



CITY OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

13 MARCH 2012

*This document is available in the following alternative formats
upon request for people with specific needs; large print, Braille
and computer disk*

**INDEX
(13 MARCH 2012)**

ITEM	REPORT DESCRIPTION	PAGE
9.1 PLANNING SERVICES		
9.1.1	No. 30 Cleaver Street, West Perth – Proposed Alterations and Additions to Fifteen (15) Multiple Dwellings and Two (2) New Multiple Dwellings (PRO2092; 5.2011.612.2)	37
9.1.2	No. 360 (Lots 71 & 73; D/P: 35384 & 35387) Stirling Street, corner Broome Street, Highgate, Proposed Change of Use from Shop and Single House to Eating House including Alfresco area, Single House and Associated Additions and Alterations (State Administrative Tribunal (SAT) DR 379 of 2011) (PRO3436, 5.2012.51.1)	48
9.1.3	No. 459 Fitzgerald Street, North Perth – Additions and Alterations to Existing Hotel including an Increase in Patron Number from Nine Hundred and Seventy-Nine (979) Persons to Nine Hundred and Ninety-Five (995) Persons (PRO0315, 5.2011.614.1)	7
9.1.4	Town Planning Scheme Amendment No. 31 relating to land coded Residential R20 in the Mount Hawthorn and North Perth Precincts – Precinct Plans 1 and 8 (PLA0202)	61
9.1.5	State Administrative Tribunal Decision relating to Concrete Batching Plants at No. 71 (Lot 200; D/P: 92012) Edward Street, Perth (Hanson Batching Plant) and No. 120 (Lot 1010; D/P: 1149) Claisebrook Road, corner Caversham Road, Perth (Holcim Batching Plant) (PRO4024; 5.2011.243.1 and PRO0733; 5.2011.173.1)	11
9.1.6	LATE ITEM: Community Energy Efficiency Program (CEEP) – Grant Application (FIN0199)	67
9.2 TECHNICAL SERVICES		
9.2.1	Tender No. 437/11 – Supply and Delivery of One (1) Nineteen (19) Cubic Meter Rear Loader Refuse Truck with Twin Bin Lifters (TEN0045)	15
9.2.2	Proposed Riverside Drive Closure – Progress Report No. 1 (TES0473)	74
9.3 CORPORATE SERVICES		
9.3.1	Beatty Park Redevelopment, 220 Vincent Street, North Perth – Progress Report No. 5 (CMS0003)	23
9.4 COMMUNITY SERVICES		
9.4.1	Artist in Residence Programme Implementation Plan Update (CMS0070)	79
9.5 CHIEF EXECUTIVE OFFICER		
9.5.1	Use of the Council's Common Seal (ADM0042)	34
9.5.2	Social Media for the Public Sector Conference – 21 & 22 March 2012 – Melbourne Park Function Centre, Melbourne, Victoria (ADM0031)	84
9.5.3	Deliberative Democracy Forum – City of Vincent (ORG0031)	87
9.5.4	Information Bulletin	36

- 10. COUNCIL MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
Nil. 94
- 11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**
(Without Discussion)
Nil. 94
- 12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**
Nil. 94
- 13. URGENT BUSINESS**
Nil. 94
- 14. CONFIDENTIAL ITEMS / MATTERS FOR WHICH THE MEETING MAY BE CLOSED** (*“Behind Closed Doors”*)
Nil. 94
- 15. CLOSURE** 94
-

Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 13 March 2012, commencing at 6.00pm.

1. (a) DECLARATION OF OPENING

The Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting open at 6.00pm and read the following Acknowledgement of Country Statement:

(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT

"Today we meet on the lands of the Nyoongar people and we honour them as the traditional custodians of this land".

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr Harley – apology due to work commitments.

(b) Members on Approved Leave of Absence:

Cr John Carey – due to work commitments.

(c) Present:

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Warren McGrath (<i>Deputy Mayor</i>)	South Ward
Cr Matt Buckels	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Anita Radici	Executive Assistant (Minutes Secretary)
<u>Healthy Community Award Recipient</u>	
Larah Di Nella	Acting Manager Health Services (until approximately 6.30pm)
Lauren Peden	Journalist – <i>"The Guardian Express"</i>

Approximately 12 Members of the Public

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

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

- Loraine Vincenzoni, Vice Chairperson of the North Perth Precinct Group (NPPG), 73 Sydney Street, North Perth – Item 9.1.4. Stated the following:
 - Also speaking on behalf of other residents of Sydney Street particularly the Christensen's at No. 68 who are unable to attend due to illness.
 - Over the last decade there have been about 5 amendments on the same issue and they strongly support the Recommendation to delete both clauses to enable both areas in the Eaton Locality to stay as R20 under the current Scheme.

- The main basis as noted in the Report is the overwhelming community support, 84.5% supported the amendment. Also unlike previous amendments the City has undertaken a comprehensive and holistic review of all the densities across the whole City. Even with the R20 in the Eaton Locality the additional 5,000 dwellings is still being achieved as per Directions 2031.
 - In principle the NPPG supports the high density in targeted growth areas rather than spreading medium density across the whole City.
 - By retaining R20 in the area they believe it also retains a mixture of different dwelling types and encourages local families into the area who are looking for dwellings with rear gardens rather than very small outdoor areas.
 - The amendment is consistent with the Draft Town Planning Scheme No. 2 which she understands is with the Department of Planning for consent for advertising and has been adopted as a Draft by the City.
 - The R20 density helps to retain the character housing stock. Driving around the area you can see, especially in recent years, there have been a lot of extensions to existing homes.
 - The removal of the sunset clause rather than just extending the time period also ensures there is no interim period where the area will revert back to R30/R40 density which has happened before.
 - Strongly urged the Council to support the Officer Recommendation.
2. Ian Merker of 106 Broome Street, Highgate – Item 9.1.2, on behalf of most of his neighbours who strongly object to the change of use for the following reasons:
- They reside in a totally residential area and there are unlimited food outlets very close by along Beaufort Street approx. 100m away therefore, queried why they need another food outlet.
 - They believe it will cause noise, antisocial behaviour and disruption to their quite enjoyment of their life.
 - If approved, they fear it will setup a precedent for similar developments in this facility.
 - They therefore believe this will cause significant degradation to the residential amenity in the area.
 - It is totally out of character with the rest of Highgate as there are few, if any other restaurants in residential streets so close to Beaufort Street. There is only one he can think of which is Lincolns which is only open for a few hours per day.
 - The report says it has been licensed as a shop for a long time however, he has been there for 30 years and in that time, there has not been a shop there. A shop would also have a totally different impact on the community, as a shop normally opens from 9-5pm and a restaurant will probably start from 5pm onwards, which would cause disturbance to neighbours.
 - Another problem it would cause is parking in the area, which is already at an absolute premium and the last thing they want is more impact on parking.
 - Believes the owners have tried to get a fast food outlet through however, it was totally objected by the City only a few months ago. He can not see anything different and urged the Council to reject this matter.
3. Chris Dwyer of McDonald Jones Architects – Item 9.1.1. Stated the following:
- Following the decision from the 20 December 2011 Meeting, McDonald Jones Architects submitted plans for this project to the City's Design Advisory Committee (DAC).
 - The drawings presented included amendments as suggested by the City at previous meetings and the DAC.
 - Setbacks have increased on the 2nd Floor of the project from 1.5m to 5.64m being the alignment of the existing building. The apartments step away from the south eastern boundary and thus overshadowing is now only marginally different to that of the existing building.
 - The solar panels on the roof of 26A Cleaver Street are in no way unduly impacted by the proposed additions to No. 30.

- As recommended by the Council and supported by the DAC, the 5 new bedrooms and 3 balconies have been removed from the 3rd floor to satisfy concerns over bulk and, as a direct result of this action, the overshadowing has greatly decreased from this action and is well compliant with the R-code requirements for the R80 zone as calculated midday 21 June.
- The drawings have been amended following 2 Council Meetings, a meeting with the Mayor and the DAC. The project has been recommended for approval 3 times by the City's Planning Department and therefore urged the Council to approve this development application. The project has been condensed and is where it needs to be to satisfy bulk and overshadowing concerns whilst still remaining a financially viable development.

There being no further speakers, Public Question Time closed at approx. 6.10pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

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 28 February 2012.

Moved Cr Pintabona, Seconded Cr McGrath

That the Minutes of the Ordinary Meeting of Council held 28 February 2012 be confirmed as a true and correct record.

Cr Maier stated that he had emailed some amendments through to the Chief Executive Officer however, these have not be laid around the Chamber.

The Presiding Member, Mayor Alannah MacTiernan ruled that this matter be deferred to later in the Meeting so as to allow for copies to be distributed to the Council Members.

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Director Planning Services

I have pleasure in welcoming our new Director Planning Services, Carlie Eldridge, to her first Council Meeting. I hope you greatly enjoy your time at the City and I know you are going to bring a wealth of experience with you.

Welcome Carlie!

7.2 Healthy Community Awards

The Healthy Community Awards 2011 recognise and showcase local governments working to improve heart health through building a sense of community, encouraging people to be physically active, be smoke-free and make healthy food choices.

The City of Vincent was a State Winner and National Finalist for local governments with populations over 15,000 residents.

The City's key initiatives to implement the "healthy heart" objectives include:

- 'MenuWise' – that is, promoting healthy foods in our eating establishment;
- the City of Vincent Physical Activity Plan;
- the implementation of smoke free alfresco dining areas;
- the City's outdoor exercise equipment strategy for placement at Parks and Reserves;
- Active outings for Seniors; and
- Beatty Park Leisure Centre redevelopment – incorporating numerous exercise facilities.

The Award will be presented by Mr Trevor Shilton (Director Cardiovascular Health at the Heart Foundation).

May I congratulate all of the City's staff involved in receiving this Award, in particular the Acting Manager Health Services, Larah Di Nella, who co-ordinated the Award nomination.

Received with Acclamation!

7.3 Lease of nib Stadium to the State Government

I am very pleased to announce that earlier this afternoon, the Chief Executive Officer and I signed the lease for a 25 year plus 25 year option of nib Stadium to the State Government.

In exchange, the City will receive its \$5 million plus its annual rent of \$25,000 per year.

This lease will enable the State Government to continue redevelopment of the Stadium to construct the eastern stand.

In the interests of the community I believe this has been a very good deal that will see the nib Stadium redeveloped and of course giving the City a "*handsome*" stream of income that will enable the City fund in part the Park and also the City's share of the work required at Hyde Park.

Congratulations the Chief Executive Officer, John Giorgi and all those that have been involved and particularly the former Mayor Mr Nick Catania for all the hard work put in to negotiating this matter.

8. DECLARATIONS OF INTERESTS

- 8.1 Cr McGrath declared an Impartiality interest in Item 9.5.4 – Information Bulletin, specifically IB02 - Minutes of the Tamala Park Regional Council Meeting held on 16 February 2012. The extent of his interest being that his company is working on the Federal approvals of the Catalina Land Development being proposed by the Tamala Park Regional Council. Cr McGrath stated that as a consequence, there may be a perception that his impartiality on the matter may be affect. He declared that he would consider the matter on its merits and vote accordingly.
- 8.2 Cr Buckels declared a Financial interest in Item 9.2.2 – Proposed Riverside Drive Closure – Progress Report No. 1. The extent of his interest being that he is employed by the Department of Planning in the Transport Planning Field. Cr Buckels has indicated that he will depart the Chamber for consideration of this Item.

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

Nil.

10. REPORTS

The Presiding Member, Mayor Hon. Alannah MacTiernan, 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 9.1.4, 9.1.2 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:

Nil.

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

Item 9.2.2.

Presiding Member, Mayor Hon. Alannah MacTiernan, 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 Topelberg	Items 9.5.2 and 9.5.3.
Cr Buckels	Nil.
Cr McGrath	Nil.
Cr Wilcox	Nil.
Cr Pintabona	Nil.
Cr Maier	Items 9.2.2 and 9.4.1.
Mayor Hon. MacTiernan	Item 9.1.6

The Presiding Member, Mayor Hon. Alannah MacTiernan, requested that the Chief Executive Officer to advise the meeting of:

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

Items 9.1.3, 9.1.5, 9.2.1, 9.3.1, 9.5.1 and 9.5.4.

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

Nil.

New Order of Business:

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

(a) Unopposed items moved *En Bloc*;

Items 9.1.3, 9.1.5, 9.2.1, 9.3.1, 9.5.1 and 9.5.4.

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

Items 9.1.4, 9.1.2 and 9.1.1

(c) Those items identified for discussion by Council Members;

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

(d) Confidential Items – to be considered (“Behind Closed Doors”).

The Presiding Member, Mayor Hon. Alannah MacTiernan ruled that the Items raised during public question time for discussion are to be considered in numerical order as listed in the Agenda index.

ITEMS APPROVED “EN BLOC”:

The following Items were approved unopposed and without discussion “*En Bloc*”, as recommended:

Moved Cr Topelberg, Seconded Cr McGrath

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

Items 9.1.3, 9.1.5, 9.2.1, 9.3.1, 9.5.1 and 9.5.4.

CARRIED UNANIMOUSLY (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

At 6.20pm, the Presiding Member, Mayor Hon. Alannah MacTiernan asked the Councillors if they were happy with the corrections handed out to the Minutes of the Ordinary Meeting of Council held on 28 February 2012.

The Council agreed unanimously that they were happy to reconsider this Item.

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Meeting of Council held on 28 February 2012.

Moved Cr Pintabona, Seconded Cr McGrath

That the Minutes of the Ordinary Meeting of Council held 28 February 2012 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

9.1.3 No. 459 (Lot 8; D/P: 1647) Fitzgerald Street, corner of Angove Street, North Perth – Proposed Additions and Alterations to Existing Hotel Including an Increase in Patron Numbers

Ward:	North	Date:	1 March 2012
Precinct:	North Perth Centre; P9	File Ref:	PRO0315; 5.2011.614.1
Attachments:	001 – Property Information Report and Development Application Plans 002 – Applicant’s submission		
Tabled Items:	Nil		
Reporting Officer:	S Radosevich, Planning Officer (Statutory)		
Responsible Officer:	H Smith, Manager Planning and Building Services		

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Taylor Robinson Architects on behalf of the owners, Argyle Holdings Pty Ltd, GL Taylor Pty Ltd, Silverjay Nominees Pty Ltd, Tegre Pty Ltd and Yalaba Pty Ltd for Additions and Alterations to Existing Hotel Including an Increase in Patron Numbers at No. 459 (Lot 8; D/P: 1647) Fitzgerald Street, corner of Angove Street, North Perth, as shown on plans stamp dated 13 December 2011 and amended plans stamp dated 29 February 2012, subject to the following conditions:

1. 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 Fitzgerald Street and Angove Street;
2. all signage that does not comply with the City’s Policy No. 3.5.2 relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;
3. the maximum number of patrons to occupy the hotel at any one time shall be 993 persons. An increase in floor space, change of use or reactivation of the hotel rooms for the subject land shall require Planning Approval to be applied to and obtained from the City;
4. PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the City:

4.1 Acoustic Report

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

4.2 Management Plan

A detailed management plan that addresses the control of noise, traffic, maximising safety and access for pedestrians and the potential conflict between pedestrians and vehicular traffic, car parking, litter and antisocial behaviour (to reasonable levels) associated with the proposed development shall be submitted and approved prior to the first occupation of the development, and thereafter implemented and maintained;

5. PRIOR TO THE ISSUE OF A MAXIMUM ACCOMMODATION CERTIFICATE, the following shall be completed to the satisfaction of the City:

5.1 Car Parking

The car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the City.

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

COUNCIL DECISION ITEM 9.1.3

Moved Cr Topelberg, Seconded Cr McGrath

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

Landowner:	Argyle Holdings Pty Ltd, GL Taylor Pty Ltd, Silverjay Nominees Pty Ltd, Tegre Pty Ltd and Yalaba Pty Ltd
Applicant:	Taylor Robinson Architects
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): District Centre (Hotel)/ Commercial (Car park and Bottle Shop)
Existing Land Use:	Hotel
Use Class:	Hotel
Use Classification:	Hotel
Lot Area:	3,195 square metres
Right of Way:	Southern side, 5 metres wide, Council owned

PURPOSE OF REPORT:

This proposal requires referral to the Council for determination given that the proposal relates to a 'SA' use and was previously determined by Council.

BACKGROUND:

4 October 1991 The Perth City Council at its Ordinary Meeting conditionally approved the establishment of a café/restaurant within an existing building.

22 August 2003	The City approved alterations and additions to the existing hotel under Delegated Authority.
19 December 2006	The Council at its Ordinary Meeting conditionally approved alterations and additions to the existing hotel.
4 February 2008	The City refused an application for removal of existing signage and signage additions to the existing hotel (Rosemount Hotel) (application for retrospective approval) under Delegated Authority.
4 February 2008	The City approved an application for removal of existing signage additions to the existing hotel (Rosemount Hotel) (application for retrospective approval) under Delegated Authority.
10 June 2010	The City approved an application for two signs to the existing hotel along Angove and Fitzgerald Streets under Delegated Authority.
27 July 2010	The Council at its Ordinary Meeting approved an increase in patronage of the exiting hotel from eight hundred and fifty-three (853) persons to nine hundred and seventy-nine (979) persons.

DETAILS:

The application is for additions and alterations to an existing hotel including an increase in patron numbers from nine hundred and seventy-nine (979) to nine hundred and ninety-five (995) persons. The proposed additions and alterations include the refurbishment of the beer garden, refurbishment of the public amenities and an increased number of egress stairs and exits from the beer garden.

Consultation	
In Support:	One (1)
Comments Received	Officer Comments
Nil.	Nil.
Objections:	Nil (0)
Comments Received	Officer Comments
Nil.	Nil.
Advertising	The advertising was carried out as per the City's Policy No. 4.1.5 relating to Community Consultation.

Other Implications	
Legal/Policy	TPS 1 and associated Policies.
Strategic	Nil.
Sustainability	Nil.
Financial/Budget	Nil.

Car Parking

Car Parking	
Car parking requirement (nearest whole number)	= 227 car bays
<ul style="list-style-type: none"> Hotel – 1 space per 4.5 persons of maximum number of persons approved for the site 993 persons = 220.66 car bays Bottleshop – 1 space per 15 square metre of floor area 102 square metres gross floor area = 6.8 car bays 	
Total car bays required = 227.46 = 227 car bays	

Car Parking	
Apply the adjustment factors.	(0.65025)
<ul style="list-style-type: none"> • 0.85 (The proposed development is within 400 metres of a bus stop/station) • 0.85 (The proposed development is within 400 metres of one or more existing public car parking place(s) with in excess of a total of 75 car parking spaces) • 0.90 (The proposed development is within a District Centre zone) 	= 147.61 car bays
Minus the car parking provided on-site	52 car bays
Minus the most recently approved on-site car parking shortfall	97.53 car bays
Resultant surplus	1.92 car bays

The shortfall of 97.53 car bays was derived from information contained within the Minutes of the Ordinary Meeting of the former Perth City Council held on 4 October 1991.

Historically, the car parking requirement for the subject site is based on the public floor area and the floor area of the bottle shop. At the Ordinary Meeting of the former Perth City Council held on 4 October 1991, 60 car bays were approved on-site.

An application for an increase in patron numbers was presented to Council at its Ordinary Meeting held on 13 July 2010. This application required 198 car bays, however once the relevant adjustment factors and existing shortfall were applied, this resulted in a surplus of 28.78 car bays.

The land uses on the subject site were reviewed as part of this application with the proposal being assessed against the Hotel requirements, to provide for consistency with the Land Use Parking Requirement Table of the City's Parking and Access Policy No. 3.7.1, which is reflected above.

Although the patron numbers for the hotel are proposing to increase, with there being 52 car bays provided on-site, being 8 less car bays than the previous approval, there is a surplus of 1.92 car bays. Therefore, as the proposal provides a surplus of car bays, the increase in patron numbers and changes to the car parking configuration are supported in accordance with the requirements of the City's Parking and Access Policy.

COMMENTS:

Health Services

It is noted that the current Planning Application requests an increase of the Maximum Accommodation number to nine hundred and ninety-five (995) patrons, however following a preliminary assessment of the plans (submitted 13 December 2011) by the City's Health Services in accordance with the *Health (Public Building) Regulations 1992*, it has been estimated that the proposed toilet facilities, available floor area and aggregate exits widths may accommodate a maximum of nine hundred and ninety-three (993) persons. Prior to commencement of trade at the premises, the City will conduct a thorough and final assessment of the Public Building to calculate the Maximum Accommodation Number and it is advised that the final number may vary from the preliminary estimate of nine hundred and ninety three (993) patrons.

Planning Services

Community consultation was undertaken for an increase in patron numbers from nine hundred and seventy-nine (979) to nine hundred and ninety-five (995) persons with one response for support being received; however as stated above, a preliminary maximum accommodation assessment has been undertaken, which concluded that a maximum number of nine hundred and ninety-three (993) patrons could be accommodated.

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

9.1.5 State Administrative Tribunal Decision relating to Concrete Batching Plants at No. 71 (Lot 200; D/P: 92012) Edward Street, Perth (Hanson Batching Plant) and No. 120 (Lot 1010; D/P: 1149) Claisebrook Road, corner Caversham Road, Perth (Holcim Batching Plant)

Ward:	South	Date:	6 March 2012
Precinct:	Claisebrook Road North-P15	File Ref:	PRO4024; 5.2011.243.1; PRO0733; 5.2011.173.1
Attachments:	Nil		
Tabled Items:	Nil		
Reporting Officers:	R Rasiah, Co-ordinator Statutory Planning; John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council be ADVISED that:

1. the State Administrative Tribunal (SAT) delivered its decision on Friday 2 March 2012 concerning the applications for:

- 1.1 No. 71 (Lot 200; D/P: 92012) Edward Street, Perth – Alterations and Additions to Existing Concrete Batching Plant and the Lifting of Time Limited Condition and Extended Hours of Operation (Hanson Batching Plant) – State Administrative Tribunal DR 264 of 2011; and

- 1.2 No. 120 (Lot 1010; D/P: 1149) Claisebrook Road, corner Caversham Road, Perth – Alterations and Additions to Existing Concrete Batching Plant and the Lifting of Time Limited Condition and Extended Hours of Operation (Holcim Batching Plant) – State Administrative Tribunal DR 225 of 2011;

and imposed five (5) year time periods WITH CONDITIONS, for the Hanson Batching Plant from 26 June 2012 and Holcim Batching Plant from 16 October 2012,

2. the SAT will now refer the above 2 review matters to the Minister for Planning for consideration and determination; and
3. the SAT Hearing Transcript has not yet been completed and will be reported to the Council once this is received.

