



CITY OF VINCENT

COUNCIL BRIEFING

Notice of Meeting and Agenda

16 AUGUST 2016

Notice is hereby given that a Council Briefing will be held at the City of Vincent Administration and Civic Centre, at 244 Vincent Street (corner Loftus Street), Leederville, on **Tuesday 16 August 2016** at 6.00pm.

Len Kosova
CHIEF EXECUTIVE OFFICER

10 August 2016

ENHANCING AND CELEBRATING OUR DIVERSE COMMUNITY

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COUNCIL BRIEFING PRINCIPLES:

The following rules and principles apply to the City of Vincent Council Briefings:

1. Unless otherwise determined by Council, Council Briefings will be held in the Council Chamber on the Tuesday of the week prior to the Ordinary Council Meeting, to provide the opportunity for Elected Members and members of the public to ask questions and clarify issues relevant to the specific agenda items due to be presented to Council in the following week.
2. The Council Briefing is not a decision-making forum and the Council has no power to make decisions at the Briefing.
3. In order to ensure full transparency, Council Briefings will be open to the public to observe the process and to ask Public Questions, similar to the Council Meeting process.
4. Where matters are of a confidential nature, they will be deferred to the conclusion of the Briefing and at that point, the Briefing will be closed to the public.
5. The reports provided to Council Briefings are the reports that the Administration intends to submit to Council formally in the subsequent week. While it is acknowledged that Elected Members may raise issues that have not been considered in the formulation of the report or its recommendation, and these may be addressed in the subsequent report to Council, Council Briefings cannot be used as a forum for Elected Members to direct Officers to alter their opinions or recommendations. However, having regard to any questions or clarification sought by Elected Members, the Chief Executive Officer and Directors may choose to amend Administration reports, or withdraw and not present certain items listed on the Council Briefing Agenda to the subsequent Council Meeting in the following week.
6. Council Briefings will commence at 6.00 pm and will be chaired by the Mayor or in his/her absence the Deputy Mayor. In the absence of both, Councillors will elect a chairperson from amongst those present. In general, Standing Orders will apply, except that Members may speak more than once on any item. There is no moving or seconding items.
7. Members of the public present at Council Briefings may observe the process and will have an opportunity to ask Public Questions relating only to the business on the agenda.
8. Where an interest is declared in relation to an item on the Council Briefing Agenda, the same procedure which applies to Ordinary Council meetings will apply. All interests must be declared in accordance with the City's Code of Conduct. The Briefing will consider items on the agenda only and will proceed to deal with each item as it appears in the Agenda. The process will be for the Presiding Member to call each item number in sequence and invite questions or requests for clarification from Elected Members. Where there are no questions regarding the item, the Briefing will proceed to the next item.
9. Notwithstanding 8. above, the Council Briefing process does not and is not intended to prevent an Elected Member from raising further questions or seeking further clarification after the Council Briefing and before or at the Council Meeting in the subsequent week.
10. While every endeavour is made to ensure that all items to be presented to Council at the Ordinary Council Meeting are included in the Council Briefing papers, there may be occasions when, due to necessity, items will not be ready in time for the Council Briefing and will instead be included on the Council Meeting Agenda to be presented directly to Council for determination.
11. There may also be occasions when items are tabled at the Council Briefing rather than the full report being provided in advance. In these instances, Administration will endeavour to include the item on the Council Briefing agenda as a late item, noting that a report will be tabled at the meeting.
12. Unless otherwise determined by the Presiding Member, deputations will generally not be heard at Council Briefings and will instead be reserved for the Ordinary Council meeting, consistent with the City's Standing Orders Local Law.
13. The record of the Council Briefing session will be limited to notes regarding any agreed action to be taken by Administration or Elected Members. The Council Briefing is not a decision-making forum and does not provide recommendations to Council as a Committee might and, as such, the action notes from Council Briefings will be retained for administrative purposes only and will not be publicly distributed unless authorised by the Chief Executive Officer.

PROCEDURE FOR PUBLIC SPEAKING TIME

The City of Vincent Local Law Relating to Standing Orders prescribes the procedure for persons to ask questions or make public statements relating to a matter affecting the City, either verbally or in writing, at a Council meeting.

1. Shortly after the commencement of the meeting, the Presiding Member will ask members of the public to come forward to address the Council and to give their name, address and Agenda Item number (if known).
2. Questions/statements are to be directed to the Presiding Member and are to be made politely in good faith and are not to be framed in such a way as to reflect adversely or be defamatory on a Council Member or City Employee.
3. Members of the public are encouraged to keep their questions/statements brief to enable everyone who desires to ask a question or make a statement to have the opportunity to do so.
4. Public speaking time is declared closed when there are no further members of the public who wish to speak.
5. Where the Presiding Member is of the opinion that a member of the public is making a statement at a Council meeting, that does not affect the City, or (where applicable) does not relate to an item of business on the meeting agenda, the Presiding Member, he may ask the person speaking to promptly cease.
6. In the case of the Ordinary and Special Council Meetings, Questions/statements and any responses will be summarised and included in the Minutes of the Council Meeting. Questions/Statements will not be summarised or included in the notes of any Council Briefing unless Administration to take action in response to the Question/Statement which could include, but is not limited to provide further commentary or clarification in the report to Council to address the question/statement.
7. Where practicable, responses to questions will be provided at the meeting. Where the information is not available or the question cannot be answered, it will be *"taken on notice"* and a written response will be sent by the Chief Executive Officer or relevant Director to the person asking the question. In the case of the Ordinary and Special Council Meetings, copy of the reply will be included in the Agenda of the next Ordinary meeting of the Council.
8. It is not intended that public speaking time should be used as a means to obtain information that would not be made available if it was sought from the City's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information (FOI) Act 1992. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act 1992.

RECORDING OF COUNCIL MEETINGS

- ◆ All Council Briefings, and Ordinary and Special Council Meetings are electronically recorded (both visual and audio), except when the Council resolves to go behind closed doors;
- ◆ All recordings are retained as part of the City's records in accordance with the General Disposal Authority for Local Government Records produced by the Public Records Office;
- ◆ A copy of the recorded proceedings and/or a transcript of a particular section or all of a Council meeting is available in accordance with Policy No. 4.2.4 - Council Meetings – Recording and Access to Recorded Information.

ORDER OF BUSINESS

1. (a) **Declaration of Opening**
- (b) **Acknowledgement of Country Statement**

"Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land".
2. **Apologies/Members on Approved Leave of Absence**
3. **Public Question Time and Receiving of Public Statements**
4. **Declarations of Interest**
5. **Reports**

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5.1 DEVELOPMENT SERVICES

5.1.1 No. 39 (Lot: 44; D/P 1035) Bruce Street, Leederville – Proposed Change of Use from Single House to Single House and Bed and Breakfast (Unlisted Use)

Ward:	South	Date:	5 August 2016
Precinct:	Precinct 3 – Leederville	File Ref:	PR19053; 5.2016.179.1
Attachments:	<u>1</u> – Consultation Map <u>2</u> – Development Application Plans <u>3</u> – Applicant’s Justification and Management Plan <u>4</u> – Car Parking Table		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY ABSOLUTE MAJORITY** the application for a proposed Change of Use from Single House to Single House and Bed and Breakfast (Unlisted Use) at No. 39 (Lot: 44; D/P: 1035) Bruce Street, Leederville on plans date stamped 10 May 2016, as shown on Attachment 2, subject to the following conditions:

1. Limitation on Use

1.1 Area

1.1.1 The Bed and Breakfast use shall be limited to the area shown hatched on the approved plans;

1.2 Maximum Number of Occupants/duration

1.2.2 There shall be no more than two guests accommodated at the Bed and Breakfast at any one time; and

1.2.3 Guests are not permitted to stay at the subject Bed and Breakfast for a continuous period longer than six months within any 12 month period;

1.3 Management Plan/ Code of Conduct

1.3.1 The bed and breakfast shall operate in accordance with the Code of Conduct date stamped 10 May 2016; and

1.3.2 The terms and conditions outlined in the Code of Conduct shall be provided to occupants of the Bed and Breakfast at the time of check-in and displayed in a prominent location within the entrance of the area of the bed and breakfast area; and

1.4 Other

1.4.1 The keeper of the Bed and Breakfast must reside on site at all times while the Bed and Breakfast is in operation;

1.4.2 **Breakfast (and any other meals) must be provided to Bed and Breakfast guests only: and**

1.4.3 **Access to a dining area, bathroom and laundry facilities must be available for Bed and Breakfast guests; and**

2. External Fixtures

All external fixtures shall not be visually obtrusive from Bruce Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like.

ADVICE NOTE:

1. **All signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Permit application.**

PURPOSE OF REPORT:

To consider an application for a change of use from Single House to Single House and Bed and Breakfast (Unlisted Use).

BACKGROUND:

Nil

DETAILS:

Application Details:

Landowner:	Mr D Hay & Ms L Finney
Applicant:	As Above
Date of Application:	10 May 2016

Principal Statutory Provisions

Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Residential R60 Draft Town Planning Scheme No. 2 (TPS2): Residential R60
Existing Land Use:	Single House
Use Class:	Bed and Breakfast
Use Classification:	Unlisted Use
Lot Area:	448 square metres
Right of Way (ROW):	Not Applicable
Heritage List:	No

The property is currently a single residential dwelling located along Bruce Street which is residential in nature.

The proposal is to convert the existing front master bedroom and study within the dwelling to be used for the bed and breakfast component which will comprise of a bedroom, private bathroom, and a separate lounge/dining room. Users of the Bed and Breakfast will also be able to access the enclosed front lawn area and be provided with access to laundry facilities.

The Bed and Breakfast will operate as follows:

- Accommodate a maximum of two guests;
- Breakfast will be provided to guests;
- The keeper will reside on-site at all times;
- Hours: Check in between 2pm to 8pm;
Check out before 10am;
- No outside employees are proposed;
- A detailed Management Plan which includes the Code of Conduct is included with the application as **Attachment 3**, which addresses the requirements of the City's Policy No. 7.4.5 – Temporary Accommodation;
- There is sufficient space to accommodate three car bays on site two in the driveway and one in the existing carport.

The matter is referred to Council for determination as the proposal is for an Unlisted Use which requires an Absolute Majority decision.

ASSESSMENT:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1 and the City's policies. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the section of the report following from this table both in relation to the deemed-to-comply provisions and the design principles.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Land Use (only where required)		✓
Temporary Accommodation	✓	
Parking & Access	✓	

Detailed Assessment

The assessment is as follows:

Land Use		
Requirement	Proposal	Aspect for Consideration
Town Planning Scheme No. 1		
Zone – Residential	Bed and Breakfast – “Unlisted Use”	Unlisted Use. Requires discretion.

The assessment against the-principles is as follows:

Land Use
Applicable Principles
Policy No. 7.4.5 – Temporary Accommodation
Objectives: <ul style="list-style-type: none"> • Ensure a high standard of amenity for long-term residents and the occupants of temporary accommodation through management controls; • Provide guidance to the operators of temporary accommodation as to their responsibilities and obligations; and • Ensure properties used for temporary accommodation purposes do not have an undue impact on the residential amenity of the area.

Land Use
Summary of Applicant's Justification
<p><i>"The application proposes short term accommodation within an existing building. Accordingly, the proposal has a lower environmental impact to construct a new building for this purpose.</i></p> <p><i>The application for a diversity of accommodation within the locality and will contribute positively to the local economy by bringing tourists into the area."</i></p>
Officer Technical Comment
<p>The proposed bed and breakfast use complies with the requirements of the City's Policy No. 7.4.5 – Temporary Accommodation and is an acceptable use of the property.</p> <p>The use of the existing bedroom and adjoining room ensures a high standard of amenity for guests. The submitted code of conduct and management plan for the use provides a concise set of directions for guests.</p> <p>The proposal shows a clear separation between the temporary accommodation component and the use of the premises as a single house and ensures that all necessary facilities are provided for the permanent residents.</p> <p>The small scale of the bed and breakfast component and the fact that the operator permanently resides at the premises will ensure that the use will not have an undue impact on the adjoining residential properties. It is noted that during the consultation process no submissions were received.</p> <p>The proposed use is considered acceptable.</p>

CONSULTATION/ADVERTISING:

Required by Legislation:	No	Required by City of Vincent Policy:	Yes
Consultation Period:	1 July 2016 – 21 July 2016		
Comments Received:	No Submissions were received.		

A total of 23 letters were sent to owners and occupiers adjoining the subject property.

Community Consultation resulted in a response rate of Nil.

Design Advisory Committee (DAC):

Referred to Design Advisory Committee: No

LEGAL/POLICY:

- *Planning and Development Act 2005;*
- City of Vincent Town Planning Scheme No. 1;
- Policy No. 4.1.5 – Community Consultation;
- Policy No. 7.1.3 – Leederville Precinct;
- Policy No. 7.7.1 – Parking and Access; and
- Policy No. 7.4.5 – Temporary Accommodation.

The applicant will have the right to have Council's decision reviewed by the State Administrative Tribunal (SAT) in accordance with Part 14 of the *Planning and Development Act 2005*.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

1.1 *Improve and maintain the natural and built environment and infrastructure;*

1.1.2 *Enhance and maintain the character and heritage of the City."*

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice".

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL
The alternative use of this building as temporary accommodation maximises the use of existing resources.

SOCIAL
The development contributes positively to the social sustainability of the area by increasing tourist accommodation and service range within the local area.

ECONOMIC
Supports locally owned businesses and the tourism industry.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The proposed Bed and Breakfast use affects only the front area of the existing dwelling and includes a living/dining area, guest bedroom and bathroom, and guests will have access to the existing the laundry facilities.

The Bed and Breakfast use is unlikely to adversely affect the residential amenity of the locality as:

- it is of a small scale being limited to two guests at any one time only;
- it maintains a single house residential appearance when viewed from the street;
- it provides parking for the single house use and the Bed and Breakfast component on site in accordance with the City's Policy;
- guests will be required to abide by a Code of Conduct; and
- the operator of the Bed and Breakfast will reside on the premises while the Bed and Breakfast is operating.

The site's location provides easy access to a range of services in Leederville including shops, cafes and public transport which makes it a suitable use for temporary accommodation.

The proposal is acceptable subject to conditions being imposed that:

- limits the property to be occupied by no more than two guests;
- requires the use to operate in accordance with the Code Conduct document; and
- compliance with requirements of the policy.

It is recommended that Council conditionally approves this proposal.

5.1.2 Nos. 470-472 (Lots: 8 and 9; D/P 5365) William Street, Perth – Proposed Change of Use from Art Gallery (Unlisted Use) to Art Gallery (Unlisted Use) and Recreational Facility (Yoga Studio)

Ward:	South	Date:	5 August 2016
Precinct:	Precinct 12 – Hyde Park	File Ref:	PR27285; 5.2016.122.1
Attachments:	<u>1</u> – Consultation Map <u>2</u> – Development Application Plans <u>3</u> – Car Parking and Bicycle Tables		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Statutory Planning Officer		
Responsible Officer:	G Poczyn, Director Development Services		

RECOMMENDATION:

That Council, in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES BY ABSOLUTE MAJORITY** the application for Proposed Change of Use from Art Gallery (Unlisted Use) to Art Gallery (Unlisted Use) and Recreational Facility (Yoga Studio) at Nos. 470-472 (Lots: 8 and 9; D/P: 5365) William Street, Perth on plans date stamped 2 June 2016, as shown on Attachment 2, subject to the following conditions:

1. Use

1.1 Recreation Facility (Yoga Studio)

1.1.1 A maximum of 20 persons shall be accommodated at any one time;

1.1.2 The proposed hours of operation shall be limited to:

Monday to Saturday – 6:00am – 7:30am and 6:00pm – 7:30pm;
and

1.2 Art Gallery

1.2.1 The existing Art Gallery use shall continue to operate in accordance with the Conditions as listed on the approval dated 6 December 2005 (5.2005.3135.1); and

1.2.2 The hours of operation shall exclude:

Monday to Saturday – 6:00am – 7:30am and 6:00pm – 7:30pm;
and

2. Car Parking and Access

2.1 A minimum of eleven car bays shall be provided onsite;

2.2 The car park shall be used only by tenants and visitors directly associated with the development;

2.3 The car parking and access areas are to comply with the requirements of AS2890.1; and

2.4 Vehicle and pedestrian access points are required to match into existing footpath levels;

3. **External Fixtures**

All external fixtures shall not be visually obtrusive from William Street and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;

4. **Verge Trees**

No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;

5. The following is to form part of the application for a Building Permit and shall be approved by the City prior to commencement of the development:

5.1 **Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 7.5.21 – Sound Attenuation. The recommended measures of the report shall be implemented;

5.2 **Waste Management**

5.2.1 A Waste Management Plan prepared to the satisfaction of the City detailing a bin store to accommodate the City's specified bin requirement; and

5.2.2 Waste management for the development shall thereafter comply with the approved Waste Management Plan; and

5.3 **Bicycle Bays**

A minimum of one Class 1 or 2 bicycle bays and two Class 3 bicycle bay to be provided onsite. Bicycle bays must be provided at a location convenient to the entrance, publically accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3; and

6. Prior to occupancy or use of the development, the following shall be completed to the satisfaction of the City:

6.1 **Acoustic Report Certification**

With reference to Condition 5.1, certification from an acoustic consultant that the recommended measures have been undertaken shall be provided to the City; and

7. Where any of the above conditions have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

ADVICE NOTES:

1. With regards to Condition 1, the Art Gallery and Recreation Facility (Yoga Studio) are approved on a reciprocal basis and shall not operate at the same time. Any changes will require further approval; and

2. All signage that does not comply with the City's Policy No. 7.5.2 – Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Permit application, being submitted to and approved by the City prior to the erection of the signage.

PURPOSE OF REPORT:

To consider a proposal for the added use of Recreation Facility (Yoga Studio) to the existing approved unlisted use of Art Gallery.

BACKGROUND:

History:

The City has previously determined the following application for the subject property:

Date	Comment
6 December 2005	<p>Council approved an application for Alterations and Additions to Existing Light Industry and Change of Use to Unlisted Use (Art Gallery)</p> <p>There is an existing legal agreement between the owners and the City in relation to parking over Lots 8 & 9.</p>

Previous Reports to Council:

The Minutes of the previous reports to Council are available on the City's website.

DETAILS:

Application Details:

Landowner:	Allstar Ridge Pty Ltd – H Turner
Applicant:	As Above
Date of Application:	3 June 2016

Principal Statutory Provisions

Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Commercial Draft Town Planning Scheme No. 2 (TPS2): Commercial
Existing Land Use:	Art Gallery (Unlisted Use)
Use Class:	Recreational Facility (Yoga Studio)
Use Classification:	"AA"
Lot Area:	1023 square metres
Right of Way (ROW):	Not Applicable
Heritage List:	No

The proposal is for a Recreational Facility Use (Yoga Studio) in addition to the existing approved Art Gallery use. The recreational use (Yoga Studio) will operate within the existing gallery space.

The proposed Recreational Facility Use (Yoga Studio) is proposed to operate outside of the Art Gallery operating hours as follows:

Hours – 6:00am – 7:30am (mornings)
– 6:00pm – 7:30pm (evenings)

The existing art gallery operates from 11am – 5pm Tuesday to Saturday.

The Yoga classes are proposed to have a maximum of 20 persons.

The existing Art Gallery and the Recreational Use (Yoga Studio) do not operate at the same times and there are 19 car parking bays provided onsite which includes a disabled bay. The parking bays provided comply with the car parking requirements as denoted in **Attachment 3**.

This matter is being referred to Council as the application seeks to maintain the existing approved Unlisted Use of Art Gallery in addition to the proposed Recreational Use (Yoga Studio).

ASSESSMENT:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1, and the City's policies. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the section of the report following from this table both in relation to the deemed-to-comply provisions and the design principles.

Planning Element	Use Permissibility/ Deemed-to-Comply	Requires the Discretion of Council
Land Use		✓
Parking & Access	✓	
Bicycles		✓

Detailed Assessment

The assessment is as follows:

Land Use		
Requirement	Proposal	Aspect for Consideration
Town Planning Scheme No. 1		
Zone – Commercial	Recreational Use - AA Use	Requires discretion

The assessment against the-principles is as follows:

Land Use
Applicable Principles
Policy No. 7.1.12 – Hyde Park Precinct
Uses are to be as listed in the Commercial Zone of the Zone Table of the City of Vincent Town Planning Scheme No. 1
Existing shopping and commercial uses will be consolidated in current locations.
Summary of Applicant's Justification
No justification provided.
Officer Technical Comment
The proposed use of the premises as a recreational facility in addition to the existing Art Gallery use will assist in the delivery of the precinct objectives to co-locate uses.
Given the location of the premises in William Street, the proposed use is considered to be appropriate.
The site has a dedicated car parking area which provides surplus car parking bays compared to the number of bays required for both uses under the City's Policy. Refer Attachment 3 .
The scale and intensity of the proposed use is unlikely to have an adverse impact on the immediate locality and is supported.

