

## 10.1 ENVIRONMENTAL AND DEVELOPMENT SERVICES

### 10.1.1 No.83 (Lot 14) Angove Street, North Perth - Proposed Carport Additions and Front Fence to Existing Single House

<b>Ward:</b>	Mount Hawthorn	<b>Date:</b>	2 September 2002
<b>Precinct:</b>	Smith's Lake, P6	<b>File Ref:</b>	PR02125 00/33/1248
<b>Reporting Officer(s):</b>	S Ward		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, and having regard to the matters it is required to consider generally, and in particular:*

- (i) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality; and*
- (ii) *non-compliance with the Town's Policy relating to Street Walls and Fences and Street Setbacks;*

*the Council REFUSES the application submitted by the owner B Edwards for the proposed carport additions to the existing single house at No.83 (Lot 14) Angove Street, North Perth as shown on the plans stamp dated 12 July 2002.*

**FURTHER REPORT:**

The Council, at its Ordinary Meeting held on 27 August 2002, received a Report relating to proposed carport additions and front fence to the existing single house.

The application was deferred at the request of the applicant and to allow further investigation. On 29 August 2002 a meeting was held between the Town's Planning and Building Services and the applicant to discuss the proposal and the recommendation. The applicant requested that the original proposal be considered by the Council. As there has been no change to the application, the Town's previous Officer's Recommendation remains unchanged.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 27 August 2002:

**"OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, and having regard to the matters it is required to consider generally, and in particular:*

- (i) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality; and*
- (ii) *non-compliance with the Town's Policy relating to Street Walls and Fences and Street Setbacks;*

*the Council REFUSES the application submitted by the owner B Edwards for the proposed carport additions to the existing single house at No.83 (Lot 14) Angove Street, North Perth as shown on the plans stamp dated 12 July 2002.*

*Moved Cr Doran-Wu, Seconded Cr Hall*

*That the recommendation be adopted.*

**COUNCIL DECISION ITEM 10.1.25**

*Moved Cr Doran-Wu, Seconded Cr Hall*

*That this item be DEFERRED to allow further investigation.*

**CARRIED (7-0)**

*(Cr Drewett absent from the meeting. Cr Piper on leave of absence.)*

**LANDOWNER:** B Edwards  
**APPLICANT:** B Edwards  
**ZONING:** Metropolitan Region Scheme: Urban  
Town Planning Scheme No.1: Residential R30  
**EXISTING LAND USE:** Single House

**COMPLIANCE:**

<i>Requirements</i>	<i>Required</i>	<i>Proposed</i>
<i>Front elevation</i>	<i>50 percent</i>	<i>62 percent</i>
<i>Setbacks</i>		
<i>Front</i>	<i>6 metres</i>	<i>1.5 metres</i>
<i>Western side</i>	<i>1.0 metre</i>	<i>Nil</i>
<i>Use Class</i>	<i>Single House</i>	
<i>Use Classification</i>	<i>'P'</i>	
<i>Lot Area</i>	<i>761 square metres</i>	

**SITE HISTORY:**

*The property currently accommodates a single storey brick and pitched metal roof single house with access from a sealed right of way (ROW) at the rear of the property.*

*There is an existing garage and carparking area at the rear of the property with access from the rear sealed ROW.*

**DETAILS:**

*An application has been received to construct a pitched metal roof carport with a brick parapet wall located on the western side boundary and within the front street setback area. The proposed carport will compliment the existing dwelling.*

*In support of the application, the applicant has submitted the following information. An extract of the letter is as follows:*

*"We were always using the rear lane to gain entrance to our house until recently we came home in the evening to find someone hiding in the shadows. This has scared us both as we have two children under the age of four. Now we are using the front of the house with only street parking available we are now worried that our children with no road sense could easily run out onto the ever increasing busy Angove Street. I realise that it isn't Council Policy for this type of frontage but you must consider the changes in our society for us to make changes to protect our family."*

**CONSULTATION/ADVERTISING:**

*One letter of objection was received. A summary of the concerns are follows:*

- 1. The parapet wall within the front setback area is unsightly and would affect views from front windows.*
- 2. Reduction of light during the day and the loss of street lighting at night would affect security.*
- 3. No other similar structures within the street.*

**COMMENTS:**

*Carport*

*The Town's Policy relating to Street Setbacks requires on-site car parking to be accessible from an existing ROW where available and the carport width to be not more than 50 per cent of the front elevation width of the existing dwelling as visible from the street.*

*The proposed carport is within the street setback however, access to the rear of the property for parking purposes is available via a rear sealed ROW to the existing garage on this particular site. Furthermore, the proposed carport covers approximately 62 per cent of the front elevation of the existing dwelling and will therefore dominate the streetscape view of the development on-site, and is considered to unreasonably adversely affect the amenity and streetscape of the area.*

*The carport is considered to be compatible with the nearest dwelling on site in terms of the design, profile and finishes used as required by the Town's Policy relating to Street Setbacks.*

*Side Setbacks*

*The side setback variation of the proposed carport is unacceptable in the context of the nature of development in the immediate area, in particular the objections received from the neighbour.*

*Front Fence*

*The Town's Policy relating to Front Fences and Screen Walls requires the solid portion of the fence excepting piers to be a maximum height of 1.2 metres above the adjacent footpath level. The solid portion of the proposed fence adjacent the street alignment is 1.8 metres above the footpath level and is considered to unreasonably adversely affect the amenity and streetscape of the area.*

*Summary*

*In light of the above, it is recommended that the application for the proposed carport and fence be refused.*

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**10.1.2 Cities for Climate Protection™ Plus Program**

<b>Ward:</b>	Both Wards	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA0096
<b>Reporting Officer(s):</b>	G McLeod-Thorpe		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) receives the comments outlined in this report and Appendix 10.1.2 (a) and (b) relating to the Cities for Climate Protection™ (CCP™) Plus Program;*
- (ii) notes the successful completion of Milestone Five of the CCP™ Program;*
- (iii) endorses the continuation of the Climate Protection Program and joins CCP™ Plus;*
- (iv) subsequently participates in the Travel Demand Management Program, which includes the Town receiving a \$4,000 assistance package; and*
- (v) considers a further report on funding for additional CCP™ Plus initiatives when further information is received from the International Council for Environmental Initiatives (ICLEI).*

**BACKGROUND:**

The Town of Vincent joined the Cities for Climate Protection™ (CCP™) Program in October 1999 and committed to the completion of the following five milestones:

- 1. Conduct an emission inventory of both council (corporate) and community activities and prepare a forecast of emissions growth in the future.*
- 2. Set an emission reduction goal for both corporate and community emissions.*
- 3. Develop and adopt a local greenhouse action plan.*
- 4. Implement the local action plan.*
- 5. Monitor and report on implementation of the local action plan.*

The Town completed Milestone Five in May 2002. The five milestones of the program have provided a strategic framework for the Town to address the issue of global warming. The completion of Milestone Five has provided a valuable indicator of how the Town is progressing towards the reduction goal set at Milestone Two.

In recognition that Councils that have completed Milestone Five will continue to work on reducing greenhouse gas emissions and wish to remain active in the program, the International Council for Environmental Initiatives (ICLEI) has initiated CCP™ Plus.

**DETAILS:**

CCP™ Plus is only available to those Councils in Australia that have completed the five milestones of the CCP™ program. The aim of the program is to provide an avenue for Councils that have completed the five milestones to continue their involvement with CCP™ and to maintain the benefits of being an active participant in the program. As well as this, ICLEI advises that CCP™ Plus aims to:

- *Develop sustainable strategies for continued abatement activities within councils and their communities;*
- *Deepen actual abatement activity by councils and their communities; and*
- *Create opportunities for knowledge exchange regionally, nationally and internationally.*

Councils that commit to CCP™ Plus will continue to receive the benefits of CCP™ membership, as well as receiving the following additional benefits:

- *Recognition as a CCP™ Plus Council, including yearly recognition for continuous commitment to, and results in, greenhouse abatement at national forums including the ALGA National Congress; and*
- *Profile as a leader in greenhouse action, including ongoing media coverage through the CCP™ Campaign as an elite CCP™ council and an invitation to speak at regular functions such as the ALGA National Congress and Local Government Managers Australian National Conference, CCP™ specific state based conferences and other optional events throughout the year.*

For the Town to join CCP™ Plus, Council must commit to allocating appropriate staff time and participating in the annual measures report, which aims to capture information on greenhouse abatement actions taken by CCP™ Campaign Councils, including greenhouse emissions, financial savings and investments. It will also be necessary for the Town to play an appropriate advocacy role for CCP™ as a leading council committed to greenhouse abatement.

The operating structure of CCP™ Plus is outlined in Appendix 10.1.2 (a).

Once committed to CCP™ Plus, the Town will then be eligible to participate in any number of CCP™ Plus elements. The elements of CCP™ Plus defined to date include Community Sector Initiatives, Continuous Improvement, Leaders in Sustainability and Partnership Alliances. It is not compulsory to participate in these elements.

One of the Community Sector Initiatives offered does however relate to the issue of transport. In order to complete this initiative, \$4,000 in funding is being offered through the Australian Greenhouse Office's (AGO) Travel Demand Management Program. The program is intended to complement the activities conducted through the TravelSmart program. The purpose of the Program is to target a reduction in greenhouse gas emissions from passenger transport, rather than focusing on travel behaviour change, as promoted by TravelSmart.

Further information on the Travel Demand Management Assistance Package for CCP™ Plus Councils is outlined in Appendix 10.1.2 (b).

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**STRATEGIC IMPLICATIONS:**

Strategic Plan 2000-2002 – Key Result Area 1: The Physical Environment – *“1.3 Develop and implement strategies to enhance the environment.”*

**FINANCIAL/BUDGET IMPLICATIONS:**

The Town’s 2002/2003 budget has allocated \$30,000 for the implementation of the CCP™ Strategy. It should be noted however that there is no cost to join CCP™ Plus. There may be some costs associated in the future though, if the Town elects to participate in additional CCP™ Plus initiatives as they are offered throughout the year.

At this point in time, financial and staffing implications are minimal. If Council decides to join CCP™ Plus, the minimum output required is to participate in the yearly measures report. As the Town has participated in this previously, there will be no significant additional staff implications. If Council wishes to participate in additional CCP™ Plus program initiatives in the future, then additional staff time and funding will be required.

It should be reiterated that committing to CCP™ Plus will entitle the Town to the AGO’s \$4,000 assistance package to participate in the Travel Demand Management Program.

**COMMENTS:**

Given the Town of Vincent’s commitment to the Cities for Climate Protection™ Program, it is recommended that Council continues its involvement via CCP™ Plus and participation in the Travel Demand Management Program. Once more detail is provided by ICLEI in relation to the additional CCP™ Plus program initiatives available, a report will be prepared for Council so that it can be determined whether the Town should allocate funding to participate in additional CCP™ Plus program initiatives.

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**10.1.3 No.116A (Lot 31) (Strata Lot 1) Joel Terrace, Mount Lawley - Proposed Alterations to Existing Grouped Dwelling.**

<b>Ward:</b>	North Perth	<b>Date:</b>	2 September 2002
<b>Precinct:</b>	Banks, P15	<b>File Ref:</b>	PRO 2141 00/33/1279
<b>Reporting Officer(s):</b>	M Hansen		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme the Council APPROVES the application submitted by the owner G Robinson for proposed alterations to existing grouped dwelling at No. 116A (Lot 31) (Strata Lot 1) Joel Terrace, Mount Lawley and as shown on plans stamp dated 6 August 2002 and 8 August 2002, subject to;*

- (i) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the windows to bedroom 2 and bedroom 3 on the southern elevation on the first floor shall be screened with a permanent obscure material to a minimum of 1.4 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 obscure portion of the window shall be fixed in a closed position and any higher part may be openable, or the whole window be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; and*
- (ii) compliance with all relevant Building, Engineering and Environmental Health requirements;*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER(S):** G Robinson  
**APPLICANT(S):** G Robinson  
**ZONING:** Metropolitan Region Scheme - Urban  
 Town Planning Scheme No.1 – Residential R60  
**EXISTING LAND USE:** Grouped Dwelling

**COMPLIANCE:**

Use Class	Grouped Dwelling	
Use Classification	"P"	
Lot Area	531 square metres	
<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>
Southern Side Setback	3.4 metres	1.04 metres

**SITE HISTORY:**

The subject site is occupied by an existing grouped dwelling. The grouped dwelling is flanked by residential properties.

**DETAILS:**

Approval is sought for alterations to the existing grouped dwelling. The alterations consist of the installation of two windows to the existing first floor southern elevation.

**CONSULTATION/ADVERTISING:**

Two letters of objection was received during the advertising period and are summarised as follows:

1. Overlooking into adjoining property; and
2. Devalue the adjoining property.

**COMMENTS:**

The proposed installation of two windows to the first floor bedrooms and the resultant southern side setback is considered acceptable, provided the windows are screened in accordance with the Town's Privacy Policies; and the scale and nature is not considered to unreasonably adversely affect the amenity of the adjoining properties.

Furthermore, the affect on property values is not considered a significant planning issue.

In light of the above, it is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters.

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**10.1.4 No.386 (Lot 54) Stirling Street, Highgate – Proposed Construction of Ten (10) Multiple Dwellings (Including Two (2), Single Bedroom Dwellings)**

<b>Ward:</b>	North Perth	<b>Date:</b>	2 September 2002
<b>Precinct:</b>	Forrest, P14	<b>File Ref:</b>	PRO1929 00/33/1176
<b>Reporting Officer(s):</b>	H Coulter		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**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 BY AN ABSOLUTE MAJORITY the application submitted by Greg Davies Architects on behalf of the landowners Mulloway Pty Ltd and Sivan Pty Ltd for the proposed construction of ten multiple dwellings (including two, single bedroom dwellings) at No. 386 (Lot 54) Stirling Street, Highgate and as shown on amended plans dated 6 August 2002, subject to:*

- (i) prior to the issue of a Building Licence, revised plans shall be submitted and approved, demonstrating:
 
  - (a) a 2 metres x 2 metres visual truncation at the intersection of the driveways and the footpaths; and*
  - (b) the provision of and planter feature boxes to the front of the two rear-most units to reduce conflict and disturbance from vehicle reversing adjacent to these units;**
- (ii) prior to the issue of a Building Licence, details of the effectiveness and compliance with the Town's Policy relating to Privacy of the proposed louvred screens to the northern and southern elevations shall be submitted and approved. Alternatively, to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the window to the stairwell on the northern elevation on the first floor shall be screened with a permanent obscure material to a minimum of 1.4 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 obscure portion of the window shall be fixed in a closed position and any higher part may be openable, or the whole window be top hinged and the obscure portion of the window openable to a maximum of 20 degrees;*
- (iii) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the windows to the bedrooms of the two eastern-most (rear) units on the northern, southern and eastern elevations on the first floor shall be screened with a permanent obscure material to a minimum of 1.4 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 obscure portion of the window shall be fixed in a closed position and any higher part may be openable, or the whole window be top hinged and the obscure portion of the window openable to a maximum of 20 degrees;*

- (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) *subject to first obtaining the consent of the owners of the adjoining Nos.384 and 388 (Lots 55 and 53) Stirling Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing adjoining Nos.384 and 388 (Lots 55 and 53) Stirling Street in a good and clean condition;*
  - (vi) *a road and verge security bond and/or bank guarantee of \$550.00 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 existing Towns assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
  - (vii) *a detailed landscaping plan prepared in consultation with the Town's Parks Services Section (including a schedule of plant species, the removal and replacement of the existing street trees located on the Stirling Street verge adjacent to the subject property, and the landscaping and reticulation of the Stirling Street verge adjacent to the subject property) shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s);*
  - (viii) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
  - (ix) *the construction of crossovers shall be in accordance with the Town's specifications;*
  - (x) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any proposed front fences and gates adjacent to Stirling Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fence and gate being visually permeable, with a minimum 50 per cent transparency;*
  - (xi) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
  - (xii) *all car-parking bays shall be dimensioned on the Building Licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy 3.1.78 Parking and Access and Australian Standards AS2890.1 – "Off Street Parking";*
  - (xiii) *the carports within the front setback area shall be one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted), except where they abut the northern and southern sides of the dwellings respectively;*
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- (xiv) *a detailed management plan that addresses the control of noise, traffic, car parking, litter and anti-social behaviour (to reasonable levels) associated with the development shall be submitted and approved prior to the first occupation of the development, and thereafter implemented and maintained; and*
- (xv) *compliance with all relevant Environmental Health, Engineering and Building requirements;*

*to the satisfaction of the Chief Executive Officer.*

**FURTHER REPORT:**

The application was deferred by the Council at its Ordinary Meeting held on 27 August 2002 to further investigate, in particular, the ventilation and parking requirements.

In terms of the comments made in relation to the two rear units, it is noted that the applicant, after discussions with the Town's Technical Officer, has depicted planter boxes to the entry areas of the two rear units as a means of reducing conflict and disturbance with reversing vehicles. There are no specific Health, Building or Planning requirements which deal with external ventilation issues of this nature.

In view of the above, an additional sub-clause to clause (i) of the officer's previous recommendation is considered appropriate.

Further, the previous report incorrectly stated that: *' the ground floor units each have an average of 70 square metres of courtyard area and the upper level units each have a balcony of between 8 and 10 square metres. Notwithstanding the non-compliance with communal open space, the proposal provides a total of 395 square metres of private open space (27.8 per cent) for the ten units.'*

Actually, each unit is provided with a ground floor courtyard area and an upper floor balcony however, the total provision of private open space is 259.3 square metres with an average of 26 square metres per unit. Notwithstanding the above, it is considered that the provision of private open space for each of the units is considered to be more beneficial and functional to the occupants of the dwellings and is more likely to be utilised than large areas of communal open space. The applicant has prepared a plan detailing those areas of private open space as 'hatched'.

The following are the verbatim Minutes of the Item placed before the Council at its Ordinary Meeting held on 27 August 2002.

**"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 Greg Davies Architects on behalf of the landowners Mulloway Pty Ltd and Sivan Pty Ltd for the proposed construction of ten multiple dwellings (including two, single bedroom dwellings) at No. 386 (Lot 54) Stirling Street, Highgate and as shown on amended plans dated 6 August 2002, subject to:*

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- (i) *prior to the issue of a Building Licence, revised plans shall be submitted and approved, demonstrating a 2 metres x 2 metres visual truncation at the intersection of the driveways and the footpaths;*
  - (ii) *prior to the issue of a Building Licence, details of the effectiveness and compliance with the Town's Policy relating to Privacy of the proposed louvred screens to the northern and southern elevations shall be submitted and approved. Alternatively, to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the window to the stairwell on the northern elevation on the first floor shall be screened with a permanent obscure material to a minimum of 1.4 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 obscure portion of the window shall be fixed in a closed position and any higher part may be openable, or the whole window be top hinged and the obscure portion of the window openable to a maximum of 20 degrees;*
  - (iii) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the windows to the bedrooms of the two eastern-most (rear) units on the northern, southern and eastern elevations on the first floor shall be screened with a permanent obscure material to a minimum of 1.4 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 obscure portion of the window shall be fixed in a closed position and any higher part may be openable, or the whole window be top hinged and the obscure portion of the window openable to a maximum of 20 degrees;*
  - (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) *subject to first obtaining the consent of the owners of the adjoining Nos.384 and 388 (Lots 55 and 53) Stirling Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing adjoining Nos.384 and 388 (Lots 55 and 53) Stirling Street in a good and clean condition;*
  - (vi) *a road and verge security bond and/or bank guarantee of \$550.00 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 existing Towns assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
  - (vii) *a detailed landscaping plan prepared in consultation with the Town's Parks Services Section (including a schedule of plant species, the removal and replacement of the existing street trees located on the Stirling Street verge adjacent to the subject property, and the landscaping and reticulation of the Stirling Street verge adjacent to the subject property) shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s);*
  - (viii) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
  - (ix) *the construction of crossovers shall be in accordance with the Town's specifications;*
-

- (x) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any proposed front fences and gates adjacent to Stirling Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fence and gate being visually permeable, with a minimum 50 per cent transparency;*
- (xi) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (xii) *all car-parking bays shall be dimensioned on the Building Licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy 3.1.78 Parking and Access and Australian Standards AS2890.1 – "Off Street Parking";*
- (xiii) *the carports within the front setback area shall be one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted), except where they abut the northern and southern sides of the dwellings respectively;*
- (xiv) *a detailed management plan that addresses the control of noise, traffic, car parking, litter and anti-social behaviour (to reasonable levels) associated with the development shall be submitted and approved prior to the first occupation of the development, and thereafter implemented and maintained; and*
- (xv) *compliance with all relevant Environmental Health, Engineering and Building requirements;*

*to the satisfaction of the Chief Executive Officer.*

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COUNCIL DECISION ITEM 10.1.10

Moved Cr Franchina, Seconded Cr Ker

*That the recommendation be adopted.*

*Cr Hall departed the Chamber at 8.35pm.*

*Debate ensued.*

*Cr Hall returned to the Chamber at 8.37pm.*

Moved Cr Ker, Seconded Cr Doran-Wu

*That clause (xvi) be added as follows:*

- (xvi) *that the plans be submitted showing no adverse impact on the ventilation to the units and the relationship of the parking to the courtyards.*
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COUNCIL DECISION ITEM 10.1.10

Moved Cr Doran-Wu, Seconded Cr Ker

*That this item be DEFERRED to further investigate this application, in particular, the ventilation and parking requirements.*

CARRIED (7-0)

*(Cr Drewett absent from the meeting. Cr Piper on leave of absence.)*

LANDOWNER: *Mulloway Pty Ltd and Sivan Pty Ltd*  
 APPLICANT: *Greg Davies Architects*  
 ZONING: *Metropolitan Region Scheme: Urban*  
*Town Planning Scheme No. 1: Residential R80*  
 EXISTING LAND USE: *Single House*

COMPLIANCE:

<i>Requirements</i>	<i>Required</i>	<i>Proposed</i>
<i>Setbacks - Front</i>	<i>9.0 metres</i>	<i>3.0 metres (1.5 metres to balconies) *</i>
<i>North (grd)</i>	<i>1.0 metre</i>	<i>Nil</i>
<i>1<sup>st</sup> flr</i>	<i>6.4 metres</i>	<i>1.5 metres</i>
<i>South (grd)</i>	<i>1 metre</i>	<i>Nil</i>
<i>1<sup>st</sup> flr</i>	<i>6.4 metres</i>	<i>1.5 metres</i>
<i>Total Open Space</i>	<i>60 per cent (743.4 square metres)</i>	<i>39 per cent (485.36 square metres)</i>
<i>Car Parking</i>	<i>19.48 bays</i>	<i>18 bays **</i>
<i>Communal Open Space</i>	<i>20 per cent (247.8 square metres)</i>	<i>Nil</i>
<i>Balconies</i>	<i>10 square metres with a minimum dimension of 2 metres</i>	<i>Each dwelling provided with ground floor courtyard area - 6 dwellings also have balconies</i>
<i>Stores</i>	<i>4 square metres</i>	<i>1.5 square metres</i>
<i>Crossover Separation</i>	<i>6 metres</i>	<i>4.8 metres</i>
<i>Plot Ratio</i>	<i>0.75:1 (929.25 square metres)</i>	<i>0.78:1 (978.78 square metres)</i>
<i>Use Class</i>	<i>Multiple Dwellings</i>	
<i>Use Classification</i>	<i>'P'</i>	
<i>Lot Area</i>	<i>1239 square metres</i>	

\* Clause 4.5.2 makes provision for balconies to project into the required minimum setback by a maximum of 1.5 metres..

\*\* Clause 4.3.1 (c) of the Residential Planning Codes makes provision for a minimum of at least one car bay per multiple dwelling.

