business group, without having to rely on Council. This model exists in Subiaco where the business group, Pro-Subi, organises the Subiaco Street festival each year in December.

The survey results from William Street, whilst having low response, indicates some promise in the cultural opportunities with the increasing diversity of traders in this street. Chinese New Year is also generally celebrated early in the calendar year by the Chinese, Vietnamese, Korean and some Japanese communities. These communities are represented by the various traders in the street, and would be an appropriate theme to plan a festival around for that time.

CONSULTATION/ADVERTISING:

A comprehensive promotional strategy is being planned for both festivals which include advertising in both community newspapers, street banners, letter drop to residents and flyers/posters and possible use of social networking pages.

LEGAL/POLICY:

Policy 3.8.3 Concerts and Events.

STRATEGIC IMPLICATIONS:

The Town of Vincent's Plan for the Future, Strategic Plan 2009 – 2014:

“Key Result Area Three – Community Development – Objective 3.1: Enhance and Promote Community Development and Wellbeing:

3.1.1 *Celebrate and acknowledge the Town's cultural and social diversity:*

- (a) *Organise and promote community events, programs and initiatives that engage the community and celebrate cultural and social diversity of the Town, including the development of a program for the holding of an event in each of the Town's main commercial centre;*
- (b) *Develop a coordinated Event Plan and issue an Annual Program/Calender of Events to promote celebrate and acknowledge the Town's cultural and social diversity, and*
- (c) *Investigate opportunities for an annual “Iconic Event” for the Town and implement events.*

SUSTAINABILITY IMPLICATIONS:

The purpose of the Festivals is to provide community events in the Town, it would also be an excellent opportunity to promote environmental/sustainability initiatives provided by the Town.

FINANCIAL/BUDGET IMPLICATIONS:

It is anticipated that the Town will list an amount of \$120,000 for consideration in the Draft Budget 2010/11 for the proposed events, with \$7,500 sponsorship towards the Mezz Shopping Centre Food Festival. The Town would anticipate receiving \$20,000 to \$25,000 per event in sponsorship, reducing the next cost of the Town holding the festivals at a minimum of \$80,000.

Each event also requires significant staffing resources to plan, organise and coordinate the events of the day. For instance, the Angove Street Festival which ran from 10 am to 4 pm, required five (5) community development officers to work from 5.30 am to 5.30 pm in order to ensure that all aspects of the event ran smoothly and safely.

Given the scale and quality required of the events, the budget for each event is between \$50,000 and \$60,000, dependent on the participation and in-kind sponsorship offered by the businesses in the area.

COMMENTS:

It is therefore proposed that the locations of William Street and Beaufort Street be selected for the two festivals in the next financial year, whilst also continuing with a sponsorship contribution for the Mezz Shopping Centre Food Festival. Both sites have the potential to provide exciting festivals for the Community in these areas.

9.3.3 Beatty Park Leisure Centre Redevelopment – Progress Report No. 2

Ward:	South	Date:	3 March 2010
Precinct:	Smith Lakes	File Ref:	CMS0003
Attachments:	001		
Reporting Officer:	M Rootsey, Director Corporate Services; D Morrissy, Manager Beatty Park Leisure Centre		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Progress Report No. 2 as at 3 March 2010, concerning the Beatty Park Leisure Centre Redevelopment; and*
- (ii) *NOTES that;*
 - (a) *the Town has received \$2.5 million for the Beatty Park Leisure Centre Redevelopment as part of the State Government Community Sport and Recreation Facility Fund Program (CSRFF);*
 - (b) *the Town has submitted an application for the Regional and Local Community Infrastructure Program – Strategic Projects 2010 (RLCIP) for the Beatty Park Redevelopment and an announcement is expected in late April/May 2010; and*
 - (c) *a further report will be submitted to the Council, once a decision is announced by the Federal Government.*

COUNCIL DECISION ITEM 9.3.3

Moved Cr Farrell, Seconded Cr Burns

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the Town's successful application for \$2.5 million as part of the State Government's CSRFF Program for the Beatty Park Redevelopment Project.

BACKGROUND:

On Wednesday 3 March 2010, the Minister for Sport and Recreation, The Honourable Terry Waldron announced the CSRFF Program Grants at Beatty Park Leisure Centre.