COUNCIL DECISION ITEM 9.1.5

Moved Cr Topelberg, Seconded Cr McGrath

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of the report is to advise the Council of the SAT's decisions relating to the Hanson and Holcim Batching Plants, notwithstanding that the SAT Hearing Transcript has not been completed as yet.

BACKGROUND:

As the Council is aware, the Concrete Batching Plants have been the subject of numerous reports to the Council over the previous 12 months. There has been considerable community interest in the matter. In mid 2011, the City received an application from the Hanson Batching Plant for removal of the current time restriction which expires on 26 June 2012, to continue their operations indefinitely. It also received a similar application from the Holcim Batching Plant, whose approval expires on 16 October 2012.

Both Hanson and Holcim lodged separate appeals to the SAT and these were heard separately. A number of mediation sessions were held from August to December 2011.

The hearing for the Hanson Appeal was held before Senior Member Peter McNabb and Members Mr Adderley and Mr Curry from 28 February 2012 – 1 March 2012, with the Holcim Appeal hearing due to be held on 1-2 March 2012.

The City was represented by Mr Andrew Roberts of McLeod's Solicitors and Mr Ben Doyle, Planning Consultant of Planning Solutions. 11 ratepayers attended as witnesses for the City and the City's Director Technical Services also attended to provide evidence relating to traffic and infrastructure matters.

On Thursday 2 March 2012, the SAT advised that it would deliver its decision concerning the Hanson Appeal Hearing. Solicitors acting for Holcim vigorously objected to the SAT delivering its decision prior to it having its hearing. Notwithstanding, the SAT advised that it was of the view that the SAT decision would be beneficial as evidence relating to both hearings was very similar. It expressed the view that a two day hearing for the Holcim Plant would not identify any significant differences and they wished to deliver their decision.

Before the SAT decision on the Hanson review was delivered, Holcim argued that it should not apply to Holcim however, eventually conceded and accepted the SAT decision (which was delivered about the Hanson Hearing) was also applicable to Holcim.

DETAILS:

Hanson Concrete Batching Plant

The Hanson application was for alterations and additions to the existing concrete batching plant and the lifting of a time limited condition, requiring the concrete batching plant to cease operating by 26 June 2012.

The applicant stated the following:

"This application seeks the lifting of the condition requiring operations to cease in 2012, thereby permitting the ongoing operation of the plant."

Alongside the approval of the existing batching plant, the application requested approval to increase the height of the noise barrier wall along the western boundary to 5.8 metres, and to enclose the western face of the two existing filling stations (including the addition of doors) in colours and finishes to match the existing plant.

Holcim Concrete Batching Plant:

This Holcim application was for alterations and additions to the existing concrete batching plant and the lifting of time limited condition requiring the concrete batching to cease operating by 16 October 2012.

The applicant stated the following:

"This proposal seeks approval to continue the location, operations of the plant and use of the site under its current suite of conditions by simply removing the sunset provision."

Alongside the approval of the existing batching plant, the application requested an approval for the construction of a roofed slump stand area with a three bay capacity for trucks, an additional access point fronting Claisebrook Road, reinstatement of the 4 metre high perimeter wall and associated landscaping.

CONSULTATION/ADVERTISING:

The use is considered as "General Industry" and an "Unlisted" use within the East Perth Redevelopment Scheme. The City undertook comprehensive advertising of the proposal for a period of 21 days of properties within a 300 metres radius of the Hanson and Holcim Concrete Batching Plants. A considerable number of objections to the proposals were received as a result. The City's Chief Executive Officer also convened a Public Meeting on 29 June 2011 to inform the community and stakeholders of the Hanson and also the Holcim Concrete Batching Plant applications lodged with the City.

The City was represented by McLeods Barristers and Solicitors and Planning Consultants, Planning Solutions. The appeal was heard at the State Administrative Tribunal on 28 February 2012, where the City was successful in convincing the State Administrative Tribunal to restrict the approval to a maximum of 5 years only, and not indefinitely as applied for by Hanson and Holcim.

LEGAL/POLICY:

- East Perth Redevelopment Authority Scheme No. 1.
- Planning and Development Act 2005 which provides the ability for the Minister for Planning to call in a review matter that is being lodged with the State Administrative Tribunal for the Minister's final determination.

RISK MANAGEMENT IMPLICATIONS:

High: This matter is the subject of considerable community interest in the local area. The SAT will now be providing its decision to the Minister for Planning for his consideration and determination. The Minister's decision in this matter is final.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* - Objective 1 states:

"Natural and Built Environment

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

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

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The City was represented by McLeods Lawyers and Planning Solutions (Town Planning Consultant) at the State Administrative Tribunal.

The City's Budget 2011/2012 makes the following funding allocations:

ITEM	AMOUNT BUDGETED	EXPENDITURE TO DATE (as at 6 March 2012)
SAT Review Consultant *	\$40,000	\$120,833
Planning Legal Expenses	\$20,000	\$8,5357
Building Services	\$10,000	\$15,234

(* Awaiting further invoices)

Due to the above two appeals, significant over-expenditure of the SAT Review Consultant and Planning Legal Expenses budget provisions has resulted; monies will be re-allocated as part of the mid-year budget review.

COMMENTS:

The SAT decision concerning both hearings is considered significant.

As the Minister for Planning had "*called in*" both appeal applications under the relevant legislation, the SAT is required to refer its recommendation, which includes a condition stating that both concrete batching plants are allowed to operate for a further period of a maximum of 5 years (from the respective expiry dates), subject to stringent conditions requested by the Council, to the Minister for Planning for consideration and determination. The Minister's decision in the matter is final.

Once the City receives the SAT's Transcript and a decision is provided by the Minister for Planning, a further report will be submitted to the Council.

9.2.1 Tender No. 437/11 – Supply and Delivery of One (1) Nineteen (19) Cubic Meter Rear Loader Refuse Truck with Twin Bin Lifters

Ward:	Both	Date:	2 March 2011
Precinct:	All	File Ref:	TEN0445
Attachments:	-		
Tabled Items:	-		
Reporting Officers:	C Economo, Manager Engineering Operations M Rootsey, Director Corporate Services R Lotznicker; Director Technical Services		
Responsible Officer:	R Lotznicker; Director Technical Services		

OFFICER RECOMMENDATION:

That the Council **ACCEPTS** the tender submitted by WA Iveco as being the most acceptable to the City for the supply and delivery of one (1) rear loader refuse truck with twin bin lifters, at a total cost of \$375,614 (Including GST), in accordance with the specifications as detailed in Tender No. 437/11.

COUNCIL DECISION ITEM 9.2.1

Moved Cr Topelberg, Seconded Cr McGrath

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval for awarding of the tender for the supply and delivery of one (1) rear loader refuse truck with twin bin lifters.

BACKGROUND:

Tender No. 437/11 - Supply and Delivery of one (1) rear loader refuse truck was advertised in *The West Australian* newspaper on Saturday 23 November 2011.

At the close of the tender at 2.00pm on 14 December 2011, five (5) tenders were received.

Present at the tender opening were Purchasing/Contracts Officer, Mary Hopper and the Manager Engineering Operations, Con Economo.

DETAILS:

The details of all tenders received for Tender No. 437-11 are listed below:

Note: All prices *Include* GST.

Tenderer	Truck Centre	Truck Centre	WA Hino	WA Hino
Item	(Option 1) (Volvo with Superior Pak body)	(Option 2) (Volvo with MacDonald Johnston body)	(Option 1) (Hino 500 Series 2630 with Superior Pak body)	(Option 2) (Hino 500 Series 2630 with MacDonald Johnston body)
Supply and delivery of new vehicle only	\$389,900	\$400,350	\$385,054.67	\$392,054.67

Tenderer	Truck Centre	Truck Centre	WA Hino	WA Hino
Trade-in Vehicle Hino 1AYK710	\$33,000	\$33,000	\$31,000	\$31,000
Total Price including Trade-in	\$356,900	\$367,350	\$354,054.67	\$361,054.67

Tenderer	AV Truck Services	AV Truck Services	WA Iveco	WA Iveco
Item	(Option 1) (Dennis Eagle Elite 2 with Superior Pak body)	(Option 2) (Dennis Eagle Elite 2 with MacDonald Johnston body)	(Option 1) (Iveco Acco with Superior Pak body)	(Option 2) (Iveco Acco with MacDonald Johnston body)
Supply and delivery of new vehicle only	\$393,151	\$409,217	\$388,549	\$405,614
Trade-in Vehicle Hino 1AYK710	-	-	\$30,000	\$30,000
Total Price including Trade-in	\$393,151	\$409,217	\$358,549	\$375,614

W & P Truck Sales provided a price for the outright purchase of Hino 1AYK710 = \$22,311.

Tender Evaluation

Evaluation Criteria

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

Criteria	Weighting
Mandatory Product Features	25.00
Special Facilities	25.00
Price Tender	20.00
Life Cycle Costs	10.00
Operators Ergonomics	10.00
Warranty	5.00
Delivery	5.00
TOTAL	100.00

Tender Evaluation Panel

The Tender Evaluation Panel consisted of the Director Technical Services, Director Corporate Services, Manager Engineering Operations, Depot Purchasing Officer and Supervisor Waste management and Precinct Cleaning. Each tender was assessed using the above evaluation criteria in accordance with the tender documentation.

Each of the tenderers provided the following two (2) options:

- Option 1: Truck cab chassis with a Superior Pac compactor unit
- Option 2: Truck cab chassis with a McDonald Johnston compactor unit

The Tender Evaluation Panel met on 9 February 2012 to assess the submissions. The tenders were further independently evaluated by each of the Panel members and the final evaluation scores submitted for collation.

To determine a way forward the 'compactor units' were assessed separately to determine the preferred combination for further assessment.

Tender Summary – Compactor Unit only

	Weighting	McDonald Johnston	Superior Pac
Mandatory Product Features	25.00	25	19.60
Special Facilities	25.00	25	25
Price Tender	20.00	19.34	20.00
Life Cycle Costs	10.00	10.00	10.00
Operators Ergonomics	10.00	9.80	7.80
Warranty	5.00	4.90	4.39
Delivery	5.00	5.00	5.00
TOTAL/SCORE	100.00	99.04	91.79
		1st	2nd

Tender Evaluation Panel comments are shown below:

1. McDonald Johnston

Total Weighted Score	99.04 (first)
Mandatory Product Features	
<ul style="list-style-type: none"> Product features essential to undertake required function. 	Has all product features requested and is the most suitable unit for Waste Management.
<ul style="list-style-type: none"> Specification conformance 	Adheres to all required tender specifications
<ul style="list-style-type: none"> Response and Detail to Specification 	All details specified as per tender
<ul style="list-style-type: none"> Noise levels to be stated 	n/a
Special Facilities	
<ul style="list-style-type: none"> Ease of Vehicle servicing 	Located at 239 Collier Road, Bayswater.
<ul style="list-style-type: none"> Availability of spare parts 	All parts stocked at premises
<ul style="list-style-type: none"> Number of technical support staff available 	Manufacturing facilities located at the above location and provides unsurpassed after sales support.
Price Tender	
<ul style="list-style-type: none"> The total cost shown on the Tender Schedule will be assessed with or without the trade-in included at the City's discretion 	\$187,000 excl. GST JP5A Compactor Body. No trade applicable on this item.
Life Cycle Costs	
<ul style="list-style-type: none"> Service/maintenance costs 	Information provided.
Operators Ergonomics	
<ul style="list-style-type: none"> Ease of operation/controls. 	Has excellent operation and ease of controls.
<ul style="list-style-type: none"> Operator comfort 	Good operator comfort.
Warranty	
<ul style="list-style-type: none"> Assessed on performance 	Good durability and performance assessed due to previous purchases by the City for over approximately 18 years use.
<ul style="list-style-type: none"> Warranty period offered 	12 months or 2400 hours
Delivery	
<ul style="list-style-type: none"> Tender to state time frame 	6-8 weeks from Chassis delivery.

Comment:

The tender received was very well documented, comprehensive and conformed to all of the City's tender requirements. The City of Vincent has been undertaking Waste Management with Mac Donald Johnston Compactor Bodies since its inception for over eighteen (18) years.

It is a proven product with a greater pay load capacity and the compactor body is smaller (height and width) making the turning circle of the vehicle easier to negotiate the City's narrow access roads.

2. Superior Pac

Total weighted Score	91.79 (second)
Mandatory Product Features	
<ul style="list-style-type: none"> Product features essential to undertake required function. 	Some items do not conform with the tender specifications
<ul style="list-style-type: none"> Specification conformance 	Does not conform with a number of tender requirements
<ul style="list-style-type: none"> Response and Detail to Specification 	As above- Some items not included e.g. reverse lifting requirements
<ul style="list-style-type: none"> Noise levels to be stated 	n/a
Special Facilities	
<ul style="list-style-type: none"> Ease of Vehicle servicing 	Located at 32 Ewing Street Bentley
<ul style="list-style-type: none"> Availability of spare parts 	All parts stocked at premises
<ul style="list-style-type: none"> Number of technical support staff available 	Very good support, 80 staff 24 hours/7 days per week
Price Tender	
<ul style="list-style-type: none"> The total cost shown on the Tender Schedule will be assessed with or without the trade-in included at the City's discretion 	\$172,395 excl GST Maxi Pak Compactor Body/No trade applicable
Life Cycle Costs	
<ul style="list-style-type: none"> Service/maintenance costs 	Information provided
Operators Ergonomics	
<ul style="list-style-type: none"> Ease of operation/controls. 	Not stated- no previous purchase
<ul style="list-style-type: none"> Operator comfort 	Not stated – no previous purchase
Warranty	
<ul style="list-style-type: none"> Assessed on performance 	Not assessed due to no previous supply
<ul style="list-style-type: none"> Warranty period offered 	12 months or 2000 hours
Delivery	
<ul style="list-style-type: none"> Tender to state time frame 	12 plus weeks from Chassis delivery

Comment:

The tender received was very well documented and comprehensive however certain aspects of this compactor body did not conform to the City's specifications.

Comments/conclusion

As the MacDonald Johnston compactor unit was assessed as being the more suitable the truck cab chassis' were further assessed with a McDonald Johnson compactor unit only as follows.

Tender Summary – Truck Cab chassis with McDonald Johnston compactor unit (Option 2)

	Weighting	WA Iveco	Truck Centre	AV Truck Services	WA Hino
Mandatory Product Features	25.00	25.00	22.30	22.30	22.60
Special Facilities	25.00	24.80	22.20	24.80	22.60
Price Tender	20.00	19.23	19.59	19.20	20.00
Life Cycle Costs	10.00	9.30	9.40	9.20	9.25
Operators Ergonomics	10.00	9.50	10.00	9.00	8.60
Warranty	5.00	3.47	5.00	3.80	5.00
Delivery	5.00	5.00	3.20	2.60	2.80
TOTAL/SCORE	100.00	96.30	91.69	90.90	90.85
		1st	2nd	3rd	4th

1. WA Iveco

Total weighted Score	96.30 (first)
Mandatory Product Features	
<ul style="list-style-type: none"> Product features essential to undertake required function. 	Greater power ratio and smaller turning circle kerb to kerb makes it easier to pick up waste in the City's narrow streets.
<ul style="list-style-type: none"> Specification conformance 	Vehicle conforms best with all specifications.
<ul style="list-style-type: none"> Response and Detail to Specification 	All detail provided as per tender requirements.
<ul style="list-style-type: none"> Noise levels to be stated 	Drive by- 79dB(A), Stationery- 86dB(A)
Special Facilities	
<ul style="list-style-type: none"> Ease of Vehicle servicing 	Located in Belmont with 24 hour emergency breakdown service.
<ul style="list-style-type: none"> Availability of spare parts 	Wide range of parts available.
<ul style="list-style-type: none"> Number of technical support staff available 	Not stated. Does have large backup support.
Price Tender	
<ul style="list-style-type: none"> The total cost shown on the Tender Schedule will be assessed with or without the trade-in included at the City's discretion 	\$405,614 GST inclusive excluding trade in. \$375,614 GST inclusive including trade in.
Life Cycle Costs	
<ul style="list-style-type: none"> Service/maintenance costs 	60 months or 7,500 hours/\$8.90 per hour, \$1,112.50 Exc. GST per month. Life cycle costing information stated
Operators Ergonomics	
<ul style="list-style-type: none"> Ease of operation/controls. 	Excellent operation and controls
<ul style="list-style-type: none"> Operator comfort 	Air suspended driver's seat and adjustable lumbar support.
Warranty	
<ul style="list-style-type: none"> Assessed on performance 	Specifically built for the Waste Industry for a number of years.
<ul style="list-style-type: none"> Warranty period offered 	12 months or 500,000 km bumper to bumper. Driveline 24 months or 500,000.
Delivery	
<ul style="list-style-type: none"> Tender to state time frame 	16-20 weeks

Comment:

The tender received was very well documented, comprehensive and this Cab/Chassis conformed to all specifications making it the most suitable for Waste Management collection.

2. Truck Centre

Total weighted Score	91.69 (second)
Mandatory Product Features	
<ul style="list-style-type: none"> Product features essential to undertake required function. 	Does have essential functions to undertake the required function.
<ul style="list-style-type: none"> Specification conformance 	Does not conform with suspension or braking system requested.
<ul style="list-style-type: none"> Response and Detail to Specification 	Good response to detail specification.
<ul style="list-style-type: none"> Noise levels to be stated 	Low noise level dB not stated.
Special Facilities	
<ul style="list-style-type: none"> Ease of Vehicle servicing 	507 Abernethy Road, Kewdale.
<ul style="list-style-type: none"> Availability of spare parts 	Parts available over three brands, Mack UD and Volvo
<ul style="list-style-type: none"> For Number of technical support staff available 	Not stated

Price Tender	
<ul style="list-style-type: none"> The total cost shown on the Tender Schedule will be assessed with or without the trade-in included at the City's discretion 	\$399,850 GST inclusive excluding trade in. \$367,350 GST inclusive including trade in.
Life Cycle Costs	
<ul style="list-style-type: none"> Service/maintenance costs 	Weekday hourly rate \$141/weekend hourly rate \$159.50 per hour. Life cycle costing information stated.
Operators Ergonomics	
<ul style="list-style-type: none"> Ease of operation/controls. 	Cab ergonomically designed for easy reach controls with high comfort
<ul style="list-style-type: none"> Operator comfort 	Air suspension system providing high ride comfort
Warranty	
<ul style="list-style-type: none"> Assessed on performance 	Having previously purchased last year and is performing well.
<ul style="list-style-type: none"> Warranty period offered 	12 months or unlimited kms for truck. 36 months/400,000 kms/6,250 hours for driveline.
Delivery	
<ul style="list-style-type: none"> Tender to state time frame 	Not stated

Comment:

The tender received was very well documented and comprehensive but the Cab/Chassis does not conform to some aspects of the City's specifications.

3. AV Truck Services

Total weighted Score	90.90 (third)
Mandatory Product Features	
<ul style="list-style-type: none"> Product features essential to undertake required function. 	Lacks the required power ratio required in accordance with specifications.
<ul style="list-style-type: none"> Specification conformance 	Certain aspects of this vehicle do not conform.
<ul style="list-style-type: none"> Response and Detail to Specification 	Good response but lacking detail.
<ul style="list-style-type: none"> Noise levels to be stated 	Daily noise level 85db(A) - Comprehensive noise assessment
Special Facilities	
<ul style="list-style-type: none"> Ease of Vehicle servicing 	485 Great Eastern Highway, Redcliffe. 24 hours per day
<ul style="list-style-type: none"> Availability of spare parts 	Current spare parts availability from Central Distribution ex- Brisbane.
<ul style="list-style-type: none"> Number of technical support staff available 	Large support base of technicians
Price Tender	
<ul style="list-style-type: none"> The total cost shown on the Tender Schedule will be assessed with or without the trade-in included at the City's discretion 	\$409,217 G.S.T. inclusive for outright purchase/no trade price quoted.
Life Cycle Costs	
<ul style="list-style-type: none"> Service/maintenance costs 	Labour rate \$125.00 per hour, \$137.00 after hours. Life cycle costing information provided.
Operators Ergonomics	
<ul style="list-style-type: none"> Ease of operation/controls. 	Very good operation/controls
<ul style="list-style-type: none"> Operator comfort 	Very good operator comfort

Warranty	
<ul style="list-style-type: none"> Assessed on performance 	Lacks power ratio required in tender.
<ul style="list-style-type: none"> Warranty period offered 	Chassis rails 12 months unlimited kms/Cab structure corrosion 60 months unlimited kms/Driveline 12 months unlimited kms
Delivery	
<ul style="list-style-type: none"> Tender to state time frame 	Stock currently ex- Brisbane or 7 months to build from time of order.

Comment:

The tender received was very well documented and comprehensive however this vehicle does not conform to some aspects of the tender specifications.

4. WA Hino

Total weighted Score	90.85 (fourth)
Mandatory Product Features	
<ul style="list-style-type: none"> Product features essential to undertake required function. 	Some mandatory product features do not conform to tender requirements.
<ul style="list-style-type: none"> Specification conformance 	Generally conforms with all specifications
<ul style="list-style-type: none"> Response and Detail to Specification 	Poor response to detail specification
<ul style="list-style-type: none"> Noise levels to be stated 	76.5 dB @ 100km per hour in cab
Special Facilities	
<ul style="list-style-type: none"> Ease of Vehicle servicing 	Located 24-26 Kewdale Road , Welshpool
<ul style="list-style-type: none"> Availability of spare parts 	Not stated- but has large support.
<ul style="list-style-type: none"> Number of technical support staff available 	Not stated- but does have large support base.
Price Tender	
<ul style="list-style-type: none"> The total cost shown on the Tender Schedule will be assessed with or without the trade-in included at the City's discretion 	\$392,054.67 GST inclusive outright purchase, \$361,054.67 GST inclusive less trade in.
Life Cycle Costs	
<ul style="list-style-type: none"> Service/maintenance costs 	Labour \$120.00 per hour/60,000 km service \$2,754.73 Exc. GST. Life cycle costing information provided.
Operators Ergonomics	
<ul style="list-style-type: none"> Ease of operation/controls. 	Good operation and controls
<ul style="list-style-type: none"> Operator comfort 	4 - way adjustable seat with fabric cover & air suspension
Warranty	
<ul style="list-style-type: none"> Assessed on performance 	Not assessed due to no previous purchase.
<ul style="list-style-type: none"> Warranty period offered 	3 years or 200,000 km/Cab corrosion 36 months
Delivery	
<ul style="list-style-type: none"> Tender to state time frame 	Not stated

Comment:

The tender received was very well documented and comprehensive but certain mandatory aspects of this Cab/Chassis are as not as good as other suppliers.

