



TOWN OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

<h2>4 DECEMBER 2007</h2>

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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 4 December 2007, commencing at 6.00pm.

1. DECLARATION OF OPENING

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

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Nil.

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Steed Farrell (Deputy Mayor)	North Ward
Cr Helen Doran-Wu	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Noel Youngman	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Fran Sanders	Administration Officer
Chris Thomson	Journalist - <i>"The Perth Voice"</i> (until approximately 7.27 pm)

Approximately 26 Members of the Public

(c) Members on Leave of Absence:

Cr Anka Burns South Ward

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

1. Mr Richard Brodich of 324 Fitzgerald Street North Perth – Item 10.1.1
Mr Brodich stated that the Development plans for this Item had been improved. The application for the available tenancy had been changed from eating house to office building, this will decrease the parking issues for the development. Requested the Council approve the application.
2. Irma Luckmund, President of Loftus Community Centre of 148 Anzac Road Mount Hawthorn spoke on Item 10.4.2 and wanted to thank the Town for the redevelopment of the Loftus centre, but wanted to propose that the CEO have more discretion into the newly funded items.
3. Mr Daniel Patteson of 9 Breeze Court Sorrento spoke on Item 10.1.2. He stated that the Buildings are derelict. There proposal will reintroduce interaction between the residents and the Community.

4. Mr John Viska of 148 Chelmsford Street North Perth spoke on Item 10.1.1 Mr Viska wants the Council to reject the Proposal; he believes a three story building will put pressure on Chelmsford Road and parking in the area.
5. Mr Ken Johnson of 8 Brown Avenue Dalkeith spoke on Item 14.1. Mr Johnson wants the removal of the building to be approved as it is in a derelict state.
6. Mrs Oxana Sakarlo of 154 Vincent Street North Perth spoke on Item 10.1.1. Mrs Sakarlo does not want this building to go ahead; she feels it is not consistent with the Town.
7. Dr Carlo Sakarlo of 154 Vincent Street North Perth spoke on Item 10.1.1. Mr Sakarlo stated that the residents in this area are against a 3 story development in this area.
8. Mr Neville Curtis of 158 Chelmsford Road North Perth spoke on Item 10.1.1, he believes that parking is already an issue in this area, and by approving this building it will only enlarge the problem for the surrounding residents.
9. Mr Daniel Messing of 4 Muriel Place Leederville spoke on Item 10.1.2. He believes a building of the type would not fit in with the surrounding properties, or the aspect of the Town.

There being no further questions from the public, the Presiding Member, Mayor Nick Catania, JP, closed Public Question Time at 6.27m.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND MEMORIALS

- 5.1 Petition from Noel and Claire Croxon of Harley Avenue, Leederville 15 signatories of residents objecting to the proposed bar at 217-221 Oxford Street, Leederville. The main reasons of objections being lack of parking, trading hours proposed, and behavior problems brought to the area.
- 5.2 Petition from Barry Day of Blake Street, North Perth. 14 signatories of Ratepayers and Neighbours of the Right of Way bounded by Blake, Knutsford, Mabel and Norham Streets, requesting that the Town seal drain, install lighting and dedicated the remaining 64 meters of right of way, at its cost. The reasons being to tidy up the constant dust from non-local traffic, lack of security and removal of constant rubbish and discarded needles.

Moved Cr Farrell, Seconded Cr Messina

That the Petitions are received and reports are prepared by the respective Directors.

CARRIED (8-0)

Cr Burns on approved leave of absence

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Meeting of Council held on 20 November 2007.

Moved Cr Farrell, Seconded Cr Messina

That the Minutes of the Ordinary Meeting of Council held on 20 November 2007 be confirmed as a true and correct.

CARRIED (8-0)

Cr Burns on approved leave of absence

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

1. WALGA Pool Lifeguard Challenge

On Friday, 23 November 2007, the Royal Life Saving Society in conjunction with the Western Australian Local Government Association (WALGA) hosted the 2nd Annual WALGA Pool Lifeguard Challenge.

The event was held in the water polo pool at Challenge Stadium and eight teams from around the State attended. Each team of four lifeguards demonstrated their skills in the areas of rescue, resuscitation and surveillance while judges from the Royal Life Saving Society timed and marked their performance.

The experienced team from Beatty Park Leisure Centre tried hard all day and are to be congratulated on their 2nd place finish in this growing event.

A presentation was held in the Royal Life Saving Society function room directly after the event and the Hon. Ljiljana Ravlich, Minister for Local Government presented the trophy to the winning team from Fremantle Leisure Centre. The Minister congratulated the lifeguards and organisers for the event and their work in this area.

I extend my congratulations to the Beatty Park Leisure Centre lifeguards for their outstanding effort.

2. CERTIFICATE OF APPRECIATION - TOWN OF VINCENT LIBRARY

I am pleased to advise that the Town's Library was awarded a Certificate of Appreciation from the Commissioner of Taxation, Australian Tax Officer, in recognition of the valuable service provided to the Vincent community through the Tax Help Program.

This is a new initiative provided to assist the Town's residents.

Thank you to our Library and Local History Centre staff on a job well done.

Cr Maier departed the Chamber at 6.27pm

Cr Maier returned to the Chamber at 6.30pm

8. DECLARATIONS OF INTERESTS

- 8.1 Cr Ker declared a impartiality interest in Item 10.1.6 Affordable Housing Strategy. The extent of his interest being that he has a research affiliation with Curtin University and knows one of the proposed team members of HURIWA.

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

Nil.

10. REPORTS

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

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

Items 10.1.1, 10.1.2, 10.4.2, 14.1,

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

Items 10.1.2, 10.4.2

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

Nil

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

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

Cr Farrell	10.2.2, 10.4.3
Cr Messina	10.2.1
Cr Youngman	10.1.6
Cr Ker	10.1.4, 10.3.1
Cr Doran-Wu	Nil
Cr Lake	Nil
Cr Maier	10.1.7
Mayor Catania	Nil

The Presiding Member, Mayor Nick Catania JP, 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 10.1.3, 10.1.5, 10.3.2, 10.4.1

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

Items 14.1 and 14.2

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 10.1.3, 10.1.5, 10.3.2, 10.4.1

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

Items 10.1.1, 10.1.2, 10.4.2, 14.1

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

Moved Cr Farrell, Seconded Cr Messina

That the following unopposed items be APPROVED, as recommended, en bloc;

Items 10.1.3, 10.1.5, 10.3.2, 10.4.1

CARRIED (8-0)

Cr Burns on approved leave of absence

10.1.3 No. 356 (Lots 1 and 2) Oxford Street, Corner Salisbury Street, Leederville - Proposed Demolition of Vehicle Sales Premises and Construction of a Three (3) Storey Mixed Use Development Comprising Offices, Shop, Five (5) Multiple Dwellings and Basement Car Park

Ward:	North	Date:	27 November 2007
Precinct:	Mount Hawthorn Centre; P2	File Ref:	PRO3688; 5.2007.479.1
Attachments:	001		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

CORRECTED OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Hoffman Architecture on behalf of the owner Heal & Brandli Services Pty Ltd and J & A Matta for proposed Demolition of Existing Vehicle Sales Premises and Construction of Three-Storey Mixed Use Development comprising Offices, Shop, Five (5) Multiple Dwellings and Basement Car Parking, at No. 356 (Lots 1 and 2) Oxford Street, corner Salisbury Street, Leederville and as shown on plans stamp-dated 19 November 2007, subject to the following conditions:

- (i) 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;*
- (ii) the power pole along Salisbury Street shall be relocated and all associated costs shall be borne by the owners;*
- (iii) 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;*
- (iv) prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$30,000.) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$30,000, subject to the Town agreeing to this arrangement. The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (v) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*

- (vi) *first obtaining the consent of the owners of Nos. 358 (Lot 4) Oxford Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 358 (Lot 4) Oxford Street in a good and clean condition;*
- (vii) *any vehicular gates to the basement car park shall be either open at all times or suitable management measures shall be implemented to ensure access is readily available for visitors 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;*
- (viii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *the height of the front of the building being reduced to 10.784 metres, as previously approved;*
 - (b) *the height of the rear of the building being reduced to 7.34 metres, as previously approved;*
 - (c) *any proposed vehicular gate along the right-of-way being a minimum 50 percent visually permeable when viewed from the street;*
 - (d) *the awnings being a minimum height of 2.75 metres from the footpath level to the underside of the awning and a minimum of 600 millimetres from the kerb line of Oxford Street;*
 - (e) *all stores having a minimum dimension of 1.5 metres and minimum area of 4 square metres; and*
 - (f) *the openings to the corridor on the northern elevation and the windows on the eastern elevation, on the second floor, being screened with permanent obscure materials and be non-openable to a minimum of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the affected owners of properties to the north and east of the subject site respectively, stating no objections to the proposed privacy encroachment.*

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

- (ix) *prior to the first occupation of the development, four (4) class- one or two, plus one (1) class three bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*
- (x) *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) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air*

conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;

- (xii) *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 following:*
- (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
 - (b) *the Town of Vincent will not issue a 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.

- (xiii) *doors, windows and adjacent floor areas fronting Oxford Street and Salisbury Street shall maintain an active and interactive relationship with these streets;*
- (xiv) *the maximum floor space shall be limited as follows:*
- (a) *shop - 269 square metres of gross floor area; and*
 - (b) *offices - 557 square metres of gross floor area;*
- (xv) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (xvi) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xxii) ~~*the undergrounding of power line(s) adjacent to the subject site and the installation of lighting on the eastern elevation of the building facing the rear right of way (ROW), and all associated costs shall be met by the owner(s);*~~
- (xviii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (xix) *the car parking area shown for the commercial tenancies shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (xx) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*

- (xxi) *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 \$15,080 for the equivalent value of 5.80 car parking spaces, based on the cost of \$2,600 per bay as set out in the Town's 2006/2007 Budget (as required in the previous approval granted on 19 December 2006); and a cash-in-lieu of \$756 for the equivalent value of 0.28 car parking space, based on the cost of \$2,700 per bay as set out in the Town's 2007/2008 Budget; OR*
 - (b) *lodge an appropriate assurance bond/ bank guarantee of a value of \$15,836 to the satisfaction of the Town. This assurance bond / bank guarantee will only be released in the following circumstances:*
 - (1) *to the Town at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or*
 - (2) *to the owner(s) / applicant following receipt by the Town of a Statutory Declaration of the prescribed form endorsed by the owner(s)/ applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or*
 - (3) *to the owner(s) / applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.*

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

- (xxii) *the undergrounding of power line(s) adjacent to the subject site and the installation of lighting on the eastern elevation of the building facing the rear right of way (ROW), and all associated costs shall be met by the owner(s);*
- (xxiii) *any new street/front wall, fence and gate between the Oxford Street and Salisbury Street boundaries and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
- (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency;*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*

(xxiv) *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 \$9,100 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing;*

(xxv) *any alterations to the Oxford Street and Salisbury Street verges require a separate prior approval from the Town's Technical Services; and*

(xxvi) prior to the first occupation of the development, 5 car parking spaces for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development.

**Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strikethrough, italic font and underline.*

CORRECTED DETAILS:

A new application with amended plans has been submitted as part of the Building Licence application for the proposed development and varies from the Planning Approval plans. The proposal is referred to this Ordinary Meeting for consideration and determination by the Council as a new planning application, mainly due to the extent and nature of changes to the previously approved plans considered by Council at its Ordinary Meeting held on 19 December 2006.

The main differences between the current development application and the previous approved plans are as follows:

- reduction of a car bay, as a result of the requirement by Western Power for a substation to be provided in the basement car park; and
- shops – 269 (previous 258) square metres of gross floor area, and offices ~~660~~557 (previous ~~557~~660) square metres of gross floor area.

The applicant's submission in support of the revised plans is "*Laid on the Table*"

ADDITIONAL INFORMATION:

Technical Services have advised that the undergrounding of power lines in this area is not required as previously recommended for the following reasons:

- The design complies with Western Power requirements for setbacks from openings to adjacent powerlines.
- It was not a condition of the original Planning Approval, and is therefore an added imposition on the applicant.
- The section to be placed underground would be done in isolation and does not form part of a larger project nor continues an existing underground scheme such as in Newcastle Street in the Oxford Centre Precinct.

The new floor space area for the office component should be 557 square metres, which is a reduction from the previous floor space of 660 square metres.

The proposed condition (xxvi) is to ensure adequate car bays are clearly identified for the residential component.

Landowner:	Heal & Brandli Services Pty Ltd & J & A Matta
Applicant:	Hoffman Architecture
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Vehicle Sales Premises
Use Class:	Office Building, Shop and Multiple Dwellings
Use Classification:	"P", "P" and "AA"
Lot Area:	890 square metres
Access to Right of Way	East side, 5 metres wide, sealed, privately owned

Moved Cr Farrell , **Seconded** Cr Messina

That the recommendation be adopted.

CARRIED "EN BLOC" (8-0)

Cr Burns on approved leave of absence

COUNCIL DECISION ITEM 10.1.3

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Hoffman Architecture on behalf of the owner Heal & Brandli Services Pty Ltd and J & A Matta for proposed Demolition of Existing Vehicle Sales Premises and Construction of Three-Storey Mixed Use Development comprising Offices, Shop, Five (5) Multiple Dwellings and Basement Car Parking, at No. 356 (Lots 1 and 2) Oxford Street, corner Salisbury Street, Leederville and as shown on plans stamp-dated 19 November 2007, subject to the following conditions:

- (i) *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;*
- (ii) *the power pole along Salisbury Street shall be relocated and all associated costs shall be borne by the owners;*
- (iii) *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;*
- (iv) *prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$30,000.) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$30,000, subject to the Town agreeing to this arrangement. The art work(s) shall be in accordance with the Town's Policy relating*

to Percent for Art Scheme and be developed in full consultation with the Town's Community Development Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

- (v) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (vi) *first obtaining the consent of the owners of Nos. 358 (Lot 4) Oxford Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 358 (Lot 4) Oxford Street in a good and clean condition;*
- (vii) *any vehicular gates to the basement car park shall be either open at all times or suitable management measures shall be implemented to ensure access is readily available for visitors 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;*
- (viii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *the height of the front of the building being reduced to 10.784 metres, as previously approved;*
 - (b) *the height of the rear of the building being reduced to 7.34 metres, as previously approved;*
 - (c) *any proposed vehicular gate along the right-of-way being a minimum 50 percent visually permeable when viewed from the street;*
 - (d) *the awnings being a minimum height of 2.75 metres from the footpath level to the underside of the awning and a minimum of 600 millimetres from the kerb line of Oxford Street;*
 - (e) *all stores having a minimum dimension of 1.5 metres and minimum area of 4 square metres; and*
 - (f) *the openings to the corridor on the northern elevation and the windows on the eastern elevation, on the second floor, being screened with permanent obscure materials and be non-openable to a minimum of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the affected owners of properties to the north and east of the subject site respectively, stating no objections to the proposed privacy encroachment.*

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

- (ix) *prior to the first occupation of the development, four (4) class- one or two, plus one (1) class three bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*
- (x) *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) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (xii) *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 following:*
 - (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
 - (b) *the Town of Vincent will not issue a 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.
- (xiii) *doors, windows and adjacent floor areas fronting Oxford Street and Salisbury Street shall maintain an active and interactive relationship with these streets;*
- (xiv) *the maximum floor space shall be limited as follows:*
 - (a) *shop - 269 square metres of gross floor area; and*
 - (b) *offices - 557 square metres of gross floor area;*
- (xv) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (xvi) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xxii) *the installation of lighting on the eastern elevation of the building facing the rear right of way (ROW), and all associated costs shall be met by the owner(s);*

- (xviii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (xix) *the car parking area shown for the commercial tenancies shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (xx) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xxi) *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 \$15,080 for the equivalent value of 5.80 car parking spaces, based on the cost of \$2,600 per bay as set out in the Town's 2006/2007 Budget (as required in the previous approval granted on 19 December 2006); and a cash-in-lieu of \$756 for the equivalent value of 0.28 car parking space, based on the cost of \$2,700 per bay as set out in the Town's 2007/2008 Budget; OR*
- (b) *lodge an appropriate assurance bond/ bank guarantee of a value of \$15,836 to the satisfaction of the Town. This assurance bond / bank guarantee will only be released in the following circumstances:*
- (1) *to the Town at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or*
- (2) *to the owner(s) / applicant following receipt by the Town of a Statutory Declaration of the prescribed form endorsed by the owner(s)/ applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or*
- (3) *to the owner(s) / applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.*
- The car parking shortfall and consequent cash-in-lieu contribution can be reduced as a result of a greater number of car bays being provided on site and to reflect the new changes in the car parking requirements;*
- (xxiii) *the undergrounding of power line(s) adjacent to the subject site and the installation of lighting on the eastern elevation of the building facing the rear right of way (ROW), and all associated costs shall be met by the owner(s);*
- (xxiii) *any new street/front wall, fence and gate between the Oxford Street and Salisbury Street boundaries and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
- (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
- (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*

- (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency;*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (xxiv) *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 \$9,100 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing;*
- (xxv) *any alterations to the Oxford Street and Salisbury Street verges require a separate prior approval from the Town's Technical Services; and*
- (xxvi) *prior to the first occupation of the development, 5 car parking spaces for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development.*
-

BACKGROUND:

The Council at its Ordinary Meeting held on 19 December 2006 conditionally approved demolition of shed and construction of three-storey multiple dwelling comprising offices, shop, five (5) multiple dwellings plus basement car parking at the subject property.

DETAILS:

A new application with amended plans has been submitted as part of the Building Licence application for the proposed development and varies from the Planning Approval plans. The proposal is referred to this Ordinary Meeting for consideration and determination by the Council as a new planning application, mainly due to the extent and nature of changes to the previously approved plans considered by Council at its Ordinary Meeting held on 19 December 2006.

The main differences between the current development application and the previous approved plans are as follows:

- reduction of a car bay, as a result of the requirement by Western Power for a substation to be provided in the basement car park; and
- shops – 269 (previous 258) square metres of gross floor area, and offices - 660 (previous 557) square metres of gross floor area.

The applicant's submission in support of the revised plans is “*Laid on the Table*”

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	0.65	0.85 - no change to previous approval by Council at its Ordinary Meeting held on 19 December 2006.	Supported- as in mixed use development sites, if too high standards are imposed, there is a probability that this would discourage the concept of mixed use developments. In the past, for mixed use developments, the Town has considered higher plot ratios provided that the "total development" is compatible with the surrounding development and the likely benefits to be achieved by such integrated developments, such as this proposal.
Density	R60 or 5.66 multiple dwellings	R56 or 5 Multiple dwellings- no change to previous approval by Council at its Ordinary Meeting on 19 December 2006.	Noted- no variation.
Car Parking for Commercial Use	21.07 car bays	15 car bays	Supported-as there is street parking available along Oxford and Salisbury Streets for any over flow of traffic from the above development site, and a cash in lieu condition is recommended.
Height of 3 Storey Component	10 metres	11.057 metres (previously approved at 10.784 metres)	Not supported- as the additional height is not warranted in this instance.
Height of 2 Storey Component	7 metres	7.543 metres (previously approved at 7.34 metres)	Not supported- as the additional height is not warranted in this instance.
Stores	1.5 metres dimension and 4 square metres in area.	One of the five stores is 3.4 square metres in area.	Not supported- and a condition has been recommended that all stores have a minimum dimension of 1.5 metres and area of 4 square metres.

Consultation Submissions	
The current amended plans do not propose any further variation to the Town's Policies and the R Codes other than the increased shortfall to the car parking, due to Western Power's requirement for a substation, and do not have an undue impact on the amenity of the area, and as such there is no need to further advertise the revised proposal. This application is also being referred to Council for its consideration and determination.	
Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications	Nil
Financial/Budget Implications	Nil

* The 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 multiple dwellings from the Residential Design Codes (R Codes). In mixed use developments, the residential component of 5 multiple dwellings require the provision of five (5) car bays, based on the standard of one (1) car bay per multiple dwelling.

A total of 20 car bays have been provided for the entire development, therefore resulting in 15 car bays available for the commercial component.

Commercial Car Parking	
Office: 1 car bay per 50 square metres gross floor area (proposed 557 square metres) = 11.14 car bays. Shop: 1 car bay per 15 square metres of gross floor area (proposed 269 square metres) = 17.93 car bays. Total = 29.07 car bays To nearest whole number	29 car bays
Apply the parking adjustment factors.	(0.72675)
<ul style="list-style-type: none"> ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.95 (within 50 metres of one or more public car parks in excess of 25 spaces) ▪ 0.90 (end of trip bicycle facilities) 	21.08 car bays
Car parking provided on-site	15 car bays
Resultant shortfall	6.08 car bays

Bicycle Parking		
Requirements	Required	Provided
Offices <ul style="list-style-type: none"> • 1 space per 200 (proposed 557) square metres gross floor area (class 1 or 2). 	2.78 spaces	Bicycle parking facilities and end of trip facilities shown on submitted plans.
Shop <ul style="list-style-type: none"> • 1 space per 300 (proposed 269) square metres gross floor area (Class 1 or 2). • 1 space per 200 (proposed 269) square metres (Class 3). 	0.90 space 1.34 spaces	As above. As above.

Demolition

The Town's Heritage Officers consider the demolition of the existing vehicle sales premises building to be acceptable and that it does not require a full heritage assessment.

Technical Services

Technical Services have requested the following additional requirements to be imposed as part of these amended plans:

- power lines to be removed; and
- any alteration to the verge will require a separate approval from Technical Services.

Conclusion

The additional heights are required to accommodate air-conditioning duct work and also recessing of light fittings. There appears to be scope to reduce the building heights to the previously approved heights.

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 and the scale and nature of the development.

10.1.5 Town of Vincent Library and Local History Centre – Approval of Name and Extended Opening Hours

Ward:	Both Wards	Date:	26 November 2007
Precinct:	All Precincts	File Ref:	CMS0002
Reporting Officer(s):	E Scott		
Checked/Endorsed by:	R Boardman		
Amended by:	John Giorgi		

OFFICER RECOMMENDATION:

That the Council;

(i) *RECEIVES this report relating to the proposed name change and the extension of hours of opening for the new Town of Vincent Library and Local History Centre;*

(ii) *APPROVES;*

(a) *the change in title from “Town of Vincent Library” to “Town of Vincent Library and Local History Centre” for the Town’s new library facility;*

(b) *the proposed hours of opening for the new Town of Vincent Library and Local History Centre as follows:*

*Monday 9:00AM to 6:00PM (9 hours);
Tuesday 9:00AM to 8:00PM (11 hours);
Wednesday 9:00AM to 6:00PM (9 hours);
Thursday 9:00AM to 8:00PM (11 hours);
Friday 9:00AM to 6:00PM (9 hours);
Saturday 9:00AM to 1:00PM (4 hours); and
Sunday 1:00PM to 5:00PM (4hours);*

(iii) *NOTES the Chief Executive Officer will review the extended hours of opening prior to 30 June 2008; and*

(iv) *AUTHORISES the Chief Executive Officer to vary the times (if required) during or at the conclusion of the review period.*

COUNCIL DECISION ITEM 10.1.5

Moved Cr Farrell , Seconded Cr Messina

That the recommendation be adopted.

CARRIED “EN BLOC” (8-0)

Cr Burns on approved leave of absence

PURPOSE OF THE REPORT:

The purpose of this report is to inform the Council of the opportunity to extend hours of opening when the new Town of Vincent Library and Local History Centre opens in mid February 2008, and to seek approval for a new name and to extend the hours as recommended.

BACKGROUND:

TITLE

As has been previously reported to Council, the Town's new library facility will also incorporate a larger range of services, including, large computer training room for 12 persons, improved internet facilities, dedicated reading room, and a large local history section with interview room, storage, research and display facilities.

The new facility is just more than a library. It is considered the new name should reflect the importance of local history in the Town. It is therefore recommended the new name should be "Town of Vincent Library and Local History Centre".

Operating Hours

As the move into the new Library facility approaches, there is a need to address the hours of opening, to ensure that the best use of this resource is achieved in servicing the community. Currently, the Library is open for 52 hours per week, as follows:

Current Hours (52 hours)

*Monday 9:00AM to 6:00PM (9 hours);
Tuesday 9:00AM to 8:00PM (11 hours);
Wednesday 9:00AM to 6:00PM (9 hours);
Thursday 9:00AM to 8:00PM (11 hours);
Friday 9:00AM to 6:00PM (9 hours);
Saturday 9:00AM to 12 midday (3 hours).
hours)*

Proposed Hours (57 hours)

*Monday 9:00AM to 6:00PM (9 hours)
Tuesday 9:00AM to 8:00PM (11 hours)
Wednesday 9:00AM to 6:00PM (9
Thursday 9:00AM to 8:00PM (11
Friday 9:00AM to 6:00PM (9
Saturday 9:00AM to 1.00PM (4
Sunday 1.00PM to 5.00PM (4*

A review of other local governments in close proximity to Vincent was carried out. This revealed some public libraries in the Perth metropolitan area offer longer hours of opening on Saturdays, some Sundays, or later closing on weeknights. Some open later in the morning than the Town of Vincent, or close for a day or half-day mid-week.

The Library currently operates with a staff Full Time Equivalent (FTE) of 10.3 members, which includes the two Local History staff whose total FTE is 1.4.

The Local History staff will be working in the Local History Centre only, and will not participate in the general customer service rosters.

DETAILS:

Benchmarking against other libraries indicates that Saturday mornings and Sunday afternoons are the preferred weekend hours of trade. It is also noted that some libraries that offer Sunday hours remain closed on one weekday; however, this is not recommended in this instance.

Saturdays mornings are sufficiently busy to suggest that the Library should open longer on Saturdays. It is therefore recommended that the new Library open until 1:00PM on Saturday

afternoons. All staff rostered on Saturdays only work at the service desk, and are rarely able to attend to any workroom functions.

As the general community expects to have access to the Library service, with the internet being a very big drawcard, on Sundays, it is also recommended that the new Library should open on Sunday afternoons, from 1:00PM to 5:00PM.

Currently, all but the Local History staff participates in the customer service desk roster, across all the hours of opening. As customer service is paramount, there are always at least two staff members rostered on the desk at any given time, with one always being a professional Librarian or Library Technician. Back-up staff are rostered for the busier times.

There is very strong statistical and anecdotal evidence that the Library will have a much higher profile in the new building, and will therefore be much busier than at present. The minimum staff rostered on the service desk for the first few months after opening may therefore need to be increased. To address this, a small cadre of casual staff has been trained and have become valued members of the Library team.

CONSULTATION / ADVERTISING:

The Town's Manager Library Services has consulted and benchmarked similar library services which are members of single library systems.

LEGAL /POLICY:

Not applicable.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006 – 2011 at Objective 1.1 – *“Improve and maintain environment and infrastructure”* and at Part 1.1.5(d) *“(d) Continue to provide vibrant meeting places for the community.”*

FINANCIAL / BUDGET IMPLICATIONS:

As the proposed extended hours of opening would only commence on or after 16 February 2008, the costs can be met from the existing operating budget and staff level.

COMMENTS:

As a Library within a vibrant inner city suburb, the Town is striving to show leadership in meeting very high standards of customer service, and at the same time identifying and meeting customer demands.

It is a generally accepted opinion that members of the public wish to have extensive opportunities and choice of times to visit facilities such as shops and public libraries. By running this trial between late February and June 2008, it will be possible to monitor use of the library, using both the Library software to count transactions and new memberships, and the people counter that will be installed at the entry. By analysing and cross-matching the resulting data, it will be possible to carry out an informed review to determine the best hours of opening and appropriate staffing levels for the immediate future.

CEO'S COMMENT

The CEO amended this report by requesting the current Friday hours of operation to remain the same (i.e. 9am – 6pm) and altering the Sunday hours from 2-5pm to 1-5pm.

The Manager of Library and Local History Services has been requested to review Staff Levels during week days and vary rosters to suit the demand.

**10.3.2 Tender for External Painting of Leederville Gardens Retirement Village -
Tender No. 360/07**

Ward:	North	Date:	26 November 2007
Precinct:	Britannia Reserve	File Ref:	TEN0384
Attachments:			
Reporting Officer(s):	J. Anthony		
Checked/Endorsed by:	M. Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council ACCEPTS the tender submitted by Works Infrastructure Pty Ltd for Higgins Coatings Pty Ltd of \$206,349 for the External painting of the Leederville Gardens Retirement Village as being the most acceptable to the Town, in accordance with the specifications as detailed in Tender No. 360/07.

COUNCIL DECISION ITEM 10.3.2

Moved Cr Farrell , Seconded Cr Messina

That the recommendation be adopted.

CARRIED "EN BLOC" (8-0)

Cr Burns on approved leave of absence

PURPOSE OF REPORT:

To obtain Council approval of Tender 360/07 - External Painting of the Leederville Gardens Retirement Village.

BACKGROUND:

The Leederville Gardens Retirement Village is a 66 unit self-care village that was opened in 1993. The Village is currently owned by Leederville Gardens Inc following a transfer of the ownership from Lake Monger Homes Inc in 1993.

Leederville Gardens Inc operates under a constitution established in 1991. Under the Constitution the board of management is responsible for the management of the Village. Section 9 (1) establishes the composition of the Board, which is as follows:

"The Board shall comprise six (6) members, three (3) of whom shall be persons appointed by the Town from time to time. The Town may by notice in writing remove any person so appointed or fill any vacancy which may arise in the Town's appointment."

The Town of Vincent is also contracted to manage the village by the Board and to ensure that the village operates in accordance with the terms and conditions of the Lease Contract.

DETAILS:

Tenders for External Painting of Leederville Gardens Retirement Village closed at 2.00 pm on 31 October 2007 and two (2) tenders were received.

The prices submitted are to be fixed for a twelve (12) month period. Beyond this, price adjustments for CPI and material increases/decreases may be negotiated.

Details of the submissions received are listed below:

Stage	Programmed Maintenance Services		Higgins Coatings Pty Ltd	
	Price (\$)	Time for Completion	Price (\$)	Time for Completion
1	151,942	Six (6) weeks	110,482	Nine (9) weeks
2	52,910	Three (3) weeks	36,932	Five (5) weeks
3a	29,376	Two (2) weeks	16,127	Two (2) weeks
3b	16,838	One & Half (1.5) weeks	7,676	Two (2) weeks
4a	16,944	One & half (1.5) weeks	12,189	Three (3) weeks
4b	10,603	One (1) week	9,134	Two (2) weeks
5	6,535	One (1) week	13,809	Three (3) weeks
TOTAL	285,148	Sixteen (16) weeks	206,349	*Twelve weeks if run concurrently

Note: All prices include GST

Price per Square Metre for:

	Programmed Maintenance	Higgins Coatings
Timber Lattice Panels	\$20	\$5.50
Brick Boundary Fences	\$14	\$9.31
Fibre Cement Fences	\$16	\$8.70

The two (2) tenders received were evaluated in accordance with the selection criteria as outlined in the tender documentation as follows:

Selection Criteria		Programmed Maintenance	Higgins Coatings
Demonstrated previous experience in the provision of similar projects/works	25%	23.33	20.00
Organisational structure/capacity to deliver required services/resources	25%	21.67	22.50
Contract Price	25%	15.08	24.17
Compliance with the Tender Specification	15%	14.25	14.25
Financial capacity of the Company	5%	0.75	0.50
References from other persons/organisations	5%	2.50	1.67
TOTAL	100%	77.58	83.08

The evaluation was undertaken by Managers of Community Development and Financial Services, and the Coordinator of Major Projects.

