



TOWN OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

26 OCTOBER 2010

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(iii)	WALGA Member - Fluoridation of Public Water Supplies Advisory Committee (Ministerial Appointment - Panel of 3 requested);	
(iv)	WALGA Member (x2) - FESA Bush Fire Brigade Capital Grants Committee (At least one Member must be non-metropolitan), (Ministerial Appointment - Panel of 4 requested); and	
(v)	WALGA Member (x2) - FESA Fire Emergency Service Capital Grants Committee (At least one Member must be non-metropolitan), (Ministerial Appointment - Panel of 4 requested).	

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	Nil.	124
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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 26 October 2010, commencing at 6.00pm.

1. DECLARATION OF OPENING

The Presiding Member, Deputy Mayor Cr Sally Lake, declared the meeting open at 6.01pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Mayor Nick Catania – apology due to work commitments.
Cr Anka Burns – apology – arriving late due to family commitments.
Cr Steed Farrell – apology – will need to depart the meeting to attend a Student Citizenship Award (Council business) at approximately 8.00pm.
Director Corporate Services, Mike Rootsey – apology – currently on long service leave.

(b) Present:

Cr Sally Lake (<i>Deputy Mayor</i>)	Presiding Member
Cr Matt Buckels	North Ward
Cr Anka Burns	South Ward (from 6.18pm)
Cr Steed Farrell	North Ward (until 7.55pm)
Cr Taryn Harvey	North Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Jacinta Anthony	A/Director Corporate Services
Anita Radici	Executive Assistant (Minutes Secretary)
David Beattie	Senior Records Officer – Recipient of Employee of the Month Award (until 6.33pm)
Lauren Peden	Journalist – “ <i>The Guardian Express</i> ” (until approximately 8.40pm)
David Bell	Journalist – “ <i>The Perth Voice</i> ” (until approximately 6.40pm)

Approximately 16 Members of the Public

(c) Members on Approved Leave of Absence:

Nil.

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

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

1. John Viska of 148 Chelmsford Road, North Perth – Item 9.2.3. Stated that he is a long term resident of over 30 years in Chelmsford Road and over the previous few years has noticed an increase in parking congestion and traffic in the Street. In August 2009 he complained to the Town about the parking problems in the Street, which he believes is caused by the commercial activities in the area. The problem became worse in October 2009 after the business at 330 Fitzgerald Street commenced. Believes the western sector of Chelmsford Road is affect in the late evenings by the nearby Yoga business, whilst the eastern sector is affected during the day and afternoon. Requested that the Council consider introducing trial restrictions in Chelmsford Road.
2. Sandra Kuba of 150 Chelmsford Road, North Perth – Item 9.2.3. Stated that she is a long term resident of Chelmsford Road. Spoke about a traffic incident which occurred in her Street earlier today. Stated that she does not have a problem with short-term parking however, over the previous few years she has noticed an increase in all day parking in the Street. Requested that the Council consider introducing restrictions and/or residential parking permits in Chelmsford Road.
3. Cecily Gilbert of 23 Anzac Road, Leederville member of the Claise Brook Catchment Group, a locally based volunteer organisation raising community awareness and involvement in inner city and environmental issues. Presented the Town with a cheque for the value of \$1,375 for the purpose of the prize money for the Catchment Friendly Garden Category for the Annual Town of Vincent Garden Awards. Stated the Catchment Friendly Garden Category recognises those residents' gardens that have low fertiliser and water requirements and provide natural habitat for the local fauna. Stated the group sees the encouragement of such gardens important for improving the quality of service and ground water resources in the Town, improving local natural habitat values and increasing public awareness of the beauty and value of such gardens and the benefits they provide. Thanked the Water Corporation who have provided the funding to the Group for the purpose of the garden prize and have done so on an annual basis for a number of years.
4. Matt Stack of 58 Federation Street, Mt Hawthorn – Item 9.1.3. Stated he is an architect and owner of the property in question. Thanked the Town's Officers for their support and requested the Council approve of the Recommendation.
5. Chris Green of 176 North Beach Road, Gwelup – Item 9.3.4. On behalf of Mt Hawthorn Baptist Church, St Mary's Catholic Church, St Peter's Anglican, Uniting Church, Providence Church and Mt Hawthorn Community Church, stated that they are very pleased that the Council is supporting the event with a grant of \$1,000 however, requested an additional \$1,000 to offset the cost of the large stage.
6. Kylie Taylor of 144 Chelmsford Road, North Perth – Item 9.2.3. Stated that she has lived in Chelmsford Road for many years. Stated that parking has been an increasing problem and this causes difficulties to her and her family. Requested that the Council consider introducing restrictions and/or residential parking permits.

7. Stuart Lofthouse of 136, 130-132 and 123 Oxford Street, Leederville – Item 9.1.5. Objected to the proposed recommendation to approve of the Extended Trading Permit for the Leederville Hotel. Stated that he believed that the Hotel links in with the Leederville Masterplan. Stated he could not find the “yellow line” referred to in the General Notice – which depicts the outline of the licensed area. Queried why the Town is now not objecting to the matter when in 2007 there were a number of concerns. Queried why the Town’s administration had changed their position since it was considered by the Council in 2007 and also whether the premises are in keeping with the Leederville Masterplan objectives. Requested that the Council object to the Extended Trading Permit.
8. Peter Simpson of TPG, 182 St George’s Terrace, Perth – Item 9.1.5, Architect for the Application. Stated that the revised plans are considered to be a significant improvement to those presented to a recent Forum. Thanked the Town’s Planning Officers for their assistance and support. Stated that the development will be an improvement to the area and requested the Council to support the matter.
9. Debbie Saunders of 123 Oxford Street, Leederville – Item 9.1.5. Spoke against the proposed recommendation to approve of the Extended Trading Permit for the Leederville Hotel. Stated that there is only one set of public toilets in the area (in the car park behind IGA). Questioned if the Council will be extending the hours of the public toilets in accordance with the extra hour of trade.

The Presiding Member, Deputy Mayor Cr Sally Lake advised that this question will be answered during debate on the Item.

There being no further speakers, public question time closed at approx. 6.23pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Refer to IB10 – letter to Ms R.K. Kaur.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Meeting of Council held on 12 October 2010.

Moved Cr McGrath, Seconded Cr Maier

That the Minutes of the Ordinary Meeting of Council held 12 October 2010 be confirmed as a true and correct record.

CARRIED (8-0)

(Mayor Catania was an apology for the meeting.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Employee of the Month Award for the Town of Vincent for October 2010

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.

For OCTOBER 2010, the award is presented to David Beattie, Senior Records Officer in the Town's Records Section.

David was nominated by the Manager Information Technology, Hunrhu Kek as follows;

"David commenced at the Town of Vincent in November 2004. Since then he has displayed his positive attitude and firm commitment to the Town. He always ensures that Records tasks are completed within set timeframes, therefore, providing information required by other areas to complete their duties efficiently.

More recently, David applied and was successful in attaining the Senior Records Officer position. As Record keeping is a highly scrutinised area, David ensures the Town adheres to the guidelines set by the State Records Office.

His attention to detail when dealing with the growing complexity of Freedom of Information (FOI) requests is highly regarded."

David is a worthy recipient of the Employee of the Month award.

These comments were also previously endorsed by the Director Corporate Services, Mike Rootsey.

Congratulations David - and well done!

Received with Acclamation!

7.2 Pink Ribbon Day

As you may be aware, Monday 25 October 2010, was the Cancer Council's "Pink Ribbon Day".

Pink Ribbon Day is a national event which aims to help raise awareness about breast cancer, as well as raise funds towards research, education and patient support programs.

The Town again participated in this event, whereby the Social Club organised a morning tea for all employees held at the Town of Vincent Library and Local History Centre, where delicious pink cakes (and other pink foods) were consumed! Entry was by a gold coin donation.

An amount of \$154 was raised and the Chief Executive Officer confirms that this amount was matched with a donation from the Town.

7.3 Britannia Reserve and Litis Stadium Masterplan

I wish to remind everyone that Community Consultation for this matter is currently in progress and there are two Public Meetings scheduled as follows:

1. Date: Monday 1 November 2010
Time: 6.00pm
2. Date: Saturday 6 November 2010
Time: 10.00am

The venue for both meetings will be the Britannia Reserve Clubrooms located at the northern end of Britannia Reserve.

I am advised that the Town is currently receiving 10-12 submissions per day, with lots of positive feedback.

7.4 Special Council Forum

Please be advised that there is a Special Forum scheduled for Tuesday 2 November 2010 to consider the following items:

- Economic Development Strategy;
- Assessment of Council Meetings and Forums Format; and
- Review of Council's Community Consultation Policy.

8. DECLARATIONS OF INTERESTS

8.1 Cr Topelberg declared a Proximity interest in Item 9.2.3 – Proposed Introduction of a Two (2) Hour Parking Restriction in Nominated Streets Adjacent to Fitzgerald Street, North Perth – Further Report. The extent of his interest being that his primary residence is located on Leake Street, between Grosvenor Road and Chelmsford Road.

8.2 Cr Burns declared a Financial interest in Item 9.3.1 – Investment Report. The extent of her interest being that she is a shareholder and her father is a director in the North Perth Community Bank in which the Town has investment shares.

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

Nil.

10. REPORTS

The Presiding Member, Deputy Mayor Cr Sally Lake, requested that the Chief Executive Officer advise the meeting of:

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

Items 9.2.3, 9.1.3, 9.3.4, 9.1.5 and 9.1.1.

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

Items 9.1.1, 9.2.1, 9.4.1, 9.4.2, 9.4.4 and 9.4.6.

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

Items 9.2.3 and 9.3.1.

Presiding Member, Deputy Mayor Cr Sally Lake, requested Council Members to indicate:

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

Cr Farrell	Nil.
Cr Topelberg	Items 9.2.2, 9.3.5 and 9.3.6.
Cr Buckels	Nil.
Cr McGrath	Item 9.4.5.
Cr Harvey	Nil.
Cr Burns	Nil.
Cr Maier	Items 9.1.4 and 9.4.7.
Cr Lake	Nil

The Presiding Member, Deputy Mayor Cr Sally Lake, requested that the Chief Executive Officer advise the meeting of:

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

Items 9.1.2, 9.2.4, 9.3.2, 9.3.3 and 9.4.3.

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

Nil.

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

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

Items 9.1.2, 9.2.4, 9.3.2, 9.3.3 and 9.4.3.

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

Items 9.2.3, 9.1.3, 9.3.4, 9.1.5 and 9.1.1.

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

Moved Cr Burns, Seconded Cr McGrath

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

Items 9.1.2, 9.2.4, 9.3.2, 9.3.3 and 9.4.3.

CARRIED (8-0)

(Mayor Catania was an apology for the meeting.)

9.1.2 No. 47 (Lot 1; STR 21337) Eton Street, North Perth - Proposed Demolition of Existing Grouped Dwelling and Construction of Two-Storey Grouped Dwelling

Ward:	North	Date:	18 October 2010
Precinct:	North Perth; P08	File Ref:	PRO5176; 5.2010.389.1
Attachments:	001		
Reporting Officer:	T Cappellucci, Statutory Planning Officer		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by APG Homes on behalf of the owner R D Hartfield for proposed Demolition of Existing Grouped Dwelling and Construction of Two-Storey Grouped Dwelling, at No. 47 (Lot 1; STR 21337) Eton Street, North Perth, and as shown on plans stamp-dated 6 August and 22 September 2010, 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 from Eton Street;*
- (ii) *any new street/front wall, fence and gate within the Eton Street setback area, including along the side boundaries within this street setback area, shall comply with the Town's Policy provisions relating to Street Walls and Fences;*
- (iii) *no street verge tree(s) shall be removed. The street verge tree(s) shall be retained and protected from any damage including unauthorized pruning;*
- (iv) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site; and*
- (v) **PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the Town:**

(a) **Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the Town, addressing the following issues:

1. *public safety, amenity and site security;*
2. *contact details of essential site personnel;*
3. *construction operating hours;*
4. *noise control and vibration management;*
5. *Dilapidation Reports of nearby properties;*
6. *air and dust management;*
7. *waste management and materials re-use;*
8. *parking arrangements for contractors and subcontractors;*
9. *Consultation Plan with nearby properties; and*
10. *any other matters deemed appropriate by the Town;*

(b) Landscape and Reticulation Plan

A detailed landscape and reticulation plan for the development site and adjoining road verge shall be submitted to the Town's Parks and Property Services for assessment and approval.

For the purpose of this condition, a detailed landscape and irrigation plan shall be drawn to a scale of 1:100 and show the following:

- 1. the location and type of existing and proposed trees and plants;*
- 2. all vegetation including lawns;*
- 3. areas to be irrigated or reticulated;*
- 4. proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and*
- 5. separate soft and hard landscaping plans (indicating details of plant species and materials to be used).*

The Council encourages landscaping methods and species selection which do not rely on reticulation.

All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s); and

(c) Screening

The window on the southern elevation of the upper floor Bed 4, within the 4.5 metre cone of vision to the southern boundary being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No. 45 Eton Street, North Perth, stating no objection to the respective proposed privacy encroachment.

All screens provided shall comply with the definition of the Residential Design Codes 2008.

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

COUNCIL DECISION ITEM 9.1.2

Moved Cr Burns, Seconded Cr McGrath

That the recommendation be adopted.

CARRIED "EN BLOC" (8-0)

(Mayor Catania was an apology for the meeting.)

Landowner:	R D Hartfield
Applicant:	APG Homes
Zoning:	Residential R20
Existing Land Use:	Single House
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	674 square metres
Access to Right of Way	N/A

PURPOSE OF REPORT:

The proposal requires referral to the Council for determination, as there are a number of requested variations and the site is within the Eton locality. The matter therefore cannot be considered under delegated authority.

BACKGROUND:

No background directly relates to this proposal.

DETAILS:

The proposal involves the demolition of the existing grouped dwelling and the construction of a two-storey grouped dwelling.

This application is being referred to the Council as it involves a number of variations, three (3) objections were received during the community consultation process and the site is located within the former Eton Locality.

The applicant has submitted justification (attached) in support of the non-compliant issues for the proposal, which is also "*Laid on the Table*".

COMPLIANCE:

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Front Setbacks: Ground Floor	To be consistent with existing streetscape, in line with adjoining properties. Average of 5.4 metres.	Front setback to Eton Street is 4.04 metres to 5.93 metres. Average of 4.985 metres.
<i>Officer Comments:</i>		
Supported – The applicant has modified the front setback from 4 metres to 4.985 metres, which is consistent with the existing streetscape pattern of ground floor setbacks to Eton Street. At the same time, the amenity of neighbouring properties is maintained and the front setback allows sufficient room for additional landscaping within the front setback area.		
Front Setbacks: Garage	Garage to be setback 0.5 metre behind main building line.	Garage is in front of the dwelling.
<i>Officer Comments:</i>		
Supported – The neighbouring property at No. 31 Hobart Street (corner site) has a garage with a nil setback to Eton Street and new developments on the same side of the street at Nos. 25 & 37 Eton Street have their garages in front of the main building line of the dwelling.		
In addition, the garage does not present as a dominating feature to Eton Street given its orientation parallel to the street and, as the garage entry is accessed from the common property. A double set of doors has been added facing Eton Street at the side of the garage to avoid the impact of a blank wall, and with the upper floor balcony directly above the garage providing openness to the front elevation, these features ensure the garage does not visually dominate the site.		

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Front Setbacks: Upper Floor	Balcony to be setback a minimum of 1 metre behind ground floor. Upper floor to be setback a minimum of 2 metres behind ground floor.	Balcony is level with ground floor. Walk in Robe is 0.2 metre in front of ground floor.
<i>Officer Comments:</i>		
Supported – In support of this variation, it is noted that properties at Nos. 43, 37, 29 & 25 Eton Street have upper floor balconies which are either level or in front of the ground floor building line. In addition, given the varying finishes of the weatherboard cladding, contrasting render and timber capping with steel beams, along with the staggering of the balcony and walk-in robe walls, it is considered that the new development is consistent with adjoining dwellings, and it does not dominate the streetscape.		
Boundary Setbacks: Ground Floor Side (North) – Garage/Store	1 metre	0.15 metre
<i>Officer Comments:</i>		
Supported – Not considered to have an undue impact on the neighbouring property as No. 31 Hobart Street, given the garage/store wall proposed, adjoins a similar height wall.		
Side (South) – Stairs/Kitchen	1.5 metres	1 – 1.118 metres
<i>Officer Comments:</i>		
Supported – Not considered to have an undue impact on the neighbouring property, and no objection received from the directly affected neighbour.		
Boundary Setbacks: Upper Floor Side (South) – Bed 1/WIR Side (South) – Study Side (South) – Bath/Bed 3	2.5 metres 2.5 metres 1.2 metres	2.2 metres 1.8 metres 1 – 1.118 metres
<i>Officer Comments:</i>		
Supported – The setbacks proposed represent minor variations and are not considered to have an undue impact on the neighbouring property, and no objection received from the directly affected neighbour regarding this particular issue.		
Roof Forms:	The use of roof pitches between 30 degrees and 45 degrees being encouraged with the use of lower pitched roofs where they are compatible with existing development and streetscape.	6 degree timber barge and capping roof.
<i>Officer Comments:</i>		
Supported – The use of a lower pitched roof for this new dwelling ensures the roof does not unduly increase the bulk of the building in comparison to a higher pitched roof, while also not causing any undue overshadowing impacts onto the adjoining properties; in particular, No. 45 Eton Street, given the east-west orientation of the lot.		

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Privacy Setbacks: Upper Floor Side (South) – Originally Study (Now Bed 4)	4.5 metres	4.4 metres
<i>Officer Comments:</i>		
Not Supported – The affected neighbour has objected and while the setback has been increased from 4 metres to 4.4 metres, and the room changed from a study to bedroom 4, it is still within the cone of vision and considered to have an undue impact on the neighbouring property. A condition has been applied for the window to comply with the privacy requirements of the R Codes.		

The above Officer Comments are provided pursuant to Clause 38(5) of Town Planning Scheme No. 1

Consultation		
Item	Comments Received	Officer Comments
Support (0)	<ul style="list-style-type: none"> Nil. 	<ul style="list-style-type: none"> Noted.
Objection (3)	<ul style="list-style-type: none"> Object to privacy condition as windows overlook backyard and pool area. 	<ul style="list-style-type: none"> Not Supported – Windows on northern elevation, facing No. 31 Hobart Street, are compliant with privacy requirements.
	<ul style="list-style-type: none"> Object to any trees on verge being removed. 	<ul style="list-style-type: none"> Noted. Verge tree condition to be placed on Approval.
	<ul style="list-style-type: none"> Object to setbacks to southern property. 	<ul style="list-style-type: none"> Not Supported – The ground and upper floor setback variations to the southern property are not considered to have an undue impact on the neighbouring property, and no objection has been received from the directly affected neighbour regarding these variations. In addition, the common property width of 3.16 metres at No. 47 Eton Street, in addition to the side setbacks proposed, reduces any impact to the southern property.
	<ul style="list-style-type: none"> The existing driveway to house is very narrow and even with plants; it is difficult for larger vehicles to access my unit. 	<ul style="list-style-type: none"> Noted. Not an issue as this driveway is already existing and not being altered as part of this application.
	<ul style="list-style-type: none"> Space where plants are must be accounted for as well as allow access. 	<ul style="list-style-type: none"> Noted. Proposal is only building within the lot boundary of the subject property at No. 47 Eton Street.
	<ul style="list-style-type: none"> Consider privacy into my backyard. 	<ul style="list-style-type: none"> Supported in Part – Study window, now bed 4, has been modified to have a setback of 4.4 metres but still within the cone of vision and considered to have an undue impact on the neighbouring property. Condition applied for the window to comply with the privacy requirements of the R Codes. In respect of the balcony, the applicant has modified the plans so that the balcony on the southern elevation provides the required screening as per the R-Codes.
Advertising	Advertising for a period of 14 days was carried out as per the Town's Policy No. 4.1.5 – relating to Community Consultation.	

Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic	Nil.
Sustainability	Nil.
Financial/Budget	Nil.

COMMENTS:

Demolition

The subject dwelling at No. 47 Eton Street, North Perth is a fibro, weatherboard and iron residence constructed circa 1928 in the Interwar Cottage style of architecture.

The subject place is first listed in the WA Post Office Directories in 1928 and was occupied by George Dick. Since then, the subject dwelling has been transferred several times to new owners and occupiers.

The subject dwelling has a main iron hipped roof and a northern protruding front room. The front fascia of the dwelling, which was built of fibro sheets and weatherboard, has been painted in light natural colour. The front verandah features timber balustrades. A large area of the front yard has been paved.

The original back garden of the subject dwelling has been subdivided and accommodates a two storey residence numbered No. 47A Eton Street.

A preliminary heritage assessment, including an external inspection undertaken on 25 August 2010, indicates that the place has little aesthetic, historic, scientific or social heritage significance.

In accordance with the Town's Policy relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the Town's Municipal Heritage Inventory. As such, the place is considered to require no further investigation and that a full Heritage Assessment is not warranted in this instance.

Front Setbacks

The proposed two-storey grouped dwelling, located at the front of a duplex site, is located within the Eton Locality. In this locality, the houses have been built in a staggered arrangement such that, from north to south, the setbacks of dwellings are angled consistent with the angle of the lots. In this instance, the proposed front setback of 4.985 metres is not compliant with the average front setback of 5.4 metres. However, given the street runs at an angle to the north/south direction, and the lots are parallelograms in shape, this proposed front setback is deemed to be consistent with the front setback distances within the streetscape.

With regard to the garage and upper floor front setback variations, the intention of the former Eton Locality is to provide intact streetscapes. However, along this portion of Eton Street, the streetscape has seen some of the old dwellings demolished and replaced with new dwellings. As a result, new dwellings such as Nos. 25, 37, 43 and 45 Eton Street have upper floor front setbacks and garages constructed with setbacks inconsistent with the Residential Design Elements Policy. Given this new contemporary development at No. 47 Eton Street responds to this newly established character along this streetscape, the variations are supported.

The new grouped dwelling development does not result in a loss of privacy or amenity for existing residents, as a condition has been placed to address the privacy issue from the upper floor Bed 4 window towards the southern boundary. In addition, the dwelling proposes setbacks from all boundaries which provide generous space for landscaped gardens, at the front and rear, while to the sides, the dwelling provides adequate setbacks to reduce any unreasonable amenity impacts.

In light of the above, it is recommended that the Council approve the application, subject to standard and appropriate conditions to address the above matters.

9.2.4 Tender No 421/10 – Provision of an Accessible Toilet and Access Upgrade at the North Perth Town Hall.

Ward:	Both	Date:	26 October 2010
Precinct:	ALL	File Ref:	TEN0421
Attachments:			
Reporting Officer:	K Bilyk, Property Officer Projects, J van den Bok, Manager Parks and Property Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council ACCEPTS the tender submitted by Devco Builders as being the most acceptable to the Town, for the provision of an accessible toilet and access upgrade at the North Perth Town Hall, at a total cost of \$83,625 (excluding GST) in accordance with the specifications detailed in Tender 421/10.

COUNCIL DECISION ITEM 9.2.4

Moved Cr Burns, Seconded Cr McGrath

That the recommendation be adopted.

CARRIED “EN BLOC” (8-0)

(Mayor Catania was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council’s approval for the awarding of the tender for the Provision of an Accessible Toilet and Access Upgrade at the North Perth Town Hall.

BACKGROUND:

Tender No. 421/10 for the Provision of an Accessible Toilet and Access Upgrade at the North Perth Town Hall was advertised in The West Australian newspaper on 15 September 2010 and at the close of tender at 2.00pm on 29 September 2010 four (4) tenders were received.

Present at the tender opening were Mary Hopper (Financial Services – Purchasing/Contracts) and Kon Bilyk (Property Officer).

DETAILS:

The details of all submissions received are listed below:

No.	Tenderers	Price (Excl GST)
1.	Devlyn Construction	\$77,225.94
2.	Devco Builders	\$83,625.00
3.	Dalcon Construction Pty Ltd	\$125,559.30
4.	CPD Group Pty Ltd	\$138,590.10

Tender Evaluation

Selection Criteria

The following weighted criteria were used for the selection of the companies for the tender.

Criteria		Weighting
1.	Financial Offer/Fee Proposal	50%
2.	Relevant experience, expertise and project team	30%
3.	History and Viability of Company	10%
4.	Methodology, Key Issues and Risk	10%
Total		100%

Tender Evaluation Panel

The Tender Evaluation Panel consisted of the Director Technical Services, Rick Lotznicker, Acting Director Corporate Services Jacinta Anthony, Manager Park and Property Services, Jeremy van den Bok and Property Officer, Kon Bilyk.

Each tender was assessed using the above selection criteria in accordance with the tender documentation.

Tender Summary

	Weighting	Devco Builders	Devlyn Construction	Dalcon Construction Pty Ltd	CPD Group Pty Ltd
1.	Financial Offer/Fee Proposal	50	50	33.64	27.86
2.	Relevant experience, expertise and project team capacity to deliver product	30	28.5	28.5	28.5
3.	History and Viability of Company	10	7	10	10
4.	Methodology, Key Issues and Risk	10	0	10	10
Total		100	96.49	82.14	76.36

The Tender Evaluation Panel met on 11 October 2010 to assess the four (4) tender submissions for the project. The Tender was further independently evaluated by the Chief Executive Officer and manager Financial Services. Tender Evaluation Panel comments are shown below:

1. Devlyn Constructions Pty Ltd

Total weighted score:	86 (2nd)
Fee proposal:	<ul style="list-style-type: none"> Lowest
Relevant experience and expertise:	<ul style="list-style-type: none"> Operating in Perth for 20 years with a subsidiary company operating in Bunbury. Majority of contracts involve fitout, renovation & refurbishment. Major clients include Curtin University, the Mount & Royal Perth Hospitals.
Project team capacity to deliver Project:	<ul style="list-style-type: none"> Company profile provided, a list of subcontractors will be provided if successful.
History and viability of company:	<ul style="list-style-type: none"> Established medium sized company located in Canningvale.

