



TOWN OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

3 NOVEMBER 2009

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INDEX (3 NOVEMBER 2009)

ITEM	REPORT DESCRIPTION	PAGE
9.1 DEVELOPMENT SERVICES		
9.1.1	Nos. 234 and 240 (Lots: 302 and 136) Stirling Street, Perth - Proposed Demolition of Two (2) Existing Single Houses and Construction of a Three-Storey Mixed Use Development Comprising Offices, Four (4) Single Bedroom Multiple Dwellings, Eight (8), Two Bedroom Multiple Dwellings and Associated Car Parking (PRO3953; 5.2008.491.1)	37
9.1.2	No. 252 (Lot: 7, D/P: 101) Stirling Street, Perth – Change of Use from Office to Medical Consulting Rooms (Periodontist) (PRO4807; 5.2009.298.1)	50
9.1.3	No. 478 (Lot: 100, D/P: 89091) William Street, Corner Bulwer Street, Perth - Proposed Change of Use from Office to Medical Consulting Room (Dental Clinic) (PRO0508; 5.2009.313.1)	8
9.1.4	Nos. 201-207 (Lots: 143 and 146, D/P: 594) Beaufort Street, Perth and Nos. 28-32 (Lots: 144 and 145, D/P: 594) Lindsay Street, Perth – Proposed Change of Use from Offices and Community Hall to Offices, Community Hall and Unlisted Use (Internet Café) and Associated Signage – Application for Retrospective Approval (PRO0283; 5.2009.8.1)	54
9.1.5	East Perth Redevelopment Authority – Amendment to New Northbridge Design Guidelines (PLA0022)	12
9.1.6	ME Bank Stadium (Perth Oval) – Adoption of Signage Strategy (PRO0510)	59
9.1.7	Proposed Review of the Metropolitan District Emergency Management Committee Structure (ORG0044)	17
9.1.8	Responsible Pet Ownership - Open Day at Woodville Reserve on 22 November 2009 (ENS0059)	63
9.1.9	Proclamation of the Food Act 2008 (LEG0061)	20
9.2 TECHNICAL SERVICES		
9.2.1	Proposed Western Power Ring Main Unit & Transformer Installation – Robertson Park, Stuart Street, Perth (RES0066/TES0552) Hyde Park Precinct	66
9.2.2	Traffic Management Matter – Anzac Road, Leederville/Mt Hawthorn – Further Report (TES0021) Leederville Precinct	69
9.2.3	Proposed Introduction of Two (2), Fifteen (15) Minute Parking Bays – Oxford Street, Leederville (PKG0015) Leederville Precinct	25
9.3 CORPORATE SERVICES		
9.3.1	Draft Framework Agreement between State and Local Government for the Provision of Public Library Services in Western Australia (CMS0002)	72
9.3.2	Cultural Development Seeding Grant Application - Mount Hawthorn Community Church (FIN0155)	27

9.4 CHIEF EXECUTIVE OFFICER

9.4.1	Use of the Council's Common Seal (ADM0042)	29
9.4.2	Council Meeting Dates and Times for 2010 – Approval (ADM0016)	78
9.4.3	Forum – Schedule of Dates 2010 – Approval (ADM0066)	32
9.4.4	Purchase of 81 Angove Street, North Perth (PRO2919)	80
9.4.5	ME Bank Stadium Management Committee Meeting - Receiving of Unconfirmed Minutes - 19 October 2009 (RES0082)	34
9.4.6	Appointment of Council Members and Officers to various Statutory Committees and Authorities, Advisory and Working Groups (ADM0030)	91
9.4.7	Information Bulletin	36

10. COUNCIL MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.	129
------	-----

11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN (Without Discussion)

Nil.	129
------	-----

12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES

Nil.	129
------	-----

13. URGENT BUSINESS

Nil.	129
------	-----

14. CONFIDENTIAL ITEMS / MATTERS FOR WHICH THE MEETING MAY BE CLOSED ("*Behind Closed Doors*")

Nil.	129
------	-----

15. CLOSURE

129

Minutes of the Ordinary Meeting of Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 3 November 2009, commencing at 6.00pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania, declared the meeting open at 6.00pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Nil.

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Matt Buckels	North Ward
Cr Anka Burns	South Ward
Cr Steed Farrell	North Ward
Cr Taryn Harvey	North Ward
Cr Sally Lake (<i>Deputy Mayor</i>)	South Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
John Hyde, MLA	Member for Perth, Shadow Minister for Cultural and the Arts

Approximately 14 Members of the Public

(c) Members on Approved Leave of Absence:

Nil.

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

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

1. Ron Frank of Renals Pty Ltd, 228-230 Stirling Street, Perth – Item 9.1.1. Stated the following:
 - As ratepayers of the area they brought into the area looking for a suitable lifestyle.
 - Considers the proposed development to be unacceptable as it will generate additional traffic and the current road system will not cope.
 - Considers there will not be sufficient parking for the visitors and it will impinge upon the existing businesses and people in the area.
 - Concerned that the electrical and telephone reticulation of that area will become overloaded. Stated there is already a known problem with electricity in the area, which Western Power are reluctant to upgrade.Requested the Council not to approve the development.

John Hyde, MLA entered the Chamber at 6.05pm.

The Presiding Member, Mayor Nick Catania welcomed Mr Hyde.

2. John Pintabona of 5 Lynmouth Road, Dianella – Petition 5.1. Read out the Petition. Stated they have collected 114 signatures mainly from Fairfield, Flinders and Hobart Streets who are mainly directly impacted by the Hotel and therefore they did not feel it was necessary to go any further. Asked for Council's support for the objection as there would be no public interest in having the conditions removed and the removal of conditions could cause undue harm and illness to people from the consumption of alcohol. Stated that if the conditions were to be removed it could cause a continuation of unduly offences, annoyance, disturbance and inconvenience to those who reside in the area. Believed the amenities of the local area would also be affected. Advised that the conditions were placed on the Licence by the Director of Liquor Licensing in 2004, subject to residents making a complaint, as he felt the necessity to have the conditions to support the residents. Believed that if the conditions are removed the good order will be affected and they would be back at status quo and having to deal with issues.
3. Sandra Nocum of 31 Fairfield Street, Mt Hawthorn – Petition 5.1. Expressed her frustration about the Paddington Alehouse and their clientele, which she states is having an adverse affect on her. Stated the following objections:
 - excessive noise from music and patrons continues until 12.30am;
 - she is afraid to walk around at night;
 - is embarrassed to invite friends over to have them witness unsavoury acts from the patrons;
 - antisocial behaviour such as street drinking, public obstructing traffic, damaging property, knocking on doors after midnight, doing burnouts, urinating on verge trees, front gardens and car parks and this not only from men; and
 - excessive litter not being collected – tabled photographs.Believed the Liquor Licence conditions are not being taken seriously and is concerned that if conditions are removed the situation will only get much worse. Urged Council to support the residents.
4. Leslie Palmer of 29 Fairfield Street, Mt Hawthorn – Petition 5.1. Fully supported the previous speaker. Advised that she appreciates the security in place and she has used them a number of times as trying to move people along and out of the street after 12.30am. Stated that they have actually built a 6 foot wall in front of their house due to the constant amount of bottles being thrown into their garden although, they still constantly have people knocking on their door at midnight. Therefore now they have to lock themselves inside so people do not physically go in as she has previously had an intoxicated person, covered in blood, enter her house and abuse her with a 2 year old child there and she had to call the Police and the Paddington to remove them. Stated that she constantly attends resident meetings however nothing seems to change.
5. Ashley Richards of Parker Street, East Fremantle – Item 9.1.1. Stated his support of the Officers Recommendation. Advised that they have worked with the Planning Officer's over a period of time to ensure that all issues raised have been addressed with amended plans, including issues relating to bulk and height.

There being no further speakers, public question time closed at approx. 6.15pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Refer to IB01 – Letter to Mr A. Lapere, Carr Place, Leederville.

4. APPLICATIONS FOR LEAVE OF ABSENCE

- 4.1 Cr Steed Farrell requested leave of absence from the Ordinary Meeting of Council to be held on 17 November 2009, due to work commitments.
- 4.2 Cr Joshua Topelberg requested leave of absence from 19 to 29 November 2009 (inclusive), due to personal commitments.

Moved Cr Maier, Seconded Cr Burns

That Cr Steed Farrell and Cr Joshua Toppelberg's requests for leave of absence be approved.

CARRIED (9-0)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND PRESENTATIONS

- 5.1 A part petition was received from Mr J Pintabona of Fairfield Street, Mt Hawthorn, along with 26 initial signatures received 25 October 2009 and a further 88 signatures received 30 October 2009, concerning the Paddington Alehouse Hotel Mount Hawthorn RGL.
- 5.2 A petition was received from Mr T Tran, Mr C Ho, Mr S Saksrinapakul and Mr K Lam, Business Proprietors of c/o Brisbane Street, Perth, along with 435 signatures, requesting the Town review its Paid Parking Policy along Brisbane Street, Perth.

The Chief Executive Officer recommended that both petitions be received and referred to the Director Development Services for investigation and report.

Moved Cr Lake, Seconded Cr McGrath

That the Petitions be received, as recommended.

CARRIED (9-0)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

- 6.1 Minutes of the Special Meeting of Council held on 20 October 2009.

Moved Cr Farrell, Seconded Cr Topelberg

That the Minutes of the Special Meeting of Council held 20 October 2009 be confirmed as a true and correct record.

CARRIED (9-0)

- 6.2 Minutes of the Ordinary Meeting of Council held on 20 October 2009.

Moved Cr Maier, Seconded Cr Burns

That the Minutes of the Ordinary Meeting of Council held 20 October 2009 be confirmed as a true and correct record.

CARRIED (9-0)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Welcome to John Hyde, MLA

I have pleasure in welcoming our local State Member John Hyde, MLA to the Meeting.

As you know John was a Councillor at the Town of Vincent from 9 May 1995 to 3 May 1999 and Mayor of the Town from 3 May 1999 to 16 February 2001.

7.2 Employee of the Month Award for the Town of Vincent for November 2009

As members of the public will know, the Council recognises its employees by giving a monthly award for outstanding service to the Ratepayers and Residents of the Town. The recipients receive a \$100 voucher, kindly donated by the North Perth Community Bank, and a Certificate.

For NOVEMBER 2009, the award is presented to Diana Rose Community Development Officer in the Town's Community Development Section.

Diana was nominated by the Mayor Nick Catania, who is the current Chair of the Leederville Gardens Retirement Village Board, for the following reasons:

Diana works actively with residents at Leederville Gardens Retirement Village who are struggling with living independently. This includes residents with age-related illnesses including dementia, macular degeneration, as well as those who experience mishaps by way of falls. There are residents that unexpectedly need to go into hospital rather quickly and then are returned to their Villa with no follow-up medical support. Some of these residents have struggled to be able to follow instructions on medication or even cope with day-to-day tasks such as cooking, showering and cleaning.

Diana visits these residents and assesses their needs, with appropriate referrals to agencies. She however often works beyond the call of duty as she perseveres to ensure that residents are comfortable and puts appropriate care services in place. Diana will also consistently follow-up with residents to check in on the quality and adequacy of service provided and will often advocate on behalf of the resident to make certain that they receive the level of care as required. Diana also actively liaises with the doctors and family members to assist with alternative accommodation once it has been determined that hostel or nursing house accommodation is the best care option.

A letter was also received from one of the residents at Leederville Gardens whose husband is suffering from late stage Alzheimer's disease, Mrs Joan Carey, thanking Diana for her tremendous help and stating what a "fantastic" lady Diana is.

Congratulations Diana - and well done!

Received with Acclamation!

7.3 Welcome to Department of Local Government Guests

I would also like to welcome Paul Terrett, Governance Principal Officer, along with Brendan Peyton, Manager, Governance and Legislation and the review team, Jade Hall and David Baker from the Department of Local Government.

The Chief Executive Officer has kindly offered the Town of Vincent as a pilot program with the Department of Local Government to trial and carry out a Best Practice Review Assessment Program.

The Officers will be working with the Town's Senior Officers with the trial program, which is already in place in a number of Eastern States local governments. The program covers such areas as Governance, Strategic Planning, Financial Matters, Development Processes, Workforce and Community Consultation.

Feedback will assist the Department to refine the program and provide valuable experience to their Officers and also will be of benefit to the Town to improve areas which are identified in the review.

John Hyde, MLA addressed the meeting as follows:

"I am delighted to be back both as the Local Member for 90% of the Town of Vincent but also as the only living ex-Mayor of the Town of Vincent. I particularly wanted to come along early in this term as we have got a number of new Councillors and I congratulate you on your election. This is the seventh turnover of Councillors and while I'm the only former elected member in the room who was elected in 1995, some of our esteemed officers have seen off hordes of elected personnel.

I am also delighted to see a reasonably healthy public gallery as the Town of Vincent in 1995 embraced public speaking as part of the Agenda to the fullest extent that the changes to the Local Government allowed and I am delighted that as some other Councils have cut it back and constricted public input, Vincent has continued to encourage community input.

I am delighted to be here and as a former Mayor I have particularly stayed away from getting involved in Council issues knowing full well the difference between local and state government but as always, I am available to help in whatever state government matters that I can.

Thank you very much for the invitation and I look forward to speaking informally with the Councillors later as well."

8. DECLARATIONS OF INTERESTS

- 8.1 Cr Burns declared an interest affecting Impartiality in Item 9.1.4 – Nos. 201-207 (Lots: 143 and 146, D/P: 594) Beaufort Street, Perth and Nos. 28-32 (Lots: 144 and 145, D/P: 594) Lindsay Street, Perth – Proposed Change of Use from Offices and Community Hall to Offices, Community Hall and Unlisted Use (Internet Café) and Associated Signage – Application for Retrospective Approval. The extent of her interest being that the applicant is a client of the firm she was previously employed with (legal firm) and that she has acted for the applicant previously. She stated that she no longer acts for the applicant and has not done so since January 2009. She further states that as a consequence there may be a perception that her impartiality in the matter may be affected. She declared that she would consider this matter on its merits and vote accordingly.

- 8.2 Cr Farrell declared an interest affecting Impartiality in Item 9.1.9 – Proclamation of the Food Act 2008. The extent of his interest being that his father’s business is associated with Local Government Food Analytical Services. He stated that as a consequence there may be a perception that his impartiality in the matter may be affected. He declared that he would consider this matter on its merits and vote accordingly.
- 8.3 The Chief Executive Officer, John Giorgi, JP declared an interest affecting Impartiality in Item 9.1.6 – ME Bank Stadium (Perth Oval) – Adoption of Signage Strategy. The extent of his interest being that he has a professional relationship only with the applicant and day to day contact with the Chief Executive Officer of the Company and the relative staff members. Stated apart from the matter being raised at a Stadium Committee Meeting several months ago, he has not had any involvement with the preparation of this current report or the Sign Strategy, other than my normal vetting of the Agenda.

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

Nil.

10. REPORTS

The Presiding Member, Mayor Nick Catania, 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:**

Item 9.1.1.

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

Items 9.1.1, 9.4.4 and 9.4.6.

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

Nil.

Presiding Member, Mayor Nick Catania, requested Council Members to indicate:

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

Cr Farrell	Nil.
Cr Topelberg	Items 9.1.2, 9.1.6, 9.2.1.
Cr Buckels	Nil.
Cr McGrath	Nil.
Cr Harvey	Nil.
Cr Lake	Item 9.2.2.
Cr Burns	Nil.
Cr Maier	Items 9.1.4, 9.1.8, 9.3.1 and 9.4.2.
Mayor Catania	Nil.

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

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

Items 9.1.3, 9.1.5, 9.1.7, 9.1.9, 9.2.3, 9.3.2, 9.4.1, 9.4.3, 9.4.5 and 9.4.7.

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

Nil.

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

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

Items 9.1.3, 9.1.5, 9.1.7, 9.1.9, 9.2.3, 9.3.2, 9.4.1, 9.4.3, 9.4.5 and 9.4.7.

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

Item 9.1.1.

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

Moved Cr Farrell, Seconded Cr Harvey

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

Items 9.1.3, 9.1.5, 9.1.7, 9.1.9, 9.2.3, 9.3.2, 9.4.1, 9.4.3, 9.4.5 and 9.4.7.

CARRIED (9-0)

9.1.3 No. 478 (Lot: 100, D/P: 89091) William Street, Corner Bulwer Street, Perth - Proposed Change of Use from Office to Medical Consulting Room (Dental Clinic)

Ward:	South	Date:	26 October 2009
Precinct:	Hyde Park-P12	File Ref:	PRO0508; 5.2009.313.1
Attachments:	001		
Reporting Officer(s):	R Narroo		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Calvin Koh Architects (Aust) Pty Ltd on behalf of the owner Primewest Developments Pty Ltd for proposed Change of Use from Office to Medical Consulting Room (Dental Clinic), at No. 478 (Lot: 100, D/P: 89091) William Street, Perth, and as shown on plans stamp-dated 19 August 2009 , subject to the following conditions:

- (i) this approval is for Medical Consulting Room use only, and any change of use from Medical Consulting Room shall require Planning Approval to be applied for and obtained from the Town prior to commencement of such use;*
- (ii) doors, windows and adjacent floor areas fronting William Street and Bulwer Street shall maintain an active and interactive relationship with these streets;*
- (iii) the Medical Consulting Room shall be limited to a maximum of 1 consulting room/consultant operating at any one time, as shown on the approved plans. Any increase in the number of consulting rooms/consultants shall require Planning Approval to be applied to and obtained from the Town;*
- (iv) the subject property shall not be used for massage activity of a sexual nature, prostitution, as a brothel business, as an agency business associated with prostitution, as an escort agency business, or the like;*
- (v) the hours of operation for the proposed Medical Consulting Room shall be limited to the following times: 9 am to 5 pm weekdays;*
- (vi) all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage; and*
- (vii) within twenty-eight (28) days of the issue date of this 'Approval to Commence Development', the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:*
 - (a) pay a cash-in-lieu contribution of \$2,055 for the equivalent value of 0.734 car parking spaces, based on the cost of \$2,800 per bay as set out in the Town's 2009/2010 Budget; OR*

(b) *lodge an appropriate assurance bond/bank guarantee of a value of \$2,055 to the satisfaction of the Town. This assurance bond/bank guarantee will only be released in the following circumstances:*

- (1) *to the Town at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or*
- (2) *to the owner(s)/applicant following receipt by the Town 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*
- (3) *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.

COUNCIL DECISION ITEM 9.1.3

Moved Cr Farrell, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

Landowner:	Primewest Developments Pty Ltd
Applicant:	Calvin Koh Architects (Aust) Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban and abutting Other Regional Roads (ORR) Town Planning Scheme No. 1 (TPS 1): Commercial and abutting ORR
Existing Land Use:	Mixed Use Development comprising Offices and Grouped Dwellings
Use Class:	Consulting Room (Dental Clinic)
Use Classification:	"AA"
Lot Area:	1022 square metres
Access to Right of Way	N/A

BACKGROUND:

7 December 2004 The Council at its Ordinary Meeting conditionally approved a three-storey mixed-use development comprising offices, and six (6), two-storey grouped dwellings, at No. 478 William Street, Perth.

11 October 2005 The Council at its Ordinary Meeting conditionally approved a three-storey mixed-use development, comprising offices, and six (6), two-storey grouped dwellings with respect to reconsideration of a condition.

8 September 2009 The Council at its Ordinary Meeting conditionally approved a change of use from office to non-medical consulting room (beauty salon) and shop (hairdressing salon).

DETAILS:

The proposal involves the change of use from office to one consulting room (dental clinic). The operational hours will be 9 am to 5 pm, weekdays.

The applicant's submission is "*Laid on the Table*". The applicant has provided the following details:

"Please be advised that there is only one professional dentist and one consulting room only. The Autoclave room is a standard room for a Dental Clinic which is used for the on going daily cleaning of dental & surgical equipment only. It is also used for storage and maintenance of patient's dentures. This work is carried out by the same professional dentist."

ASSESSMENT:

The existing development has been strata-titled. If the parking requirement is calculated for the subject office and applying adjustment factors, then only an additional 0.812 bay is required. However, the existing office, which is subject to this application, is allocated 1 parking bay via strata-titling.

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Car Parking			
Car parking requirement (nearest whole number)			3 car bays
Medical Consulting Room (Dental Clinic): 3 parking bays per consulting room = 3			
Total = 3 bays			
Apply the adjustment factors.			(0.578)
<ul style="list-style-type: none"> ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.80 (development contains a mix of uses, where at least 45 per cent of the gross floor area is residential) ▪ 0.85 (within 400 metres of an existing public car park with in excess of 75 car bays) 			1.734 car bays
Minus the car parking provided on-site			1 car bay
Minus the most recently approved on-site car parking shortfall after applying adjustment factors			Not applicable
Resultant shortfall			0.734 car bay
Bicycle Parking			
Given that the building is existing and bicycle parking facilities have already been provided on-site, there is no requirement for bicycle parking.			
Consultation Submissions			
Support (2)	No comments.		Noted.
Objections	Nil		Noted.
Department of Planning	The application was referred to the Department of Planning as the subject site abuts William and Bulwer Streets which are reserved as Category 2 Other Regional Road (ORR). The Department has no objection to the proposal.		Noted.

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

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

COMMENTS:

Car Parking

The Town's Policy relating to Parking and Access suggests that the Council may determine to accept a cash-in-lieu payment where the shortfall is greater than 0.5 car bay to provide and/or upgrade parking in other car parking areas in proximity of a development.

The Council at its Ordinary Meeting held on 8 September 2009, approved a car parking shortfall of 1.312 car bays for change of use from office to non-medical consulting room (beauty salon) and shop (hairdressing salon). With this new application, the total shortfall of car bays for the whole development, will be 2.046 car bays.

It is noted that the applicant has not yet paid the cash-in-lieu for the previous planning approval for change of use from office to non-medical consulting room (beauty salon) and shop (hairdressing salon). The additional shortfall of 2.046 car bays as a result of this application is not considered to have an impact on the surrounding area and it is considered the cash-in-lieu for the 0.734 car bay for the subject application, is acceptable. Moreover, the Medical Consulting Room will operate within business hours from Monday to Friday 9.00 am to 5 pm. Accordingly, it is considered that the intensity of the use is not dissimilar to that of an office use, and is supported.

In view of the above, the application is recommended for approval subject to standard and appropriate conditions. In this instance, the resultant car parking shortfall of 0.734 car bay would equate to a payment of \$2,055. The parking shortfall is not considered excessive given its locational context, and is therefore supported subject to a cash-in-lieu payment.

9.1.5 East Perth Redevelopment Authority – Amendment to New Northbridge Design Guidelines

Ward:	-	Date:	26 October 2009
Precinct:	-	File Ref:	PLA0022
Attachments:	-		
Reporting Officer(s):	E Lebbos		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to the East Perth Redevelopment Authority's (EPRA's) Revised Draft New Northbridge Design Guidelines as 'Laid on the Table'; and*
- (ii) *ADVISES the EPRA that the Council SUPPORTS IN PRINCIPLE the Revised Draft New Northbridge Design Guidelines as outlined in this report; however, has some concerns in relation to the procedures for approval as outlined in the Design Guidelines.*

COUNCIL DECISION ITEM 9.1.5

Moved Cr Farrell, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the East Perth Redevelopment Authority's proposed amendments to the *New Northbridge Design Guidelines* currently being advertised for public comment, and to provide a summary of the document to the Council.

BACKGROUND:

The *New Northbridge Design Guidelines* have been prepared by the East Perth Redevelopment Authority for land surrounding, and above, the Graham Farmer Freeway, in order to provide for the continued upgrade of Northbridge.