The assessment was undertaken by comparing each tenderer's price based on Stages 1 to 5 which covered the various sites and areas of the village.

CONSULTATION/ADVERTISING:

N/A

LEGAL/POLICY:

The Tender was advertised in accordance with the Local Government Act regulations.

STRATEGIC IMPLICATIONS:

Although not directly affiliated with a Strategic Objective this would fall into the general category in the Town's Strategic Plan 2006-2011 Objective: *1.1 "Improve and maintain environment and infrastructure."*

FINANCIAL/BUDGET IMPLICATIONS:

The service provided as outlined in this tender will be utilised for external painting of the retirement village. The preferred timeframe would be for the works to be completed by April 2007.

The works will be funded by the Aged Persons Senior Citizens Reserve. This reserve was established from a contribution from the Board of Leederville Gardens Retirement Village for the purpose of the acquisition, provision, maintenance, management or extension of the existing Leederville Gardens Village.

COMMENTS:

The last external painting of village was conducted over the summer of 1998/99, commencing in 1998. Previously the village had been first painted upon village building completion in 1993.

In assessing the tenders, it has been determined that in terms of ability to undertake the work, both tenders have a good track record and demonstrate their competency in providing a quality result.

In assessing overall compliance with the Tender requirements it is considered that Higgins Coatings will provide the best value to the Town.

Therefore, it is recommended that the Tender for External Painting of Leederville Gardens be awarded to Higgins Coatings in accordance with the specifications as detailed in Tender 360/07 for reasons of project cost and time efficiency.

10.4.1 Use of the Council's Common Seal

Ward:	-	Date:	26 November 2007
Precinct:	-	File Ref:	ADM0042
Attachments:	-		
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council ENDORSES the use of the Council's Common Seal on the documents listed in the report, for the month of November 2007.

COUNCIL DECISION ITEM 10.4.1

Moved Cr Farrell , Seconded Cr Messina

That the recommendation be adopted.

CARRIED "EN BLOC" (8-0)

Cr Burns on approved leave of absence

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
2/11/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd, Unit 25, 257 Balcatta Road, Balcatta WA 6021 and KC's Fireworks Displays Aust Pty Ltd, PO Box 6112, Mooloolah, QLD 4553 re: Monster Trucks Media Day - 7 November 2007.
2/11/07	Agreement	2	Town of Vincent and Hawaiian Management Pty Ltd (representing Hyde Park Management Ltd) of Level 3, London House, 216 St Georges Terrace, Perth - Car Parking Agreement for The Mezz Shopping Centre Car Park
2/11/07	Deed of Amalgamation	3	Town of Vincent and Charles-Hop Pty Ltd of PO Box 1, Northbridge and Milino Pty Ltd formerly of 883 Wellington

Date	Document	No of copies	Details
			Street, West Perth and now of Level 6, 182 St Georges Terrace, Perth re: No. 60 (Lot 801, D/P 40498 & 300) Newcastle Street, Perth - Proposed Three (3) Storey Mixed Use Development comprising of eight (8) commercial showrooms and twenty-two (22) single bedroom apartments
6/11/07	Lease	3	Town of Vincent and Tennis Seniors Western Australia re: Lease for Robertson Park Tennis Centre (Certificate of Title Volume 1077, Folio 518) - <i>Five (5) Years commencing 1 September 2007 and terminating 31 August 2012.</i>
7/11/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd, Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Flexirent Sundowner - 13 November 2007 (Gareth Naven Room)
9/11/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd, Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Total Marine Event - 13 and 14 November 2007 (Suites 10 and 11)
12/11/07	Transfer of Land	2	Town of Vincent and City of Perth of GPO Box C120, Perth 6000 re: Transfer of Weld Square (Lot 1272 on Deposited Plan 30904) to Town of Vincent
12/11/07	Deed of Licence	2	Town of Vincent and Allia Venue Management Pty Ltd, Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Michael Coppel Ventures of Level 716-718 High Street, Armadale, Victoria 3143 re: Jack Johnson Concert - 29 March 2008 (Stadium)
12/11/07	Deed of Licence	2	Town of Vincent and Allia Venue Management Pty Ltd, Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Michael Coppel Ventures of Level 716-718 High Street, Armadale, Victoria 3143 re: Celine Dion Concert - 4 April 2008 (Stadium)
12/11/07	Deed of Licence	2	Town of Vincent and Allia Venue Management Pty Ltd, Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Michael Coppel Ventures of Level 716-718 High Street, Armadale, Victoria 3143 re: Matchbox 20 Concert - 12 April 2008 (Stadium)
13/11/07	Contract Documents	2	Town of Vincent and Leederville Gardens Retirement Estate of 37 Britannia Road, Leederville and Ms A J Fong re: Unit 25, Leederville Gardens
15/11/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd, Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Palm Beach Pictures Pty Ltd of 50 Francis Street, Northbridge WA 6003 re: Filming - 16 November 2007 (Change Rooms 1 and 2)
15/11/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd, Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Locksmith Supply Company Event - 20 November 2007 (Gareth Naven Room)
15/11/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd, Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: LUMACOM Meeting - 30 November 2007 (Gareth Naven Room)

Date	Document	No of copies	Details
16/11/07	Deed of Agreement	2	Town of Vincent and QUBE Scarborough Beach Road Development Pty Ltd (formerly Scarborough Beach Road Development Pty Ltd) of 168 Stirling Highway, Nedlands re: Nos 7-9 (Lot 100 D/P 44042, Lot 14 D/P 22227) Scarborough Beach Road, North Perth - Proposed Additional Floor area and sub-station to approved one three storeys commercial development comprising shop and offices (<i>To satisfy condition (xvi) of Planning Approval issued 6 July 2007</i>)
22/11/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd, Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Unions WA Election Dinner - 24 November 2007 (Gareth Naven Room)
22/11/07	Deed of Easement	4	Town of Vincent and H Cohny formerly of N16, 9 Parker Street, South Perth and now c/o First Floor, Olivier House, 1318 Hay Street, West Perth and Harmin Investments Pty Ltd of First Floor, Olivier House, 1318 Hay Street, West Perth re: Elovalis Lane - Lot 147 on Plan 594, the whole of the land in Certificate of Title Volume 972 Folio 103 - abutting Elovalis Lane and whose front boundary is along Beaufort Street.
22/11/07	Deed of Easement	4	Town of Vincent and Department of Housing and Works of 99 Plain Street, East Perth re: Elovalis Lane - Lot 614 on Deposited Plan 40525, the whole of the land in Certificate of Title Volume 2569, Folio 987 abutting Elovalis Lane and whose front boundary is along Beaufort Street.
22/11/07	Deed of Easement	4	Town of Vincent and Universal Sand Supplies Pty Ltd of 1318 Hay Street, West Perth re: Elovalis Lane - Lots 613 and 615 on Deposited Plan 46299, the whole of the land in Certificates of Title Volume 2595, Folios 370 and 371 - abutting Elovalis Lane and whose front boundary is along Beaufort Street.

10.1.1 Further Report - Nos. 324-326 (Lot: 2 D/P: 3538, Lot: 1 D/P: 3538) Fitzgerald Street, Corner Chelmsford Road, North Perth - Proposed Demolition of Consulting Rooms and Construction of Three-Storey Plus Basement Mixed Use Development, Comprising Twelve (12) Multiple Dwellings, Offices, Shop and One (1) Consulting Room (Dentist)

Ward:	South	Date:	26 November 2007
Precinct:	North Perth Centre ; P9	File Ref:	PRO0967; 5.2007.16.1
Attachments:	001 002		
Reporting Officer(s):	R Rasiah, S Kendall		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by M. Rodic & Associates Pty Ltd on behalf of the owner D J & M Mitsikas for proposed Demolition of Existing Consulting Rooms and Construction of Three-Storey Plus Basement Mixed Use Development, Comprising Twelve (12) Multiple Dwellings, Offices, ~~Shop~~ and One (1) Consulting Room (Dentist), at Nos. 324-326 (Lot: 2 D/P 3538, Lot: 1 D/P: 3538) Fitzgerald Street, corner Chelmsford Road, North Perth, and as shown on revised plans stamp-dated 23 November 2007, subject to the following conditions:

- (i) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *a minimum of two (2) appropriate significant design features being incorporated into the south side blank wall of the building; and*
 - (b) *the corner component of the development incorporating additional design elements with the use of different materials and textures, such as tiling, to define and accentuate the corner and create a landmark feature without increasing the height or plot ratio of the development.*

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

- (ii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*

- (iii) *prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$28,500) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$28,500, subject to the Town agreeing to this arrangement . The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (v) *first obtaining the consent of the owners of No. 156 Vincent Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 156 Vincent Street in a good and clean condition;*
- (vi) *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;*
- (vii) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, parking of trade person vehicles, footpath access, traffic and heavy vehicle access via Fitzgerald Street/Chelmsford Road and the rear right-of-way (ROW), dust and any other appropriate matters (such as notifying all affected landowners/occupiers of the commencement of construction works), shall be submitted to and approved by the Town;*
- (viii) *prior to the first occupation of the development, two (2) class one or two ~~plus one (1)~~ class three bicycle parking facilities, shall be provided at a location convenient to the entrance and within 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;*
- (ix) *the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (x) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*
 - (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
 - (b) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or shop. 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;

- (xi) *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;*
- (xii) *doors, windows and adjacent floor areas of the non-residential component fronting Fitzgerald Street and Chelmsford Road shall maintain an active and interactive relationship with these streets;*
- (xiii) *prior to the first occupation of the development, 23 car parking spaces being provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling. The visitor car bays shall be clearly marked as such, located close to and clearly signposted or visible from the point of entry to the development and outside any security barrier;*
- (xiv) *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;*
- (xv) *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks Services Section. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);*
- (xvi) *the floor areas of the non-residential component shall be limited to;*
 - (a) *474 square metres of gross floor area for the office component; and*
 - (b) *one (1) consulting room and practitioner/consultant operating at any one time.*

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

- (xvii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (xviii) *the car parking area for non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*

- (xix) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (xx) *in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land are to be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$5,535 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing.*
- (xxi) *prior to the first occupation of the development, each multiple dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer;*
- (xxii) *prior to the issue of a Building Licence, a strategy/plan addressing the management of the site in the event that any archaeological information and/or bottles from the previous Claremont Mineral Company Limited activities are found shall be submitted to and approved by the Town. The applicant/owner may wish to consult a qualified archaeologist regarding the potential of the site to yield information and/or bottles from the previous Claremont Mineral Company Limited activities prior to any excavation works on site;*
- (xxiii) *archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xxiv) *Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (xxv) *a bond and/or bank guarantee for \$2,700 for the full upgrade of the right of way shall be lodged prior to the issue of a Building License;*
- (xxvi) *prior to the first occupation of the development, the full length and width of the right of way widening from the southern most boundary abutting the subject land shall be sealed, drained and paved to the specifications of and supervision under the Town, at the applicant's/owner(s)' full expense;*
- (xxvii) *any proposed vehicular gate for the basement car park being a minimum 50 percent visually permeable when viewed from rear right-of-way;*
- (xxviii) *the approval for the consulting room is for Consulting Room (Dentist) use only, and any change of use from Consulting Room (Dentist) shall require Planning Approval to be applied for and obtained from the Town prior to commencement of such use;*
- (xxix) *the subject consulting room is not to be used for massage activity of a sexual nature, prostitution, as a brothel business, as an agency business associated with prostitution, as an escort agency business, or the like; and*

(xxx) *the hours of operation for the consulting rooms (dentist) shall be limited to the following times: 8.00am to 6.00 pm Monday to Friday and 8.00 am to 1.00 pm Saturday, inclusive.*

**Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strikethrough, italic font and underline.*

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Messina, Seconded Cr Farrell

That clause (i) (c) be added as follows;

“(i) (c) that the applicant address the aesthetic view of the Southern elevation by way of visual design, artwork and textured finish in order to minimise the impact of the Southern elevation.”

Debate ensued

AMENDMENT PUT AND CARRIED (8-0)

**MOTION AS AMENDED PUT AND CARRIED ON THE CASTING VOTE
OF THE PRESIDING MEMBER (4-4)**

For

Mayor Catania (2 Votes casting and deliberative vote)
Cr Doran-Wu
Cr Farrell
Cr Messina

Against

Cr Ker
Cr Lake
Cr Maier
Cr Youngman

Cr Burns on approved leave of absence

COUNCIL DECISION ITEM 10.1.1

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by M. Rodic & Associates Pty Ltd on behalf of the owner D J & M Mitsikas for proposed Demolition of Existing Consulting Rooms and Construction of Three-Storey Plus Basement Mixed Use Development, Comprising Twelve (12) Multiple Dwellings, Offices, and One (1) Consulting Room (Dentist), at Nos. 324-326 (Lot: 2 D/P 3538, Lot: 1 D/P: 3538) Fitzgerald Street, corner Chelmsford Road, North Perth, and as shown on revised plans stamp-dated 23 November 2007, subject to the following conditions:";

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

(a) *a minimum of two (2) appropriate significant design features being incorporated into the south side blank wall of the building;*

- (b) *the corner component of the development incorporating additional design elements with the use of different materials and textures, such as tiling, to define and accentuate the corner and create a landmark feature without increasing the height or plot ratio of the development;*
- (c) *that the applicant address the aesthetic view of the Southern elevation by way of visual design, artwork and textured finish in order to minimise the impact of the Southern elevation.*

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

- (ii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (iii) *prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$28,500) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$28,500, subject to the Town agreeing to this arrangement . The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (v) *first obtaining the consent of the owners of No. 156 Vincent Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 156 Vincent Street in a good and clean condition;*
- (vi) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (viii) *prior to the first occupation of the development, two (2) class one or two bicycle parking facilities, shall be provided at a location convenient to the entrance and within 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;*
- (ix) *the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (x) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*

- (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
- (b) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or shop. 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;

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- (xiv) *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;*
- (xv) *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks Services Section. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);*
- (xvi) *the floor areas of the non-residential component shall be limited to;*
 - (a) *474 square metres of gross floor area for the office component; and*
 - (b) *one (1) consulting room and practitioner/consultant operating at any one time.*
- (xvii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (xviii) *the car parking area for non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*

- (xix) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (xx) *in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land are to be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$5,535 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing.*
- (xxi) *prior to the first occupation of the development, each multiple dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer;*
- (xxii) *prior to the issue of a Building Licence, a strategy/plan addressing the management of the site in the event that any archaeological information and/or bottles from the previous Claremont Mineral Company Limited activities are found shall be submitted to and approved by the Town. The applicant/owner may wish to consult a qualified archaeologist regarding the potential of the site to yield information and/or bottles from the previous Claremont Mineral Company Limited activities prior to any excavation works on site;*
- (xxiii) *archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xxiv) *Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (xxv) *a bond and/or bank guarantee for \$2,700 for the full upgrade of the right of way shall be lodged prior to the issue of a Building License;*
- (xxvi) *prior to the first occupation of the development, the full length and width of the right of way widening from the southern most boundary abutting the subject land shall be sealed, drained and paved to the specifications of and supervision under the Town, at the applicant's/owner(s)' full expense;*
- (xxvii) *any proposed vehicular gate for the basement car park being a minimum 50 percent visually permeable when viewed from rear right-of-way;*
- (xxviii) *the approval for the consulting room is for Consulting Room (Dentist) use only, and any change of use from Consulting Room (Dentist) shall require Planning Approval to be applied for and obtained from the Town prior to commencement of such use;*
- (xxix) *the subject consulting room is not to be used for massage activity of a sexual nature, prostitution, as a brothel business, as an agency business associated with prostitution, as an escort agency business, or the like; and*
- (xxx) *the hours of operation for the consulting rooms (dentist) shall be limited to the following times: 8.00am to 6.00 pm Monday to Friday and 8.00 am to 1.00 pm Saturday, inclusive.*

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

CORRECTED ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Car Parking- Commercial	21.32 12.27 <u>7.752</u> car bays	20 <u>14</u> car bays	Supported - minor variation in this instance and can be supported subject to cash in lieu provision. <u>As no variation, but a surplus in car bays.</u>
Car Parking- Commercial Component			
<i>Car parking requirement (nearest whole number)</i>			33
<ul style="list-style-type: none"> • Consulting Room (1 room) 3 car bays • Office (343 square metres) 6.86 car bays • Eating house (104 square metres) 23.11 car bays 			
<i>Car parking requirement (nearest whole number)</i>			
<ul style="list-style-type: none"> • <u>Consulting Room- 3 car bays per consulting room (1 room) – 3 car bays</u> • <u>Office - 1 car bay per 50 square metres of gross floor area (proposed 338 474 square metres) – 6.76 9.48 car bays</u> • Shop - 1 car bay per 15 square metres of gross floor area (proposed 136 square metres) 9.06 car bays 			19 car bays
<u>Total = 18.82 12.48</u>			<u>12 car bays</u>
Apply the adjustment factors.			(0.646)
<ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.95 (within 400 metres of a car park with excess of 25 car parking spaces) • 0.80 (contains mix of uses, with at least 45 per cent of gross floor area being residential) 			21.32 12.27 <u>7.752 car bays</u>
Minus the car parking provided on-site for commercial component			20 <u>14</u> car bays
Minus the most recently approved on-site car parking shortfall			Not applicable as proposal is to redevelop a vacant site.
Resultant shortfall surplus			1.32 1.73 <u>6.248</u> car bays
Bicycle Parking Facilities			
Consulting rooms			Plans indicate bicycle parking area. The matter has been further conditioned accordingly.
<ul style="list-style-type: none"> • 1 space per 8 practitioners (proposed 1 practitioner) for employees (class 2)-N/A • 1 space per 4 practitioners (proposed 1 practitioner) (Class 3)-N/A. 			
<i>Office</i>			
<ul style="list-style-type: none"> • 1 per 200 square metres gross floor area for employees (class 1 or 2) 1.72 spaces • 1 space per 750 square metres over 1000 square metres for visitors (class 3) nil 			
<i>Eating House</i>			
<ul style="list-style-type: none"> • 1 per 100 square metres public area for employees (class 1 or 2) 1.04 spaces 			

<ul style="list-style-type: none"> • 2 spaces plus 1 space per 100 square metres public area for visitors (class 3) 3 spaces <p>Offices</p> <ul style="list-style-type: none"> • <u>1 space per 200 (proposed 338 474) square metres gross floor area (class 1 or 2). Required 1.69 2.37 spaces.</u> • <u>1 space per 750 (proposed 338 474) square metres over 1000 square metres for visitors (class 3).-N/A</u> <p>Shop</p> <ul style="list-style-type: none"> • 1 space per 300 (proposed 136) square metres gross floor area (Class 1 or 2). Required 0.45 space. • 1 space per 200 (proposed 136) square metres (Class 3). Required 0.68 space. 	
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ADDITIONAL INFORMATION:

The Town's Officers have discussed the change of the "Shop" to "Office" use with the applicant. The applicant is agreeable to the proposed "Shop" use being changed to "Office" use so as to be consistent with the permitted uses in the Town's Policy No.3.1.9 relating to the North Perth Centre Precinct. The change in the use will also require lesser car parking and bicycle parking facilities required as indicated in the relevant revised tables above.

FURTHER REPORT:

The Council at its Ordinary Meeting held on 28 August 2007 considered the subject application and resolved the following:

"That the Item be DEFERRED for further investigation."

The applicants have submitted revised plans dated 22 October 2007 with the following changes and comments, including a written submission dated 5 October 2007, which is attached to this report and summarised as follows:

- Wall on the south side boundary abutting No. 154 Vincent Street has been setback 1.1 metres from the southern boundary.
- Bedroom windows on east elevation of southern most multiple dwellings on the first and second floors have fixed obscure windows.
- Northern "bench seat" within the Fitzgerald Street verge has been removed.
- A corner landmark feature has been introduced as required.
- Previous eating house use has now been replaced with a shop use that requires less car parking. The car parking provision is now compliant, with a total of 37 car bays being provided on-site.
- The revised plans have improved the development proposal in terms of reducing bulk and scale, privacy and address the concerns of surrounding residents.

The Assessment and Car Parking Table below has been amended as indicated by the strikethrough and underline, to reflect the changes proposed in the revised plans dated 23 November 2007.

Total = 18.82	
Apply the adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.95 (within 400 metres of a car park with excess of 25 car parking spaces) • 0.80 (contains mix of uses, with at least 45 per cent of gross floor area being residential) 	(0.646) 21.32 <u>12.27 car bays</u>
Minus the car parking provided on-site for commercial component	20 <u>14</u> car bays
Minus the most recently approved on-site car parking shortfall	Not applicable as proposal is to redevelop a vacant site.
Resultant shortfall surplus	1.32 <u>1.73</u> car bays
Bicycle Parking Facilities	
<p>Consulting rooms</p> <ul style="list-style-type: none"> • 1 space per 8 practitioners (proposed 1 practitioner) for employees (class 2)-N/A • 1 space per 4 practitioners (proposed 1 practitioner) (Class 3)-N/A. <p><i>Office</i></p> <ul style="list-style-type: none"> • 1 per 200 square metres gross floor area for employees (class 1 or 2) 1.72 spaces • 1 space per 750 square metres over 1000 square metres for visitors (class 3) nil <p><i>Eating House</i></p> <ul style="list-style-type: none"> • 1 per 100 square metres public area for employees (class 1 or 2) 1.04 spaces • 2 spaces plus 1 space per 100 square metres public area for visitors (class 3) 3 spaces <p>Offices</p> <ul style="list-style-type: none"> • <u>1 space per 200 (proposed 338) square metres gross floor area (class 1 or 2). Required 1.69 spaces.</u> • <u>1 space per 750 (proposed 338) square metres over 1000 square metres for visitors (class 3).-N/A</u> <p>Shop</p> <ul style="list-style-type: none"> • <u>1 space per 300 (proposed 136) square metres gross floor area (Class 1 or 2). Required 0.45 space.</u> • <u>1 space per 200 (proposed 136) square metres (Class 3). Required 0.68 space.</u> 	Plans indicate bicycle parking area. The matter has been further conditioned accordingly.

The revised proposal by the applicant has addressed matters relating to privacy, change of use to a less intense use (shop) in lieu of an eating house, hence further reducing the car parking requirements, removal of part boundary wall adjoining the rear of No. 154 Vincent Street (residential property), removal of bench seat within the Fitzgerald Street road reserve and the provision of a corner element, which could be further improved by way of integrating different materials and texture.

On the above basis, the previous Officer Recommendation remains unchanged, except that additional conditions have been proposed while superseded conditions deleted, as part of this revised proposal.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 28 August 2007.

"OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by M. Rodic & Associates Pty Ltd on behalf of the owner D J & M Mitsikas for proposed Demolition of Existing Consulting Rooms and Construction of Three-Storey Plus Basement Mixed Use Development, Comprising Twelve (12) Multiple Dwellings, Offices, Eating House and Consulting Room (Dentist), at Nos. 324-326 (Lot: 2 D/P 3538, Lot: 1 D/P: 3538) Fitzgerald Street, corner Chelmsford Road, North Perth, and as shown on plans stamp-dated 20 August 2007 , subject to the following conditions:

- (i) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) a minimum of two (2) appropriate significant design features being incorporated into the south side blank wall of the building;*
 - (b) the windows to bedroom 1 of the most southern units on the eastern elevation, on the first floor and second floor , being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No. 154 Vincent Street, stating no objections to the proposed privacy encroachment;*
 - (c) the northern 'bench seat' adjacent to Fitzgerald Street being deleted from the road widening area unless support/approval from the Department for Planning and Infrastructure and/or Western Australian Planning Commission is obtained. The comments and conditions of the Department for Planning and Infrastructure and/or Western Australian Planning Commission in relation to this matter shall be complied with at the applicants/owners full expense; and*
 - (d) the corner component of the development incorporating design elements to define and accentuate the corner and create a landmark feature without increasing the height or plot ratio of the development.*

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

- (ii) prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other*

solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);

- (iii) prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$28,500) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$28,500, subject to the Town agreeing to this arrangement. The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development and Administrative Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (v) first obtaining the consent of the owners of Nos. 154 and 156 Vincent Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing Nos. 154 and 156 Vincent Street in a good and clean condition;*
- (vi) 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;*
- (vii) prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, parking of trade person vehicles, footpath access, traffic and heavy vehicle access via Fitzgerald Street/Chelmsford Road and the rear right-of-way (ROW), dust and any other appropriate matters (such as notifying all affected landowners/occupiers of the commencement of construction works), shall be submitted to and approved by the Town;*
- (viii) prior to the first occupation of the development, three (3) class one or two and three (3) class three bicycle parking facilities, shall be provided at a location convenient to the entrance and within 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;*
- (ix) the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (x) prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*
 - (a) the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*
 - (b) the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or shop. 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;

- (xi) *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;*
- (xii) *doors, windows and adjacent floor areas of the non-residential component fronting Fitzgerald Street and Chelmsford Road shall maintain an active and interactive relationship with these streets;*
- (xiii) *prior to the first occupation of the development, seventeen (17) car parking spaces, including three (3) visitor 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 and shall not be in tandem arrangement unless they service the same residential unit/dwelling. The visitor car bays shall be clearly marked as such, located close to and clearly signposted or visible from the point of entry to the development and outside any security barrier;*
- (xiv) *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;*
- (xv) *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks Services Section. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);*
- (xvi) *the floor areas of the non-residential component shall be limited to;*
 - (a) *104 square metres of public seating area for the eating house component;*
 - (b) *343 square metres of gross floor area for the office component; and*
 - (c) *1 consulting room and practitioner/consultant at any one time.*

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

- (xvii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive.*
- (xviii) *the car parking area for non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (xix) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*

- (xx) *the applicant/owner shall pay a cash-in-lieu contribution of \$3,564 for the equivalent value of 1.32 car parking spaces, based on the cost of \$2,700 per bay as set out in the Town's 2007/2008 Budget. Alternatively, if the car parking shortfall is reduced as a result of a greater number of car bays being provided, the cash in lieu amount can be reduced to reflect the new changes in car parking requirements;*
- (xxi) *prior to the first occupation of the development, each multiple dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer;*
- (xxii) *prior to the issue of a Building Licence, a strategy/plan addressing the management of the site in the event that any archaeological information and/or bottles from the previous Claremont Mineral Company Limited activities are found shall be submitted to and approved by the Town. The applicant/owner may wish to consult a qualified archaeologist regarding the potential of the site to yield information and/or bottles from the previous Claremont Mineral Company Limited activities prior to any excavation works on site;*
- (xxiii) *archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xxiv) *Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (xxv) *a bond and/or bank guarantee for \$2,700 for the full upgrade of the right of way shall be lodged prior to the issue of a Building License;*
- (xxvi) *prior to the first occupation of the development, the full length and width of the right of way widening from the southern most boundary abutting the subject land shall be sealed, drained and paved to the specifications of and supervision under the Town, at the applicant's/owner(s)' full expense; and*
- (xxvii) *in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land are to be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$5,535 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing.*

COUNCIL DECISION ITEM 10.1.4

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Moved Cr Farrell, Seconded Cr

That the item be DEFERRED for further consideration by the Town's Officers.

The Motion to be DEFERRED lapsed for want of a Seconder.

Debate ensued.

Moved Cr Farrell, Seconded Cr Doran-Wu

That the item be DEFERRED for further investigation.

CARRIED (5-3)

(Cr Torre was an apology for the meeting)

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

(Cr Torre was an apology for the meeting)

<i>Landowner:</i>	<i>D J & M Mitsikas</i>
<i>Applicant:</i>	<i>M. Rodic & Associates Pty Ltd</i>
<i>Zoning:</i>	<i>Metropolitan Region Scheme : Urban Town Planning Scheme No.1 (TPS1): Commercial</i>
<i>Existing Land Use:</i>	<i>Consulting Rooms</i>
<i>Use Class:</i>	<i>Office Building, Consulting Room, Eating House, Multiple Dwelling</i>
<i>Use Classification:</i>	<i>"P", "AA", "P", "AA"</i>
<i>Lot Area:</i>	<i>1775 square metres</i>
<i>Access to Right of Way</i>	<i>Eastern side, 5.0 metres wide, sealed, Town- owned</i>

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves proposed demolition of consulting rooms and construction of three-storey plus basement mixed use development, comprising of twelve (12) multiple dwellings, offices, eating house and consulting room (dentist).