Credentials:	<ul style="list-style-type: none"> Registered company Third Party Liability Insurance of \$20m Workers Compensation Insurance of \$50m Profit/Loss statements provided Extensive experience in tilt slab buildings
Referees comments:	<ul style="list-style-type: none"> Referees and 3 references provided
Demonstrated capacity to deliver:	<ul style="list-style-type: none"> Submission lacks information to accurately assess capacity.
Capacity to address requirements:	<ul style="list-style-type: none"> Not specifically addressed.
Methodology, key issues and risks:	<ul style="list-style-type: none"> No information provided
Previous projects:	<ul style="list-style-type: none"> Not specifically addressed. Have indicated that clients include Curtin University, the Mount Hospital, Royal Perth Hospitals, Acacia Prison, Commonwealth Bank, Australia Post & the Airport Detention Centre.

Comment:

This Tender provided the lowest price. However, the Tender was poorly documented and did not address the full criteria. No information was provided for the criteria – methodology, key issues and risks. Accordingly, no score could be provided for this criteria. This Company is known to the Town and has previously carried out works at nib Stadium for Rugby WA.

2. Devco Holdings Pty Ltd (Devco Builders)

Total weighted score:	96.49 (1st)
Fee proposal:	<ul style="list-style-type: none"> Second lowest
Relevant experience and expertise:	<ul style="list-style-type: none"> Family owned & operated business established in 1986. Specialising in small to medium commercial work with local government. Company is a member of the HIA.
Project team capacity to deliver Project:	<ul style="list-style-type: none"> 12 staff, extensive list of subcontractors provided with submission.
History and viability of company:	<ul style="list-style-type: none"> Established medium sized company based in Yanchep.
Credentials:	<ul style="list-style-type: none"> Registered Builders Third Party Liability Insurance of \$20m Workers Compensation Insurance of \$50m Bank reference provided Extensive safety & emergency policy procedures in place.
Referees comments:	<ul style="list-style-type: none"> Referees and 6 references provided
Demonstrated capacity to deliver:	<ul style="list-style-type: none"> Comprehensive - meets criteria - low risk to Town
Capacity to address requirements:	<ul style="list-style-type: none"> Comprehensive - meets criteria - low risk to Town
Methodology, key issues and risks:	<ul style="list-style-type: none"> Comprehensive and well documented - exceeds criteria - low risk to Town

Previous projects:	<ul style="list-style-type: none"> • An extensive list of 37 projects was provided which includes the following Local Government works:- City of Bayswater – Main Hall -May 08 \$250k Town of Vincent – Brit Rd Res.- February 09 \$520k City of Joondalup – Clubrooms - February 09 \$230k City of Bayswater – Library - April 09 \$45k City of Bayswater – Scout Hall - April 09 \$100k City of Stirling – Aquatic Centre - June 09 \$50k City of Stirling – Admin Centre -June 09 \$50k Town of Vincent - Beatty Park – September 09 \$75k City of Bayswater – Community Centre - January 10 \$94k Balga Aquatic Centre – Gymnasium - February 10 \$600k
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Comment:

This Tender provided the second lowest price. The Tender was very well documented and comprehensive. This Builder is well known to the Town and has previously performed well on Town projects. Accordingly, this Tender is recommended.

3. Dalcon Construction Pty Ltd

Total weighted score:	82.14 (3rd)
Fee proposal:	<ul style="list-style-type: none"> • Second highest
Relevant experience and expertise:	<ul style="list-style-type: none"> • Established 1985 • Extensive experience in upgrading local government properties. • Specialised in building sports pavilions & health centres.
Project team capacity to deliver Project:	<ul style="list-style-type: none"> • 8 administration staff & various support staff including subcontractors.
History and viability of company:	<ul style="list-style-type: none"> • Established medium sized company located in Carlisle.
Credentials:	<ul style="list-style-type: none"> • Registered Builders • Public Liability Insurance of \$10m • Workers Compensation Insurance – not specified. • Bank references provided. • Profit/Loss statements provided. • Environmental Mgmt. Plan & Safety policy provided
Referees comments:	<ul style="list-style-type: none"> • Referees and 5 references provided
Demonstrated capacity to deliver:	<ul style="list-style-type: none"> • Comprehensive - meets criteria - low risk to Town
Capacity to address requirements:	<ul style="list-style-type: none"> • Comprehensive - exceeds criteria - low risk to Town
Methodology, key issues and risks:	<ul style="list-style-type: none"> • Comprehensive and well documented - exceeds criteria - low risk to Town

Previous projects:	<ul style="list-style-type: none"> • Town of Kwinana – Offices - \$990k • City of Perth – Depot - \$336k • City of Joondalup – Community Hall – \$279k • City of Belmont – Clubrooms - \$648k • Burswood Park – Golf course - \$189k • City of Swan – Community Centre - \$177k • City of Canning – Athletic Centre - \$146k • City of South Perth – Depot - \$ 423k • City of Bayswater – Soccer Club - \$750k • Mindarie Regional Council – Admin \$903k
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Comment:

This Tender provided the second highest price. The Tender was very well documented and comprehensive. This Tender cannot be recommended as it is over budget and not cost effective.

4. CPD Group Pty Ltd

Total weighted score:	76.36 (Lowest)
Fee proposal:	<ul style="list-style-type: none"> • Highest
Relevant experience and expertise:	<ul style="list-style-type: none"> • Established 1994 & operating since 2001. • Predominantly a project /maintenance company • Holds maintenance contract with TOV.
Project team capacity to deliver Project:	<ul style="list-style-type: none"> • Company organisational structure provided with list of suitable subcontractors.
History and viability of company:	<ul style="list-style-type: none"> • Established medium sized company located in Welshpool.
Credentials:	<ul style="list-style-type: none"> • Registered Builders • Public Liability Insurance – not specified • Workers Compensation Insurance of \$20m • Profit/Loss statements provided.
Referees comments:	<ul style="list-style-type: none"> • Referees and 1 reference provided
Demonstrated capacity to deliver:	<ul style="list-style-type: none"> • Comprehensive – meets criteria - low risk to Town
Capacity to address requirements:	<ul style="list-style-type: none"> • Comprehensive - meets criteria - low risk to Town
Methodology, key issues and risks:	<ul style="list-style-type: none"> • Well documented - meets criteria - low risk to Town
Previous projects:	<p>Town of Victoria Park – Clubrooms - Oct 2008 \$800k City of Fremantle – Hall – Feb. 2009 - \$633k City of Canning – Pavilion- March 09 \$520k City of South Perth – Pavilion - December 09 \$230k City of Gosnells– Toilet Block- June 09 \$150k City of Mandurah – Public Toilet - June 09 \$130k Dept. Of Health – Case Mgmt. Unit – Feb. 2009 - \$140k</p>

Comment:

This Tender provided the highest price. The Tender was very well documented and comprehensive. This Tender cannot be recommended as it is over budget and not cost effective.

CONSULTATION/ADVERTISING

N/A

LEGAL/POLICY:

The tender was advertised and assessed in accordance with the Local Government Act Tender Regulations and the Town's Code of Tendering Policy 1.2.2 and Purchasing Policy 1.2.3.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2009-2014 – 1.1.5 *Enhance and maintain parks, landscaping and community facilities (a) Ensure all Towns services, playgrounds and facilities are universally accessible where practicable.*

FINANCIAL/BUDGET IMPLICATIONS:

The amount of \$103,000.00 has been allocated in the 2010/11 Budget for the project with \$65,000 received from the Federal Government-Regional and Local Community Infrastructure (RLICP) 2009-2010 grant.

COMMENTS:

It is therefore recommended that the tender submitted by Devco Builders at a total cost of \$83,625 is accepted for the Provision of an Accessible Toilet and Access Upgrade at the North Perth Town Hall in accordance with Tender No. 421/10.

9.3.2 Authorisation of Expenditure for the Period 1 – 30 September 2010

Ward:	Both	Date:	5 October 2010
Precinct:	All	File Ref:	FIN0032
Attachments:	001		
Reporting Officers:	K Ball, Finance Officer – Accounts Payable; B Tan, Manager Financial Services		
Responsible Officer:	J Anthony, Acting Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council CONFIRMS the;

- (i) *Schedule of Accounts for the period 1 September – 30 September 2010 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 9.3.2.

COUNCIL DECISION ITEM 9.3.2

Moved Cr Burns, Seconded Cr McGrath

That the recommendation be adopted.

CARRIED “EN BLOC” (8-0)

(Mayor Catania was an apology for the meeting.)

DECLARATION OF INTEREST

Members/Officers	Voucher	Extent of Interest
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Nil.

PURPOSE OF REPORT:

To seek authorisation of expenditure for the period 1 September – 30 September 2010.

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:

FUND	CHEQUE NUMBERS/ PAY PERIOD	AMOUNT
Municipal Account		
Automatic Cheques	068772- 068941	\$321,243.23
Transfer of Creditors by EFT Batch	1119, 1121- 1123, 1125- 1129	\$3,357,671.17
Transfer of PAYG Tax by EFT	September 2010	\$318,344.51
Transfer of GST by EFT	September 2010	
Transfer of Child Support by EFT	September 2010	\$1,256.62
Transfer of Superannuation by EFT:		
• City of Perth	September 2010	\$43,268.35
• Local Government	September 2010	\$155,877.30
Total		\$4,197,661.18
Bank Charges & Other Direct Debits		
Bank Charges – CBA		\$29,870.02
Lease Fees		\$2,024.60
Corporate Master Cards		\$5,457.30
Loan Repayment		\$60,316.91
Rejection Fees		\$15.00
Total Bank Charges & Other Direct Debits		\$97,683.83
Less GST effect on Advance Account		0.00
Total Payments		\$4,295,345.01

STRATEGIC IMPLICATIONS:

Strategic Plan 2009-2014 – Key Result Area 4.2 – Governance and Management

“Adopt best practice to manage the financial resources and assets of the Town.”

ADVERTISING/CONSULTATION:

N/A.

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.

9.3.3 Financial Statements as at 30 September 2010

Ward:	Both	Date:	11 October 2010
Precinct:	All	File Ref:	FIN0026
Attachments:	001		
Reporting Officers:	B Tan, Manager Financial Services; B Wong, Accountant		
Responsible Officer:	J Anthony, Acting Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Financial Statements for the month ended 30 September 2010 as shown in Appendix 9.3.3.

COUNCIL DECISION ITEM 9.3.3

Moved Cr Burns, Seconded Cr McGrath

That the recommendation be adopted.

CARRIED “EN BLOC” (8-0)

(Mayor Catania was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to present the financial statements for the month ended 30 September 2010.

BACKGROUND:

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

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

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

- the annual budget estimates;
- budget estimates to the end of the month to which the statement relates;
- actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- material variances between the year-to-date income and expenditure and totals and the relevant annual budget provisions for those totals from 1 July to the end of the period; and
- includes such other supporting notes and other information as the local government considers will assist in the interpretation of the report.

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

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

DETAILS:

The following documents represent the Statement of Financial Activity for the period ending 30 September 2010:

- Income Statement;
- Summary of Programmes/Activities (pages 1-17);
- Income Statement by Nature and Type Report (page 18)
- Capital Works Schedule (pages 19-25);
- Statement of Financial Position (page 26);
- Statement of Changes in Equity (page 27);
- Reserve Schedule (page 28);
- Debtor Report (page 29);
- Rate Report (page 30);
- Statement of Financial Activity (page 31);
- Net Current Asset Position (page 32);
- Beatty Park Report – Financial Position (page 33);
- Variance Comment Report (pages 34-38); and
- Monthly Financial Positions Graph (pages 39-41).

Comments on the financial performance are set out below:

Income Statement and Detailed Summary of Programmes/Activities

Net Result

The net result is Operating Revenue less Operating Expenses plus Capital Revenue and Profit/(Loss) of Disposal of Assets.

YTD Actual	-	\$15.4 million
YTD Budget	-	\$15.2 million
Variance	-	\$0.2 million
Full Year Budget	-	\$10.5 million

Summary Comments:

The current favourable variance is due to increase revenue received as outlined below.

Operating Revenue

YTD Actual	-	\$25.5 million
YTD Budget	-	\$25.5 million
YTD Variance	-	\$0 million
Full Year Budget	-	\$38.4 million

Summary Comments:

The total operating revenue is currently on budget.

Major variances are to be found in the following programmes:

- Governance – 20% over budget;
- Law Order and Public Safety – 69% below budget;
- Economic Services – 35% over budget;
- Other Property and Services – 138% over budget.

More details variance comments are included on the page 34 – 42 of this report.

Operating Expenditure

YTD Actual	-	\$10.2 million
YTD Budget	-	\$10.8 million
YTD Variance	-	-\$0.6 million
Full Year Budget	-	\$40.3 million

Summary Comments:

The operating expenditure is currently on budget.

The major variance for expenditure is located in the following programmes:

- Community Amenities – 16% below budget;
- Economic Services – 29% over budget;
- Other Property and Services – 33% over budget;
- Administration General – 68% below budget.

Detailed variance comments are included on the page 34 – 42 of this report.

Income Statement by Nature and Type Report

This income statement shows operating revenue and expenditure are classified by nature and type.

Capital Expenditure Summary

The Capital Expenditure summary details projects included in the 2010/11 budget and reports the original budget and compares actual expenditure to date against these.

Capital Works shows total expenditure including commitment for year to date at the 30 September 2010 of \$1,365,198 which represents 5% of the revised budget of \$25,852,704.

	Budget	Revised Budget	Actual to Date (Include commitment)	%
Furniture & Equipment	\$214,900	\$214,900	\$83,096	39%
Plant & Equipment	\$2,662,600	\$2,666,100	\$53,663	2%
Land & Building	\$12,125,150	\$12,127,870	\$121,396	1%
Infrastructure	\$10,843,834	\$10,843,834	\$1,107,043	10%
Total	\$25,846,484	\$25,852,704	\$1,365,198	5%

Balance Sheet and Statement of Changes in Equity

The statement shows the current assets of \$32,593,904 and non current assets of \$142,946,553 for total assets of \$175,540,457.

The current liabilities amount to \$11,110,190 and non current liabilities of \$13,487,199 for the total liabilities of \$24,597,389. The net asset of the Town or Equity is \$150,943,068.

Restricted Cash Reserves

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

The balance as at 30 September 2010 is \$9.2m. The balance as at 30 June 2010 was \$9.0m.

General Debtors

Other Sundry Debtors are raised from time to time as services are provided or debts incurred. Late payment interest of 11% per annum may be charged on overdue accounts. Sundry Debtors of \$414,977 is outstanding at the end of September 2010.

Out of the total debt, \$139,463 (34%) relates to debts outstanding for over 60 days, which is related to Cash-in-Lieu Parking.

The Debtor Report identifies significant balances that are well overdue.

Finance has been following up outstanding items with debt recovery by issuing reminders when it is overdue and formal debt collection if reminders are ignored.

Rate Debtors

The notices for rates and charges levied for 2010/11 were issued on the 19 July 2010.

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

First Instalment	23 August 2010
Second Instalment	25 October 2010
Third Instalment	5 January 2011
Fourth Instalment	9 March 2011

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

Instalment Administration Charge (to apply to second, third, and fourth instalment)	\$8.00
Instalment Interest Rate	5.5% per annum
Late Payment Penalty Interest	11% per annum

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

Rates outstanding as at 30 September 2010 including deferred rates was \$8,262,646 which represents 38.49% of the outstanding collectable income compared to 36.40% at the same time last year.

Statement of Financial Activity

The closing balance carry forward for the year to date 30 September 2010 was \$13,331,109.

Net Current Asset Position

The net current asset position as at 30 September 2010 is \$22,565,646.

Beatty Park – Financial Position Report

As at 30 September 2010 the operating deficit for the Centre was \$265,132 in comparison to the year to date budgeted deficit of \$435,929.

The cash position showed a current cash deficit of \$154,990 in comparison year to date budget estimate of a cash deficit of \$285,275. The cash position is calculated by adding back depreciation to the operating position.

Variance Comment Report

The comments will be for the favourable or unfavourable variance of greater than 10% of the year to date budgeted.

9.4.3 Review of the Town of Vincent Plan for the Future and Strategic Plan 2009 – 2014

Ward:	Both	Date:	20 October 2010
Precinct:	All	File Ref:	ADM0038
Attachments:	-		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES of the process for the review of the Council's Plan for the Future and Strategic Plan 2009-2014, as detailed in this report; and*
- (ii) *NOTES that further reports will be submitted to the Council in early 2011, after the completion of the review and after the public consultation has been carried out.*

COUNCIL DECISION ITEM 9.4.3

Moved Cr Burns, Seconded Cr McGrath

That the recommendation be adopted.

CARRIED "EN BLOC" (8-0)

(Mayor Catania was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of the report is to advise the Council of the statutory need to review the Town of Vincent Plan for the Future, including the Strategic Plan 2009-2014, and approve of the review process and draft document.

BACKGROUND:

The Strategic Plan 2009-2014 is due for review to ensure that it is relevant and reflects the aims and aspirations of the Council and community.

The proposed process for the statutory review of the Strategic Plan 2009-2014 will provide the community with a number of opportunities to express community expectations and priorities and influence the strategic direction of the Town of Vincent.

The Local Government Act 1995 requires each Council to prepare a Plan for the Future (the Plan). The Plan must cover a minimum period of at least 2 years and be reviewed every two years. The current Plan was originally adopted at the Ordinary Meeting of Council held on 21 November 2006 and was last reviewed in 2008-2009. It was adopted on 12 May 2009 and was developed for five years, which corresponds with the current terms of the Strategic Plan and Corporate Priorities.

Plan for the Future

The Act and regulations do not prescribe the format of the Plan for the Future – this is the prerogative of each local government.

Plan for the Future

The Plan for the Future is designed to assist the Council, Administration and the community to understand the broad directions the Town will be taking in the future.

The Town's current Plan for the Future document will be used as a basis for the review.

CONSULTATION/ADVERTISING:

The Local Government Act requires the Plan for the Future to be the subject of consultation with the electors and ratepayers.

Indicative Consultation Process

The following consultation process is recommended:

1. draft Town of Vincent Strategic Plan 2011-2014, as shown in Appendix 9.4.3, be used as a basis of the draft document;
2. Chief Executive Officer, Directors and Town Managers/key Officers to further review the draft document from October 2010 – January 2011;
3. Council Members to provide feedback/comments on the draft document by 1 December 2010.
4. Workshop/Forum with Council Members and Town Senior Officers be conducted in late January/early February 2011 to further consider and refine the draft document;
5. report to Council in February/March 2011 to Adopt in Principle the Draft Plan for the Future 2011-2014;
6. draft document to be advertised for a minimum period of six (6) weeks in March/April 2011;
7. the Council to consider submissions and adopt the Plan for the Future in May 2011; and
8. the draft document to be placed on the Town's website and copies provided at the Administration Centre and in the Town's Library and Local History Centre; and

LEGAL/POLICY:

It is a legal requirement for each local government to have a Plan for the Future.

The Council has previously resolved that the Plan for the Future will consist of the Strategic Plan and Associated Plans, Strategic Policies and other documents as outlined in this report. No change to this is recommended (other than updating – where required).

The Local Government Act and regulations do not prescribe the format for the required Plan for the Future. The Town's Plan for the Future will continue to be a combination of various plans, such as Strategic Plan, long term financial plans etc.

1. The Local Government Act (section 5.56) states as follows:

"Local Government Act 1995

5.56 Planning for the future

- (1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

The regulations require local government to make a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years) and state that:

- A plan for the future of a district is to set out the broad objectives of the local government for the period specified in the plan."*

It requires each local authority to prepare a Plan for the Future in respect of each financial year after the financial year ending 30 June 2006. The Plan must cover a minimum period of at least two years.

Consultation is required with electors, ratepayers and residents. In this regard, the draft document will be advertised for community consultation and will be provided to all Community/Precinct Groups. Submissions and feedback from the community is to be considered and where appropriate, included into the Plan.

2. Consultation is required with electors and ratepayers during the development of the Council's future Plan and any review (or modification) of such Plan.
3. The specific matters that the Local Government (Administration) Regulations require to be included in the future Plan are set out in Regulation 19C:
4. Regulation 19D sets out requirements for given public notice of the Council's future Plan.

STRATEGIC IMPLICATIONS:

Progress reports on the Strategic Plan are reported to Council for each quarter as follows:

Period	Report to Council
1 January – 31 March	April
1 April – 30 June	July
1 July – 30 September	October
1 October – 31 December	February

The quarterly progress reports will continue to be provided and will also include quarterly reports on the Annual Plan (previously the Capital Works Program). The Strategic Plan provides the elected Council and administration with its aims, goals and objectives (key result areas) for the next five (5) years.

FINANCIAL/BUDGET IMPLICATIONS:

No specific funds are contained in the Budget 2009-2014 for the Review of the Plan for the Future. Sufficient funds are contained in the Town's Operating Budget for this matter.

Funding implications for the new/revised KRA's will be provided as more information becomes available and will be considered during the Budget Process 2011-2012.

SUSTAINABILITY IMPLICATIONS

The Council's Plan for the Future is probably one of the most important documents for the Town. It details the future direction of the Town of Vincent and details how and when matters will be carried.

The new Plan will include Key Focus Areas that support sustainability including:

- Financial Sustainability;
- Sustainable Urban Development;
- Economic Prosperity;
- Preservation of the Natural and Built Environment;
- Community wellbeing and Engagement; and
- Good Leadership, Governance and Management.

COMMENTS:

The Town of Vincent has a key leadership role to play in contributing to a high quality of life for the community through the provision of infrastructure, facilities, services and opportunities to be involved in the identification of local priorities.

The Council's Plan will provide the direction for the Elected Council and the Town's administration for the future. It will also provide information to the electors and ratepayers on the broad direction the Town will be taking in the future. Accordingly, it is appropriate that the process involve community consultation.

It should be noted that the current document will be used as a basis for the review and needs further refinement, particularly the timeframe and funding implications. This will be refined over the forthcoming months.

The Chief Executive Officer therefore recommends the Council approve of the Officer Recommendation.

The Presiding Member, Deputy Mayor Cr Sally Lake advised that Cr Topelberg had declared a proximity interest in Item 9.2.3. He departed the Chamber at 6.31pm and did not speak or vote on this matter.

9.2.3 Proposed Introduction of a Two (2) Hour Parking Restriction in Nominated Streets Adjacent to Fitzgerald Street, North Perth – Further Report

Ward:	South	Date:	20 October 2010
Precinct:	North Perth Centre Precinct (P9)	File Ref:	PKG0057
Attachments:	001 , 002 , 003 , 004 , 005		
Reporting Officer:	A Munyard, Senior Technical Officer, Land & Development		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

(i) **CONSIDERS:**

(a) *the outcome of the consultation with residents and business proprietors regarding proposed introduction of a two (2) hour parking restriction during standard business hours in Alma Road, Raglan Road, Grosvenor Road and Chelmsford Road, between Fitzgerald Street and Ethel Street, as outlined in Appendix 9.2.3; and*

(b) *this outcome in conjunction with the recommendations of the Town's Parking Strategy and Precinct Parking management Plans;*

(ii) **DOES NOT PROCEED** with the introduction of the time restrictions as initially proposed on attached Plan No 2730-CP-01B, given the mixed response from residents;

(iii) **NOTES that:**

(a) *maintenance will be carried out to repaint demarcation lines and introduce new line marking in "No Stopping" zones and crossovers where required in the affected area; and*

(b) *more Ranger enforcement of the area will be carried out; and*

(iv) **ADVISES** the respondents of its decision.

COUNCIL DECISION ITEM 9.2.3

Moved Cr Maier, **Seconded** Cr Harvey

That the recommendation be adopted.

Debate ensued.

Cr Farrell departed the Chamber at 6.55pm.

Debate ensued.

Cr Farrell returned to the Chamber at 6.56pm.

(During consideration of the Item, various restriction options were proposed by a number of Councillors.)

Debate ensued.

PROCEDURAL MOTION

Moved Cr McGrath, Seconded Cr Harvey

That the item be DEFERRED for further consideration of the matter including the options mentioned during debate on the Item.

Debate ensued.

PROCEDURAL MOTION PUT AND CARRIED (6-1)

For: Presiding Member, Deputy Mayor Cr Lake, Cr Buckels, Cr Burns, Cr Harvey, Cr McGrath, Cr Maier

Against: Cr Farrell

(Cr Topelberg was absent from the Chamber and did not vote on this matter. Mayor Catania was an apology for the meeting.)

Cr Topelberg returned to the Chamber at 7.07pm. The Presiding Member, Deputy Mayor Cr Sally Lake advised that the item was Deferred.

ADDITIONAL INFORMATION:

A local resident has recently alleged that the recreational facility situated at No. 158A Vincent Street, North Perth (Bikram Yoga) is in breach of their conditions of Development Approval in the following ways:

(a) *They have not provided a contact number to residents for complaints.*

Officer Comment:

A contact telephone number has been added to the website. The telephone number now includes an answering service, which allows a detailed message to be left and provides mobile telephone numbers for the studio owners.

(b) *They do not answer their main phone number during classes.*

Officer Comment:

See (a) above.

(c) *If they do answer they refuse to disturb classes to ask their patrons to move cars, even if they are fully blocking residents roller doors and driveways.*

Officer Comment:

In addition to (a) above, residents should contact the Town. Illegally parked vehicles may be towed by the Town in an emergency situation.

- (d) *They only have 6 parking bays not the seven stated. Seven bays are marked but one is the only fire escape and cannot be blocked.*

Officer Comment:

It is noted that the Building Licence details a car bay 8 metres in depth. Fire exit requirements for the number of persons attending the facility, is 1 metre. It is therefore considered adequate given the required length of a car bay is 5.5 metres.

- (e) *Classes go beyond the 9.15pm closing time restriction on Mondays, Tuesdays, Wednesdays and Thursdays.*

Officer Comment:

The closing time approved at the Ordinary Meeting of Council held on 11 August 2009 is 9.45pm.

- (f) *Furthermore the DA required them to undertake the following pro-active measures*

- *Maps for each student indicating suitable parking areas.*
- *Updating the website to reflect preferred parking options.*
- *Educating the students before class whilst in the reception area.*
- *Periodical checks of the surrounding streets to ensure there is no disruption.*

Officer Comment:

The attached Operational Management Plan addresses these matters.