The Town has received a letter dated 15 October 2009 inviting the Town to comment on the proposed amendments to the *New Northbridge Design Guidelines*.

The *Design Guidelines* have been released for public comment, to ensure that the community has the opportunity to provide feedback on the proposed amendments prior to the *Design Guidelines* being finalised by the EPRA. Submissions close on 16 November 2009.

DETAILS:

Formulation of the *New Northbridge Design Guidelines* involved consultation with State and Local Government representatives as well as other professional consultants (that is, heritage architects, property consultants and engineers).

The document has been prepared by the EPRA to provide design guidelines and performance standards for development within the New Northbridge Project Area, and specifically relates to the following Precincts:

- Russell Square Precinct (Precinct 20);
- Lake Street Precinct (Precinct 21);
- Museum Street Precinct (Precinct 22);
- Lindsay Street Precinct (Precinct 23); and
- Parry Street Precinct (Precinct 24).

The *Design Guidelines* form an essential part of the upgrade of New Northbridge, addressing major heritage and technical issues. Although the Guidelines were initially prepared as separate documents for each Precinct, they have been compiled into one document (the *New Northbridge Design Guidelines*) containing generic as well as Precinct specific guidelines, in order to ensure consistency. The *Design Guidelines* are set out in the following manner:

- Section 1 – Core/Common Design Guidelines for all Precincts;
- Section 2 – Russell Square Precinct;
- Section 3 – Lake Street Precinct;
- Section 4 – Museum Street Precinct;
- Section 5 – Lindsay Street Precinct; and
- Section 6 – Parry Street Precinct.

Section 1 contains generic guidelines applicable to the entire Project Area. It includes an overview of the *Design Guidelines* and their relationship to the East Perth Redevelopment Scheme Text and planning policies, as well as general site planning, building design, car parking and access, heritage and other considerations, applicable to the Project Area.

Sections 2, 3, 4, 5, and 6 provide development standards, requirements and other considerations specific to the various Precincts. These Precinct specific Sections include maps of the relevant Precinct and a summary table outlining the preferred land use, the maximum number of residential dwellings per lot, maximum site coverage, and setback and height requirements among other things. These Sections are to be read in conjunction with Section 1 of the *Design Guidelines*.

CONSULTATION/ADVERTISING:

The EPRA is currently advertising the revised draft *Design Guidelines* for public comment; submissions are to be received by 16 November 2009.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

The Town of Vincent Strategic Plan 2009-2014 states;

“Natural and Built Environment

1.1 Improve and maintain the environment and infrastructure

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

1.1.3 Enhance, maintain the character and heritage of the Town.

Economic Development

2.1 *Progress economic development with adequate financial resources*

2.1.2 *Develop and promote partnerships and alliances with key stakeholders.”*

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

SUSTAINABILITY IMPLICATIONS:

The *New Northbridge Design Guidelines* include aspects of social, economic, and environmental sustainability. In particular, the proposed amendments incorporate additional requirements for sustainable environmental design.

Aspects of environmental sustainability have been addressed in the various Sections of the *Design Guidelines* relating to the various Precincts. They have predominantly been addressed in Section 1 of the *Design Guidelines*, which sets out common design guidelines for all of the Precincts. The aspects of environmental sustainability outlined in this Section include:

- Sustainable Building Design;
- Solar Access;
- Energy Efficiency;
- Waste Management; and
- Water Management.

Aspects of social and economic sustainability have been addressed in the Section relating to affordable housing, as well as, in the Section relating to universal design. This states:

“Universal design is the design of products and environments to be used by all people to the greatest extent possible without the need for adaptation or specialised design. Universal design is intended to support sustainable and inclusive communities by:

- *meeting the housing needs of people across a range of abilities and ages;*
- *including people with temporary or long-term disabilities, illnesses and injuries;*
- *being economically adaptable to meet the changing needs of people throughout their lives, and providing people with the choice to remain in their own home;*
- *ensuring usability and aesthetics are mutually compatible and achieve wider market appeal; and*
- *increasing safety.*

Significant secondary environmental, economic and social benefits are likely to result from universal design.”

COMMENTS:

Relevance to the Town of Vincent

Built Form

It is important to ensure that the built form, preferred land uses, access, setbacks etc. identified in the *New Northbridge Design Guidelines* are consistent with the requirements identified in the Town of Vincent’s various design guidelines; in particular, the *Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth*, in order to maintain consistency of development in the subject area. The Local Planning Strategy notes that *‘much of the area within an 800 metre radius of the Perth Station is currently governed by the East Perth Redevelopment Authority (EPRA) in accordance with the New Northbridge Precinct Policies. The recommended desired future character for the area and key objectives detailed within the New Northbridge Policy are generally supported...’*

After reviewing both documents, it is evident that the EPRA's *Design Guidelines* and the Town's Guidelines emphasise the importance of quality design and development. EPRA's *Design Guidelines* state, '*development...should be of a high quality contemporary design that is compatible with the diverse nature of the existing building stock...*,' whilst the Town's Guidelines state '*to design and construct development that is of a high calibre.*'

In general, the requirements for building design, heritage protection of buildings, sustainable development etc., are also consistent in both the EPRA's *Design Guidelines* and the Town's Guidelines. For example, in regards to the activation of the streetscape, the EPRA's *Design Guidelines* state '*in addition to the activation of the primary street to which development fronts, it is equally important that rear laneways and underwidth roads are also activated,*' whilst the Town's Guidelines state '*future development of these sites should contribute significantly to the activation of the area...*'

In regards to the protection of heritage buildings, both the EPRA and the Town of Vincent emphasise the importance of new development having regard to adjoining heritage buildings. The EPRA's *Design Guidelines* state '*where land is occupied by a heritage building or falls within a heritage precinct...applications for development should be accompanied by a Heritage Impact Statement,*' whilst the Town's Guidelines state '*any development of a MHI listed property or development of a site adjoining an MHI listed property is to have due consideration to the Town of Vincent Policy relating to Heritage – Development Guidelines.*'

Regarding sustainable development, the EPRA's *Design Guidelines* and the Town's Guidelines both require developments to be designed in order to incorporate Green Building design principles. This includes designing buildings to achieve certification of a high level Green Star rating in accordance with the rating system of the Green Building Council of Australia.

Also, the requirements for each of the individual Precincts in the *New Northbridge Design Guidelines* are consistent with the requirements in the Town's Guidelines, particularly in relation to building heights. In the EPRA's *Design Guidelines*, building height requirements range between 2 and 3 storeys, similar to those in the Town's Guidelines which stipulate a maximum of 3 storeys adjacent to the primary streets and up to 4 storeys within the site and on corner sites.

Finally, the requirements relating to awnings are similar in both the EPRA's *Design Guidelines* and the Town's Guidelines. The EPRA's document states that '*continuous pedestrian protection in the form of ground level awnings is required,*' whilst the Town's Guidelines state '*awnings are to be provided over the footpath for the entire length...*'

Therefore, it is evident that the information contained within the EPRA's *Design Guidelines* confirms the draft Guidelines are an appropriate planning tool for development within the EPRA area, as they are consistent with the Town of Vincent's *Design Guidelines for William Street, Between Bulwer and Newcastle Streets, Perth.*

Approval Procedures:

The New Northbridge Project Area comprises land within both the Town of Vincent and the City of Perth. As such, the *Design Guidelines* make reference to the Town of Vincent, particularly in regards to the approval procedures, which states the following:

"The East Perth Redevelopment Act 1991 states that the carrying out of any development on land that is in or partly in the Redevelopment Area requires the approval of the Authority. Separate development approval from the City of Perth and the Town of Vincent is not required. Development includes a material change in the use of land, e.g. residential to office.

However, local government building, health and other by-laws (e.g. signage) remain in force and the necessary licences must still be obtained from the City of Perth or the Town of Vincent.

Accordingly, developers are encouraged to familiarise themselves with the requirements of the City of Perth and Town of Vincent prior to proceeding with any application for development.”

It is noted that the Town may experience problems in relation to managing non-conforming uses as a result of the above. Once the land on which the development is located becomes normalised, and comes under the planning control of the Town, the Town would not have any planning policies, by-laws, etc., to control developments approved under the EPRA that may conflict with what is permitted according to the Zone Table in the Town's *Town Planning Scheme No. 1*. This may result in the need to include additional land uses in any new Scheme the Town develops.

It is noted however, that Section 1 of the *Design Guidelines* attempts to draw potential developers' attention to various requirements for development within the Town of Vincent. For example, in the Section relating to signage, it states *“all signage should be in accordance with the Authority's Development Policy on Signs and Advertising. Note that sign licences may also be required from the City of Perth or the Town of Vincent.”* Also, in the section relating to storage areas, the *Design Guidelines* state; *“a separate storage area for large PVC wheeled bins should also be created at site planning stage (see Section 1.2.2). An alcove pick-up area should be located towards the rear of the lot as garbage collection will be via the rear lanes in accordance with the City of Perth's and the Town of Vincent's design specifications.”*

In light of the above, it is recommended that the Council receive the report and support the Officers Recommendation to advise the EPRA that the Town of Vincent supports in principle the intent and content of the proposed amendment to the *New Northbridge Design Guidelines*; however, it has some concerns regarding the implications for the Town of Vincent in regard to the approval procedures.

9.1.7 Proposed Review of the Metropolitan District Emergency Management Committee Structure

Ward:	Both	Date:	23 October 2009
Precinct:	All	File Ref:	ORG0044
Attachments:	-		
Reporting Officer(s):	J MacLean		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the Emergency Management WA Discussion Paper, which proposes a review of the Metropolitan District Emergency Management Committees (DEMCs);*
- (ii) *SUPPORTS Option 1 of the Emergency Management WA Discussion Paper; and*
- (iii) *AUTHORISES the Chief Executive Officer to notify WALGA that the Town agrees with Option 1 of the Emergency Management WA Proposal, which states:*

"Consolidate the six (6) metropolitan DEMCs into two (2) committees based on the geographic regions of North and South metropolitan. Under this model the following existing DEMCs allocation would occur:

COUNCIL DECISION ITEM 9.1.7

Moved Cr Farrell, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

<i>NORTH METROPOLITAN DEMC</i>	<i>SOUTH METROPOLITAN DEMC</i>
<i>North West Metropolitan DEMC</i>	<i>South Metropolitan DEMC</i>
<i>West Metropolitan DEMC</i>	<i>South East Metropolitan DEMC</i>
<i>Central Metropolitan DEMC</i>	<i>East Metropolitan DEMC</i>

PURPOSE OF REPORT:

The purpose of this report is to formulate a Council view on the proposal to review the Emergency Management Structure in the Perth Metropolitan area.

BACKGROUND:

The current Emergency Management structure in Western Australia is specified in the Emergency Management Act 2005. The structure is as follows:

The State Emergency Management Committee (SEMC) is the over-arching body, with the responsibility for all emergency management policies and procedures within Western Australia and is established under clause 13 of the Emergency Management Act 2005. The SEMC is primarily a strategic committee, which is Chaired by the Commissioner of Police for Western Australia.

Clause 28 of the Act provides for the Minister for Police and Emergency Services to divide the State into a number of Emergency Management Districts. The number of Districts and the District Boundaries are established by the Minister, in consultation with the SEMC. Currently, an Emergency Management District has been established for each Police District, with the District Officer (Superintendent) being the District Emergency Co-ordinator.

Further, clause 31 of the Act requires that a District Emergency Management Committee (DEMC) be established for each Emergency Management District in the State. There are currently six Emergency Management Districts and, consequently six DEMCs in the Perth Metropolitan Area.

Clause 32 of the Act, which outlines the functions of a DEMC, states:

"32. Functions of district emergency management committees

- (1) It is a function of a district emergency management committee to assist in the establishment and maintenance of effective emergency management arrangements for the district for which it is constituted.*
- (2) District emergency management committees have such other functions as are prescribed by the regulations."*

Clause 34 of the Act provides for the creation of Local Emergency Management Committees (LEMCs), which report to their respective DEMC.

DETAILS:

Because of the duplication of services being provided to the five Metropolitan DEMCs, Emergency Management Western Australia (EMWA) has suggested the consolidation of the current six DEMCs into one or two Metropolitan DEMCs and has prepared a discussion paper, titled *"Metropolitan Emergency Management Arrangements"*. This paper suggests that there is a benefit to be gained by reducing the number of DEMCs from the current six, to either one or two.

The EMWA Discussion Paper, as 'Laid on the Table', outlines two proposed solutions to the current situation. It has been identified that inefficiencies exist in the current structure as a result of the following:

- Duplication of representation across all current committees;
- The existing structure does not reflect the current Emergency Management practices;
- The District Committees have become (almost) redundant;
- The significant level of administrative support provided to the 6 DEMCs; and
- The stability of the Chair of the DEMC.

The Central Metropolitan Police area encompasses nine local governments, but it was recognised a number of years ago that it was impractical to have nine LEMCs. As a result, there are only two LEMCs in the Central Metropolitan DEMC area - Western Central LEMC and City of Perth LEMC. The Manager Ranger and Community Safety Services currently attends both LEMCs, as well as the Central Metropolitan DEMC, so the proposed changes would not have any effect on the Town of Vincent. This is because, if the Central Metropolitan DEMC is disbanded and two Metropolitan DEMCs are created, there will be no change to the number of meetings that he will attend.

In reality, if an emergency occurs in the Metropolitan Perth Area, which requires support beyond that which can be provided by the Hazard Management Agency, it would initially be dealt with by one of the Local Emergency Management Committees. If the required support was beyond the means of that LEMC, it is likely that the problems will have affected the whole Metropolitan area, so the need for support would quickly escalate beyond Police District boundaries, to require the convening of an Emergency Management Committee for the North or South Metropolitan area, or perhaps even the whole Metropolitan area.

The EMWA proposals recognise that a DEMC that deals with only one Police District is almost redundant before it is formed and that it would be much more efficient to have a DEMC that deals with the whole of the North Metropolitan Perth area and another to deal with the whole South Metropolitan Perth area. While there would be few benefits to be derived by the Town of Vincent, the State Agencies (Police, FESA, DCP, Hospitals, etc) would then only need to attend two DEMCs, so their time would be more efficiently used.

While WALGA has identified and explained shortcomings in both options, there would be no change to how the nine local governments, in the Central Metropolitan Emergency Management District, operate. Currently the Manager Ranger and Community Safety Services attends the Central Metropolitan DEMC as the LEMC representative and that is likely to continue.

EMWA Option 2 suggests that only one DEMC be created, but there are inherent differences between North and South Metropolitan areas, which may lose focus if a single DEMC is created. As a result, it is recommended that Option 1 is a more appropriate option for the Town of Vincent.

CONSULTATION/ADVERTISING:

There is no need to advertise this proposal, because it will ultimately be advertised by EMWA, before being implemented.

LEGAL/POLICY:

There is no legal impediment to the above recommendation, which is compliant with the Emergency Management Act 2005

STRATEGIC IMPLICATIONS:

The above is in keeping with the Town's Plan for the Future, at item 1.1.4(j) *"Develop Emergency Response and Recovery Management Plans, educate and promote to the community."*

SUSTAINABILITY IMPLICATIONS:

None.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The above recommendation will have minimal impact on the Town of Vincent, but it provides a response to the WALGA Survey on the Emergency Management WA proposal to merge District Emergency Management Committees. It is recommended that the Council approves EMWA Option 1 as the preferred option.

9.1.9 Proclamation of the Food Act 2008

Ward:	Both	Date:	27 October 2009
Precinct:	All	File Ref:	LEG0061
Attachments:	-		
Reporting Officer(s):	M Fallows; A Giles		
Checked/Endorsed by:	R Boardman	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to the proclamation of the Food Act 2008 effective from 23 October 2009, replacing the food hygiene provisions of the Health Act 1911 (as amended) and the Health (Food Hygiene) Regulations 1993;*
- (ii) *NOTES that the Town of Vincent Health (Eating House) Local Law 2004 has been REPEALED due to:*
 - (a) *the repeal of Part 5, Division 3 – Eating Houses, including section 172 of the Health Act 1911 (as amended) that allows for such a local law to be created; and*
 - (b) *the implementation of Part 9 – ‘Registration of Food Businesses’ of the Food Act 2008, which replaces the need for this local law to exist;*
- (iii) *APPROVES the appointment of the following persons to be an ‘authorised officer’ under the provisions of section 122 of the Food Act 2008, due to these persons holding office as an Environmental Health Officer under the Health Act 1911 (as amended):*
 - (a) *GIORGI, John;*
 - (b) *BOARDMAN, Rob;*
 - (c) *DI NELLA, Larah;*
 - (d) *FALLOWS, Mark;*
 - (e) *GILES, Alison;*
 - (f) *NG, Christine; and*
 - (g) *TEYMANT, Scott;*
- (iv) *APPROVES the following authorised officers under section 126(2) of the Food Act 2008 as ‘designated officers’ to issue infringement notices:*
 - (a) *DI NELLA, Larah;*
 - (b) *FALLOWS, Mark;*
 - (c) *NG, Christine; and*
 - (d) *TEYMANT, Scott;*
- (v) *APPROVES the following authorised officers under sections 126 (3), (6) and (7) of the Food Act 2008 as ‘designated officers’ to grant an extension of time for payment, or withdraw infringement notices:*
 - (a) *GIORGI, John;*
 - (b) *BOARDMAN, Rob;*
 - (c) *GILES, Alison; and*

- (vi) *NOTES that the Health Services section has:*
- (a) *proactively completed the registration and notification process for all existing, known food businesses within the Town, as required by Part 9 of the Food Act 2008;*
 - (b) *conducted an Information Session on the Food Act 2008 for food business proprietors on 20 October 2009, and has subsequently made available all information on the Town's webpage or in hard copy format to those unable to attend;*
 - (c) *advised all registered food businesses via mail out, of the proposed changes and how this will affect their business; and*
 - (d) *drafted an article for the Town's Newsletter (December 2009 – February 2010 edition) to alert any non-registered food businesses, and advise the general public of the implementation of the Food Act 2008; and*
- (vii) *NOTES that the Town's Health Services is drafting a Food Act 2008 Enforcement and Education Policy that will include the Town's Policy position on:*
- (a) *registration, notification and fees (currently charged under the Local Government Act 1995, in accordance with the provisions of the Food Act 2008);*
 - (b) *minimum construction standards for food premises based on Australian Standard 4674:2004 – Design, construction, and fit-out of food premises;*
 - (c) *home occupation food businesses;*
 - (d) *development and auditing of food safety plans, which are to be arranged by food businesses independently (provisions to be proclaimed in October 2010); and*
 - (e) *compliance and enforcement, including the issuing of Infringement Notices.*

COUNCIL DECISION ITEM 9.1.9

Moved Cr Farrell, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

PURPOSE OF REPORT:

The purpose of this report is to notify the Council that the *Food Act 2008* was proclaimed on 23 October 2009 replacing the food hygiene provisions of the *Health Act 1911 (as amended)* and the *Health (Food Hygiene) Regulations 1993*.

DETAILS:

The *Food Act 2008* (the Act) is now the principal, stand alone piece of legislation governing food control in Western Australia. The Act is based on Model Food Provisions agreed to by all States, Territories and New Zealand and fully adopts the *FSANZ Food Standards Code*.

Food safety enforcement and associated education is one of the key statutory requirements of local government Environmental Health Officers, and changes in legislation impact the delivery of this service to the local food industry.

The *Food Act 2008* contains a number of differences from the food control provisions that were detailed in *Health Act 1911 (as amended)*, including:

- Uniformity of legislation, including the adoption of the *FSANZ Food Standards Code*, across all Australian states and territories and New Zealand;
- A move from prescribed based legislation to outcome and risk based legislation, allowing greater flexibility for local government and food business proprietors; and
- An increase in maximum penalties - from \$50 to \$10,000 under the provisions of the *Health Act 1911 (as amended)* to between \$10,000 and \$500,000 under the *Food Act 2008*.

General information on the *Food Act 2008*, including links to the Act and associated Regulations, is available at the Department of Health website http://www.public.health.wa.gov.au/3/829/3/wa_food_regulation.pm.

Key components of the *Food Act 2008* are detailed as follows:

- Role of Local Government – Local government will continue to be responsible for the management of administrative, surveillance and compliance activities within their district.
- Authorised Officers – all persons currently authorised as environmental health officers under the provisions of the *Health Act 1911 (as amended)* can be authorised officers under the provisions of the *Food Act 2008*. Powers of entry provisions will remain largely intact; however, a search warrant is required for premises that are solely used for residential purposes (where it is suspected that the premises is being used as a food premises).
- Designated Officers – authorised officers can be appointed as designated officers for the purposes of issuing infringement notices (modified penalties), or the withdrawal of infringement notices (Note: an officer who can issue infringements is not eligible to be designated to consider withdrawals).
- Registration/Notification – Food businesses will not require eating house licences and are only required to register with/notify the Town of their operations when the business commences or changes operations. Registration of food businesses will not be on an annual basis; however, invoices for annual assessment fees will be sent to food businesses each financial year. Transitional requirements of the Act detail that existing Eating House licences will automatically be considered to comply with the registration/notification requirements.
- Offences – Offences are tiered based on the level of risk associated with the offence with maximum penalties increasing markedly. Offences will take into account whether the person knowingly committed the offence or ought to have reasonably known that an offence was committed. Offences can be issued to an individual or a body corporate, with the latter attracting significantly higher penalties.
- Enforcement Provisions – The Town will have the power to issue on-the-spot Infringement Notices, Improvement Notices requiring premises cleaning and maintenance and Prohibition Orders requiring that the premises cease operations. It will be mandatory that all successfully prosecuted food businesses be placed on the Department of Health ‘*Notification of Convictions*’ (name and shame) register – currently, it is at the discretion of the Local Government Authority whether prosecutions are placed on this register.
- Food Safety Programs and Auditing – All food businesses that serve food to vulnerable persons (aged care, child care and nursing homes) and that are involved in primary production of dairy products must have a Food Safety Program (FSP), which must be audited. A FSP is a hazard control document that provides for the monitoring and control of hazards in a food premises. Part 8 – Auditing of the *Food Act 2008* does not come into effect until October 2010.

- Food Premises Construction – New construction standards are outcome based and less prescriptive. Health Services will be assessing all new food premises applications against Standard 3.2.3 of the FSANZ Food Standards Code and Australian Standard 4674:2004 – Design, Construction and fit-out of Food Premises.
- Home Occupations – Previously, the Department of Health assessed all medium/high risk Food Business Home Occupation applications. Local Government assessed low risk operations, such as manufacture of ‘cottage industry’ goods, such as, jams, biscuits, preserves. The onus is now on Local Government to assess all home occupation applications in accordance with the *FSANZ Food Standards Code*. The requirements surrounding this section of the industry are less onerous. Relevant Planning requirements will also be taken into consideration.

The Town’s Health Services have reviewed and determined what actions are required in order to implement the *Food Act 2008*. The following items require Council approval/endorsement, and have been referenced in the Officer Recommendation:

- Appointment of authorised officers and designated officers.
- Repealing of the *Health (Eating House) Local Law 2004*; and
- Approval of a Food Act Enforcement and Education Policy – currently being developed.

The Food Act Enforcement and Education Policy will be required to determine the Town’s Policy position on a number of matters. This policy will be risk based to ensure that registration fees, inspection frequency, construction standards and enforcement is based on the level of risk associated with each business. In terms of food premises construction, the Town’s officers will be pursuing the requirements of *Australian Standard 4674:2004* during approvals processes. Furthermore, it will be the Town’s role to assess and approve home occupation food businesses and develop a framework for dealing with such applications.