At the Ordinary Meeting of Council, held on 6 October 2009, the following resolution (in part) was adopted:

“That the Council;

- (i) *ENDORSES the following applications in support of the Community Sport and Recreation Facility Fund (CSRFF), prior to lodgement with the Department of Sport and Recreation, on the condition that the Department of Sport and Recreation support these applications through the CSRFF program; and*
- (ii) *APPROVES the applications listed in the following order of priority for the following categories:*
 - (a) *Forward planning project;*

<i>Ranking</i>	<i>Rating</i>	<i>Applicant</i>	<i>Recommended Council Contribution</i>
<i>1</i>	<i>High</i>	<i>Beatty Park Leisure Centre</i>	<i>\$8,000,000</i>

”

At the Ordinary Meeting of Council, held on 14 April 2009, the following resolution was adopted:

“That the Council;

- (i) *RECEIVES the Progress Report No. 1 as at 7 April 2009, concerning the Beatty Park Redevelopment; and*
- (ii) *NOTES that;*
 - (a) *the Town has submitted an application for the Regional and Local Community Infrastructure Program – Strategic Projects 2008/09 (RLCIP) for the Beatty Park Redevelopment; and*
 - (b) *a further report will be submitted to the Council, once a decision is announced by the Federal Government.”*

At the Ordinary Meeting of Council, held on 16 December 2008, the following resolution was adopted:

“That the Council;

- (i) *RECEIVES the report on the Community Consultation on the concept plans for the Redevelopment of Beatty Park Leisure Centre;*
- (ii) *CONSIDERS the submissions received from the Community Consultation;*
- (iii) *AUTHORISES the Chief Executive Officer to:*
 - (a) *instruct the Project Architect to prepare the final Plans for the redevelopment at Beatty Park Leisure Centre for the consideration of the Council;*
 - (b) *provide a further report including a detailed Business Plan to support the final Plans, by June 2009;*

- (c) *call a tender to appoint consultants and sub-consultants to assist in the preparation of the final design;*
 - (d) *investigate the use of geothermal and/or solar technology, water saving and other environmentally sustainable initiatives for the redevelopment project and engage consultants to assist the Town in this matter;*
 - (e) *negotiate and determine the Project Architect fees, depending upon the final project design and costs; and*
 - (f) *instruct the Project Architect to ensure that the redevelopment plans will minimise any further impact on significant trees;*
- (iv) **APPROVES;**
- (a) *the appointment of Peter Hunt Architects for the Design Development, Contract Documentation and Contract Administration stages of the Project, at an estimated cost of \$360,000, in accordance with Tender No. 336-06 Provision of Architectural Services for the Beatty Park Leisure Centre Redevelopment and NOTES that the fees will vary depending upon the final project design and costs; and*
 - (b) *the Revised Timeline, as detailed in this report; and*
- (v) *NOTES that further reports will be submitted to the Council, as the project progresses.”*

DETAILS:

Business Case:

A draft business case was prepared as required for the Federal Funding Grant Submission. This will be presented to the Council following the outcome of the Federal Grant Submission in March/April 2010.

Geothermal:

The project architect has contacted a number of consultants, who specialise in this area of expertise to ascertain the issues involved.

The Town is currently awaiting further feedback from the consultants on the aspects of the implementation of a geothermal solution.

REVISED TIMELINE

Below is listed the indicative timeline for this project. The project timeline has been revised as follows;

May/June 2006	— Appointment of Architect — Formation of Working Group	Completed Completed
June – December 2006	— Determining of objectives — Other key matters; researching background details, different models	Completed

December 2006	Council to consider and approve of objectives for the proposed redevelopment	Completed
January 2007 – December 2007	Investigation of options Investigation of funding sources, different models	Completed
January 2008 – June 2008 August 2008 - September 2008	Community consultation concerning concept redevelopment plans	Completed
December 2008	Report to Council to: <ul style="list-style-type: none"> - Consider community submissions - Approve of Project Architect for Final Stages - Approve calling a tender for Consultants - Approve the investigation of geothermal, solar, water saving options - Approve to proceed to refinement of plans 	Completed Completed <i>In Progress</i> <i>In Progress</i> <i>In Progress</i>
December 2008 - June 2009	- Refinement of options, funding options, different models, Business Case	Completed
January 2009 - June 2009	- Reports to Council concerning funding, revised plans	Part completed
April/May 2010	Report to Council concerning: <ul style="list-style-type: none"> - Funding/financial details - Project implementation (whether single project or staged) - Project priority Items 	
June 2010	- Advertising of Major land transactions (if required)	
July 2010 - September 2010	- Approval of Final Plans - Approval of Project Budget - Preparation of Tender Document	
October 2010 - November 2010	- Calling of tenders for builders	
December 2010	- Award building tender	
January 2011 - April 2012	- 15 Month construction of project	

A revised Indicative Timeline will be prepared – pending funding announcement.

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

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

Beatty Park Leisure Centre is registered on the State Heritage List of Western Australia.