Planning Approval – No. 158A Vincent Street, North Perth

The Council at its Ordinary Meeting held on 11 August 2009, resolved to approve the reconsideration of three (3) conditions from the Approval to Commence Development granted on 2 November 2006, subject to the following conditions:

- “(i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *the maximum gross floor area of the recreational facility shall be limited to 233 square metres, as shown on approved plans;*
- (iii) *the maximum total number of employees shall be limited to three (3) at any one time;*
- (iv) *the maximum total number of students/clients shall be limited to forty-eight (48) at any one time. Accordingly, the classes shall be scheduled to allow a 30 minute interval between classes to enable sufficient time for patrons to arrive and leave the facility;*
- (v) *the hours of operation shall be limited to 5.30am to 9.45pm Monday to Friday, 7.30am to 6pm Saturday, and 1.30 pm to 6 pm on Sunday, inclusive; and*
- (vi) *a detailed Parking Management Plan for the Recreational facility shall be submitted to and approved by the Town within 28 days of the issue of the subject 'Approval to Commence Development'. The Management Plan is to detail the following aspects:*
- (a) *Operational Management - to minimise any potential impact on the surrounding locality from patrons parking at the premises and/or surrounding streets; and*

- (b) *Communications Strategy - outlining a complaint handling system which provides:*
- (1) *a telephone number and email address to log complaints and enquiries;*
 - (2) *a procedure how complaints will be handled and associated timeframes for responding to such complaints; and*
 - (3) *a record of complaints and enquires logged, and the applicant's response, is to be provided on a 6 monthly basis to the Town of Vincent for its information."*

Parking Management Plan:

A Parking Management Plan was submitted to the Town on 30 November 2009, which was deemed acceptable and was found to comply with the above condition (vi), at that time.

It recently came to the Town's attention that the above conditions were not being complied with. The Town's Officers have been liaising with the applicant, to ensure the strict compliance with the conditions of approval.

The applicants have now provided the Town with a record of complaints and enquiries for the past two, 6 month periods. This can be found at Attachment 1.

The applicants have also reviewed the Parking Management Plan and have updated it, in an effort to further address the issues at hand. These changes are addressed in Attachment 2.

The Parking Management Plan was previously only provided to students when attending the studio; however, this has now been reviewed and included on the website. The website page and attached Parking Map are included at Attachment 3.

In addition, the applicants have been advised that the Town may commence towing of any offending vehicles, resulting in the offender having to pay approximately \$300 to reclaim their vehicle. The applicants fully support this approach, should any person be found to be parked illegally.

Ranger Services Comments

The Town's Ranger Services have been conducting evening patrols on a daily basis (Monday to Friday) within the vicinity of Bikram Yoga from 7 October 2010 to 25 October 2010; in particular, the area of the right of way adjacent to No. 157 Chelmsford Road.

Rangers have attended the location thirty-one (31) times over a period of sixteen (16) days with varying times from 2.10pm until 9.50pm, and have reported cautioning and infringing vehicles on two (2) occasions. Of the other twenty-nine (29) occasions the Rangers have reported the right of way having clear access and no driveway obstructions were detected.

There were eight (8) after hours parking complaints received during this period consisting of four (4) contrary to flow of traffic, three (3) verge complaints and one (1) 'No Stopping' complaint. Infringement notices were issued on all eight (8) occasions.

Conclusion:

It is considered that the conditions of the Approval to Commence Development, issued on 26 August 2009, are currently being complied with. The Town will continue to monitor the situation to ensure compliance with its requirements.

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the results of the consultation conducted with residents and business proprietors regarding the proposed introduction of two (2) hour parking restriction considered in conjunction with the newly adopted Car Parking Strategy.

BACKGROUND:

At its Ordinary meeting held on 24 August 2010 the Council considered a report on the investigation of a possible introduction of two (2) hour parking restrictions - Chelmsford Road, Grosvenor Road, Raglan Road and Alma Road, North where the following decision was made.

That the Council NOTES that:

- (i) a number of complaints have been received regarding parking congestion in Chelmsford Road, North Perth and other streets in the immediate area;*
- (ii) the parking matter requires further investigation in consultation with residents and businesses;*
- (iii) a plan showing indicative parking restrictions has been prepared, as shown in Plan No. 2730-CP-01 in Appendix 9.2.3; and*
- (iv) a further report will be submitted to the Council once the matter has been investigated and the outcome of the consultation has been assessed.*

DETAILS:

On 29 September 2010, one hundred and seventy (170) consultation letters were distributed to residents and business proprietors in the affected area. The consultation resulted in thirty nine (39) responses (23% response) with twenty (20) or 51% being in favour of the restriction, sixteen (16) or 41% being against, and three (3) or 8% unsure.

Discussion:

Technical Services Officers have carried out regular inspections of parking in these streets, to gauge the severity of the parking problem. At the time the initial complaints were made (from residents of Chelmsford Road), the car park of the commercial premises on the corner of Chelmsford and Fitzgerald was not available for use by staff of the building, while work was being carried out.

This has now been completed, and while parking in Chelmsford between Fitzgerald and Ethel remains fairly heavy, latest inspections in the early afternoon have shown that parking spaces were still available.

No significant parking problems were detected in the other side streets within the survey area.

Complaints about parking by attendees of the Yoga Centre (primarily from Chelmsford Road residents) have been regularly received since the opening of the business. Although the centre attracts visitors throughout the entire day and evening, the majority of the complaints are about the impact during the evening period, presumably when residents are returning home, or receiving visitors. An email received from a resident who has had ongoing issues with the Yoga Centre summed up the matter by stating that:

'the proposed 2 hour parking restrictions will only penalise the residents while Bikram Yoga patrons continue to park for their 90 minute classes'.

Seventeen (17) of the thirty nine (39) respondents were Chelmsford Road residents and of these:

- nine (9) were *in favour* of the restrictions
- two (2) supported the proposal, with conditions (that cannot be met with respect to exemptions) and
- six (6) were *opposed*.

The remainder of the responses drew only four (4) or five (5) responses each from each street evenly distributed between those who *supported* and those who *opposed* the proposal.

Clearly, Chelmsford Road residents perceive that there are issues with parking in their street, however the prevailing opinion seems to be that it is largely related to the Yoga Centre, and is most bothersome in the evenings and at night, due to the popularity of the classes at these times.

The introduction of parking restrictions in Chelmsford Road, even if extended into the evenings, will merely distribute the parking to streets further afield. Imposing time restricted parking in the closest adjacent street to combat this, when the residents have not supported the proposal, cannot be justified at this time.

CONSULTATION/ADVERTISING:

Consultation with affected residents is detailed within the report.

LEGAL/POLICY:

Implementation of parking restrictions is subject to the recommendation of the Precinct Parking Management Plan for North Perth "*review the current restriction in streets more than 250m from the business area to assess whether restrictions can be reduced to accommodate employee parking*".

Note: The business area is defined in the document, to be bounded by Menzies Street, Fitzgerald Street, Alma Road, Leake Street, View Street and Woodville Street.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. "*(a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads.*"

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil if restrictions are not introduced and signage is not required.

COMMENTS:

Parking congestion is predominantly in Chelmsford Road, with the greatest impact in the evenings (i.e. outside the proposed restriction period).

The restrictions as proposed have not been strongly supported by those who would be affected by their introduction. Therefore it is recommended that the Council not approve their implementation at this point in time and instead refresh the "No Stopping" line marking throughout the consultation area, together with line marking at crossovers to improve accessibility for residents.

9.1.3 No. 58 (Lot 580; D/P 2177) Federation Street, Mount Hawthorn – Proposed Demolition of Existing Single House and Construction of Two-Storey Single House

Ward:	North	Date:	18 October 2010
Precinct:	Mount Hawthorn; P01	File Ref:	PRO5128; 5.2010.281.1
Attachments:	001 ; 002 ; 003		
Reporting Officer:	D Pirone, Statutory Planning Officer		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by the owners M Stack and A Tran for proposed Demolition of Existing Single House and Construction of a Two-Storey Single House, at No. 58 (Lot 580; D/P 2177) Federation Street, Mount Hawthorn, and as shown on plans stamp-dated 9 August 2010, subject to the following conditions:

- (i) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Federation Street;*
- (iii) *any new street/front wall, fence and gate within the Federation Street setback area, including along the side boundaries within this street setback area, shall comply with the Town's Policy provisions relating to Street Walls and Fences;*
- (iv) *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks and Property Services. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);*
- (v) *first obtaining the consent of the owners of Nos. 56 and 60 Federation Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 56 and 60 Federation Street in a good and clean condition; and*
- (vi) **PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the Town:**
 - (a) **Construction Management Plan**
A Construction Management Plan shall be submitted to and approved by the Town, addressing the following issues:
 1. *public safety, amenity and site security;*
 2. *contact details of essential site personnel;*
 3. *construction operating hours;*
 4. *noise control and vibration management;*
 5. *Dilapidation Reports of nearby properties;*
 6. *air and dust management;*
 7. *waste management and materials re-use;*
 8. *parking arrangements for contractors and subcontractors;*
 9. *Consultation Plan with nearby properties; and*
 10. *any other matters deemed appropriate by the Town.*

COUNCIL DECISION ITEM 9.1.3

Moved Cr Maier, Seconded Cr McGrath

That the recommendation be adopted.

MOTION PUT AND CARRIED (8-0)

(Mayor Catania was an apology for the meeting.)

Landowner:	M Stack & A Tran
Applicant:	M Stack & A Tran
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R30
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	491 square metres
Access to Right of Way	Not Applicable

PURPOSE OF REPORT:

The Town's Officers consider that the subject application should be determined by the Council due to the significant variations requested.

BACKGROUND:

No specific background relates to this proposal.

DETAILS:

The proposal involves the demolition of the existing single house and the construction of a two-storey single house.

The applicant's submission is attached to this report (003) and outlined below.

"The design for a new family house at 58 Federation Street works hard to balance an individual family's desired living environment with energy-efficient design innovation and considerations of streetscape. Some positive design features are summarized below.

<i>Design Objective</i>	<i>Design Response</i>
<i>Design Innovation</i>	<ul style="list-style-type: none"> • <i>Integrated consideration of environment and neighbourhood context within a sophisticated architectural design.</i> • <i>Demonstrates principles for contemporary house design.</i>
<i>Design for contemporary family living</i>	<ul style="list-style-type: none"> • <i>Strong relationship between indoor and outdoor spaces.</i> • <i>Compact internal planning, with a tendency towards multi-purpose spaces rather than single-use spaces.</i> • <i>Design accommodates future adaptability.</i>

<i>Design Objective</i>	<i>Design Response</i>
<i>Contribution to streetscape</i>	<ul style="list-style-type: none"> • <i>Attractive, high-quality façade that addresses the street in a positive way.</i> • <i>Front garden, ground-floor porch and upper-floor balcony are pleasant and useable spaces, contributing to street-life.</i> • <i>Location of the garage to the side of the house rather than a carport in setback zone.</i> • <i>Front-boundary fencing defined by planting.</i> • <i>Improving the property by replacing the relatively poor-quality existing house.</i>
<i>Design for sustainable living</i>	<ul style="list-style-type: none"> • <i>Glazing orientation and shading minimises heat gain in summer and maximises light and warmth in winter.</i> • <i>Effective cross-ventilation from large openings from balcony and porch and high-level windows along the south wall.</i> • <i>Thermal mass from external walls and internal slabs</i> • <i>Rainwater collection and greywater recycling measures to be considered in the detailed design.</i> • <i>Roof design accommodates photo-voltaic panels or solar hot-water systems to be considered in the detailed design.</i> • <i>Compact plan retains open-space for vegetable cultivation.</i>
<i>To be sensitive and respectful towards neighbouring properties</i>	<ul style="list-style-type: none"> • <i>Careful resolution of windows achieves passive-design performance without compromising privacy across boundaries.</i> • <i>Good quality boundary treatments.</i>
<i>'Crime Prevention Through Environmental Design' (CPTED)</i>	<ul style="list-style-type: none"> • <i>Secure frontage with secure porch and garage.</i> • <i>Secure screened porch allows windows to remain open at night in summer.</i> • <i>Building to side boundary eliminates vulnerable side-spaces.</i> • <i>Front windows, porch and balcony contribute to passive surveillance of street (as well as benefiting from passive surveillance from street).</i>

A number of modifications have been made to the initial scheme submitted in June 2010 in response to planning officer feedback.

- *Proposed primary street setback increased to align with adjacent properties.*
- *Modification of the proposed rear patio structure to omit a row of posts close to the side boundary.*
- *Addition of screening elements to rear window to maintain privacy of neighbouring property.*

The remaining element of non-compliance with Acceptable Development Criteria is Street Setbacks, with the requirement for upper storey walls and balconies to be further setback than the ground floor. Additional material has been submitted to address this element according to Performance Criteria. The main points of justification are as follows.

- *It is acknowledged that Federation Street is a predominantly single-storey streetscape and the design should ensure that two-storey frontage does not dominate streetscape character.*
- *Portion of two-storey frontage is limited to one upper-storey bedroom 4m wide, or 1/3 of the overall frontage. The remaining upper-storey front walls are further set-back to align with neighbouring properties.*
- *Articulated form and proportions of the two-storey frontage moderate the building scale. Large openings break-up the surface and provide architectural interest.*

- *High-quality street elevation combines contemporary architecture with traditional features and material integrity. Exterior walls are face-brickwork with traditional detailing to gables, parapets and openings. A three metre high antique entry gate is a key feature, complementing the portion of two-storey frontage.*
- *Landscape-architect designed front garden will integrate the house with the site, featuring granite paving.*
- *Well-established street trees provide significant visual screening of 2-storey development on the site from most street viewpoints.*

Overall we feel that the proposed house will be a very positive addition to Federation Street and hope that the Council will support the application. ”

COMPLIANCE:

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Front Setbacks (West): Upper Floor Balcony	1 metre behind the ground floor main building line.	In line with the ground floor main building line.
<i>Officer Comments:</i>		
Supported – The proposed balcony is located in line with the ground floor; however, is not considered to have an undue impact on the streetscape, as the balcony has been designed without a roof which alleviates the bulk and scale of the balcony.		
Main Building	2 metres behind the ground floor main building line.	In line to 2.5 metres behind the ground floor main building line.
<i>Officer Comments:</i>		
Supported – The upper floor street setbacks are considered to be compliant with the Performance Criteria of the Town’s RDE’s Policy, in that the contemporary façade is staggered, comprises a select range of attractive external wall surface treatments that will provide articulation and interest to Federation Street.		
Building Setbacks: Ground Floor -North (Garage)	1 metre	Nil.
<i>Officer Comments:</i>		
Supported – The proposed garage boundary wall is compliant with the height and length requirements of the R Codes.		
-South (Main Dwelling)	1.5 metres	Nil.
<i>Officer Comments:</i>		
Supported – Not considered to have an undue impact on the neighbouring property and no objections received.		
-South (Studio)	1.5 metres	Nil.
<i>Officer Comments:</i>		
Supported – Not considered to have an undue impact on the neighbouring property as a bathroom and studio currently exists in a similar position with a nil setback, to the proposed bathroom and studio.		
Upper Floor -South	1.9 metres	1.5 metres
<i>Officer Comments:</i>		
Supported – Not considered to have an undue impact on the neighbouring property and no objections received.		

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Buildings on Boundary:	Walls not higher than 3.5 metres with average of 3 metres for 2/3 (26.83 metres) of the length of the balance of the boundary behind the front setback, to one side boundary.	-North (Garage) Wall Height = 3 metres; Wall Length = 6 metres. -South (Dwelling) Wall Height = 2.6 metres – 2.8 metres (average height = 2.7 metres); Wall Length = 12 metres. -South (Studio) Wall Height = 3 metres – 3.2 metres (average height = 3.1 metres); Wall Length = 10.22 metres.
Officer Comments:		
Supported – The proposed garage boundary wall is compliant with the height and length requirements of the R Codes and no objections received from southern property landowner. Furthermore, a bathroom and studio currently exists in a similar position with a nil setback, to the proposed bathroom and studio.		

The above Officer Comments are provided pursuant to Clause 38(5) of Town Planning Scheme No. 1

Consultation Submissions		
Item	Comments Received	Officer Comments
Support (1)	No comments provided.	Noted.
Objection	Nil.	Noted.
Advertising	Advertising for a period of 14 days was carried out as per the Town's Policy No. 4.1.5 – relating to Community Consultation.	

Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic	Nil.
Sustainability	Nil.
Financial/Budget	Nil.

COMMENTS:

Demolition

The subject weatherboard dwelling at No. 58 Federation Street, Mount Hawthorn is an example of the Interwar Bungalow style of architecture constructed circa 1936. The subject dwelling has a hipped tiled roof form, with an original chimney still extant along the southern roofline.

The WA Post Office Directories first listed George McCarthy as a resident of the dwelling in 1937. Since then the subject dwelling has been transferred several times to new owners and occupiers.

A full heritage assessment was undertaken for No. 58 Federation Street, Mount Hawthorn, based on the plan dated 15 June 2010, which indicates that the place has little aesthetic, historic, scientific or social heritage significance. In accordance with the Town's Policy relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the Town's Municipal Heritage Inventory.

Redevelopment

The subject dwelling is located on the portion of Federation Street which accommodates a predominantly intact group of single storey dwellings. There are few two-storey dwellings in the immediate portion of Federation Street; however, of these two-storey dwellings, the second storey has a significant setback and in some instances can not be seen from the street. The draft Residential Streetscapes Policy that was advertised in 2008, recognised Federation Street as a Category 2 streetscape. The subject proposed two-storey dwelling proposes the balcony to be in line with the ground floor main building line and a portion of the upper floor main building line also to be in line with the ground floor and the remainder to be setback 2.5 metres from the ground floor. It is considered that the proposed balcony will not have an undue impact on the streetscape, as the balcony has been re-designed without a roof, which alleviates the bulk and scale of the balcony. Furthermore, the upper floor street setbacks are considered to be compliant with the Performance Criteria of the Town's RDEs Policy, in that the contemporary façade is staggered, comprises a select range of attractive external wall surface treatments that will provide articulation and interest to Federation Street.

In light of the above, it is recommended that the Council approve the application subject to standard and appropriate conditions to address the above matters.

9.3.4 Cultural Development Seeding Grant Applications – Carols in the Park

Ward:	Both	Date:	15 October 2010
Precinct:	All	File Ref:	FIN0155
Attachments:	-		
Reporting Officer:	L Hewitt, Community Development Officer		
Responsible Officer:	J Anthony, Acting Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council APPROVES the application of the Carols in the Park event in Mount Hawthorn for a Cultural Development Seeding Grant of \$1,000.

COUNCIL DECISION ITEM 9.3.4

Moved Cr Maier, Seconded Cr Burns

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (8-0)

(Mayor Catania was an apology for the meeting.)

PURPOSE OF REPORT:

To seek approval for a Cultural Development Seeding Grant application for the Carols in the Park event run by Mount Hawthorn Baptist Church, St Peter and Emmaus Anglican-Uniting Church, Providence Church, St. Mary's Catholic Church, and Mounthy Church.

BACKGROUND:

The Carols in the Park Committee are running a combined Carols by Candlelight event on Sunday 19 December 2010.

DETAILS:

The Carols in the Park will be a free event, suitable for all ages. It will provide an opportunity for the community to meet and socialise together as well as participate in the singing of Christmas Carols. The event will also promote the value of connecting with other community members. The Carols are a Christian tradition, however past events of this nature have indicated that people are drawn from a wide section of the community.

The application by Mount Hawthorn Baptist Church, St Peter and Emmaus Anglican-Uniting Church, Providence Church St. Mary's Catholic Church and Mounthy Church has indicated that there are rising costs in putting on such an event and this funding will assist with costs related to the hiring costs of a public address system, stage and lighting for the event. The Carols by Candlelight will be a free event, open to the community and anyone else who wishes to come.

This event will be fully accessible to all members of the community.

In line with previous events standard conditions will apply for the use of Braithwaite Park; however the hire fee of \$235 will be waived.

CONSULTATION/ADVERTISING:

The event will be advertised through the use of banners and in the local newspaper. It will also be advertised in the local churches' Sunday services.

LEGAL/POLICY:

Policy 2.1.7 *Parks and Reserves - Conditions of Use and Hire* will apply to this event.

STRATEGIC IMPLICATIONS:

The Cultural Development Seeding Grants and the submitted application address the following strategic objectives of the Town's Strategic Plan 2009–14:

- “3.1.1 Celebrate and acknowledge the Town's cultural and social diversity
(a) Organise and promote community events and initiatives that engage the community and celebrate cultural and social diversity of the Town”*

SUSTAINABILITY IMPLICATIONS:

N/A

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$6,000 is allocated for Cultural Seeding Grants within the 2010/11 budget.

An amount of \$2,000 was requested; however an amount of \$1,000 is supported given the nature of the event.

The maximum amount under the Cultural Development Seeding Grants which can be granted is currently \$1,095.

COMMENTS:

The event proposed by the Carols in the Park Committee meets the criteria for the Cultural Development Seeding Grants. They will acknowledge the Town's support during the Carols by Candlelight event and in their promotion.

The Carols in the Park Committee will complete an acquittal report after the event, detailing how the Cultural Development Seeding Grant was expended.

9.1.5 No. 742 (Lot 30) Newcastle Street, Leederville – Renewal of Ongoing Extended Trading Permit for the Leederville Hotel

Ward:	South	Date:	19 October 2010
Precinct:	Oxford Centre; P04	File Ref:	ENS0053/PRO0630
Attachments:	001 ; 002		
Reporting Officer:	S Teymant, Acting Manager Health Services		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report regarding the renewal of the Ongoing Extended Trading Permit for the Leederville Hotel, located at No. 742 (Lot 30) Newcastle Street, Leederville; and*
- (ii) *DOES NOT OBJECT to the renewal of the ongoing Extended Trading Permit Application for Saturday nights, between 12.00 Midnight and 1.00am, subject to the following conditions:*
 - (a) *a 'lock-out' shall be imposed at the premises from 11.30pm every Saturday night;*
 - (b) *an Acoustic Report shall be prepared and submitted to the Town for approval within 28 days of the issue date of the 'Approval of the Extended Trading Permit' by the Director Liquor Licensing, and prior to the commencement of the extended trading hours. The Acoustic Report shall include, but not be limited to, sound attenuation, detailed works and management measures required to ensure ongoing, long-term compliance with the 'assigned levels', specified in Regulation 7 of the Environmental Protection (Noise) Regulations; and*
 - (c) *the recommended measures of the Acoustic Report shall be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the commencement of the extended trading hours, and the applicant/owners shall submit a further report from an Acoustic Consultant six (6) months from the commencement of the extended trading hours, certifying that the premises is continuing to comply with the measures of the subject Acoustic Report.*

Moved Cr Topelberg, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

Cr McGrath departed the Chamber at 7.11pm.

Debate ensued.

Cr McGrath returned to the Chamber at 7.13pm.

Debate ensued.

AMENDMENT

Moved Cr Burns, Seconded Cr Buckels

That a new subclause (ii)(d) be inserted as follows:

“(ii)(d) the Extended Trading Permit shall be limited to a period of not more than 24 months.”

Debate ensued.

The Mover, Cr Burns advised that she wished to change her amendment to add the following:

“(ii)(d) the Extended Trading Permit shall be limited to a period of not more than 24 months, with a review of the Extended Trading Permit by the Director of Liquor Licensing after 12 months.”

The Secunder, Cr Buckels agreed.

AMENDMENT PUT AND CARRIED (8-0)

(Mayor Catania was an apology for the meeting.)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (8-0)

(Mayor Catania was an apology for the meeting.)

COUNCIL DECISION ITEM 9.1.5

That the Council;

- (i) *RECEIVES the report regarding the renewal of the Ongoing Extended Trading Permit for the Leederville Hotel, located at No. 742 (Lot 30) Newcastle Street, Leederville; and*
- (ii) *DOES NOT OBJECT to the renewal of the ongoing Extended Trading Permit Application for Saturday nights, between 12.00 Midnight and 1.00am, subject to the following conditions:*
 - (a) *a ‘lock-out’ shall be imposed at the premises from 11.30pm every Saturday night;*
 - (b) *an Acoustic Report shall be prepared and submitted to the Town for approval within 28 days of the issue date of the ‘Approval of the Extended Trading Permit’ by the Director Liquor Licensing, and prior to the commencement of the extended trading hours. The Acoustic Report shall include, but not be limited to, sound attenuation, detailed works and management measures required to ensure ongoing, long-term compliance with the ‘assigned levels’, specified in Regulation 7 of the Environmental Protection (Noise) Regulations;*
 - (c) *the recommended measures of the Acoustic Report shall be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the commencement of the extended trading hours, and the applicant/owners shall submit a further report from an Acoustic Consultant six (6) months from the commencement of the extended trading hours, certifying that the premises is continuing to comply with the measures of the subject Acoustic Report; and*
 - (d) *the Extended Trading Permit shall be limited to a period of not more than 24 months, with a review of the Extended Trading Permit by the Director of Liquor Licensing after 12 months.*

PURPOSE OF REPORT:

The purpose of this report is to advise the Council that the Leederville Hotel located at No. 742 Newcastle Street, Leederville has applied to the Department of Racing, Gaming and Liquor (DRGL) to renew its existing Extended Trading Permit in relation to hours of operation at the premises.

BACKGROUND:

The most recent Extended Trading Permit for the Leederville Hotel lapsed on 14 June 2010. The Permit was in place for the period 14 June 2008 to 14 June 2010, allowing additional trade on Saturday nights from Midnight to 1:00am.