Whilst ‘Part 8 – Auditing’ of the Act has not yet been proclaimed, it is important that a Policy position be made regarding the requirement for auditing to be done by an independent contractor. During discussion at recent Metropolitan Environmental Health Managers Group meetings, general consensus was that Local Government Authorities (LGA’s) would not provide an auditing service to food businesses bound by this requirement. The main reason being was that auditing is best done by an independent contractor, so as to not create a conflict of interest with the Town’s role as the enforcement agency. Similarly, the majority of LGA’s indicated they would be reluctant to conduct audits within neighbouring LGAs. Auditing would also create an administrative and time burden to Health Services, which cannot be absorbed into existing resources. Also, there is no statutory obligation for the Town to provide such a service. Auditing requires specialised training (5 full days per Officer) at significant cost to the Town (currently only the Principal and Senior Environmental Health Officers are trained in auditing). Auditing agencies are also understood to be exposed to significant liability.

Health Services are eager to operate its food safety assessment service under the provisions of the *Food Act 2008* and have commenced notifying all businesses of the new requirements during inspections, via mail outs, and in the quarterly *Food Safety Matters* newsletter. Furthermore, in order to reduce the burden associated with legislative change, some tasks, including food business notification and risk assessment, have been proactively completed well prior to the proclamation of the Act.

CONSULTATION/ADVERTISING:

No formal consultation/advertising is required; however, all food businesses have been provided with written information detailing the requirements of the *Food Act 2008* and the *FSANZ Food Standards Code*. All food businesses were invited to attend a Food Act Information Session that was held at the Town on 19 October 2009. An article is also being placed in the December 2009 – February 2011 edition of the Town's newsletter, in an endeavour to raise public awareness, and alert any non-registered food businesses of the changes.

LEGAL/POLICY:

- *Food Act 2008*;
- *Food Regulations 2009*;
- *FSANZ Food Standards Code*;
- *Health Act 1911 (as amended)*; and
- *Town of Vincent Health (Eating House) Local Law 2004 (repealed)*.

STRATEGIC IMPLICATIONS:

Strategic Plan 2009 - 2014:

Natural and Built Environment

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

Economic Development

2.1.2 *Develop and promote partnerships and alliances with key stakeholders.*

Leadership, Governance and Management

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

- (c) *Adopt Strategies for improving and enhancing the quality of services, processes and procedures.'*

SUSTAINABILITY IMPLICATIONS:

The functions of the *Food Act 2008* are delegated to local government. Food safety education and enforcement is one of the key functions of Health Services and one of the main reasons why local government must employ Environmental Health Officers. There are minimal additional sustainability implications, as the key functions remain similar to those under the *Health Act 1911 (as amended)*.

FINANCIAL/BUDGET IMPLICATIONS:

The *Food Act 2008* allows local government to charge annual fees under the provisions of the *Local Government Act 1995*. The Town introduced such fees in 2007/2008 (along with a number of other Local Governments) during the lead up to the introduction of the Act, to ensure that an equitable, risk based fee system was applied to all food businesses. Under the *Health Act 1911 (as amended)*, only Eating Houses were charged fees (that is, Restaurants, Corner Delis, Takeaways) whereas other Food Premises that did not sell ready to eat food to the public were not (that is, manufacturers, licensed premises, supermarkets). Enforcement revenue may also increase due to the introduction of on-the-spot fines for observed breaches where prosecution is not warranted, and due to the substantial increase in penalties for successfully prosecuted offences.

COMMENTS:

Health Services have fully embraced the proclamation of the *Food Act 2008* as this legislation will ensure that food enforcement and education is more relevant (that is, incorporating the principles of risk management and best practice); will allow for penalties that are more representative of the risk presented to public health associated with the offences being committed; and will bring Western Australia into line with the rest of the country by the full adopting the *FSANZ Food Standards Code*.

9.2.3 Proposed Introduction of Two (2), Fifteen (15) Minute Parking Bays – Oxford Street, Leederville

Ward:	South	Date:	28 October 2009
Precinct:	Leederville (P4)	File Ref:	PKG0015
Attachments:	001		
Reporting Officer(s):	T Blankenburg		
Checked/Endorsed by:	C Wilson	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the proposed introduction of two (2) x fifteen (15) minute parking bays adjacent to Kailis Bros Fish Market and Café in Oxford Street, Leederville;*
- (ii) *APPROVES the introduction of two (2) x fifteen (15) Minute parking bays to be in operation between 8.00am and 8.00pm Monday to Sunday, as illustrated on attached Plan No. 2676-PP-1;*
- (iii) *PLACES a moratorium on issuing infringement notices for a period of two (2) weeks from the installation of the new parking restriction signs; and*
- (iv) *INFORMS the applicant of the Council's decision.*

COUNCIL DECISION ITEM 9.2.3

Moved Cr Farrell, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of a request by the owner of Kailis Bros Fish Market and Café at 101 Oxford Street, Leederville, for the Town to consider providing some short term parking bays adjacent to his business in Oxford Street.

BACKGROUND:

The Town has recently received a request from the owner of Kailis Bros Fish Market and Café to consider replacing some of the existing one (1) hour parking restrictions with fifteen (15) minute bays in Oxford Street, adjacent to his premises. This restriction was requested to enable people to make quick purchases from his business. The Town's officers subsequently suggested that two (2) short term parking bays was an appropriate number of bays, given the location and demand for parking in the Leederville shopping precinct, to which the applicant agreed. The operating hours for proposed restrictions would be from 8.00am to 8.00pm Monday to Sunday in line with the existing restrictions in the street.

DETAILS:

The owner of Kailis Bros Fish Market and Café sent in a request on 7 October 2009 requesting the Council to consider the introduction of several short term parking bays for shoppers. The owner cited the following reason for the request:

"I am writing to request the allocation of 15 minute parking bays out the front of our seafood premises in Oxford Street. I was made aware by an irate customer last week who circled the block several times trying to find parking, that Council do have the discretion to identify bays for short term shopping.

As I am sure you are aware parking in the area has become more problematic in recent years. With the railway line adjacent to our building there are many who just park and go into the city from here as a convenience, using up bays for would be short term shoppers."

The Technical Services division in consultation with Ranger Services investigated the matter and agreed that two (2) fifteen (15) minute parking bays in the area will provide improved amenity for shoppers, while not unduly detracting from the existing parking in the area. The hours of operation are based on the existing parking restrictions in the street.

CONSULTATION/ADVERTISING:

No public consultation was carried out.

LEGAL/POLICY:

There is no legal consequence of the recommendation.

STRATEGIC IMPLICATIONS:

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

SUSTAINABILITY IMPLICATIONS:

N/A

FINANCIAL/BUDGET IMPLICATIONS:

Implementing the new restrictions will require the manufacture of two (2) new signs and installing two (2) new signs and poles, this will cost approximately \$200.00.

COMMENTS:

Parking spaces will always be in demand in the Leederville café precinct. Any changes will benefit some, while adversely affecting others. The business most affected by this change will be the applicant, while other nearby businesses will potentially benefit from the availability of short term parking for customers making small purchases.

9.3.2 Cultural Development Seeding Grant Application - Mount Hawthorn Community Church

Ward:	Both	Date:	23 October 2009
Precinct:	All	File Ref:	FIN0155
Attachments:	-		
Reporting Officer(s):	J. Bennett		
Checked/Endorsed by:	J Anthony	Amended by:	

OFFICER RECOMMENDATION:

That the Council APPROVES the application of the Mount Hawthorn Community Church for a Cultural Development Seeding Grant of \$750 for Candlelight Carols at Braithwaite Park.

COUNCIL DECISION ITEM 9.3.2

Moved Cr Farrell, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

PURPOSE OF REPORT:

To seek approval for a Cultural Development Seeding Grant application for the Mount Hawthorn Community Church Carols in Braithwaite Park.

BACKGROUND:

The Mount Hawthorn Community Church are running a combined Carols by Candlelight event in Braithwaite Park, on Sunday 13 December 2009.

DETAILS:

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

In particular the funding will assist with costs related to the hiring costs of a public address system, stage and lighting for the event. The Carols by Candlelight will be a free event, open to the community and is an important fundraiser for local school chaplaincy. Donations to the Chaplaincy for Mount Lawley and Churchlands High Schools will be voluntary on the night.

This event will be fully accessible to all members of the community including people with a disability.

CONSULTATION/ADVERTISING:

N/A

LEGAL/POLICY:

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

STRATEGIC IMPLICATIONS:

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

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

SUSTAINABILITY IMPLICATIONS:

N/A

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$6,000 is allocated for Cultural Seeding Grants within the 2009/10 budget.

An allocation of \$750 is supported in line with similar applications.

COMMENTS:

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

The Mount Hawthorn Community Church will complete an acquittal report after the event, detailing how the Cultural Development Seeding Grant was expended.

9.4.1 Use of the Council's Common Seal

Ward:	-	Date:	28 October 2009
Precinct:	-	File Ref:	ADM0042
Attachments:	-		
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	John Giorgi	Amended by:	-

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 October 2009.

COUNCIL DECISION ITEM 9.4.1

Moved Cr Farrell, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

BACKGROUND:

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

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

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

Date	Document	No of copies	Details
2/10/2009	Schedule 1 - Form 1 (Road Traffic Act 1974)	1	Town of Vincent and Commissioner of Main Roads - Application for an Order for a Road Closure re: Cappuccino Festival, Angove Street, North Perth on 29 November 2009 from 10am to 4pm
5/10/2009	Notification under Section 70A	1	Town of Vincent and J & V Spaseski of 335 Oxford Street, Leederville re: No. 335 (Lots 10 and 11 D/P: 2554) Oxford Street, Leederville - Proposed Addition to Existing Single House to Create One Single-Storey and One Two-Storey Multiple Dwelling - <i>To satisfy Clause (vi) of Conditional Approval of Ordinary Meeting of Council held on 23 June 2009</i>

Date	Document	No of copies	Details
5/10/2009	Notification under Section 70A	1	Town of Vincent and Bonnie-Croft Pty Ltd of PO Box 1148, Midland WA 6936 re: No. 101 (Lot 13 D/P: 830 and Lot 250 D/P: 302341) Edward Street, Corner Dalmeny Street, Perth - Proposed Partial Demolition of Existing Eating House and Conversation of Eating House to Mixed Use Development comprising Office and One (1) Multiple Dwelling - <i>To satisfy Clause (xiv) of Conditional Approval of Ordinary Meeting of Council held on 10 March 2009</i>
5/10/2009	Withdrawal of Caveat	1	Town of Vincent and Downings Legal of Level 11, 2 Mill Street, Perth WA 6000 re: No. 6 (Lot 503) Elven Street, North Perth
5/10/2009	Deed of Covenant (Where Lots to be Amalgamated)	4	Town of Vincent and A N & N L De Saxe of No. 70 Gordon Road East, Osborne Park and National Australia Bank of Osborne Park Business Centre, Osborne Park re: No. 50 (Lots: 277, 448, 449) Alma Road, Mount Lawley - <i>To satisfy Conditional Planning Approval dated 10 June 2009 for Change of Use from Club to Single House and Partial Demolition, Alterations and Additions to Single House at the abovementioned property</i>
5/10/2009	Lease	4	Town of Vincent and Tuart Hill Cricket Club Inc (Lessee) of PO Box 206, North Perth WA 6906 and Modernians Hockey Club Inc (Lessee) of 13B Beveridge Street, Bentley, WA 6102 re: Charles Veryard Reserve Clubrooms and Turf Wickets, Bourke Street, North Perth
6/10/2009	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco 6008 re: Alliance Catering Tradeshow and Seminar - 6 October 2009 (Gareth Naven Room and MEB Lounge)
14/10/2009	Notification under Section 70A	1	Town of Vincent and V Karabuva of Unit 1, 101 Brisbane Street, Perth re: No. 99 (Lot 1 STR: 48216) Brisbane Street, corner Lindsay Street, Perth - Proposed Change of Use from Eating House and Ancillary Art Gallery to Single House (Application for Retrospective Approval) and Proposed Alterations and Additions (including proposed external colour scheme) - <i>To satisfy Clause (iii) of Conditional Approval of Ordinary Meeting of Council held on 23 June 2009</i>
22/10/2009	Deed of Covenant	2	Town of Vincent and A J Fogliani and M A Fogliani of 57 Bradford Street, Menora re: Deed in Relation to Conservation of Existing Dwelling at No. 45 (Lot: 125 D/P: 3784, Lot: 199 D/P: 30272) Clieveden Street, North Perth - Two Storey Single House
22/10/2009	Deed of Licence	3	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Andrew McManus Presents (International Pty Ltd) of 460 Brunswick Street, Fitzroy, Victoria 3065 re: Concert* - 13 December 2009 (Stadium) (<i>*Commercial in Confidence until released to public</i>)
22/10/2009	Deed of Licence	3	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Andrew McManus Presents (International Pty Ltd) of 460 Brunswick Street, Fitzroy, Victoria 3065 re: Concert* - 25 January 2010 (Stadium) (<i>*Commercial in Confidence until released to public</i>)
27/10/09	Deed of Contract of Employment	2	Town of Vincent and Manager Parks & Property Services, Jeremy van den Bok

Date	Document	No of copies	Details
27/10/09	Deed of Contract of Employment	2	Town of Vincent and Manager Asset & Design Services, Craig Wilson
27/10/09	Deed of Contract of Employment	2	Town of Vincent and Manager Ranger & Community Safety Services, Jim MacLean
27/10/09	Deed of Contract of Employment	2	Town of Vincent and Manager Planning, Building & Heritage Services, Helen Smith
27/10/09	Deed of Contract of Employment	2	Town of Vincent and Manager Community Development, Jacinta Anthony
27/10/09	Licence Agreement	2	Town of Vincent and Manager Property Services Coastal Facilities Business Unit of the Department of Planning, Western Australia re: Jetty No. 1311 (<i>Adjacent to the Windan Bridge, East Perth</i>) - Annual Licence commencing 1 June 2009

9.4.3 Forum – Schedule of Dates 2010 - Approval

Ward:		Date:	28 October 2009
Precinct:		File Ref:	ADM0066
Attachments:	001		
Reporting Officer(s):	A Radici		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council APPROVES of the dates and times for Forums to be scheduled in 2010, as detailed in Appendix 9.4.3.

COUNCIL DECISION ITEM 9.4.3

Moved Cr Farrell, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED “EN BLOC” (9-0)

PURPOSE OF REPORT:

The purpose of the report is for the Council to adopt the schedule of dates for its Forums for 2010.

BACKGROUND:

At the Ordinary Meeting of Council held on 21 November 2006, the Council resolved inter-alia as follows;

"4.6 Meeting Notification

- 4.6.2 (a) *Forums will be held on a regular basis such as an alternative third week to the ordinary Council meeting. The dates will be advertised in accordance with the Council Policy Relating to Community Consultation.*
- (b) *The Mayor, in liaison with the Chief Executive Officer, may schedule additional Forum dates, as the need arises.*
- (c) *Any additional Forum dates will be advertised on a local basis by placing a Notice on the Public Notice Boards in the Administration and Civic Centre and in the Town's Library, on the Town's webpage and by advertising in a local newspaper (if time permits)."*

CONSULTATION/ADVERTISING:

Notices of Forum are available for viewing on the Town's website www.vincent.wa.gov.au and are placed on the Notice Board at the Town's Administration & Civic Centre.

LEGAL/POLICY:

Legislation - Statutory Provisions: Section 5.3 of the Local Government Act 1995 states:

Regulation 12 of the Local Government (Administration) Regulations 1996 states:

“12 (1) *At least once a year a local government is to give local public notice of the dates on which and the time and place at which –*

- (a) the ordinary Council meetings; and*
- (b) the Committee meetings that are required under the Act to be open to members of the public or that are proposed to be op[en to members of the public;*

Are to be held in the next 12 months;

(2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation (1);”

There is no statutory requirement to advertise Forum dates.

Forums are held in accordance with the Forum Guidelines which were adopted at the Ordinary Meeting of Council held on 10 August 2004.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan - Plan for the Future 2009-2014, Objective 4.1 - *"Provide Good Strategic Decision Making, Governance, Leadership and Professional Management"* and, in particular, Objective 4.1.2 - *"Manage the organisation in a responsible, efficient and accountable manner"*.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The advertising of the dates will cost approximately \$250.

COMMENTS:

It is recommended that the Forums continue to be scheduled on the third Tuesday of every month in 2010, except December (second Tuesday) and January (no Forum).

9.4.5 ME Bank Stadium Management Committee Meeting - Receiving of Unconfirmed Minutes - 19 October 2009

Ward:	South	Date:	28 October 2009
Precinct:	Beaufort, P13	File Ref:	RES0082
Attachments:	001		
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council RECEIVES the Unconfirmed Minutes of the ME Bank Stadium Management Committee meeting held on 19 October 2009, as shown in Appendix 9.4.5.

COUNCIL DECISION ITEM 9.4.5

Moved Cr Farrell, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

PURPOSE OF REPORT:

The purpose of the report is for the Council to receive the Unconfirmed Minutes of the ME Bank Stadium Management Committee meeting held on 19 October 2009.

BACKGROUND:

At the Ordinary Meeting of Council held on 14 September 2004, the Council considered the establishment of a Committee for the management of the Stadium (known as "ME Bank Stadium" - formerly "Members Equity Stadium") and resolved inter alia as follows;

"That the Council APPROVES BY AN ABSOLUTE MAJORITY; ...

- (iii) *to delegate the following functions to the Committee;*
 - (a) *to establish and review the Heads of Agreement (HOA) Key Performance Indicators (KPIs) in conjunction with Allia;*
 - (b) *to assess whether each proposed Licensing Agreement is consistent with the KPIs and the provisions of the HOA and to approve the proposed Licensing Agreement if it is consistent;*
 - (c) *to supervise the performance of the Services by Allia and to ensure that Allia performs the Services in accordance with the KPIs and the HOA;*
 - (d) *to receive and consider Performance Reports;*
 - (e) *to advise the Council on Capital Improvements required for the Stadium and to make recommendations to the Council about the use of the Reserve Fund;*

(f) to review Naming Signage; and

(g) to review the Risk Management Plan;

(For the purpose of avoidance of doubt, it is acknowledged that the Committee's functions do not include carrying out any of the Operational Management Services which are to be provided by Allia)."

CONSULTATION/ADVERTISING:

Not applicable.

LEGAL/POLICY:

The Local Government Act Regulations 1996 requires that Committee Meeting Minutes be reported to the Council.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan - Plan for the Future 2009-2014, Objective 4.1 - *"Provide Good Strategic Decision Making, Governance, Leadership and Professional Management"* and, in particular, Objective 4.1.2 - *"Manage the organisation in a responsible, efficient and accountable manner"*.

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The reporting of the Town's Committee Minutes to the Council Meeting is in keeping with the Local Government Act 1995 and its regulations.

9.4.7 Information Bulletin

Ward:	-	Date:	27 October 2009
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer(s):	A Radici		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council RECEIVES the Information Bulletin dated 3 November 2009, as distributed with the Agenda.

COUNCIL DECISION ITEM 9.4.7

Moved Cr Farrell, Seconded Cr Harvey

That the recommendation be adopted.

CARRIED "EN BLOC" (9-0)

DETAILS:

The items included in the Information Bulletin dated 3 November 2009 are as follows:

ITEM	DESCRIPTION
IB01	Letter to Mr A. Lapere of Carr Place, Leederville - Response to Questions taken on Notice at the Special Meeting of Council held on 13 October 2009
IB02	Letter of Appreciation from Chair of the Safer Vincent Crime Prevention Partnership to Manager Ranger & Community Safety Services and Co-ordinator Safer Vincent
IB03	Letter of Appreciation from WALGA regarding Roman 11 Contract Signing and Sundowner
IB04	Minutes of Ordinary Meeting of Council of Tamala Park Regional Council held on 15 October 2009
IB05	Letter of Appreciation from Mr and Mrs Boettcher of West Perth regarding the Town of Vincent's "Heritage Walk" around the Cleaver Precinct on Sunday 25 October 2009
IB06	Register of Petitions - Progress Report - November 2009
IB07	Register of Notices of Motion - Progress Report - November 2009
IB08	Register of Reports to be Actioned - Progress Report - November 2009
IB09	Register of Legal Action - Progress Report - November 2009
IB10	Register of State Administrative Tribunal Appeals - Progress Report - November 2009
IB11	Forum Advice - 10 November 2009

9.1.1 Nos. 234 and 240 (Lots: 302 and 136) Stirling Street, Perth - Proposed Demolition of Two (2) Existing Single Houses and Construction of a Three-Storey Mixed Use Development Comprising Offices, Four (4) Single Bedroom Multiple Dwellings, Eight (8), Two Bedroom Multiple Dwellings and Associated Car Parking

Ward:	South	Date:	28 October 2009
Precinct:	Beaufort Precinct;13	File Ref:	PRO3953; 5.2008.491.1
Attachments:	001 ; 002 ; 003		
Reporting Officer(s):	R Rasiah		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES BY AN ABSOLUTE MAJORITY the application submitted by Ashley Richards Architects on behalf of the owner Ren Su Qin Pty Ltd for proposed Demolition of Two (2) Existing Single Houses and Construction of a Three-Storey Mixed Use Development Comprising Offices, Four (4) Single Bedroom Multiple Dwellings, Eight (8) Two Bedroom Multiple Dwellings and Associated Car Parking, at Nos. 234 and 240 (Lots 302 and 136) Stirling Street, Perth, and as shown on amended plans stamp-dated 22 July 2009 and 20 October 2009, subject to the following conditions:

- (i) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s).*
- (ii) *the owner(s), or the applicant on behalf of the owner(s), shall comply with the Town of Vincent Percent for Public Art Policy No. 3.5.13 and the Percent for Public Art Guidelines for Developers, including:*
 - (a) *within twenty eight (28) days of the issue date of this 'Approval to Commence Development', elect to either obtain approval from the Town for an Artist to undertake a Public Art Project (Option 1) or pay the Cash in Lieu Percent for Public Art Contribution, of \$15,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$1,500,000); and*
 - (b) *in conjunction with the above chosen option;*
 - (1) *Option 1 – prior to the approval and subsequent issue of a Building Licence for the development, obtain approval for the Public Art Project and associated Artist; and*

prior to the first occupation of the development, install the approved public art project, and thereafter maintain the art work;

OR

(2) *Option 2 –*

prior to the approval and subsequent issue of a Building Licence for the development or prior to the due date specified in the invoice issued by the Town for the payment (whichever occurs first), pay the above cash-in-lieu contribution amount;

- (iii) *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (iv) *first obtaining the consent of the owners of Nos. 232 and 244 Stirling Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing Nos. 232 and 244 Stirling Street in a good and clean condition;*
- (v) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (vi) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, parking of trade person vehicles, footpath access, traffic and heavy vehicle access via Stirling Street, dust and any other appropriate matters (such as notifying all affected landowners/occupiers of the commencement of construction works), shall be submitted to and approved by the Town;*
- (vii) *prior to the first occupation of the development, one (1) class three bicycle parking facilities, shall be provided at a location convenient to the entrance and within the development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*
- (viii) *the on-site car parking area for the office/non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (ix) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the property of the following:*
 - (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities;*
 - (b) *a maximum of one (1) bedroom and two (2) occupants are permitted to reside in each single bedroom dwelling at any one time;*
 - (c) *the floor plan layout for the single bedroom dwellings are to be maintained in accordance with the Planning Approval plans; and*

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

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

- (x) prior to the issue of a Building Licence, an acoustic report prepared in accordance with the Town's Policy relating to Sound Attenuation shall be submitted and approved by the Town. 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;*
- (xi) doors, windows and adjacent floor areas of the office fronting Stirling Street shall maintain an active and interactive relationship with this street;*
- (xii) prior to the first occupation of the development, the car parking spaces provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling;*
- (xiii) the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (xiv) in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land shall be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$10,000 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing;*
- (xv) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) redesign of the front elevation and roof form, to be of a high quality contemporary design;*
 - (b) additional design features to be incorporated into the blank wall facing the eastern elevation; and*
 - (c) balconies on the eastern and part northern side for units 6 and 12, bedroom 1 windows to units 1, 7, 4 and 10, being screened with a permanent obscure glazing and be non-openable to a minimum of 1.6 metres above the respective finished floor levels within the respective 7.5 metres and 6 metres cone of vision, OR alternatively, the provision of on-site effective permanent*

horizontal screening or equivalent preventing direct sight within the cone of vision to ground level of adjoining properties. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2008. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the affected owners of properties along No. 244 Stirling Street, respectively, stating no objections to the proposed privacy encroachments.