SITE HISTORY:

*The site currently accommodates a brick and tile single residence. The Town under delegated authority from the Council conditionally approved the demolition of the existing dwelling on 11 February 2002.*

*DETAILS:*

*Approval is sought to construct ten (10) multiple dwellings including two (2), single bedroom dwellings. In support of the application, the applicant submits the following:*

*"The side and rear setbacks have been set with indentations to ensure complicity (and provide visual interest).*

*Rather than provide communal open space, which would not be meaningful at this scale, particularly with consideration of the dimensions of this block, private courtyards were utilised in addition to balcony space.*

*The front setbacks are consistent with those at No.374 to 384 Stirling Street (adjacent), which is considerably bulkier in form than this proposal, with a minimum of 3 metres (the ground floor of this proposal is at 4 metres) for walls and 1.5 metres for the balconies. In addition we do not have columns within that area.*

*...for the reasons of maintaining this density with the single bedroom units, we request a variation to plot ratio and site cover for what is a low impact small scale development."*

*CONSULTATION/ADVERTISING:*

*One submission of support was received, an excerpt of which follows:*

*"...our committee has no objections to the design and planning of the North Elevation which faces our church, however we request that you note our comments...regarding our churches various sensitive commitments each week, inspection of the church buildings prior to construction and the removal of the existing super six asbestos fence."*

*COMMENTS:*

*Setbacks*

*The proposed ground and first floor front setbacks of the new dwellings are considered acceptable given the pattern of reduced setbacks along Stirling Street, in particular the recently built dwellings at No.384 Stirling Street which are setback 3 metres from the front boundary. The variations to the side setbacks are supportable, given the absence of direct objection and it is not considered they would have an unreasonable adverse impact on the amenity of the area.*

*Plot Ratio*

*The minor variation to plot ratio floor area is supported given the scale of the overall development, and it is not considered that strict compliance would result in any particular benefit to the streetscape or the development.*

*Further, the scale and height of the buildings are cognisant of two-storey development in the street and it is not considered that the variation would have any undue adverse effect on the amenity and streetscape of the area.*

*Car Parking*

*As outlined in Clause 4.3.1 (c) of the R Codes relating to car parking for multiple dwellings, 'at least one space shall be exclusive to each dwelling...'. The proposal details one bay each for the two, single bedroom dwellings and two bays each for the two and three bedroom dwellings. Accordingly, it is considered that the provision of car parking for the dwellings is adequate and is in compliance with the intent of the Residential Planning Codes (R Codes).*

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#### *Total Open Space*

*The variation to the total open space requirement can be supported, as the plans detail provision for private open space in terms of functional courtyard and balcony areas for each dwelling. In addition, given the site's inner urban location, its proximity to public open parks and the growing trend for smaller maintenance-free areas of open space, the variation is considered acceptable.*

#### *Communal Open Space*

*Multiple dwelling developments are required to provide 20 per cent of the total land area as communal open space for the use of all occupants of all dwellings constructed on the site. The proposal does not provide an area suitable as communal open space however, the ground floor units each have an average of 70 square metres of courtyard area and the upper level units each have a balcony of between 8 and 10 square metres. Notwithstanding the non-compliance with communal open space, the proposal provides a total of 395 square metres of private open space (27.8 per cent) for the ten units.*

*Communal open space, in most instances, is rarely used and requires high levels of maintenance. The provision of private open space for each of the units is considered to be more beneficial and functional to the occupants of the dwellings and is more likely to be utilised than large areas of communal open space. As such, it is recommended that the non-compliance with the communal open space requirement be supported.*

#### *Balconies*

*The provision of private balcony areas for each unit has not been strictly met, however each unit has a ground floor courtyard area with six units also having balcony areas off living areas. As such, it is considered that the intention to provide areas of private passive open space for each unit has been more than adequately met, in that the units all have more than the minimum 10 square metres in functional areas of private open space.*

#### *Stores*

*The proposal includes the provision of minimum 1.5 square metre stores to each unit. Given the nature, likely occupancy of the dwellings and that each dwelling is also provided with separate bin storage, the variation is considered supportable.*

#### *Crossover Separation*

*The applicant initially complied with the minimum distance between the crossovers with the intention of retaining the existing street trees. Discussions with the Town's Technical Services and Parks Services resulted in amended plans being submitted which depicted driveways at 90 degrees to the footpath and the removal and replacement of the street trees. In view of the above, the variation to the R Code requirement is considered acceptable.*

#### *Privacy*

*Two of the dwellings have bedroom openings which have the potential to reduce the privacy of adjoining properties, whereas the majority of habitable openings are located 1400 millimetres above the finished first floor level. It is also noted that 1800 millimetres high louvred screens are depicted as screening along the northern and southern elevations. Detail regarding their effectiveness and or compliance with the Town's Policy relating to Privacy will be required prior to the issue of a Building Licence.*

#### *Summary*

*The proposal represents a reasonable development for the site. The areas of non-compliance are not considered to be detrimental to the subject site or the surrounding area, but rather will contribute to the establishment of a safe and pleasant ambience for the existing residential area. It is therefore recommended that the application be approved, subject to standard and appropriate conditions to address the issues discussed above.*

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**10.1.5 No. 34 (Lot 13) Claverton Street, North Perth - Proposed Alterations and Additions to Existing Front Grouped Dwelling**

<b>Ward:</b>	North Perth	<b>Date:</b>	29 August 2002
<b>Precinct:</b>	Smith's Lake, P6	<b>File Ref:</b>	PRO1295 00/33/1244
<b>Reporting Officer(s):</b>	V Lee		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provision of the Metropolitan Region Scheme and the Town of Vincent Town Planning Scheme No. 1 the Council APPROVES BY AN ABSOLUTE MAJORITY the application submitted by Campion Design Group on behalf of the owner G and L Sheppard, for alterations and additions to existing front grouped dwelling at No. 34 (Lot 13) Claverton Street, North Perth and as shown on plans stamp-dated 1 August 2002, subject to:*

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) 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;*
- (iii) subject to first obtaining the consent of the owners of No. 32 Claverton Street, North Perth, for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 32 Claverton Street, North Perth, in a good and clean condition;*
- (iv) all front fences and gates shall comply with the Town's Policy relating to Front Fences and Screen Walls, and full details shall be submitted and approved prior to the erection of such fences and gates;*
- (v) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Claverton Street, including the first 6 metres, shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (vi) the carport shall be one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted), except where it abuts the boundary fence;*
- (vii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*

- (viii) *a road and verge security deposit bond and/or bank guarantee of \$550 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 Town's assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (ix) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (x) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s); and*
- (xi) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating details of the modifications to the existing shed, and the deletion of the swimming pool;*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER:** G and L Sheppard  
**APPLICANT:** Champion Design Group  
**ZONING:** Metropolitan Region Scheme - Urban  
 Town Planning Scheme No. 1 - Residential R40  
**EXISTING LAND USE:** Grouped Dwelling

**COMPLIANCE:**

Requirements	Required	Existing	Proposed
Setbacks - Rear	1 metre to shed	0 metre to existing garage	1 metre to proposed shed
- Side - east	1 metre to shed and car port	0 metre to existing garage	0 metre to shed and garage
Plot Ratio	0.5	0.54	0.59
Carport	no car port within front setback	N/A	Carport 1.7 metres from front setback
Use Class	Grouped Dwelling		
Use Classification	"P"		
Lot Area	1356 square metres		

**SITE HISTORY:**

25 October 1999 The Council at its Ordinary Meeting refused an application for the demolition of the subject dwelling as:

*"(a) the application for the demolition of the existing dwelling is not consistent with the orderly and proper planning and the preservation of the amenities of the locality with respect to the visual amenity of the locality by virtue of the demolition of the existing building; and*

*(b) the existing place has cultural heritage significance in terms of its aesthetic, rarity, representativeness and social value;"*

25 July 2000

The Council at its Ordinary Meeting conditionally approved an application for four additional two-storey grouped dwellings to the subject house.

**DETAILS:**

The proposal involves single storey additions to the existing front single storey grouped dwelling. The proposal includes additions to the sides and rear of the dwelling, and a double carport in the front setback area.

The significant internal decorative dome features in the ceilings of the entrance hall, family room, lounge and front bedroom are proposed to be retained.

**CONSULTATION/ADVERTISING:**

No submissions were received during the consultation period.

**COMMENTS:**

**Carport Within the Front Setback**

Claverton Street is not considered to have an established streetscape, with a mix of new and older style houses with varied front setbacks. The proposed car port within the front setback is generally acceptable as the roof line is complementary to the roof line of the house and its width is less than half of the main dwelling frontage. In addition, the majority of the original facade of the house will be directly visible from Claverton Street. Accordingly, this variation is supported in this instance.

**Setbacks**

The proposed variations to the side setbacks are supported as no objections from the adjoining property owners have been received, and are not considered to unreasonably adversely affect the amenity of the area.

**Shed and Pool**

The applicant has advised that they propose to retain a portion of the existing shed at the rear and will provide further details prior to the issue of a Building Licence. They advise that the pool shown on the plans should be deleted.

**Plot Ratio**

The proposed additions are single storey and complement the surrounding buildings in terms of bulk and scale. In this instance, the proposed variation to the plot ratio is supported. The adjacent road verge and right of way / Sekem Street extension also provide the total development on Lot 13 with a sense of openness.

Accordingly, it is recommended that the application be approved, subject to standard and appropriate conditions to address the above matters.

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**10.1.6 No. 362 (Lot 60) Lord Street, Highgate - Proposed Alterations and Additions to Existing Dwelling and Construction of Additional Two (2) Two-Storey, Grouped Dwellings**

<b>Ward:</b>	North Perth	<b>Date:</b>	2 September 2002
<b>Precinct:</b>	Banks, P15	<b>File Ref:</b>	PRO0992, 00/33/1252
<b>Reporting Officer(s):</b>	S Turner		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**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 the owner A Ismailjee for the proposed alterations and additions to existing dwelling and construction of additional two (2) two-storey, grouped dwellings on No. 362 (Lot 60) Lord Street, Highgate and as shown on plans dated 8 August 2002, subject to the following conditions:*

- (i) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
  - (a) *the deletion of the front carport;*
  - (b) *the provision of two open uncovered car bays for the existing dwelling;*
  - (c) *the setback of the rear ground floor (including carport structures), of the two grouped dwellings accessed from the right of way, being a minimum of 6.0 metres, from the opposite side of the right of way; and*
  - (d) *amended elevations that reflect the minor modifications to the upper level.*

*The revised plans shall not result in any greater variation to the requirements of the Residential Planning Codes and/or the Town's Policies;*
- (ii) *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;*
- (iii) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Lord Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iv) *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 or 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.*

- (v) *prior to the first occupation of the development, the full length and width of the right of way from Chapman Street to the northern 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;*
- (vi) *a bond and/or bank guarantee for \$2000 for the full upgrade of the right of way shall be lodged prior to the issue of a Building Licence;*
- (vii) *a visual truncation of 2 metres by 2 metres at the intersection of the driveway and the footpath on Lord Street, shall be provided at the owner's cost;*
- (viii) *a footpath security deposit bond and/or bank guarantee of \$550 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 footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (ix) *the construction of the crossovers shall be in accordance with the Town's specifications;*
- (x) *a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Lord Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (xi) *compliance with the relevant Building, Engineering and Environmental Health requirements;*
- (xii) *the support and/or approval of the Department for Planning and Infrastructure and/or Western Australian Planning Commission and compliance with its associated conditions;*
- (xiii) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the windows to the sitting rooms, bedroom 2 and bedroom 3 on the northern and southern elevations and bedroom 3 windows facing east, on the first floor shall be screened with a permanent obscure material to a minimum of 1.4 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 obscure portion of the windows shall be fixed in a closed position and any higher part may be openable, or the whole windows be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; and*
- (xiv) *no car parking structures shall be erected within the front setback area adjacent to Lord Street; and*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER:** A Ismailjee  
**APPLICANT:** A Ismailjee  
**ZONING:** Metropolitan Region Scheme: Urban  
Town Planning Scheme No. 1: Residential R60  
**EXISTING LAND USE:** Single House

**COMPLIANCE:**

Use Class	Grouped Dwelling
Use Classification	'P'
Lot Area	556 square metres

Requirements	Required	Proposed
Front Setback (Carport to Existing Dwelling)	6 metres	1.1 metres
Northern Side First Floor Setback	3.5 metres	1.025 - 2.465 metres
Southern Side First Floor Setback	3.5 metres	1.025 - 2.465 metres
Policy - Vehicle Access to Dwellings via a Right of Way	Minimum access manoeuvring dimension of 6 metres	5.1 metres manoeuvring dimension, including right of way
Plot Ratio	0.55	0.63
Open Space	50 percent	48 percent
Pedestrian Accessway	1.5 metres	1.2 metres and 1.07 metres

**SITE HISTORY:**

24 August 1998            The Council at its Ordinary Meeting conditionally approved two, 2-storey grouped dwellings additional to the existing single house to form three grouped dwellings.

25 September 2001      The above approval lapsed and a new development application was submitted. This was considered by the Council at its Ordinary Meeting where it conditionally approved two, 2-storey grouped dwellings additional to the existing single house to form three grouped dwellings.

A private unsealed right of way (ROW) of 4.02 metres in width runs along the rear boundary.

**DETAILS:**

Approval is sought for modification to the existing planning approval for alterations and additions to the existing house and the construction of two (2) two-storey, grouped dwellings on the subject site. The modifications include a reduction in the setbacks of the upper level to the side and rear boundaries and the ground floor (carport) to the rear boundary, of the proposed new dwellings.

**CONSULTATION/ADVERTISING:**

During the advertising period no submissions were received.

The proposal was referred to the Department for Planning and Infrastructure (DPI) for comment as Lord Street is reserved as an Other Regional Road, which is affected by a road widening requirement under the Metropolitan Region Scheme (MRS). Previous comments received by the Town from DPI, in a letter dated 10 October 2001, state the following:

*"The Department would be prepared to support a proposal which does not include any development within the ORR reservation (ie wholly contained on the portion of the subject land which is not reserved for ORR), subject to it being in compliance with the requirements of the Council's town planning scheme and relevant policies."*

Liaison with Officers at DPI confirmed that the front courtyard fencing would be considered acceptable within the 5 metres road widening reserve, however the carport structure would not.

**COMMENTS:**

**Setbacks**

Within the immediate streetscape along Lord Street a pattern has not been established incorporating carports within the front setback area. In accordance with the Town's Policy - Street Setbacks and DPI's position as outline previously, the proposed carport to the existing dwelling is not supported.

The variations to the side setbacks are not considered to have an undue adverse impact on the amenity of the adjoining properties. The adjoining property owners did not object to the proposal and as such the proposed reduced setbacks to side boundaries are supported.

The Town's Technical Services has assessed the proposed access to the rear via the right of way. Due to the narrowness of the right of way and lot, manoeuvring a vehicle in and out of the proposed garage is difficult. In accordance with the Town's 'Vehicle Access to Dwellings Via a Right of Way' Policy, an increased setback of the lower level structures is required to comply with the 6 metres manoeuvring depth, measured from the opposite side of the right of way. The proposed reduced rear setback is not supported and as such is to be increased from 0.9 metre to 1.8 metres, in accordance with the Town's policy requirements.

As this is the only vehicle access to the property, the proposed vehicle access from the right of way is considered acceptable in this instance.

**Plot Ratio and Open Space**

In terms of plot ratio, the location of the proposed two storey dwellings to the rear of the lot and the use of varying materials, staggered setbacks and other design features have the collective impact of reduced visual bulk and scale and is considered acceptable.

The variation to the open space is considered minor and given the provision of useable courtyards and the adjoining Lord Street and ROW providing a sense of 'openness', is supportable.

**Privacy**

The windows to the upper floor sitting rooms, bedroom 2 and bedroom 3 to both new dwellings have undue overlooking potential and in accordance with the Town's Policy – Privacy, a screening condition is considered appropriate.

**Pedestrian Accessway**

The width of the pedestrian accessway along the northern and southern sides of the existing house will not adversely affect the ability to provide pedestrian access from the rear new dwellings to Lord Street for postal, visitors and rubbish collection and public utilities, and is considered acceptable.

**Summary**

It is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters, including similar conditions on the previous approval which are still applicable.

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**10.1.7 Nos.405-407 (Lots 3 and 2) Charles Street, North Perth - Demolition of Two (2) Existing Dwellings and Construction of Twelve (12) Two-Storey Grouped Dwellings**

<b>Ward:</b>	Mount Hawthorn	<b>Date:</b>	2 September 2002
<b>Precinct:</b>	North Perth, P8	<b>File Ref:</b>	PRO0782 (00/33/1179)
<b>Reporting Officer(s):</b>	H Coulter		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**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 RECOMMENDS APPROVAL BY AN ABSOLUTE MAJORITY to the Western Australian Planning Commission for the undated application received 27 June 2002 submitted by G L Stenton on behalf of the landowners T H Cameron and R Ravi for the proposed demolition of two (2) existing dwellings and the construction of twelve (12) two-storey grouped dwellings at Nos.405-407 (Lots 3 and 2) Charles Street, North Perth and as shown on amended plans stamp-dated 3 September 2002, subject to:*

- (i) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the deletion of the visitor parking bays within the front setback area;*
- (ii) 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;*
- (iii) all car-parking bays shall be dimensioned on the Building Licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy 3.1.78 Parking and Access and Australian Standards AS 2890.1 – "Off Street Parking";*
- (iv) a road and verge security bond and /or bank guarantee of \$880.00 shall be lodge prior to the issue of a Building License and be held until all works have been completed and/or any damage to existing Towns assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (v) the construction of crossovers shall be in accordance with the Town's specifications;*
- (vi) a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Charles Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (vii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*

- (viii) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development the western sides of the balconies accessible from bedroom one of units 6 and 7 on the first floor level shall be screened with a permanent obscure material to a minimum height of 1.4 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;*
- (ix) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (x) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Charles and Albert Streets shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (xi) *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;*
- (xii) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xiii) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the windows to bedrooms 2 and 3 of units 1-12 on the northern and southern elevations, respectively, on the first floor shall be screened with a permanent obscure material to a minimum of 1.4 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 obscure portion of the window shall be fixed in a closed position and any higher part may be openable, or the whole window be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; and*
- (xiv) *compliance with all relevant Environmental Health, Engineering and Building requirements;*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER:** T H Cameron and R Ravi  
**APPLICANT:** G L Stenton  
**ZONING:** Metropolitan Region Scheme: Urban  
Town of Vincent Town Planning Scheme No.1:  
Residential R60  
**EXISTING LAND USE:** Two Single houses

**COMPLIANCE:**

Requirements	Required	Proposed
Setbacks - Charles Street South (1st flr) North (1st flr) West (grd) (1st flr)	6.0 metres 6.3 metres 6.3 metres 1.5 metres 3.5 metres	6.007 - 6.101 metres * 4 metres 4 metres 1.2 metres 1.2 -4.6 metres
Plot Ratio	0.55:1 (1120.9 square metres)	0.60:1 (1234.52 square metres)
Filling to Site	300-600 millimetres	50 -1060 millimetres
Stores	12 x 4 square metres	12 x 3 square metres
Private Open Space	40 square metres average per dwelling	35.6 square metres per dwelling
Use Class	Grouped Dwellings	
Use Classification	'P'	
Lot Area	2038 square metres	

\* Planning Control Area No.54 requires that all buildings be setback at least 3.66 metres from the front boundary.

**SITE HISTORY:**

The subject lots are occupied by two single houses. Surrounding land uses are characterised by single and grouped dwelling development.

**DETAILS:**

Approval is sought for the demolition of the two single houses and the construction of twelve (12) two-storey grouped dwellings. The property is located within Planning Control Area No.54 and as such, the Western Australian Planning Commission is the determining authority in respect to this application.

**CONSULTATION/ADVERTISING:**

Three letters have been received in response to the advertising procedure, excerpts of which are as follows:

*"I object to the 12 bin enclosure abounding my property. ..The lack of attention to design and external aesthetics is of a concern to myself and residents. ...The density, the access and visitor parking should be reviewed, especially with the proposed widening of Charles Street."*

*"...we are very upset at not only the outlook of the site but also the total lack of privacy we shall experience.....we will have 6 upper level windows and most of the ground level doors and windows overlooking and looking directly into our yard and windows."*

*"We have no objection to the demolition of two existing dwellings and construction of twelve two-storey grouped dwellings as long as they comply with the Town Planning Scheme for this locality. We do request however that the roof not be constructed of any shining material."*

## **COMMENTS:**

### **Demolition**

The detailed heritage assessments are contained in Appendix 10.1.7.

The subject dwellings are dated circa 1928 and represents a part of the building stock built during the inter war period of 1919 and 1939. The dwellings are rendered brick and a minority of features and fittings are intact. The place is not rare and is considered to be of little aesthetic, historic, scientific and social value. The subject dwellings contribute to the streetscape in terms of traditional setbacks and building style.

The place, being the existing dwellings at Nos. 405 and 407 Charles Street, have little cultural heritage significance, and do not meet the minimum criteria for entry into the Town's Municipal Heritage Inventory.

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

### **Setbacks**

It is considered that the side setback variations generally comply with clause 1.2 of the Residential Planning Codes (R-Codes) and given that no direct objections have been received, they are accordingly supported.

### **Plot Ratio**

The variation to plot ratio floor area is supported given the scale of the overall development, and it is not considered that strict compliance would result in any particular benefit to the streetscape and amenity of the area in this instance.

Further, the scale and height of the buildings are cognisant of two-storey development in the street and it is not considered that the variation would have any undue adverse effect on the amenity and streetscape of the area.

### **Private Open Space**

The minor variation to the provision of private open space is supported, given each dwelling is provided with a minimum four metres by seven metres courtyard and a first floor balcony.

### **Stores**

The proposal includes the provision of minimum 3 square metre stores to each unit. The Residential Planning Codes (R Codes) require the provision of 4 square metre stores for grouped dwellings and compliance is considered appropriate.

### **Privacy**

The upper floor bedroom windows of the units are indicated with obscure glazing to 1400 millimetres to prevent unreasonable overlooking to adjoining properties. The southern face of the balcony to unit 6 has the potential to unreasonably overlook adjoining properties and accordingly should be screened in accordance with the Town's Policy relating to Privacy.

### **Bin Enclosure**

The adjoining landowner's concerns regarding the location of the bin enclosure is acknowledged, however it is considered that providing the enclosure is constructed and maintained in accordance with the Town's Environmental Health requirements the area should not have an unreasonable adverse impact on the amenity of the adjoining property.

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### **Construction Materials**

With regard to comments about the type of roofing material to be used, it is noted that whilst the Town does not have any specific policies relating to construction materials, in this instance the 3 degrees roof pitch is unlikely to cause any undue reflection on adjoining properties.

### **Visitor Parking**

The Town has consistently varied the requirement for grouped dwelling developments to provide visitor parking. In this instance, it is considered that the provision of parking within the front setback area will detrimentally affect the overall amenity of the site and the streetscape by virtue of the extensive area of hard paving. The residual parking provided on site still complies with the total parking requirement under the R Codes.

### **Site Levels**

In light of the variation of levels across the two lots, it is considered that the proposed finished floor levels and subsequent filling of the land is appropriate.

### **Summary**

The proposal represents a reasonable development for the site. The areas of non-compliance are not considered to be detrimental to the subject site or the surrounding area. It is therefore recommended that the application be referred to the Western Australian Planning Commission with a recommendation for approval subject to standard and appropriate conditions to address the issues discussed above.

**10.1.8 Nos. 628-630 (Lots 4 and 5) Newcastle Street, Leederville - Proposed Demolition of Existing Buildings and Construction of a Four Storey Mixed Use Development Comprising One (1) Showroom, One (1) Shop, Thirteen (13) Offices, Eight (8) Two Storey Grouped Dwellings and Associated Carparking**

<b>Ward:</b>	North Perth	<b>Date:</b>	29 August 2002
<b>Precinct:</b>	Oxford Centre, P 4	<b>File Ref:</b>	PRO1965 00/33/1264
<b>Reporting Officer(s):</b>	S Turner		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**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 Planning Solutions (Aust) Pty Ltd on behalf of the owners Sovereign Investments Group Pty Ltd for the proposed demolition of the existing buildings and construction of a four storey mixed use development comprising one (1) showroom, one (1) shop, thirteen (13) offices, eight (8) two storey grouped dwellings and associated carparking, on Nos. 628-630 (Lots 4 and 5), Newcastle Street, Leederville, and as shown on the plans stamp dated 20 August 2002, subject to:*

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (iii) all car parking bays shall be dimensioned on the Building Licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking";*
- (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) prior to the issue of the Building Licence revised plans shall be submitted and approved demonstrating:*
  - (a) the provision of continuous awnings to the buildings over the Newcastle Street footpath aligned with the extension of the east and west boundaries, and in accordance with the Town's 'Oxford Centre' Policy; and*
  - (b) the provision of 7 bicycle parking bays and end of trip facilities in accordance with the Town's amended "Parking and Access" Policy.*

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

- (vi) *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 \$2000 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;*
  - (vii) *the residential component of the development shall be adequately sound insulated prior to the first occupation of the development. The necessary sound insulation shall be in accordance with the recommendations, developed in consultation with the Town, of an acoustic consultant registered to conduct noise surveys and assessments in accordance with the Environmental Protection Act 1986. The sound insulation recommendations shall be submitted and approved prior to the issue of a Building Licence. The engagement of and the implementation of the recommendations of this acoustic consultant are to be at the applicant's/owner(s)' costs;*
  - (viii) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
  - (ix) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
  - (x) *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;*
  - (xi) *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);*
  - (xii) *subject to first obtaining the consent of the owners of No. 626 and No. 632 Newcastle Street and No. 187 and No. 189 Carr Place for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 626 and No. 632 Newcastle Street and No. 187 and No. 189 Carr Place in a good and clean condition;*
  - (xiii) *prior to the first occupation of the development, 14 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;*
-

- (xiv) *the gross floor area of the office component shall be limited to a maximum of 1250 square metres, the gross floor area of the showroom component shall be limited to 200 square metres and the gross floor area of the shop component shall be limited to 65 square metres;*
  - (xv) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division. No further consideration will be given to the disposal of stormwater without the submission of a geotechnical report from a qualified consultant;*
  - (xvi) *the construction of crossovers shall be in accordance with the Town's specifications;*
  - (xvii) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
  - (xviii) *a detailed landscaping plan, including a schedule of plant species and tree species to be planted within the car parking area and the landscaping and reticulation of the verge strip adjacent to Newcastle Street on the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s). The boarder shrubs on the western boundary are to be low level to allow vehicles to overhang;*
  - (xix) *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 that the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities. This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;*
  - (xx) *the facades and activities (including windows and adjacent floor area) adjacent to Newcastle Street shall maintain an active and interactive frontage with Newcastle Street;*
  - (xxi) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the northern side of the balcony accessible from the living room of apartment 8 on the third floor level shall be screened with a permanent obscure material to a minimum height of 1.4 metres above the finished third floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed;*
  - (xxii) *the provision of rubbish bins, compounds and collection to the specifications and satisfaction of the Town's Technical Services and the Health Service Sections; and*
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(xxiii) *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 (\$24,000) shall be submitted to and approved by the Town. 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 Section 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);*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER:** Sovereign Investments Group Pty Ltd  
**APPLICANT:** Planning Solutions (Aust) Pty Ltd  
**ZONING:** Metropolitan Region Scheme: Urban  
 Town Planning Scheme No 1: Commercial (R 80)  
**EXISTING LAND USE:** Showrooms, Factory and Warehouse

**COMPLIANCE:**

Use Class	Showroom, Office Building and Grouped Dwelling
Use Classification	"P", "P", "AA"
Lot Area	1765 square metres

Requirements	Required	Proposed
Private Courtyards (grouped dwellings)	24 square metres	12.3 square metres balcony; 7.8 square metres courtyard (for Units 3-8)
Landscaping	10 percent of the site	2.71 percent of the site (plus trees)
Rear Setback	9.0 metres	nil

**Car Parking (non-residential):**

Car parking requirement (nearest whole number)* <ul style="list-style-type: none"> <li>▪ Showroom-3 bays;</li> <li>▪ Shop-4 bays</li> <li>▪ Office-25 bays;</li> </ul>	32 carbays
Apply the adjustment factors <ul style="list-style-type: none"> <li>▪ 0.8 (within 400 metres of rail station)</li> <li>▪ 0.85 (within 400 metres of a bus stop)</li> <li>▪ 0.80 (mixed use development, where at least 45 percent of the gross floor area is residential)</li> <li>▪ 0.85 (within 400 metres of a public carpark in excess of 75 spaces)</li> </ul>	(0.4624)  14.79 carbays
Minus the car parking provided on site *.	18 carbays
Minus the most recently approved on site car parking shortfall	nil
Resultant shortfall/surplus	surplus of 3.21 car bays

\*14 car bays required for the residential component of this development have been deducted from the car parking requirement and car parking provided on site figures.

Bicycle Parking (non residential)

Bicycle space requirement (nearest whole number) Convenience Shop - 1 space Office - 6 spaces	7 bicycle spaces
Bicycle spaces provided	Nil

**SITE HISTORY:**

The subject site is located along Newcastle Street within the Oxford Centre Precinct in the "outer core" area. This portion of Newcastle Street is dominated by commercial and light industrial uses and the site is opposite the Water Corporation administration centre.

9 April 2002            The Council at its Ordinary Meeting resolved to refuse the application for a four storey mixed use development comprising one (1) showroom, one (1) shop, thirteen (13) offices, and eight (8) two storey grouped dwellings, on the subject property for the following reasons:

- "1. Non-compliance with Council's Town Planning Scheme and Policies.*
- 2. A shortfall in the private open space.*
- 3. A lack of interaction with the Newcastle Street frontage."*

11 June 2002            The Council at its Ordinary Meeting resolved to refuse the application for a four storey mixed use development comprising one (1) showroom, one (1) shop, thirteen (13) offices, and eight (8) two storey grouped dwellings, on the subject property for the following reasons:

- "1. The mass and bulk is contrary to the Oxford Centre Study.*
- 2. Non-compliance as shown in the Officer's report."*

27 August 2002        The Town received notification that an appeal has been lodged with the Town Planning Appeal Tribunal against Council's decision dated 11 June 2002. The first sitting of the Appeal Tribunal is to take place on 19 September 2002. Prior to this date the Town, as the respondent, is required to submit a statement to the Tribunal.