Bicycles		
Requirement	Proposal	Aspect for Consideration
Policy No. 7.7.1 – Parking and Access		
1 Class 1 or 2 facilities and 2 Class 3 facilities	Nil	Shortfall of 1 Class 1 or 2 and 2 Class 3 bicycle bays

The assessment against the principles is as follows:

Bicycles
Applicable Principles
Policy No. 7.7.1 – Parking and Access
5. To promote alternative transport modes by including requirements to provide bicycle parking and reducing parking requirements where alternatives exist.
Summary of Applicant's Justification
No justification provided.
Officer Technical Comment
It is recommended that a condition is imposed that requires the applicant to provide bicycle parking facilities onsite for visitors and staff.

CONSULTATION/ADVERTISING:

Required by Legislation:	No	Required by City of Vincent Policy:	Yes
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Consultation Period:	17 June 2016 – 30 June 2016
Comments Received:	Two comments received supporting the application.

A total of 48 letters were sent to owners and occupiers adjoining the property subject of this application.

Community Consultation resulted in a response rate of 4.16%.

The submission of support of the proposal where the submitter ticked the box indicating support for the proposal and no comments were provided.

Design Advisory Committee (DAC):

Referred to Design Advisory Committee: No

LEGAL/POLICY:

- *Planning and Development Act 2005*;
- City of Vincent Town Planning Scheme No. 1;
- Policy No. 4.1.5 – Community Consultation;
- Policy No. 7.1.12 – Hyde Park Precinct; and
- Policy No. 7.7.1 – Parking and Access Policy.

The applicant will have the right to have Council's decision reviewed by the State Administrative Tribunal (SAT) in accordance with Part 14 of the *Planning and Development Act 2005*.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

1.1 *Improve and maintain the natural and built environment and infrastructure;*

1.1.2 *Enhance and maintain the character and heritage of the City.*

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Economic Development

2.1.1 *Promote business development and the City of Vincent as a place for investment appropriate to the vision for the City".*

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL
The proposal provides for the use of existing infrastructure and services.

SOCIAL
The development will act as a social meeting place location.

ECONOMIC
The development will provide increased local employment opportunities.

FINANCIAL/BUDGET IMPLICATIONS:

Nil

COMMENTS:

The proposal for a Recreational Facility (Yoga Studio) is in addition to the existing approved Art Gallery use (Unlisted Use). The use is considered appropriate for the William Street locality and will contribute to activation of the general vicinity.

The applicant has proposed limited hours of operation for this use ~~are have been restricted~~ to two time periods during the early morning and early evening. To ensure compliance with the appropriate noise regulations, a condition is recommended requiring submission of an acoustic report and implementation of measures ~~can be implemented~~.

Parking for cars and bicycles is provided on site in accordance with the City's requirements. The existing landscaping onsite complies with the existing planning approval for the property.

Based on the above, the proposed Recreational Facility (Yoga Studio) in addition to the existing Art Gallery use is acceptable.

It is recommended that Council conditionally approves this proposal.

5.1.3 No. 78B (Lot: 1; STR: 66198) Carr Street, West Perth – Proposed Extension to the Term of Approval: Three Storey Grouped Dwelling

Ward:	South	Date:	5 August 2016
Precinct:	Precinct 5 – Cleaver	File Ref:	PR53341; 5.2016.264.1
Attachments:	1 – Consultation Map 2 – Development Application Plans 3 – Copy of Planning Approval granted 23 September 2014 & Plans		
Tabled Items:	Nil		
Reporting Officer:	A Dyson, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council, in accordance with Schedule 2, Part 9, Clause 77(4)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, APPROVES the application for an extension of the term of the existing planning approval granted on 23 September 2014, numbered 5.2014.251.1 for the proposed construction of a three-storey grouped dwelling at No. 78B (Lot: 1; STR: 66198) Carr Street, West Perth on plans date stamped 28 June 2016, as shown on Attachment 2, subject to the following conditions:

1. All conditions, requirements and advice notes detailed on the previous approval dated 22 July 2014 numbered 5.2014.116.1;
2. All windows depicted on the approved plans with stippling shall comply with the privacy requirements of the Residential Design Codes to the satisfaction of the City; and
3. Where any of the conditions referred to in Condition 1 have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

PURPOSE OF REPORT:

To consider an application to extend the validity of the current approval by a further two years for the subject development.

BACKGROUND:

The development is for the construction of a three storey grouped dwelling.

History

The following is a list of the applications for the subject property which the City has previously determined:

Date	Comment
23 September 2014	Council approved an application for a three storey grouped dwelling.

Previous Reports to Council:

The Minutes of the previous reports to Council are available on the City's website.

DETAILS:

Application Details:

Landowner:	J Slater
Applicant:	Rave Constructions
Date of Application:	28 June 2016

Principal Statutory Provisions

Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Residential R50 Draft Town Planning Scheme No. 2 (TPS2): Residential R50
Existing Land Use:	Vacant Site
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	196 square metres
Right of Way (ROW):	Not Applicable
Heritage List:	No

The current approval lapses on 23 September 2016 and there is no substantial commencement on site.

The applicant has provided the following statement for the request to extend the validity period:

"The site requires extensive works on the sewer and the many discussions with the authority to alleviate. While we are doing our very best to continue at an acceptable pace, the hold-up has been largely administrative but things are progressing. If we can request to extend the approval for a further 18-24 months we will then be in position to build the property".

The application to extend the validity of an approval can be considered in accordance with Schedule 2, Part 9, Clause 77(1)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Clause 77(4) provides the local government the ability to approve the application with or without conditions or refuse the application.

This matter is being referred to Council as the original planning application was determined by Council, and this proposal results in changes to the conditions of approval.

ASSESSMENT:

The proposal is unchanged from the original approval and no further discretion is sought.

While this proposal has not changed since it was granted approval in 2014, the Planning framework has changed, with modifications to the Residential Design Codes and the Planning Regulations in 2015. These changes do not impact this proposal or the conditions previously imposed.

CONSULTATION/ADVERTISING:

Required by Legislation:	No	Required by City of Vincent Policy:	Yes
Consultation Period:	7 July 2016 – 20 July 2016		
Comments Received:	Four submissions objecting to the development.		

A total of 115 letters were sent to owners and occupiers adjoining the development site.

Community Consultation resulted in a response rate of 3.5%.

The table below summarises the comments received during the advertising period, together with the City's response to each comment.

Comments Received Objecting:	Officer Technical Comment:
Concern over the design quality of the development and the lack of amenity and green design in the development.	The proposed development is unchanged from the previous planning approval. The proposed development is considered to be a contemporary dwelling that appropriately uses a constrained site and addresses the requirements of open space, setbacks and outdoor living space adequately.
Consider the development application to request for an extension of time be rejected.	The proposed development is unchanged from the previous planning approval. It is considered that there are no valid planning reasons to refuse the extension of the validity of the planning approval.
Concern over the height scale and bulk of the proposed three storey development and that the third storey is not a loft design.	The proposed three storey height was previously considered and found to be acceptable by Council in its September 2014 decision.
Concern over privacy from the upper floor windows and lack of clarity of obscure glass.	The condition from the previous approval to bring the retreat window into compliance continues to apply. The approved plans also depict proposed screening with stippling to a number of windows most of which are located on the upper floors. The demarcation on the plan imply that the windows are proposed to be screened to a height of 1.6 metres. Although this information is provided on the plans it is recommended for clarity that an additional condition is imposed
Servicing of the site from Water Corporation.	This is not a planning consideration and the applicant is required to liaise with the Water Corporation in this regard.

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

Design Advisory Committee (DAC):

Referred to Design Advisory Committee: No

LEGAL/POLICY:

- *Planning and Development Act 2005;*
- City of Vincent Town Planning Scheme No. 1;
- Residential Design Codes;
- Policy No. 4.1.5 – Community Consultation;
- Policy No. 7.1.5 – Cleaver Precinct; and
- Policy No. 7.2.1 – Residential Design Elements.

The applicant will have the right to have Council's decision reviewed by the State Administrative Tribunal (SAT) in accordance with Part 14 of the *Planning and Development Act 2005*.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

1.1 *Improve and maintain the natural and built environment and infrastructure;*

1.1.2 *Enhance and maintain the character and heritage of the City."*

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice."

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL
The development will assist to offset urban sprawl and associated negative impacts.

SOCIAL
The proposal provides for an increase in housing diversity and provides housing for smaller households within the City.

ECONOMIC
The construction will provide short term employment.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The proposed application seeks approval to extend the validity of the original approval for a further two years. The proposal has not changed and the modifications to the planning framework do not impact on this application.

Additional conditions are recommended to provide clarity.

The development for a grouped dwelling is capable of being approved under TPS1 and is aligned with the draft TPS2.

Given the above the request for a further two years is supported subject to the existing conditions detailed on the previous Council approval of 23 September 2014 and two additional conditions.

CONCLUSION:

It is recommended that Council conditionally approves this proposal.

5.1.4 No. 104 (Lot: 26; D/P: 2359) Chelmsford Road, Mount Lawley – Retrospective Amendment to Previous Approval: Alterations and Additions to an Existing Single House

Ward:	South Ward	Date:	5 August 2016
Precinct:	Precinct 10 – Norfolk	File Ref:	PR19917; 5.2015.567.1
Attachments:	<u>1</u> – Consultation Map <u>2</u> – Development Application Plans <u>3</u> – Copy of Planning Approval granted 20 April 2015 & Plans <u>4</u> – Comparison Table <u>5</u> – Applicant’s Justification		
Tabled Items:	Nil		
Reporting Officer:	A Spicer, Statutory Planning Officer		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council, in accordance with Schedule 2, Part 9, Clause 77(4)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, APPROVES the retrospective application to an existing planning approval granted on 20 April 2015 numbered 5.2015.16.1 for alterations and additions to an existing Single House at No. 104 (Lot: 26; D/P: 2359) Chelmsford Road, Mount Lawley on plans date stamped 3 August 2016, as shown on Attachment 2, subject to the following conditions:

1. **Boundary Wall**

The owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 102 Chelmsford Road in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork to the satisfaction of the City;

2. **Carport**

The carport shall be 100% open on all sides and at all times except where it abuts a dwelling or a property boundary on one side;

3. **Car Parking and Access**

The car parking and access areas are to comply with the requirements of AS2890.1;

4. **External Fixtures**

All external fixtures shall not be visually obtrusive from Chelmsford Road and neighbouring properties. External fixtures are such things as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like;

5. **Verge Trees**

No verge trees shall be removed. The verge trees shall be retained and protected from any damage including unauthorised pruning;

6. Within twenty-eight (28) days of the issue date of this 'Approval to commence development, the owners or the applicant on behalf of the owners are required to:

6.1 **Front Fence – Pier Modifications**

6.1.1 Submit a plan together with the application for Building Approval Certificate, which identifies the front fence pier accommodating the letterbox be positioned to the western side of the pedestrian access gate to the satisfaction of the City ; and

6.1.2 The constructed front fence pier as depicted on the plan dated 3 August 2016 which currently accommodates the letterbox (positioned on eastern side of the pedestrian access gate) is to be reinstated to be a maximum width of 355mm x 355mm and be a maximum height of 1.8 metres as measured from the footpath level to the satisfaction of the City;

6.2 **Building Approval Certificate**

Submit a BA13-Application for Building Approval Certificate, which should be accompanied by a BA18-Certificate of Building Compliance, signed by a registered Building Surveyor;

6.3 **Window Modifications**

6.3.1 All north and west facing windows on the upper floor shall be fitted with obscure glazing to the satisfaction of the City; and

6.3.2 All north and west facing windows on the upper floor shall:

- (a) be modified so that awning windows have a maximum awning opening of 125mm; and
- (b) all other windows are to be permanently fixed to a height of 1.6 metres;

7. Prior to occupancy or use of the development, the following shall be completed to the satisfaction of the City:

7.1 **Stormwater**

All storm water collected on the subject land shall be retained onsite, by suitable means to the satisfaction of the City; and

8. Where any of the above conditions have a time limitation for compliance, and the condition is not met in the required time frame, the obligation to comply with the requirements of the condition continues whilst the approved development exists.

ADVICE NOTES:

1. With reference to Condition 1, the owners of the subject land shall obtain the consent of the owners of relevant adjoining properties before entering those properties in order to make good the boundary walls;
 2. With reference to Condition 2, open style gates/panels with a visual permeability of 80 per cent are permitted;
-

3. With reference to Condition 6.1, standard 'Visual Truncations', in accordance with the City's Policy 2.2.6 and/or to the satisfaction of the City are to be provided at the intersection of the road reserve or Right of Way boundary, and all internal vehicle access points to ensure that the safety of pedestrians and other road users is not compromised. Details of all required visual truncations shall be included on the building permit application working drawings;
4. With reference to Condition 6.3, the obscure glazing is required for the full extent of the window panels;
5. With reference to Condition 7.1, no further consideration shall be given to the disposal of stormwater 'offsite' without the submission of a geotechnical report from a qualified consultant. Should approval to dispose of stormwater 'offsite' be subsequently provided, detailed design drainage plans and associated calculations for the proposed stormwater disposal shall be lodged together with the building permit application working drawings;
6. The Right of Way (ROW) shall remain open at all times and must not be used to store any building or other material or be obstructed in any way. The ROW 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 ROW condition has deteriorated, or become impassable as a consequence of the works the applicant/developer shall make good the surface to the full satisfaction of the City; and
7. The movement of all path users, with or without disabilities, within the road reserve, shall not be impeded in any way during the course of the building works. This area shall be maintained in a safe and trafficable condition and a continuous path of travel (minimum width 1.5 metres) shall be maintained for all users at all times during construction works. If the safety of the path is compromised resulting from either construction damage or as a result of a temporary obstruction appropriate warning signs (in accordance with AS1742.3) shall be erected. Should a continuous path not be able to be maintained, an 'approved' temporary pedestrian facility suitable for all path users shall be put in place. If there is a request to erect scaffolding, site fencing etc. or if building materials are required to be stored within the road reserve, once a formal request has been received, the matter will be assessed by the City and if considered appropriate a permit shall be issued by the City. No permit will be issued if the proposed encroachment into the road reserve is deemed to be inappropriate.

PURPOSE OF REPORT:

To consider a retrospective application for amendments to a previous approval, for alterations and additions to a single house.

BACKGROUND:

The application is for an amendment to a previous approval (planning application 5.2015.16.1 granted on 20 April 2015) and the following variations to the Residential Design Elements Policy and the Residential Design Codes (**Attachment 4**) were approved:

- Nil setback of balcony from ground floor;
 - Minor variations to development setback requirements;
 - Eastern boundary overall wall height and average wall height varied;
 - Overall wall height of 6.5 metres in lieu of the 6 metres requirement;
 - Front pier width of 490mm in lieu of 355mm; and
 - Roof pitch at a 27 degree pitch.
-

The application was originally submitted for proposed works however, following commencement of advertising and a subsequent site inspection, it was established that the application was retrospective and the applicant was continuing to build in accordance with the unapproved revised proposal.

As a result, the City issued a Stop Work Notice on 11 May 2016 in accordance with Part 13, Section 214(2) of the *Planning and Development Act 2005*. The applicant modified the application to address the retrospective works.

As part of the retrospective application, the applicant was required to submit an as constructed survey of the development prepared by a licensed land surveyor to ascertain the extent of departure from the current approval. It was identified that there were discrepancies between the site survey plan submitted and that provided as part of the application for planning approval (5.2015.16.1). The City has undertaken a spot check of the measurements provided and is satisfied that the 'as constructed plan' submitted is representative of the built form.

History:

The City has previously determined the following applications for the subject property:

Date	Comment
20 April 2015	Planning approval was granted under delegated authority for alterations and additions including a second storey and carport to an existing single house (Attachment 3).
11 August 2015	A building permit issued for proposed additions and alterations to existing single house.

DETAILS:

Application Details:

Landowner:	PJ Surace & DS Rowan
Applicant:	Audnu Pty Ltd T/A Nu Change Building
Date of Application:	10 December 2015

Principal Statutory Provisions

Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS1): Residential R40 Draft Town Planning Scheme No. 2 (TPS2): Residential R40
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	459.769 square metres
Right of Way (ROW):	4 metres wide, City owned, sealed and drained to the north
Heritage List:	No

Since the application was identified as being retrospective, the proposal was revised as follows:

Date	Comment
7 July 2016	Amended plans were submitted proposing changes to resolve community concerns. These proposed changes include: <u>Upper floor northern window – Bed 3:</u> <ul style="list-style-type: none"> Permanently fixed opaque glass to 1650 above floor level in accordance with Residential Design Codes privacy requirements.

Date	Comment
	<p><u>East elevation – Bed 3:</u></p> <ul style="list-style-type: none"> • Upper level wall length of 3.130 metres setback in accordance with original development application and building permit approval. <p><u>East elevation parapet wall – Roof detail</u></p> <ul style="list-style-type: none"> • Eave line reinstated in accordance with original development application and building permit approval. • Roof line over store to be pitched in accordance with approved plans. • Parapet wall height reduced from 4.16 metres to 3.8 metres. <p><u>West elevation eave detail:</u></p> <ul style="list-style-type: none"> • Eave line reinstated in accordance with original development application and building permit approval. • Eave line amended to reduce visual mass of west elevation.
3 August 2016	All the above changes were maintained and an additional annotation made on the plans in relation to the northern elevation.

The proposal is seeking approval for some as constructed elements of the dwelling, however it also proposes to make modifications to the 'as constructed' building as outlined in the plans submitted to the City on 7 July 2016 (refer to table above). For clarity, the changes have also been annotated on the submitted plans dated 3 August 2016.

It was established that the departure from the approved building height was as a result of the existing ceiling heights of the single storey component of the house being retained.

This matter is referred to Council for determination as it has been called in by Council Members.

ASSESSMENT:

Summary Assessment

The table below summarises the planning assessment of the proposal against the provisions of the City of Vincent Town Planning Scheme No. 1, the Residential Design Codes and the City's policies. In each instance where the proposal requires the discretion of Council, the relevant planning element is discussed in the section of the report following from this table both in relation to the deemed-to-comply provisions and the design principles.

Planning Element	Use Permissibility/ Deemed-to-Comply	Previously approved	Requires further Discretion
Density/Plot Ratio	✓		
Street Setback		✓	
Front Fence		✓	✓
Building Setbacks/Boundary Wall		✓	✓
Building Height/Storeys		✓	✓
Roof Form		✓	
Open Space	✓		
Privacy	✓		
Parking & Access	✓		
Solar Access	✓		
Site Works	✓		
Essential Facilities	✓		
Surveillance	✓		

Detailed Assessment

The assessment is as follows:

Front Fence		
Requirement	Retrospective Application	Variation
Policy No. 7.2.1 – Residential Design Elements Clause SADC 13 and Policy No. 2.2.6 – Truncations Clause 1.4 <i>Deemed to comply:</i> Pier width 355mm	500mm	145mm

The assessment against the principles is as follows:

Front Fence	
Applicable Principles	
(l)	Street walls and fences are to be designed so that: <ul style="list-style-type: none"> • Buildings, especially their entrances, are clearly visible from the primary street; • A clear line of demarcation is provided between the street and development; • They are in keeping with the desired streetscape; and • Provide adequate sightlines at vehicle access points.
Summary of Applicant's Justification	
Building bulk in the front setback area is proposed to be reduced to address concerns raised by neighbours. Front pier widths, with the expectation of one, will be reduced to 355mm and the height of the bin store will be reduced 1.2 metres.	
Officer Technical Comment	
As part of the original approval, the pier which included the letter box was located on the western side of the pedestrian access gate and was approved with a width of 490mm. The as constructed pier is located on the eastern side of the pedestrian access gate which measures 500mm in width and is located within the visual truncation area of the carport. The fencing is in keeping with fence styles within the existing streetscape, and demarcates the pedestrian entry to the dwelling. However the as constructed pier likely to have an impact on pedestrian and vehicle sightlines and is not supported in its current location. A condition is recommended requiring the as constructed pier to be modified to meet the City's Policy requirements and enable the wider pier which includes a letter box to be repositioned to the western side of the pedestrian access gate which is located outside of the required sightline measurements.	