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

- (xvi) the maximum gross floor area of the office shall be limited to 180 square metres;*
- (xvii) 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;*
- (xviii) the car parking area shown for the office/non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (xix) any new street wall, fence and gate within the Stirling Street setback area, including along the side boundaries within this street setback area, shall comply with the Town's Policy provisions relating to Street Walls and Fences;*
- (xx) any proposed vehicular entry gates to the car parking area shall have 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 for the commercial tenancies at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the development;*
- (xxi) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (xxii) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xxiii) details of an interpretation proposal, which incorporates explicit recognition of the heritage values of the places at Nos. 234 and 240 Stirling Street, Perth, shall be submitted to and approved by the Town prior to the issue of a Demolition Licence and/or Building Licence, whichever comes first. The approved interpretation proposal shall be installed at the owner(s)/occupier(s) expense prior to the first occupation of the new development and thereafter maintained by the owner(s)/occupier(s);*

- (xxiv) *the undergrounding of powerlines along Stirling Street for the subject development site at the applicant's/owner's cost;*
- (xxv) *all pedestrian access and vehicle driveway/crossover levels shall match into existing verge/footpath levels;*
- (xxvi) *a detailed landscaping plan, including a list of plants and the landscaping of the Stirling Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s); and*
- (xxvii) *the maximum height of the northern and southern boundary fences shall be 1.8 metres unless agreement is reached with the affected landowners at Nos. 232 and 244 Stirling Street for a higher fence to 3.343 metres.*

COUNCIL DECISION ITEM 9.1.1

Moved Cr Maier, Seconded Cr Farrell

That the recommendation be adopted together with clause (xv) being amended to read as follows:

“(xv) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:

- (a);*
- (b) additional design features to be incorporated into the blank wall facing the eastern, northern and southern elevations; and*
- (c)”*

Debate ensued.

MOTION PUT AND LOST (3-6)

For: Mayor Catania, Cr Farrell, Cr Harvey

Against: Cr Buckels, Cr Burns, Cr Lake, Cr McGrath, Cr Maier, Cr Topelberg

Reasons:

- 1. Impact on the properties to the east.**
- 2. Non-compliance with the rear setback.**
- 3. Height of boundary walls to the north and south is considered excessive.**
- 4. Density is considered unacceptable.**

ADDITIONAL INFORMATION:

An Amended plan has been prepared depicting ‘north wall one’, ‘north wall two’, ‘south wall one’, and ‘south wall two’ accordingly.

Landowner:	Ren Su Qin Pty Ltd
Applicant:	Ashley Richards Architects
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential/Commercial (R 80)
Existing Land Use:	Two single houses
Use Class:	Office Building and Multiple Dwellings
Use Classification:	"AA" and "P"
Lot Area:	963 square metres
Access to Right of Way	Not applicable

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the Demolition of two existing dwellings and the construction of a three-storey mixed use development comprising offices, four (4), single bedroom multiple dwellings, eight (8), two bedroom multiple dwellings and associated car parking.

The applicant has submitted a comprehensive submission (attached) to the matters and concerns raised during the advertising period, which is summarised as follows:

- In terms of density, it is considered that the additional units do not have adverse impact on the surrounding area.
- It is considered that the setbacks are acceptable, as there are no openings on the east wall and there is screening to balcony areas to prevent overlooking to the rear lots. Furthermore, landscaping along the rear boundary will soften the impact of the proposed buildings.
- A "nil" front setback to Stirling Street is proposed to encourage interaction between the street and the proposed development.
- Matters relating to demolition will be submitted as part of the Building Licence.
- The boundary walls and landscaping will assist in reducing the impact of noise.
- There are also other developments along Stirling Street which are 3 storeys in height.
- TPS No. 1 allows for multiple dwelling development.
- Stirling Street is wide enough to support the increased traffic, generated by this development.
- The proposed development would not impact on the existing sewer line.
- Revised plans have been submitted, providing for adequate car parking on-site, which has been "verified" by the Town's Technical Officers.
- The development is of a high quality, with all balconies contained within the subject site.
- The dwellings are considered spacious and will attract high quality owners and tenants to the area.

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

ASSESSMENT:

****Note: The following Assessment Table and Consultation Submissions Table were corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.***

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	R 80-7.72 multiple dwellings- 2 and more bedrooms	R 110, based on eight (8) two bedroom and four (4) single bedroom multiple dwellings	Supported- the proposal is considered to enhance the amenity of the area given the current state of the dwellings on-site. The height and scale is considered compatible with the surrounding built form; in particular, the multi residential development to the western side of Stirling Street, directly opposite the subject site.
Plot ratio	1.0 or 966 square metres.	0.88 or 854.64 square metres.	No variation.
Privacy	6 metres for bedrooms and 7.5 metres for balconies	1.8 metres for bedrooms 1 to units 1, 4, 7 and 10 and 4 metres respectively for balconies to units 6 and 12	<u>Not Supported</u> - no undue impact on neighbouring properties, and a condition requiring screening, has been proposed in accordance with the privacy requirements of the R Codes.
Number of storeys	2 storeys	3 storeys	Supported- the height and overall design of the proposal is not considered to create an unacceptable bulk and scale issue.
Stores	1.5 metres dimension and 4 square metres in area	1.5 metres in dimension and 3.6 metres in area	Supported- consistent with the unit sizes, the area of the stores is consistent and above that required by the Town's Policy on single bedroom dwellings, which advocates a 1 metre dimension and an area of 2.5 square metres.
Residential car parking	12 not in tandem arrangement	Not compliant	Supported- revised plans have been received demonstrating compliant and adequate car parking on-site.

Fencing	1.8 metres	3.343 metres (north and south sides)	Supported in part- on the basis the adjoining landowners agree to the increased proposed height.
Front setback- Ground floor- west side	Consistent with street setback-5.4 to 8.2 metres	Nil to 1.3 metres	Supported- Consistent with the emerging streetscape, which demonstrates new development along Stirling Street having "nil" setbacks.
Front setback- first floor-west side	Consistent with street setback-5.4 to 8.2 metres	Nil to 0.88 metre	As above.
Front setback- second floor- west side	Consistent with street setback-5.4 to 8.2 metres	Nil to 0.88 metres	As above.
Rear setback	6 metres	3.437 metres	Supported- as the setback variation is not considered to create an undue, adverse effect on the adjoining property.
Rear setback- first floor-east side	6 metres	3.437 metres	As above.
Rear setback- second floor- east side	6 metres	3.437 metres	As above.
First floor height and length –north - wall one	6 metres high and 25.33 metres long	6.686 metres high and 30.5 metres long	Supported- as the height and length variations are is not considered to create an undue, adverse effect on the adjoining property.
<u>Boundary wall north-second floor</u>	<u>6 metres high</u>	<u>10.5 metres</u>	<u>Supported- as the height variation is not considered to create an undue, adverse effect on the adjoining property.</u>
<u>Boundary wall south-second floor</u>	<u>6 metres high</u>	<u>10.5 metres</u>	<u>Supported- as the height variation is not considered to create an undue, adverse effect on the adjoining property.</u>
Side setback– second floor- north wall two	8 metres	4.1 metres	Supported- as the setback variation is not considered to create an undue, adverse effect on the adjoining property.
First floor height-south wall one	6 metres high	6.686 metres high	Supported- as the height variation is not considered to create an undue, adverse effect on the adjoining property.

Side setback– first floor-south wall two	4.6 metres	4.09 metres	Supported- as the setback variation is not considered to create an undue, adverse effect on the adjoining property.
Side setback– second floor- south wall two	8 metres	4.09 metres	Supported- as the setback variation is not considered to create an undue, adverse effect on the adjoining property.
Boundary wall	One wall on boundary	Two boundary walls	Supported- the walls do not extend the entire length of the boundary, and are not considered to have an undue impact on adjoining uses, one of which is an office building to the south side.
Overshadowing	50 percent	89 per cent	Noted- the area to the south would be affected by the overshadowing, which is due to the lot orientation and the size of the lots. The property to the south is currently used as an office. It is envisaged that if the property to the south were to be developed, it is likely that it would be developed in a similar nature in terms of use as the proposed development, and impose a similar level of overshadowing to the adjoining property.

Consultation Submissions

Support (2)	No reasons or justification provided	
Not stating whether support or objection (1)		
Objections (3)	Too high a density, as it results in too many dwellings, and is in excess of the current planning requirements.	Not supported- the proposal is considered to enhance the amenity of the area given the current state of the site; the proposal will promote housing diversity, and caters for the changing demographics and housing needs/wants of the community.

	Too many storeys in close proximity to adjoining rear fence.	Not supported- the height and overall design of the proposal is not considered to create an unacceptable bulk and scale issue. Moreover, the bulk and scale has been designed to face Stirling Street.
	There is no justification provided for the setback variations proposed.	Not supported- the setback variation is not considered to create an undue, adverse effect on the adjoining property.
	Privacy impact on backyard.	Not supported- no unreasonable undue impact on neighbouring properties and a condition requiring screening has been proposed in accordance with the privacy requirements of the R Codes.
	Defeats the purpose of heritage restrictions on this property and Lacey Street, as it would be “hyper critical” that such a “monstrosity” of a development being built behind Lacey Street.	Not supported- there are no heritage restrictions or guidelines affecting these sites.
	Concern that any demolition on proposed lots could cause the foundations to collapse, and affect adjoining house. Are the developers of the subject site liable for any damage and cost incurred by adjoining landowners?	Noted- this is a civil matter to be addressed by the affected parties.
	Noise generated by 20 cars resulting in excessive noise to bedroom located adjacent to site.	Noted- a parapet wall is proposed, which would assist in reducing potential noise levels.
	As other properties in the area are 2 storeys, will the proposed 3 storey development affect the market value in a positive or negative way?	Not supported- the proposed scale of development complements the built form and streetscape and is consistent with the Stirling Street streetscape.
	2 storey two/three bedroom town houses in the area similar to other surrounding areas and in Perth would be appropriate, and the Town should be more alert to this.	As above.
	Will restrict natural light to home and garden located on the eastern side of the subject site.	Noted- the area to the south would be affected by overshadowing, which is due to the lot orientation and the size

		<p>of the lots. The property to the south is currently used as an office. It is envisaged that if the property to the south were developed, it is likely that it would be developed similarly with respect to use, height and form.</p> <p><u>With regard to the eastern property, the overshadowing complies with the requirement of the R-Codes.</u></p>
	Results in additional pressure on street car parking and traffic in the area to the detriment of others.	Not supported- adequate car parking is provided on-site in accordance with the Town's requirements.
	Concern that the development would result in increased pressure on rear sewer line which may be compromised and result in disruption of other properties connected to this sewer line.	Not supported- a Water Corporation matter not considered at Planning Approval stage.
	Proposed car parking is not compliant, and no reason provided for this allowance.	Not supported- revised plans have been submitted, demonstrating compliant car parking on-site.
	Over hanging balconies expose all ratepayers to potential legal action, in the event of a "material breakdown".	Not supported- the balconies are contained within the subject site.
	Result in devaluation of property.	Not supported- there is no evidence submitted to substantiate the claim and not a valid planning consideration.
	May result in an increase in the crime rate and vandalism. Potential for future setting up of slums, due to small living quarters and no recreation space. New migrants attempting to emulate crowded conditions they left and this should be avoided to retain the Australian lifestyle.	Not supported- the statement is considered speculative in nature.
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil

Sustainability Implications	The proposal will be required to satisfy the energy efficiency requirements of the Building Code of Australia at the Building Licence stage. The proposal would maximise the potential use of the land, taking into consideration its close proximity to the City and major transport routes.
Financial/Budget Implications	Nil

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

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

Commercial Car Parking		
Office: 1 car bay per 50 square metres of gross floor area (proposed 180 square metres) = 3.6 car bays. To nearest whole number		4 car bays
Apply the parking adjustment factors.		(0.578)
<ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of one or more public car parks in excess of 50 spaces) • 0.80 (contains a mix of uses, with at least 45 per cent of gross floor area residential) 		2.312 car bays
Car parking provided on-site for commercial component		3 car bays
Resultant surplus		0.688 car bay
Bicycle Parking		
Requirements	Required	Provided
Office <ul style="list-style-type: none"> • 1 space per 200 (proposed 180) square metres gross floor area (class 1 or 2) – 0.9 spaces. 	1 space	Indicated on site plan.

Residential Car Parking

Car parking requirements for the residential component of the development have been calculated using the requirement for multiple dwellings from the Residential Design Codes (R Codes). In mixed use developments, the residential component requires the provision of 12 car bays, based on the standard of one (1) car bay for each of the 12 proposed multiple dwellings, with 10 per cent of the required car bays being allocated as visitor car bays. The number of car bays provided for the residential component is 18 car bays. In this instance, the non-provision of visitor car bays is supported, as there are 3 commercial car bays available after hours for visitors to the residential dwellings. Moreover, 6 of the multiple dwellings have 2 car bays provided for each of the units.

A total of 21 car bays have been provided for the entire development, therefore resulting in 3 car bays available for the commercial component.

Demolition

Under the Heritage of Western Australia Act 1990, there is a legal requirement for the Town to review and update its Municipal Heritage Inventory (MHI). The Town released a draft list of places considered to have cultural heritage value on 21 June 2006, for community consultation. The two subject properties at Nos. 234 and 240 Stirling Street were identified by Heritage consultants, the Hocking Planning and Architecture Collaboration on the draft list as "Category B - Conservation Recommended" places.

The owner of the subject properties objected to the proposed listing of the places onto the MHI for various reasons during the period of community consultation for the MHI review. In accordance with the methodology adopted by the Council for considering whether a place should be listed on the MHI, where an owner had objected, the Town's Heritage Officers conducted a full heritage assessment of both properties.

The heritage assessment for No. 234 (Lot 302) Stirling Street, Perth indicated the place had *some historic value* as a rare example of a Federation style two-storey residential building constructed circa 1908. The heritage assessment for No. 240 (Lot 136) Stirling Street, Perth indicated that the place had *some historic value* as a rare example of an early Federation cottage constructed circa 1895. However, in both instances, after acknowledging the relatively low degree of integrity and authenticity and the absence of significant historical information, it was considered that the places did not warrant inclusion on the Town's Municipal Heritage Inventory. The proposed listing of the places onto the MHI was considered by the Council at its Ordinary Meeting held on 23 January 2007. The Council resolved to exclude both places at Nos. 234 and 240 Stirling Street, Perth from the Town's MHI.

Detailed Heritage Assessments for both properties are contained in the attachment to this report.

In light of the recent consideration of both places onto the Town's MHI, it is recommended that the Council conditionally approve the demolition of the subject places in accordance with the Officer Recommendation. Whilst the places were not formally listed onto the Municipal Heritage Inventory, to recognise both places historic value, it is recommended that a plaque or an alternative form of interpretation be required to be created and displayed in the redevelopment of the site.

Absolute Majority

Given the proposed density bonus, as per Clause (40)(3)(b) of the Town's Town Planning Scheme No. 1, the Council, in the event of approving the application, would be required to do so by an absolute majority decision.

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

9.1.2 No. 252 (Lot: 7, D/P: 101) Stirling Street, Perth – Change of Use from Office to Medical Consulting Rooms (Periodontist)

Ward:	South	Date:	26 October 2009
Precinct:	Beaufort; P13	File Ref:	PRO4807; 5.2009.298.1
Attachments:	001		
Reporting Officer(s):	C Harman		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by F Creeper for proposed Change of Use from Office to Medical Consulting Rooms (Periodontist) and associated signage at No. 252 (Lot 7, D/P: 101) Stirling Street, Perth, and as shown on plans stamp-dated 19 October 2009, subject to the following conditions:

- (i) this approval is for Medical Consulting Room use only, and any change of use from Medical Consulting Room shall require Planning Approval to be applied for and obtained from the Town prior to commencement of such use;*
- (ii) any new street wall, fence and gate within the Stirling Street setback area, including along the side boundaries within this street setback area, shall comply with the Town's Policy provisions relating to Street Walls and Fences;*
- (iii) the Medical Consulting Room shall be limited to a maximum of 2 consulting rooms/consultants operating at any one time, as shown on the approved plans. Any increase in the number of consulting rooms/consultants shall require Planning Approval to be applied to and obtained from the Town;*
- (iv) the subject property shall not be used for massage activity of a sexual nature, prostitution, as a brothel business, as an agency business associated with prostitution, as an escort agency business, or the like;*
- (v) doors, windows and adjacent floor areas fronting Stirling Street shall maintain an active and interactive relationship with this street;*
- (vi) the hours of operation for the proposed Consulting Rooms (Periodontist) shall be limited to the following times: 8.30 am to 5.30 pm Monday to Friday inclusive; and*
- (vii) prior to the issue of the Building Licence, or first occupation of the development, which ever occurs first, revised plans shall be submitted and approved demonstrating the following:*
 - (a) the provision of one (1) class 2 and one (1) class 3 bicycle parking facility shall be provided at a location convenient to the entrances of the approved development; and*
 - (b) the compliance with the Building Code of Australia requirements for a class 5 (Office) Building.*

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

COUNCIL DECISION ITEM 9.1.2

Moved Cr Topelberg, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

Landowner:	F Creeper
Applicant:	F Creeper
Zoning:	Metropolitan Region Scheme: (MRS) Urban Town Planning Scheme No. 1 (TPS 1): Residential/Commercial R80
Existing Land Use:	Office Building
Use Class:	Consulting Rooms
Use Classification:	"SA"
Lot Area:	567 square metres
Access to Right of Way	N/A

BACKGROUND:

There is no background which relates to this proposal.

DETAILS:

The proposal involves a change of use from office to consulting rooms (periodontist) and associated signage. The proposal involves the removal of an existing double garage at the rear to allow for a greater number of car parking bays. The property is zoned Residential/Commercial and is currently being used as a legal office. The proposal involves medical consulting rooms (periodontist), which is an "SA" use under the Town of Vincent Town Planning Scheme No. 1.

Currently, there are six car parking bays provided at the rear of the site. The proposal involves the removal of a garage at the rear of the site to allow for one disabled parking bay as well as the existing six bays. The proposal also involves the erection of a hoarding sign and two wall signs on the site.

The applicant proposes to employ two staff members and estimates that the number of clients utilising the service will be one to two clients per hour.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Beaufort Precinct Policy:	To contain a residential component of no less than 66 per cent of the existing or approved floor space.	No residential component proposed.	Supported – not considered to have an adverse impact on the amenity of the area as the current use is 100 per cent commercial and adjoining properties are also predominantly commercial.

Town 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.	Commercial use in a Residential/Commercial Zone.	Supported – not considered to have an adverse impact on the amenity of the area as the current approved use is 100 per cent commercial.
Non-Residential/Residential Development Interface Policy:	Non-residential developments shall be restricted to District and Local Centre zones.	Commercial use in a Residential/Commercial Zone.	Supported - not considered to have an adverse impact on the amenity of the area as the current use is 100 per cent commercial and adjoining properties are also predominantly commercial.
Parking and Access Policy:	1 Class 2 Employee/Resident Bicycle Parking Space. 1 Class 3 Visitor/Shopper Bicycle Parking Space. All non-residential parking areas should contain shade trees generally at a rate of one tree per four spaces.	Nil. Nil. Nil.	Supported – condition applied to address this. Supported – condition applied to address this. Supported – not considered to have an undue impact on amenity of the area as only six bays are provided on site.
Signs and Advertising Policy: Sign A - Hoarding Sign	Be not less than 1.2 metres from the finished ground level. Not be erected in the area between any building and any street boundary of a lot except with the approval of the Town of Vincent.	0.9 metre from the finished ground level. Erected in the area between the building and the street boundary.	Supported – not considered to have an undue impact on the amenity of the area. Supported – not considered to have an undue impact on the amenity of the area.
Consultation Submissions			
Support.	Nil.		Noted.
Objection.	Nil.		Noted.
Other Implications			
Legal/Policy			TPS 1 and associated Policies
Strategic Implications			Nil
Sustainability Implications			Nil
Financial/Budget Implications			Nil

COMMENTS:

The proposal involves a change of use from an Office to Consulting Rooms (Periodontist). Whilst the proposal does not incorporate a residential component, it can be supported as the current approved use is entirely commercial, and it is considered the proposal will not have an adverse impact on the amenity of the area, as many of the adjoining properties are entirely commercial also.

Accordingly, the proposed change of use is recommended for approval, subject to standard and appropriate conditions.

9.1.4 Nos. 201-207 (Lots: 143 and 146, D/P: 594) Beaufort Street, Perth and Nos. 28-32 (Lots: 144 and 145, D/P: 594) Lindsay Street, Perth – Proposed Change of Use from Offices and Community Hall to Offices, Community Hall and Unlisted Use (Internet Café) and Associated Signage – Application for Retrospective Approval

Ward:	South	Date:	27 October 2009
Precinct:	Beaufort; P13	File Ref:	PRO0283; 5.2009.8.1
Attachments:	001		
Reporting Officer(s):	D Pirone		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Peedac Pty Ltd on behalf of the owner Aboriginal Advancement Council of WA for proposed Change of Use from Offices and Community Hall to Offices, Community Hall and Unlisted Use (Internet Café), at Nos. 201-207 (Lots 143 and 146, D/P 594) Beaufort Street, Perth and Nos. 28-32 (Lots 144 and 145, D/P594) Lindsay Street, Perth and as shown on plans stamp-dated 15 January 2009, 8 April 2009 and 16 September 2009, subject to the following conditions:

- (i) the total public floor area of the café shall be limited to 30 square metres;*
- (ii) the total public floor area of the internet/computer area shall be limited to 21 square metres;*
- (iii) the signage shall not have flashing or intermittent lighting;*
- (iv) all signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site;*
- (v) within 28 days of the issue of the approval, “Sign B” be removed from the site; and*
- (vi) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (vii) within twenty-eight (28) days of the issue date of this ‘Approval to Commence Development’, the owner(s) or the applicant on behalf of the owner(s) shall comply with the following requirements:*
 - (a) pay a cash-in-lieu contribution of ~~\$22,106~~ \$15,428 for the equivalent value of ~~7.895~~ 5.51 car parking spaces, based on the cost of \$2,800 per bay as set out in the Town’s 2009/2010 Budget; OR*
 - (b) lodge an appropriate assurance bond/bank guarantee of a value of ~~\$22,106~~ \$15,428 to the satisfaction of the Town. This assurance bond/bank guarantee will only be released in the following circumstances:*
 - (1) to the Town at the date of issue of the Building Licence for the development, or first occupation of the development, whichever occurs first; or*

- (2) *to the owner(s)/applicant following receipt by the Town 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*
- (3) *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.