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

ASSESSMENT:

<i>Non-Compliant Requirements</i>			
<i>Requirements</i>	<i>Required</i>	<i>Proposed *</i>	<i>Officer Comments Pursuant to Clause 38(5) of TPS 1</i>
<i>Density</i>	<i>10 dwellings R 60</i>	<i>12 dwellings R 67.6 12.2 per cent density bonus</i>	<i>Supported - no undue impact and variation in this instance can be considered under Clause 20(2)(c) of TPS No.1, which allows consideration of a density bonus of up to 50 per cent where the proposal</i>

			<i>removes all existing vehicular access to and from a district distributor road (in this instance, Fitzgerald Street).</i>
<i>Plot Ratio</i>	<i>0.7 - 1242.5 square metres</i>	<i>0.702 - 1246 square metres</i>	<i>Supported- no undue impact, minor variation in this instance and can be supported in accordance with the above density bonus.</i>
<i>Landscaping</i>	<i>10 per cent</i>	<i>Not demonstrated</i>	<i>Supported - due to setbacks proposed to the road reserve, any further landscaping to be provided is unlikely to be seen from the street and therefore, ineffective for its main purposes. On this basis, the variation to landscaping is supported on the basis that the applicant is required to contribute to the Town's Percent for Art Scheme, the upgrading of the adjacent footpath, some planting within the car parking area and street furniture has been provided.</i>
<i>Number of Storeys</i>	<i>2 storeys are encouraged, 3 storeys can be considered</i>	<i>3 storeys plus basement</i>	<i>Supported - number of storeys considered acceptable given the site's corner location along a District Distributor Road, building mass has been orientated towards Fitzgerald Street and Chelmsford Road and the adjoining right of way which provides a 'buffer zone' to the residential area. Overall height limit of 12.0 metres is complied with at most areas of the site and building's articulation reduces the perceived bulk of the building.</i>
<i>Car Parking-Commercial</i>	<i>21.32 car bays</i>	<i>20 car bays</i>	<i>Supported - minor variation in this instance and can be supported subject to cash-in -lieu provision.</i>
<i>Car Parking-</i>	<i>23 car bays</i>	<i>17 car bays and 6</i>	<i>Supported- no variation.</i>

<i>Residential</i>		<i>reciprocal car bays available in accordance with the R Codes (other car bays associated with eating house are not considered to be available outside business hours)</i>	
<i>Setbacks Ground Floor - South (for portion abutting residential lot)</i>	<i>1.2 metres</i>	<i>Nil</i>	<i>Supported - refer to below.</i>
<i>Buildings on Boundary</i>	<i>Maximum of 3.5 metres and average of 3.0 metres</i>	<i>South- portion of wall abutting residential property is 3.6 metres long and 3.7 metres high.</i>	<i>Supported - no undue impact in this instance as portion of wall is only 3.5 metres long.</i>
<i>Consultation Submissions</i>			
<i>The Department for Planning and Infrastructure has advised it has no objections to the proposed development under regional planning grounds, subject to the Town assessing the vehicular access from the right of way.</i>			
<i>Support</i>	<i>Nil</i>		<i>Noted.</i>
<i>Objection (11)</i>	<ul style="list-style-type: none"> • <i>Car Parking</i> 		<i>Not supported- refer to above.</i>
	<ul style="list-style-type: none"> • <i>Height - scale and nature</i> • <i>Traffic congestion</i> • <i>Laneway unsuitable for traffic/access proposed unsuitable</i> • <i>No provision for public open space</i> • <i>Density</i> • <i>Design and development not in keeping with the area</i> 		<i>Not supported- refer to above. Furthermore, it is noted that the height has been substantially reduced from the previously advertised plans.</i> <i>Not supported- refer to 'Comments' section.</i> <i>Not supported- refer to 'Comments' section.</i> <i>Not supported- there is no requirement for public open space.</i> <i>Not supported- refer to above.</i> <i>Not supported - design and development not considered to have an undue impact on area.</i>

	<ul style="list-style-type: none"> • <i>Setback</i> • <i>Privacy</i> • <i>Heritage</i> • <i>Street Trees/Landscaping</i> • <i>Construction Impacts</i> • <i>Visual impact</i> • <i>Noise</i> • <i>Overshadowing</i> 	<p><i>Not supported- as above; noted plans have been amended since community consultation.</i></p> <p><i>Not supported- matter is compliant with relevant requirements and further conditioned. Noted plans have been amended since community consultation .</i></p> <p><i>Not supported - refer to 'Comments' section.</i></p> <p><i>Not supported- refer to above.</i></p> <p><i>Supported - will be addressed at the Building Licence Stage via Construction Management Plan as conditioned in the Officer Recommendation.</i></p> <p><i>Not supported - not considered to have an undue visual impact.</i></p> <p><i>Not supported- matter is governed by the Environmental Protection (Noise) Regulations 1997.</i></p> <p><i>Not supported- matter is compliant with relevant requirements.</i></p>
<i>Other Implications</i>		
<i>Legal/Policy</i>	<i>TPS 1 and associated Policies, and Residential Design Codes (R Codes).</i>	
<i>Strategic Implications</i>	<i>Nil</i>	
<i>Financial/Budget Implications</i>	<i>Nil</i>	
<i>Car Parking- Commercial Component</i>		
<p><i>Car parking requirement (nearest whole number)</i></p> <ul style="list-style-type: none"> • <i>Consulting Room (1 room) – 3 car bays</i> • <i>Office (343 square metres) – 6.86 car bays</i> • <i>Eating house (104 square metres)- 23.11 car bays</i> 	<i>33 car bays</i>	
<p><i>Apply the adjustment factors.</i></p> <ul style="list-style-type: none"> • <i>0.85 (within 400 metres of a bus stop)</i> • <i>0.95 (within 400 metres of a car park with excess of 25 car parking spaces)</i> • <i>0.80 (contains mix of uses, with at least 45 per cent of gross floor area being residential)</i> 	<i>(0.646)</i> <i>21.32 car bays</i>	
<i>Minus the car parking provided on-site for commercial component</i>	<i>20 car bays</i>	
<i>Minus the most recently approved on-site car parking shortfall</i>	<i>Not applicable as proposal is to redevelop a</i>	

	<i>vacant site.</i>
<i>Resultant shortfall</i>	<i>1.32 car bay</i>
<i>Bicycle Parking Facilities</i>	
<p><i>Consulting Room</i></p> <ul style="list-style-type: none"> • <i>1 space per 8 practitioners for employees (class 2)- Nil</i> • <i>1 space per 4 practitioners for visitors (class 3)- Nil</i> <p><i>Office</i></p> <ul style="list-style-type: none"> • <i>1 per 200 square metres gross floor area for employees (class 1 or 2)- 1.72 spaces</i> • <i>1 space per 750 square metres over 1000 square metres for visitors (class 3)- nil</i> <p><i>Eating House</i></p> <ul style="list-style-type: none"> • <i>1 per 100 square metres public area for employees (class 1 or 2)- 1.04 spaces</i> • <i>2 spaces plus 1 space per 100 square metres public area for visitors (class 3)- 3 spaces</i> 	<i>Plans indicate bicycle parking area; matter has been further conditioned accordingly.</i>

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

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

COMMENTS:

Demolition

A detailed Heritage Assessment for both Nos. 324 and 326 Fitzgerald Street, North Perth is contained within the attachment to this report.

The subject former dwelling at No. 324 Fitzgerald Street, North Perth was built circa 1929 in the Inter-war Bungalow style of architecture and the former dwelling at No.326 Fitzgerald Street was built circa 1930 in the Inter-war Bungalow style with Californian Bungalow influences. Whilst both dwellings were converted in the late 1980's to commercial premises, they still have retained to a large extent the original design intent as Bungalow dwellings. The places are not rare and are considered to be of little aesthetic, historic and social value. The subject buildings contribute to the streetscape in terms of traditional building style, however, in accordance with the Town's Policy relating to Heritage Management – Assessment, they have insufficient cultural heritage significance for entry into the Town's Municipal Heritage Inventory.

Notwithstanding the above, the combined land on which both properties are located has been found to have some scientific value as it may have the potential to yield information, through archaeological investigation about the Claremont Mineral Company Limited and reveal bottles associated with the company, which once occupied the subject site in the early twentieth century at least two decades before the construction of the subject extant dwellings. It is acknowledged that the archeological potential may have been diminished with the construction of the subject dwellings.

The physical form of the dwellings did not meet the threshold for inclusion onto the Municipal Heritage Inventory and, therefore, it is recommended that they be approved for demolition as per the Officer Recommendation. However, in acknowledgement of the archaeological potential of the site, it is recommended that prior to the issue of a Building Licence, a strategy/plan addressing the management of the site in the event that any archaeological information and/or bottles from the previous Claremont Mineral Company Limited activities are found should be

submitted to and approved by the Town, and that the applicant/owner may wish to consult a qualified archaeologist regarding the potential of the site to yield information and/or bottles from the previous Claremont Mineral Company Limited activities prior to any excavation works on site.

Technical Services

The right of way (ROW) behind Nos.324-326 Fitzgerald Street was purchased by the Town a few years ago, but retains its private status. The subject properties have an implied right of access and, therefore, may use the ROW for primary access to the proposed car parking facilities.

The ROW is 5 metres wide, sealed and drained. The developer will be asked to cede half a metre upon amalgamation of the two lots, so that the ROW can be widened to improve access. A 1.5 metres by 1.5 metres truncation of the new lot at the intersection of the ROW and Chelmsford Road will also be required, and will be calculated from the half metre boundary setback. Both the ROW widening and the truncation should be sealed at the full cost of the developer.

The width and condition of the ROW, following the widening and truncation, is sufficient to service the additional traffic movements that the development will generate.

Summary

In light of the above, the subject planning application is recommended for approval, subject to standard and appropriate conditions to address the above matters"

10.4.2 Loftus Centre Redevelopment, 99 Loftus Street, Leederville - Progress Report No. 22 and Approval of Additional Works

Ward:	South	Date:	23 November 2007
Precinct:	Oxford Centre; P4	File Ref:	RES0061
Attachments:	001		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

CORRECTED OFFICER RECOMMENDATION:

That the Council;

- (i) ***RECEIVES the Progress Report No. 22 as at 23 November 2007, relating to the Loftus Centre Redevelopment, 99 Loftus Street, Leederville;***
- (ii) ***APPROVES BY AN ABSOLUTE MAJORITY the reallocation of ~~\$459,000~~ \$566,070 being additional works (~~\$149,000~~ \$154,000), costs above Provisional Sums (\$150,000), and unfunded refurbishment works brought forward (~~\$160,000~~ \$262,070) as detailed in this report;***
- (iii) ***REQUESTS the Chief Executive Officer to identify a source of funds for the Loftus Centre additional works, for consideration at the mid year Budget Review;***
- (iv) ***AUTHORISES the Chief Executive Officer to dispose of or donate to Community Groups, furniture and equipment which is deemed surplus to the Town's needs; and***
- (v) ***NOTES that the Town anticipates to take possession of Stage 1 works (Library/Local History Centre, Recreation Hall, Rhythmic Gymnastics Hall and Outdoor Soccer Pitch) in late January 2008/early February 2008.***

**Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strikethrough, italic font and underline.*

Moved Cr Farrell, Seconded Cr Maier

That the recommendation be adopted.

**MOTION PUT AND CARRIED
BY AN ABSOLUTE MAJORITY(8-0)**

(Cr Burns on approved leave of absence)

COUNCIL DECISION ITEM 10.4.2

That the Council;

- (i) ***RECEIVES the Progress Report No. 22 as at 23 November 2007, relating to the Loftus Centre Redevelopment, 99 Loftus Street, Leederville;***
- (ii) ***APPROVES BY AN ABSOLUTE MAJORITY the reallocation of \$566,070 being additional works (\$154,000), costs above Provisional Sums (\$150,000), and unfunded refurbishment works brought forward (\$262,070) as detailed in this report;***
- (iii) ***REQUESTS the Chief Executive Officer to identify a source of funds for the Loftus Centre additional works, for consideration at the mid year Budget Review;***
- (iv) ***AUTHORISES the Chief Executive Officer to dispose of or donate to Community Groups, furniture and equipment which is deemed surplus to the Town's needs; and***
- (v) ***NOTES that the Town anticipates to take possession of Stage 1 works (Library/Local History Centre, Recreation Hall, Rhythmic Gymnastics Hall and Outdoor Soccer Pitch) in late January 2008/early February 2008.***

ADDITIONAL INFORMATION:

The Town has received further costs relating to air conditioning as follows;

1. Air Conditioning for new Creche Area

As a result of the investigative works carried out by the Town's Mechanical Services Consultant, it has been identified that the existing crèche and proposed new crèche area are not air conditioned. The lack of air conditioning in this area has resulted in previous complaints from parents and users. In addition, the area is also regularly used for martial arts classes. Complaints have also been received from participants.

A quote has been received to air condition this area at a cost of \$36,270 plus GST for two reverse cycle units. Some builder's costs (say, \$5,000) for the installation of the two units will also be required. Installation can be carried out within 3-4 weeks. (Total: \$41,270).

2. Additional Costs for Loftus Centre Units

At the Ordinary Meeting of Council held on 6 November 2007 approval was granted by the Council to upgrade all the Loftus Centre air conditioning units and associated ducting at an estimated cost of \$130,000 (approx).

The Mechanical Services consultant has now advised that the actual cost of the air conditioning units and associated ducting is \$165,800.

This is due to the scope of works being more than was originally identified and therefore, more duct work will required to be replaced. The builder's costs are estimated to be approximately \$25,000. (However this is an estimate only at this stage.) Therefore, the estimated cost is approximately \$190,800. The additional funds required are \$60,800.

Whilst it is disappointing that additional funds are required, this is beyond the Town's control, due to the poor condition of the Centre's air conditioning and duct work. It is considered that the work is essential for health and safety reasons.

3. Library and Local History Centre - Archive Security

The Council previously approved new Archive Storage in the basement. This is a large area for storage of artefacts and items. It is proposed to re-use surplus shelving in the area. However, due to its large expanse, it is proposed to install wire metal "cages". This will ensure that the area can safely store items. Each "cage" will have a separate lock, etc.

Estimated cost: \$5,000.

The revised Schedule of Costs is therefore as follows:

REVISED SCHEDULE OF COSTS

ITEM	AMOUNT	FUNDING SOURCE
Anticipated Costs Over Provisional Sums		
Rhythmic Gymnastics Performance Hall Lighting	\$22,500	<i>Covered by Contingency Sum</i>
Lesser Hall -replacement of light fittings	\$5,000	<i>Covered by Contingency Sum</i>
Synthetic Turf outdoor Soccer Pitch	\$8,800	<i>Covered by Contingency Sum</i>
Rhythmic Gymnastics Seating	\$7,700	<i>Covered by Contingency Sum</i>
Sports Hall Equipment **	\$88,000	
Built in Furniture **	\$62,000	
Community Centre		
Replace Carpet#	\$16,000	
New Playground equipment *	\$20,000	
New Playground Shade sail/protection *	\$5,000	
Paint internal/external #	\$10,000	\$12,000 Funded
Replace vinyl and repair concrete cancer #	\$28,500	\$8,500 Funded
Sound System *	\$15,000	
Public Address System – Hard Wired #	\$20,000	
Shelving for Children’s Rooms *	\$2,000	
Storage and Relocation Costs *	\$2,000	
Miscellaneous #	\$5,000	
Recreation Centre		
Replace carpet #	\$25,000	\$8,000 Funded 2007/08
Repaint internal where required #	\$8,000	\$8,000 Funded 2007/08
Repair to end walls of Lesser Hall - plywood cladding #	\$10,000	
Electrical upgrade/replace lights in Foyer #	\$3,000	
New rubber matting in weights room *	\$10,000	
Netting to outdoor Soccer Court *	\$5,000	
Spinning Room Vinyl #	\$8,500	
Creche Room Vinyl #	\$15,500	
Public Address System – Upgrade of existing service #	\$15,000	
Miscellaneous #	\$5,000	
Gymnastics Centre		
Security from Recreation Centre/Gymnastics Hall *	\$5,000	
Miscellaneous #	\$5,000	
Loftus Centre		
Repaint external blue steel structures #	\$22,000	
Refuse Bins enclosure *	\$20,000	
Hire of temporary air-conditioning *	\$20,000	
Building signage– west and north elevation *	\$25,000	
New street signage – Loftus Street *	\$20,000	
<u>Air Conditioning of Creche Room #</u>	<u>\$41,270</u>	
<u>Air Conditioning - Additional Costs, plus Builder's Works#</u>	<u>\$60,800</u>	
<u>Basement Archive Storage / Metal "Cages" *</u>	<u>\$5,000</u>	
TOTAL ADDITIONAL FUNDS REQUIRED	<u>\$459,000</u>	\$36,500
	<u>\$566,070</u>	

Unfunded Refurbishment Works Brought Forward - Estimated Costs – (~~\$160,000~~ \$262,070)

* *Additional scope of Works-Estimated Costs – (~~\$149,000~~ \$154,000)*

** *Anticipated Costs above Provisional Sums - Actual Costs – (\$150,000)*

- # *Unfunded Refurbishment Works Brought Forward - Estimated Costs – (~~\$160,000~~ \$262,070)*
* *Additional scope of Works-Estimated Costs – (~~\$149,000~~ \$154,000)*
** *Anticipated Costs above Provisional Sums - Actual Costs – (\$150,000)*
-

PURPOSE OF THE REPORT:

The purpose of the report is to update the Council on the progress of the Loftus Centre Redevelopment, 99 Loftus Street, Leederville, as at 23 November 2007 and obtain approval for additional works.

BACKGROUND:

At the Ordinary Meeting of Council held on 23 January 2007, the Council considered this matter and resolved to award the building tender to Perkins Builders and for the project to proceed.

PROGRESS OF WORKS

Documentation

1. Belgravia Leisure Group Pty Ltd (Belgravia) - Lease and Contract

The Contract and Lease were signed on 23 February 2007 and is still with the Minister for Lands, awaiting consent (as the Loftus land is a Reserve - vested in the control of the Town).

2. Gymnastics WA- Lease

This lease was signed on 16 March 2007 and is still with the Minister for Lands awaiting consent.

Landgate has requested the Town to review the Leederville Oval Reserve cadastral layout and provide comment. This is being carried out and meetings are still being held. A surveyor has now been engaged to prepare the necessary plans and these are being refined for the approval of Landgate. It is anticipated that this will be finalised by late 2007.

Program and Progress

Regular site meetings between the Builder, Consultants, Architect and Town are still being held. In addition, site inspections are carried out on a weekly basis and as required. Contact with the Site Supervisor, Architect and Consultants is occurring on a daily basis.

The Builder has advised that they are slightly ahead of target with the specified program at this stage.

The Contractual Completion date for Stage 1 Works is 12 February 2008, plus approved extension for days lost for inclement weather and delays in materials. The Builder advises that, in their view, they are entitled to claim for approximately 35 days' extension of time for Stage 1, however, this will not be necessary as the majority of the works are almost completed.

It is anticipated that the Library and Local History building, Outdoor Soccer Pitch and main Sports Hall will be completed prior to the Christmas break and the Community Centre refurbishment will be carried out from 24 December 2007 to 8 February 2008.

Architectural Services

The construction drawings have been provided and are updated where necessary, as required. Shop drawings are prepared as required.

The Architect has progressively submitted information and costs for the internal works (e.g. built-in furniture).

Internal Fit-out

The new Board Room inside the Recreation Centre has been 95% completed. Carpet is to be installed and it will be operational. Work on the Gymnastics WA offices has also commenced and is about 10% completed. This is Stage 2 work, but has been brought forward as the timing suits all parties.

Painting/Colour Schemes

The external colour scheme was approved at the Ordinary Meeting of Council held on 24 July 2007. The internal colour scheme was approved at the Ordinary Meeting of Council held on 28 August 2007. Several meetings with the Library, Community Centre and Belgravia have been held. Rhythmic Gymnastics have liaised with the Architect and have indicated their approval.

Construction - (See Photographs attached)

Earthworks

The earthworks are almost completed. The sand on the site is being used to adjust the soil levels. Retaining walls fronting Leederville Oval have been completed. Work has commenced on the walkway between the Centre and the Leederville Early Childhood Centre.

The underground car park has been completed, other than the driveway and installation of gate and security equipment.

Medibank Stadium (Leederville Oval) Public Open Space

The public open space works immediately adjoining Leederville Oval was approved at the Ordinary Meeting of Council held on 28 August 2007. Works commenced in early October 2007 and are on target to be completed by late December 2007. Work is approximately 70% completed. (See photographs.)

Main Sports Hall - Due for handover to Town in February 2008

All works completed, other than;

- The main Sports Hall is approximately 90% completed.
- Flooring and sports equipment has been ordered.
- The brick work and walls between the existing and new building is being completed, except for painting and carpets.
- External luxalon framing completed and cladding is in progress (85% completed).
- External and internal wall painting is well advanced and 80% completed.

- Air conditioning/extraction yet to be commissioned.

Rhythmic Gymnastics Hall - Due for handover to Town in February 2008

All works completed, other than;

- Light fittings have been ordered (due in late November).
- Flooring is installed and is awaiting sealing.
- External painting well advanced - 90% completed.
- Retractable seals have been ordered and are due for delivery in February 2008.

External Soccer Pitch - Due for handover to Town in February 2008

- Brickwork and drainage have been completed.
- The concrete floor is completed.
- The external face of the brick walls has been clad with limestone (95% completed).
- The light poles and new light fittings have been completed.
- Synthetic turf selection has been made.
- Accessways between the main building and outdoor areas are approximately 80% completed.
- Fencing and netting are yet to be completed.

Library and Local History Centre - Due for handover to Town in January 2008

All works have been completed. The following items are yet to be carried out;

- Installation of air conditioning ducting is 95% completed.
- External wall cladding with Donnybrook stone is completed - yet to be sealed.
- Tiling of toilets/wet areas completed. (Fittings yet to be carried out.)
- Internal painting is completed.
- Plumbing is 90% completed.
- Electrical and data cabling installed (90% completed).
- Library shelving - order placed. To be installed in December 2007.
- Built-in furniture - order placed. Majority to be completed by late December 2007. Remainder in January 2008.
- After hours book chute and store installed.
- Carpet has been ordered and due for installation in early December 2007.

Structural and Civil Engineering

All structural works have been completed, other than;

- Luxalon cladding is almost completed (95%).

Hydraulic Services

All works have are 98% completed.

Electrical / Data Services

Almost completed. Awaiting delivery of specialised fittings for Rhythmic Gymnastics Hall and Indoor Soccer Hall.

Investigation of closed circuit television is being investigated.

Mechanical Services

All thirteen (13) air conditioning units and associated ducting will be replaced.

New units have been ordered and are awaiting installation - to be progressively installed between November 2007 and early January 2008. Repairs to the existing roof sheeting are completed.

Temporary air conditioning has been arranged – to enable the Centre to continue operations.

LOFTUS COMMUNITY CENTRE

Works to Date

Works to date have included the following;

1. Construction of playground.
2. Additional space, including new toilets, store room and play area.
3. Minor works to external walls.

The children's playground and furniture is approximately 60% completed.

In late November 2007, a member of the Community Centre expressed concern regarding the impact of the redevelopment project on the Loftus Community Centre operations. The following issues were addressed;

1. Equity

It was alleged that the Centre was being neglected and was being given a low priority. This is refuted.

The additional time which has been spent working with the Community Centre on the Redevelopment has been a conscious decision based on the Town's knowledge of the limited staff resources and recognition of the difficulties of running operations with volunteer staff. It should be noted that the refurbishment of the Community Centre was always programmed to be Stage 2 Works and be carried out in March/April 2008.

2. Air Conditioning

The Town's Officer visited the Community Centre and discussed the ramifications of the air conditioning being cut off as soon as this advice was received from Perkins Builders. This action was considered necessary due to the extremely poor state of the ducting and air-conditioning – temporary air-conditioning which was installed on 12 November.

3. Carpets

The current project includes installation of new carpet in office areas, however the existing carpet is almost nine (9) years old. The only area of carpet which, due to its condition, requires replacement at present is the foyer/large reception area, where the carpet is stained and worn. The office areas and reception desk are to be altered and these areas will require re-carpeting also. However, the current carpet is no longer available and subject to funding, all carpet should be replaced. A quote has been received for \$16,000.

4. Vinyl

The Town has acknowledged on several occasions that the vinyl floor needs replacement and quotes are being obtained for replacement of the vinyl floors. The Town has already previously advised the Community Centre that the vinyl floor in the Learning Centre would be replaced with funding from the Building Maintenance budget. The Centre has advised that they would prefer a floating timber floor. Choice of the floor covering is however dependent on suitability, due to the ongoing "bubbling" problems that are prevailing in this room. This is being further investigated by the Project Architect.

The Budget 2007/08 contains an amount of \$8,500 for this. A quote has been received for \$28,500.

5. Tiling

The floor tiling in the toilets is in good condition, although it requires professional cleaning.

6. Painting

It is considered that the Centre will require repainting on completion of the works - which would have been required anyway as part of the normal maintenance schedule. The Centre has not been re-painted for almost fourteen (14) years and it is appropriate that these works be carried out whilst the Centre is closed for other refurbishment works. (estimated to cost \$10,000).

The Budget 2007/08 contains an amount of \$12,000 for repainting of the Centre.

7. Playground Equipment and Shade Sail

The Chief Executive Officer has approved an amount of \$20,000 for new playground equipment (funded from the Project Contingency amount) and this replaces the previous pinewood playground equipment, which was deemed unsuitable, non-compliant, and in poor condition.

As the area will require protection from the sun, a shade sail will be required and it is estimated that approximately \$5,000 will be required.

8. Storage and Relocation Costs

If the Builder achieves the works in the period 24 December 2007 to 8 February 2008, the Centre advises that it will most likely not need to relocate its operations. At the time of writing this report, the Centre had not made a decision or informed the Town. Nevertheless, it is proposed to pack all existing equipment and furniture into the Community Centre Hall and protect this whilst refurbishment is carried out. It is estimated this work will cost approximately \$2,000 (unfunded).

9. Miscellaneous Works

During discussions with the Centre Co-ordinator, a number of other requests to upgrade facilities have been made, e.g. replacement of mirrors which are badly corroded, additional shelving and new furniture.

It is recommended that an amount of \$5,000 be funded for such miscellaneous works which may arise. In addition, the Town's Library Staff are currently assessing their existing furniture which may be excess to their needs in the new Library, or will require replacement. It is recommended that the Chief Executive Officer be granted approval to donate equipment or furniture surplus to the Town's needs.

10. Sound System

The Community Centre has been operating without an amplified sound system for many years. This has compromised the activities and has been most inconvenient. The Project Architect has been requested to investigate this. An amount of \$15,000 is recommended.

11. Public Address System

The existing Community Centre does not have a hard wired public address system. Now that the centre is expanded, a hard wired system has been requested for obvious health and safety reasons. An amount of \$20,000 has been recommended.

12. Additional Shelving

The centre has requested shelving for the two Children's rooms. Approx cost is \$2,000.

13. Overall Comment

The Project Architect and Chief Executive Officer consider that it would be beneficial to all parties, be more cost effective and less disruptive to the Community Centre if the above works were carried out during the closure period of 24 December 2007 to 8 February 2008. Whilst the Council has budgeted for some of the items, it is further recommended that the Community Centre be upgraded, as outlined above and that the necessary funds be made approved by the Council.

RECREATION CENTRE - ADDITIONAL WORKS

The Project Architect and Chief Executive Officer consider that it would be beneficial to all parties, be more cost effective and less disruptive to the Community Centre if the following additional works were carried out;

1. Carpets

The existing carpet in the Centre is over nine (9) years old and part of it was damaged due to flooding in early 2007. It is recommended that the majority of the carpets (particularly in the Foyer and main traffic areas) be replaced at an estimated cost of \$15,000).

2. Internal Painting

The Centre will require internal painting (beyond the scope of works) and it is estimated that this will cost approximately \$8,000.

3. Spinning (cycling) Room Carpet

The carpet in the Spinning Room requires replacement at an quoted cost of \$8,500. (This was deleted from the original list, however replacement is considered necessary.)

4. Outdoor Soccer Court Netting

The outdoor Soccer Court will have fixed wire netting above the brick walls, however, additional netting to a height of approximately 8-10 metres to stop balls being kicked into the Leederville Oval Public Open Space will be required. This is considered necessary for health and safety reasons, as players who kick balls over the fence will be tempted to jump the wall and may be injured due to the considerable drop onto the pathway - estimated cost approximately \$5,000.

5. Indoor Soccer Court - Repairs to Wall Cladding

The internal Anticon wall cladding to the east and west ends of the existing rooms has been badly damaged over the years and requires replacement with a hard material, e.g. plyboard - estimated cost approximately \$10,000.

6. Weights Room - Rubber Matting

The existing rubber matting in the weights room was proposed to be re-used, however the Project Architect has re-evaluated this and considers that full replacement will be necessary and this should be done prior to relocating the heavy equipment - estimated cost approximately \$10,000.

7. Creche

The existing carpet is recommended for replacement with vinyl, at a quoted cost of \$15,500. The existing carpet is worn and needs replacement.

8. Electrical Works

A number of light fittings, particularly in the foyer will require replacement, due to there age. An amount of \$3,000 is recommended.

9. Public Address System – Upgrade

The existing public address system is almost 18 years old and is in need of upgrade, for obvious health and safety reasons. An amount of \$15,000 has been recommended.

10. Miscellaneous Works

It is recommended that an amount of \$5,000 be provided for such miscellaneous works which may arise.

STATE GYMNASTICS CENTRE

1. Security Partitioning - Recreation Centre / State Gymnastics Centre

The State Gymnastics Centre have requested that their area be completely secure from the Recreation Centre to prevent unauthorised access to Gymnastics equipment in the Performance Hall, for health and safety reasons. This will necessitate a physical barrier (yet to be determined) to be erected between the two areas - estimated cost \$5,000

An amount of \$5,000 for miscellaneous works which may arise is recommended.

LOFTUS CENTRE

1. Refuse Receptacle Enclosure

A requirement for a refuse receptacle enclosure to house all bins will be necessary, however this was omitted from the original project brief due to an oversight. The enclosure will be required to be constructed of masonry with concrete floors and wash down equipment to meet health requirements - estimated cost \$20,000.

2. Hire of Temporary Air Conditioning Units

Due to the advanced stage of deterioration of the 13 existing units and associated duct work (as reported to the Ordinary Meeting of Council held on 6 November 2007), it was necessary to remove these items as soon as practicable. Unfortunately, this resulted in no air conditioning to the Centre and users and the unprecedented hot weather resulted in considerable complaints. For Health and Safety reasons, it has been necessary to hire temporary air conditioning units for the Community Centre, Recreation Centre and Town's Library - estimated cost \$20,000.

3. Signage

An amount is recommended for large signage for the exterior of the Centre to assist in promotion of the complex and for ease of identification - estimated cost \$20,000.

4. Street Signage

An amount is recommended for large signage for Loftus Street to replace the previous sign which was damaged, to assist in promotion of the complex and for ease of identification - estimated cost \$20,000.

5. External Painting

It is considered that the external painting of the Loftus Centre will be required at an estimated cost of \$22,000. This will better co-ordinate the colours from blue to green tones.

Landscape Plan and External Works

The Landscape Plan was approved at the Ordinary Meeting of Council held on 6 November 2007.

Program of Works

A meeting was held with Perkins Builders and Council officers on 17 October 2007 to discuss the works program. It was agreed that the proposed works to the carpark and surrounds be deferred for several weeks (ie mid-late November) until the builders can assure the Town they will not impact on the works.

It is therefore envisaged that trenching and development of the carpark will commence in the next 4 weeks or so (ie mid-late November).

It is likely the Town's engineering and landscaping works will take approximately 8 - 10 weeks to complete from the date of access to the site (ie to be completed by February 2008).

Matters still to be addressed

Options to minimise the Operating Deficit

The Council requested a report on the findings to minimise the operating deficit to be submitted, however due a lack of resources, investigation of this matter is still in a preliminary stage. Cost options currently being explored include;

- Investigation of energy efficient fixtures and fittings, e.g. lights, hot water, air conditioning. The investigation of the light fittings has been completed.
- Investigation of sponsorship, including naming rights, external signage on the Recreation Centre facing Leederville Oval.

- Investigation of Government grants and funds, e.g. Healthways, Lotteries, Heart Foundation, State Library Services.

Comment:

This matter is still being progressed, however due to a lack of resources and a heavy workload, slow progress is being made.

ADVERTISING/COMMUNITY CONSULTATION:

Not applicable. The Town's Public Relations Officer has created a "Corporate Projects" site on the Town's web page and background information, together with weekly photographs are included on this site. The web-site is being updated on a regular basis.

LEGAL/POLICY IMPLICATIONS:

N/A.

STRATEGIC IMPLICATIONS:

This project is in keeping with the Town's Strategic Plan 2006-2011, Objective 1 - "*Natural and Built Environment*", in particular, 1.1.6(j) - "*Carry out redevelopment of the Loftus Centre....*"

FINANCIAL/BUDGET IMPLICATIONS:

At the Ordinary Meeting of Council held on 23 January 2007, the Council approved this project at a cost of \$13,444,664. The building tender is \$11,901,664 (excluding GST).

The following is a summary of additional works to be carried out (estimated costs), additional costs above Provisional sums (actual) and unfunded Refurbishment Works requested to be Brought Forward (estimated costs). The Project Cost Controller/Quantity Surveyor has reviewed the amounts and considers this to be expected in today's volatile building market.