Conclusion/Discussion:

Following detailed analysis of the tender documents and assessment by the Director of Technical Services, Director of Corporate Services, Manager Engineering Operations, Depot Purchasing Officer and the Supervisor of Waste Management and Street Cleaning it is considered that whilst all trucks met most of the requirements of the tender specifications the Iveco with the MacDonald Johnson compactor is best suited to the City's needs.

CONSULTATION/ADVERTISING:

The tender was advertised in the West Australian newspaper on the 23 November 2011.

LEGAL/POLICY:

The tender was advertised and assessed in accordance with the Local Government Act Tender Regulations and the City's Policy 1.2.2 and Purchasing Policy No. 1.2.3.

RISK MANAGEMENT IMPLICATIONS:

High: Waste Collection is a vital essential service. Keeping the fleet in optimum condition by ensuring trucks are traded at acceptable intervals is paramount in minimising the risk of breakdowns/downtime etc.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* states:

"Natural and Built Environment

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

SUSTAINABILITY IMPLICATIONS:

New trucks comply with Euro 5 emission standards. These are the highest emission standards and ensure Co2 emissions into the atmosphere are minimised as much as possible.

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$350,000 has been included in the City's 2011/2012 budget for this item.

Budget Amount:	\$ 350,000 (funded from the Major Plant Replacement Reserve)
Spent to Date:	\$ Nil
Funds remaining:	\$ 350,000
Proposed Purchase	\$ 341,467.27 (Excluding GST) \$375,614 (Including GST).

Note: The funding source is the Waste Management Reserve Funds.

COMMENTS:

It is recommended that the tender submitted by WA Iveco be accepted as being the most acceptable to the City for the supply and delivery of one (1) nineteen (19) cubic metre rear loader refuse truck with twin bin lifters, at a total cost of \$375,614 (Including GST) in accordance with the specifications as detailed in Tender No. 437/11.

9.3.1 Beatty Park Redevelopment, 220 Vincent Street, North Perth – Progress Report No. 5

Ward:	South	Date:	3 March 2012
Precinct:	Smiths Lake	File Ref:	CMS0003
Attachments:	001 – Progress Photos		
Tabled Items:	002 – External Finishes Colour Scheme		
Reporting Officers:	D Morrissy; Manager Beatty Park Leisure Centre; K Bilyk; Property Officer; J Fondacaro; Coordinator Aquatic & Operations; J van den Bok; Manager Parks & Property Services; M Rootsey, Director Corporate Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council:

1. **RECEIVES** Progress Report No. 5 as at 2 March 2012, relating to the Beatty Park Leisure Centre Redevelopment Project, 220 Vincent Street, North Perth;
2. **NOTES** that the Centre will completely closed from 19 to 26 March 2012 (inclusive), to enable the installation of the main switchboard; and
3. **APPROVES** of the Centre's External Finishes Colour Selection, as shown in the Colour Board (Tabled Item and shown electronically).

COUNCIL DECISION ITEM 9.3.1

Moved Cr Topelberg, **Seconded** Cr McGrath

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of the report is to update the Council on the progress of the Beatty Park Leisure Centre Redevelopment Project, 220 Vincent Street North Perth.

BACKGROUND:

Progress Reports

Progress reports have been submitted to the Council on 7 December 2010, 22 November 2011, 20 December 2011 and 14 February 2012.

At the Ordinary Meeting of Council held on 23 August 2011, the Council considered the Beatty Park Leisure Centre Redevelopment Project Stage 1 and resolved the following:

"That the Council;

1. **RECEIVES:**
 - 1.1 *the report as at the 18 August 2011 concerning the Beatty Park Leisure Centre Redevelopment, 220 Vincent Street, North Perth; and*

- 1.2 *the Consultant's Independent Review Report 2011 by Macri Partners (Certified Practising Accountants) external review of the Business Cases, as shown in Appendix 9.4.6(A);*

2. APPROVES:

- 2.1 (a) *the Beatty Park Leisure Centre Redevelopment Stage 1 at an estimated Total Project Cost of \$17,065,000 to be funded as follows;*

<i>Federal Government</i>	<i>Nil</i>
<i>State Government - CSRFF</i>	<i>\$2,500,000</i>
<i>State Government – nib Stadium payment</i>	<i>\$3,000,000</i>
<i>Beatty Park Leisure Centre Reserve Fund</i>	<i>\$3,500,000</i>
<i>Loan Funds</i>	<i>\$8,065,000</i>
<i>Total:</i>	<i>\$17,065,000</i>

- (b) *The Chief Executive Officer to review the Project Funding, in event that Federal Funding Grants are received.*

- 2.2 *of a loan of \$8,065,000 for the Beatty Park Leisure Centre Redevelopment Stage 1;*
- 2.3 *the Indicative Project Budget for the Beatty Park Leisure Centre Redevelopment Stage 1, as outlined in this report;*
- 2.4 *the Project Timeline Gantt Chart, as outlined in this report and as shown in Appendix 9.4.6(B);*
- 2.5 *of \$630,000 for an essential Fire Hydrant System and Tanks, Fire Detection and Alarm System and Perimeter Vehicle Access to ensure compliance with the Building Code of Australia and AUTHORISES the Chief Executive Officer to advertise the necessary tenders for the required works; and*
- 2.6 *of \$120,000 for the Percent for Art contribution, in accordance with the City's Percent for Art Policy No. 3.5.13;*
- 2.7 *the allocation of \$5,000,000 of the State Government's Lease payment (when received) as follows;*

<i>Project</i>	<i>Amount</i>
<i>Beatty Park Leisure Centre Redevelopment</i>	<i>\$3,000,000</i>
<i>Hyde Park Lakes Reserve Fund</i>	<i>\$2,000,000</i>

- 2.8 *the purchase of the non technical user manuals at a cost of \$15,000 and the Project Budget be adjusted accordingly;*
- 2.9 *the deletion of the Rainwater reuse and the Provisional Sum of \$200,000 from the Project Cost - Optional Extras and the budget be adjusted accordingly;*

3. ACCEPTS the following Tenders:

3.1 Construction:

No. 429/11 by Perkins Builders, as being the most acceptable to the City for the construction of the Beatty Park Leisure Centre Redevelopment Stage 1, 220 Vincent Street, North Perth, for a price of \$11,987,000 (exclusive of Goods and Services Tax); and

3.2 Geothermal Energy System:

No. 430/11 by Drilling Contractors of Australia - Option 2 35L/S, as being the most acceptable to the City for the Geothermal Energy System for the Beatty Park Leisure Centre Redevelopment, 220 Vincent Street, North Perth, for a price of \$2,930,541 (exclusive of Goods and Services Tax);

4. **AUTHORISES** the:

4.1 *Mayor and Chief Executive Officer to sign the approved tender Contracts and affix the Council's Common Seal;*

4.2 *Chief Executive Officer to make minor changes to the Beatty Park Leisure Centre Project during construction, as required, subject to the cost not exceeding the Project Budget of \$17,065,000; and*

4.3 *Chief Executive Officer to negotiate and approve the most acceptable loan for the City; and*

5. **NOTES:**

5.1 *that a Communication Strategy has been prepared to inform the community and Centre users/patrons of the redevelopment project; and*

5.2 *the Centre Manager is authorised and will be responsible for the dealing of patron memberships, including;*

(a) allowing for a temporary suspension during construction;

(b) providing a full or part refund;

(c) providing an extension on membership; and

(d) or any combination of the above."

DETAILS:

1. CONTRACT DOCUMENTATION

1.1 **Tender**

Tender No. 429/11 Construction
Advertised: 14 May 2011
Closed: 26 July 2011
Awarded: Perkins Builders

Tender No. 430/11 Geothermal
Advertised: 14 May 2011
Closed: 15 July 2011
Awarded: Drilling Contractors of Australia

Tender No. 436/11 Fire detection system and water tanks
Advertised: 17 September 2011
Closed: 12 October 2011
Awarded: Perkins Builders

1.2 **Contracts**

Construction contract signed on 7 October 2011.

Fire Detection and Water Tanks to be treated as a variation to the Head Agreement.

Geothermal contract signed on 6 September 2011.

1.3 **Contract Variations/Additional Scope of Works**

Construction

- Removal of existing concrete pool concourse;
- Roof Safety Fall Arrest System;
- Door Hardware;
- Twelve (12) Additional Pool Anchor Points;
- Kitchen Equipment;
- Temporary Entrance Work; and
- Removal of indoor pool marble sheen layer and rendering.

Geothermal

- Additional 100m drilling to obtain adequate temperature;
- Additional time required to develop production bore; and
- Variations to design of injection bore, based on production bore geophysical data.

1.4 **Cost Variations**

Construction

Provisional Sum	Description	Variation Amount	Adjustments
\$7,000	Roof Safety Fall Arrest System	\$6,055	\$945
\$85,000	Door Hardware	\$59,170	\$25,830
Nil	X12 Additional Pool Anchor Points	\$5,016	-\$5,016
\$200,000	Kitchen Equipment	\$143,887	\$56,113
\$20,000	Temporary Entrance Work	\$27,154	-\$7,154
Nil	Removal of existing concrete pool concourse	\$29,920	-\$29,920
Nil	Additional water features	\$19,789	-\$19,789
\$5,000	Entry control bollards	\$3,680	\$1,320
Nil.	Removal of indoor pool marble sheen layer and rendering	\$46,200	-\$46,200

Total Variation Savings	-\$84,208
Total Variation Additions	\$108,079
Total Adjustment	\$23,871

Geothermal

Provisional Sum	Description	Variation Amount	Adjustments
Nil	Additional 100m drilling	\$61,000	-\$61,000
Nil	Additional time for bore development	TBA	TBA
Nil.	Variations to design of injection bore, based on production bore geophysical data.	TBA	TBA

Total Variation Savings	Nil
Total Variation Additions	\$61,000
Total Adjustment	\$61,000

1.5 **Claims**

Not applicable at this time.

1.6 **Insurance**

The City of Vincent insurances have been adjusted to cater for the coverage of existing and constructed buildings, during the construction period.

2. GEOTHERMAL WORKS

2.1 **Groundworks**

Completed.

2.2 **Bores**

The geothermal drill rig was moved to the injection bore site on 22 February 2012 so the drilling of a shallower injection bore could commence. Drilling has commenced and is progressing well.

Test pump has been setup in production bore.

2.3 **Commissioning**

Not applicable at this time.

2.4 **Pipe works**

Not applicable at this time.

3. BUILDING WORKS/EXISTING BUILDING

3.1 **Temporary works**

No changes to previous report.

3.2 **Car parking, Landscaping and interim external works**

No changes to previous report.

3.3 **Earthworks**

Not applicable at this time.

3.4 **Structural and Civil Engineering**

Block work walls to main change rooms is completed.

3.5 **Hydraulic services**

Plumbing to existing change rooms is nearing completion.

3.6 **Electrical Services**

Preliminary electrical works in the change rooms is complete.

3.7 **Mechanical services**

Not applicable at this time.

3.8 **Environmental services**

Not applicable at this time.

4. BUILDING WORKS-NEW

4.1 **Temporary works**

Not applicable at this time.

4.2 **Earthworks/Demolition**

All earthworks for the new building were completed on 27 January 2012.

4.3 **Structural and Civil Engineering**

Retaining wall to aerobic level waterproofed and backfilled.

Concrete columns in place.

Footings to male change rooms and lift shaft are completed.

Preliminary plumbing works to the lower level male change room are complete.

4.4 **Hydraulic services**

Not applicable at this time.

4.5 **Electrical Services**

Electrical conduits for entry turnstiles installed.

Main electrical cables to new building have been installed.

Installation of new main switchboard scheduled for 19 – 26 March 2012, power will be off to the entire facility for this period. (communication plan activated).

4.6 **Mechanical Services**

Not applicable at this time.

4.7 **Environmental Services**

No changes to previous report.

4.8 **Building External and Internal Colour Finishes**

Peter Hunt Architects have supplied a sample of finishes to the external façade of the building extension as "Tabled".

A darker selection for external doors and window frames is suggested to create a floating effect for the roof which will be in a lighter colour matching the existing building. A display wall will cut through the building in "Donnybrook Stone". A light coloured washed aggregate concrete flooring will flow through from the external walkways to the foyer where it will be polished and coated in slip resistant material.

Feature colours will be added by lighting areas of the extension.

Further colour selection updates will be provided as required by the Builder.

The matter has been referred to the Heritage Council for their consideration.

5. POOLS AND PLANT ROOM

5.1 **Outdoor Main Pool**

50m pool floor concrete is complete.

Walls and pool ends being formed and concrete are to be poured in early March 2012.

5.2 **Dive Pool**

No further progress.

5.3 **New Learn to swim pool**

No work has commenced to date. (Waiting on 50m pool walls to be completed)

5.4 **Indoor pool/Leisure area**

Removal of marble sheen render on pool floor is complete.

Slide pool wall extension formed and concrete poured.

5.5 **Plant Room**

New outdoor pool filters awaiting connection.

The Balance tank has structural issues (possible "concrete cancer") that are currently being investigated by the consultant.

6. INDICATIVE TIMELINE

6.1 **Progress**

Pool work on schedule.

Geothermal work on schedule.

6.2 **Days Claimed**

One (1) wet weather day (disputed).

7. COMMUNICATION PLAN

Various communication methods have been utilised to advise patrons, stakeholders and employees of the redevelopment, these are listed below:

- Frequently asked questions (FAQ's) posted on the City's website and displayed within the facility (updated 3 February 2012);
- A number of mailouts to members, clubs and stakeholders;
- City of Vincent quarterly newsletter;
- A letter drop to surrounding residents;
- Fencing signage around geothermal compound;
- Internal signage;
- Website updates, including a photo diary, plans and a detailed project overview;
- Twitter account @BeattyPark in operation to provide regular updates on the redevelopment and other related information. (50 followers as at 29 February 2012).

The facility will be closed from the 19 March – 26 March 2012 for the installation of the new main switchboard.

Patrons have been notified as per the communication plan and an officer has been assigned to the Administration building to handle queries throughout this period.

8. MEMBERSHIP

Extensions were provided to all current members as at 1 October 2011.

A number of members have opted to suspend their membership throughout the redevelopment period. The number of suspensions applied for since the project commenced is 160.

Refunds have been provided to those members who requested this option. As at the 29 February 2012 a total of \$25,241 has been refunded. (\$267.80 since the 30 January 2012)

A revised membership fee structure was implemented from the 1 December 2011 due to the closure of the indoor pool, spa, sauna and steam room. This structure has been well received and includes cheaper one (1), three (3) and twelve (12) month options as well as a reduced rate for direct debit memberships.

The current number of members is 1229.

9. EMPLOYEE MATTERS

The swimschool relocation to Aqualife in Town of Victoria Park has allowed the City to maintain its high level of customer service through the continuity of the program.

Swimschool will relocate to Lords Subiaco in Term 2 and run a small angelfish plus siblings program on Tuesday's and Saturday's.

Other employees have been offered work within the City where available, and the Manager Beatty Park Leisure Centre continues to work closely with the Manager Human Resources to provide employment and training opportunities during the redevelopment.

During the facility closure in March 2012 staff have been requested to take leave.

10. HISTORY

A complete photo history is being compiled throughout the course of the redevelopment. A photo diary has been set up on the City's website which is being regularly updated.

The Library and Local History Centre is currently working on a book to celebrate the history of the facility. This will be prepared to be ready in time for the 50th anniversary and the completion of the redevelopment.

In addition to the book, a Heritage room is being planned for Beatty Park. This will be a permanent display of memorabilia for patrons of the centre to celebrate the diversity and history of the facility.

CONSULTATION/ADVERTISING:

A letter drop was distributed to residents in the surrounding areas.

The City's Communications Officer has created a "Corporate Projects" site on the City's web page and background information together with weekly photographs are included on this site.

A list of frequently asked questions and project plans are also located on the website. The site will be updated on a regular basis. The site was last updated on the 3 February 2012.

LEGAL/POLICY:

Not Applicable.

RISK MANAGEMENT IMPLICATIONS:

Medium-High: The redevelopment project is significant in terms of magnitude, complexity and financial implications. It will require close management to ensure that costs are strictly controlled, particularly as it involves a Heritage listed building which is 49.5 years old. Notwithstanding the risk, the City has an experienced project team and a good track record for successfully completing significant infrastructure projects (e.g. Loftus Centre Redevelopment, rectangular stadium, DSR Office Building, Leederville Oval redevelopment).

The risk of serious plant failure will continue until the plant is replaced and/or upgraded.

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* states:

"Natural and Built Environment

- 1.1: *Improve and maintain the natural and built environment and infrastructure.*
- 1.1.4: *Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.*
- (e) *Implement the Redevelopment of Beatty Park Leisure Centre."*

SUSTAINABILITY IMPLICATIONS:

The redevelopment is committed to a number of sustainability initiatives.

FINANCIAL/BUDGET IMPLICATIONS:

At the Ordinary Meeting of Council held on 23 August 2011. The Council approved this project at a total cost of \$17,065,000.

The construction tender amounts to \$11,987,000 exclusive of GST and the Geothermal Energy System tender amounts to \$2,930,541 exclusive GST.

Building Construction Tender Progress Claim Payments – Perkins Builders

Four (4) progress claims have been received to date, as follows:

Progress Payment Number	Date Received	Amount Requested (excl GST)	Amount Paid (excl GST)	Date Paid
No. 1	14/11/2011	\$168,597.91	\$168,597.91	30/11/2011
No. 2	09/12/2011	\$330,358.48	\$330,358.48	11/01/2012
No. 3	09/01/2012	\$426,642.09	\$426,642.09	08/02/2012
No. 4	09/02/2012	\$262,230.86		
No. 5				
No. 6				
No. 7				
No. 8				
No. 9				
No. 10				
Total Paid			\$925,598.48	

Geothermal Tender Progress Claim Payments – Drilling Contractors Australia

Three (3) progress claims have been received to date, as follows:

Progress Payment Number	Date Received	Amount Requested (excl GST)	Amount Paid (excl GST)	Date Paid
No. 1	18/11/2011	\$482,899.18	\$482,899.18	20/12/2011
No. 2	16/12/2011	\$638,710.00	\$638,710.00	25/01/2012
No. 3	31/12/2011	\$501,120.57	\$501,120.57	08/02/2012
No. 4				
No. 5				
No. 6				
No. 7				
No. 8				
No. 9				
No. 10				

Total Paid \$1,622,728.75

Fire Detection and Water Tanks Tender Progress Claim Payments

No progress claims have been received to date as works have only just commenced.

Progress Payment Number	Date Received	Amount Requested (excl GST)	Amount Paid (excl GST)	Date Paid
No. 1				
No. 2				
No. 3				
No. 4				
No. 5				

Total Paid Nil.

Funding

Loan

The Western Australian Treasury Corporation has approved a loan of \$8,065,000 at 5.49% per annum for 20 years.

Loan funds were received on 3 January 2012, repayments to commence on 3 September 2012.

CSRFF Funding

The City of Vincent will claim funds from this grant for the Pool, Geothermal and Change room works.

Progress Payment Number	Date Requested	Amount Requested (excl GST)	Amount Received (excl GST)	Date Received
No. 1	03/01/2012	\$217,165.69	\$217,165	06/01/2012
No. 2	31/01/2012	\$191,614.00	\$191,614	06/02/2012
No. 3				
No. 4				
No. 5				

Total Received \$408,779

Additional Funds

The Administration is following up grant enquiries from the following organisations:

- Lotterywest;
- Heritage Council;
- Healthways; and
- Community Energy Efficiency Program (CEEP).

COMMENTS:

The Beatty Park Redevelopment Project is on schedule and making good progress.

Positive feedback has been received from facility users in regards to how the project is progressing.

Monthly progress reports will be provided to the Council throughout the project.

9.5.1 Use of the Council's Common Seal

Ward:	-	Date:	1 March 2012
Precinct:	-	File Ref:	ADM0042
Attachments:	-		
Tabled Items:	-		
Reporting Officer:	M McKahey, Personal Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council **NOTES** the use of the Council's Common Seal on the documents listed in the report, for the month of February 2012.

COUNCIL DECISION ITEM 9.5.1

Moved Cr Topelberg, Seconded Cr McGrath

That the recommendation be adopted.