**CONSULTATION/ADVERTISING:**

The application was not required to be advertised as a similar proposal was previously advertised and determined within the last 12 months. No comments were received during the previous advertising period.

**DETAILS:**

The proposed mix use development seeks approval to demolish existing showrooms, factory and warehouse and to construct a four storey mixed use development comprising a showroom and shop fronting Newcastle Street, two levels of offices and eight two-level grouped dwellings above.

The Council at its Ordinary Meeting dated 11 June 2002 conditionally approved a similar development at Nos. 632 - 634 Newcastle Street for a four storey mixed use development comprising a shop, offices and educational establishment and associated carparking.

The applicant has submitted an appeal on behalf of the landowner, of which the Town has received a copy of the detailed submission. This submission elaborates on the grounds for reconsideration which were received by the Town in a letter dated 19 July 2002. The grounds for reconsideration are as follows:

- "1. *The proposal as presented was supported by the Town's officers, with a recommendation of approval;*
2. *The proposal presented is entirely consistent with the established, and recently applied development standards for the locality. In particular, standards pertaining to bulk, scale, carparking, street/lot interface, landscaping, pedestrian amenity and urban design issues;*
3. *The design presented is entirely consistent with all expectations associated with orderly and proper planning given the existing development - ie existing parapet walls on boundaries adjoining the Subject Site. In particular, it is not possible to successfully argue that the proposal would have a detrimental impact on the adjoining properties given the existence of the parapet walls that are adjoining the Subject Site;*
4. *Taking into account all relevant planning matters, the Officers of the Town assessed the application and recommended support for the proposal. As Council would be aware, this is a position that presents a solid position from which to appeal the determination. The prospect of an appeal in the circumstances is considered to be an exorbitant waste, and not in the interests of excellent customer service to which the Town of Vincent aspires; and*
5. *Notwithstanding the above, we are instructed to prepare and lodge an appeal against the refusal of the application for approval to commence development to preserve our Client's interests. Our Client has advised it is preference to receive an approval from the Town rather than proceed with the appeal, which we have no doubt would be upheld upon consideration of the applicable facts."*

#### **COMMENTS:**

##### **Heritage**

Lot 4 accommodates a light industrial building with a shop frontage that, according to the City of Perth Building archive cards, was constructed in 1966. This building was not always an industrial building and behind the 1966 frontage is the remnant of a residential brick dwelling constructed c.1928. The integrity of this dwelling has been substantially compromised as a result of its conversion to an industrial building. Overall, the place contributes little to the streetscape of Newcastle Street.

Lot 5 accommodates a brick factory unit that appears to have been constructed c.1965. It is of brick construction with an unadorned frontage and a saw tooth roof. It is considered that this place also contributes little to the streetscape of Newcastle Street.

In light of the preliminary assessment of the above places, it is considered that they have *little heritage value* and that the proposal to demolish both places is supported.

##### **Building Height, Bulk and Scale**

The Oxford Centre Policy provides for a minimum height of two storeys and a maximum height of three storeys. A fourth storey (including loft) can be considered providing the adjacent residential area is protected in terms of privacy, scale and bulk. The immediate surrounding area is characterised by commercial development and residential amenity would not be unreasonably affected.

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The height of the wall at the Oxford Street boundary is 9.0 metres with a covered verandah above to give a total height of 11.0 metres. This relative height is maintained for approximately 8.0 metres where the building has an eave height of 12.4 metres and a total pitched roof height of 15.0 metres above the natural ground level. The applicant has submitted that the height of the development constitutes a building with three storey plus loft, however, the height of the development is four storey when assessed under the Town's "Building Scale" Policy.

The proposal has a reduced ridge height, deleted roof gable-ends to incorporate a hipped roof and added dormer windows to reduce the bulk and scale of the previous determined proposal. In light of the provisions of the 'Oxford Centre Precinct' Policy, the commercial zoning and nature of the adjoining properties and the proposed streetscape elevation including the proposed mixed use development to the west, the proposed height of the building is supported.

#### **Site Levels**

The proposed finished floor levels are considered reasonable, generally correspond to the existing ground levels and are limited by the existing sewer on the site and the Newcastle Street footpath level.

#### **Interaction with Newcastle Street**

The "Oxford Centre Precinct" Policy promotes a build form which encourages *"...commercial buildings which face the street and promote an active and permeable interface...articulation of buildings into elements which exhibit strong urban character...maximum glazing (windows) to the street and ground level for surveillance and commercial exposure..."*

The application incorporates design which articulate the building's distinct visual elements and, amongst others, has a strong archway feature which links the two buildings and the associated vehicle crossover. The front facade of the building is extensively glazed to promote visual interaction with the street. By virtue of the angle of the lot to Newcastle Street, the side elevation of the proposed building will also interact with the street when the development is viewed from a direction other than front on. This promotes surveillance, interest and commercial exposure.

#### **Carparking and Vehicular Access**

The residential component of the development requires 14 bays to be provided on site. The non-residential component of the development requires 32 carparking bays which after applying the Town's carparking adjustment factors results in a carparking requirement of 14.79 bays. In accordance with the adjustment factors, there are a surplus of 3.21 car bays for the non-residential component of the development. The proposal provides 32 bays for the entire development and complies with the carparking requirement as specified in the Town's "Parking and Access" Policy.

#### **Bicycle Parking**

In accordance with the Town's amended "Parking and Access" Policy, the non-residential component of the development is required to have 7 bicycle parking spaces and end of trip facilities. These requirements have been placed as a condition of approval to be resolved prior to the issue of a Building Licence.

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### **Private Courtyards**

The proposal provides a functional balcony and separate courtyard areas that open to active habitable rooms other than bedrooms for each grouped dwelling. The applicant has submitted that the Town's Oxford Centre Precinct Policy requires residential development at an R80 standard and requested that the residential component of the development be assessed as multiple dwellings. The Town has assessed similar development in the past as "grouped dwellings" given that no dwelling is placed wholly or partly vertically above another, except where special conditions of landscape or topography dictate otherwise.

The courtyard/balcony areas for the proposed dwellings exceed the private open space requirements of the Residential Planning Codes (R-Codes) for multiple dwelling development, however, do not meet the requirements for grouped dwelling development.

Given the site's inner urban location, proximity to the Oxford Street commercial strip and public open spaces, and generally the community's expectations for maintenance free areas of private open space, the variation to private open space is supported in this instance.

### **Landscaping**

In accordance with the 'Oxford Centre' Precinct Policy, the variation to the landscaping requirement is considered acceptable as the development will be required to incorporate public art and will establish and maintain trees within the on-site car parking area.

### **Rear Setback**

Given the site's location and proximity to adjacent commercial uses, and that the proposal is less than 13 metres in width on the northern rear boundary elevation, it is considered that the proposed nil rear setback will not unreasonably impact on the amenity of the subject and adjacent properties.

### **Use**

It is considered that the proposed mixed use building will substantially contribute to the consolidation of this section of Newcastle Street. The standard condition requiring prospective purchasers to be notified of the impacts associated with the nearby commercial and non-residential activities should be applied to minimise any future conflicting expectations of activities in the area.

### **Summary**

In light of the above, it is recommended that the Council approve the proposal, subject to standard and appropriate conditions to address the above matters and development of such scale and nature.

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**10.1.9 No.99 (Part Lot 22) Walcott Street, Corner Alma Road, Mount Lawley - Proposed Two Storey Single House**

<b>Ward:</b>	North Perth	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	Norfolk, P10	<b>File Ref:</b>	PRO0383 00/33/1247
<b>Reporting Officer(s):</b>	P Mastrodomenico		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**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 R Marafioti on behalf of the owners G, R, M & D Marafioti for the proposed two storey single house on No.99 (Part Lot 22) Walcott Street, corner Alma Road, Mount Lawley, and as shown on the plans stamp-dated 5 August 2002, subject to:*

- (i) 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;*
- (ii) a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Alma Road verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the proposed garage/carport being one hundred (100) per cent open on all sides, except where it abuts the adjoining garage at No. 105 Walcott St, North Perth (open type gates/panels are permitted);*
- (iv) subject to first obtaining the consent of the owners of No. 105 Walcott Street, Mount Lawley, for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing, No. 105 Walcott Street, Mount Lawley, in a good and clean condition;*
- (v) a road and verge security deposit bond and/or bank guarantee of \$550 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 footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (vi) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fence and gate adjacent to Alma Road shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fence and gate being visually permeable, with a minimum 50 per cent transparency;*

- (vii) *prior to the issue of a Building Licence, the subject land shall be subdivided as generally shown on the approved plans on Certificates 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 subdivide the subject land as generally shown on the approved plans 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);*
- (viii) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (ix) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (x) *details of all street trees adjacent to the subject property shall be submitted with the Building Licence application;*
- (xi) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (xii) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division. No further consideration will be given to the disposal of stormwater without the submission of a geotechnical report from a qualified consultant; and*
- (xiii) *compliance with all relevant Environmental Health, Building and Engineering requirements;*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER:** G, R, M & D Marafioti  
**APPLICANT:** R Marafioti  
**ZONING:** Metropolitan Region Scheme: Urban  
Town Planning Scheme No.1: Residential R60  
**EXISTING LAND USE:** Vacant

**COMPLIANCE:**

Use Class	Single house
Use Classification	"P"
Lot Area	548 square metres (proposed - 150 square metres)

<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>
Open space	75 square metres (50 percent)	60.01 square metres (40 percent)
Car parking	2 car bays	1 car bay
- Western side setback		
ground floor	1.0 metre	nil
first floor	2.4 metres	nil
- North western side setback		
ground floor	1.0 metre	nil
first floor	1.2 metres	nil-1.0 metre
- Alma Road setback	6.0 metres	nil

**SITE HISTORY:**

The surrounding area is characterised by a mix of single and two storey dwellings. The subject site was granted conditional subdivision approval by the Western Australian Planning Commission on 20 September 2000 to create two freehold lots.

The Council at its Ordinary Meeting held on 24 October 2000, granted conditional Planning Approval for a similar application for a two-storey single house on the subject lot.

**DETAILS:**

Approval is sought for a two storey single house with vehicle access from Alma Road.

**CONSULTATION/ADVERTISING:**

One submission was received during the advertising period requesting that all first floor windows are 'hilite' windows and obscured. The neighbour also advised that they have no objection to the proposed parapet wall provided that the owner of No.99 Walcott Street does not object to them building a parapet wall in the future. This proviso is considered inappropriate in terms of the subject proposal, and the neighbour's proposed parapet wall will be considered on its own merits when an application is submitted to the Town.

**COMMENTS:**

**Side Setbacks**

The western and north western side setback variations are considered supportable as there are no unreasonable overlooking issues, and will not have an unreasonable adverse impact on the adjoining properties.

**Alma Road Setback**

The front setback is considered supportable given the irregular shape of the subject lot and the predominance of surrounding properties containing structures (mainly open carports) within the front setback.

The development proposes a garage within the front setback area. The intent of the Town's Policy relating to Street Setbacks is to reduce the impact of garages and carports on the streetscape. Therefore, it is recommended that the garage/carport be 100 percent open, except where it abuts the adjoining garage at No. 105 Walcott Street, North Perth, to allow an interactive relationship between the dwelling and Alma Road, while reducing the visual impact on the streetscape and amenity of the area.

**Open Space**

The variation to the open space requirement is considered acceptable, as the proposal includes significant useable courtyard areas to both the rear and side of the subject site.

**Car Parking**

Given the irregularity of the lot shape and the limitations that this imposes, the availability of street parking, and close proximity to public transport, the car parking shortfall is considered supportable in this instance.

In light of the above, it is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters.

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**10.1.10 No.12 (Lot 10) Prospect Place, West Perth - Proposed Two-Storey Single House**

<b>Ward:</b>	North Perth	<b>Date:</b>	2 September 2002
<b>Precinct:</b>	Cleaver, P5	<b>File Ref:</b>	PRO1177 00/33/1246
<b>Reporting Officer(s):</b>	P Mastrodomenico		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**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 Addstyle Constructions on behalf of the owner R Mueller for a proposed two-storey single house on No.10 (Lot 12) Prospect Place, West Perth and as shown on the plans stamp dated 5 August 2002, subject to:*

- (i) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Prospect Place shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (ii) *a footpath security deposit bond and/or bank guarantee of \$550 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 footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (iii) *subject to first obtaining the consent of the owners of No. 4 Prospect Place, West Perth for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 4 Prospect Place, West Perth, in a good and clean condition;*
- (iv) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the windows to bedroom three (3) and bedroom four (4) on the first floor on the eastern elevation shall be screened with a permanent obscure material to a minimum of 1.4 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 obscure portion of the windows shall be fixed in a closed position and any higher part may be openable, or the whole window be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees;*
- (v) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (vi) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*

(vii) *the Town accepts no liability for the cost of relocating any services that may be required as a consequence of this development. The applicant/owner(s) shall ensure that all services are identified prior to submitting a Building Licence application and that the cost of any service relocations is to be borne by the applicant/owner(s); and*

(viii) *compliance with all relevant Environmental Health, Building and Engineering requirements;*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER:** R Mueller  
**APPLICANT:** Addstyle Constructions  
**ZONING:** Metropolitan Region Scheme: Urban  
Town Planning Scheme No.1: Residential R80  
**EXISTING LAND USE:** Vacant

**COMPLIANCE:**

Use Class	Single House
Use Classification	"P"
Lot Area	448 square metres

Requirements	Required	Proposed
Front setback	6.0 metres	5.68 metres
Eastern side setback		
- ground floor	1.5 metres	0 metre
- first floor	4.0 metres	3.58 metres

**SITE HISTORY:**

The surrounding area is characterised by single storey terrace housing and bungalows. There is an office building adjacent to the subject site.

The Council at its Ordinary Meeting of Council held on 14 May 2002, granted conditional Planning Approval for a two-storey single house on the subject lot.

**CONSULTATION/ADVERTISING:**

The application was not advertised as it is for an identical proposal that was the subject of an application advertised within the past 12 months. No objections were received during the advertising period of the previous proposal.

**DETAILS:**

Approval is sought for a two-storey single house.

The applicant has requested that the first floor front setback requirement of 6 metres be reduced as 80 per cent of the first floor setback is setback a minimum of 6.0 metres, and the Florence Locality states that the second storey is generally setback a minimum of 6 metres from the street. Also, the proposed Residential Design Codes require an average setback of 4 metres for a lot zoned R80 and the adjacent dwellings are setback at an average of 4.4 metres.

**COMMENTS:**

**Setbacks**

The ground floor side setback variation is considered supportable as it is single storey in height and there is an existing parapet wall on site, therefore the proposal does not unreasonably adversely affect the amenity of the adjoining property.

The first floor side setback variation is considered acceptable as it is 0.42 metre below the requirement, adjacent to an existing parapet wall and will not unreasonably adversely affect the amenity of the adjoining property.

**Privacy/Overlooking**

With regards to overlooking the windows to bedroom three (3) and bedroom four (4) on the first floor on the eastern elevation should be screened in accordance with the Town's Policy relating to Privacy.

**Bulk and Scale**

The proposal complies with the Town's Policy relating to Building Scale.

**Previous Conditions**

Further investigations have revealed that the windows to the activity room on the first floor on the northern/rear elevation are setback 6 metres and as such complies with the Town's Policy relating to Privacy.

The Town's Policy relating to the Florence Locality requires a first floor front setback of 6 metres. The first floor is proposed to be setback 5.68 metres and further investigations have revealed that it is considered reasonable to vary the first floor street setback requirement in this instance as the adjacent dwellings are setback at an average of 4.4 metres.

**Summary**

The proposal is supportable as is not considered to unreasonably adversely affect the amenity of the adjacent properties or the existing streetscape. Accordingly, it is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters.

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**10.1.11 No.131 (Lot 334) Shakespeare Street, Mount Hawthorn - Proposed Two-Storey Single House and Carport**

<b>Ward:</b>	North Perth	<b>Date:</b>	2 September 2002
<b>Precinct:</b>	Mount Hawthorn, P1	<b>File Ref:</b>	PRO2129 (00/33/1253)
<b>Reporting Officer(s):</b>	S Turner		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Metropolitan Region Scheme and the Town of Vincent Town Planning Scheme No.1 the Council APPROVES the application submitted by the landowner J Nestic for a two-storey single house and carport at No.131 (Lot 334) Shakespeare Street, Mount Hawthorn and as shown on plans stamp dated 8 August 2002, subject to;*

- (i) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the setback of the house, including the front verandah, being a minimum of 6 metres from the front boundary.*

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

- (ii) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the windows to bedroom three and four on the western elevation on the first floor shall be screened with a permanent obscure material to a minimum of 1.4 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 obscure portion of the window shall be fixed in a closed position and any higher part may be openable, or the whole window be top hinged and the obscure portion of the window openable to a maximum of 20 degrees;*
- (iii) *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;*
- (iv) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Shakespeare Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (v) *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 of Title or 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;*

- (vi) *a right of way security bond and/or bank guarantee for \$880 shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for an standard 2 wheel drive vehicle) as a consequence of the works the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division;*
- (vii) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (viii) *a road and verge security deposit bond and/or bank guarantee of \$550 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 Town's assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (ix) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (x) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s); and*
- (xi) *subject to first obtaining the consent of the owners of No. 129 Shakespeare Street, for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing south adjoining No. 129 Shakespeare Street in a good and clean condition; and*
- (xii) *compliance with all relevant Environmental Health, Engineering and Building requirements;*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER:** J Nestic  
**APPLICANT:** J Nestic  
**ZONING:** Metropolitan Region Scheme - Urban  
Town Planning Scheme No.1 – Residential R30  
**EXISTING LAND USE:** Vacant Land

**COMPLIANCE:**

<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>
Setbacks Front	6.0 metres	4.5 metres
North (grd & 1st flr)	1.5 metres	1.09 metres
South (grd & 1st flr)	1.5 metres	1.0 metre
South (carport)	1.0 metre	nil
Use Class	Single House	
Use Classification	'P'	
Lot Area	366 square metres	

**SITE HISTORY:**

The property is located on the western side of Shakespeare Street and has access to a rear 5.0 metres wide Town owned unsealed right of way. The surrounding area is characterised predominantly by single houses, with a mix of older and newer styles.

The Council at its Ordinary Meeting held on 13 June 2000 granted conditional approval for proposed two two-storey dwellings on the previous Lot 1.

**DETAILS:**

Approval is sought to construct a two-storey single house, and a carport at the rear of the property with access off of an existing right of way.

**CONSULTATION/ADVERTISING:**

One letter of objection was received during the advertising period. The issues raised within this submission include:

- Concerned with the reduced front setback.
- The proposed carport should be built slightly within their property not exactly on the property boundary, so that it does not cause any impact to the neighbours.
- The right of way has not been upgraded, even though Council previously requested it.

**COMMENTS:**

**Setbacks**

The reduced front setback is not supported given the existing pattern of setbacks along Shakespeare Street, which tend to be at least 6.0 metres to the dwellings. The streetscape is dominated by single dwellings with large front setbacks that create an open landscaped feel to the street.

The owner of the development was contacted and agreed to the increased front setback from 4.5 metres to 6.0 metres. Accordingly, revised plans detailing an increase to the front setback from 4.5 metres to 6.0 metres will be required.

The proposed reduced side setbacks are supported as they comply with Clause 1.2 of the Residential Planning Codes (R-Codes), as they do not unreasonably negatively affect the neighbouring property owners or streetscape.

The issues raised by the neighbouring property owner in their submission have been addressed by the requirement for an increased front setback and other conditions of approval.

**Privacy**

There is the potential for unreasonable overlooking to this adjacent side properties from the first floor bedroom windows that face the rear of the dwelling. In accordance with the Town's Policy relating to Privacy, screening of these windows is considered necessary.

**Right of Way**

There is no requirement for the right of way to be upgraded as part of the development of a single house.

Within the letter of objection, it stated that Council previously requested the upgrading of the right of way. At its Ordinary Meeting held on the 13 June 2000, the Council resolved to delete the requirements for upgrading of the right of way.

**Summary**

It is recommended that the application be approved, subject to standard and appropriate conditions to address the above matters.

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**10.1.12 No. 53 (Lot 67) Ruby Street, Corner Hunter Street, North Perth - Proposed Alterations and Two Storey Additions to Existing Two Storey Single House**

<b>Ward:</b>	Mount Hawthorn	<b>Date:</b>	2 September 3, 20022002
<b>Precinct:</b>	North Perth, P8	<b>File Ref:</b>	PRO2079 00/33/1289
<b>Reporting Officer(s):</b>	P Mastrodomenico		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme the Council APPROVES the application submitted by the owner S Leitman for proposed alterations and two storey additions to existing two storey single house at No.53 (Lot 67) Ruby Street, Corner Hunter Street, North Perth, and as shown on the plans stamp dated 30 August 2002, subject to:*

- (i) a road and verge security bond and/or bank guarantee of \$550 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 footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (ii) the construction of crossovers shall be in accordance with the Town's specifications;*
- (iii) the proposed air conditioner compressor unit shall be relocated to the eastern elevation;*
- (iv) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (v) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the windows to the bedroom on the first floor to the western elevation shall be screened with a permanent obscure material to a minimum of 1.4 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 obscure portion of the window shall be fixed in a closed position and any higher part may be openable, or the whole window be top hinged and the obscure portion of the window openable to a maximum of 20 degrees;*
- (vi) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the deletion of the balcony accessible from the existing living area on the first floor level on the southern elevation; and*
- (vii) compliance with all relevant Environmental Health, Engineering and Building requirements;*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER:** S Leitman  
**APPLICANT:** S Leitman  
**ZONING:** Metropolitan Region Scheme: UrbanTown Planning Scheme  
 No.1: Residential R30/40  
**EXISTING LAND USE:** Single House

**COMPLIANCE:**

Use Class	Single house
Use Classification	"P"
Use classification Lot Area	491 square metres

Requirements	Required	Proposed
First floor and western side setback	4.0 metres	2.59 metres
Air conditioning unit setback	6.0 metres	1.0 metre

**SITE HISTORY:**

The subject site is occupied by a two storey dwelling. The second storey (loft) issued a Building Licence on 12 July 2001. The surrounding area is characterised by single storey dwellings.

The Council at its Ordinary Meeting of Council held on 13 August 2002, granted conditional Planning Approval for a two-storey single house.

**CONSULTATION/ADVERTISING:**

The application was not advertised as it is for an identical proposal that was the subject of an application advertised within the past 12 months, and is being referred to the Council for determination.

There was one objection received during the previous advertising period. Issues raised included the following:

*"The position of the exterior air conditioner compressor, overlooking from the proposed upstairs living room and balcony and the proposed upper storey window on the west side of property and the existing window of existing second storey, unresolved matter."*

**DETAILS:**

Approval is sought for alterations and two storey additions to the existing two storey single house.

**COMMENTS:**

**Privacy/Overlooking**

With regards to overlooking, the windows to the proposed bedroom on the first floor on the western elevation should be screened in accordance with the Town's Policy relating to Privacy.

### **Balcony**

The previous application proposed a balcony accessible from the existing living area on the first floor level on the southern elevation. The applicant has decided to remove the balcony from the current application.

### **Previous Screening Condition**

A condition of the Building Licence that was issued on 12 July 2001 required the window to the loft (now living area) on the existing first floor on the western elevation to be screened by the previous landowners in accordance with the Town's Policy relating to Privacy. The Town's Policy relating to Privacy as of 12 July 2001 (which has been subsequently amended) required the entire area of a window to be glazed and non openable. Condition 12 of the Building Licence reads as follows:

*"Prior to the first occupation of the development, the entire area of the window to the bedroom on the first floor level on the western side elevation shall be screened with fixed obscure glazing and be non opening as agreed with the owner, Mr B Geier in the letter dated 27 March 2001."*

A site inspection has revealed that the existing window does comply with the Town's current Policy relating to Privacy as it is obscured and openable to a maximum of 20 degrees. The existing window is a separate issue and is not part of this application and therefore will be separately dealt with by the Town.

### **Air Conditioner Compressor Unit**

The proposed air conditioner compressor unit is proposed to be located 1 metre from the common boundary. The Town's Policy relating to Privacy provides for a setback of 6 metres from the common boundary, therefore the proposed air conditioner compressor unit shall be conditioned to be relocated to the eastern side of the property. The existing air conditioner unit is a separate issue and is not part of this application and therefore will be separately dealt with by the Town.

### **Summary**

The proposal is supportable as is not considered to unreasonably adversely affect the amenity of the adjacent properties or the existing streetscape. Accordingly, it is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters.

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**10.1.13 No. 26 (Lot 245) Broome Street, Highgate - Proposed Three-Storey Single House**

<b>Ward:</b>	North Perth	<b>Date:</b>	2 September 2002
<b>Precinct:</b>	Forrest, P14	<b>File Ref:</b>	PRO2118 00/33/1239
<b>Reporting Officer(s):</b>	H Coulter		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**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 Tascone on behalf of the landowners M and A Tascone for a three-storey single house at No.26 (Lot 245) Broome Street, Highgate and as shown on plans dated 24 July 2002, subject to:*

- (i) prior to the issue of a Building Licence, amended plans shall be submitted and approved, depicting:
 
  - (a) the upper floor balcony maintaining the current setback from the front boundary, with a minimum depth of 1800 millimetres, in accordance with the Highgate Design Guidelines;*
  - (b) the total open space requirement being a minimum of 40 per cent of the lot area; and*
  - (c) the floor levels matching the adjoining property;**
- (ii) 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;*
- (iii) subject to first obtaining the consent of the owners of the adjoining Nos.24 and 28 Broome Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing north and south in a good and clean condition;*
- (iv) a road and verge security bond and/or bank guarantee of \$550.00 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 footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (v) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any proposed front fences and gates adjacent to Broome Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fence and gate being visually permeable, with a minimum 50 per cent transparency;*
- (vi) no street trees shall be removed, cut back, pruned or interfered with in any way, without the prior approval of the Town's Parks Services Section;*
- (vii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*

- (viii) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the windows to bedroom two on the eastern elevation on the upper floor and the attic on the northern elevation on the attic floor respectively, shall be screened with a permanent obscure material to a minimum of 1.4 metres above the finished upper and attic floor levels. A permanent obscure material does not include a self adhesive material or other material that is easily removed. The obscure portion of the window shall be fixed in a closed position and any higher part may be openable, or the whole window be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; and*
- (ix) *compliance with all relevant Environmental Health, Engineering and Building requirements;*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER:** M and A Tascone  
**APPLICANT:** M Tascone  
**ZONING:** Metropolitan Region Scheme: Urban  
 Town Planning Scheme No. 1: Residential R80  
**EXISTING LAND USE:** Vacant land

**COMPLIANCE:**

Requirements	Required	Proposed
Total Open Space	40 per cent (74.4 square metres)	23.4 per cent (43.2 square metres)
Use Class	Single House	
Use Classification	'P'	
Lot Area	184 square metres	

**SITE HISTORY:**

The site is currently vacant.