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

COUNCIL DECISION ITEM 9.1.4

Moved Cr Maier, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (9-0)

Landowner:	Aboriginal Advancement Council of WA
Applicant:	Peedac Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Commercial and Residential/Commercial R80
Existing Land Use:	Office and Community Hall
Use Class:	Office, Community Hall and Unlisted Use (Internet Café)
Use Classification:	"P", "AA" and "SA"
Lot Area:	802 square metres

BACKGROUND:

- 21 May 1990 The City of Perth Council approved an application for refurbishment and change of use to offices, restaurant, shops and community recreational facilities at the subject property.
- 14 August 1995 The Council at its Ordinary Meeting declared the building on Lot 146 to be in a neglected state and ordered that the building should be put in a state of repair and good condition.
- 14 April 1997 The Council at its Ordinary Meeting considered a concept plan for the Aboriginal Advancement Council.
- 6 December 2000 The Town under delegated authority from the Council conditionally approved alterations and additions to existing offices.
- 24 May 2009 The Council at its Ordinary Meeting conditionally approved the erection of awnings on the Beaufort Street elevation of the subject property.

DETAILS:

The proposal involves the change of use from Offices and Community Hall to Offices, Community Hall and Unlisted Use (Internet Café) and Associated Signage.

The applicant has provided details about the proposed Internet Café as follows:

“Proposed hours and days: 7 days a week- 7am to midnight

Maximum employees: 3 full time- 3 trainees (working 2 at a time)

Maximum number of customers: will vary but approx 8-12

Parking bays:

Our targeted clientele are primarily Backpackers and students who stream past every day. They usually travel by public transport therefore we do not envisage customers with cars. But if required occasionally- there is limited street parking (including a disabled bay right outside as we have disabled access and toilet facilities) on Parry & Beaufort Streets plus the paid parking in Stirling St.

We also lease the AAC building on Lindsay Street which accommodates 7 vehicles at the rear of these premises which can be used for staff parking.

In addition there is secure parking off Little Parry Lane between both buildings that can accommodate 3 vehicles if required.”

ASSESSMENT:

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

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Signs and Advertising Policy: Sign B – Wall Sign	A minimum clearance of 2.75 metres.	Clearance of 2.4 metres.	Not supported – the clearance is non-compliant with the Town’s Signs and Advertising Policy and also non-compliant with clause 33 of the Building Regulations 1989, which states that “ <i>a projection shall not extend beyond the street alignment at any height less than 2750 mm from the level of the public footway</i> ”.
Sign C – Wall Sign	If placed above a door way, a minimum clearance of 2.7 metres is required.	Clearance of 2.5 metres.	Supported – proposed sign C does not extend from the wall and is therefore not considered to have an impact on the patrons of the café.

Car Parking	
The proposed internet area may be used by people who may not use the café and vice versa. There is no car parking ratio for an internet café in the Town's Parking and Access Policy. The internet area therefore is considered consistent with an Amusement Centre for the purpose of car parking calculation. The requirement for Amusement Centre is 3 spaces plus 1 space per 50 square metres of gross floor area.	
Car parking requirement (nearest whole number) <ul style="list-style-type: none"> • Office (771 square metres - requires 15.42 car bays) • Hall (280 square metres-requires 73.68 car bays) • Internet Area (amusement centre) (21 square metres – requires 3.42 bays) • Eating House (30 square metres – requires 6.67 car bays) Total required = 99.19 car bays	= 99 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> • 0.85 (within 400 metres of a bus stop) • 0.85 (within 400 metres of a public car park in excess of 75 car bays) • <u>0.85 (the proposed development is within 800 metres of a rail station)</u> 	(0.7225) <u>(0.614125)</u> = 71.527 <u>60.79</u> car bays
Minus the car parking provided on-site	8 car bays
Minus the most recently approved on-site car parking shortfall (after taking into account relevant adjustment factors)= 77 x 0.7225 <u>(0.614125)</u> = 55.632 <u>47.28</u>	55.632 <u>47.28</u> car bays <u>The shortfall of 77 car bays was derived from information contained in the Minutes from the City of Perth Council Meeting held on 21 May 1990.</u>
Resultant shortfall	7.895 <u>5.51</u> car bays
Consultation Submissions	
Support	Nil
Objection	Nil.
	Noted.
	Noted.
Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications	Nil
Sustainability Implications	Nil
Financial/Budget Implications	Nil

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

COMMENTS:

****Note: The following Comments were corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.***

The subject application has a total shortfall of ~~7.895~~ 5.51 car bays. The Town's Policy relating to Parking and Access suggests that the Council may determine to accept a cash-in-lieu payment where the shortfall is greater than 0.5 car bay to provide and/or upgrade parking in other car parking areas.

The property is located close to the Newcastle Street boundary with the City of Perth. In this respect, many surrounding properties have undergone redevelopment and improvement, particularly within *New Northbridge* (under the planning control of the EPRA). Accordingly, due regard is given to the fact that many of these developments do not provide parking and are limited by maximum car parking provision, as opposed to a minimum within the Town of Vincent. The shortfall in parking for this particular site is supported given the range of uses on the site, the clientele serviced by the uses, and that the main purpose of the building is for the training of Aboriginal people. It is considered the internet café will provide a valuable resource to persons in the general area and will provide an opportunity for the provision of IT training.

Given the above, the shortfall of parking is supported. In this instance, the resultant car parking shortfall of ~~7.895~~ 5.51 car bays would equate to a payment of ~~\$22,106~~ \$15,428.

The Local Planning Strategy states “*closer to the central business district however, the commercial zoning along Beaufort Street between Bulwer and Newcastle Streets is to encourage uses consistent with an activity corridor.*”

It also specifies the strategic direction of this section of Beaufort Street is to *'focus higher density residential, retail, entertainment and commercial activities along the corridor in a way that provides increased opportunities for diverse housing and employment within a 'walkable' catchment area through specific design guidelines.'*

In light of the above, it is considered that the proposed use is consistent with the strategic direction for Beaufort Street and accordingly, it is recommended that the Council approve the application, subject to standard and appropriate conditions to address the above matters. Notwithstanding the above, the existing sign B is required to be removed within 28 days of the date of approval as it does not comply with the Town's Policy relating to Signs and Advertising and the Building Regulations 1989.

9.1.6 ME Bank Stadium (Perth Oval) – Adoption of Signage Strategy

Ward:	Both Wards	Date:	27 October 2009
Precinct:	Beaufort (P13)	File Ref:	PRO1510
Attachments:	001		
Reporting Officer(s):	T Woodhouse		
Checked/Endorsed by:	H Smith, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Signage Strategy for ME Bank Stadium;*
- (ii) *ADOPTS IN PRINCIPLE the recommendations and guidelines contained within the ME Bank Stadium Signage Strategy dated August 2009, as shown in Appendix 9.1.6, for the purpose of guiding and managing proposed signage at ME Bank Stadium (Perth Oval);*
- (iii) *SUPPORTS the variation of the proposed 'Created Roof Sign' to the Town's Policy No. 3.5.2 relating to Signs and Advertising as shown in Figure 3 of the Strategy; and*
- (iv) *RECOMMENDS to the Western Australian Planning Commission to approve the Signage Strategy as the guiding document in determining development applications relating to signage at ME Bank Stadium (Perth Oval).*

COUNCIL DECISION ITEM 9.1.6

Moved Cr Farrell, Seconded Cr Burns

That the recommendation be adopted.

Debate ensured.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with an overview of the purpose and intent of the Signage Strategy for the ME Bank Stadium and to seek Council's approval of the Strategy.

BACKGROUND:

25 August 2005 Planning Approval issued by the Western Australian Planning Commission dated 25 August 2005 relating to proposed signage at Members Equity Stadium provided the following advice to the applicant: 'a sign strategy will be submitted to and adopted by the Town of Vincent prior to the consideration of any further signage proposed for the subject site'.

- 26 June 2008 Development Application received for proposed signage at Members Equity Stadium.
- 1 December 2008 Development Application received for proposed signage at Members Equity Stadium.
- 17 December 2008 Planning Approval issued by the Western Australian Planning Commission dated 17 December 2008, relating to proposed signage application at Members Equity Stadium, received on 26 June 2008, provided the following advice to the applicant: *'a sign strategy will be submitted to and adopted by the Town of Vincent prior to the consideration of any further signage proposed for the subject site'*.
- 5 January 2009 The Town advised the applicants, Allia Venue Management Pty Ltd, that the subject application received on 1 December 2008 was to be held in abeyance until such time as a Signage Strategy has been received and adopted for ME Bank Stadium, as per the above advice issued for a planning application for signage received on 26 June 2008.
- 6 January 2009 The Town advised the Western Australian Planning Commission that the subject application was to be held in abeyance until such time as Signage Strategy has been received and adopted for Members Equity Stadium as per the above advice.
- June 2009 Draft Signage Strategy received from Allia Venue Management Pty Ltd, and reviewed by the Town's Officers in accordance with the Town's Policy No. 3.5.2 relating to Signs and Advertising.
- July 2009 Amended Draft Signage Strategy received from Allia Event Management, and forwarded to the Heritage Council of Western Australia for review.
- 11 August 2009 Comments received from the Heritage Council of Western Australia and forwarded to Allia Event Management for consideration to be incorporated into Signage Strategy. A summary of the comments received from the Heritage Council of Western Australia are detailed in the Consultation/Advertising section of this report.
- 21 August 2009 Revised version of Signage Strategy received from Allia Event Management Pty Ltd and referred to the Western Australian Planning Commission for comment.
- 26 October 2009 Preliminary comments received by email from the Department of Planning, indicating in-principle support of the Signage Strategy. A summary of the comments received from the Department of Planning are detailed in the Consultation/Advertising section of this report.

DETAILS:

In 2004, extensive works were undertaken to Perth Oval resulting in the conversion to a multi-purpose stadium. The nature of the site as a multi - purpose stadium has meant that the current managers of the site, Allia Venue Management, are required to submit applications to erect various types of signage.

The suggestion of a Signage Strategy was first raised as part of a Development Approval issued by the Western Australian Planning Commission on 24 August 2005. Similarly, the Heritage Council of Western Australia has provided support through written correspondence that a Signage Strategy should be prepared to guide and manage proposed signage at the site.

Following advice that the Development Application for proposed signage received on 1 December 2008, was to be held in abeyance until such time as a Signage Strategy was prepared, the Town's Officers met with Allia Event Management to discuss the preparation of a Signage Strategy. The first draft of the Strategy was submitted in June 2009, and two further versions have been prepared taking into account requirements of the Town's Policy No. 3.5.2 relating to Signs and Advertising and comments received from the Heritage Council of Western Australia.

It is intended that the Signage Strategy will provide the Town of Vincent, the Heritage Council of Western Australia, the Western Australian Planning Commission and the Manager of the ME Bank Stadium, a sound guiding document for any proposed signage at the site, and assist in streamlining the assessment process.

CONSULTATION/ADVERTISING:

Copy of Signage Strategy forwarded to the Heritage Council of Western Australia and the Western Australian Planning Commission for comment.

Summary of the comments received from the Department of Planning

- Signs visible from the outside of the stadium should only promote and display information directly related to the stadium and events held therein, and should not be used by third parties;
- For externally visible signs, standard conditions such as ensuring signage is not unduly distracting, particularly to motorists, should be associated with any development/advertising approval;
- Hoarding on the boundary of the arena is considered consistent with those of comparable stadia (for example, Subiaco Oval), and consistent with the orderly and proper planning and intended use of the subject land;
- Signs required for information purposes as articulated in the Strategy are considered acceptable; however, any inclusion of ME branding/logos etc should be incidental and ancillary if the signs are to be considered as "information" signage; and
- Comment from the Heritage Council will be required for signs which affect registered places or their curtilage.

Summary of comments received from the Heritage Council of Western Australia

- Permanent sponsor signage for installation on stands shall only be for stadium sponsors;
- Internal signage and external signage not viewed from the street does not require a signage licence or planning approval except in the instance that it is affixed to an element of cultural heritage significance, including the Main Entry (Heritage) Gates and the Fred Book Stand; and
- Temporary Signage must not impact on the physical fabric of the Main Entry (Heritage) Gates.

LEGAL/POLICY:

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2009-2014– Strategic Objectives: Natural and Built Environment:
"... 1.1.3 Enhance and maintain the character and heritage of the Town..."

FINANCIAL IMPLICATIONS:

Nil.

COMMENTS:

As detailed above, the Signage Strategy has been reviewed by the Town's Officers in accordance with the Town's Policy No. 3.5.2, relating to Signs and Advertising. The proposed created roof signage on the *Fred Book Stand*, whilst demonstrating a variation to clause (3) (iv) (b) of the Policy in terms of area, is considered to address the general requirements for signage in clause (2) of the Policy, and given the overall size of the *Fred Book Stand*, the dimensions of the signage are in proportion with the scale of the grandstand and the overall setting of the reserve more generally.

It is recommended therefore that the Council receives this report and adopts in principle the ME Bank Stadium Signage Strategy as per the Officer Recommendation.

9.1.8 Responsible Pet Ownership - Open Day at Woodville Reserve on 22 November 2009

Ward:	Both	Date:	28 October 2009
Precinct:	All	File Ref:	ENS0059
Attachments:	-		
Reporting Officer(s):	J MacLean		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council APPROVES the;

- (a) *Town's participation in the proposed joint Dog Registration/Micro Chipping Days, on 8 November 2009 at the City of Nedlands and on 22 November 2009 at Woodville Reserve, North Perth;*
- (b) *Town of Vincent holding an "Open Day" to promote Responsible Pet Ownership, at Woodville Reserve, Farmer Street, North Perth on Sunday 22 November 2009; and*
- (c) *expenditure of \$1,200, from the Town's current Budget Item "Responsible Dog Ownership Programme".*

COUNCIL DECISION ITEM 9.1.8

Moved Cr Maier, Seconded Cr Harvey

That the recommendation be adopted.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of the report is to gain Council approval for a joint initiative, with the City of Nedlands and the Town of Claremont, to promote "Responsible Pet Ownership" and to microchip dogs and cats, at an Open Day in the Town on 22 November 2009.

BACKGROUND:

Microchipping is internationally recognised as a permanent way to identify pets and to facilitate their return to their owners, if they become lost. This entails the insertion of a very small electronic microchip, about the size of a grain of rice, into the neck of the animal. It causes no discomfort to the animal, when in-situ, but it provides a way to positively identify an animal.

Each microchip has a unique bar-code, which can be read by a Chip-Scanner and which is registered on the Central Animal Records Database, which is a National database to record ownership details of pets. An animal that is found anywhere in Australia can be identified by the microchip and can be quickly returned to its owner.

The Department of Local Government is currently examining a proposal that, if accepted, would provide for the compulsory microchipping of dogs. This matter appears to be the last outstanding issue to be dealt with following the long and extensive review of the Dog Act 1976.

The Department requested feedback from Local Authorities by Friday 30 October 2009, in order that options may be assessed. The Town has offered its support to compulsory microchipping and has provided the relevant information in relation to the accessibility of microchipping in the municipality, and the details of current procedures used by the Town in relation to screening impounded dogs.

The Town has also indicated support for its employees to be professionally trained in microchip implantation, making them eligible for certification as an authorized implanter. The implantation of microchips by employees will also provide an opportunity to diversify the employee's duties giving them further skills and enhancing their own personal and professional development, as well as providing a very worthy community service.

DETAILS:

The Dog Act 1976 requires that all dogs are registered with their local government and that they wear a collar, with ownership details and a registration tag, at all times, when in a public place. However, one of the main obstacles to re-uniting lost pets with their owners is that the dogs often do not wear a collar when at home, so if they manage to escape, there is no way to identify the animal. It is a regular comment by owners that the registration tag was affixed when the dog went missing, but that it must have become detached.

While not legislated for, the insertion of a microchip makes re-uniting of wandering pets and their owners much easier. As a result, the Town already recommends this service to pet owners. The Town currently owns a Microchip Reader and this is used when dogs are impounded with no identification tags.

The Town's Senior Ranger was approached by the City of Nedlands and the Town of Claremont, seeking the Town's involvement in a regional programme to increase the number of pets that are identified by a microchip. The City of Nedlands secured a number of microchips at a very reasonable price and is seeking involvement of other local governments to make use of them. Because of the current ties between the Rangers of both local governments, the Town was offered the opportunity to participate. The Rangers believe that this is an excellent way to promote the "Responsible Pet Ownership" message to the Town's ratepayers and residents. Similar guidelines to the current "Dog and Cat Sterilisation Programme" would be used, to ensure that the benefits are only derived by residents of the Town. A Town of Vincent Ranger would attend the City of Nedlands Open Day, on 8 November 2009 and a City of Nedlands Ranger would then attend the Town's Open Day on 22 November 2009.

The Town's Veterinary Centre is also very supportive of the initiative and have offered to give their time, at a cost of \$10.00 per eligible animal, for the event. As a result, with the Town of Vincent subsidy, it is anticipated that the total cost per eligible animal will be between \$25.00 and \$35.00, depending on the animal. Non-residents are also welcome to attend, but they would be expected to pay the unsubsidised amount for the microchip insertion. This is normally around \$45.00 to \$50.00 per animal.

One of the additional benefits to the Town's residents is that Rangers will be on-hand to accept Dog Registration fees and to issue Registration Tags to owners. This will save owners having to call at the Administration and Civic Centre to register their dogs.

It is anticipated that, in future years, this microchipping initiative would form part of the current Cat and Dog Sterilisation Programme. Since the animal will already be at the Veterinary Centre, for the sterilisation operation, the veterinary fees will already have been paid, so the additional cost of inserting a microchip would be restricted to the cost of purchasing the device. The above initiative is seen as a positive way to promote "Responsible Pet Ownership" and the Open Day will have the added benefit of having a Veterinarian on hand to answer questions about the health of residents' animals.

CONSULTATION/ADVERTISING:

The Open Day will be advertised by letter-drop for the area around Woodville Reserve and by an advertisement in the local newspaper.

LEGAL/POLICY:

There are no legal implications related to this event.

STRATEGIC IMPLICATIONS:

This proposal is in keeping with the Town's Strategic Plan 2009 - 2014, at 1.1.4(k) - *"Implement and promote appropriate animal control and management strategies."*

SUSTAINABILITY IMPLICATIONS:

The Town heavily promotes "Responsible Pet Ownership" and takes every opportunity to encourage dog owners to register their animals. Rangers assist with "Puppy-school Training" and "Dog Obedience Training", run by local veterinarians, as well as identifying and congratulating people that have been observed "doing the right thing" in local parks and reserves.

This initiative is seen as an extension of this programme, which will ensure that a maximum number of animals are registered.

FINANCIAL/BUDGET IMPLICATIONS:

Other than the subsidy for \$1,200, which will be paid from the current "Responsible Dog Ownership" budget item, there are no other costs.

COMMENTS:

The City of Nedlands and the Town of Claremont approached the Town's Rangers, seeking their participation in a joint initiative to subsidise the insertion of microchips into residents' pets, as a way to promote "Responsible Pet Ownership". Microchips are a secure and permanent way to identify pets, using a national database and provide an efficient way to reunite lost pets with their owners.

This will be undertaken at two Open Days, on 8 November 2009 at the City of Nedlands and on 22 November 2009, at Woodville Reserve, North Perth. The Town will subsidise the microchipping of animals at the Open Day to a total cost of \$1,200.

9.2.1 Proposed Western Power Ring Main Unit & Transformer Installation – Robertson Park, Stuart Street, Perth

Ward:	South	Date:	27 October 2008
Precinct:	Hyde Park P12	File Ref:	RES0066/TES0552
Attachments:	001		
Reporting Officer(s):	C Wilson		
Checked/Endorsed by:	J van den Bok	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on Western Power's request to locate a ring main unit and transformer in Robertson Park, Stuart Street, Perth;*
- (ii) *APPROVES the proposal to locate the ring main unit and transformer in Robertson Park as shown on the attached diagram, subject to Western Power:*
 - (a) *ensuring that appropriate vegetation is planted around the units for screening purposes in liaison with the Town's Parks & Property Services section; and*
 - (b) *paying all costs associated with the installation including any service relocations; and*
- (iii) *ADVISES Western Power of its decision.*

COUNCIL DECISION ITEM 9.2.1

Moved Cr Lake, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Buckels, Seconded Cr Lake

That the item be DEFERRED to allow time to negotiate with Western Power for an alternative site.

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of this report is to seek Council's approval for Western Power to locate a ring main unit and transformer within the Stuart Street frontage of Robertson Park, Perth.

BACKGROUND:

On 3 September 2009, the Town received a letter from Western Power requesting Council's approval to install a ring main unit (RMU) and transformer (TX) within the Stuart Street frontage of Robertson Park. The installation is deemed necessary to ensure the reliability of the power supply in the area bounded by Newcastle, Fitzgerald, Bulwer and Lake Streets. Further, Western Power advised that there is little spare capacity in the existing system and that the additional transformer would facilitate future developments within the immediate vicinity.

DETAILS:

Western Power's infrastructure in the aforementioned area is both old and nearing full capacity. Western Power is seeking to in part address the issue by installing a RMU and TX within the vicinity of Robertson Park. The proposed location of the units is dependent upon existing electrical infrastructure, and it is essentially a junction point for a combination high and lower voltage systems. If the proposed RMU and TX units were moved to another location, it would require significantly more work and greater disruption to the local community.

Western Power is hoping to have the units installed before the summers months, which is traditionally the peak load period, to ensure that the immediate area is less likely to experience 'brown outs' or diminished supply for extended periods.

The units themselves are the standard 'green boxes', measuring 2470 long x 1000 wide x 1200 high (RMU) and 1800 long x 1850 wide x 1200 high (TX) respectively. They are to be located next to each other within the reserve immediately adjacent to the boundary and approximately 20m west of Palmerston Street. The units cannot be located within the road reserve verge because of the significant Telstra fibre optic (trunk) telecommunications cables and other services.

The Town has in the past objected to Western Power locating transformers (and the like) in reserves, most notably Hyde Park in June 2006, but on each occasion it has been reluctantly accepted as the only viable location. As would be expected, residents generally do not want the units on the verge outside their home. Further, as the infrastructure is not related to a specific development it cannot be imposed upon a property owner to accommodate the unit(s).

Policy

In recognition of the increasing number of transformers, and associated infrastructure, being retro fitted in established areas within the Town, the Council endorsed a policy - No. 2.2.3 - in June 2005, *Electricity Supply – Development Guidelines for Installation of Substations*. While a majority of the policy provides guidance and sets out responsibilities for private developers, the policy concludes with the following statement:

"Wherever possible the Town will minimise and discourage isolated placement of electrical infrastructure in public places."

Unfortunately in this instance the only suitable available location that meets Western Power's criteria, with the least impact upon the surrounding residents, is within the Robertson Park boundary abutting Stuart Street.

Screening

The proposed RMU & TX units are to be located within the Robertson Park reserve boundary near the open swale drain bubble-up and at a point where the existing fringing native vegetation finishes. Western Power propose to extend the native planting along either side of the installation, leaving the Palmerston Street end open, so as to effectively screen the units from both the road and the park.

CONSULTATION/ADVERTISING:

Western Power will be responsible for liaising with the residents and property owners on the southern side of Stuart Street and the eastern side of Palmerston Street within a line of sight of the installation.

LEGAL/POLICY:

Policy No. 2.2.3 - *"Electricity Supply - Development Guidelines for Installation of Sub-Stations"*.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2009 - 2014 – 1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *"(g) Pursue options and funding for undergrounding of power throughout the Town."*

SUSTAINABILITY IMPLICATIONS

The method of power generation aside, the proposed installation will ensure a continuity of power supply in the immediate area, thereby improving the amenity of the local community.

FINANCIAL/BUDGET IMPLICATIONS:

There will be no financial implications for the Town as the proposal will be fully funded by Western Power.

COMMENTS:

Whilst the Town would prefer that transformers are not located in public spaces, it is extremely difficult to 'retrofit' them in established areas. Generally, the only opportunity to set back or 'hide' a transformer is when a proposed development that is reliant upon the power supply upgrade can be requested to cede a portion of land for the transformer site.