ITEM	AMOUNT	FUNDING SOURCE
Anticipated Costs Over Provisional Sums		
Rhythmic Gymnastics Performance Hall Lighting	\$22,500	Covered by Contingency Sum
Lesser Hall -replacement of light fittings	\$5,000	Covered by Contingency Sum
Synthetic Turf outdoor Soccer Pitch	\$8,800	Covered by Contingency Sum
Rhythmic Gymnastics Seating	\$7,700	Covered by Contingency Sum
Sports Hall Equipment **	\$88,000	
Built in Furniture **	\$62,000	
Community Centre		
Replace Carpet#	\$16,000	
New Playground equipment *	\$20,000	
New Playground Shade sail/protection *	\$5,000	
Paint internal/external #	\$10,000	\$12,000 Funded
Replace vinyl and repair concrete cancer #	\$28,500	\$8,500 Funded
Sound System*	\$15,000	
Public Address System – Hard Wired#	\$20,000	
Shelving for Children's Rooms*	\$2,000	
Storage and Relocation Costs*	\$2,000	
Miscellaneous #	\$5,000	
Recreation Centre		
Replace carpet #	\$25,000	\$8,000 Funded 2007/08
Repaint internal where required #	\$8,000	\$8,000 Funded 2007/08
Repair to end walls of Lesser Hall - plywood cladding #	\$10,000	
Electrical upgrade/replace lights in Foyer #	\$3,000	

New rubber matting in weights room *	\$10,000	
Netting to outdoor Soccer Court *	\$5,000	
Spinning Room Vinyl#	\$8,500	
Creche Room Vinyl#	\$15,500	
Public Address System – Upgrade of existing service#	\$15,000	
Miscellaneous #	\$5,000	
Gymnastics Centre		
Security from Recreation Centre/Gymnastics Hall *	\$5,000	
Miscellaneous #	\$5,000	
Loftus Centre		
Repaint external blue steel structures#	\$22,000	
Refuse Bins enclosure *	\$20,000	
Hire of temporary air-conditioning *	\$20,000	
Building signage– west and north elevation *	\$25,000	
New street signage – Loftus Street *	\$20,000	
TOTAL ADDITIONAL FUNDS REQUIRED	\$459,000	\$36,500

Unfunded Refurbishment Works Brought Forward - Estimated Costs – (\$160,000)

* *Additional scope of Works-Estimated Costs – (\$149,000)*

** *Anticipated Costs above Provisional Sums - Actual Costs – (\$150,000)*

Builder Progress Claim Payments

Progress Payment Number	Date Received	Amount Requested (excl GST)	Amount Paid (excl GST)	Date Paid
No. 1	17/04/07	\$247,568.00	\$247,568.00	26/04/07
No. 2	16/05/07	\$979,312.00	\$979,312.00	22/05/07
No. 3	18/06/07	\$1,158,441.86	\$1,158,441.86	25/06/07
No. 4	12/07/07	\$1,072,606.68	\$1,072,606.68	18/07/07
No. 5	10/08/07	\$1,145,259.15	\$1,145,259.15	20/08/07
No. 6	17/09/07	\$1,080,029.70	\$1,080,029.70	25/09/07
No. 7	30/09/07	\$1,345,370.12	\$1,345,370.12	10/10/07
No. 8	14/11/07	\$1,042,313.27	\$1,042,313.27	28/11/07
		Total Paid	\$7,970,900.78	

The Department of Sport and Recreation has paid the second instalment, under the Financial Assistance Agreement for \$1,075,000.

Cost Variations

The costs above the Project Provisional Sums represent a 1.26% increase above the Project Budget and the Additional Works represent a 1.26% increase. The Project Quantity Surveyor/Cost Controller considers this to be expected in today's volatile building market.

COMMENTS:

It is pleasing to report that good progress is still being made with the Loftus Centre Redevelopment Project and no major problems have occurred or been identified at this stage. The builder has been most accommodating and has worked with the Town's Officers and the Recreation Centre and Community Centre staff to minimise inconvenience.

It is considered that the additional works required will bring the existing centre up to a refurbished standard, which will compliment the new works and will minimise inconvenience and disruption at a later date.

Monthly progress reports will be provided to the Council as the project progresses.

10.1.2 Nos. 257-261 (Lot: 1 D/P: 1925, Lot: 2 D/P: 1925) Oxford Street ,Corner Bourke Street, Leederville - Proposed Demolition of Existing Buildings and Construction of Three-Storey Mixed Use Development Comprising Office, Eight (8) Multiple Dwellings (Including 6 Single Bedroom Dwellings and 2 Two -Bedroom Dwellings) and Associated Car Parking

Ward:	North	Date:	27 November 2007
Precinct:	Leederville; P03	File Ref:	PRO2982; 5.2007.210.1
Attachments:	001		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the application submitted by Domination Homes on behalf of the owner Aralia Investments Pty Ltd for proposed Demolition of Existing Buildings and Construction of Three-Storey Mixed Use Development Comprising Office, Eight (8) Multiple Dwellings (Including 6 Single Bedroom Dwellings and 2 Two-Bedroom Dwellings) and Associated Car Parking, at Nos. 257-261 (Lot: 1 D/P: 1925, Lot: 2 D/P: 1925) Oxford Street, corner Bourke Street, Leederville and as shown on revised plans stamp-dated 26 November 2007, subject to the following conditions:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (iii) *prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$30,000) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$30,000, subject to the Town agreeing to this arrangement . The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*

- (iv) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (v) *first obtaining the consent of the owners of No. 263 Oxford Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 263 Oxford Street in a good and clean condition;*
- (vi) *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;*
- (vii) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, parking of trade person vehicles, footpath access, traffic and heavy vehicle access via Oxford and Bourke Streets and the rear right-of-way (ROW), dust and any other appropriate matters (such as notifying all affected landowners/occupiers of the commencement of construction works), shall be submitted to and approved by the Town;*
- (viii) *prior to the first occupation of the development, one (1) class one or two bicycle parking facility, shall be provided at a location convenient to the entrance and within the development. Details of the design and layout of the bicycle parking facility shall be submitted and approved prior to the installation of such facility;*
- (ix) *the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (x) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*
 - (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities;*
 - (b) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units or office. 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;*
 - (c) *a maximum of one (1) bedroom and two (2) occupants are permitted in each single bedroom dwelling at any one time; and*
 - (d) *the floor plan layout for the single bedroom dwellings are to be maintained in accordance with the Planning Approval plans.*

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

- (xi) *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;*
- (xii) *doors, windows and adjacent floor areas of the office component fronting Oxford Street and Bourke Street shall maintain an active and interactive relationship with these streets;*
- (xiii) *prior to the first occupation of the development, 7-8 car parking spaces for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development;*
- (xiv) *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;*
- (xv) *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks Services Section. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);*
- (xvi) *the gross floor area of the office component shall be limited to 190 square metres, and any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the Town;*
- (xvii) *the car parking area for the office component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (xviii) *any new street/front wall, fence and gate between the Oxford Street, and Bourke Street boundaries and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*

- (xix) *in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land are to be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$3,780 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing;*
- (xx) *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;*
- (xxi) *the pedestrian gate adjacent to Oxford Street, and any proposed vehicular gate for the basement car park visible from Bourke Street, being a minimum 50 percent visually permeable when viewed from the respective street;*
- (xxii) *archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xxiii) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (xxiv) *the undergrounding of power line(s) adjacent to the subject site and the installation of lighting on the western elevation of the building facing the rear right of way (ROW), and all associated costs shall be met by the owner(s); and*
- (xxv) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the openings to all balconies complying with the privacy requirements of the Residential Design Codes in terms of the western and northern neighbouring properties. These openings shall be screened with permanent obscure materials and be non-openable to a minimum of 1.6 metres above the respective finished floor levels. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the affected owners of No.96 Bourke Street and No.263 Oxford Street respectively, stating no objections to the proposed privacy encroachment.*

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

Landowner:	Aralia Investments Pty Ltd
Applicant:	Domination Homes
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R 60
Existing Land Use:	Vehicles sales premises and print shop
Use Class:	Office Building and Multiple Dwellings
Use Classification:	"SA" and "P"
Lot Area:	711 square metres
Access to Right of Way	West side, 2.73 metres wide, unsealed, privately owned

Moved Cr Farrell, Seconded Cr Youngman

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Doran-Wu, Seconded Cr Ker

“That a new clause (xxvi) be added as follows:

(xxvi) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating that the plot ratio floor area for multiple dwelling Unit 5 being reduced to 67 square metres.

AMENDMENT PUT AND CARRIED (6-2)

For

Mayor Catania
Cr Doran-Wu
Cr Farrell
Cr Ker
Cr Lake
Cr Youngman

Against

Cr Maier
Cr Messina

Cr Burns on approved leave of absence

PROCEDURAL MOTION

That the Item be DEFERRED for further investigation of the items raised by the members of the public, during public question speaking time.

PROCEDURAL MOTION PUT AND CARRIED (6-2)

For

Mayor Catania
Cr Doran-Wu
Cr Lake
Cr Maier
Cr Messina
Cr Youngman

Against

Cr Farrell
Cr Ker

Cr Burns on approved leave of absence

BACKGROUND:

There is an existing single storey office associated with the defunct vehicles sales premises (car yard) at No. 257 Oxford Street, which is listed on the Town's Non-Conforming Use Register. A print shop exists on No. 261 Oxford Street, Leederville.

14 June 2005

The Council at its Ordinary Meeting conditionally approved an application for the demolition of vehicle sales premises and construction of three (3) two-storey grouped dwellings, at No. 257 Oxford Street, Leederville.

22 November 2005 The Council at its Ordinary Meeting conditionally approved an application for the demolition of existing vehicle sales premises and construction of three (3) two-three storey multiple dwellings at No. 257 Oxford Street, Leederville.

27 June 2006 The Council at its Ordinary Meeting conditionally approved an application for the construction of three (3) two- storey plus basement multiple dwellings at No. 257 Oxford Street, Leederville.

DETAILS:

The proposal involves the demolition of the existing buildings on both the above sites, and the construction of a three-storey mixed use development comprising an office component and eight (8) multiple dwellings. Of the multiple dwellings, six (6) are single bedroom multiple dwellings and the remaining two (2) multiple dwellings have two bedrooms each. All vehicular access is via Bourke Street.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	4.3 multiple dwellings R60.	6 single bedroom and 2 two bedroom multiple dwellings at R84.38, resulting in a 40 per cent density bonus.	Supported - the increased density has resulted in the discontinuance of a non-conforming use at No. 257 Oxford Street, where a density bonus (up to 3.7 multiple dwellings or 5.5 single bedroom units on No.257 Oxford Street) can be considered under clause 20 of Town Planning Scheme No.1. In addition, the proposal is considered to enhance the amenity of the area given the current state of the site; the context of the site being along Oxford Street and near the Oxford and Mount Hawthorn Centres, promotes housing affordability and diversity and caters for the changing demographics and housing needs/wants of the community.

Plot Ratio	0.7 or 497 square metres.	0.85 or 604 square metres.	Supported- as the increased plot ratio is as a result of the increase in the density proposed, and in mixed use developments, if too high standards are imposed, there is a probability that this would discourage the concept of mixed use developments. In the past, for mixed use developments, the Town has considered higher plot ratios provided that the "total development" is compatible with the surrounding development and the likely benefits to be achieved by such integrated developments, such as this proposal.
Building Height	2 storeys	3 storeys	Supported- as the height and overall design of the proposal is considered not to create an unacceptable bulk and scale issue. Moreover, the bulk and scale of the proposal has been evenly distributed across the site, which slopes down in a westerly direction from Oxford Street.
Stores	4 square metres	Stores of 3 square metres, 3.5 square metres and 4 square metres are proposed.	Supported – as the 4 square metres stores are provided for the two bedroom multiple dwellings, and the remaining 3 square metres and 3.5 square metres stores are proposed for the single bedroom multiple dwellings.
Single Bedroom Dwelling Plot Ratio	60 square metres	Unit 3-67.44 Unit 4-67.96 Unit 5- 76.31 Unit 6- 63.44 Unit 7- 67.44 Unit 8- 67.96	Supported - as the variation is considered within acceptable size limits. Similar sized single bedroom dwellings have been approved by Council in

			other instances. A condition has been applied to restrict number of bedrooms and occupants and the floor layout.
Building Setbacks: Ground Floor -East (Oxford Street)	4.0 metres	Nil	Supported - as it is considered that the variation does not unduly impact on the amenity of the adjoining neighbour or streetscape and is similar to the existing building setback applicable to No. 261 Oxford Street. Supported - as the variation does not unduly affect the streetscape along Bourke Street. Moreover, a right of way separates the subject site and the immediate residential property along Bourke Street.
-South (Bourke Street)	1.5 metres	Nil to 1.3 metres	
-West	1.5 metres	1.075 metres	Supported - as the western boundary abuts a right of way, which acts as a buffer. The reduced setback is considered not to have an undue impact on the amenity of the adjacent properties. Supported - as the reduced setback is considered not to have an undue impact on amenity of the adjacent properties.
-North	1.5 metres	Nil	
First Floor -East (Oxford Street)	6.0 metres	2.08 metres	Supported - as it is further considered that the variation does not unduly impact on the amenity of the adjoining neighbour or streetscape, as the structure is mainly a "light weight" balcony. Supported - as the variation does not unduly affect the streetscape along Bourke Street.
-South (Bourke Street)	1.5 metres	Nil to 5.6 metres	

-West	5.0 metres	1.072 metres to 3.418 metres	Supported - as the western boundary abuts a right of way, which acts as a buffer. The reduced setback is considered not to have an undue impact on the amenity of the adjacent properties.
-North	5.7 metres	Nil to 3.5 metres	Supported - as the reduced setback is considered not to have an undue impact on the amenity of the adjacent properties.
Second Floor -East (Oxford Street)	6.0 metres	0.3 metre to 1.864 metres	Supported - as the variation does not unduly impact on the amenity of the adjoining neighbour or streetscape as the structure is mainly a "light weight" balcony.
-South (Bourke Street)	1.5 metres	1.3 metres to 3.15 metres	Supported - as the variation does not unduly affect the streetscape along Bourke Street.
-North	6.6 metres	3.5 metres	Supported - as the reduced setback is considered not to have an undue impact on the amenity of the adjacent properties. The building has been setback, and matters relating to privacy have been adequately addressed.
Communal Open Space	48 square metres.	Nil	Supported - as separate functional open space has been provided for each dwelling.
Boundary Walls	One boundary wall is permitted, behind setback area with an average height of 3 metres and a maximum height of 3.5 metres, for 66.6 per cent of the length of boundary.	One external boundary wall proposed on northern side with maximum height of 4.8 metres and is 86 per cent of boundary length.	Supported - as there is strong likelihood that the adjoining property to the north when developed may also opt for walls on the boundary.
Privacy Setbacks- for First and Second Floor	7.5 metres	3.5 metres	Supported - as the applicant has proposed screening in accordance with the requirements of

Balconies on the Northern and Western Elevations			the R Codes, which is reinforced by way of a condition to this effect.
Consultation Submissions			
The revised proposal dated 26 November 2007 does not propose any further variation to the Town's Policies and the R Codes, and does not have an undue impact on the amenity of the area. It is therefore considered that there is no need to further re-advertise the revised proposal. Moreover, the amended plans are being referred to the Council for its consideration and determination. The comments raised in the submissions in relation to the original plans received on 22 August 2007, are as follows:			
Support (1)	<ul style="list-style-type: none"> No comments provided. 		Noted.
Objection (5)	<ul style="list-style-type: none"> Third storey will result in overlooking and negative impact on privacy and overshadowing. 		Not supported- as a screening condition has been imposed on all privacy encroachments. There is also no overshadowing variation, as the overshadowing is over Bourke Street.
	<ul style="list-style-type: none"> Density being excessive and not warranted. 		Not supported - as the increased density is within acceptable limits, and will result in a non-conforming use cease operating from the site, thereby improving the amenity of the area.
	<ul style="list-style-type: none"> Poorly designed. 		Noted - as this is considered a subjective statement.
	<ul style="list-style-type: none"> Setback variations not supported and <i>"ill resolved"</i>. 		Not supported - see Officer Comments above.
	<ul style="list-style-type: none"> The three storey element will set an undesirable precedence in this mainly residential area. 		Not supported - as the site is a corner lot and needs to have an appropriate height to be identified as a key corner location, and the development is well articulated to reduce the visual impact on this area.
	<ul style="list-style-type: none"> Not in keeping with residential scale of precinct. 		Not supported -as above.

	<ul style="list-style-type: none"> Proposal will encroach on aesthetics of the street, be highly visible, adverse impact and interrupt the existing streetscape. 	Not supported – as the proposal is considered to be appropriately designed.
	<ul style="list-style-type: none"> Undue increase in traffic. 	Not supported- as the proposal will result in vehicular access off Bourke Street, rather than having access off Oxford Street.
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil
Financial/Budget Implications		Nil

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

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

Car Parking

In accordance with the Residential Design Codes requirements for mixed-use development, on-site car parking requirements for multiple dwellings may be reduced to one per dwelling where on-site parking required for other users is available outside normal business hours. A total of 11 car bays have been provided, of which a total of 8 car bays have been allocated for the residential component. The balance of car bays available for the commercial component in this instance is 3 car bays.

Car Parking- Commercial Component	
Car parking requirement (nearest whole number)	4 car bays
<ul style="list-style-type: none"> Office 1 space per 50 square metres of gross floor area (proposed 190 square metres) – 3.8 car bays 	
Apply the adjustment factors.	(0.68)
<ul style="list-style-type: none"> 0.85 (within 400 metres of a bus stop) 0.80 (development contains a mix of uses, where at least 45 per cent of the gross floor area is residential) 	2.72 car bays
Minus the car parking provided on-site	3 car bays
Minus the most recently approved on-site car parking shortfall	Not applicable as proposal is to redevelop both sites.
Resultant surplus	0.28 car bay
Bicycle Parking Facilities	
Office	No facilities provided on plans.
<ul style="list-style-type: none"> 1 per 200 (proposed 190) square metres public area for employees (class 1 or 2) - 0.95 or 1 space. 1 space per 750 square metres over 1000 square metres for visitors (class 3) - Not applicable in this instance. 	

COMMENTS:

Strategic Planning

The subject site has been identified as a key development site and it is crucial that development on this site exhibits a strong presence and encourages maximum interaction at street level. Sole vehicle access from Bourke Street is essential and the use of crossovers onto Oxford Street should be prohibited as it is considered that they would seriously interrupt and unduly affect the continuity of pedestrian access in terms of convenience safety and the urban form.

The office component proposed is minor in nature and is not considered to compromise the overall intent and objectives as identified in the Town's Economic Development Strategy 2005-2010 and is also supported for the following reasons:

- precedence with adjoining and nearby offices and other commercial uses;
- the proposal in this instance is considered to be compatible with the uses of the immediate surrounding area and not to unduly intrude on the amenity of the neighbouring properties;
- the proposal is considered to display an appropriate transitional mix of use as it is situated along a District Distributor Road and is in an area between two commercial zoned areas;
- the residential component is the predominant use on-site;
- the Economic Development Strategy discourages commercial development outside of the established Town Centres; however, given the nature of surrounding mixed uses in this instance, it is not considered that the proposal will detrimentally alter the encouragement of uses in the Mount Hawthorn or Leederville Town Centres;
- the proposal in this instance promotes the integration of the work place and residences and thus, diversifying the land use and providing casual surveillance through day time activity of the area; and
- adequate parking is provided.

Demolition

The Town's Heritage Services have advised as follows:

"The development application involves the proposed demolition of the office block located within the former caryard at No. 257 Oxford Street and the printery located at No. 261 Oxford Street, Leederville.

Preliminary research indicates that the office at No. 257 Oxford Street were constructed in the 1960's. In accordance with the Town's Policy relating to Heritage Management - Assessment, the office has little cultural heritage value and does not meet the threshold for entry onto the Town's Municipal Heritage Inventory.

Preliminary research indicates that the printery at No. 261 Oxford Street was constructed during the Inter-War period in the Stripped Commercial Style. The building has a "nil" setback to Oxford Street and a gabled roof form hidden behind a simple stepped parapet frontage. The building features two shop windows flanked by single door entries with a green painted awning above. Signage that reads 'LONGSON PRINTING CO.' is located on the facade of the building.

Based on the preliminary research undertaken, the printery at No. 261 Oxford Street has little cultural heritage significance and in accordance with the Town's Policy relating to Heritage Management - Assessment, it does not meet the threshold for entry onto the Town's Municipal Heritage Inventory. It is considered that a full heritage assessment is not required.

In light of the above, it is considered that approval should be granted for demolition."

Technical Services

The Town's Technical Services have advised as follows:

- a 1.0 metre right of way (ROW) widening is required due to width of ROW being 2.73 metres only (a condition has not been imposed, as the plans reflect this requirement. The Row will be widened at subdivision stage); and
- overhead powerlines to be removed.

Summary

In general, the proposal in its current form is supportable, as it is not considered to have an undue impact on the amenity and streetscape of the area.

10.1.4 No.56 (Lot: 110 D/P: 6064) Purslowe Street, corner Jugan Street, Glendalough - Proposed Demolition of Existing Single House and Construction of Three (3) Two-Storey Grouped Dwellings

Ward:	North	Date:	26 November 2007
Precinct:	-	File Ref:	PRO4063; 5.2007.286.1
Attachments:	001		
Reporting Officer(s):	R Narroo		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions and powers of both the Local Government (Change of Districts Boundaries) Order 2007 and the Local Government (Constitution) Regulations 1998, allowing the Town of Vincent to, in effect, administer the City of Stirling District Planning Scheme No. 2 as if it were its own Scheme, and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Peter Simunovich Building Designs on behalf of the owner J J & J E Zoontjens for proposed Demolition of Existing Single House and Construction of Three (3) Two-Storey Grouped Dwellings, at No. 56 (Lot: 110 D/P: 6064) Purslowe Street, corner Jugan Street, Glendalough, and as shown on plans stamp-dated 2 August 2007 and 23 November 2007 , subject to the following condition(s):

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Jugan and Purslowe Streets verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s);*
- (iii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *common property being provided between Lot 1 and Lot 3 on the driveway of Lot 3; and*
 - (b) *a door opening being provided from the store of Unit A to the common property.*

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

- (iv) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*

- (v) *first obtaining the consent of the owners of No 54 Purslowe Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No.54 Purlowe Street in a good and clean condition;*
- (vi) *the Town's Parks Services has given permission for the verge tree adjacent to the garage for Unit A to be removed. Payment of \$350 shall be made to cover the cost of removal, prior to the issue of the Building Licence; and*
- (vii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the Purslowe Street boundary and Jugan Street boundary and the main building, including along the side boundaries within this front setback area, complying with the following:*
 - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

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

Moved Cr Farrell, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Cr Messina departed the Chamber at 7.15pm

Cr Messina returned to the Chamber at 7.17pm

AMENDMENT

Moved Cr Ker, Seconded Cr Maier

That clause (iii) be deleted.

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

(a) *common property being provided between Lot 1 and Lot 3 on the driveway of Lot 3; and*

(b) *a door opening being provided from the store of Unit A to the common property.*

AMENDMENT PUT AND LOST (3-5)

Debate ensued.

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

(Cr Burns on approved leave of absence)

MOTION PUT AND CARRIED (8-0)

Landowner:	J J & J E Zoontjens
Applicant:	Peter Simunovich Building Designs
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1)/City of Stirling District Planning Scheme No.2 (COSDPS 2): Residential R50
Existing Land Use:	Single House
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	916 square metres
Access to Right of Way	Not applicable

BACKGROUND:

The site was previously located within the City of Stirling and there is no specific background that directly relates to the proposal.

DETAILS:

The proposal involves the demolition of the existing single house and construction of three two-storey grouped dwellings. Units A and C will be fronting Purslowe Street and the frontage for Unit B will be along Jugan Street.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to TPS 1 and COSDPS 2
Density	5 Grouped dwellings R 50	3 Grouped dwellings R 33	Noted- no variation
Plot Ratio	N/A	N/A	Noted
Setbacks- Ground Floor- Northern Boundary			
Unit B	1.5 metres	1 metre to 3 metres	Supported- the variations will not unduly impact on the adjoining property in terms of visual impact, ventilation and sunlight.
Unit C	1.5 metres	1 metre	
Boundary Wall –Eastern Boundary	Average Height= 3 metres	3.2 metres	Supported- no undue impact on neighbouring property and no objections received from the adjoining neighbours.
Walls and Fences	Visually permeable fence within the front setback	Solid Fence within the front setback	Not supported- solid front wall will unduly impact on the streetscape- a condition of approval applied.
Consultation Submissions			
Support	Nil		Noted
Objection	Nil		Noted
Other Implications			
Legal/Policy			TPS 1/COSDPS2 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

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

COMMENTS:

Demolition

The existing place is not on the City of Stirling or Town of Vincent Heritage Lists. In accordance with Clause 2.1.2 of the City of Stirling Town Planning Scheme No.2, planning approval is not required for demolition. Therefore, there is no requirement for Heritage assessment.

Conclusion

In light of the above, the demolition of the existing single house and the construction of three two-storey grouped dwellings are supported, subject to standard and appropriate conditions to address the above matters.

10.1.6 Affordable Housing Strategy for the Town of Vincent - Approval of Consultancy to prepare a Strategy.

Ward:	Both Wards	Date:	27 November 2007
Precinct:	All Precincts	File Ref:	PLA178
Attachments:	-		
Reporting Officer(s):	A Fox		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES Progress Report No. 1 – Affordable Housing Strategy for the Town of Vincent;*
- (ii) *APPROVES the quotation submitted by HURIWA for the preparation of an Affordable Housing Strategy for the Town of Vincent, for the sum of \$54,633.72; and*
- (iii) *REQUESTS the Chief Executive Officer to identify a source of funds at the mid year Budget review to cover the shortfall of funds for the proposed strategy.*

Moved Cr Doran-Wu, Seconded Cr Farrell

That the recommendation be adopted.

Cr Farrell departed the Chamber at 7.27pm

Debate Ensued

Cr Farrell returned to the Chamber at 7.28pm

CARRIED (6-2)

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

Cr Burns on approved leave of absence

PURPOSE OF REPORT:

The purpose of this report is to provide an update to Council regarding the Affordable Housing Strategy within the Town of Vincent.

BACKGROUND:

The Council at its Ordinary Meeting held on 27 March 2007, resolved the following:

“That the Council:

- (i) *APPROVES the Project Brief relating to the Affordable Housing Strategy for the Town of Vincent as shown in Attachment 10.1.9 subject to the Project Brief being amended as follows:*

- (a) *clause 8.0 being amended to read as follows:*

“8.0 AFFORDABLE HOUSING: ROLE OF LOCAL GOVERNMENT AND KEY STAKEHOLDERS

The Town of Vincent recognises it has an important role and duty to both the community and wider Perth population to facilitate the provision of adequate and affordable housing that is attractive and affordable to wider demographic and socio-economic groups than presently exists. To facilitate the success in providing affordable housing within the Town, partnerships with key agencies need to be identified and fostered, and through its day to day operational activities, the Town being proactive through its policies in promoting affordable housing. Those agencies identified for potential partnerships should include but not be limited to banks, government departments or agencies....”

- (b) *clause 10.0 being amended to read as follows:*

“10.0 SCOPE AND OUTCOME

...

10.1 Define ‘Affordable Housing’, ‘Social Housing’, and ‘Special Needs Housing’

- Develop a clear and concise definitions of what constitutes as ‘Affordable Housing’, ‘Social Housing’ and ‘Special Needs Housing’. In addition, through consultation with other relevant key agencies, provide definitions for ‘rent’, ‘ownership’, ‘occupier’ and ‘eligibility criteria’ and the like.*
- Outline the value/benefit to the community in having affordable housing within the Town of Vincent.*

...

10.7 Prepare an Implementation Plan (including financial ~~implications~~ feasibility for the Town).

- To complement the Affordable Housing Strategy, an implementation plan is to be prepared, to enable the roll out of the Strategy, guided by milestones. In addition, the Implementation Plan will consider and outline the financial ~~implications~~ feasibility for the Town.”*

- (c) *clause 4.0 being amended to read as follows:*

“4.0 NATIONAL HOUSING STRATEGY (1992)

The National Housing Strategy (1992) ...

The Housing Industry of Australia (HIA) considers that ~~the problem of affordable housing needs to be seen in the overall context of housing affordability and that the key drivers for price escalations, particularly in recent years, have been the lack of developable land and the high~~

~~costs imposed by regulation and up front development taxes and charges.~~

~~Inclusionary zoning policies and affordable housing quotas cause serious concern to an already over taxed and over regulated housing industry. Even where some nexus can be demonstrated, the~~

~~application of these concepts is inequitable, particularly for the purchasers of new dwellings.~~

~~Governments need to examine the reason for the price escalations, particularly in recent years, which have been the lack of developable land and the high costs imposed by regulation and governments up front development taxes and charges.~~

~~For the private sector to play its part in the supply of affordable housing, it is necessary for governments to focus on the creation of market opportunities. This can be achieved through development incentives or bonuses, cooperative partnerships, seed funding initiatives, innovative planning mechanisms that encourage product diversity in a local context and by encouraging greater institutional investment in affordable housing projects.~~

~~HIA's policy position with respect to affordable housing quotas and other inclusionary zoning measures is that:~~

- ~~• Affordable housing quotas do not address the underlying root causes of the affordability problem — local planning controls are a large factor in ramping up prices and limiting housing style and choice.~~
- ~~• The quota provides only minuscule and random relief to what is a much larger community issue that requires a whole of community solution. A more comprehensive cross agency suite of policies is necessary to address affordability in a meaningful manner.~~
- ~~• The quota system is in effect a tax on new home purchasers, who ultimately will bear the cost of any developer subsidy that the quota requires. The quota is inflationary and will only add to the affordability problem. It is not sustainable, particularly at a time when housing affordability for all Australians under threat.~~
- ~~• The quota unfairly places the burden of providing affordable housing on new home purchasers. At the same time State Governments' own public housing stocks have decreased substantially over the past decade and waiting lists have grown.~~
- ~~• The drivers of the affordability problem cannot be addressed solely through planning controls — if Government's are serious, affordability is an issue that State Treasuries must address.~~
- ~~• Planning initiatives should focus on development incentives such as density bonuses or others that stimulate change amongst administrators. Where inclusionary zoning is used, its measures should be matched with development incentives in the form of floor space or density bonuses, provided of course that such~~

incentives are applied in an open and transparent manner so as not to attract community distrust.”; and

(d) *clause 10.0 - Scope and Outcome - a new subclause 10.3 being added as follows and the remaining subclauses being renumbered accordingly:*

“10.3 Identify current provision of affordable, social and special needs housing within the Town and recommend appropriate levels for affordable, social and special needs housing.”;

(ii) *APPROVES BY AN ABSOLUTE MAJORITY to re-allocate an amount of \$12,000 from Budget item “Research Programme for Places of Historical Significance Project” to carry out the Affordable Housing Strategy Project; and*

(iii) *AUTHORISES the Chief Executive Officer to proceed with the project.”*

DETAILS:

In accordance with the Council's decision of 23 March 2007, invitations to provide a quotation to prepare the Town of Vincent's Affordable Housing Strategy were distributed on 15 June 2007 to the following consultants:

- Shelter WA;
- Urbanizma;
- GHD Pty Ltd;
- Lee Phillips and Associates; and
- Community Housing Coalition of WA.

The quotation called for a suitably qualified consultant(s) with the expertise and experience to carry out research and review of the relevant Town Planning Scheme provisions, the draft Local Housing Strategy and relevant planning policies and to devise ways in which the availability and provision of affordable housing can be encouraged in the Town of Vincent.

At the close of quotations, at 2.00 pm on 2 July 2007, no quotations had been received.

Given the lack of response, invitations to prepare the Town's Affordable Housing Strategy were also distributed to the following consultants on 20 September 2007.

- Shelter WA;
- Murdoch Link Projects Co-ordinator – Murdoch University;
- Housing and Urban Research Institute of Western Australia (HURIWA) – Curtin University;
- Foundation Housing; and
- Mr Chris Schooling – Honours Student at Curtin University.

At the close of quotations, at 2.00 pm on 5 October 2007, one (1) quotation had been received from the Housing and Urban Research Institute of Western Australia (HURIWA) at Curtin University. A copy of the quotation document is “*Laid on the Table*”.