The assessment is as follows:

Building Setbacks/Boundary Wall		
Requirement	Retrospective Application	Variation
Residential Design Codes Clause 5.1.3 <u>Upper floor eastern boundary setback:</u> <i>Deemed to comply:</i> 1.3 metres <i>Approved 20 April 2015:</i> 700mm	660mm	40mm (from current approval)

Building Setbacks/Boundary Wall		
Requirement	Retrospective Application	Variation
<u>Eastern boundary parapet wall</u> <i>Deemed to comply:</i> Maximum height – 3.5 metres Average height – 3 metres <i>Approved 20 April 2015:</i> Maximum and Average height – 3.58 metres	3.8 metres	220mm (from existing approval)

The assessment against the principles is as follows:

Building Setbacks/Boundary Wall
Applicable Principles
Residential Design Codes Clause 5.1.3
P3.1 Buildings set back from lot boundaries so as to: <ul style="list-style-type: none"> • reduce impacts of building bulk on adjoining properties; • provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and • minimise the extent of overlooking and resultant loss of privacy on adjoining properties.
P3.2 Buildings built up to boundaries (other than the street boundary) where this: <ul style="list-style-type: none"> • makes more effective use of space for enhanced privacy for the occupant/s or outdoor living areas; • does not compromise the design principle contained in clause 5.1.3 P3.1; • does not have any adverse impact on the amenity of the adjoining property; • ensures direct sun to major openings to habitable rooms and outdoor living areas for adjoining properties is not restricted; and • positively contributes to the prevailing development context and streetscape.
Applicant's Justification
<i>"To address the concerns raised by neighbours, the following changes to the 'as built' structure are proposed:</i> <ul style="list-style-type: none"> • <i>rectification of the upper floor eastern setback at bedroom 3 to the 'approved' location, so that the eastern setback is in the approved form. This results in the ridge height of the north eastern part of the roof reducing by approximately 300mm.</i> • <i>reduction of eastern parapet/boundary wall from 4.16m to 3.8m."</i>
Officer Technical Comment
<u>Upper floor eastern boundary setback</u> The as constructed wall to the sitting room affects a small length of wall and seeks a further minor reduction and is considered acceptable as: <ul style="list-style-type: none"> • The walls to the eastern elevation are articulated resulting in the building bulk being softened. The visual impact is further reduced with the continuation of the eaves at the lower level of the wall. • The reduced setback will not impact access to direct sunlight and ventilation to the building or the neighbour. • The proposed setback will not result in privacy issues to adjoining properties as the portion of wall contains no openings.

Building Setbacks/Boundary Wall
<p><u>Eastern boundary parapet wall</u></p> <p>The parapet wall as constructed is proposed to be modified to reduce the height which is considered acceptable as:</p> <ul style="list-style-type: none"> • Only a small portion of wall, being approximately 1.5 metres, is visible from the outdoor living area on the adjoining property. The remaining portion of wall will have no impact as it is positioned adjacent to a blank section of wall to the dwelling on the neighbouring property. • The parapet wall allows for enhanced privacy between the outdoor living spaces. • The height sought will not result in undue building bulk or detrimentally impact direct sun and ventilation or result in overlooking to adjoining sites. • As the parapet wall is located 16.3 metres from the primary street setback and is only 3.8 metres in height, the wall will not negatively impact the streetscape.

The assessment is as follows:

Building Height/Storeys		
Requirement	Retrospective Application	Variation
<p>Policy No. 7.2.1 – Residential Design Elements BDPC 5</p> <p><u>Maximum height of external wall with pitched roof above</u></p> <p><i>Deemed to comply:</i> 6 metres</p> <p><i>Approved 20 April 2015:</i></p> <p><u>East</u> Maximum 6.3 metres</p> <p><u>West</u> Maximum 6.4 metres</p> <p><u>Rear</u> Maximum 6.5 metres</p> <p><u>Front</u> Maximum 6.35 metres</p>	<p><u>East</u> Maximum 7 metres</p> <p><u>West</u> Maximum 7.1 metres</p> <p><u>Rear</u> Maximum 7 metres</p> <p><u>Front</u> Maximum 6.7 metres</p>	<p><u>East</u> 700mm (from existing approval)</p> <p><u>West</u> 700mm (from existing approval)</p> <p><u>Rear</u> 500mm (from existing approval)</p> <p><u>Front</u> 350mm (from existing approval)</p>

The assessment against the principles is as follows:

Building Height/Storeys
<p>Applicable Principles</p> <p>Policy No. 7.2.1 – Residential Design Elements BPC5</p> <p>Building height is to be considered to:</p> <ul style="list-style-type: none"> • Limit the height of dwellings so that no individual dwelling dominates the streetscape; • Limit the extent of overshadowing and visual intrusion on the private space of neighbouring properties; and • Maintain the character and integrity of the existing streetscape.

Building Height/Storeys
Applicant's Justification
<p><i>"To address the concerns raised by neighbours, the following changes to the 'as built' structure are proposed:</i></p> <ul style="list-style-type: none"> • <i>completely opaque windows on northern and western sides of upper floor (we are making this change in good faith, as advice from City of Vincent Planning is that the current windows comply with the r-code cone of vision requirements in respect of the adjacent properties).</i> • <i>reinstating eaves to east and west sides of the property to reduce 'bulk' of property and upper floor additions (as per the original approval)."</i> <p><i>"The windows to the North and West Elevations upper levels WILL be full height opaque, including the top awning sections. Also confirming that the windows are restricted to a max opening of 125mm, which is consistent with the Building Code."</i></p>
Officer Technical Comment
<p>The departure from the approved building height was contributed by:</p> <ul style="list-style-type: none"> • The existing ceiling heights of the single storey component of the house being retained; and • Discrepancies between the site survey plan submitted with the current planning approval (5.2015.16.1) and the site survey submitted with this retrospective planning application. <p>The overall wall height is considered acceptable because:</p> <ul style="list-style-type: none"> • The mixture of materials used in the front elevation, the articulated elevation, the use of architectural features including gable roof styles and the chimney, the open carport and the retention of the existing mature verge tree reduce the building bulk presenting the streetscape and is considered not to have an adverse effect on the streetscape. • The development complies with the Residential Design Codes overshadowing requirement and does not result in undue overshadowing to adjoining properties. • The development does not result in visual intrusion private spaces of neighbours. • With the incorporation of gable roof styles, the use of a pitched roof and the retention of the existing chimney the development is considered to be keeping with the character of the streetscape.

CONSULTATION/ADVERTISING:

Required by Legislation:	Yes	Required by City of Vincent Policy:	Yes
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The proposal was advertised for community consultation on two separate occasions as follows:

Consultation Period	Comment
15 April 2016 – 29 April 2016	Initial proposal (Plans dated 22 January 2016).
12 July 2016 – 25 July 2016	Revised retrospective application (Plans dated 7 July 2016).

Public Consultation – Initial Proposal (Plans dated 22 January 2016)

Consultation Period:	15 April 2016 – 29 April 2016
Comments Received:	10 submissions were received by the City with nine objections and one general concerns.

A total of 12 letters were sent to owners and occupiers of adjoining properties.

Community Consultation resulted in a response rate of 83%.

The table below summarises the objections and comments of general concern received during the first advertising period.

Comments Received in Objection:	Officer Technical Comment:
<p><u>Height and privacy</u></p> <p>The retrospective application seeks to depart from the original approval by an additional 1.2m in height. This is a huge departure from what was approved and exceeds the City's design guidelines.</p> <p>The height of the building dominates the streetscape, and does not maintain the character or integrity of the streetscape.</p> <p>Privacy is greatly compromised to adjoining properties.</p>	<p>The applicant in the submission of amended plans dated 7 July and 3 August 2016 have been able to demonstrate that the departure from the approved wall height varies between 350mm to 700mm from the approved height based on the natural ground level.</p> <p>It is acknowledged that the dwelling includes additional wall height, however the overall building height as measured to the top of the roof pitch complies with the requirements of the City's Policy. It is considered the development will not result in a detrimental impact to the visual amenity of the streetscape.</p> <p>The proposal complies with the privacy requirements of the R-Codes in relation to openings at the upper floor and will not have an impact on the adjoining properties.</p>
<p><u>Sets a precedent</u></p> <p>The City should enforce the Policy's building and design requirements otherwise it will set a precedent for other builders. There is more at stake than a few neighbours being unhappy with a particular build.</p>	<p>Each application is determined on merits and its own site context.</p>
<p><u>Upper floor eastern boundary setback</u></p> <p>Concerns relating to the 0.6 metre setback instead of 1.2 metre setback along the eastern boundary. Request a minimum 1.2 metre setback is achieved. The setback laws allow for light, privacy, noise and allow fresh air to circulate. With such a tall building, it should be setback to the minimum requirement.</p>	<p>Amended plans dated 7 July and 3 August 2016 propose that the upper floor eastern boundary setback to the bedroom be setback the distance originally approved in Planning Approval dated 20 April 2015.</p> <p>The upper floor eastern boundary setback to the study varies the original planning approval by 40mm. The as constructed wall to the sitting room affects a small length of wall and is considered minor and is acceptable.</p>
<p><u>Overshadowing</u></p> <p>Overshadowing and potentially mould issues relating to scale and lack of setback of building.</p>	<p>The application complies with the Residential Design Codes overshadowing requirements.</p>
<p><u>Development within front setback area</u></p> <p>Concerns relating to development, including walls, carport and columns, in the front yard looks bulky for the streetscape.</p>	<p>Amended plans dated 7 July and 3 August 2016 propose to reinstate the front fence with the exception of one pier and bin store within the front setback area to the originally approved plans dated 20 April 2015.</p>

Comments Received in Objection:	Officer Technical Comment:
	<p>Even though the pier to the eastern side of the pedestrian gate, which seeks a variation, is not supported, the City has supported a pier on the Western side of the pedestrian gate to be a width of 500mm, and a condition has been recommended.</p> <p>The slightly wider pier is considered acceptable as it does not visually dominate the streetscape.</p>
<p><u>Stop works notice</u></p> <p>Why has the site not been shut down</p>	<p>The City issued a Stop Work Notice in accordance with the Part 13, Section 214(2) of the <i>Planning and Development Act 2005</i> on 11 May 2016</p>

Public Consultation – Revised retrospective application (Plans dated 7 July 2016)

Following community consultation relating to the original application plans the City received amended plans on 7 July 2016, which were re-advertised for community consultation as follows:

Consultation Period:	12 July 2016 - 25 July 2016
Comments Received:	Nine Submissions, eight objections and one support, were received during the advertising period. As a result from negotiations between the applicant and the local residents, three of these objections were formally withdrawn.

A total of 12 letters were sent to owners and occupiers of adjoining properties.

Community Consultation resulted in a response rate of 50%.

The objections received by the City during the second advertising period also submitted objections in the first advertising period. The one submission of support received by the City during the second advertising period did not provide a submission during the first advertising period.

The submission of support of the proposal where the submitter ticked the box indicating support for the proposal and no comments were provided.

The table below summarises the objections received and concerns raised during the advertising period of the proposal, together with the City's response to each issue raised.

Comments Received in Objection:	Officer Technical Comment:
<p><u>Height and privacy</u></p> <p>The development dominates the streetscape. The building is too high and impacts visual privacy. We may withdraw the objections if there are fitted opaque glazed windows to the north and west.</p>	<p>It is acknowledged that the dwelling includes additional wall height, however the overall building height as measured to the top of the roof pitch complies with the requirements of the City's Policy. It is considered the development will not result in a detrimental impact to the visual amenity of the streetscape.</p> <p>The proposal complies with the privacy requirements of the R-Codes in relation to openings at the upper floor and will not have an impact on the adjoining properties.</p>

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

Design Advisory Committee (DAC):

Referred to Design Advisory Committee: No

LEGAL/POLICY:

- *Planning and Development Act 2005;*
- City of Vincent Town Planning Scheme No. 1;
- Residential Design Codes;
- Policy No. 4.1.5 – Community Consultation
- Policy No. 7.1.10 – Norfolk Precinct; and
- Policy No. 7.2.1 – Residential Design Elements.

The applicant will have the right to have Council's decision reviewed by the State Administrative Tribunal (SAT) in accordance with Part 14 of the *Planning and Development Act 2005*.

RISK MANAGEMENT IMPLICATIONS:

It is Administration's view that there are minimal risks to Council and the City's business function when Council exercises its discretionary power to determine a planning application.

STRATEGIC IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Natural and Built Environment

- 1.1 *Improve and maintain the natural and built environment and infrastructure;*
 - 1.1.1 *Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision."*

SUSTAINABILITY IMPLICATIONS:

The City's Strategic Plan 2013-2023 states:

"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice"

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL
The design of the building allows for adequate natural sunlight and ventilation.
SOCIAL
The development contributes positively to the social sustainability of the area by increasing density, social mix and diversity of dwelling types.
ECONOMIC
The construction will provide short term employment opportunities.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The application seeks the exercise of discretion relating to boundary setbacks, boundary walls and building height for a retrospective addition. These are specific elements which departed from the current approval and did not satisfy the deemed to comply provisions.

The extent of discretion required in each instance is acceptable as each aspect is considered not to have a negative impact on the amenity of the area.

The applicant and local residents have had discussions in relation to this application resulting in some of the documented modifications to the dwelling. These documented modifications address the concerns raised during the consultation period.

The retrospective application complies with the relevant planning framework as it aligns with either the deemed to comply provision or the relevant design principles and is supported.

It is recommended that Council conditionally approves this proposal.

5.1.5 Town Centre Place Plans

Ward:	All	Date:	20 July 2016
Precinct:	Precinct 2 – Mount Hawthorn Precinct 4 – Oxford Precinct 9 – North Perth Precinct 11 – Mount Lawley Precinct 13 – Beaufort	File Ref:	SC2681 SC2680 SC2679 SC2678 SC2677
Attachments:	<u>1</u> – Town Centre Boundaries Plan <u>2</u> – Place Management Evolution Diagram <u>3</u> – Town Centre Performance Measurement Strategy		
Tabled Items:	Nil		
Reporting Officer:	D Doy, Place Manager G Lawrence, Place Manager J O’Keefe, Manager Policy & Place		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council ENDORSES Administration’s approach to progress and prepare Town Centre Place Plans for each of the City’s five Town Centres as outlined in this report.

PURPOSE OF REPORT:

To provide Council with Administration’s proposed approach for the preparation of Town Centre Place Plans.

BACKGROUND:

In February 2014 the Place Management Program commenced. This was the first program of its type in Western Australia and a new initiative for the City of Vincent.

Place Management Approach

Place Management at the City involves the coordination of the various disciplines within the City to deliver placed based outcomes for the town centres, to unlock their economic, social and environmental potential.

As part of this approach, the City has been actively involved to establish Town Teams for each centre which is a group of community members in each town centre. The collective energy and expertise within each of the Town Teams helps to drive community led change and improvement in each of the Town Centres.

Place Management at the City has evolved since its inception from establishing its role within the City, building relationships with the Town Teams and delivering quick wins to this new position which is to develop strategic plans to guide the funding and resources allocated to the City’s Town Centres business community.

The three stages in the evolution process are:

- Establish – The ‘Establish Phase’ focusses on quick wins and streetscape improvements and to deliver projects that contribute to the interest and value of Town Centres, which has built trust between Administration and the Town Teams;
- Plan – The ‘Planning Phase’ is defined by the creation and then implementation of the Place Plans; and
- Manage – The ‘Management Phase’ is to actively lead, facilitate and coordinate the delivery of actions and strategies based upon demonstrated community need, quantitative data and best practise.

The City is now required to prepare Place Plans for all five of the City's Town Centres in 2016/2017, in line with Project 9.2 of the City's Corporate Business Plan and seeks Council's endorsement for this work.

Attachment 1 shows the City's five Town Centres:

- Mount Hawthorn;
- Leederville;
- North Perth;
- Mount Lawley/Highgate; and
- William Street.

History:

The following summarises the history in relation to this project:

Date	Comment
20 July 2016	The Executive Management Team supported the proposed approach for the preparation of the proposed Place Plans.
26 July 2016	Adoption of the City's Corporate Business Plan which included Action 9.2 to prepare Place Plans.
9 August 2016	Presentation to Council Workshop.

Previous Reports to Council:

The Minutes of the previous reports to Council are available on the City's website.

DETAILS:

Having reached the Planning Stage, the focus is now to prepare place based strategic plans which identifies initiatives and actions to guide effective use of future funding and resources in the City's Town Centres to eliminate ad hoc decision making.

The Place Plans will include both physical and non-physical initiatives and are intended to provide a robust and planned approach to project identification and delivery. This is considered necessary because all future initiatives are likely to be more intricate and targeted than the earlier work undertaken during the 'Establish Phase'.

Non-physical elements would include business improvement and economic development, community development, active transport planning and built form guidance. A key aspect at this stage is also data collection.

The Place Plans will also form the City's advocacy platform and be one of a suite of 'Informing Strategies' for the City's future Strategic Community Plan and Corporate Business Plan.

Methodology

Strategies and actions within the Place Plans are formulated by analysing and applying information from the follow three sources:

1. Town Team Action Plans

The Town Team Action Plans are informing documents to the Place Plans. They provide the greatest opportunity for the Town Teams to influence the strategic direction for the management of their Town Centre. Town Team Action Plans must be informed by community engagement, research and a deep understanding of the place. A Town Team's vision and proposed actions are critical to improving the City's understanding of the needs and aspirations of the local community. The key actions for each Town Team Action Plan will be assessed by the City and considered for inclusion into the Place Plan.

2. Best Practice

The City is continually reviewing best practice case studies and current urban trends in other cities. Place Management has also built a working relationship with Curtin University and intends to strengthen partnerships with the University of Western Australia and the Curtin University Sustainability Unit (CUSP) to assist to inform actions within the Place Plans.

3. Town Centre Data

Gathering and analysing data is central to the success of the Place Plan as it assists to inform decision making. Administration has developed a Town Centre Performance Measurement Strategy which is an Administrative document that outlines the type and methodology for data collection (see **Attachment 3**).

The first data collection initiative will be the installation of Device Sensors in all Town Centres to measure pedestrian numbers and movement. This project is also identified in the Corporate Business Plan, Project 9.9. Pedestrian footfall is a key indicator that assists to identify the movement of people to inform future projects and measure the success of completed works. Local businesses will also be able to access in order to understand the peak pedestrian times of the day, week and month.

Place Plans will be monitored and updated on an ongoing basis using the methodology below:



Preliminary Project Schedule

Administration is proposing the following process and indicative project schedule to develop the Place Plans:

Phase 1: Preliminary Place Plan development comprising of:

- Preliminary preparation of Place Plans;
- Presentations to Executive Management;
- Present to Council workshop and report to Council.

Phase 2: Prepare draft Place Plans:

- Prepare Draft Place Plans;
- Conduct internal reviews of Place Plans;
- Refine place Plans based on review.

Phase 3: Refine and finalise the Place Plan:

- Present North Perth Place Plan to Council;
- Council to determine if the Place Plan can proceed to advertising;
- Advertising;
- Request for Council to endorse the North Perth Place Plan;
- Refine remaining Town Centre Place Plans; and
- Advertising and final endorsement of each Plan.

CONSULTATION/ADVERTISING

The Place Plans will be advertised as a public notice on the City's website for 21 days with requests for submissions. Targeted consultation will also be held with each Town Team.

LEGAL/POLICY:

Nil.

RISK MANAGEMENT IMPLICATIONS:

There is a risk to the City financially and professionally to continue operating without a strategic direction for its town centres. A lack of strategic direction can result in ad hoc planning, inadequate project planning that leads to budgetary and timing issues, and reduced confidence in the City's ability to deliver. Operating without a rigorous Place Plan makes it easier for outcomes to be determined by groups or individuals with particular agendas, without the appropriate backing of relevant data, professional expertise and extensive consultation.

SUSTAINABILITY IMPLICATIONS:

The Place Plans enable an integrated, holistic, place-based approach to town centre management. It focuses on integrating good environmental, economic and social outcomes that improve the sustainability and liveability of our town centres. Place planning focuses on promoting liveability and walkability by improving the pedestrian environment with small and large scale urban design improvements, greening and a re-prioritising active transport modes over the car. It also focuses to create a sustainable local economy by identifying and supporting local industries and improving place branding and marketing.

