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**(10 APRIL 2007)**

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(ii)	WALGA Metropolitan Member - Control of Vehicles (Off-Road Areas) Act Advisory Committee ( <i>Ministerial Appointment</i> ) ( <i>Panel of 3 names</i> );	
(iii)	WALGA Member - WA Deputy Member - Control of Vehicles (Off-Road Areas) Act Advisory Committee ( <i>Ministerial Appointment</i> ) ( <i>Panel of 3 names</i> );	
(iv)	WALGA Member - Needle and Syringe Disposal Strategy Working Party (Serving Officer); and	
(v)	WALGA Member - Metropolitan Deputy Commissioner - WA Local Government Grants Commission ( <i>Approval by Minister</i> ) ( <i>Panel of 3 names</i> ).	

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Minutes of the Ordinary Meeting of Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 10 April 2007, commencing at 6.00pm.

**1. DECLARATION OF OPENING**

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

**2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE**

**(a) Apologies:**

Cr Izzi Messina - may be late due to work commitments  
Cr Maddalena Torre South Ward

**(b) Present:**

Mayor Nick Catania, JP	Presiding Member
Cr Simon Chester	North Ward
Cr Helen Doran-Wu	North Ward
Cr Steed Farrell ( <i>Deputy Mayor</i> )	North Ward (until 8.49pm)
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward (from 6.10pm)
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental and Development Services
Mike Rootsey	Executive Manager, Corporate Services
Rick Lotznicker	Executive Manager, Technical Services
Annie Smith	Minutes Secretary
Julie Davidson	Librarian - Employee of the Month Recipient (until 6.33pm)
Des Abel	Manager Planning Building & Heritage Services - Employee of the Month Recipient - (until 6.37pm)
Hannah Eames	Senior Heritage Officer - Employee of the Month Recipient (until 6.37pm)
Tory Woodhouse	Heritage Officer - Employee of the Month Recipient (until 6.37pm)
Chris Thomson	Journalist - " <i>The Perth Voice</i> " (until 8.00pm)

Approximately 4 Members of the Public

**(c) Members on Leave of Absence:**

Nil.

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

1. Mr Jeff Thierfelder of 67 Derby Road, Shenton Park - Item 10.1.2 - Believes that they have been very accommodating in addressing concerns regarding setback, balconies and privacy issues. Referred to the height issue of dwelling No. 1. Stated that the only reason that it exceeds the height limit is because the ground falls away and that the building at the streetscape is well within the guidelines and that it does not have any visual impact on the streetscape.

**Cr Messina entered the meeting at 6.10pm.**

2. Mr Fred Zuideveld, Architect - Item 10.1.1 - Advised that the design has been revised to set the top floor back along the laneway so that the building visually reads as a three storey structure when viewed from the right of way. Believes that the change has improved the aesthetics of the structure, particularly along the southern façade. Requested that Council support the officer's recommendation with the deletion of clause (xvii) which relates to screening.
3. Mr Karl Penirschke of 21 Brewer Street, Perth - Item 10.1.1 - Stated that he is against the proposal as he believes it sets a precedent with relation to the four storeys. Believes that the proposal will compound existing parking problems in the area. Requested that Council refuse the application.

There being no further questions from the public, the Presiding Member, Mayor Nick Catania, JP, closed Public Question Time at 6.15pm.

**(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

- 4.1 Cr Izzi Messina requests a leave of absence for the period 14 to 21 April inclusive for work commitments.
- 4.2 Cr Steed Farrell requests a leave of absence for the period 24 to 30 April inclusive for work commitments.

**Moved Cr Lake, Seconded Cr Doran-Wu**

*That;*

- (a) *Cr Messina's request for leave of absence for the period 14 to 21 April 2007 for work commitments, be approved; and*
- (b) *Cr Farrell's request for leave of absence for the period 24 to 30 April 2007 for work commitments, be approved.*

**CARRIED (8-0)**

**(Cr Torre was an apology.)**

**5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND MEMORIALS**

- 5.1 The Chief Executive Officer advised that a petition had been received from Dr Keith Gregg, c/- Harwood Place Action Group, 24 Harwood Place, West Perth with 11 signatures requesting that urgent traffic signage be erected along Newcastle Street at the entrance to Harwood Place.

*The Chief Executive Officer recommended that the petition be received and that this matter be considered during debate on the Item which is on tonight's Agenda.*

**Moved Cr Ker, Seconded Cr Farrell**

*That the petition be received.*

**CARRIED (8-0)**

(Cr Torre was an apology.)

**6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

6.1 Minutes of the Ordinary Meeting of Council held on 27 March 2007.

**Moved Cr Farrell, Seconded Cr Maier**

*That the Minutes of the Ordinary Meeting of Council held on 27 March 2007 be confirmed as a true and correct record.*

**CARRIED (8-0)**

(Cr Torre was an apology.)

6.2 Minutes of the Special Meeting of Council held on 3 April 2007.

**Moved Cr Doran-Wu, Seconded Cr Farrell**

*That the Minutes of the Special Meeting of Council held on 3 April 2007 be confirmed as a true and correct record.*

Debate ensued.

**Moved Cr Maier, Seconded Cr Ker**

*That the confirmation of the Minutes of the Special Meeting of Council held on 3 April 2007 be DEFERRED to the next meeting as he was of the opinion that there has been insufficient time to consider them.*

**DEFERRAL MOTION LOST  
ON THE CASTING VOTE OF THE PRESIDING MEMBER (4-5)**

**For**

Cr Doran-Wu  
Cr Ker  
Cr Lake  
Cr Maier

**Against**

Mayor Catania (2 votes - casting and deliberative)  
Cr Chester  
Cr Farrell  
Cr Messina

(Cr Torre was an apology.)

**MOTION TO CONFIRM MINUTES CARRIED (7-1)**

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

(Cr Torre was an apology.)

**7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

1. Certificate of Appreciation - Marie Slyth

On behalf of the Council, I wish to express my appreciation to Marie Slyth of West Perth for her services provided to the Town of Vincent over many years.

As many of you are aware, Marie has been very active in the Community Precinct system and has been a stalwart of the Cleaver Precinct Action Group. Over the previous 12 months, she has also been very active in lobbying against the City of Perth proposal to annex South Vincent, which was ultimately unsuccessful.

Marie spent many hours attending meetings and also drumming up community interest to make submissions and to attend public hearings to voice their opinions.

I am cognisant that the Vincent community spirit was a significant factor in the Board's consideration when making their decision - much of this can be attributed to Marie.

Once again, thank you Marie for your contribution.

**Received with acclamation.**

*Marie Slyth thanked the Mayor and the Council for the recognition and requested that the Council consider providing more assistance to the Precinct Groups in regards to advertising their meetings in a local paper.*

2. Employee of the Month Award for the Town of Vincent for March 2007

As members of the public will know, the Council recognises its employees by giving a monthly award for outstanding service to the Ratepayers and Residents of the Town. The recipients receive a \$100 voucher, kindly donated by the North Perth Community Bank, and a Certificate. Also their photograph is displayed in the Town's Administration Centre Foyer, in the Library and at Beatty Park Leisure Centre.

For March 2007, the award is presented to Julie Davidson, Librarian - Local History Studies at the Town's Library. Julie was nominated by Councillor Sally Lake for her outstanding work in promoting the history of the Town of Vincent.

Cr Lake stated that she was very impressed by the number and range of projects undertaken by the Local Studies section of the Library, the valuable information collected and the really important personal contacts that were made.

Julie has also acted in the capacity of the Town's Manager Library and Information Services on a number of occasions.

Congratulations Julie - and well done!!

**Received with acclamation.**

3. Employee of the Month Award for the Town of Vincent for April 2007

For April 2007, the award is presented to the Town's Heritage Team, comprising;

- Senior Heritage Officer, Hannah Eames
- Heritage Officer, Tory Woodhouse
- Heritage/Planning Officer, Susannah Kendall; and
- Manager Planning, Building & Heritage Services, Des Abel

At the Special Council Meeting held on 3 April 2007, the Council expressed its appreciation to these Officers and Rob Boardman (who is ineligible for the Award, as he is one of the Town's Senior Officers, who are excluded) for their work in the review of the Town's Municipal Heritage Inventory (MHI) which was conducted in a most professional and comprehensive manner over the last few years.

The review of the Town's MHI is now complete and this now comprises of a total of 256 places, comprising 419 properties of cultural heritage value to the Vincent community. This represents a 65% increase in places and a 55% increase in the number of properties, when compared with the 1995 MHI list.

Also, I wish to personally express my appreciation, on behalf of the Council, to Senior Heritage Officer, Hannah Eames, who is leaving the Town after seven year's service to pursue a career with the Department of Arts and Culture.

Congratulations to all - and well done!!

**Received with acclamation.**

**8. DECLARATION OF INTERESTS**

8.1 Mayor Catania declared an interest affecting impartiality in the following Items:

- 10.1.5 - Amendment No. 42 to Planning and Building Policies - Policy Relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties; and
- 10.1.6 - Heritage Management Projects 2006/2007 - Status and Proposed Deferral of Projects

The nature of his interest being that he has a property which may be considered for inclusion on the Town's MHI at a time in the future.

8.2 Mayor Catania declared a financial interest in Item 10.3.1 - Investment Report as at 31 March 2007. The nature of his interest being that he is the Chairperson of the North Perth Community Bank.

8.3 Cr Messina declared a financial interest in Item 10.3.1 - Investment Report as at 31 March 2007. The nature of his interest being that he is a Director and Shareholder of the North Perth Community Bank.

8.4 Cr Ker declared an interest affecting impartiality in the following Items:

- 10.1.5 - Amendment No. 42 to Planning and Building Policies - Policy Relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties; and
- 10.1.6 - Heritage Management Projects 2006/2007 - Status and Proposed Deferral of Projects

The nature of his interest being that he owns a property that is listed on the Town's MHI.

8.5 Cr Lake declared a proximity interest in Item 10.2.2 - Proposed Introduction of an ACROD 2.5 Parking Bay Adjacent to 48 Chatsworth Road, Highgate. The nature of her interest being that she lives opposite the affected address.

8.6 Cr Maier declared a proximity interest in Item 10.2.2 - Proposed Introduction of an ACROD 2.5 Parking Bay Adjacent to 48 Chatsworth Road, Highgate. The nature of his interest being that he owns a property immediately opposite the affected address.

8.7 Cr Lake declared an interest affecting impartiality in the following Items:

- 10.1.5 - Amendment No. 42 to Planning and Building Policies - Policy Relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties; and
- 10.1.6 - Heritage Management Projects 2006/2007 - Status and Proposed Deferral of Projects

The nature of her interest being that she owns a property that is listed on the Town's MHI.

8.8 Cr Maier declared an interest affecting impartiality in the following Items:

- 10.1.5 - Amendment No. 42 to Planning and Building Policies - Policy Relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties; and
- 10.1.6 - Heritage Management Projects 2006/2007 - Status and Proposed Deferral of Projects

The nature of his interest being that he owns a property that is listed on the Town's MHI.

8.9 Cr Chester declared an interest affecting impartiality in the following Items:

- 10.1.5 - Amendment No. 42 to Planning and Building Policies - Policy Relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties; and

- 10.1.6 - Heritage Management Projects 2006/2007 - Status and Proposed Deferral of Projects

The nature of his interest being that he is a co-owner of a property that may be listed on the Town's MHI at a time in the future.

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

Nil.

**10. REPORTS**

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

The Agenda Items were categorised as follows:

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

Item 10.1.2

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

Items 10.1.1, 10.1.5 and 14.1

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

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

Cr Farrell	Item 10.3.4
Cr Chester	Items 10.1.4, 10.4.2 and 10.4.4
Cr Ker	Items 10.1.6, 10.1.7, 10.2.3 and 10.3.3
Cr Doran-Wu	Nil.
Cr Lake	Nil.
Cr Messina	Nil.
Cr Maier	Nil.
Mayor Catania	Nil.

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

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

Items 10.2.2 and 10.3.1

**10.5 Unopposed items which will be moved "en bloc" and the following was advised:**

Items 10.1.3, 10.2.1, 10.3.2, 10.4.1 and 10.4.3

Mayor Catania asked Elected Members if they wished to nominate for Item 10.4.3. No nominations were received so the Item was moved "*en bloc*".

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

Late Item 14.1

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

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

Items 10.1.3, 10.2.1, 10.3.2, 10.4.1 and 10.4.3

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

Item 10.1.2

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

**Moved Cr Farrell, Seconded Cr Ker**

*That the following unopposed items be moved en bloc;*

*Items 10.1.3, 10.2.1, 10.3.2, 10.4.1 and 10.4.3*

**CARRIED (8-0)**

(Cr Torre was an apology.)

**10.1.3 No. 139 (Lot 89 D/P: 2848) Anzac Road, Mount Hawthorn - Proposed Front Wall and Swimming Pool Addition to Existing Single House**

<b>Ward:</b>	North	<b>Date:</b>	30 March 2007
<b>Precinct:</b>	Mount Hawthorn; P 1	<b>File Ref:</b>	PRO3883; 5.2007.49.1
<b>Attachments:</b>	001		
<b>Reporting Officer(s):</b>	O Hammond		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by the owner S Phillpotts & G W Tanner for proposed Front Wall and Swimming Pool Addition to Existing Single House at No. 139 (Lot: 89) Anzac Road, Mount Hawthorn, and as shown on plans stamp-dated 7 March 2007 for the following reasons:*

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (ii) the non-compliance with the site works requirements of the Residential Design Codes, and the Town's Policy relating to Street Walls and Fences; and*
- (iii) consideration of the objection received.*

**COUNCIL DECISION ITEM 10.1.3**

**Moved Cr Farrell, Seconded Cr Ker**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (8-0)**

(Cr Torre was an apology.)

<b>Landowner:</b>	S Phillpotts & G W Tanner
<b>Applicant:</b>	S Phillpotts
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	438 square metres
<b>Access to Right of Way</b>	South side, 4 metres wide, sealed, Town owned

**BACKGROUND:**

No specific background directly relates to the proposal.

**DETAILS:**

The proposal involves a solid front wall and swimming pool in the front setback area to an existing single house.

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

**ASSESSMENT:**

<b>Non-Compliant Requirements</b>			
<b>Requirements</b>	<b>Required</b>	<b>Proposed *</b>	<b>Officer Comments Pursuant to Clause 38(5) of TPS 1</b>
Plot Ratio	N/A	N/A	Noted
Street Walls and Fences	In the front setback area the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency.	Solid to 1.8 metres with two (2) design features facing Anzac Road, no design features for side boundaries in 4 metre front setback area.	Not supported – undue impact on streetscape and neighbouring properties.
Site Works	Excavation within 3 metres of the street alignment not exceeding 0.5 metre, except where necessary to provide access for pedestrians or vehicles, or natural light for a dwelling.	Two retaining walls: West – 0.6 to 1.0 metre excavation East – 0.5 to 0.9 metre excavation	Not supported - undue impact on streetscape and neighbouring properties.
Minor Nature Development Policy - Swimming Pool	Swimming pools where no part is more than 1800 millimetres above the surrounding ground level and are not located within any street setback area.	Swimming pool located within street setback	Supported – no undue impact on streetscape and no objections received during the advertisement period.

<b>Consultation Submissions</b>		
Support	Nil	Noted
<p>Objection (1) * Objector is a frail neighbour with limited English who could not put objection in writing – as explained to the Planning Officer</p>	<ul style="list-style-type: none"> <li>• Impact on the intact streetscape which comprises of less than 1.2 metre high front and side setback area fences;</li> <li>• Concern about outlook from objectors property looking onto solid 1.8 metre high fence as main habitable room in the dwelling looks out diagonally onto objectors yard and applicant’s yard;</li> <li>• Fence creating a ‘boxed in affect’; and</li> <li>• Disrupting the current front yard view across neighbouring properties.</li> </ul>	<p>Supported – streetscape currently comprises fences no higher than 1.2 metres in the front setback area allowing unobstructed view across the front yards from Matlock Street across to The Boulevarde.</p>
<b>Other Implications</b>		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil
Financial/Budget Implications		Nil

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

**COMMENTS:**

The site works do not comply with R Codes and the front wall is contrary to the Town’s Street Walls and Fences Policy and considering the intact streetscape, the above proposal is recommended for refusal.

**10.2.1 Request for "Keep Clear" Markings on Newcastle Street, West Perth, at Harwood Place**

<b>Ward:</b>	South	<b>Date:</b>	3 April 2007
<b>Precinct:</b>	Beaufort P13	<b>File Ref:</b>	PKG0039
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	R Lotznicker, C Wilson		
<b>Checked/Endorsed by:</b>	-	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report on the request for the installation of "Keep Clear" markings on Newcastle Street, West Perth, opposite Harwood Place;*
- (ii) *NOTES that;*
  - (a) *this matter is the subject of a petition from 11 persons; and*
  - (b) *Main Roads WA have approved the proposal to paint "Keep Clear" on Newcastle Street opposite Harwood Place; and*
- (iii) *ADVISES the petitioners of the proposal.*

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**COUNCIL DECISION ITEM 10.2.1**

**Moved Cr Farrell, Seconded Cr Ker**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (8-0)**

(Cr Torre was an apology.)

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**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of progress with regard to the installation of appropriate measures to improve egress/access to and from Harwood Place, West Perth.

**BACKGROUND:**

The Town received a petition on 28 March 2007 signed by eleven (11) residents from Harwood Place requesting the Town's support to *advocate for urgent traffic signage to be erected Newcastle Street at the entrance to Harwood Place.*

**DETAILS:**

Harwood Place comprises a short cul-de-sac street, approximately 100m in length, perpendicular to Newcastle Street on the north side, midway between Charles and Fitzgerald Streets.

During peak periods traffic banks up, particularly east bound, creating difficulties for residents wishing to egress/access Harwood Place. Given this situation, the Town's officers have been liaising with Main Roads WA (MRWA) for some time regarding installing of line marking to improve the amenity for Harwood Place residents.

The following email was recently received from MRWA:

*Further to my email of 12 February 2007, please be advised that Main Roads has assessed the situation and would consider installing "Keep Clear" pavement markings at this location. Can you please submit drawing for approval and installation?*

**CONSULTATION/ADVERTISING:**

The petitioners will be advised of the proposal.

**LEGAL/POLICY:**

MRWA are responsible for regulatory signing and line marking of all of the state's roads.

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment.

**FINANCIAL/BUDGET IMPLICATIONS:**

The Town is required to prepare the lining diagram, however, the works will be implemented by MRWA at their expense.

**COMMENTS:**

It is pleasing that MRWA have agreed to implement these works to improve the amenity for residents of Harwood Place.

**10.3.2 Authorisation of Expenditure for the period 1 - 31 March 2007**

<b>Ward:</b>	Both	<b>Date:</b>	03 April 2007
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0005
<b>Attachments:</b>	001		
<b>Reporting Officer(s):</b>	Melike Orchard		
<b>Checked/Endorsed by:</b>	Michael Rootsey	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council CONFIRMS the;*

- (i) *Schedule of Accounts for the period 1 March – 31 March 2007 and the list of payments;*
- (ii) *direct lodgement of payroll payments to the personal bank account of employees;*
- (iii) *direct lodgement of PAYG taxes to the Australian Taxation Office;*
- (iv) *direct lodgement of Child Support to the Australian Taxation Office;*
- (v) *direct lodgement of creditors payments to the individual bank accounts of creditors; and*
- (vi) *direct lodgement of Superannuation to Local Government and City of Perth superannuation plans;*

*as shown in Appendix 10.3.2*

**COUNCIL DECISION ITEM 10.3.2**

**Moved Cr Farrell, Seconded Cr Ker**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (8-0)**

(Cr Torre was an apology.)

**DECLARATION OF INTEREST**

<b>Members/ Officers</b>	<b>Voucher</b>	<b>Extent of Interest</b>
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Nil.

**PURPOSE OF REPORT:**

To seek authorisation of expenditure for the period 1 - 31 March 2007.

**BACKGROUND:**

The Local Government Act provides for all payments to be approved by the Council. In addition the attached Schedules are submitted in accordance with Item 13 of the Local Government (Finance Management) Regulations 1996.