CARRIED UNANIMOUSLY "EN BLOC" (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

BACKGROUND:

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

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

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

Date	Document	No of copies	Details
08/02/2012	Deed of Licence	1	City of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Mustard Catering Meeting with City of Vincent - 22 February 2012 (Gareth Naven Room)
09/02/2012	Deed of Licence	2	City of Vincent and City of Gosnells of 2120 Albany Highway, Gosnells re: "Switch your Thinking!" Intellectual property Licence Agreement - <i>As per Council decision of the Ordinary Meeting of Council held on 19 April 2011 - Item 9.2.2</i>

Date	Document	No of copies	Details
14/02/2012	Deed	3	City of Vincent and Skybridge Holdings Pty Ltd of c/o Paragon Consultants of Level 1, 160 Stirling Highway, Nedlands re: 20 Monmouth and 137 Walcott Streets, Mount Lawley - Construction of Road - <i>Following a request by the City to ensure that the public road created in Subdivision 138112 is constructed by the developer when construction is completed</i>
14/02/2012	Power of Attorney	2	City of Vincent and Town of Cambridge, City of Joondalup, City of Perth, City of Stirling, Town of Victoria Park, and City of Wanneroo (<i>Local Government Participants</i>) - to enable the Tamala Park Regional Council (TPRC) to carry out the marketing and sale of land within Lot 118 Mindarie on behalf of the City and to enable the TPRC to carry out and satisfy the obligations of the City in disposing of the Land or any part thereof under Section 3.58(3) of the Local Government Act 1995 (<i>As per Council decision of the Ordinary meeting of Council held on 27 September 2011 - Item No. 9.4.5</i>)
17/02/2012	Local Law Amendment	1	City of Vincent Dogs Amendment Local Law 2012 - <i>Approved by Council at the Ordinary Meeting of Council held on 14 February 2012</i>
28/02/2012	Withdrawal of Caveat	1	City of Vincent and Downings Legal, Level 11, 167 St Georges Terrace, Perth re: No. 20 (Lot 10) Monmouth Street and No. 137 Walcott Street, Mount Lawley - Proposed Construction of Nine Two-Storey Grouped Dwellings - <i>To satisfy Clause (vii) of Conditional Approval of the Ordinary Meeting of Council held on 20 October 2009</i>

9.5.4 Information Bulletin

Ward:	-	Date:	2 March 2012
Precinct:	-	File Ref:	-
Attachments:	001 – Information Bulletin		
Tabled Items:	Nil		
Reporting Officer:	A Radici, Executive Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

OFFICER RECOMMENDATION:

That the Council RECEIVES the Information Bulletin dated 13 March 2012, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.5.4

Moved Cr Topelberg, Seconded Cr McGrath

That the recommendation be adopted.

CARRIED UNANIMOUSLY “EN BLOC” (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

DETAILS:

The items included in the Information Bulletin dated 13 March 2012 are as follows:

ITEM	DESCRIPTION
IB01	Local History Collection – Progress Report July to December 2011
IB02	Minutes of the Tamala Park Regional Council Meeting held on 16 February 2012
IB03	Minutes of the Mindarie Regional Council Meeting held on 23 February 2012
IB04	Register of Petitions – Progress Report – March 2012
IB05	Register of Notices of Motion - Progress Report – March 2012
IB06	Register of Reports to be Actioned – Progress Report – March 2012
IB07	Register of Legal Action and Prosecutions (Confidential – Council Members Only) - Monthly Report (March 2012)
IB08	Register of State Administrative Tribunal Appeals - Progress Report – March 2012
IB09	Forum Notes – 21 February 2011
IB10	Notice of Forum – 20 March 2012

9.1.1 Further Report – No. 30 (Lots 48 & 49; D/P: 2931) Cleaver Street, West Perth – Proposed Alterations and Additions to Fifteen (15) Multiple Dwellings and Two (2) New Multiple Dwellings

Ward:	South	Date:	1 March 2012
Precinct:	Cleaver; P5	File Ref:	PRO2092; 5.2011.612.2
Attachments:	001 - Property Information Report and Development Application Plans 002 - Applicant's Submission		
Tabled Items:	Nil		
Reporting Officer:	S Radosevich, Planning Officer (Statutory)		
Responsible Officer:	H Smith, Manager Planning and Building Services		

FURTHER OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by McDonald Jones Architects on behalf of the owner, Divine Luck Pty Ltd for Alterations and Additions to Fifteen (15) Multiple Dwellings and Two (2) New Multiple Dwellings at No. 30 (Lots 48 and 49) Cleaver Street, West Perth, and as shown on amended plans dated 27 February 2012, subject to the following conditions:

1. 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 Cleaver Street;
2. any new street/front wall, fence and gate within the Cleaver Street setback area, including along the side boundaries within this street setback area, shall comply with the City's Policy provisions relating to Street Walls and Fences;
3. 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;
4. first obtaining the consent of the owners of Nos. 26 & 26A Cleaver 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. 26 & 26A Cleaver Street, West Perth, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork;
5. **PRIOR TO THE ISSUE OF A BUILDING LICENCE**, the following shall be submitted to and approved by the City:

5.1 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 City, in accordance with the requirements of the City's Policy No. 3.5.23 relating to Construction Management Plans, and Construction Management Plan Guidelines and Construction Management Plan Application for approval Proforma.

5.2 Schedule of External Finishes

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

5.3 Vehicular Access

Where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the City;

5.4 Amalgamation of Lots

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

5.5 Landscaping and Reticulation Plan

A detailed landscape and irrigation plan for the development site and adjoining road verge shall be submitted to the City'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:

- 5.5.1. the location and type of existing and proposed trees and plants;
- 5.5.2. all vegetation including lawns;
- 5.5.3. areas to be irrigated or reticulated and such method;
- 5.5.4. proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 5.5.5. separate soft and hard landscaping plants (indicating details of 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).

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

6. PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the City:

6.1 Car Parking

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 City;

6.2 Vehicular Entry Gates

Any proposed vehicular entry gates shall be a minimum 50 per cent visually permeable, and shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors at all times. Details of the management measures shall be submitted;

6.3 Clothes Dryer

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

6.4 Bicycle Parking Facilities

Eight (8) class three bicycle facilities shall be provided at a location convenient to the entrances and within the approved development, comprising six (6) facilities for residents and two (2) for visitors. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the City prior to installation of such facilities.

Moved Cr Maier, Seconded Cr Buckels

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO 1

Moved Cr Maier, Seconded Cr McGrath

That a new clause 5.6 be inserted as follows:

“5.6 Section 70 A Notification under 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:

The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units. The on-site car parking was in accordance with the requirements of the Residential Design Codes and the City’s Policy No. 3.7.1 relating to Parking and Access.

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

AMENDMENT NO 1 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

AMENDMENT NO 2

Moved Cr Maier, Seconded Cr Topelberg

That a new clause 5.7 be inserted as follows:

“5.7 Amended Plans

Amended plans are required to be submitted demonstrating:

- the height of the carport in the southern corner of the site being no higher than 2.2 metres; and
- removal of the store located in the southern corner of the site.”

Debate ensued.

AMENDMENT NO 2 PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

MOTION AS AMENDED PUT AND CARRIED (6-1)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr McGrath, Cr Maier, Cr Topelberg, Cr Wilcox

Against: Cr Pintabona

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.1.1

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by McDonald Jones Architects on behalf of the owner, Divine Luck Pty Ltd for Alterations and Additions to Fifteen (15) Multiple Dwellings and Two (2) New Multiple Dwellings at No. 30 (Lots 48 and 49) Cleaver Street, West Perth, and as shown on amended plans dated 27 February 2012, subject to the following conditions:

1. 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 Cleaver Street;
2. any new street/front wall, fence and gate within the Cleaver Street setback area, including along the side boundaries within this street setback area, shall comply with the City's Policy provisions relating to Street Walls and Fences;
3. 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;
4. first obtaining the consent of the owners of Nos. 26 & 26A Cleaver 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. 26 & 26A Cleaver Street, West Perth, in a good and clean condition. The finish of the walls is to be fully rendered or face brickwork;
5. PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the City:

5.1 **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 City, in accordance with the requirements of the City's Policy No. 3.5.23 relating to Construction Management Plans, and Construction Management Plan Guidelines and Construction Management Plan Application for approval Proforma.

5.2 Schedule of External Finishes

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

5.3 Vehicular Access

Where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the City;

5.4 Amalgamation of Lots

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

5.5 Landscaping and Reticulation Plan

A detailed landscape and irrigation plan for the development site and adjoining road verge shall be submitted to the City'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:

- 5.5.1. the location and type of existing and proposed trees and plants;
- 5.5.2. all vegetation including lawns;
- 5.5.3. areas to be irrigated or reticulated and such method;
- 5.5.4. proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 5.5.5. separate soft and hard landscaping plants (indicating details of 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);

5.6 Section 70 A Notification under 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:

The City of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units. The on-site car parking was in accordance with the requirements of the Residential Design Codes and the City's Policy No. 3.7.1 relating to Parking and Access.

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

5.7 Amended Plans

Amended plans are required to be submitted demonstrating:

- the height of the carport in the southern corner of the site being no higher than 2.2 metres; and
- removal of the store located in the southern corner of the site.

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

6. PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be completed to the satisfaction of the City:

6.1 Car Parking

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 City;

6.2 Vehicular Entry Gates

Any proposed vehicular entry gates shall be a minimum 50 per cent visually permeable, and shall be either open at all times or suitable management measures shall be implemented to ensure access is available for visitors at all times. Details of the management measures shall be submitted;

6.3 Clothes Dryer

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

6.4 Bicycle Parking Facilities

Eight (8) class three bicycle facilities shall be provided at a location convenient to the entrances and within the approved development, comprising six (6) facilities for residents and two (2) for visitors. Details of the design and layout of the bicycle parking facilities shall be submitted to and approved by the City prior to installation of such facilities.

FURTHER REPORT

The Council at its Ordinary Meeting held on 20 December 2011 resolved as follows:

"That the item be DEFERRED to allow the Applicant to refer the matter to the City's Design Advisory Committee."

The proposed alterations and additions to the fifteen multiple dwellings and two new multiple dwellings was presented to the Design Advisory Committee at its meeting held on 1 February 2012. It was the general opinion of the Design Advisory Committee that the proposal will enhance the building and prolong the use of the building for approximately 30 years. The proposed extent of overshadowing was discussed and considered that the overshadowing to solar panels does not appear to be a problem. It was discussed that there is no dedicated clothes drying areas which needs addressing; however it is a condition of approval that each multiple dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer.

The Design Advisory Committee recommendations are as follows:

1. *Explore further the opportunity for passive solar design to all new apartments, including; maximising ventilation and solar access to the north, minimising solar gain on east and west facades.*
2. *The elevations be developed to demonstrate the colour and texture of materials and finishes and articulation of the various surfaces.*
3. *Confirm details of materials including balustrades to the front elevation.*
4. *Consider and identify balcony locations for clothes drying.*
5. *Consider the use of purpose-designed balustrades on the street elevation that may provide some privacy to users of balconies and screen balcony clothes drying area and furniture from street view.*
6. *Consider the location and screening of air-conditioning units, drying courts, hot water systems.”*

AMENDED COMPLIANCE TABLE:

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Building Setbacks:	<u>North-eastern boundary</u> Ground, First and Second Floors= 4 metres.	Ground Floor = Nil to 11.2 metres. First and Second Floors = 1.5 metres to 11.2 metres.
	<u>South-eastern boundary</u> Ground, First and Second Floors = 4 metres	Ground Floor = 1 metre. First and Second Floors = 2.5 metres to 5.12 metres.
	<u>South-western boundary</u> Ground, First and Second Floors = 4 metres.	Ground Floor = Nil to 2.39 metres. First Floor = 1.5 metres to 5.64 metres. Second Floor = 4.6 metres to 5.64 metres.
	Officer Comments:	
<p>Supported. It is considered there is a reduced impact in terms of visual impact and ventilation created by the proposed setback variations from the previous application. The current proposal has setback the two additional multiple dwellings to be in line with the existing building line, therefore reducing the proposed impact on the southern property. The current proposal also removes the additional bedrooms proposed to apartments 2.3 and 2.4, which adds to reducing the impact on the adjoining southern property. Screening to the balconies on the southern side (up to 1650 millimetres) is proposed which protects the privacy between the subject site and adjoining properties. The extent of overshadowing will predominantly fall on the roof of each of the southern properties, and be clear of the outdoor living areas. As discussed at the Design Advisory Committee, the overshadowing to the solar panels does not appear to be a problem. Neighbours have raised issues with the setbacks and this has been addressed (in the consultation table below).</p>		

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
Building Height:	Maximum height of 6 metres permitted to the top of the external wall	Maximum proposed wall height of 9.3 metres.
	Maximum height of 9 metres permitted to the top of the pitched roof.	Maximum proposed top of pitched roof of 10 metres.
Officer Comments:		
Supported. The proposed additions match the building height of the existing building. The building height is unlikely to cause the building to have a greater impact on the streetscape than it already does, with the proposed additions maintaining the existing streetscape. The extent of overshadowing to the adjoining property whilst increases as a result of the development, it is noted the overshadowing will predominantly fall over the rear setbacks. The attached section depicts that there will not be any overshadowing to the solar panels and it is further noted the overshadowing will also be clear of the courtyards of the adjoining properties given they are located to the southern sides of their respective sites and as depicted in the attached overshadowing diagrams.		
Dwelling Size:	Minimum of 20 per cent, maximum 50 per cent, one bedroom dwellings.	52.94 per cent, one bedroom dwellings
Officer Comments:		
Supported. The proposal comprises of nine (9), single bedroom dwellings and eight (8), two bedroom dwellings. This provides for diversity in the dwelling types, ensuring that a range of type and sizes are provided, whilst having the minimum impact on the adjoining properties.		
Essential Facilities:	Storage area with a minimum dimension of 1.5 metres with an internal area of at least 4 square metres for each multiple dwelling.	7 storage areas of 2.5 square metres. 1 storage area of 3.5 square metres.
Officer Comments:		
Supported. As there are nine single bedroom dwellings and eight stores with an area less than 4 square metres, it is considered that the stores are adequate for the need of the residents without being detrimental to the amenity of the locality.		

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

Consultation	
In Support:	Nil (0)
Comments Received	Officer Comments
Nil	Nil
Objections: (7)	Below is a summary of the objections received in relation to the previous development application, which was of a similar nature, refused by Council at its Ordinary Meeting held on 22 November 2011. The plans also address a number of areas of concern expressed in the previous consultation.
Comments Received	Officer Comments
<ul style="list-style-type: none"> The proposed setback for the three (3) new storeys building on the south boundary is entirely unacceptable. 	<ul style="list-style-type: none"> The proposed southern setback to the two new multiple dwellings has been increased to 5.5 metres from 1.5 metres from 1.5 metres to 5.64 metres, with no additions proposed to the south-western side of apartments 2.3 and 2.4 to the second floor.
<ul style="list-style-type: none"> 4 metre rear setback. 	<ul style="list-style-type: none"> The proposed carport is setback 4.2 1 metres from the right-of-way, with the first and second floors being setback 2.5 metres to 5.1 metres from the right-of-way. The proposed setback accommodates for the 0.5 metre future right-of-way widening.

Consultation	
<ul style="list-style-type: none"> There will be nil visitor car parking bays which will cause opportunistic parking. 	<ul style="list-style-type: none"> There are currently 15 multiple dwellings which require 4 (3.75) visitor bays, however there are currently no visitor bays provided on-site. An additional 2 multiple dwellings does not increase this requirement.
<ul style="list-style-type: none"> There are no bicycle bays for residents or visitors. 	<ul style="list-style-type: none"> 8 bicycle parking bays have been provided, as required by Clause 7.3.3 "On-site parking provision" A3.2 of the R-Codes, with a condition of approval recommended stating that there is to be 6 bicycle bays for residents and 2 for visitors.
<ul style="list-style-type: none"> The building height is proposed to go another 1.8 metres higher. 	<ul style="list-style-type: none"> The proposed building height ranges from 7.8 metres to 8.8 9.3 metres above the natural ground level. The maximum height of 8.8 9.3 metres is due to the slope of the natural ground level and the proposed additions matching the existing height of the building.
<ul style="list-style-type: none"> The proposed number of storeys is already exceeding the acceptable standard. 	<ul style="list-style-type: none"> The existing multiple dwellings building is currently three (3) storeys high. As the two (2) proposed multiple dwellings match the existing building, which extends the length of the building but does not exceed three (3) storeys, it is considered to be consistent with the desired height of buildings in the locality.
<ul style="list-style-type: none"> There are no laundry or clothes drying areas proposed. 	<ul style="list-style-type: none"> Each multiple dwelling is provided with washing machines. It is a condition of approval that each multiple dwelling is to be provided with a clothes dryer.
<ul style="list-style-type: none"> Gross overshadowing of the two (2) southern properties. 	<ul style="list-style-type: none"> The proposed additions comply with the overshadowing requirements of Clause 7.4.2 "Solar access for adjoining sites" P2 of the R-Codes. The increased portion of overshadowing will predominantly fall over the roof of each dwelling, being clear of the outdoor living areas and solar collectors.
<ul style="list-style-type: none"> The amenity of the majority of the new bedrooms and revised living spaces on the south will have poor amenity in regard to daylight and aspect. 	<ul style="list-style-type: none"> Noted.
Advertising	No further advertising was required to be undertaken in relation to the amended plans. The amended plans address a number of areas of concern expressed in the previous consultation.

Car Parking

The car parking required is calculated as per the R-Codes 2010.

Car Parking	
Medium Multiple Dwelling (75-110 square metres) – 1 space per dwelling (17 dwellings proposed)= 17 car bays	24 <u>19</u> car bays
<u>Small Multiple Dwelling (<75 square metres or 1 bedroom) – 0.75 spaces per dwelling (9 one bedroom dwellings) = 6.75 car bays</u>	
<u>Medium Multiple Dwelling (75-110 square metres) - 1 space per dwelling (8 dwellings) = 8 car bays</u>	
Visitors= 0.25 spaces per dwelling (17 dwellings proposed)= 4.25 visitor bays	
Total= 24 <u>19</u> car bays	
Total car bays provided	17 car bays
Shortfall	4 <u>2</u> car bays

A total of nineteen (19) car bays will be required for the multiple dwellings, comprising 15 for the exclusive use of residents and 4 for visitors. However the applicant is proposing seventeen (17) car bays have being provided for the exclusive use of residents, with no visitor parking bays proposed.

There are currently 15 multiple dwellings which requires 4 (3.75) visitor bays, however there are currently no visitor bays provided on-site. As the proposed additional 2 multiple dwellings does not increase the requirement of visitor bays, and as the proposed additions to the existing multiple dwellings will improve the amenity of the site and the amenity of low cost housing, whilst providing for a range of housing types within the City; it is considered that the shortfall of visitor bays is supportable in this instance.

The subject site is located within close proximity to Newcastle Street (approx. 79 meters) and Vincent Street (approx. 38 meters), which are both high frequency public transport routes providing alternative forms of transport to the subject site.

COMMENTS:

There are a number of changes between the original development application presented to Council at its Ordinary Meeting held on 22 November 2011 and the current development application. The predominant changes to the south-western boundary are that:

- the setback of the bedrooms to apartments 1.5 and 2.5 have been increased from 1.5 metres to 5.64 metres from the boundary;
- Apartment 2.2 has removed the store which was setback 1.5 metres and now proposes a balcony addition setback 4.6 metres; and
- Apartments 2.3 and 2.4 have removed the bedroom additions setback 1.5 metres and now propose internal changes, with their setback remaining at 5.64 metres.

These changes reduce the building bulk and the impact of overshadowing on the adjoining south-western properties. The changes have resulted in the setbacks to the second floor being compliant with the requirements of the Residential Design Codes.

As apartments 2.2 to 2.5 do not propose bedrooms to the south-western boundary, the major openings to the existing living/dining/bedroom shown on the elevations are existing windows and therefore are not able to be assessed against the visual privacy requirements of the Residential Design Codes 2010, as they have been previously approved with a setback of 5.64 metres.

The building height variation remains the same with the existing building ranging from 7.8 metres to 9.3 metres from the natural ground level; however the maximum height of 9.3 metres is due to the slope of the natural ground level and the proposed additions matching the existing height of the building.

The reconfiguration of the two additional multiple dwellings and removal of additions to apartments 2.3 and 2.4 to the second floor, demonstrates that the overshadowing from the current development application is now clear of the solar panels and major openings located on the upper floor of the adjoining property as discussed at the Design Advisory Committee, which were of concern on the plans previously presented to Council.

It is considered that the comments of the Design Advisory Committee have been addressed in the amended plans, with standard conditions of approval requiring external fixtures not being visually obtrusive from Cleaver Street and details of the external finishes being submitted prior to the issue of a building licence.

In view of the above, it is recommended that the Council approve the development, subject to standard and appropriate conditions.

The Minutes of Item 9.1.6 from the Ordinary Meeting of Council held on 20 December 2011 relating to this report is available on the City's website at the following link:
http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes.

9.1.2 No. 360 (Lots 71 & 73; D/P: 35384 & 35387) Stirling Street, corner Broome Street, Highgate, Proposed Change of Use from Shop and Single House to Eating House including Alfresco area, Single House and Associated Additions and Alterations (State Administrative Tribunal (SAT) DR 379 of 2011)

Ward:	South	Date:	1 March 2012
Precinct:	Forrest; P14	File Ref:	PRO3436; 5.2012.51.1;
Attachments:	001 – Property Information Report and Development Application Plans and Details		
Tabled Items:	Nil		
Reporting Officer:	Consultant B Doyle, Director (Planning Solutions)		
Responsible Officer:	H Smith, Manager Planning and Building Services		

This report has been prepared by Planning Solutions – Urban and Regional Planning – Consultants for the Council, in respect the new planning application for the above property in response to a State Administrative Tribunal Order, associated with another application for the same property that was refused by the City that is currently being appealed at the State Administrative Tribunal.

CONSULTANT RECOMMENDATION:

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by C Giorgini on behalf of the owner C & K J Giorgini for proposed Change of Use from Shop and Single House to Eating House including Alfresco area, Single House and Associated Additions and Alterations at No. 360 (Lots 71 & 73; D/P: 35384 & 35387) Stirling Street, corner Broome Street, Highgate, and as shown on plans stamp-dated 31 January 2012, subject to the following conditions:

1. Building

- 1.1 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 Broome Streets;
- 1.2 Doors, windows and adjacent floor areas of the eating house facing Stirling and Broome Streets shall maintain active and interactive relationships with these streets;
- 1.3 The hours of operation of the eating house shall be limited to 8.00am to 5.00pm Monday to Thursday and 8.00am to 9.00pm Friday to Sunday inclusive' and the alfresco area shall be limited to 8.00am to 5.00pm daily, inclusive of weekends;
- 1.4 The floor plan layout and respective floor areas of the eating house shall be maintained in accordance with the Planning Approval plans. Any increase or change of use of the eating house shall require Planning Approval to be applied to and obtained from the City;

2. Car Parking and Accessways

- 2.1 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;

- 2.2 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 City; and
- 2.3 One (1) car parking bay based on ACROD standards shall be allocated for the eating house;
3. **WITHIN TWENTY EIGHT (28) DAYS OF THE 'APPROVAL TO COMMENCE DEVELOPMENT', the following shall be submitted to and approved by the City:**

3.1 **Cash-In-Lieu of Car Parking**

The owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:

3.1.1 pay a cash-in-lieu contribution of \$7,204 for the equivalent value of 2.324 car parking spaces, based on the cost of \$3,100 per bay as set out in the City's 2011/2012 Budget; OR

3.1.2 lodge an appropriate assurance bond/bank guarantee of a value of \$7,204 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

- (a) to the City at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or
- (b) to the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or
- (c) to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.