At the Ordinary Meeting of Council held on 9 October 2007, the Council resolved as follows:

“That the Council;

- (i) RECEIVES the report regarding the amended Extended Trading Permit renewal application, proposing to limit extended trading to Saturday nights from Midnight to 1:00am, at No. 742 (Lot 30) Newcastle Street (Leederville Hotel), Leederville;*
- (ii) DOES NOT SUPPORT the amended Extended Trading Permit Application for Saturday nights from Midnight to 1:00am, based on the Council Resolution relating to Item 10.1.14 at the Ordinary Meeting of Council held on 14 August 2007, and for the following reasons:*
 - (a) the amenity, quiet or good order of the neighbourhood of the licensed premises is frequently unduly disturbed by reason of activities occurring at the licensed premises;*
 - (b) disorderly conduct occurs frequently in the vicinity of the licensed premises on the part of the persons who have resorted to the licensed premises, which is unduly offensive, annoying, disturbing or inconvenient to persons who reside or work in the vicinity; and*
 - (c) the extension of trading hours is not in keeping with the proposed objectives and future direction of the Leederville Masterplan for the future re-development of the Leederville Town Centre;*
 - (d) consideration of the objections received from ratepayers in the vicinity of the Leederville Hotel; and*
 - (e) the formal objection lodged by the WAP – Drug and Alcohol Office;*
- (iii) NOTES that;*
 - (a) the Department of Racing, Gaming and Liquor, WA Police and proprietors of the Leederville Hotel, were formally advised of the Town’s objection to the renewal of On-going Extended Trading hours;*
 - (b) following compilation of the previous report, the Western Australian Police (WAP) – Drug and Alcohol Office, have lodged a formal objection to the renewal of on-going extended trading hours with the Department of Racing, Gaming and Liquor; and*
- (iv) ADVISES the Department of Racing, Gaming and Liquor, WA Police and the Leederville Hotel proprietor of its decision.”*

The Extended Trading Permit is applicable to the entire premises. The approved Maximum Accommodation numbers for the Hotel are as follows:

AREA	USE TYPE	NUMBERS
Ground Floor Bar	Licensed Premises	290 Persons
First Floor Bar	Licensed Premises	258 Persons
Courtyard Bar	Licensed Premises	564 Persons
Garden Bar	Licensed Premises	737 Persons
First Floor Deck	Licensed Premises	100 Persons
TOTAL		1949 PERSONS

DETAILS:

The Application

The Town received notification from the Department Racing, Gaming and Liquor (DRGL) of an application by the Leederville Hotel for an Extended Trading Permit (ETP) on 11 October 2010. Details of the application as provided by the DRGL were as follows:

- Extended trading hours of between 12:00 MIDNIGHT and 1:00AM on Saturday nights; and
- The application is sought for the entire venue. The Hotel has a Maximum Accommodation Certificate for 1949 patrons, not 1960 patrons as detailed within the submission to DRGL (this anomaly will be communicated to both the Licensee and the DRGL).

The closing date for objections against the application is 3 November 2010.

Public Interest Assessment Summary

The Leederville Hotel has provided the Director Liquor Licensing with a Public Interest Assessment in support to the application. A summary of the Public Interest Assessment, as provided by the Department of Health WA Drug and Alcohol Office, is detailed as follows:

- Trading hours sought are 12am to 1am Saturday nights;
- Crowd controllers have very specific instructions on how to handle intoxicated persons and those affected by drugs;
- The main trading days of the Hotel are Wednesdays and Saturdays;
- On a select basis, a functions package may be offered to private or corporate groups;
- On major trading nights, the management carries out staggered closing of different sections of the hotel to ensure a gradual dispersal of customers;
- The Hotel has recently developed half of the premises into a food driven gastro pub that serves no hard liquor with the beverages available being limited to beer and wine;
- Half of the Hotel now exits via the rear laneway and half onto Newcastle Street;
- Other A-class licenses in the area include the Hippy Club, The Manor, Fibber McGees and Double Lucky;
- The Leederville Hotel trades 7 days and offers food between 12pm and 9pm;
- The Hotel caters for all ages and has a particular focus on families;
- The management of the Hotel attends all Vincent Accord meetings;
- The bottle shop only serves customers in a vehicle during the hours of 8pm and close in an attempt to reduce the incidence of street drinking;
- The premises is equipped with approximately fifteen (15) CCTV cameras inside and outside the venue;
- The Hotel is large in size and incidents do occur; and
- The premises has a patron capacity of 1960.

The full version of the Public Interest Assessment is attached to this Agenda Report.

Complaint History

Between 14 June 2008 and present, the Town received:

- Five (5) complaints regarding music noise allegedly emitted from the Venue;
- Two (2) complaints regarding alleged anti-social behaviour; and
- One (1) complaint regarding alleged substandard building maintenance in relation to non-refurbished ground floor area of the Venue.

Of the eight (8) complaints received, appropriate evidence has only been obtained to support just one of the complaints. A recent noise complaint relating to alleged unreasonable music noise from the premises on Wednesday nights, was substantiated by the Town's Officers, following sound level readings taken from a nearby commercial property. The Town wrote to the Hotel on 23 September 2010 advising of sound level readings obtained. On 6 October 2010, the Town received written advice from the Hotel, advising that an Acoustic Consultant had been contracted to report on how long-term compliance with the noise regulations can be achieved.

The matter of noise compliance will be addressed by the Town's Officers through application of the Environmental Protection Act 1986 and/or section 117 of the Liquor Control Act 1988.

CONSULTATION/ADVERTISING:

The Town's Officers consulted with the following stakeholders, all of which expressed no objection to the ongoing Extended Trading Permit application:

- Wembley Police;
- Drug and Alcohol Office;
- Liquor Enforcement Unit; and
- The Town's Planning Services, Ranger and Community Safety Services, and Health Services.

It is noted that whilst both the Police and the Drug and Alcohol Office submitted objections in relation to an Extended Trading Permit renewal application for the Leederville Hotel, as reported at the Ordinary Meeting of Council held on 14 August 2007, both authorities have advised the Town on this occasion that they have no objections to the current application.

As permitted under Clause 2 '*Non-Statutory and General Consultation/Communication*' of the Town's '*Guidelines and Policy Procedures for Community Consultation – Policy 4.1.5*' in relation to Extended Trading Permits, the Town's Officers considered it unproductive to consult with the local community, on this occasion, due to the following reasons:

- Prevent duplication - Community Consultation is provided for as a mandatory requirement under the Liquor Control Act 1988; the Hotel has issued a 'General Notice', posted on the building located at No. 742 (Lot 30) Newcastle Street, Leederville, advertising the Hotel's intention to renew its ongoing Extended Trading Permit for a period of fourteen (14) days, as required by Section 67(4)(b) of the Liquor Control Act 1988; and
- The Extended Trading Permit renewal application applies to a one-hour trade extension, for Saturday nights only.

LEGAL POLICY:

- Liquor Control Act 1988;
- Health (Public Building) Regulations 1992; and
- Environmental Protection (Noise) Regulations 1997.

STRATEGIC IMPLICATIONS:

Strategic Plan 2009 – 2014:

“Economic Development

2.1.3 Promote business development.

Leadership, Governance and Management

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

SUSTAINABILITY IMPLICATIONS:

It is essential within mixed land use areas that the Town balances the needs of both residents and business'. It is also essential from a sustainability and business continuity perspective that decision making processes are not unnecessarily prolonged.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

It is recommended that the 'Officer Recommendation' be supported by the Council.

9.1.1 Further Report - Nos. 173-179 (Lot 802; D/P: 301679) Stirling Street, and Nos.208-212 (Lot 123; D/P: 9320) Beaufort Street, Perth - Proposed Demolition of Existing Car Park and Construction of a Five (5) Storey Mixed Use Development Comprising Thirty-Seven (37) Single Bedroom Multiple Dwellings, Twenty (20) Multiple Dwellings, Seven (7) Offices and Associated Car Park

Ward:	South	Date:	19 October 2010
Precinct:	Beaufort; P13	File Ref:	PRO0331; 5.2010.215.2
Attachments:	001		
Reporting Officer:	R Narroo, Acting Co-ordinator Statutory Planning		
Responsible Officer:	R Boardman, Director Development Services		

FURTHER OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES BY AN ABSOLUTE MAJORITY the application submitted by TPG on behalf of the owner Sunswept Corporation Pty Ltd & McDonalds Australia Ltd for proposed Demolition of Existing Car Park and Construction of a Five (5) Storey Mixed Use Development Comprising Thirty-Seven (37) Single Bedroom Dwellings, Twenty (20) Multiple Dwellings, Seven (7) Offices and Associated Car Park at Nos. 173-179 (Lot: 802 D/P: 301679) Stirling Street, and Nos. 208-212 (Lot 123; D/P:9320) Beaufort Street, Perth, and as shown on amended plans stamp-dated 29 September 2010, subject to the following conditions:

- (i) **Building**
- (a) *all new external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Stirling and Beaufort Streets;*
 - (b) *if entry to neighbouring land is required, first obtaining the consent of the owners of No. 185 Stirling Street and Nos. 214-222 Beaufort Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 185 Stirling Street and Nos. 214-222 Beaufort Street in a good and clean condition;*
 - (c) *doors, windows and adjacent floor areas of the offices fronting Stirling and Parry Streets shall maintain an active and interactive relationship with these streets;*
 - (d) *the maximum gross floor area of the office component shall be limited to 587 square metres;*
 - (e) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
 - (f) *the car park shall be used only by employees, tenants, and visitors directly associated with the development;*

- (g) *the commercial tenancies ~~shall be used~~ are approved as offices. ~~only~~ Any increase in floor space or change of use of the offices shall require Planning Approval to be applied to and obtained from the Town. The change of use shall comply with the relevant Town's Planning Policies including the Town's Parking and Access Policy 3.7.1; and*
- (h) *additional design features using colour and/or relief being incorporated on the visible portions of the northern and western faces of the building wall facing Nos. 208-212 Beaufort Street and No. 185 Stirling Street to reduce the visual impact of these walls;*
- (ii) **Car Parking and Accessways**
- (a) *the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (b) *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; and*
- (c) *the car parking area shown for the non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*

(iii) **Public Art**

The owner(s), or the applicant on behalf of the owner(s), shall comply with the Town's Policy No. 3.5.13 relating to Percent for Public Art and the Percent for Public Art Guidelines for Developers, including:

- (a) *within twenty – eight (28) days of the issue date of this 'Approval to Commence Development', elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$100,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$10,000,000); and*
- (b) *in conjunction with the above chosen option;*
- (1) *Option 1 –
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and*
- prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work; OR*
- (2) *Option 2 –
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;*

(iv) Signage

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 to and approved by the Town prior to the erection of the signage;

(v) Fencing

Any new street/front wall, fence and gate within the Stirling and Parry Streets setback area, including along the side boundaries within this street setback area, shall comply with the Town's Policy provisions relating to Street Walls and Fences;

(vi) Verge Tree

No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning;

(vii) **PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the Town:**

(a) Construction Management Plan

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the Town, addressing the following issues:

1. *public safety, amenity and site security;*
2. *contact details of essential site personnel;*
3. *construction operating hours;*
4. *noise control and vibration management;*
5. *Dilapidation Reports of nearby properties;*
6. *air and dust management;*
7. *stormwater and sediment control;*
8. *soil excavation method (if applicable);*
9. *waste management and materials re-use;*
10. *traffic and access management;*
11. *parking arrangements for contractors and subcontractors;*
12. *Consultation Plan with nearby properties; and*
13. *any other matters deemed appropriate by the Town;*

(b) Landscape and Reticulation Plan

A detailed landscape and reticulation plan for the development site and adjoining road verge shall be submitted to the Town's Parks and Property Services for assessment and approval.

For the purpose of this condition, a detailed landscape and irrigation plan shall be drawn to a scale of 1:100 and show the following:

1. *the location and type of existing and proposed trees and plants;*
2. *all vegetation including lawns;*
3. *areas to be irrigated or reticulated;*
4. *proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and*
5. *separate soft and hard landscaping plans (indicating details of plant species and materials to be used).*

The Council encourages landscaping methods and species selection which do not rely on reticulation.

All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

(c) **Section 70 A Notification of the Transfer of Land Act**

The owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:

- (1) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non- residential activities; and*
- (2) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or office. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development;*
- (3) *a maximum of one bedroom and two occupants are permitted in the single bedroom multiple dwellings (units 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63 and 64) at any one time; and*
- (4) *the floor plan layout of the single bedroom multiple dwellings(units 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63 and 64) shall be maintained in accordance with the Planning Approval Plans.*

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

(d) **Schedule of External Finishes**

A detailed schedule of external finishes (including materials and colour schemes and details);

(e) **Acoustic Report**

An Acoustic Report in accordance with the Town's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the Town for approval. The recommended measures of the Acoustic Report shall be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an Acoustic Consultant six (6) months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject Acoustic Report;

(f) **Refuse and Recycling Management**

Bin numbers, collection and stores shall meet with the Town's minimum service provision.

Revised plans shall be submitted demonstrating a compliant commercial bin store area to the satisfaction of the Town's Technical Services;

(g) Privacy

Revised plans shall be submitted to, and approved by the Town demonstrating the following:

- (1) *the balcony on the second floor (unit 30) on the northern and western elevations;*
- (2) *the pool deck and communal terrace on the second floor on the northern elevation;*
- (3) *bedroom 1 on the western elevation and balcony on the northern elevation on the third floor (unit 45);*
- (4) *bedroom 2 on the western elevation and balcony on the northern elevation on the fourth floor (unit 61);*

being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material that is easily removed; OR prior to the issue of a Building Licence revised plans shall be submitted demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject wall, so that they are not considered to be a major opening as defined in the Residential Design Codes 2008; OR prior to the issue of a Building Licence, revised plans shall be submitted demonstrating the above major openings being provided with permanent vertical screening or equivalent, preventing direct line of sight within the cone of vision to ground level of the adjoining properties in accordance with the Residential Design Codes. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No. 185 Stirling Street stating no objection to the respective proposed privacy encroachment;

(h) Amalgamation and Subdivision

Prior to the issue of a Building Licence, the subject Lots 123 and 802 shall be amalgamated and subdivided 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 and subdivide 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);

(i) Footpath Upgrading

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, and drainage modified at crossover point, to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$20,000 shall be lodged 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; and

(j) Vehicular Gate

Any proposed vehicular gate for the car park visible from Stirling Street shall be a minimum 50 percent visually permeable when viewed from Stirling Street; and

(viii) **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the Town:**

(a) Underground Power

The power lines adjacent to the subject lots shall be placed underground for the complete length of the Stirling Street frontage of the development at the full expense of the developer;

(b) Residential Car Bays

The 57 car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development;

(c) Clothes Drying Facility

Each multiple dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer;

(d) Bicycle Parking

Three (3) class one or two bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle facilities shall be submitted to and approved by the Town prior to the installation of such facilities; and

(e) a plan detailing management measures for the operation of the vehicular entry gate to Stirling Street to ensure access is readily available for visitors to the residential and commercial units at all times, shall be submitted to and approved by the Town.

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

Moved Cr Buckels, Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr McGrath, Seconded Cr Buckels

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

“(vii)(b) Landscape and Reticulation Plan

A detailed landscape and reticulation plan for the development site and adjoining road verge shall be submitted to the Town’s Parks and Property Services for assessment and approval. The landscaping plan shall include the open car parking deck.”

Debate ensued.

The Mover, Cr McGrath advised that he wished to change his amendment to including the following:

“(vii)(b) Landscape and Reticulation Plan

A detailed landscape and reticulation plan for the development site and adjoining road verge shall be submitted to the Town’s Parks and Property Services for assessment and approval. The landscaping plan shall include the open car parking deck on level 1 and the pool deck on level 2.”

The Seconder, Cr Buckels agreed.

AMENDMENT PUT AND CARRIED (8-0)

(Mayor Catania was an apology for the meeting.)

Debate ensued.

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

(Mayor Catania was an apology for the meeting.)

COUNCIL DECISION ITEM 9.1.1

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES BY AN ABSOLUTE MAJORITY the application submitted by TPG on behalf of the owner Sunswept Corporation Pty Ltd & McDonalds Australia Ltd for proposed Demolition of Existing Car Park and Construction of a Five (5) Storey Mixed Use Development Comprising Thirty-Seven (37) Single Bedroom Dwellings, Twenty (20) Multiple Dwellings, Seven (7) Offices and Associated Car Park at Nos. 173-179 (Lot: 802 D/P: 301679) Stirling Street, and Nos. 208-212 (Lot 123; D/P:9320) Beaufort Street, Perth, and as shown on amended plans stamp-dated 29 September 2010, subject to the following conditions:

(i) Building

- (a) *all new external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Stirling and Beaufort Streets;*
- (b) *if entry to neighbouring land is required, first obtaining the consent of the owners of No. 185 Stirling Street and Nos. 214-222 Beaufort Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 185 Stirling Street and Nos. 214-222 Beaufort Street in a good and clean condition;*
- (c) *doors, windows and adjacent floor areas of the offices fronting Stirling and Parry Streets shall maintain an active and interactive relationship with these streets;*
- (d) *the maximum gross floor area of the office component shall be limited to 587 square metres;*

- (e) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
 - (f) *the car park shall be used only by employees, tenants, and visitors directly associated with the development;*
 - (g) *the commercial tenancies are approved as offices. Any increase in floor space or change of use of the offices shall require Planning Approval to be applied to and obtained from the Town. The change of use shall comply with the relevant Town's Planning Policies including the Town's Parking and Access Policy 3.7.1; and*
 - (h) *additional design features using colour and/or relief being incorporated on the visible portions of the northern and western faces of the building wall facing Nos. 208-212 Beaufort Street and No. 185 Stirling Street to reduce the visual impact of these walls;*
- (ii) **Car Parking and Accessways**
- (a) *the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
 - (b) *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; and*
 - (c) *the car parking area shown for the non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (iii) **Public Art**
- The owner(s), or the applicant on behalf of the owner(s), shall comply with the Town's Policy No. 3.5.13 relating to Percent for Public Art and the Percent for Public Art Guidelines for Developers, including:*
- (a) *within twenty – eight (28) days of the issue date of this 'Approval to Commence Development', elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$100,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$10,000,000); and*
 - (b) *in conjunction with the above chosen option;*
 - (1) *Option 1 –
prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and

prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work; OR*
 - (2) *Option 2 –
prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;*

(iv) Signage

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 to and approved by the Town prior to the erection of the signage;

(v) Fencing

Any new street/front wall, fence and gate within the Stirling and Parry Streets setback area, including along the side boundaries within this street setback area, shall comply with the Town's Policy provisions relating to Street Walls and Fences;

(vi) Verge Tree

No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning;

(vii) **PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the Town:**

(a) Construction Management Plan

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the Town, addressing the following issues:

1. *public safety, amenity and site security;*
2. *contact details of essential site personnel;*
3. *construction operating hours;*
4. *noise control and vibration management;*
5. *Dilapidation Reports of nearby properties;*
6. *air and dust management;*
7. *stormwater and sediment control;*
8. *soil excavation method (if applicable);*
9. *waste management and materials re-use;*
10. *traffic and access management;*
11. *parking arrangements for contractors and subcontractors;*
12. *Consultation Plan with nearby properties; and*
13. *any other matters deemed appropriate by the Town;*

(b) Landscape and Reticulation Plan

A detailed landscape and reticulation plan for the development site and adjoining road verge shall be submitted to the Town's Parks and Property Services for assessment and approval. The landscaping plan shall include the open car parking deck on level 1 and the pool deck on level 2.

For the purpose of this condition, a detailed landscape and irrigation plan shall be drawn to a scale of 1:100 and show the following:

1. *the location and type of existing and proposed trees and plants;*
2. *all vegetation including lawns;*
3. *areas to be irrigated or reticulated;*
4. *proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and*
5. *separate soft and hard landscaping plans (indicating details of plant species and materials to be used).*

The Council encourages landscaping methods and species selection which do not rely on reticulation.

All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);

(c) Section 70 A Notification of the Transfer of Land Act

The owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:

- (1) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non- residential activities; and*
- (2) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or office. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development;*
- (3) *a maximum of one bedroom and two occupants are permitted in the single bedroom multiple dwellings (units 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63 and 64) at any one time; and*
- (4) *the floor plan layout of the single bedroom multiple dwellings(units 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 53, 54, 55, 56, 57, 58, 59, 60, 62, 63 and 64) shall be maintained in accordance with the Planning Approval Plans.*

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

(d) Schedule of External Finishes

A detailed schedule of external finishes (including materials and colour schemes and details);

(e) Acoustic Report

An Acoustic Report in accordance with the Town's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the Town for approval. The recommended measures of the Acoustic Report shall be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an Acoustic Consultant six (6) months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject Acoustic Report;

(f) Refuse and Recycling Management

Bin numbers, collection and stores shall meet with the Town's minimum service provision.

Revised plans shall be submitted demonstrating a compliant commercial bin store area to the satisfaction of the Town's Technical Services;

(g) Privacy

Revised plans shall be submitted to, and approved by the Town demonstrating the following:

- (1) *the balcony on the second floor (unit 30) on the northern and western elevations;*
- (2) *the pool deck and communal terrace on the second floor on the northern elevation;*
- (3) *bedroom 1 on the western elevation and balcony on the northern elevation on the third floor (unit 45);*
- (4) *bedroom 2 on the western elevation and balcony on the northern elevation on the fourth floor (unit 61);*

being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material that is easily removed; OR prior to the issue of a Building Licence revised plans shall be submitted demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject wall, so that they are not considered to be a major opening as defined in the Residential Design Codes 2008; OR prior to the issue of a Building Licence, revised plans shall be submitted demonstrating the above major openings being provided with permanent vertical screening or equivalent, preventing direct line of sight within the cone of vision to ground level of the adjoining properties in accordance with the Residential Design Codes. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No. 185 Stirling Street stating no objection to the respective proposed privacy encroachment;

(h) Amalgamation and Subdivision

Prior to the issue of a Building Licence, the subject Lots 123 and 802 shall be amalgamated and subdivided 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 and subdivide 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);

(i) Footpath Upgrading

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, and drainage modified at crossover point, to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$20,000 shall be lodged 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; and

(j) *Vehicular Gate*

Any proposed vehicular gate for the car park visible from Stirling Street shall be a minimum 50 percent visually permeable when viewed from Stirling Street; and

(viii) ***PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the Town:***

(a) *Underground Power*

The power lines adjacent to the subject lots shall be placed underground for the complete length of the Stirling Street frontage of the development at the full expense of the developer;

(b) *Residential Car Bays*

The 57 car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development;

(c) *Clothes Drying Facility*

Each multiple dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer;

(d) *Bicycle Parking*

Three (3) class one or two bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle facilities shall be submitted to and approved by the Town prior to the installation of such facilities; and

(e) *a plan detailing management measures for the operation of the vehicular entry gate to Stirling Street to ensure access is readily available for visitors to the residential and commercial units at all times, shall be submitted to and approved by the Town.*

FURTHER OFFICER COMMENTS:

The proposal involves demolition of the existing car park and construction of a five storey mixed use development comprising thirty-seven single bedroom multiple dwellings, twenty multiple dwellings and six offices and associated car park.

Previous Consideration of the Development Application

The Council at its Ordinary Meeting held on 14 September 2010 considered an application for demolition of existing car park and construction of a six storey building comprising forty single bedroom multiple dwellings and twenty-five multiple dwellings and associated car park, and resolved as follows:

“That the item be DEFERRED at the request of the applicant.”

The applicant has submitted amended plans which detail the following changes:

- building height has reduced from six storeys to five storeys;
- all the residential units previously on the ground floor have changed to office use; and
- the number of multiple dwellings including the single bedroom multiple dwellings have been reduced from 65 to 57.

In support of the changes, the applicant has provided the following justification:

“Further to our correspondence dated 13 September 2010, which sought to defer the Council’s consideration of the proposed development, please find attached revised plans for your assessment.

The project team has considered the issues raised in the planning officer’s recommendation, and has therefore made the following changes to the plans:

- *Reduced the building height from six down to five storeys;*
- *Replaced all the residential apartments on the ground level with commercial (office) tenancies;*
- *Reduced the dwelling density from 65 apartments down to only 57; and*
- *Reduced the plot ratio by 759m².*

As the new plans indicate 37 single bedroom dwellings and therefore, when taking into account the density bonus as per the Town’s Single Bedroom Dwellings Policy, the density has been reduced from R226 down to a residential density of only R194, which is consistent with the core intent of the Beaufort Street Policy as justified in the original planning report.

With regard to the building height, the proposed height of the building is now 5 storeys with a building height at the boundary of 16.2m. As indicated on the attached ‘Neighbourhood Context’ plan, the height of the building is entirely consistent with surrounding buildings, being the same height as Tyne Square on the western side of Weld Square, lower than the 17.3m height approved on the same street block, but a couple of lots to the north and only marginally higher than that approved on the opposite corner of Stirling and Parry Streets.

Along with the reduction in dwelling numbers and lower building height, the new plans now propose a plot ratio area (including stores) of only 4000m², which is a ratio of 1.76:1, reduced from the previous plot ratio of 2.08 or 4759m².

The change in use at the ground floor from residential to commercial (office) is now entirely consistent with the intent for the area advocated by the sites ‘Commercial’ and ‘Residential Commercial’ zoning and the Beaufort Street Policy. The development now affords active street front tenancies and employment opportunities in a true mixed use development, the numerous benefits of which have been well documented and accepted.

With regard to parking, 76 parking bays have still been provided as per the previous plans even though only 66 bays are now required. The Town’s Parking Policy states that for office uses, there is a requirement of one bay per 50m² of gross floor area, which for 563m² GFA equates to 12 bays. The Parking Policy also offers reductions of a factor of 0.85 for commercial development in close proximity to both a railway station and bus stops, both of which apply in this instance and reduces the requirement to nine (9) bays for the commercial portion. The requirement for residential bays in a mixed-use development is one per dwelling (as per the Towns Parking Policy), resulting in a requirement of 57 bays for the 57 dwellings. The total requirement is therefore 66 bays and as 76 have been provided there is an excess of ten (10) bays.

It is considered that the revised plans have addressed all the issues raised by officers in the Council's Agenda Report and therefore warrants approval, especially when considering that the proposal is still consistent with the intent of the Beaufort Street Policy including:

- *It provides greater passive surveillance and security over the soon to be refurbished Weld Square;*
- *The development removes an unsightly underutilised at grade car park and replacing it with a quality building designed by well respected architects Zuideveld Marchant Hur;*
- *The development now proposes a mixed-use development which provides housing diversity, greater vibrancy with the active ground floor tenancies and employment opportunities;*
- *The development is mostly residential and is largely residential in appearance thus adding to the residential character and amenity of the area; and*
- *The building is now a five storey development that is of a scale compatible with the surrounding area.*

Given the above and the justification previously provided, we trust these changes to the plans are sufficient to now warrant the Towns support and ultimate approval. We therefore wish to re-initiate the Town's consideration of the proposal and for the matter to be considered at the next available Council meeting."