**DETAILS:**

The Schedule of Accounts to be passed for payment, cover the following:

<b>FUND</b>	<b>CHEQUE NUMBERS/ PAY PERIOD</b>	<b>AMOUNT</b>
<b>Municipal Account</b>		
Town of Vincent Advance Account	EFT	\$972,587.30
	EFT	\$561,468.49
<b>Total Municipal Account</b>		<b>\$1,534,055.79</b>
<b>Advance Account</b>		
Automatic Cheques	58206-58246, 58248-58468	\$1,161,174.50
EFT Batch	638, 641	\$363,729.18
<b>Municipal Account</b>		
Transfer of Creditors by EFT Batch	632-635, 639-640	\$711,933.15
Transfer of PAYG Tax by EFT	March 2007	\$170,800.66
Transfer of GST by EFT	March 2007	\$15,870.00
Transfer of Child Support by EFT	March 2007	\$643.02
Transfer of Superannuation by EFT:		
• City of Perth	March 2007	\$0.00
• Local Government	March 2007	\$46,838.69
<b>Total</b>		<b>\$2,470,989.20</b>
<b>Bank Charges &amp; Other Direct Debits</b>		
Bank Charges – CBA		\$2,624.99
Lease Fees		\$3,731.13
Corporate Master Cards		\$5,539.42
Australia Post Lease Equipment		\$0.00
2 Way Rental		\$0.00
Loan Repayment		\$34,834.68
Rejection Fees		\$10.00
ATM Rebate		\$0.00
Beatty Park - miscellaneous deposit		\$0.00
<b>Total Bank Charges &amp; Other Direct Debits</b>		<b>\$46,740.22</b>
<b>Less GST effect on Advance Account</b>		<b>\$0.00</b>
<b>Total Payments</b>		<b>\$4,051,785.21</b>

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2006-2011 – Key Result Area 4.2 – Governance and Management

*“Deliver services, effective communication and public relations in ways that accord with the expectations of the community, whilst maintaining statutory compliance and introduce processes to ensure continuous improvement in the service delivery and management of the Town.”*

**ADVERTISING/CONSULTATION:**

Nil.

**COMMENT:**

Vouchers, supporting invoices and other relevant documentation are available for inspection by Councillors at any time following the date of payment and are laid on the table.

**10.4.1 Use of the Council's Common Seal**

<b>Ward:</b>	-	<b>Date:</b>	4 April 2007
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0042
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	M McKahey		
<b>Checked/Endorsed by:</b>	John Giorgi	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

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

**COUNCIL DECISION ITEM 10.4.1**

**Moved Cr Farrell, Seconded Cr Ker**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (8-0)**

**(Cr Torre was an apology.)**

**BACKGROUND:**

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

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

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

<b>Date</b>	<b>Document</b>	<b>No of copies</b>	<b>Details</b>
22/03/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services, Gate 7, Subiaco Oval, Subiaco Road, Subiaco re: Mustard Function - 23 March 2007 (Gareth Naven Room)
26/03/07	Agreement	4	Town of Vincent and Electricity Retail Corporation ("Synergy") of 363 Wellington Street, Perth re: StreetVision Streetlighting Agreement

<b>Date</b>	<b>Document</b>	<b>No of copies</b>	<b>Details</b>
26/03/07	Notification Under Section 70A	2	Town of Vincent and Mark Augustan Coletti of 4/48-54 Terrace Street, New Farm, Queensland re: No. 41 (Lot 46) Scarborough Beach Road, corner Pennant Street, North Perth on Plan 2824 - <i>To satisfy condition (ix) of the conditional Planning Approval granted by the Council at its Ordinary Meeting held on 20 December 2005</i>
27/03/07	Contract Documents	2	Town of Vincent and Leederville Gardens Retirement Estate of 37 Britannia Road, Leederville and Ms J Horgan re: Unit 55, Leederville Gardens
27/03/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Football Federation Australia Ltd of Level 7, 26 College Street, Sydney NSW 2000 re: Press Conference - 27 March 2007 (Glory Lounge, Changerooms and Pitch)
29/03/07	Instrument of Authorisation	2	Town of Vincent and Commissioner of Main Roads, Main Roads Western Australia, PO Box 6202, East Perth re: Authority to use Traffic Signs and Devices for Events as an "Authorised Body" (Western Australia Road Traffic Code 2000, Regulation 297(2)) - Council Decision - 27 March 2007
30/03/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services, Gate 7, Subiaco Oval, Subiaco Road, Subiaco re: Western Power - 2 April 2007 - Use of Suite (Cantona Suite)

**10.4.3 8<sup>th</sup> International Cities, Town Centres & Communities Society Conference**

<b>Ward:</b>	-	<b>Date:</b>	3 April 2007
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0031
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	C Ashby		
<b>Checked/Endorsed by:</b>	R Boardman, John Giorgi	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council APPROVES the Executive Manager Environmental and Development Services, and up to one (1) Elected Member ....., to attend the 8<sup>th</sup> International Cities, Town Centres & Communities Society Conference “Cities on the Edge”, to be held in Auckland, New Zealand from 26 to 29 June 2007, at an approximate cost of \$3,405 each.*

**Moved** Cr Farrell, **Seconded** Cr Ker

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (8-0)**

(Cr Torre was an apology.)

**COUNCIL DECISION ITEM 10.4.3**

*That the Council APPROVES the Executive Manager Environmental and Development Services, to attend the 8<sup>th</sup> International Cities, Town Centres & Communities Society Conference “Cities on the Edge”, to be held in Auckland, New Zealand from 26 to 29 June 2007, at an approximate cost of \$3,405 each.*

**The Presiding Member called for nominations from Elected Members during Item 10 in the Order of Business. No nominations were received therefore the Item was moved “en bloc”.**

**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council's approval for the Executive Manager Environmental and Development Services and one (1) Elected Member to attend the 8<sup>th</sup> International Cities, Town Centres & Communities Society Conference, to be held in Auckland, New Zealand in June 2007.

**BACKGROUND:**

The 8<sup>th</sup> International Cities, Town Centres & Communities Society Conference “Cities on the Edge” will be held in Auckland, New Zealand from 26 to 29 June 2007. The Registration Brochure, with full details, is “Laid on the Table”.

**DETAILS:**

The 8<sup>th</sup> International Cities, Town Centres & Communities Society Conference will be hosted by North Shore City Council.

The theme of the Conference is “*Cities on the Edge*” and will offer four (4) field trips, each offering a different perspective of Auckland’s North Shore and surrounding regions.

It will give an opportunity to hear outstanding and thought-provoking presentations on important issues and to meet and network with colleagues from around the world.

Some of the following topics will be discussed in over 108 papers that will be presented at the Conference:

- Sustainability.
- Affordable Housing.
- Community Building and Consultation.
- Infrastructure Planning and Development.
- Master Planned Communities.
- Branding and Destination Marketing.
- Transport and Communities.
- Business Improvement Districts.
- Projects in Partnership.
- Creating Liveable Neighbourhoods.
- Regional Strategic Planning.
- Business Development and Retention.
- Mainstreet.
- Development of Creative and Cultural Cities.
- Place Making/Public Spaces.
- Entergy/Management/Environmental Challenges.
- Development Challenges.
- Urban Lifestyles/Revitalisation.
- Dealing with Population and Demographic Shifts/Heritage
- Mixed Use Development.
- Field Trip 1: North Shore City and Rodney District.
- Field Trip 2: Manukau City.
- Field Trip 3: Waitakere City Council.
- Field Trip 4: Auckland City Council.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

Council’s Policy 4.1.15 – “*Conferences & Training – Attendance, Representation, Travel & Accommodation Expenses and Related Matters*” – Clause 1.1 (i) states;

- “(i) *When it is considered desirable that the Council be represented at an interstate conference, up to a maximum of one Elected Member and one Officer may attend;*

Attendance at an international or overseas Conference is at the discretion of the Council. Whilst this Conference is to be held in Auckland, New Zealand, the estimated costs are similar to and competitive with those Conferences held in the Eastern States. Accordingly, attendance at the Conference by one (1) Elected Member and the Executive Manager, Environmental Development Services is supportable.

The Executive Manager, Environmental Development Services Contract of Employment entitles him to attend one interstate conference per annum. He has not previously attended this conference.

**STRATEGIC IMPLICATIONS:**

In keeping with the Town's Strategic Plan 2006-2011 – Objective 4.2 - *“Provide a positive and desirable workplace in particular 4.2.4 (b) “Enhance employee empowerment, professional development and job satisfaction and create a workplace that encourages and rewards innovation, implements best practice, and positions the Town as an Employer of Choice”.*

**FINANCIAL/BUDGET IMPLICATIONS:**

<u>Cost per person</u> (Australian dollars)		
Full Conference registration:	\$ 895.00	
Economy Airfare/Taxi transfers (approx):	\$ 1,200.00	(Incl taxes)#
Accommodation 5 days @ \$165:	\$ 825.00	
Daily Expense Allowance 5 days @ \$97	\$ 485.00	
	<b>Total:</b>	<b>\$3,405.00</b>

(# economy fare)

**COMMENTS:**

The Town is currently involved in the Leederville Masterplan and shortly with two Transit Oriented Development projects (Leederville and Mt Lawley/East Perth) in conjunction with the Western Australian Planning Commission and Department of Planning and Infrastructure. Information gained at this conference will be of benefit to the Town and will allow for professional development of the Executive Manager who is integral to these projects.

It is recommended that approval be granted for the Executive Manager Environmental and Development Services and up to one (1) Elected Member to attend the 8<sup>th</sup> *International Cities, Town Centres & Communities Society Conference to be held in Auckland, New Zealand* from 26 to 29 June 2007.

**10.1.2 No. 73 (Lots 141 and 142 D/P: 2503), Flinders Street, Mount Hawthorn - Proposed Partial Demolition of and Addition and Additional Two (2) Two -Storey Grouped Dwellings to Existing Single House**

<b>Ward:</b>	North	<b>Date:</b>	3 April 2007
<b>Precinct:</b>	Mount Hawthorn; P1	<b>File Ref:</b>	PRO3827; 5.2006.576.1
<b>Attachments:</b>	001		
<b>Reporting Officer(s):</b>	O Hammond		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner J J Thierfelder for proposed Partial Demolition of and Addition and Additional Two (2) Two -Storey Grouped Dwellings to Existing Single House, at No. 73 (Lots 141 and 142 D/P: 2503), Flinders Street, Mount Hawthorn, and as shown on plans stamp-dated 23 March 2007 (survey plan), 30 March 2007 and 3 April 2007, subject to the following conditions:*

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *first obtaining the consent of the owners of No. 69 Flinders Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 69 Flinders Street in a good and clean condition;*
- (iii) *any permanent excavation or filling below or above existing ground level shall be maintained at its natural angle of repose, or retained by walls of masonry or reinforced concrete construction, the design of which shall be approved by the Town;*
- (iv) *any new street/front wall, fence and gate between the Flinders Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
  - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
  - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
  - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
  - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*

- (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (v) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (vi) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the maximum overall building height of dwelling one (1) being reduced to 7 metres above the natural ground level. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (vii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s); and*
- (viii) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Flinders Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s).*

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**Moved Cr Farrell, Seconded Cr Maier**

*That the recommendation be adopted.*

**Moved Cr Farrell, Seconded Cr Ker**

*That clause (vi) be deleted and the remaining clauses renumbered.*

**AMENDMENT CARRIED (8-0)**

(Cr Torre was an apology.)

**MOTION AS AMENDED CARRIED (8-0)**

(Cr Torre was an apology.)

**COUNCIL DECISION ITEM 10.1.2**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner J J Thierfelder for proposed Partial Demolition of and Addition and Additional Two (2) Two -Storey Grouped Dwellings to Existing Single House, at No. 73 (Lots 141 and 142 D/P: 2503), Flinders Street, Mount Hawthorn, and as shown on plans stamp-dated 23 March 2007 (survey plan), 30 March 2007 and 3 April 2007, subject to the following conditions:*

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) first obtaining the consent of the owners of No. 69 Flinders Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 69 Flinders Street in a good and clean condition;*
- (iii) any permanent excavation or filling below or above existing ground level shall be maintained at its natural angle of repose, or retained by walls of masonry or reinforced concrete construction, the design of which shall be approved by the Town;*
- (iv) any new street/front wall, fence and gate between the Flinders Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
  - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
  - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
  - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
  - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
  - (e) the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (v) prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*

- (vi) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s); and*
- (vii) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Flinders Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s).*

<b>Landowner:</b>	J J & J L Thierfelder
<b>Applicant:</b>	J J Thierfelder
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Grouped Dwelling
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	976 square metres
<b>Access to Right of Way</b>	West side, 5 metres wide, sealed, resumed and vested in the Town

**BACKGROUND:**

21 November 2006 The Western Australian Planning Commission granted conditional approval to the survey-strata plan for No. 73 Flinders Street.

**DETAILS:**

The proposal involves partial demolition of and addition and additional two (2) two-storey grouped dwellings to existing single house.

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

**ASSESSMENT:**

<b>Non-Compliant Requirements</b>			
<b>Requirements</b>	<b>Required</b>	<b>Proposed *</b>	<b>Officer Comments Pursuant to Clause 38(5) of TPS 1</b>
Density	3.25 dwellings R30	3 dwellings	Noted – no variation
Plot Ratio	N/A	N/A	Noted

Privacy Setback: Proposed Dwelling 1 Upper Floor - Master Bedroom	4.5 metres	1.95 metres to the southern boundary	Supported – minor overlooking and affected neighbour’s consent submitted with revised plans.
Building Height: Dwelling 1	7 metres for concealed roof	7.5 metres	No supported – undue impact on amenity of area and conditioned to comply.
Building Setback: Proposed Dwelling 1 Upper Floor - South	1.8 metres	1.5 metres	Supported – minor setback variation and affected neighbour’s consent submitted with revised plans.
Garage - South	1 metre	Nil	Supported – complies with building on boundary requirements and affected neighbour’s consent submitted with revised plans.
<b>Consultation Submissions</b>			
Support (1)	Owner of No.69 Flinders Street consented to variations of privacy and upper floor setback, submitted with the amended plans.		Noted
Objection	Nil		Noted
<b>Other Implications</b>			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

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

**COMMENTS:**

In light of the above, the proposal is considered supportable, subject to standard and appropriate conditions to address the above matters.

**10.1.1 Further Report – Nos. 59-61 (Lots 10, 16, 17, 18, 19, and 20) Brewer Street, Corner Pier Street and Thorley Street, Perth - Proposed Demolition of Existing Warehouse Buildings and Construction of Four (4) Storey Residential Building Comprising Forty (40) Multiple Dwellings and Basement Car Parking**

<b>Ward:</b>	South	<b>Date:</b>	4 April 2007
<b>Precinct:</b>	Beaufort; P13	<b>File Ref:</b>	PRO3797; 5.2006.528.1
<b>Attachments:</b>	<u>001</u>		
<b>Reporting Officer(s):</b>	R Rasiah		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman	<b>Amended by:</b>	-

**FURTHER OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the application submitted by Overman & Zuideveld Architects on behalf of the owner Schnapper Developments and Town of Vincent for proposed Demolition of Existing Warehouse Buildings and Construction of Four (4) Storey Residential Building Comprising Forty (40) Multiple Dwellings and Basement Car Parking at Nos. 59-61 (Lots 10, 16, 17, 18, 19 and 20) Brewer Street, corner Pier Street and Thorley Street, Perth and as shown on site survey stamp dated 2 November 2006, and revised plans stamp-dated 3 April 2007, subject to the following conditions:*

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (iv) in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$18,660 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing.*
- (v) prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*
  - (a) the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial, non-residential activities and adjacent stadium; and*

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

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

- (vi) *any new street/front wall, fence and gate between the Brewer Street, Pier Street and Thorley Street boundaries and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
- (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
- (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
- (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
- (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
- (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (vii) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (viii) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (ix) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Brewer and Thorley Streets verges adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (x) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town, and thereafter implemented and maintained;*

- (xi) *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town. All tandem car bays are to be allocated for a specific multiple dwelling;*
- (xii) *the proposed vehicular gate for the basement car park being a minimum 50 percent visually permeable when viewed from rear right-of-way;*
- (xiii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (xiv) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (xv) *prior to the first occupation of the development, the full length and width of the rear right of way from Pier Street to Thorley Street abutting the subject land shall be resealed, to the specifications of and supervision under the Town, at the applicant's/owner(s)' full expense;*
- (xvi) *a bond and/or bank guarantee for \$9,720 for the full upgrade of the right-of-way shall be lodged prior to the issue of a Building Licence; and*
- (xvii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating balconies of units 9, 19, 18, 17, 16, 20, 30, 29, 28, 27, 31, 40, 39, and 38, living rooms windows of units 9 and 20 and bedroom 2 windows of units 9 and 20 on the southern elevation facing the rear right-of-way on the first, second and third floors, being screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the affected owners of properties along Edward Street, respectively, stating no objections to the proposed privacy encroachment.*

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

**COUNCIL DECISION ITEM 10.1.1**

**Moved Cr Farrell, Seconded Cr Ker**

*That the recommendation be adopted.*

Debate ensued.

**Moved Cr Maier, Seconded Cr Messina**

*That clause (v)(b) be amended to read as follows:*

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

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

Debate ensued.

**AMENDMENT CARRIED (7-1)**

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

(Cr Torre was an apology.)

**Moved Cr Maier, Seconded Cr Farrell**

*That clause (xvii) be amended to read as follows:*

"(xvii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating balconies of units 9, 19, 18, 17, 16, 20, 30, 29, 28, 27, 31, 40, 39, and 38, living rooms windows of units 9 and 20 and bedroom 2 windows of units 9 and 20 on the southern elevation facing the rear right-of-way on the first, second and third floors, being screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level; OR alternatively the provision of on-site effective permanent horizontal screening or equivalent preventing direct sight within the cone of vision to ground level of adjoining properties.*

*A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the affected owners of properties along Edward Street, respectively, stating no objections to the proposed privacy encroachment.*

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

Debate ensued.

**AMENDMENT CARRIED (8-0)**

(Cr Torre was an apology.)

Debate ensued.

**MOTION AS AMENDED LOST (4-4)**  
**AS AN ABSOLUTE MAJORITY WAS NOT ACHIEVED**

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

(Cr Torre was an apology.)

**Reasons:**

1. Not consistent with the proper and orderly planning and the preservation of the amenity of the locality.
2. Non-compliance with the Residential Design Codes and the Town's policies relating to density, bulk and scale, parking, plot ratio, building height and number of storeys.
3. Not in keeping with the development of the surrounding area.
4. Non compliance with the Beaufort Precinct Policy 3.1.13.

**ADDITIONAL INFORMATION:**

It is to be noted that the previous demolition plans dated 2 November 2006, Heritage Assessment and Officer comments relating to the demolition of the existing buildings considered by the Council at its Ordinary Meeting held on 27 February 2007, remains unchanged.

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**FURTHER REPORT:**

The Council at its Ordinary Meeting held on 27 February 2007 considered the subject proposal and resolved the following:

*“That the Item be DEFERRED to allow the height of the development on the southern boundary to be redressed, allow consideration of a mixed three and four storey development and to address the resident’s concerns.”*

The main differences between the revised plans dated 3 April 2007 and the plans dated 12 January 2007 considered by the Council at its Ordinary Meeting held on 27 February 2007 are summarised by the applicant as follows:

- Ground floor bin storage has been enlarged and western staircase has been re-orientated.
- Unit 41 has been removed on the third floor and the setback to the right-of-way on the south side has been increased, which will reduce the perception of bulk to the building to the rear (south side).
- Units 31, 38 and 40 on the third floor have also been slightly increased in size.
- In terms of visual privacy, while the multiple dwelling units that face the right-of way do not meet the R Codes requirements in terms of setback, the multiple dwellings meet the performance criteria in that they avoid direct overlooking into habitable areas with the rear properties to the south of the right-of way, which are not being used for residential purposes.
- The development has been designed taking into account the surrounding land uses, with the height being consistent with new development in the surrounding area.
- The development provides pedestrian activity at street level, with the provision of rich articulated facades. The proposal will introduce a unique architecturally built form that respects its locality.