**DETAILS:**

Approval is sought to construct a three-storey single house. In support of the application, the applicant writes:

*"In August 1997, we received building approval for the construction of a residence... The new application is similar in floor area to the original plan, but very different in architectural style...the front of the home will be dominated by large glazed areas facing the park...we believe as the streetscape is eclectic in architectural style the new proposal will add to the individuality of its local environment ."*

**CONSULTATION/ADVERTISING:**

One submission was received, excerpts of which are as follows:

- "I have now viewed the plans and wish to raise the following objections in relation to visual intrusion and propose the following.*
1. *Upper floor (1st floor) windows opposite powder room to be screened.*
  2. *Southern windows of bedroom No.2 be screened."*

## **COMMENTS:**

### **Privacy**

The comments received regarding privacy are acknowledged, however in view of the habitable room first floor windows being oriented into the property and/or their height being scaled 1400 millimetres above the finished first floor, there is no requirement for screening in terms of the Town's Policy relating to Privacy. The windows to the attic on the rear elevation however, will be required to be screened. In addition, the Town's Policy relating to Privacy does not require windows to non-habitable spaces such as bathrooms and walkways/stairwells to be screened.

### **Balcony**

The Town's Highgate Design Guidelines, adopted as part of the Policy relating to the Brigatti Locality requires that balconies may protrude onto the front setback by 1000 millimetres, but, if protruded, must be 1800 millimetres deep. Compliance with this requirement is considered appropriate in this instance and amended plans will be required prior to the issue of a Building Licence.

### **Open Space**

The Town's Highgate Design Guidelines require that site coverage shall be a maximum of 60 percent of the lot area. Whilst the provision of open space in this instance is considered satisfactory given that the plans depict compliance with the Policy in terms of front and rear courtyards and balconies at first and attic levels, the Town has consistently not supported variations to the Guidelines in this respect. Compliance with this requirement is considered appropriate in this instance and amended plans will be required prior to the issue of a Building Licence.

### **Height/Building Envelope**

The Town's Highgate Design Guidelines require that the bulk of the building shall be contained within a building envelope however, minor projections will be permitted. In this instance, a section of an upper floor bedroom and balcony project outside of the building envelope, however given the extent of projection of the adjoining building on Lot 246, the variation is supported. It is not considered that the projection will result in unreasonable building bulk or would detract from the streetscape and amenity of the area.

It is noted that the Highgate Design Guidelines permit three storey development and development requirements are not subject to the Brigatti Locality Statement which restricts height to two-storeys.

### **Site Levels and Height**

The Guidelines make reference to ensuring that the heights of roof ridges, pitching points, gutters, parapets and floor levels must match either the adjoining property or are to be interpreted as a maximum of 600 millimetres. There are distinct variations in the outline, height and appearance of buildings in the subject street block. This particular provision of the Guidelines has not been consistently applied however, it is not considered that a detrimental impact on the streetscape has resulted. In this instance, the applicant has provided a streetscape elevation which depicts the new residence in the context of the existing dwellings. Accordingly, the variation to roof height and pitch is supported however, compliance with the floor levels of the adjoining properties is considered appropriate, which has been demonstrated.

In light of the above, it is recommended that the application be approved, subject to standards and appropriate conditions to address the above matters.

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**10.1.14 No. 3 (Lot 50) Mabel Street, North Perth - Proposed Three Storey Single House**

<b>Ward:</b>	Mount Hawthorn	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	North Perth, P8	<b>File Ref:</b>	PRO2119 00/33/1240
<b>Reporting Officer(s):</b>	V Lee		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**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 Stage Park PTL on behalf of the landowners E Walton and S Shepherd for the proposed three-storey single house on No. 3 (Lot 50) Mabel Street, North Perth, and as shown on plans stamp dated 26 July 2002, subject to;*

- (i) *compliance with the relevant Environmental Health, Engineering and Building requirements;*
- (ii) *prior to the issue of a Building Licence, amended plans shall be submitted and approved showing:*
  - (a) *the house being setback a minimum of 6 metres from Mabel street;*
  - (b) *the provision of two open uncovered car bays; and*
  - (c) *the house being reversed / mirror image so that the shorter parapet wall length is adjacent to No. 5 Mabel Street;*

*The amended plans shall not result in any greater variation of the requirements of the Residential Planning Codes and the Town's Policies;*

- (iii) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Mabel Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iv) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the western, southern and eastern sides of the balcony and deck accessible from the living room on the first floor and the master bedroom on the second floor respectively, shall be screened with a permanent obscure material to a minimum height of 1.4 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;*
- (v) *the existing Eucalyptus tree located at the front of the proposed dwelling shall be retained with suitable clearances;*

- (vi) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (vii) *road and verge security deposit bond and/or bank guarantee of \$550 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 Town's assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (viii) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (ix) *subject to first obtaining the consent of the owners of No. 5 Mabel 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. 5 Mabel Street in a good and clean condition; and*
- (x) *no street trees shall be removed, cut back, pruned or interfered with in any way, without the prior approval of the Town's Parks Services Section;*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER:** S Shepherd and E Walton  
**APPLICANT:** Stage Park PTL  
**ZONING:** Metropolitan Region Scheme - Urban  
 Town Planning Scheme No 1. - Residential R60  
**EXISTING LAND USE:** Vacant

**COMPLIANCE:**

<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>
Setbacks		
- Front	6 metres	5.4 metres
- Side - west	1.2 metres	0 metre
- Side - east	1.2 metres	0 metre
Car Parking	2 car parking bays with minimum dimensions of 5.5 metres by 2.4 metres	Car parking area shown with a maximum length of 5.4 metres
Use Class	Single House	
Use Classification	'P'	
Lot Area	212 square metres	

**SITE HISTORY:**

13 September 1999 The Council at its Ordinary Meeting determined to approve a similar application, subject to the following conditions

- (i) *compliance with the relevant Environmental Health, Engineering and Building requirements;*

- (ii) *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;*
- (iii) *prior to the issue of a Building Licence, amended plans shall be submitted and approved indicating:*
  - (a) *the western boundary (parapet) wall shall be setback a minimum of 1.2 metres from the western side boundary, and shall incorporate architectural design features on the western face to reduce the visual bulk of the wall to the adjoining property; and*
  - (b) *the carport shall be setback 300 millimetres from the Mabel Street boundary and be 100 percent open on all sides and no enclosures shall be permitted unless they are an open type gate;*
- (iv) *all front fences and gates to the proposed lots shall comply with the Council's Policy 3.1.34 relating to Front Fences and Screen Walls, and full details shall be submitted and approved prior to the erection of such fences and gates;*
- (v) *the western face of the deck shall be screened to a minimum height of 1.4 metres above the finished floor level of the deck with the minimum standard of screening being fixed material with openings no greater than 50 millimetres by 50 millimetres;*
- (vi) *prior to the issue of a Building Licence, the subject lot shall be subdivided into a separate lot on its own Certificate of Title as generally shown on the approved plan; and*
- (vii) *the existing Eucalyptus tree located at the front of the proposed dwelling shall be retained with suitable clearances;*

- 30 March 2000      The Town received advice from the Minister for Planning regarding an appeal regarding conditions (i), (ii), (iii)(a) and (iii)(b), and (v) of the Planning Approval for the proposed single house granted by the Town on 23 September 1999. The Minister determined to delete conditions (i), (iii)(a) and (iii)(b).
- 26 April 2000      Council granted conditional Planning Approval for the conversion of the existing recreational hall into four grouped dwellings.
- 26 September 2001      The Western Australian Planning Commission (WAPC) conditionally approved an application to subdivide the subject property into two new freehold lots.
-

12 December 2001      The Council at its Special Meeting determined to conditionally approve a three-storey single house proposed on portion of the subject property adjacent to Fitzgerald Street. The proposal also included and approved a parapet on the western boundary. This approval also imposed conditions relating to car parking for the hall which, at the time, was still located on the same lot.

**DETAILS:**

The proposal involves the construction of a three storey contemporary house on the subject vacant lot. Vehicular access for the proposed house is from Mabel Street. The subject site has significant fall to the rear of the lot. When viewed from Mabel Street, the proposed house would visually appear to be two-storey.

The applicant has requested that the Town consider supporting their proposal including the two-storey parapet wall on the western property boundary. They referred to the outcome of a previous appeal to the Minister for Planning regarding conditions of approval granted in 23 September 1999. The Minister determined to delete the condition requiring the western wall being setback 1.2 metres.

**CONSULTATION/ADVERTISING:**

One submission was received during the consultation period. Objections were raised regarding the proposed parapet wall on the western property boundary and request that this wall is setback from the boundary by 1 metre. Concerns were also raised regarding potential overlooking from the deck and requested appropriate screening to protect their privacy in the rear courtyards.

The objector advised that when Council previously considered the application, screening conditions were imposed and the western wall was required to be setback 1.2 metres, and request that these concerns be addressed when this application is considered.

**COMMENTS:**

**Building Scale**

The 'Knutsford' Locality statement states that "*a general height limit of two storeys (including loft) can be considered provided the second storey (including loft) is generally setback a minimum of 6 metres from the street and the amenity of the area is protected in terms of privacy, scale and bulk.*" The Mabel Street elevation is two storeys, changing to 3 storeys as the proposed block slopes down to the south and towards Fitzgerald Street. The partial third storey element of the dwelling is not considered to unduly impact on the amenity or streetscape of the immediate area by virtue of the wide Fitzgerald Street road reserve, the orientation and distribution of different building forms in the immediate vicinity and the relative scale and height of the adjoining recreational facility.

Even though the proposal is effectively three storey due to the slope of the land, the proposal generally complies with the intent of the Town's Policy relating to Building Scale and therefore is supported in this respect.

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### **Boundary Setbacks**

As the proposed house is three-storey, it is recommended that approval be subject to the house being setback a minimum of 6 metres from Mabel Street in accordance with the Towns' Policies relating to the Knutsford Locality and Street Setbacks. However, it is noted that the adjoining recreational facility has a reduced setback of 2.113 on Mabel Street.

In order to address concerns, the owners have advised that they are potentially willing to set the house back to 6 metres in accordance with the Town's Policy relating to the Knutsford Locality.

The objectors' concerns relating to any proposed parapet wall on the western property are noted. However, the Minister for Planning has previously approved a similar wall in this location, and determined that this wall is acceptable in this instance.

In addition, to address neighbours' concerns, the owners have advised that are willing to consider 'flipping' the house so that house is a mirror image. This will result in the shorter parapet wall length adjacent to the neighbouring residential property and help address their concerns relating to loss of sunlight.

### **Carparking**

The location of two car parking bays is not clearly shown on the plans. The revised plans showing a 6 metres setback to Mabel Street, will allow for adequate parking area on site.

In view of the above, it is recommended that the application be approved, subject to standard and appropriate conditions to address the above matters.

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**10.1.15 No. 306 (Lots Y98 - Y100) Charles Street, North Perth - Change of Use from Single House to Single House and Light Industry and Associated Signage**

<b>Ward:</b>	Mount Hawthorn	<b>Date:</b>	29 August 2002
<b>Precinct:</b>	Charles Centre, P7	<b>File Ref:</b>	PRO2109 00/33/1213
<b>Reporting Officer(s):</b>	V Lee		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**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 RECOMMENDS APPROVAL to the Western Australian Planning Commission for the application submitted by the owner T Tran on behalf of the owners T and P Tran, for proposed change of use from single house to single house and light industry and associated signage, at No. 306 (Lots Y98- Y100) Charles Street, North Perth, as shown on plans stamp dated 11 July 2002, subject to:*

- (i) the construction of crossovers shall be in accordance with the Town's specifications;*
- (ii) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (iii) a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the front setback area and the Charles Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) no street trees shall be removed, cut back, pruned or interfered with in any way, without the prior approval of the town's parks services section;*
- (v) all car parking bays shall be dimensioned on the building licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Draft Policy Relating to Parking and Access and Australian Standards AS2890.1;*
- (vi) all signage shall be subject to a separate Sign Licence application being submitted and approved prior to the erection of the signage;*
- (vii) the signage shall not have flashing or intermittent lighting;*
- (viii) detailed plans of site works, including identification of pavement type, drainage and parking shall be submitted with the Building Licence application;*

- (ix) *the car parking area 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;*
- (x) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (xi) *a road and verge security deposit bond and/or bank guarantee of \$220 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 Town's assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (xii) *the light industrial use is to be contained with a maximum of 18 square metres as marked on the approved plans. Any increase in the intensity of this use or change in the approved use shall require another planning application to be submitted to and approved by the Town prior to the first commencement of the use in accordance with Town Planning Scheme No.1 and associated Policies;*
- (xiii) *prior to the issue of a Building Licence or first commencement of the use, whichever occurs first, revised plans shall be submitted and approved demonstrating the provision of three car parking bays and turning area on site, so that vehicles can exit the subject property in forward gear; and*
- (xiv) *all front fences and gates shall comply with the Town's Policy relating to Front Fences and Screen Walls, and full details shall be submitted and approved prior to the erection of such fences and gates;*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER:** T Tran  
**APPLICANT:** T and P Tran  
**ZONING:** Metropolitan Region Scheme - Urban  
Town Planning Scheme No. 1 - Commercial  
**EXISTING LAND USE:** Single House

**COMPLIANCE:**

<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>
Car Parking	2 bays for single house 1 bay for light industry	Not clearly defined on plans
Use Class	Single House, Light Industry	
Use Classification	'P', 'SA'	
Lot Area	1215 square metres	

**SITE HISTORY:**

The existing dwelling is single storey.

As the proposal is along Charles Street, within the Planning Control Area No. 54, the Council's recommendation must be forwarded to the Western Australian Planning Commission for its determination of the proposal.

**DETAILS:**

The proposal involves the utilisation of a room in the existing house for light industrial purposes, specifically for a clothing alterations and repair business and associated signage. The applicant seeks to have an advertising sign on the property, greater than that permitted under a home occupation and therefore has sought a formal change of use.

The applicant has advised that the proposed signage will be attached to the existing verandah (addressing Charles Street) and is 1.4 metres by 0.4 metre in size. It will be constructed from metal and colours will be heritage green and cream.

The applicant has advised that the purpose of the business is to provide a clothing alteration and repair service. It will be run by 2 people. Hours of operation, at this stage, are proposed between 4pm to 8pm daily and 12pm to 8pm on weekends. Equipment used at the business will include fax and telephone, 2 sewing machines, 2 overlockers, 1 button sewer, 1 button hole machine and 1 hemming machine. They anticipate that there will be 2 to 5 customers to the site per day.

**CONSULTATION/ADVERTISING:**

The proposal was subject to 'SA' advertising requirements, with adjoining landowners being contacted by registered mail and a sign being erected on site for a period of three weeks.

Two submissions were received during the consultation period. It was requested that approval be specific to this particular proposal to ensure that other light industrial uses could not commence without further formal consultation and assessment by the adjoining neighbours. It was requested that the number of employees and area in which the business occurs be limited to prevent expansion. It was requested that signage be of high quality and limited to Charles Street and not to the right of way at the rear. It was requested that on site parking be provided for clients to park on site, rather than on the street or near by car parks.

**COMMENTS:**

The proposal generally complies with the intent of the Town's Policy relating to the Charles Centre Precinct in that the proposed use is considered to be compatible with the adjacent residential area. It is recommended that approval be subject to the landscaping of the area in front of the house to improve the streetscape of the area.

In order to address neighbours concerns regarding potential expansion of the light industrial use, it is recommended that the light industrial use be contained within the area as specified on the plans submitted (18 square metres). Therefore, any expansion to the light industrial area or additional signage would be subject to a further application and assessment.

The proposed sign on the Charles Street frontage, generally complies with the Town's Policy relating to Signs and Advertising, and is therefore supported.

To address concerns relating to car parking on site, revised plans should be submitted and approved showing the provision of a minimum of 3 car bays and a turning circle on site, so that clients can leave the subject property in forward gear as Charles Street is a busy road.

Accordingly, it is recommended that the application be approved, subject to standard and appropriate conditions to address the above matters.

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**10.1.16 No. 636-638 (Lot 98) Beaufort Street, Mount Lawley - Proposed Two-Storey Shop and Office and Associated Carparking, Involving Demolition of Existing Storeroom/Carport**

<b>Ward:</b>	North Perth	<b>Date:</b>	2 September 2002
<b>Precinct:</b>	Mount Lawley Centre, P11	<b>File Ref:</b>	PRO1036 00/33/1233
<b>Reporting Officer(s):</b>	V Lee		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provision of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by P Phillips on behalf of the owners Phillips Properties Pty Ltd, for proposed two-storey shop and office and associated car parking, involving partial demolition of existing store room/carport at Nos. 636-638 (Lot 98) Beaufort Street, Mount Lawley, as shown on plans stamp-dated 23 July 2002, subject to:*

- (i) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division.*
- (ii) a road and verge security deposit bond and/or bank guarantee of \$880 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 Town's assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (iii) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (iv) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
  - (a) the proposed awning complying with the Town's Policy relating to the Mount Lawley Centre, including the awning projecting to 0.5 metres of the road kerb and the depth of the fascia to be a maximum depth of 300 millimetres;*
  - (b) the provision of a bin storage area that is not visible from Beaufort Street;*
  - (c) the provision of one unisex shower and change room facility and storage lockers;*
  - (d) a minimum of 10 per cent of the site to be landscaped and/or the installation of street furniture within the portion of the sidewalk contiguous with the subject allotment; and*

- (e) *the provision of one shade tree per every 4 car parking bays within the car parking area.*

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

- (v) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (vi) *prior to the issue of the Building Licence or first occupation of the development, whichever occurs first, the applicant/owner shall pay a cash-in -lieu contribution of \$17 187.35 for the equivalent value of 6.87 car parking spaces, based on the cost of \$2500 per bay as set out in the Town's 2002/2003 Budget;*
- (vii) *a detailed landscaping plan, including a schedule of plant species, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (viii) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (ix) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (x) *prior to the first occupation of the development, four (4) bicycle parking rail(s) shall be provided, with at least two (2) of the rails at a location convenient to the entrance of No. 636-638 Beaufort Street, Mount Lawley. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*
- (xi) *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;*
- (xii) *subject to first obtaining the consent of the owners of Lot 97 and Lot 99 Beaufort Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing Lot 97 and Lot 99 Beaufort Street in a good and clean condition; and*
- (xiii) *prior to the issue of a Building Licence, if required, the written approval of the Minister for Lands or the Western Australian Planning Commission, whichever is appropriate, for the encroachment of the structure(s) over the adjacent Crown land, including roads, shall be obtained and submitted to and approved by the Town;*

*to the satisfaction of the Chief Executive Officer.*

<b>LANDOWNER:</b>	Phillips Properties Pty Ltd
<b>APPLICANT:</b>	P Phillips
<b>ZONING:</b>	Metropolitan Region Scheme - Urban Town Planning Scheme No. 1 - District Centre
<b>EXISTING LAND USE:</b>	Car park and store room/carport

**COMPLIANCE:**

Requirements	Required	Proposed
Landscaping	10 per cent	Approximately 5 per cent
Awning over Beaufort Street	May project to within 0.5 metre of road kerb. Maximum depth of any fascia to a pedestrian awning to be 300 millimetres.	Projects within 0.2 metre of road kerb. Depth of fascia proposed to be 600 millimetres.
Use Class	Shop, Office	
Use Classification	'P', 'P'	
Lot Area	493 square metres	

**Car Parking:**

Car parking requirement (nearest whole number)	19 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> <li>▪ 0.85 (within 400 metres of a bus stop)</li> <li>▪ 0.80 (within 50 metres of one or more public carparks in excess of 50 spaces)</li> <li>▪ 0.9 (within District Centre Zone)</li> </ul>	(0.612)  11.63 car bays
Minus the car parking provided on site.	6 car bays
Minus the most recently approved on site car parking shortfall.	N/A
Resultant shortfall.	5.63 car bays*

\*Refer to comments under "COMMENTS- Car parking"

**SITE HISTORY:**

The site is currently used as a car park with a storeroom/carport at the rear of the property.

**DETAILS:**

The proposal involves the demolition of the existing store room/carport on the property.

The proposal involves the construction of a two-storey building with retail shops on the ground floor and office use upstairs. 6 car parking bays, including one disabled bay, are proposed at the rear of the building with access from a privately owned, unsealed right of way (ROW) at the rear.

**CONSULTATION/ADVERTISING:**

No submissions were received during the consultation period.

**COMMENTS:**

The proposal generally complies with the intent of the Town's Policy relating to the Mount Lawley Centre in terms of appropriate use, height, bulk and scale, and interaction with Beaufort Street.

**Demolition of Store Room**

The store room/car port is not considered to have any historical or social value and therefore its demolition is supported.

### **Car parking**

The Town's Policy relating to Parking and Access, suggests that the Council may determine to accept a cash-in-lieu payment where the resultant shortfall is greater than 0.5 to provide and/or upgrade parking in other car parking areas. This would equate to a payment of \$14 075.

In accordance with the Town's Policy relating to Parking and Access, there is also a requirement for the provision of bicycle parking and end-of-trip facilities such as a male and female shower and lockers. In this instance, the policy requires that two (2) secure bicycle parking facilities are provided for staff, and two (2) low security bicycle parking facilities are provided for shoppers and visitors.

In this instance, the applicant requests a variation to the bicycle parking facility requirements due to the relatively small size of the block and the development. In this instance, it may be considered acceptable that a one shower be provided in the disabled toilet rather than one male and one female. It is acknowledged that the site is relatively small and secure bicycle facilities for staff may take up a large proportion of car parking area. In this instance it may be considered more appropriate for four (4) class 3 (low security) bicycle parking facilities to be provided.

### **Vehicular Access**

When this property was previously used as a car park, it provided informal access to the rear of the adjoining properties. There is a privately owned ROW at the rear of the subject property, and through a legal agreement between some of the adjoining property owners access for these particular properties can be maintained.

### **Awnings**

The proposed awnings over the Beaufort Street footpath does not strictly comply with the Town's Policy relating to the Mount Lawley Centre. It is recommended that approval be subject to revised plans being received and approved prior to the issue of a Building Licence showing the awning ending at least 0.5 metre before the road kerb, and the maximum depth of the fascia being 300 millimetres.

### **Landscaping**

In accordance with the requirements of the Town's Policy relating to the Mount Lawley Centre, it is recommended that revised plans be submitted and approved demonstrating a minimum of 10 per cent of the lot being landscaped, or alternatively public art or street furniture being incorporated into the sidewalk contiguous with the subject allotment, at the discretion of the Town of Vincent.

Currently there is some landscaping proposed at the rear of the building around the car parking area. In accordance with the Town's Policy relating to Parking and Access, one shade tree is to be provided per four car bays. The applicant has advised that they will consider incorporating public art into the building to add visual interest to the streetscape.

### **Provision of Rubbish Bins**

The plans submitted do not show the location of a bin storage area. The Town's Technical Services have advised that it is appropriate for 4 bins to be stored on site, and an appropriate location may be adjacent to the disabled bay, where they will not be visible from Beaufort Street. The rubbish bins will be collected and emptied where the privately owned ROW intersects with the ROW owned by the Town, where the trucks have enough room to manoeuvre.

Accordingly, it is recommended that the application be approved, subject to standard and appropriate conditions to address the above matters.

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**10.1.17 No.38C (Lot 304) (Strata Lot 2) Randell Place, Perth – Proposed Alterations, Additions and Terrace to Existing Grouped Dwelling**

<b>Ward:</b>	North Perth	<b>Date:</b>	2 September 2002
<b>Precinct:</b>	Hyde Park, P12	<b>File Ref:</b>	PRO2112 00/33/1216
<b>Reporting Officer(s):</b>	P Mastrodomenico		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme the Council APPROVES the application submitted by the owner G Giles for proposed alterations, additions and terrace to existing grouped dwelling at, No.38C (Lot 304) (Strata Lot 2) Randell Place, Perth and as shown on the amended plans stamp dated 28 August 2002, subject to:*

- (i) a road and verge security deposit bond and/or bank guarantee of \$550 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 footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (ii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (iii) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the northern elevation of the balcony/terrace shall be screened with a permanent obscure material to a minimum height of 1.4 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; and*
- (iv) compliance with all relevant Environmental Health, Engineering and Building requirements;*

*to the satisfaction of the Chief Executive Officer.*

**LANDOWNER:** G Giles  
**APPLICANT:** G Giles  
**ZONING:** Metropolitan Region Scheme: Urban  
Town Planning Scheme No.1: Residential R80  
**EXISTING LAND USE:** Two Grouped Dwellings

**COMPLIANCE:**

Use Class	Grouped dwelling
Use Classification	"P"
Lot Area	349 square metres

<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>
Screening on Eastern Elevation of balcony/terrace	Balcony to be screened with a permanent obscure material to a minimum height of 1.4 metres above the finished floor level.	Balcony to be screened with a permanent obscure material to a minimum height of 1.0 metre above the finished floor level with 0.4 metre high of openable louvres above.

**SITE HISTORY:**

The subject site is occupied by a two, two storey grouped dwelling. A dedicated/serviced right of way (ROW) runs along the front eastern boundary of the site. An application for a similar terrace proposal together with alterations and additions to the existing grouped dwelling was conditionally approved under delegated authority on 7 August 2002. The applicant is seeking a reconsideration of the following condition of approval:

*"(iii) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the balcony shall be screened with a permanent obscure material to a minimum height of 1.4 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; and"*

**CONSULTATION/ADVERTISING:**

This application was not required to be advertised as an application for a similar terrace/balcony proposal, together with alterations and additions to the existing grouped dwelling, was determined within the past 12 months

No objections were received during the advertising period of the previous proposal.

**DETAILS:**

Approval is sought for alterations, additions and terrace to an existing grouped dwelling.

**COMMENTS:**

The applicant has requested that the balcony/terrace be screened with a permanent obscure material to a minimum height of 1.0 metre above the finished floor level with 0.4 metre high of openable louvres above. The applicant has stated that openable louvres will allow adjacent trees to be viewed from a sitting position without compromising the objectives of the Towns Policy with regards to privacy.

The proposed balcony has a proposed front boundary setback of 4.5 metres. The Town's Policy relating to Privacy provides for a setback of 6 metres from the common boundary. However, a further detailed site inspection of the property has revealed that there is no potential for unreasonable overlooking to the adjacent property and no objections to the proposed development have been received. Accordingly, the proposal with the 1.0 metre high screening 0.4 metre high of openable louvres above, on the eastern elevation of the balcony/terrace is considered acceptable in this instance.

The proposal is supportable as is not considered to unreasonably adversely affect the amenity of the adjacent properties. Accordingly, it is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters.