COMPLIANCE:

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Density:	R80- 18 Multiple Dwellings or 27 Single Bedroom Multiple Dwellings.	R 195- 20 Multiple Dwellings and 37 Single Bedroom Multiple Dwellings. Density bonus= 144 per cent = 3295 square metres.
Officer Comments:		
Supported: The development is consistent with the objectives of Clause 40 of TPS 1 with respect to enhancing the amenity of the area, and the proposal is consistent with orderly and proper planning of the locality. The intensity of development and the uses are consistent with the surrounding development and land uses, and it is considered the development will not have an unreasonable impact on occupiers of the development or on the conservation of amenities of the locality.		
Plot Ratio:	1= 2288 square metres	1.76= 4027 square metres
Officer Comments:		
Supported- The plot ratio has been reduced by 732 square metres due to the deletion of the sixth storey and, given it is a mixed use development, the office component is not included in the plot ratio as per the R-Codes. The increase in density directly results in an increased plot ratio. The building incorporates appropriate articulation to reduce its visual impact on the area. It is considered that the overall height and scale of the development is in keeping with the built form of this inner city locality in general, and it is not considered to have an undue adverse impact on amenity and can be supported.		
Front Setbacks:		
East-Front- Stirling Street	Setback to be generally consistent with building setback on adjacent land.	Ground, First, Second, Third and Fourth Floors= Nil.
South- Parry Street	Setback to be generally consistent with building setback on adjacent land.	Ground, First, Second, Third and Fourth Floors= Nil.
Officer Comments:		
Supported- The existing and proposed buildings in the surrounding area have nil setbacks along Stirling and Parry Streets and, therefore, the proposal will not have an undue impact on the streetscape.		

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Building Side Setbacks: North		
Ground Floor	1.5 metres	Nil
First Floor	3 metres	Nil
Second Floor	7.5 metres	Nil
Third Floor	9 metres	Nil to 2 metres
Fourth Floor	11 metres	Nil
Officer Comments:		
Supported- The existing building on the adjoining property is used for commercial uses and therefore the variations to the setbacks will not have an undue impact on the adjoining property. No objection was received from the adjoining northern neighbour, and in this instance, the variations are supported.		
Boundary Walls: North	Average Height= 3 metres Maximum Height= 3.5 metres Length= 33.5 metres	Average Height= 9.8 metres Maximum Height= 16 metres Length= 50.2 metres
Officer Comments:		
Supported- The existing building on the adjoining property is used for commercial uses and, therefore, the variations to the setbacks will not have an undue impact on the adjoining property. No objection was received from the adjoining northern neighbour, and in this instance, the variation is supported.		
Number of Storeys and Height	2 storeys (3 storeys can be considered) Height= 7 metres	5 storeys Height=17.8 metres
Officer Comments:		
Supported-It is considered that the overall height and scale of the development is in keeping with the built form of this inner city locality in general and can be supported.		
Privacy	Balcony/Pool Deck/Communal Terrace Bedroom	Unit 30-balcony 0.5 metre to northern boundary on the western elevation. Nil to northern boundary on the northern elevation. Pool Deck/Communal Terrace. 6.433 metres to northern boundary.

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
		Unit 45 Bedroom 1- 1 metre to northern boundary on the western elevation. Balcony- Nil to northern boundary. Unit 61 Bedroom 2- 1 metre to northern boundary on the western elevation. Balcony- 2 metres to northern boundary.

The above Officer Comments are provided pursuant to Clause 38(5) of Town Planning Scheme No. 1

Consultation Submissions		
Item	Comments Received	Officer Comments
Support	Nil.	Noted.
Objection	Nil.	Noted.
Advertising	The previous plans were advertised for a period of 21 days including advertising letters sent by the Town to landowners, a sign on-site and newspaper notice as per the Town's Policy No. 4.1.5 relating to Community Consultation. The Town notified all those who made a submission to the previous proposal of the amended proposal and gave them a further fourteen (14) days to provide comment.	

Car Parking

In accordance with the Residential Design Code requirements for mixed-use development, on-site car parking requirements for multiple dwellings may be reduced to one bay per dwelling, where on-site parking required for other users is available outside normal business hours. A total of 76 car bays have been provided for the proposed development. For the residential component, 57 car bays are to be provided. The balance of car bays available for the commercial component in this instance, is 19 car bays.

Car Parking-Commercial Component	
Car parking requirement (nearest whole number) Office: 1 car bay per 50 square metres gross office floor area (proposed 587 square metres)= 11.74 car bays= 12 car bays	12 car bays
Apply the parking adjustment factors.	(0.578 <u>0.491</u>)
<ul style="list-style-type: none"> ▪ 0.80 (mix of uses with greater than 45 percent of the gross floor area residential) ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.85 (within 400 metres of an existing public car park in excess of 75 spaces) ▪ <u>0.85 (within 800 metres of a rail station)</u> 	6.936 <u>5.89</u>
Minus the car parking provided on-site	19
Minus the most recently approved on-site car parking shortfall	Nil
Surplus	12.064 <u>13.1</u> car bays

***Note: The above Car Parking Assessment Table was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.**

Bicycle Parking		
Bicycle Parking	Offices- 1 space per 200 (proposed 587) square metres (class 1 or 2)= 3 spaces	Not provided- a condition of planning approval has been imposed.

Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic	The Town's Local Planning Strategy has identified the subject site to be within the Members Equity (now nib Stadium) Stadium Precinct and within an 800 metres radius from the Claisebrook Railway Station.
Sustainability	Nil.
Financial/Budget	Nil.

COMMENTS:

The amended proposal consists of multiple dwellings and offices. In the Zone Table in the Town's Planning Scheme No. 1, multiple dwellings and offices are classified as "P" and "AA" uses under Commercial/Residential/Commercial zoning.

Density, plot ratio and building height contribute to the bulk and scale of a development and in this instance, the subject proposal is not considered to have an undue impact on the amenity of the area and is symptomatic of a growing trend to develop underutilised inner-city properties.

The proposed five-storey height of the building is supported given the nature of developments in the immediate area along Beaufort Street; to the north-west of the site there is a mixed-use building of five storeys being constructed and the proposed building incorporates appropriate articulation.

Due to the support of a five-storey development on the subject site, the proposed density bonus and plot ratio are also recommended for approval. The subject development is consistent with the principles of transit oriented development espoused in the Town's Local Planning Strategy with respect to a proposed high density residential building in close proximity to rail facilities.

In light of the above, the application is supported as it is not considered that the development will result in any undue impact on the amenity of the surrounding area. The application is therefore recommended for approval, subject to standard and appropriate conditions to address the above matters.

9.1.4 Amendment No. 73 to Planning and Building Policies – Draft Policy No. 3.5.23 Relating to Construction Management Plans

Ward:	Both	Date:	18 October 2010
Precinct:	All	File Ref:	PLA0223
Attachments:	001 , 002 , 003		
Reporting Officer:	S Kendall, Senior Strategic Planning & Heritage Officer		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Report relating to Amendment No. 73 to Planning and Building Policies – Draft Policy No. 3.5.23 Relating to Construction Management Plans, which takes into consideration the written submissions received during the formal advertising period, which was undertaken in accordance with Clause 47(3), (4) and (5)(a) of the Town of Vincent Town Planning Scheme No. 1;*
- (ii) *ADOPTS the final amended version of the:*
 - (a) *Draft Policy No. 3.5.23 Relating to Construction Management Plans and AUTHORISES the Chief Executive Officer to advertise the final amended version of this Policy in accordance with Clause 47(5)(b) and Clause 47(6) of Town Planning Scheme No. 1; and*
 - (b) *ADOPTS the final amended version of the Construction Management Plan “Application for Approval” and associated “Construction Management Plan Guidelines”; and*
- (iii) *AUTHORISES the Chief Executive Officer to update and make minor amendments to the documents, from time to time, as the need arises.*

Cr Burns and Cr Farrell departed the Chamber at 7.44pm.

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

Cr Farrell returned to the Chamber at 7.45pm.

Debate ensued.

Cr Burns returned to the Chamber at 7.47pm.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr McGrath

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

“(ii) ADOPTS the final amended version of the:

(a) Draft Policy No. 3.5.23 Relating to Construction Management Plans and AUTHORISES the Chief Executive Officer to advertise the final amended version of this Policy in accordance with Clause 47(5)(b) and Clause 47(6) of Town Planning Scheme No. 1, subject to the Policy being further amended as follows;

(1) clause 1.3 of the Draft Policy being amended as follows;

“Require builders and developers to adhere to the Construction Management Plan approved by the Town of Vincent, during all excavation and retention of land, demolition and building work.

On request, the Construction Management Plan will be made available for inspection by members of the public at the Town’s Administration and Civic Centre and can be distributed by mail, email or facsimile;”

(b) ADOPTS the final amended version of the Construction Management Plan “Application for Approval” and associated “Construction Management Plan Guidelines”, subject to the “Construction Management Plan Guidelines” being further amended as follows;

(1) the Traffic Assessment clause in Item 3: Traffic and Access Management of the Draft Policy being amended as follows;

“NOTE: Traffic Management Plans will only be required by larger developments and those in ‘difficult’ locations as determined by the Director Technical Services.”

(2) the Pedestrian Movement clause of Item 3: Traffic and Access Management of the Draft Policy being amended as follows;

“If the footpath and verge is proposed to be obstructed by the installation of the work shed, the Town may require the shed to be placed on gantries above the footpath or may require the installation of kerbing, at the applicant's expense, to provide safe pedestrian access on the road.”

Cr Topelberg requested the amendment be considered and voted on in three parts.

The Presiding Member, Deputy Mayor Cr Sally Lake agreed with the request to consider and vote on the amendment in three parts.

Debate ensued.

AMENDMENT CLAUSE (ii)(a) PUT AND CARRIED (8-0)

(Mayor Catania was an apology for the meeting.)

AMENDMENT CLAUSE (ii)(b)(1) PUT AND CARRIED (8-0)

(Mayor Catania was an apology for the meeting.)

AMENDMENT CLAUSE (ii)(b)(2) PUT AND CARRIED (8-0)

(Mayor Catania was an apology for the meeting.)

MOTION AS AMENDED PUT AND CARRIED (8-0)

(Mayor Catania was an apology for the meeting.)

COUNCIL DECISION ITEM 9.1.4

That the Council;

- (i) ***RECEIVES the Report relating to Amendment No. 73 to Planning and Building Policies – Draft Policy No. 3.5.23 Relating to Construction Management Plans, which takes into consideration the written submissions received during the formal advertising period, which was undertaken in accordance with Clause 47(3), (4) and (5)(a) of the Town of Vincent Town Planning Scheme No. 1;***
- (ii) ***ADOPTS the final amended version of the:***
- (a) ***Draft Policy No. 3.5.23 Relating to Construction Management Plans and AUTHORISES the Chief Executive Officer to advertise the final amended version of this Policy in accordance with Clause 47(5)(b) and Clause 47(6) of Town Planning Scheme No. 1, subject to the Policy being further amended as follows:***
- (1) ***clause 1.3 of the Draft Policy being amended as follows:***
- “Require builders and developers to adhere to the Construction Management Plan approved by the Town of Vincent, during all excavation and retention of land, demolition and building work.***
- On request, the Construction Management Plan will be made available for inspection by members of the public at the Town’s Administration and Civic Centre and can be distributed by mail, email or facsimile;”***; and
- (b) ***ADOPTS the final amended version of the Construction Management Plan “Application for Approval” and associated “Construction Management Plan Guidelines”, subject to the “Construction Management Plan Guidelines” being further amended as follows:***
- (1) ***the Traffic Assessment clause in Item 3: Traffic and Access Management of the Draft Policy being amended as follows;***
- “NOTE: Traffic Management Plans will only be required by larger developments and those in ‘difficult’ locations as determined by the Director Technical Services.”***
- (2) ***the Pedestrian Movement clause of Item 3: Traffic and Access Management of the Draft Policy being amended as follows;***
- “If the footpath and verge is proposed to be obstructed by the installation of the work shed, the Town may require the shed to be placed on gantries above the footpath or may require the installation of kerbing, at the applicant's expense, to provide safe pedestrian access on the road.”***; and
- (iii) ***AUTHORISES the Chief Executive Officer to update and make minor amendments to the documents, from time to time, as the need arises.***

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with an overview of the outcomes of the formal advertising period for Amendment No. 73 to Planning and Building Policies – Draft Policy No. 3.5.23 relating to Construction Management Plans and to present a recommendation to progress the matter.

BACKGROUND:

At its Ordinary Meeting held on 10 August 2010, the Council considered a report (Item 9.1.6), which presented research into best practice utilisation of Construction Management Plans and how the requirement for a Construction Management Plan could best be incorporated within the Town's existing Policies.

At this meeting, a Draft Policy relating to Construction Management, Construction Management Plan “Application for Approval” and “Construction Management Plan Guidelines” were presented. Accordingly, the Council endorsed in part, the Officer Recommendation to commence formal advertising of the proposed Draft Policy.

DETAILS:

To ensure that all development in the Town involving excavation and retention of land, demolition and building work is managed appropriately at each stage of construction, the Town has reviewed its existing Construction Management Plan Pro-Forma and associated requirements.

As a result of the review process, the following documents were drafted:

1. Policy No. 3.5.23 relating to Construction Management Plans;
2. Construction Management Plan “Application for Approval”; and
3. “Construction Management Plan Guidelines”.

CONSULTATION/ADVERTISING:

The draft Planning Policy was advertised in accordance with Clause 47 of the Town's Town Planning Scheme No. 1.

A total of four (4) submissions were received during the consultation period all of which indicated that they had no objection to the proposed draft Policy or associated Construction Management Plan “Application for Approval” and “Construction Management Plan Guidelines”. The following comments were made in the submissions:

- The Heritage Council of Western Australia recommended as follows:
 - The Construction Management Plan should be completed for all proposals with the potential to affect a heritage listed property.

Officer Comment:

he Policy has been amended to state that a Construction Management Plan is required ‘for all developments except those of a minor nature’. The Town’s Policy No. 3.5.1 relating to Minor Nature Development outlines what is considered minor nature and specifically excludes works to places:

- a) on the Register of Places under the Heritage of Western Australia Act 1990; and
- b) listed in the Town of Vincent Heritage List or Municipal Heritage Inventory.

The above amendments will ensure that a Construction Management Plan is completed for all proposals with the potential to affect a heritage listed property and provide further clarification on what development would be subject to the Construction Management Plan.

- A copy of the dilapidation report for any property/site listed on the State Register of Heritage Places should be forwarded to the Heritage Council for its records.

Officer Comment:

Item 5 of the Construction Management Plan Guidelines has been amended to include a note advising of this requirement.

- Main Roads recommends that Item 3: Traffic and Access Management, Matters for Consideration, of the “Construction Management Plan Guidelines” be amended to add in the first line ‘A suitably endorsed Traffic Management Plan....’

Officer Comment:

Item 3 of the Construction Management Plan Guidelines has been amended accordingly.

- Western Power advised that when work is being undertaken in proximity to Western Power Distribution Lines, all work must comply with *Worksafe Regulation 3.64 - Guidelines for Work in the Vicinity of Overhead Power Lines*.

If any work is to breach the minimum safe working distances a *Request to Work Near Underground and Overhead Power Lines* form must be submitted to and approved by Western Power.

Officer Comment:

A section on ‘Power Lines’, which address Western Power’s comments has been included in Item 1: Public Safety, Amenity and Site Security of the Construction Management Plan Guidelines.

LEGAL/POLICY:

- Town Planning and Development Act 2005;
- Town Planning Scheme No. 1;
- Australian Standards, as appropriate;
- Local Government Act 1995;
- Town of Vincent Local Laws, as appropriate; and
- Environmental Protection Noise Regulations 1997.

STRATEGIC IMPLICATIONS:

Strategic Plan 2009-2014: Objective 1.1 Improve and Maintain Environment and Infrastructure:

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

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The current 2010/2011 Budget allocates \$58,200 for Town Planning Scheme Amendments and Policies.

COMMENTS:

In addition to the proposed amendments to the Construction Management Plan “Application for Approval” as a result of the Community Consultation, the following amendments have been made at the request of Health and Technical Services:

The following additional statement has been added to Item 3: Traffic and Access Management:

“NOTE: Site toilets must be provided onsite and within 2 metres of the property boundary.”

- The following additional statement, as shown underlined, has been added to the ‘Pre Work Inspection’ section in Item 1: Public Safety, Amenity and Site Security.

“Please advise, at the time of making the works bond payment, if you consider that a pre works inspection of the existing condition of the Town's infrastructure needs to be recorded for future reference at completion of the works.”

- The following additional statement, as shown underlined, has been added to the ‘Contact Details of Essential Site Personnel’ section in Item 1: Public Safety, Amenity and Site Security.

“The signage should indicate “Construction work times for this site are 7.00am - 7.00pm Monday to Saturday only”. Should problems in relation to building noise occur outside the above permitted hours, or for any other enquiry, complaint or emergency relating to this site at anytime please contact...”

The new Policy and associated “Application for Approval” and “Guidelines” will provide guidance in the area of Construction Management, which is considered important to the Town’s Administration, the Council and the broader community. It is therefore recommended that this Policy be adopted by the Council.

9.2.1 Proposed Implementation Program - Wetland Heritage Trail/Wetlands heritage trail/greenway – Charles Veryard Reserve

Ward:	North Ward	Date:	17 October 2010
Precinct:	Smith's Lake P6	File Ref:	CMS0071
Attachments:	001		
Reporting Officer:	R Lotznicker, Director Technical Services		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES IN PRINCIPLE the design concept for the Charles Veryard Reserve wetlands heritage trail/greenway link estimated to cost \$145,000 as shown on attached Plan No. 2747-CP-01;*
- (ii) *APPROVES BY AN ABSOLUTE MAJORITY to reallocate \$25,000 from the Beatty Park Reserve wetlands heritage trail/greenway budget allocation to the Charles Veryard Reserve wetlands heritage trail/greenway budget allocation;*
- (iii) *NOTES that the:*
 - (a) *Town's application for Bikewest funding of \$48,760 to construct a shared path through the Charles Veryard Reserve as part of the wetlands heritage trail/greenway was successful however the application for funding of \$36,770 for a shared path through the Beatty Park Reserve was unsuccessful; and*
 - (b) *Town will reapply for Bikewest for funding for a shared path through the Beatty Park Reserve in 2011/2012;*
- (iv) *CONSULTS with adjoining residents and the Precinct Group regarding the proposal, providing them with 14 days to provide comments; and*
- (v) *RECEIVES a further report should any adverse comments in regard to the project be received.*

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

COUNCIL DECISION ITEM 9.2.1

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

Cr Farrell departed the Chamber at 8.55pm and did not return to the meeting.

Debate ensued.

MOTION PUT AND CARRIED
BY AN ABSOLUTE MAJORITY (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to provide an overview and seek approval of the next project in the Wetlands Heritage Trail/Greenway (i.e. the shared path through Charles Veryard Reserve).

BACKGROUND:

Ordinary Meeting held on 12 July 2005:

The Council considered a comprehensive report in relation to the Wetlands Heritage Trail/Greenway. It approved the formation of a Working Group comprising a number of Council Members and officers from the Town's Technical Services and Community Development to develop a program for the completion of the Wetland Heritage Trail and determine annual funding requirements associated with the program.

Ordinary Meeting held on 23 May 2006:

The Council was advised that the Wetlands heritage trail/greenway Working Group had met on numerous occasions since November 2005 to discuss and resolve the various options presented in terms of the final trail routes, infrastructure improvements, artworks and signage.

After considering the report the Council made the following decision (in part):

- (vi) *APPROVES IN PRINCIPLE the program of works and annual cost estimates for years 2006/2007 to 2012/2013, as indicated in the report, to be implemented over a six year (6) year period subject to the officers considering a stage implementation of the Smith's Lake Link in 2006/07;*
- (ix) *CONSULTS with the various stakeholders prior to implementing the various sections of the Wetlands heritage trail/greenway and associated works in accordance with the Town's consultation policy; and*
- (x) *RECEIVES a further report/s on the project/s following consultation prior to implementation proceeding.*

DETAILS:

Pre 2005

The following Wetlands heritage trail/greenway projects were implemented by either the Town or others:

- Swan River Foreshore Path (concrete foreshore path City of Perth)
- Graham Farmer Freeway path (MRWA)
- Parry Street (On road cycleway) EPRA
- Beatty Park (south side of Reserve car park to Charles Street)
- Royal Park (Dual use path from n/w corner at Charles Street to Victoria Street – including resurfacing of ROW in Red asphalt)
- Victoria Street link (red asphalt dual use path from ROW to access to Lawley Street)
- Link – Victoria Street to Lawley Street – dual use path.

Post 2006:

Since 2005/2006 the following Wetlands heritage trail/greenway projects i.e. "physical links" including paths, lighting, furniture etc have been implemented:

- Victoria Street (dual use path in verge)
- Hyde Park Spur (on road Cycle way and associated upgrade)
- Forbes Road Improvements (verge dual use path and associated works)
- Stuart St Reserve (dual use path)
- Lawley Street – (parking/dual use path)
- Smiths Lake Reserve (dual use path)

Outstanding Projects:

The following projects are still outstanding:

- Little Parry Street (2010/2011 budget – resurfacing/kerbing)
- Fitzgerald Street crossing (at Lawley/Randall)
- Beatty Park Reserve* (Vincent St to Farr Ave)
- Charles Veryard Reserve (2010/2011 budget)
- Brentham Street Reserve
- Britannia Road Reserve
- Link from Charles Veryard Reserve to Brentham Street Reserve (will be the subject of a separate report to the Council).

2010/2011 Budget:

The following two (2) wetlands heritage trail/greenway Projects have been included in the 2010/2011 Budget as follows:

Project	Location	Muni Funds	Bikewest Funding	TOTAL	Comment
Charles Veryard Res	Shared Path, Albert to Bourke	\$71,242	\$48,760	\$120,000	Successful
Beatty Park Res*	Shared Path, Albert to Bourke	\$51,230	\$36,770	\$88,000	Unsuccessful

Table A

The Town's officers previously received funding assistance from the Perth Bicycle Network from Bikewest in January 2006 to complete the section of the Wetlands Heritage Trail/Wetlands heritage trail/greenway through Stuart Street Reserve.

Funding was again sought in 2009 for two (2) wetlands heritage trail/greenway projects (as outlined in Table A) however only funding for one of the projects, i.e. Charles Veryard Reserve, was received.

The Charles Veryard Reserve wetlands heritage trail/greenway link consists of 260 metres of pathway weaving along the eastern edge of the reserve linking Bourke Street to Albert Street (continuing the Smith's Lake reserve link which was constructed in 2009).

The proposed path will be constructed using red asphalt and have a flush concrete kerb and the standard Urbi lights fitted with LED light fittings. (refer attached plan No 2747-CP-01)

The estimated cost per metre (based on actual costs for the Smiths Lake project undertaken in 2009/2010) is \$145,000. The current budget is \$120,000 with an estimated shortfall of \$25,000.

CONSULTATION/ADVERTISING:

Where required, all works associated with the Wetlands heritage trail/greenway that may impact on adjoining residents or stakeholders, will be advertised in accordance with the Town's consultation policy.

The Town will consult with adjoining residents and the Precinct Group regarding the proposal, providing them with 14 days to provide comments and will provide a further report to the Council should any adverse comments in regard to the project be received.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *“(a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads.”*

SUSTAINABILITY IMPLICATIONS:

This project will not only create purposeful links but will also provide the following added value in the Town:

- Improvements to Parks and Reserves (access, lighting and furniture);
- Cultural benefits;
- Recreational benefits (walking, cycling);
- Tourism incentives; and
- Improvements to degraded infrastructure associated with the project.

FINANCIAL/BUDGET IMPLICATIONS:

As mentioned above, \$120,000 has been allocated in the 2010/2011 budget for implementing the Charles Veryard wetlands heritage trail/greenway shared pathway.

As shown in Table A. above, the Beatty Park project did not attract Bikewest funding and therefore there are municipal funds available to utilise for the Charles Veryard project i.e. \$51,230 available.

It is recommended that the funding shortfall (estimated to be in the order of \$25,000) be sourced from the Beatty Park project allocation and that Bikewest funding for the Beatty Park shared path again be applied for in 2011/2012.

COMMENTS:

As indicated in previous reports to the Council the completed Wetlands heritage trail/greenway projects have contributed greatly to highlighting the cultural and environmental richness within the Town and, in particular, the land pertaining to the former wetlands system.

The completion of this section of the path through the Charles Veryard Reserve will provide an additional accessible link through the Town and be a step further to completing this project, which is gaining interest and momentum.

9.2.2 Alternative Uses for Car Parking Bays in Town Centres – Progress Report

Ward:	Both	Date:	20 October 2010
Precinct:	ALL	File Ref:	PLA0084
Attachments:	-		
Reporting Officer:	Various		
Responsible Officer:	R Lotznicker, Director Technical Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the information contained in the report regarding alternative uses for car parking bays in Town Centres;*
- (ii) *NOTES:*
 - (a) *that an initiative called PARK(ing) day, originating in the United States, has been held on 18 September each year since 2005 to raise awareness of the importance of urban public spaces, by converting parking spaces for alternative uses for a short period of time on the day; and*
 - (b) *the main issue with holding any event on a public road, albeit large or small, is one of public liability and Health and Safety and appropriate measures would need to be implemented to protect members of the public from accident injury or hurt;*
- (iii) *DOES NOT arrange or commit the Town's resources to organising future annual PARK(ing) day events for the reasons outlined in the report;*
- (iv) *AUTHORISES the establishment of guidelines for volunteer groups wishing to become involved in PARK(ing) day events in the future within the Town and that any such event shall be restricted to being held on 18 September of each year; and*
- (v) *RECEIVES a further report on the matter should clause (iii) be adopted.*

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr McGrath

That clauses (iv) and (v) be deleted and new clauses (iv) and (v) be inserted as follows:

- “(iv) REQUESTS a further report on the proposal described at the Ordinary Meeting of Council of 27 July 2010 which involves the use of the small number of embayed parking bays for uses such as alfresco dining, provision of tables and chairs for socialising and/or bicycle parking; and*
- (v) NOTES that the intention of investigating such treatments is to increase vitality of our town centres and is consistent with a number of Key Actions in the Town's Strategic Plan.”*

Debate ensued.