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

The Assessment Table below has been amended as indicated by the strikethrough and underline, to reflect the changes proposed in the revised plans dated 3 April 2007.

**ASSESSMENT:**

***Note: The following Assessment Table was corrected and distributed prior to the meeting. Changes are indicated by strikethrough, italic font and underline***

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	R80 (14.56 multiple dwellings)	<del>R225</del> <u>R220</u> ( <del>41</del> <u>40</u> multiple dwellings). <del>181</del> <u>175</u> per cent density bonus	Supported – as the development is consistent with the objectives of Clause 40 of TPS 1, in terms of enhancing the amenity of the area, with the demolition of the existing warehouses, consistent with proper and orderly planning of the locality, <del>in terms of the planning vision for the area,</del> and intensity and use is consistent with the surrounding development and land uses, occupiers of

			the development and the conservation of amenities of the locality.
Plot Ratio	1.0 ( <u>1820 square metres</u> )	<del>1.94</del> <u>1.89 (3443 square metres)</u>	Supported – as the <del>increased density would inversely result in the increased in the plot ratio,</del> <u>increase in density directly results in the increased plot ratio</u> which is less than the 2.0 allowed for a R160 density.
Open Space	60 per cent or 1092 square metres	52.9 per cent or 962.05 square metres	Supported – as each dwelling is provided with a functional balcony. Furthermore, the communal open space has been consolidated in one area. The site is within close proximity to passive and active recreational areas.
Communal Open Space	656 squares metres	546.9 square metres	Supported- as above.
Privacy Setbacks: Facing Right-of-Way- (ROW) Bedroom Living area Balcony	4.5 metres 6 metres 7.5 metres	4.02 <u>to 8 metres</u> 4.02 <u>to 8 metres</u> 4.02 metres	Not supported – due to undue impact on neighbouring properties and to overcome the potential overlooking aspect, which is evident in the proposal, it is recommended that all major openings to balconies, living rooms and bedrooms within 7.5, 6.0 and 4.5 metres respectively from the ROW boundary be screened to a height of 1.6 metres from the finished floor level above 0.5 metre from natural ground level with fixed obscured glass or other similar material to the satisfaction of the Town, so as to comply with the privacy requirements of the Residential Design Codes.
Car Parking	<del>67</del> <u>66</u> car bays of which 7 car bays to be marked as visitors car bays.	55 car bays of which 6 car bays are marked as visitors car bays.	Supported - as there is street parking available along Pier, Brewer and Edward Streets, for any over flow of car parking

			from the above development site. The development site is also within walking proximity to Perth City and well serviced by public transportation facilities. A condition is being recommended that the Town will not issue a visitor car parking permit to any owner or occupier of the units. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.
No. of Storeys	2 storey and loft	4 storeys and basement car park	Supported-as there are other similar high rise building in the area.
Height of Building	7 metres	14 metres	Supported - as above.

The revised plans do not propose any other further variation to the Town's Policies, and do not have an undue impact on the amenity of the area, and as such there is no need to further re-advertise the proposal. Moreover, the amended plans are being referred to the Council for its consideration and determination. On the above basis, the previous Officer Recommendation remains unchanged, except for minor modifications, mainly to reflect the amended plans and the deletion of unit 41.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 27 February 2007.

**"OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES BY AN ABSOLUTE MAJORITY the application submitted by Overman & Zuideveld Architects on behalf of the owner Schnapper Developments and Town of Vincent for proposed Demolition of Existing Warehouse Buildings and Construction of Four (4) Storey Residential Building Comprising of Forty One (41) Multiple Dwellings and Basement Car Parking at Nos. 59-61 (Lots 10, 16, 17, 18, 19 and 20) Brewer Street, corner Pier Street and Thorley Street, and as shown on site survey stamp dated 2 November 2006, and revised plans stamp-dated 12 January 2007, subject to the following conditions:*

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
  - (ii) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
  - (iii) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
  - (iv) *in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$18,660 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing.*
  - (v) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*
    - (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial, non-residential activities and adjacent stadium; and*
    - (b) *the Town of Vincent will not issue a visitor car parking permit to any owner or occupier of the units. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*
- This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development; and*
- (vi) *any new street/front wall, fence and gate between the Brewer Street, Pier Street and Thorley Street boundaries and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
    - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
    - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
    - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
    - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*

- (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (vii) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (viii) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (ix) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Brewer and Thorley Streets verges adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (x) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town, and thereafter implemented and maintained;*
- (xi) *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town. All tandem car bays are to be allocated for a specific multiple dwelling;*
- (xii) *the proposed vehicular gate for the basement car park being a minimum 50 percent visually permeable when viewed from rear right-of-way;*
- (xiii) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (xiv) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (xv) *prior to the first occupation of the development, the full length and width of the rear right of way from Pier Street to Thorley Street abutting the subject land shall be resealed, to the specifications of and supervision under the Town, at the applicant's/owner(s)' full expense;*

- (xvi) *a bond and/or bank guarantee for \$9,720 for the full upgrade of the right-of-way shall be lodged prior to the issue of a Building Licence; and*
- (xvii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating balconies of units 9, 19, 18, 17, 16, 20, 30, 29, 28, 27, 31, 41, 40, 39, and 38, living rooms windows of units 9, 20 and 31 and bedroom windows of units 9, 20 and 31 on the southern elevation facing the rear right-of-way on the first, second and third floors, being screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the affected owners of properties along Edward Street, respectively, stating no objections to the proposed privacy encroachment.*

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

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

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COUNCIL DECISION ITEM 10.1.2

Moved Cr Messina, Seconded Cr Doran-Wu

*That the recommendation be adopted.*

*Debate ensued.*

*The Chief Executive Officer advised that he would declare an interest affecting impartiality in this matter. The nature of his interest being that as CEO he is responsible the day to day management of the Town's operations which include overseeing the sale of the adjoining Town owned land.*

*Debate ensued.*

Moved Cr Doran-Wu, Seconded Cr Torre

*That clause (v)(a) be amended to read as follows:*

- “(v) (a) the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial, non-residential activities including an alleged brothel and adjacent stadium; and”*

*Debate ensued.*

AMENDMENT WITHDRAWN  
WITH THE CONSENT OF THE SECONDER

*Debate ensued.*

*The Chief Executive advised that the Executive Manager Technical Services and Executive Manager Environmental and Development Services would declare an interest affecting impartiality in this matter. The nature of their interests being that they are aware that the Council has approved of the sale of a portion of Town owned land to the owners of the proposed development. They have processed the plan and dealt with the applicants without bias and in the best interests of the Town.*

*Moved Cr Doran-Wu, Seconded Cr Torre*

*That the Item be DEFERRED to allow the height of the development on the southern boundary to be redressed, allow consideration of a mixed three and four storey development and to address the resident's concerns.*

*CARRIED (6-1)*

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

*(Crs Chester and Farrell were apologies.)*

**ADDITIONAL INFORMATION:**

*At an Elected Members Forum held on 14 November 2006, the matter of 'affordable housing' was discussed in the context of Item 4.2.5 relating to Amendment No. 25-Planning and Building Policies - Appendix No. 16 Design Guidelines for half Street Block bounded by Fitzgerald, Newcastle and Stuart Streets and Pental Lane. In this respect, Elected Members saw this street block as a prime opportunity to require a percentage provision of affordable housing.*

*Discussion at the Forum primarily related to the provision of affordable housing within the subject street block along with examples of methods and constructed outcomes of affordable housing within the metropolitan area. Further, Elected Members discussed the absence of an Affordable Housing Strategy and associated Policies for the whole of the Town and concern was expressed that targeting this particular area in an ad hoc fashion was not necessarily desirable without adequate provisions in place to guide this type of housing.*

*The Council at its Ordinary Meeting held on 21 November 2006, has subsequently requested the Chief Executive Officer, to:*

- "(i) prepare a Project Brief and the Terms of Reference for Council's approval for the preparation of an "Affordable Housing Strategy" and such Strategy to include the following:*
- (a) the role of local government and various key stakeholders;*
  - (b) definition of "affordable housing", "social housing", "special needs housing", "rent", "ownership" and "occupier" "eligibility criteria";*
  - (c) identification of potential partnerships including Banks and their roles;*
  - (d) "triple bottom line" objectives and sustainability principles;*

- (e) *relationship with the Town's planning and building policies and other legislation (including application, bonuses or concessions based on density, zoning, car parking provisions);*
- (f) *identification and assessment of the various affordable housing models including examples; and*
- (g) *an Implementation Plan for the proposed Strategy and including the financial implications for the Town;*
- (ii) *identify a source of funds to carry out the proposed Affordable Housing Strategy; and*
- (iii) *submit a report on the Draft Project Brief and Terms of Reference for the Council's consideration no later than April 2007."*

*Accordingly, the requirements for the provision of affordable housing has not been imposed on this current development proposal, as it is considered reasonable that developers/owners/applicants should be made aware of all planning requirements upfront at the design stage so that they have an opportunity to consider among other aspects, the financial viability of their project.*

*In terms of the issue raised relating to the alleged "Brothel" activity being carried out at No. 140 Edward Street, the above issue has been reported to the Council on various occasions, however due to the lack of State Legislation, this matter has been held in abeyance by the WA Police Department, State legislators and the Town. In terms of the concerns raised in the submission about the public liability of the Town in not allowing future landowners know about the alleged "Brothel" at No. 140 Edward Street including the sharing of the common right-of-way, the Town's Officers are of the view that proposed condition (v) (a) below would be considered adequate to notify landowners of the above activity:*

- "(v) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*
  - (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial, non-residential activities and adjacent stadium; and"*

*However, if Elected Members are of the view that the alleged "Brothel" activity should be included, then the above proposed condition should be amended accordingly.*

*In terms of the privacy screening, only those balconies, living room windows and bedroom windows within 7.5 metres, 6 metres and 4.5 metres respectively to the adjoining lots to the south are required to be screened in accordance with the R Codes. A 'Corrected Recommendation' that explicitly addresses this matter is proposed to this effect.*

<i>Landowner:</i>	<i>Schnapper Developments and Town of Vincent</i>
<i>Applicant:</i>	<i>Overman &amp; Zuideveld Architects</i>
<i>Zoning:</i>	<i>Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential/Commercial R80</i>
<i>Existing Land Use:</i>	<i>Warehouse</i>
<i>Use Class:</i>	<i>Multiple Dwelling</i>
<i>Use Classification:</i>	<i>"P"</i>
<i>Lot Area:</i>	<i>1820 square metres</i>
<i>Access to Right of Way</i>	<i>South side, 3 metres wide, unsealed, privately owned</i>

**BACKGROUND:**

*Five of the six lots the subject of this development is owned by Schnapper Developments. The remaining Lot 10 is owned by the Town. Schnapper Developments is currently in the process of purchasing Lot 10 from the Town.*

*19 September 2006 The above proposal was presented to an Elected Members Forum by the applicants.*

*24 October 2006 The Council at its Ordinary Meeting considered the matter relating to the sale of Lot 10 corner of Brewer and Pier Streets, Perth.*

*5 December 2006 The Council at its Ordinary Meeting re-considered the matter relating to the sale of Lot 10 corner of Brewer and Pier Streets, Perth.*

**DETAILS:**

*The proposal involves the proposed demolition of existing warehouse buildings and the construction of a four (4) storey residential development and basement car parking comprising forty one (41) multiple dwellings. Access to the basement car park will be off the rear right-of-way. At grade angle visitor car parking is also provided off the rear right-of-way.*

*Most of the relevant concerns raised in the public submissions have been addressed in the applicant's comprehensive submission. The applicant's submission is "Laid on the Table".*

**ASSESSMENT:**

<i>Non-Compliant Requirements</i>			
<i>Requirements</i>	<i>Required</i>	<i>Proposed *</i>	<i>Officer Comments Pursuant to Clause 38(5) of TPS 1</i>
<i>Density</i>	<i>R80 (14.56 multiple dwellings)</i>	<i>R225 (41 multiple dwellings). 181 per cent density bonus</i>	<i>Supported – as the development is consistent with the objectives of Clause 40 of TPS 1, in terms of enhancing the amenity of the area, with the demolition of the existing warehouses, consistent with proper and orderly planning of the locality, in terms of the planning vision for the area, and intensity and use is consistent with the surrounding development and land uses, occupiers of the development and the conservation of amenities of the locality.</i>
<i>Plot Ratio</i>	<i>1.0</i>	<i>1.94</i>	<i>Supported – as the increased density would inversely result in the increased in the plot ratio, which is less than the 2.0</i>

			<i>allowed for a R160 density.</i>
<i>Open Space</i>	<i>60 per cent or 1092 square metres</i>	<i>52.9 per cent or 962.05 square metres</i>	<i>Supported – as each dwelling is provided with a functional balcony. Furthermore, the communal open space has been consolidated in one area. The site is within close proximity to passive and active recreational areas.</i>
<i>Communal Open Space</i>	<i>656 squares metres</i>	<i>546.9 square metres</i>	<i>Supported- as above.</i>
<i>Privacy Setbacks: Facing Right-of-Way- (ROW) Bedroom Living area Balcony</i>	<i>4.5 metres 6 metres 7.5 metres</i>	<i>4.02 metres 4.02 metres 4.02 metres</i>	<i>Not supported – due to undue impact on neighbouring properties and to overcome the potential overlooking aspect, which is evident in the proposal, it is recommended that all major openings to balconies, living rooms and bedrooms within 7.5, 6.0 and 4.5 metres respectively from the ROW boundary be screened to a height of 1.6 metres from the finished floor level above 0.5 metre from natural ground level with fixed obscured glass or other similar material to the satisfaction of the Town, so as to comply with the privacy requirements of the Residential Design Codes.</i>
<i>Car Parking</i>	<i>67 car bays of which 7 car bays to be marked as visitors car bays.</i>	<i>55 car bays of which 6 car bays are marked as visitors car bays.</i>	<i>Supported - as there is street parking available along Pier, Brewer and Edward Streets, for any over flow of car parking from the above development site. The development site is also within walking proximity to Perth City and well serviced by public transportation facilities. A condition is being recommended that the Town will not issue a</i>

			<i>visitor car parking permit to any owner or occupier of the units. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.</i>
<i>No. of Storeys</i>	<i>2 storey and loft</i>	<i>4 storeys and basement car park</i>	<i>Supported-as there are other similar high rise building in the area.</i>
<i>Height of Building</i>	<i>7 metres</i>	<i>14 metres</i>	<i>Supported - as above.</i>
<i>Consultation Submissions</i>			
<i>Support (1)</i>	<i>No comments provided</i>	<i>Noted</i>	
<i>Objection (6)</i>	<i>Parking - concern that there is not enough parking for residents and visitors.</i>	<i>Not supported - see Non-Compliant table above for comments.</i>	
	<i>Height – concern that the four-storey development will unduly interrupt the existing streetscape.</i>	<i>Not supported-as there are other similar high rise building in the area, specifically Members Equity Stadium.</i>	
	<i>Concern that height will overshadow adjoining properties and block sunlight to outdoor areas. Feeling of confinement for the occupants of Nos. 136 to 140 Edward Street being adjacent to a four storey high wall.</i>	<i>Not supported - as the proposal complies with the overshadowing requirements of the R Codes being less than the 50 per cent requirement (proposed is 34.6, 40.8, 42.3 and 40.8 per cent respectively). The development site is further separated by a rear right-of-way, which is to be increased in width from 3 metres to 4 metres.</i>	
	<i>Density – concern that such a high density is unlikely to encourage families and mixed style living in the area. Concern that they will encourage social problems that have occurred in other high rise developments from the 1960's and 1970's.</i>	<i>Not-supported - as the development as designed would benefit the area without undue adverse impact to the surrounding amenity, in terms of bulk and scale. The proposal also involves removal of warehouses. The development is unlikely to</i>	

	<i>Support East Perth Redevelopment Authority vision of a height graduation, represented by R160 adjacent to Newcastle Street to R100 in Parry Street and Lindsay Street, down to R80 in the Beaufort Precinct.</i>	<i>encourage social related problems. There is no evidence submitted to substantiate these allegations. The dwellings are to be privately owned.</i>
	<i>Plot Ratio – concern that there is inadequate external space per occupant.</i>	<i>Not supported - as the Town has considered higher plot ratios provided that the "total development package" fits in with the surrounding development. Each dwelling is further provided with a 10 square metre balcony for personal recreation and use.</i>
	<i>Open Space and communal open space – concern that there is inadequate space per occupant.</i>	<i>Not supported - see Non-Compliant table above for comments.</i>
	<i>Privacy – request screening to 1.6 metres above the Finished Floor Level for all balconies and windows overlooking the laneway.</i>	<i>Supported - see Non-Compliance Table above for comments.</i>
	<i>Devaluation of surrounding properties</i>	<i>Not supported – as this is not a valid planning ground for objection. Moreover, there is no evidence submitted to substantiate this claim.</i>
	<i>Noise from the large number of balconies allowing outdoor entertainment.</i>	<i>Not supported – as the use is a permitted “P” use with the Residential-Commercial zoning applying to the subject site.</i>
	<i>Concern that allowing such variations will set precedence for over-development.</i>	<i>Not supported - as the Town has the ability through its Town Planning Scheme and Policies to vary requirements based on individual merit of the development proposal, as in this case.</i>
	<i>Concern regarding the Council's lack of action regarding brothels in the area.</i>	<i>Not supported – as this issue is not related to this development proposal.</i>
<i>Other Implications</i>		
<i>Legal/Policy</i>		<i>TPS 1 and associated Policies, and Residential Design Codes (R Codes).</i>
<i>Strategic Implications</i>		<i>Nil</i>
<i>Financial/Budget Implications</i>		<i>Nil</i>

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

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

#### *Demolition*

*A full Heritage Assessment is contained within the Attachment to this report.*

*The subject place at Nos.59 -61 Brewer Street, Perth comprises an eclectic range of connected buildings, which vary in style, ages and setback. The original portion of the place was built in the Inter-war Stripped Commercial style of architecture, circa 1927 and was used by the Western Australian Knitters Knitting Mill.*

*As outlined in the Heritage Assessment, the place is considered to have some historic value as the contextual setting of the factory premises, within a residential area is reminiscent of an early era in the development of inner city Perth.*

*The place is considered to have little aesthetic, social and/or scientific value. Given that the place has had numerous changes and additions to its original layout and details over the years, as well as the absence of other cultural heritage values, it is considered that the place does not meet the threshold for inclusion onto the Municipal Heritage Inventory. As such, it is considered reasonable that the application for the demolition of the subject dwelling be approved subject to a quality archival record and other standard conditions.*

*In light of the above, the application is recommended for approval, subject to standard conditions.*

#### *Conclusion*

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

**10.1.4 Amendment No. 38 to Planning and Building Policies - Policy Relating to Short Term Accommodation**

<b>Ward:</b>	Both Wards	<b>Date:</b>	3 April 2007
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA0176
<b>Attachments:</b>	001, 002		
<b>Reporting Officer(s):</b>	V Lee,		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman	<b>Amended by:</b>	-

**FURTHER OFFICER RECOMMENDATION:**

*That the Council;*

- (i) ***RECEIVES the final amended version of the Policy relating to Short Term Accommodation, as shown in Attachment 10.1.4(b), resulting from the advertised version having been reviewed and with regard to the four (4) written submissions received during the formal advertising, in accordance with Clauses 47 (4), and (5) (a) of the Town's Town Planning Scheme No. 1; subject to the Summary of Submissions Table being amended as follows:***