STRATEGIC IMPLICATIONS:

The Place Plans will contribute to many of the current Strategic Community Plan's Objectives, including:

- “1. *Natural and Built Environment*
 - 1.1 *Improve and maintain the natural and built environment and infrastructure;*
2. *Economic Development*
 - 2.1 *Progress economic development with adequate financial resources;*
3. *Community Development and Wellbeing*
 - 3.1 *Enhance and promote community development and wellbeing;*
4. *Leadership, Governance and Management*
 - 4.1 *Provide good strategic decision-making, governance, leadership and professional management.”*

This project is also identified in the Corporate Business Plan, Project 9.9.

FINANCIAL/BUDGET IMPLICATIONS:

The Town Centre Place Plans will be developed using mostly internal resources although specialist consultants may be required to assist with various elements of the plans.

Costs associated with external resources have been set aside in the operational budget of 2016/2017 financial year.

COMMENT:

Place Management is integral to the continued success and improvement of Vincent's Town Centres. Having facilitated a number of urban design interventions during the 'Establish Phase', Place Managers have commenced a 'Planning Phase' which includes the preparation of Place Plans. The plans will outline how the collective resources and funding of the City will be allocated to guide the future growth and evolution of the Town Centres through identification of projects that will ultimately be delivered in collaboration between the community and the City.

CONCLUSION:

It is recommended that Council supports this initiative to create Place Plans for its Town Centres.

5.1.6 Review of Various Health and Ranger Services Policies

Ward:	Both	Date:	5 August 2016
Precinct:	All	File Ref:	SC393
Attachments:	<u>1</u> – Policy No. 3.8.1 – Outdoor Eating Areas (Alfresco) <u>2</u> – Policy No. 3.8.2 – Liquor Licensing Act 1988 – Issue of Section 39 Certificates <u>3</u> – Policy No. 3.8.5 – Substandard Buildings & Vacant Land <u>4</u> – Policy No. 3.8.11 – Shade and SunSmart <u>5</u> – Policy No. 3.8.12 – Mobile Food Vendor <u>6</u> – Policy No. 3.9.10 – Display of Goods on a Footpath <u>7</u> – Policy No. 3.9.11 – Display of Signs on a Footpath <u>8</u> – Alfresco, Goods Displays and Signs Obligations <u>9</u> – Managing Unoccupied Properties Guidelines		
Tabled Items:	Nil		
Reporting Officer:	W Pearce, Manager Health Services		
Responsible Officer:	G Poezyn, Director Development Services		

RECOMMENDATION:

That Council:

1. **REVOKES** the following policies as shown in Attachments 1, 2, 3, 6 and 7:
 - 1.1 **Policy No. 3.8.1 – Outdoor Eating Areas (Alfresco);**
 - 1.2 **Policy No. 3.8.2 – Liquor Licensing Act 1988 – Issue of Section 39 Certificates;**
 - 1.3 **Policy No. 3.8.5 – Substandard Buildings & Vacant Land;**
 - 1.4 **Policy No. 3.9.10 – Display of Goods on a Footpath; and**
 - 1.5 **Policy No. 3.9.11 – Display of Signs on a Footpath;**

2. **ADOPTS** the changes in Policy No. 3.8.12 – Mobile Food Vendor as shown in Attachment 5; and

3. **NOTES** the:
 - 3.1 **review of Policy No. 3.8.11 – Shade and SunSmart as shown in Attachment 4; and**

 - 3.2 **‘Alfresco, Goods Displays and Signs Obligations’ as shown in Attachment 8 and the new application process for Alfresco, Goods Displays and Signs permits.**

PURPOSE OF REPORT:

To review the following policies (as shown in **Attachments 1 – 7**):

- Policy No. 3.8.1 – Outdoor Eating Areas (Alfresco);
- Policy No. 3.8.2 – Liquor Licensing Act 1988 – Issue of Section 39 Certificates;
- Policy No. 3.8.5 – Substandard Buildings & Vacant Land;
- Policy No. 3.8.11 – Shade and SunSmart;
- Policy No. 3.8.12 – Mobile Food Vendor;
- Policy No. 3.9.10 – Display of Goods on a Footpath; and
- Policy No. 3.9.11 – Display of Signs on a Footpath.

BACKGROUND:

The City recently undertook a review of several of its policies following a number of Council decisions and the need to ensure that the City's policies remain current.

In relation to Policy No. 3.8.12 – Mobile Food Vendor, Council at its meeting on 25 August 2015 (Item 9.4.1) made the following decision, in part:

“That Council:

1. *ADOPTS Policy No.3.8.12 ‘Mobile Food Vendors’ as shown in Attachment 1, subject to deletion of the words “will be given priority” from the end of Policy Statement No. 4;*
2. *AUTHORISES the Chief Executive Officer to update the City’s Policy Manual to include Policy No. 3.8.12 Mobile Food Vendors, with a review of the Policy to be undertaken within 12 months; ...’*

In relation to Policy Nos. 3.8.1 – Outdoor Eating Areas (Alfresco), 3.9.10 – Display of Goods on a Footpath and 3.9.11 – Display of Signs on a Footpath, Council at its meeting on 5 April 2016 (Item 9.1.6) made the following decision:

“That Council:

1. *REQUESTS the Chief Executive Officer to prepare an amendment to the City of Vincent’s Trading in Public Places Local Law 2008 for Council’s formal consideration and following public consultation on the 8-yearly review of local laws, in order to give effect to the following changes to the licencing of Outdoor Eating Areas and Display of Goods on Footpaths:*
 - 1.1 *To generally remove the need for the City’s approval of outdoor eating areas and display areas, where those areas comply with existing Local Law and Policy standards and conditions for approval of such areas; and*
 - 1.2 *To specify any circumstances when the City’s approval will still be required;*
2. *NOTES AND ENDORSES Administration’s intent to develop an electronic self-assessment and self-certification tool to assist businesses in the City of Vincent to apply for and obtain licences for outdoor eating areas and outdoor display areas as an interim measure, pending the formal review and revision of the Trading in Public Places Local Law 2008; and*
3. *LISTS for consideration in the Draft 2016/17 Annual Budget a revision and reduction to the fee charged for outdoor eating areas and outdoor display areas, to reflect the self-assessment and self-certification approach referred to in 2 above.”*

DETAILS:

The following table provides a summary of the policies under consideration:

Policy No.	Policy Name	Policy Objectives	Status
3.8.1	Outdoor Eating Areas (Alfresco)	To allow businesses to place furniture in public spaces subject to complying with public safety and public liability obligations.	The policy is a supporting document to the <i>City of Vincent Trading in Public Places Local Law 2008</i> .

Policy No.	Policy Name	Policy Objectives	Status
3.8.2	<i>Liquor Licensing Act 1988 – Issue of Section 39 Certificates</i>	The Department of Racing, Gaming and Liquor requires 'S 39 Certificates' being issued by local governments for venues seeking liquor licenses. 'S 39 Certificates' advise whether a venue complies or not complies with the <i>Local Government Act 1995, Health Act 1911, Food Act 2008 and Building Act 2011</i> .	The policy replicates the requirements of the <i>Liquor Licensing Act 1988</i> .
3.8.5	Substandard Buildings & Vacant Land	Outlines legislative procedures applicable to substandard and derelict buildings and vacant properties to enforce either major repairs, demolition and/or making inaccessible to unauthorised entry.	The policy replicates the requirements of the <i>Health Act 1911</i> and the repealed <i>Local Government (Miscellaneous Provisions) Act 1960</i> .
3.8.11	Shade and SunSmart	To reduce community exposure to ultraviolet radiation (UVR) through the creation of shaded environments and initiatives at City of Vincent controlled activities and events.	A review of this policy was due February 2015.
3.8.12	Mobile Food Vendor	To allow 'food truck' businesses to operate in designated public spaces subject to complying with public safety and public liability obligations.	<p>This policy was endorsed at the 2 December 2014 Ordinary Meeting of Council for trial purposes over a three month period.</p> <p>Following the trial, Council adopted the policy on 25 August 2015, with amendments, subject to a review in 12 months.</p> <p>The City issued 15 permits between December 2015 and March 2016 to operators serving various meals including Mexican, Brazilian, Italian, Vietnamese, Indian, BBQ and French.</p>
3.9.10	Display of Goods on a Footpath	To allow businesses to display goods in public spaces subject to complying with public safety and public liability obligations.	The policy is a supporting document to the <i>City of Vincent Trading in Public Places Local Law 2008</i> .
3.9.11	Display of Signs on a Footpath	To allow businesses to place advertising signs in public spaces subject to complying with public safety and public liability obligations.	The policy is a supporting document to the <i>City of Vincent Local government Property Local Law 2008</i> .

CONSULTATION/ADVERTISING:

Consultation is not deemed to be required in accordance with the City's Community Consultation Policy No. 4.1.5 – Appendix 2, No. 10 relating to 'Policies – New and Significant Amendments'.

LEGAL/POLICY:

- *Local Government Act 1995;*
- *Health Act 1911;*
- *Liquor Licensing Act 1988;*
- City of Vincent Trading in Public Places Local Law 2008; and
- City of Vincent Local Government Property Local Law 2008.

RISK MANAGEMENT IMPLICATIONS:

The review of City policies assists to ensure that the policy framework remains current and applicable.

STRATEGIC IMPLICATIONS:

The City's *Strategic Community Plan 2013-2023* states:

“Leadership, Governance and Management

4.1.2 *Manage the organisation in a responsible, efficient and accountable manner;*

- (a) *Continue to adopt best practise to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced.”*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The policy review has no Budget implications.

COMMENTS:

Seven policies have been reviewed and it is recommended that five are revoked.

Three of these are as a result of the new regime to allow use of public space. Under this new process, there is no cost to using public spaces and permits are automatically generated upon request. All proposals must align with the '*Obligations for the Use of a Public Place to Display Goods or Advertising Signs or as an Outdoor Eating Area*' (as shown in **Attachment 8**) to address public liability, pedestrian safety and traffic hazard requirements.

The remaining two policies are revoked as they are no longer required and add no value to the administration of these functions. 'Policy No. 3.8.5 Substandard Buildings & Vacant' will be replaced with '*Managing Unoccupied Properties Guidelines*' (as shown in **Attachment 9**) to address owner responsibilities and obligations.

Only two policies, No. 3.8.11 – Shade and SunSmart and No. 3.8.12 – Mobile Food Vendor, are recommended to be retained and remain unchanged with the exception of correcting the numbering in Policy No. 3.8.12 – Mobile Food Vendor as shown by strikethrough and underline in **Attachment 5**.

The following table provides a summary of the review of the subject policies and recommendations:

Policy No.	Policy Name	Officer Comments	Recommendation
3.8.1	Outdoor Eating Areas (Alfresco)	The City has recently introduced a user-friendly online self-assessment tool that allow businesses to easily apply for and instantly generate a single permit for outdoor eating areas, display of goods and for signs on the footpaths.	Revoke policy.
3.8.2	<i>Liquor Licensing Act 1988</i> – Issue of Section 39 Certificates	The policy reflects the requirements of the <i>Liquor Licensing Act 1988</i> and does not add any value to the administration of this matter.	Revoke policy.
3.8.5	Substandard Buildings & Vacant Land	<p>Administration has recently focussed on ways to prevent problems before they arise instead of enforcing legislation.</p> <p>Encouragement of land owners to prevent vacant buildings and land from deteriorating in the first place is a far more constructive approach in building good relations.</p> <p>Properties should at all times be safe, maintained, free from overgrowth, graffiti and refuse and inaccessible to unauthorised persons.</p> <p>Existing legislation underpins land owner obligations and will be used where education fails.</p>	Revoke policy and replace with Guidelines to promote responsible land ownership.
3.8.11	Shade and SunSmart	Following an internal review, the policy is deemed to be a valuable tool in helping prevent UVR exposure within the community.	To remain unchanged.
3.8.12	Mobile Food Vendor	<p>The City issued 15 permits between December 2015 and March 2016 to operators serving various meals.</p> <p>No complaints have been received relating to the operations of these vendors during this period.</p> <p>Anecdotal feedback suggests that the community is very supportive of the initiative.</p> <p>Following an internal review, the policy is deemed to be a valuable tool in activating public spaces.</p>	To remain unchanged but numbering to be corrected.

Policy No.	Policy Name	Officer Comments	Recommendation
3.9.10	Display of Goods on a Footpath	The City has recently introduced a user-friendly online self-assessment tool that allow businesses to easily apply for and instantly generate a single permit for outdoor eating areas and display of goods and signs on footpaths.	Revoke policy.
3.9.11	Display of Signs on a Footpath	The City has recently introduced a user-friendly online self-assessment tool that allow businesses to easily apply for and instantly generate a single permit for outdoor eating areas and display of goods and signs on footpaths.	Revoke policy.

It is recommended that Council supports the officer recommendation.

5.2 TECHNICAL SERVICES

5.2.1 Road Safety Advisory Group Meeting July 2016

Ward:	South	Date:	5 August 2016
Precinct:	Precinct 1 – Mt Hawthorn Precinct 8 – North Perth	File Ref:	SC1134, SC701, SC770, SC803, SC180
Attachments:	<u>1</u> – Plan No 3348-CP-01 <u>2</u> – Plan No 3359-CP-01		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council:

1. **APPROVES** the implementation of the following works as recommended by the Road Safety Advisory Group at its meeting held on 18 July 2016:
 - 1.1 **Safety improvements in Brady Street, Mount Hawthorn estimated to cost \$20,000, as shown on attached Plan No 3348-CP-01 Attachment 1;**
 - 1.2 **Traffic management improvements in Gill Street, North Perth estimated to cost \$20,000 as shown on attached Plan No 3359-CP-01 Attachment 2; and**
 - 1.3 **Pedestrian/Cycling improvements in Ellesmere Street, North Perth estimated to cost \$40,000 as discussed in the report;**
2. **REFERS** the Beaufort / Walcott Street intersection to the Road Safety Advisory Group to reconsider the following:
 - 1.1 **Permanently banning the right turn movements at the intersection;**
 - 1.2 **Installation of a 'red light' traffic camera; and**
 - 1.3 **The provision of Parallel pedestrian walk phasings with 10 second phase;**
3. **ADVISES** residents from Brady Street, Gill Street and Ellesmere Street of the respective proposals as per 1 above; and
4. **RECEIVES** a further report once the Road Safety Advisory Group has considered the Beaufort/ Walcott Street intersection.

PURPOSE OF REPORT:

To consider outcomes of the Road Safety Advisory Group (RSAG) Meeting held on 18 July 2016.

BACKGROUND:

The Terms of Reference for RSAG, or any Advisory Group, operate in accordance with the City's Policy No. 4.2.12 – Advisory Groups.

An Advisory Group can only consider matters referred to it by Council and any items which have been dealt with by an Advisory Group will not be implemented by the City's Administration until a report has been submitted to the Council for a decision.

The inaugural meeting of RSAG took place on 18 July 2016 and while specific items were referred to the group by Council, several items raised during the 2016/17 budget process were discussed.

For future RSAG meetings only items referred to the group by Council will be discussed.

DETAILS:

Brady Street, Mount Hawthorn:

Residents expressed concerns regarding their ability to safely cross Brady Street in the vicinity of Milton Street in Mt Hawthorn. Brady Street comprises a four lane road with a 1.5m wide painted/solid median island and is classified as a District Distributor A road in accordance with the Metropolitan Functional Road Hierarchy (MFRH).

Due to existing constraints i.e. narrow width of verges, overhead power lines and budget implications, there is no scope to increase the width of the existing pedestrian refuge islands however there is scope to increase the length of the pedestrian openings on the existing pedestrian refuge islands, near Milton Street, to allow parents with prams, bikes etc. more refuge.

Also, an additional crossing location on Brady Street, just south of Scarborough Beach Road, has been identified where the existing median is wider and where there is scope to extend the footpath and provide a median opening.

The above simple safety improvement options, as shown on attached Plan No: 3348-CP-01 (**Attachment 1**), were presented to the RSAG by Administration and there was unanimous support for these proposals.

Gill Street, North Perth:

Gill Street is classified as an Access Road in accordance with the MFRH and can carry up to 3,000 vehicles per day and has a posted speed limit of 50kph

Residents indicated that there had been an increase in traffic in Gill Street as a result of the extension of the median island on London Street at Hobart Street, implemented to stop right hand turns from London into Hobart Street due to the high number of recorded accidents at this location.

The residents from Gill Street considered that this action had compromised safety and amenity in Gill Street and while there had been a slight reduction in traffic volume, since the initial traffic spike, overall there had been an increase in traffic of approximately 40-45%.

Prior to the island extension (on London Street at Hobart Street), there were no right turn filter arrows allowing vehicles to turn right from Loftus Street and London into Scarborough Beach Road. The filter arrows are now in place.

The 85% speed in Gill Street before, during and after the closure has remained lower than 50kph as shown in the following table.

Gill Street	Date		Location	Vehicles per day	85% speed
	Start	Finish			
<u>Prior to Hobart closure</u>					
	22-Nov-11	29-Nov-11	Auckland - London	609	45.7

Gill Street	Date		Location	Vehicles per day	85% speed
<u>During Hobart trial closure</u>					
	18-Nov-15	25-Nov-15	Auckland - Eton	917	47.9
	18-Nov-15	25-Nov-15	Auckland - London	1047	45.7
<u>After permanent closure implemented</u>					
	10-Feb-16	17-Feb-16	Auckland - Eton	845	47.9
	10-Feb-16	17-Feb-16	Auckland - London	964	45.4

While Administration considers that the traffic data does not justify the implementation of extensive traffic calming in the street, it is considered that a pedestrian refuge island with a speed hump/entry statement be installed at the London Street end of Gill Street to channalise/slow down traffic entering and exiting Gill Street and improve pedestrian safety. In addition a speed hump/entry statement be installed at the Charles Street end of Gill Street.

The above simple improvement options, as shown on attached Plan No 3359-CP-01 (**Attachment 2**), were unanimously supported by RSAG.

Ellesmere Street, Mount Hawthorn:

Residents of Ellesmere Street expressed concerns regarding the speed of vehicles on the street particularly between Shakespeare and Dunedin Street. Ellesmere Street is a Local Distributor in accordance with the MFRH and can carry up to 6,000 vpd.

The following aerial photograph shows the traffic data along Ellesmere Street.



As part of the Shakespeare Street Bike Boulevard project, a raised plateau is being installed at the intersection of Shakespeare and Ellesmere Streets and the existing stop control on Shakespeare Street will be changed to a give way control on Ellesmere Street. This will result in a reduction in vehicle speeds along the section of Ellesmere Street between Shakespeare and Dunedin Streets.

It was however requested that a wide footpath be considered for the south side of Ellesmere Street between London and Shakespeare Streets. No path currently exists on this side of the street.

Walcott / Beaufort Street Intersection:

It was suggested that this matter be listed for discussion at a future RSAG meeting.

Background:

This intersection has been a point of debate for many years and there is no scope for right turn slip lanes (limited space without demolishing buildings) and no scope to have dedicated right turn arrows (as vehicles would not be able to turn simultaneously hence severely affecting the level of service of the intersection).

Following a recommendation from a stakeholders working group, which comprised numerous stakeholders including representatives from the City of Vincent, in 2012 the City of Stirling made a decision to permanently ban all the right turn movements. It should be noted that no action has yet been taken by the City of Stirling as Walcott Street is a Boundary Road with the City of Vincent.

Following the stakeholders working group recommendation, the matter was considered by the City's former Integrated Transport Advisory Group on 2 July 2012 where the following actions resulted from the meeting:

Advise MRWA:

- Permanent right turn bans are not supported.
- Parallel walks *supported in principle* with a minimum 10 sec phase;

Advise the WA Police:

- Red light camera strongly supported and to write to the Commissioner for a reconsideration.

The matter was subsequently considered by Council on 14 May 2013 where it was resolved as follows:

"That the Council;

1. *CONSULTS with the local Business community, Beaufort Street Network and affected residents in the area bounded by Walcott Street, Curtis Street, Harold Street and Raglan/Hutt/Grosvenor Road and seek their views on the following potential traffic treatments:*
 - 1.1 *permanently ban ALL right turn movements at the intersection of Beaufort Street and Walcott Street; and/or*
 - 1.2 *installation of a 'red light' traffic camera at the intersection of Beaufort Street and Walcott Street; and/or*
 - 1.3 *the provision of Parallel pedestrian walk phasings with ten (10) second phase and left turn filter arrows at the intersection; and..."*

The following consultation results were subsequently considered by the City's Integrated Transport Advisory Group on 10 June 2013.