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

4. **Shade Sail**

4.1 Shade sail not to exceed 3.0 metres in height; and

4.2 Shade sail not to exceed 20 sqm in area within the alfresco area;

5. **Signage**

All signage that does not comply with the City's Policy No. 3.5.2 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 City prior to the erection of the signage;

6. **Fencing**

Any new street/front wall, fence and gate within the Stirling and Broome Streets setback areas, including along the side boundaries within these streets setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences;

7. **Verge Trees**

No street verge tree(s) shall be removed unless written approval has been received from the City's Parks Services. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);

8. **PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the City:**

8.1 **Refuse and Recycling Management Plan**

Bin numbers, collection and stores shall meet the City's minimum service provision; and

8.2 **Landscape and Reticulation Plan**

A detailed landscape and reticulation plan for the adjoining road verges shall be submitted to the City's Parks and Property Services for assessment and approval.

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

8.2.1 the location and type of existing and proposed trees and plants;

8.2.2 all vegetation including lawns;

8.2.3 areas to be irrigated or reticulated;

8.2.4 proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and

8.2.5 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);

8.3 **Acoustic Report**

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

9. **PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be submitted to and approved by the City;**

9.1 **Management Plan**

A detailed management plan, including but not limited to addressing the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection, litter, deliveries to the premises (that is food/supplies), management of patrons entering and exiting the premises and any other practices/activities associated with the development in addition to any other appropriate matters, and thereafter implemented and maintained; and

9.2 **Bicycle Parking**

Two (2) class three bicycle spaces for the eating house component shall be provided at a location convenient to the entrance, publicly accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3.

Moved Cr Buckels, Seconded Cr Pintabona

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Pintabona, Seconded Cr Wilcox

That clause 1.3 be amended to read as follows:

“1.3 The hours of operation of the eating house and alfresco shall be limited to 8.00am to 5.00pm Monday to ~~Thursday~~ Saturday and ~~8.00am~~ 9.00am to 5.00pm ~~9.00pm Friday to Sunday inclusive~~’ and the alfresco area shall be limited to ~~8.00am to 5.00pm daily, inclusive of weekends;...~~”

Debate ensued.

AMENDMENT PUT AND CARRIED (6-1)

For: Mayor Hon. MacTiernan, Cr McGrath, Cr Maier, Cr Pintabona, Cr Topelberg, Cr Wilcox

Against: Cr Buckels

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

MOTION AS AMENDED PUT AND CARRIED (6-1)

For: Mayor Hon. MacTiernan, Cr Buckels, Cr McGrath, Cr Maier, Cr Topelberg, Cr Wilcox

Against: Cr Pintabona

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

REASONS FOR AMENDMENT:

1. The site is in the middle of a residential area.
2. The later hours would constitute an undue invasion or reduction in the amenity of the residential area.
3. Opening hours are more suited to a café.

COUNCIL DECISION ITEM 9.1.2

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by C Giorgini on behalf of the owner C & K J Giorgini for proposed Change of Use from Shop and Single House to Eating House including Alfresco area, Single House and Associated Additions and Alterations at No. 360 (Lots 71 & 73; D/P: 35384 & 35387) Stirling Street, corner Broome Street, Highgate, and as shown on plans stamp-dated 31 January 2012, subject to the following conditions:

1. **Building**

- 1.1 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 Broome Streets;
- 1.2 Doors, windows and adjacent floor areas of the eating house facing Stirling and Broome Streets shall maintain active and interactive relationships with these streets;
- 1.3 The hours of operation of the eating house and alfresco shall be limited to 8.00am to 5.00pm Monday to Saturday and 9.00am to 5.00pm Sunday;
- 1.4 The floor plan layout and respective floor areas of the eating house shall be maintained in accordance with the Planning Approval plans. Any increase or change of use of the eating house shall require Planning Approval to be applied to and obtained from the City;

2. **Car Parking and Accessways**

- 2.1 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;
- 2.2 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 City; and
- 2.3 One (1) car parking bay based on ACROD standards shall be allocated for the eating house;

3. WITHIN TWENTY EIGHT (28) DAYS OF THE 'APPROVAL TO COMMENCE DEVELOPMENT', the following shall be submitted to and approved by the City:

3.1 Cash-In-Lieu of Car Parking

The owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:

3.1.1 pay a cash-in-lieu contribution of \$7,204 for the equivalent value of 2.324 car parking spaces, based on the cost of \$3,100 per bay as set out in the City's 2011/2012 Budget; OR

3.1.2 lodge an appropriate assurance bond/bank guarantee of a value of \$7,204 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

(a) to the City at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or

(b) to the owner(s)/applicant following receipt by the City of a Statutory Declaration of the prescribed form endorsed by the owner(s)/applicant and stating that they will not proceed with the subject 'Approval to Commence Development'; or

(c) to the owner(s)/applicant where the subject 'Approval to Commence Development' did not commence and subsequently expired.

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

4. Shade Sail

4.1 Shade sail not to exceed 3.0 metres in height; and

4.2 Shade sail not to exceed 20 sqm in area within the alfresco area;

5. Signage

All signage that does not comply with the City's Policy No. 3.5.2 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 City prior to the erection of the signage;

6. Fencing

Any new street/front wall, fence and gate within the Stirling and Broome Streets setback areas, including along the side boundaries within these streets setback areas, shall comply with the City's Policy provisions relating to Street Walls and Fences;

7. Verge Trees

No street verge tree(s) shall be removed unless written approval has been received from the City's Parks Services. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s);

8. PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the City:

8.1 Refuse and Recycling Management Plan

Bin numbers, collection and stores shall meet the City's minimum service provision; and

8.2 Landscape and Reticulation Plan

A detailed landscape and reticulation plan for the adjoining road verges shall be submitted to the City's Parks and Property Services for assessment and approval.

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

8.2.1 the location and type of existing and proposed trees and plants;

8.2.2 all vegetation including lawns;

8.2.3 areas to be irrigated or reticulated;

8.2.4 proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and

8.2.5 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);

8.3 Acoustic Report

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

9. PRIOR TO THE FIRST OCCUPATION OF THE DEVELOPMENT, the following shall be submitted to and approved by the City;

9.1 Management Plan

A detailed management plan, including but not limited to addressing the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection, litter, deliveries to the premises (that is food/supplies), management of patrons entering and exiting the premises and any other practices/activities associated with the development in addition to any other appropriate matters, and thereafter implemented and maintained; and

9.2 Bicycle Parking

Two (2) class three bicycle spaces for the eating house component shall be provided at a location convenient to the entrance, publicly accessible and within the development. The bicycle facilities shall be designed in accordance with AS2890.3.

Landowner:	C & K J Giorgini
Applicant:	C Giorgini
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R80
Existing Land Use:	Shop and Single House
Use Class:	Eating House and Single House
Use Classification:	"SA" and "P"
Lot Area:	298 square metres
Right of Way:	N/A

PURPOSE OF REPORT:

This proposal requires referral to the Council for determination given nine (9) letters of objection were received by Council. Furthermore this application relates to a new planning application for the same property.

The previous refusal by Council at the Ordinary Council Meeting 27 September 2011 comprised of a eating house 'take away' that had operating hours of between 5pm and 11pm, Monday to Sunday. There was limited seating proposed, therefore facilitating the turnaround of customers in the 'take away'. While the plans for the previously refused eating house 'take away' and the current eating house are similar, the fundamental differences are to the operation of the business. The applicant has indicated that the proposed current change of use hours of operation will be limited to 8am to 5pm Monday to Thursday and 8am to 9pm Friday to Sunday inclusive, with the alfresco area not be used after 5pm daily.

Amended plans have been submitted to Council indicating an emphasis on seating with a 23 square metres alfresco area proposed within the front setback area, as well as internal seating. The applicant is catering for an eating house in the form of a cafe, therefore, providing a service to the locality. A unisex disabled toilet has also been proposed to the rear of the property. No changes are proposed to the exterior of the building; however the façade will be updated with paint therefore improving the overall streetscape.

It is considered the proposed change of use significantly addresses the Council's previous reasons for refusal.

BACKGROUND:

14 April 2009 The Council at its Ordinary Meeting resolved to conditionally approve the proposed change of use from shop and single house to take-away food outlet and single house and associated additions and alterations.

27 September 2011 The Council at its Ordinary Meeting refused the change of use from shop and single house to take-away food outlet and single house (Serial No. 5.2011.215.2).

The previous refusal by Council at its Ordinary Meeting held on 27 September 2011 is the subject of an application for review by the State Administrative Tribunal (SAT) DR 379 of 2011. The matter is currently the subject of mediation between the parties concerned. The City is being represented by Planning Consultants, Planning Solutions, Councillor Maier and the City's Coordinator Statutory Planning. The application refused by Council at its Ordinary Meeting held on 27 September 2011 (Serial No. 5.2011.215.2) is considered to be generally consistent with the previous approval in 2009 (Serial 5.2008.417.1). The matter is listed for further mediation on 23 March 2012.

The current change of use application being considered by Council is a separate application that has arisen out of discussions between the parties in the course of SAT mediation held on 20 January 2012. In the event this application is refused, or approved subject to unacceptable conditions, the applicant will have a right to apply for review by the SAT. In addition, the applicant may also proceed with the matter currently before the SAT (being the application refused at the Ordinary Council Meeting held on 27 September 2011).

DETAILS:

Approval is sought for the change of use from Shop and Single House to Eating House including alfresco area and Single House. A portion of the dwelling is a disused corner shop building originally used as a butcher shop.

NON-COMPLIANT REQUIREMENTS		
REQUIREMENTS	REQUIRED	PROPOSED
City of Vincent Economic Development Strategy	No requirement to add new commercial precincts or nodes as all Vincent's residents live within 1 kilometre of a commercial centre.	Adaptive re-use of a corner shop in a residential zone.
Officer Comments:		
Supported. See 'Comments' section. The City's Economic Development Strategy notes that while each precinct is individual with its own set of unique characteristics, there are common values that are shared across all the City's precincts that require a City wide approach.		
Bicycle Parking	Two (2) Class Three bicycle parking space.	Nil.
Officer Comments:		
Not Supported. A condition has been included in the Recommendation requiring that two (2) class three bicycle parking space is to be provided on-site prior to the occupation of the development.		
Sun-shade sails	Shade sails not to be located within the primary street setback area.	Shade sail to the alfresco area is to be located in the front setback area.
Officer Comments:		
Supported. A condition has been included in the Officer's Recommendation requiring that the shade sail does not exceed 20 square metres in area and does not exceed 3.0 metres in height. The shade sail is considered a minor structure and does not impact on the streetscape. Clear views to the dwelling are maintained and the shade sail does not impact on the visual permeability to the street. The shade sail does not impact on adjoining residents.		
Non-Residential Development Interface Policy	The City may consider an application for a non-residential or mixed use (that is, residential and commercial) development on land immediately adjacent to residential areas where it is demonstrated that there is minimal impact on adjoining and nearby land uses.	The building was previously a butcher shop. The proposed change of use is consistent with the original commercial use of the property. The applicant has amended the hours of operation and the nature of the business so as to minimise potential impact to surrounding residents.
Officer Comments:		
Supported. The building was previously a butcher shop. The proposed change of use is consistent with the original commercial use of the property. The change of use is considered to have less of an impact than a shop. The proposed change of use does include a variation with regard to car parking. The proposed change of use is not considered to impact adjoining residents.		

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

Consultation	
In Support:	Nil (0)
Comments Received	Officer Comments
Nil	Noted.
Objections:	Nine (9)

Consultation	
Comments Received	Officer Comments
<ul style="list-style-type: none"> • The property is within a hundred meters or so from a commercial district which already has many eateries. There does not need to be any extra food outlets in this area as the location is more than adequately covered by the Beaufort St shopping strip. • This is a residential area, the properties next door and opposite will be affected by the trading. • There is already significant problems with parking in the area, any further commercial development will exacerbate the problem. Even though the applicant states they hope to get foot traffic, additional car traffic cannot be ruled out. <p>The council has already approved a massive development in Stirling Street at the St Marks site, which has already been evaluated and shown that it will increase the traffic in the area. Adding another commercial development will only increase the problem. There is also the approved development in Broom Street (old hotel) which is going to affect traffic as well.</p> <ul style="list-style-type: none"> • The proposal only identifies one car parking bay for the eating house, the area is already at maximum capacity with the residential streets used for parking for the Beaufort Street commercial district. • The property has not been a shop for the entire time I have lived in the area, approximately 7 years. I believe the rules for City of Vincent are that any building not used for its 'registered usage' after 12 months loses the right and has to reapply for 'shop status'. Therefore, this should be rejected. • The impact on the residents will be parking problems and no doubt rubbish/waste management problems. 	<p>Not Supported. The proposed eating house use is considered acceptable in the location given the scale, nature and previous Council approval for the proposed use.</p> <p>Not Supported. Given the small scale of the proposed use, hours of operation and nature of the use it is considered not to have an undue impact on the amenity of the adjoining residential properties.</p> <p>Not Supported. The proposed hours of operation of the eating house are 8am until 5pm on Monday to Thursday. The business will operate from 8am to 9pm Friday to Sunday. The alfresco will cease at 5pm daily.</p> <p>There is on-street parking along Stirling and Broome Streets. There is also public transport available within close proximity of the property. Therefore due to the availability of on-street car parking and public transport, the provision of one (1) car bay for the commercial component is considered acceptable.</p> <p>Not Supported. The proposed change of use has been considered against the City's Parking and Access Policy. A condition has been included in the Recommendation requiring the applicant to provide Council with a cash-in-lieu payment for the shortfall in car parking. The provision of one (1) car parking space is considered acceptable in this instance.</p> <p>Not Supported. The site is not a Non-Conforming Use as the former local shop is a use which could be approved within a residential zone.</p> <p>Not Supported. As part of this application, the tenants will be required to maintain the premises. As such, a Refuse and Recycling Management Plan is required, as outlined in condition 6.2. In addition, prior to the first occupation of the site, a detailed management plan will be required to be submitted to address the control of noise, anti-social behaviour, traffic, car parking, disposal of rubbish and its collection and litter associated with the development.</p>

Consultation	
<ul style="list-style-type: none"> • This will cause noise, antisocial behaviour and disruption to quiet enjoyment of life. 	<p>Not Supported. A detailed management plan that addresses the control of noise, anti-social behaviour, traffic, car parking and any other appropriate matters is required to be submitted to the City and maintained by the applicant (condition 9.1) prior to the occupation of the proposed use.</p>
<ul style="list-style-type: none"> • If allowed, it would set up a precedent for similar developments in the vicinity. 	<p>Not Supported. Each development application is considered and assessed on its own merit. The proposed change of use is from a shop to eating house, both commercial uses, therefore this development application will not be setting precedence for the area.</p>
<ul style="list-style-type: none"> • It hasn't been a shop for at least 30 years (the time we've owned our house) and a shop has a totally different impact to an eating house – shops are mainly patronised during working hours so cause less disturbance to neighbours – an eating house operates mainly evenings/nights so would have major impact on close-by residential properties. 	<p>Not Supported. The applicant has provided Council with the hours of operation. The operating hours of the eating house will be limited to 8.00 am to 5.00 pm Monday to Thursday and 8.00 am to 9.00pm Friday to Sunday inclusive. The alfresco will cease to operate after 5 pm daily. The hours of operation are considered to be generally consistent with the previous shop and have been reduced from the previous application currently at mediation at the SAT.</p>
<ul style="list-style-type: none"> • The owners of 360 Stirling Street have already tried to get fast food outlet - which was totally rejected by the City only months ago! – I cannot see this is really anything different, so should similarly be rejected outright. 	<p>Not Supported. Council previously approved the change of use in 2009 and refused the same application in 2011, however this 2011 Council decision is now the subject of a SAT appeal. This application varies from the previous application in that it is not a take-away. The opening times are similar to that of the previous refused proposal.</p>
<ul style="list-style-type: none"> • Already the increase in Beaufort Street rents has meant the closure of many shops that provide a service to locals and an explosion of entertainment and novelty shop. Locals now walk further daily to buy necessities and this results in less community interaction. 	<p>Not Supported. The eating house will provide a service to locals. The use and hours of operation will generally be consistent with the previous shop use. The scale and nature of the use is considered minor, servicing only local needs therefore the change of use to eating house is considered appropriate for the area.</p>
<ul style="list-style-type: none"> • The eating house must be extremely small and hardly worth the effort, or is part of the residence to be used to support this function. 	<p>Not Supported. The eating house will have an internal area of 12.2 square metres with an additional 23 square metres of alfresco area. The eating house and existing residence will remain separate.</p>
<ul style="list-style-type: none"> • It is totally out of character with the rest of Highgate – there are few, if any, other restaurants in the residential streets so close to Beaufort Street. 	<p>Not Supported. The eating house will be generally consistent with the scale and nature of the previous shop and will also have similar operating times. The use is considered not to have an undue impact on the amenity or character of the area and is considered appropriate.</p>
<ul style="list-style-type: none"> • Food smells. 	<p>Noted.</p>

Residential Car Parking	
Proposed Eating House -1 space per 4.5 square metres of public area Proposed public area = 35.2 square metres Car parking bays required = 7.82 car bays Total car bays required = 8 car bays	8 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop/station) • 0.85 (within 800 metres of a rail station) • 0.80 (contains a mix of uses, where at least 45 percent of the gross floor area is residential) Total car bays required after adjustment factor	(0.578) 4.624 car bays
Car parking provided on-site	1 car bay
Minus previously approved on-site car parking shortfall (cash-in-lieu of last Planning Approval 5.2008.417.1, for 1.3 car bays has been paid in full).	1.3
Shortfall	2.324 car bays

Two (2) car parking spaces are provided on-site for the dwelling as per the Residential Design Codes. It is noted that that the commercial car bay provided is required to comply with the ACROD standards, however as the number of commercial car bays provided is less than 5 car bays, this single commercial car bay is not to be restricted for person's with a disability, as per the Building Code of Australia requirements.

Bicycle Parking		
Eating House	<ul style="list-style-type: none"> • 1 space per 100 square metres (proposed 35.2 square metres) public area (Class 1 or 2) (0.352) = Nil required). • 2 spaces plus 1 space per 100 square metres (proposed 35.2 square metres) public area (Class 3) (2.352 = 2 spaces required). 	N/A. Nil Provided.

Other Implications	
Legal/Policy	TPS 1 and associated Policies.
Strategic	The City's <i>Strategic Plan 2011-2021</i> - Objective 1 states: <i>"Natural and Built Environment</i> 1.1 <i>Improve and maintain the natural and built environment and infrastructure</i> 1.1.2 <i>Enhance and maintain the character and heritage of the City."</i>
Sustainability	Nil.
Financial/Budget	Planning Consultant cost relating to further SAT proceedings and associated costs.

Cash-in-Lieu

Clause 22 (i) of the City's Parking and Access Policy, states that in determining whether this development should be refused on car parking grounds, the following percentage should be used as a guide:

"If the total requirement for a development (after adjustment factors have been taken into account) is 10 bays or less, cash in lieu may be provided for any shortfall."

The development provides one (1) car parking bay for the commercial use. The eating house is considered within close proximity to public transport and there is the availability of on-street car parking, therefore, the shortfall of 2.324 car bays will have a minimum impact on the surrounding area.

If a shortfall in car parking were to be supported, a cash-in-lieu payment would be required. The cash-in-lieu payment required would be \$3,100 per bay based on the 2011/2012 fees. Based on this, a fee of \$7,204 is payable in this instance. A condition has been included in the Recommendation requiring the applicant to pay a cash-in-lieu payment.

COMMENTS:

The proposed partial change of use of the subject property from shop (butchers shop) to an eating house is an "SA" change of use within a Residential zone.

The proposed change of use is considered to maintain the previous partial commercial use (shop), therefore maintaining the character, vibrancy and diversity of the area. The change of use of the corner shop to an eating house is considered to be consistent with the previous approval granted by the City on 14 April 2009. In this regard, it is considered there has not been a material change to the statutory planning framework with regard to the subject site and proposed use, and Council should therefore determine the application in a manner consistent with the previous determination in 2009 (that is approval subject to conditions). This planning principle has been identified previously in decisions of the SAT, in relation to applications for renewal of lapsed approvals, where there is no material change in the circumstances.

The proposed change of use is not considered to impact on adjoining residential properties. The applicant has amended the hours of operation of the business to reduce any potential impact to surrounding residents.

In addition, the applicant is providing three car parking bays to the rear of the property, two (2) car bays for the existing residence and one (1) additional ACROD designed car parking bay for the commercial use. The three car parking bays will replace an existing double carport.

Access to the site and car parking will be maintained from Broome Street. There is on-street parking along Stirling and Broome Streets. There is also public transport available within close proximity of the property. Therefore due to the availability of on-street car parking and public transport, the provision of one (1) car bay for the commercial component is considered appropriate.