TOWN OF VINCENT TOWN PLANNING SCHEME NO.1 – AMENDMENT NO.38 – SHORT TERM ACCOMMODATION POLICY				
No.	Name	Address	Summary of Submission	Officer's Comments
	East Perth Redevelopment Authority (cont'd)		<p>Review of EPRA's Scheme and Policy Provisions</p> <p><i>'EPRA is currently undertaking a review of Planning Policy 1.2 'Residential Development' which will be amended to incorporate a clear policy direction on the requirement for short-term accommodation amongst other issues. EPRA's Planning Committee endorsed the inclusion of development control requirements designed to safeguard the amenity of long-term residents and ensure consistency with the City of Perth.</i></p> <p><i>While the specific details are yet to be confirmed in the policy review it is anticipated that all applications for short stay accommodation will include:</i></p> <ul style="list-style-type: none"> <li><i>• Written evidence of membership to an appropriate professional board or body.</i></li> <li><i>• A business Management Plan</i></li> <li><i>• A Parking Management Plan</i></li> <li><i>• A Servicing Strategy</i></li> <li><i>• Certificate of Reclassification under BCA</i></li> </ul> <p><i>City of Perth has advised it is envisaged that the draft policy will be</i></p>	<p>Noted.</p> <p>Supported <u>in part</u>, with amendments made to the respective section of the policy.</p> <p><u>It is not considered appropriate to require membership of an appropriate professional board or body. Short Term accommodation should be small scale _____ and complimentary to the residential amenity. Membership of such boards or</u></p>

			<p><i>considered for adoption in early 2007 and EPRA will seek to align its policy review accordingly should further revisions be required.'</i></p> <p>Planning Advice <i>'In the interim period, prior to adoption of a Policy framework for Short Stay Accommodation, it is recommended that all approvals issued by the Authority for residential usage shall incorporate the following advisory note;</i></p> <p><i>'The applicant is advised that the approved residential use excludes short-term accommodation uses. A change of use approval is required prior to use of any dwelling or residential property for short-term accommodation including serviced apartments.'</i></p> <p><i>This is intended to make owners aware that the use of residential units for short stay accommodation requires further development assessment and appropriate approval from EPRA.'</i></p>	<p><u>bodies may result in the venture becoming a predominant use/commercial venture in a residential zone, which the Town would not encourage.</u></p> <p>Noted. Not considered necessary for the Town of Vincent as the Draft Policy has weight until the final Policy is adopted.</p>
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(ii) ***ADOPTS the final amended version of the Policy relating to Short Term Accommodation, as shown in Attachment 10.1.4(b), in accordance with Clause 47 (5) (b) of the Town's Town Planning Scheme No. 1; and***

(iii) ***AUTHORISES the Chief Executive Officer to advertise the final amended version of the adopted Policy relating to Short Term Accommodation, as shown in Attachment 10.1.4(b), in accordance with Clause 47 (6) of the Town's Town Planning Scheme No. 1.***

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

**Moved Cr Farrell, Seconded Cr Ker**

***That the recommendation be adopted.***

**Debate ensued.**

**Moved Cr Maier, Seconded Cr Ker**

*That clause (ii) be amended to read as follows:*

“(ii) ***ADOPTS the final amended version of the Policy relating to Short Term Accommodation, as shown in Attachment 10.1.4(b), in accordance with Clause 47 (5) (b) of the Town’s Town Planning Scheme No. 1 subject to the Policy being amended as follows: ~~and~~***

***(a) clause 3) i) be amended to read as follows:***

**'3) COMPLIANCE**

***i) Planning Approval***

***...***

***Approval will be subject to annual renewal. Owners/managers are to update management plans, and supporting evidence where appropriate, and the proposal is to be re-advertised in accordance with ‘SA’ advertising procedures if a valid complaint has been received during the previous approval period. Any valid complaints and comments received will be given due consideration.”***

Debate ensued.

**AMENDMENT CARRIED (5-3)**

**For**

**Cr Chester  
Cr Farrell  
Cr Ker  
Cr Lake  
Cr Maier**

**Against**

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

(Cr Torre was an apology.)

Cr Farrell departed the Chamber at 7.12pm.

**Moved Cr Maier, Seconded Cr Lake**

*That clause (ii)(b) be added as follows:*

“(ii) (b) ***clause 3) i) be amended to read as follows:***

**'3) COMPLIANCE**

***i) Planning Approval***

***...***

***Management plan documents, other supporting evidence and associated plans as required by this Policy are to be made available for public viewing during the community consultation period and at all other times upon request.***

Debate ensued.

Cr Farrell returned to the Chamber at 7.15pm.

**AMENDMENT LOST**  
**ON THE CASTING VOTE OF THE PRESIDING MEMBER (4-5)**

<b><u>For</u></b>	<b><u>Against</u></b>
Cr Chester	Mayor Catania (2 votes - casting and deliberative)
Cr Ker	Cr Doran-Wu
Cr Lake	Cr Farrell
Cr Maier	Cr Messina

(Cr Torre was an apology.)

**Moved** Cr Maier, **Seconded** Cr Lake

*That clause (ii)(b) be added as follows:*

“(ii) (b) *clause 1) be amended to read as follows:*

‘1) **DEFINITION**

...

**Note: ‘Keeper’, for the purpose of this Policy, means the owner, or manager of the property residing at the property for more than six (6) consecutive months.**

**Note: This Policy does not apply where two or less people, excluding the family of the keeper, are residing at the property at the same time as the keeper.’; and”**

Debate ensued.

Cr Messina departed the Chamber at 7.17pm.  
Cr Messina returned to the Chamber at 7.20pm.

**AMENDMENT CARRIED (7-1)**

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

(Cr Torre was an apology.)

**MOTION AS AMENDED CARRIED (8-0)**

(Cr Torre was an apology.)

**COUNCIL DECISION ITEM 10.1.4**

*That the Council;*

- (i) **RECEIVES** the final amended version of the Policy relating to Short Term Accommodation, as shown in Attachment 10.1.4(b), resulting from the advertised version having been reviewed and with regard to the four (4) written submissions received during the formal advertising, in accordance with Clauses 47 (4), and (5) (a) of the Town's Town Planning Scheme No. 1 subject to the Summary of Submissions Table being amended as follows:

TOWN OF VINCENT TOWN PLANNING SCHEME NO.1 – AMENDMENT NO.38 – SHORT TERM ACCOMMODATION POLICY				
No.	Name	Address	Summary of Submission	Officer's Comments
	East Perth Redevelopment Authority (cont'd)		<p>Review of EPRA's Scheme and Policy Provisions</p> <p><i>'EPRA is currently undertaking a review of Planning Policy 1.2 'Residential Development' which will be amended to incorporate a clear policy direction on the requirement for short-term accommodation amongst other issues. EPRA's Planning Committee endorsed the inclusion of development control requirements designed to safeguard the amenity of long-term residents and ensure consistency with the City of Perth.</i></p> <p><i>While the specific details are yet to be confirmed in the policy review it is anticipated that all applications for short stay accommodation will include:</i></p> <ul style="list-style-type: none"> <li>• <i>Written evidence of membership to an appropriate professional board or body.</i></li> <li>• <i>A business Management Plan</i></li> <li>• <i>A Parking Management Plan</i></li> <li>• <i>A Servicing Strategy</i></li> <li>• <i>Certificate of Reclassification under BCA</i></li> </ul> <p><i>City of Perth has advised it is envisaged that the draft policy will be considered for adoption in early 2007 and EPRA will seek to align its policy review accordingly should further revisions be required.'</i></p>	<p>Noted.</p> <p>Supported in part, with amendments made to the respective section of the policy.</p> <p><u>It is not considered appropriate to require membership of an appropriate professional board or body. Short Term accommodation should be small scale and complimentary to the residential amenity. Membership of such boards or bodies may result in the venture becoming a predominant use/commercial venture in a residential zone, which the Town would not encourage.</u></p>

			<p>Planning Advice <i>'In the interim period, prior to adoption of a Policy framework for Short Stay Accommodation, it is recommended that all approvals issued by the Authority for residential usage shall incorporate the following advisory note;</i></p> <p><i>'The applicant is advised that the approved residential use excludes short-term accommodation uses. A change of use approval is required prior to use of any dwelling or residential property for short-term accommodation including serviced apartments.'</i></p> <p><i>This is intended to make owners aware that the use of residential units for short stay accommodation requires further development assessment and appropriate approval from EPRA.'</i></p>	<p>Noted. Not considered necessary for the Town of Vincent as the Draft Policy has weight until the final Policy is adopted."</p>
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(ii) **ADOPTS the final amended version of the Policy relating to Short Term Accommodation, as shown in Attachment 10.1.4(b), in accordance with Clause 47 (5) (b) of the Town's Town Planning Scheme No. 1 subject to the Policy being amended as follows:**

(a) **clause 3) i) be amended to read as follows:**

**'3) COMPLIANCE**

**i) Planning Approval**

...

**Approval will be subject to annual renewal. Owners/managers are to update management plans, and supporting evidence where appropriate, and the proposal is to be re-advertised in accordance with 'SA' advertising procedures if a valid complaint has been received during the previous approval period. Any valid complaints and comments received will be given due consideration.; and**

(b) **clause 1) be amended to read as follows:**

**'1) DEFINITION**

...

**Note: 'Keeper', for the purpose of this Policy, means the owner, or manager of the property residing at the property for more than six (6) consecutive months.**

*Note: This Policy does not apply where two or less people, excluding the family of the keeper, are residing at the property at the same time as the keeper.*; and

- (iii) *AUTHORISES the Chief Executive Officer to advertise the final amended version of the adopted Policy relating to Short Term Accommodation, as shown in Attachment 10.1.4(b), in accordance with Clause 47 (6) of the Town's Town Planning Scheme No. 1.*

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**PURPOSE OF REPORT:**

The purpose of this report is to provide the Council with an overview of the submissions received during the advertising period for this Policy and to present to the Council the final version of the Policy relating to Short Term Accommodation, and to seek its final adoption.

**BACKGROUND:**

The Council at its Ordinary Meeting held on 23 January 2007 resolved the following:

*"That the Council;*

- (i) *RECEIVES the Draft Policy relating to Short Term Accommodation, as shown in Attachment 10.1.6;*
- (ii) *ADOPTS the Draft Policy relating to Short Term Accommodation in the interim until the formal adoption of the Draft Policy, as shown in Attachment 10.1.6, subject to the Policy being amended as follows:*

- (1) *Objectives be amended to read as follows:*

*'...*

- 4) *ensure a high standard of amenity for long-term residents and the occupants of Short Term Accommodation through the provision of a Business Management Plan and Car Parking Management Plan.*; and

- (2) *clause 2) General be amended to read as follows:*

- '2) *GENERAL*

*The Town of Vincent is situated approximately three (3) kilometres north of the Perth Central Business District and is therefore a highly desired area for the provision of Short Term Accommodation. The Town of Vincent is aware of the trend towards the diversification of the residential housing market and the increased tendency to change the use of traditional residential dwellings to Short Term Accommodation.*

*In recognising this fact The Town of Vincent recognises this fact and has designed this Policy has been designed to ensure the adequate provision of Short Term Accommodation while safeguarding the amenity of long-term residents within the Town of Vincent.*

- (iii) *ADVERTISES the Draft Policy relating to Short Term Accommodation for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*

- (a) *advertising a summary of the subject Draft Policy once a week for four (4) consecutive weeks in a newspaper circulating in the locality;*
- (b) *where practicable, notifying those persons who in the opinion of the Town, might be directly affected by the Draft Policy; and*
- (c) *forwarding a copy of the Draft Policy to the Western Australian Planning Commission (WAPC); and*
- (iv) *after the expiry of the period for submissions:*
  - (a) *REVIEWS the Draft Policy relating to Short Term Accommodation, having regard to any written submissions; and*
  - (b) *DETERMINES the Draft Policy relating to Short Term Accommodation, with or without amendments, to or not to proceed with them."*

#### **DETAILS:**

This Policy has been created to improve the Town's ability to manage Short Term Accommodation premises located within residential areas. The Policies main objectives are:

- to define 'Short Term Accommodation' and acknowledge conflict that such uses can create;
- to identify minimum standards, rights and obligations of a manager/owner to operate Short Term Accommodation, ensuring an appropriate standard of living for occupants, while minimising the undue impact on adjoining residents; and
- to provide strategy through which short term accommodation can be monitored and enforced to ensure that properties used for Short Term Accommodation do not have an undue impact on the residential amenity of the area.

Following the completion of the public comment period, the submissions received were reviewed, and where considered appropriate the draft Policy has been amended. The principle matters further addressed are as follows:

- The definition has been amended to complement the definition of a 'Lodging House' under the Town of Vincent Planning Scheme No. 1;
- The 'body' of the Policy has been revised to more clearly state the information to be submitted as part of an application for Planning Approval;
- The revised Policy suggests that Planning Approval should be subject to annual review and renewal, requiring the applicant to update management plans and demonstrated compliance with conditions of Planning Approval. The revised Policy also states the procedure for dealing with non-compliance of Planning Approval.

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

Advertising commenced on 9 February 2007 and concluded on 9 March 2007, pursuant to Clause 47 of the Town of Vincent Town Planning Scheme No.1.

At the completion of the advertising period, a total of 4 submissions were received. Two (2) submissions received were from referral agencies. The remaining 2 submissions were not necessarily objecting to the Draft Policy but rather, making comment on aspects of the Policy. A summary of the points of these submissions and recommended outcome are contained in the submissions schedule which forms part of this report, as an attachment. (Attachment 10.1.4(a))

**LEGAL/POLICY:**

Town Planning Scheme No.1 and associated Policies.

**STRATEGIC IMPLICATIONS:**

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

*"1.1.2 Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision; ...*

*1.1.4 Minimise negative impacts on the community and environment".*

**FINANCIAL/BUDGET IMPLICATIONS:**

There is provision of \$88,760 in the 2006/2007 Budget for Town Planning Scheme Amendments and Policies.

**COMMENTS:**

As a result of the submissions received, the Town's Officers took into consideration the comments made and where considered appropriate, the draft Policy was amended. Following is a summary of the various changes made and the rationale behind them.

Definition

The definition of 'Short Term Accommodation' has been reviewed to reflect and complement the definition of a lodging house and the requirements of a lodging house under Health legislation and associated Building Code of Australia requirements. The definition has been worded so that there is a distinction between Short Term Accommodation and a Lodging House, and so that the two use classes do not overlap. The previous definition potentially resulted in some premises being possibly classified as both Short Term Accommodation and a Lodging House. Lodging Houses may be subject to additional Planning, Building and Health legislation requirements.

Policy Definition in Relation to Neighbouring Local Authorities

Each municipality and local authority has within it, its own unique planning context and associated issues and concerns to manage and deal with. While it is generally the preference between local authorities to maintain consistency in definitions and planning processes, the Town of Vincent is not different to any other, in needing to respond and deal with local matters in a way that its responsive to and suitable to the Town of Vincent's unique circumstances. In this instance, the Town's Officers support the principle behind having consistent definitions with neighbouring local authorities. However, in this instance it appears that the Town's definition has a wider scope than East Perth Redevelopment Authority. This Policy is designed to encompass uses such as bed and breakfast establishments, serviced apartments within residential properties and short term rental of whole residential dwellings.

Policy Definition in Relation to Timeframe: 3 months vs 6 months

The Town's Officers suggest retaining the 6 month timeframe as it is more relevant and captures most short term agreements that may not be regulated by traditional rental agreements through real estate agents and the like.

Policy Definition in Relation to Residential Tenancy Agreements

The Town’s Officers believe that the intent of this Policy should apply regardless of the type of arrangement between the owner/manager of the property and the short term occupier. There is concern that inappropriate short term accommodation may ‘bypass’ the Town’s Policy, and therefore the Town’s ability to regulate the use, by getting short term occupants to sign residential tenancy agreements.

Car Parking Requirements

Car parking issues have been repeatedly raised as a major concern for surrounding residential landowners and occupiers whose residential amenity is affected by short term accommodation premises. To minimise car parking conflict and simplify enforcement logistics of the draft Policy, it is recommended that the Policy is reviewed and adapted to reflect the car parking requirements of a Hotel and Residential Building (Lodging House) uses as defined in the Town’s Parking and Access Policy, being;

*“1 space per bedroom or 1 space per 3 beds provided, whichever is the greater”*

Therefore, car parking for Short Term Accommodation is to be provided as follows:

<b>Structure of Short Term Accommodation</b>	<b>Number of Beds</b>	<b>Number of Car Bays Required to be Provided On Site.</b>
Studio or Single bedroom dwelling	Maximum 2	1
Whole dwelling used as short term accommodation	Variable	1 space per bedroom or 1 space per 3 beds provided, whichever is the greater.
Dwelling occupied by the keeper and keeper’s family simultaneously as the short term accommodation occupants (for example, bed and breakfast)	Variable	2 spaces for keeper’s family, plus 1 space per bedroom or 1 space per 3 beds provided for short term accommodation whichever is the greater.

Note: ‘bed’ relates to bed space per person, that is, a double bed would equate to 2 beds.

Building Code of Australia Requirements

The Policy has been revised to complement associated requirement of the Building Code of Australia.

Short Term Accommodation would generally be a Class 1b BCA or a Class 3 BCA dependent on the number of boarders and the total floor area. To ensure any risks to safety, health and amenity are appropriately minimised, the Policy has been amended to include in ‘Table 1’ which summaries BCA requirements. It is considered appropriate that the applicant demonstrates that they can comply with the BCA requirements as part of the Planning Process.

Table 1: Requirements of the Building Code of Australia

<b>BCA Class</b>	<b>Classification</b>	<b>Requirements</b>
Class 1B	Total area of all floors not exceeding 300 square metres measured over the enclosing walls; and in which not more than 12 persons would ordinarily be resident, and not located above or below another building class, (except private car parking spaces and garages).	Smoke alarms to be provided in accordance with AS3786.

Class 3	<p>Total area of all floors exceeding 300 square metres measured over the enclosing walls; and in which more than 12 persons would ordinarily be resident.</p> <p>Multi-storey building.</p>	<p>Facilities and access for people with disabilities to be provided in accordance with AS 1428.1 to be provided.</p> <p>Compliance with all other requirements of the Building Code of Australia and the Australian Standards.</p> <p>Submission of an application to and issue of a Certificate of Reclassification by the Town of Vincent which involves inspection.</p> <p>Fire Detection, warning, control and intercom systems to be provided in accordance with AS1670.</p>
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Town Planning Scheme Amendment vs Town Planning Scheme Review

In this instance, it is considered more appropriate that the definition and inclusion of Short Term Accommodation as a use class in the Town Planning Scheme is considered as a part of the Town Planning Scheme Review rather than a Town Planning Scheme Amendment. This is primarily due to the timing of the new Town Planning Scheme expected to be gazetted in late 2008, and the time and staff resources it would take to begin a new Town Planning Scheme Amendment.

Management Plans

The Business Management Plan and Car Parking Management Plan are considered to be fundamental to ensuring that the Short Term Accommodation premise is:

- (i) physically suitable for short term accommodation; and
- (ii) that the applicant/manager has suitable strategies in place to maintain and manage the short term accommodation while ensuring the short term accommodation does not have an undue impact on the residential amenity of the area.

The Policy has been amended to more clearly state the matters to be considered in the Management Plans. It is considered imperative that these documents are made available to the public during the community consultation period.

Enforcement

Non-compliance with commitments made in the approved management plans and/or other conditions of Planning Approval is considered to be non-compliance with Planning Approval and subject to enforcement action if warranted. Complaints will be investigated in accordance with the Town's Customer Service Charter. To assist in the control of non-compliant premise, planning approval shall be subject to renewal every twelve (12) months.

In light of the above, it is recommended that the Council receives, adopts and advertises the final amended version of the new Policy as outlined in the Officer Recommendation.