AMENDMENT PUT AND CARRIED (6-1)

For: Presiding Member, Deputy Mayor Cr Sally Lake, Cr Burns, Cr Harvey,
Cr McGrath, Cr Maier, Cr Topelberg

Against: Cr Buckels

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

Debate ensued.

MOTION PUT AND CARRIED (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

COUNCIL DECISION ITEM 9.2.2

That the Council;

- (i) ***RECEIVES the information contained in the report regarding alternative uses for car parking bays in Town Centres;***
 - (ii) ***NOTES:***
 - (a) ***that an initiative called PARK(ing) day, originating in the United States, has been held on 18 September each year since 2005 to raise awareness of the importance of urban public spaces, by converting parking spaces for alternative uses for a short period of time on the day; and***
 - (b) ***the main issue with holding any event on a public road, albeit large or small, is one of public liability and Health and Safety and appropriate measures would need to be implemented to protect members of the public from accident injury or hurt;***
 - (iii) ***DOES NOT arrange or commit the Town's resources to organising future annual PARK(ing) day events for the reasons outlined in the report;***
 - (iv) ***REQUESTS a further report on the proposal described at the Ordinary Meeting of Council of 27 July 2010 which involves the use of the small number of embayed parking bays for uses such as alfresco dining, provision of tables and chairs for socialising and/or bicycle parking; and***
 - (v) ***NOTES that the intention of investigating such treatments is to increase vitality of our town centres and is consistent with a number of Key Actions in the Town's Strategic Plan.***
-

PURPOSE OF REPORT:

The purpose of this report is to provide information on alternative uses for car parking bays in Town Centres.

BACKGROUND:

At its Ordinary meeting held on 27 July 2010 the Council considered a notice of motion from Cr Maier requesting the Town's Administration to investigate alternative uses for car parking bays in Town Centres where the following decision was made:

"That the Council REQUESTS the Chief Executive Officer to:

- (i) investigate and report on the feasibility of using a small number of car parking bays in Town Centres for alternative uses, including but not limited to:
 - (a) uses such as alfresco dining, provision tables and chairs for socialising and reading, and/or bicycle parking; and*
 - (b) identification of potential and suitable locations in each Town Centre, indicative costs, budget implications, benefits, operational/logistical matters and legal, insurance and liability issues; and**
- (ii) submit a report to the Council by October 2010."*

DETAILS:

The Town's officers have investigated the alternative uses for car parking bays and the following information is provided.

The 'concept' of alternative uses for car parking bays was initiated by a group called REBAR (an interdisciplinary studio based in San Francisco operating at the intersection of art, design and activism).

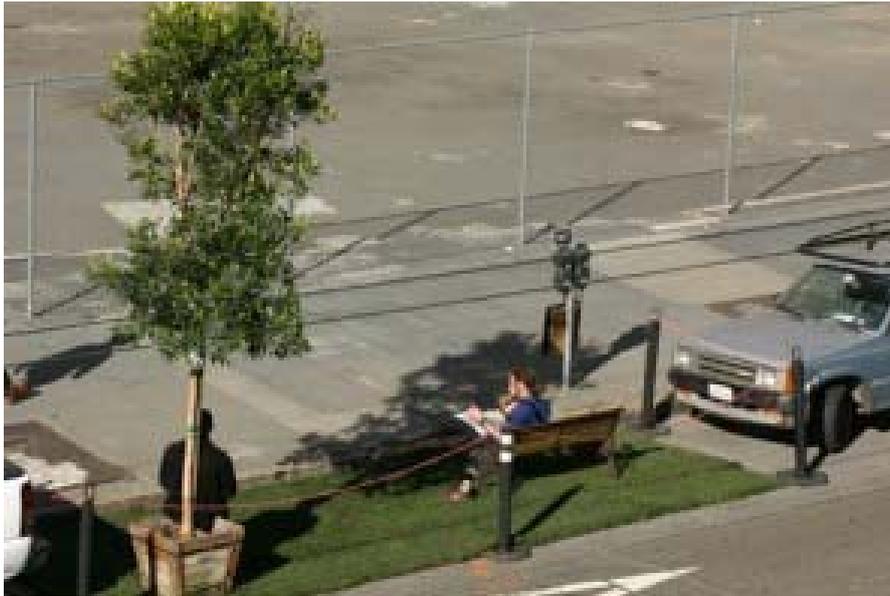
Their work comprises visual and conceptual public art, landscape design, urban intervention, temporary performance installation, digital media and print design.

PARK(ing) Day

In 2005, in the USA, REBAR created the 'PARK(ing) day' initiative to raise awareness of the lack of green spaces in San Francisco's downtown area.

The PARK(ing) day project transformed a single metered parking space into a temporary public park in an area of San Francisco which lacked public open space. The original 'PARK' stood in place for two (2) hours (the term of the lease offered on the face of the parking meter). When the meter expired, the turf was rolled up, the bench and the tree was packed away.

A few weeks later, the following iconic photo of the intervention travelled across the web and REBAR began receiving requests to create the PARK(ing) project in other cities.



PARK(ing) Day in Australia:

The Town's officers have carried out research to determine if this event has occurred in Australia.

Brisbane:

It was discovered that in 2008 'PARK(ing) Day' event/s occurred in Brisbane at a number of locations on 18 September (this is the official parking day date). Events have also occurred in subsequent years.

As outlined on the Brisbane PARK(ing) day website the main aim of the Brisbane event was to raise awareness of the importance of urban public spaces, rethinking the way streets were used and creating diverse conversations about making cities more sustainable.



Brisbane PARK(ing) day brochure

The Director Technical Services contacted one of the volunteer's who organised the Brisbane event in 2008 and 2009. the organiser advised that the Brisbane City Council does not generally endorse the initiative due mainly to 'public liability' issues and the event is undertaken at the participants 'own risk'.

In addition participants are advised that should they become involved with the event they act independently, they should familiarise themselves with the Brisbane City Council parking local laws, they should obey the law on the day and they should act in a sensible manner.

A discussion with the Brisbane City Council revealed that their permits relate mainly to street closures, part lane closures etc., for events such as construction work zones etc.

The Brisbane PARK(ing) day organiser also indicated that as the conditions associated with the issuing of a permit would be cost prohibitive PARK(ing) day is undertaken without permits being applied for. The persons mainly involved in the event include University students and the use of 'off road' parking spaces have been promoted in recent events (in liaison with businesses etc).

Other Australian Cities:

There is very little information available on this event being held in other Australian cities. The Brisbane PARK(ing) day organiser advised that an event was held in Sydney, Adelaide and Perth however she did not have any information on this and no information could be found on the web regarding these 'events'.

Liability issues were the main issue of concern with the Sydney and Adelaide events.

A discussion with an Urban Design officer from the City of Perth revealed that two (2) on road car bays were included in the PARK(ing) day event in 2007. The bays were in William Street (in an embayed section of the street).

The aim was for volunteer organisations to progress the matter in subsequent years. Curtin University, including a group of Architects, took up the challenge one year however the uptake was limited.

Who Organises PARK(ing) Day?

As mentioned above the initiative of alternative uses for car parking bays is generally organised by 'volunteer groups'. The Brisbane PARK(ing) day organising committee comprises an organising committee of three (3), volunteers (mainly university students) and a number of supporters.

In California the events may be organised by volunteers and/or neighbourhood Council's i.e. an organised group of stakeholders in the community e.g. residents, businesspeople, employees, students and other individuals with direct ties to the area. and/or other volunteer groups.

Town's Involvement:

The Council has requested that the officers investigate alternative uses for on road parking spaces such as:

- Alfresco dining
- Provision tables and chairs for socialising and reading, and/or
- Bicycle parking
- Indicative costs
- Budget implications
- Benefits
- Operational/logistical matters
- Legal, insurance and liability issues
- Identification of potential and suitable locations in each Town Centre

As mentioned above, in Australia and overseas, the initiative is organised by volunteer groups and not by local government.

Alfresco Dining

The approval of all Outdoor Eating Areas licenses are subject to a myriad of conditions that aim to protect the Town against potential liabilities arising from independent business use activities on the Town's land, namely on the Town's footpaths.

From a public safety and liability perspective there is key difference between establishing an alfresco dining area on a public footpath, versus using a public road for the same purpose; the difference being the provision of physical barriers, such as kerb lines, set-back distances from roadways and alike. Due to this consideration alone, the Town's Health Services do not support the use of parking bays for purposes other than those uses intended.

Provision of tables and chairs for socialising and reading, and/or Bicycle parking:

The provision of chairs, bicycle parking facilities etc., would be provided by volunteer/organisations wishing to involve themselves with the event and not the Town.

Indicative costs/Budget implications:

As previously mentioned the initiative is organised by volunteer groups and not by local government (City of Perth have arranged one event – two (2) parking bays). If the initiative is supported, the Town could possibly become a supporter either in kind or financially. This would need to be further determined being mindful of the potential traffic management requirements and associated costs.

The cost for the Town to implement the PARK(ing) day event could be as low as \$5,000 and in excess of \$10,000 depending on the traffic management requirements, the number of sites and the materials used.

Benefits:

Possibly raise awareness of the importance of urban public spaces, rethinking the way streets are used and creating diverse conversations about making cities more sustainable.

Operational/logistical matters:

As already mentioned in Australia and overseas the initiative is mainly organised by volunteer groups and not by local government therefore it is not recommended that the Town commit staff resources to this matter.

Legal, Insurance and Liability Issues.

The risk associated with persons conducting activities on a road way are high (regardless of where the activity is located on the roadway) due to moving vehicles (at whatever speed) and vehicles manoeuvring in and out of adjoining parking bays. There is always the risk that driver behaviour may result in a mishap occurring and this risk needs to be managed.

Compliance with the requirements of the Occupational Safety & Health Act 1984 and the Occupational Safety & Health Regulations 1996 (or as amended) would need to be complied with. In addition organisers would need to take all necessary precautions to ensure the health and safety of all participants including the general public and shall bear the responsibility for any damage/injury occurring as a result of the event.

All participants would be required to wear all Personal Protective Equipment (PPE) in accordance and requirements of the Occupational Safety and Health Act 1984.

In addition the event organisers would need to take all necessary action and precautions to protect members of the public from accident injury or hurt whether directly involved with the event or adjacent to the site. The organisers would be required to provide, erect and maintain adequate barriers in accordance with AS 1742.3-2009 and Main Roads Code of Practice 2010.

In addition a Traffic Management Plan (TMP) for the event/s will be required and the organiser/s would need to ensure compliance with AS 1742.3 - 2009 and Main Roads Code of Practice 2010.

All traffic Control will need to be set up in accordance with an approved TMP and all costs associated with the preparation of the TMP and the erection of barriers etc., would be at the organiser's expense.

The event organisers would be required to indemnify the Town against all claims, demands, proceedings, costs and expenses incurred by the Town as a consequence of any default by the organiser/s in observing the condition imposed by the Town.

Note: Participants of a recent Brisbane event were provided with the following information by the event organisers:

'By participating in park(ing) day, you voluntarily and entirely assume the risk of liability and agree to indemnify and hold harmless REBAR, the coordinators of Brisbane park(ing) day, Brisbane city council and other land owners of parking spaces, and their respective employees, officers, directors and members. You also agree to obey the law and the directives of any duly-authorized law enforcement officer. Remember, park(ing) day is about operating for the broader public good'.

It is recommended that should this matter be supported by the Council, that the Town would adopt a similar position.

Identification of potential and suitable locations in each Town Centre:

In discussion with organisers of this event (Brisbane) it is clear that the liability issues associated with conducting an event on a public road are great and therefore there is a reluctance by the Local Government (Brisbane City Council in this instance) to endorse such an event without issuing a permit for either a part lane closure etc., and the associated Traffic Management requirements associated with any such approval would be high.

Locations that may be suitable include low speed roads with embayed parking e.g. Oxford Street, Angove Street and off road car parking areas in Town centres. Unsuitable locations would include any District Distributor i.e. four lane roads and narrow roads less than 7.4m in width.

Permit Requirements:

It is considered that should the matter be supported by the Council, the Town would need to issue a permit for the event if it were to be held on a road. A number of conditions would be applied requiring event organisers to take all necessary action and precautions to protect members of the public from accident injury or hurt whether directly involved with the event or adjacent to the site.

As mentioned above the organisers would be required to provide, erect and maintain adequate barriers in accordance with AS 1742.3-2009 and Main Roads Code of Practice 2010 and submit a Traffic Management Plan (TMP) for the event/s.

It is however acknowledged that the cost of this requirement may be prohibitive for may volunteer groups however as also mentioned above the risk associated with persons conducting activities on a road way are very high and to adequately manage this risk all the necessary precautions would need to be in place.

PARK(ing) Day Assembly Manual:

For information REBAR have prepared a 'PARK(ing) Day Assembly Manual' which can be down loaded for free from: www.rebargroup.org.

This document provides some historical background on the PARK(ing) Day initiative and on how to turn a parking spot into a parking space and includes:

- Choosing the spot
- Building materials
- Planning the event
- Installation
- Wrap up
- Getting the word out

Comments and Conclusions:

Planning Services:

The Town is currently reviewing its Town Planning Scheme, of which a Local Planning Strategy has been prepared as a precursor to the new Town Planning Scheme and provides the long term direction and rationale for the proposed new Scheme. One of the key objectives of the Local Planning Strategy has been to rejuvenate the Town's five (5) Activity Centres, through 'creating streetscapes that enhance interaction and visibility and fostering a friendly village environment'. Likewise, the preparation of the revised Economic Development Strategy is also based on the premise of promoting growth and diversity in the Town's five (5) Activity Centres.

In this respect the PARK(ing) day initiative is considered to in part support some of the objectives of the Local Planning Strategy and the Economic Development Strategy, by contributing to promoting diversity in the Town's five (5) Town Centres.

In some respects the PARK(ing) day initiative supports the overarching objectives of the Town's Car Parking Strategy and Precinct Parking Management Plans that were adopted by the Council at its Ordinary Meeting held on 9 March 2010, by promoting the reduction of parking demand.

However at the same time the proposal may present concern to business owners and patrons in the Town's Activity Centres, as to the impact of the reduced supply of car parking spaces, that are already considered to be at a premium in these areas and important for the viability of the Town's five (5) Activity Centres.

It is therefore considered that the proposal be kept to a 'designated day', and promoted by the organisers as part of any approval/s to avoid any animosity regarding the expectation that car parking bays are to be used for the purpose of parking the public car.

Health Services:

The Town's Health Services do not have any objections to the use of parking bays for purposes other than those uses intended for the reasons outlined in the report under 'alfresco dining', providing the safety of the public and participants can be assured.

Technical Services:

The main issue with holding any event on a public road, albeit large or small is one of Public Safety. If such an event was permitted, appropriate measures would need to be implemented to protect members of the public from accident injury or hurt.

Investigations into PARK(ing) day have revealed that the events are organised by volunteer groups, University Students etc., without obtaining the necessary approvals due to the costs associated with preparing traffic management Plans, setting up the traffic management, i.e. signage, water filled barriers etc.

Notwithstanding the liability issues events are still held at the participants own risk in many instances.

CONSULTATION/ADVERTISING:

Not applicable at this stage.

LEGAL/POLICY:

Local Roads and Local and District distributors are under the care, control and management of local government. Any event on a road needs not only the approval of the local government but depending on the event may require endorsement of the Police and/or Main Roads WA.

Laws that apply include the Town's relevant local laws, the Road Traffic Act and/or the Local Government Act.

STRATEGIC IMPLICATIONS:

No specific strategy matched this proposal. The closest was Objective 4.1.4 *'Focus on stakeholder needs, values, engagement and involvement (a) Ensure stakeholders are effectively engaged on issues that may affect them'*.

SUSTAINABILITY IMPLICATIONS:

Possibly raise awareness of the importance of urban public spaces, rethinking the way streets are used and creating diverse conversations about making cities more sustainable.

FINANCIAL/BUDGET IMPLICATIONS:

The cost for the Town to implement the PARK(ing) day event could be as low as \$5,000 and as high as \$10,000 depending on the traffic management requirements, the number of sites and the materials used.

There are no funds in the 2010/2011 Budget for an event, as the matter arise after the adoption of the Budget.

COMMENTS:

As outlined in the report PARK(ing) day occurs on one day per year on 18 September. The initiative started in the USA in 2005. Events have taken place in several Australian Cities however the information available is limited.

The Town's officers have spoken to one of the Brisbane event organisers and the issues associated with staging the event discussed at length. It was revealed that public liability is the major issue and there is a general reluctance of local government supporting the event without the appropriate level of traffic management etc., in place. This has lead to the Brisbane events being undertaken without approval.

A discussion with Brisbane City Council City Parking has confirmed that no approvals have been issued for such events in the past.

The City of Perth was involved with the event in 2007 with the intention that in future years the initiative would be taken up by volunteer groups however the uptake has been limited.

It is therefore recommended that the Town does not become involved with organising PARK(ing) events but establishes guidelines for volunteer groups wishing to become involved in such an event in the future and that any such event only be held on 18 September in any one year.

The Presiding Member, Deputy Mayor Cr Sally Lake advised that Cr Burns had declared a financial interest in Item 9.3.1. She departed the Chamber at 8.10pm and did not speak or vote on this matter.

9.3.1 Investment Report as at 30 September 2010

Ward:	Both	Date:	5 October 2010
Precinct:	All	File Ref:	FIN0033
Attachments:	001		
Reporting Officers:	B Wong, Acting Manager Financial Services; N Makwana, Accounting Officer		
Responsible Officer:	J Anthony, Acting Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Investment Report for the month ended 30 September 2010 as detailed in Appendix 9.3.1.

COUNCIL DECISION ITEM 9.3.1

Moved Cr Topelberg, Seconded Cr Harvey

That the recommendation be adopted.

MOTION PUT AND CARRIED (6-0)

(Cr Burns were absent from the Chamber and did not vote on this matter. (Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.))

Cr Burns returned to the Chamber at 8.11pm. The Presiding Member, Deputy Mayor Cr Sally Lake advised that the item was carried.

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the level of investment 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. Details are attached in Appendix 9.3.1.

Council's Investment Portfolio is spread across several Financial Institutions in accordance with Policy Number 1.2.4.

DETAILS:

Total Investments for the period ended 30 September 2010 were \$20,084,829 compared with \$22,184,829 at 31 August 2010. At 30 September 2009, \$21,773,889 was invested.

Investment comparison table:

	2009-2010	2010-2011
August	\$21,773,889	\$22,184,829
September	\$21,773,889	\$20,084,829

Total accrued interest earned on Investments as at 30 September 2010:

	Annual Budget	Budget Year to Date	Actual Year to Date	%
Municipal	\$454,000	\$122,580	\$99,235	21.86
Reserve	\$403,000	\$100,749	\$118,131	29.31

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 funds invested have reduced from previous period due to instalment payment to ESL and payments to creditors.

The report comprises of:

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

9.3.5 Creative Conversations Programme

Ward:	Both	Date:	13 October 2010
Precinct:	All	File Ref:	CVC0016
Attachments:	-		
Reporting Officer:	R Gunning; Arts Officer		
Responsible Officer:	J Anthony; Acting Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the 2010 Creative Conversations Programme; and*
- (ii) *APPROVES the:*
 - (a) *continuation of the programme for 2011; and*
 - (b) *the continuing support of the Writer's Festival Programme.*

Cr Harvey departed the Chamber at 8.12pm.

Moved Cr Topelberg, Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

Cr Harvey returned to the Chamber at 8.14pm.

Debate ensued.

AMENDMENT

Moved Cr McGrath, Seconded Cr Burns

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

“(iii) REQUESTS the Art Advisory Group to reconsider the matter and options for the Town’s Art Exhibition.”

Debate ensued.

AMENDMENT PUT AND CARRIED (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

COUNCIL DECISION ITEM 9.3.5

That the Council;

- (i) *RECEIVES the report on the 2010 Creative Conversations Programme;*
 - (ii) *APPROVES the:*
 - (a) *continuation of the programme for 2011; and*
 - (b) *the continuing support of the Writer's Festival Programme; and*
 - (iii) *REQUESTS the Art Advisory Group to reconsider the matter and options for the Town's Art Exhibition.*
-

PURPOSE OF REPORT:

The purpose of the report is to report on the 2010 Creative Conversations, a series of talks and workshops focusing on the arts in the Town of Vincent and seek approval for the continuation of the programme for 2011.

BACKGROUND:

At the Ordinary Meeting of Council 22 September 2009 the Council resolved the following:

- “(i) *RECEIVES the report on the Art Award/Exhibition for 2009/10;*
- (ii) *REQUESTS the Town's Art Advisory Group to:*
 - (a) *further consider the options for the Town's Art Award/Exhibition 2009/10; and*
 - (b) *provide a report on the matter no later than the end of November 2009.”*

The report on the Art Award Exhibition for 2009/10 stated that although the Art Awards had successfully run for over 10 years, there were increasing costs associated with this event and a relatively low portion of the Town of Vincent residents that actually participate. It was considered time to re-evaluate the delivery of this type of event to the community. It was also noted the budget had been reduced from \$35,000 to \$15,000. In the light of these considerations it was recommended that the Town's Art Advisory Group consider alternative options and provide a further report.

At the Ordinary Meeting of Council 23 March 2010 the Council resolved the following:

“That Council APPROVES the recommendation of the Town's Art Advisory Group, to conduct the Arts Workshops and Talks programme, to be held in June/July 2010, as detailed in this report.”

Based on the advice of the Advisory Group, a proposed programme of workshops and talks was adopted at the Ordinary Meeting of Council 23 March 2010. The programme would provide an opportunity for the broader community to be made aware of, and engage with, artists from their immediate vicinity. The programme would also be an opportunity for the Town of Vincent to acknowledge and celebrate the talented professionals who live and work in the Town.

At the Ordinary Meeting of Council 13 April 2010, the Council resolved the following:

“That Council APPROVES the Writer's Festival programme for 2010, as detailed in this report.”

The Bodhi Tree is a bookshop and café located in the Town. The programme proposed by the business was a range of events, talks and opportunities for aspiring and seasoned authors and literati to learn, mentor and mingle. Support for the programme was seen in the context of enhancing the Town's Arts Workshops programme.

DETAILS:

Creative Conversations, as the programme became titled, commenced at the beginning of June 2010 and continued till early July 2010. The talks were held at the Town's Library and Local History Centre on Tuesday nights and the workshops took place at different locations throughout the Town.

Talks at the Town

The speakers of the talks were as follows:

1. Kevin Robertson: Visual Artist (23 attendees);
2. Barry Strickland: Writer/Documentary Maker (11 attendees);
3. Tony Nathan: Photographer (21 attendees);
4. Chrissie Parrott & Jonathan Mustard: Dance and Multi-Media Artists (6 attendees);
5. Judith Forrest: Visual Artist (27 attendees); and
6. Adrian Iredale: Architect (29 attendees).

The five workshops conducted over June and July were as follows:

1. Painting in the Park (5 attendees):

The workshop was an opportunity to learn the basics of landscape painting with the leading figurative painter Kevin Robertson (and Town of Vincent resident). The workshop was run in Hyde Park on Sunday afternoons (2-4.30 pm) over three weeks.

2. Documenting Artwork (8 attendees):

This was a workshop directed at local artists wanting to learn how to take quality photographs of their artwork; however the workshop was open to everyone. The workshop was a two-hour session held at the Administration Centre.

3. Fundamental Video Camera Skills (6 attendees):

A practical, hands-on workshop looking at camera functions, lighting considerations and different filming techniques aimed at the people who want to get the most from their home video camera. The workshop was conducted one night a week (6-8pm) for three weeks.

4. Teenage T-shirt Workshop and Exhibition (7 attendees):

A design workshop and exhibition for teenagers conducted by a professional designer. The participants went through the process of brainstorming ideas and designing a t-shirt. The T-shirts were then professionally printed and an exhibition organised at the gallery at YMCA HQ. The participants and their friends and family attended an opening. Two copies of each T-shirt were printed, with each participant receiving a T-shirt and the Town keeping the other copy for our records and collection.

5. Drawing around the Town (9 attendees):

A drawing workshop with well-known artist and Vincent resident, Judith Forrest. The workshops were presented as a series of excursions around the Town. The workshop was run on Sunday afternoons (2-4.30 pm) over three weeks.

There were one hundred and eighty five (185) participants in the programme of which approximately one third were Town of Vincent residents.

Following the programme a survey was emailed to the participants. To the question 'would you attend a similar event next year?' The response was as follows:

- 83.3% replied yes;
- 8.3% replied maybe; and
- 8.3% replied no.

Some of the topics that participants offered as suggestions for the future included the following:

- Nature, Urban music;
- Water colours;
- Video editing on home computers; and
- Sculpture.

When asked '*what aspects of the workshops they enjoyed?*' the participants responded with the following comments:

- The workshop was well organised and I like the theme, gave me a lot of inspirations;
- They were very informative and got you motivated/very good price for what I achieved;
- Meeting other people. Learning artist experiences and motivation;
- The content was first rate and the presenter very knowledgeable; and
- They were very informative and got you motivated/very good price for what I achieved.

When asked for suggestions on '*how the workshops can be improved?*' the following 1 replies were offered:

- It would be better if we could do art in a more spacious venue where we can talk without worrying about how loud we are;
- Better publicity campaign. Fantastic content but where it fell down was on communicating about the program; and
- More of them...(workshops).

When asked to rate the organization of the workshops, 75% considered the programme well organised.

The Bodhi Tree Writer's Festival:

The programme of events held at the Bodhi Tree included:

- 'Meet the Authors Weekend' held over the weekend of 24 and 25 July; seven authors gave presentations and were available for conversation.
- 'School Children's Programme' held on 26 July, included book readings for pre-school children as well as presentations by a speech therapist and a Child Psychologist.