- 60% support for a red light camera.
- 51% support for parallel pedestrian walks
- 60% opposed permanent right turn's bans.

To date only the following improvements have been undertaken at the intersection.

- the peak period right turn ban timings were extended; and
 - bollard were installed at the intersection to better protect pedestrians
-

Administration has received requests for it to reconsider its position on the right turn bans, and it is recommended that the matter be referred to the next RSAG meeting for consideration.

CONSULTATION/ADVERTISING

Residents will be advised of Council's decision.

LEGAL/POLICY:

Brady, Gill and Ellesmere Street are under the care, control and management of the City.

RISK MANAGEMENT IMPLICATIONS:

Medium: The proposals will improve safety and amenity for residents in the various streets which are the subject of this report.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2013-2023*, Objective 1 states:

"Natural and Built Environment

"1.1: Improve and maintain the natural and built environment and infrastructure.

1.1.4 Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.

1.1.5(a) Implement the City's Car Parking Strategy and associated Precinct Parking Management Plans."

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Street	Estimated Cost	Funding Source	Budget	Expend to date
Brady St	\$20,000	Miscellaneous Traffic Management	\$112,000	Nil
Gill St	\$20,000	Funds allocated in 2016/17 budget	\$20,000	Nil
Ellesmere St	\$40,000	Funds allocated in 2016/17 budget	\$40,000	Nil

COMMENTS:

As mentioned an Advisory Group can only consider matters referred to it by Council and any items which have been dealt with by an Advisory Group will not be implemented by the City's Administration until a report has been submitted to the Council for a decision.

While specific items were not referred to RSAG's inaugural meeting by Council, actions on the items that were discussed were raised during the 2016/17 budget deliberations.

Administration considers that the proposed works in Brady Street are required to improve safety, for those who wish to cross the busy road, and the proposed traffic improvements in Gill Street, while not justified on traffic speeds and volumes, will improve safety at the London Street intersection and reinforce the residential nature of the street. Specific funding has been provided for the Gill Street project in the 2016/17 budget.

In addition, the proposed 2.0m wide footpath on Ellesmere Street will provide a pedestrian and cycling link from London Street to the Shakespeare Street Bike Boulevard and specific funding has been provided for this project in the 2016/17 budget.

Finally it is recommended that the contentious Walcott/Beaufort Street intersection be referred to the RSAG to revisit previous suggested option to improve road safety at this location.

5.2.2 Proposed Pedestrian Safety Improvements - Vincent Street, West Perth

Ward:	South	Date:	5 August 2016
Precinct:	Precinct 5 – Cleaver Precinct 6 – Smith's Lake	File Ref:	SC979, SC1680, SC2353
Attachments:	1 – Plan No 3358-DC-01		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council:

- 1. APPROVES the implementation of the pedestrian safety improvement works in Vincent Street, West Perth between Florence and Cleaver Streets estimated to cost \$25,000, as shown on attached Plan No 3358-DC-01 Attachment 1;**
- 2. ADVISES the residents, who made a budget submission requesting pedestrian safety improvement on Vincent Street, of its decision; and**
- 3. RECEIVES a further report on progress regarding longer term improvement measures on Vincent Street in the vicinity of the Beatty Park Leisure Centre.**

PURPOSE OF REPORT:

To consider undertaking pedestrian safety and amenity improvements in Vincent Street, West Perth between Florence and Cleaver Streets.

BACKGROUND:

Residents have expressed concerns regarding their ability to safely cross Vincent Street in the vicinity of the Beatty Park Leisure Centre. Vincent Street comprises a four lane road with a 1.5m wide painted/solid median island and is classified as a District Distributor A road in accordance with the Metropolitan Functional Roads Hierarchy (MFRH).

There is an opportunity to implement interim measures to improve pedestrian safety and to investigate longer term measures.

DETAILS:

In 2013, as part of the Beatty Park Leisure Centre redevelopment, the existing carpark was reconfigured to increase the number of parking bays from 275 to approximately 330 and to provide a more functional layout. There are now three points of access to and from the carpark, off Vincent Street.

Traffic Signals:

When the carpark was reconfigured it was intended to investigate the possible installation of traffic signals, or similar, to improve both pedestrian access across Vincent Street and vehicular access to and from the centre.

Administration engaged a consultant to prepare a preliminary traffic signal diagram whereby east west traffic on Vincent Street would stop either activated by a vehicle egressing the carpark or by a pedestrian wishing to cross Vincent Street and the matter was referred to Main Roads WA (MRWA) for comment.

MRWA's comments at the time were as follows:

"If Council wish to investigate further, Council may wish to consider engaging an independent consultant to prepare a transport assessment in accordance with the WAPC's Transport Assessment Guidelines for Developments. Specifically the items listed below will need to be addressed as part of the transport assessment:

- *Establish a microsimulation model of the proposal. The scenarios to be modelled will include:
 - Existing AM and PM peaks,
 - AM and PM peaks for the proposed scenario (taking account of the trips generated by new car parks and the new access arrangement),The microsimulation model should be established using intersection turning movement counts (SCATS data will be unacceptable) and the model should be calibrated using queue length survey data.*
- *Propose engineering measures to mitigate the impacts on the intersections of Vincent Street/Charles Street and Vincent Street/Loftus Street and Vincent Street mid-block section (between Charles and Loftus Streets) in terms of safety and efficiency.*
- *Investigate other alternative access arrangements to service the BPLC. For example, ingress into the BPLC via Vincent Street and egress only via Farr Ave. This option will reduce a number of conflict points, improve road safety and enhance traffic efficiency on Vincent Street."*

As can be seen from the MRWA response, substantially more work is required prior to any approval for traffic signals on Vincent Street being further considered by them and this will be progressed in 2016/17.

Proposed Interim Improvements:

Due to existing constraints i.e. narrow width of verges, overhead power lines and budget implications, there is no scope to increase the width of the existing pedestrian refuge islands.

Therefore to enhance safety for pedestrian wishing to cross Vincent Street, it is proposed to increase the length of the pedestrian openings on the existing pedestrian refuge islands, to allow parents with prams, bikes etc. more refuge, and to install a new pedestrian refuge island on Vincent Street to the east of Cleaver Street.

The proposal is shown on attached Plan No 3358-DC-01 (**Attachment 1**).

CONSULTATION/ADVERTISING

The residents, who made a budget submission requesting pedestrian safety improvement on Vincent Street, will be advised of Councils decision.

LEGAL/POLICY:

Vincent Street is under the care, control and management of the City.

RISK MANAGEMENT IMPLICATIONS:

Medium: The proposals will improve safety and amenity for residents in the various streets which are the subject of this report.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2013-2023*, Objective 1 states:

"Natural and Built Environment

"1.1: Improve and maintain the natural and built environment and infrastructure.

1.1.4 *Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.*

1.1.5(a) *Implement the City's Car Parking Strategy and associated Precinct Parking Management Plans."*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Street	Estimated Cost	Funding Source	Budget	Expend to date	Committed to date
Vincent St	\$25,000	Miscellaneous Traffic Management	\$112,000	Nil	\$80,000

Note:* Brady Street (\$20,000) and Anzac Road (\$60,000).

COMMENTS:

A number of residents from the south side of Vincent Street, in the Cleaver Precinct area, contacted the City requesting that consideration be given to improve safety for pedestrians wishing to cross Vincent Street in the vicinity of the Beatty Park Leisure Centre.

A proposal to introduce a set of traffic signals on Vincent Street between Cleaver Street and Florence Street was previously investigated by Administration and advice sought from MRWA. The proposal was intended to improve access/egress from Beatty Park Leisure Centre and provide a safe crossing point for pedestrians and other footpath users. This will be further investigated in 2016/17.

In the interim, Administration is proposing to increase the length of the existing pedestrian island openings, to allow parents with prams, bikes etc. more refuge, and to install a new pedestrian refuge island on Vincent Street to the east of Cleaver Street.

5.2.3 Proposed 40kph Area Wide Speed Zone Trial – South Vincent Progress Report No 2

Ward:	South	Date:	5 August 2016
Precinct:	Precinct 11 – Mount Lawley Centre, Precinct 12 – Hyde Park, Precinct 13 – Beaufort Precinct 14 – Forrest, Precinct 15 – Banks, Precinct – MRA, Precinct 16 – EPRA, Precinct – EPRA 15	File Ref:	SC466
Attachments:	1 – Proposed Trial Area		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council:

1. **NOTES** the:

- 1.1 **Responses received from both Main Roads WA and the Road Safety Commission to Council’s decision of 31 May 2016, as contained in the report; and**
- 1.2 **Funds allocated in the 2016/17 Budget of \$150,000, for the installation of 40kph signs/poles, includes a 50% contribution from Main Roads WA which, they have indicated, they will not provide;**

2. **AUTHORISES the Chief Executive Officer to liaise with both Main Roads WA and the Road Safety Commission in preparing a consultation pack to be sent to residents / businesses in the area bounded by Charles, Vincent, Beaufort and Walcott Streets, Guildford Road, Stanley and Mitchell Streets seeking their views on undertaking a 40kph Area Wide Speed Zone Trial in streets as shown as shown in Attachment 1; and**

3. **RECEIVES a further report at the conclusion of the advertising period.**

PURPOSE OF REPORT:

To further consider a proposal to undertake a ‘40kph area wide speed zone trial’ in the southern part of the City of Vincent.

BACKGROUND:

Ordinary Meeting of Council 31 May 2016:

Council considered a report on a proposed 40kph area wide speed zone trial in all of the residential streets in the area bounded by Charles, Vincent, Beaufort and Walcott Streets, Guildford Road, Stanley and Mitchell Streets where the following would be undertaken:

- The identification of appropriate location for the installation of new 40kph signs and poles in the trial zone
- The ‘possible’ upgrading the of existing LED signs at the two existing schools within the trial area

- An assessment of the traffic data prior to the trial and a comprehensive review during the trial by an independent road research provider.

Following consideration of the report Council made the following decision:

“That Council:

1. *ADVISES Main Roads WA and the Commissioner of Road Safety that it supports, in principle, undertaking a 40kph Area Wide Speed Zone Trial in the area bounded by Charles Street, Vincent Street, Beaufort Street, Walcott Street, Guildford Road, Stanley Street and Mitchell Street, as shown in Attachment 1, subject to the State Government, through Main Roads WA, the Office of Road Safety, or other relevant State Agency or Agencies;*
 - 1.1 *partnering with the City of Vincent to undertake community consultation with residents and ratepayers in the affected area, in accordance with the City’s Consultation Policy, for a minimum period of four weeks;*
 - 1.2 *advertising the proposal to conduct a trial, including the lowering of the existing school zones from 40kph to 30kph within the trial area;*
 - 1.3 *bearing, or substantially contributing to the funding of all works associated with the consultation, design and, if approved, implementation of the trial;*
 - 1.4 *providing a report, to Council, at the conclusion of the consultation period outlining the comments received and recommendations thereon; and*
 - 1.5 *should the trial proceed, undertaking a formal independent assessment/review of its effectiveness; and*
2. *NOTES that a further report will be presented, to Council on this matter, once a formal response to recommendation 1, has been received.”*

DETAILS:

In accordance with Council’s decision Administration wrote to both Main Roads WA and the Road Safety Commission on 14 June 2016.

MRWA Response – 6 July 2016:

“It is noted that Council now seeks State Government assistance in managing all aspects of the trial including funding the objectives. This is considered contradictory to Main Roads previous advice in June 2015 that Council would be responsible for all aspects of the trial including funding, for which I understand your officers had agreed to and were in the process of requesting.

Nevertheless, Council’s proposals for 40 km/h residential areas and possible introduction of 30 km/h School Zones significantly impacts on State Government policy and legislation around the Built up Area 50 km/h speed limit and School Zones in general at a State-wide level.

Consequently, Main Roads has written to the newly (July 2015) formed Road Safety Commission to consider leading a review of such speed zoning changes with a focus on legislative changes to bring about reducing road trauma. This is considered a more appropriate approach in enabling an informed, quantifiable and structured way forward in setting lower speed limits to achieve the desired outcomes.

To assist the Commission’s deliberations, Main Roads has engaged ARRB to undertake an investigation of speed zones nationally to capture current issues and directions.

Considering the above, Main Roads cannot accept Council's current resolution however previous agreements continue to have Main Roads support.

I will advise the City of Vincent the outcome of discussions held with the Road Safety Commission in due course”

Road Safety Commission Response – 3 August 2016:

“After careful consideration I can advise that the Road Safety Commission supports the proposed trial by the City of Vincent. I would however note the following in relation to recommendation 1:

- *The Road Safety Commission (RSC) accepts recommendation 1.2 contingent on consultation regarding the form and content of any proposed advertising.*
- *In relation to recommendation 1.4 the draft report be provided to the RSC for review prior to finalisation.*
- *In relation to recommendation 1.3 and 1.5, the RSC requests that should the trial proceed, a working group be formed to develop any potential implementation plan and assessment methodology, chaired by the City of Vincent and featuring representation from the relevant State Government agencies. “*

Discussion:

MRWA consider that Council will be responsible for all aspects of the trial, including funding, and if so previous agreements continue to have their support. Also they have engaged the Australian Road Research Board (ARRB) to undertake an investigation of speed zones nationally to capture current issues and directions.

Following receipt of the RSC letter, further clarification was sought regarding who would be responsible for the advertising, what funding will be provided, who would be preparing a draft report following the advertising and who would be undertaking a formal independent assessment/review of the trial's effectiveness, should the trial proceed.

Form the responses received, should Council wish to continue with the trial the following would be required:

Task	Responsibility	Funding	Comments
Advertising the proposal to conduct a trial, including the lowering of the existing school zones from 40kph to 30kph within the trial area;	City of Vincent	City of Vincent / RSC	The City would undertake the advertising, with assistance in terms of funding and communications advice from the RSC if required.
Bearing, or substantially contributing to the funding of all works associated with the consultation, design and, if approved, implementation of the trial;	City of Vincent	City of Vincent / RSC	The Road Safety Commission is willing to provide funding in this regard, contingent on Ministerial approval (if required).
Providing a report, to Council, at the conclusion of the consultation period outlining the comments received and recommendations thereon	City of Vincent	City of Vincent / RSC	RSC is willing to commit funds to enable this trial to take place, but would ultimately see the City of Vincent owning the process.
Assessment of traffic prior to trial	City of Vincent	City of Vincent / RSC / MRWA	All streets in the trial area would need to be

			assessed prior to the trial commencing
Trial Implementation	MRWA	City of Vincent	Signs and poles will be installed by MRWA.
Formal independent assessment/review of the effectiveness of the trial	RSC	RSC / City of Vincent / MRWA	RSC have suggested that a working group, chaired by the City, be formed, to develop an implementation plan and assessment methodology with representation from the relevant State Government agencies. They will assist in funding a formal evaluation of the trial, however the preference would be a collaborative process involving all relevant stakeholders.

CONSULTATION/ADVERTISING:

In accordance with Policy No. 4.1.5 ‘Community Consultation’, the community in the area bounded by Charles, Vincent, Beaufort and Walcott Streets, Guildford Road, Stanley and Mitchell Streets be consulted prior to progressing further with the proposal.

LEGAL/POLICY:

All streets in the proposed trial area except for Charles Street, Guildford Road and East Parade are under the care, control and management of the City. Stanley and Mitchell Street are boundary roads with the City of Bayswater.

STRATEGIC IMPLICATIONS:

In accordance with the City’s *Strategic Plan 2013-2023*, Objective 1 states:

“Natural and Built Environment

“1.1: Improve and maintain the natural and built environment and infrastructure

1.1.5 Take action to improve transport and parking in the City and mitigate the effects of traffic. (d)Promote alternative methods of transport.”

SUSTAINABILITY IMPLICATIONS:

Lowering of speed limits on roads would result in reduced pollution and improved safety.

RISK MANAGEMENT IMPLICATIONS:

Low. The risk to the community is considered to be low as the proposal is likely to reduce traffic speeds and possibly volumes and provide a safer environment.

FINANCIAL/BUDGET IMPLICATIONS:

Council has allocated \$150,000, in the 2016/17 budget, which includes a 50% contribution from both MRWA and the Road Safety Commission.

As it is unlikely that the 50% contribution will be received, Council may need to allocate additional funds, either in the midyear budget review or in 2017/18 (depending on project timing) should they still wish to proceed with the project.

The estimated cost to install new signage in the trial area is \$150,000. With regards to the school zones, this will need to be further determined however the estimated cost to upgrade the LED school zone signage is in the order of \$80,000,

With regards to advertising prior to the trial, and review and monitoring during the trial the Road Safety Commission has indicated that they would part fund the advertising and fund a formal independent assessment/review of the effectiveness of the trial as the trial results would have state wide significance.

COMMENTS:

As previously reported to Council a recent study by Monash University concluded that even a small reduction in travel speeds brought about by a reduction in speed limits in urban and metropolitan areas will result in considerable reductions in road trauma.

In addition the study found that while relatively minor impacts on average travel times is likely to occur, at the individual level, at an overall collective level there are likely to be overall benefits depending on how values are assigned to travel times increases.

It is considered that implementing a 40kph trial would have many benefits for the community including a potential reduction in rat running due to the lower speed zoning.

5.2.4 Proposed Traffic Calming - Anzac Road, Mount Hawthorn

Ward:	North	Date:	8 August 2016
Precinct:	Precinct 1 – Mt Hawthorn	File Ref:	SC673
Attachments:	<u>1</u> – Plan No 3338-CP-01 <u>2</u> – Plan No 3338-CP-02		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services C Wilson, Manager Asset and Design Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council:

- SUPPORTS** a possible staged approach to traffic calming in Anzac Road, Mount Hawthorn, between Oxford Street and Sasse Avenue as follows;

Proposal	Plan No
Removal of the existing speed cushions near Egina Street.	3338-CP-01 (Attachment 1)
Undertake line marking to delineate parking bays resulting in 2.1m wide parking bays with a 5.8m carriageway.	3338-CP-01 (Attachment 1)
Install strategically placed low profile speed humps.	3338-CP-01 (Attachment 1)
Possible stage two improvement (2017/18) to include nibs constructed at intersections with a low profile raised plateau installed at the intersection of Anzac Road and Fairfield Street.	3338-CP-02 (Attachment 2)

- CONSULTS** with the residents of Anzac Road seeking their comments regarding the proposal as outlined on Plan No 3338-CP-01 Attachment 1 and advises them that a possible Second Stage improvement proposal, as outlined on attached Plan No 3338-CP-02 Attachment 2, may be considered in the future; and
- RECEIVES** a further report at the conclusion of the public consultation period.

PURPOSE OF REPORT:

To consider a staged approach to traffic calming in Anzac Road, Mount Hawthorn, between Oxford Street and Sasse Avenue, Mount Hawthorn.

BACKGROUND:

In May 2016 the Mayor wrote to the residents of the aforementioned section of Anzac Road inviting them to a public meeting at the City's Administration and Civic Centre to discuss their concerns regarding 'speeding' traffic on Anzac Road. The residents were advised as follows:

"Over the past year, Councillors and I have been contacted by a number of residents who have expressed concerns about traffic speeds on Anzac Road, and we would like to know whether those concerns are shared by other residents in the street. The recent introduction of rubber speed cushions in one section of Anzac Road has also received a mixed response from residents.

Anzac Road is classified as a 'district distributor road' and it therefore carries more traffic than other lower-order neighbourhood streets. It is also a 50km/h speed zone which needs to be enforced by WA Police. Despite these factors, there may be things the City could do to create a lower speed environment and therefore a safer street for residents, whilst still

maintaining the function of Anzac Road. These measures could include installing speed humps, slow points, on-street car parking or landscaped 'nibs'.

But, before anything happens we would first like to know if you think there is a problem with traffic speeds on your section of Anzac Road and, if so, the types of measures that might help to address that? The City will then be able to combine your feedback with on-ground traffic data, to provide a report to Council to decide what further action to take."

DETAILS:

The public meeting took place on 25 May 2016 at the City's Administration and Civic Centre and was attended by over 25 residents. While residents accepted that they lived on a higher order road, and higher volumes of traffic were expected, their main concern was the speed of vehicles in the street and what improvements could be implemented to address this issue while not adversely affecting their amenity.

As can be seen from the following table, the 85% speed in Anzac Road is 6kph over the posted speed limit.