**10.1.5 Amendment No. 42 to Planning and Building Policies - Policy Relating to Heritage Management - Dealing with Enquires Regarding the Heritage Status of Properties**

<b>Ward:</b>	Both Wards	<b>Date:</b>	2 April 2007
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA 0161
<b>Attachments:</b>	001		
<b>Reporting Officer(s):</b>	T Woodhouse		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

(i) *RECEIVES the final amended version of the Policy relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties as shown in Attachment 10.1.5 resulting from the advertised version having been reviewed and with regard to no written submissions received during the formal advertising period, in accordance with Clauses 47(4), and (5)(a) of the Town's Town Planning Scheme No. 1;*

(ii) *ADOPTS the final amended version of the Policy relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties, as shown in Attachment 10.1.5, in accordance with clause 47(5)(b) of the Town's Town Planning Scheme No. 1; and*

(iii) *AUTHORISES the Chief Executive Officer to advertise the final amended version of the adopted Policy relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties, as shown in Attachment 10.1.5, in accordance with Clause 47 (6) of Town's Town Planning Scheme No. 1;*

"(iv) APPROVES BY AN ABSOLUTE MAJORITY, pursuant to Sections 6.16 of the Local Government Act 1995, the following fees;

- Written response to an Enquiry Relating to the Heritage Status of a property (Policy No. 3.6.8);

(a) where the property is listed on the Town of Vincent Municipal Heritage Inventory; \$50.00

(b) where the property is not listed on the Town of Vincent Municipal Heritage Inventory; \$100.00

and

(v) APPROVES the introduction of the fees specified in Clause (iv) above to be effective from Monday 30 April 2007 and requests the Chief Executive Officer to advertise on a local basis of its intention to introduce the fees and these to be effective from Monday 30 April 2007."

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

**Moved Cr Farrell, Seconded Cr Messina**

*That the recommendation be adopted.*

**CARRIED BY AN ABSOLUTE MAJORITY (6-2)**

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

(Cr Torre was an apology.)

**COUNCIL DECISION ITEM 10.1.5**

*That the Council;*

- (i) *RECEIVES the final amended version of the Policy relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties as shown in Attachment 10.1.5 resulting from the advertised version having been reviewed and with regard to no written submissions received during the formal advertising period, in accordance with Clauses 47(4), and (5)(a) of the Town's Town Planning Scheme No. 1;*
- (ii) *ADOPTS the final amended version of the Policy relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties, as shown in Attachment 10.1.5, in accordance with clause 47(5)(b) of the Town's Town Planning Scheme No. 1; and*
- (iii) *AUTHORISES the Chief Executive Officer to advertise the final amended version of the adopted Policy relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties, as shown in Attachment 10.1.5, in accordance with Clause 47 (6) of Town's Town Planning Scheme No. 1;*
- (iv) *APPROVES BY AN ABSOLUTE MAJORITY, pursuant to Sections 6.16 of the Local Government Act 1995, the following fees;*
  - *Written response to an Enquiry Relating to the Heritage Status of a property (Policy No. 3.6.8);*
    - (a) *where the property is listed on the Town of Vincent Municipal Heritage Inventory; \$50.00*
    - (b) *where the property is not listed on the Town of Vincent Municipal Heritage Inventory; \$100.00*

*and*

- (v) *APPROVES the introduction of the fees specified in Clause (iv) above to be effective from Monday 30 April 2007 and requests the Chief Executive Officer to advertise on a local basis of its intention to introduce the fees and these to be effective from Monday 30 April 2007.*

**CHIEF EXECUTIVE OFFICER COMMENTS:**

Section 6.16 of the Local Government Act 1995 gives power to local governments to prescribe fees and charges. Section 6.19 of the Local Government Act 1995 prescribes that a local government must give local public notice of its intention to introduce a fee and the date from which the fee will be imposed.

Where the property is not listed on the Town's Municipal Heritage Inventory (MHI), a fee of \$100 is recommended. This is the same fee for a "settlement enquiry letter", which includes information relating to Orders, Requisitions and Rates.

It is recommended that a 50% reduction in fee be charged where the property is listed on the Town's MHI. This information will be available to the Town's Officers and less work is involved in providing a written response to an enquiry. The fact of having a 50% reduction in fee will also act as an incentive for property owners to list their properties.

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**PURPOSE OF REPORT:**

The purpose of this report is to present to the Council the final amended version of the Policy relating to *Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties*, and seek final adoption.

**BACKGROUND:**

The Council at its Ordinary Meeting held on 23 January 2007 resolved the following:

*"That the Council;*

- (i) *RECEIVES the Draft Policy relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties, as shown in Attachment 10.1.7;*
- (ii) *ADOPTS:*
- (a) *the Draft Policy relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties, to be applied in the interim until the formal adoption of the Draft Policy, as shown in Attachment 10.1.7, subject to the Policy being amended as follows:*
- (1) *clause 2) iii) e) be amended to read as follows:*
- '2) iii) e) *A Heritage Assessment and/or Heritage Impact Statement can be undertaken on the subject property in accordance with the Town of Vincent Policy 3.6.2 Heritage Management - Assessment at the discretion of the Executive Manager Environmental and Development Services and/or Manager Planning, Building and Heritage Services to identify the heritage values of the place."*

- (b) *Frequently Asked Questions - Dealing with Enquiries Regarding the Heritage Status of Properties, as shown in Attachment 10.1.7, subject to the Frequently Asked Questions being amended as follows:*
- (1) *Frequently Asked Questions be amended to read as follows:*
- 'Q6. What are the benefits of retaining a building?*
- Wherever possible, the Town of Vincent encourages the retention and re-use of existing buildings. Options for subdivision and adaptation of older buildings means ~~in most cases that~~ demolition ~~is~~ may not be necessary for finding new uses and additional space.*
- In addition, substantial building waste and lost energy results from demolishing and rebuilding. The embodied energy in an existing building which is adapted for new or better uses is retained. This is less wasteful of resources for more sustainable than if the building is demolished and reconstructing a new one building is constructed. ...*
- (c) *Verbal Enquiry Form - Dealing with Enquiries Regarding the Heritage Status of Properties; and*
- (iii) *ADVERTISES the Draft Policy relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*
- (a) *advertising a summary of the subject Draft Policy once a week for four consecutive weeks in a newspaper circulating in the locality;*
- (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Draft Policy; and*
- (c) *forwarding a copy of the subject Draft Policy to the Western Australian Planning Commission and the Heritage Council of Western Australia; and*
- (iv) *after the expiry of the period for submissions:*
- (a) *REVIEWS the Draft Policy relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties having regard to any written submissions; and*
- (b) *DETERMINES the Draft Policy relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties with or without amendment, to or not to proceed with them.*

**DETAILS:**

The key objectives of the *Policy relating to Heritage Management - Dealing with Enquiries Regarding the Heritage Status of Properties* are:

- 1) To provide guidance to the Town of Vincent's Administration for dealing with enquiries regarding the heritage status of properties; and
- 2) To provide guidance to the Town of Vincent's Administration for dealing with enquiries regarding partial or full demolition of properties not included on the Town of Vincent Municipal Heritage Inventory.

It is anticipated that this Policy will assist in addressing enquiries relating to the heritage status of properties within the Town of Vincent. To complement the Policy a 'Frequently Asked Questions Information Sheet' has been prepared and will be made available on the Town's dedicated Heritage webpage [www.vincentheritage.com.au](http://www.vincentheritage.com.au) and at the Town of Vincent Administration and Civic Centre.

**CONSULTATION/ADVERTISING:**

Any new or amended Planning Policy is required to be advertised for public comment in accordance with Clause 47 of the Town's Town Planning Scheme No. 1. The subject Policy was advertised accordingly.

No submissions were received during the comment period.

**LEGAL/POLICY:**

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

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2006-2011: Strategic Objectives - 1. Natural and Built Environment "... 1.1.3 (b) *Implement and promote the Municipal Heritage Inventory and Heritage Management Policies*".

**FINANCIAL/BUDGET IMPLICATIONS:**

The current 2006/2007 Budget allocates \$88,760 for Town Planning Scheme Amendments and Policies.

**COMMENTS:**

In light of the above, it is recommended that the Council receives, adopts and advertises the final amended version of the new Policy, in line with the Officer Recommendation.

**10.1.6 Heritage Management Projects 2006/2007 - Status and Proposed Deferral of Projects**

<b>Ward:</b>	Both Wards	<b>Date:</b>	3 April 2007
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA0086; PRO0465
<b>Attachments:</b>	<u>001</u>		
<b>Reporting Officer(s):</b>	H Eames		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report relating to Heritage Management Projects 2006/2007 - Status and Proposed Deferral of Projects;*
- (ii) *APPROVES the deferral of the current 2006/2007 Heritage Management Projects as follows:*
  - (a) *Heritage Information Talks and Workshops - defer to 2007/2008;*
  - (b) *Research Programme for Places of Historical Significance - defer to 2007/2008;*
  - (c) *Heritage Interpretive Signage at Town's Heritage Places - defer to 2008/2009;*
  - (d) *Building Design and Conservation Awards - defer to 2008/2009; and*
  - (e) *Heritage Plaques - defer to 2008/2009; and*
- (iii) *AUTHORISES the Chief Executive Officer to list the deferred Heritage Management Projects shown in clause (ii) above for consideration in the draft 2007/2008 and 2008/2009 Budgets, respectively.*

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**Moved Cr Farrell, Seconded Cr Messina**

*That the recommendation be adopted.*

Debate ensued.

**Moved Cr Ker, Seconded Cr Messina**

*That clause (ii)(e) be amended to read as follows:*

*“(ii) (e) Heritage Plaques - defer to ~~2008/2009~~ 2007/2008; and*

Debate ensued.

**AMENDMENT LOST**  
**ON THE CASTING VOTE OF THE PRESIDING MEMBER (4-5)**

<u>For</u>	<u>Against</u>
Cr Chester	Mayor Catania (2 votes - casting and deliberative)
Cr Doran-Wu	Cr Farrell
Cr Ker	Cr Maier
Cr Lake	Cr Messina

(Cr Torre was an apology.)

Moved Cr,Chester Seconded Cr Ker

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

“(iv) *REQUESTS the Heritage Management Strategic Plan to be completed by 30 June 2007 and this is to be reflected in the Heritage Projects Programme.*”

**AMENDMENT CARRIED (8-0)**

(Cr Torre was an apology.)

Moved Cr Maier, Seconded Cr Farrell

*That clause (ii)(d) be amended to read as follows:*

“(ii) (d) *Building Design and Conservation Awards - defer to ~~2008/2009~~ 2007/2008; and*”

Debate ensued.

**AMENDMENT CARRIED (5-3)**

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

(Cr Torre was an apology.)

**MOTION AS AMENDED CARRIED (8-0)**

(Cr Torre was an apology.)

**COUNCIL DECISION ITEM 10.1.6**

*That the Council;*

- (i) *RECEIVES the report relating to Heritage Management Projects 2006/2007 - Status and Proposed Deferral of Projects;*
- (ii) *APPROVES the deferral of the current 2006/2007 Heritage Management Projects as follows:*
  - (a) *Heritage Information Talks and Workshops - defer to 2007/2008;*

- (b) *Research Programme for Places of Historical Significance - defer to 2007/2008;*
  - (c) *Heritage Interpretive Signage at Town's Heritage Places - defer to 2008/2009;*
  - (d) *Building Design and Conservation Awards - defer to 2007/2008; and*
  - (e) *Heritage Plaques - defer to 2008/2009;*
  - (iii) *AUTHORISES the Chief Executive Officer to list the deferred Heritage Management Projects shown in clause (ii) above for consideration in the draft 2007/2008 and 2008/2009 Budgets, respectively; and*
  - (iv) *REQUESTS the Heritage Management Strategic Plan to be completed by 30 June 2007 and this is to be reflected in the Heritage Projects Programme.*
- 

#### **PURPOSE OF REPORT:**

The purpose of the report is to obtain the Council approval to defer those projects which cannot be commenced in the current financial year; and propose appropriate deferral timeframes for those projects.

#### **BACKGROUND:**

The Council approved 11 specific heritage management projects for the 2006/2007 financial year totalling \$255,350. The Town's Heritage Officers are also committed to a number of additional projects and initiatives which require the Officers resources and expertise across the organisation and with external organisations. These projects are shown as an attachment to the report.

During the 2006/2007 financial year the Municipal Heritage Inventory (MHI) review is near completion and has absorbed most of the Heritage Officers' time. Following the finalisation of the MHI review, it is a priority to undertake the following before 30 June 2007:

1. Record the MHI on the GIS mapping system;
2. Complete the Heritage Management Strategic Plan;
3. Review policies in light of the MHI review;
4. Administer Rounds 1 and 2 of the 2006/2007 Heritage Assistance Fund (grants); and
5. Continue commitment to partnership projects.

#### **DETAILS:**

The table shown as an attachment to this report identified those projects on the current 2006/2007 Budget which cannot be commenced or completed prior to the end of this financial year, due to both time resource constraints and strategic sequence.

For example, the implementation of the '*Research Programme for Places of Historical Significance*' has a strategic bearing on the efficient and effective implementation of 'Heritage Plaques' and 'Heritage Interpretive Signage'. In addition, external partnership projects, such as the Northbridge History Project, have a bearing on the implementation of these projects, and it is considered premature to attempt to complete them in the next financial stage without co-ordinating them with other initiatives occurring throughout the Town and partner organisations generally.

These heritage projects proposed for deferral are time-intensive in their preparation and cannot be commenced or completed this financial year. More appropriate timeframes have been recommended for each project as shown on the attached table, ranging between the forthcoming 2007/2008 financial year and the 2008/2009 financial year. These recommended timeframes take into account the broad commitments of the Heritage Officers at the current time, the need to consolidate the outcomes of the MHI review, the Town Planning Scheme review, increased grants programmes and external joint initiatives.

**CONSULTATION/ADVERTISING:**

There is no advertising or consultation required at this stage.

**LEGAL/POLICY:**

There are no legal or policy implications applicable to this report.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2006-2011: Strategic Objectives - 1. Natural and Built Environment

*"... 1.1.3 Enhance and maintain the character and heritage of the Town:*

- (a) Adopt the Conservation Plan for Beatty Park Leisure Centre and Beatty Park, Plan and complete so that redevelopment plans can be guided by the Conservation Plan.*
- (b) Implement and promote the Municipal Heritage Inventory and Heritage Management Policies".*
- (c) Implement and promote a Heritage Strategic Plan."*

**FINANCIAL/BUDGET IMPLICATIONS:**

The attached table shows the current budget amounts for each of the projects proposed for deferral. The total combined amount for the proposed deferred projects is \$66,700.

**COMMENTS:**

The recommendations to defer the projects are shown in the attached table. The recommendations are made with respect to the strategic implementation of each project and the available time resources required. In preparing this report, regard has also been given to the priorities shown in the *Strategic Plan 2006-2011* Strategic Objectives.

In light of the above, it is recommended that the Council receives this report, approves the deferral of the projects shown above and authorises the Chief Executive Officer to consider the respective projects for future budgets.

**10.1.7 East Perth Transit Oriented Development Study – East Perth Redevelopment Authority**

<b>Ward:</b>	Both Wards	<b>Date:</b>	4 April 2007
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA0022
<b>Attachments:</b>	001		
<b>Reporting Officer(s):</b>	K Batina		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the letter dated 12 March 2007 and associated documentation in relation to the East Perth Transit Oriented Development Study, as “Laid on the Table”; and*
- (ii) *ADVISES the East Perth Redevelopment Authority that the Council SUPPORTS IN PRINCIPLE the East Perth Transit Oriented Development Study, as “Laid on the Table”, subject to the following matters being addressed:*
  - (a) *a Memorandum of Understanding being prepared between all identified key stakeholders, which will outline the statement of purpose of the East Perth Transit Oriented Development Study and its undertaking, the scope of the project and the Memorandum of Understanding, outline the governance and decision making structure for the project, including the possible establishment of a committee/s, the roles and responsibilities of each of the relevant key stakeholders, and any financial control and/or funding sources, to facilitate the fruition of the project and its delivery in a timely manner; and*
  - (b) *that a meeting be held between the key Officers of the East Perth Redevelopment Authority and Town of Vincent to;*
    - (1) *discuss how those areas that will be affected by the municipal boundary change as of 1 July 2007 will be managed, as part of the implementation of the East Perth Transit Oriented Development Study;*
    - (2) *develop a co-ordinated approach between those objectives and intentions for the East Perth Transit Oriented Development and those relating to the Leederville Masterplan; and*
    - (3) *consider the preparation of a memorandum of understanding, co-ordinated by EPRA and involving identified key stakeholders, to facilitate a collaborative approach to implementing the objectives of the East Perth Transit Oriented Development.*

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**Moved Cr Farrell, Seconded Cr Ker**

*That the recommendation be adopted.*

**Debate ensued.**

**Moved Cr Ker, Seconded Cr Farrell**

*That;*

1. *the existing clause (ii) be renumbered to clause (iii) and that this clause be DEFERRED; and*
2. *a new clause (ii) be added as follows:*
  - “(ii) *SEEKS a briefing from EPRA prior to submitting a formal response on the East Perth Transit Oriented Development Study.*”

**AMENDMENT CARRIED (8-0)**

(Cr Torre was an apology.)

**MOTION AS AMENDED CARRIED (8-0)**

(Cr Torre was an apology.)

**COUNCIL DECISION ITEM 10.1.7**

*That the Council;*

- (i) *RECEIVES the letter dated 12 March 2007 and associated documentation in relation to the East Perth Transit Oriented Development Study, as “Laid on the Table”;*
- (ii) *SEEKS a briefing from EPRA prior to submitting a formal response on the East Perth Transit Oriented Development Study; and*
- (iii) *DEFERS advising the East Perth Redevelopment Authority that the Council supports in principle the East Perth Transit Oriented Development Study, as “Laid on the Table”, subject to the following matters being addressed:*
  - (a) *a Memorandum of Understanding being prepared between all identified key stakeholders, which will outline the statement of purpose of the East Perth Transit Oriented Development Study and its undertaking, the scope of the project and the Memorandum of Understanding, outline the governance and decision making structure for the project, including the possible establishment of a committee/s, the roles and responsibilities of each of the relevant key stakeholders, and any financial control and/or funding sources, to facilitate the fruition of the project and its delivery in a timely manner; and*
  - (b) *that a meeting be held between the key Officers of the East Perth Redevelopment Authority and Town of Vincent to;*
    - (1) *discuss how those areas that will be affected by the municipal boundary change as of 1 July 2007 will be managed, as part of the implementation of the East Perth Transit Oriented Development Study;*
    - (2) *develop a co-ordinated approach between those objectives and intentions for the East Perth Transit Oriented Development and those relating to the Leederville Masterplan; and*
    - (3) *consider the preparation of a memorandum of understanding, co-ordinated by EPRA and involving identified key stakeholders, to facilitate a collaborative approach to implementing the objectives of the East Perth Transit Oriented Development.*

### **PURPOSE OF REPORT:**

The purpose of this report is for Council to consider and formalise its comments regarding the proposed *East Perth Transit Oriented Development Study* released by the East Perth Redevelopment Authority on 12 March 2007 for public comment. The closing date for all submissions is 10 April 2007. An extension to the comment closing date was requested and agreed to 13 April 2007.

### **DETAILS:**

The Town has received a letter dated 12 March 2007 and associated documentation advising that the East Perth Redevelopment Authority (EPRA) was seeking comment from key stakeholders in regard to the *East Perth Transit Oriented Development Study* ('the Study') which was finalised in December 2006. The Study was a collaborative document prepared in conjunction with Taylor Burrell Barnett, Jones Coulter Young, Maunsell Engineers, Gresley Abas Architects and Urbanizma Urban Design.

In the covering letter provided by EPRA, the following overview was provided:

*"In 2003, EPRA commissioned a review of its Indicative Development Plan (IDP), which included an examination of land use and transport integration in the context of Transit Oriented Development (TOD) principle....*

*The study is based on 'best practice' national and international examples of TOD, in order to identify and document principles and options of relevance to the original East Perth project area. It identifies opportunities to improve the relationship between existing and proposed development in East Perth and transit facilities serving the area.*

*The result was a revised draft IDP that provided a holistic vision of an integrated mixed-use urban environment that would reconnect the entire East Perth community that covers the remaining areas within EPRA's jurisdiction as well as surrounding areas, to create a place of vitality for those visiting, living and working in the area. This included building on the qualities of the existing character and diversity of the area, to create an enjoyable place where people would have a wide range of housing, employment, entertainment, social and cultural choices. A Triple Bottom Line assessment of the TOD study clearly indicated significant social and environmental benefits that could be obtained by applying TOD principles.*

*In recent times, particularly through the process of Normalisation, EPRA's focus has changed from a single consolidated area to a series of individual and more distinct projects such as the East Perth Power Station, Riverside and Northbridge Link. For this reason, it is no longer intended to undertake a comprehensive update to the IDP following this review. Alternatively it is aimed to adopt the TOD Study as a guiding document to inform the content of the matter/precinct plans, Scheme amendments and associated planning policies during planning stages for each project. For the projects within the identified study area the TOD study will provide a common approach and greater contextual understanding.*

*A coordinated approach is required from all relevant authorities and land owners to achieve the enhanced sustainability outcomes by increasing connections through the area and particularly across the existing transport infrastructure."*

### **CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

Town Planning Scheme No. 1 and associated Policies.