Quotation Evaluation

Evaluation Criteria

The following approved evaluation criteria was applied in the assessment of quotations:

Criteria	%	Weighting
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Criteria	%	Weighting
1.1 Financial Offer/Fee Proposal <ul style="list-style-type: none"> • The contract being offered on a lump sum fee basis. Include in the lump sum fee all fees, any other costs and disbursements to provide the required service and the appropriate level of the Goods and Services Tax (GST) • Represents the "best value" for money • Application of a reasonable fee structure in proportion to the service provided 	20	20%
1.2 Relevant experience, expertise and project team Demonstrate your: <ul style="list-style-type: none"> • experience, expertise and project team • capacity to address the range of services required • role and credentials of the key person(s) in the provision of the service (i.e. formal qualifications and experience) • ongoing availability to provide sufficient skilled persons capable of performing the tasks consistent with the required standards • understanding of the required service associated with delivering the services to the Town 	40	40%
1.3 History and Viability of Organisation <ul style="list-style-type: none"> • Detail your history and viability • Include any comments received from referees • Demonstrate your capacity to deliver • Demonstrate your capacity and depth to effectively address the range of requirements of the Town 	20	20%
1.4 Methodology <ul style="list-style-type: none"> • Proposed methodology for this project to be completed on time and within budget • Proposed methodology for this project and demonstrated evidence of successful results, particularly in WA • Demonstrated experience in projects of a similar nature, particularly in WA 	20	20%
TOTAL	100	100%

Quotation Offer – Lump Sum Breakdowns

HURIWA provided a lump sum breakdown of the nominated tasks and associated costs that will be incurred in undertaking the project. A period of six (6) weeks was outlined in the Project Brief for completion of the project; however, HURIWA have included eight weeks (8.5) in its quotation. HURIWA provided a quote at a substantially higher price than the \$12,000 budget limit. Below is a summary of the breakdown of tasks and costs provided from HURIWA.

HURIWA

Component	Quoted Cost
Salaries Four consultants working a total of 83 days <ul style="list-style-type: none"> • Dr Shane Greive (43 days) • Professor Fiona Haslam McKenzie (10 days) • Ms Julie Brunner (10 days) • Ms Jelette Jamayao (20 days) 	\$32,420.02
Further costs	

<ul style="list-style-type: none"> • Printing • Library databases • Telephone • Internet • Printing and computer needs • 10 site visits • Research Facilities • Office Consumables • Support Staff • Support Services • Motor Vehicle Insurance • Professional Indemnity Insurance • Public Liability Insurance • Workers Compensation Insurance 	\$17,247.00
Total sum for works excluding GST	\$49,667.02
GST	\$4,966.70
Total sum for works including GST	\$54,633.72

Quotation Assessment

Below is a breakdown of the evaluation criteria, as assessed against the quotation received:

Criteria	Individual Assessment Score	Total Assessment Score
<p>Financial Offer/Fee Proposal</p> <ul style="list-style-type: none"> • The contract being offered on a lump sum fee basis. Include in the lump sum fee all fees, any other costs and disbursements to provide the required service and the appropriate level of the Goods and Services Tax (GST) • Represents the "<i>best value</i>" for money • Application of a reasonable fee structure in proportion to the service provided 	10/10% 4.5/5% 5/5%	19.5/20 %
<p>Relevant experience, expertise and project team</p> <p>Demonstrate your:</p> <ul style="list-style-type: none"> • experience, expertise and project team • capacity to address the range of services required • role and credentials of the key person(s) in the provision of the service (i.e. formal qualifications and experience) • ongoing availability to provide sufficient skilled persons capable of performing the tasks consistent with the required standards • understanding of the required service associated with delivering the services to the Town 	8/8% 7.5/8% 8/8% 8/8% 7/8%	38.5/40 %
<p>History and Viability of Organisation</p> <ul style="list-style-type: none"> • Detail your history and viability • Include any comments received from referees • Demonstrate your capacity to deliver • Demonstrate your capacity and depth to effectively address the range of requirements of the Town 	4/5% 4.5/5% 4/5% 4.5/5%	17/20%

Criteria	Individual Assessment Score	Total Assessment Score
Methodology <ul style="list-style-type: none"> • Proposed methodology for this project to be completed on time and within budget • Proposed methodology for this project and demonstrated evidence of successful results, particularly in WA • Demonstrated experience in projects of a similar nature, particularly in WA 	<p>10/10%</p> <p>5/5%</p> <p>4/5%</p>	<p>19/20%</p>
TOTAL	94/100%	94%

Based on the above assessment, HURIWA’s quotation has adequately met the criteria outlined in the Evaluation Criteria. However, the quotation offer of \$54,633.72 is substantially (4.55 times) higher than the amount of \$12,000 allocated in the 2007/2008 Budget.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

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.”

FINANCIAL/BUDGET IMPLICATIONS:

The current 2007/2008 Budget allocates \$12,000 for the preparation of the Affordable Housing Strategy.

If approved by the Council, the Town’s Administration will need to identify a source of funds for the shortfall of monies. (i.e. \$42,633.72)

COMMENTS:

In providing its quotation, HURIWA has drawn together a team of four experts including two planning professionals, an economist and a geographer. This team has extensive experience in a variety of planning related disciplines including local government, town planning, regional economic development, macro-economics and housing policy. It is considered that HURIWA would be well placed to provide an Affordable Housing Strategy for the Town of Vincent that would adequately direct the Town in moving towards its Strategic goal of providing affordable housing options.

The amount of \$54,633.72 quoted by HURIWA, is considerably more (4.55 times) than the \$12,000 allocated for in the Budget. Furthermore, no other response was received from other consultants invited to submit a quotation. In light of this, further research has been undertaken by the Strategic Planning Services to ascertain what alternatives would be considered

appropriate to address the provision of affordable housing within the Town. The following research was undertaken, which involved investigating practices used by local government in other States and liaising with key government agencies and other local authorities.

Department for Planning and Infrastructure (DPI)

The DPI as part of national action on affordable housing will review and develop, in consultation with local government, affordable housing policies and policy guidelines for adoption into mainstream planning mechanisms. This will assist local government in its development and implementation of strategies that deliver initiatives to improve housing affordability. The DPI will work with the other government agencies, 'Housing Strategy WA unit' to amend the Model Scheme Text to provide for the preparation of Local Housing Strategies. Local Governments will be supported by the 'Housing Strategy WA unit' in the development of local housing strategies for integration into Town Planning Schemes. The expected timeframe for the completion of the *State Affordable Housing Policy* is 12 to 18 months.

Department of Housing and Works (DHW)

Recent discussions with the Department of Housing and Works provided an overview of State Government initiatives in relation to affordable housing. At present, DHW emphasis is on providing funding for first home buyers and the provision of social housing for low income earners and people with disabilities.

The DHW identified the City of Mandurah, the Shire of Broome and the City of Subiaco as other local governments in Western Australia that are actively undertaking initiatives to address housing affordability. Following discussion with both the City of Mandurah and Shire of Broome, it was determined that whilst both Councils are working towards local strategies to address affordable housing, both are in the initial stages and are still unsure as to how its 'Housing Strategy', including the affordable housing element, will be applied.

City of Subiaco

Following the adoption of the *City of Subiaco Social Housing Policy*, a significant amount of research has been undertaken into affordable housing in Subiaco. One initiative to address this issue was the development of a draft Subsidiary Accommodation Policy. Much like the provisions for 'Ancillary Accommodation' allowed for in the Residential Design Codes, the draft Subsidiary Accommodation Policy removed the requirement for occupancy to be restricted to family members. The draft policy was approved for advertising in March 2005, however, due to significant staff turnover at the time, the policy has not yet progressed to final adoption. Further research of local government initiatives in other States has indicated that this type of 'subsidiary/accessory' accommodation is generally well accepted.

In addition, the City of Subiaco is undertaking a project involving the development of a Council owned car parking site for social housing, in particular for persons with disabilities. This project has been in the pipeline for a number of years, with the City now being at the stage of developing concept plans for the site along Jersey Street, Subiaco. The project will result in the development of 14 – 18 single bedroom grouped dwellings, with the site being leased and managed by Foundation Housing, a not for profit organisation. The Department of Housing and Works will fund the project through its community housing and persons with disabilities housing sections. Whilst this project will not strictly provide for mainstream affordable housing, it demonstrates one type of involvement at a local government level for the provision of social housing.

Local Government Initiatives in other Australian States

Despite the limited experience in planning for affordable housing in Australia, recent changes in State and local policies and planning legislation have provided new opportunities. New approaches are emerging at regional and local levels in New South Wales and Queensland, and through State and Local Government partnerships in Victoria and South Australia. Many of the strategies adopted by other Councils have focused on influencing housing provisions through planning and regulatory mechanisms to encourage or directly fund affordable housing. It is important to note, that Councils in other States have significant legislative backing at a State level. Research has identified the following local government initiatives in other States:

- Addressing systemic deficiencies such as unnecessary delays due to complex planning controls and lengthy approval processes or inappropriate administrative costs.
- Strategies to remove regulatory barriers to the development of affordable housing from unnecessarily restrictive development standards, and positive involvement to ensure that a greater diversity of dwelling types is permissible within statutory controls.
- Encouraging or permitting residential conversions to include low cost housing forms, such as 'granny flats', 'garden flats' or 'accessory accommodation'.
- Planning mechanisms to protect existing sources of affordable housing such as low cost rental flats, boarding housing, shop-top apartments and older housing stock, for instance by controlling demolition and/or change of use.
- A social impact assessment framework requiring the evaluation of the impact of development proposals that may reduce the existing supply of affordable housing.
- Planning incentives to encourage preferred residential development types likely to be accessible to lower income earners; for example, additional floor space incentives for mixed commercial/residential development within town centres; or student housing in areas well located to transport.
- Direct provisions of community housing either as a sole or joint venturer with State housing authorities, non-profit organisations and/or the private sector.
- Voluntary incentives to private developers to achieve additional development potential or to offset costs, in return for contributing to a local affordable housing fund.
- Mandatory requirements for private developers to contribute to affordable housing (in cash or kind) based on a pre-determined proportion.
- Mandatory requirements for private developers to contribute to affordable housing (in cash or kind), but with the amount and form of the contribution determined through a negotiated agreement. This is particularly successful where there is an application for change of use, a rezoning or other application to vary a planning control.
- A negotiated agreement for private developers to contribute to affordable housing within a particular site. This contribution may be negotiated as part of a detailed master planning process.

While certain planning mechanisms may be appropriate approaches for promoting affordable housing at a local or regional level in particular areas, they may not necessarily be appropriate to the Town of Vincent. Rather than undermining planning standards to achieve affordable housing, affordable housing mechanisms should actively support other strategic planning goals.

Town of Vincent

There is an extensive range of options for the level of involvement and selection of appropriate roles for the Town of Vincent in contributing to achieving housing outcomes. The extent of range being from awareness that the Town's planning and infrastructure responsibilities have an impact on local housing outcomes at one end, to the Town's direct role in the provision and management of housing at the other end. Many of the Town's roles in the provision of affordable housing could fall within the following broad areas:

- A planning and regulatory role – the use of local planning tools to influence type and forms of housing provided (subject to State Planning legislation).
- A facilitator role – by bringing diverse interest groups together and supporting discussion that improves affordable housing outcomes to the community.
- An advocacy role – by making representation to government, community and business stakeholders on affordable housing needs and responses.
- A research role – to identify local housing issues and to look broadly at responses to housing nationally and internationally that will improve affordable housing outcomes.
- An information provision role – by providing housing resources and other information for a range of groups that adds to an improved understanding of the issues locally and of the ways that the stakeholders can work together.
- A landownership role – by identifying land that could be utilised for affordable housing projects.
- A partnership role – to join with housing industry stakeholders on affordable housing projects.

There is little doubt that an *Affordable Housing Strategy* would be an important tool in directing the Town in meeting the strategic goal of providing affordable housing options

10.1.7 Carers WA, No. 182 (Lot 51) Lord Street, Perth – Parking Permits

Ward:	South	Date:	27 November 2007
Precinct:	Beaufort Street, P13	File Ref:	PRO4041; PKG0003; PKG0106
Attachments:	-		
Reporting Officer(s):	J MacLean		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the letter from Carers WA, seeking Council support for a reduced rate for parking, close to their new premises, at No. 182 (Lot 51) Lord Street, Perth;*
- (ii) *APPROVES;*
 - (a) *a change to the current procedure, by permitting pre-paid monthly parking permits to be used in a kerbside location, Brewer Street, Perth; and*
 - (b) *an "In-kind Donation" of \$11,520, under Council Policy No. 1.1.5, "Donations, Sponsorships and Waivering of Fees and Charges", representing 50% of the total cost of parking for twelve parking permits, for twelve months, to enable Carers WA staff to park in Brewer Street, Perth; and*
- (iii) *ADVISES Carers WA that the Council's approval is for a 12 months period only and any future requests will be considered "on their merit" by the Council at that time.*

Moved Cr Farrell, Seconded Cr Youngman

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Ker

That clause (ii) be amended by deleting "11,520" and inserting "\$240 and deleting the words "representing 50% of the total cost of parking"

Debate ensued

AMENDMENT PUT AND LOST (3-5)

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

Cr Burns on approved leave of absence

AMENDMENT

Moved Cr Maier, Seconded Cr Ker

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

*“(iv) **REQUESTS the Chief Executive Officer to investigate the implications of extending the current Pre-paid Monthly Parking Permits to include kerbside parking facilities, with regard to revenue, vehicle turnover, and any other relevant information**”.*

AMENDMENT PUT AND LOST (3-5)

For

**Cr Ker
Cr Lake
Cr Maier**

Against

**Mayor Catania
Cr Doran-Wu
Cr Farrell
Cr Messina
Cr Youngman**

MOTION PUT AND CARRIED (8-0)

Cr Burns on approved leave of absence

PURPOSE OF REPORT:

The purpose of the report is to obtain approval from the Council, to provide an in-kind donation to Carers WA, for their employees to park in the "Ticket Parking" area in Brewer Street, Perth.

BACKGROUND:

Carers WA is a non-profit community based organisation and registered charity, dedicated to improving the lives of an estimated 250,000 family Carers, living in Western Australia. Their role is to work in active partnership with Carers, persons with care and support needs, health professionals, service providers, government and the wider community, to achieve an improved quality of life for Carers.

Carers WA recently took occupancy of premises at No.182 Lord Street, Perth, but there are insufficient on-site parking facilities to accommodate the anticipated numbers of staff and patients, so the Chief Executive Officer of Carers WA has requested assistance from the Town, under Council Policy No.1.1.5, "*Donations, Sponsorships and Waivering of Fees and Charges*".

Council Policy No 1.1.5 states:

"2. BACKGROUND

- (a) *The Town regularly receives requests from a range of community, not for profit and other groups and individuals for the provision of both cash and in-kind donations. The total sum of such requests for cash donations amount to substantially more than what the Town can afford to support. Similarly the provision of in-kind service requires the allocation by the Town of substantial physical and employee resources. Accordingly it is not possible to provide the cash or other resources requested in every instance.*
- (b) *Given that the Town receives a large number of requests from individuals, community groups and organisations throughout the year for donations, sponsorship and the waiver of fees and charges associated with the use of Town facilities, a procedure for the assessment of applications ensures:*

- *Transparency and accountability to the community;*
- *An effective reporting mechanism to Council regarding the total value of donations approved in any one financial year;*
- *An equitable assessment of each application or request received; and*
- *A standard process for applicants to follow when requesting donations or sponsorships from the Town."*

DETAILS:

The new Carers WA premises, at No.182 Lord Street, Perth, until recently, fell within the City of Perth jurisdiction and the organisation was granted a planning/building approval, to refurbish the building, by the City of Perth. Since 1 July 2007, the address has been transferred to the Town of Vincent jurisdiction. The planning/building approval was given with a total of 12 on-site parking bays, but the Chief Executive Officer of Carers WA has approached the Town, seeking assistance in the waiver, or at least reduction, of the parking fees applicable in Brewer Street, Perth, for twelve (12) vehicles.

Initially, Carers WA asked for twenty five (25) concessional parking permits to be provided by the Town, based on the fact that the total number of staff members would not exceed twelve (12), at any given time, but to avoid the need to return permits every day, twenty five (25) permits were requested. The request was for the permits to be valid in Brewer Street, Perth, at a daily parking rate of \$4.00 per day.

Brewer Street, Perth is a Paid Parking area, attracting an hourly rate of \$1.50, which would ordinarily result in the daily fee, for an average 8½ hour day, of \$12.75. However, at this time, to try to encourage an increase in the usage of the facilities, a day parking rate of \$8.00 has been programmed into the ticket issuing machines.

Following receipt of the request, a meeting was held with senior staff of Carers WA, including their Chief Executive Officer, Ms Noreen Flynn and a number of concerns were raised. Carers WA then agreed to re-assess their true needs and have now asked for concessional parking permits for only twelve (12) vehicles.

The Town currently issues monthly pre-paid parking permits for paid car parks, but do not issue such permits for kerbside locations. The current fee for these pre-paid permits is \$85.00 per month, which equates to approximately \$4.25 per day, which is only \$0.25 per day more than is being requested by Carers WA. The closest car park, to the Carers WA premises, is the Stadium Car Park, which is around 400 metres away, with Brewer Street being only around 50 metres away.

Brewer Street is currently under-utilised every day, with up to 40 vacant bays daily being unused. As a result, there would be no impact on the current availability of parking bays, in Brewer Street, Perth. A higher usage rate could, in fact, encourage other drivers to make use of the facility. However, since the Town does not issue permits for kerbside locations, to enable the requested permits to be issued, the Council would need to approve the change to the current procedure.

The value of the "Donation" has been calculated as follows:

	Existing Rate	Requested Rate
Current day rate	\$8.00	\$4.00
Current Monthly rate	\$160.00	\$80.00
Current Annual rate	\$1,920.00	\$960.00
No. of bays requested	12	12
Total Annual Value	\$23,040.00	\$11,520.00
REQUESTED DONATION	\$11,520.00	

CONSULTATION/ADVERTISING:

There is no need to advertise or to consult on this matter

LEGAL/POLICY:

There are no adverse legal implications associated with this report. The above complies with the Town's Policy No.1.1.5, *"Donations, Sponsorships and Waivering of Fees and Charges"*.

STRATEGIC IMPLICATIONS:

The above report is in keeping with the Town's Strategic Plan 2006-2011 at Objective 2.1.4 - *"Identify the needs and expectations of the business community and facilitate outcomes in the Town"* and at, Part 2.1.4(b) - *"Implement parking management strategies that provide assistance to businesses, while maintaining the Town's commitment to the whole community"*.

FINANCIAL/BUDGET IMPLICATIONS:

While the above report recommends a donation of \$11,520.00, this is an "In-kind" donation, so there is no actual money that changes hands.

COMMENTS:

Carers WA is a non-profit organisation with a mandate to assist a multitude of Carers throughout the State. The organisation has asked for the Town's assistance, in providing concessional parking permits, to enable their staff to make use of the kerbside parking facilities in Brewer Street, Perth. These facilities are currently under-utilised, so there will be no impact on the community and, since the recommendation is in keeping with Council Policy No.1.1.5, *"Donations, Sponsorships and Waivering of Fees and Charges"*, the report is recommended for approval.

10.2.1 Investigation of Solar Powered Light Poles for Rights of Way, Parks and Reserves

Ward:	Both	Date:	22 November 2007
Precinct:	All	File Ref:	TES-185
Attachments:	001		
Reporting Officer(s):	J Lockley, R Lotznicker		
Checked/Endorsed by:		Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECIEVES the report on the proposal for the investigation of Solar Powered lights for Rights of Way, Parks and Reserves in the Town;*
- (ii) *NOTES that;*
 - (a) *funding for the solar panels may be sought from the Sustainability Energy Development Office (SEDO) under the heading of “reducing the level of green house emissions in Western Australia”;*
 - (b) *for it to receive grant funding the Town will need to match the value of funding requested up to a maximum of \$50,000;*
 - (c) *the closing date for the next round of Sustainable Energy Development Office (SEDO) grants is February 2008; and*
 - (d) *\$25,000 has been allocated in the 2007/2008 budget for proposed improvement works in the Right of Way bounded by Harold, Beaufort, Clarence and Curtis Streets;*
- (iii) *AUTHORISES the Chief Executive Officer to seek funding of \$25,000 from the Sustainability Energy Development Office (SEDO) for a project to install solar/LED lighting in the in the Right of Way bounded by Harold, Beaufort, Clarence and Curtis Streets;*
- (iv) *DEFERS the proposed infrastructure improvement works in the Right of Way bounded by Harold, Beaufort, Clarence and Curtis Streets, estimated to cost \$25,000;*
- (v) *APPROVES the conducting of a trial using 10 (Ten) solar powered/LED lights in the Right of Way bounded by Harold, Beaufort, Clarence and Curtis Streets, estimated to cost in the order \$50,000, should the Town be successful with its grant (of \$25,000) from the Sustainable Energy Development Office (SEDO);*
- (vi) *LISTS an amount of \$25,000 for consideration in the 2008/2009 draft budget to provide energy efficient lighting, comprising a combination of solar/LED in other suitable locations to be determined during the budget process;*
- (vii) *Receives a further report on the lighting trial, as outlined in clause (iii) in May /June 2008;*

-
- (viii) *Subject to the a favourable outcome of the lighting trial being achieved, CONSIDERS a future program to progressively light specific rights of way and dual use paths in the Town's Parks and Reserves with energy efficient lighting, as outlined in the report; and*
- (ix) *INVESTIGATES the installation of 'solar tracking' panels on the roof of the Town's buildings, as outlined in the report, and receives a further detailed report on this initiative.*
-

COUNCIL DECISION 10.2.1

Moved Cr Messina, Seconded Cr Farrell

That the recommendation be adopted.

CARRIED (8-0)

Cr Burns on approved leave of absence

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the options for lighting Town owned rights of way (ROWs) and parks and reserves with solar powered lights; to inform the Council of the feasibility to purchase, install and maintain solar powered lights; and to investigate whether Western Power will assume responsibility for the future maintenance of these lights.

BACKGROUND:

At its Ordinary meeting held on 24 July 2007, a Notice of Motion from Cr Izzi Messina was considered, where the following decision was made.

That;

- (i) *the Council REQUESTS the Chief Executive Officer to;*
- (a) *investigate the feasibility of the purchase, installation and maintenance of solar powered light poles in the Town's Right of Ways, parks and reserves;*
- (b) *investigate whether Western Power will assume responsibility for future maintenance of such solar powered light poles and fittings;*
- (ii) *the report considers the implementation of this initiative, in conjunction with the Town's Right of Way Upgrade Program and Parks and Reserves Upgrade Program; and*
- (iii) *the report be submitted to the Council no later than October 2007.*

DETAILS:

Existing Lighting:

All street lighting and lighting in the Town's dedicated ROWs are owned and operated by Western Power, whereas lighting within the Town's parks and reserves are owned and operated by the Town.

Some streets in the Town have decorative lighting (previously installed by private developers) that are still operated by the Town, however, this lighting is being progressively replaced with standard Western Power lighting in accordance with Council policy 2.2.15.

All of the existing street/ROW/parks lighting is currently powered from the electricity grid and the globes comprise either mercury vapour (MV), high pressure sodium (HPS) or metal halide (MH) all of which have varying lamp life, lux and light spread and colour.

Possible alternative Lighting:

Various options have been investigated with regard to alternative lighting and methods of powering this lighting, and are discussed in the following part of this report.

Solar power panels

Solar power or energy is captured via solar panels and the energy is either stored in batteries to be used when needed or fed into the electricity grid. The larger the panel, more energy can be captured and the larger the battery required to store the energy. To install lights with a solar panel each light would require the following:

- a battery
- a cable attached to a battery box, and
- one light supporting a solar panel

Solar Lighting

Research has revealed that there are several companies in Western Australia who are able to provide products and services required for the solar panels and installation. Some of these companies would require a new lamp to be fixed to an existing light pole.

A couple of examples are listed below:

BP Solar or WA Solar Supplies:

This company has many applications for solar lighting and they have a comprehensive solar panel selection and supply lights for Main Roads (in remote areas). The solar lights each have their panel which has a 25 year warranty, with an anti vandalism backing plate and bird spikes. The solar panel harvests the light energy and stores the power in the battery which is stored underground. The light that is used in conjunction with the BP Solar panel is the *PL or compact fluorescent tube* which comes in 26watts, 36 watts and 46 watts for different levels of brightness. These are fitted with a purpose built light inverter to ensure optimum brightness throughout the period of lighting (over night). The batteries can power the lights for up to five days without solar energy recharge.

BP Solar also have solar tracking panels which are designed for roof tops or remote area solar farms where the panels track the light from dawn to dusk to harvest the greatest amount of energy available through out the daylight period. This is a much better solar energy harvesting method than the traditional flat solar panel method that is commonly used and only achieves energy harvest when the sun is shining on the panel.

Retro fitting solar panels to the Town's existing lights

It is not possible to use an existing light pole to retro fit or install a solar panel given that the existing light poles have not been designed for the extra wind loading from the solar panel and the modifications needed would generally outweigh the cost of the additions.

The use of Solar Powered lights in and around Perth

The *BP Solar* street lights can be viewed at the BP service station in Osborne Park. Solar panels are also fixed to the roof. *BP Solar* have also supplied lighting for main roads on Great Northern Highway, and for remote areas where there is no access to mains power such as Karratha, Onslow and Port Headland

Solar Panels to light more than one street light with LED lamp

The LED lights are a new type of light or globe that use far less power than the conventional globes. The LED lamp cannot be used in existing light heads. The head needs to be changed to introduce the LED however they can be installed on an existing pole in most cases.

One solar panel either fitted to a lightpole or located in the verge can be connected to up to six (6) lights using the LED lamps, which can supply the power for all six (6) of the lamps. This would require trenching for the cable to connect each lamp with the panel.

Solar panels together with High power LED street lamps is an option for lighting of ROWs, and parks and reserves within the Town.

LED Lamps:

LED lamps are globes that can be used in place of the traditional globes such as High Pressure Sodium, Metal Halide, and Mercury Vapour. LED lamps use approximately 80% less power to run and their life is over three times longer so requires less power and less maintenance than the traditional globes.

This is a major advantage as this will result in large savings in energy use and therefore lead to reduction in green house gas emissions.

An LED lamp requires only 20% of the electricity consumption of traditional globes and can generate 80 lumen per watt, is 10 times the brightness of traditional globes and has over 50,000 hours working life (Conventional globes run for only 8,000 to 14,000 hours).

An advantage of the LED lamp is that it has a square or rectangle shape so the illumination does not flow outside of the area being lit which would be an advantage in a ROW where the back spill of light can be an issue. LED technology has a range of lights that are available with different power and lighting ranges.

A comparison of LED life compared with conventional globes is outlined in the following table:

Type of Light	Efficacy*	Running hours	Colour
High pressure sodium HPS	100 lm/W	14,000 hours	Golden yellow
Mercury vapour MV	55 lm/W	12,000 hours	White
Metal halide MH	80 lm/W	8,000 hours	Blue/white tone
High power LED	80 lm/W	50,000 hours	Pure white or warm white

Note:* 'Efficacy' is a comparison of light output to energy consumption and is measured in lumens per watt (lm/W)

Use of the LED lamps for lighting in and around Perth

LED street lamps are currently being trialled by a company Maintenance & Contracting Services (MACS) in Kings Park (with pole heights of 7.5 metres, placed 50 metres apart) in conjunction with Western Power and are also used on Garden Island for lighting of the cause way.

LED technology has a range of lights that are available with different power and lighting ranges.

The City of Melville is currently running a trial in the Piney Lakes car park with six (6) traditional lights in the car park, each powered by a single solar panel and the other half with LED lights, all to be powered by one solar panel

The City of Stirling and City of Perth have also expressed an interest with the BBE company for the LED lights with solar power panels.

Comments:

The two main issues that need to be kept in mind when considering the use of alternative (solar) lighting are that:

- The lighting may become dimmer in the early hours of the morning when it has been operating for a long period of time due to the batteries running low and the dimmer lights may not comply with the Australian standards for lighting, which could cause some possible legal issues.
- Battery packs need to be installed to store solar power and require a high level of maintenance and tend to have issues in temperature of greater than 37 degrees.

Western Power

If lights are owned by Western Power then Western Power will take responsibility for their asset and ensure that the maintenance is carried out. They will not currently maintain lights that do not comprise their standard range.

If the trial currently being carried out at Kings Park is successful there may be scope for Western Power to diversify in the future however any lights installed on reserves and/or in non dedicated ROWs will always need to be maintained by the Town.

ROW upgrade program and lighting trial

The company previously mentioned (MACS) has approached the Town to install LED lights powered by solar or mains electricity as a trial in a ROW.

The ROW that has been suggested for a trial is 3.0m wide and dedicated, however, it is too narrow for Western Power lighting to be installed.

The ROW is bounded by Harold, Beaufort, Clarence and Curtis Streets in Mount Lawley. There is funding on budget for further upgrade of the sealed ROW, however, as the ROW is already sealed the funds may be better used for the trial of the lights. The request was to improve the amenity of the ROW and it is considered that the installation of lighting would go a long way in improving amenity. Resurfacing/kerbing etc could be considered in future budgets.

SEDO Grants program:

Funding for the solar panels may be sought from the Sustainability Energy Development Office (SEDO) under the heading of "reducing the level of green house emissions in Western Australia". For it to receive grant funding, the Town will need to match the value of funding requested up to a maximum of \$50,000. The closing date for the next round of Sustainable Energy Development Office (SEDO) grants is February 2008;

The grants that are available are to help meet the actual cost of implementing eligible, sustainable energy activities in Western Australia. Grants that primarily involve the research and development of a particular sustainable energy product, service or installation can only receive grants to meet up to 50 percent of the actual cash cost or carrying out the activity. \$25,000 has been allocated in the 2007/2008 budget for proposed improvement works in the ROW bounded by Harold, Beaufort, Clarence and Curtis Streets. This amount would need to be allocated for use if a grant from SEDO was to be applied for.

CONSULTATION/ADVERTISING:

Residents surrounding the ROWs may need to be consulted on the lighting. *The LED lamps are known for the light shining forward of the pole so if placed correctly should not cause issues with the light shining into areas that do not need the light.*

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.6 Enhance and maintain the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment. “(d) implement infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way and roads.”

FINANCIAL/BUDGET IMPLICATIONS:

BP solar powered lighting - For the solar panels which have the vandal proof aluminium backing plate and bird spike (*see appendix for example of light*). This is to prevent vandalism from people throwing stones through the back of the panels. The battery is a lead acid battery which last for 6-8years. At the end of the life of the battery, it can be recycled and replaced by tilting the light pole and removing the old battery and replacing with the new battery.

The following prices are for the complete kit including the Battery, Pole, Light and Solar Panel (Prices exclude GST, delivery or installation). The installation cost is estimated at about \$450 per light. Installation of the *BP Solar* lights kit would comprise excavation of a small hole for the battery and then placing the hinged pole on top and pulling it upright. The battery is stored underground for security and to ensure rain and heat do not affect the life. The battery life ranges from 4 – 6 years.

Light watts	Running time	Cost of Complete Kit*
42w	12 hours per night	\$8,400
42w	6 hours per night	\$ 5,860
32w	12 hours per night	\$ 8,400
32w	6 hours per night	\$ 5,860
26w	12 hours per night	\$ 6,790
26w	6 hours per night	\$ 5,430

* Complete kit includes the Battery, Pole (6 meters), Light/lamp and Solar Panel (Prices exclude GST, delivery or installation)

LED lamp cost only

The cost of the various LED lamps differs with the selection of the lamp size and Wattage as follows.