Start	Finish	Section	Volume (vpd)	Average Speed	85% speed
27-May-15	03-Jun-15	Fairfield-Flinders	5010	49.2	56.2
24-May-12	31-May-12	Matlock-Seabrook	5709	50.4	56.5
24-May-12	31-May-12	Fairfield-Flinders	5519	48.9	56.2
24-May-11	31-May-11	Kalgoorlie-The Boulevarde	5751	49.8	56.2

Following much discussion and debate, the following was generally agreed:

Proposal	Plan No	Comments
Consideration be given to removing the existing speed cushions near Egina Street.	3338-CP-01 (Attachment 1)	Residents indicated they were not in favour of these devices.
As the street carriageway is 10.0m in width, line marking to delineate parking bays (wider street treatment) could be considered resulting in 2.1m wide parking with a 5.8m carriageway. This has been successfully implemented in other 10.0m wide carriageways, i.e. Bourke Street, View Street, York Street etc.	3338-CP-01 (Attachment 1)	This has been successfully implemented in other streets in the City to change the speed environment of the street and encourage street parking.
As a part of the proposal, strategically low profile speed humps could be installed.	3338-CP-01 (Attachment 1)	If supported by residents these would be installed at strategic locations to better regulate vehicle speeds.
As a possible stage two improvement (2017/18) nibs could be constructed at intersections with a low profile raised plateau installed at the intersection of Anzac Road and Fairfield Street.	3338-CP-02 (Attachment 2)	Should Stage 1 prove successful in bringing down the speed, Stage 2 may not be required. Traffic data will be collected over the ensuing 12 months and if necessary, a further report will be presented to Council.

CONSULTATION/ADVERTISING

Residents on Anzac Road will be consulted regarding the proposal.

RISK MANAGEMENT IMPLICATIONS:

Medium: The proposals will improve safety and amenity for residents in Anzac Road.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2013-2023*, Objective 1 states:

"Natural and Built Environment

"1.1: Improve and maintain the natural and built environment and infrastructure.

1.1.4 Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.

1.1.5(a) Implement the City's Car Parking Strategy and associated Precinct Parking Management Plans."

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Street	Estimated Cost	Funding Source	Budget	Expend to date	Committed to date
Anzac Road	\$60,000	Miscellaneous Traffic Management	\$112,000	Nil	\$45,000*

Note:* Brady Street (\$20,000) and Vincent Street (\$25,000). Funds remaining in Miscellaneous Traffic Management allocation would be \$7,000.

COMMENTS:

As can be seen from the traffic data, the recorded 85% speeds in Anzac Road are consistently in the order of 6kph above the posted speed. This indicates that the speed environment in the street needs to change to bring these speeds down to an acceptable level to approve to improve the safety and the amenity for the residents. Therefore, it is considered that what is being proposed will go some way in achieving this aim.

5.2.5 Proposed Parking Restriction Trial – Chelmsford Road, Leake Street and Grosvenor Road, North Perth

Ward:	South	Date:	8 August 2016
Precinct:	Precinct 6 – Smith’s Lake	File Ref:	SC738, SC850, SC811, SC1201
Attachments:	1 – Plan No 3311-PP-01 2 – Plan No 3311-PP-01B 3 – Consultation Summary		
Tabled Items:	Nil		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

RECOMMENDATION:

That Council:

1. **NOTES** the comments received regarding the proposal, as shown on Plan No 3311-PP-01, Attachment 1, for ‘trial’ parking restrictions in Chelmsford and Grosvenor Roads (east and west of Fitzgerald Street), and Leake Street, south of Grosvenor Road, as per Attachment 3, and the outcomes of the public meeting held on 13 July 2016;
2. **APPROVES** the introduction of a 12 month parking restriction ‘trial’ as shown on Plan 3311-PP-01B, Attachment 2, as summarised below;

Location	Proposal
Plan No 3311-PP-01B - Attachment 2	
Chelmsford Road, west of Fitzgerald Street	<ul style="list-style-type: none"> • TRIAL - ‘Residential Only Parking’ 5.00am to 9.00am and 3.00pm to 9.00pm and 2P at all other times on the south side of the street and for the two (2) existing bays on the north side of the street nearest Leake Street ; and • Maintain the existing ‘No Parking’ restriction on the north side of the street.
Leake Street, south of Grosvenor Road	<ul style="list-style-type: none"> • TRIAL - ‘Residential Only Parking’ 5.00am to 9.00am and 3.00pm to 9.00pm and 2P at all other times on the west side of the street; and • TRIAL - ‘No Parking’ restriction on the east side of the street.
Grosvenor Road, west of Fitzgerald	<ul style="list-style-type: none"> • TRIAL - ‘No Parking’ restriction on the south side of the street; and • Maintain the status quo in Grosvenor Road west of Fitzgerald Street, i.e. 2P 8.00am to 6.00pm Monday to Friday and 8.00am to 12 noon Saturdays, north side of the street.
Chelmsford and Grosvenor Roads, east of Fitzgerald Street	<ul style="list-style-type: none"> • Maintain the status quo, i.e. 2P 8.00am to 6.00pm Monday to Friday and 8.00am to 12 noon Saturdays, north side of the street and unrestricted parking on the south side of the street.
Fitzgerald Street between Vincent Street and Raglan Road	<ul style="list-style-type: none"> • Mark bays on road both side of Fitzgerald Street to be 2P outside of AM and PM clearway hours.

3. **ADVISES** all respondents and attendees to the public meeting of its decision;
4. **CONSULTS** with residents in July 2017 seeking further comments regarding the outcomes of the trial prior to the matter being further considered; and
5. **RECEIVES** a further report at the conclusion of the trial period

PURPOSE OF REPORT:

To consider the outcome of the recent consultation and public meeting regarding the proposal to implement parking restrictions in Chelmsford Road, Leake Street, Grosvenor Road and Fitzgerald Street, North Perth.

BACKGROUND:

Following numerous complaints regarding parking congestion in a number of narrow streets bounded by Fitzgerald Street and Vincent Street, in March/April 2016 consultation packs proposing a 12 month parking restriction trial were distributed to residents/businesses in sections of Chelmsford Road, Leake Street and Grosvenor Road, North Perth.

Residents and businesses were advised that the purpose of the proposal was to better regulate the parking demand in the area *and* improve both safety and amenity. They were further advised that should the 'trial' be supported by Council, it would be undertaken over a 12 month period and once implemented, would be monitored and further consultation would occur at the conclusion of the 'trial' period.

DETAILS:

Proposed 'trial' restrictions:

The initial proposal comprised a number of "Residents Only" parking zones being created between the hours of 5.00am to 9.00am and 3.00pm to 9.00pm Monday to Sunday reverting to 2P (2 hours) at all other times, as shown on the Plan, No 3311-PP-01 **Attachment 1**.

Residents were advised that should the trial proceed, they would be issued with 'residents' permits, and visitor permits, where appropriate, in accordance with the City's Policy.

CONSULTATION/ADVERTISING:

A total of 121 consultation packs were distributed to potentially affected residents and businesses requesting their comments for each proposal. At the close of consultation, of the 121 consultation packs distributed, 51 responses were received with 24 in favour, 24 against and there with other suggestions.

In addition, a further 69 responses were received from others, with 57 responses from residents living in Vincent, from outside of the consultation area, and 11 responses from non-Vincent residents. All 57 were against the proposal.

The breakdown of the responses street by street are presented in the following table (also refer **Attachment 3**.

Street	In Favour	Against	Other	Recommendation
Grosvenor Road (west) – Fitzgerald Street to Leake Street	2	3	0	Maintain the status quo i.e. 2P 8.00am to 6.00pm Mon to Fri and 8.00am to 12noon Saturday (north side) unrestricted south side.
Chelmsford Road (east) – Fitzgerald Street to	4	7	1	Maintain the status quo i.e. 2P 8.00am to 6.00pm Mon to Fri and

Ethel Street				8.00am to 12noon Saturday (north side) unrestricted south side.
Chelmsford Road (west) – Fitzgerald Street to Leake Street	4	3	1	Trial – residential only parking 5.00am to 9.00am and 3.00pm to 9.00pm and 2P at all times on the north side of the street and no stopping on the south side.
Leake Street – Vincent Street to Claverton Street	8	1	0	Trial – residential only parking 5.00am to 9.00am and 3.00pm to 9.00pm and 2P at all times on the west side of the street and no stopping on the east side.
Fitzgerald Street – Vincent Street to Raglan Road	3	5	1	Bays will be marked on both sides of the road 2P outside of clearway hours.
Vincent Street – Leake Street to Fitzgerald Street	3	4	0	No change.
Subtotal	24	24	3	
Outside the area (Vincent residents)	0	57	0	Refer recommendations above.
Outside the area (non-residents)	0	11	0	Refer recommendations above.
Subtotal	0	69	0	
TOTAL	24	93	3	

Public Meeting 13 July 2016:

A total of 18 persons attended the meeting. The vast majority of attendees were from Chelmsford Road, with some from Fitzgerald Street, Leake Street and Grosvenor Road. The owners of Power Living Yoga were also in attendance.

It was evident from the meeting that parking in Chelmsford Road was the main issue, however the issues varied significantly for residents on Chelmsford Road, east of Fitzgerald Street, compared with those located closer the Power Living Yoga business on the west side of Fitzgerald Street.

Some residents, east of Fitzgerald Street, indicated that one of the issues was the long term commuter parking by employees of businesses on Fitzgerald Street, effectively taking up the majority of the available street parking. However other residents indicated that they preferred this (cars staying all day) to cars coming and going constantly.

It was noted that the proposed changes to parking time restrictions on Chelmsford Road, west of Fitzgerald Street, intended to address issues created by Power Living Yoga patrons, may possibly push these parking pressures to the east.

The owners from Power Living Yoga indicated that after discussions with the Hyde Park Hotel it was agreed that Power Living Yoga patrons could park in the Hotel carpark during the morning sessions. This was being communicated to the current and new patrons.

Discussion:

In assessing the feedback received during the consultation and comments made during the public meeting it is considered that the following measures should be implemented, and as shown Plan 3311-PP-01B, **Attachment 2**.

Location	Proposal	Comments
Chelmsford Road, west	• TRIAL - 'Residential Only	This is a narrow street and

of Fitzgerald Street	<p>Parking' 5.00am to 9.00am and 3.00pm to 9.00pm and 2P at all other times on the south side of the street & for the two (2) existing bays on the north side of the street nearest Leake Street ; and</p> <ul style="list-style-type: none"> • Maintain the existing 'No Parking' restriction on the north side of the street. 	<p>the most affected by Power Yoga patrons parking. The proposal, while not popular with some respondents is designed to protect the amenity of residents.</p>
Leake Street, south of Grosvenor Road	<ul style="list-style-type: none"> • TRIAL - 'Residential Only Parking' 5.00am to 9.00am and 3.00pm to 9.00pm and 2P at all other times on the west side of the street; and • TRIAL - 'No Parking' restriction on the east side of the street. 	<p>This is a narrow street and affected by Power Yoga patrons parking. Eight respondents from this street were in favour of the proposal.</p>
Grosvenor Road, west of Fitzgerald Street	<ul style="list-style-type: none"> • TRIAL - 'No Parking' restriction on the south side of the street; and • Maintain the status quo in Grosvenor Road west of Fitzgerald Street, i.e. 2P 8.00am to 6.00pm Monday to Friday and 8.00am to 12noon Saturdays, north side of the street. 	<p>This is a narrow street and currently not greatly affected by Power Yoga patrons parking. There was a mixed response from residents in this street however it is considered that a No Parking trial on the south side of the street should be implemented.</p>
Chelmsford and Grosvenor Roads, east of Fitzgerald Street	<ul style="list-style-type: none"> • Maintain the status quo, i.e. 2P 8.00am to 6.00pm Monday to Friday and 8.00am to 12noon Saturdays, north side of the street and unrestricted parking on the south side of the street. 	<p>There was a mixed response from residents from these streets with the majority against the proposal. It is recommended that these streets are monitored during the trial.</p>
Fitzgerald Street – Vincent Street to Raglan Road	<ul style="list-style-type: none"> • Mark bays on road both side of Fitzgerald Street to be 2P outside of AM and PM clearway hours. 	<p>Motorists can currently park on Fitzgerald Street outside of Clearway hours however this is not obvious. Marking bays and restricting them to 2P will promote parking on the street, possibly alleviating parking on residential streets while still providing parking churn.</p>

Community Engagement Comments:

It should be noted that the City's Rangers, who are responsible for the enforcement of parking restrictions throughout the City commence shifts at 6.00am Monday to Friday and at 7.00am Saturday and Sunday.

With the proposed 'Residential Only Parking' restrictions recommended to be in place from 5.00am there will be a one hour period where Rangers will not be readily available for enforcement on Chelmsford Road (west of Fitzgerald Street) and Leake Street (south of Grosvenor Road).

Rangers may periodically work beyond these standard shifts subject to demand and in response to specific issues should they arise within the proposed parking restriction trial area.

LEGAL/POLICY:

In accordance with the City of Vincent Parking and Parking Facilities Local Law 2007 which regulates the parking or standing of vehicles in all or specified thoroughfares and reserves under the care, control and management of the City and provides for the management and operation of parking facilities.

RISK MANAGEMENT IMPLICATIONS:

Low: This proposal is intended to improve the level of service and the amenity for residents.

STRATEGIC IMPLICATIONS:

In accordance with the City's *Strategic Plan 2013-2023*, Objective 1 states:

"1.1: Improve and maintain the natural and built environment and infrastructure.

1.1.3 Take action to reduce the City's environmental impact and provide leadership on environmental matters.

1.1.4 Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment."

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The cost to implement the proposal is approximately \$2,500 and will be funded from the parking signage operating budget.

COMMENTS:

Residents in the vicinity of Power Yoga, previously Bikram Yoga, located on the north-west corner of Vincent Street and Fitzgerald Street have, for some time, been complaining about the adverse impact this establishment has been having on their amenity in particular with regards to street parking and associated anti-social behaviour.

The original parking proposal sent to residents and businesses, as discussed in this report, received some mixed responses and numerous alternative suggestions, some related to the proposal and some unrelated.

While the Administration's recommended way forward may not be supported by all concerned, on balance, after considering all of the comments received during the formal consultation period and comments made at the public meeting, it is considered that what is being recommended, will result in improvements for residents while still maintaining some amenity of nearby businesses.

5.3 CORPORATE SERVICES

5.3.1 Investment Report as at 31 July 2016

Ward:	Both	Date:	5 August 2016
Precinct:	All	File Ref:	SC1530
Attachments:	1 – Investment Report		
Tabled Items:	Nil		
Reporting Officers:	N Makwana, Accounting Officer G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council **NOTES** the Investment Report for the month ended 31 July 2016 as detailed in Attachment 1.

PURPOSE OF REPORT:

To advise Council of the level of investment funds and operating funds available, the distribution of surplus funds in investments and the interest earned to date.

BACKGROUND:

Surplus funds are invested in Bank Term Deposits for various terms, to maximise investment returns in compliance with good governance, legislative requirements and Council's Investment Policy No 1.2.4. Details are attached in **Attachment 1**.

The City's Investment Portfolio is diversified across several Financial Institutions in accordance with the Investment Policy.

DETAILS:

Total funds held for the period ended 31 July 2016 including on call in the City's operating account were \$19,683,412 as compared to \$23,024,830 at the end of Jun 2015.

Total Investments for the period ended 31 July 2016 were \$18,420,252 as compared to \$21,005,952 at the end of Jun 2016. At 31 July 2015, \$14,961,000 was invested.

Investment comparison table:

	2015-2016	2016-2017
July	\$14,961,000	\$18,420,252
August	\$26,961,000	
September	\$31,361,000	
October	\$30,701,564	
November	\$31,206,505	
December	\$27,239,542	
January	\$29,229,172	
February	\$29,221,565	
March	\$27,983,289	
April	\$26,587,166	
May	\$23,486,917	
June	\$21,005,952	

Total accrued interest earned on Investments as at 31 July 2016:

	Original Budget	Budget Year to Date	Actual Year to Date	% of FY Budget
Municipal	\$390,000	\$21,000	\$24,301	6.23
Reserve	\$206,000	\$14,000	\$16,321	7.92
Leederville Gardens Inc Surplus Trust*	\$0	\$0	\$11,418	0
Total	\$596,000	\$35,000	\$52,040	8.73

*Interest estimates for Leederville Gardens Inc Surplus Trust was not included in 2016-17 City of Vincent's budget.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Funds are invested in accordance with the City's Investment Policy No. 1.2.4.

City of Vincent Investment Report Grouping*	Long Term Rating (Standard & Poor's) or Equivalent	Short Term Rating (Standard & Poor's) or Equivalent	Direct Investments Maximum % with any one institution		Managed Funds Maximum % with any one institution		Maximum % of Total Portfolio	
			Policy	Actual	Policy	Actual	Policy	Actual
	AAA Category	A1+	30%	Nil	45%	Nil	100%	Nil
Group A	AA Category	A1+	30%	19.2%	30%	Nil	90%	48.6%
Group B	A Category	A1	20%	21.3%	30%	Nil	80%	51.3%
Group C	BBB Category	A2	10%	Nil	n/a	Nil	20%	Nil

*As per subtotals on **Attachment1**

RISK MANAGEMENT IMPLICATIONS:

Moderate: As per the City's Investment Policy No. 1.2.4, funds are invested with various financial institutions with high Long Term and Short Term Rating (Standard & Poor's or equivalent), obtaining more than three quotations for each investment. These investment funds are spread across various institutions and invested as Term Deposits from one to 12 months to reduce risk.

Section 6.14 of the *Local Government Act 1995*, section 1, states, Subject to the regulations:

"(1) money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested in accordance with Part III of the *Trustees Act 1962*."

STRATEGIC IMPLICATIONS:

In keeping with the City's Strategic Plan 2013-2023:

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

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

(a) Continue to adopt best practice to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced."

SUSTAINABILITY IMPLICATIONS:

The City exercises sound financial management in accordance with the City's Investment Policy No. 1.2.4 to effectively manage the City's cash resources within acceptable risk parameters.

FINANCIAL/BUDGET IMPLICATIONS:

The financial implications of this report are as noted in the details and comments section of the report. Overall the conclusion can be drawn that appropriate and responsible measures are in place to protect the City's financial assets and to ensure the accountability of the management.

COMMENTS:

The funds invested have decreased from the previous period after payments to creditors and staff, which is anticipated to occur until rates income is received following issue of the rate notices on 8 August 2016.

The City has obtained a weighted average interest rate for current investments of 2.81% which includes the City's operating account. When the investments are calculated excluding the operating account, the average investment rate achieved is 3.00% as compared to the Reserve Bank 90 days Accepted Bill rate of 1.93%. As of 31 July 2016, the City's actual investment earnings are exceeding the budget estimate by \$17,040 (49%). However the interest reflected for Leederville Gardens Inc. Surplus Trust is restricted.

Funds invested in the Suncorp Bank exceeded 20% on 31 July due to withdrawal of investment funds from other banks which effectively reduces the total investments for ratio calculation.

The investment report (**Attachment 1**) consists of:

- Investment Report;
 - Investment Fund Summary;
 - Investment Earnings Performance;
 - Percentage of Funds Invested; and
 - Graphs.
-

5.3.2 Authorisation of Expenditure for the Period 1 July 2016 to 31 July 2016

Ward:	Both	Date:	5 August 2016
Precinct:	All	File Ref:	SC347
Attachments:	1 – Creditors Report – Payments by EFT 2 – Creditors Report – Payments by Cheque 3 – Credit Card Transactions		
Tabled Items:	-		
Reporting Officers:	O Dedic, Accounts Payable Officer; G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council **RECEIVES** the list of accounts paid under Delegated Authority for the period 01 July 2016 to 31 July 2016 as detailed in Attachment 1, 2 and 3 as summarised below:

Cheque numbers 80060 - 80189	\$281,177.67
Cancelled Cheques	- \$700.00
EFT Documents 1957 - 1968	\$3,671,450.53
Payroll	\$1,053,090.10

Direct Debits

- **Lease Fees** \$183,547.14
- **Loan Repayment** \$202,845.27
- **Bank Fees and Charges** \$14,849.42
- **Credit Cards** \$13,077.26

Total Direct Debit	\$414,319.09
Total Accounts Paid	\$5,419,337.39

PURPOSE OF REPORT:

To present to Council the expenditure and list of accounts paid for the period 01 July 2016 to 31 July 2016.

BACKGROUND:

Council has delegated to the Chief Executive Officer (Delegation No. 3.1) the exercise of its power to make payments from the City's Municipal and Trust funds. In accordance with *Regulation 13(1) of the Local Government (Financial Management) Regulations 1996* a list of accounts paid by the Chief Executive Officer is to be provided to Council, where such delegation is made.