**STRATEGIC IMPLICATIONS:**

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

*“Objective 1.1 Improve and maintain environment and infrastructure*

*1.1.1 Capitalise on the Town’s strategic location, its centres and commercial areas”.*

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

As indicated in the covering letter from EPRA, the *East Perth Transit Oriented Development Study* is the result of a review of the East Perth Indicative Development Plan, which was initiated in June 2003. The key focus for the study is to provide a context for Transit Oriented Development (TOD) principles, and to review the potential implementation in the study area.

The original IDP was prepared for the establishment of EPRA in 1991 to enable co-ordinated and strategic planning for the area. Since that time, certain areas within the IDP have undergone normalisation, and the need for a review of the IDP, to reconsolidate and refocus the objectives of the IDP was initiated, in relation to the remaining undeveloped areas. These areas are essentially in the area between Wittenoom Street and Summers Street and from Lord Street to the Swan River. In addition, as part of the review and to ensure that a holistic approach was taken in undertaking this review, the study has also taken regard for the immediate context – in particular the East Perth Station, McIver Station and Perth Oval – and the area within the 800 metre radius of Claisebrook Station.

Transit Oriented Development

The term ‘Transit Oriented Development’ (TOD) was coined by Peter Calthorpe in the early 1990s to describe the particular type of neo-traditional urbanism that focuses on a transit node. The definition of TOD is:

*“A Transit Oriented Development is a mixed-use community within an average 2,000 foot (650m) walking distance of a transit stop and core commercial area. TODs mix residential, retail, office, open space, and public uses in a walkable environment making it convenient for residents and employees to travel by transit, foot or car.”*

The above definition was initially intended to relate to new ‘greenfield’ developments, to guide appropriate development around transit nodes. Whilst serving as an adequate starting point for outlining basic features of TOD, it is important to recognise that TOD as a concept needs to adapt to the characteristics of a particular site and context of an outer or inner urban area.

TOD is a form of urban development that brings together ideas from the disciplines of urban design, transportation, and market economics. Holistically, TOD fits within the broader city planning realm of the transit village, which may be considered as an organising principle for creating places – built environments, social environments, and economic environments – that embrace and evolve around transit systems.

Transit Oriented Developments usually involves more than a single site or development, and the TOD principles are achieved by co-ordinating several developments, public improvements and a variety of land uses and activities.

TOD is partly about creating an urban form that encourages people to ride transit more often, rather than use private vehicles. However, equally important, it embraces goals related to neighbourhood cohesion, social diversity, conservation, public safety, and community revitalisation. It is important to emphasise that TODs are not just physical entities – there are important social and economic dimensions associated also.

#### Study Structure

The Study comprises two parts:

Part One involved gaining an understanding of the context for the East Perth TOD. This involved the following tasks:

- A review of the TOD principles and best practice based on research and investigation of ten national and international case study projects.
- Undertaking of consultation and discussions with main government agencies and key stakeholders, in order to gain a better understanding of the issues and opportunities relating to the Study area.
- A review of the policy context, at both a State and Local level, in regard to the study area and East Perth.
- A review of the transport planing framework.

Part Two involved the undertaking of the actual review of the Indicative Development Plan, including the following tasks:

- An examination of the issues concerning the study area and opportunities for urban revitalisation and improving the integration of land use and transport.
- Preparation of TOD concept options and a peer review of those options to establish the direction for the Plan.
- The preparation of a Revised Indicative Development Plan and rationale based on Part 1 research and outcomes.

#### Study Outcomes

The Outcomes from Part One of the Study, provided a solid and comprehensive background of other transit oriented developments nationally and internationally, and a critique on what lessons were learnt through the development and implementation process of establishing a TOD and having it function as it is/was intended.

The following conclusions were made, from the review of the ten case studies examined as part of the background research to the East Perth TOD Study:

- *Mixed Land Uses*: TOD should allow for mixed land uses with a variety of residential, commercial, medical and educational activities.
- *Redevelopment Sites*: It has been shown that industrial precincts, can be successfully redeveloped into more intensive land uses.
- *Higher Density Closer to Station*: Where the TOD is built over heavy rail stations, the higher density development should occur closest to the station with medium to lower density surrounding the station precinct. Underutilised railway and road infrastructure land should be redeveloped.

- *Proximity to a Central Business District:* From the case studies, the synergy between TOD being located close to a central business district adds to the viability and attractiveness of the TOD. The closeness to the CBD provides a major incentive for businesses to be close to major clients and CBD service, and residents to be close to CBD employment and services.
- *Unique Specialised Land Use Developments:* A TOD with land use that is unique and specialised can be more successful since the businesses or institutions will not be competing with other business parks, commercial areas and retail areas.
- *Pedestrian Access:* It is very important that the pedestrian access to and through the TOD precinct to be well designed with disabled access requirements. Pedestrians need to be able to walk through and across the station precinct to access both sides of the railway line.
- *Parking Controls:* Parking policies in the vicinity of the TOD should be developed to encourage non-car access to the railway station. The parking closest to the station should be short term use and metered.
- *Development Approvals:* A relatively quick development approval process is important because it gives developers an assurance that they can proceed with their projects in a timely manner and they can react to market trends.
- *Need for Strategic Planning:* The vision of a TOD needs to be consistent with the strategic land use and transport plan that is supported by all levels of government.
- *Government Contributions:* Local and State governments should allocate funding to upgrade transport infrastructure and pedestrian and cyclists access paths to railway stations. These contributions need to be identified early in the planning process to make the overall TOD attractive to developers and to show that governments are committed to the TOD.
- *Developer Financing:* Securing financial support for major TOD projects is a major issue for developers. More certainty is required from all parties involved when developing projects of this scale that impact so heavily on public transport operations and infrastructure. Furthermore, public expenditure (or taxation benefit) is required to seed private funding and subsequent performance.
- *Land Banking:* The availability of land that can be set aside for future developments in the TOD precinct is important since the TOD process can take many years to be fully completed. Land banking gives some certainty on the future growth areas so developers can plan their investment opportunities.
- *Financial Viability:* It is important that the TOD project be financially viable in order to encourage private sector involvement and to ensure that the TOD is well used and occupied. A project with buildings that are not financially viable could be vacant or underutilised for years which would detract from the overall success of the TOD.

The end result of the background research and subsequent stakeholder consultation was a Revised Indicative Development Plan (IDP). One of the key philosophical elements of the East Perth IDP, is recognising the concept that East Perth is a Transit Village, in conjunction with the East Perth and McIver stations.

Recognising the physical barrier and resultant disconnection between the area of East Perth north of the Graham Farmer Freeway and the area of East Perth south, the overall vision for the East Perth community and area is for an integrated mixed use urban environment that reconnects the two 'sides' of East Perth road-rail divide, to create a place of vitality, living and working in the area. This vision is to build on qualities of the existing character and diversity of the study area, and create an enjoyable place where people have a wide range of housing, employment, entertainment, social and cultural choices.

The four main themes for the vision of the Revised IDP, are:

- Fostering increased use and capacity of public transportation and decreased reliance on private automobiles;
- Repairing and enriching the public realm;
- Reinforcing the vitality and quality of life in the various neighbourhood precincts; and
- Enhancing East Perth as a place to live, work and invest.

#### Implications to the Town of Vincent

In principle, the Town of Vincent supports the *East Perth Transit Oriented Development Study* and its associated principles and implementation programme. However, there are a number of considerations that need to be taken into account, as part of the implementation of the TOD Study, that need to be brought to the attention of the East Perth Redevelopment Authority, and further action taken. Each is summarised below.

#### *Boundary Changes*

As the Council is already aware, as of 1 July 2007, the Town of Vincent's municipal boundaries will change. It is noted that a portion of the study area, relevant to the TOD Study, will become a part of the Town of Vincent. It is therefore inherent that a clear understanding be established between the Town and EPRA with regard to how the implementation and carrying out of development approvals to facilitate the TOD, will be co-ordinated between the two authorities.

#### *Memorandum of Understanding*

The case studies examined as part of the background research consistently reflected the theme of a need for a co-ordinated approach between all parties, and levels of government to ensure the success of a TOD and its realisation from a concept to a reality. The Town of Vincent recommends that a possible manner to facilitate this would be through the preparation and agreement between all relevant key stakeholders of a Memorandum of Understanding (MOU). By preparing such a document, it would outline the statement of purpose of the TOD Study and its undertaking, the scope of the project and the MOU, outline the governance and decision making structure for the project, including the possible establishment of a committee/s, the roles and responsibilities of each of the relevant key stakeholders, and any financial control and/or funding sources, to facilitate the fruition of the project and its delivery in a timely manner.

#### *Leederville Masterplan*

The Town of Vincent has engaged consultants to prepare a Masterplan for the Leederville area. Details of this study and Masterplan are not yet publicly available, however, it can be revealed that one of the significant design philosophies for the Leederville Masterplan, is based on the creation of a TOD. In order for the two TODs, being East Perth and Leederville, to function in a complimentary rather than competitive manner with each other, it is recommended that the EPRA and the key personnel involved in the Leederville Masterplan project, arrange to meet and discuss the two projects and their relationship with each other for the future.

In light of the above, it is recommended that the Council receives the documentation relating to the East Perth Transit Oriented Development Study and takes into account those considerations included as part of the Officer Recommendation.

The Presiding Member advised that Crs Lake and Maier had declared a proximity interest in this Item. Crs Lake and Maier departed the Chamber at 7.42pm and did not speak or vote on the matter.

**10.2.2 Proposed Introduction of an ACROD 2.5 Parking Bay Adjacent to 48 Chatsworth Road, Highgate**

<b>Ward:</b>	South	<b>Date:</b>	03/03/07
<b>Precinct:</b>	Hyde Park Precinct (P12)	<b>File Ref:</b>	PKG0026
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	A Munyard		
<b>Checked/Endorsed by:</b>	R Lotznicher	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report on the proposed introduction of an ACROD 2.5 Parking Bay adjacent to 48 Chatsworth Road, Highgate;*
- (ii) *APPROVES the introduction of one (1) ACROD 2.5 parking bay at an approximate cost of \$300, adjacent to 48 Chatsworth Road, Highgate subject to:*
  - (a) *the bay remaining in effect only for the period that the applicant is a holder of a current ACROD permit; and*
  - (b) *the applicant advising the Town when the bay is no longer required;*
- (iii) *PLACES a moratorium on issuing infringement notices for a period of two (2) weeks from the installation of the new parking restriction signs; ~~and~~*
- (iv) *ADVISES the applicant of the Council's decision; and*
- (v) *AMENDS Policy No: 3.9.9 'Introduction of Kerbside "ACROD 2.5" Parking Bays in Residential Areas' by inserting the words;*

*"Application for an ACROD 2.5 parking bay is to be assessed and a report submitted to the Council. Once approval has been granted the following shall apply:*

- (a) *The applicant is to be advised that approval for the ACROD 2.5 parking bay is for a period on 12months.*
- (b) *The applicant is to be advised that Town's officers shall review the requirement for the ACROD 2.5 parking bay at the expiry of the 12 months period.*
- (c) *A register containing the date of approval, date of installation and the location of the ACROD 2.5 parking bay is to be maintained by the Town."*

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

**Moved Cr Farrell, Seconded Cr Doran-Wu**

*That the recommendation be adopted.*

**CARRIED (6-0)**

(Cr Torre was an apology. Crs Lake and Maier were absent from the Chamber and did not vote.)

**COUNCIL DECISION ITEM 10.2.2**

*That the Council;*

- (i) ***RECEIVES the report on the proposed introduction of an ACROD 2.5 Parking Bay adjacent to 48 Chatsworth Road, Highgate;***
- (ii) ***APPROVES the introduction of one (1) ACROD 2.5 parking bay at an approximate cost of \$300, adjacent to 48 Chatsworth Road, Highgate subject to:***
  - (a) ***the bay remaining in effect only for the period that the applicant is a holder of a current ACROD permit; and***
  - (b) ***the applicant advising the Town when the bay is no longer required;***
- (iii) ***PLACES a moratorium on issuing infringement notices for a period of two (2) weeks from the installation of the new parking restriction signs;***
- (iv) ***ADVISES the applicant of the Council's decision; and***
- (v) ***AMENDS Policy No: 3.9.9 'Introduction of Kerbside "ACROD 2.5" Parking Bays in Residential Areas' by inserting the words;***

***"Application for an ACROD 2.5 parking bay is to be assessed and a report submitted to the Council. Once approval has been granted the following shall apply:***

- (a) ***The applicant is to be advised that approval for the ACROD 2.5 parking bay is for a period on 12months.***
- (b) ***The applicant is to be advised that Town's officers shall review the requirement for the ACROD 2.5 parking bay at the expiry of the 12 months period.***
- (c) ***A register containing the date of approval, date of installation and the location of the ACROD 2.5 parking bay is to be maintained by the Town."***

**ADDITIONAL INFORMATION:**

The current Policy No: 3.9.9 'Introduction of Kerbside "ACROD 2.5" Parking Bays in Residential Areas' does not address currency of requirement, or any ongoing assessment.

To address this matter it is considered that the policy should be amended to introduce an annual reassessment - and that a database should be kept of where bays have been introduced.

Currently, if approved by the Council - applicants are advised that they must contact the Town if the bay is no longer required, and the Town currently depends upon their diligence.

The proposed amendment will require the Town's officers to review each approval every 12 months. This would be carried out by writing a standard letter to each applicant requesting them to advise whether the ACROD 2.5 Parking bay is still required. The data base would then be updated.

---

**PURPOSE OF REPORT:**

The purpose of this report is to seek the Council's approval for the introduction of an ACROD 2.5 parking bay adjacent to 48 Chatsworth Road, Highgate.

**BACKGROUND:**

In accordance with the Town's Policy No. 3.9.9 *Introduction of Kerbside "ACROD 2.5" Parking Bays in Residential Areas*, residents who hold a valid ACROD permit may apply for an ACROD bay to be installed kerbside adjacent to their properties where no suitable alternative parking can be provided on site. The Town is in receipt of such an application from a resident of Chatsworth Road, Highgate.

**DETAILS:**

The daughter of a resident who resides at 48 Chatsworth Road has requested that an ACROD 2.5 bay be installed outside her parent's property. Her mother suffered a stroke in December last year which severely affects her mobility. She is the holder of a current ACROD Permit.

Should the Council approve the installation of the ACROD bay, the bay would be available for use by any holder of an ACROD permit, however, it would be of particular benefit to the resident's family, who are required to transport the woman to medical appointments etc.

It is therefore proposed that an "ACROD 2.5" parking bay be installed immediately at the front of the property.

**CONSULTATION/ADVERTISING:**

There is no requirement to consult regarding the installation of ACROD bays.

**LEGAL/POLICY:**

There is no legal impediment to the introduction of the ACROD bay. A two (2) week moratorium from infringement will be in place following the installation of the ACROD bay.

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *"p) Develop a strategy for parking management in business, residential and mixed use precincts, that includes parking facilities that are appropriate to public needs;"*

**FINANCIAL/BUDGET IMPLICATIONS:**

The cost of the ACROD bay would be approximately \$300.00

**COMMENTS:**

The applicant has provided proof that she is a holder an ACROD permit and there is no doubt that the installation of the ACROD bay will be of great benefit to her. It is recommended that the Council approve the introduction of the "ACROD 2.5" bay and the bay to remain in effect whilst the applicant is a holder of a valid ACROD permit. This will ensure that the ACROD bay would lapse when no longer required. The applicant should advise the Town when it is no longer required.

Crs Lake and Maier returned to the Chamber at 7.44pm. Mayor Catania advised that the Item had been carried as recommended.

**10.2.3 Further Report - Proposed Self Regulating Parking Control Trial, Dangan Street, Perth**

<b>Ward:</b>	South	<b>Date:</b>	3 March 2007
<b>Precinct:</b>	Hyde Park P12	<b>File Ref:</b>	PKG0094/TES0487
<b>Attachments:</b>	<u>001</u>		
<b>Reporting Officer(s):</b>	C Wilson		
<b>Checked/Endorsed by:</b>	R Lotznicker	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the further report on the outcome of the Public Consultation for the proposed three (3) month trial of a “self regulatory” parking control system in Dangan Street, Perth;*
- (ii) *NOTES the residents' comments as outlined in the report;*
- (iii) *REFERS the matter to the Local Area Traffic Management Advisory Group for further consideration and invites a spokesperson from the residents to attend the meeting; and*
- (iv) *RECEIVES a further report once the Local Area Traffic Management Advisory Group has considered the matter.*

**Moved Cr Ker, Seconded Cr Farrell**

*That the recommendation be adopted.*

**Moved Cr Ker, Seconded Cr Farrell**

*That clause (iii) be amended to read as follows:*

*“(iii) REFERS the matter to the Local Area Traffic Management Advisory Group for further consideration and invites ~~a spokesperson from~~ the residents of the street to attend the meeting; and”*

Debated ensued.

**AMENDMENT CARRIED (8-0)**

(Cr Torre was an apology.)

**Moved Cr Maier, Seconded Cr Ker**

*That a new clause (v) be added as follows:*

*“(v) REAFFIRMS its commitment to provide access along all footpaths which is safe and convenient for all the community.”*

**Debate ensued.**

**AMENDMENT CARRIED (8-0)**

(Cr Torre was an apology.)

**MOTION AS AMENDED CARRIED (8-0)**

(Cr Torre was an apology.)

**COUNCIL DECISION ITEM 10.2.3**

*That the Council;*

- (i) *RECEIVES the further report on the outcome of the Public Consultation for the proposed three (3) month trial of a "self regulatory" parking control system in Dangan Street, Perth;*
  - (ii) *NOTES the residents' comments as outlined in the report;*
  - (iii) *REFERS the matter to the Local Area Traffic Management Advisory Group for further consideration and invites the residents of the street to attend the meeting;*
  - (iv) *RECEIVES a further report once the Local Area Traffic Management Advisory Group has considered the matter; and*
  - (v) *REAFFIRMS its commitment to provide access along all footpaths which is safe and convenient for all the community.*
- 

**PURPOSE OF REPORT:**

The purpose of this report is to advise Council of the results of the public consultation to implement a three (3) month trial of a "resident self regulatory parking control trial" in Dangan Street, Perth, as a means of improving pedestrian access while maintaining the existing parking amenity.

**BACKGROUND:**

In 2000/01, Dangan Street was listed on the Town's capital works program for resurfacing. However, in light of on-going complaints at the time about parking and access issues, Technical Services took the opportunity in August 2000 to canvass the residents' views on a range of options to improve the situation.

These included restricting parking to one side of the road only and making Dangan Street one-way, north to south (*Bulwer Street to Brisbane Street*) or alternating the parking on either side of the road, again in tandem with a one-way restriction.

The residents' overwhelmingly rejected both proposals as they wanted to be able to park in front of their house. The end result was that Dangan Street was resurfaced and the parking situation remained the same.

In mid 2006 Ranger Services, acting upon a complaint received from a Dangan Street resident, issued infringements and / or cautions to several vehicles parked on the footpath. As a consequence, those residents whose cars had been 'booked' contacted the Town seeking to have the infringement notices withdrawn as they felt they had no alternative but to straddle the footpath given the narrowness of the street.

The matter was subsequently referred to the Local Area Traffic Management (LATM) Advisory Group meeting of 21 September 2006 to consider alternative solutions.

The LATM Advisory Group subsequently supported a proposal to trial a *resident self regulatory parking control system* whereby the residents would be permitted to park on part of the footpath up to, but not beyond, a demarcation line, thereby ensuring adequate space for pedestrians.