**10.1.18 Nos. 313-315 (Lots 1 and 2) Oxford Street, Leederville - Proposed Demolition of Two (2) Existing Single Houses and Construction of Four (4) Two-Storey Grouped Dwellings and Four (4) Multiple Dwellings**

<b>Ward:</b>	Mount Hawthorn	<b>Date:</b>	29 August 2002
<b>Precinct:</b>	Leederville, P3	<b>File Ref:</b>	PRO 2111 00/33/1214
<b>Reporting Officer(s):</b>	B Mirco		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That;*

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Hillam Architects on behalf of the owners Filton Pty Ltd for the proposed demolition of the existing two single houses on Nos.313-315 (Lots 1 and 2) Oxford Street, Leederville, and as shown on the plans stamp-dated 12 July 2002, subject to:*
- (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) *a development proposal for the redevelopment of the subject property shall be submitted and approved prior to the issue of a Demolition Licence;*
  - (d) *support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
  - (e) *demolition of the existing dwelling may make the property ineligible for any bonuses under the provisions of the Town of Vincent Town Planning Scheme No.1 and associated Policies for the retention of existing dwellings valued by the community;*
  - (f) *any redevelopment on the site should use the adjacent right of way for motor vehicle access where possible and be sympathetic to the scale and rhythm of the streetscape in line with the Town of Vincent Town Planning Scheme No.1 and associated Policies; and*
  - (g) *compliance with all relevant Environment Health, Engineering and Building requirements; and*

(ii) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme and having regard to the matters it is required to consider generally, and in particular:*

- (a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (b) *the non-compliance with the density, setbacks, plot ratio and courtyard/private open space requirements of the Residential Planning Codes (R-Codes); and*
- (c) *consideration of the objections received;*

*the Council REFUSES the application stamp dated 12 July 2002 submitted by Hillam Architects on behalf of the owners Filton Pty Ltd, for the construction of four(4) two-storey grouped dwellings and four (4) multiple dwellings at Nos. 313-315 (Lots 1 and 2) Oxford Street, Leederville.*

**LANDOWNER(S):** Filton Pty Ltd  
**APPLICANT(S):** Hillam Architects  
**ZONING:** Metropolitan Region Scheme - Urban  
 Town Planning Scheme No. 1 - Residential R60  
**EXISTING LAND USE:** Two single houses

**COMPLIANCE:**

<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>
Oxford Street Setback	6 metres	4.5 metres
Northern side		
- ground floor (Unit 1)	1.5 metres	nil
- first floor (Unit 1)	1.8 metres	nil
- ground floor (Unit 5)	1.5 metres	1.256 metres
- first floor (Unit 5)	2.0 metres	1.265 metres
- basement	1.5 metres	nil
Southern side		
- ground floor (Unit 4)	1.8 metres	nil
- first floor (Unit 4)	2.0 metres	1.265 metres
- ground floor (Unit 8)	1.5 metres	nil
- first floor (Unit 8)	2.0 metres	1.256 metres
- basement	1.5 metres	nil
Plot Ratio (max)	0.55	0.88
Courtyard Area for Grouped Dwellings	24 square metres with minimum dimension 4 metres per dwelling	Units 2 and 3 minimum dimension 3.5 metres
Density	7 grouped or multiple dwellings at 166.67 square metres of lot area per dwelling	8 dwellings proposed
Use Class	Grouped dwellings and multiple dwellings	
Use Classification	'P'	
Land Area	1264 square metres	

### **SITE HISTORY:**

The site currently consists of two single storey single houses.

### **DETAILS:**

The proposal involves the demolition of two (2) existing single houses and construction of eight (8) two storey grouped dwellings.

The applicant has submitted the following:

*"The new development will have a positive effect on the context. All vehicular access to the development is from the rear right of way, benefiting the streetscape which has a pedestrian feel.*

*The proposal seeks minor concessions with respect to setbacks. The development benefits from the undercroft garage, which allows all of the units to have generous front and rear yard/open space.*

*The zoning allows for the construction of 7.8 dwellings. I attach sections of a report for a project in Bulwer Street, which indicates Council is able to exercise discretion in respect to density. The perception of density in this project, in fact would be less than a project of say only seven dwellings, which had parking "at grade". The fact that all of the parking is accessed from the rear, and is in an undercroft means that significant sections of the site are not dedicated to driveways and garages. We request that Council exercises some discretion in respect to density, as the concession is minor in comparison to the benefits provided by the development configuration."*

### **CONSULTATION/ADVERTISING:**

Twelve objections were received during the consultation period. Concerns including those relating to a reduction to parking, three storey nature, height, bulk, scale, loss of views, loss of privacy and noise.

### **COMMENTS:**

#### **Demolition**

Heritage assessments of both places are contained in Appendix 10.1.18.

The heritage assessments of the two dwellings on the site were undertaken by Considine and Griffiths Architects on behalf of the applicant. The heritage assessments contain very little historical evidence and as such, the assessments are based primarily on the physical fabric and setting of the two dwellings. The following historical research has subsequently been undertaken by the Town to fulfil this part of the assessment process.

The two dwellings are situated on Lots 1 and 2 of Perthshire Location Ac. Perthshire Location Ac was one of the land grants that was taken up by William Leeder during the early years of the colony. Perthshire Location Ac and the other four land grants that made up the Leeder Estate were sold during the prosperous years of the Gold Rush to make way for suburban development. In 1892, three subdivisions were opened in the area that was aptly named 'Leederville'. The No.3 Leederville subdivision of Locations 1, Ay and Ac offered large garden lots of around two acres to ten acres between Bourke Street and Anzac Road.

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As the population of Perth continued to increase, the large garden lots of Leederville were further subdivided into smaller suburban lots. Lot 16 fronting Oxford Street, which was owned by butcher, William Allen and clerk, Albert Henry Allen was subdivided in 1921 and Lots 1 and 2 that are the subject of this assessment were subsequently created. In 1925, Lot 1 was purchased by Alexander Bruce Campbell and Lots 2 and 3 were purchased by Charles Worthy Johnson. The two dwellings were constructed on the lots soon after this. No links of historical importance have been made with either of the places.

Considine and Griffiths Architects determined through their assessment that the two places are representative of Inter-War California and Inter-war Functionalist style bungalows. In all other respects, the places are not rare and exhibit little cultural heritage value. The two dwellings are flanked on both sides by post 1970s two-storey medium density developments. Although being generally representative of their era, the places are not exemplars of their type and furthermore, their original context and setting has been significantly eroded by the surrounding medium density developments. As such, it is considered that the places are not of sufficient value to warrant their retention and inclusion on the Town's Municipal Heritage Inventory.

In light of the above, it is recommended that the proposal to demolish the two dwellings be approved, subject to standard conditions.

### **Development**

#### **Density**

The Residential Planning Codes (R-Codes) for an R60 density require 166.67 square metres per strata lot - grouped and multiple dwelling. The current land area is 69.33 square metres short of meeting these requirements and as such the proposal is considered to be an overdevelopment of the site.

#### **Plot Ratio**

The proposed plot ratio is not supported due to non-compliance with R-Codes requirements and the unreasonable impact on the amenity and streetscape of the area.

#### **Side Setbacks**

The variations to the northern and southern side setbacks are not considered supportable due to the unreasonable adverse impact on adjacent properties, especially due to the height of the proposed retaining and nil setback walls.

#### **Overall Development**

The proposed development involves a significant number and extent of non-compliances with the relevant development requirements under the Residential Planning Codes, which results in a development that will unreasonably adversely affect the streetscape and amenity of the area.

Accordingly, it is recommended that the proposed grouped and multiple dwelling development be refused for the reasons outlined above.

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**10.1.19 No. 501 (Lot 155) Fitzgerald Street, Corner of Sholl Lane, North Perth – Unauthorised Demolition Work and Neglected Building**

<b>Ward:</b>	Mount Hawthorn	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	Smiths Lake, P 9	<b>File Ref:</b>	PRO1432
<b>Reporting Officer(s):</b>	G Snelling		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *resolves to form the opinion that the building at No.501 (Lot 155) Fitzgerald Street, corner of Sholl Lane, North Perth, is a “neglected building” as defined in Division 12, Section 407 of the Local Government (Miscellaneous Provisions) Act 1960;*
- (ii) *authorises the Chief Executive Officer to serve notice on the owners of the building, pursuant to Section 408 of the Local Government (Miscellaneous Provisions) Act 1960, requiring the building to be put into such state of repair and good condition suitable for habitable use and occupation to the satisfaction of the Town;*
- (iii) *authorises the Chief Executive Officer to serve notice on the owners of the building, pursuant to Section 409 of the Local Government (Miscellaneous Provisions) Act 1960, requiring the appearance of the building to be brought into conformity with the general standard of appearance of the buildings either in the district or the locality, to the satisfaction of the Town;*
- (iv) *authorises the Chief Executive Officer to initiate legal proceedings in accordance with the provisions of Sections 408 and 409 of the Local Government (Miscellaneous Provisions) Act 1960, should the requisitions of the Notices referred to in (ii) and (iii) above not be complied with, within the time stipulated in the Notices or appeal determination; and*
- (v) *authorises the Chief Executive Officer to initiate legal proceedings in accordance with the provisions of Section 374A of the Local Government (Miscellaneous Provisions) Act 1960, for failing to obtain a Demolition Licence prior to carrying out the demolition work.*

**LANDOWNER:** C. Cafarelli and S. Thomson  
**ZONING:** Metropolitan Region Scheme - Urban  
Town Planning Scheme No.1 – Residential R60  
**EXISTING LAND USE:** Two (2) single houses

**SITE HISTORY:**

A chronology of events of the Town's previous actions in relation to No.501 (Lot 155) Fitzgerald Street, North Perth, is outlined in the Appendix to the report.

**BACKGROUND:**

The Town is requested to deem the single storey (dwelling) building at No.501 (Lot 155) Fitzgerald Street, North Perth, as a “*neglected building*” as defined in Division 12, Section 407 of the Local Government (Miscellaneous Provisions) Act 1960 (the Act), and authorise Notices to be served on the property owners requiring the building to be put into such state of repair and good condition suitable for habitable accommodation, and to cause the appearance of the building to be brought into conformity with the general standard of appearance of other buildings in the locality, to the satisfaction of the Town. In the event that the Notice is not complied with, it is recommended that the Town authorise the Chief Executive Officer to commence legal proceedings in accordance with the following provisions of the Act:

The Local Government (Miscellaneous Provisions) Act 1960, Section 408 states:

*“Where a Local Government is of the opinion that a building in its district is a neglected building it may cause written notice to be served on the owner or occupier of the building requiring him immediately -*

- (a) *to put the building or part into such state of repair and good condition as is to the satisfaction of the Local Government.”*

Additionally, the Local Government (Miscellaneous Provisions) Act 1960, Section 409 states:

*“Where the Local Government is of opinion that a building in its district is so dilapidated in appearance as to be out of conformity with the general standard of appearance of the other buildings in the district or in the locality in which it is situated, it may cause written notice to be served on the owner or occupier of the building requiring him immediately to cause the appearance of the building to be brought into conformity with the general standard of appearance of the buildings either in the district or that locality.”*

The Town's Solicitors advise that to satisfy Sections 408 and 409 of the Act, the Town must form an opinion on reasonable grounds, that the building is neglected and dilapidated as to be unfit for use or occupation.

If it is deemed that the building is neglected and dilapidated, the Town could then take the appropriate action under the provisions of Sections 408 and 409 of the Act. Sections 408 and 409 outlines the procedure relating to the service of Notices and includes the owner's right of appeal. Should the requisitions of the Notices not be complied with, and if the matters are not the subject of an appeal, then the Town may apply to the Court of Petty Sessions seeking an order to put the building or part into such state of repair, appearance and good condition as is to the satisfaction of the Local Government.

**DETAILS:**

Concerns have been raised by adjoining property owners regarding the condition of the partly demolished building on the subject property. The single storey building consists of a timber floor frame, brick walls and a partly demolished timber roof frame.

A recent inspection of the property by officers from the Town's Planning and Building Services, revealed that the subject building roof cladding, ceilings, and some internal doors and architraves, and most internal fixtures and fittings have been removed.

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The Town's letter dated 12 February 2002, was sent to the property owners requesting written confirmation of the current status of the property and that it was prepared to remove the stop work notice only after the owners have submitted a works program, which details the proposed extent, nature and timetable of works, and the program is approved by the Town. To date no response has been received from the owners.

The subject building was listed on the Town's Municipal Heritage Inventory on 20 June 2000.

**LEGAL IMPLICATIONS:**

Under delegated authority the Town served a Stop Work Notice under Section 401A of the Local Government (Miscellaneous Provisions) Act 1960, in respect of "the demolition works" which have been carried out without the permission of the Town as required under Sections 374 (1) and 374A (1) of the *Local Government (Miscellaneous Provisions) Act 1960* ("the Act") and Clause 32 of the Towns Town Planning Scheme No.1, in respect of the subject building at No.501 (Lot 155) Fitzgerald Street, North Perth.

In light of further deterioration and possible vandal damage to the subject building, the Town is now requested to deem the building as a "*neglected building*" as defined in Division 12, Section 407 of the Local Government (Miscellaneous Provisions) Act 1960, and to expedite this matter by authorising the Chief Executive Officer to serve Notice on the owners of the building, pursuant to Section 408 of the Local Government (Miscellaneous Provisions) Act 1960, requiring the building to be put into such state of repair and good condition suitable for habitable use and occupation to the satisfaction of the Town. Also, by authorising the Chief Executive Officer to serve Notice on the owners of the building, pursuant to Section 409 of the Local Government (Miscellaneous Provisions) Act 1960, requiring the appearance of the building to be brought into conformity with the general standard of appearance of the buildings in the locality, to the satisfaction of the Town. Furthermore, by authorising the Chief Executive Officer to initiate legal proceedings in accordance with the provisions of Sections 408 and 409 of the Act, should the requisitions of the Notices referred to above, not be complied with within the time stipulated in the Notice or appeal determination.

Additionally, authorise the Chief Executive Officer to initiate legal proceedings in accordance with the provisions of Section 374A of the Local Government (Miscellaneous Provisions) Act, for failing to obtain a Demolition Licence prior to carrying out the demolition work.

Should the Town be required to undertake the work to be done in order to comply with the Section 408 Notice, expenses may be recovered from the owners, under Division 13, Section 410A of the Act, and should the Town be required to undertake the work to be done in order to comply with the Section 409 Notice, expenses may be recovered from the sale of the building, under Section 409 of the Act.

The Town's Solicitors advise that "*we believe the Town could pursue a prosecution against the owners of the building under either (or both) of sections 408 and 374A of the Act with reasonable prospects of success. However, each section raises separate issues which the Town ought to consider before making any decision. It is also our view that a prosecution under section 409 of the Act may be appropriate.*"

**COMMENTS:**

A recent inspection of the property by officers from the Town's Planning and Building Services, revealed that the subject building in its present state is considered to be unsightly and dilapidated as to be unfit for habitable occupation. Possible vandalism may result in further deterioration of the building, and the building may remain indefinitely in a state, which is prejudicial to surrounding properties. Therefore, the subject building is considered to be neglected as it is dilapidated as to be unfit for use or occupation, as defined in section 407 of the Act. However, the subject building is not considered to be dangerous.

It would appear that the structural components of the subject building are in a reasonable order, and the building could be restored to a standard suitable for occupation. Rectification works are required on the flooring, roof frame and installing a new roof cladding, before any further deterioration of the building occurs. Other rectification works required would include, but not be limited to, reglazing all broken windows, repairing and replacing internal ceilings, wall plaster, internal doors, architraves, and internal fixtures and fittings, and generally restoring the building to its original heritage status.

The owners have not demonstrated a willingness to adequately repair the building and appear to be reluctant to provide the Town with advice as to their future intentions. Therefore, it is recommended that it would be appropriate for the Town to declare the building a "*neglected building*" and is so dilapidated in appearance as to be out of conformity with the general standard of appearance of the other buildings in the locality in which it is situated.

It is further recommended to authorise the Chief Executive Officer to initiate legal proceedings against the owners of the building under sections 408,409 and 374A of the Local Government (Miscellaneous Provisions) Act 1960.

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**10.1.20 Finalisation of Town of Vincent Town Planning Scheme No. 1 – Amendment No. 16: Rezoning portion of Lot Y246, Part Lot Y246 and Y247 (Proposed Lot 1) Palmerston Street, corner Stuart Street, Perth from “Residential R80” to “Town of Vincent Scheme Reserve Parks and Recreation”**

<b>Ward:</b>	North Perth	<b>Date:</b>	2 September 2002
<b>Precinct:</b>	Hyde Park, P12	<b>File Ref:</b>	PLA0131
<b>Reporting Officer(s):</b>	G McLeod-Thorpe		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *resolves pursuant to Town Planning Regulation 17(1), to receive the four submissions of no objection and further resolve pursuant to Town Planning Regulation 17(2), that Amendment No. 16 to the Town of Vincent Town Planning Scheme No. 1 be adopted for final approval, without modification;*
- (ii) *authorises the Mayor and Chief Executive Officer to execute and affix the Town of Vincent common seal to Amendment No. 16 to the Town of Vincent Town Planning Scheme No. 1 documents reflecting the Council’s endorsement of final approval;*
- (iii) *advises the Hon. Minister for Planning and Infrastructure, Western Australian Planning Commission (WAPC), Environmental Protection Authority, and those who made submissions of (i) above, and*
- (iv) *forwards the relevant executed documents to and requests the Hon. Minister for Planning and Infrastructure and WAPC to adopt for final approval and Gazettal, without modification, Amendment No. 16 to the Town of Vincent Town Planning Scheme No. 1.*

**APPLICANT:** Town of Vincent  
**ZONING:** Metropolitan Region Scheme: Urban  
Town of Vincent Town Planning Scheme No.1:  
“Residential R80”

**SITE HISTORY:**

- 9 April 2002 At its Ordinary Meeting the Council resolved to initiate Scheme Amendment No.16.
- 27 May 2002 The Western Australian Planning Commission (WAPC) and the Environmental Protection Authority (EPA) were advised of the resolution to initiate Amendment No. 16.
- 10 June 2002 Correspondence received from the EPA stating that the proposed Amendment does not require an environmental assessment.

- 18 June 2002 Correspondence received from the WAPC stating that the Commission's approval to grant consent for the Amendment to be advertised was not required.
- 2 July 2002 Affected Servicing Authorities, Government Authorities, Local Authorities and Precinct Groups sent notice of the Amendment.
- 2 & 3 July 2002 Amendment advertised in the 'Guardian Express' and 'West Australian' newspapers respectively.
- 13 August 2002 Advertising period completed. Four submissions lodged with the Town.

**DETAILS:**

The purpose of the proposed Scheme Amendment is to satisfy the requirements of the Western Australian Planning Commission (WAPC) in relation to the proposed subdivision of the adjoining site. Conditional approval for the subdivision was granted by the WAPC on 23 October 2001.

In a letter dated 16 November 2001, the Town requested that the WAPC reconsider one of the subdivision conditions, and allow the proposed public open space land to remain under the ownership of the Town, and not be vested in the Crown. The request was made in order that the Town could have full control over the proposed public open space land to ensure the Town's implementation of the Robertson Park Improvement Conceptual Plan. The WAPC responded to the request in a letter dated 20 March 2002 and advised as follows:

*"the Commission is prepared to accept the proposed public open space being held in freehold subject to Council initiating an amendment to reserve the land 'Parks and Recreation'. The Commission has noted the Town's intention to reserve the land "Parks and Recreation-Restricted", however (the Commission) believes that the 'restricted' status would be inappropriate as it implies a limitation on public access"*

Hence, the requirement for an amendment to Town Planning Scheme No.1. The Scheme Amendment plan is included as Appendix 10.1.20 (b) to this report.

**CONSULTATION/ADVERTISING:**

The advertising period commenced on 3 July 2002 and concluded on 13 August 2002. The advertising included an advertisement circulating once in a state newspaper and local newspaper. At the completion of the advertising period, four submissions were received. The schedule of submissions received is included as Appendix 10.1.20 (a) to this report.

**COMMENTS:**

The four submissions received were of no objection. Given this, it is recommended that the Council seeks final approval of Amendment No. 16 to Town Planning Scheme No. 1, without modification.

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**10.1.21 Finalisation of Town of Vincent Town Planning Scheme No.1 - Amendment No.8: Include in Schedule 3 an Additional Use Being the Use of No.181 (Lot 8) Carr Place, Leederville for Vehicle Storage Associated with the Use of Portion of Adjoining No.622 (Lot 1) Newcastle Street, Leederville for Motor Body Repairing**

<b>Ward:</b>	North Perth	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	Oxford Centre, P4	<b>File Ref:</b>	PRO0772; PRO0120
<b>Reporting Officer(s):</b>	H Coulter		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *resolves pursuant to Town Planning Regulation 17(1), to RECEIVE the forty (40) submissions of objection and one (1) submission of support, and further resolve pursuant to Town Planning Regulation 17(2), that Amendment No. 8 to the Town of Vincent Town Planning Scheme No. 1 be ADOPTED for final approval, and modified as follows:*
  - (a) *the Additional Use at No.181 (Lot 8) Carr Place, Leederville for motor vehicle storage yard associated with the use of portion of No.622 (Lot 1) Newcastle Street, Leederville for motor body repairs shall cease permanently as from 1 January 2005;*
  - (b) *subject to (a) above, in the event the portion of No.622 (Lot 1) Newcastle Street approved for use as motor body repairing ceases for a period of not less than six (6) months, the use of No.181 (Lot 8) Carr Place for motor vehicle storage shall cease permanently and any subsequent uses of the site shall be in accordance with the zoning of the property;*
  - (c) *as a result of (a) or (b) as above, whichever occurs first, the Additional Use listed in Schedule 3 of the Town Planning Scheme No.1 will no longer have effect and the appropriate steps to remove the Additional Use from Schedule 3 will be facilitated in due course;*
  - (d) *the Additional Use at No.181 (Lot 8) Carr Place, Leederville for motor vehicle storage yard associated with the use of portion of No.622 (Lot 1) Newcastle Street, Leederville for motor body repairs may operate subject to (a) and (b) above, in accordance with the following conditions:*
    - (i) *no panel beating, spray painting or chassis reshaping being undertaken on No.181 (Lot 8) Carr Place;*
    - (ii) *no dismantling of vehicles shall be undertaken on No.181 (Lot 8) Carr Place Carr Place;*

- (iii) *a designated area of 10 square metres of No.181 (Lot 8) Carr Place, located on the western side of the lot, as close as practicable to the boundary of No.622 (Lot 1) Newcastle Street may be used for the storage of wrecked or new vehicle parts;*
  - (iv) *a maximum of one vehicle movement per day is permitted from Carr Place to the lot;*
  - (v) *the trading/operational hours of the motor vehicle storage yard on No.181 (Lot 8) Carr Place being restricted to 8.00am and 6.00 pm Monday to Friday and 8.00 am to 1.00 pm Saturday. Trading on Sundays and public holidays is not permitted. The depositing of vehicles on the subject land outside of these times will not be permitted;*
  - (vi) *lights used to illuminate any areas of the site for security or any other reason should be angled or shaded in such a manner so that the light does not directly illuminate adjacent residential properties. Lighting of the premises shall be designed to prevent any light overspill;*
  - (vii) *the main accessway and parking area for No.181 (Lot 8) Carr Place shall be sealed or brick paved and swept regularly to prevent any accumulation of dust. Sprinklers should be used during dry weather to dampen any unsealed areas;*
  - (viii) *air compressors associated with the use on No.622 (Lot 1) Newcastle Street and located adjacent or on the subject land shall be housed in an effective noise enclosure and sufficient ventilation shall be provided to allow heat to dissipate from the unit;*
  - (ix) *a regular pest control program to be developed and maintained, In particular, the property at No.181 (Lot 8) Carr Place should be routinely treated for rodents at least every 12 months;*
  - (x) *trade waste materials associated with the use of No.622 (Lot 1) Newcastle Street shall not be stored on the subject land at No.181 (Lot 8) Carr Place;*
  - (xi) *compliance with the Health Act 1911, Town of Vincent Health Local Laws 1997, Occupational Health, Safety and Welfare Act/Regulations, the conditions of Worksafe and the Environmental Protection Act and Regulations;*
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- (xii) *a detailed landscaping plan, including a schedule of plant species, the planting of mature trees, capable of providing screening, to a minimum height of 2.5 metres along the Carr Street frontage of the lot and the landscaping and reticulation of the Carr Place verge adjacent to the subject property, shall be submitted to the Town of Vincent within four (4) weeks of the Western Australian Planning Commission making a recommendation to the Minister for Planning and Infrastructure for final determination of Amendment No.8 to the Town of Vincent Town Planning Scheme No.1. All such works shall be undertaken within three (3) months of the final determination recommendation being made by the Western Australian Planning Commission and thereafter maintained to the satisfaction of the Town of Vincent at the landowners/occupiers expense;*
- (xiii) *an application proposing new fencing in accordance with the Council's Policy relating to Street Walls and Fences to the Carr Street frontage of No.181 (Lot 8) Carr Place, Leederville shall be submitted to the Town within four (4) weeks of the Western Australian Planning Commission making a recommendation to the Minister for Planning and Infrastructure for final determination of Amendment No.8 to the Town of Vincent Town Planning Scheme No.1; and*
- (xiv) *construction of the fencing approved above shall be constructed within three (3) months from the date of Planning Approval being issued;*
- (ii) ***AUTHORISES the Mayor and Chief Executive Officer to execute and affix the Town of Vincent common seal to Amendment No. 8 to the Town of Vincent Town Planning Scheme No. 1 documents reflecting the Council's endorsement of final approval with modifications;***
- (iii) ***ADVISES the Hon. Minister for Planning and Infrastructure, Western Australian Planning Commission (WAPC), Environmental Protection Authority, and those who made submissions of (i) above; and***
- (iv) ***forwards the relevant and executed documents to and requests the Hon. Minister for Planning and Infrastructure and WAPC TO ADOPT FOR FINAL APPROVAL AND GAZETTAL, with the above modifications, Amendment No. 8 to the Town of Vincent Town Planning Scheme No. 1.***

**APPLICANT:** Town of Vincent  
**ZONING:** Metropolitan Region Scheme: Urban Town of Vincent  
Town Planning Scheme No.1: "Residential R80"

**SITE HISTORY AND BACKGROUND:**

The site comprises two lots. The rear of No.622 (Lot 1) Newcastle Street, Leederville is occupied by Norm Green Panelbeaters who have been established on the site for a number of years. To the rear of the portion of factory building used by the panelbeaters is Lot 8, No.181 Carr Place which is used as a car wrecking yard. Carr Place is characterised as residential, whereas Newcastle Street is predominantly commercial with some general industry.