Model	Light Watts	Lumens	Colour of light	Price of light
SP90	38w	2100lm	Pure white or warm white	\$369.00
LU2	75w	4200lm	Pure white or warm white	\$649.00
LU4	150w	8400lm	Pure white or warm white	\$1100.00
LU6	225w	12600lm	Pure white or warm white	\$1599.00
SD2	56w	4600lm	Pure white or warm white	\$890.00

Installation of the MACS LED lights is also about \$450 to \$500 per light

MACS / Salco solar lighting with LED lamps

Item	Products included	Company	Cost*
Solar panel to power six (6) lights	Large Solar Panel, 2 batteries (with 3 day power supply capacity)	Salco	\$12,000
Solar panel for (1) one light	Solar panel and battery	Salco	\$1,900
Light Post and Lamp (does not include installation)	Light post and lamp	MACS	\$1,000

Note*: Prices are estimates only and will be set when the quote has been provided for the actual site.

COMMENTS:

As an alternative to the initiative of installation of solar power for lights, it may be a more feasible project to have solar tracking panels on roofs of Town owned buildings, then have them connected to the grid, where it will generate far greater power than any light would use and the Town would be paid by Synergy for the light it produces and feeds into the grid. This combined with the LED lamps would achieve greater levels of CO₂ reduction in the lighting and increase the natural power produced. There would be no batteries to maintain, or dispose of, the solar panels would require little maintenance and there would be no cables to run underground.

The batteries used in the lighting with the solar panels are lead acid and can be recycled at many scrap metal recycling depots around Perth. The solar panels are generally given a 25 year warranty.

10.2.2 Policy No 4.1.30 - Environmental Grants and Awards, - Approval of Grant Funding Submissions Received

Ward:	Both	Date:	22 November 2007
Precinct:	All	File Ref:	ADM0023
Attachments:	-		
Reporting Officer(s):	R Lotznicker, J Lockley, J van den Bok		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION

That the Council;

- (i) *RECIEVES the report on Policy No 4.1.30, Environmental Grants and Awards, Grant Funding Received;*
- (ii) *APPROVES the provision of grants as follows;*
 - (a) *Environmental Grants – Schools:*
 - *Mt Hawthorn Primary School – Hands on Activities, Worm Farming, grant to the value of \$750;*
 - *Mt Hawthorn Junior Primary School – Subsurface Irrigation systems for School gardens, grant to the value of \$750;*
 - (b) *Environmental Grant - Community Based Environmental Activities:*
 - *Mt Hawthorn Primary Schools Parents and Citizens Association – Walking School Bus Project, grant to the value of \$1,415; and*
- (iii) *RECEIVES a further report on progress of the projects and advising of the awards prior to June 2008.*

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Cr Messina departed the Chamber at 8.07pm

Debate Ensued

Cr Messina returned to the Chamber at 8.09pm

AMENDMENT

Moved Cr Farrell, Seconded Cr Maier

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

- (iii) *REQUESTS the Chief Executive Officer to again invite all schools in the Town to make submissions to the Town under the Environmental Grants and Awards funding;*

Existing Clause (iii) to become Clause (iv) as follows

- (iv) *RECEIVES a further report on progress of the projects and advising of the awards prior to June 2008.*

AMENDMENT CARRIED (8-0)

(Cr Burns on approved leave of absence)

MOTION AS AMENDED PUT AND CARRIED (8-0)

COUNCIL DECISION ITEM 10.2.2

- (i) *RECIEVES the report on Policy No 4.1.30, Environmental Grants and Awards, Grant Funding Received;*
- (ii) *APPROVES the provision of grants as follows;*
- (a) *Environmental Grants – Schools:*
- *Mt Hawthorn Primary School – Hands on Activities, Worm Farming, grant to the value of \$750;*
 - *Mt Hawthorn Junior Primary School – Subsurface Irrigation systems for School gardens, grant to the value of \$750;*
- (b) *Environmental Grant - Community Based Environmental Activities:*
- *Mt Hawthorn Primary Schools Parents and Citizens Association – Walking School Bus Project, grant to the value of \$1,415; and*
- (iii) *REQUESTS the Chief Executive Officer to again invite all schools in the Town to make submissions to the Town under the Environmental Grants and Awards funding; and*
- (iv) *RECEIVES a further report on progress of the projects and advising of the awards prior to June 2008.*
-

PURPOSE OF REPORT:

The purpose of this report is to approve of the applications received for financial assistance for community based environmental projects.

BACKGROUND:

At its Ordinary meeting held on 12 June 2007, the Council *decided to APPROVE the adoption of a new Policy 4.1.30 – Environmental Grants and Awards, Policy Procedures and associated Guidelines and Applications forms.*

DETAILS

Overview

Environmental Grants - Schools

The policy established a procedure whereby the Town may provide a 'grant' to a school within the Town up to a value of \$750, and outside of the Town of \$500, to assist the school to implement an environmental project/initiative in one or more of the categories defined in this policy may qualify the school for an 'Environmental Award'.

Environmental Grant - Community Based Environmental Activities:

The policy established a procedure where the Council determines the amount of Grant funding which may be made available in any one financial year to one, or a number of, Community Groups or Non for Profit Organisations who have a proven track record in developing "community based environmental initiatives" to raise community awareness by involving the local community and develop initiatives to promote a number or a specific environmental issue/s.

For 2007/2008 this was based on a total of \$2,500.

Advertising:

In accordance with the Policy, in September/October 2007 schools in and around the Town were invited to submit an application for grant funding. In addition an advertisement was placed in the local papers inviting Community groups to submit an application for grant funding.

Submissions Received:

At the close of the submission period, three (3) submissions were received as follows:

Environmental Grants - Schools

- Mt Hawthorn Primary School – Hands on Activities, Worm Farming
- Mt Hawthorn Junior Primary School – Subsurface Irrigation systems for School gardens

Environmental Grant - Community Based Environmental Activities:

- Mt Hawthorn Primary Schools Parents and Citizens Association – Walking School Bus Project

Submission Details:

Environmental Grants -Schools

Mt Hawthorn Primary School

What will you use the Grant for?

By implementing hands on activities K-7 throughout the Science program. For example, Term 1 2008 Life and Living. Children are to learn about the adaptations and interdependence of living creatures, which could be highlighted through the set up and running of a worm farm. This could then be incorporated through cross-curricular areas i.e. T & E where children produce market products e.g. worm juice, to allow for a whole school approach including buddy mentoring (e.g. Year 7s teamed with Year 3s) and flexibility within the school curriculum.

How will the Project/s raise the schools awareness of the environment?

The highlight throughout the school being emphasised is sustainability. The project is designed to help children appreciate the role and responsibility they have in helping care for the environment, by focussing on the importance of sustainability.

What will the demonstrated outcomes be?

- Integrated program
- Community Focus
- Sustainability
- Environmental Responsibility
-

Who will be involved in proposed project/s delivery?

The whole school community

Outline what environmental issues or initiatives will result from the project/s?

- Vegetable garden
- Market stall
- Canteen produce
- Worm juice
- Worm Casting Bricks

Mt Hawthorn Junior Primary School

What the Grant will be used for

The grant will be used primarily for the supply and installation of sub-surface irrigation systems to each of the school's gardens as they are rejuvenated and planted out with local native species by the school's grounds committee, the Parents and Citizens Association and the broader schools community over the next twelve months.

Additionally, many existing popup sprinklers connected to the ground water supply will be converted to multi-stream rotating sprinkler nozzles to provide an estimated 33% saving on water use for the lawn areas.

The aim of the project is to drastically reduce the amount of water required to irrigate the gardens and lawns of the school grounds by reducing or eliminating misting, overspray, evaporation and run off caused by the current installation. The broader school community will carry out the installation of more efficient and effective irrigation during planned working bees.

The initial installation of sub-surface irrigation will be carried out within the native garden area planted near the new Harbeck Resource Centre during Planet Ark's Schools Tree Day in August 2008. The program will be continued throughout the coming year as each garden area is revitalised.

How will the project/s raise the schools awareness of the environment?

Since 1998, Mt Hawthorn Junior Primary School has been recognised as a Water Corporation water-wise school and has undertaken further development of the school's curriculum to educate the children in water saving initiatives. To further the students education as each of the gardens are completed, the ownership of garden maintenance will be handed over to different classes to further develop the students' knowledge of sustainability, environmentally friendly methods of gardening and local fauna and flora species. The planned gardens will consist of various themes including bush tucker, local natives, frog pond and sensory plants to name a few and responsibility will be passed on to forthcoming years.

This procedure will ensure that the students of Mt Hawthorn Junior Primary School not only learn about different aspects of the local environment but also learn to appreciate first hand the importance of water saving initiatives in this time of diminishing supplies.

What will the demonstrated outcomes be?

Apart from developing the children's knowledge of water conservation, there will be a considerable reduction in the school's water consumption. This will be confirmed by ongoing monitoring and comparison of existing use.

Who will be involved in the proposed project/s delivery?

The school's grounds committee will be coordinating the installation of sub-surface reticulating. Consultation will be carried out with the teachers and staff of the school to ensure appropriate positioning and style of gardens is agreed upon for each year group. Once a decision has been made, the Parents and Citizens Association will promote working bees to the broader school and commercial community to complete the proposed plans.

Outline what environmental issues initiatives will result from the project/s

The primary environmental benefit of this project will be to minimise the water requirements of Mt Hawthorn Junior Primary School. It will also create an environment where the opportunity for improved biodiversity exists, as the new native gardens will provide a habitat for local native species.

Environmental Grant - Community Based Environmental Activities:

Mt Hawthorn Primary School's Parents and Citizens Association.

Describe what you will use the grant for?

The grant will be used by the Parents' and Citizens' Association to launch the Mt Hawthorn Primary School "Walking School Buses" by providing the resources to assist with the safety of the volunteer drivers and children utilising the bus service and allow for the production and distribution of routes and other information to all members of the school community.

Additionally, by providing rewards and incentives throughout the inaugural year should ensure the entrenchment of the Walking School Bus service within the culture of the school's operation.

The aim of the project is to ensure the establishment and continuation of Walking School Buses to Mt Hawthorn School by supporting the volunteer drivers and the provision of incentives and rewards to the student users.

History: The Walking School Bus has been researched with questionnaires, compilation of information and the generation of proposed routes, times and stops. This process has been carried out with consultation with the Department of Planning and Infrastructure (DPI) and to date has taken approximately 50 hours. Acting on advice from DPI, the resulting four proposed routes will be trialled one or two days per week during term 4 of the 2007 school year with a full training of volunteers being carried out prior to the full implementation at the start of the 2008 school year.

Note: A "walking school bus" is a group of children walking to school with one or more adults.

How much money are you applying for in this application?

This application is requesting the amount of \$1,415.00, which will include the purchase of safety clothing and the estimated amount required for the planned ongoing incentive program. If reflective armbands are recommended and available, the planned lettering or logos on the day work safety vests will be removed and armbands will be purchased.

When will the funds be expended?

The initial set up costs will be spent during term four (4) and these will include the production and distribution of route maps to the school community and the purchase of safety vests for the WSB drivers and arm bands for users.

It is planned that some incentives consisting of rulers, pencils, temporary tattoos, etc. will be awarded to users throughout term four (4) but primarily awarded to achievers of set targets throughout the 2008 school year.

How will the proposal raise community awareness of the environment?

Quarterly reports will be published in the school newsletter informing the parents of the number of bus users, the estimated reduction in green house gases produced, the estimated reduction in motor vehicle use and the total number of kilometres walked by users. This information will also be provided to local media, the Town of Vincent and to DPI to further promote the environmentally friendly service and to encourage readers and other schools to consider the establishment of their own WSB.

Simple incentives will be issued to individuals on achieving environmentally based targets and be presented at school assemblies. Significant award winners may also be mentioned in press releases issued to the local media.

What will the demonstrated outcomes be?

It is expected that although many families have already expressed an interest in using the 'bus' that as the year progresses others will take advantage of the many benefits a walking school bus offer the community. By the end of 2008 the walking school bus system should be fully entrenched within the school system and therefore carry on into the future. The continuation of the WSB past 2008 with a continual increase in users will be reflected by the reduction in traffic congestion around the school and reduce the number of vehicles used within the Mt Hawthorn precinct.

What community involvement is proposed?

Apart from the volunteers recruited to 'drive' the buses, local businesses will be approached for support by providing incentives for the users and volunteers. Many people of the Mt Hawthorn area will see the buses walking to school each morning, which should encourage support for further environmental initiatives carried out by the school or other organisations.

Assessment

All three (3) applications were assessed by a team comprising:

- Director Technical Services
- Environmental Officer
- Manager Parks Services

Environmental Grants - Schools

Mt Hawthorn Primary School – Hands on Activities, Worm Farming.

It was considered the proposal met the following criteria and should be supported:

- Acknowledge and make efforts for conserving water, water quality (Environmental Issue – Water)
- Acknowledge and make efforts to reduce climate change and carbon dioxide emissions (Environmental Issue – Air)
- Acknowledge and make efforts to increase recycling and reduce putrescible waste entering the waste stream (Environmental Issue – Waste Management)
- Acknowledge the geographic location of the Town of Vincent on the Swan Coastal Plain and the affects this may have on the quality of the local environment, plants, water table and drought issues and make efforts to reduce, reuse and capture water (Environmental Issue – Biodiversity)
- Encourage young people to interact with each other (and the Town's residents) by working at a collective 'grass roots' level to develop local native plant gardens, protect/enhance native flora and fauna, groundwater health, and address over fertilisation to protect water bodies in and around the Town.

Mt Hawthorn Junior Primary School – Subsurface Irrigation systems for School gardens

It was considered the proposal met the following criteria and should be supported:

- Acknowledge and make efforts for conserving water, water quality (Environmental Issue – Water)
- Acknowledge and make efforts to increase recycling and reduce putrescible waste entering the waste stream (Environmental Issue – Waste Management)
- Acknowledge the geographic location of the Town of Vincent on the Swan Coastal Plain and the effects this may have on the quality of the local environment, plants, water table and drought issues and make efforts to reduce, reuse and capture water (Environmental Issue – Biodiversity)
- Encourage young people to interact with each other (and the Town's residents) by working at a collective 'grass roots' level to develop local native plant gardens, protect/enhance native flora and fauna, groundwater health, address over fertilisation to protect water bodies in and around the Town

Environmental Grant - Community Based Environmental Activities - Mt Hawthorn Primary School's parents and Citizens Association – Walking School Bus Project.

It was considered the proposal met the following criteria and should be supported:

- The raising of community awareness by involvement of the community in environmental activities
- The activities having a demonstrated outcome for improving the environment
- Providing increased community support for environmental initiatives within the Town of Vincent
- The community group is located within the Town of Vincent boundaries
- Commitment to acknowledging the Town of Vincent in any promotional or publicity undertaken
- The project/initiative provides benefits to more than just the applicant and meets a need in the community and locals will benefit.

The judging of the Awards should be carried out (similar to other Awards) at a time to be determined by the Chief Executive Officer (in liaison with the Mayor). Wherever practicable, the Awards will be presented as part of World Environment Day (June each year).

It is recommended that the Council delegate to the Chief Executive Officer approval to assess and award grant applications received from schools.

CONSULTATION/ADVERTISING:

The Applicant will be advised of the Council's decision

LEGAL/POLICY:

Policies are not legally enforceable; they provide guidance to the Town's Administration and Council Members when considering various matters.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – 3.1.3 Determine the requirements of the community. “(b) Undertake social research into community needs and identify projects for funding.”

FINANCIAL/BUDGET IMPLICATIONS:

Appropriate funding has been included in the 2007/2008 budget for this initiative.

The current budget implications are as follows:

• Grants to Schools located within the Town (2 x \$750)	\$1,500
• Schools/Colleges outside the Town but satisfy the criteria (nil)	\$0
• Community Groups / “Not for Profit” Organisations – one (1)	<u>\$1,415</u>
Subtotal	\$2,915

“Indicative” future possible funding requirements (awards yet to be advertised)

• One (1) Main prize of \$500 - School	\$500
• One (1) Main prize of \$250 – Community Member	\$250
• Five (2) Category Prizes of \$250 - Schools	\$500
• Five (2) Category Prizes of \$100 – Community Members	\$200
• Advertising/certificates/awards presentation	<u>\$2,500</u>
Subtotal	\$3,950

TOTAL **\$6,865**

COMMENTS:

Letters were sent out to ALL schools in the Town and some schools in the immediate vicinity of the Town. While only two (2) submissions were received, several schools indicated they may be applying for a grant in 2008/2009. In addition only one request for funding was received from a Community Group. The budget has been revised accordingly to take into account the future awards etc.

10.3.1 Annual Budget 2008/2009 – Adoption of Timetable

Ward:	Both	Date:	27 November 2007
Precinct:	All	File Ref:	FIN0025
Attachments:	-		
Reporting Officer(s):	M Rootsey		
Checked/Endorsed by:	John Giorgi	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) **APPROVES** the timetable for the 2008/2009 Budget as detailed below:

<i>DATE</i>	<i>TOPIC</i>
<i>1-30 April</i>	<i>Chief Executive Officer and Directors to review Draft Budget.</i>
<i>5 May</i>	<i>Draft budget issued to Council Members</i>
<i>10 May</i>	<i>Confidential Briefing provided to Council Members on Draft Budget</i>
<i>14 May</i>	<i>1st Budget briefing/Special Council Meeting (open to the public)</i>
<i>28 May</i>	<i>2nd Budget briefing/Special Council Meeting (open to the public)</i>
<i>30 May - 2 June</i>	<i>Budget documentation finalised for public comment</i>
<i>2 June</i>	<i>Advertise for public comment</i>
<i>18 June</i>	<i>Public comment closes</i>
<i>18 June - 26 June</i>	<i>Final Budget documentation and report for Council prepared</i>
<i>26 June</i>	<i>Agenda report issued</i>
<i>2 July</i>	<i>Adoption of Annual Budget at the Special Council meeting</i>

- (ii) **AMENDS** the Towns Community Consultation Policy Number 4.1.5 as follows;

2. NON-STATUTORY AND GENERAL CONSULTATION/COMMUNICATION

ANNUAL BUDGET - DRAFT	<i>Local Public Notice – Advertise for 21 14 days.</i>	<i>Council website Business & Community Groups</i>
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Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Cr Doran-Wu Departed the Chamber at 8.10pm

AMENDMENT

Moved Cr Ker, Seconded Cr Messina

That the timetable be amended as follows:

DATE	TOPIC
<i>1-25 April</i>	<i>Chief Executive Officer and Directors to review Draft Budget.</i>
<i>28 April</i>	<i>Draft budget issued to Council Members</i>
<i>3 May</i>	<i>Confidential Briefing provided to Council Members on Draft Budget</i>
<i>6 May</i>	<i>1st Budget briefing/Special Council Meeting (open to the public)</i>
<i>20 May</i>	<i>2nd Budget briefing/Special Council Meeting (open to the public)</i>
<i>30 May - 2 June</i>	<i>Budget documentation finalised for public comment</i>
<i>2 June</i>	<i>Advertise for public comment</i>
<i>18 June</i>	<i>Public comment closes</i>
<i>18 June - 26 June</i>	<i>Final Budget documentation and report for Council prepared</i>
<i>26 June</i>	<i>Agenda report issued</i>
<i>2 July</i>	<i>Adoption of Annual Budget at the Special Council meeting</i>

Cr Doran-Wu returned to the Chamber at 8.12pm

Debate ensued.

AMENDMENT PUT AND CARRIED (8-0)

Cr Burns on approved leave of absence

AMENDMENT

Moved Cr Maier, Seconded Cr Ker

That clause (ii) be deleted.

AMENDMENT PUT AND CARRIED (8-0)

Cr Burns on approved leave of absence

Moved Cr Lake, Seconded Cr Maier

AMENDMENT

That the “Confidential Briefing” provided to Council Members on Draft Budget, scheduled for 10 May 2008, be changed to “Open to the Public”.

Debate ensued

AMENDMENT PUT AND LOST (3-5)

For

Cr Ker

Cr Lake

Cr Maier

Against

Mayor Catania

Cr Doran-Wu

Cr Farrell

Cr Messina

Cr Youngman

Cr Burns on approved leave of absence

MOTION AS AMENDED PUT AND CARRIED (8-0)

COUNCIL DECISION 10.3.1

That the council approves the timetable for the 2008/09 Budget as detailed below;

<i>DATE</i>	<i>TOPIC</i>
<i>1-25 April</i>	<i>Chief Executive Officer and Directors to review Draft Budget.</i>
<i>28 April</i>	<i>Draft budget issued to Council Members</i>
<i>3 May</i>	<i>Confidential Briefing provided to Council Members on Draft Budget</i>
<i>6 May</i>	<i>1st Budget briefing/Special Council Meeting (open to the public</i>
<i>20 May</i>	<i>2nd Budget briefing/Special Council Meeting (open to the public)</i>
<i>30 May - 2 June</i>	<i>Budget documentation finalised for public comment</i>
<i>2 June</i>	<i>Advertise for public comment</i>
<i>18 June</i>	<i>Public comment closes</i>
<i>18 June - 26 June</i>	<i>Final Budget documentation and report for Council prepared</i>
<i>26 June</i>	<i>Agenda report issued</i>
<i>2 July</i>	<i>Adoption of Annual Budget at the Special Council meeting</i>

Cr Burns on approved leave of absence

PURPOSE OF REPORT:

To provide a timetable for the preparation and adoption of the Annual Budget 2008/2009.

BACKGROUND:

This year a Special Council meeting has been recommended early in the month of July, rather than the first ordinary Council meeting in July which would be 15 July 2007. This will allow the Town a cash flow benefit from the earlier distribution of Rates Notices.

A separate Special Council meeting for the adoption of the Annual Budget will also allow more time for discussion on the final Budget document, without the constraint of the timing of the Ordinary Meeting of Council.

DETAILS:

The Annual Budget forms an integral part of the Town's Plan for the Future 2006-2011, which was adopted by the Council.

The timetable proposed allows for both suitable Council Member and community reviews.

The Draft Budget will be initially issued to Council Members. A confidential briefing will be provided to Council Members The Draft Budget deliberations will then be held at the scheduled Special Council Meetings, the public are invited to attend these meetings

The public will also be invited to comment on the Draft Budget prior to adoption.

The proposed Budget Timetable is outlined below:

<i>DATE</i>	<i>TOPIC</i>
<i>1-30 April</i>	<i>Chief Executive Officer and Directors to review Draft Budget.</i>
<i>5 May</i>	<i>Draft budget issued to Council Members</i>
<i>10 May</i>	<i>Confidential Briefing provided to Council Members</i>

DATE	TOPIC
14 May	1 st Budget briefing/Special Council Meeting (open to the public)
28 May	2 nd Budget briefing/Special Council Meeting (open to the public)
30 May - 2 June	Budget documentation finalised for public comment
2 June	Advertise for public comment
23 June	Public comment closes
23 June - 26 June	Final Budget documentation and report for Council prepared
26 June	Agenda report issued
2 July	Adoption of Annual Budget at the Special Council meeting

CONSULTATION/ADVERTISING:

The Draft Annual Budget is recommended to be advertised for 14 days. There is no statutory requirement for a local government to advertise its Draft Budget. Very few local governments follow this practice. The Town has been advertising its Draft Budget for public consultation for 21 days for a number of years. Also a public meeting has been arranged. This was discontinued, due to a marked lack of interest.

As a result of the public advertising, only 1-2 submissions have been usually received. It is thought that this may be due to the two Special Council meetings, which are open to the public.

The advertising of the Draft Budget for 21 days causes considerable pressure on the Town's Finance Officers to finalise the Draft budget. The additional work and pressure placed on the Officers causes problems every year and this could be minimised by reducing the public advertising period to 14 days. This would then allow for the Draft budget to be finalised and adopted earlier than previous years. This would significantly improve the Town's cash flow.

In view of the above it is considered that 14 days public consultation is satisfactory.

LEGAL/POLICY:

The Annual Budget is prepared in accordance with the Local Government Act (1995) Section 6.2.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 Plan for the Future - Objective 4 - Leadership, Governance and Management:

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

(c) Develop a medium to long term strategic vision and strategic financial plan to ensure the long term financial viability of the Town.

FINANCIAL/BUDGET IMPLICATIONS:

Nil

COMMENTS:

It is important that both the Administration and the Council adheres to the deadlines identified in the timetable to ensure that the Annual Budget is adopted on time.

10.4.3 Information Bulletin

Ward:	-	Date:	29 November 2007
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer(s):	G van den Bok		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Information Bulletin dated 4 December 2007, as distributed with the Agenda, be received.

COUNCIL DECISION ITEM 10.4.3

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued

Cr Maier spoke about the Forum, particularly the item relating to Beatty Park Leisure Centre. He queried why the Forum session relating to Concept plans for Beatty Park Leisure Centre is Confidential.

The CEO advised the Council that the concept plans possibly involved the removal and pruning of some trees. The reason for the Confidentiality was to allow for discussion of the concept plans by Council Members to provide feedback to the Town's administration. The potential for Community concern will be avoided. The concept plans will be reported to the Council in early 2008, and there after made available for Community comment

Cr Maier queried whether the Council can change the Forum so that it was not considered on a confidential basis.

The Presiding Member advised that the Standing Orders allow for the CEO to recommend that a matter be considered on a confidential basis, (as per Standing Orders) and ruled it was not possible for the Council to change the CEO's decision this evening.

Cr Maier dissented with the Presiding Member's ruling.

PROCEDURAL MOTION

Moved Cr Maier, Seconded Cr Lake

That the ruling of the Presiding Member be disagreed with.

PROCEDURAL MOTION PUT AND LOST (3-5)

For

Cr Lake
Cr Maier
Cr Ker

Against

Mayor Catania
Cr Doran-Wu
Cr Farrell
Cr Messina
Cr Youngman

Cr Burns on approved leave of absence

DETAILS:

The items included in the Information Bulletin dated 4 December 2007 are as follows:

ITEM	DESCRIPTION
IB01	Western Australian Planning Commission Planning Bulletin 88 – ‘Historic Heritage Conservation’, November 2007
IB02	Letter from State Administrative Tribunal (SAT) regarding Matter No. DR/197 of 2007 – Bottecchia v Town of Vincent (No. 5(Lot 10) Leake Street, North Perth)
IB03	Letter from State Administrative Tribunal (SAT) regarding matter no. DR/284 of 2007 – Gonsalves & Anor v Town of Vincent (No. 5 (Lot 9) Bream Cove, Mount Lawley)
IB04	Minutes of Meeting held on 5 September 2007 - Safer Vincent Crime Prevention Partnership (SVCPP)
IB05	Minutes of Meeting held on 3 October 2007 - Safer Vincent Crime Prevention Partnership (SVCPP)
IB06	Minutes of Meeting held on 9 November 2007 – Hawthorn House Community Advisory Meeting
IB07	Letter from Main Roads Western Australia regarding proposed 10km/h shared zone speed limit – Lawler Street.
IB08	Letter of thanks from Hon Michelle Roberts MLA, Minister for Housing and Works regarding the Leederville Masterplan.
IB09	Letter of thanks from Noah’s Ark Toy Library and Resource Centre for use of the Town’s facilities for their Annual General Meeting on 30 October 2007.
IB10	Letter of appreciation from Jessie Linehan, Eton Street North Perth concerning concert in the Park.
IB11	Report on the Civica National Conference – Adelaide, South Australia.
IB12	Register of Petitions – Progress Report – December 2007.
IB13	Register of Notices of Motion - Progress Report - December 2007
IB14	Register of Reports to be Actioned - Progress Report - December 2007
IB15	Register of Legal Action
IB16	Register of State Administrative Tribunal Appeals
IB17	Forum Notes - 13 November 2007
IB18	Notice of Forum - 11 December 2007

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

13.1 URGENT BUSINESS: Proposed installation of Roadside Telecommunications Cabinets By Telstra Corporation in Marlborough Street, Highgate

Ward:	Both	Date:	4 December 2007
Precinct:	All	File Ref:	TES0475
Attachments:	001		
Reporting Officer(s):	C Wilson, R Lotznicker		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on Telstra Corporation's proposal to install roadside Telecommunications cabinets in Marlborough Street, Highgate;*
- (ii) *NOTES that;*
 - (a) *in accordance with the Telecommunications Act 1997, the Town's administration have lodged a formal objection to Telstra's Code Compliance Group regarding Telstra Corporation's proposal to install roadside Telecommunications cabinets in Marlborough Street, Highgate, as shown in attached appendix 13.1;*
 - (b) *under the Telecommunications Act 1997, the installation is considered a Low Impact Facility and as such Telstra is seeking to have the Town withdraw its objection; and*
 - (c) *the Town's objection is to be appealed by Telstra to the Telecommunications Industry Ombudsman regarding the proposed installation/s, and verbal indication reveals that the Town is unlikely to be successful; and*
- (iii) *ENDORSES the Town's formal objection and AUTHORISES the Chief Executive Officer to write to Senator Stephen Conroy, Minister for Broadband, Communications and the Digital Economy, the Federal Member for Perth, Stephen Smith, and State Member for Perth, John Hyde, reiterating the Town's strong objection to the current proposal and to any future proposals for the installation of similar roadside Telecommunications cabinets and strongly request that alternative suitable locations for the cabinets be found.*

COUNCIL DECISION ITEM 13.1

Moved Cr Farrell, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued

CARRIED (8-0)

Cr Burns on approved leave of absence

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of Telstra Corporation's intention to install roadside Telecommunications cabinets in Marlborough Street, Highgate.

BACKGROUND:

In November 2007 the Town received a *Land Access and Activity Notice* from Telstra Corporation advising of their intention to install several roadside Telecommunications cabinets in Marlborough Street, Highgate, as shown on the attached diagrams and indicative photograph.

Within a week of the notice being received, Telstra's contractor contacted the Town's Manager Engineering Operations to arrange a site meeting to discuss installation. As a result of the meeting it became apparent as to the large size of the proposed installation.

The Town's officers lodged a formal objection on 20 November 2007, in accordance with the Telecommunications Act 1997, to Telstra's Code Compliance Group.

The basis on the objection was that Telstra were using the Town's land (road reserve) to engage in the activity, that consultation was inadequate and that they did not demonstrate that they had endeavoured to co-locate the facility with existing facilities.

DETAILS:

Proposal

Telstra has an existing 'mono' mobile phone tower located on private property at 296/302 Lord Street. The property owner(s) currently has a development application before the Town and have asked Telstra to remove the installation. As a result, Telstra intend to decommission the tower in the coming weeks.

Telstra then sought to relocate the antennas to the roof of 322-324 Lord Street. However, the roof cannot support the associated equipment and hence Telstra propose to install it within the verge. As there already is a transformer at this location, installed as part of the Highgate East SUPP Project, Telstra assumed the Town would have no objections.

Further, it was indicated to the Town's Officers that the installation of such structures in the verge is normal practice in the Eastern States, however, it is worth noting that this appears to be the first roadside installation in the Perth Metropolitan area.

The proposed installation will consist of 5 cabinets on a single concrete base approximately 6.6m long x 2.2m wide and approximately 2.0m high and will be immediately adjacent an

existing electrical transformer. Telstra has suggested they may be able to 'bunch' the cabinets closer together, resulting in an overall length of approximately 5.0 metres.