- ‘A World of Wisdom’ held on 27 July was a forum of poets from different cultural backgrounds spoke of their respective cultures.
- ‘A Morning of Poetry’ held on 30 July included thirteen local poets presenting readings of their work.
- ‘Health and Wellbeing and Writing’ held on 31 July was a forum surrounding issues of health for writers.
- ‘The Written Word’ held on 1 August, included demonstrations of Calligraphy and a talk on the ancient language and script of Sanskrit.

There was over fifty local presenters involved over the festival ranging from local authors to poets, writing specialists and even film and stage professionals.

A documentary is also in progress from interviews of nine of the local writers. The events were well attended with positive feedback from participants.

CONSULTATION/ADVERTISING:

A brochure and poster was produced to promote the programme. The brochure was distributed to the Town’s community centres and the Library. It was also distributed through the mailing list of participants in the last Town of Vincent Art Awards. Line advertisements were placed in the Arts Directory of the West Australian newspaper, an email version of the brochure was also sent through the library’s data base and to recent participants in the ‘Visions of Vincent’ photographic workshops. All programme details were posted on the Town’s website.

Additional promotional strategies considered to increase future attendance may include increasing the brochure/flyer print run so that it could be distributed to all households in the town and taking advantage of newer methods of advertising such as group emails and social networking avenues.

LEGAL/POLICY:

N/A

STRATEGIC IMPLICATIONS:

Town of Vincent Strategic Plan 2009-2014 – Key Result Area Three - Community Development:

- “3.1.2 Provide and develop a range of community programs and community safety initiatives:*
- (j) Deliver a coordinated programme plan to promote public and community art in the Town; and*
 - (k) Review the Town's Annual Art and Photographic exhibitions, including policies, strategies to encourage/promote greater community participation and for lending artwork for public display.”*

SUSTAINABILITY IMPLICATIONS:

Promoting Town of Vincent artists and Art can be seen to be a sustainable investment by the Town in exposing its residents and ratepayers to quality works and local artists that reflect the cultural values of the community.

FINANCIAL/BUDGET IMPLICATIONS:

The budget was within the \$15,000 allocation, this also included \$1,257 contribution to the writer's festival for the printing cost of their brochure.

COMMENTS:

The talks and workshops were enthusiastically received by the participants. All the presenters are seen as prominent figures in their chosen field, and their professionalism was reflected in their conscientious preparations, making for informative and engaging deliveries.

The Creative Conversations programme was successful in achieving its objectives of acknowledging and celebrating creative professionals in the Town and sharing their knowledge and enthusiasm with the broader community. The programme however did not attract as many participants as might be expected. This is unlikely to be a reflection of community interest rather the need to advertise the programme more thoroughly.

Running a similar programme in 2011 would be an opportunity to build on the reputation of this year's programme and continue as an ideal platform for promoting the arts in the Town. A new strategy for promotion however needs to be considered, including the expansion of flyer distribution and utilisation of e-mail and social networking websites.

The Bodhi Tree's writer's festival also proved successful in promoting the arts in the Town and can be seen as a worthwhile adjunct to the Creative Conversations programme. The two programmes benefited from cross promotion and future support and collaboration is recommended.

9.3.6 Men's Shed – Community Consultation

Ward:	Both	Date:	6 October 2010
Precinct:	All	File Ref:	PRO0524
Attachments:	-		
Reporting Officer:	J Symons, Community Development Officer		
Responsible Officer:	J Anthony, Acting Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the information concerning Men's Shed;*
- (ii) *APPROVES of Community Consultation being undertaken to establish the level of interest in the establishment of a Men's Shed within the Town; and*
- (iii) *NOTES that a further report will be submitted to the Council, after the consultation has been carried out.*

Moved Cr Topelberg, Seconded Cr Harvey

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr McGrath, Seconded Cr Burns

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

- “(ii) *APPROVES of Community Consultation being undertaken to establish the level of interest in the establishment of a or a number of Men's Sheds within the Town; and*”

AMENDMENT PUT AND CARRIED (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

MOTION AS AMENDED PUT AND CARRIED (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

COUNCIL DECISION ITEM 9.3.6

That the Council;

- (i) *RECEIVES the information concerning Men's Shed;*
- (ii) *APPROVES of Community Consultation being undertaken to establish the level of interest in the establishment of a or a number of Men's Sheds within the Town; and*
- (iii) *NOTES that a further report will be submitted to the Council, after the consultation has been carried out.*

PURPOSE OF REPORT:

The purpose of this report is to obtain council approval to carry out community consultation to establish a level of interest in establishing a men's shed within the Town.

BACKGROUND:

At the Ordinary Meeting of the Council on 24 August 2010 in response to a Notice of Motion the following resolution was adopted:

That the Council REQUESTS the Chief Executive officer to:

- “(i) Investigate and report on the feasibility of establishing a “Men’s Shed” in the Town, in accordance with the guidelines of the Australian Men’s Shed Association. The investigation process should include, but not be limited to;*
- (a) liaison with the Australian Men’s Shed Association other local governments who provide such facilities;*
 - (b) the identification of similar services and/or facilities in or adjacent to the Town;*
 - (c) the justification or need for such a facility;*
 - (d) investigation of potential sites, including the rear of the former North Perth Police Station, within the Town; and*
 - (e) financial implications and potential funding sources; and*
- (ii) submit a report to the Council by October, 2010.”*

DETAILS:

Preliminary enquiries into the feasibility of a men's shed was conducted and the following information was supplied.

- (a) Liaise with the Australian Men’s Shed Association other local governments who provide such facilities.**

Contact has been made with the Australian Men’s Shed Association (AMSA) based in Sydney. This association was established in 2007 by the Australian independent community based Men's Sheds to represent, support and promote the Men’s Shed Movement and to act as a central hub for information exchange. The association has hosted conferences and seminars on the importance of the sheds and how men's sheds can be a major mechanism in improving men's health and thus contributing a significant saving to the national health budget. They also provide information on how to start a shed, funding support, safety and insurance matters.

The association has compiled a manual that walks through interested bodies the process of starting a shed. This manual is extremely comprehensive and covers every aspect from community consultation, funding, insurance, Occupational Health and Safety (OH & S) to choosing tools. They have kindly sent the Town a copy of this manual and have members available to talk with and mentor interested parties. There is an AMSA representative in Perth who is available for consultation.

There are currently 420 sheds nationally and 161 throughout Western Australia.

Below is a list of the metropolitan local governments that either already have or are currently constructing a men's shed:

- City of Armadale;
- City of Bayswater;
- City of Canning;
- City of Subiaco;
- City of Fremantle;
- City of Joondalup Veterans Men's Shed;
- Shire of Kalamunda;
- Town of Kwinana;
- Town of Mosman Park;
- Shire of Mundaring;
- City of Stirling;
- City of Swan;
- City of Wanneroo;
- Forrestdale Men's Shed; and
- Lockridge.

(b) The identification of similar services and/or facilities in or adjacent to the Town.

Subiaco Men's Shed:

The Subiaco Men's shed opened in April 2010 and operates three days a week from 9am to 1pm. The location of the shed is the Tom Dadour Community Centre which is situated in Bagot Road between the seniors centre, the local primary school and community garden. Community consultation was conducted and a need for the shed established. The Council provided an existing building along with \$30,000 to get the project underway and the shed set up. The tools for the shed were predominantly donated by the community.

The shed is run by the City of Subiaco's Home and Community Care (HACC) coordinator and has a steering committee of local men who make decisions about the shed and how it is run. The City provides the building, pays utilities and repairs and maintenance of the building. The members have been very active in organising fundraising activities including a sausage sizzle at Bunnings to raise funds for some equipment. A call to the community was put out for donations and the shed was inundated with tools and materials. This shed is not yet incorporated, there are currently 50 members and the membership fee is \$50 annually.

Other agencies are linking into the shed. There is a HACC funded group of young people with disabilities that utilise the shed as well as the Rotary Club who make kennels for the Dog Rescue Centre in Shenton Park. The members of the shed recently made tables and shelves for the intergenerational playgroup. A group of young boys have asked if they can make dolls cradles so that they can donate them to King Edward Hospital.

Fremantle Men's Shed:

This shed opened in 2008 and as such is more established. The "Fremanshed" is an incorporated not for profit community organization. The shed is open four days a week and two additional days for community support courses. There are currently over 160 members aged from 13 – 90 years of age. The cost of member ship is \$60 per year.

The aim of this shed is to;

- Provide a workshop space for men of all ages to do projects that can benefit both themselves and the community;
- Link men in the community to services and support structures to enhance their health and wellbeing; and
- Foster, maintain and expand men's social and educational networks.

The shed was the idea of the coordinators of the facility. One is a retired teacher and the other a retired carpenter and TAFE lecturer. There is no doubt that the qualifications and skill set of these men contribute greatly to the success and direction of the shed. The coordinators have created partnerships with other agencies and have developed and implemented programs for men with mental health issues along with the Alma Street Clinic as well as youth at risk with the Department of Corrective Services.

The members of the shed also participate in community activities and were responsible for building a roof structure for a green room to be used to propagate seedlings at South Fremantle Senior High, the State's only carbon neutral school.

The City of Fremantle provided an existing building that was the former Pigeon Racing headquarters but the building has since been bought by the WA Department of Education and the block is highlighted for redevelopment. The coordinators are currently sourcing a new venue and both the City of Fremantle and the City of Cockburn are assisting them.

Stirling Men's Shed:

The City of Stirling has been working on the Men's Shed program for the previous five years. Currently they have a shed coordinator, who is employed by the Department of Health and seconded to the City. The coordinator has an office at the City of Stirling, is employed full time but does not currently have a shed. The tender process to find a company to build the shed is near its completion with construction of the shed planned for later this year. Funding of \$970,000 was secured from Lotterywest for the construction of the 20 x 30m shed. A further \$22,000 was received from the Department of Veterans Affairs to help purchase woodworking tools and machinery because of the number of veterans who are members.

The City has provided the site and will pay for the ongoing utility expenses and repairs and maintenance of the building until the shed is financially sustainable. The coordinator plans to:

- Develop programs that will generate income for the shed (other sheds fix donated computers and bikes to sell and then sell);
- Hire out the proposed training room inside the shed; and
- Approach local business including IGA, Bendigo Bank and Bunnings for sponsorship.

The shed is considered a "regional facility" and is available for use by men from other areas. When the shed opens there will be some days the shed will cater for Returned services League (RSL) members and other days for HACC clients. There will be time for men who do not fit into either of these categories to use the shed.

The option is available for men from the Town of Vincent to use the Stirling shed situated in Balcatta.

(c) The justification or need for such a facility.

Consultation with various agencies and groups within the Town was conducted to determine if there is any interest for men's shed. Those groups that expressed an interest in having a shed include the following:

Assisting Survivors of Trauma and Torture (ASSETS) – Beaufort Street, Perth:

This group had actually already been discussing a men's shed idea as a way of engaging a group of their male clients that they have been unable to successfully engage.

Volunteer Task Force:

Very supportive of the idea and said that they could utilise the shed for their social support programs for those clients diagnosed with a mental illness.

Robertson Park Artists Studio:

The coordinator would be willing to conduct art and sculptures sessions at the shed and sees a need for local sculptors to use the shed and surrounding space for their work.

Vincent Men's Group:

This group currently meet weekly at the North Perth Lesser hall. There are currently 14 active members and many past members who are still in contact with the group. The coordinator would like to move the location of the weekly meetings to the shed so that the men can include a physical activity into their programme to aid discussion. The coordinator would also like to increase the number of groups to run at different times of the day and week to cater for the demand. It is envisaged that a member of the group could participate as a member of a shed committee if that is the management structure anticipated for the shed.

Multicultural Day Centre:

The coordinator has expressed a great deal of enthusiasm towards housing the shed as well as a community garden at the Day Care Centre site in Farmer Street. There are men who attend the Centre that would be particularly interested in cultivating a garden and they feel they would also use a shed.

Anglicare:

The counsellor that runs the Men's Time counselling service at Anglicare contacted the Town to promote his service and his availability to possibly give a talk at the shed about men's health and the counselling service. The counsellor felt that the men should be aware of counselling services if they indeed started to open up with each other about their issues.

RSL and Rotary Club:

Both the local RSL and the Rotary club were contacted but both groups felt that their members would not use the shed.

Vietnam Veterans Association WA Branch:

The President of the Association feels that it would be worthwhile including the members in community consultation but could not speak on behalf of the association as to whether they would use the shed or be involved in the running of the shed. Personally he felt that a men's shed would be useful, that the concept had been briefly raised in the past and that there would be support from the members.

Norwood Neighbourhood Centre:

A local group situated in the Claisebrook area have indicated a wish to establish a neighbourhood centre situated in Cheriton Street, East Perth at the site of the old stationmasters house. There is room at the site for both a community garden and men's shed. The site is also near public transport and a public housing block that includes residents supported by St Bartholomew's House, single parents and the elderly. However, the building is owned by the State Government, who have advised the Town that the building will only be disposed of by a sale, at commercial prices.

COMMUNITY CONSULTATION:

Although there seems to be interest from a number of agencies and groups within the Town the philosophy of the shed requires that it be driven by the men of the community. No agency or individual has offered to coordinate the running of a shed. Community consultation is necessary to determine the need and vision of those men in the Town who would like to become active members of the shed.

This consultation could take the form of a facilitated discussion involving visioning activities where the following aspects of the shed could be explored:

1. What do the men see as the role of the shed;
2. What activities would they like to do in the shed;
3. How could the shed be administered i.e. steering committee; and
4. What are some projects that the men could work on that would raise funds for the shed.

There are men available from the Men's Shed Association that are available to speak about the role, purpose and structure of men's sheds and coordinators from other sheds could be invited to speak at the consultation before the visionary exercises begin.

Information to promote the consultation would need to be circulated over a number of weeks prior to the event to ensure that it has an adequate amount of time to reach the audience. Some of the avenues that could be used to invite the men may include:

1. Advertising in the local papers and newsletters for local groups;
2. Story in the local paper and ToV News;
3. Flyers distributed:
 - through the community centre;
 - library;
 - doctors surgery's;
 - Bendigo bank;
 - shopping centres;
 - sporting clubs (i.e. bowls club);
 - local hardware stores;
 - fishing shops; and
 - TAB.

Apart from venues that men may visit the information should be distributed through places that women attend as it is often the wives and daughters that are the instigators of the husband and fathers activities.

(d) Investigation of potential sites, including the rear of the former North Perth Police Station, within the Town.

Four potential sites for a men's shed and community garden were visited by a team of community development officers.

Farmer Street, North Perth:

There is quite a large space behind the Multicultural Day Centre that could accommodate both the shed and a community garden.

Advantages:

The Coordinator of the day centre is very enthusiastic about having a garden and a shed located on the property particularly as many of his clients are retired market or home gardeners. There is also adequate parking for those who can drive.

Disadvantages:

The disadvantage is that there is no existing building, no shade and no close public transport. If public transport was to be used then clients would have to walk uphill from either Fitzgerald or Charles Streets.

Britannia Road, Leederville:

The parkland area behind the Aranmore Primary School.

Advantages:

This area is situated near the primary school that would enhance the opportunity for intergenerational activities; there is public transport near by and the space is large enough to also accommodate a community garden. . There is an adequate amount of shade provided by the mature gum trees.

Disadvantages:

There is no existing building and security would have to be considered in this public open space. No funds are available to construct a building.

Angove Street, North Perth:

There is a space behind the old Police Station at 81 Angove Street.

Advantages:

The area has an existing lockable double garage with a cement floor that could be used immediately; there is adequate space to construct an additional shed as the project develops as well as space for a community garden. North Perth Primary School have expressed interest in a community garden and the proximity of this space would provide easy access for the school. Having the shed and garden near the school would enable intergenerational activities to occur. The area is secured well and office space may be available in the main building.

Disadvantages:

There is no public transport along Angove Street so clients would again have to walk from Fitzgerald and Charles Streets. There is also limited parking available in the area.

Claisebrook Stationmasters House, East Perth

The property is situated in Chariton Street and is currently owned by the Public Transport Authority. An advantage of this site is that it is located next to a group of Department of Housing units and a park with playground and bbq's, there is an area at the back of the house that could be suitable for a community garden and a small men's shed. It is also near public transport via train or bus.

The disadvantage is that the property is not owned by the Town of Vincent. The State will only sell the property at a commercial price.

(e) Financial implications and potential funding sources.

Lotterywest:

Lotterywest do have funding available for equipment for a shed under the Community Facility Grant. However they have provided nearly one million dollars to the City of Stirling to build a huge shed in Balcatta. If the Town was to request funding we would have to answer the questions of who exactly would use the shed and why they could or would not use the facility at Balcatta. Lotterywest is supportive of smaller shed arrangements that are associated with a HACC agency, RSL or partnership arrangement. Small sheds don't often apply for funding from Lotterywest as a call for donations from the community is usually enough. When Subiaco called for donations of tools they were inundated.

Apparently the Town of Mosman Park has applied for funding from Lotterywest to build a shed in partnership with the RSL and the support of the Town of Peppermint Grove. The proposed facility is situated across the road from a recreation facility which was seen as an advantage by Lotterywest. Finally, Lotterywest would also consider the multipurpose use of the building for the future.

Mens E Health Network:

Do not have funding available for sheds.

Private Organisations:

Members of the shed could approach private organizations that have budgets for community projects such as the Bendigo Bank, Commonwealth Bank and IGA. Other organisations maybe able to offer discounts such as Bunnings.

The amount of funding required is dependant upon the type of shed that the community requires. The Town would need to consider operational and maintenance costs of a shed as well as funding for a coordinator if a community member or agency volunteer is not found.

LEGAL/POLICY:

N/A.

STRATEGIC IMPLICATIONS:

The support of a men's shed is in keeping with the Town of Vincent Strategic Plan 2009-2014:

"3.1. Enhance and promote community development and wellbeing."

FINANCIAL/BUDGET IMPLICATIONS:

There is currently no budget allocation for a men's shed in the 2010 – 2011 Annual Budget, as this matter arose after the adoption of the Budget.

COMMENTS:

The men's shed project can provide a positive element to the state of men's health; it can be a vital link between men and mental health services as well as become a neutral space where intergenerational communication can take place.

There are a number of men's sheds appearing around the country and within the state. The closest to the Town are situated in Subiaco and Balcatta.

Initial consultation has shown that there is interest from various agencies within the town to use a shed, although there was no offer to coordinate the shed. Consultation will also provide information as to whether the Town should be an active provider or whether a private organisation can operate the shed, with Town and government funding.

Broader consultation that includes male residents of the community is required to determine a level of need, commitment and viability of creating men's shed within the Town. This consultation could be conducted in conjunction with the community garden consultation process.

9.4.1 Adoption of Annual Financial Report 2009-2010

Ward:	Both	Date:	20 October 2010
Precinct:	All	File Ref:	ADM0032
Attachments:	001		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY to ACCEPT the Annual Financial Report of the Town of Vincent for the financial year 2009/10, as shown in Appendix 9.4.1 (“Laid on the Table”) and forming Attachment 001, to this report.

COUNCIL DECISION ITEM 9.4.1

Moved Cr Maier, Seconded Cr Burns

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED
BY AN ABSOLUTE MAJORITY (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

PURPOSE OF REPORT:

To consider and accept the 2009/10 Annual Financial Report and the Independent Auditor’s Report.

BACKGROUND:

In accordance with Section 6.4 of the Local Government Act 1995, the 2009/10 Annual Financial Report has been prepared and the accounts and the report have been submitted to the Town’s Auditors. The preparation of an Annual Financial Report and the submission of the report and the Town’s accounts to the Auditors for audit are statutory requirements of the Local Government Act 1995.

The Town’s Auditors have completed their audit of the Town’s accounts and the Annual Financial Report for the 2009/10 financial year in accordance with the terms of their appointment and the requirements of the Local Government Act 1995 Part 7 Division 3 and have submitted their report.

Section 6.4 of the Local Government Act 1995 sets out the requirements for a Local Government to prepare an Annual Financial Report and to submit both the report and its accounts to the Auditor by the 30th September each year. The Town of Vincent has met these requirements and the Town’s Auditors have completed the audit of Council’s accounts and Annual Financial Report for the financial year 2009/10.

DETAILS:

The Annual Financial Report is required to be accepted by the Council in order to enable the holding of an Annual General Meeting of Electors at which the Town's Annual Report containing the financial report (or at a minimum the abridged version) will be considered. A copy of the Annual Financial Report is also required to be submitted to the Director General of the Department of Local Government.

The Annual Financial Report for the financial year 2009/10 is included with the report at Appendix 9.4.1, which is "*Laid on the Table*" and also electronic Attachment 001.

The Annual Financial Report was considered by the Audit Committee at its meeting held on 21 October 2010.

CONSULTATION/ADVERTISING:

There is no legislative requirement to consult on the preparation of the Annual Financial Report. The Local Government Act 1995 requires an Annual General Meeting of Electors to be held and the Town's Annual Report incorporating the financial report (or at a minimum, the abridged version) to be made available publicly. The full Annual Financial Report will also be publicly available.

As per previous years, it is proposed that the Annual Financial Report will be produced on CD-Rom and made available on the Town's public website. A minimal number of printed, bound colour copies will be available for viewing at the Library and Local History Centre and the Administration's Customer Service Centre.

A printed copy of the Annual Financial Report is provided to the Council Members.

LEGAL/POLICY:

Local Government (Financial Management) Regulation 51(2) states:

"A copy of the Annual Financial Report of a local government is to be submitted to the Director General within 30 days of the receipt by the CEO of the Auditor's report on that financial report."

Section 5.53 of the Local Government Act 1995 states:

5.53 Annual Reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain:*
 - (f) *the financial report for the financial year;*

Section 5.54 of the Local Government Act states:

6.64 Financial Report

- (1) *A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*

- (2) *The financial report is to –*
- (a) *be prepared and presented in the manner and form prescribed; and*
 - (b) *contain the prescribed information.*
- (3) *By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its Auditor –*
- (a) *the accounts of the local government, balanced up to the last day of the preceding financial year; and*
 - (b) *the annual financial report of the local government for the preceding financial year.*

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2009-14

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

SUSTAINABILITY IMPLICATIONS:

Not Applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The cost of preparing the Annual Report, which contains the Financial Report, will primarily be carried out in-house. This will provide cost savings of approximately \$4,000, for typesetting of the report.

The Auditor's total costs are \$12,530 (GST inclusive).

The Financial Report is prepared by the Town's administration, as such, these costs are contained in the Town's Operating Budget.

COMMENTS:

It is proposed that the Annual Financial Report will be produced on CD-Rom and made available on the Town's public website. A minimal number of printed, bound colour copies will be available for viewing at the Library and Local History Centre and the Town's Customer Service Centre.

In order for the Town to meet its legislative requirements, it is recommended that the Council accepts the Annual Financial Report for the financial year 2009/10.

9.4.2 Adoption of Annual Report 2009/10 and Annual General Meeting of Electors 2010

Ward:	Both	Date:	20 October 2010
Precinct:	All	File Ref:	ADM0032/ADM0016
Attachments:	001		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council:

- (i) *APPROVES BY AN ABSOLUTE MAJORITY to ACCEPT the 2009/10 Annual Report of the Town of Vincent as shown in Appendix 9.4.2 ("Laid on the Table") and forming Attachment 001 to this report;*
- (ii) *CONVENES the 2010 Annual General Meeting of Electors on Monday 29 November 2010 at 6.00pm in the Town of Vincent, Leederville;*
- (iii) *ADVERTISES by public notice that the Town of Vincent Annual Report 2009/10 will be available from approximately Monday 29 November 2010; and*
- (iv) *PROVIDES a copy of the Annual Report and Annual Financial Statements to the Director General, Department of Local Government, in accordance with Local Government (Financial Management) Regulation 51(2).*

Moved Cr Burns, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Buckels

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

- “(i) *APPROVES BY AN ABSOLUTE MAJORITY to ACCEPT the 2009/10 Annual Report of the Town of Vincent as shown in Appendix 9.4.2 ("Laid on the Table") and forming Attachment 001 to this report, subject to:*
 - (a) *the recommendations that are corrected after the agenda is made public and prior to the meeting be included in the table on page 68 of the Annual Report 2009/10;*

Debate ensued.

AMENDMENT PUT AND CARRIED (4-3)

For: Presiding Member, Deputy Mayor Cr Sally Lake, Cr Buckels, Cr McGrath, Cr Maier

Against: Cr Burns, Cr Harvey, Cr Topelberg

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

**MOTION AS AMENDED PUT AND CARRIED
BY ABSOLUTE MAJORITY (7-0)**

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

COUNCIL DECISION ITEM 9.4.2

That the Council:

- (i) ***APPROVES BY AN ABSOLUTE MAJORITY to ACCEPT the 2009/10 Annual Report of the Town of Vincent as shown in Appendix 9.4.2 (“Laid on the Table”) and forming Attachment 001 to this report, subject to:***
 - (a) *the recommendations that are corrected after the agenda is made public and prior to the meeting be included in the table on page 68 of the Annual Report 2009/10;*
 - (ii) ***CONVENES the 2010 Annual General Meeting of Electors on Monday 29 November 2010 at 6.00pm in the Town of Vincent, Leederville;***
 - (iii) ***ADVERTISES by public notice that the Town of Vincent Annual Report 2009/10 will be available from approximately Monday 29 November 2010; and***
 - (iv) ***PROVIDES a copy of the Annual Report and Annual Financial Statements to the Director General, Department of Local Government, in accordance with Local Government (Financial Management) Regulation 51(2).***
-

PURPOSE OF REPORT:

The purpose of the report is to accept the 2009/10 Annual Report and set a date for the Annual General Meeting of Electors.