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The site history relevant to this application is as follows:

1902	Two room cottage approved.
1927	Three room house approved.
1946	Brick garage approved.
1964	'Norm Green Panelbeaters' established on Lot 1 (No. 622) Newcastle Street and Lot 8 (No. 181) Carr Place.
1 May 1967	Building Licence issued for various buildings on Lot 1 Newcastle Street, Leederville.
1996/1997	'Norm Green Panelbeaters' purchased from the original owner by the current owner.
2 December 1998	Letter of complaint received in relation to the use of the premises within a residential zone. The complainant alleges "it affects the amenity of the area".
3 February 1999	Reply to complainant detailing current status and history of the site.
9 June 1999	Letter sent to owner G Stavros requesting proof of lawful approval and request to submit a planning application within 21 days.
15 August 2000	Letter of complaint received.
25 September 2000	Letter sent to complainant stating that the matter requires further investigation and has been passed to the Planning and Building Services for action.
29 September 2000	Letter sent to the complainant explaining that a search of the Town's records would be conducted to determine whether the car wrecking yard use had approval and that if the use was unauthorised, the matter would be referred to the Council for consideration of further action to be taken.
21 November 2000	The Council at its Ordinary Meeting resolved to acknowledge the existing use of the building/site for a Car Wreckers Yard at No.181 (Lot 8) Carr Place, Leederville as being a non-conforming use in accordance with the Town of Vincent Town Planning Scheme No.1 and may lawfully continue to operate.
27 February 2001	Mr Louis Zampogna wrote to the Minister for Planning and Infrastructure alleging that with regard to the subject property, 'Council voted in favour of continuing non-conforming use on a residential zone. ....it appears to be in breach of the Town Planning Scheme. To be non-conforming the land had to be conforming prior to the scheme coming into operation.'

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- 26 March 2001            The Acting Director of the Minister for Planning and Infrastructure's Planning Appeals Office advised the Town that an Inquiry under Section 18 (2) of the Town Planning and Development Act 1928 had been established following Mr Zampogna's letter and requested a response to the Appellants' comments.
- 3 May 2001             The Town responded to the Acting Director of the Minister for Planning and Infrastructure's Planning Appeals Office's request.
- 24 July 2001           The Acting Director of the Minister for Planning and Infrastructure's Planning Appeals Office advised the Town that, following an investigation of the subject matter, a report and recommendation has been formulated and prior to the Minister's consideration of the matter, further submissions may be made by both parties.
- 24 July 2001           The Council at its Ordinary Meeting accepted the recommendation of the Town Planning Appeal Committee Member to the Minister for Planning and Infrastructure in relation to the Section 18 (2) of the Town Planning and Development Act Inquiry into the acknowledgment of a non-conforming use at No.181 (Lot 8) Carr Place, Leederville.
- The recommendation resolved to advise the Hon. Minister:
- (i)     *that the Town of Vincent has failed to enforce effectively the observance of its Scheme by allowing an unauthorised existing "X" use to continue in a Residential zone;*
  - (ii)    *to find that the Town of Vincent be required to enforce the observance of the Scheme;*
  - (iii)   *to inform the Town of Vincent that a suitable solution is via an additional use listed in Schedule 3. The listing should very specifically describe the use and contain appropriate conditions dealing with matters such as (but not restricted to) expiry of the additional use after a period of discontinuation, hours of operation, limited or no vehicle access to Carr Place, health issues and visual appearance from Carr Place."*
- 4 December 2001       The Council at its Ordinary Meeting initiated proposed Amendment No.8 to the Town Planning Scheme to include in Schedule 3 an Additional Use being the use of No.181 (Lot 8) Carr Place, Leederville for vehicle storage associated with the use of portion of adjoining No.622 (Lot 1) Newcastle Street, Leederville for motor body repairing.
- 16 January 2002        The Town advised the Environmental Protection Authority of the above Council resolution.
- 23 January 2002        The Town advised the Western Australian Planning Commission (WAPC) of the above Council resolution.
- 30 January 2002        The WAPC acknowledged the Town's letter.
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- 4 February 2002            The Environmental Protection Authority advised that *'the overall environmental impact of its implementation would not be severe enough to warrant assessment under Part IV of the Environmental Protection Act'*.
- 17 June 2002            The WAPC advised the Town that consent to advertise the proposed Amendment No.8 had been given.
- 8 May 2002              The Town advised the owner of the subject property of on-going complaints relating to noise, the general appearance of the property, dust, chemical storage and stormwater disposal.

**DETAILS:**

The purpose of the proposed Scheme Amendment is to satisfy the Minister for Planning and Infrastructure's order that the *'Town of Vincent initiate the necessary amendment to its Town Planning Scheme to achieve the listing in Schedule 3 within three months of this advice of my findings'*.

The amendment to Town Planning Scheme No.1 proposes to include in Schedule 3 an Additional Use being the use of No.181 (Lot 8) Carr Place, Leederville for vehicle storage associated with the use of a portion of adjoining No.622 (Lot 1) Newcastle Street, Leederville, for motor body repairing subject to the following conditions:

- (a) in the event the portion of No.622 (Lot 1) Newcastle Street approved for use as motor body repairing ceases for a period of not less than six (6) months, the use of No.181 (Lot 8) Carr Place for motor vehicle storage shall cease permanently and any subsequent uses of the site shall be accordance with the zoning of the property;
- (b) as a result of (a) above, the Additional Use listed in Schedule 3 of the Town Planning Scheme No.1 will no longer have effect and the appropriate steps to remove the Additional Use from Schedule 3 will be facilitated in due course;
- (c) the Additional Use at No.181 (Lot 8) Carr Place, Leederville for motor vehicle storage yard associated with the use of portion of No.622 (Lot 1) Newcastle Street, Leederville for motor body repairs may continue to operate indefinitely subject to (a) above, and the following conditions:
  - (i) no panel beating, spray painting or chassis reshaping being undertaken on No.181 (Lot 8) Carr Place;
  - (ii) no dismantling of vehicles shall be undertaken on No.181 (Lot 8) Carr Place Carr Place;
  - (iii) a designated area of 10 square metres of No.181 (Lot 8) Carr Place, located on the western side of the lot, as close as practicable to the boundary of No.622 (Lot 1) Newcastle Street may be used for the storage of wrecked or new vehicle parts;
  - (iv) a maximum of one vehicle movement per day is permitted from Carr Place to the lot;

- (v) the trading/operational hours of the motor vehicle storage yard on No.181 (Lot 8) Carr Place being restricted to 8.00am and 6.00 pm Monday to Friday and 8.00 am to 1.00 pm Saturday. Trading on Sundays and public holidays is not permitted. The depositing of vehicles on the subject land outside of these times will not be permitted;
  - (vi) lights used to illuminate any areas of the site for security or any other reason should be angled or shaded in such a manner so that the light does not directly illuminate adjacent residential properties. Lighting of the premises shall be designed to prevent any light overspill;
  - (vii) the main accessway and parking area for No.181 (Lot 8) Carr Place shall be sealed or brick paved and swept regularly to prevent any accumulation of dust. Sprinklers should be used during dry weather to dampen any unsealed areas;
  - (viii) air compressors associated with the use on No.622 (Lot 1) Newcastle Street and located adjacent or on the subject land shall be housed in an effective noise enclosure and sufficient ventilation shall be provided to allow heat to dissipate from the unit;
  - (ix) a regular pest control program to be developed and maintained, In particular the property at No.181 (Lot 8) Carr Place should be routinely treated for rodents at least every 12 months;
  - (x) trade waste materials associated with the use of No.622 (Lot 1) Newcastle Street shall not be stored on the subject land at No.181 (Lot 8) Carr Place;
  - (xi) compliance with the Health Act 1911. Town of Vincent Health Local Laws 1997, Occupational Health, Safety and Welfare Act/Regulations, the conditions of Worksafe and the Environmental Protection Act and Regulations;
  - (xii) a detailed landscaping plan, including a schedule of plant species, the planting of mature trees, capable of providing screening, to a minimum height of 2.5 metres along the Carr Street frontage of the lot and the landscaping and reticulation of the Carr Place verge adjacent to the subject property, shall be submitted to the Town of Vincent within four (4) weeks of the Western Australian Planning Commission making a recommendation to the Minister for Planning and Infrastructure for final determination of Amendment No.8 to the Town of Vincent Town Planning Scheme No.1. All such works shall be undertaken within three (3) months of the final determination recommendation being made by the Western Australian Planning Commission and thereafter maintained to the satisfaction of the Town of Vincent at the landowners/occupiers expense;
  - (xiii) an application proposing new fencing in accordance with the Council's Policy relating to Street Walls and Fences to the Carr Street frontage of No.181 (Lot 8) Carr Place, Leederville shall be submitted to the Town within four (4) weeks of the Western Australian Planning Commission making a recommendation to the Minister for Planning and Infrastructure for final determination of Amendment No.8 to the Town of Vincent Town Planning Scheme No.1; and
  - (xiv) construction of the fencing approved above shall be constructed within three (3) months from the date of Planning Approval being issued.
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**CONSULTATION/ADVERTISING:**

The advertising period commenced on 3 July 2002 and concluded on 13 August 2002. The advertising included an advertisement circulating once in a state newspaper and a local newspaper, letters to owners and occupiers of surrounding properties and a sign erected on the frontage of the subject property. At the completion of the advertising period, forty-one (41) submissions and a petition containing thirty-six (36) signatures were received. The schedule of submissions received is included as Appendix 10.1.21 to this report.

**COMMENTS:**

The forty-one submissions received, excepting one, were of objection to the proposed amendment. In summary, the submissions detailed concerns with noise, dust and pollution, the general unsightly appearance of the property and that the use was unauthorised and unsuitable for a residential area and devalued surrounding properties.

The owner of the subject property has advised that the subject site is currently clear of vehicle bodies and that the associated panel beating workshop at No.622 Newcastle Street is currently vacant. The owner is currently in lease negotiations with prospective new tenants.

The advertising of proposed Amendment No.8 has indicated strong opposition to the existing use of the property for motor vehicle storage associated with motor body repairing at No.622 Newcastle Street. Given such opposition, it is considered appropriate that the use not be given indefinite approval to operate, but rather that in addition to the conditions outlined above, be required to cease within two years of the date of final approval by the Western Australian Commission. Given the difficulties associated with policing such a requirement, it is suggested that a date of 1 January 2005 be set.

In view of the above, it is recommended that the Council seeks final approval of Amendment No. 8 with appropriate modifications to the list of operating conditions and an additional condition requiring the use of No.181 (Lot 8) Carr Place for motor vehicle storage to cease as of 1 January 2005.

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## 10.2 TECHNICAL SERVICES

### 10.2.1 Draft State Water Conservation Strategy

<b>Ward:</b>	Both	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	All	<b>File Ref:</b>	ORG0039
<b>Reporting Officer(s):</b>	R. Lotznicher, D. Abel		
<b>Checked/Endorsed by:</b>	-		
<b>Amended by:</b>	-		

#### **OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *receives the report on "Draft State Water Conservation Strategy" as Laid on the Table;*
- (ii) *continues to implement initiatives to improve water efficiency in the Town; and*
- (iii) *advises the Water and Rivers Commission that the Council generally supports the Draft State Water Conservation Strategy, subject to the Town requesting the following:*
  - (a) *the Federal and State Governments to introduce and promulgate statutory requirements to address water conservation and water sensitive design matters; and*
  - (b) *the Department for Planning and Infrastructure, Water Corporation and Water and Rivers Commission, in conjunction with each other, develop and implement a Water Sensitive Design Package, and run workshops and forums for stakeholders, including local governments, to implement this package and the above statutory requirements where applicable.*

#### **BACKGROUND:**

For 25 years Perth, and the South West of the State in particular, has experienced significantly lower than average rainfall and run-off into its dams. The water crisis that much of Western Australia is currently experiencing has demonstrated the need to use water more efficiently. The Draft Water Conservation Strategy makes recommendations on how this can be achieved.

Water conservation is not about diminishing the quality of life or productivity, it is about using what is a precious resource more efficiently to meet the needs of water users and reduce water wastage. There are many examples worldwide that demonstrate that best practice water efficiency can satisfy water needs and reduce overall water demand, while providing a financial saving to users.

The Draft Water Conservation Strategy aims to ensure that Western Australia becomes a world leader in water use efficiency while maintaining productivity and quality of life.

The Department of Environmental Protection and Water and Rivers Commission have requested that any comments on the Draft Strategy be provided by 13 September 2002.

## **DETAILS:**

### **Sectors covered by the Draft Water Conservation Strategy**

The Draft Strategy is aimed at water use across the whole of Western Australia. Water resource constraints exist in many area of the State and the economic benefits from improving the efficiency of water use apply to all water use sectors. Urban water use in the Perth region is especially important. The Draft Strategy focuses on the following sectors:

- Scheme water providers
- Irrigated agriculture
- Dryland agriculture
- Mining
- Industry
- Commercial water services
- Households
- Parks and gardens (Local Government)
- Private household bores

### **Key Recommendations of the Draft Water Conservation Strategy (refer attached)**

The Draft Water Conservation Strategy makes 38 recommendations, which embrace the following issues:

- Putting the onus on water licensees to improve efficiency before licences and allocations will be issued
- Setting targets for water recycling
- Setting targets for water use
- Penalties be investigated for sprinkler use in the rain
- *Waterwise* initiatives on the farm
- Require the installation of water efficient showerheads and taps in new developments and major refurbishments
- Provide accessible information for consumers on water efficiency

The Draft State Water Conservation Strategy forms part of the Government's overall water strategy for Western Australia and will complement the proposed development of new water sources by delivering water, energy and overall savings to the Government and the community.

The following is a simplified summary of the recommendations in the draft strategy, which would apply to the Town.

### **Urban Water Use**

- Review previous metropolitan water planning programs, assess gains made and develop new programs.
  - Promote water sensitive urban design
  - Investigate penalties for using sprinkler systems in the rain
  - All new developments / redevelopments should:
    - use water efficient fittings, and
    - comply with minimum performance standards that should be developed
  - Government should lead by example with its properties and buildings
-

### **Communication and extension**

- Educate and involve the public in decision making regarding water conservation and water use efficiency
- Produce helpful information on water use efficiency and water conservation
- Government should establish a standing committee to oversight implementation of the Strategy

Recommendations 14, 26, 27, 28 and 33 apply to Local Government.

Recommendation 14 refers to the potential range of options for improving water use efficiency in the urban sector.

Water use efficiency program options that have been described as part of the Perth's Water Future study include leak detection, efficient toilets, showerheads, clothes washers and irrigation systems as well as garden bores and major user audits. Some of the options that have been implemented include:

- A waterwise gardening display and consumer advice being made available by the Water Corporation
- An audit of major water users
- A campaign to encourage further use of garden bores in appropriate areas

Recommendations 26, 27 and 28 refer to urban planning and design.

There is significant potential for applying this principle to other areas of water use, including:

- Landscaping and irrigation systems, in which a points system, or checklist, can be developed to assess the performance of a proposed or installed system, based on design, species, irrigation system design and controllers, mulching, hydrozoning
- Urinals either through the use of demand-responsive controllers or waterless urinals
- Dual plumbing within buildings to ensure that it is possible to supply second grade water should it become available within the building lifetime
- Sub-metering of all units of occupancy to ensure appropriate billing of occupants in apartments and strata titled buildings

Recommendation 33 refers to communication and education, where responsible use of garden bores and swimming pool covers could be promoted by Local Governments.

### **CONSULTATION/ADVERTISING:**

N/A

### **STRATEGIC IMPLICATIONS:**

In line with Strategic Plan 2000-2002 Key Result Areas 1.3 "*Develop and implement strategies to enhance the environment*".

### **FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

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**COMMENTS:**

The Town's Parks Services section has undertaken various initiatives since the Town's inception to improve water efficiency. These include:

- Installation of automatic irrigated systems allowing watering to be undertaken at night thus reducing evaporation
- Conversion of existing scheme watered areas to bore water use
- Utilisation of soil wetting agents and water absorption crystals
- Use of native plants/mulch where appropriate
- Continued monitoring and manual adjustment of "water budgeting" facility on existing irrigation controllers to ensure watering is only undertaken as required and at the amount required Given the prevailing water conditions
- Introduction/promotion of a new category (Catchment Friendly Garden) as part of the Town's Annual Garden Competition. This type of garden encourages the use of native plants, trickle irrigation and mulching.

Future initiatives include the installation of a computer controlled central irrigation system with weather station.

This will ensure that watering is only undertaken at the amount required taking into account the prevailing weather conditions.

The Planning and Building Services section generally supports the Draft Strategy, subject to the Town requesting the following:

- The Federal and State Governments to introduce and promulgate statutory requirements to address water conservation and water sensitive design matters; and
- The Department for Planning and Infrastructure, Water Corporation and Water and Rivers Commission, in conjunction with each other, develop and implement a Water Sensitive Design Package, and run workshops and forums for stakeholders, including local governments, to implement this package and the above statutory requirements where applicable.

The Health Services section has no comments to make in relation to the above.

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**10.2.2 Proposed Update of the Town's Local Bicycle Network Plan**

<b>Ward:</b>	Both	<b>Date:</b>	4 September 2002
<b>Precinct:</b>	All	<b>File Ref:</b>	TES0172
<b>Reporting Officer(s):</b>	C. Wilson		
<b>Checked/Endorsed by:</b>	R Lotznicher		
<b>Amended by:</b>			

*That the Council:*

- (i) *receives the report on the success of the Town's Local Government Bicycle Plan Funding submission of \$3,500;*
- (ii) *APPROVES Bikesafe Bicycle Planning Consultants to update the Town's existing Local Bicycle Network Plan; and*
- (iii) *receives a further report on the updated Local Bicycle Network Plan when the plan has been updated.*

**BACKGROUND:**

In April 2002, the Department for Planning and Infrastructure - Metropolitan Infrastructure Directorate (DPI - MID) wrote to all Local Governments seeking funding applications to prepare a Local Bicycle Plan.

However, in 1997 the Town had the foresight to commission it's own Local Bicycle Network Plan with its implementation commencing in 1998 and spread over four (4) years. The document also alluded to a possible further stage (stage 2) dependent upon on-going funding and revision/expansion of the existing plan.

**DETAILS:**

In 1997 the Town engaged Bikesafe Bicycle Planning Consultants to produce the Town of Vincent "Local Bicycle Network Plan". The final document, released in March 1998, was one of the first, and certainly one of the most comprehensive undertaken for its time in the Perth metropolitan area, and was widely promoted by Bikewest as an example for other Local Governments to follow.

Note: The document is tabled and a copy of the plan outlining the Proposed Local Bicycle Routes etc is attached.

The document included an overview of the methodology used, the extensive public consultation undertaken and route planning process.

Over the past four (4) years the Town has spent some \$75,000 implementing the plan's recommendations with the last phase, route signing, planned to commence this year. Further the Council has recently given a commitment to continue funding Local Bicycle Network improvement projects for the foreseeable future.

However, the plan went further in suggesting a second stage of the network be implemented if and when stage one was completed.

In April 2002, DPI - MID wrote to all Local Governments seeking funding applications to prepare a Local Bicycle Plan.

In June 2002, Technical Services wrote to DPI-MID contending that the updating of the Town's existing Local Bicycle Network Plan to include a 'stage 2' fulfilled the essential criteria and intent of the program.

The submission was based upon updating and building upon the success of stage one of the Town's plan. The original report identified four (4) priority bicycle routes (including Perth Bicycle Network route NE19) totalling some 12.2km in length. The report also outlined a further five (5) potential local bicycle routes for future development.

In order to ensure continuity of the route planning process the Town sought to retain the services of the original consultant to further development the Town's Local Bicycle Plan and to this ends Bikesafe Bicycle Planning Consultants were requested to submit a consultancy fee proposal.

As is apparent in the original document extensive public consultation was undertaken in the form of user surveys, public workshops and route surveys. The information gathered is still current in the context that the users identified the preferred routes, impediments and destinations. Stage two (2) of the plan's development would utilise this information.

In July 2002 DPI - MID advised that the Town had been successful in securing a \$3,500 grant, to be matched by the Town, to update the Town's Local Bicycle Network Plan.

#### **FINANCIAL IMPLICATIONS**

The Council allocated \$20,000 in the 2002/03 budget to undertake Local Bicycle Network Improvements in accordance with the adopted plan. Therefore it is intended to use a portion of these funds, to a maximum \$3,500, to update the Town's Local Bicycle Network Plan.

#### **STRATEGIC IMPLICATIONS:**

In line with Strategic Plan 2000-2002 - Key Result Area 1 "*The physical Environment Objectives*

- *to enhance the richness of our natural environment, built environment and heritage.*
- *To create an accessible, safe and healthy environment for our community"*

#### **COMMENTS:**

As previously mentioned over the past four (4) years the Town has spent some \$75,000 implementing the plan's recommendations with the last phase, route signing, planned to commence this year. Further the Council has recently given a commitment to continue funding Local Bicycle Network improvement projects for the foreseeable future.

It is therefore recommended that the Council receives the report on the success of the Town's Local Government Bicycle Plan Funding submission of \$3,500, approves Bikesafe Bicycle Planning Consultants to update the Town's existing Local Bicycle Network Plan and receives a further report on the updated Local Bicycle Network Plan when the plan has been updated.

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**10.2.3 Proposed Angle Parking, Controlled by Ticket Issuing Machines, on the South Side of Richmond Street between Loftus Street and Oxford Street Leederville**

<b>Ward:</b>	North Perth	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	Oxford Centre, P4	<b>File Ref:</b>	PKG0079
<b>Reporting Officer(s):</b>	R. Lotznicher		
<b>Checked/Endorsed by:</b>			
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *receives the report on the proposed introduction of Embayed Right Angled Parking Controlled by Ticket Issuing Machines, on the South Side of Richmond Street, Leederville;*
- (ii) *APPROVES the installation of angle parking and proposed parking restrictions on the south side of Richmond Street, Leederville, between Loftus and Oxford Streets, estimated to cost \$150,000, as shown on attached concept Plan Nos 2079-DP.01 and 2079-DP.02;*
- (iii) *APPROVES the installation of seven (7) Ticket Issuing Machines on the south side of Richmond Street, Leederville, between Oxford and Loftus Streets, as shown on attached concept Plans, estimated to cost \$50,000, to be funded from 2002/2003 Parking - Ticket Machine budget allocation, subject to no adverse comments being received at the conclusion of the ticket issuing machine statutory consultation period;*
- (iv) *further investigates the implications of the introducing "Residential Only" parking restrictions on the north side of Richmond Street, between Burgess and Loftus Streets;*
- (v) *does not implement the proposed alterations to the current parking restrictions in Bourke and Scott Streets as shown on attached Plan No. 2079-PP.01 and concept Plan No 2079-PP.02 at the present time for the reasons outlined in the report;*
- (vi) *receives a further report on the introduction of "Residential Only" parking restrictions on the north side of Richmond Street and the requirement for parking restrictions on Bourke and Scott Street and other adjoining streets once the matter has been further investigated;*
- (vii) *where appropriate implements, in the proposal, some of the requests and suggestions outlined by the respondents; and*
- (viii) *advises the respondents of its resolution.*

**BACKGROUND:**

At the Ordinary Meeting of Council held on 13 August 2002, the Council received a further report which dealt with a proposal to install angle parking, controlled by ticket issuing machines, on the south side of Richmond Street between Loftus and Oxford Streets, Leederville. The further report discussed the following matters:

- Richmond Street (Oxford St to Loftus St) - description
- Angle Parking proposal - Compliance with relevant Australian Standards
- Existing Street Trees (Richmond Street) - Retention of
- Surrounding Streets - Extending restrictions

The Council subsequently adopted the following resolution:

*"That the Council;*

- (i) receives the report on the proposed introduction of Embayed Right Angled Parking Controlled by Ticket Issuing Machines, on the South Side of Richmond Street, Leederville*
  - (ii) APPROVES the proposal to install angle parking on the south side of Richmond Street, Leederville, between Loftus Street and Oxford Street, estimated to cost \$150,000, as shown on concept Plan Nos 2079-DP.01 and 2079-DP.02;*
  - (iii) APPROVES the proposed alterations to the current parking in Richmond Street, Bourke Street and Scott Street as shown on Plan Nos 2079-PP.01 and concept Plan No 2079-PP.02;*
  - (iv) in accordance with its policy No. 4.1.21, Community Consultation, advertises the proposals as outlined on concept Nos 2079-DP.01 and 2079-DP.02 and Plan No. 2079-PP.01 and concept plan No. 2079-PP.02 to all owners and occupiers of Richmond Street, Fleet Street, Burgess Street, Scott Street between Bourke Street and Galwey Street and Bourke Street between Loftus Street and Oxford Street, Leederville, for a period of fourteen (14) days inviting written submissions on the proposal and consider any submissions received at the conclusion of the period; and*
  - (v) notes that sufficient funds have been allocated in the 2002/2003 budget to implement the proposed embayed right-angled parking as shown on concept Plan Nos 1107-PP.01 and 1107-PP.02;*
  - (vi) APPROVES the proposal to install seven (7) Ticket Issuing Machines on the south side of Richmond Street, Leederville, between Oxford Street and Loftus Street, as shown on attached concept Plans, subject to a further report being presented to Council at the conclusion of the statutory consultation period as outlined in Clause (vii);*
  - (vii) notes that the re-allocation of \$50,000, for the purchase and installation of four (4) additional Ticket Issuing Machines and associated signage and linemarking will be required, possibly from the existing 2002/2003 Parking- Ticket Machine budget allocation;*
-

- (viii) *APPROVES BY A SPECIAL MAJORITY the amendment of the First Schedule of the Town of Vincent Local Law Relating to Parking Facilities to include Richmond Street, Leederville as a Ticket Machine Zone, within the Town of Vincent and receives a further report from the Chief Executive Officer, after the expiry of the statutory consultation period listing any comments from the public and providing any further recommendations considered appropriate;*

*In accordance with the provisions of Section 3.12 of the Local Government Act 1995 as amended, the Council gives a Statewide advertisement, indicating where the proposed amendment may be viewed and seeking public comment on the following amendments to the Town of Vincent Parking Facilities Local Law.*

*LOCAL GOVERNMENT ACT 1995 (as amended)  
TOWN OF VINCENT PARKING FACILITIES LOCAL LAW  
AMENDMENT*

*In pursuance of the powers conferred upon it by Section 3.12 of the Local Government Act 1995, the above-mentioned Local Law and all other powers enabling it, the Council of the Town of Vincent HEREBY RECORDS having resolved on 13 August 2002 to make the following amendments to the Town of Vincent Parking Facilities Local Law published in the Government Gazette on 23 May 2000.*

*That the existing First Schedule relating to Ticket Machine Zones – Periods and Fees, be amended as follows:*

- (a) by inserting in column 1 “South side of Richmond Street”;*
- (b) by inserting in column 2 “Between Oxford Street and Loftus Street”*
- (c) by inserting in column 3 “8.00 am to 8.00pm Mon – Sun*

**DETAILS:**

In accordance with clause (iv) of the Council's resolution of 13 August 2002, two (2) separate letters (149 in total) with reply paid envelopes, were distributed to TAFE, residents and businesses, outlining the proposals as outlined on concept Plan Nos 2079-DP.01 and 2079-DP.02 and Plan No. 2079-PP.01 and concept Plan No. 2079-PP.02 in Richmond Street, Fleet Street, Burgess Street, Scott Street between Bourke Street and Galwey Street, and Bourke Street between Loftus and Oxford Streets, Leederville.

At the end of the consultation period on 30 August 2002, thirty two (32) responses had been received, presenting a 21% response rate. A summary of all the responses received is attached.