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

9.1.4 Town Planning Scheme Amendment No. 31 relating to land coded Residential R20 in the Mount Hawthorn and North Perth Precincts – Precinct Plans 1 and 8

Ward:	North Ward	Date:	1 March 2012
Precinct:	Mount Hawthorn (P1); North Perth (P8)	File Ref:	PLA0202
Attachments:	001 – Summary of Submissions		
Tabled Items:	Nil		
Reporting Officer:	R Marie, Planning Officer (Strategic)		
Responsible Officer:	T Young, Manager Strategic Planning, Sustainability and Heritage Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RESOLVES** pursuant to Town Planning Regulation 17, 18 and 25 to **RECEIVE** the 110 submissions in relation to Amendment No. 31 to the City of Vincent Town Planning Scheme No. 1, as summarised as shown Appendix 9.1.4;
2. **RESOLVES** pursuant to Town Planning Regulations 17, 18 and 25, that Amendment No. 31 to the City of Vincent Town Planning Scheme No. 1, **BE ADOPTED FOR FINAL APPROVAL** for the purpose of deleting the following clauses:
 - 2.1 **Clause 20(4)(c)(ii)** – ‘After 1 May 2012 development and subdivision of land coded R20 will be determined in accordance with the R30/40 code and shall be subject to all provisions relevant to that coding in the North Perth Precinct.’; and
 - 2.2 **Clause 20(4)(h)(i)** – ‘After 1 May 2012 development and subdivision of land coded R20 will be determined in accordance with the R30 code and shall be subject to all provisions relevant to that coding in the Mount Hawthorn Precinct.’;
3. **AUTHORISES** the Mayor Hon. MacTiernan and the Chief Executive Officer to execute and affix the City of Vincent common seal to Amendment No. 31 to the City of Vincent Town Planning Scheme No. 1 Amendment documents reflecting the Council’s endorsement of final approval;
4. **FORWARDS** the relevant executed documents to the Western Australian Planning Commission and **REQUESTS** the Honourable Minister for Planning and the Western Australian Planning Commission to adopt for final approval and gazettal, Amendment No. 31, to the City of Vincent Planning Scheme No. 1;
5. **REQUESTS** that the Western Australian Planning Commission and Minister for Planning progress Amendment No. 31 as a matter of urgency, as the date detailed in the ‘sunset clauses’ will soon lapse; and
6. **ADVISES** the Environmental Protection Authority and those who made submissions of the Council decision.

COUNCIL DECISION ITEM 9.1.4

Moved Cr Buckels, Seconded Cr Wilcox

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the outcomes from the 42 day public consultation period relating to Scheme Amendment No. 31.

BACKGROUND:

- | | |
|------------------|---|
| 7 October 2003 | Scheme Amendment No. 11 was gazetted which down coded an area in the Mount Hawthorn Precinct from R30 to R20 and the North Perth Precinct from R30/40 to R20, and imposed a sunset clause in the Town Planning Scheme No. 1 to limit the time the land would remain at R20. |
| 14 July 2006 | Scheme Amendment No. 22 was gazetted which modified the date listed in the sunset clause. |
| 9 May 2008 | Scheme Amendment No. 24 was gazetted which modified the date listed in the sunset clause. |
| 3 March 2009 | Scheme Amendment No. 27 was gazetted which modified the date listed in the sunset clause. |
| 27 August 2010 | Scheme Amendment No. 28 was gazetted which modified the date listed in the sunset clause. |
| 1 September 2011 | The City received a request from the North Perth Precinct Group to initiate a Scheme Amendment to avoid the 'gap' period where the sunset clause would lapse. |
| 17 January 2012 | Consultation period begins. |
| 28 February 2012 | Consultation period finishes. |

DETAILS:

Scheme Amendment No. 31 relates to the deletion of Clauses 20(4)(c)(ii) and 20(4)(h)(i) from the City's Town Planning Scheme No. 1, as detailed below.

- | | |
|--------------|---|
| 20(4)(c)(ii) | <i>'After 1 May 2012 development and subdivision of land coded R20 will be determined in accordance with the R30/40 code and shall be subject to all provisions relevant to that coding in the North Perth Precinct.'</i> |
| 20(4)(h)(i) | <i>'After 1 May 2012 development and subdivision of land coded R20 will be determined in accordance with the R30 code and shall be subject to all provisions relevant to that coding in the Mount Hawthorn Precinct.'</i> |

The purpose of deleting the clauses is to maintain the existing R20 zoning in the Mount Hawthorn and North Perth Precincts. In 2003 the land in the aforementioned Precincts was down coded from R30 and R30/40 to R20 in the Mount Hawthorn and North Perth Precincts, respectively. As the City was reviewing its Town Planning Scheme at the time of considering the amendment, the then Minister for Planning and Infrastructure, imposed a sunset clause in the Town Planning Scheme No. 1 which would allow a 'temporary' R20 zoning, however, the zoning of this area was to be reviewed as part of the Scheme Review and looked at holistically with the remainder of the City's zonings.

Due to unfortunate delays in the review of the Town Planning Scheme, the date referred to in the sunset clauses continually lapses and the City has requested it be removed from the Scheme on numerous occasions (Scheme Amendment Nos. 22, 24, 27 and 28). Rather than approve the amendment, the Minister for Planning has amended the date referred to in the sunset clause which has extended the 'temporary' R20 coding.

The Draft Town Planning Scheme No. 2 was endorsed by the Council at its Ordinary Meeting held on 20 December 2011 and forwarded to the Western Australian Planning Commission on 23 December 2011 to consent for advertising. The Draft Town Planning Scheme No. 2 is consistent with Amendment No. 31 for an R20 zoning in the parts of the Former Eton Locality, with the exception of London Street, which is considered capable of zonings greater than R20.

CONSULTATION/ADVERTISING:

Scheme Amendment No. 31 was advertised for a period of 42 days in accordance with Regulation 25 of the Town Planning Regulations 1967.

A total of 110 submissions were received with the breakdown of submissions as outlined below. When considering the submissions, only one submission per person per property was tabled. Therefore where multiple submissions were made from the one property signed by the same person, only one submission was tabled, however where someone owned multiple properties, submissions were tabled individually for each of the properties.

Position	Number	Percentage
Support	93	84.54%
Object	14	12.73%
No objection	3	2.73%
Not Stated	0	0%
Total	110	100%

An analysis was conducted on the affected streets to determine whether there was a pattern in the responses received. The results were as follows:

Street Name	Support	Object	Not Stated	No objections
Auckland Street	17	0	0	0
Carrington Street	0	0	0	0
Dunedin Street	9	0	0	0
Ellesmere	1	0	0	0
Eton Street	13	2	0	0
Gill Street	7	0	0	0
Haynes Street	3	0	0	0
Hobart Street	11	2	0	0
Loch Street	2	0	0	0
London Street	6	3	0	0
Shakespeare Street	7	0	0	0
Sydney Street	16	6	0	0
Not Applicable	1	1	0	3
Total	93	14	0	3

Whilst there was some objections received, in all streets there was greater support for the Scheme Amendment and the retention of the R20 zoning.

The key issues raised in the consultation are outlined below, followed by an Officer comment. A full copy of the submissions received including an Officer response, are shown in Appendix 9.1.4.

Comments in Support of Scheme Amendment No. 31

Concern was raised in relation to the potential loss of character resulting from increased infill. The loss of character will also reduced property values.

Officer Response:

By maintaining the lower zoning, the City hopes to maintain the character within this locality. As per the City's Consultation Policy 4.1.5, the Council is not authorised to consider 'non-planning' matters, such as effect on property values.

Greater infill will result in a loss of trees.

Officer Response:

The City encourages the retention of trees wherever possible, however unless trees are listed under the City's Significant Tree Inventory (List 1), the City cannot legally impose the retention of trees.

The City's Sustainable Environment Strategy 2011-2016 states one of its objectives as 'Re-establish, conserve and enhance floral and faunal biodiversity, native vegetation, green spaces and green linkages within the City' and includes two actions which state the following; Action 3.10 – 'Update and review the City's Significant Trees Inventory and Policy, and promote the protection of trees during planning and construction phases.' Action 3.11 – 'Require the retention of existing trees on street verges, and encourage the retention of vegetation and trees on private lots.'

Higher densities will result in more parking and traffic issues.

Officer Response:

Residential developments are to comply with the car parking requirements in the Residential Design Codes of WA, however it is noted that more development may result in a greater number of cars in the area. The City's Car Parking Strategy is currently being implemented to address matters to improve the management of parking in the City.

Comments in Opposition of Scheme Amendment No. 31

The R20 coding is inconsistent with State Planning direction.

Officer Response:

Whilst the general direction of the State Government is to increase inner city densities, this is to be done in strategic locations where there is good access to public transport and amenities. As part of the review of the Town Planning Scheme, it has been proposed that the zonings be increased in some areas. The City is of the opinion that the densities in other areas have been increased to sufficiently cater for the increase in population proposed for the Perth metropolitan area.

In addition, Directions 2031 prescribes an additional 5000 dwellings within the City of Vincent by 2031. As part of the City's review of its Town Planning Scheme, the City believes the 5000 dwellings can be accommodated whilst maintaining some of the low and medium density areas within the City.

Maintaining the R20 zoning is unsustainable.

Officer Response:

Sustainability also includes social aspects such as the community's desires and this amendment is supportive of the majority of the community's wishes. It is also considered sustainable to provide the opportunity to maintain existing housing stock, building materials and landscaped areas, rather than demolishing and rebuilding from new materials.

By applying the R20 zoning, it will reduce land values.

Officer Response:

As per the City's Consultation Policy 4.1.5, the Council is not authorised to consider 'non-planning' matters, such as effect on property values.

London Street is a major road and the zoning should be higher.

Officer Response:

As part of the review of the Town Planning Scheme, the City will be considering zonings greater than R20 for London Street. The proposed zoning in the Draft Town Planning Scheme cannot be advertised until the Western Australian Planning Commission grants consent to advertise. To rezone London Street under the existing Town Planning Scheme No. 1, the City would be required to initiate a new amendment or propose major modifications to the existing Amendment No. 31 which would more than likely require readvertising.

As some properties abut higher zoned areas such as Charles Street (R60) or properties that are already subdivided, there was concern that it was unfair on their property to be limited by the R20 zoning.

Officer Response:

Charles Street has a higher zoning as it is a major road and considered capable of greater density development. The residential streets in the Former Eton Locality, affected by this amendment, are considered to exhibit a character which the community wishes to maintain through a lower zoning. The properties that have been subdivided would have been done prior to the sunset clause being introduced into the Scheme or during the interim period where the sunset clause has lapsed.

LEGAL/POLICY:

- Town Planning Scheme No. 1;
- Town Planning Regulations 1967; and
- Planning and Development Act 2005.

RISK MANAGEMENT IMPLICATIONS:

Not Applicable.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016* Objectives 1.1.1 and 1.1.2 state:

"1.1.1: Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision.

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

SUSTAINABILITY IMPLICATIONS:

Whilst the State Government is pushing for greater inner city densities, it is considered that this should be in targeted areas. The City of Vincent is of the opinion that this area remains at a lower density to provide a diversity of housing choice in Vincent and that densities will be increased in targeted growth areas, such as those areas around train stations and on major roads.

It is also considered that this amendment supports the majority of the community's wishes to maintain a lower density.

FINANCIAL/BUDGET IMPLICATIONS:

The City of Vincent 2011/2012 Budget allocates \$40,000 to Town Planning Scheme and Policy Amendments.

Expenditure for this matter will be incurred under the following budgeted item:

Budget Amount:	\$40,000
Spent to Date:	\$34,304
Balance:	\$5,696

COMMENTS:

Based on the submissions received by the City during the 42 day consultation period, there was greater support for the R20 zoning to be maintained and therefore the clauses 20(4)(c)(ii) and 20(4)(h)(i) being deleted. This is consistent with the previous amendments on this matter (Scheme Amendment Nos. 11, 22, 24, 27 and 28).

The R20 zoning is consistent with the City's Draft Town Planning Scheme zoning for this area, with the exception of London Street which is considered capable of zonings greater than R20. Whilst the City is considering greater zonings for London Street in the Draft Town Planning Scheme No. 2, it is not proposed to be rezoned as part of this amendment.

In light of the submissions received during the consultation period, it is recommended that the Council adopt the Officer Recommendation to adopt Amendment No. 31 for final approval as advertised with no modifications.

9.1.6 LATE ITEM: Community Energy Efficiency Program (CEEP) – Grant Application

Ward:	Both	Date:	9 March 2012
Precinct:	All	File Ref:	FIN0199
Attachments:	001 – Map of Proposed Geothermal Pipe Works		
Tabled Items:	Community Energy Efficiency Program Guidelines; Community Energy Efficiency Program Application Guidance; Community Energy Efficiency Program Draft Funding Agreement; Origin/Low Carbon Australia Fact Sheet; City of Vincent Building Asset Management & Condition Review Report 2010		
Reporting Officers:	A Marriott, Sustainability Officer; J Van den Bok, Manager Parks and Property Services		
Responsible Officers:	C Eldridge, Director Planning Services – Grant Application; R Lotznicker, Director Technical Services – Project Implementation		

OFFICER RECOMMENDATION:

That the Council;

1. DEFERS applying for a Community Energy Efficiency Program (CEEP) Grant until the next round of CEEP funding, expected to be released in late 2012;
3. REQUESTS the City’s Officers to identify, research and prepare cost estimates for eligible energy efficiency retrofit projects in preparation for the next round of CEEP funding; and
4. NOTES that:
 - 4.1 to be eligible for the next round of CEEP funding, a minimum of \$50,000 for energy efficiency retrofit work will need to be listed for consideration in the 2012/2013 draft Budget; and
 - 4.2 a further report about CEEP-eligible project options available to the City in preparation for the next round of CEEP funding, will be submitted to the Council prior to the finalisation of the Budget 2012/2013.

Moved Cr Topelberg, Seconded Cr Pintabona

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND LOST UNANIMOUSLY (0-7)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

REASON:

1. The Council believes that it is better to take advantage of the grants that exist, in preference to one that might exist in the future.

ALTERNATIVE RECOMMENDATION – COUNCIL DECISION ITEM 9.1.6

Moved Cr McGrath, Seconded Cr Wilcox

That the Council;

- 1. APPROVES of an Application for a Community Energy Efficiency Program (CEEP) Grant to be submitted by 23 March 2012;**
- 2. REQUESTS the City's Officers to identify, research and prepare cost estimates for:**
 - 2.1 eligible energy efficiency retrofit projects, for the following City owned buildings:**
 - **Administration and Civic Centre;**
 - **Beatty Park Leisure Centre;**
 - **Office Building – DSR;**
 - **Leederville Oval; and**
 - **Loftus Centre Complex including:**
 - **Loftus Recreation Centre;**
 - **Loftus Community Centre;**
 - **State Gymnastics Centre; and**
 - **Library and Local History Centre; and**
 - 2.2 development of infrastructure to use the excess capacity from the Beatty Park Leisure Centre Geothermal Project in the City's Administration and Civic Centre, Beatty Park Leisure Centre*, Office Building (DSR) and community facilities; and**
- 3. AUTHORISES the Chief Executive Officer to engage any Consultants considered necessary for the implementation of the Grant (and project, if successful).**

Debate ensued.

***Cr Buckels requested that Beatty Park Leisure Centre be included in clause 2.2. The Mover, Cr McGrath and Seconder, Cr Wilcox agreed.**

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

ADDITIONAL INFORMATION:

The Chief Executive Officer and City Officers met with Mayor MacTiernan on Friday 9 March 2012 whereby this matter was discussed. Mayor MacTiernan expressed a view that notwithstanding the short time period available to submit the Grant by 23 March 2012, it was preferable to do so as there was no guarantee that subsequent grants will become available.

The Council previously approved of the Beatty Park Leisure Centre Geothermal Project to deliver increased capacity to enable its future use for the City's Administration and Civic Centre, Office Building (DSR), Loftus Centre, Library and Local History Centre and possibly also Leederville Oval. This grant scheme offers a real opportunity to leverage benefit of that investment and bring forward the connecting infrastructure.

PURPOSE OF REPORT:

The purpose of this report is to advise the Council about the Australian Federal Government's Community Energy Efficiency Program (CEEP) and seek approval to submit a grant application for an energy efficiency upgrade/retrofit project during the next round of grants released as part of.

BACKGROUND:

The CEEP is a competitive merit based grant program designed to assist Local Government, not-for-profit and community organisations to undertake energy efficiency upgrades to community infrastructure. CEEP does not provide funding for renewable energy infrastructure such as photovoltaic, wind or geothermal systems. Projects must cost in the range of \$100,000 to \$10 million, with the maximum grant contribution from the Federal Government being 50 per cent of project cost.

DETAILS:

On 13 February 2012 the Australian Federal Government opened a package of energy efficiency programs designed to drive smarter energy use in business, local government, households and communities. The Community Energy Efficiency Program offers \$200 million in matched funding to assist Local Government, not-for-profit and community organisations to undertake energy efficiency upgrades to community infrastructure, including Local Government buildings. This funding is to be released in stages over several years, with the next round expected to open in late 2012.

The current round of applications closes on 23 March 2012, and calls for fully costed, planned and community-supported projects, for which at least 50 per cent of funding has been set aside in existing budgets. Being classified as a metropolitan local government, the City of Vincent is ineligible to provide its share of project funding via a Low Carbon Australia loan.

CEEP application guidance documents state that project planning processes are expected to be well-advanced at the time of application, with physical works able to commence within two to three months of signing the Funding Agreement. As the City had no eligible projects under consideration prior to the release of CEEP grants, the City's Officers sought advice from Western Australian Local Government Association (WALGA) preferred supplier of energy management Enigin WA. The advice received was that the short timeframe and the involved nature of the application process would preclude developing complex or large-scale projects for the current round of funding. Energy efficient lighting upgrades and retrofits of intelligent lighting control systems to one or two of the City's larger buildings may be feasible if background work commenced immediately.

The competitiveness of such small-scale lighting projects may however be limited under the merit-based application process, particularly with respect to community benefits and capacity for innovation. **Further advice sought from the Department of Climate Change and Energy Efficiency has revealed that grants which fail to qualify for funding in this first round will not be considered again in subsequent rounds without significant changes to scope.**

Possible Projects

Being mindful that the City may still choose to proceed with a grant application during the current round of CEEP funding, the City's Officers commenced gathering information for possible energy efficient lighting upgrade projects. The following table lists major buildings owned by the City in addition it lists the amount of funds contained within the reserve fund and the amount available as at 30 June 2012, which could be used as a possible funding source.

Building	Reserve Fund Amount 31 January 2012	Amount as at 30 June 2012
Administration and Civic Centre	\$186,530	\$64,054
Beatty Park Leisure Centre	\$8,999,922	\$38,062
Office Building – DSR	\$395,862	\$405,498

Building	Reserve Fund Amount 31 January 2012	Amount as at 30 June 2012
Leederville Oval	\$203,230	\$146,014
Loftus Centre Complex Including:		
• Loftus Recreation Centre	\$88,721	\$24,641
• Loftus Community Centre	\$16,030	\$18,306
• State Gymnastics Centre	\$23,284	\$23,284
• Library and Local History Centre	-	-
Perth Oval #	\$252,830	\$242,222

Due to be leased to the State Government in March 2012.

To date, due to the short time available, light counts have been conducted by the City's Officers in only the Administration and Civic Centre and Beatty Park Leisure Centre and lighting plans created by energy efficient lighting provider Eco-Fx. The cost of fittings, cost of labour and expected energy savings have been provided to the City, but detailed project plans and other necessary documentation are yet to be produced. Investigations would need to be carried out concerning which buildings are the most suitable for this funding grant.

Objectives of the program

- To support a range of local councils and community organisations to increase the energy efficiency of different types of non-residential council and community-use buildings, facilities and lighting; and
- To demonstrate and encourage the adoption of improved energy management practices within councils, organisations and the broader community.

Funding arrangement

Successful applicants must enter into a funding agreement with the Commonwealth Government prior to the commencement of the project. Physical works relating to the project must commence within two to three months of signing the funding agreement and be completed by June 2016. The lower and upper funding limits are \$50,000 and \$5 million respectively, meaning that eligible project costs must be between \$100,000 and \$10 million. A project may involve upgrades or retrofits to multiple buildings, facilities or sites, however, the project cost for each individual building, facility or site must be greater than \$100,000. The City's 50 per cent contribution to the project cannot include in-kind contributions.

Eligibility Criteria

The applicant must be:

- A local governing body or non-profit organisation;
- The owner of the building, facility or site that is the subject of the proposal; and
- Able to demonstrate with documentary evidence the ability to fund 50 per cent or more of the total cost of the proposed project.

Eligible project costs are:

- Energy audits or assessments;
- Upgrades or retrofits to buildings;
- Upgrades to outdoor lighting;
- Basic energy efficiency items such as light fittings and energy meters;
- Monitoring and reporting equipment such as intelligent lighting control systems;
- Educational activities and raising of community awareness;
- Administrative support for the project; and
- Financial audit/accounting costs associated with the project.

Merit criteria (and corresponding weighting)

- Energy efficiency improvement potential (30% weighting);
- Potential to encourage improved energy management practices and support for the proposed project from a broad cross-section of the community (30% weighting);
- Project design, funding and management (20% weighting); and
- Value for money (20% weighting).

Viability Criteria

- Capacity of the applicant to deliver the project;
- Financial viability of the proposal;
- Technical feasibility of the proposal; and
- Risk relating to the proposed project.

Mandatory documentation to be submitted with the grant application

- Proof of public liability insurance;
- Evidence of support from the community;
- Formal building planning approvals (if applicable);
- Project Budget;
- Project Plan;
- Risk Management Strategy;
- Relevant energy efficiency reports; and
- Financial statements and relevant financial documents (to demonstrate ability to fund at least half of the proposed project).

CONSULTATION/ADVERTISING:

Community consultation will be essential for obtaining the broad-based community support required to fulfil the merit criteria within the application package. An important part of this consultation process is consideration of the proposed energy efficiency project by the City's Sustainability Advisory Group. The City's Officers also recommend liaising with specific community groups and seeking letters of support for proposed works, particularly from those who use the buildings/facilities in question.

LEGAL/POLICY:

Successful applicants must enter into a funding agreement with the Commonwealth Government prior to the commencement of the project. The funding agreement is a performance-based, legally enforceable agreement between the Commonwealth Government and the successful applicant that sets out the terms and conditions governing the funding provided.

The City's Policy No. 2.2.12 relating to Asset Management states:

“Objectives:

- *Ensure that assets service the community for current and future generations;*
- *Ensure that assets provide a level of service and risk the community is willing to support;*
- *Ensure the sustainable management of assets;*
- *Encourage and support the economic and social wellbeing of our community; and*
- *Allow informed decision making, incorporating life cycle costing principles.”*

The City's Policy No. 3.5.10 relating to Sustainable Design states:

“Objectives:

- *To demonstrate the Town's commitment to environmental, economic, and social stewardship, and to contribute to the Town's goals of protecting, conserving, and enhancing the Town's and the State's environmental resources;*
- *To encourage the retention of existing buildings capable of reasonable adaptation and re-use;*
- *To encourage the incorporation of sustainable design principles and features in existing and new development in the Town of Vincent as standard practice; and*
- *To set out the Town's expectations of the sustainability outcomes to be achieved by home owners, developers and builders in new building and renovation projects.”*

RISK MANAGEMENT IMPLICATIONS:

High: In order to meet viability criteria, the City's grant application will need to include a comprehensive Risk Management Plan for the proposed project. This plan must be implemented as part of the City's obligations under the funding agreement.