A report was subsequently presented to the Ordinary Meeting of Council held on 5 December 2006, where the following decision was made:

*"That the Council;*

- (i) RECEIVES the report on the proposed trial of a "self regulatory" parking control system in Dangan Street, Perth;*
- (ii) CONSULTS with the residents of Dangan Street to determine the level of support for a proposed three (3) month trial of the "self regulatory" system as outlined on Plan No 2483-PP-1; and*
- (iii) RECEIVES a further report at the conclusion of consultation period."*

#### **DETAILS:**

In accordance with clause (ii) of the Council's decision on 5 December 2006, some 38 consultation letters, together with comment sheets, were delivered to the residents of Dangan Street, seeking their views on the proposal.

At the close of the consultation period on 16 February 2007, eleven (11) submissions had been received, representing a 29% response rate.

While a summary of the comments is listed below the responses indicated the following:

<b>In favour:</b>	4 (36% of respondents)
<b>Partially in favour:</b>	1 (9% of respondents)
<b>Against:</b>	6 (55% of respondents)

#### Comments *In Favour* of proposal

- It is sensible to formalise what has been generally working well for many years. My complaint with this proposal is the 1/3 metre width of the footpath (west side) versus 3/4 metre width on the other side. I know the power poles are on the west side but people are smart enough to avoid them if the parking width on that side is 3/4 metre, the same as the east side.
- I have lived at my address for 18 months now and have to say that during my morning and evening walks around the block I have never seen a vehicle of any description parked fully on the footpath. I live on the top floor of 21 Dangan Street and quite often sit out on my balcony and as I said, I have never seen any vehicle parked fully on the footpath. The trial to me is a brilliant idea and it should solve any pedestrian problems, though I have never at any time been inconvenienced in any way.

- The proposal should be monitored and vehicles not complying with the plan should be issued with infringement notices. Parking should only be for vehicles displaying current parking permits for Dangan St or visitors. Currently vehicles park on the footpath (partly or entirely) facing the wrong direction, displaying out of date permits, permits for streets other than Dangan St, or more commonly, parked illegally and no permit displayed. Some households have 3 vehicles and others 2. One is lucky to be able to park one's wheelie bin overnight, let alone a car outside one's house.
- 1 in favour but no further comments.

Related Comments *Partially In Favour* of proposal

- Having lived in Dangan St for 40 years, it is disappointing that people find the time to complain to Council about cars being parked on the footpath. Since when have vehicles not been parked on the path? In the interest of limiting excessive line marking (visual pollution) please consider the use of intermittent lines as opposed to a solid continuous line.

Comments *Against* the proposal

- We do not believe there is a problem in Dangan St and are opposed to any action that would reduce the volume of parking available in the street or hinder access and/or road safety. In addition, it is important that Dangan St residents are treated fairly and not punished due to the complaints of one nearby resident. As such, any actions taken in Dangan St must be equally applied throughout the Town of Vincent.
- Most streets around this area have been improved. Dangan St needs underground power. Dangan could become a one way street to avoid traffic jams.
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- Most streets around this area have been improved. Dangan St needs underground power. Dangan could become a one way street to avoid traffic jams. Strongly feel the proposed line will make a street that needs improvement even uglier. The line will peel off and look unsightly.
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- Most streets around this area have been improved. Dangan St needs underground power. Dangan could become a one way street to avoid traffic jams. Strongly feel the proposed line will make a street that needs improvement even uglier. The line will peel off and look unsightly.

In respect of the *Against* comments, there were two very interesting developments:

1. In August 2000 a majority of the residents at the time were against a one-way street.
2. A resident, who is obviously against the *resident self regulatory parking control trial*, circulated an 'altered' comment sheet to include other, some unrelated, comments such as:

*We strongly feel that this proposed Line (sic) will make a street that needs improvement even uglier.*

*The line will peel off and look unsightly.*

*Most Streets in this area have been improved.*

*Dangan Street needs underground power.*

*The kerb should be relocated to allow for parking bays and trees planted to provide shade and greenery.*

*Dangan (sic) could become a one way street to avoid traffic jams.*

*We look forward to the Town of Vincent to do what is really needed for Dangan St to rise (sic) the standards of the surrounding streets.*

Of the 6 *Against* responses, 5 were submitted on the 'altered' comment sheet.

**Officer's comment:**

As emphasised in the report to Council on 5 December 2006, the *resident self regulatory parking control system* will only work if ALL residents agree to abide by it.

However, it is apparent from the responses that this is unlikely.

Therefore, in light of the above, it recommended that the matter be referred to the LATM Advisory Group for further consideration, particularly the suggestion for a One-way restriction.

With regard to the current situation with parking in Dangan Street, it is anticipated that the status quo will be maintained and that the Rangers will continue to act upon receiving complaints.

**CONSULTATION/ADVERTISING:**

If, as recommended, the matter is referred to the LATM Advisory Group, representatives of the Dangan Street residents be invited to attend the meeting.

**LEGAL/POLICY:**

Nil

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. "p) *Develop a strategy for parking management in business, residential and mixed use precincts, that includes - parking facilities that are appropriate to public needs;*

**FINANCIAL/BUDGET IMPLICATIONS:**

The estimated cost of the line-marking and signage to implement the proposed trial is approximately \$500. However, if more substantial proposals are recommended to Council, as a result of the LATM Advisory Group's meeting with residents, it may have implications for the 2007/08 capital works budget.

**COMMENTS:**

The proposal, as presented, was considered to be an innovative solution to an ongoing parking problem in the street. While the enforcement of such a proposal is not covered in the Town's Local Law, all residents in the street would have needed to agree to fully cooperate and abide by the proposal.

However, it is apparent that not all residents do agree and therefore the trial is likely to be unsuccessful.

The Chief Executive Officer advised that Mayor Catania and Cr Messina had declared a financial interest in this Item. Mayor Catania and Cr Messina departed the Chamber at 7.46pm and did not speak or vote on the matter.

Deputy Mayor - Cr Farrell assumed the Chair.

**10.3.1 Investment Report as at 31 March 2007**

Ward:	Both	Date:	2 April 2007
Precinct:	All	File Ref:	FIN0005
Attachments:	001		
Reporting Officer(s):	B Wong		
Checked/Endorsed by:	Mike Rootsey	Amended by:	

**OFFICER RECOMMENDATION:**

*That the Council RECEIVES the Investment Report for the month ended ~~28 February~~ 31 March 2007 as detailed in attachment 10.3.1.*

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

Moved Cr Ker, Seconded Cr Doran-Wu

*That the recommendation be adopted.*

**CARRIED (6-0)**

(Cr Torre was an apology. Mayor Catania and Cr Messina were absent from the Chamber and did not vote.)

**COUNCIL DECISION ITEM 10.3.1**

*That the Council RECEIVES the Investment Report for the month ended 31 March 2007 as detailed in attachment 10.3.1.*

**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of the level of funds available, the distribution of surplus funds in the short term money market and the interest earned to date.

**BACKGROUND:**

Interest from investments is a significant source of funds for the Town, where surplus funds are deposited in the short term money market for various terms as detailed in attachment 10.3.1.

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

**DETAILS:**

Total Investments for the period ended 31 March 2007 were \$17,495,252 compared with \$18,120,252 at 28 February 2007. At 31 March 2006, \$14,753,127 was invested.

Total accrued interest earned on Investments as at 31 March 2007:

	Budget	Actual	%
	\$	\$	
Municipal	370,000	393,174	106.26
Reserve	434,300	463,301	106.68

**COMMENT:**

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

The major contributing factor of the significant increase in funds held in investments over the level of funds held last year, is due to the receipt in November of the \$3.8M loan funds for the Underground Power Project these funds will be called down over the twelve month period of the project.

Mayor Catania and Cr Messina returned to the Chamber at 7.47pm and were advised that the Item had been carried as recommended.

Mayor Catania assumed the Chair.

**10.3.3 You're Welcome WA Access Initiative**

<b>Ward:</b>	Both	<b>Date:</b>	29 March 2007
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0161
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	J. Anthony		
<b>Checked/Endorsed by:</b>	M. Rootsey	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That Council APPROVES the implementation of the You're Welcome WA Access Initiative.*

Moved Cr Farrell, Seconded Cr Ker

*That the recommendation be adopted.*

Moved Cr Ker, Seconded Cr Farrell

*That the recommendation be amended to read as follows:*

*“That Council APPROVES the implementation of the You're Welcome WA Access Initiative with the addition of consideration of both web based and hard copy map information relating to accessibility including maps integrated into street furniture.”*

**AMENDMENT CARRIED (8-0)**

(Cr Torre was an apology.)

**MOTION AS AMENDED CARRIED (8-0)**

(Cr Torre was an apology.)

**COUNCIL DECISION ITEM 10.3.3**

*That Council APPROVES the implementation of the You're Welcome WA Access Initiative with the addition of consideration of both web based and hard copy map information relating to accessibility including maps integrated into street furniture.*

**PURPOSE OF REPORT:**

To provide information and gain approval for the implementation of the You're Welcome WA Access Initiative.

**BACKGROUND:**

You're Welcome WA Access Initiative is an initiative developed by Disability Services Commission in response to a need for information about accessible business and community services and facilities identified by people with disabilities, their families and carers.

The initiative was developed by the Commission in partnership with the City of Perth, Tourism Western Australia, the Western Australian Local Government Association (WALGA), People with Disabilities WA Inc, ACROD, NICAN and the Minister's Advisory Council on Disability Services.

The You're Welcome WA Access Initiative was piloted in the City of Perth and trialled in the City of Subiaco. It is proving to be a unique and valuable tool to assist in creating Western Australia as an accessible state and to assist business and community to tap into the rapidly expanding market for accessible attractions, services and facilities.

You're Welcome WA Access Initiative provides Local Governments and local communities with an opportunity to provide clear access information about their local facilities and amenities to people of all ages and abilities living in or visiting their locality.

You're Welcome WA Access Initiative creates inclusive accessible communities through three key strategies:

Strategy 1

- Collecting accurate access information so that people with disabilities know how to access local business and community attractions, services and facilities.

Strategy 2

- Developing and maintaining easy-to-obtain online access information to publicise community business and attractions.

Strategy 3

- Providing practical information to assist business and community groups expand their customer base by making their services more access friendly.

Each participating Local Government will be supplied with a You're Welcome Partners Pack that includes comprehensive resource information.

The State Government, through the Disability Services Commission, has committed \$700,000 in non-recurrent funds (GST inclusive) to assist Local Governments to implement You're Welcome in partnership with their local communities, the Disability Services Commission and the Western Australian Local Government Authority (WALGA).

The grant program is administered by WALGA.

The funding is offered, via a Grant Agreement, to Local Governments who demonstrate a sound understanding of the You're Welcome WA Access Initiative and willingness to fulfil their responsibilities as You're Welcome partners.

The grant money will be used by Local Governments to assist them to gather and provide You're Welcome access information about local attractions and facilities. Local Governments could achieve this in differing ways according to local situations and preferences.

Joint ventures between Local Government and their local communities are encouraged and will be considered by the evaluation committee.

**DETAILS:**

The Town of Vincent and Workability worked together to prepare a submission for the funding programme and was successful in attaining \$20,000 to employ a project officer to develop and undertake the initiatives listed as part of the project.

The proposed project officer would be employed to promote and support local businesses regarding access issues for people with disabilities.

This exciting project will help meet the needs of the 20% of people in the Town of Vincent especially those sub-groups comprising of indigenous, culturally and linguistically diverse members with a disability and increase the number of tourists accessing business and community activities.

The Town's Disability Officer regularly receives feedback from clients on the lack of access initiatives that are practiced by local businesses which range from physical access, employment opportunities and appropriate customer service initiatives. Such a programme would assist in addressing and assisting businesses in a constructive manner which will capitalise on motivational strategies to get businesses involved in access.

The following outcomes will be achieved:

- The business community will be provided with the opportunity to develop new markets;
- People with disabilities in the Town of Vincent will have the opportunity to gain better access to local businesses and facilities;
- Community members with disabilities will have increased opportunities to find employment;
- Tourists will have increased opportunities to access local facilities in the TOV;
- The You're Welcome Information packages will be uploaded onto the Town of Vincent and Workability websites increasing accessibility profile; and
- Achieve increased levels of community awareness for people with disabilities.

Current research conducted by the Town indicates many local businesses are unaware of the current access standards / regulations. The You're Welcome Initiative grant is ideally suited to meet this need. The introduction of the following strategies will assist in sustaining the initiative.

- Businesses and community groups participating will be recognised on the Town and Workability website;
- A yearly Socially Responsible Businesses recognition event in the Town;
- Continued promotion of the **You're Welcome WA Access Initiative packages** through the Town and Workability marketing distribution channels.

The project timetable is listed as below;

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8
<b>Project Administration</b>								
Recruit and employ coordinator	→							
Preparation of brief, project timetable and reporting procedure		→						
Progress Reports			→	→	→	→	→	→
<b>Background and Preliminary Research</b>								
Review relevant literature, existing reports and demographic information		→	→					
Identify target group of businesses and develop database		→	→					
Develop set of questions for businesses consultation			→					
Identify current and future trends of business needs and priorities in context of accessibility issues			→					
<b>Consultation</b>								
Meet with relevant agencies and identified stakeholders			→	→	→	→		
Meet with Universal Access Advisory Group		→	→	→	→	→	→	
Meet with business proprietors		→	→	→				
Meet with relevant precinct groups to discuss study and gain input		→	→	→				
Promotion in Local Newspaper through media releases		→	→	→	→	→	→	
<b>Training Development</b>								
Prepare inventory of accessible businesses and facilities within Town				→	→			
Comparative analysis of training programmes and assistance programmes					→	→		
<b>Information analysis and dissemination</b>								
Review and analyse feedback from consultation					→	→		
Review and action feedback from reports on inaccessible businesses						→	→	

Assessment of the capacity to continue the project in the long term								→
Report to stakeholder groups								→
Develop website material and launch								→
Recommend strategies for future action								→
<b>Report</b>								
Complete final report								→

**CONSULTATION/ADVERTISING:**

The project methodology involves consultation with stakeholders and businesses to ensure that issues of access and inclusion are embraced as per the objectives of the project.

Evaluation forms will be used to gain feedback from businesses and agencies involved in the programme. Community feedback will be analysed using comparative data to evaluate the effectiveness of the strategies in adopting accessible strategies.

**LEGAL/POLICY:**

Nil

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2006-2011 Community Development  
Objective “3.1 Enhance community development and wellbeing”

“3.1.4 Continue implementation on the principles of universal access.”

**FINANCIAL/BUDGET IMPLICATIONS:**

The grant funding provided totals \$20,000. In-kind support will be required to be provided by the Town eg a workstation with computer equipment, use of Council vehicles during work hours etc. The provision of the grant would also require matching funding of \$8000. This will be expended from the Community Development Programme account with the money expended over two financial years.

**COMMENTS:**

The Town of Vincent and Workability website will promote and feature information and materials for the programme. In-house consultants will be used to manage the data entry and output for the purposes of web promotional strategies.

The Town of Vincent has ongoing partnership arrangements with service agencies such as Workability, Recreation Network, TADWA, BeeHive Industries and Carer's Association to ensure that its services are meeting the needs and expectations of people with disabilities living in and visiting the Town of Vincent.

The Disability Officer has ongoing liaison with Local Area Coordinators to ensure that individuals are accessing appropriate services and facilities to maintain a high quality of life. This relationship has been in existence for over ten years with the Town taking an active role in ensuring that all its services and facilities are accessible to people with disabilities. The Town has also engaged in training sessions for staff to ensure that customer service standards meet the needs of customers with disabilities.

**10.3.4 Seniors Strategy - Neighbour Day Campaign**

<b>Ward:</b>	Both	<b>Date:</b>	30 March 2007
<b>Precinct:</b>	All	<b>File Ref:</b>	CVC0038
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	J Symons		
<b>Checked/Endorsed by:</b>	J Anthony /M Rootsey	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *APPROVES a community Neighbour Day Campaign as part of the Town of Vincent Seniors Strategy at an estimated cost of \$5,000; and*
- (ii) *ENDORSES the last Tuesday in May 2007 as “Say G’Day Vincent Day” as the commencement of this campaign.*

**COUNCIL DECISION ITEM 10.3.4**

**Moved Cr Farrell, Seconded Cr Doran-Wu**

*That the recommendation be adopted.*

**Debate ensued.**

**CARRIED (8-0)**

**(Cr Torre was an apology.)**

**PURPOSE OF REPORT:**

To obtain the approval of a community Neighbour Day Campaign.

**BACKGROUND:**

A Seniors Forum on Personal/Home Safety was held in April 2005 as part of Stage 2 of the Seniors Strategy Study. A compact facilitation session was held with the seniors to assess the broad range of issues that were important to them. Safety in the home and in the neighbourhood was highlighted as major concerns along with having a sense of community in the neighbourhood.

One of the findings from the consultation process was that senior’s who knew their neighbours well with an established on going relationship, were the ones who felt safer living in their neighbourhoods. As a result an action item recommended from the forums was to encourage seniors in particular to know their neighbours and have contact details for them.

**DETAILS:**

TAFE at Mount Lawley have entered into collaboration with the Town where the Diploma of Community Welfare Work students are working on the senior's projects as part of their practical course requirements. Students have researched the various neighbourhood initiatives by Councils across Australia. They presented the idea for a *Say G’day Vincent Day* campaign to the Seniors Advisory Group 12 March 2007. The strategy is based on the National Neighbourhood Day campaign, the suggestion was given support and encouragement by the Seniors Advisory Group.

The last Sunday in March is National Neighbour Day. The purpose of the day is to encourage people to introduce themselves to their neighbours as an initial step in developing caring, safer communities.

Neighbour Day started in Melbourne in 2003 after the remains of an elderly woman was found in her suburban home two years after she had died. The idea to nominate a day where neighbours are encouraged to introduce themselves came as a result of a letter to the editor published in *The Age* following this incident.

National Neighbour Day requires participants to do the following:

- say G'Day to your neighbours
- make a special effort to introduce yourself to older residents in your street and anyone who lives alone
- leave your mobile and home telephone number for use in an emergency
- agree to keep in contact

The impetus for the National Neighbour Day came from the European Neighbours Day that began in Paris in 1990 after a similar tragedy involving an elderly lady that had not been found until some months after her death. European Neighbours Day is held on the last Tuesday of May each year. European Neighbours Day has become a major social event in 22 countries. In 2006 over 6 million people in 580 towns and social housing hosted gatherings all over Europe

The TAFE students have devised a community awareness strategy called Say G'Day Vincent Day. The idea is based on the National Neighbours Day although given the number of allocated projects scheduled in March, the campaign is planned to take place on the European Neighbours Day set for the last Tuesday of May 2007.

The aim of the project is to broaden the circle of friends and acquaintances of the citizens of the Town of Vincent, particularly the senior citizens.

The campaign includes the production of a leaflet, posters community, announcements and newspaper advertisements.

The suggestions provided by the TAFE students could provide the basis from which a more substantial campaign could be developed. The campaign, managed by Community Development would be more target group specific with a particular focus on seniors and the disadvantaged.

#### **STRATEGIC IMPLICATIONS:**

Strategic Plan 2006-2011 Objective “3.1 Community Development”  
“3.1.2 (a) Continue the implementation of the Seniors Strategy”

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

An amount of approximately \$5000 would be expended from the Seniors Study account.

**COMMENTS:**

A major issue of concern of local seniors that was identified during community consultation as part of the Seniors Strategy was safety in the home and in the neighbourhood along with having a sense of community in the neighbourhood.

One of the suggestions from the senior's facilitation to combat this concern was to encourage residents to have contact with their neighbours so that they had someone to contact in an emergency and people who knew their movements enough to know when something was wrong. As a result the seniors felt that this increased sense of community would make them feel safer.

Neighbour Day campaigns are held around the world and have been growing in popularity since their inception in Paris in 1990.