The list of accounts paid must be recorded in the minutes of the Council Meeting.

DETAILS:

The Schedule of Accounts paid, covers the following:

FUND	CHEQUE NUMBERS/ PAY PERIOD	AMOUNT
Municipal Account (Attachment 1 and 2)		
Cheques	80060 - 80189	\$281,177.67
Cancelled Cheques	80082	-700.00
EFT Payments	1957 - 1968	\$3,671,450.53
Sub Total		\$3,951,928.20
Transfer of Payroll by EFT		
	12/07/16	\$521,314.70
	26/07/16	\$531,775.40
	July 2016	\$1,053,090.10
Corporate Credit Cards (Attachment 3)		\$13,077.26
Bank Charges and Other Direct Debits		
Lease Fees		\$183,547.14
Loan Repayment		\$202,845.27
Bank Charges – CBA		\$14,849.42
Total Bank Charges and Other Direct Debits (Sub Total)		\$401,241.83
Less GST effect on Advance Account		0.00
Total Payments		\$5,419,337.39

LEGAL/POLICY:

Regulation 12(1) & (2) of the Local Government (Financial Management) Regulations 1996 refers, i.e.-

12. *Payments from municipal fund or trust fund, restrictions on making*

- (1) *A payment may only be made from the municipal fund or the trust fund —*
 - *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
 - *otherwise, if the payment is authorised in advance by a resolution of the council.*
- (2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

Regulation 13(1), (3) of the Local Government (Financial Management) Regulations 1996 refers, i.e.-

13. *Lists of Accounts*

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared -*
- *the payee's name;*
 - *the amount of the payment;*
 - *the date of the payment; and*
 - *sufficient information to identify the transaction.*
- (3) *A list prepared under sub regulation (1) is to be —*
- *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - *recorded in the minutes of that meeting.*

RISK MANAGEMENT IMPLICATIONS:

Low: Management systems are in place to establish satisfactory controls, supported by internal and external audit function.

STRATEGIC IMPLICATIONS:

Strategic Plan 2013-2023:

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

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

- (a) Continue to adopt best practice to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced."*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

ADVERTISING/CONSULTATION:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

All Municipal Fund expenditure included in the list of payments is in accordance with Council's adopted Annual Budget.

COMMENT:

If Councillors require further information on any of the payments, please contact the Manager Financial Services.

5.3.3 Provisional Financial Statements as at 30 June 2016

Ward:	Both	Date:	8 August 2016
Precinct:	All	File Ref:	SC357
Attachments:	1 – Financial Reports		
Reporting Officers:	N Makwana, Accounting Officer G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council **RECEIVES** the Provisional Financial Statements for the month ended 30 June 2016 as shown in Attachment 1.

PURPOSE OF REPORT:

To present the Provisional Financial Statements for the period ended 30 June 2016.

BACKGROUND:

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 requires a local government to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the budget.

As stated above the financial reports as presented are provisional copies to provide an estimate of the year-end position. There are still a number of year end transactions, and adjustments that need to be completed before the year end accounts can be finalised.

A Statement of financial activity report is to be in a form that sets out:

- the annual budget estimates;
- budget estimates for the end of the month to which the statement relates;
- actual amounts of expenditure, revenue and income for the end of the month to which the statement relates;
- material variances between the year-to-date income and expenditure; and
- includes other supporting notes and other information that the local government considers will assist in the interpretation of the report.

In addition to the above, under *Regulation 34 (5) of the Local Government (Financial Management) Regulations 1996*, each financial year a local government is to adopt a percentage of value, calculated in accordance with AAS 5, to be used in statements of financial activity for reporting material variances.

DETAILS:

The following documents, included as **Attachment 1** represent the Statement of Financial Activity for the period ending 30 June 2016:

Note	Description	Page
1.	Statement of Financial Activity by Programme Report and Graph	1-3
2.	Statement of Comprehensive Income by Nature and Type Report	4
3.	Net Current Funding Position	5
4.	Summary of Income and Expenditure by Service Areas	6-34
5.	Capital Works Schedule and Funding and Graph	35-41
6.	Cash Backed Reserves	42
7.	Rating Information and Graph	43-44
8.	Receivables	45
9.	Beatty Park Leisure Centre Report – Financial Position	46
10.	Explanation of Material Variance	47-59

The following table provides a summary view of the year to date actual, compared to the Revised and Year to date Budget.

Summary of Financial Activity By Programme as at 30 June 2016

	Revised Budget	Year to date Budget	Year to Date Actual	Year to Date Variance	Year to Date Variance
	\$	\$	\$	\$	%
Operating Revenue	29,702,827	29,702,827	27,049,858	(2,652,969)	-9%
Operating Expenditure	(54,516,322)	(54,516,322)	(52,952,015)	1,564,307	-3%
Add Deferred Rates Adjustment	-	-	(2,036)	(2,036)	0%
Add Depreciation	10,103,230	10,103,230	10,089,839	(13,391)	0%
(Profit)/Loss on Asset Disposal	(3,716,718)	(3,716,718)	(3,099,325)	617,393	-17%
Leederville Gardens Retirement Village Fund Adjustment	-	-	(3,536,066)	(3,536,066)	0%
Net Operating (excluding Rates and Non-cash Items)	(18,426,983)	(18,426,983)	(22,449,745)	(4,022,762)	22%
Proceeds from Disposal of Assets	4,665,090	4,665,090	3,927,988	(737,102)	-16%
Transfers from Reserves	7,089,837	7,089,837	5,951,268	(1,138,569)	-16%
Capital Expenditure	(12,822,207)	(12,822,207)	(7,973,348)	4,848,859	-38%
Repayments Loan Capital	(760,288)	(760,288)	(760,288)	0	0%
Transfers to Reserves	(5,331,657)	(5,331,657)	(4,722,080)	609,577	-11%
Net Capital	(7,159,225)	(7,159,225)	(3,576,460)	3,582,765	-50%
Total Net Operating and Capital	(25,586,208)	(25,586,208)	(26,026,205)	(439,997)	2%
Rates	29,596,786	29,596,786	29,601,379	4,593	0%
Opening Funding Surplus/(Deficit)	1,007,891	1,007,891	1,007,891	-	0%
Closing Surplus/(Deficit)	5,018,469	5,018,469	4,583,066	(435,404)	-9%

Note: Totals and sub-totals may include rounding differences.

Comments on Summary of Financial Activity by Programme:

Revised Budget

Includes all budget amendments approved by Council up to 30th June 2016.

Operating Revenue

There is a difference in classification in revenue reported by programme or by nature and type. Operating revenue in programme reporting includes 'Non-Operating Grants, Subsidies and Contributions' and 'Profit on Sale of Assets'. Revenue reporting by nature and type excludes these, but adds 'Rates Revenue'.

Revenue by programme is showing a negative variance of 9% (\$2.6m). This is due to reduced revenue in Recreation and Culture (\$606k), Transport (\$1.32m) and Other Property and Services (\$580k).

Operating Revenue as presented on the 'Nature and Type' report (Page 4 of **Attachment 1**) is showing a negative variance of 2%.

Operating Expenditure

The positive variance is currently at 3% and is primarily due to the delayed payment cycle for end of year invoices. There are still end of year adjustments to be done which will be reflected in the final report.

Funding Balance Adjustment

Reversal of the restriction placed on \$875,631 for Leederville Gardens Retirement Village funds as at 30th June 2015 has resulted in a net adjustment of \$3,536,066. As at 30th June 2016 \$4,411,697 has been transferred to Leederville Gardens Inc. Surplus Trust.

Transfer from Reserves

This is in an unfavourable position as the Transfer from Reserves is aligned with the timing of Capital Works projects that are Reserves funded. Some of these projects have been carried forward to 2016-17 financial year.

Capital Expenditure

The variance is attributed to the projects that are not complete and have been carried forwards to 2016-17 financial year. For further detail, refer to Note 5 on **Attachment 1**.

Transfer to Reserves

Monthly transfer to the Asset Sustainability Reserve commenced in July 2015, based on budget phasing. This has been reviewed regularly and there has been no requirement for adjustment.

From July 2015, interest earned on Reserve Investment is transferred to Reserves and re-invested.

Opening Funding Surplus/(Deficit)

The surplus Opening Balance brought forward from 2014-15 is \$1,007,891, as compared to adopted budget opening surplus balance of \$576,865. This has been adjusted as part of the mid-year budget review and is reflected in the statements.

Closing Surplus/(Deficit)

There is currently a surplus of \$4,583,066, compared to year to date budget surplus of \$5,018,469. This is substantially attributed to the positive variance in operating expenditure and the current level of Capital Expenditure. However the closing balance will change and reflect true position once all end of year processes are completed and finalised. It is noted that \$4,259,422 was forecast as the 2015/16 closing balance in the 2016/17 adopted budget of which \$1,974,499 represents funding for carry forward capital projects.

It should be noted that the June 2016 closing balance does not represent cash on hand (please see the Net Current Funding Position on page 5 of the attachment).

Comments on the financial performance as set out in the Statement of Financial Activity (**Attachment 1**) and an explanation of each report is detailed below:

1. Statement of Financial Activity by Programme Report (Note 1 Page 1)

This statement of Financial Activity shows operating revenue and expenditure classified by Programme.

2. Statement of Comprehensive Income by Nature and Type Report (Note 2 Page 4)

This statement of Financial Activity shows operating revenue and expenditure classified by nature and type.

3. Net Current Funding Position (Note 3 Page 5)

Net Current Asset is the difference between the current asset and current liabilities, less committed assets and restricted assets. This amount indicates how much capital is available for day to day activities.

The net current funding position as at 30 June 2016 is \$4,583,066.

4. Summary of Income and Expenditure by Service Areas (Note 4 Page 6 – 34)

This statement shows a summary of Operating Revenue and Expenditure by Service Unit.

5. Capital Expenditure and Funding Summary (Note 5 Page 35 - 41)

The following table is a Summary of the 2015/2016 Capital Expenditure Budget by programme, which compares Year to date Budget with actual expenditure to date. The full Capital Works Programme is listed in detail in Note 5 of Attachment 1.

	Adopted Budget \$	Revised Budget \$	Year to date Budget \$	Year to date Actual \$	Full Year Budget Remaining %
Furniture & Equipment	469,300	506,489	506,489	277,601	45%
Plant & Equipment	1,831,650	1,872,979	1,872,979	347,205	81%
Land & Building	2,858,272	2,198,201	2,198,201	1,777,809	19%
Infrastructure	7,498,125	8,244,538	8,244,538	5,570,732	32%
Total	12,657,347	12,822,207	12,822,207	7,973,348	39%

	Adopted Budget \$	Revised Budget \$	Year to date Budget \$	Year to date Actual \$	Full Year Budget Remaining %
Capital Grants and Contributions	1,791,189	2,366,854	2,366,854	1,318,935	44%
Cash Backed Reserves	2,391,223	2,680,767	2,680,767	1,539,571	43%
Other (Disposal/Trade In)	135,000	135,000	135,000	89,287	34%
Own Source Funding – Municipal	8,339,935	7,639,586	7,639,586	5,025,555	34%
Total	12,657,347	12,822,207	12,822,207	7,973,348	39%

Note: Detailed analysis are included on page 35 – 41 of Attachment 1.

6. Cash Backed Reserves (Note 6 Page 42)

The Cash Backed Reserves schedule details movements in the reserves, including transfers and funds used, comparing actual results with the annual budget.

The balance as at 30 June 2016 is \$6,442,616. The balance as at 31 May 2016 was \$10,426,170. The balance of Aged Persons and Senior Citizen's Reserve Fund \$4,411,697 has been transferred to Leederville Gardens Inc. Surplus Trust in June 2016.

7. Rating Information (Note 7 Page 43 - 44)

The notices for rates and charges levied for 2015/16 were issued on 27 July 2015.

The Local Government Act 1995 provides for ratepayers to pay rates by four (4) instalments. The due dates for each instalment are:

First Instalment	31 August 2015
Second Instalment	2 November 2015
Third Instalment	5 January 2016
Fourth Instalment	8 March 2016

To cover the costs involved in providing the instalment programme the following charge and interest rates apply:

Instalment Administration Charge (to apply to second, third, and fourth instalment)	\$12.00 per instalment
Instalment Interest Rate	5.5% per annum
Late Payment Penalty Interest	11% per annum

Pensioners registered with the City for rate concessions do not incur the above interest or charge.

The Rates debtors balance as at 30 June 2016 is \$113,308 (this includes deferred rates of \$150,784). This represents 0.38% of the collectable income compared to 0.18% at the same time last year. There has been over payment of rates which will be carried forward to 2016-17 financial year.

8. Receivables (Note 8 Page 45)

Receivables of \$3,034,778 are outstanding at the end of June 2016, of which \$2,544,863 has been outstanding over 90 days. This is comprised of:

\$464,418 (18.2%) relates to Cash in Lieu Parking. The Cash in Lieu Parking debtors have special payment arrangements for more than one year.

\$172,354 (6.8%) relates to Other Receivables, including recoverable works and property.

\$1,908,091 (75%) relates to unpaid infringements (plus costs) over 90 days. Infringements that remain unpaid for more than two months are sent to Fines Enforcement Registry (FER), who then collect the outstanding balance and return the funds to the City for a fee.

Council resolved at its 26 July 2016 Council meeting to write off \$253,660.89 that have been withdrawn by the Fines Enforcement Registry. The write-off is not reflected in this report.

Administration has been following up outstanding items which relate to Other Receivables by issuing reminders when they are overdue and formal debt collection when payments remain outstanding.

9. Beatty Park Leisure Centre – Financial Position Report (Note 9 Page 46)

As at 30 June 2016 the operating deficit for the Centre was \$373,144 in comparison to the year to date budgeted surplus of \$150,964.

The cash position showed a current cash surplus of \$345,528 in comparison to year to date budget estimate of a cash surplus of \$869,464.

All material variance as at 30 June 2016 has been detailed in the variance comments report in **Attachment 1**.

10. Explanation of Material Variances (Note 10 Page 47 - 60)

The materiality thresholds used for reporting variances are 10% and \$10,000. This means that variances will be analysed and separately reported when they are more than 10% (+/-) of the YTD revised budget, where that variance exceeds \$10,000. This threshold was adopted by Council as part of the Budget adoption for 2015-16 and is used in the preparation of the statements of financial activity when highlighting material variance in accordance with *Financial Management Regulation 34(1) (d)*.

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

Section 6.4 of the Local Government Act 1995 requires a local government to prepare an annual financial report for the preceding year and such other financial reports as are prescribed.

Regulation 34 (1) of the Local Government (Financial Management) Regulations 1996 requires the local government to prepare each month, a statement of financial activity reporting on the source and application of funds as set out in the adopted Annual Budget.

A statement of financial activity and any accompanying documents are to be presented at the next Ordinary Meeting of the Council following the end of the month to which the statement relates, or to the next Ordinary Meeting of Council after that meeting.

RISK MANAGEMENT IMPLICATIONS:

Low: In accordance with *Section 6.8 of the Local Government Act 1995*, a local government is not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure is authorised in advance by an absolute majority decision of Council.

STRATEGIC IMPLICATIONS:

Strategic Plan 2013-2023:

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

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

(a) Continue to adopt best practice to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced.”

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENT:

All expenditure included in the Financial Statements is incurred in accordance with Council's revised budget except for the Creche Playground Equipment for the Beatty Park Leisure Centre, which is funded by the Lotterywest's grant received in May 2016.

5.3.4 Review of Investment Policy

Ward:	Both	Date:	8 August 2016
Precinct:	All	File Ref:	SC1408
Attachments:	1 – 1.2.4 Investment Policy		
Reporting Officers:	G Garside, Manager Financial Services		
Responsible Officer:	J Paton, Director Corporate Services		

RECOMMENDATION:

That Council:

1. **ADOPTS** the amended *Policy 1.2.4 Investment Policy* included as Attachment 1; and agrees that public advertising and community consultation is not required;
2. **REQUESTS** Administration to seek validation from the major banks of their social and environmental responsibility policies and performance;
3. **REQUESTS** The *WA Local Government Association (WALGA)* to lobby the major banks on behalf of all local governments in Western Australia to improve their social and environmental responsibility performance; and
4. **RESOLVES** to incorporate further review of the Investment Policy into the development of the next Sustainable Environment Strategy.

PURPOSE OF REPORT:

To consider amending policy no. *1.2.4 Investment Policy*.

BACKGROUND:

In April Council requested a report from Administration on the potential for the City to Divest from banks that are not fossil free, within the limitations of the City's Investment Policy. Administration.

DETAILS:

"Divestment" refers to strategies to withdraw from investments in fossil fuel related industries and discouraging new investments.

In July 2012 *350.org* (an international environmental lobby group) co-founder Bill McKibben wrote an article in *Rolling Stone* entitled "Global Warming's Terrifying New Math". In this he argued that there are "three simple numbers that add up to global catastrophe":

1. 2°C – the maximum temperature rise above pre-industrial levels, as agreed at the Copenhagen Climate Change Conference in 2009.
2. 565 gigatons [sic] – a rough estimate of the maximum amount of CO₂ that can be released into the atmosphere by 2050 to keep temperature rise below 2oC.
3. 2,795 gigatons [sic] – the amount of CO₂ contained in known reserves of coal, oil and gas reserves.

McKibben stated that 2,795 gigatons is five-times the CO₂ budget and therefore 80% of those reserves must stay unburnt 'in the ground' in order to achieve a maximum temperature rise of 2°C.

Most credible research around the world focuses on direct investment in fossil fuel extraction related industries. However, the City does not invest in shares on the stock exchange, nor second-hand via managed investment funds. The City currently only invests in bank term-deposits and therefore can only hope to have some influence (third-hand) on the investment decisions of banks that possibly lend to fossil fuel companies and projects, by announcing a preference not to invest with banks that openly supply funding to these industries.

As at 31 July 2016, the City had 55% (by value) of investments with banks that are not reported by *Market Forces* to be funding fossil fuel extraction projects. At the peak of the City's 2015-16 investment cycle, this figure was around 35%.

CONSULTATION/ADVERTISING:

Policy no. 4.1.5 Community Consultation in Appendix 2 of the Guidelines (Item 10), states that community consultation is required for new policies, or significant amendments to existing policies. Administration assess the current amendments not to be significant and therefore deem that community consultation is not required.

LEGAL/POLICY:

- Local Government Act 1995 – Section 6.14.
- The Trustees Amendment Act 1997 – Part 111 Investments.
- Local Government (Financial Management) Regulations 1996 – Regulations 19, 19C, 28 and 49.
- Policy no. 1.2.4 – Investment Policy
- Policy no. 4.1.5 – Community Consultation

RISK MANAGEMENT IMPLICATIONS:

Increasing exposure to 2rd and 3rd-tier banks increases the risk associated with the City's investments. The rankings are based on credit ratings published by *Moody's* and *Standard & Poors*. Lower-ranked financial institutions represent a higher risk (however slight) to potential investors. Generally higher-risk investments offer a higher promised return. However, this has not been the case in the banking industry since the GFC, with the big banks often offering significantly higher interest rates for periods when they need increased deposits to cover their increased statutory obligations.

STRATEGIC IMPLICATIONS:

Nil

SUSTAINABILITY IMPLICATIONS:

The City's Sustainable Environment Strategy 2011-2016, section 3. Toward Environmental Sustainability, includes:

- 1) *To ensure that the City acts in an environmentally sustainable manner in all of its operations*

FINANCIAL/BUDGET IMPLICATIONS:

In the last 3 months the interest rates offered by the 'Big-4' banks (and their subsidiaries) have reduced to the top of the range offered by the 2nd and 3rd-tier banks. However, for the 12 months prior to that, rates the City was offered by some of the 'Big-4' were often 15-30 basis points (0.15%-0.30%) higher than the others. Without these investments they City's interest earned on term deposits could have reduced by 5% to 10 (\$40,000 to \$80,000).

COMMENT:

Banks lending to fossil fuel industries in Australia

It is difficult to find credible (peer-reviewed) research that identifies which banks in Australia are lending to what projects; and what impact banks are having on fossil fuel intensive industries. Most publicly available papers on this topic are produced by organisations that are (or connected to) green lobby or special-interest groups, so the chances of obtaining a balanced opinion are diminished.