As previously mentioned, two (2) separate letters were distributed as follows:

Proposed Angle Parking Controlled by Ticket Issuing Machines on the South Side of Richmond Street, Leederville

TAFE, residents and businesses were advised that at its Ordinary Meeting held on 12 February 2002, the Council approved of a proposal to install angle parking on the south side of Richmond Street between Loftus and Oxford Streets as shown on attached concept plan Nos 2079-DP.01 and 2079-DP.02.

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In addition to the embayed parking, the following initiatives are proposed:

- Entry statements at both the Loftus St and Oxford St ends of Richmond Street.
- Strategically placed raised plateaus to control vehicle speeds in the street.
- Definition of the on road parking areas with "red asphalt" surfacing and line marking.
- Retention of all existing trees on both sides of Richmond Street.
- Mulched landscaped beds around trees on the south side of the street.
- Improved street lighting where appropriate.
- Pedestrian islands at intersections along Richmond Street to improve pedestrian and vehicle safety.
- Installation of ticket machines on the south side of Richmond Street.
- Footpath upgrade.
- Residential parking permits for residents on the north side of Richmond Street where eligible.

Of the 81 letters distributed in the area, 18 responses were received (22%), with:

1	in favour
8	in favour with suggestions
9	against

Comments:

It can be assumed that the 63 residents canvassed are either supportive or ambivalent to the proposal.

Of the residents in support of the proposal, the majority want the north side of Richmond Street to be residential only parking.

Of the residents against, their objections are varied, including:

- Objection to speed humps/plateaus
- Keep speed humps low
- Residential parking north side
- Increase in traffic

It is considered that the angle parking can be accommodated and most of the relevant suggestions incorporated into the design.

Proposed Introduction of a two (2) hour Parking Restriction on the North and South Side of Bourke Street (Loftus - Oxford) and West Side of Scott Street (Bourke - Galwey).

This proposal was to ensure that the above streets would not be adversely affected by the proposed ticket parking on the south side of Richmond Street. Residents were advised of the proposal for Richmond Street and requested to comment on the proposed extension of the restricted parking.

Of the 68 letters distributed in this area, 14 responses were received (21%), with:

1	in favour
6	in favour with suggestions
7	against

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Comments:

Again it can be assumed that 54 residents in the area are either supportive or ambivalent to the proposal. Those against have given good reasons for their objections and those in favour (with suggestions) have outlined other issues not directly related to the proposed time restrictions.

It is considered that the timed restrictions should not be implemented in the interim and reviewed once the paid parking proposed for the south side of Richmond Street has been in place for a period of time. It is, however, recommended that some of the suggestions raised by residents be implemented, e.g.

- Demarcation of crossovers
- Painting *No Standing* on roads
- Installation of *No Standing* signage where appropriate

Petition for Residential Only Parking on the North Side of Richmond Street (Burgess - Loftus)

This petition, signed by 35 residents, was received outside of the consultation period, however, it is evident from the responses received from the recent consultation that the residents in Richmond Street want residential only parking on the north side of the street.

However it is recommended that the implications of introducing "Residential Only" parking restrictions on the north side of Richmond Street, between Burgess and Loftus Streets be further investigated to determine the justification of such a measure.

**CONSULTATION/ADVERTISING:**

All respondents will be advised of the Council's resolution

**STRATEGIC IMPLICATIONS:**

Item 1.4 of the Strategic Plan 1998/2002, "*Develop and implement a Transport and Car Parking Strategy*" indicates a need to develop a model for car parking requirements for shopping precincts and other public areas. The above proposal would be in keeping with this strategy.

**FINANCIAL/BUDGET IMPLICATIONS:**

As previously reported to the Council, sufficient funds have been allocated in the 2002/2003 budget to implement the proposed embayed right-angled parking.

The re-allocation of \$50,000, for the purchase and installation of four (4) additional Ticket Issuing Machines and associated signage and linemarking, will funded from the 2002/2003 Ticket Machine budget allocation.

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**COMMENTS:**

As previously reported to Council, Richmond Street is currently being used as a free all-day car parking facility. The recent introduction of a three (3) hour time restriction in the Loftus Centre Car Park resulted in a large number of all-day parkers using Richmond Street for all day parking at no cost. This has created parking problems for shorter term parkers in the area.

It was subsequently recommended that Parking Time Restrictions, in the form of Ticket Issuing Machines, be introduced on the south side of Richmond Street and that other roads in the vicinity be time restricted to ensure that all day parkers do not simply move further out and use these streets.

For the reasons outlined in the report it is now recommended that the installation of angle parking and proposed parking restrictions on the south side of Richmond Street be approved including the installation of seven (7) Ticket Issuing Machines (subject to no adverse comments being received at the conclusion of the ticket issuing machine statutory consultation period)

It is further recommended that the introduction of "Residential Only" parking restrictions on the north side of Richmond Street, between Burgess and Loftus Streets be further investigated and that the proposed alterations to the current parking restrictions in Bourke and Scott Streets not be implemented at the present time.

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**10.2.4 Waste 2002 Conference**

<b>Ward:</b>	-	<b>Date:</b>	2 September 2002
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0031
<b>Reporting Officer(s):</b>	R. Lotznicher		
<b>Checked/Endorsed by:</b>			
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council APPROVES the attendance of the Executive Manager Technical Services on a two (2) day tour of Secondary Waste Treatment Facilities on the east coast of Australia, and at the Waste 2002 Conference to be held from 16 to 18 October 2002 at the Novotel Opal Cove Resort, Coffs Harbour, New South Wales, Australia, at the approximate cost of \$2,855 (refer brochure "Laid on Table").*

**BACKGROUND:**

The Waste 2002 conference is hosted by the Coffs Harbour City Council from 16 to 18 October 2002. Also, included is a two (2) day bus tour on 14 and 15 October 2002 to visit secondary waste treatment facilities on the eastern seaboard.

**DETAILS:**

**Pre Conference Tour**

This includes a two (2) day bus tour which leaves Sydney at 7.30 am on Monday, 14 October 2002 and arrives in Coffs Harbour on Tuesday evening, 15 October 2002.

The following facilities will be visited during this tour:

- Brightstar - Solid Waste and Energy Recycling Facility (SWERF), Wollongong
- Bedminster - Bioconversion facility, Port Stephens
- Rethmann - Organic Recourse Recovery Facility, Port Macquarie

**Conference**

The Conference will be held at the Novotel Opal Cove Resort in Coffs Harbour from 16 to 18 October 2002.

Key note papers will comprise the following:

- Alternative Technologies
- Waste Management in Practice
- The Business of Waste
- Industry Perspectives
- Case Studies
- Deciding on Alternative Technologies
- Designing Your Community Education Program

**CONSULTATION/ADVERTISING:**

N/A

**FINANCIAL/BUDGET IMPLICATIONS:**

Conference registration/accommodation	1,100.00
Airfare/Taxi transfers	960.00
Daily allowance	350.00
2 Day Tour of SWTF's	445.00
<b>Total:</b>	<b>\$ 2,855.00</b>

**STRATEGIC IMPLICATIONS:**

In line with Strategic Plan 2000-2002 Key Result Areas

- 2.4 a) *"To facilitate the provision of services and programs which are relevant to the needs of our community"* and
- 3.4 *"Increased participation in recycling and waste minimisation by residents and business."*

**COMMENTS:**

The Town is a member of the Mindarie Regional Council (MRC) who is committed to reducing the amount of waste to landfill and has resolved to develop a Secondary Waste Treatment Facility (SWTF) for the region and to reduce the size of any future landfill at its existing landfill site at Tamala Park.

The MRC plans to introduce secondary waste treatment services in stages, commencing in 2005. The nature of the SWTF has yet to be determined, however expressions of interest have been called and the various processes need to be further assessed.

On 9 July 2002 the Council (Town of Vincent) resolved to continue with its current kerbside recycling method until the MRC has determined a future direction for Waste Management for the region.

The Executive Manager Technical Services is a member of the MRC Technical and Strategic Working Group. These two groups meet on a regular basis and make recommendations to the Council (MRC).

It is considered the Waste 2002 Conference and the two (2) day tour of Waste facilities on the eastern seaboard will provide the Executive Manager Technical Services with the necessary background information regarding this subject.

It is therefore recommended that the Council approves the attendance of the Executive Manager Technical Services on a two (2) day tour of Secondary Waste Treatment Facilities and at the Waste 2002 Conference to be held from 16 to 18 October 2002 at the Novotel Opal Cove Resort, Coffs Harbour, New South Wales, Australia.

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### 10.2.5 Formalising of the Street Name - Pental Lane

<b>Ward:</b>	North Perth Ward	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	Beaufort Precinct (P13)	<b>File Ref:</b>	TES0442
<b>Reporting Officer(s):</b>	Anne Munyard		
<b>Checked/Endorsed by:</b>	Rick Lotznicher		
<b>Amended by:</b>			

**RECOMMENDATION:**

*That the Council;*

- (i) *APPROVES the application of the name "Pental Lane" to the gazetted road bounded by Stuart, Fitzgerald, Newcastle and Palmerston Streets, Perth, which is illustrated on attached Plan 2087-RP-1; and*
- (ii) *informs the Geographic Names Committee of the Department of Land Administration of its resolution.*

**BACKGROUND:**

The dedicated public road known as "Pental Lane", which is located on the western side of the old "Maltings" site and runs north/south between Newcastle Street and Stuart Street has never formally been named, and the name "Pental Lane" is not recognised by the Geographic Names Committee of Department of Land Administration (DOLA). The road provides primary access to portions of "The Maltings" development, and requires an approved name prior to the provision of postal services, and inclusion in the "Streetsmart" guide.

**DETAILS:**

Pental Lane has been known as such for many years. When or why it was so named is unknown, as this occurred while the lane fell within the jurisdiction of the City of Perth. Approval for the name was never sought from the Geographic Names Committee, and therefore this name cannot be applied within DOLA's documents and maps, and will not appear in the "Streetsmart" road guide. This guide is the one officially endorsed by DOLA for use by emergency services and Australia Post.

It is proposed that the name be retained to avoid confusion, and that the Town now request DOLA's approval of the application of this name.

Pental Lane is 5 metres wide and 180 metres long, sealed and in fair condition. There are no street nameplates in place at this time.

The lane, being a public road, will provide access to part of "The Maltings" development. A building license was issued on 13 August 2002 to Pindan Constructions Pty Ltd, and the following conditions applied: -

- 50. *A bond and/or bank guarantee for \$50,000 for the full upgrade of Pental Lane shall be lodged prior to the issue of a Building License.*

51. *Prior to the first occupation of this stage of the development, the adjacent right of way shall be upgraded, including traffic calming devices, street lighting, drainage paving/sealing and landscaping, at the full cost of the applicant/landowner. In the interim, the laneway shall be maintained at Australand Holdings Limited's cost to a trafficable standard until the final upgrade is completed. The above works have been agreed upon by Australand in its letter to the Town dated 8th February 2002.*

DOLA's recognition of the name Pental Lane and the subsequent provision of street nameplates are integral parts of the upgrade process, and therefore the costs of such will be borne by Australand Holdings Limited as per conditions (50) and (51) of the building license.

**CONSULTATION/ADVERTISING:**

Consultation and advertising are not required for the naming of a public road.

**FINANCIAL/BUDGET IMPLICATIONS:**

The cost of installing two (2) street nameplates will be approximately \$350.00, and will be paid by the developer, as outlined above.

**STRATEGIC IMPLICATIONS:**

Nil

**COMMENTS:**

The road has been commonly known as *Pental Lane* for some time, however this has never been formally approved by DOLA. It is necessary to ensure that the road name appears in the "Streetsmart" guide in order to address the issues of safety, provision of postal services, and the convenience of future residents. It is therefore recommended that the Council approve the formal application of the existing name.

### 10.2.6 Redevelopment of Oxford Street Reserve

<b>Ward:</b>	North Perth	<b>Date:</b>	19 August 2002
<b>Precinct:</b>	Oxford Centre, P4	<b>File Ref:</b>	RES0059
<b>Reporting Officer(s):</b>	J van den Bok		
<b>Checked/Endorsed by:</b>	R Lotznicher		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *receives the report on the proposed Redevelopment of Oxford Street Reserve located on the corner of Oxford Street and Leederville Parade, Leederville;*
- (ii) *adopts the landscape concept plan for the Redevelopment of Oxford Street Reserve as shown on attached plan No. 2082-CP-1A; and*
- (iii) *in accordance with its policy No. 4.1.21, Community Consultation, advertises the proposal as outlined on concept plan No. 2082-CP-1A to all owners and occupiers of Oxford Street, Leederville Parade and Frame Court, Leederville, including local businesses and community groups for a period of twenty-one (21) days inviting written submissions on the proposal and consider any submissions received at the conclusion of the period.*

**BACKGROUND:**

An amount of \$40,500 has been included in the 2002/03 budget for the Redevelopment of Oxford Street Reserve. In addition to the above amount, \$12,000 was carried forward from the Playground Upgrade Program allocated to Oxford Street Reserve in 2001/02.

Playground improvement works were not undertaken in 2001/2002 as the entire Reserve was to be redeveloped in 2002/03.

Oxford Street Reserve is a small passive Reserve of approximately 3,000m<sup>2</sup> in area. The Reserve consists of a small playground and an open grassed area surrounded by various native/ exotic tree species planted at various stages over the past ten (10) years.

Given the Reserve's size and location adjacent to a busy intersection/freeway, it serves mainly as a meeting/resting place for people visiting the shopping precinct or Headquarters Youth Facility.

However, during the hours of 12noon to 2pm, the Reserve is very heavily patronised by business employees, families and others, as a place to sit and enjoy their lunch.

**DETAILS:**

At the Ordinary Meeting of Council held on 13 February 2001, the final report of the Oxford Centre Study was presented to the Council.

One of the recommendations in the study was the creation of a Town Square at the southern end of Oxford Street, currently Oxford Street Reserve (see attached plan). However, due to other priorities, no funding was allocated in the 2002/2003 budget to undertake any of the recommended works, nor has a plan to implement the recommendations been finalised.

Following discussions with the Town's Strategic Planners, it is now likely that the Oxford Centre Study recommendations will be implemented in the longer term. It was agreed that the existing Reserve requires upgrading and works should be progressed even though the Reserve may require further upgrading in 10-20 years time.

Notwithstanding the above, the proposed landscape concept as shown on the attached Plan No: 2082-CP-1A includes some of the recommended design elements of the Oxford Centre Study.

The features of the landscape concept design for the Oxford Street Reserve upgrade are as follows: -

#### Central Palm and Seating Area

Canary Island Date palms are commonplace in and around parks and older residential properties throughout the metropolitan area.

Palms feature in the Town Square Development as detailed in the Oxford Centre Study providing a feature and area for casual seating.

It is proposed to encircle the central feature, a Canary Island Date palm with a limestone wall, which will also serve as a casual seating area for the many lunchtime patrons.

Feature lighting will be included in the garden bed to replace the existing double outreach light being relocated into the adjacent carpark.

#### Playground and Paths

A path running across the Reserve around the central palm feature garden allows easy access to the adjacent Frame Court carpark.

A path running from the central feature garden will then link directly to an informal shaped rubber softfall playground area, thus allowing full access for disabled persons.

The items of playground equipment are simple, robust and suitable for use by all ages up to young adults.

#### Soft Landscaping

Existing landscaping is very ad-hoc and several trees of poor structural integrity and form will require removal.

It is proposed to construct a raised native shrubbery along the Leederville Parade frontage around into Oxford Street. This will provide a leafy barrier continuing the already native theme along the entire length of Leederville Parade. This will also assist in opening up the corner of the Reserve, providing a larger grassed area.

All existing exotic trees (Tipuanas) will remain and additional Jacarandas will be included in the design to frame the area as recommended in the Oxford Centre Study. Climbing plants will be utilised to assist in screening areas an unattractive fencing components.

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### Lighting

As indicated previously, the double outreach light currently located in the centre of the Reserve is to be relocated. Spot lighting will be installed around the central feature palm/garden and three (3) Urbi lights will provide adequate lighting in other darker areas of the park.

### Artworks

Previously, it was proposed to design/construct three (3) pieces of artwork, a skateboard sculpture, seat and drinking fountain for Oxford Street Reserve.

The final designs however, were all skateable, very large in comparison with the size of the Reserve and represented potential serious public liability issues. It is considered that as Oxford Street Reserve is a "passive" park and there is a million-dollar skate park adjacent to it, that the skateboard sculpture be deleted. The seat and drinking fountain are still to be included within the Reserve, however will be designed on a much smaller scale. Community Development staff have met with the artists who are now re-designing suitable structures to fit in with the park.

### **CONSULTATION/ADVERTISING:**

In accordance with policy no. 4.1.21, the proposal will be advertised all owners and occupiers of Oxford Street, Leederville Parade and Frame Court Leederville, including local businesses and community groups for a period of twenty-one (21) days, inviting written submissions on the proposal and consider any submissions received at the conclusion of the period.

### **STRATEGIC IMPLICATIONS:**

Strategic Plan 2000-2002 - Key Result Area 1.6 "*Continue to enhance the townscape and streetscape, building a distinctive style for the Town of Vincent.*"

### **FINANCIAL/BUDGET IMPLICATIONS:**

A total budget allocation for this project is \$52,500.

The estimated costs to implement the works is as follows: -

• Earthworks – including additional soil for embankment	\$2,500
• Paving – supply and install (2 metre wide)	\$12,900
• Limestone wall/retaining – supply and install	\$1,000
• Playground Equipment/rubber softfall – supply and install	\$15,000
• Lighting/electrical – supply and install and amend existing	\$8,000
• Reticulation – amend existing	\$500
• Palms – supply and plant Canary Island Date Palm	\$4,500
• Soft Landscaping – supply and plant various trees and shrubs	\$4,000
• Park furniture	<u>\$5,000</u>
	Total
	<b>\$52,500</b>

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**COMMENTS:**

In preparing the landscape concept design for Oxford Street Reserve, comments and ideas were sought from the Town's Community Development and Planning personnel due to this project being linked with future proposals for the area.

Strategic planners involved with the Oxford Centre Study have provided the following comment.

*"In summary, given the proposed timeframe of implementing the recommendations of the Oxford Centre Study, the expansion of the HQ Skatepark and the limited improvements that are to be made to the park, the redevelopment plan is supported."*

The final plan is simple, uses the space available effectively and has wherever possible implemented a number of elements outlined in the Oxford Centre Study.

It is therefore recommended that the Council adopts the landscape concept plan and it be advertised for public comment for a period of twenty-one (21) days.

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**10.2.7 Menzies Park – Proposed Installation of Half Basketball Court and Shade Sails Over Existing Playground**

<b>Ward:</b>	Mt Hawthorn	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	Mt Hawthorn, P1	<b>File Ref:</b>	RES0025
<b>Reporting Officer(s):</b>	J van den Bok		
<b>Checked/Endorsed by:</b>	R Lotznicher		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *receives the report on the proposal to install a half basketball court and erect shade sails over the existing playground at Menzies Park;*
- (ii) *due to the negative response from adjoining residents, DOES NOT APPROVE the installation of a half basketball court within Menzies Park as shown on attached Plan No. 20236;*
- (iii) *APPROVES the installation of shade sails over the existing playground at Menzies Park;*
- (iv) *authorises the Chief Executive Officer to investigate possible alternative sites for the half basketball court and submit a further report; and*
- (v) *advises all respondents of the Council's resolution and the reasons for its decision to relocate the half basketball court.*

**BACKGROUND:**

The Council allocated \$24,500 in the 2002/2003 capital works budget for the installation of a half basketball court and shade sails over the existing playground at Menzies Park, Mt Hawthorn.

Menzies Park currently comprises an active sports field, pavilion and a children's playground. The only two suitable locations for a half basketball court are near the playground on Purslowe Street or on a flat area of land at the north-east corner of the park near Egina Street.

**DETAILS:**

**Community Consultation**

In accordance with Council's Community Consultation Policy, on 25 July 2002, one hundred and fifty (150) letters/surveys were distributed to residents surrounding Menzies Park, inviting comments on the proposal to install a half basketball court and erect shade sails over the existing playground.

Of the 150 letters distributed, thirty-seven (37) responses were received and an additional four (4) letters regarding the proposal.

The initial proposed location of the half basketball court was at the north-east corner of the Reserve adjacent to Egina Street. (Refer Plan No. 20236)

Results of the survey were as follows (refer attached details):

• Approve installation of half basketball court and shade sails	22
• Do not approve installation of half basketball court but approve the installation of shade sails	16
• Do not approve installation of either half basketball court or shade sails	3

In brief, there was overwhelming support for the installation of the shade sail and generally only residents directly adjoining the Park were opposed strongly to the installation of the half basketball court.

### **Site Meeting**

The Manager Parks Services had several site meetings with residents directly affected with the installation of the half basketball court to discuss its exact location and ways of limiting any noise which would emanate from the bouncing of basket balls.

A further meeting was held with Executive Manager Technical Services, Manager Parks Services and Cr. Doran-Wu on site to discuss the proposed location of the half basketball court and its effects on nearby residents. At the meeting it was decided that an alternative site for the half basketball court adjacent to the existing playground maybe a more suitable option. (Refer Plan 20236).

### **Alternative Site**

Residents were subsequently advised of the alternative site for the half basketball court on 22 August 2002 and were also advised the matter would be presented at the Ordinary Meeting of Council to be held on 10 September 2002.

Immediately following distribution of the above advice, residents directly affected by the new location voiced their objections. Several e-mails were also been received by the Town with residents strongly objecting to the alternative location.

### **Petition**

On the 27 August 2002, a petition signed by 22 residents confirming their objection to the installation of a half basketball court in its new (alternative) location or any other location at Menzies Park.

### Officers Comments

- Shade sails

As mentioned previously there has been an overwhelming positive response to the installation of shade sails over the existing playground at Menzies Park.

Whilst trees were planted around the playground area some years ago, they are yet to provide adequate shade over the playground area. It is likely that in approximately five (5) years time when the shade sail is due for replacement, that the trees will then provide adequate shade and the entire shade structure can be removed.

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- Half Basketball Court

The idea for a half basketball court at Menzies Park was initially raised over five (5) years ago by former Councillor Brian Greig. However, due to concerns raised at the time regarding noise in particular, alternative locations were identified at the southern end of Britannia Road Reserve and Les Lilleyman Reserve and the courts subsequently installed. Another half basketball court has since been installed at Banks Reserve. All three (3) are ideally located away from adjacent properties, are very well utilised and have presented no problems in respect to noise, undesirable activity or vandalism.

The main issue concerning residents living adjacent to Menzies Park is the constant noise that will be generated from the bouncing of the ball on the concrete apron and backboard. Unfortunately, any location around Menzies Park presents the same problem as only the perimeter of the park can be utilised given its main uses being football and cricket.

Various methods of reducing noise levels on concrete areas, such as a synthetic turf or a rubber surfacing have been trialed, however their use has been ineffective.

It is most likely that noise issues will be a major factor for adjoining residents if the proposal to install a half basketball court at Menzies Park proceeds.

**CONSULTATION/ADVERTISING:**

Residents in the general area surrounded by Ashby Street, Egina Street, Tasman Street and East Street were invited to comment on this proposal for a period of 21 days.

All residents previously invited to comment will be advised of Council's resolution accordingly.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2000-2002 - Key Result Area 3.6 *"Develop and Implement Strategies to Improve the Town's Parks and Reserves."*

**FINANCIAL/BUDGET IMPLICATIONS:**

An amount of \$6,500 has been allocated for the half basketball project. Indicative construction/installation costs are as follows: -

Earthworks	\$500
Concrete pad/reinforcing	\$3,500
Basketball pole/backboard	<u>\$2,250</u>
	<b>\$6,250</b>

An amount of \$18,000 has been allocated for installation of shade sails. An initial quotation received on 19 July 2002 from "Shade Experience" amounts to \$17,721.

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**COMMENTS:**

Following assessment of all the responses received via the survey, e-mails and recent petition, it is recommended that due to the likely noise implications to adjacent residents, that the half basketball court be relocated to the north west corner of Britannia Road Reserve adjacent to the Freeway.

It is also recommended that the shade sails be installed over the playground area at Menzies Park as the majority of respondents have agreed to this proposal.

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**10.3 CORPORATE SERVICES**

**10.3.1 Investment Report**

<b>Ward:</b>		<b>Date:</b>	02 September 2002
<b>Precinct:</b>		<b>File Ref:</b>	FIN0033
<b>Reporting Officer(s):</b>	C Liddelow		
<b>Checked/Endorsed by:</b>	N Forsyth		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Investment Report for the month ended 31 August 2002 be received.*

**BACKGROUND:**

The purpose of this report is to advise the Council of the level of funds available, the distribution of surplus funds in the short term money market and the interest earned to date. Details are attached. Interest from investments is a significant source of funds for the Town, where surplus funds are deposited in the short term money market for various terms.

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

**DETAILS:**

Total Investments for the period ended 31 August 2002 were \$8,671,385 compared with \$9,441,218 at 31 July 2002. At 31 August 2001, \$7,446,357 was invested.

Total accrued interest earned on Investments as at 31 August 2002:

	Budget	Actual	%
	\$	\$	
Municipal	300,000	30,282	10.09
Reserve	355,100	54,482	15.34

**COMMENT:**

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

**10.3.2 Lease - 4 View Street, North Perth**

<b>Ward:</b>	North Perth	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	North Perth	<b>File Ref:</b>	PRO1877
<b>Reporting Officer(s):</b>	M Rootsey		
<b>Checked/Endorsed by:</b>	John Giorgi		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That;*

- (i) *the Council APPROVES of a three (3) year lease with a two (2) year option over the premises (comprising of house and approximately 320m<sup>2</sup> of land) at 4 View Street, North Perth, as shown in Plan No. 2078-CP-2, being granted to the Multicultural Services Centre of West Australia Inc, for a rent of \$10,000 per annum subject to final satisfactory negotiations being carried out by the Chief Executive Officer;*
- (ii) *the Multicultural Services Centre of West Australia carry out the listed improvements to the property at their cost;*
- (iii) *the Council authorise the Chief Executive Officer to negotiate a rent free period for the Multicultural Services Centre of West Australia until 1 January 2003 to compensate for the costs incurred in the improvements; and*
- (iv) *the lease contains a 12 month redevelopment break clause, allowing the Council to terminate the lease by giving 12 months' notice and the two (2) year option to be at the Council's discretion.*

**BACKGROUND:**

At the Ordinary Meeting of Council held on 4 December 2001, the Council resolved to purchase the property at 4 View Street, North Perth. It was commented in the report at the time that the purchase of the land was considered to be of strategic importance.

**DETAILS:**

The property has been offered for lease since the purchase. There have been a number of parties interested in leasing the property during the period, however an agreement has been unable to be reached.

The Multicultural Services Centre of WA, formerly the North Perth Migrant Resource Centre, has run out of space at its current premises at 20 View Street. They propose to relocate their legal or welfare services to the house.

Officers from the service have viewed the property on a number of occasions.