BACKGROUND:

At the Ordinary Meeting of Council held on 20 October 2009, the Council considered the matter and resolved as follows;

“That the Council:

- (i) ***APPROVES BY AN ABSOLUTE MAJORITY to ACCEPT the 2008/09 Annual Report of the Town of Vincent as shown in Appendix 9.4.2;***
- (ii) ***CONVENES the 2009 Annual General Meeting of Electors on Monday 23 November 2009 at 6.00pm in the Town of Vincent, Leederville;***
- (iii) ***ADVERTISES by public notice that the Town of Vincent Annual Report 2008/09 will be available from approximately Monday 23 November 2009; and***
- (iv) ***PROVIDES a copy of the Annual Report and Annual Financial Statements to the Director General, Department of Local Government, in accordance with Local Government (Financial Management) Regulation 51(2).”***

DETAILS:

The Local Government Act requires that every local government prepares an Annual Report and holds an Annual General Meeting (AGM) of Electors. Both the Annual Report and the Financial Report reflect on the Town’s achievements during 2009/10 and focus on the many highlights of a busy year.

In accordance with Section 5.53 of the Local Government Act 1995, the 2009/10 Annual Report has been prepared, summarising the year's highlights and achievements, as well as including specific statutory requirements.

The Town's Auditors have completed the audit of Council's financial statements for the 2009/10 financial year. The Financial Statements will form part of the 2009/10 Annual Report. The Annual Report and the Financial Report will form an integral part of Council's report to the electors at the Annual General Meeting.

Section 5.27 of the Local Government Act 1995 requires that the Annual General Meeting of Electors is to be held on a day selected by the local government, but not more than 56 days after the report is accepted by the local government.

The Local Government Act 1995 under Section 5.27(1) requires every local government to hold a General Meeting of Electors once each financial year. The Act provides that the Order of Business at such a meeting is:

- (a) Welcome, Introduction and Apologies;
- (b) Contents of the Annual Report; and
- (c) General Business.

PROCESS:

The Council previously resolved that the Chief Executive Officer streamline the process so that the Annual General Meeting can be held earlier. However, it should be noted that the process timetable is predominantly dictated by the availability of the Town's Auditor. The Town's Auditor is also the Auditor for many other local governments and their workload at this time of the year is very heavy, due to their commitments.

The Town's administration compiles the Annual Report within 2 months of the end of the financial year. It also prepares the Annual Financial Report. The Annual Financial Report is then submitted to the Auditor's for auditing. The Auditors are unable to complete their work until about mid October, due to their work load with other local governments.

Therefore, the earliest opportunity for the Council to consider and adopt the Annual Report and Financial Report is late October (at the earliest) or the first meeting in November. Once adopted, the Town must give at least 14 days notice of the date of the Annual General Meeting.

To ensure there is sufficient time to advertise the Annual General Meeting and finalise the Annual Report, it is suggested that the most appropriate date for holding the Annual General Meeting of Electors is Monday 29 November 2010 at 6.00pm.

CONSULTATION/ADVERTISING:

There is no legislative requirement to consult on the Annual Report, but the Local Government Act 1995 requires an Annual General Meeting of Electors to be held and the Annual Report to be made available publicly.

It is proposed that the Annual Report will be produced on CD-Rom and made available on the Town's public website. A minimal number of printed, bound colour copies will be available for viewing at the Library and Local History Centre and the Town's Customer Service Centre.

A printed copy of the Annual Report is provided to the Council Members.

LEGAL/POLICY:

The Local Government Act 1995, Section 5.53 requires every Local Government to prepare an Annual Report. Section 5.54 states that the Annual Report is to be accepted by the Local Government no later than 31 December of that financial year.

Local Government (Financial Management) Regulation 51(2) states:

“A copy of the annual financial report of a local government is to be submitted to the Executive Director within 30 days of the receipt by the CEO of the Auditor’s Report on that financial report.”

Section 5.53 of the Local Government Act states:

5.53 Annual Reports

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual reports to contain:*
 - a. *a report from the mayor or president;*
 - b. *a report from the CEO;*
 - (c) *and (d) deleted*
 - e. *an overview of the plan for the future of the district made in accordance with Section 5.56 including major activities that are proposed to commence or to continue in the next financial year;*
 - f. *the financial report for the financial year;*
 - g. *such information as may be prescribed in relation to the payments made to employees;*
 - h. *the auditor’s report for the financial year;*
 - ha. *a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and*
 - i. *such other information as may be prescribed.*

Section 5.54 of the Local Government Act 1995 states:

5.54 Acceptance of Annual Reports

- (1) *Subject to subsection (2) the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.*

** absolute majority required*

- (2) *If the Auditor’s report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the Auditor’s report becomes available.*

Section 5.55 of the Local Government Act 1995 states:

5.55 Notice of annual reports

The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.

Section 5.27 states:

5.27 Electors' general meetings

- (1) A general meeting of the electors of a district is to be held once every financial year.*
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.*
- (3) The matters to be discussed at general electors' meetings are to be those prescribed.*

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2009-14

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

SUSTAINABILITY IMPLICATIONS:

Not Applicable.

FINANCIAL/BUDGET IMPLICATIONS:

The cost of preparing the Annual Report, which contains the Financial Report will be carried out in-house. This will provide cost savings of approximately \$4,000 for typesetting of the report.

The Auditor's total costs are \$12,530 (GST inclusive).

The Annual Report is prepared by the Town's administration, as such, these costs are contained in the Town's Operating Budget.

COMMENTS:

In order for the Town to meet its legislative requirements, it is recommended that the Council accepts the Annual Report for 2009/10 and convenes the 2010 Annual General Meeting of Electors for Monday 29 November 2010 at 6.00pm.

9.4.4 Delegations for the Period 1 July 2010 to 30 September 2010

Ward:	Both	Date:	20 October 2010
Precinct:	All	File Ref:	ADM0018
Attachments:	001		
Reporting Officer:	J MacLean, Manager Ranger & Community Safety Services S Raines, Coordinator Statutory Processes		
Responsible Officer:	R Boardman, Director Development Services		

OFFICER RECOMMENDATION:

That the Council;

- (i) *ENDORSES the delegations for the period 1 July 2010 to 30 September 2010 as shown at Appendix 9.4.4; and*
- (ii) *APPROVES BY AN ABSOLUTE MAJORITY to write-off infringement notices/costs to the value of \$35,430 for the reasons as detailed below:*

<u>Description</u>	<u>Amount</u>
<i>Breakdown/Stolen (Proof Produced)</i>	<i>\$1,435</i>
<i>Details Unknown/Vehicle Mismatched</i>	<i>\$1,820</i>
<i>Equipment Faulty (Confirmed by Technicians)</i>	<i>\$990</i>
<i>Failure to Display Resident or Visitor Permit</i>	<i>\$13,005</i>
<i>Interstate or Overseas Driver</i>	<i>\$805</i>
<i>Ranger/Clerical Error</i>	<i>\$6,860</i>
<i>Signage Incorrect or Insufficient</i>	<i>\$2,480</i>
<i>Ticket Purchased but not Displayed (Valid Ticket Produced)</i>	<i>\$1,680</i>
<i>Other (Financial Hardship, Disability, Police On-duty, Etc)</i>	<i>\$5,255</i>
<i>Litter Act</i>	<i>\$400</i>
<i>Dog Act</i>	<i>\$500</i>
<i>Pound Fees Modified</i>	<i>\$200</i>
TOTAL:	\$35,430

COUNCIL DECISION ITEM 9.4.4

Moved Cr Harvey, Seconded Cr Burns

That the recommendation be adopted.

MOTION PUT AND CARRIED
BY AN ABSOLUTE MAJORITY (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to provide a quarterly progress report of the delegations exercised by the Town's Administration for the period 1 July 2010 to 30 September 2010 and to obtain the Council's approval to write-off infringement notices.

BACKGROUND:

The Local Government Act 1995, at Section 5.42, allows for a Council to delegate to the Chief Executive Officer its powers and functions.

The purpose of delegating authority to the Chief Executive Officer is to provide for the efficient and orderly administration of the day to day functions of the Local Government. The Chief Executive Officer, Directors and specific Managers exercise the delegated authority in accordance with the Council's Policies.

DETAILS:

The area which results in most Infringement Notices being withdrawn for this quarter is that of where a resident or visitor was not displaying the necessary permits. While the offence is "*Failure to Display a Valid Permit*", it is not considered appropriate to penalise residents and their visitors, since the primary purpose of introducing Residential Parking Zones is to provide respite to them.

The next most prevalent withdrawal class is that of "*Ranger/Clerical Error*", however, it should be noted that in most cases the infringement notices were reissued to the offending vehicle, on the spot, when the error was identified. It should also be noted that the Town has engaged a number of new Temporary Rangers, in the past few months.

ADVERTISING/CONSULTATION:

Not applicable.

LEGAL/POLICY:

Section 5.42 of the Local Government Act 1995 gives power to a Council to delegate to the CEO the exercise of its powers and functions; prescribes those functions and powers which cannot be delegated; allows for a CEO to further delegate to an employee of the Town; and states that the CEO is to keep a register of delegations. The delegations are to be reviewed at least once each financial year by the Council and the person exercising a delegated power is to keep appropriate records.

It is considered appropriate to report to the Council on a quarterly basis on the delegations utilised by the Town's Administration. A copy of these for the quarter is shown at Appendix 9.4.4.

STRATEGIC IMPLICATIONS:

The above is in accordance with Strategic Objective 4.1.2 of the Town of Vincent Strategic Plan 2009-2014: "*Manage the organisation in a responsible, efficient and accountable manner.*"

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The Council's Auditors recommend that infringement notices be reported to the Council for a decision to write-off the value of the infringement notice. In these cases, it is the opinion of the Co-ordinator Ranger Services and/or the Parking Appeals Review Panel that infringement notices cannot be legally pursued to recover the money or it is uneconomical to take action as this will exceed the value of the infringement notice.

The details of the Infringement Notices are as follows:

<u>Description</u>	<u>Amount</u>
Breakdown/Stolen (Proof Produced)	\$1,435
Details Unknown/Vehicle Mismatched	\$1,820
Equipment Faulty (Confirmed by Technicians)	\$990
Failure to Display Resident or Visitor Permit	\$13,005
Interstate or Overseas Driver	\$805
Ranger/Clerical Error	\$6,860
Signage Incorrect or Insufficient	\$2,480
Ticket Purchased but not Displayed (Valid Ticket Produced)	\$1,680
Other (Financial Hardship, Disability, Police On-duty, Etc)	\$5,255
Litter Act	\$400
Dog Act	\$500
Pound Fees Modified	\$200
TOTAL:	\$35,430

COMMENTS:

It is recommended that the delegations be endorsed by the Council.

9.4.6 Amended Policy No 1.1.5 Donations, Sponsorship and Waiving of Fees and Charges

Ward:	Both	Date:	14 October
Precinct:	All	File Ref:	FIN0195
Attachments:	001		
Reporting Officers:	T Farrell, Community Development Officer; J Bennett, Acting Manager Community Development		
Responsible Officer:	J Anthony, Acting Director Corporate Services		

OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUTE MAJORITY to amend Policy No 1.1.5 Donations, Sponsorship and Waiving of Fees and Charges as shown in Attachment 9.4.6.

Moved Cr Burns, Seconded Cr Maier

That the recommendation be adopted.

AMENDMENT NO 1

Moved Cr Maier, Seconded Cr Burns

That the recommendation be amended to read as follows:

“That the Council:

(i) APPROVES BY AN ABSOLUTE MAJORITY to amend Policy No 1.1.5 Donations, Sponsorship and Waiving of Fees and Charges as shown in Attachment 9.4.6, subject to:

(a) page 5 of the Policy being amended to read as follows:

“School events will be funded to a maximum of \$1,095 in aggregate in sponsorship funding within a financial year and will be assessed under the Cultural Development Seeding Grants Programme.””*

Debate ensued.

AMENDMENT NO 1 PUT AND CARRIED (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

Debate ensued.

AMENDMENT NO 2

Moved Cr Harvey, Seconded Cr Maier

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

“(ii) WRITES to WALGA opening a dialogue regarding the issue of providing special assistance and the cost to Local Government.”

AMENDMENT NO 2 PUT AND CARRIED (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

Debate ensued.

**MOTION AS AMENDED PUT AND CARRIED
BY AN ABSOLUTE MAJORITY (7-0)**

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

COUNCIL DECISION ITEM 9.4.6

That the Council:

- (i) ***APPROVES BY AN ABSOLUTE MAJORITY to amend Policy No 1.1.5 Donations, Sponsorship and Waiving of Fees and Charges as shown in Attachment 9.4.6, subject to:***
 - (a) ***page 5 of the Policy being amended to read as follows:***

“School events will be funded to a maximum of \$1,095* in aggregate in sponsorship funding within a financial year and will be assessed under the Cultural Development Seeding Grants Programme.”; and
 - (ii) ***WRITES to WALGA opening a dialogue regarding the issue of providing special assistance and the cost to Local Government.***
-

PURPOSE OF REPORT:

To obtain Council’s approval to adopt the amended Policy No 1.1.5 – Donations, Sponsorship and Waiving of Fees and charges to include Special Welfare Assistance and School Sponsorship.

BACKGROUND:

The current Donations, Sponsorships and Waiving of Fees and Charges Policy were adopted on 23 January 2007. The intent of the policy is to maintain clear guidelines relating to the equitable assessment of requests for donating, sponsorships and waiving and fees and charges, incorporating conditions and processes to ensure accountability for the funds expended.

It is proposed to undertake a policy review for the *Donations* section to include the provision to provide financial support for residents with homes unfit for human habitation. It is also proposed that the *Sponsorship* section be amended to include donations for schools as per the Council resolution adopted at the Ordinary Meeting of Council 13 July 2010 (in part):

“That the Council;

- ...(iii) REQUESTS the Chief Executive Officer to develop a policy for donations to schools within the Town.”*

DETAILS:

Donations:

The current Policy 1.1.5 Donations, Sponsorships and Waiving of Fees and Charges provides for two (2) categories of donations; General and Emergency Assistance.

The category '*General – Non Prescribed Purposes*' for a request not prescribed or covered by a Town Policy and that will directly benefit the Town's resident for a purpose that meets with identified community need and with the strategic objectives of the Town.

The category '*Emergency Assistance*' for individual residents who are disadvantaged and/or in a crisis situation and have demonstrated that they have exhausted all other avenues for assistance. The current maximum financial assistance in this category is \$227.

It is proposed to add an additional category of Special Assistance Welfare Donation to be used to assist residents whose homes are at risk of being declared "unfit for human habitation" by Environmental Health Services.

The City of Melville has had such a fund for a number of years and other local governments are exploring the options in response to the aging population and the increasing need to be able to work in a coordinated and sensitive way with such complex issues.

On several occasions within a year, Community Development has been requested by Environmental Health Services to assist residents whose homes have been at risk of being declared "unfit for human habitation". These residents are generally socially isolated senior people with mental health issues or other physical health issues who are living in squalid conditions (fire risk, rodent issues and unclean environments). The residents are unable to afford the repair/cleaning costs and do not have family who are able to assist. With the increasing aging population, this is likely to be an ongoing problem.

There are no government services to assist in these situations and it is not possible to refer people to Home and Community Care (HACC) providers to work in environments that are considered a health hazard.

It is proposed that an additional category be added to Policy No 1.1.5 under Donations with the following wording:

"Special Assistance Welfare

The Chief Executive Officer is delegated to approve assistance of up to \$5,000 in cases that are jointly assessed by Environmental Health and Community Development. The funding to be used to undertake repairs and/or cleanup to prevent the serving of a notice under Section 135 of the Health Act 1911 "Unfit for Human Habitation". In considering this assistance the following conditions must be met:

- (1) *The Town's Community Development Officers are satisfied that the application is bona-fide.*
- (2) *Individual cases would be means tested and referral made to appropriate Home and Community Care (HACC) services as soon as appropriate to do so."*

Sponsorship:

Organisations and individuals that are seeking to run events in the Town for the support of the local community are able to apply for funding under the Cultural Development Seeding Grant Programme which has a maximum funding allowance of \$1,095. Each application is individually assessed and an agenda item is presented to Council for approval in accordance with the guidelines. The total funding for Cultural Seeding Grants in the 2010- 2011 budget is \$6,000.

There are applicants that request funding in excess of \$1,095 and these are individually assessed under Policy 1.1.5 and presented to Council for approval.

Each year schools within the Town request funding for their school fete or festival, these requests now commonly exceed the threshold for Cultural Development Seeding Grants. Funding is often provided to assist with promoting the event in recognition of the community element of the event whilst recognising that these events are fundamentally fund raising events for the schools. Under a strict application of the policy and guidelines these would not be funded as one element of their existence is to “raise funds”. However Council has always recognised the community and cultural benefits of the events and provided funding to aid in the advertising of the event or funding of a cultural activity.

Research of other local governments indicating their response to the funding of school events is as follows:

City of Stirling:

Does not accept requests for funding from schools at all.

Town of Cambridge:

They have a Financial Assistance to Local Schools programme which targets primary schools in their area. All requests for funding go through this programme which supports activities such as community safety initiatives, innovative community arts projects, history projects and environmental programs. Under this programme local school fetes and ongoing fundraising projects are considered as a low priority and capital works projects are excluded.

Town of Victoria Park:

They have a ‘Donations – Schools’ policy capped at a maximum of \$500 that addresses school development and school welfare. School development includes funding for items not covered by the Department of Education such as celebration days. School welfare is to assist students in hardship with uniforms and fees and is applied for from the school on behalf of the student. Any requests for funding over \$500 is put to Council as an agenda item and assessed on a case by case basis.

Town of Mosman Park:

Have a Community Development Funding Program under which they assess all requests for funding and the schools projects are assessed against other community projects. They have only one public school and do not receive many requests for funding.

Many Councils have a similar funding arrangement to our Cultural Development Seeding Grant program. This program has been successful, however it appears that there is increasing costs to run and promote community programs and the Council is seen as a source of significant funding.

At the 13 July 2010 Ordinary Meeting of Council funding was approved of \$1,000 for each of the programmes under the Cultural Development Seeding Grants and additional funds as follows:

- Aranmore Catholic College “Arts on Oxford” \$2,000;
- Kyilla Primary School Fete \$4,000; and
- North Perth Primary School Fete \$4,000.

In addition the Town offers Environment Grants to School of up to \$750 for projects that assist them in developing and implementing initiatives to raise awareness in matters relating to the local environment.

The report highlights the generous support that the Council has offered to the local educational institutions. However the funding requests have increased over time and will exceed the yearly budget allocations.

In order to ensure an equitable allocation to schools across the Town of Vincent it is proposed to limit funding for school events to the application of the Cultural Development Seeding Programme and therefore cap the support to a yearly \$1,095. This could be achieved with additional wording to the Policy 1.1.5 as follows.

“Sponsorship of Events/Programmes by the Town of Vincent:

School events will be funded to a maximum of \$1,095 in sponsorship funding within a financial year and will be assessed under the Cultural Development Seeding Grants Programme.”*

CONSULTATION/ADVERTISING:

Policy changes are advertised for a period of twenty one (21) days.

LEGAL/POLICY:

Policy No 1.1.5 - Donations, Sponsorships and Waiving of Fees and Charges.

Section 135 of the Health Act 1911 “Unfit for Human Habitation”.

STRATEGIC IMPLICATIONS:

The review and updating of Policy 1.1.5 is in keeping with the Town of Vincent Strategic Plan 2009-2014.

“3.1.3(a) Determine the requirement of the community and ensure that the services provided meet those needs. “

SUSTAINABILITY IMPLICATIONS:

N/A.

FINANCIAL/BUDGET IMPLICATIONS:

Currently there is ten thousand dollars (\$10,000) in the 2010/2011 welfare grants budget approved for special welfare assistance in relation to residents whose homes have been declared unfit for human habitation.

There is six thousand dollars (\$6,000) allocated to Cultural Development Seeding Grants in the 2010/2011 budget.

COMMENTS:

The provision of special needs assistance would ensure that it is possible to respond to complex environmental housing issues in a coordinated and sensitive way and then refer individuals to appropriate services.

The Town provides significant support for local schools and a capping of school funding would assist in being able to maintain a level of support without disadvantaging other community groups.

**9.4.5 Strategic Plan 2009-2014 – Progress Report for the Period
1 July 2010 - 30 September 2010**

Ward:	Both	Date:	20 October 2010
Precinct:	All	File Ref:	ADM0038
Attachments:	001		
Reporting Officers:	Managers, Directors		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the progress report on the Strategic Plan 2009-2014 for the period 1 July 2010 – 30 September 2010 as shown in Appendix 9.4.5.

COUNCIL DECISION ITEM 9.4.5

Moved Cr McGrath, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to provide a quarterly update on the Strategic Plan for the period 1 July 2010 – 30 September 2010.

DETAILS:

Progress reports are reported to Council for each quarter as follows:

Period	Report to Council
1 January - 31 March	April
1 April - 30 June	July
1 July - 30 September	October
1 October - 31 December	February

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The Council adopted its Plan for the Future at the Ordinary Meeting of Council held on 12 May 2009. The Town's Strategic Plan forms part of the Plan for the Future. It is not a legal requirement to have a Strategic Plan, however, it is considered "Best Practice" management that a Strategic Plan be adopted to complement and be linked and aligned to both the Principal Activities Plan and Annual Budget.

STRATEGIC IMPLICATIONS:

The Strategic Plan provides the elected Council and administration with its aims, goals and objectives (key result areas) for the period 2009-2014. The reporting on a quarterly basis is in accordance with the Strategic Plain 2009-2014 Key Result Area.

This is in keeping with the Town's Strategic Plan 2009-2014 - *"Leadership, Governance and Management"*, in particular, Objective 4.1.2 - *"Manage the Organisation in a responsible, efficient and accountable manner"*.

SUSTAINABILITY IMPLICATIONS:

Nil.

SUSTAINABILITY IMPLICATIONS:

Nil

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The progress report for the Strategic Plan indicates that the Town's administration is progressing the various strategies in accordance with the Council's adopted programs and adopted budget.

9.4.7 Information Bulletin

Ward:	-	Date:	20 October 2010
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer:	A Radici, Executive Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Information Bulletin dated 26 October 2010, as distributed with the Agenda.

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be amended to read as follows:

“That the Council:

- (i) RECEIVES the Information Bulletin dated 26 October 2010, as distributed with the Agenda; and*
- (ii) REQUESTS a further report be provided on the Environmental Grants and Awards.”*

AMENDMENT PUT AND CARRIED (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

COUNCIL DECISION ITEM 9.4.7

That the Council:

- (i) RECEIVES the Information Bulletin dated 26 October 2010, as distributed with the Agenda; and*
- (ii) REQUESTS a further report be provided on the Environmental Grants and Awards.*

DETAILS:

The items included in the Information Bulletin dated 26 October 2010 are as follows:

ITEM	DESCRIPTION
IB01	Letter from the Minister for Transport regarding Proposed Amended to the Metropolitan Region Scheme
IB02	Letter from the State Library of Western Australia regarding Funding Allocation Model for Public Library Services
IB03	Letter from the Department of Local Government regarding Implementing the Principles of Multiculturalism Locally: A Planning Guide for Western Australian Local Governments
IB04	Letter of Appreciation from the Mount Hawthorn Primary School regarding the reservation of Menzies Reserve for athletics practices and carnival day
IB05	Email of Appreciation from Mr C. Parry regarding removal of graffiti
IB06	Department of Local Government Circular No 15-2010 regarding Local Government Services in Indigenous Communities Planning Committee – Communiqué October 2010
IB07	Ranger Services Statistics for July, August and September 2010
IB08	Menuwise (Healthy Plus) – Launch
IB09	Environmental Grants and Awards
IB10	Letter to R.K. Kaur of Edgewater Road, Salter Point in response to Question Taken on Notice at the Ordinary Meeting of Council held on 12 October 2010
IB11	Minutes of the Safer Vincent Crime Partnership Meeting held on 4 August 2010
IB12	Minutes of the Art Advisory Group Meeting held on 2 August 2010
IB13	Summary Minutes of the WALGA State Council Meeting held on 12 October 2010
IB14	Notice of Special Forum - 2 November 2010

10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

12.1 WALGA Nominations - WA Local Government Superannuation Plan Trustee Board; County Housing Authority Board; Fluoridation of Public Water Supplies Advisory Committee; FESA Bush Fire Brigade Capital Grants Committee; FESA State Emergency Service Capital Grants Committee

Ward:	-	Date:	20 October 2010
Precinct:	-	File Ref:	ORG0045
Attachments:	001		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That;

- (i) _____ *be nominated as WALGA Member - WA Local Government Superannuation Plan Trustee Board (Elected Member) (Re-advertised);*
- (ii) _____ *be nominated as WALGA Member - Country Housing Authority Board (Ministerial Appointment - Panel of 3 requested);*
- (iii) _____ *be nominated as WALGA Member - Fluoridation of Public Water Supplies Advisory Committee (Ministerial Appointment - Panel of 3 requested);*
- (iv) _____ *be nominated as WALGA Member (x2) - FESA Bush Fire Brigade Capital Grants Committee (At least one Member must be non-metropolitan), (Ministerial Appointment - Panel of 4 requested); and*
- (v) _____ *be nominated as WALGA Member (x2) - FESA Fire Emergency Service Capital Grants Committee (At least one Member must be non-metropolitan), (Ministerial Appointment - Panel of 4 requested).*

COUNCIL DECISION ITEM 12.1

The Presiding Member, Cr Sally Lake called for nominations.

No nominations were received.

Moved Cr Burns, Seconded Cr Topelberg

That the no nominations be received.

MOTION PUT AND CARRIED (7-0)

(Mayor Catania was an apology for the meeting. Cr Farrell had departed the meeting.)

DETAILS:

Please see Appendix 12.1 for further details.

NB:

NOMINATIONS CLOSE 5PM THURSDAY 11 NOVEMBER 2010

13. URGENT BUSINESS

Nil.

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

Nil.

15. CLOSURE

**There being no further business, the Presiding Member, Deputy Mayor
Cr Sally Lake, declared the meeting closed at 8.54pm with the following persons
present:**

Cr Sally Lake	Presiding Member
Cr Matt Buckels	North Ward
Cr Anka Burns	South Ward
Cr Taryn Harvey	North Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Jacinta Anthony	A/Director Corporate Services
Anita Radici	Executive Assistant (Minutes Secretary)

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 26 October 2010.

Signed:Presiding Member
Mayor Nick Catania

Dated this day of 2010