STRATEGIC IMPLICATIONS:

Strategic Plan 2009 – 2014 – Key Result Area: Natural and Built Environment:

“...1.1.6 Enhance and maintain the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment:

(i) Complete feasibility study, investigate funding options and implement the Redevelopment of the Beatty Park Leisure Centre...”

SUSTAINABILITY IMPLICATION:

The redevelopment is to be financially, socially and environmentally sustainable.

Objectives have been adopted for the project and approved by the Council.

FINANCIAL/BUDGET IMPLICATIONS:

The total project is sought to be funded with a combination of Federal, State, internal and reserve funds and borrowings:

Proposed Project Funding

Funding Source	Original Indicative Amount	Actual Amount
Federal Government	\$10,000,000	Awaiting Decision*
CSRFF – State Government	\$4,000,000	\$2,500,000
Town of Vincent Reserve Funds	\$3,000,000	\$3,000,000
Town of Vincent Internal Funds and Borrowings	\$5,000,000	To be advised*
	\$22,000,000	\$22,000,000

* Precise amount to be specified once the Federal Government Funding Application amount is known.

Indicative Costs:

The Project Architect engaged Davis Langdon in February 2009 to prepare a detailed cost estimate for the project. They have advised that it is estimated to cost approximately \$22 million. This figure includes costs for geothermal work (\$1.5 million) and a contingency component (\$2 million). The costing is as follows:

Item	Indicative Amount
New Extension	\$5,906,245
Refurbish Changerooms/Toilets	\$1,778,645
Outdoor Pools and Plan	\$7,940,141
Geothermal heating for Pools	\$1,500,000
External Works	\$752,565
Building Cost	\$17,877,596
Professional Fees	\$2,145,132
Contingency Provision	\$2,002,291
Cost Escalation February 2009 – October 2010	To be advised
TOTAL	\$22,025,199*

* An amount for cost escalation will need to be included, once the Council approves of the final plans.

Applications Federal Government

The Town has already made two applications to the Federal Government; one through the Regional and Local Community Infrastructure Programme (RLCIP) – Strategic Projects 2008/09 and the second application through the Jobs Fund Projects. Both applications have been acknowledged as excellent submissions however, were unsuccessful.

The Town submitted another application to the Regional and Local Community Infrastructure Programme (RLCIP) - Strategic Project in January 2010. A decision is expected in April/May 2010.

CSRFF Funding

Under CSRFF funding criteria only parts of the redevelopment will be acceptable to the funding guidelines, these are listed below:

- A new 50m x 10 lane outdoor wet deck pool, replacing existing 50m pool. Including disabled access and new plant room.
- Upgrading existing dive pool and the renovation of existing plant room
- Add additional Learn to Swim pool (13m x 10m wet deck pool)
- Add additional Hot Pool (hydrotherapy/swim lessons)
- Renovate main pool change rooms
- New pool concourse
- Renovate existing North toilet block into 5 family change rooms
- New spa with change room facility
- Replace deteriorating concrete slides with fibreglass ones
- Install Geothermal heating for pools.

The following parts do not meet the criteria for CSRFF funding guidelines:

- Two level building to accommodate – new entry reception, retail area, dry lounge, lift, gym, staff administration area, toilet and change facilities for patrons and staff, two group fitness areas and kitchen service zone.
- New leasable area (office space for groups such as physiotherapists, health and wellness practitioners, etc).
- Car parking redevelopment (allow for extra parking and better traffic flow).

The outcome of the Federal Grant Submission is critical for the funding of the project and will determine the impact on the future timelines for the Town's budgets. Further financial modelling will be made, once the grant decision is known.

Funding/Financial Model

If the Town's application is successful, a revised financial model will be prepared – based on the exact amount to be received. If the Town's application is unsuccessful, a report will be submitted to the Council to advise of the essential works to be carried out and recommending a "staged project". Irrespective of the Federal Government announcement, it is essential that work commence to replace the outdoor pool, plant, boilers, piping etc, as these are critical to the Centre and require essential works (as previously reported to the Council). This work will need to be prioritised and costed.

COMMENTS:

The project has been delayed whilst the Town has attempted to obtain the external funding for the project to commence.

As advised, a considerable amount of resources was involved in the preparation of the Federal Grant Submission, however if the Town is successful with this application, it will minimise the impact of the Town's finances and enable the construction phase to be undertaken without constraints. A further report will be submitted to the Council, once a decision is announced by the Federal Government. It is anticipated that a decision will be announced in late April/May 2010.

**9.4.3 Audit Committee – Receiving of Unconfirmed Minutes –
25 February 2010**

Ward:	-	Date:	3 March 2010
Precinct:	-	File Ref:	FIN0106
Attachments:	001		
Reporting Officer(s):	M Rootsey, Director Corporate Services		
Checked/Endorsed by:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Audit Committee Unconfirmed Minutes dated 25 February 2010, as shown in Appendix 9.4.3.