**10.4.2 Loftus Centre Redevelopment, 99 Loftus Street, Leederville - Progress Report No. 13**

<b>Ward:</b>	South	<b>Date:</b>	5 April 2007
<b>Precinct:</b>	Oxford Centre; P4	<b>File Ref:</b>	RES0061
<b>Attachments:</b>	001		
<b>Reporting Officer(s):</b>	John Giorgi		
<b>Checked/Endorsed by:</b>	-	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council RECEIVES the Progress Report No. 13 as at 5 April 2007, relating to the Loftus Centre Redevelopment, 99 Loftus Street, Leederville.*

**COUNCIL DECISION ITEM 10.4.2**

**Moved Cr Farrell, Seconded Cr Messina**

*That the recommendation be adopted.*

Debate ensued.

Journalist - Chris Thomson left the meeting at 8.00pm.

**CARRIED (8-0)**

(Cr Torre was an apology.)

**PURPOSE OF THE REPORT:**

The purpose of the report is to update the Council on the progress of the Loftus Centre Redevelopment, 99 Loftus Street, Leederville.

**BACKGROUND:**

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

**PROGRESS OF WORKS**

**Documentation**

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

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

2. Gymnastics WA- Lease

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

3. Financial Assistance Agreement (FAA)

The Financial Assistance Agreement between the Town and the State Government was signed on 6 March 2007. The Minister for Sport and Recreation has now also signed the FAA and payment of the \$1.7 million (of the \$3.7 million agreed funding) to the Town is expected prior to the Easter Break.

4. Building Contract with Perkins Builders

Perkins Builders have verbally accepted the Town's tender, as approved by the Council on 23 January 2007. The Contract is currently with Perkins Builders, awaiting signing.

5. Bill of Quantities

The priced Bill of Quantities and trade breakdown is currently being finalised and is to be provided by early April 2007.

6. Library Board of Western Australia

The plans have been submitted to the Library Board of Western Australia for approval and verbal feedback has been most positive. Written approval is anticipated in the forthcoming weeks.

**Program and Progress**

The Builder accepted possession of the site on 6 March 2007 and site works commenced immediately. The site has been adequately fenced and secured.

A construction program for Stage 1 works was provided on 20 February 2007.

Weekly meetings between the Builder, Consultants, Architect and Town are held. In addition, site inspections are carried out as required.

Progress payment dates have been agreed between the Town and the Builder, as recommended by the Project Quantity Surveyor.

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

**Architectural Services**

The construction drawings have been provided and updated where necessary.

**Construction - (See Photographs)**

The earthworks are currently in progress. The sand on the site will be used to fill areas and adjust the soil levels.

The builder has advised the Town of a cost variation which involves removal of some unsuitable soil near the retaining walls.

The Town's bore water is being used for dust suppression as this is considered environmentally appropriate.

The underground car park and footings for the Library have commenced.

It is pleasing to note that, apart from several complaints concerning early commencement of trades and large truck movement - which were promptly addressed by the Builder - no other complaints have been received. Positive feedback has been received from East Perth and Subiaco Football Clubs concerning the construction works.

### **Structural and Civil Engineering**

The retaining walls between the Loftus Centre and Leederville Oval Reserve have been revised; adjustments have been necessary, due to differing ground levels. The Town's Technical Services Division is liaising with the Builder to adjust the pathways. In addition, a cost is being obtained from the Builder to carry out necessary works between the southern boundary of the Centre and the Leederville Child Care Centre - cost savings may be achieved whilst the Builder's limestone contractors are working in this area.

### **Hydraulic Services**

The installation of on site tanks has been necessary for the Builder's toilets, as connection to the sewer has not been possible at this stage. This is at no additional cost to the Town.

### **Electrical Services**

During site construction works, the main cable to the Centre was accidentally severed by a sub-contractor which resulted in the Centre being without power and telephones for two and a half days. This cable was repaired at the Builder's cost. A claim has been received from Belgravia Leisure for approximately \$6,000 for their losses and has been referred to the Builder's insurers.

Fortunately, the Recreation Centre, Library and Community Centre were able to continue to operate without too much inconvenience. The Town did not suffer any financial losses.

### **Mechanical Services**

A Mechanical Services Contractor is currently being nominated and the Town will be advised accordingly.

### **Interim Car Park Works**

The interim car park works were carried out in February 2007 by the Town's Technical Services Division, at an estimated cost of approximately \$120,000 (which is below the estimate of \$133,000). This work comprised;

- The installation of additional parking bays along the northern and eastern sections of the existing car park - this involved the removal of several trees along the east portion. (These trees were assessed by the Town's Parks Services and were not considered significant); and
- Removal of all the existing median islands, trees in a poor state and vegetation to enable the car park to be reconfigured to achieve additional parking bays. A number of trees have been retained and it is envisaged that the car park layout will be revised to accommodate these trees, if possible.

### **Public Art**

An in-house Working Group has been formed to progress public art for this project. A further report will be submitted to the Council during 2007.

### **Matters still to be addressed**

1. Building External Cladding - Luxalon

The Project Architect is currently investigating this material and suitable alternative options. This investigation will also include the embodied energy required to manufacture and install the various cladding materials.

2. Options to minimise the Operating Deficit

The Council requested a report on the findings to minimise the operating deficit to be submitted no later than March 2007, however due a lack of resources, investigation of this matter is still in a preliminary stage. Cost options currently being explored include;

- Investigation of energy efficient fixtures and fittings, e.g. lights, hot water, air conditioning;
- Investigation of introduction of costs, e.g. Library coffee vending machine;
- Investigation of sponsorship, including naming rights, external signage on the Recreation Centre facing Leederville Oval (a verbal offer of \$20,000 per year for a large sign has been indicatively proposed);
- Investigation of Government grants and funds, e.g. Healthways, Lotteries, Heart Foundation, State Library Services;

### **Co-ordinator Major Projects**

On 16 March 2007, the Co-ordinator Major Projects proceeded on six months' leave without pay (as opposed to resigning outright) for personal reasons.

The role of Co-ordinator Major Projects is currently being carried out by the Executive Manager Technical Services and Chief Executive Officer, with assistance from Town Officers. This will continue until a suitable replacement has been found.

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

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

### **LEGAL/POLICY IMPLICATIONS:**

N/A.

### **STRATEGIC IMPLICATIONS:**

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

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

The Town's Executive Manager Corporate Services is currently calling quotations for the Town's loans. Once these have been received and evaluated, the most suitable loan will be approved. The first progress payment to the Builder is due in early April 2007.

The Town will receive \$1.7 million from the State Government as first progress payment of the Financial Assistance Agreement (due prior to the Easter break).

**COMMENTS:**

The Loftus Centre Redevelopment Project has commenced in a most satisfactory manner. Good progress is being made and no major problems have occurred or been identified at this stage. Monthly progress reports will be provided to the Council as the project progresses.

The Minister for Sport and Recreation visited the Town on 5 April and carried out an inspection of the Loftus Centre building site.

**10.4.4 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	4 April 2007
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	001		
<b>Reporting Officer(s):</b>	A Smith		
<b>Checked/Endorsed by:</b>	John Giorgi	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Information Bulletin dated 10 April 2007, as distributed with the Agenda, be received.*

**COUNCIL DECISION ITEM 10.4.4**

**Moved Cr Farrell, Seconded Cr Messina**

*That the recommendation be adopted.*

**Debate ensued.**

**The Chief Executive Officer was requested to:**

- (i) **provide a report to the next meeting of Council concerning the number of developments which had “cash-in-lieu” requirements imposed and whether these had been paid (refer IB02);**
- (ii) **provide a report concerning “60kph Speed Limits in the Town” - Notice of Motion approved at OMC 24 August 2004 (refer IB11); and**
- (iii) **provide an updated Register of State Administrative Tribunal Appeals (refer IB15).**

**CARRIED (8-0)**

**(Cr Torre was an apology.)**

**DETAILS:**

The items included in the Information Bulletin dated 10 April 2007 are as follows:

<b>ITEM</b>	<b>DESCRIPTION</b>
IB01	Letter from Rodger Kohn, Team Leader Schemes and Amendments (Western Australian Planning Commission) – Town of Vincent Town Planning Scheme No. 1 – Amendment No. 24. PLA0177 (853/2/33/2 P24)
IB02	Letter from the State Administrative Tribunal enclosing reasons for decision and orders. Austgold Holding Pty Ltd v Town of Vincent (566-570 Beaufort Street)
IB03	Letter from the Office of the Electoral Distribution Commissioners – New Western Australian Electoral Boundaries
IB04	Letter from Shire of Murray – Dwellingup and Coolup Bush Fire Relief – Letter of Appreciation

<b>ITEM</b>	<b>DESCRIPTION</b>
IB05	Safer Vincent Crime Prevention Partnership – Minutes of Meeting held on 7 March 2007
IB06	Hyde Park Lakes Restoration Working Group – Minutes of Meeting held on 26 March 2007
IB07	Letter from North Perth Bowling & Recreation Club Inc – 100 <sup>th</sup> Birthday Celebrations – Letter of Appreciation
IB08	Letter from Subiaco Football Club Inc – Loftus Centre Redevelopment – Letter of Appreciation
IB09	Letter from Western Australian Local Government Association – Notice of Annual General Meeting 2007
IB10	Register of Petitions - Progress Report - April 2007
IB11	Register of Notices of Motion - Progress Report - April 2007
IB12	Register of Reports to be Actioned - Progress Report - April 2007
IB13	Notice of Forum - 17 April 2007
IB14	Register of Legal Action
IB15	Register of State Administrative Tribunal Appeals

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

Nil.

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

**12.1 WALGA Nominations – Caravan Parks & Camping Grounds Advisory Committee; Control of Vehicles (Off-Road Areas) Act Advisory Committee; Needle and Syringe Disposal Strategy Working Party; WA Local Government Grants Commission**

<b>Ward:</b>	-	<b>Date:</b>	4 April 2007
<b>Precinct:</b>	-	<b>File Ref:</b>	ORG0045
<b>Attachments:</b>	001		
<b>Reporting Officer(s):</b>	M McKahey		
<b>Checked/Endorsed by:</b>	John Giorgi	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That;*

- (i) \_\_\_\_\_ *be nominated as WALGA Metropolitan Member - Caravan Parks & Camping Grounds Advisory Committee (Panel of 3 Names) (Ministerial Approval);*
- (ii) \_\_\_\_\_ *be nominated as WALGA Metropolitan Member - Control of Vehicles (Off-Road Areas) Act Advisory Committee (Panel of 3 names) (Ministerial Approval);*
- (iii) \_\_\_\_\_ *be nominated as WALGA Deputy Member - Control of Vehicles (Off-Road Areas) Act Advisory Committee (Panel of 3 names) (Ministerial Approval);;*
- (iv) \_\_\_\_\_ *be nominated as WALGA Member - Needle and Syringe Disposal Strategy Working Party (Serving Officer); and*
- (v) \_\_\_\_\_ *be nominated as WALGA Member - Metropolitan Deputy Commissioner - WA Local Government Grants Commission (Panel of 3 Names per Position) (Approval by Minister).*

**COUNCIL DECISION ITEM 12.1**

**Moved Cr Chester, Seconded Cr Messina**

*That nil nominations be made.*

**CARRIED (8-0)**

(Cr Torre was an apology.)

**DETAILS:**

Please see Appendix 12.1 for details.

**N.B.:**

**NOMINATIONS CLOSE COB FRIDAY 11 MAY 2007**

**13. URGENT BUSINESS**

Nil.

**14. CONFIDENTIAL REPORTS (Behind Closed Doors)**

At 8.11pm Moved Cr Ker, Seconded Cr Messina

*That the meeting proceed "behind closed doors" to discuss Late Item 14.1 as it a matter affecting an employee or employees.*

**CARRIED (8-0)**

(Cr Torre was an apology.)

**14.1 CONFIDENTIAL REPORT: LATE ITEM - Staff Establishment**

<b>Ward:</b>	-	<b>Date:</b>	10 April 2007
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0018
<b>Attachments:</b>	001		
<b>Reporting Officer(s):</b>	John Giorgi		
<b>Checked/Endorsed by:</b>	-	<b>Amended by:</b>	-

***OFFICER RECOMMENDATION:***

*That the Council;*

- (i) pursuant to section 5.23(2) of the Local Government Act 1995 and clause 2.15 of the Town of Vincent Local Law Relating to Standing Orders, proceeds "behind closed doors" at the conclusion of the items, to consider the confidential report, circulated separately to Elected Members, relating to Staff Establishment, as the matter contains a matter affecting an employee or employees; and*
- (ii) AUTHORISES the Chief Executive Officer to make public the Confidential Report, or any part of it, at the appropriate time.*

**COUNCIL DECISION ITEM 14.1**

Moved Cr Messina, Seconded Cr Farrell

*That the Council;*

- (i) RECEIVES the report relating to the staff establishment as at 10 April 2007;*
- (ii) NOTES;*
  - (a) the action taken by the Chief Executive Officer as outlined in the report;*
  - (b) that the high turnover of professional/technical staff, if not addressed in the long term, will have an impact on the delivery of services by the Town;*

- (iii) **APPROVES BY AN ABSOLUTE MAJORITY;**
- (a) *the purchase of a small sedan for the Town's Planning Services at an estimated cost of \$22,000;*
  - (b) *the purchase of a small sedan for the Town's Building Services at an estimated cost of \$22,000;*
  - (c) *the creation of a new position of "Administration Officer - Planning, Building and Heritage Services" at an estimated cost of \$50,000 per annum, plus computer and equipment - \$3,500; and*
- (iv) **LISTS for consideration in the 2007/08 Draft Budget an amount of 5% increase for all employee salaries (other than the Chief Executive Officer, Executive Managers and Section Managers).**

**CARRIED BY AN ABSOLUTE MAJORITY (7-0)**

**(Cr Torre was an apology. Cr Farrell was absent from the Chamber and did not vote.)**

**The Chief Executive Officer has determined that the report be made public except for the employee information.**

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**PURPOSE OF REPORT:**

The purpose of this report to advise the Council of the recent high turnover of professional/technical staff and to seek approval for the purchase of two (2) additional vehicles and one (1) additional employee.

**BACKGROUND:**

**Employee Turnover**

The Town's employee turnover is reported on an annual basis as part of the Chief Executive Officer's Annual Performance Appraisal. This reveals that generally across the board, the employee turnover since 2000/01 to 2005/06 has been 12.8%. During 2005/06, it rose to 16%. For the first part of 2006/07, the turnover was considered relatively low, however since January 2007, the turnover has increased to an unacceptable and unsustainable high rate.

**DETAILS:**

The following is an example of staff movement throughout the organisation.

*\*\* Information to remain confidential*

**Employee Marketplace:**

The current chronic shortage of suitable Professional/Technical Officers and, in particular, Planning Officers, continues to be of concern for the Town and the local government industry as a whole. This has resulted in a highly mobile workforce, with a large number of Officers and in particular, Planning Officers, being recruited to the private sector, attracted by the higher salaries. It is expected that this will continue whilst the current economic climate/resources boom continues.

The Town's situation has been exacerbated by several other local governments and private sector companies continuing to attempt to "headhunt" the Town's experienced Planning Officers and Building Surveyors. This has necessitated an ongoing review of the Town's situation.

**Action Taken to Minimise Employee Turnover:**

To minimise employee turnover, the Chief Executive Officer and Executive Managers are continually reviewing and monitoring the workplace environment and, in particular, the following;

1. reviewing salary levels and implementing over-award payments where necessary to key employees, where justified;
2. reviewing workload, procedures and practices to minimise duplication and ease employee stress; and
3. reviewing administrative practices and procedures and reallocating these to support staff, where practicable.

**Maintaining Competitiveness:**

In addition to the above action to minimise employee turnover, the Chief Executive Officer recommends the following:

1. The creation of a position of Senior Planning Officer (Statutory) at a salary level of \$54,544 to \$62,037, plus vehicle. This position is not an additional position and can be filled by an internal promotion. This has the advantage of providing a career path for Planning Officers and also, assisting the Co-ordinator Statutory Planning (Principal Planning Officer (Statutory)).

Recent salaries offered by other local governments are as follows;

City of South Perth	\$51,000 to \$64,200
City of Perth	\$49,235 to \$62,300
Town of Victoria Park	\$46,588 to \$54,164, <i>plus vehicle</i>

2. The purchase of a small vehicle for use by the Town's Building Surveyor.
3. Employment of an additional Administration Officer at a salary level of \$40,639 to \$46,415 to assist the Planning, Building and Heritage Services Section.

**STATUS REPORT - DEVELOPMENT APPLICATIONS**

Despite, the employee turnover and leave situation, the Planning, Building and Heritage Services section has made a tremendous effort in substantially reducing the amount of outstanding planning applications, by over 43 per cent in a five (5) months period, as demonstrated in the following tables:

As at 27 October 2006, a total of 145 planning applications had not been determined. Details are as follows:

Category	1	2	3	4	Total	Applications received 21/10/2006 to 27/10/2006
Proportion of Planning Application	10 (6.90%)	17 (11.72%)	104 (71.72%)	14 (9.66%)	145 (100%)	6

As at 30 March 2007, a total of 82 planning applications had not been determined. Details are as follows:

Category	1	2	3	4	Total	Applications received 26/03/2007 to 30/03/2007
Proportion of Planning Application	3 (3.65%)	14 (17.08%)	43 (52.44%)	22 (26.83%)	82 (100%)	7

Feedback from the Town's Planning Officers has revealed that the reduction in the number of development applications has been primarily due to the delegations approved by the Council in August 2006 (and re-adopted in December 2006). This has resulted in the following;

1. More manageable and sustainable processing of planning applications and overall work load.
2. Noticeable lift in Officer morale and optimism, which in turn is engendering a more attractive and inviting work environment.
3. A decrease in negative feedback from applicants in the exercise of the additional delegation.

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

The Chief Executive Officer is responsible for the day-to-day management of the local government and including employment, management and supervision of employees.

However, the purchase of two (2) additional vehicles and the creation of an employee position require the approval of the Council as additional funds will be required.

An absolute majority decision of the Council is therefore required.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2006-2011– Strategic Objectives: Leadership, Governance and Management:  
Objective 4.2 *"Provide a positive and desirable workplace"* and, in particular, Action 4.2.3 - *"Promote employee satisfaction and wellbeing, and a safe and positive workplace"* and 4.2.4 - *"Attract and retain quality employees"*.

**FINANCIAL/BUDGET IMPLICATIONS:**

The costs associated with the above Officer Recommendation will be as follows;

1. Vehicle Purchase - \$22,000 each;
2. Annual Vehicle Operating Costs of approximately \$7,500 (including depreciation);
3. Administration Officer - approximately \$50,000, plus computer and phone/equipment - \$3,500.

These costs can be met from the existing budget due to the following;

1. Increased revenue from parking;
2. Cost savings from employee vacant positions;
3. Cost savings from employees on leave without pay.

As part of the Town's annual review of salaries, it is recommended that a 5% increase in salaries be listed for consideration in the Draft Budget 2007/08. Precise costs will be prepared for consideration during the adoption of the Budget.

Employee turnover is a real cost to an organisation. The Human Resource industry has reported that the loss of a junior employee is estimated to cost approximately \$10,000; middle management employee - approximately \$10,000 to \$25,000 and a senior employee - \$25,000 to \$40,000.

**COMMENTS:**

The Chief Executive Officer considers it essential that the Town maintain its competitiveness in the marketplace, particularly when it involves professional/technical staff. Accordingly, the Council's approval of the Officer Recommendation is requested.

At 8.50pm **Moved Cr Ker, Seconded Cr Messina**

*That an "open" meeting be resumed.*

**CARRIED (7-0)**

**(Cr Torre was an apology. Cr Farrell was absent from the Chamber and did not vote.)**

**15. CLOSURE**

**The Presiding Member, Mayor Nick Catania, JP, declared the meeting closed at 8.50pm with the following persons present:**

Mayor Nick Catania, JP	Presiding Member
Cr Simon Chester	North Ward
Cr Helen Doran-Wu	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Maddalena Torre	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental and Development Services
Mike Rootsey	Executive Manager, Corporate Services
Rick Lotznicker	Executive Manager, Technical Services
Annie Smith	Minutes Secretary

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 10 April 2007.

Signed: .....Presiding Member  
Mayor Nick Catania, JP

Dated this ..... day of ..... 2007