Objection Process

The Town's Officers lodged an objection in accordance with the Telecommunications Act 1997 'the Act' on 20 November 2007.

The basis of the objection is that Telstra were using the road reserve (which is under the care control and management of the Town) to engage in the activity, where consultation was inadequate and where they did not demonstrate that they had endeavoured to co-locate the facility with existing facilities.

Under the Act Telstra are required to try and resolve the matter through further consultation. As a result, Telstra's installation contractor, United Group, contacted the Town's Manager Engineering Design Services to arrange a meeting. The meeting, held on site on 3 December 2007, basically provided Telstra with an opportunity to accentuate that they had considered other locations, including a suggestion to locate it on Westrail land, but that from a technical perspective these were not suitable.

Therefore Telstra is looking to the Town to withdraw its objection so that the works can proceed as soon as practical. The Town's officers do not support this request.

CONSULTATION/ADVERTISING:

Under the Telecommunications Act 1997, Telstra are only obliged to consult with the Town as the land owner and not the surrounding residents and/or businesses. However, Telstra advised that they placed an advertisement in local papers in October 2007 seeking comments, of which none were apparently received.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *"(d) implement infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way and roads."*

FINANCIAL/BUDGET IMPLICATIONS:

Nil

COMMENTS:

It would appear that there is little the Town can do legally to prevent Telstra Corporation from installing the Telecommunications cabinets in the verge in Marlborough Street, Highgate, however the Town can continue to pursue its objection with the Telecommunications Industry Ombudsman, however, it is unlikely to succeed.

It is, however, suggested that the Council supports the Town's formal objection and authorises the Chief Executive Officer to write to Senator Stephen Conroy, Minister for Broadband, Communications and the Digital Economy, the Federal Member for Perth, Stephen Smith, and

State Member for Perth, John Hyde, reiterating the Town's strong objection to the current proposal and to any future proposals for the installation of similar roadside Telecommunications cabinets.

13.2 URGENT BUSINESS: Letter from Minister for Sport and Recreation concerning the Major Stadium

Ward:	South	Date:	4 December 2007
Precinct:	Beaufort, P13	File Ref:	RES0085
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the letter from the Minister for Sport and Recreation, Hon John Kobelke MLA, dated 30 November 2007, concerning the Major Stadium;*
- (ii) *ADVISES the Minister for Sport and Recreation that, in the event that the East Perth Power Station site is selected as the site for Perth's Major Stadium;*
 - (a) *the Council will work co-operatively and support the State Government's Major Stadium Project, subject to;*
 - 1. *the Town being fully consulted at all stages of the project; and*
 - 2. *the needs and concerns of the Town and its residents (particularly public transport, access and parking matters) being addressed;*
 - (b) *the Council supports the East Perth Redevelopment Authority as being the appropriate planning and development authority to facilitate the Stadium Precinct development, subject to a Council Representative being included on the Board of the East Perth Redevelopment Authority; and*
 - (c) *the Council supports a new Stadium being vested in a Trust appointed by the State Government to oversee and control the Major Stadium, subject to a Council Representative being included on the Board of any such Trust; and*
- (iii) *REQUESTS the Minister for Planning and Infrastructure, the Hon Alannah MacTiernan MLA, to increase the East Perth Redevelopment Authority's Board to include a Council Representative.*

Moved Cr Farrell, **Seconded** Cr Messina

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Ker, Seconded Cr Maier

That a new Clause (ii)(a)(3) be added as follows:

(ii)(a)(3) That appropriate consultation be carried out with residents and businesses of the Town.

AMENDMENT PUT AND CARRIED (5-3)

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

Cr Burns on approved leave of absence

Cr Messina departed the Chamber at 9.04pm

Debate Ensued

Cr Messina returned to the Chamber at 9.05pm

Debate Ensued

Cr Lake spoke.

Cr Farrell spoke (as a right of reply), as the mover of the Item, and therefore closed debate.

The Presiding Member put the motion.

Cr Lake queried whether she could ask a question.

The Presiding Member stated that no questions can be asked or further statements made after the Right of Reply has commenced or had been made.

Cr Lake dissented with the Presiding Member's ruling.

PROCEDURAL MOTION

Moved Cr Lake, Seconded Cr Maier

That the ruling of the Presiding Member be disagreed with.

PROCEDURAL MOTION PUT AND LOST (2-6)

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

Cr Burns on approved leave of absence

MOTION AS AMENDED PUT AND CARRIED (8-0)

COUNCIL DECISION ITEM 13.2

That the Council;

- (i) *RECEIVES the letter from the Minister for Sport and Recreation, Hon John Kobelke MLA, dated 30 November 2007, concerning the Major Stadium;*
- (ii) *ADVISES the Minister for Sport and Recreation that, in the event that the East Perth Power Station site is selected as the site for Perth's Major Stadium;*
 - (a) *the Council will work co-operatively and support the State Government's Major Stadium Project, subject to;*
 - 1. *the Town being fully consulted at all stages of the project; and*
 - 2. *the needs and concerns of the Town and its residents (particularly public transport, access and parking matters) being addressed ;and*
 - 3. *appropriate consultation be carried out with residents and businesses of the Town;*
 - (b) *the Council supports the East Perth Redevelopment Authority as being the appropriate planning and development authority to facilitate the Stadium Precinct development, subject to a Council Representative being included on the Board of the East Perth Redevelopment Authority; and*
 - (c) *the Council supports a new Stadium being vested in a Trust appointed by the State Government to oversee and control the Major Stadium, subject to a Council Representative being included on the Board of any such Trust; and*
- (iii) *REQUESTS the Minister for Planning and Infrastructure, the Hon Alannah MacTiernan MLA, to increase the East Perth Redevelopment Authority's Board to include a Council Representative.*

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of a letter received from the Minister for Sport and Recreation dated 30 November 2007, concerning the Major Stadium and provide a response by the requested date of 6 December 2007.

BACKGROUND:

The Town received the following letter, dated 30 November 2007, from the Minister for Sport and Recreation addressed to Mayor Nick Catania;

"Dear Nick

MAJOR STADIUM

Your commitment as conveyed to the Department of Sport and Recreation on behalf of the Town of Vincent to support and work with the State Government to realise the opportunities of a new stadium on the East Perth Power Station site is welcomed.

To initiate such a project will require a high level of co-operation between the state and local government.

In deliberating between Kitchener Park and East Perth as to the preferred site for the new stadium, I need to be assured of your Council's commitment to certain information.

In the case of East Perth, I now seek your support and the endorsement of Council to the following:

The East Perth Redevelopment Authority as being the appropriate planning and development authority to facilitate stadium precinct development, and

A new stadium being vested in a Trust appointed by the State Government.

Once the new stadium is operational then the state will ensure Subiaco Oval ceases to operate in its current form.

I would envisage these actions occurring following an announcement by Government.

Your early confirmation of support for these actions would be greatly appreciated, preferably no later than 6 December 2007." [Underlining added.]

In view of the Minister's requested timeframe for a response, Mayor Catania requested that the matter be considered as Urgent Business at the Ordinary Meeting of Council to be held on 4 December 2007.

The Chief Executive Officer telephoned the Minister's Chief of Staff on 4 December 2007 to request an extension of time. The Chief of Staff stated that the Minister had requested a response by 6 December 2007, in order that the State Government can progress the decision on the Major Stadium's site.

On 5 November 2007, the Mayor, Chief Executive Officer and Town's Directors were briefed on the Major Stadium by the Department of Sport and Recreation Director Major Stadium Project, Alistair Bryant. In essence, no further new information was received, other than the State Government was progressing the matter.

At the Special Meeting of Council held on 29 May 2007, the Council considered the matter of the Major Stadium Taskforce Report and resolved as follows;

"That the Council;

(i) *RECEIVES;*

(a) *the Report of the Major Stadium Taskforce (the Taskforce) dated May 2007 and titled "The Stadium & the City" (Perth Stadium Feasibility Report) (the Report) concerning the future of staid in Perth (copy "Laid on the Table");*

- (b) *the Progress Report No. 11 concerning Members Equity Stadium for the period 10 June 2006 to 28 May 2007; and*
- (c) *the Town's submission dated April 2007 to the Major Staid Taskforce concerning the redevelopment options of Members Equity Stadium, as "Laid on the Table and summarised in Appendices 7.1(F), (G), (H) and (I);*
- (ii) *NOTES that;*
- (a) *the Report has made ten (10) recommendations concerning Major Stadium in Perth, of which six (6) are particularly relevant to the Town;*
- (b) *the Town's administration is currently assessing the Taskforce Report and its implications for the Town; and*
- (c) *due to the limited time available since the release of the Report, the Chief Executive Officer has been unable to fully assess the comprehensive details and is not in a position to fully inform the Council on the implications, advantages and disadvantages of the East Perth Power Station (Power Station site) for the major stadium and a report will be submitted to the Council when this assessment/investigation has been carried out;*
- (iii) *APPROVES of the Council's position for the Taskforce recommendations, as detailed below and ADVISES the Minister for Sport and Recreation and Department that;*
- (a) *TASKFORCE RECOMMENDATION 1 - NUMBER OF STADIA:*
- "That the State Government adopt a Two Stadium Policy that will accommodate the needs of AFL, Rugby Union, Rugby League, Soccer and Cricket."*
- Council Position:*

The Council has previously supported a two-stadium policy and continues to do so.
- (b) *TASKFORCE RECOMMENDATION 2 - MAJOR STADIUM:*
- "That the State Government develop within the next 4 to 8 years a 60,000 seat multi-use outdoor stadium, incorporating a reconfigurable lower tier of seating to allow the field to be reconfigured for oval and rectangular sports."*
- Council Position:*

This Recommendation is supported. The aspect of timing is not particularly relevant to the Town. At this stage, the Council is not in a position to express a view on the East Perth site, as it is currently assessing the comprehensive details in the Taskforce Report. The Council will advise of its position at a later date, after it has further considered the matter.
- (c) *TASKFORCE RECOMMENDATION 3 - MEMBERS EQUITY STADIUM:*
- "That Members Equity Stadium is retained as the State's rectangular stadium at its current capacity with some minor improvements."*

Council Position:

This Recommendation is supported. The Town requests that further information concerning the "minor improvements", be provided to the Town. The Town further requests that it be fully consulted in this matter.

(d) **TASKFORCE RECOMMENDATION 4 - RECTANGULAR STADIUM:**

"The State Government develop a major capacity rectangular stadium (potentially at MES) at some time in the future when the number of events and the Business Case support such a development."

Council Position:

This Recommendation is supported. The Council requests the State Government to select MES as the site for the major rectangular stadium. The Town requests that it be fully consulted in this matter.

(e) **TASKFORCE RECOMMENDATION 5 - FUTURE EXPANSION:**

"That the major stadium (and its site) should have the capacity to be expanded to a total capacity of 70,000 seats."

Council Position:

This Recommendation is not particularly relevant to the Town other than in the event that the East Perth site is selected it will require the logistics to cope with an increased capacity of 10,000 spectators (plus necessary events support staff, eg 500), at some time in the future.

Therefore, the Town should not take a position at this stage.

(f) **TASKFORCE RECOMMENDATION 6 - PUBLIC TRANSPORT STRATEGY:**

"That the State Government requires the major stadium (and hirers) to have a strategy that achieves public transport utilisation of 50 to 70% of the stadium capacity."

Council Position:

This Recommendation is strongly supported.

(g) **TASKFORCE RECOMMENDATION 7 - GOVERNANCE:**

"That the governance of the major stadium should be independent of the sporting codes and other major hirers."

Council Position:

This Recommendation is supported.

(h) **TASKFORCE RECOMMENDATION 8 - INDEPENDENT STADIA TRUST:**

"That the major stadium should be governed by a State Government appointed Trust/Authority."

Council Position:

This Recommendation is supported. However, it should not apply to Members Equity Stadium - which the Town owns freehold and in which the Town has made a significant contribution as part of Stage 1 Redevelopment. The Town requests further information concerning this Recommendation.

(i) **TASKFORCE RECOMMENDATION 9 - SINGLE TRUST:**

"That the State Government consider establishing a single Trust/Authority to oversee Western Australia's major government funded sports and entertainment infrastructure."

Council Position:

This Recommendation is supported. However, it should not apply to Members Equity Stadium - which the Town owns freehold and in which the Town has made a significant contribution as part of Stage 1 Redevelopment. The Town requests further information concerning this Recommendation.

(j) **TASKFORCE RECOMMENDATION 10 - FUNDING:**

"That no public funds be allocated to the redevelopment/development of any existing or new stadium unless it is under the direct control of a Government Appointed Trust/Authority."

Council Position:

This Recommendation is supported. However, it should not apply to Members Equity Stadium - which the Town owns freehold and in which the Town has made a significant contribution as part of Stage 1 Redevelopment. The Town requests further information concerning this Recommendation.

Should the State Government compulsorily acquire/resume the Town's facility, full compensation to the Town is required.

(iv) **REQUESTS;**

- (a) *that the Town be fully and regularly consulted concerning the future of the East Perth Power Station site and the future of Members Equity Stadium;*
- (b) *the Department of Sport and Recreation (DSR) hold a Public Meeting as soon as is practicable to fully inform the Town's residents (including Banks Precinct) on the Recommendations/Findings/Outcomes of the Major Stadium Taskforce Report and they be fully consulted on a regular basis in the future;"*
- (c) *the State Government to invite public comment through an extensive consultation period;*
- (d) *the State Government honour its commitment to the upgrade of Members Equity Stadium and to the \$25 million previously allocated to this project; and*

- (e) *the DSR to provide information to the Town as soon as is practicable concerning the "minor" improvements recommended for MES; and*
- (v) *AUTHORISES the Mayor and Chief Executive Officer to;*
 - (a) *meet with the Minister for Sports and Recreation, Department of Sport and Recreation, various sporting codes and other relevant persons concerning the future of the major stadium and the implications for the Town; and*
 - (b) *meet with the East Perth Redevelopment Authority to ascertain their views concerning the future of the Power Station site."*

Previous Progress Reports

Progress reports have been submitted to the Special Meeting of Council held on 29 May 2007 and Ordinary Meetings of Council held on 13 June 2006, 11 April 2006, 14 February 2006, 22 November, 12 July and 26 April, 22 March 2005, 21 December and 26 October 2004.

MAJOR STADIA TASKFORCE - REPORT

The following is a verbatim copy of the information presented to the Special Meeting of Council held on 29 May 2007, with additional comments to reflect the Minister's request:

Major Stadium Taskforce - Report Recommendations

The Report contains the following major recommendations:

TASKFORCE RECOMMENDATION 1 - NUMBER OF STADIA

That the State Government adopt a Two Stadium Policy that will accommodate the needs of AFL, Rugby Union, Rugby League, Soccer and Cricket.

The Report stated as follows;

"The Taskforce strongly recommends the development of a 60,000 seat multi-use outdoor stadium with capacity to expand to 70,000 seats. The multi-use stadium would incorporate 22,000 reconfigurable seats and allow the field to be adjusted between an AFL field, rugby/soccer field and cricket oval, together with an improved Members Equity Stadium to host A-League soccer and provincial rugby events will meet the needs of all key sporting codes. Should attendances at these events outgrow the current capacity of Members Equity Stadium then they could be accommodated at the major stadium utilising the 22,000 reconfigurable seats to enhance spectator amenity. Alternatively, if support for rectangular based sports grows significantly in the future to the point where a dedicated 35,000 seat stadium is financially feasible, then the Government should reconsider this option."

Chief Executive Officer's Comment:

The Town has previously supported a two-Stadium policy and should continue to do so.

TASKFORCE RECOMMENDATION 2 - MAJOR STADIUM

That the State Government develop within the next 4 to 8 years a 60,000 seat multi-use outdoor stadium, incorporating a reconfigurable lower tier of seating to allow the field to be reconfigured for oval and rectangular sports.

The Taskforce's Volume 2 - Technical Report provides information concerning Project Delivery, Transitional Issues and Implementation Process.

Considerable time would be required to carry out the abovementioned tasks and this would take several years. Thereafter, depending upon which option is chosen, construction would take 3-4 years.

The aspect of timing does not particularly affect the Town and this Recommendation has not been examined in detail, at this stage.

The Taskforce is of the view that a multi-purpose outdoor stadium with a seating capacity of 60,000 with design flexibility to increase seating capacity beyond 60,000 is required to accommodate oval and rectangular sports events drawing crowds beyond the current capacity of MES.

Chief Executive Officer's Comment:

The aspect of timing is not particularly relevant to the Town, at this stage.

However, it should be noted that any delay in the commencement of construction will inevitably result in a much higher cost, as building costs are increasing approximately 1% per month.

TASKFORCE RECOMMENDATION 3 - MEMBERS EQUITY STADIUM

That Members Equity Stadium is retained as the State's rectangular stadium at its current capacity with some minor improvements.

"In relation to the rectangular stadium configuration the Taskforce has found the following;

- that minor works be completed at MES in the interim and should include an upgrade of sports lighting, video screen technology as well as the upgrade of the existing corporate facilities;
- that a future stadium should be configured for Super 14, provincial rugby, rugby league and A-League soccer (stadium option 4); and
- that if future circumstances justify and make the development of a 35,000 seat rectangular stadium financially viable, then such a development should be investigated at that time on a site to be determined (this could be at MES).

The design, documentation and construction of the minor works to MES can occur as required within its own time frame independent to that of the major stadium."

Chief Executive Officer's Comment:

This recommendation is not relevant to the Minister's request specified in his letter dated 30 November 2007 and is therefore not addressed in this report.

TASKFORCE RECOMMENDATION 4 - RECTANGULAR STADIUM

The State Government develop a major capacity rectangular stadium (potentially at MES) at some time in the future when the number of events and the Business Case support such a development.

"In relation to the rectangular stadium configuration the Taskforce has found the following;

- that minor works be completed at MES in the interim and should include an upgrade of sports lighting, video screen technology as well as the upgrade of the existing corporate facilities;
- that a future stadium should be configured for Super 14, provincial rugby, rugby league and A-League soccer (stadium option 4); and
- that if future circumstances justify and make the development of a 35,000 seat rectangular stadium financially viable, then such a development should be investigated at that time on a site to be determined (this could be at MES)."

Chief Executive Officer's Comment:

This recommendation is not relevant to the Minister's request specified in his letter dated 30 November 2007 and has not been addressed in this report.

TASKFORCE RECOMMENDATION 5 - FUTURE EXPANSION

That the major stadium (and its site) should have the capacity to be expanded to a total capacity of 70,000 seats.

Chief Executive Officer's Comment:

This recommendation is not relevant to the Minister's request specified in his letter dated 30 November 2007 and has not been addressed in this report.

TASKFORCE RECOMMENDATION 6 - PUBLIC TRANSPORT STRATEGY

That the State Government requires the major stadium (and hirers) to have a strategy that achieves public transport utilisation of 50 to 70% of the stadium capacity.

"1. Public Transport Strategy

A strategy which sets public transport as the primary mode of access for the stadium sites has been adopted. To support this, a target of between 50% and 70% of patrons travelling by public transport has been set. Adoption of this strategy supports the objectives of minimising the use of private cars and the consequent impact on local neighbourhoods. The mode share target is to be achieved through the provision of high quality rail services and facilities, supplemented by a new network of event bus services.

2. Site Comparisons

The key transport aspects that have been considered in the comparison of the sites for Perth Stadium include:

- the maximum number of people who can access the stadium by public transport;
- the convenience of access to the stadium from throughout the Perth metropolitan area;
- the requirements of new public car parking;
- the number of spectators travelling to the stadium by car; and

- the legacy benefits of transport infrastructure improvements for the wider community.

The key findings from the transport assessment of the East Perth site are as follows;

"East Perth is well served in terms of public transport access with three rail lines serving two stations at East Perth and Claisebrook. A stadium at this location would not require extensive amounts of additional public car parking but draw upon the use of existing lots in the Town of Vincent and the Perth CBD which are currently unused during events. The Graham Farmer Freeway provides good road access to the precinct and the site is well served through existing shared pathways for pedestrians and cyclists. The upgrading of transport infrastructure and pedestrian connections associated with the stadium provide the opportunity to trigger and support the regeneration of the surrounding precinct."

Chief Executive Officer's Comment:

This recommendation is not relevant to the Minister's request specified in his letter dated 30 November 2007, unless the Power Station site is selected. An efficient Public Transport system will be essential for the new Stadium, irrespective of which site is selected.

However, the Town strongly supports this recommendation and believes it is essential that the sporting community drastically change their transport habits and should utilise public transport.

The State Government should also be requested to ensure that the Public Transport Authority is in a position to provide the capacity and level of service to meet such spectator demand.

TASKFORCE RECOMMENDATION 7 - GOVERNANCE

That the governance of the major stadium should be independent of the sporting codes and major hirers.

"Based on the extensive research and stakeholder consultation the Taskforce confirms its previous recommendations for the governance and management of government funded, major sport and entertainment infrastructure.

These recommendations with minor amendments are listed below and further reflect the Taskforce's strong commitment to the proposed governance approach;

- the governance of Government funded national/international level sporting and entertainment infrastructure should be independent of sporting codes and other major hirers (this was supported by 74% of respondents to a survey of Perth residents hosted on the Perth Stadium website);
- a Government appointed Trust should be established with Trust members selected / appointed on the basis of their relevant business and professional skills and background. All Trust members should be independent of key venue tenants / hirers.
- the Government should establish a single Trust / Authority to oversee Western Australia's major Government funded sports and entertainment infrastructure.
- no public funds should be allocated to the redevelopment/development of an existing or new stadium unless it is under the direct control of the Government appointed Trust / Authority.
- major tenants should be afforded direct access to the Trust / Authority to resolve any matters of concern which cannot be effectively resolved with the venue manager."

Chief Executive Officer's Comment:

Subject to comments in Recommendations 8, 9 and 10, this recommendation is supported. This recommendation aims to remove the management of a stadium from any one particular sporting code. Further clarification on the role of the Trust and the direction of the State Government is unavailable. However, as the East Perth Power Station Site is now located in the Town, it is considered appropriate that the Council be provided with a position on the Board of any new Trust.

TASKFORCE RECOMMENDATION 8 - INDEPENDENT STADIA TRUST

That the major stadium should be governed by a State Government appointed Trust/ Authority.

Chief Executive Officer's Comment:

This recommendation is supported. (However, it should not apply to MES, which the Town owns freehold and has made a significant contribution towards its redevelopment. Therefore, it should be treated separately.)

TASKFORCE RECOMMENDATION 9 - SINGLE TRUST

That the State Government consider establishing a single Trust/Authority to oversee Western Australia's major Government funded sports and entertainment infrastructure.

Chief Executive Officer's Comment:

This recommendation is supported. However, it should not apply to MES. (Refer to comments in Recommendation 8.)

TASKFORCE RECOMMENDATION 10 - FUNDING

That no public funds be allocated to the redevelopment/development of any existing or new stadium unless it is under the direct control of a Government Appointed Trust/ Authority.

"The Taskforce has been advised by senior representatives of the Western Australian Department of Treasury and Finance that Government investment of the scale required for the stadium would necessitate Government control over the governance of the stadium and that ownership of the land and asset would be required to rest with the State." [Underlining added.]

Chief Executive Officer's Comment:

This recommendation is not relevant to the Minister's request specified in his letter dated 30 November 2007 and has not been addressed in this report.

EAST PERTH POWER STATION

As has been previously reported to the Council, the Taskforce investigated a number of options for this site, including;

1. 60,000 seat multi-use stadium.
2. 35,000 seat cricket/rugby stadium.
3. 35,000 seat rectangular stadium.

The Taskforce recommended that this site be considered for the 60,000 seat multi-use stadium. The other site being considered is Kitchener Park (near Subiaco Oval).

Site Description

The East Perth Power Station site is bounded by the Graham Farmer Freeway to the south, East Parade to the west, Summers Street to the north and the Swan River to the east. The site is divided into two distinct areas, being the Western Power substation area on the raised western end and the Power Station area on the lower riverside end.

The only existing access onto the site at present is from Summers Street, as the site is securely fenced all round.

The site boundary sits back from the river edge by approximately 15m where a river walk and cycleway is located.

The Power Station, its ancillary buildings and the coal shoot structure to the south-east edge of the site are heritage listed on the State Heritage Register. The existing administration building located on the access road off Summers Street is also listed.

The area immediately to the north of Summers Street comprises the Banks Precinct Community.

Urban Design

The East Perth Power Station is a "Brownfield site" and presents some significant urban design opportunities for the regeneration of East Perth and Claisebrook as well as improved activation of the banks of the river.

The sense of isolation of the site and the Banks Precinct Community is addressed by creating a land bridge across East Parade, connecting the stadium and museum back to Claisebrook and on to the CBD. The creation of the land bridge will create an urban park above the freeway, fronted by surrounding medium rise mixed use developments centred on the transport hub of the East Perth Station. The buildings surrounding the land bridge will have dual frontages and active edges to engage with the new domain. The strong link created by the land bridge will create the eastern anchor to the East Perth Redevelopment Authority (EPRA) region allowing the area between the stadium and the CBD to be improved and redeveloped over a period of time, a key strategy of EPRA.

The Report states;

"The development of a large sporting venue on the East Perth site will naturally have an impact on the local communities on event days, but it is also envisaged that the stadium precinct, with the re-invigorated Power Station will form an iconic and cultural activity hub for the wider community." [Underlining added.]

Access and Transport

The site will be accessible by private and public transport in the form of trains, buses and coaches.

The proposed land bridge will provide pedestrian access onto the site from the East Perth Train Station, and proposed shuttle bus station, Claisebrook Station and Central Station. From Claisebrook Station, it is considered necessary that the existing footbridge across the Graham Frammer Freeway should be enlarged and that a further pedestrian bridge be provided at the eastern ends of the platforms. It is also proposed that an additional footbridge be located across the Graham Farmer Freeway to connect the actual stadium site with Victory Terrace to the south. This access would improve pedestrian access into East Perth and the existing restaurants and bars located around Claisebrook Cove.

The proposed pedestrian infrastructure would also be designed to encourage people to walk between central station and the site, a distance of 1.5km, both on event days as well as providing improved links to the CBD for the local community.

Access and transport issues are particularly important. They will need detailed assessment and examination, which will be carried out by the Town's Administration.

Major Stadium - Open or Enclosed

The 'Open' Stadium:

This concept provides an open end to the proposed stadium whilst maintaining the continual lower tier of seating. This allows the stadium to take advantage of the heritage listed power station, creating a unique backdrop for the stadium with river view beyond.

The 'Enclosed' Stadium:

This stadium option places the complete conceptual stadium model on the site, allowing the roof form to enclose the eastern end of the stadium.

Both stadium models locate the majority of the seating on the north and south sides of the ground, offering patrons views of the river and the CBD.

The Masterplan also identifies the ability to develop new mixed use developments, including affordable housing in the south east corner of the site, East Perth Railway Station and along the riverfront. These developments will complement the stadium and the museum to provide further activity for the river and enhancing the location as a 'must place to go' for the residents of Perth as well as visitors to the city.

Proposed Stadium Orientation:

The stadium is orientated on an east-west axis. The field dimensions are based on the Subiaco Oval and the WACA models.

Planning Requirements/Issues:

According to EPRA, there are currently no planning constraints to height or massing on the site, but it is important to design sympathetically, bearing in mind the importance of the site and the Power Station itself.

In the proposal, the lots for development have an average height of between 15 and 20 storeys, with retail potential at the ground level and the proposed stadium plaza level, and accessed at both points. (Refer Volume 2 - Technical Report, Page B-87.)

Transport

To date, the Town has not carried out a further assessment of the transport needs. Accordingly, it is appropriate for the Town to qualify its support for the Power Station site, so as to ensure that transport, parking and access issues are addressed.

The Taskforce reported as follows;

"The Masterplan for the East Perth Power Station site offers the ability to create a new, unique popular culture precinct that combines the proposed WA Museum with the stadium. The site creates an iconic location for the stadium on the banks of the Swan River and at the gateway to the city.

Out of all the sites investigated the East Perth Power Stations site sits within the East Perth Redevelopment Authority (EPRA) planning jurisdiction and offers the best opportunity for inner city urban regeneration.

East Perth Redevelopment Authority (EPRA) as being the appropriate Planning and Development Authority to facilitate Stadium Precinct Development

Since the Town's creation, it has had a good and close working relationship with EPRA. If the site is selected, it would be to the Council's benefit for EPRA to be allocated the role of planning for the Stadium Precinct. EPRA is a successful agency for delivering major infrastructure projects, as follows;

- The East Perth Redevelopment Authority (EPRA) is known for delivering internationally significant regeneration projects in Perth, reinvigorating Perth's waterfront and city.
- Since its inception in 1991, the East Perth Redevelopment Authority has been responsible for the revitalisation of more than 300 hectares of inner city land.
- Projects currently under its management include Claisebrook Cove; New Northbridge, East Perth Power Station; Riverside; Northbridge Link; and planning for the Perth Cultural Centre precinct.
- EPRA's role has evolved into one of leadership in the urban renewal industry and it has become a significant contributor to the debate on Perth's future and its development as an active, vital city that people want to work, live and spend time in.

EPRA Board

The EPRA Board comprises:

Chair - Stuart Hicks AO
Deputy Chair - Simon Chester
Member - Milan Chetkovich
Member - Mike Day
Member - Carol Hofmeester
Member - Judy McEvoy

As the Council is aware, on 1 July 2007, the EPRA controlled Power Station land was included into the Town of Vincent as part of the Town's Boundary Proposals. East Parade is under the care, control and management of Main Roads WA.

Town Representation on the EPRA Board

The Town's Chief Executive Officer has previously raised the matter of the Council's representation on the EPRA Board with EPRA's Chief Executive Officer. He is supportive of the request, however advises that the matter should be raised with the Minister for Planning and Infrastructure. As the EPRA land is now located in the Town, the Council's membership of the EPRA Board is considered important and therefore, should be pursued.

It is considered most essential that the Council be provided with a place on the EPRA Board as this will ensure that the Town's concerns can be raised and appropriately addressed. This matter should be pursued directly with the Minister for Planning and Infrastructure - who has responsibility for EPRA.

A new Stadium being vested in a Trust appointed by the State Government

The Major Stadia Taskforce Recommendations 7, 8 and 9 relate to the governance of the major stadium and the creation of a Stadium Trust. At the Special Council Meeting held on 29 May 2007, the Council supported these recommendations (other than for Members Equity Stadium, which the Town owns freehold). The Council should continue to support its previous position concerning this matter.

It is considered appropriate and most beneficial that the Council be included on the Board of any such Trust, as this will ensure that the Council's concerns and needs can be addressed.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

LEGAL/POLICY IMPLICATIONS:

The Power Station site, whilst located within the Town's boundaries, is controlled by EPRA. As such, EPRA are the Planning and Determining Authority for this land and the Town's approval is not legally required for any development on this land. EPRA has a policy of consulting with adjoining landowners, however they are the determining authority for any approval.

East Parade is under the care, control and management of Main Roads WA and as such, they determine the use of this road within the Town.

ADVERTISING/COMMUNITY CONSULTATION:

Nil. However, if the East Perth Power Station site is selected the State Government should continue to carry out full consultation.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2006-2011, Objective 1.1.6(h) - *"Carry out the redevelopment of Members Equity Stadium (Perth Oval) in partnership with the State Government"*; and Objective 1.1.4 - *"Minimise negative impacts on the community and environment."*

COMMENT:

It is essential that the Council consider this matter and provide a response to the Minister for Sport and Recreation by the requested timeframe of 6 December 2007. As the State Government, via EPRA, control the Power Station site and do not require the Council's approval

for development on the land, it is considered that the most appropriate way that the Council's concerns and the needs of the ratepayers can be addressed is by engaging the State Government at all stages of the project and also ensuring that the Council is represented on the EPRA Board and any new Major Stadium Sports Trust.