COUNCIL DECISION ITEM 9.4.3

Moved Cr Topelberg, Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is for the Council to receive the unconfirmed minutes of the Audit Committee held on 25 February 2010.

BACKGROUND:

At the Ordinary Meeting of Council held on 26 August 2003, the Council considered the matter of its Audit Committee and resolved inter alia as follows;

"That the Council;

- (i) APPROVES of amending the Audit Committee Terms of Reference to be as follows;*
 - (a) the process of selecting the Auditor;*
 - (b) recommending to Council on the Auditor;*
 - (c) managing the Audit Process;*
 - (d) monitoring Administrations actions on, and responses to, any significant matters raised by the Auditor;*
 - (e) submitting an Annual Report on the audit function to the Council and the Department of Local Government; and*
 - (f) consideration of the completed Statutory Compliance Return and monitoring administrations corrective action on matters on non-compliance;*
 - (g) to oversee Risk Management and Accountability considerations; and*
 - (h) to oversee Internal Audit/Accountability functions;"*

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

The Local Government Act (Financial Management) Regulations 1996, Regulations 5 and 6 prescribe the duties of the CEO in respect to financial management and independent performance reviews (including internal and external Audits).

STRATEGIC IMPLICATIONS:

This matter is in keeping with the Town's Plan for the Future - Strategic Plan 2009-2014, Objective 4.1.2 - *"Manage the organisation in a responsible, efficient and accountable manner"*.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL IMPLICATIONS:

Nil.

COMMENT:

The reporting of the Town's internal Audit Committee minutes to the Council Meeting is considered "best practice" and in keeping with the Audit Charter.

9.4.5 2010 Local Government Risk Management Summit 28 April to 29 April 2010 – Novotel Brighton Beach, Sydney

Ward:	-	Date:	3 March 2010
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer:	A Radici, Executive Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council APPROVES the Chief Executive Officer and Mayor Nick Catania, to attend the “2010 Local Government Risk Management Summit” from 28 April 2010 to 29 April 2010 to be held at the Novotel Brighton Beach, Sydney at an estimated cost of \$2,349 each.

COUNCIL DECISION ITEM 9.4.5

Moved Cr Burns, Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

Cr Buckels departed the Chamber at 9.22pm

Debate ensued.

Cr Buckels returned to the Chamber at 9.24pm.

Debate ensued.

Cr Harvey departed the Chamber at 9.25pm.

Debate ensued.

MOTION PUT AND CARRIED (8-0)

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

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval for the Chief Executive Officer, John Giorgi, and the Mayor Nick Catania to attend the “2010 Local Government Risk Management Summit” from 28 April 2010 to 29 April 2010 to be held at the Novotel Brighton Beach, Sydney.

BACKGROUND:

The Local Government Risk Management Summit is the inaugural national summit and will be attended by representatives of local government from throughout Australia.

DETAILS:

A copy of the conference programme is attached at Appendix 9.4.5 which reveals that the speakers, topics and attendance is very diverse. Case study presentations will cover topics including:

- successfully implementing an Enterprise Risk Management framework in a local government organisation; incorporating risk management into organisational governance and culture;
- optimising internal auditing and audit committee procedures;
- ensuring council contractors meet compliance requirements; and
- how councils need to address the risks posed by climate change.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

At the Ordinary Meeting of Council held on 9 February 2010 the Council adopted a Risk Management Policy and Plan which is currently being advertised for community consultation.

Council's Policy 4.1.15 - "*Conferences & Training - Attendance, Representation, Travel & Accommodation Expenses and Related Matters*" Clause 1.1(i) states:

"(i) When it is considered desirable that the Council be represented at an interstate conference, up to a maximum of one Council Member and one Officer may attend;

The Contract of Employment for the Chief Executive Officer entitles him to attend one interstate conference per financial year. The Chief Executive Officer has not attended any interstate professional development conferences during the 2009/2010 financial year.

The Mayor is the Chair of the Town's Audit Committee and the Chief Executive Officer is responsible for the risk management in the organisation. Accordingly, it is considered appropriate for them to attend the summit.

Previous Attendance

The Town has not previously attended this conference as it is the inaugural national summit.

STRATEGIC IMPLICATIONS:

In keeping with the Town's Strategic Plan 2009-2014 – Objective 4.2 - "*Provide a positive and desirable workplace*", in particular, 4.2.4 - "*Attract and retain quality employees and encourage career development*".

SUSTAINABILITY IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

<u>Cost per person</u>	<u>Registration</u>
Conference registration:	\$1,050
Economy Airfare#:	\$500
Accommodation (2 nights @ \$239):	\$478
Expense Allowance (3 days):	<u>\$321</u>

Total: \$2,349

COMMENTS:

This conference provides an excellent opportunity to obtain the latest information relating to risk management in local government.