However, in this instance the proposed installation is not linked to a specific development but rather an area wide supply enhancement and therefore it is considered that the proposal to locate the ring main unit and transformer in Robertson Park should be supported. It will provide surety of power supply in the immediate area with provision for increased demand in the future.

9.2.2 Traffic Management Matter – Anzac Road, Leederville/Mt Hawthorn – Further Report

Ward:	North	Date:	28 October 2009
Precinct:	Leederville Precinct P3	File Ref:	TES0021
Attachments:	001		
Reporting Officer(s):	C Wilson		
Checked/Endorsed by:	J van den Bok	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the further report on Anzac Road, Leederville/Mt Hawthorn, Traffic Management Matter;*
- (ii) *NOTES the comments received from the respondents;*
- (iii) *APPROVES the implementation of a proposed modification at the intersection of Anzac Road and Loftus Street estimated to cost \$25,000, as outlined on attached Plan No. 2646-CP-01; and*
- (iv) *ADVISES the respondents of its decision.*

Moved Cr Farrell, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Farrell, Seconded Cr Lake

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

- “(iii) *APPROVES the implementation of a proposed modification at the intersection of Anzac Road and Loftus Street estimated to cost \$25,000, as outlined on attached Plan No. 2646-CP-01 and AUTHORISES the Director Technical Services to modify the plan to accommodate pedestrians and cyclists; and*”

AMENDMENT PUT AND CARRIED (9-0)

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 9.2.2

That the Council;

- (i) *RECEIVES the further report on Anzac Road, Leederville/Mt Hawthorn, Traffic Management Matter;*
- (ii) *NOTES the comments received from the respondents;*
- (iii) *APPROVES the implementation of a proposed modification at the intersection of Anzac Road and Loftus Street estimated to cost \$25,000, as outlined on attached Plan No. 2646-CP-01 and AUTHORISES the Director Technical Services to modify the plan to accommodate pedestrians and cyclists; and*
- (iv) *ADVISES the respondents of its decision.*

PURPOSE OF REPORT:

The purpose of this report is to advise Council of the outcome of community consultation regarding proposed modifications at the intersection of Anzac Road and Loftus Street and to seek Council's approval to implement the changes.

BACKGROUND:

As the Council is aware, Anzac Road was last discussed at the Local Area Traffic Management (LATM) Advisory Group meeting held on 19 March 2009, and a report on the matter was presented to the Ordinary Meeting of Council held on 26 May 2009, where the following decision was made.

"That the Council;

- (i) RECEIVES the further report on Traffic Management Matter referred to the Town's Local Area Traffic Management Advisory Group;*
- (ii) NOTES the comments contained in the report on the outcome of the Local Area Traffic Management Advisory Group meeting of 19 March 2009 and the further information/investigations undertaken following the meeting;*
- (iii) APPROVES IN PRINCIPLE the proposal to modify the intersection of Anzac Road/Loftus Street as shown on attached Plan No 2646-CP-01;*
- (iv) CONSULTS with residents regarding the proposal in accordance with the Town's consultation Policy; and*
- (v) RECEIVES a further report on the matter at the conclusion of the consultation period."*

DETAILS:

The LATM Advisory Group meets, as required, to consider requests received by the Town relating to traffic and related safety issues and, where warranted, the Group's recommendations are reported to the Council.

The LATM advisory group considered the Anzac Road matter at its meeting held on 19 March 2009, at which 19 members of the public were in attendance.

As previously reported to the Council, there is significant data indicating that Anzac Road, in terms of both speed and volume, complies with its classification of a Local Distributor road. Data collected in February 2009, between Shakespeare and Harrow Streets and Harrow and Loftus Streets, indicated an 85% speed of 51.8 kph and 50.4 kph respectively, with a traffic volume of 1,088 vehicles per day, indicating a slight downward trend since 2002.

While some of the residents at the meeting were seeking to have Anzac Road blocked off at Loftus Street, thereby creating a cul-de-sac, it was generally agreed that if it was it would have an adverse impact upon the amenity of the residents of Harrow Street.

The agreed outcome was that Loftus Street/Anzac Road be examined and a concept plan prepared for narrowing the approach to give the street a more residential feel, resulting in the attached concept plan, No. 2646-CP-01, which comprised the following:

- Reduced width egress/access lane widths to 3.55m wide
- Nibs to allow protected on-road parking
- Approach/exit raised plateaux
- Landscaped nibs
- Realigned/Extended centre median island with tree plantings

Community Consultation:

In accordance with the Council's decision on 26 May 2009, 28 letters were delivered to residents in Anzac Road, between Loftus and Shakespeare Streets. At the close of consultation on 16 October 2009, five (5) responses had been received, representing an 18% response rate.

Of the responses received, four (4) or 80% were in favour, with one (1) or 20% against.

Given so few responses, the summary of the comments has been included in the main body of the report below, rather than as a separate attachment.

For: 4

Looks a good proposal.
3 'in favour' with no comment provided.

Against: 1

Your proposal will further narrow Anzac Rd.
I am happy the way it is now.

Comments/Conclusions:

After a lot discussion and at times passionate debate over the past two years, the final public consultation resulted in very few responses.

While the proposed modifications are unlikely to have a significant impact upon traffic volumes and speed beyond the intersection, they will be an aesthetic improvement that should change driver perception of the function of the street. The extended splitter island and speed humps will not only improve pedestrian safety but separate and slow down traffic on approach to the intersection and reinforce the give-way control. It will also result in additional on-road parking spaces in Anzac Road, which will benefit the residents adjacent to the intersection, as there is limited or no on-road parking in Loftus Street.

CONSULTATION/ADVERTISING:

Consultation with the residents of Anzac Road was undertaken and the respondents will be advised of the Council's decision.

LEGAL/POLICY:

N/A

STRATEGIC IMPLICATIONS:

In accordance with the objective of the Plan for the Future - Strategic Plan 2009-2014 – Key Result Area One: 1.1.6 *“(d) Implement Local Area Traffic Management matters referred to the Local Area Traffic Management Advisory Group by Council”*.

SUSTAINABILITY IMPLICATIONS:

The Council adopted a long term program to ensure its road infrastructure is maintained to an acceptable level of service. Funds are allocated annually to ensure this program is sustainable.

FINANCIAL/BUDGET IMPLICATIONS:

The 2009/2010 budget includes \$25,000 for traffic management in Anzac Road.

COMMENTS:

The Anzac Road Traffic Management has been a contentious issue for a number of years and is well documented in the Town's records. The current proposal before Council is the culmination of a number of meetings and, at times, passionate debate. Given its history, the low response rate is somewhat surprising, however, of those who did respond, the majority were in favour of the proposal and therefore it is recommended that it proceed.

9.3.1 Draft Framework Agreement between State and Local Government for the Provision of Public Library Services in Western Australia

Ward:	Both	Date:	5 October 2009
Precinct:	All	File Ref:	CMS0002
Attachments:			
Reporting Officer(s):	E Scott		
Checked/Endorsed by:	M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to the Draft Framework Agreement between State and Local Government for the Provision of Public Library Services in Western Australia; and*
- (ii) *NOTES the Town's responses to the Western Australian Local Government Association on the Draft Framework Agreement Questionnaire.*

Moved Cr Maier, Seconded Cr Harvey

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr McGrath

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

- “(iii) *ADVISES WALGA that the Town is concerned with the potential for cost shifting and the eventual development of a two tiered system that may see those areas that most need a good library system being disadvantaged in this proposed Framework Agreement.*”

AMENDMENT PUT AND CARRIED (9-0)

MOTION AS AMENDED PUT AND CARRIED (9-0)

COUNCIL DECISION ITEM 9.3.1

That the Council;

- (i) *RECEIVES the report relating to the Draft Framework Agreement between State and Local Government for the Provision of Public Library Services in Western Australia;*
- (ii) *NOTES the Town's responses to the Western Australian Local Government Association on the Draft Framework Agreement Questionnaire; and*
- (iii) *ADVISES WALGA that the Town is concerned with the potential for cost shifting and the eventual development of a two tiered system that may see those areas that most need a good library system being disadvantaged in this proposed Framework Agreement.*

PURPOSE OF REPORT:

The purpose of this report is to submit feedback to the Western Australia Local Government Association with regard to the Draft Framework Agreement between State and Local Government for the Provision of Public Library Services in Western Australia.

BACKGROUND:

The State Library of Western Australia (SLWA), Department of the Culture and the Arts, Government of Western Australia is a statutory authority which works in partnership with Local Government to provide stock and services to Western Australia's Public Libraries. This is enacted under the *Library Board of Western Australia Act 1951*. SLWA is obliged to consult stakeholders in preparing a Framework Agreement that ensures that both parties address the needs of all members of the West Australian Community, and which delineates standards and responsibilities.

The *Framework Agreement between State and Local Government for the Provision of Public Library Services in Western Australia* (Framework Agreement) expired in June 2008. The Library Board of Western Australia, WALGA State Council and The Hon. John Day, Minister for Culture and the Arts agreed to extend the current Agreement to provide sufficient time for the strategic imperatives of structural reform to be negotiated and a new framework Agreement to deliver the agreed outcomes to be developed.

Development of a new Framework Agreement is one of the priority strategies articulated in the structural reform of public library services report. The development of a new Framework Agreement is also critical to the negotiation of State Government funding for the provision of public library services.

DETAILS:

The Strategic Library Partnership Steering Committee (SLPASC) was formed by an Agreement between the Library Board of Western Australia and WALGA State Council in order to progress the structural reform of library services and develop a new arrangement. The Committee comprises representatives from SLWA, Department of Local Government and Regional Development, Local Government Managers Australia (WA Division), Public Libraries Western Australia (PLWA) and WALGA.

A major achievement under the previous *Framework Agreement* was a review of public library services across the state. The subsequent *Structural Reform of Public Library Services in Western Australia* report and implementation plan will be key drivers and underpinning documents for the term of this new *Framework Agreement*. Implementation of the top 10 priorities will be the key focus during the term of this *Framework Agreement*. The identified strategic outcomes are:

- well informed, literate and learning communities;
- connected and resilient communities;
- community memory preserved and shared;
- accessible and relevant content;
- community destinations;
- skilled and innovative staff;
- continuous improvement;
- strategic partnerships;
- good governance; and
- visible and valued.

Since May 2009, the SLPASC has sought feedback on the current Framework Agreement and established a Funding models Subcommittee to develop a new funding framework for the provision of public library services. The purpose of the committee is to establish the principles, and to ensure that communities derive the best value for the funds invested by the State/Local Government for the delivery of public library services. Their work is expected to be completed by the end of September 2009.

As endorsed at the August 2009 State Council meeting, the draft Framework Agreement between State and Local Government for the Provision of Public Library Services in Western Australia has been prepared. A draft funding agreement and draft local level agreement template, and explanatory notes were also developed.

The intent of the new Framework Agreement is a broad strategic document that affords flexibility and clarifies the roles and responsibilities of each party; and provides flexibility for the development of more detailed individual agreements between local governments and SLWA, in accordance with the draft local level agreement template.

The above agreements were discussed by the SLPASC at their meeting on the 19 August 2009 and 16 September 2009. The SLPASC agreed with the broad principles contained in the agreements, but acknowledged that the exact wording would be subject to advice from respective legal advisers to SLWA and WALGA. The intention is for the new Agreements to be endorsed at the respective December 2009 meetings of Library Board of WA and WALGA State Council.

As advised to the August 2009 State Council meeting, WALGA sought feedback and received limited response from Member Councils on the development of the new framework agreement. 20 responses were received which represents 14.38% of the membership. Further feedback is still required from the sector to ensure an effective argument to support WALGA's negotiation with the State Government for increased funding and support for the provision of public library services in WA. This will be achieved through this second wave of consultation.

Of those that did respond, there was support for the need for a strategic overarching framework agreement to ensure that State and Local Government and their respective partners clearly understand their rights, obligations and responsibilities to each other and to the citizens of the Western Australia. The strengths of the current Agreement were listed as accountability, equity and free access to core services (inter-library loans, effective exchange models and professional development).

The development of individual agreements, funding and provision of standards that reflect an equitable outcome for public libraries, which incorporated public library structural reform outcomes, was considered a priority by 97% of respondents.

The Draft Agreements

The following is a brief overview of the respective draft agreements:

Framework Agreement

The draft Framework Agreement differs from the previous agreement in a number of ways with the most significant being the removal of mention of specific funding levels, the removal of detailed services to be provided by the parties and the removal of standards related to the number of items of stock per capita and to a replacement stock provision rate. Funding is captured in the draft Funding Agreement while core products and services are documented in the local level agreements. New standards will be developed as part of the structural reform project to replace items per capita and replacement stock provision rates.

The draft Framework Agreement focuses on principles, objectives, outcomes, outputs, roles/responsibilities at a strategic level, and management of the partnership. The principal output is implementation of the structural reform strategies which are anticipated to take some five years to implement. Given that the Framework Agreement is based around a set of key, high level, principles it is intended that it will be in place for five years with the possibility of extension, subject to agreement of both parties. These principles include a commitment to the partnership (by State and Local Government), the need to respond to community need, transparency and accountability with respect to responsibilities, sustainability of services and working in a spirit of mutual respect and cooperation.

A key delaying factor in development of the last Framework Agreement was the amount of discussion and negotiation required with respect to funding. With this in mind, funding information this time has been uncoupled from the Framework Agreement and articulated in an accompanying Funding Agreement as a separate document.

Funding Agreement

The intent of the draft Funding Agreement is that it will apply for the term of the State Government. It quantifies the level of known State Government funding for public library acquisitions which is \$6.5 million in 2009/10 with the same amount showing in the forward estimates for 2010/11 and 2011/12. Again, one of the underpinning principles in development of this agreement is the need to implement structural reform of public library services. One of the top ten strategies in relation to structural reform is the need to develop a new funding model with a move towards a grant-based system. WALGA's economist is leading the SLPASC funding models subcommittee. This will inform development of a new model and provide additional input into the Funding Agreement.

In 2008/2009 the total investment to public libraries was \$10.855 million, which was an additional funding for public libraries of \$4.355 million, \$200,000 of which was to progress the Structural Reform of Public Library Services in Western Australia (2007). The funding on offer is therefore a significant reduction from the funding in 2008/09, and will be reflected in a reduction in the number and value of items that SLWA can provide to public libraries, so that local governments will be obliged to supplement the bookstock in order to maintain the quality of the collection, and achieve the strategic target 12.5% turnover rate, as defined in the current framework agreement, and set by SLWA for public libraries.

Local Level Agreements:

The final agreement is a draft local level agreement (template) to formalise the relationship between individual local governments and the Library Board. Such agreements already exist but, in many cases, date back to the 1950s and 1960s and need to be updated. The key sections of these agreements are those stating local government and Library Board obligations with respect to core products and services to each other and to the Western Australian public. Additionally, reference is made to compliance with specified regulations, standards, reporting and operating guidelines.

The intent is that the Library Board and each Local Government will sign an individual agreement based on the template. The relevant legislation for the provision of library services in Western Australia is the *Library Board of Western Australia Act 1951* (the Act) which outlines the powers and role of the Library Board. Prior to entering into the current agreements with the Library Board each local government resolved to become, and was subsequently declared a participating body under the Act. The old agreements will be replaced by the new agreement.

To ensure that Local Governments have an opportunity to contribute, WALGA has sent out a FAX-Back questionnaire, with questions and our answers are shown below:

- (1) Framework Agreement between the State Government and Local Government for the Provision of Public Library Services in Western Australia (Framework Agreement):

(a) Do you support intent/principles of the Draft framework Agreement?

Officer Comment:

"Yes. It is essential that lines of communication between all groups are kept open and readily accessible."

(b) Please detail any areas that need to be addressed?

Officer Comment:

"'Agreed Standards' are not specified in the draft documents."

- (2) Funding Agreement between the Minister for Culture and the Arts and President of the Western Australian Local Government Association regarding funding for Public Libraries 2009/10 to 2011/12:

(a) Do you support intent/principles of the funding Agreement?

Officer Comment:

"Yes. It is believed that principles of the proposed funding agreement will support future developments in the delivery of public library services."

(b) Please detail any areas that need to be addressed?

Officer Comment:

"The State Government has proposed to set a series of performance targets for public libraries, and to allocate funding based on each library service's success or not in achieving those targets. There has been no consultation to date on these targets, nor have they been identified in this document or elsewhere."

- (3) The Library Board of Western Australia and individual Local Government and Public Library Services Agreement 2009 (Individual Agreement):

(a) Do you support intent/principles of the Individual Agreement?

Officer Comment:

"Yes. The Town would like to see SLWA taking more responsibility for a State wide marketing program."

(b) Please detail any areas that need to be addressed?

Officer Comment:

"No comment."

CONSULTATION/ADVERTISING:

The Manager Library and Local History Services has attended PLWA and Western Australian Local Government Librarians Association (LocLib) meetings to discuss this issue.

LEGAL/POLICY:

The Library Board of Western Australia Act 1951 governs the relationship between State and Local Government in regard to the provision of a public library service.

STRATEGIC IMPLICATIONS:

Town of Vincent Strategic Plan 2009-2014:

Key Result Area Two – Economic Development:

“2.1.2 Develop and promote partnerships and alliances with key stakeholders.”

SUSTAINABILITY IMPLICATIONS:

N/A.

FINANCIAL/BUDGET IMPLICATIONS:

It is recognised that there is a strong likelihood of cost transfer in the outcome of the final Framework Agreement.

COMMENTS:

The Western Australian branch of Public Libraries Australia (PLWA) and the Western Australian Local Government Librarians Association (LocLib), have also been invited to contribute to this feedback to WALGA. Because it is important to participate in the development of the Framework Agreement, it is recommended that Council endorses the recommended responses to this set of questions.

9.4.2 Council Meeting Dates and Times for 2010 - Approval

Ward:		Date:	28 October 2009
Precinct:		File Ref:	ADM0016
Attachments:	001		
Reporting Officer(s):	A Radici		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council APPROVES;

- (i) *to hold its Council meetings on the second and fourth Tuesday of each month in 2010 (except December 2010 (first and third Tuesday) and January (no meeting)), as detailed in Appendix 9.4.2; and*
- (ii) *of its meetings to be held at the Town's Administration and Civic Centre (Council Chamber) at 6.00pm on the dates as detailed in Appendix 9.4.2.*

COUNCIL DECISION ITEM 9.4.2

Moved Cr Maier, Seconded Cr Burns

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Maier, Seconded Cr McGrath

That the item be DEFERRED to give Councillors and Staff the opportunity to investigate a 3 week cycle.

PROCEDURAL MOTION PUT AND LOST (3-6)

For: Cr Lake, Cr Maier, Cr McGrath

Against: Mayor Catania, Cr Buckels, Cr Burns, Cr Farrell, Cr Harvey, Cr Topelberg

MOTION PUT AND CARRIED (9-0)

PURPOSE OF REPORT:

The purpose of the report is for the Council to approve of the Council Meeting dates and times for 2010.

BACKGROUND:

The Local Government Act 1995 (Section 5.3) and the Local Government (Administration) Regulations 1996, Regulation 12, requires the Council to determine meeting dates and times and for these to be published on a local basis throughout the Town.

LEGAL/POLICY:

Legislation - Statutory Provisions: Section 5.3 of the Local Government Act 1995 states:

“Ordinary and Special Council meetings:

- (1) A Council is to hold ordinary meetings and may hold special meetings;*
- (2) Ordinary meetings are to be held not more than three months apart;*
- (3) If a Council fails to meet as required by subsection (2) the CEO is to notify the Minister of that failure.”*

Regulation 12 of the Local Government (Administration) Regulations 1996 states:

- “12 (1) At least once a year a local government is to give local public notice of the dates on which and the time and place at which –*
- (a) the ordinary Council meetings; and*
 - (b) the Committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public;*
- Are to be held in the next 12 months;*
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation (1);”*

Dates

During the Festive Season holiday period, many of the Town's employees, and a number of Council Members proceed on annual leave. Christmas Day and New Year public holidays both fall on a weekday. It is therefore appropriate and beneficial that this period be used to have a break from the hectic meeting schedule. Furthermore, in accordance with the Town's community consultation policy, the advertising of development applications will not be carried out from 22 December 2010 to 8 January 2010. As such, it is recommended that no meetings be held in January. It is considered that there will be insufficient items to justify a meeting and any matters necessitating a decision can be approved under Delegated Authority (if applicable). Any matters of urgency will be dealt with, if they arise. No meetings have been held in January in previous years and this has not caused any problems.

Meeting Time

Council meetings have commenced at 6.00pm, since the creation of the Town in July 1994 and has worked well. Accordingly, it is recommended that no change be made to the meeting time.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan - Plan for the Future 2009-2014, Objective 4.1 - *"Provide Good Strategic Decision Making, Governance, Leadership and Professional Management"* and, in particular, Objective 4.1.2 - *"Manage the organisation in a responsible, efficient and accountable manner"*.

SUSTAINABILITY IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

The advertising of the Meeting and Forum dates will cost approximately \$250.

COMMENTS:

It is recommended that the Council continue to meet on the second and fourth Tuesday of each month in 2010, with the exception of December (first and third Tuesday) and January (no Meeting).

9.4.4 Purchase of 81 Angove Street, North Perth

Ward:	North Ward	Date:	28 October 2009
Precinct:	Smith's Lake	File Ref:	PRO2919
Attachments:	001		
Reporting Officer(s):	T. Woodhouse, M Rootsey, John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *NOTES that the Town purchased No. 81 Angove Street, North Perth WA 6006, comprising of 1,505m² of land, at auction for \$1,725,000 (plus GST);*
- (ii) **APPROVES BY AN ABSOLUTE MAJORITY;**
 - (a) *the Major Land Transaction Business Plan in accordance with Section 3.59 of the Local Government Act as shown in Appendix 9.4.4; and*
 - (b) *pursuant to Section 6.20(2) of the Local Government Act, to borrow an amount of \$1,600,000 for the purchase of the subject land (plus an amount for GST, stamp duty, disbursements, conservation plan, interim works and consultancies) subject to:*
 - 1. *the Town giving one month's local public notice of its proposal to borrow such monies; and*
 - 2. *the Chief Executive Officer being authorised to negotiate the most suitable loan term and conditions; and*
 - (c) *to amend its Strategic Plan 2009-2014 to include a new Action Plan "1.1.6(m) Investigate the construction of a new Home and Community Care Centre in the Town";*
- (iii) **APPROVES IN PRINCIPLE to construct a Home and Community Care Centre (HACC) on the subject land at 81 Angove Street, North Perth;**
- (iv) **AUTHORISES the Chief Executive Officer to;**
 - (a) *finalise the purchase of the subject land on behalf of the Town;*
 - (b) *sign the necessary Heritage Agreement with the Heritage Council of Western Australia;*
 - (c) *carry out any essential works to the property (if required) to ensure it is secured;*
 - (d) *engage a Heritage Architect and Heritage Builder to progress the Conservation Plan recommendations;*
 - (e) *engage an Architect to assist in the preparation of the HACC Centre;*

- (f) *investigate the feasibility of a Home and Community Care Centre on the property;*
 - (g) *investigate appropriate community uses for the heritage listed former Police Station Building;*
 - (h) *enter into discussions with LotteryWest, Multicultural Services Centre and any other interested parties concerning the future of the property; and*
 - (i) *advertise for Expressions of Interest for the community use of the former Police Station Building; and*
- (v) *NOTES that the Town's Administration will investigate options to submit an application for a Lotterywest Cultural Heritage Grant to progress the conservation of the former Police Station Building ~~to the Heritage Council of Western Australia~~ to in the 2009/2010 2010/2011 Lotterywest funding round.*

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

COUNCIL DECISION ITEM 9.4.4

Moved Cr Farrell, Seconded Cr Burns

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED
BY AN ABSOLUTE MAJORITY (9-0)

ADDITIONAL INFORMATION:

Lotterywest provides various funding for heritage-listed places which are owned by Local Government Authorities. The Conservation of Cultural Heritage Grants closes in early November each year. The Heritage Council of Western Australia only provides grants to privately owned properties.