If the Power Station site is selected for the Major Stadium, it will have considerable impact on that part of the Town and, in particular, the Town's Banks Precinct. The Town's support for this site for a major stadium should therefore be qualified to ensure that the Town's concerns and needs are addressed (particularly public transport, access and parking matters).

The Town's Chief Executive Officer has been advised that a Council response, as outlined in this report, will greatly assist the State Government in progressing the matter and assisting them to make a decision on the preferred site for the Major Stadium.

PROCEDURAL MOTION

At 9.08pm

Moved Cr Ker Seconded Cr Farrell

That the Council proceed behind closed doors to consider the Confidential Reports.

PROCEDURAL MOTION PUT AND CARRIED (8-0)

14. CONFIDENTIAL REPORTS (Behind Closed Doors)

14.1 CONFIDENTIAL REPORT - Adding/Deleting/Amending Places Listed on the Municipal Heritage Inventory (MHI) Quarterly Report: 1 October 2007 - 31 December 2007
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Ward:	Both Wards	Date:	26 November 2007
Precinct:	All Precincts	File Ref:	PLA 0098
Attachments:	-		
Reporting Officer(s):	S Kendall, T Woodhouse		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) ***RECEIVES the report relating to Adding/Deleting/Amending Places Listed on the Town's Municipal Heritage Inventory (MHI) Quarterly Report: 1 October 2007 to 31 December 2007;***
- (ii) ***ADVERTISES for public comment in accordance with the Town's Policy No. 3.6.5 relating to Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI) the following proposed amendments to the Town's Municipal Heritage Inventory:***
 - (a) ***DELETE No. 54 (Lot 41) Cowle Street, West Perth from the MHI;***
 - (b) ***RETAIN No.40 (Pt Lots 253 and 254) Guildford Road, Mount Lawley on the MHI as a Management Category B - Conservation Recommended; and***
- (iii) ***after the expiry of the period for submissions:***
 - (a) ***REVIEWS the proposed amendments to the Town's Municipal Heritage Inventory having regard to any written submissions; and***
 - (b) ***DETERMINES the proposed amendments to the Town's Municipal Heritage Inventory.***

Moved Cr Farrell , Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

Cr Lake requested that clauses (ii) (a) and (ii) (b) be voted upon separately.

The Presiding Member agreed to the request.

Debate ensued.

AMENDMENT

Moved Cr Lake , Seconded Cr Messina

That clause (ii) (a) be amended by deleting the words –

*“ADVERTISES for public comment in accordance with the Town's Policy No. 3.6.5 relating to Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI) the following proposed amendments to the Town's Municipal Heritage Inventory”, and
“Delete” , in sub-clause (a) –
and inserting “Retains” in its place - and clause (iii) be deleted, as there is no need to advertise the matter.*

Debate ensued.

AMENDMENT PUT AND CARRIED (6-2)

For

Cr Doran-Wu

Cr Ker

Cr Lake

Cr Maier

Cr Messina

Cr Youngman

Against

Mayor Catania

Cr Farrell

Clause (ii) (b)

That the Council;

(ii) (b) *RETAINS No.40 (Pt Lots 253 and 254) Guildford Road, Mount Lawley on the MHI as a Management Category B - Conservation Recommended.*

CLAUSE (ii) (b) CARRIED (8-0)

MOTION AS AMENDED PUT AND CARRIED (8-0)

Cr Burns on approved leave of absence

COUNCIL DECISION ITEM 14.1

That the Council;

- (i) ***RECEIVES the report relating to Adding/Deleting/Amending Places Listed on the Town's Municipal Heritage Inventory (MHI) Quarterly Report: 1 October 2007 to 31 December 2007; and***
- (a) ***RETAINS No. 54 (Lot 41) Cowle Street, West Perth from the MHI - as a Management Category B - Conservation Recommended; and***
- (b) ***RETAINS No.40 (Pt Lots 253 and 254) Guildford Road, Mount Lawley on the MHI as a Management Category B - Conservation Recommended.***

Note: The Chief Executive Officer advised that this report is now released to the public as the Council has determined the matter.

PURPOSE OF REPORT:

The Town has received two requests/nominations in relation to adding, deleting or amending entries on the Town's Municipal Heritage Inventory (MHI). The two requests/nominations relate to the following properties:

- No. 54 (Lot 41) Cowle Street, West Perth - the owners have requested that the place be removed from the Town's MHI; and
- No.40 (Pt Lots 253 and 254) Guildford Road, Mount Lawley - the owners have requested that the place be removed from the Town's MHI.

The purpose of this report is to seek authorisation to commence the advertising of the above proposed amendments to the Town's Municipal Heritage Inventory in accordance with the Town's Policy No. 3.6.5 relating to *Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI)*.

BACKGROUND:

The Council at its Ordinary Meeting held on 27 January 2006 resolved to adopt the Town's Policy No. 3.6.5 relating to *Heritage Management - Adding/Deleting/Amending the Town's Municipal Heritage Inventory (MHI)*.

In accordance with section 45 of the Heritage of Western Australia Act 1990, a review was recently undertaken of the Town's Municipal Heritage Inventory (MHI). The review process involved a community consultation period being undertaken from 21 June to 31 August 2006. A series of Council Meetings were held over a six month period in 2006 and 2007 in which the proposed amendments were considered at Council, concluding with a Special Meeting of Council held on 3 April 2007.

All further proposed amendments to the Town's Municipal Heritage Inventory are to be considered in accordance with the Town's Policy No. 3.6.5 relating to *Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI)* on a quarterly basis.

DETAILS:

The key objectives of the Town's Policy relating to *Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory (MHI)* are to:

- 1) Provide a procedure for adding, deleting or amending entries on the Town of Vincent's Municipal Heritage Inventory.
- 2) Ensure places are added, deleted or amended from the Town of Vincent Municipal Heritage Inventory following due process.
- 3) Ensure that decisions for adding, deleting or amending places on the Town of Vincent's Municipal Heritage Inventory are based on consideration of the cultural heritage significance of the place.

In accordance with the Town's Policy No. 3.6.5 Heritage Assessments have been undertaken on the subject properties. A summary of the properties and the Town's Officer's actions and recommendations are detailed below:

No. 54 Cowle Street, West Perth

- Single storey brick and iron dwelling constructed c1884.
- Place identified by consultants in the 2006 review of the Town's Municipal Heritage Inventory as a Management Category A - Conservation Essential.
- During the consultation period of the review of the Town's Municipal Heritage Inventory in 2006 an objection was received for the proposed listing of the subject place onto the Town's Municipal Heritage Inventory.
- Heritage Officers undertook a full Heritage Assessment on the place in July 2006 which revealed that the place does not meet the threshold for entry onto the Town's Municipal Heritage Inventory.
- Officer Recommendation altered and place subsequently entered on the Town's Municipal Heritage Inventory under delegated authority on 22 December 2006.
- Owner representatives submitted an Application for Deletion Form on 29 October 2007 detailing reasons for place to be removed from the Municipal Heritage Inventory. Key points in the submission relate to questioning the authenticity of the place with particular regard to the front additions undertaken in 1904 and the breach of due process demonstrated by the Council in December 2006. A copy of the Application for Deletion Form submitted by the owner representatives forms a Confidential Attachment to this report.
- Internal site visit undertaken in July 2007 and external site visit undertaken in November 2007.
- Draft Heritage Assessment prepared and sent to owners for comment on 13 November 2007. A copy of the Heritage Assessment forms an attachment to this report.

Officer Recommendation:

Advertise to delete the place from the Town's Municipal Heritage Inventory.

No.40 (Pt Lots 253 and 254) Guildford Road, Mount Lawley

- Single storey brick and iron dwelling constructed c1904.
- At the Ordinary Meeting of Council held on 28 March 2000, the Council considered the matter of the proposed demolition of dwellings on Nos. 20 - 40 (Lots 244 - 254) Guildford Road, Mount Lawley. The area on which the subject dwellings were located had been identified by Main Roads Western Australia for road widening. In relation to this matter, the Council resolved to approve the proposed demolition of dwellings at No. 20 – 38 Guildford Road, Mount Lawley excluding No.40, Guildford Road, Mount Lawley. Reasons given for this refusal were based on the cultural heritage significance associated with the place at No. 40 Guildford Road in terms of its local historic, aesthetic and rarity values within the Town of Vincent.
- At the Ordinary Meeting of Council held on 23 May 2000, the Council reconsidered an application for the proposed demolition of the dwelling on No.40 (Pt Lots 253 and 254) Guildford Road, Mount Lawley. The proposed demolition was refused and in accordance with the policies relating to the Town of Vincent Municipal Heritage Inventory (MHI), the place was adopted onto the MHI.
- In 2001, a full Heritage Assessment of the place was commissioned by the Department of Housing and Works as part of the State Government Heritage Property Disposal Process. The Heritage Council of Western Australia (HCWA) determined that the place did not have sufficient cultural heritage significance for inclusion onto the State Register of Heritage Places. However, the HCWA advised that although the place was not considered to be of State significance, it was important to the history and development of Mount Lawley and was worthy of recognition as a place of local significance.
- In September 2007, the Town's Officers met with representatives of the Office of Urban Innovation, Department for Planning and Infrastructure and other members of the project team to discuss the East Parade Regeneration Project, which has been set up by the WAPC to provide direction for the development of the residual land holdings along East Parade and Guildford Road, which is no longer required for the purpose of road widening and upgrading. At this meeting, the project team acknowledged the heritage status of No. 40 Guildford Road, Mount Lawley and generally agreed to investigate the development of a proposal, which incorporated the subject dwelling and one proposal without.
- In August 2007, the Town received a letter from Main Roads requesting concurrence to the demolition of the property in light of the continued uncertainty of the future of the property. The Town advised Main Roads that, as the place is on the Town's Municipal Heritage Inventory, any proposal to demolish the place should be considered after the requirements, as outlined in the Town's Heritage Management - Adding/Deleting/Amending Places Listed on the MHI Policy No. 3.6.5, have been satisfied.
- In November 2007, the Heritage Officers reviewed the existing Heritage Assessment, which was prepared by Kristy Bizzaca and Philip Griffiths on behalf of Department of Housing and Works as part of the State Government Heritage Property Disposal Process and the associated Statement of Significance of the place.
- The review revealed that although the integrity of the surrounding historic setting had been compromised, through the demolition of the dwellings along Nos. 20 - 38 Guildford Road, Mount Lawley, the subject place was still found to meet the threshold for entry onto the Town's Municipal Heritage Inventory.

- The reviewed Heritage Assessment was sent to Main Roads for comment on 22 November 2007. A copy of the reviewed Heritage Assessment and the original Heritage Assessment form attachments to this report.

Officer Recommendation:

Advertise to retain the place on the Town's Municipal Heritage Inventory as a Category B - Conservation Recommended.

CONSULTATION/ADVERTISING:

Any proposed amendments to the Town's Municipal Heritage Inventory are to be advertised in accordance with Clause 3 of the Town's Policy No. 3.6.5 relating to Heritage Management - Adding/Deleting/Amending Places on the Town's Municipal Heritage Inventory.

LEGAL/POLICY:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011: Strategic Objectives - 1. Natural and Built Environment "... 1.1.3 (b) *Implement and promote the Municipal Heritage Inventory and Heritage Management Policies*".

FINANCIAL/BUDGET IMPLICATIONS:

The current 2007/2008 Budget allocates \$60,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

In light of the above, it is recommended that the Council receives and advertises the proposed amendments to the Town's Municipal Heritage Inventory, in line with the Officer Recommendation.

14.2 CONFIDENTIAL REPORT – No. 19 (Lot: 3 D/P: 9992) Glendower Street, Perth - Proposed Demolition of Existing Single House and Construction of Three (3) Two-Storey Grouped Dwellings – State Administrative Tribunal (SAT) Review Matter No. DR 349 of 2007

Ward:	South	Date:	28 November 2007
Precinct:	Hyde Park; P12	File Ref:	PRO4089; 5.2007.307.1
Attachments:	-		
Reporting Officer(s):	D Pirone		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

CORRECTED OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to No. 19 (Lot: 3 D/P: 9992) Glendower Street, Perth - Proposed Demolition of Existing Single House and Construction of Three (3) Two-Storey Single Houses - State Administrative Tribunal Review Matter No. DR 349 of 2007; and*
- (ii) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, SUPPORTS as part of the State Administrative Tribunal Review Matter No. DR 349 of 2007, the application submitted by Oldfield Knott Architects on behalf of the owners M S Kimber, D P Coyne and N Grewal for Proposed Demolition of Existing Single House and Construction of Three (3) Two-Storey Single Houses at No. 19 (Lot 3) Glendower Street, Perth, and as shown on plans stamp-dated 19 November 2007 (plans circulated separately), subject to the following conditions:*
 - (a) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
 - (b) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
 - (c) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
 - (d) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the Glendower Street boundary and the main building (except the bin enclosures indicated on the plans), including along the side boundaries within this front setback area, complying with the following:*
 - (1) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (2) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*

- (3) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
- (4) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
- (5) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

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

- (e) *first obtaining the consent of the owners of Nos. 1/15, 2/15, 3/15 and 21 Glendower Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 1/15, 2/15, 3/15 and 21 Glendower Street in a good and clean condition;*
- (f) *prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the height of the boundary walls and common walls between each dwelling being reduced by a minimum of 300 millimetres and constructed in accordance with the Building Codes of Australia Part 3.7.1 The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (g) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (1) *the roof decks on the south-western, south-eastern and north-western elevations for units 1, 2 and 3;*
 - (2) *the dining room windows on the south-eastern and north-western elevations for units 1 and 3; and*
 - (3) *the balcony on the north-eastern (Glendower Street) elevation for unit 1 within the 7.5 metre cone of vision to the south-eastern boundary;*

being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002. Or prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 1/15, 2/15, 3/15 and 21 Glendower Street and Nos. 200, 202 and 204 Bulwer Street stating no objection to the respective proposed privacy encroachments. Alternatively, screening is not required on the south-western elevation if revised plans are submitted and approved, prior to the issue of a Building Licence, demonstrating the roof deck being setback a minimum of 2.5 metres from the south-western boundary. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies; and

- (h) *a detailed landscaping plan, including a list of plants and the landscaping of the Glendower Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s).*

* Note: The above Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strikethrough, italic font and underline.

Moved Cr Farrell , Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Cr Doran-Wu departed the Chamber at 9.21pm

AMENDMENT

Moved Cr Lake , Seconded Cr Ker

That a new clause (g)(4) be added to read as follows;

- (g) (4) *the upper floor eastern boundary wall being setback a minimum of 1 metre from the boundary for a portion of the length not less than 1/3 of the full length.*

AMENDMENT PUT AND CARRIED (4-3)

<u>For</u>	<u>Against</u>
Cr Ker	Mayor Catania
Cr Lake	Cr Farrell
Cr Maier	Cr Messina
Cr Youngman	

Cr Burns on approved leave of absence
Cr Doran-Wu was absent from the Chamber.

Cr Doran-Wu returned to the Chamber at 9.24pm

AMENDMENT

Moved Cr Maier, Seconded Cr Ker

That clause (g) (3) be deleted;

**AMENDMENT PUT AND LOST ON THE CASTING VOTE
OF THE PRESIDING MEMBER (4-4)**

<u>For</u>	<u>Against</u>
Cr Ker	Mayor Catania (2 votes, casting and deliberative vote)
Cr Lake	Cr Doran-Wu
Cr Maier	Cr Farrell
Cr Youngman	Cr Messina

Cr Burns on approved leave of absence

MOTION AS AMENDED PUT AND CARRIED (6-2)

For

Cr Mayor Catania
Cr Doran-Wu
Cr Farrell
Cr Lake
Cr Ker
Cr Maier

Against

Cr Messina
Cr Youngman

Cr Burns on approved leave of absence

COUNCIL DECISION ITEM 14.2

That the Council;

- (i) *RECEIVES the report relating to No. 19 (Lot: 3 D/P: 9992) Glendower Street, Perth - Proposed Demolition of Existing Single House and Construction of Three (3) Two-Storey Single Houses - State Administrative Tribunal Review Matter No. DR 349 of 2007; and*
- (ii) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, SUPPORTS as part of the State Administrative Tribunal Review Matter No. DR 349 of 2007, the application submitted by Oldfield Knott Architects on behalf of the owners M S Kimber, D P Coyne and N Grewal for Proposed Demolition of Existing Single House and Construction of Three (3) Two-Storey Single Houses at No. 19 (Lot 3) Glendower Street, Perth, and as shown on plans stamp-dated 19 November 2007 (plans circulated separately), subject to the following conditions:*
- (a) *a Demolition License shall be obtained from the Town prior to commencement of any demolition works on site;*
- (b) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition License;*
- (c) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (d) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the Glendower Street boundary and the main building (except the bin enclosures indicated on the plans), including along the side boundaries within this front setback area, complying with the following:*
- (1) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
- (2) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*

- (3) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
- (4) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
- (5) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

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

- (e) *first obtaining the consent of the owners of Nos. 1/15, 2/15, 3/15 and 21 Glendower Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 1/15, 2/15, 3/15 and 21 Glendower Street in a good and clean condition;*
- (f) *prior to the issue of a Building License revised plans shall be submitted and approved demonstrating the height of the boundary walls and common walls between each dwelling being reduced by a minimum of 300 millimeters and constructed in accordance with the Building Codes of Australia Part 3.7.1 The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (g) *prior to the issue of a Building License, revised plans shall be submitted and approved demonstrating the following:*
 - (1) *the roof decks on the south-western, south-eastern and north-western elevations for units 1, 2 and 3;*
 - (2) *the dining room windows on the south-eastern and north-western elevations for units 1 and 3;*
 - (3) *the balcony on the north-eastern (Glendower Street) elevation for unit 1 within the 7.5 metre cone of vision to the south-eastern boundary; and*
 - (4) *the upper floor eastern boundary wall being setback a minimum of 1 metre from the boundary for a portion of the length not less than 1/3 of the full length;*

being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building License revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002. Or prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 1/15, 2/15, 3/15 and 21 Glendower Street and Nos. 200, 202 and 204 Bulwer Street stating no objection to the respective proposed privacy encroachments. Alternatively, screening is not required on the south-western elevation if revised

plans are submitted and approved, prior to the issue of a Building Licence, demonstrating the roof deck being setback a minimum of 2.5 metres from the south-western boundary. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies; and

- (h) *a detailed landscaping plan, including a list of plants and the landscaping of the Glendower Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s).*

Note: *The Chief Executive Officer advised that this report is now released to the public as the Council has determined the matter.*

PURPOSE OF REPORT:

The purpose of this report is for the Council to consider the above subject development proposal submitted as part of the application to the State Administrative Tribunal (SAT) relating to Review Matter No. DR 349 of 2007.

Landowner:	M S Kimber, D P Coyne & N Grewal
Applicant:	Oldfield Knott Architects Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	690 square metres
Access to Right of Way	South side, 5 metres wide, sealed, Town owned

BACKGROUND:

- | | |
|------------------|--|
| 17 August 2007 | The applicant submitted a planning application for the demolition of an existing single house and the construction of three, two-storey single houses. |
| 18 October 2007 | The applicant lodged a review application with SAT in relation to the deemed refusal planning application. |
| 2 November 2007 | Direction Hearing at SAT. |
| 8 November 2007 | Mediation at SAT. |
| 19 November 2007 | Applicant submitted revised plans as per the request at the mediation held on 8 November 2007. |

DETAILS:

The review application for the development proposal involving the demolition of an existing single house and the construction of three, two-storey single houses was deemed refused as the 60-day Council determination date had expired.

The applicant's submissions and plans are circulated separately to Council Members, the Chief Executive Officer and Directors.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed	Community Comments
Density:	3.83 dwellings At R60	3 dwellings	Supported – no variation proposed.
Plot Ratio: Unit 1-	0.65	0.80	Supported – see comments on plot ratio.
Unit 2-	0.65	0.80	Supported – as above.
Unit 3-	0.65	0.80	Supported – as above.
Building Setbacks: Ground Floor South-East	1.5 metres	Nil	Supported – see comments on boundary walls.
North-West	1.5 metres	Nil	Supported – see comments on boundary walls.
Upper Floor North-East (Glendower Street) Balcony	6 metres	4.61 metres	Supported – not considered to have an undue impact on the amenity of the existing streetscape.

Dividing Walls	6 metres	4.6 metres	Supported – not considered to have an undue impact on the amenity of the existing streetscape.
South-East	6.6 metres	Nil	Supported – see comments on boundary walls.
North-West	6.3 metres	Nil	Supported – see comments on boundary walls.
South-West	4.6 metres	1.5 metres to the property boundary. 4 metres to the centre of the right of way.	Supported - not considered to have an undue impact on the neighbouring property.
Buildings on Boundary:	Walls not higher than 3.5 metres with average of 3 metres for 2/3 the length of the balance of the boundary behind the front setback, to one side boundary.	Two boundary walls proposed. South-East Wall Height – 6.18 metres – 6.4 metres (average = 6.29 metres) Wall Length – 2/3 = 30.55 metres Proposed length = 39.5 metres North-West Wall Height – 6.1 metres – 6.3 metres (average = 6.2 metres) Wall Length – 2/3 = 30.55 metres Proposed length = 39.5 metres	Supported – see comments on boundary walls.
Building Wall Height:	Maximum of 6 metres to the top of the eaves.	Highest point proposed is 6.32 metres from the natural ground level.	Not supported – considered to have an undue impact on the amenity of the area. Condition applied for the building wall height to be reduced to no higher than the top of the eaves.

<p>Street Walls and Fences: North-East (Glendower Street)</p> <p>South-East</p>	<p>Not to exceed a maximum height of 1.8 metres above the adjacent footpath level. The solid portion of the wall or fence excepting piers is to be a maximum height of 1.2 metres above the adjacent footpath level. The pillars not to exceed 350 mm wide.</p>	<p>Bin enclosures 1 metre wide and solid to 1.8 metres for unit 1, 1.7 metres for unit 2 and 1.6 metres for unit 3.</p> <p>Solid wall to 1.8 metres within the street setback area.</p>	<p>Supported - the solid walls in front of the bin enclosures are considered acceptable as the majority of the proposed fencing is completely visually open. The proposed solid walls take up less than 50 per cent of the total frontage. These solid walls are screening the bins from the view of the street and park.</p> <p>Not supported – considered to have an undue impact on the amenity of the streetscape. Condition applied for front fencing to comply with the Town’s Street Walls and Fences Policy.</p>
<p>North-West</p>		<p>Solid wall to 1.55 metres within the street setback area.</p>	<p>Not supported – considered to have an undue impact on the amenity of the streetscape. Condition applied for front fencing to comply with the Town’s Street Walls and Fences Policy.</p>
<p>Privacy Setbacks: North-East (Glendower Street) Balcony (unit 1)</p> <p>Balcony (unit 3)</p>	<p>7.5 metres</p> <p>7.5 metres</p>	<p>0.8 metre to the south-east property boundary.</p> <p>0.8 metres to the north-west property boundary.</p>	<p>Not supported - considered to have an undue impact on neighbouring property. Condition applied to screen the balcony.</p> <p>Supported - overlooking occurs in neighbours front garden only.</p>

South-West Roof Deck (unit 1, 2 and 3)	7.5 metres	6.5 metres to the south-west property boundary.	Not supported - considered to have an undue impact on neighbouring properties. Condition applied to screen the balcony.
South-East Roof Deck (unit 1)	7.5 metres	Nil - 3 metres to the south-east property boundary.	Not supported - considered to have an undue impact on neighbouring properties. Condition applied to screen the balcony.
Dining Room (unit 1)	6 metres	1.5 metres - 2 metres to the south- east property boundary.	Not supported - considered to have an undue impact on neighbouring property. Condition applied to screen the windows.
North-West Roof Deck (unit 3)	7.5 metres	Nil - 3 metres to the north-west property boundary	Not supported - considered to have an undue impact on neighbouring property. Condition applied to screen the balcony.
Dining Room (unit 3)	6 metres	1.5 metres - 2 metres to the north- west property boundary.	Not supported - considered to have an undue impact on neighbouring property. Condition applied to screen the windows.

Consultation Submissions		
Support (1)	No Comment.	Noted.
Objection (1)	<ul style="list-style-type: none"> The proposed plot ratio is too excessive. 	<ul style="list-style-type: none"> Not supported - see comments on plot ratio.
	<ul style="list-style-type: none"> The boundary walls will cause a loss of amenity and will be intrusive and give a feeling of confinement for the adjoining dwellings. 	<ul style="list-style-type: none"> Not supported - see comments on boundary walls.
	<ul style="list-style-type: none"> The building is too high. 	<ul style="list-style-type: none"> Supported - the applicant has since submitted revised plans that indicate a vast reduction in building wall height and a condition has been applied to reduce the height of the boundary walls to the top of the eaves.

	<ul style="list-style-type: none"> • There will be significant amount of overshadowing onto adjoining courtyards and living areas. 	<ul style="list-style-type: none"> • Not supported - the proposal is compliant with the overshadowing requirements of the R Codes.
	<ul style="list-style-type: none"> • Air ventilation to the southern properties will be severely compromised. 	<ul style="list-style-type: none"> • Not supported - the nil setback to the southern boundary will not have an undue impact on air ventilation
	<ul style="list-style-type: none"> • The visual impact of the development will be detrimental as the bulk is out of scale with the adjoining heritage-listed property. 	<ul style="list-style-type: none"> • Not supported - the proposed development is not considered to have an undue impact on the amenity of the streetscape.
	<ul style="list-style-type: none"> • Lack of setbacks significantly changed the nature of the streetscape. 	<ul style="list-style-type: none"> • Not supported - see comments on boundary walls.
	<ul style="list-style-type: none"> • Loss of privacy due to lack of privacy screening 	<ul style="list-style-type: none"> • Supported - considered to have an undue impact on neighbouring properties. Condition applied to screen the balcony or obtain neighbours consent.
	<ul style="list-style-type: none"> • Existing house has considerable architectural value and community amenity and is currently in a sound condition. 	<ul style="list-style-type: none"> • Not supported - the Town's Heritage Officer's have supported the proposal for demolition.
	<ul style="list-style-type: none"> • Glendower Street and Irene Street are apart of a cluster of 1930's buildings and should not be demolished. 	<ul style="list-style-type: none"> • Not supported - the Town's Heritage Officer's have supported the proposal for demolition.
	<ul style="list-style-type: none"> • The balconies facing Glendower Street will obstruct views of the park and overlooking onto adjoining properties. 	<ul style="list-style-type: none"> • Supported in part - park views are not a major planning consideration, however, considered to have an undue impact on neighbouring properties. Condition applied to screen balconies and dining room windows or obtain neighbours consent.
	<ul style="list-style-type: none"> • The proposal does not comply with the requirements of the Hyde Park Precinct Policy. 	<ul style="list-style-type: none"> • Not supported - the proposed variations as stated above are considered to be supportable by the Town.

Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes). Planning and Development Act 2005 (WA), State Administrative Tribunal Act 2004 (WA) and Town's Policy No.4.1.25 - Procedure for State Administrative Tribunal
Strategic Implications	Nil
Financial/Budget Implications	Nil, as all current representations at the SAT have been attended by the Town's Officers.

COMMENTS:

Demolition

The property at No. 19 Glendower Street, Perth, is an example of the Interwar California Bungalow style. It was built circa 1937, at a time when suburban redevelopment was occurring around the Hyde Park area. Glendower Street exhibits a wide range of architectural styles from various periods that reflect the general social and economic development of this inner city area. Interestingly, the house has had very few occupants in its lifetime; originally, the owner/builder and his daughter, and from 1957 a couple who purchased the property upon the builder's death. The dwelling has undergone very few alterations and additions contributing to its high level of authenticity.

A full Heritage Assessment was undertaken for No. 19 Glendower Street which indicates that the place has little aesthetic, historic, scientific or social heritage significance. In accordance with the Town's Policy relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the Town's Municipal Heritage Inventory.

Plot Ratio

The proposal indicates a variation in plot ratio that can be considered and supported by the Town's Officers. The existing streetscape is made up of a mixture of housing that ranges from single storey 1930's California Bungalow houses to three-storey contemporary developments. At the time these three-storey developments were approved, the Residential Design Codes 2002 were not applicable, and the previous Residential Planning Codes 1991 indicated that in areas coded R80, single houses are to comply with the R50 requirements. This denotes that plot ratio becomes non-applicable; therefore, single house developments could have a greater plot ratio than 0.65, which is the requirement under the current R Codes.

Officer assessments of plans of previous applications approved along Glendower Street indicate that the proposed plot ratio variation is consistent with the bulk and scale of the area. As an example, a proposed development at No. 85 Glendower Street was recommended for refusal at the Ordinary Meeting of Council held on 10 May 2005, based on a non-compliant plot ratio of 1.0. The Council did not support the Officer's Recommendation and the application was approved with a third storey and a plot ratio of 1.0. The subject proposal for No. 19 Glendower Street does not involve a third storey and the height has been conditioned to be reduced. Therefore, the bulk and scale of the development is not considered to have undue impact on the amenity of the streetscape and the neighbouring properties.

Boundary Walls

The proposal for the subject property includes two, two-storey boundary walls, which is a significant variation to the Residential Design Codes. However, boundary walls, like that proposed, along Glendower Street and the immediate vicinity of the subject property, is seen as a consistent feature that is most likely to continue in other developments.

The initial proposal was for continuous solid boundary walls along the south-east and north-west boundaries. The applicant has since submitted revised plans to the Town that indicate small breaks in the boundary walls as well a portion of the upper floor boundary wall being a height of 1.8 metres only. The applicant has also reduced the height of the boundary walls since the proposal was advertised and a condition of approval will reduce the height even further.

Impact on the Neighbouring Properties

The Existing/Demolition Plan indicates an outline of the buildings of Nos. 1/15, 2/15, 3/15 and 21 Glendower Street.

The upper floor boundary wall on the south-east elevation has the biggest impact towards the front of the property where No. 1/15 has an approximate 1.5 metre setback from the boundary, which is not considered to be habitable area. The south-east elevation illustrates existing dense landscaping along the boundary of the neighbouring property at No. 2/15 and 3/15 Glendower Street, which assists to lessen the impact on the boundary wall.

The property at No. 21 Glendower Street is a two-storey building and is used for commercial purposes, therefore, is not considered to have an undue impact on this property as a large car park currently exists at the rear of the building. The subject property is south of No. 21 Glendower Street; therefore, there is no undue impact on overshadowing.

Summary

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

At 9.24pm

PROCEDURAL MOTION

Moved Cr Ker , Seconded Cr Farrell

That the Council resume an open meeting.

PROCEDURAL MOTION PUT AND CARRIED (8-0)

Cr Burns on approved leave of absence

15. CLOSURE

The Presiding Member, Mayor Catania, declared the meeting closed at 9.25pm with the following persons present:

Mayor Catania	
Cr Steed Farrell (Deputy Mayor)	North Ward
Cr Helen Doran-Wu	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Noel Youngman	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director, Technical Services
Fran Sanders	Administration Officer

No media representatives or 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 4 December 2007.

Signed:Presiding Member
Mayor Nick Catania, JP

Dated this day of 2007