It is recommended that approval be granted for the Chief Executive Officer and Mayor Catania to attend the "2010 Local Government Risk Management Summit" from 28 April 2010 to 29 April 2010 to be held at the Novotel Brighton Beach, Sydney.

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 Notice of Motion – Mayor Catania – Investigation of Traffic Safety – Corner Fitzgerald and Forrest Streets, North Perth

That the Council:

- (i) *AUTHORISES the Chief Executive Officer to investigate possible traffic safety improvement at the intersection of Fitzgerald and Forrest Streets, North Perth, including but not limited to, providing;*
 - (a) *recommendations to improve safety at the intersection including footpaths, median strips/traffic islands, signage and traffic calming measures; and*
 - (b) *indicative estimated costs to implement improvements identified in clause (a) above;*
- (ii) *REFERS the matter to the Town's Local Area Traffic Management Advisory Group as a matter of priority to enable a report to be prepared and considered by no later than 27 April 2010; and*
- (iii) *LISTS any identified improvements to the intersection for consideration in the draft 2010/2011 Budget.*

Cr Harvey returned to the Chamber at 9.26pm.

COUNCIL DECISION ITEM 10.1

Moved Cr Topelberg, Seconded Cr Burns

That the Motion be adopted.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

***Note: The following Officer's Comments were distributed prior to the meeting.**

OFFICER'S COMMENTS:

Accidents Statistics

A total of 106 intersections which have had five (5) or more accidents over a five (5) year period appear on the Town's Black Spot list

Out of the 106 intersections, the intersection of Fitzgerald and Forrest Street ranks No. 68 (No. 1 being the highest).

For the five (5) years up to 31 December 2008 there were nine (9) recorded accidents at this location, all directly related to the right turn movement (in and out).

Black Spot Treatments

The most cost effective treatment to address potential future accidents at this location would be to ban the right turn by installing a continuous raised median island across the intersection.

With Alma Road, the immediate intersection to the south being a cul-de-sac, if Forrest Street was restricted to left in left out, more traffic would use Wasley Street and/or Raglan Road as a consequence, thus compromising the safety of these intersections and redistributing traffic in the local area.

Note: Forrest Street was previously classified as a local distributor until the Council decided to change its classification to access road.

One option to improve safety and reduce the number of accidents at this intersection would be to install a half seagull island, which would prevent the right turn out of Forrest Street into Fitzgerald Street north bound.

This intersection has not previously been submitted for Black Spot funding as the severity of the accidents, and subsequently the dollar value, were at the lower end of the scale, i.e. mainly property damage rather than death or serious injury (as reported by the police).

Relocating the Actuated Crossing.

There has been a suggestion that the existing Fitzgerald Street actuated pedestrian crossing could be relocated closer to Forrest Street.

Actuated pedestrian crossings (and/or pelican crossings) are most effective when located mid-block and do not work as well when located too close to an intersection. When mid-block the driver and/or pedestrian are only confronted with a predictable single straight through movement. Where located closer to an intersection this introduces additional and potentially conflicting movements (as it is controlling only one leg of the 'T' junction and therefore does not function as a signalised intersection).

If the Forrest/Fitzgerald intersection were signalised, this would have a dramatic impact upon Forrest Street. Further, Main Roads WA current policy is to install 'parallel walks' with the 5 second head start and therefore pedestrians would experience a reduction in the level of service to that of the existing crossing. Given that Forest Street is now classified as an access road, a signalised intersection would not be supported.

Proposed works on Fitzgerald Street 2009/2010

Funds have been allocated in the 2009/2010 Traffic management budget for improvements in this section of Fitzgerald Street. The Director Technical Services considered that these funds could be expended on improvements to the existing actuated pedestrian crossing. These improvements would include:

- Resurfacing the actual crossing in red asphalt (currently faded painted red)
- Installing high visibility LED lighting to the traffic signals
- Increasing the crossing times

Costings for these works have been obtained, however, no works have been undertaken to date.

10.2 Notice of Motion – Mayor Catania – Planning Delegation for “Minor Development” Applications

CORRECTED NOTICE OF MOTION:

That the Council:

(i) ~~That~~ pursuant to Section 5.42 of Division 4 of Part 5 of the Local Government Act 1995, ~~the Council~~ APPROVES BY AN ABSOLUTE MAJORITY the delegation of the exercise of its powers and duties to the Chief Executive Officer, with the following to be amended in the Register of Delegations 2009/2010:

~~(i)(a)~~ Delegation No. 66.