The research that is produced by *Market Forces* (affiliated with *Friends of the Earth*), *Australia Institute* and *Catalyst* (now merged and affiliated with *350.org*) is mainly based on information released by the major banks themselves and is therefore potentially superficial. These papers report on funding of major projects where a major bank has announced that it is the lead lender and do not necessarily include which other banks are involved as either:

- a) Other members of a consortium of lenders; or
- b) Purchasers of portions of larger loans that have been securitised (packaged) and partially sold-off to other banks. It is not known whether lenders purchasing securitised loans are compelled to disclose the origin of the initial loan.

Other shortfalls identified in the research are the identification of:

- Banks that accept deposits from fossil fuel extraction companies; and
- Lenders to major fossil fuel-based energy consumers. For example, it is estimated that Bauxite/Alumina refineries and steel works consume at least 40% of energy derived from fossil fuels in Australia.

It is also difficult to know how far the 'divestment' movement should go. For example, non-fossil fuel mining, agriculture and transport industries are also large consumers of fossil fuels. What is the indirect impact on climate change created by banks funding these industries?

In a May 2014 report funded by *350.org* and *Market Forces* titled "Climate Proofing Your Finances", the *Australia Institute* stated that "ANZ is the biggest lender to coal and gas projects, both in total and as a proportion of its assets, but each of the big four have offered billions in finance. However, the report continues "Australian banks have increasingly funded renewables, but on a lesser scale than fossil fuels". Between 2005 and 2010 Westpac led in renewables funding and ANZ was next, with Westpac reporting that "around half of its financing for power generation since 2010 is for renewables.

Market Forces on their website (www.marketforces.org.au) state that the 'Big-4' banks (ANZ, CBA, NAB, Westpac) have provided \$70.3 billion in finance to fossil fuel projects (around the world) since 2008. In the first half of 2016 the banks had reported lending \$3.5b to global fossil fuel projects - \$480m to local projects. *Market Forces* also report that since 2008 the 'Big-4' have provided \$6.14b in funding to Renewable Energy projects.

In June 2014 *BRW* reported on an announcement by Marnie Baker of Bendigo Bank indicating the bank is committed to minimising environmental harm, which includes the operations of the businesses in which it invests – "specifically, the bank does not lend to companies for whom the core activity is the exploration, mining, manufacture of thermal coal or coal seam gas". However, it may be that Bendigo Bank is not large enough to directly invest in fossil fuel projects.

Bank Environment Polices

The *BRW* report “Sustainability in the spotlight keeps banks on guard against greenwash” by Fitzsimmons highlighted that banks are now acknowledging the need for them to consider the environment in their policies and practices, CommBank’s Cecile Walton has said there is “mounting pressure from shareholders, institutional investors, customers, government and communities, activist groups and even employees” regarding sustainability. There has been significant public pressure on specific lending cases like Gunns Pulp Mill and the Jabaluca uranium mine. The *BRW* noted ‘greenwashing’ is identified as a significant issue by Andrew Ure from Ogilvy Earth (PR and Environmental issues) – banks need to be open about what they are doing and “if there’s nothing behind it and it’s ‘greenwash’ then you’re also vulnerable”. The big 4 banks are changing their practices, using the Equator Principles. This is an evolving process as “the public understanding of the link between finance and sustainability deepens”.

In 2013 Megan Bowman released *The Limits of Business Case Logic: A Case Study of Climate Friendly Banks*. In this research paper Bowman argues that private sector banks are important in the move to a low carbon economy, stating there is:

...potential for large scale change through [the banks] client, supplier and competitor networks. ... [B]anks can set benchmarks, not only for their own corporate governance climate strategies, but also for their clients and suppliers, which then set such standards for their own clients and suppliers, and so on in an ever widening web of corporate change.

Bowman goes on to say “banks have the reach, influence and access to capital required to lead the changes needed to expeditiously address global warming”

The Big 4 Banks have all signed up to *The Equator Principles* and the *UN Principles for Responsible Investment* and the *UN Environment Programme Finance Initiative*.

‘Divestment’ in Local Government

The *City of Fremantle* has implemented investment changes as part of the broader “One Planet” policy and related accreditation. The One Planet policy has resulted in a review of all the City’s policies and decision-making practices. Investment is just one part of that.

The *City of Melbourne* has an over-arching “Zero Net Emissions by 2020” policy. This has resulted in the systematic review of all policies and decision-making processes and their Investment Policy is now being reviewed from this perspective.

On 3rd August *WALGA* released a revised discussion paper titled “Divestment in Fossil Fuels” (see attached). The *WALGA* paper discusses many of the issues raised in this paper. The *WALGA* paper lists 7 banks that operate in WA and are not included in lists of banks that fund fossil fuel. *WALGA* recommend that Local Governments pursue ‘Divestment’ as part of a review of their Sustainability and Climate Change policies. The report discusses the recent history of using divestment “as a tool to mitigate climate change”. The *WALGA* paper quotes *350.org* and lists the reasons large organisations have divested from fossil fuels as:

1. Align investment with values
2. Shape public policy and limit the influence of energy companies
3. Potentially reduce financial risk
4. Reallocate investment to companies leading the transition to a more sustainable economy

Next Steps

The *Australia Institute* in “Climate Proofing Your Finances” recommend “Engagement and Advocacy – Talk before Walk”. They state:

Going Fossil Free is not the only response available to concerned individuals ... [for banking] you can join a campaign to ‘Put Your Bank on Notice’, telling the big four

that you will change banks if they don't rule-out financing fossil fuel export infrastructure threatening the climate and Australian icons such as the Great Barrier Reef.

After discussion with elected members, Administration is proposing interim amendments to the Investment Policy; recommending that further information be sought from the major banks; and recommending that the review of the Investment Policy be included in the development of the next Sustainable Environment Strategy.

5.4 COMMUNITY ENGAGEMENT

5.4.1 Waiver of Reserve Booking Fees – Lincoln Stewart Fitness

Ward:	South	Date:	9 August 2016
Precinct:	Cleaver (5)	File Ref:	FY19-04
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officer(s):	J van den Bok, Manager Parks and Property Services G Nicholas, Halls and Reserve Booking Officer		
Responsible Officer:	M Quirk, Director Community Engagement		

RECOMMENDATION:

That Council:

- APPROVES** the waiving of reserve booking fees up to the amount of \$2,740 for Lincoln Stewart Fitness to utilise Beatty Park Reserve and Mick Michael Reserve for free group fitness sessions from 1 September 2016 to 31 August 2017; and
- NOTES** that the waiver of reserve booking fees for Lincoln Stewart Fitness remains subject to their adherence to the City's reserve booking terms and conditions, provision of participation statistics, effective promotion and community awareness, and all such group fitness sessions being delivered free of charge to residents throughout the 12 month period.

PURPOSE OF REPORT:

To consider waiving reserve booking fees for Lincoln Stewart Fitness to enable free group fitness sessions for the community at Beatty Park Reserve and Mick Michael Reserve during the period September 2016 to August 2017.

BACKGROUND:

Lincoln Stewart Fitness was formed in 2008 and provides a wide range of health and fitness services including one-on-one personal training, outdoor group fitness, military boot camps, corporate health and wellbeing services, and the provision of qualified gym instructors to the industry. The company is registered with Fitness Australia and currently provides boot camps and personal training sessions at various parks throughout the Perth Metropolitan Area.

While these sessions are generally fee-paying Lincoln Stewart Fitness has recently sought to offer free group fitness sessions within the City of Vincent, and therefore has requested a waiver of the associated reserve booking fees. All commercially operated personal training and group fitness classes taking place within our parks and reserves are required to pay reserve booking fees in accordance with Council's Fees & Charges Schedule.

DETAILS:

Lincoln Stewart Fitness has proposed the delivery of free group fitness sessions at Beatty Park Reserve on Sunday mornings from 8.00am and at Mick Michael Reserve on Wednesdays from 6.00am. The sessions will be capped at 30 participants although pending the success another session may be added at Beatty Park Reserve on Saturday mornings from 8.00am. It is accepted that a likely motivation behind this initiative is to convert participants to fee-paying health and fitness services, however during this period Lincoln Stewart Fitness has confirmed that there will be no obligation for any individual to progress towards such a fee-paying service nor will there be any specific limitation on the number of free group fitness sessions that an individual can attend.

Such outdoor group fitness sessions provide a wide range of health and wellbeing benefits for residents. Regular physical activity improves fitness and assists with weight management as well as helping to reduce the effects of stress, depression and anxiety. The group setting also provides the opportunity for social interaction amongst residents.

Given recent conflict between reserve users and nearby residents at Beatty Park Reserve all personal training and group fitness sessions will now be undertaken in the south-west corner of the park and the proposed times/days will not conflict with any other approved sporting activities. The nature of group fitness sessions will not have a significant impact on the turf or park infrastructure.

Although the adjacent Beatty Park Aquatic and Leisure Centre provides over 100 group fitness classes per week, they are all located within the Centre and participants must either pay the following:

- casual visit fee starting at \$15.50 per session;
- multi-visit fee ranging from \$139.50 (10 visits) to \$280.50 (20 visits); or
- full gymnasium membership ranging from \$135.00 (1 month) to \$965.00 (12 months).

The Centre also provides personal training sessions however participants must again pay fees ranging from \$47.50 per session to \$1,312.00 for multi-entry sessions. It should be noted that Lincoln Stewart Fitness does currently provide Beatty Park Leisure Centre with gym and group fitness instructors as part of its business services although this remains a completely separate arrangement to the proposed free group fitness sessions.

It is considered that the proposal to provide these free group fitness sessions for local residents provides an excellent opportunity for the City to facilitate improved community health and wellbeing through a partnership with Lincoln Stewart Fitness. Such a collaborative approach aligns with the direction of the City's Community Engagement Directorate whereby the focus is on activating people and places within our community through the delivery of programs, services and facilities through partnerships. Local community health and wellbeing will be improved through the waiver of reserve booking fees rather than the City directly delivering such a program or service.

Importantly this proposed relationship between the City and Lincoln Stewart Fitness from 1 September 2016 to 31 August 2017 is distinct from other commercially operated, fee-paying group fitness and personal training sessions whereby the provider is required to obtain approval and pay all associated reserve booking fees. Should Lincoln Stewart Fitness seek to provide fee-paying sessions within our parks and reserves they will be required to pay reserve booking fees given that this would be considered completely separate to the proposed free sessions for which a waiver has been requested.

In recognition of the fee waiver it will be important for the City's support to be acknowledged through any marketing and promotions undertaken by Lincoln Stewart Fitness, and the City shall also consider appropriate opportunities to increase local community engagement and awareness. Lincoln Stewart Fitness will also be required to provide participant numbers and postcodes so the City can assess the effectiveness of this health and being initiative amongst local residents.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY

The Chief Executive Officer has been delegated the power to waive fees, grant concessions or write-off any amount of money owed to the City pursuant to the *Local Government Act 1995*, Section 6.12(1).

In accordance with Council's 2016/17 Delegated Authority Register the power to waive fees is subject to the amount not exceeding \$1,000. Given that the associated reserve booking fees are up to \$2,740 in this instance, Council approval is required.

RISK MANAGEMENT IMPLICATIONS:

Low: This activity will have little or no effect on the City's parkland or surrounding infrastructure, and Lincoln Stewart Fitness is required to maintain appropriate Fitness Australia accreditation and qualifications as well as public liability insurance coverage.

As the activity is taking place outdoors some sessions may be cancelled due to inclement weather. In addition, the sessions are reliant upon the availability of qualified instructors. Should the sessions require cancellation Lincoln Stewart Fitness shall provide advance notification where practicable.

STRATEGIC IMPLICATIONS:

The facilitation of free group fitness session with local parks and reserves aligns with City's *Strategic Community Plan 2013-2023*, where Objective 3 states:

"3.1 Enhance and Promote Community Development and Wellbeing.

3.1.3: Promote health and wellbeing in the Community."

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Based on the City's 2016/17 Fees & Charges Schedule the reserve booking fees associated with the proposed free group fitness sessions at Beatty Park Reserve and Mick Michael Reserve amounts to \$2,740 comprising two seasons at \$1,370 per season.

COMMENTS:

It is considered that these free group fitness sessions will have a positive impact on local community health and well-being, and this collaborative approach between the City of Vincent and Lincoln Stewart Fitness is a positive way to deliver programs and services for residents.

On this basis, Administration supports a reserve booking fee waiver for Beatty Park Reserve and Mick Michael Reserve up to the amount of \$2,740 given that the group fitness sessions will be provided free of charge to residents. The effectiveness of this initiative will be closely monitored by the Community Engagement Directorate including the analysis of participation data, compliance to reserve booking terms and conditions, implementation of suitable promotional strategies, and adherence to all sessions being free of charge for residents. Should these conditions not be met the Director Community Engagement shall reserve the right to reduce or remove the Council approved waiver.

5.4.2 Appointment of Council Member to Parks Working Group

Ward:	-	Date:	9 August 2016
Precinct:	-	File Ref:	SC1861
Attachments:	<u>1</u> – Parks Working Group Terms of Reference		
Tabled Items:	Nil		
Reporting Officer:	K Allen, A/Coordinator Safer Vincent		
Responsible Officer:	M Quirk, Director Community Engagement		

RECOMMENDATION:

That Council **APPOINTS** the following Council Member as its representative on the Parks Working Group for the term 23 August 2016 to 20 October 2017;

Parks Working Group (PWG) (1 Council Member)

Member:

1.

PURPOSE OF REPORT:

To appoint a Council Member to the Parks Working Group following the recent withdrawal by Cr Loden.

BACKGROUND:

As part of Council's role in governing the City it is inherent that Council Members represent Council on a wide range of Statutory Authorities, Advisory Groups and Working Groups. At its meeting on 17 November 2015, Council considered a review of these Statutory Authorities, Committees, Advisory Groups and Working Groups and subsequently appointed Council Members to the various bodies. This included the appointment of Cr Dan Loden to the Parks Working Group for the term 17 November 2015 to 20 October 2017.

The Parks Working Group is convened to encourage collaboration amongst key stakeholders with a view to funding solutions to the impact of homeless and transient people frequenting parks in the City of Vincent and City of Perth. The Parks Working Group includes representatives from all three tiers of government as well as community organisations and service delivery agencies operating within the local area. Importantly, the Working Group now strategically aligns with the Central Metropolitan Human Services Forum coordinated by relevant State Government agencies.

Given that the Parks Working Group meets quarterly on Wednesday mornings at 9.00am this has proven difficult for Council's nominated representative, Cr Loden, to attend given his work commitments during office hours. As a result, Cr Loden has withdrawn from the Parks Working Group and requested that another Council representative be appointed to take his place. As the next Working Group Meeting is scheduled on 14 September it is timely to confirm a replacement representative at the August Council Meeting.

DETAILS:

The Parks Working Group represents a collaborative approach with key stakeholders to facilitate better integration and coordination of services when responding to the challenges of homelessness within parks, and more broadly throughout the inner-City community. Notably, Council has recently acknowledged the prevalence of homelessness within Vincent and the need for such a partnership approach through the allocation of funds within the 2016/17 budget for 'Homelessness Service Provision Grants'.

Specific details for the Parks Working Group are as follows:

Purpose	“The purpose of the Parks Working Group is to find local solutions to the impact of homeless and transient people frequenting parks in the City of Vincent and City of Perth.”
Meeting Occurrence	Quarterly (or as required to deal with issues as they emerge)
Date of Meeting	Wednesdays
Time of Meeting	9.00am
Location	City of Vincent – Function Room
Responsible Liaison Officer	Coordinator Safer Vincent
Chairperson (rotating on a two-year basis)	Lt Kris Halliday – Salvation Army
Other Membership	<ul style="list-style-type: none"> • WA Police • City of Perth • Federal and State Government Departments • Non-Government Organisations

The Terms of Reference specifically note the expectations of Working Group Members:

- A commitment to attend meetings and contribute to the Group. Group members may send a proxy who must be briefed by the member for whom the proxy attends.
- A problem-solving approach with a local focus.
- Collaboration between member agencies.

CONSULTATION/ADVERTISING:

Consultation and advertising is not required for Council to appoint a representative to the Parks Working Group.

LEGAL/POLICY:

The Parks Working Group has established Terms of Reference that have been endorsed by the membership, and a copy has been included as **Attachment 1** to this report.

RISK MANAGEMENT IMPLICATIONS:

Low: The Parks Working Group is an inter-agency body hosted but not operated by the City. The group encourages inter-agency collaboration and provides recommendations on dealing with homelessness. Any recommendations provided by the group to the City are dealt with according to our standard decision making procedures and policies.

STRATEGIC IMPLICATIONS:

Ongoing Council involvement with the Parks Working Group aligns with the City's *Strategic Community Plan for the Future 2013-2023*, where key result area four states:

“Leadership, Governance and Management

4.1 *Provide good strategic decision-making, governance, leadership and professional management”.*

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

With the recent withdrawal by Cr Loden it is deemed necessary for Council to appoint another representative to the Parks Working Group noting that given the timing of meetings the

Council representative will need to have availability to attend Wednesdays between 9.00am and 10.30am on a quarterly basis. The City's Community Engagement Directorate, and specifically the Coordinator Safer Vincent, will provide Councillor support and advice as required.

5.5 CHIEF EXECUTIVE OFFICER

5.5.1 Information Bulletin

Ward:	-	Date:	5 August 2016
Precinct:	-	File Ref:	-
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	Pia Rasal, Governance & Council Support Officer		
Responsible Officer:	Len Kosova, Chief Executive Officer		

RECOMMENDATION:

That Council **RECEIVES** the Information Bulletin dated 23 August 2016 as distributed with the Agenda.

DETAILS:

ITEM	DESCRIPTION
<u>IB01</u>	WALGA State Council Meeting Summary Minutes – July 2016
<u>IB02</u>	Unconfirmed Minutes of the Design Advisory Committee Meeting held on 22 June 2016
<u>IB03</u>	Unconfirmed Minutes of the Design Advisory Committee Meeting held on 20 July 2016
<u>IB04</u>	Write-off of Infringement Notices/Costs from 1 July 2015 to 30 June 2016
<u>IB05</u>	Unconfirmed Minutes of the Children and Young Peoples Advisory Group Meeting held on 20 June 2016
<u>IB06</u>	Unconfirmed Minutes of the Arts Advisory Group Meeting held on 21 July 2016
<u>IB07</u>	Register of Legal Action (Confidential – Council Members Only) – Monthly Report as at 4 August 2016
<u>IB08</u>	Register of State Administrative Tribunal (SAT) Appeals – Progress Report as at 4 August 2016
<u>IB09</u>	Register of Applications Referred to the MetroWest Development Assessment Panel – Current
<u>IB10</u>	Register of Applications Referred to the Design Advisory Committee – Current
<u>IB11</u>	Register of Petitions – Progress Report – August 2016
<u>IB12</u>	Register of Notices of Motion – Progress Report – August 2016
<u>IB13</u>	Register of Reports to be Actioned – Progress Report – August 2016
<u>IB14</u>	Unconfirmed Minutes of the Reconciliation Action Plan Working Group held on 25 July 2016
<u>IB15</u>	Unconfirmed Minutes of the Road Safety Advisory Group held on 18 July 2016

6. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

7. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.

8. CONFIDENTIAL ITEMS/MATTERS FOR WHICH THE MEETING MAY BE CLOSED (“BEHIND CLOSED DOORS”)

8.1 CONFIDENTIAL REPORT: Belgravia Leisure Option to Renew Loftus Recreation Centre Lease

Ward:	South	Date:	10 August 2016
Precinct:	Oxford Centre	File Ref:	SC379
Attachments:	Confidential Attachment - Loftus Centre Plan Confidential Attachment - Strategic Ten year Vision Confidential Attachment - Business Plan 2016/17 Confidential Attachment - Contract Objectives Review		
Tabled Items:	Nil		
Reporting Officer:	J Paton, Director Corporate Services		
Responsible Officer:	J Paton, Director Corporate Services		

DETAILS:

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it contains information concerning:

- (c) *a contract entered into or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.;*

LEGAL:

The *Local Government Act 1995*, Section 5.23(2) prescribes that a meeting or any part of a meeting may be closed to the public when it deals with a range of matters.

The City of Vincent Local Law Relating to Standing Orders states the following:

“2.14 Confidential business

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is to be treated in accordance with the Local Government (Rules of Conduct) Regulations 2007.*

The confidential report is provided separately to Council Members, the Acting Chief Executive Officer and Directors.

In accordance with the legislation, the report is to be kept confidential until determined by the Council to be released for public information.

At the conclusion of these matters, the Council may wish to make some details available to the public.

9. CLOSURE