Following preliminary investigations into the preparation of a submission for a Lotterywest Cultural Heritage Grant for conservation to the former North Perth Police Station, it has become apparent that the preparation of a grant application for the Lotterywest Cultural Heritage Grant 2009/2010 funding round, would be premature at this stage, particularly as preferred use for the building has not yet been determined.

A detailed analysis of the Conservation Plan for the former North Perth Police Station indicates that, in the first instance, the Town would be required to undertake a more detailed analysis of the structure and condition of the place, prior to prioritising any works to be done. The Conservation Plan does not provide the detail required to ascertain the actual works that may be required to be included in the grant submission, such as re-roofing, tuck pointing, replacement of the verandah etc, rather it recommends that a structural engineers report and a maintenance report is prepared to determine the level of works to be done.

In this regard, it is recommended that following a more detailed analysis of the site undertaken in 2010 and discussion on the preferred use of the property, the Town will be in a better position to prepare a submission for the grant round that closes in November 2010.

PURPOSE OF THE REPORT:

The purpose of this report is to inform the Council that the Town purchased the property at No. 81 Angove Street, North Perth WA 6006, comprising 1,505m² of land at auction for \$1,725,000 (plus GST) and to approve of the Business Plan for the Major Land Transaction.

BACKGROUND

The property of No. 81 Angove Street, North Perth – the former North Perth Police Station – is currently vacant and was auctioned on 24 October 2009 by a local real estate agent on behalf of the Landcorp for the State Government. Approximately 150 people attended the auction and there were eight bidders.

At the Special Meeting of Council held on 14 October 2009, the Council resolved as follows:

“That the Council;

- (i) *NOTES that an opportunity has arisen to purchase No. 81 Angove Street, North Perth WA 6006, comprising of 1,505m² of land, as detailed in this report;*
- (ii) *APPROVES BY AN ABSOLUTE MAJORITY;*
 - (a) *to AUTHORISE the Chief Executive Officer to purchase the subject land and to engage a licensed valuer to act on behalf of the Town at the auction, subject to:*
 - 1. *the Council approving of a Major Land Transaction Business Plan in accordance with Section 3.59 of the Local Government Act; and*
 - 2. *the Chief Executive Officer and Mayor being AUTHORISED to bid up to \$***** and once the property is declared on the market, up to \$***** , for No. 81 Angove Street, North Perth WA 6006;*
 - (b) *pursuant to Section 6.20(2) of the Local Government Act, to borrow an amount up to \$3,000,000 for the purchase of the subject land (plus an amount for GST, stamp duty and disbursements) subject to:*
 - 1. *the Town giving one month's local public notice of its proposal to borrow such monies; and*
 - 2. *the Chief Executive Officer being authorised to negotiate the most suitable loan term and conditions;*
- (iii) *AUTHORISES the Chief Executive Officer to;*
 - (a) *make public all or part of this recommendation once the appropriate sale conditions have been finalised; and*
 - (b) *if successful at auction, to pay the 10% deposit "upon the fall of the hammer" and this be funded from the Land and Building Acquisition Reserve Fund; and*
- (iv) *NOTES that a further report will be submitted advising the outcome of the Town's offer and/or auction.”*

DETAILS:

No. 81 Angove Street, North Perth

LANDOWNER:	The Crown (Commissioner of Police)
ZONING:	Residential R30
EXISTING LAND USE:	Police Station (former)

Land Details:

1. Land Dimensions

Frontage	24.12.m
Depth	63.17.m
Area	1505 m ²

2. Site Description

The site comprises Lot 11344, being Crown Reserve 41541, gazetted on 18 January 1991, and being the whole of the land comprised in Crown Land Record Volume 3092 Folio 503. The site comprises the single-storey brick and tile former North Perth North Police Station setback approximately 7 metres from the footpath that was constructed in 1908 in Federation Free Classical style. The rear of the property comprises a bitumen sealed driveway and several outbuildings.

3. Location

The subject property is located along the southern side of Angove Street in close proximity to the Fitzgerald Street Retail Precinct to the east and Charles Street to the West.

4. Utilities

Services available to the property include electricity, telephone, scheme water and sewerage.

5. Description of Improvements

The former North Perth Police Station building is constructed of face brickwork with cream mortar joints. The floor plan of the original North Perth Police Station remains largely intact, comprising six (6) main rooms, in addition to a kitchen, bathroom, pantry and two of the original cells. The rear of the property comprises several outbuildings and a garage.

6. Accommodation

Prior to becoming vacant, the building accommodated office use.

7. Plant and Equipment

Nil.

8. Structural and General Condition of Improvements

The North Perth Police Station building is generally sound and consistent with its age and history of use. The building has been maintained to a high standard over the years and this is reflected in the general condition of the building. Externally the building is in fair to good condition, generally, fabric is extant and is well maintained. However, whilst a structural engineers report has not been undertaken on the building, the Conservation Plan dated May 2009 noted the following observations with regards to the condition:

- Staining to the external brickwork
- Structural problems with the kitchen chimney, currently remediated with steel bracing
- Roof sheeting appears sound
- Some evidence of deterioration of mortar joints

9. Encumbrances

E541845 Reserve 41541 for the purpose of Police. Registered 1 January 1991. Management Order contains conditions to be observed.

HJ10392 Memorial - Heritage of Western Australia Act 1990. Lodged 17 May 1999.

Heritage Considerations

The subject property at No. 81 Angove Street is listed on the Town's Municipal Heritage Inventory as a Management Category A - Conservation Essential and has been listed on the State Register of Heritage Places as a permanent entry since January 1999. A Conservation Plan dated May 2009 for the North Perth Police Station at No. 81 Angove Street was adopted by the Council at its Ordinary Meeting held on 11 August 2009. The intent of the Conservation Plan is to provide a framework to guide any future development of the site, in its disposal from the State Government, and to ensure the retention of the cultural heritage significance of the site. In addition to this, the property is zoned Residential R30 under the Town's Town Planning Scheme No.1 and is located within the Smith's Lake Precinct.

Whilst under the R Codes of Western Australia, a Residential R30 zoning allows an average site area of 300m², which equates to the potential development of five (5) dwellings for a land area of 1505m², the heritage status of the property and the guidelines within the Conservation Plan restrict the potential of reaching this outcome.

In considering any future development and proposed alternative use of the site, the Conservation Plan outlines the following guiding principles:

- Future uses that do not require major adaptation of the significant building are appropriate;
- New uses that allow some public access are desirable; and
- New development could occur in the area behind the significant building.

Planning Considerations

As outlined above, the subject property is zoned Residential R30 under the Town's Town Planning Scheme No.1 and is located within the Smith's Lake Precinct. In terms of considering a non-residential use for the site, such as the relocation of the proposed HACC centre, would be required to go through a 'SA' (Special Application) 21 day advertising period in accordance with the Town's Town Planning Scheme No.1, referred to the Heritage Council of Western Australia for comment, and assessed in accordance with the relevant provisions of the Town's Town Planning Scheme No.1 and associated Policies and Provisions, together with the Conservation Plan dated May 2009.

The proposed community use proposed by the partnership between the Town of Vincent and HAAC is considered compatible with ensuring the heritage significance of the place is retained, allowing for the continual public access to the building.

Given the property's prior use as a Police Station, an office use for a community organisation could reasonably be considered within the realm of appropriate use for the site.

Discussions with Lotterywest

Since the purchase last weekend, the Chief Executive Officer has held a further discussion with Lotterywest, who reaffirmed their support for the proposal of a new HACC centre.

The application will be subject to assessment and Lotterywest Managers are happy to work with the Town in developing an Application, before it is submitted.

During discussions, the Lotterywest Manager advised "that funding in the order of \$600-\$800,000 was previously discussed with MCSC of WA and that funding up to \$1 million could be feasible for the Town to construct a HACC centre-however, this funding was subject to the Board's approval. If the Town provided matching funding, the chance of approval is significantly increased."

In order to pursue Lotterywest funding, a business case and indicative plans for the property will need to be prepared. This will necessitate engaging a suitably qualified architect.

Discussions with Multicultural Services

Discussions with the Executive Director of Multicultural Services has revealed that the Department of Health have indicated to him that subject to a firm business plan and drawings being submitted by January 2010, that they may be in a position to allocate funding by June 2010.

The Town's Chief Executive Officer believes that this is a very short timeframe in which to carry out the necessary investigations and prepare a business plan and drawings.

The current HACC Building on Woodville Reserve is approximately 360m², which is deemed insufficient for their uses. A new HACC Building would need to be in the range of 650-700m². In addition, some on site parking for HACC employees would be necessary.

Conservation Plan – Physical Conservation Works

The Conservation Plan – Physical Conservation Works states the following:

“6.4 PHYSICAL CONSERVATION WORKS

6.4.1 General Physical Conservation Issues, Short, Medium and Long Term Priorities

There are a number of issues concerning the physical conservation of the buildings and site. The following short, medium and long term priorities for the physical conservation of the buildings is based on works required to conserve the physical fabric only. Works required are identified as follows:

6.4.2 Urgent Works – 1 to 2 Year Time Frame

- *Ensure that a program of regular maintenance is in place to include termite inspections and treatment on an annual basis, checking and cleaning of gutters and downpipes as necessary, checking all doors and windows and repairing as required. Generally, repair and maintain the site and buildings in the appropriate manner and attend to items as they arise.*

- *In the event of a change of use or ownership, implement a programme of internal conservation, general refurbishment, restoration of original finishes and painting.*
- *Check ground drainage around the building and ensure that the site is adequately drained away from the building (Policy 9.1).*

6.4.3 Less Urgent Works – 2 to 5 Year Time Frame

- *Ensure an ongoing program of maintenance and care of the buildings. Check and treat for termites and monitor rising damp and brick deterioration on an annual basis. Check and clean gutters and down-pipes on a regular basis.*
- *Check existing roof sheeting and repair where required or replace with new short sheets of Custom Blue-orb galvanized iron (Policy 9.1.2).*
- *Check all external vents and replace missing and broken vents where required (Policy 9.7).*
- *Carry out regular maintenance and painting of external joinery as required. Retail original hardware where this remains extant (Policies 9.15, 9.21 and 9.22).*
- *Check fluted iron ceiling to porch and restore and paint as required (Policy 9.16).*
- *Check gable vent to front elevation and restore and paint as required (Policy 9.14).*
- *Check all external face brick walls and re-point or repair as required using sand lime mortar to match existing. Remove staining from west elevation (Policies 9.5 and 9.6).*
- *Engage a structural engineer to check the structural integrity of the kitchen chimney and retain, remove or alter bracing as recommended (Policy 9.9).*
- *Remove the acoustic linings to room 5 and restore the internal fabric of the room to original detail (Policies 8.6 and 10.9).*

6.4.4 Long Term Conservation Strategies – 5 to 10 Year Time Frame

- *Ensure an ongoing program of maintenance and care of the buildings. Check and treat for termites and monitor rising damp and brick deterioration on an annual basis. Check and clean gutters and down-pipes on a regular basis.*
- *Remove the metal canopy at the rear of the building when no longer required (Policy 8.13).*
- *Consider restoring the front verandah to original detail based on documentary evidence (Policies 9.3 and 9.23).*
- *Check roof drainage and repair as necessary (Policy 9.13).*
- *Consider restoring blocked fireplaces to original detail (Policy 10.4).*
- *Consider reinstating the window and door to room 5 to original detail (Policies 10.11 and 10.12)."*

Disability Access

The building does not comply with current disability access requirements (e.g. ramps, toilets) and this will need to be investigated in more detail.

Possible Future Uses

The North Perth Police Station Building will be required to be restored in accordance with the proposed Conservation Plan. In addition, the internal structure of the building will need to be assessed to ascertain what changes (if any) can be made.

The site is considered most suitable for continued use as a public building, e.g. community offices, local museum, art gallery, etc. and discussions with the Executive Director Multicultural Services has revealed that they are keen to relocate their office staff to this building, as they are currently working in cramped conditions at their View Street property. Whilst this may be acceptable as short term interim move, the Chief Executive Officer is of the opinion that the use of the heritage listed Police Station Building should be thoroughly investigated so that the Town of Vincent community receives the maximum benefit from the acquisition of this building. It is therefore recommended that Expressions of Interest (EOI) be invited from the community for the use of the former Police Station Building. This will enable the Town to continue discussions with Multicultural Services to further progress their proposal.

Subdivision Potential

The possibility of creating a two lot subdivision, with access off the right-of-way (ROW) also exists, however this will not be explored at this stage. The owner of No. 83 Angove Street has written to the Town to invite discussions of possible co-operation to carry out a subdivision of both properties. The Town will liaise with this property owner.

In-House Working Group

In view of the heritage significance, planning considerations and strategic importance of the project, an in-house Working Group will be formed to progress the matter. The Town's Strategic Planning Unit will initially manage the project.

Heritage Council of WA Grants

The 2009/2010 Heritage Council Grants close on 6 November 2009. As the Town has only just purchased the North Perth Police Station and to ensure the Town is considered for a Heritage Grant the Chief Executive Officer has authorised a submission of a grant relating to this property.

CONSULTATION/ADVERTISING:

The Town's purchase of the property featured on Channel 9 News and in the Sunday Times newspaper.

The Town's Major Land Transaction Business Case will need to be advertised for six (6) weeks in accordance with Sections 3.58 and 3.59 of the Local Government Act. In addition, the Town must give one month's local public notice of its intention to borrow monies.

The EOI will be advertised for 30 days.

LEGAL/POLICY:

There is a legal requirement to prepare and advertise a Business Plan for a period of six (6) weeks, in accordance with Sections 3.58 and 3.59 of the Local Government Act.

Any proposal to borrow monies must be in accordance with Section 6.20(2) of the Local Government Act. As the potential loan was not included in the Budget 2009/2010, it will need to be advertised for one (1) month.

STRATEGIC IMPLICATIONS:

This is in keeping with a number of the Town's Strategic Plan - Plan for the Future 2009-2014 Key Result Areas:

- Key Objective 1.1 - *"Improve and maintain the Environment and Infrastructure"* and, in particular, Key Objective 1.1.1 – *"Capitalise on the Town's strategic location, its centres and commercial areas"*;
- Key Objective 1.1.3 - *"Promote the Municipal Heritage Inventory and the Heritage Management Policies"*;
- Key Objective 2.1.2. - *"Develop and Promote Partnerships and alliances with Key Stakeholders"*; and
- Key Objective 3.1.2 - *"Provide and develop a range of community programs and community safety initiatives"*.

Consolidation of Land Ownership within a strategically important location

The purchase of No. 81 Angove Street, North Perth, has ensued that a significantly important heritage icon building remains in the public domain. Such purchase is in keeping with the Council's philosophy and position on heritage.

The opportunity to partner with the MSC to build a Home and Community Care Centre and also possible other community groups is also available in this central location.

SUSTAINABILITY IMPLICATIONS:

The proposed partnership between the Town of Vincent and HACC is considered as offering a long term sustainable approach by both maintaining the heritage-listed building and providing an important community resource.

FINANCIAL/BUDGET IMPLICATIONS:

As this opportunity only arose last week, the 2009/2010 Budget does not contain any monies specifically for the purchase of land. It will therefore be necessary to borrow the funds required, as follows:

Purchase Price	\$1,725,000
Less deposit paid	-\$ 172,500
Interim Works, Conservation Plan, Consultancies	\$ 47,500
TOTAL	\$1,600,000

Interim Works, Conservation Plan, Consultancies

It is recommended that the Council borrow \$1.6 million for this project. An amount of \$47,500 will enable the Town to:

- (a) engage a Heritage Architect and/or Heritage Builder to progress the Conservation Plan recommendations;
- (b) engage an Architect to assist in the preparation of concept plans for the HACC Centre; and
- (c) carry out any essential/urgent works to the property.

Loan

The following indicative information relates to loan funds;

Loan Value	Term	Interest Rate	Annual Repayment
\$1.5m	5 years	5.46%	\$343,721
\$2.0m	5 years	5.46%	\$463,628
\$2.5m	5 years	5.46%	\$579,535
\$1.5m	10 years	5.89%	\$201,483
\$2.0m	10 years	5.89%	\$268,643
\$2.5m	10 years	5.89%	\$335,804
\$1.5m	20 years	6.31%	\$133,979
\$2.0m	20 years	6.31%	\$178,639
\$2.5m	20 years	6.31%	\$223,299

The Chief Executive Officer will negotiate the most suitable loan, once further details have been obtained.

Valuation

A sworn valuation has been obtained from Murray R. Stubbs, Licensed Valuer, as follows;

Valuation: \$1,500,000 - \$1,600,000

The Valuer has stated the following;

"We understood this valuation is required for the purpose of the Town of Vincent to approve a purchase price to acquire the subject property at public auction. The writer considers the market value of the land is \$1,500,000 and the added value of improvements would be dependant upon a purchaser's opinion and specific use for the property and taking into account the costs of refurbishment and upgrading of the premises in accordance with Heritage listing requirements.

*If the Council considers that further improvements and additions can be made to the property which would provide future benefits **they could give consideration to paying a higher price to obtain the property that could be seen to justify such benefits.**" [Emphasis added.]*

Conservation of the Former Police Station Building

As the property is listed on the State Heritage Register, it will be necessary to restore the property in accordance with the Plan, to the satisfaction of the Heritage Council of Western Australia.

Funds will need to be included in future Budgets to carry out the physical works in accordance with the Conservation Plan. It is estimated that funds in the range of \$100,000-\$150,000 may be needed for restoration works. The precise amount will be known when the Conservation Plan has been investigated and costed.

Grants will be explored through the Lotterywest Conservation of Cultural Heritage Program.

Construction of a HACC Centre

To give some guidance to the Council, a new HACC Centre could cost as follows:

Item	Amount
Architects fees, Preliminaries	\$100,000
Building (700m ² @ \$1,800/m ²)	\$1,260,000
Internal fit out, furnishings	\$150,000
Landscaping, paths, parking	\$100,000
Contingency	\$50,000
TOTAL	\$1,660,000

It is encouraging to note that grants will be available for this project, and these will be investigated. The Town's contribution (if any) is not known at this stage.

If a new HACC Centre is constructed, the current HACC Centre on Woodville Reserve would possibly become available for other purposes (e.g. recreational clubrooms).

COMMENT:

The purchase this strategic and significant property is considered appropriate for the Town. It's purchase has been well received by the community.

The potential to enter into a long term partnership with the MSC for a new HACC and possibly other community groups will provide considerable benefits to the Vincent community.

It is therefore recommended that Council approve of the Officer Recommendation.

9.4.6 Appointment of Council Members and Officers to various Statutory Committees and Authorities, Advisory and Working Groups

Ward:	-	Date:	28 October 2009
Precinct:	-	File Ref:	ADM0030
Attachments:	-		
Reporting Officer(s):	M McKahey, John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION

That the Council;

- (i) *in accordance with the provisions of the Local Government Act 1995, Sections 2.28, 5.8 and 5.10, APPOINTS BY AN ABSOLUTE MAJORITY the following Council Members and/or persons to the Council’s Committees, as detailed in this report, for the term 3 November 2009 to 20 October 2011;*

STATUTORY COMMITTEES:

1. Audit Committee (3 Council Members)*

Members:

Deputies:

- | | |
|---|---|
| <ul style="list-style-type: none"> 1. Cr 2. Cr 3. Cr | <ul style="list-style-type: none"> 1. Cr 2. Cr 3. Cr |
|---|---|

(* *The Chair is elected at the next Audit Committee Meeting.*)

2. Loftus Centre Management Committee (Nil Council Members)

Member:

Deputy:

- | | |
|---|--|
| <ul style="list-style-type: none"> 1. Chief Executive Officer (Chair)* | <ul style="list-style-type: none"> 1. Director Corporate Services |
|---|--|

(* *Prescribed in Lease.*)

3. Loftus Recreation Centre Management Committee (Nil Council Members)

Members:

Deputies:

- | | |
|---|--|
| <ul style="list-style-type: none"> 1. Chief Executive Officer (Chair)* 2. Director Corporate Services | <ul style="list-style-type: none"> 1. Manager Community Development;
or, Manager Financial Services |
|---|--|

(* *Prescribed in Lease and Contract.*)

4. Medibank Stadium (Leederville Oval) Ground Management Committee (Nil Council Members)

Member:

Deputy:

- | | |
|---|--|
| <ul style="list-style-type: none"> 1. Chief Executive Officer (Chair)* | <ul style="list-style-type: none"> 1. Director Technical Services |
|---|--|

(* *Prescribed in Lease.*)

5. **ME Bank Stadium Management Committee***

Members:

1. Mayor Nick Catania (Chair)
2. Cr
3. Chief Executive Officer

Deputies:

1. Cr
2. Cr
3. Director Technical Services

(* *The Heads of Agreement between the Town and the Stadium Manager (Allia Venue Management) prescribe the Mayor as the Chair and the Chief Executive Officer as a Member.*)

- (ii) *APPROVES BY AN ABSOLUTE MAJORITY to amend the number of persons appointed to the Town's Advisory Groups to the number specified in this report;*
- (iii) *NOTES that the Town will advertise for Community Representatives for its Advisory Groups for the forthcoming two year period; and*
- (iv) *in accordance with the provisions of the Local Government Act 1995, Section 2.28, APPOINTS the following Council Members and/or persons to the Council's Committees and to the various Statutory Committees, Boards and Authorities, Advisory and Working Groups, as detailed in this report, for the term 3 November 2009 to 20 October 2011;*

STATUTORY AUTHORITIES AND COMMITTEES:

1. **Leederville Gardens Inc Board** (3 Council Members)*

Members:

1. Cr(Chair)
2. Cr
3. Cr

Deputies:

1. Cr (Chair)
2. Cr
3. Cr

(* *The Constitution of Leederville Gardens Inc provides for the Town to nominate three persons to the Board of Management. Appointees need not be elected members of Council.*)

2. **Local Government Association - Central Metropolitan Zone** (2 Council Members)

Member:

1. Cr
2. Cr

Deputy:

1. Chief Executive Officer (for both)

3. **Metropolitan Regional Recreation Advisory Committee (NMRRAC)**
(1 Council Member)

Member:

Deputy:

1. Cr

1. Cr

4. **Mindarie Regional Council** *(1 Council Member)*

Council Representative appointed until 30 June 2010 as per Ordinary Meeting of Council held on 14 July 2009.

Member:

*Deputy***

1. Cr Steed Farrell (until 30/06/10)

2. Cr (from 1/07/10)

*(** Council to separately appoint a Deputy to act for each occasion when the Member is unavailable, due to an anomaly with the Local Government Act.)*

5. **Northbridge History Steering Committee** *(2 Council Members)*

Member:

Deputy:

1. Cr

Nil.