No.	Directorate/ Section	Description of Council Function Delegated to the Chief Executive Officer from Council	CEO delegates to:	Conditions
66	Planning, Building and Heritage Services	<p>Authority to exercise discretion and to refuse, approve and apply conditions to planning applications for the following developments:-</p> <p>(1) where it involves a variation to a development standard or requirement; and specified in the Town of Vincent's Policy – Non-Variation of Specific Development Standards and Requirements, pursuant to clause 38 of the Town of Vincent Town Planning Scheme No. 1;</p> <p>(2), where the variations do not result in any of the following:</p> <p>(i) greater relaxation of the relevant acceptable development standards performance criteria and requirement;</p> <p>(ii) relaxation of the relevant acceptable development standards and requirements which was not approved as part of the previous Planning Approval plans; and</p>	DDS MPBHS	<p>(1) The application is processed and assessed in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1, Policies and Local Laws, and the <u>Performance Criteria of the Residential Design Codes</u>, where applicable;</p> <p>(2) (i) The development standard or requirement proposed to be varied is as specified in the Town of Vincent's Policy – Non-Variation of Specific Development Standards and Requirements.</p> <p>(ii) The development will <u>not</u> unduly adversely affect the orderly and proper planning and conservation of the amenities of the locality, as</p>

		<p>(iii) amendment to the description of the approved development on the Planning Approval.</p> <p>(3)(2) Category 3 development applications (developments of a marginal complex nature or impact) including:</p> <ul style="list-style-type: none"> • Single-storey and two-storey residential development comprising - <ul style="list-style-type: none"> - Alterations and/or additions to dwellings; or - A total maximum of two (2) dwellings (excluding new dwellings in areas coded R 20); and • Single-storey and two-storey non-residential development. <p>(4)(3) Category 4 developments (developments of a minor complex nature or impact) including:-</p> <ul style="list-style-type: none"> • Home occupations; • Carports; • Garages; • Outbuildings; • Patios; • Front/street walls and fences; • Signs; • Swimming Pools; • and the like. <p>(Note: Development of a minor nature that is specified in the Town of Vincent's Policy - Minor Nature Development, does not require planning approval.)</p>		<p><i>determined by the CEO, DDS or MPBHS.</i></p> <p><i>and</i></p> <p>— The variations to the Planning Approval Plans and Building Licence Plans comply with the provisions of the Town of Vincent's Policy 3.5.18 — Variations to Planning Approval and Building Licence Plans.</p>
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and:

subject to Clause (1) above being approved, APPROVES BY AN ABSOLUTE MAJORITY to:

(ii) RESCIND the following Policies:

(a) Policy No. 3.5.16 relating to Non Variation of Specific Development Standards and Requirements; and

(b) Policy No. 3.5.18 relating to Variations to Planning Approval and Building Licence Plans;

(iii) ADVERTISE the rescission of the following Policies:

(a) Policy No. 3.5.16 relating to Non Variation of Specific Development Standards and Requirements; and

(b) Policy No. 3.5.18 relating to Variations to Planning Approval and Building Licence Plans;

for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:

(a) advertising a summary of the subject Policies once a week for four consecutive weeks in a newspaper circulating in the locality;

(b) where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policies; and

(c) forwarding a copy of the subject Policies to the Western Australian Planning Commission; and

(iv) after the expiry of the period for submissions:

(a) REVIEWS the Policies to be rescinded, having regard to any written submissions;

(b) DETERMINES the Policies to be rescinded, with or without amendment, to or not to proceed with them.”

CHIEF EXECUTIVE OFFICER COMMENT:

The corrected Notice of Motion is based on the assumption that the Council approves of the delegation as originally proposed and therefore a rescission of Policy No. 3.5.16 relating to Non Variation of Specific Development Standards and Requirements and 3.5.18 relating to Variations to Planning Approval and Building Licence Plans, is required.

Moved Cr Maier, Seconded Cr Farrell

That the Motion be adopted.

Debate ensued.

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

COUNCIL DECISION ITEM 10.2

That the Council:

(i) *pursuant to Section 5.42 of Division 4 of Part 5 of the Local Government Act 1995, APPROVES BY AN ABSOLUTE MAJORITY the delegation of the exercise of its powers and duties to the Chief Executive Officer, with the following to be amended in the Register of Delegations 2009/2010:*