The Multicultural Services Centre submitted an offer to the Town that includes rent at \$10,000 p.a., plus relevant outgoings. They requested the Town of Vincent to undertake the following works;

<b>Item</b>	<b>Indicative Costs</b>
Remove/rearrange partitions	1,500
Re-carpet	2,000
Paint the internal house	2,000
Reinstate the original door	2,500
Minor Plumbing	500
Minor Electrical	500
<b>Total</b>	<b>9,000</b>

In discussions with the Multicultural Services Centre they have committed to completing the necessary refurbishments themselves, to be offset by an agreed rent-free period. They will decide whether all the work will be carried out. The Town is proposing that this period be three months and that the lease payments commence on 1 January 2003.

It has been recommended that the Council inserts a clause into the lease allowing the Council to terminate the lease by giving 12 months' notice to the lease. This has been recommended in the event that the site is redeveloped. The Multicultural Services Centre do not have any objection to this.

The modifications to the carpark were carried out in July 2002, resulting in the creation of 41 carbays (an increase of 19 bays). Lighting will be completed shortly. (Refer Plan No. 2078-CP-2.) In regard to car parking, two on-site bays are provided. Other persons will use the adjoining carpark.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

Town of Vincent Policy 1.2.8 - Policy Statement:

1. Any new lease granted by the Council shall usually be limited to a five year period, and any option to renew shall usually be limited to no more than a ten year period.
2. Council may consider longer periods where the Council is of the opinion that there is benefit or merit for providing a longer lease term.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2000-2002 – Key Result Area 2.4(a) *“To facilitate the provision of services and programs which are relevant to the needs of our community”*.

**FINANCIAL/BUDGET IMPLICATIONS:**

The lease will be drafted on similar terms to the Town's standard lease agreement for community agencies and with the current lease charges and variable outgoings subject to the percentage increase in the Consumer Price Index (All Groups Perth) and the Goods and Services Tax (GST).

The 2002/2003 Annual Budget includes an amount of \$15,000 for rental income from the property.

In view of the community service provided by the Multicultural Services Centre to the Vincent ratepayers and residents, a reduced rent of \$10,000 can be supported.

**COMMENTS:**

It is recommended that the Council approves the leasing of the property to the Multicultural Services Centre of West Australia subject to successful negotiations being completed.

**10.3.3 Lease - Robertson Park Tennis Courts**

<b>Ward:</b>	North Perth	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	Hyde Park (P12)	<b>File Ref:</b>	RES0024
<b>Reporting Officer(s):</b>	J. Anthony		
<b>Checked/Endorsed by:</b>	M. Rootsey		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Council APPROVES the renewal option of the lease of Robertson Park Tennis Courts to Veteran's Tennis Association for a further lease term of five (5) years from 1 September 2002 to 31 August 2007 upon the same terms and conditions as the original lease.*

**DETAILS:**

Veteran's Tennis Association has been managing Robertson Park Tennis Courts through a lease arrangement with the Town since September 1997. Robertson Park is located on the corner of Fitzgerald and Stuart Street, West Perth. Sporting facilities include: clubrooms, 20 grass tennis courts and 14 hard courts. All hard courts have lighting. The facility is well patronised.

The lease period ends on 31 August 2002 with a further option period of five years available. The Association would like to exercise this option, extending the lease until 31 August 2007.

**LEGAL/POLICY:**

Town of Vincent Policy 1.2.8 - Policy Statement:

1. Any new lease granted by the Council shall usually be limited to a five-year period, and any option to renew shall usually be limited to no more than a ten-year period.
2. Council may consider longer periods where the Council is of the opinion that there is benefit or merit for providing a longer lease term.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2000-2002 – Key Result Area 2.4(a) *“To facilitate the provision of services and programs which are relevant to the needs of our community”*.

**FINANCIAL/BUDGET IMPLICATIONS:**

The current lease payment is \$2,641.27. The Association has requested that given the shortfall received from Department of Sport and Recreation for their proposed building refurbishment, that a peppercorn rental from Council be granted for the lease option period.

The lease option period will be on similar terms to the Town's standard lease agreement for community agencies and with the current lease charges and variable outgoings subject to the percentage increase in the Consumer Price Index (All Groups Perth) and the Goods and Services Tax (GST).

An amount of \$136,907 is listed on the 2002/2003 Budget to contribute towards one-third of the total costs of refurbishment.

**COMMENTS:**

Similarly, due to positive lease relationship with the Town and their obvious commitment to the premises, it would be in the best interests of the community for Veteran's Tennis Association to continue to manage Robertson Park with the same terms and conditions.

However it cannot support the granting of a peppercorn rental for the lease option period, the rent is relatively small in consideration of the turnover of the Veteran's Tennis Club and the popularity and patronage of the facility.

**10.3.4 Hyde Park Stage Upgrade**

<b>Ward:</b>	North Perth	<b>Date:</b>	2 September 2001
<b>Precinct:</b>	Hyde Park Precinct P12	<b>File Ref:</b>	RES0031
<b>Reporting Officer(s):</b>	J. Anthony		
<b>Checked/Endorsed by:</b>	M. Rootsey		
<b>Amended by:</b>			

**OFFICER RECOMMENDATION:**

*That the Council APPROVES IN PRINCIPLE for the upgrade of the stage in Hyde Park, as a community project with the Rotary Club of North Perth, subject to final designs being submitted to the Council for approval.*

**DETAILS:**

The Rotary Club of North Perth has submitted a proposal to upgrade the existing stage area in Hyde Park to be co-funded with the Town of Vincent. The area has been the main entertainment area for the annual Hyde Park Community Fair held on the Labour Day long weekend. The Club has organised the fair since 1988 and runs the event in order to raise funds to meet perceived needs in the community which have a vocational, youth and international focus.

The current stage is nothing more than a small raised concrete and bitumen platform framed by rails. It is planned to improve both the surface area and structure with community and artistic input.

The Hyde Park Stage upgrade project will research and promote the Town of Vincent's unique local cultural, environmental and social heritage in the context of the Federation. The project will involve the following:

- Engage in a community consultation process complementing the research from the report "Heritage Assessment for Hyde Park" which was prepared for the Town of Vincent by Laura Gray in association with John Viska. (Excerpts of this report are enclosed)
- The development of a design and plan for the Hyde Park stage incorporating the cultural, environmental and social heritage of the park and the Town.
- Refurbishment of the stage area including artwork, symbols and plaques which will provide information and illustrate the critical aspects of the history of the local area since federation.

Approval will also need to be sought from the WA Planning Commission and Heritage Council WA.

The Town has identified the upgrade of the stage at Hyde Park as a project worth funding and the project has been carried forward on the Town's budget, where project funds are listed pending the sale of the "Old Bottleyard" site.

**CONSULTATION/ADVERTISING:**

The community consultation process will abide by the guidelines set out in the Community Consultation Policy 4.1.21. which covers the following three categories:

1. Statutory Consultation/Communication (prescribed by the various statutes)
  2. Non Statutory and General Consultation/Communication.
  3. Town Planning, Development and Heritage Matters
-

Local groups such as Patrons of Hyde Park will be involved in the planning and consultation process.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2000–2002, Key Result Area 2.1: *“Publicly celebrate and promote the Town’s diversity”* and Key Result Area 3.6: *“Develop and Implement Strategies to Improve the Town’s Parks and Reserves”*.

**FINANCIAL/BUDGET IMPLICATIONS:**

The estimated cost of the project is \$100,000. The Rotary Club of North Perth is requesting that the Town contributes towards the cost of materials estimated at \$50,000. The Club will contribute financially and in-kind, engendering support from local schools and tertiary organisations, unions and community-minded businesses to meet the total cost of completing the project.

The Town has an amount of \$70,000 on the 2002/2003 Annual Budget to upgrade the stage at Hyde Park. The funds however, are subject to the receipt of funds from the sale of the "Old Bottleyard" site. It is envisaged that these funds may become available in May/June 2003.

**COMMENTS:**

The project will accentuate the existing historical and heritage significance of Hyde Park in the Town and as a focal point for the community.

The artistic refurbishment of the stage and associated community consultation processes will etch more strongly in the minds of locals and visitors alike the cultural profile of the park. This will enhance events such as the Hyde Park Community Fair, Summer Concerts in the Park, Lesbian and Gay Pride Fair, the Vietnamese Luna Festival and other community events.

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## 10.4 CHIEF EXECUTIVE OFFICER

### 10.4.1 Planning and Building Policies - Amendment No. 5 Relating to Security Roller Shutters, Doors and Grilles on Non-Residential Buildings and Legal Representation on Planning and Building Matters and Amendment No. 6 Relating to Parking and Access

<b>Ward:</b>	Both Wards	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA0136, PLA0137
<b>Reporting Officer(s):</b>	M Turnbull		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman		
<b>Amended by:</b>	-		

#### **OFFICER RECOMMENDATION:**

*That the Council;*

- (i) **RECEIVES** the final amended versions of the Policies relating to Security Roller Shutters, Doors and Grilles on Non-Residential Buildings and Parking and Access, as shown in Appendices 10.4.1(b) and (c) resulting from the advertised versions having been reviewed and regard to the written submissions received during the formal advertising period and outlined in the Schedule of Submissions as shown in Appendix 10.4.1(d), in accordance with Clause 47 (3), (4) and (5)(a) of the Town of Vincent Town Planning Scheme No. 1;
- (ii) **ADOPTS** the final amended versions of the Policies relating to Security Roller Shutters, Doors and Grilles on Non-Residential Buildings and Parking and Access, as shown in Appendices 10.4.1(b) and (c) in accordance with Clause 47 (5) (b) of Town Planning Scheme No. 1 with the amendments outlined in the List of Changes to Advertised Amended Version in Appendix 10.4.1(f);
- (iii) **AUTHORISES** the Chief Executive Officer to advertise the final amended versions of the Policies relating to Security Roller Shutters, Doors and Grilles on Non-Residential Buildings and Parking and Access, as shown in Appendices 10.4.1(b) and (c), in accordance with Clause 47 (6) of Town Planning Scheme No. 1; and
- (iv) **DEFERS** consideration of the final version of the Policy relating to Legal Representation on Planning and Building Matters, as shown on Appendix 10.4.1(a), until promulgation of the proposed Planning Appeals Amendment Bill 2001.

#### **BACKGROUND:**

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

#### **Amendment No. 5**

The Council at its Ordinary Meeting held on 11 June 2002 resolved the following:

*"That the Council;*

- (i) *receives* the new Policies relating to Security Roller Shutters, Doors and Grilles on Non-Residential Buildings and Legal Representation on Planning and Building Matters, as shown in Appendices 10.4.2(a) and (b);

- (ii) *advertises the new Policies relating to Security Roller Shutters, Doors and Grilles on Non-Residential Buildings and Legal Representation on Planning and Building Matters for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*
  - (a) *advertising a summary of the subject Policies once a week for four consecutive weeks in a newspaper circulating in the locality;*
  - (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policies; and*
  - (c) *forwarding a copy of the subject Policies to the Western Australian Planning Commission; and*
- (iii) *after the expiry of the period for submissions:*
  - (a) *reviews the new Policies relating to Security Roller Shutters, Doors and Grilles on Non-Residential Buildings and Legal Representation on Planning and Building Matters, having regard to any written submissions; and*
  - (b) *determines the new Policies relating to Security Roller Shutters, Doors and Grilles on Non-Residential Buildings and Legal Representation on Planning and Building Matters, with or without amendment, to or not to proceed with them."*

**Amendment No. 6**

The Council at its Ordinary Meeting held on 25 June 2002 resolved the following:

*"That the Council;*

- (iv) *receives the amended Policy relating to Parking and Access, as shown in Appendices 10.4.2;*
  - (v) *advertises the amended Policy relating to Parking and Access for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*
    - (a) *advertising a summary of the subject Policy once a week for four consecutive weeks in a newspaper circulating in the locality;*
    - (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policy; and*
    - (c) *forwarding a copy of the subject Policy to the Western Australian Planning Commission; and*
  - (vi) *after the expiry of the period for submissions:*
    - (a) *reviews the amended Policy relating to Parking and Access, having regard to any written submissions; and*
    - (b) *determines the amended Policy relating to Parking and Access, with or without amendment, to or not to proceed with them."*
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**DETAILS:**

The Schedule of Submissions including the Officers' responses is shown as Appendix 10.4.1(d), including one substantial submission shown as Appendix 10.4.1(e) and a List of Changes is shown as Appendix 10.4.1(f), to this Report.

**Amendment No. 5**

**Policy Relating to Legal Representation on Planning and Building Matters**

Consideration of this Policy is proposed to be deferred. Currently, the State Parliament is considering the proposed Planning Appeals Amendment Bill 2001 and the Minister for Planning and Infrastructure's Office has advised that the Bill is expected to be promulgated in the near future. The Bill has some bearing on the wording of the Policy as there are proposed changes to legal representation in planning appeals.

A summary of the submission received on the Policy is included in Appendix 10.4.1(d).

The draft version of the Policy relating to Legal Representation on Planning and Building Matters is shown in Appendix No. 10.4.1(a) to this Report.

**Policy Relating to Security Roller Shutters, Doors and Grilles on Non-Residential Buildings**

This Policy has been reviewed in light of the submissions received and the final amended version of the Policy relating to Security Roller Shutters, Doors and Grilles on Non-Residential Buildings is shown in Appendix Nos. 10.4.1(b) to this Report.

**Amendment No. 6**

**Policy Relating to Parking and Access**

This Policy has been reviewed in light of the submissions received and the final amended version of the Policy relating to Parking and Access is shown in Appendix Nos. 10.4.1(c) to this Report.

**CONSULTATION/ADVERTISING:**

The advertising period commenced on 9 July 2002 and concluded on 9 August 2002. The advertising included an advertisement circulating in a local newspaper for four (4) consecutive weeks and a copy of the Draft Planning and Building Policies - Amendment Nos. 5 and 6 being circulated to the Western Australian Planning Commission and the Town's Precinct Groups. At the completion of the advertising period, a total of 7 submissions were received.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2000-2002 – Key Result Areas: 1.1 *“Implement Town Planning Scheme No. 1 and associated policies and guidelines”*.

**COMMENTS:**

It is recommended that the Council receives, adopts and authorises the Chief Executive Officer to advertise the final amended versions of the Policies relating to Security Roller Shutters, Doors and Grilles on Non-Residential Buildings and Parking and Access, as shown in Appendices 10.4.1(b) and (c), in accordance with the Town of Vincent Town Planning Scheme No. 1, and defers consideration on the final version of the Policy relating to Legal Representation on Planning and Building Matters as shown in Appendix 10.4.1(a).

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**10.4.2 Alfresco Dining Policy Review**

<b>Ward:</b>	Both Wards	<b>Date:</b>	4 September 2002
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	ORG0023
<b>Reporting Officer(s):</b>	A. Bosworth		
<b>Checked/Endorsed by:</b>	D. Brits, R. Boardman		
<b>Amended by:</b>	-		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *receives the report and reviewed Alfresco Dining Policy as attached at Appendix 10.4.2(c);*
- (ii) *advertises the recommended draft version of the Alfresco Dining Policy for public comment, including:*
  - (a) *advertising a summary of the Draft Alfresco Dining Policy for a period of twenty-one (21) days; and*
  - (b) *notifying all current Alfresco Dining Licence Holders and requesting comment;*
- (iii) *after the expiry date for submissions:*
  - (a) *reviews the Draft Alfresco Dining Policy with respect to any written submissions; and*
  - (b) *reports to Council with a view of adopting the final version of the Alfresco Dining Policy; and*
- (iv) *lists for consideration in the 2003/2004 Budget the sum of \$3000 for provision and installation of Town of Vincent brass plates for delineation of existing premises licensed under the Alfresco Dining Local Law.*

**BACKGROUND:**

The existing Alfresco Dining Policy was adopted on 22 September 1997, and the policy is now due for review. The current policy is enclosed as Appendix 10.4.2(b), and the recommended draft policy as Appendix 10.4.2(c). As the Policy has been in place since 1997, it has become evident that certain operational matters require review to further promote public health and safety. These items have been included in the recommended draft policy.

**DETAILS:**

In comparison with the existing policy, the recommended draft policy incorporates information relating to alfresco dining applications on private property, clarification of departmental responsibilities and supporting information required for approvals and a clearer remedial action and enforcement procedure.

During the past three years some operational problems were experienced regarding the interpretation of the existing Policy. The draft policy aims to refine existing procedures by clarifying certain aspects for compliance. This procedure has been based on a successful policy adopted within the City of Fremantle, that has a large number of Eating-Houses with Alfresco Dining.

Furthermore, the existing policy required updating with respect to new Local Laws that have been developed and adopted since its inception, for example the advertising and display of items on footpaths that is now administered by Law & Order Services.

During the review, copies of a number of procedures and policies of other larger Local Authorities were obtained. The Town's policy in comparison is fairly comprehensive and covers similar issues.

#### **CONSULTATION/ADVERTISING:**

Consultation will be undertaken with current Alfresco Dining Licence holders and advertisement over a period of twenty-one (21) days should the above recommendation for review be supported.

#### **STRATEGIC IMPLICATIONS:**

Principal Activities Plan 2002 - 2006 - Key Result Area: The Physical Environment - *"promotion of a safe and healthy inner-city environment."*

In addition, Alfresco Dining assists in promoting the hours of operation of local eating houses, often attracting additional customers, and creating a 'Café Culture', and 'European Feel' to cater for tourists and benefit the local community alike.

#### **COMMENTS:**

Alfresco Dining Areas are required to provide reasonable unobstructed walking space for pedestrians and wheelchair access for disabled persons on footpaths. It is considered that the current Policy that requires a minimum of 2.5 metres of free space on the Council footpath, be obtained, should be relaxed. This is recommended so that proprietors with less Council footpath width between their shopfront and the road are not discriminated against. Furthermore, only one written complaint has been received regarding the 2.5 metres requirement since 1997.

The Town's Disability Access Officer and Engineering Services support this requirement of 2.5 metres where possible. In addition, the City of Stirling has a minimum of 1.5 metres of unobstructed pedestrian movement and areas of heavier movement a minimum of three metres is required. It is understood that Stirling has received only three complaints relating to reduced free walking space to 1.5 and 2 metres respectively. Following advice received from Law and Order Services, in no case will an application be approved where less than 1.5 metres free walking space is provided.

Health Services recommend that 2.5 metres be retained with the proviso that the Chief Executive Officer can approve a lesser area (around 2.0 metres free walking space). This would be subject to previously approved licences in the vicinity (Perth, Vincent or Stirling) and/or if Engineering and Health Services have no objection.

The current Alfresco Dining Policy allows for one person per square metre (that is, one chair per square metre). As this is in accordance with the Building Code of Australia for Eating-Houses and Food Premises, this has not been altered in the policy review.

Within the Town, there is currently no physical delineation on the footpath to demarcate the boundary of an alfresco dining area. In localities such as Subiaco and Perth small metal plates have been placed at intervals along the footpath to indicate the trading boundary. Quotations have been sought from local suppliers to fabricate similar brass plates for the Town, that would be similar to the example in Appendix 10.4.2(a), but would also have the

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Town's logo engraved at the top. The cost to purchase the plates will be a once off cost of \$8.70 per plate, and it can be anticipated that approximately four (4) would be required dependent on the size of the Alfresco Dining Area. The Town's Contractor would install these plates for the proprietor, ensuring consistency and correct positioning at a rate of \$30.00 per hour. The total cost per premises would range from approximately \$50 to \$80, and this fee could be incorporated into initial application fees for new Alfresco Dining areas.

It is requested that the Council list for consideration in the 2003/2004 Budget the sum of \$3000 for provision and installation of brass plates for the delineation of all existing non-delineated Alfresco Dining Premises.

Should a proprietor wish to alter their existing licence, transfer a licence or include their alfresco area in their Liquor Licensed area prior to 1 July 2003, they will then be required to come into line with new applications and will be required to pay a proportional fee for installation. In addition, any current licence holders wishing to have the plates installed prior to 1 July 2003 would be charged an installation fee proportional to the number of plates required.

The current alfresco dining policy does not require any advertising for the application to be approved. The reviewed policy requires advertising to owners/occupiers of residents within 50-metres radius when a proposal is received for alfresco dining adjacent to, or opposite residential properties.

Furthermore, to limit Council's liability, licence fees will be valid for the financial year but licences will be issued to expire on the expiry dates of the proprietor's public liability insurance. This procedure is necessary in the light of increasing litigation and recent premium increases.

It is considered that the recommended draft policy contains all the essential elements relating to public health and safety concerning Alfresco Dining, and should be advertised for community consultation accordingly.

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**10.4.3 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	4 September 2002
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Reporting Officer(s):</b>	A Smith		
<b>Checked/Endorsed by:</b>	J Giorgi		
<b>Amended by:</b>	-		

**RECOMMENDATION:**

*That the Information Bulletin dated 10 September 2002 and distributed to Elected Members with the Agenda be received.*

**DETAILS:**

The items included in the Information Bulletin dated 10 September 2002 are as follows:

<b>ITEM</b>	<b>DESCRIPTION</b>
IB01	Letter from Department of Local Government & Regional Development – Safer WA Community Security Program 2001/02
IB02	Beatty Park Leisure Centre – 40 <sup>th</sup> Birthday Celebrations
IB03	General and Specified Building Maintenance Approved Contractors - Pest Control Services
IB04	Office of the Minister for Planning and Infrastructure - Dismissal of Town Planning Appeal - Nos. 100-102 (Lot 46) Edward Street, Perth
IB05	No. 21 (Lot 24) Chelmsford Road, Mount Lawley - Determination of Minister for Local Government and Regional Development on Building Notice Appeal
IB06	No. 17 (Lots 504 & 505) Deague Court, North Perth - Determination of Minister for Local Government and Regional Development on Building Notice Appeal
IB07	No.84 (Lot 154) Zebina Street, East Perth - Progress Report

**10.4.4 Use of Common Seal**

<b>Ward:</b>	-	<b>Date:</b>	4 September 2002
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0042
<b>Reporting Officer(s):</b>	M McKahey		
<b>Checked/Endorsed by:</b>	John Giorgi		
<b>Amended by:</b>	-		

**RECOMMENDATION:**

*That the Council ENDORSES the use of the Common Seal on the documents listed in the report.*

**DETAILS:**

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

<b>Date</b>	<b>Document</b>	<b>No of copies</b>	<b>Details</b>
15/08/02	Withdrawal of Caveat	4	Town of Vincent and Minter Ellison, Level 49, Central Park, 152-158 St Georges Terrace, :Perth re: Lot 43 on Plan 692 - Nos.1 and 3 (Lots 42 and 43) Clarence Street, Mount Lawley
15/08/02	Contract Document	2	Town of Vincent and Leederville Gardens (Inc) of 37 Britannia Road, Leederville and Mr and Mrs Edwards of Unit 28, Leederville Gardens
15/08/02	Contract Document	2	Town of Vincent and Leederville Gardens (Inc) of 37 Britannia Road, Leederville and Ms V. Rasmussen of Unit 55, Leederville Gardens
16/08/02	Deed of Covenant	4	Town of Vincent and IMEX Australia 2000 Pty Ltd of 1 Keys Close, Mindarie re: No. 5 (Lot 4043) Selden Street, North Perth – Proposed Two (2) Storey Single Houses
16/08/02	Notification Under Section 70A	1	Town of Vincent and Mr P. Colangelo of 115 Alma Road, North Perth 6006 re: Lot 50 on Deposited Plan 31463 (113 and 115 (Lots 4 and 5) Alma Road, North Perth)
16/08/02	Notification Under Section 70A	1	Town of Vincent and Mr D. and Mrs A. Traverso of 162 Lincoln Street, Highgate re: Lots 308 and 309 on Deposited Plan 2990 (No. 162 Lincoln Street, Highgate)

## 11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

<b>11.1 Notice of Motion – Councillors Kate Hall and Simon Chester – Parking Review</b>
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*That the Council authorises the Chief Executive Officer to;*

- (i) identify those localities in the Town where unrestricted parking is currently available at no cost and impinges upon the parking availability and amenity of the Town's residents/businesses;*
  - (ii) investigate the most effective parking restrictions for the localities identified in clause (i) above, including, but not limited to, hourly restrictions, residential only parking or the introduction of street ticketing machines;*
  - (iii) investigate the cost effectiveness of;*
    - (a) employing additional staff; or*
    - (b) employing staff whose specific role is parking inspection, Monday to Friday inclusive, to implement clause (ii) above; and*
  - (vi) provide a report to Council at the earliest possible convenience, or no later than December 2002.*
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**11.2 Notice of Motion – Councillor Helen Doran-Wu – United Nations (UN) Car Free Day**

*That;*

- (i) *the Council APPROVES IN PRINCIPLE to participate in the United Nations (UN) Car Free Day program; and*
- (ii) *the Council authorises the Chief Executive Officer to investigate the best method of being involved in, and developing, the UN Car Free Day; and*
- (iii) *a report on this matter be presented to Council in October 2002.*

**11.3 Notice of Motion – Councillor Helen Doran-Wu – Incentives for Water Sensitive Design**

*That the Council authorises the Chief Executive Officer to host a workshop on Incentives for Water Sensitive Design. The stakeholders to be invited to include representatives of Federal and State government, Water Corporation, CSIRO and any other interested parties.*

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**12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES**

**12.1 WALGA Nominations – WA Local Government Superannuation Plan; Local Government House Trust Board of Management; Local Government Working Group of the Swan Catchment Council; Working Team and Sub-Group of the Working Team for the Review of the Manual for Managing Urban Stormwater Quality in Western Australia**

<b>Ward:</b>	-	<b>Date:</b>	3 September 2002
<b>Precinct:</b>	-	<b>File Ref:</b>	ORG0045
<b>Reporting Officer(s):</b>	Manuela McKahey		
<b>Checked/Endorsed by:</b>	John Giorgi		
<b>Amended by:</b>	-		

**RECOMMENDATION:**

*That;*

- (i) \_\_\_\_\_ *..be nominated as WALGA Member – WA Local Government Superannuation Plan - Deputy Director (Officer Position);*
- (ii) \_\_\_\_\_ *..be nominated as WALGA Metropolitan Beneficiary Member – Local Government House Trust Board of Management;*
- (iii) \_\_\_\_\_ *..be nominated as WALGA Metropolitan State Councillor Member – Local Government House Trust Board of Management; and*
- (iv) \_\_\_\_\_ *..be nominated as WALGA Member – Local Government Working Group of the Swan Catchment Council;*
- (v) \_\_\_\_\_ *..be nominated as WALGA Metropolitan Member –Working Team for the review of the manual for managing Urban Stormwater Quality in Western Australia; and*
- (vi) \_\_\_\_\_ *..be nominated as WALGA Metropolitan Sub Team Member – Sub-Group of the working team for the review of the manual for managing Urban Stormwater Quality in Western Australia.*

**BACKGROUND:**

Please see Appendix 12.1 for details.

**NOMINATIONS CLOSE FRIDAY 20 SEPTEMBER 2002 AT 4.00PM.**

**13. URGENT BUSINESS**

**14. CLOSURE**