Should the Council decide to proceed with a grant application during the current CEEP funding round, there is a real risk of submitting an underdeveloped submission, which would reduce its likelihood of success in the current and future rounds. Additionally, the limited timeframe remaining in the current funding round could result in a project that is not as sophisticated or innovative as could be achieved given greater time for project development.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Plan 2011-2016* the following Objectives state:

“Natural and Built Environment

- 1.1 *Improve and maintain the natural and built environment and infrastructure*
 - 1.1.3 *Take action to reduce the City's environmental impacts and provide leadership on environmental matters.*
 - 1.1.4 *Enhance and maintain the City's infrastructure, assets and community facilities to provide a safe, sustainable and functional environment.”*

“Leadership, Governance and Management

- 4.3 *Promote and Implement Knowledge Management and Technology*
 - 4.3.1 *Promote technology opportunities to improve the City's business, communication, security and sustainability.”*

In keeping with the City's *Sustainable Environment Strategy 2011-2016* the following Objective states:

“General Actions

Ensure that the City acts in an environmentally sustainable manner in all of its operations.

- F. *Monitor and avail of opportunities for state and federal funding and grants which could fund environmental projects or initiatives.*

Encourage, empower and support the City's community to live in an environmentally sustainable manner.

- J. Make environmental and sustainability information more readily accessible to the community.*
- K. Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice.*
- L. Promote responsible consumption that has a reduced environmental impact."*

"Air and Emissions

Reduce and offset the use of non-renewable energy in the City's operations, and promote the same to the community.

Action 1.7 Continue to investigate and implement the use of alternative lighting technologies, including solar-powered lights and LEDs, in lighting owned by the City.

Action 1.14 Offer guidance and encourage energy efficient design for new developments and retrofitting for existing developments within the City."

SUSTAINABILITY IMPLICATIONS:

An energy efficiency upgrade and/or retrofit project has the potential to improve the City's environmental, financial and social sustainability through:

- Reduced greenhouse gas emissions;
- Lower electricity costs and reduced ongoing maintenance costs; and
- Demonstrate leadership to the community in the adoption of sustainable technologies for the benefit of the environment and the community.

FINANCIAL/BUDGET IMPLICATIONS:

The City will need to allocate a minimum of \$50,000 per building/facility or site in the 2012/2013 Budget to cover at least 50 per cent of any proposed energy efficiency upgrade and/or retrofit project.

COMMENTS:

Based on the requirements of the CEEP application package, and on advice received from Enigin WA and the Department of Climate Change and Energy Efficiency, the City's Officers recommend that the City defer applying for a CEEP grant until the next round of funding is made available. It is recommended that project options are explored, costed and tested for community support and that Council nominates an amount to be set aside in the 2012/2013 Budget to meet expected funding requirements.

Should the City fail to obtain a grant under either the current or future CEEP funding rounds, an alternative option for financing energy efficiency upgrades exists in the form of a Low Carbon Australia loan.

Low Carbon Australia in partnership with Origin Energy can deliver energy efficiency upgrades with no up-front financial outlay by the City and with project costs recouped via the City's utility bills. Payments would be matched to the energy savings resulting from the efficiency upgrade, so that costs are offset by savings, resulting in no net increase to utility bills. An Origin/Low Carbon Australia factsheet with further information has been tabled with this report.

The Chief Executive Officer advised that Cr Buckels had declared a financial interest in Item 9.2.2. Cr Buckels departed the Chamber at 6.57pm and did not speak or vote on this matter.

9.2.2 Proposed Riverside Drive Closure - Progress Report No. 1

Ward:	Both	Date:	2 March 2012
Precinct:	All	File Ref:	TES0473
Attachments:	001 – Perth Waterfront – Overview Information Sheet 002 – Perth Waterfront – Design Information Sheet 003 – Perth Waterfront – Transport Information Sheet		
Tabled Items:	Nil		
Reporting Officers:	R Lotznicker, Director Technical Services; C Wilson, Manager Asset & Design Services		
Responsible Officer:	John Giorgi, Chief Executive Officer		

REVISED OFFICER RECOMMENDATION:

That the Council REQUESTS:

1. the State Government as a matter of urgency to ensure that the following works are completed before Riverside Drive is closed:
 - 1.1 widening the Graham Farmer Freeway tunnel to three (3) lanes in each direction including the appropriate modifications to Freeway access/exit lanes;
 - 1.2 widening Thomas and Loftus streets to three (3) lanes; and
 - 1.3 completion of all relevant inner-city road works; and
2. that it be consulted on any future traffic and transport studies or initiatives undertaken by the WA State Government and/or City of Perth where changes to the road and transport network in Perth is likely to result in adverse impacts within the City of Vincent.

Note: The above Officer Recommendation was Revised and distributed prior to the meeting.

COUNCIL DECISION ITEM 9.3.1

Moved Cr Topelberg, Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (5-1)

For: Mayor Hon. MacTiernan, Cr McGrath, Cr Pintabona, Cr Topelberg, Cr Wilcox

Against: Cr Maier

(Buckels was absent from the Chamber and did not vote on this matter. Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

Cr Buckels returned to the Chamber at 7.04pm. The Presiding Member, Mayor Hon. Alannah MacTiernan advised that the item was carried.

PURPOSE OF REPORT:

The purpose of this report is to update the Council on the proposed 'Perth Waterfront Development' and the potential affect of traffic changes on the City of Vincent and other inner city local governments.

BACKGROUND:

The Council has not previously received any reports relating to the 'Perth Waterfront Development' and as such, has not been required to determine its position on this matter.

In August 2009 the State Government requested the Western Australian Planning Commission (WAPC) and Department of Planning (DoP) to assume lead agency responsibility for the Perth Waterfront Project.

To make this commitment possible, MRS Amendment 1203/41 was prepared to consolidate approximately 19.75 hectares of existing parks and recreation, waterways and regional road reservations to a *Public Purpose Special Use Reserve*. The MRS Amendment was advertised for public submissions for a period of three (3) months from 22 February 2011 to 27 May 2011 inclusive.

The WAPC and DoP prepared a Masterplan under the oversight of the Perth Waterfront Ministerial Taskforce, which was released by the Premier and Minister for Planning in December 2009. This was followed by a project Business Case submitted for consideration by Cabinet in March 2010.

In June 2010, Cabinet requested that the WAPC and DoP progress the detailed planning, design and statutory approvals necessary to facilitate the timely construction of the project.

DETAILS:

The Perth Waterfront development has been described as a world-class precinct that is set to transform the face of Perth's capital city.

Planning for the Perth Waterfront has taken place over a number of years with a view to addressing the physical and psychological barrier currently presented by major transport infrastructure on the southern side of the city. As plans have been developed and refined, the impacts on the transport network have been constantly reviewed.

Planning for the Perth Waterfront has been guided by the following transport related principles:

- The transport system should support and be integrated with land use planning rather than be the driver of land use planning.
- Where practical give priority to sustainable transport modes e.g. walking, cycling, and public transport, over other modes.
- Accept that some increases to delay and congestion for general traffic are likely to occur, however ensure that these can be managed effectively.
- Promote pedestrian and cyclist travel to and through the project area and along the foreshore.
- Manage the provision of car parking within the development area as part of the transport network and in the context of the wider area.
- Ensure that the operation of the Bus Port is not compromised by the redevelopment.
- Ensure that modifications to Freeway ramps do not adversely impact traffic flows on the Freeway.

These principles have informed the planning for Perth Waterfront and reflect general Government policies relating to transit oriented development (TOD) when developing in areas with transport accessibility.

Transport planning for the Perth Waterfront has also been influenced by plans and policies set by the City of Perth which are guiding the initial transformation of the central city.

The City of Perth released the Urban Development Framework: A Vision for Perth 2029 in January 2010. Many of the principles for Perth Waterfront reflect the objectives of the Urban Development Framework, including prioritising pedestrian oriented transport and improving connectivity around the City.

The responsibility for progressing the project has now been passed to the recently established Metropolitan Redevelopment Authority (MRA) which has responsibility for a number of other Perth transformational projects.

Some of the projects as well as a number of other developments and proposals around the Perth CBD which will help shape the City and will affect the future transport network include:

- Perth Riverside;
- Perth City Link;
- Forrest Place enhancement;
- Burswood Stadium;
- Trinity development at the Causeway end of East Perth;
- QE11 hospital development in Winthrop Avenue;
- Public transport proposals including priority on some city streets; and
- Reverting city one-way streets to two-way traffic.

These projects, along with Perth Waterfront, will have a substantial impact on how the future of the Perth CBD will be shaped.

The key transport elements of the Perth Waterfront plan include:

- The development of a pedestrian friendly environment around the Swan River with active public spaces and easy connections to public transport stations and the ferry terminal;
- The introduction of two-way traffic flow along William Street south of Mounts Bay Road, extending all the way to the Point Lewis Rotary, to provide alternative access to Mounts Bay Road from the west;
- Modification of access from William Street to Mitchell Freeway and Kwinana Freeway;
- Extension of Howard Street and Sherwood Court to Riverside Promenade. These sections of road will be two-way;
- Creation of two new all movements traffic signal intersections along The Esplanade at Howard Street and Sherwood Court to replace the existing T-junctions and improve pedestrian connectivity;
- Introduction of two-way traffic along Mounts Bay Road by the addition of one westbound lane between William Street and Mill Street;
- Creation of a new signalised intersection on Mounts Bay Road near Mercantile Lane to provide access for buses exiting the Bus Port to Mounts Bay Road eastbound;
- Adequate on-street parking will be provided within the development to replace those bays which are removed from Barrack Square and The Esplanade; and
- A speed limit of 40 kph through most of the site to make it safer for pedestrians and cyclists.

The modelling work for Perth Waterfront was completed with data and methodology agreed with key bodies, including Main Roads WA, Department of Transport and City of Perth.

Note: The City of Vincent has had no input, or involvement in this process and as far as is known, other Local Governments have not been involved in the traffic modelling exercise either.

To determine variations between current and future operations of the road network, a 2009 base model and a 2031 model (a standard forecast year for land use and transport planning) was used. The model enables comparisons on performance, establish key areas of impact and an opportunity to test a range of future network scenarios.

Key information to assess the network performance differences between the base and forecast year models include traffic volumes, the time taken to complete specific journeys (from point to point) and also the performance of various bus routes. The model outputs are derived primarily from SATURN and Paramics modelling software.

Various other factors outside of proposed changes for the Perth Waterfront will also influence future travel patterns to 2031 including:

- General growth in traffic numbers between now and 2031;
- The cost of using different modes of transport in the future;
- The amount and timing of land use development in both the Perth CBD and metropolitan region;
- Road network changes in both Perth CBD and on roads in localities adjacent to the central city area;
- Provision of public transport services; and
- Other policies or factors which may not be currently in place.

Traffic Volumes:

In the modelling outputs for 2031, the State has advised that sections of the following major roads were noted as experiencing congested conditions during either morning (AM) or afternoon (PM) peaks: Mounts Bay Road; The Esplanade; William Street; Barrack Street; Wellington Street; and Graham Farmer Freeway.

These areas of anticipated peak hour congestion in 2031 reflect many of the existing congestion points in the City.

The modelling shows that while some roads will experience additional congestion, others will have less traffic but will still be busy during peak periods. An example is St Georges Terrace which is predicted to have 180 fewer vehicles per day travelling east of Barrack Street in 2031, however the road will still experience a degree of congestion.

The advice is that the full closure of Riverside Drive will occur around May 2013. Construction works are planned to commence within the next few months. The removal of a section of Riverside Drive will encourage some traffic to divert to other routes through the city. The most likely alternatives are St Georges Terrace, Wellington Street, Roe Street and Graham Farmer Freeway.

It is also anticipated that people may choose to use other routes further away from the CBD to travel in an east-west direction or alternately may transfer to public transport options as travel and time costs increase in the future.

It is understood that traffic travelling in a west-east direction will largely be unaffected by the closure of Riverside Drive as the most direct route taken would be almost identical to that which exists at the present time.

City of Vincent Position – Meeting

The Mayors and Chief Executive Officers of seven (7) inner metropolitan Local Governments affected by the Perth Waterfront development, which have a combined population of well over 200,000 persons, including Belmont, Cambridge, Nedlands, South Perth, Subiaco, Victoria Park and Vincent met on 23 February 2012 at the City of South Perth and discussed the potential impact of the closure of Riverside Drive on their local governments.

The joint media release issued expressed concern that the Waterfront Development will be seriously undermined unless proper planning and scheduling of ancillary works are prioritised and undertaken in a timely manner.

Through the joint media release, the State Government has been urged to properly complete all planned complimentary works to ensure that when Riverside Drive is closed all necessary works have been finalised to minimise traffic disruption in and around inner metropolitan Perth.

The strongly held view was that major transport infrastructure works planned to support these developments need to be completed prior to the closure of Riverside drive. Specifically, these works include:

- Completion of the widening of the Graham Farmer Freeway tunnel to three lanes in each direction (and appropriate modifications to Freeway access / exit lanes);
- Widening of Thomas and Loftus streets to 3 lanes;
- Completion of planning for the Light rail route link (including extension east of the Causeway to Victoria Park and Curtin University);
- All relevant inner-city road works completed; and
- Commitment to the construction of the proposed Railway Station at South Perth.

The respective Local Government Mayors are united in their view that as important stakeholders, continued effective consultation and communication is essential with the respective Councils on such significant proposals.

All the Mayors are concerned that the closure of Riverside Drive, along with all other developments occurring will greatly impact on their communities, unless all complementary works are first completed.

CONSULTATION/ADVERTISING:

The Mayors and CEO's of seven (7) inner metropolitan local governments have met and discussed the issue and agreed on a joint media release.

LEGAL/POLICY:

Not applicable

STRATEGIC IMPLICATIONS:

The City's *Strategic Plan 2011-2016* states:

"Natural and Built Environment

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

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

SUSTAINABILITY IMPLICATIONS:

The appropriate management of infrastructure is extremely important to ensure that it meets the current and future traffic and transport needs of the community.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable

COMMENTS:

Given the potential adverse affect the closure of Riverside Drive may have on the City's roads and subsequently parts of the City of Vincent, it is considered that that all proposed 'Major Transport Infrastructure' ancillary to the proposed 'Perth Waterfront Development' be implemented/completed prior to the closure of Riverside Drive.

It is recommended that a letter be sent to the Premier and Minister for Planning requesting that they give priority to actioning this matter and the City of Vincent be consulted about any future traffic and transport studies, where changes to the road and transport network is likely to result in adverse impacts within the City of Vincent.

9.4.1 Artist in Residence Programme – Progress Report No. 1 – Implementation Plan

Ward:	Both	Date:	1 March 2012
Precinct:	All	File Ref:	CMS0070
Attachments:	001 – Artists Brief 002 – Summary of Shortlisted Applications		
Tabled Items:	Nil		
Reporting Officers:	R Gunning, Arts Officer; J Anthony, Manager Community Development		
Responsible Officer:	R Boardman, Director Community Services		

OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** Progress Report No. 1 on the Implementation Plan for the Artist in Residence Programme; and
2. **APPROVES** the recommendation of the Arts Advisory Group to appoint artists Martin Keil and Henrik Mayer known as REININGUNGSGESELLSCHAFT (RG) to deliver a programme with the theme “A Day in the Life of Vincent” for the Artist in Residence Programme, in accordance with the adopted Artists Brief, as shown in Appendix 9.4.1.

COUNCIL DECISION ITEM 9.4.1

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

PURPOSE OF REPORT:

To receive an update on the Implementation Plan for the Artist in Residence Programme and obtain the Council's approval for the recommended artists for the Artist in Residence Programme.

BACKGROUND:

At the Ordinary Meeting of Council held on 22 March 2011, a Notice of Motion was adopted regarding the investigation into the establishment of an Artist in Residence Programme in the City, as follows;

“That the Council REQUESTS:

1. *The Chief Executive Officer to investigate the establishment of an Artist in Residence/Resident Artist program in the Town.*

The scope of the investigation should include liaison with the Town's Art Officer, the Art Advisory Group, local galleries and appropriate external agencies (e.g. Department of Culture & the Arts) for comment and suggestion, but not be limited to:

- 1.1 *potential scope & terms of reference for the program, including community engagement;*

- 1.2 possible integration with the Percent for Art Policy;
 - 1.3 examining similar programs in other local governments in Australia;
 - 1.4 potential work and/or exhibition space for an Artist in Residence/Resident Artist, including possible collaboration with local galleries;
 - 1.5 potential benefits being investigated; and
 - 1.6 budget implications; and
2. A report be submitted to the Council no later than June 2011, with a view to including funds for such a program in the Budget 2011-2012.”

A report was presented to the Ordinary Meeting of Council held on 28 June 2011 where the following was resolved;

“That the Council;

1. *RECEIVES the outcome of the investigation into the establishment of an Artist in Residence programme in the Town of Vincent;*
2. *REFERS the information from the investigation to the Art Advisory Group for consideration on the preparation of an Implementation Plan for an Artist in Residence programme;*
3. *NOTES that:*
 - 3.1 *an amount of \$30,000 is listed on the 2011/2012 Budget for the establishment of an Artist in Residence; and*
 - 3.2 *a further report will be submitted to Council on an implementation plan for the establishment of an Artist in Residence in the Town.”*

At the Ordinary Meeting of Council held on 27 September 2011, the following recommendation was adopted;

“That the Council APPROVES the recommendation of the Arts and Culture Advisory Group and proceeds with the implementation plan for the establishment of an Artist in Residence programme in the City.”

The Implementation Plan contained the following dates:

October 2011	Artist’s Brief advertised
December 2011	Expressions of Interest received
February 2012	Artist selected
May-June 2012	Residency takes place

DETAILS:

Following the above resolution, the Implementation Plan has proceeded in accordance with the time frame as detailed in the report considered at the Ordinary Meeting of Council held on 27 September 2011. The Artists Brief as shown in Appendix 9.4.1 was advertised in October 2011 with the closing date for applicants being 16 December 2011.

Sixty-one applications were received from local, national and international artists. A wide variety of art forms were represented in the applications ranging from musicians, sound artists through to film makers and traditional fine artists. All applications were filed and catalogued.

The Arts Officer reviewed the applications, making a short list of fifteen artists as shown in Appendix 9.4.1 which were presented to the Art Advisory Group Meeting held on 8 February 2012 for selection.

The criterion for the short list was based on the following:

- the quality of the artist's past work;
- strength of the application; and
- the suitability of the proposal for community engagement.

After reviewing images and proposals by the artists, the Art Advisory Group members selected the German artists Martin Keil and Henrik Mayer who work as a team known as REININGUNGSGESELLSCHAFT.

REININGUNGSGESELLSCHAFT (RG) work in the tradition of Conceptual Art and Performance Art movements, where the emphasis is on ideas expressed through the artist's activities rather than the resulting art objects. RG's main themes concern social involvement and engagement, to quote the artists;

"REININGUNGSGESELLSCHAFT (whose German implication range from 'Cleaning Service' to 'Purification Society') is an artist project group that works at point of intersection between art and social reality. Martin Keil and Henrik Mayer first came together to create RG. The artists work with partners from different backgrounds, providing platforms for interdisciplinary activities. Our way of working is based on the positive potential of connecting different spheres of society."

RG's proposal for the City of Vincent is to;

"to carry out an artistic project that puts the human society in relationship to urban structure in the centre of interest RG plan a project in three steps:

1. *Dialogue with the inhabitants*
2. *Transformation of the captured stories and images into graphics*
3. *Display of the graphics in public space."*

The following is an abridged text by RG of the steps they will undertake in the residency.

Dialogue

'RG is planning an open communication process in cooperation with various people from the community. The idea is to identify future potentials and identifications.'

'RG opens a free zone for urban mythology and, at the same time relies on the tradition of story-telling.'

'We will interview inhabitants who represent the variety of Vincent about personal identifications and their own personal storylines.'

Transformation and visualization

'As a result of the dialogue RG creates graphic, philosophical, social – critical image series based on the footage from the talks.'

'Finally we are able to realize a public poster campaign. We envisage that the materials will be printed in a local print shop.'

Display

'The storylines will be presented as a temporary installation in public space. The outcomes will be presented for instance in bus shelters, shop windows or on advertising columns...'

'Public space becomes a dialectical display for the ideas and proposals to face the challenges of the future.'

'The process of installing the posters will be documented on video. After finishing we propose a public event. There could be organized a walking tour along the route with the displays.'

'In order to make the material accessible on the long run, it is imaginable to display them in an indoor exhibition in a public institution after the temporary exhibition in public space.'

The Arts Advisory Group felt that the progressive nature of RG's work was in keeping with the innovative spirit of the Artist in Residence Programme and that RG was well suited to deliver the anticipated outcomes for the Residency Programme as outlined by the Group at their meeting held on 7 September 2011:

- Engagement by the artist with a significant variety of City of Vincent community members. This would include the artist making him or herself available for community interaction through such activities as open studios sessions, talks, workshops and artistic collaborations;
- The creation of a tangible artistic product e.g. a performance, piece of writing or art object or objects that in some way relates to the City of Vincent or the artist's experience in the City and its community. The theme of the work is to be based on the concept of 'a day in the life of the City';
- If appropriate the artist is to adopt the role of mentor towards younger artists in the City of Vincent;
- A portion of the work made during the residency to become the property of The City of Vincent; and
- The artist would also make him or herself available for publicity during the period of the residency.

CONSULTATION/ADVERTISING:

The Artist in Residence Programme was advertised State-wide, nationally and internationally through such organisations as Artsource (The Artists Foundation of Western Australian) and its national and international counterparts.

A publicity campaign will also be created to promote the artist's residency to the residents of the City and to the broader community; this would include flyers, posters, and newspaper advertisements. The arts community who it is expected to be keenly interested in the RG residency will also be specifically targeted with promotional emails and bulletins.