(a) *Delegation No. 66.*

No.	Directorate/ Section	Description of Council Function Delegated to the Chief Executive Officer from Council	CEO delegates to:	Conditions
66	Planning, Building and Heritage Services	<p><i>Authority to exercise discretion and to refuse, approve and apply conditions to planning applications for the following developments:-</i></p> <p><i>(1) where it involves a variation to a development standard or requirement; and</i></p> <p><i>(2) Category 3 development applications (developments of a marginal complex nature or impact) including:</i></p> <ul style="list-style-type: none"> <i>• Single-storey and two-storey residential development comprising -</i> <ul style="list-style-type: none"> <i>- Alterations and/or additions to dwellings; or</i> <i>- A total maximum of two (2) dwellings (excluding new dwellings in areas coded R 20); and</i> <i>• Single-storey and two-storey non-residential development.</i> 	<p><i>DDS MPBHS</i></p>	<p><i>(1) The application is processed and assessed in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1, Policies and Local Laws, and the Performance Criteria of the Residential Design Codes, where applicable;</i></p> <p><i>(2) The development will not unduly adversely affect the orderly and proper planning and conservation of the amenities of the locality, as determined by the CEO, DDS or MPBHS.</i></p>

		<p>(3) <i>Category 4 developments (developments of a minor complex nature or impact) including:-</i></p> <ul style="list-style-type: none">• <i>Home occupations;</i>• <i>Carports;</i>• <i>Garages;</i>• <i>Outbuildings;</i>• <i>Patios;</i>• <i>Front/street walls and fences;</i>• <i>Signs;</i>• <i>Swimming Pools;</i>• <i>and the like.</i> <p>(Note: <i>Development of a minor nature that is specified in the Town of Vincent's Policy - Minor Nature Development, does not require planning approval.</i>)</p>	
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and:

APPROVES BY AN ABSOLUTE MAJORITY to:

(ii) **RESCIND** the following Policies:

- (a) *Policy No. 3.5.16 relating to Non Variation of Specific Development Standards and Requirements; and*
- (b) *Policy No. 3.5.18 relating to Variations to Planning Approval and Building Licence Plans;*

(iii) **ADVERTISE** the rescission of the following Policies:

- (a) *Policy No. 3.5.16 relating to Non Variation of Specific Development Standards and Requirements; and*
- (b) *Policy No. 3.5.18 relating to Variations to Planning Approval and Building Licence Plans;*

for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:

- (a) *advertising a summary of the subject Policies once a week for four consecutive weeks in a newspaper circulating in the locality;*
- (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policies; and*
- (c) *forwarding a copy of the subject Policies to the Western Australian Planning Commission; and*

(iv) **after the expiry of the period for submissions:**

- (a) **REVIEWS** the Policies to be rescinded, having regard to any written submissions;
- (b) **DETERMINES** the Policies to be rescinded, with or without amendment, to or not to proceed with them.

TOWN ADMINISTRATION COMMENTS:

It is noted that existing Delegation No. 66 delegates to the Town's Officers to deal with certain applications via limitations detailed in the Town's Policies Relating to Non-Variation of Specific Development Standards and Requirements and Variations to Planning Approval and Building Licence Plans. In respect of the proposed Notice of Motion, whereby further delegation is given to the Town's Officers, it will result in the above Policies becoming redundant. Accordingly, in the event that the above Delegation is adopted, it is recommended that in the interim, whilst rescission of the above Policies is undertaken, that the Town's Officers deal within the range of delegation as proposed.

It is further noted that Delegation No. 66 already delegates authority to the Town's Officers to deal with Category 3 applications up to and including two, two-storey dwellings where the development complies with all aspects except those development standards or requirements proposed to be varied is as specified in the Town of Vincent's Policy - Non-Variation of Specific Development Standards and Requirements. Accordingly, the Draft Notice of Motion has continued to reflect the inclusion of two storey development.

10.3 Notice of Motion – Cr Maier – Peer Review of Town Planning Scheme Review

That the Council:

- (i) *NOTES that on:*
- (a) *22 April 2008 the Council endorsed a timeline for the review of the Town Planning Scheme subject to a report being presented to Council following the Peer Review of the Town Planning Scheme Review and prior to forwarding Town Planning Scheme No. 2 to the Honourable Minister for Planning and the Western Australian Planning Commission; and*
 - (b) *28 October 2008 the Council endorsed the timeline for the review of the Town Planning Scheme which indicated that the Peer Review of the Town Planning Scheme Review would occur prior to forwarding Town Planning Scheme No. 2 to the Honourable Minister for Planning and the Western Australian Planning Commission; and*
- (ii) *REQUESTS that the Terms of Reference for the Peer Review of the Town Planning Scheme include a review of how the Town Planning Scheme No. 2:*
- (a) *reflects the findings of Vincent Vision 2024;*
 - (b) *responds to and supports the Western Australian Planning Commission's Directions 2031;*
 - (c) *supports the Town's Draft Affordable Housing Strategy by encouraging a diversity of housing stock.*

Moved Cr Maier, Seconded Cr McGrath

That the Motion be adopted.

Debate ensued.

Cr Maier proposed the following amendment.

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

- “(ii) *REQUESTS that the Terms of Reference for the Peer Review of the Town Planning Scheme include a review of how the Town Planning Scheme No. 2 and associated policies:*
- (a) *reflects the findings of Vincent Vision 2024;*
 - (b) *responds to and supports the Western Australian Planning Commission's Directions 2031;*
 - (c) *supports the Town's Draft Affordable Housing Strategy by encouraging a diversity of housing stock; and*

- (d) provides mechanisms to protect valued streetscapes such as those identified in the “Heritage Survey and Review of the Municipal Heritage Inventory” conducted by Hocking Planning and Architecture, and the Draft Residential Streetscapes Policy.”*

The Presiding Member, Mayor Catania suggested this amendment be included in the original Motion rather than as an amendment.

The Mover, Cr Maier and the Seconder, Cr McGrath agreed.

Debate ensued.

MOTION AS REVISED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 10.3

That the Council:

- (i) *NOTES that on:*
- (a) *22 April 2008 the Council endorsed a timeline for the review of the Town Planning Scheme subject to a report being presented to Council following the Peer Review of the Town Planning Scheme Review and prior to forwarding Town Planning Scheme No. 2 to the Honourable Minister for Planning and the Western Australian Planning Commission; and*
 - (b) *28 October 2008 the Council endorsed the timeline for the review of the Town Planning Scheme which indicated that the Peer Review of the Town Planning Scheme Review would occur prior to forwarding Town Planning Scheme No. 2 to the Honourable Minister for Planning and the Western Australian Planning Commission; and*
- (ii) *REQUESTS that the Terms of Reference for the Peer Review of the Town Planning Scheme include a review of how the Town Planning Scheme No. 2 and associated policies:*
- (a) *reflects the findings of Vincent Vision 2024;*
 - (b) *responds to and supports the Western Australian Planning Commission’s Directions 2031;*
 - (c) *supports the Town’s Draft Affordable Housing Strategy by encouraging a diversity of housing stock; and*
 - (d) *provides mechanisms to protect valued streetscapes such as those identified in the “Heritage Survey and Review of the Municipal Heritage Inventory” conducted by Hocking Planning and Architecture, and the Draft Residential Streetscapes Policy.*

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

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

12.1 WALGA Nominations - Alliance for the Prevention of Elder Abuse; Statutory Planning Committee.

Ward:	-	Date:	3 March 2010
Precinct:	-	File Ref:	ORG0045
Attachments:	001		
Reporting Officer:	L Rogers, A/Personal Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That;

- (i) _____ *be nominated as WALGA Member - Alliance for the Prevention of Elder Abuse (Elected Member); and*
- (ii) _____ *be nominated as WALGA Deputy Member - Statutory Planning Committee (Panel of 3 names requested) (Approval by Minister);*

The Presiding Member, Mayor Catania called for nominations:

Cr Harvey nominated for;

- (i) WALGA Member - Alliance for the Prevention of Elder Abuse (Elected Member); and

Cr Lake nominated for;

- (ii) WALGA Deputy Member - Statutory Planning Committee (Panel of 3 names requested) (Approval by Minister).

No further nominations were received.

Moved Cr Farrell, Seconded Cr Harvey

That the following nominations be approved:

- (i) *Cr Taryn Harvey be nominated as WALGA Member - Alliance for the Prevention of Elder Abuse (Elected Member);*
- (ii) *Cr Sally Lake be nominated as WALGA Deputy Member - Statutory Planning Committee (Panel of 3 names requested) (Approval by Minister);*

MOTION PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 12.1

That the following nominations be approved:

That;

- (i) *Cr Taryn Harvey be nominated as WALGA Member - Alliance for the Prevention of Elder Abuse (Elected Member); and*
- (ii) *Cr Sally Lake be nominated as WALGA Deputy Member - Statutory Planning Committee (Panel of 3 names requested) (Approval by Minister);*

DETAILS:

Please see Appendix 12.1 for further details.

N.B.:

NOMINATIONS CLOSE 5pm Monday 22 March 2010

13. URGENT BUSINESS

Nil.

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

Nil.

15. CLOSURE

The Presiding Member, Mayor Nick Catania, declared the meeting closed at 9.55pm with the following persons present:

Mayor Nick Catania, JP	Presiding Member
Cr Matt Buckels	North Ward
Cr Anka Burns	South Ward
Cr Steed Farrell	North Ward
Cr Taryn Harvey	North Ward
Cr Sally Lake (<i>Deputy Mayor</i>)	South Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 9 March 2010.

Signed:Presiding Member
Mayor Nick Catania

Dated this day of 2010