LEGAL/POLICY:

Nil.

RISK MANAGEMENT IMPLICATIONS:

Low: The artist would be required during the term of the residency to have insurance for public liability for an amount of not less than \$10,000,000.

STRATEGIC IMPLICATIONS:

In keeping with the *Strategic Plan 2011-2016*, Objective 3.1 states:

"Enhance and Promote Community Development and Wellbeing:

3.1.1 Celebrate, acknowledge and promote the City's Cultural and Social diversity."

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for this matter will be incurred under the following budgeted item:

Budget Amount:	\$30,000
Spent to Date:	\$0
This project/initiative:	\$30,000
Balance:	\$0

\$25,000 is to be paid to the artists and is to cover all programme costs, excluding publicity (this includes travel, accommodation, studio and gallery rent and materials). \$5,000 is to be spent on publicity, promotion and sundry costs.

COMMENTS:

REININGUNGSGESELLSCHAFT are a bold and innovative artists team that engage with, and challenge, the outlooks of the communities they work with. Their art practice is conducted with great commitment and enthusiasm; however, their serious intent does not preclude humour as an accessible tool of communication, as can be seen in a number of their past works.

It is anticipated that RG's proposed residency will resonate with the Vincent community who will identify with the local subject matter and are likely to be challenged and inspired by the transformations and reflections being presented by the artists.

It is therefore, recommended that REININGUNGSGESELLSCHAFT be appointed for the City of Vincent Artist in Residence Programme.

9.5.2 Social Media for the Public Sector Conference – 21 & 22 March 2012 – Melbourne Park Function Centre, Melbourne, Victoria

Ward:	-	Date:	2 March 2012
Precinct:	-	File Ref:	ADM0031
Attachments:	001 – Conference Program		
Tabled Items:	Nil		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

REVISED OFFICER RECOMMENDATION:

That the Council **AUTHORISES** a Councillor, Manager Information Technology and an Officer appointed by the Chief Executive Officer, to attend the Social Media for the Public Sector Conference 2012, from 21 and 22 March 2012, to be held at the Melbourne Park Function Centre, Melbourne & Olympic Parks, Melbourne, Victoria at an estimated cost of \$2,130 each.

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Maier

That the recommendation be amended to read as follows:

~~“That the Council **AUTHORISES** a Councillor, Manager Information Technology and an Officer appointed by the Chief Executive Officer, to attend the Social Media for the Public Sector Conference 2012, from 21 and 22 March 2012, to be held at the Melbourne Park Function Centre, Melbourne & Olympic Parks, Melbourne, Victoria at an estimated cost of \$2,130 each:~~

1. **RECEIVES** the report on the Social Media for the Public Sector Conference 2012; and
2. **RESOLVES** not to send any delegates to the Social Media for the Public Sector Conference 2012 at this point in time.”

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.5.2

That the Council:

- RECEIVES** the report on the Social Media for the Public Sector Conference 2012; and
- RESOLVES** not to send any delegates to the Social Media for the Public Sector Conference 2012 at this point in time.

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval for the Manager Information Technology and an Officer (to be appointed by the Chief Executive Officer) and up to one Council Member, to attend the Social Media for the Public Sector Conference 2012, to be held from 21 and 22 March 2012, at the Melbourne Park Function Centre, Melbourne & Olympic Parks, Melbourne, Victoria.

BACKGROUND:

At the Ordinary Meeting of Council held on 28 February 2012, the Council considered the matter of Social Media and in response to a Notice of Motion from Cr Carey, resolved as follows:

"That the Council REQUESTS the Chief Executive Officer to prepare a Social Media Plan for the City of Vincent, which includes promptly establishing a Facebook page and a Twitter account, as well as any other platforms as necessary."

The Social Media for the Public Sector Conference 2012 will present practical Information and case studies showcasing the successful use of social media and provide attendees with a vital resource that can be used to build their organisation's social media presence.

DETAILS:

As the popularity of social media continues to grow, so too does the need for the public sector to develop a social media presence and connect with the community through these communication channels. Social media has become a powerful community engagement tool, offering the opportunity to interact with the community, deliver services and obtain feedback that is unmatched by traditional means of communication.

The Social Media for the Public Sector Conference will present practical information and case studies showcasing the successful use of social media and provide attendees with a vital resource that can be used to build their organisation's social media presence.

At the Social Media for the Public Sector Conference, the following topics will be covered:

- How to develop a social media strategy for your organisation;
- Engaging with the community using social media;
- Integrating social media into your existing communication strategies;
- Building your brand through social media;
- Measuring the success of your social media campaign;
- Managing the risks and rewards of social media;
- "Secrets" to social media success – lessons learned from experience; and
- Social media for community engagement.

Speakers will include:

- Cheryl Hardy, Manager eGovernment Research, Information Victoria, Department of Business and Innovation;
- Tracey Sen, Director Corporate Communication, Department of Education and Training (NSW);
- Jacqui van Teulingen, Director of Web Policy, Australian Government Information Management Office, Department of Finance and Deregulation;
- John Nevins, Chief Executive Officer, City of Kingston;
- Bernard de Broglio, Internet Coordinator, Mosman Council;
- Mal Chia, Digital Media Strategist, Marketing & Strategic Communications, The University of Adelaide;
- Emma Smith, Media & Communications Co-ordinator, Frankston City Council;

- Trevor Gosbell, Change and Communications Manager (Research Services), Information Technology Services, the University of Melbourne;
- Richard Carroll, Election Advertising and Communication Officer, NSW Electoral Commission; and
- Christine Mackenzie, CEO, Yarra Plenty Regional Library and Felicity Gilbert, New Technologies Coordinator, Yarra Plenty Regional Library.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

Policy No. 4.1.15 relating to Conferences – Clause 1.1 (i) states:

- “(i) When it is considered desirable that the Council be represented at an interstate conference, up to a maximum of one Council Member and one Officer may normally attend unless otherwise approved by the Council;*
- (ii) In certain circumstances (for example where the Conference is of a technical nature) the Chief Executive Officer may recommend that two (2) Employees attend. In this instance, the Chief Executive Officer will specify reasons in the report to the Council.”*

Previous Attendance

Nil.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

In keeping with the City's Strategic Plan 2011-2016 – Objective 4.2 – *“Provide a safe, positive and desirable workplace”*.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Cost per person

Conference registration:	\$ 900
Economy Airfare/transfers (Including taxes):	\$ 500
Accommodation (2 nights @ \$250):	\$ 500
Expense Allowance (2 days):	<u>\$ 230</u>
Total:	\$2,130

COMMENTS:

The Chief Executive Officer has direct responsibility for Communications, media and public relations. The Social Media Plan will be coordinated by the City's Communication Officer with heavy involvement from the Information Technology Section and other Sections. [However, the City's Communication Officer recently resigned and recruitment of a replacement has commenced.]

The City would benefit from an Officer (to be appointed by the Chief Executive Officer) who will be primarily involved in the preparation of the Social Media Plan, to also attend the conference.

It is therefore recommended that approval be granted for up to one Council Member, Manager Information Technology and an Officer appointed by the Chief Executive Officer to attend the Social Media for the Public Sector Conference 2012 to be held at the Melbourne Park Function Centre, Melbourne & Olympic Parks, Melbourne, Victoria on 21 and 22 March 2012.

9.5.3 Deliberative Democracy Forum – City of Vincent

Ward:	-	Date:	6 March 2012
Precinct:	-	File Ref:	ORG0031
Attachments:	001 – Participant’s Report 002 – Deliberative Democracy Forum Agenda 003 – Local Government Sustainability Overview – WALGA 004 – City of Vincent Sustainability Rating 2009 005 – Mayor’s Overview – Boundary Options		
Tabled Items:	Nil		
Reporting Officer:	John Giorgi, Chief Executive Officer		
Responsible Officer:	John Giorgi, Chief Executive Officer		

REVISED OFFICER RECOMMENDATION:

That the Council;

1. **RECEIVES** the report of the City of Vincent Deliberative Democracy Forum held on 25 February 2012 as shown in Appendix 9.5.3A (001); and
2. **ADVISES** the Minister for Local Government and the Independent Review Panel that the City of Vincent Deliberative Democracy Forum held on 25 February 2012 favoured change over “no change” and, on the basis of the options presented, the strongly preferred option was, “expansion of the borders to include, some or all of the following suburbs:
 - Mount Lawley;
 - Menora;
 - Coolbinia;
 - Inglewood;
 - Maylands; and/or
 - East Perth/Claisebrook;”
3. **SUBMITS** a copy of the Deliberative Democracy Forum report to the Minister for Local Government and the Independent Review Panel;
4. **ADVISES** the Minister for Local Government and the Independent Review Panel that the Council endorses the view that the preferred option for local government reform is to join with other like suburbs in the immediate vicinity, creating a municipality with a population of up to 50,000 people. This endorsement is based on balancing of the key principles:
 - Ensuring long term financial sustainability;
 - Ensuring a critical mass for efficient delivery of outstanding community services;
 - Protecting and enhancing the sense of community through a shared local character of built form, sensitivity to local heritage and history, and structure of the urban environment;
 - Fostering vibrant Town Centres with an urban village atmosphere; and
 - Delivering the diversity of housing choice, economic and employment opportunities for a cosmopolitan inner city community; and
5. **AUTHORISES** the Mayor and Chief Executive Officer to meet with the Minister for Local Government, Independent Review Panel and other persons concerning the City’s Deliberative Democracy Report and the Council’s resolution.

Note: *The above Officer Recommendation was Revised and distributed prior to the meeting.*

Moved Cr Topelberg, Seconded Cr McGrath

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Topelberg, Seconded Cr Maier

That:

1. clause 2 be amended to read as follows:
 - “2. ~~ADVISES the Minister for Local Government and the Independent Review Panel~~ **NOTES** that the City of Vincent Deliberative Democracy Forum held on 25 February 2012 favoured change over “no change” and, on the basis of the options presented, the strongly preferred option was, “expansion of the borders to include, some or all of the following suburbs:...”
2. clause 3 be renumbered clause 4; and
3. clause 4 be renumbered clause 3.

AMENDMENT PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (7-0)

(Cr Carey was on approved leave of absence. Cr Harley was an apology for the Meeting.)

COUNCIL DECISION ITEM 9.5.3

That the Council;

1. **RECEIVES** the report of the City of Vincent Deliberative Democracy Forum held on 25 February 2012 as shown in Appendix 9.5.3A (001); and
2. **NOTES** that the City of Vincent Deliberative Democracy Forum held on 25 February 2012 favoured change over “no change” and, on the basis of the options presented, the strongly preferred option was, “expansion of the borders to include, some or all of the following suburbs:
 - Mount Lawley;
 - Menora;
 - Coolbinia;
 - Inglewood;
 - Maylands; and/or
 - East Perth/Claisebrook;”

3. **ADVISES the Minister for Local Government and the Independent Review Panel that the Council endorses the view that the preferred option for local government reform is to join with other like suburbs in the immediate vicinity, creating a municipality with a population of up to 50,000 people. This endorsement is based on balancing of the key principles:**
 - **Ensuring long term financial sustainability;**
 - **Ensuring a critical mass for efficient delivery of outstanding community services;**
 - **Protecting and enhancing the sense of community through a shared local character of built form, sensitivity to local heritage and history, and structure of the urban environment;**
 - **Fostering vibrant Town Centres with an urban village atmosphere; and**
 - **Delivering the diversity of housing choice, economic and employment opportunities for a cosmopolitan inner city community;**
4. **SUBMITS a copy of the Deliberative Democracy Forum report to the Minister for Local Government and the Independent Review Panel; and**
5. **AUTHORISES the Mayor and Chief Executive Officer to meet with the Minister for Local Government, Independent Review Panel and other persons concerning the City's Deliberative Democracy Report and the Council's resolution.**

PURPOSE OF REPORT:

To advise the Council of the outcome of the Deliberative Democracy Forum held on 25 February 2012 and obtain approval to advise the Minister for Local Government and the Independent Review Panel.

BACKGROUND:

Previous Reports

The Council previously considered the matter of local government reform at the Ordinary Meetings of Council held on 7 September 2005, 20 December 2005, 16 March 2009, 28 April 2009, 7 July 2009 and 25 August 2009, 22 September 2009, 9 March 2010, 7 December 2010 and 20 December 2011.

Review of local government boundaries in Perth

On 24 June 2011 the Minister for Local Government announced:

The appointment of a high level independent panel to examine the social, economic and environmental challenges facing Perth.

The panel will be responsible for recommending appropriate boundaries and governance models for local governments in the Perth metropolitan area.

The panel is chaired by Professor Alan Robson, vice chancellor of The University of Western Australia. Other members are Dr Peter Tannock, former vice chancellor of the University of Notre Dame Australia and Dr Sue van Leeuwen, Chief Executive Officer of Leadership WA.

Terms of Reference

The review's terms of reference are to:

- *Identify current and anticipated specific regional, social, environmental and economic issues affecting, or likely to affect, the growth of metropolitan Perth in the next 50 years;*
- *Identify current and anticipated national and international factors likely to impact in the next 50 years;*

- *Research improved local government structures, and governance models and structures for the Perth metropolitan area, drawing on national and international experience and examining key issues relating to community representation, engagement, accountability and State imperatives among other things the panel may identify during the course of the review;*
- *Identify new local government boundaries and a resultant reduction in the overall number of local governments to better meet the needs of the community;*
- *Prepare options to establish the most effective local government structures and governance models that take into account matters identified through the review including, but not limited to, community engagement, patterns of demographic change, regional and State growth and international factors which are likely to impact; and*
- *Present a limited list of achievable options together with a recommendation on the preferred option.*

The Minister said it would be the panel's objective to submit recommendations to him by June 2012 on optimal local government structures or governance, resulting in the drawing of new local government boundaries.

Previous Council Decision

This matter was considered at the Ordinary Meeting of Council 20 December 2011 whereby it resolved as follows:

"That the Council;

1. *ADVISES the Minister that:*
 - 1.1 *the City of Vincent Council believes the City is sustainable at its current size and amalgamation is not necessary for the proper function of local government in our area;*
 - 1.2 *given that the State Government has indicated it intends to reduce the number of metropolitan local governments, the City of Vincent will be convening a deliberative democracy exercise with its residents to consider a number of options for reshaping its boundaries; and*
 - 1.3 *this deliberative democracy exercise will be held in February 2012 and the Council will consider and submit a report to the Panel by the end of that month;*
3. *AUTHORISES the Mayor and Chief Executive Officer to:*
 - 3.1 *progress deliberative democracy exercise;*
 - 3.2 *finalise the City's draft submission (including the City's Structural Reform Submission – 2009) to the Review Panel shown in Appendix 9.5.3D and for this to be submitted to the Review Panel by 23 December 2011; and*
 - 3.3 *provide a deputation to present the City's submission to the Metropolitan Local Government Review Panel; and*
4. *NOTES that a further report will be submitted to the Council after the proposed deliberative democracy exercise has been held."*

CONSULTATION/ADVERTISING:

Once the Council has approved of this matter, a copy of the Panel's Review is shown on the City's Website.

The Mayor and Chief Executive Officer made presentations to the hearings conducted by the Independent Panel.

Deliberative Democracy Forum

Deliberative democracy rests on the core notion of citizens and their representatives deliberating about public problems and solutions under conditions that are conducive to reasoned reflection and refined public judgment; a mutual willingness to understand the values, perspectives, and interests of others; and the possibility of reframing their interests and perspectives in light of a joint search for common interests and mutually acceptable solutions.

It is thus often referred to as an open discovery process, rather than a ratification of fixed positions, and as potentially transforming interests, rather than simply taking them as given.

Deliberative democracy introduces a different kind of citizen voice into public affairs than that associated with raw public opinion, simple voting, narrow advocacy, or protest from the outside.

The Facilitator

The City engaged Professor Janette Harzt Karp from Curtin University to facilitate the Forum. She has considerable experience with use of this model for community engagement.

The City's Administration held several meetings with the consultant to verify the format of the Forum and coordinate the organisation of the day, this included a training session in the use of the computer system used at the Forum.

Councillors and staff members contributed to the success of the day by participating as facilitators and theme team members.

The Process

Invitations were sent to thirteen hundred (1,300) randomly selected members of the community (by the WA Electoral Commission) and on the day ninety (90) community members and business representatives attended the Forum, which was held at the City of Vincent Administration and Civic Centre.

Forum Agenda (Appendix 9.5.3B)

The Forum involved the following:

- Mayor's Welcome and Address;
- Facilitator's Introduction;
- Table Introduction of Participants and Discussion;
- Panel Presentations:
 - What makes Local Government sustainable? WALGA – Executive Manager Governance & Strategy, Tony Brown;
 - Vincent's 2009 Sustainability Rating 2009 – City of Vincent Chief Executive Officer, John Giorgi; and
 - Overview and Boundary Option Pro's and Con's – City of Vincent Mayor Hon. Alannah MacTiernan;
- Table Discussions concerning priority and options were held, including:
 - What do you value most about living and working in Vincent;
 - What do you most value or expect from your Local Government;
 - What are the criteria which should be used to judge the boundary options; and
 - What are the top 5 criteria that are the most important when judging boundary options; and
- Distribution of Participant Forum Report.

Participants completed a feedback form on the day, however these are yet to be finalised by the Facilitator. There was general agreement that this type of community engagement forum was worthwhile and there was extremely positive feedback from those participants who attended.

A copy of the Participant's Report dated 25 February 2012 is shown at Appendix 9.5.3A.

LEGAL/POLICY:

Any local government boundary amendment is subject to the provisions of Schedule 2.1 of the Local Government Act 1995, relating to creating, changing the boundaries of, and abolishing districts.

RISK MANAGEMENT IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Deliberative Democracy Forum

Chief Executive Officer Presentation

City of Vincent's Sustainability Rating 2009

As part of Stage 1 of the Structural Reform process, the City submitted its Checklist on 30 April 2009. The Checklist was then assessed by the Local Government Reform Steering Committee and was placed in Category One which *“indicates that there is existing organisational and financial capacity to meet current and future community needs. Local governments should still consider reform opportunities which enhance service provision to local and regional communities.”*

SUSTAINABILITY IMPLICATIONS:

The City is in a strong financial position, with considerable funds in reserve, debts covered by money-back guarantees, considerable future revenue from its share of the Tamala Park land and with potential income from the future redevelopment in Leederville.

FINANCIAL/BUDGET IMPLICATIONS:

The City's Budget 2010/2011 does not include any funds to cover any costs associated with the structural reform review. However, no specific funds are required. Costs for the Forum were:

Deliberative Democracy Forum Costs

Description	Amount
Curtin University Consultancy	\$16,700
IT Consultant Airfare	\$565
West Australian Electoral Commission	\$1,000
Catering	\$2,114
Hire of Laptops	\$2,000
Cable protectors	\$392
TOTAL	\$24,312

COMMENTS:

It is considered that the City of Vincent's Deliberative Democracy Forum was very successful and provided an excellent opportunity for the Council to influence the reform of local government in the metropolitan area.

The Forum resulted in following outcomes:

• **What do you value most about living and working in Vincent (as shown in Appendix 9.5.3A – Input Session 1, page 3);**

The following comments were provided:

- Local Democracy is strong, good relation with Council and local residents – being included in the decision making process.
- Strong sense of community.
- Maintenance and cleanliness of amenities.
- Pleasant natural environment.
- Diversity of people and the built environment – cosmopolitan character.
- Areas of heritage significance are preserved.

- **What do you most value or expect from your Local Government (as shown in Appendix 9.5.3A – Input Session 2, page 4);**
The following comments were provided:
 - Transparency in governance and decision making process.
 - Responsible and accountable administration.
 - Two way dialogue between the Council and residents.
 - Thinking globally in planning and sustainability.
 - Revenue management – keeps rates reasonable.
 - Quality services.
- **What are the criteria which should be used to judge the boundary options (as shown in Appendix 9.5.3A – Input Session 3, page 5);**
The following comments were provided:
 - Financial viability.
 - Democratic influence – maintain voting strength of Vincent residents.
 - Appropriate geographical boundaries.
 - Community of interests – including “like-mindedness in resident aspirations”.
 - Population size – not too big.
 - Capacity to provide services.
- **What are the top 5 criteria that are the most important when judging boundary options (as shown in Appendix 9.5.3A – Input Session 4, page 8);**
The following comments were provided in order of preference:
 - Financial viability.
 - Community of interest.
 - Capacity to provide services.
 - Appropriate geographical boundaries.
 - Population size – optimum of population.
 - Democratic influence.
- **What options best fit financial viability (as shown in Appendix 9.5.3A – Input Session 6, page 11);**
The following comments were provided in order of preference:
 - Expansion of borders to include one or all of the following suburbs.
 - Mount Lawley;
 - Menora;
 - Coolbinia;
 - Inglewood;
 - Maylands; and/or
 - East Perth/Claisebrook;
 - Not change.
 - Amalgamation with the City of Perth.
 - Complete redrawing of adjoining boundaries to create a City of 100,000.
- **Overall which of the following 4 options if your preferred top option (as shown in Appendix 9.5.3A – Input Session 10, page 17);**
The following comments were provided in order of preference:
 - Expand the City’s boundaries to including one or all of the following suburbs:
 - Mount Lawley;
 - Menora;
 - Coolbinia;
 - Inglewood;
 - Maylands; and/or
 - East Perth/Claisebrook;
 - No change.
 - Amalgamation with the City of Perth.
 - Complete redrawing of adjoining boundaries to create a City of 100,000.

After considering all matters, including current government policy, the Forum overwhelmingly supported expansion over “no change”.

The clear preference for expansion was adding some or all of a number of neighbouring suburbs to provide an expansion of the City to between 37,000 and 50,000 population.

Accordingly, the Council’s approval of the Officer Recommendation is requested.

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

Nil.

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, Mayor Hon. Alannah MacTiernan, declared the meeting closed at 7.25pm with the following persons present:

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Warren McGrath (<i>Deputy Mayor</i>)	South Ward
Cr Matt Buckels	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
Cr Julia Wilcox	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Anita Radici	Executive Assistant (Minutes Secretary)
Lauren Peden	Journalist – <i>“The Guardian Express”</i>

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 13 March 2012.

Signed:Presiding Member
Mayor Hon. Alannah MacTiernan

Dated this day of 2012