2. Cr

6. **North West District Planning Advisory Group** *(1 Council Member)*

Member:

Deputy:

1. Cr

1. Cr

7. **Swan River Trust** *(only matters relating to Town of Vincent) (1 Council Member)*

Member:

Deputy:

1. Cr

1. Cr

8. **Tamala Park Regional Council** *(1 Council Member)*

Member:

*Deputy***

1. Cr

*(** Council to separately appoint a Deputy to act for each occasion when the Member is unavailable, due to an anomaly with the Local Government Act.)*

9. **Vincent Accord** (1 Council Member)

Member:

1. Cr

Deputy:

1. Cr

10. **Youth Council** (1 Council Member)

Member:

1. Cr

Deputy:

1. Cr

ADVISORY GROUPS:

1. **Aboriginal Liaison Occasional Advisory Group** (Mayor)

Member:

1. Mayor Nick Catania

2. **Art Advisory Group** (3 Council Members)

Members:

1. Cr

2. Cr

3. Cr

and;

the Chair of the Group be Cr

3. **Heritage Advisory Group** (3 Council Members)

Members:

1. Cr

2. Cr

3. Cr

and;

the Chair of the Group be Cr

4. **Local Area Traffic Management Advisory Group** (3 Council Members)

Members:

1. Cr

2. Cr

3. Cr

and;

the Chair of the Group be Cr

5. **Safer Vincent Crime Prevention Partnership (3 Council Members)**

Members:

1. Cr
2. Cr
3. Cr

and;

the Chair of the Group be Cr

6. **Seniors Advisory Group (3 Council Members)**

Members:

1. Cr
2. Cr
3. Cr

and;

the Chair of the Group be Cr

7. **Sustainability Advisory Group (3 Council Members)**

Members:

1. Cr
2. Cr
3. Cr

and;

the Chair of the Group be Cr

8. **Town of Vincent Garden Awards Occasional Advisory Group (3 Council Members)**

Members:

1. Cr
2. Cr
3. Cr

and;

the Chair of the Group be Cr

9. **Town of Vincent Building Design and Conservation Occasional Advisory Group** (*Mayor plus 2 Council Members*)

Members:

1. *Mayor Nick Catania*
2. *Cr*
3. *Cr*

and;

the Chair of the Group be Mayor Nick Catania.

10. **Universal Access Advisory Group** (*3 Council Members*)

Members:

1. *Cr*
2. *Cr*
3. *Cr*

and;

the Chair of the Group be Cr

WORKING GROUPS:

1. **Central Sub-Group for the Metropolitan Regional Road Group (CRRSG)** (*Nil Council Members*)

Member:

Deputy:

- | | |
|---|---------------------------------------|
| 1. <i>Manager Asset & Design Services</i> | 1. <i>Director Technical Services</i> |
|---|---------------------------------------|

2. **Claise Brook Catchment Group Inc** (*Nil Council Members*)

Member:

Deputy:

- | | |
|--|---|
| 1. <i>Project Officer, Environment</i> | 1. <i>Manager Parks & Property Services</i> |
|--|---|

3. **Emergency Management Committee (Local)** (*Nil Council Members*)

Member:

Deputy:

- | | |
|--|--------------------------------------|
| 1. <i>Manager Ranger & Community Safety Services</i> | 2. <i>Co-ordinator Safer Vincent</i> |
|--|--------------------------------------|

4. **Emergency Management Committee (District)** (*Nil Council Members*)

Member: *Deputy:*

- | | |
|--|-------------|
| 1. <i>Manager Ranger & Community
Safety Services</i> | <i>Nil.</i> |
|--|-------------|

5. **Hyde Park Lakes Restoration Working Group** (*Mayor plus 3 Council Members*)

Members: *Deputies:*

- | | |
|--------------------------------------|----------------------------|
| 1. <i>Mayor Nick Catania (Chair)</i> | 1. <i>Cr (Chair)</i> |
| 2. <i>Cr</i> | 2. <i>Cr</i> |
| 3. <i>Cr</i> | 3. <i>Cr</i> |
| 4. <i>Cr</i> | 3. <i>Cr</i> |

6. **Mindarie - Technical Committee** (*Nil Council Members*)

Member: *Deputy:*

- | | |
|---------------------------------------|---|
| 1. <i>Director Technical Services</i> | 1. <i>Manager Asset & Design Services</i> |
|---------------------------------------|---|

7. **Party Bus Working Group** (*Nil Council Members*)

Member: *Deputy:*

- | | |
|--|-------------|
| 1. <i>Manager Ranger & Community
Safety Services</i> | <i>Nil.</i> |
|--|-------------|

8. **Perth Police Integration** (*Nil Council Members*)

Member: *Deputies:*

- | | |
|--|-------------|
| 1. <i>Manager Ranger & Community
Safety Services</i> | <i>Nil.</i> |
| 2. <u><i>Co-ordinator/Prosecutions
Officer Senior Ranger</i></u> | |
| 3. <i>Co-ordinator Safer Vincent</i> | |

COUNCIL DECISION ITEM 9.4.6

The Presiding Member, Mayor Nick Catania advised that he had received nominations as follows:

STATUTORY COMMITTEES:

1. **Audit Committee** (*3 Council Members*)*

Members: *Deputies:*

- | | |
|-------------------------|----------------------|
| 1. <i>Mayor Catania</i> | 1. <i>Cr Burns</i> |
| 2. <i>Cr Farrell</i> | 2. <i>Cr Lake</i> |
| 3. <i>Cr Topelberg</i> | 3. <i>Cr McGrath</i> |

(* *The Chair is elected at the next Audit Committee Meeting.*)

2. **Loftus Centre Management Committee** (*Nil Council Members*)

Member:

Deputy:

1. *Chief Executive Officer (Chair)** 1. *Director Corporate Services*

(* *Prescribed in Lease.*)

3. **Loftus Recreation Centre Management Committee** (*Nil Council Members*)

Members:

Deputies:

1. *Chief Executive Officer (Chair)** 1. *Manager Community Development;*
2. *Director Corporate Services* *or, Manager Financial Services*

(* *Prescribed in Lease and Contract.*)

4. **Medibank Stadium (Leederville Oval) Ground Management Committee**
(*Nil Council Members*)

Member:

Deputy:

1. *Chief Executive Officer (Chair)** 1. *Director Technical Services*

(* *Prescribed in Lease.*)

5. **ME Bank Stadium Management Committee***

Members:

Deputies:

1. *Mayor Catania (Chair)* 1. *Cr*
2. *Cr* 2. *Cr*
3. *Chief Executive Officer* 3. *Director Technical Services*

Two nominations received – Cr Farrell and Cr Lake – therefore this Item will be held over and will be the subject of a secret ballot, after the completion of the other nominations – which do not involve a ballot.

(* *The Heads of Agreement between the Town and the Stadium Manager (Allia Venue Management) prescribe the Mayor as the Chair and the Chief Executive Officer as a Member.*)

STATUTORY AUTHORITIES AND COMMITTEES:

1. **Leederville Gardens Inc Board** (*3 Council Members*)*

Members:

Deputies:

1. *Mayor Catania (Chair)* 1. *Cr Burns (Chair)*
2. *Cr Harvey* 2. *Cr McGrath*
3. *Cr Maier* 3. *Cr Buckels*

(* *The Constitution of Leederville Gardens Inc provides for the Town to nominate three persons to the Board of Management. Appointees need not be elected members of Council.*)

2. **Local Government Association - Central Metropolitan Zone (2 Council Members)**

Member:

1. *Cr Lake*
2. *Cr Harvey*

Deputy:

1. *Chief Executive Officer (for both)*

3. **Metropolitan Regional Recreation Advisory Committee (NMRRAC) (1 Council Member)**

Member:

1. *Cr McGarth*

Deputy:

1. *Cr Burns*

4. **Mindarie Regional Council (1 Council Member)**

Council Representative appointed until 30 June 2010 as per Ordinary Meeting of Council held on 14 July 2009.

Member:

1. *Cr Farrell (until 30/06/10)*
2. *Cr (from 1/07/10)*

*Deputy***

Two nominations received – Cr Farrell and Cr Lake – therefore this Item will be held over and will be the subject of a secret ballot, after the completion of the other nominations – which do not involve a ballot.

*(** Council to separately appoint a Deputy to act for each occasion when the Member is unavailable, due to an anomaly with the Local Government Act.)*

5. **Northbridge History Steering Committee (2 Council Members)**

Member:

1. *Cr Lake*
2. *Cr Topelberg*

Deputy:

Nil.

6. **North West District Planning Advisory Group (1 Council Member)**

Member:

1. *Cr Buckels*

Deputy:

1. *Cr McGrath*

7. **Swan River Trust (only matters relating to Town of Vincent) (1 Council Member)**

Member:

1. *Cr McGrath*

Deputy:

1. *Cr Harvey*

8. **Tamala Park Regional Council** (1 Council Member)

Member: *Deputy***

1. *Mayor Catania*

(** *Council to separately appoint a Deputy to act for each occasion when the Member is unavailable, due to an anomaly with the Local Government Act.*)

9. **Vincent Accord** (1 Council Member)

Member: *Deputy:*

1. *Mayor Catania* 1. *Cr McGrath*

10. **Youth Council** (1 Council Member)

Member: *Deputy:*

1. *Cr Topelberg* 1. *Cr Burns*

ADVISORY GROUPS:

1. **Aboriginal Liaison Occasional Advisory Group** (Mayor)

Member:

1. *Mayor Nick Catania*

2. **Art Advisory Group** (3 Council Members)

Members:

1. *Cr Topelberg*
2. *Cr Burns*
3. *Cr Maier*

and Cr Maier nominated the Chair of the Group to be Cr Burns (who accepted the nomination for the Chair).

3. **Heritage Advisory Group** (3 Council Members)

Members:

1. *Cr Burns*
2. *Cr Lake*
3. *Cr McGrath*

and Cr Lake nominated the Chair of the Group to be Cr Burns (who accepted the nomination for the Chair).

4. **Local Area Traffic Management Advisory Group** (3 Council Members)

Members:

1. *Cr Buckels*
2. *Cr Lake*
3. *Cr Maier*

and Cr Lake nominated the Chair of the Group to be Cr Maier (who accepted the nomination for the Chair).

5. **Safer Vincent Crime Prevention Partnership** (3 Council Members)

Members:

1. *Cr Burns*
2. *Cr Lake*
3. *Cr McGrath*

and Cr Burns nominated the Chair of the Group to be Cr Lake (who accepted the nomination for the Chair).

6. **Seniors Advisory Group** (3 Council Members)

Members:

1. *Cr Harvey*
2. *Cr McGrath*
3. *Cr Maier*

and Cr Lake nominated the Chair of the Group to be Cr Harvey (who accepted the nomination for the Chair).

7. **Sustainability Advisory Group** (4 Council Members)

Members:

1. *Cr Buckels*
2. *Cr Farrell*
3. *Cr McGrath*
4. *Cr Maier*

and Cr Topelberg requested the number of group members to be increased to four and nominated the Chair of the Group to be Cr McGrath (who accepted the nomination for the Chair).

8. **Town of Vincent Garden Awards Occasional Advisory Group (3 Council Members)**

Members:

1. *Cr Buckels*
2. *Cr Farrell*
3. *Cr Topelberg*

and Cr Topelberg nominated the Chair of the Group to be Cr Buckels (who accepted the nomination for the Chair).

9. **Town of Vincent Building Design and Conservation Occasional Advisory Group (Mayor plus 2 Council Members)**

Members:

1. *Mayor Catania*
2. *Cr Buckels*
3. *Cr Maier*

and the Chair of the Group be Mayor Catania.

10. **Universal Access Advisory Group (3 Council Members)**

Members:

1. *Cr Harvey*
2. *Cr Lake*
3. *Cr Maier*

and Cr Lake nominated the Chair of the Group to be Cr Harvey (who accepted the nomination for the Chair).

WORKING GROUPS:

1. **Central Sub-Group for the Metropolitan Regional Road Group (CRRSG)**
(Nil Council Members)

Member:

1. *Manager Asset & Design Services*

Deputy:

1. *Director Technical Services*

2. **Claise Brook Catchment Group Inc (Nil Council Members)**

Member:

1. *Project Officer, Environment*

Deputy:

1. *Manager Parks & Property Services*

3. **Emergency Management Committee (Local) (Nil Council Members)**

Member:

1. *Manager Ranger & Community Safety Services*

Deputy:

2. *Co-ordinator Safer Vincent*

4. **Emergency Management Committee (District)** (*Nil Council Members*)

Member: *Deputy:*

- | | |
|--|-------------|
| 1. <i>Manager Ranger & Community
Safety Services</i> | <i>Nil.</i> |
|--|-------------|

5. **Hyde Park Lakes Restoration Working Group** (*Mayor plus 5 Council Members*)

Members: *Deputies:*

- | | |
|---------------------------------|------------|
| 1. <i>Mayor Catania (Chair)</i> | <i>Nil</i> |
| 2. <i>Cr Buckels</i> | |
| 3. <i>Cr Burns</i> | |
| 4. <i>Cr Lake</i> | |
| 5. <i>Cr McGrath</i> | |
| 6. <i>Cr Maier</i> | |

The Presiding Member, Mayor Nick Catania requested that all nominations for membership of this Group be accepted and there be no Deputy Members.

6. **Mindarie - Technical Committee** (*Nil Council Members*)

Member: *Deputy:*

- | | |
|---------------------------------------|---|
| 1. <i>Director Technical Services</i> | 1. <i>Manager Asset & Design Services</i> |
|---------------------------------------|---|

7. **Party Bus Working Group** (*Nil Council Members*)

Member: *Deputy:*

- | | |
|--|-------------|
| 1. <i>Manager Ranger & Community
Safety Services</i> | <i>Nil.</i> |
|--|-------------|

8. **Perth Police Integration** (*Nil Council Members*)

Member: *Deputies:*

- | | |
|--|-------------|
| 1. <i>Manager Ranger & Community
Safety Services</i> | <i>Nil.</i> |
| 2. <i>Co-ordinator/Prosecutions
Officer</i> | |
| 3. <i>Co-ordinator Safer Vincent</i> | |

The Presiding Member, Mayor Nick Catania called for any other nominations for the various groups and none were received.

Moved Cr Topelberg, Seconded Cr Burns

That the above nominations be APPROVED and the membership for the Sustainability Advisory Group be increased from three to four members and the Hyde Park Lakes Restoration Working Group be increased from three to five members (with no Deputies).

MOTION PUT AND CARRIED BY AN ABSOLUTE MAJORITY (9-0)

The Presiding Member, Mayor Nick Catania advised that he had received more nominations than the specified vacant position for the ME Bank Stadium Committee. Therefore a secret ballot would be held. He called on the Chief Executive Officer to conduct the secret ballot.

ME Bank Stadium Management Committee*

<i>Members:</i>	<i>Deputies:</i>
1. Mayor Catania (Chair)	1. Cr
2. Cr	2. Cr
3. Chief Executive Officer	3. Director Technical Services

Two nominations were received – Cr Farrell and Cr Lake.

(* *The Heads of Agreement between the Town and the Stadium Manager (Allia Venue Management) prescribe the Mayor as the Chair and the Chief Executive Officer as a Member.*)

The Chief Executive Officer issued ballot papers and these were collected and subsequently counted in the presence of the Director Corporate Services, Mike Rootsey.

The Presiding Member, Mayor Nick Catania announced the result as follows:

Cr Farrell – 5 votes
Cr Lake – 4 votes

The Presiding Member, Mayor Nick Catania therefore declared the following persons appointed:

ME Bank Stadium Management Committee

<i>Members:</i>	<i>Deputies:</i>
1. Mayor Catania (Chair)	1. Cr Topelberg
2. Cr Farrell	2. Cr Lake
3. Chief Executive Officer	3. Director Technical Services

The Presiding Member, Mayor Nick Catania advised that Crs Farrell and Lake had nominated for the position of delegate to the Mindarie Regional Council and as there were more nominations than the specified vacant position, a secret ballot would be held. He called on the Chief Executive Officer to conduct the secret ballot.

Mindarie Regional Council (1 Council Member)

Council Representative appointed until 30 June 2010 as per Ordinary Meeting of Council held on 14 July 2009.

<i>Member:</i>	<i>Deputy**</i>
1. Cr Farrell (until 30/06/10)	
2. Cr (from 1/07/10)	

Two nominations were received – Cr Farrell and Cr Lake.

(** *Council to separately appoint a Deputy to act for each occasion when the Member is unavailable, due to an anomaly with the Local Government Act.*)

The Chief Executive Officer issued ballot papers and these were collected and subsequently counted in the presence of the Director Corporate Services, Mike Rootsey.

The Presiding Member, Mayor Nick Catania announced the result as follows:

Cr Farrell – 6 votes

Cr Lake – 3 votes

The Presiding Member, Mayor Nick Catania therefore declared the following person appointed:

Mindarie Regional Council (*1 Council Member*)

Council Representative appointed until 30 June 2010 as per Ordinary Meeting of Council held on 14 July 2009.

Member:

- 1. Cr Farrell (until 30/06/10)*
- 2. Cr Farrell (from 1/07/10)*

Moved Cr Topelberg, **Seconded** Cr Burns

That the above nominations be APPROVED.

MOTION PUT AND CARRIED BY AN ABSOLUTE MAJORITY (9-0)

The Presiding Member, Mayor Nick Catania congratulated all Councillors on their election to the various committees and advisory groups and wished them well in their forthcoming deliberations.

PURPOSE OF REPORT:

The purpose of the report is to appoint Council Members (and officers where appropriate) to the various Statutory Committees, Authorities, Advisory and Working Groups.

DETAILS:

As part of the Council's role in governing for the Town, Council Members and/or Council Officers represent the Council on a wide range of Statutory Committees, Authorities, Advisory and Working Groups.

These are shown below and it is necessary that the Council determine its delegates to these positions.

STATUTORY AUTHORITIES AND COMMITTEES

The following Committees need an ABSOLUTE MAJORITY decision of the Council:

- 1. Audit Committee** (*3 Council Members - Minimum*)

Background

Meeting Occurrence:	Quarterly
Date of Meeting:	When suitable
Time of Meeting:	12.30pm (<i>Working Lunch</i>)

- Location of Meeting: Town of Vincent - Committee Room
- Liaison Officer: Chief Executive Officer
- Purpose of Committee:*
- *Manage the Audit Process*
 - *Monitor the Administration's actions on, and responses to, any significant matters raised by the Auditor*
 - *Submit an Annual Report on the audit function to the Council and the Department of Local Government*
 - *Consider the completed Statutory Compliance Return and monitoring administrations corrective action on matters on non-compliance.*
- Non-Members of Council:
- Auditors
 - Chief Executive Officer
 - Director Corporate Services

Previous Council Members

1. Mayor Nick Catania (Chair)
2. Cr Anka Burns
3. Cr Steed Farrell

Deputy

1. Cr Dudley Maier
2. Cr Sally Lake
3. Cr Izzi Messina

2. Loftus Centre Management Committee (*Nil Council Members*)

The Management Committee is specified in various Leases between the Town and Lessees.

Background

- Meeting Occurrence: Quarterly
- Date of Meeting: When suitable
- Time of Meeting: When suitable
- Location of Meeting: Town of Vincent Admin & Civic Centre
- Liaison Officer: Chief Executive Officer
- Purpose of Committee:*
- *To determine day to day operational issues.*
 - *To establish and review risk management plans.*
 - *To consider and approve, if satisfactory, temporary structures within the Centre's Facilities.*
 - *To make recommendations for the maintenance of the Common Areas.*
 - *To make recommendations for any Capital Improvements.*
 - *To do all such other things and to determine all such other issues in respect of the Centre's Facilities.*

- Non-Members of Council:
- Centre Manager, Loftus Recreation Centre, Belgravia Leisure
 - Belgravia Leisure, Regional Manager WA
 - President, Loftus Community Centre
 - Co-ordinator, Loftus Community Centre
 - Director, Gymnastics WA
 - Chief Executive Officer (*Chair*)*
 - Director Corporate Services
 - Manager Library and Local History Services

Previous Council Members: Not applicable

(* *Prescribed in Lease.*)

3. Loftus Recreation Centre Management Committee (*Nil Council Members*)

The Management Committee is a requirement of the Contract between the Town and Belgravia Leisure Pty Ltd.

Background

- Meeting Occurrence: Quarterly
- Date of Meeting: When suitable
- Time of Meeting: When suitable
- Location of Meeting: Loftus Recreation Centre or
Town of Vincent Committee Room
- Liaison Officer: Chief Executive Officer
- Purpose of Committee:
- *To establish and review the KPIs in conjunction with the Contractor.*
 - *To supervise the performance of the Services by the Contractor and to ensure that the Contractor performs the Services in accordance with the KPIs and the Contract.*
 - *To receive and consider Performance Reports.*
 - *To advise the Town on Capital Improvements required for the Recreation Centre and the Premises and to make recommendations to the Town about the use of the Reserve Fund.*
 - *To review the Risk Management Plan.*

- Non-Members of Council:
- Centre Manager, Loftus Recreation Centre, Belgravia Leisure
 - Belgravia Leisure, Regional Manager WA
 - Chief Executive Officer (*Chair*)*
 - Director Corporate Services

Previous Council Members: Not applicable

(* *Prescribed in Lease and Contract.*)

4. Medibank Stadium (Leederville Oval) Ground Management Committee (*Nil Council Members*)

The Management Committee is specified in the Leases between the Town and the East Perth and Subiaco Football Clubs.

Background

Meeting Occurrence:	2-3 times per year
Date of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	Town of Vincent Committee Room
Liaison Officer:	Chief Executive Officer
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>To determine the Clubs' and any other entity's right to use the Stadium Facilities for training and matches.</i>• <i>To consider and make representations on what alternative training grounds will be made available by the Town to the Clubs.</i>• <i>To determine day-to-day operational issues.</i>• <i>To establish and review risk management plans for the Stadium Facilities.</i>• <i>To consider and approve, if satisfactory, temporary structures within the Stadium Facilities.</i>• <i>To make recommendations for the maintenance of Common Areas.</i>• <i>To make recommendations for any capital improvements to the Stadium Facilities.</i>• <i>To make recommendations for catering.</i>• <i>To do all such other things and to determine all such other issues in respect of the Stadium Facilities as are incidental or conducive to the above.</i>
Non-Members of Council:	<ul style="list-style-type: none">• Subiaco Football Club, Chief Executive Officer• East Perth Football Club, Chief Executive Officer• Chief Executive Officer (<i>Chair</i>)*• Town's Officers (<i>as required</i>)
Previous Council Members:	Not applicable

(* *Prescribed in Lease.*)

5. ME Bank Stadium Management Committee

The Heads of Agreement between the Town and the Stadium Manager (Allia Venue Management) prescribe the Mayor as the Chair and the Chief Executive Officer as a Member.

Background

Meeting Occurrence:	Quarterly
Date of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	Town of Vincent Admin & Civic Centre
Liaison Officer:	Chief Executive Officer
Purpose of Committee:	<ul style="list-style-type: none">• <i>To establish and review the Heads of Agreement (HOA) Key Performance Indicators (KPIs) in conjunction with Allia.</i>• <i>To assess whether each proposed Licensing Agreement is consistent with the KPIs and the provisions of the HOA and to approve the proposed Licensing Agreement if it is consistent.</i>• <i>To supervise the performance of the Services by Allia and to ensure that Allia performs the Services in accordance with the KPIs and the HOA.</i>• <i>To receive and consider Performance Reports.</i>• <i>To advise the Council on Capital Improvements required for the Stadium and to make recommendations to the Council about the use of the Reserve Fund.</i>• <i>To review Naming Signage.</i>• <i>To review the Risk Management Plan.</i> <p><i>(For the purpose of avoidance of doubt, it is acknowledged that the Committee's functions do not include carrying out any of the Operational Management Services which are to be provided by Allia).</i></p>
Non-Members of Council:	<ul style="list-style-type: none">• Rugby WA, Western Australian Rugby League, Perth Glory Football Club• Department of Sport and Recreation (Observers)• Allia Venue Management Pty Ltd (By Invitation)• Chief Executive Officer (Prescribed in HOA)

Previous Council Members

1. Mayor Nick Catania (Chair)
(Prescribed in HOA)
2. Cr Steed Farrell

Deputy

1. Cr Doran-Wu (Chair)
2. Cr Izzi Messina

The following Statutory Authorities and Committees do not require an Absolute Majority decision of Council:

1. Leederville Gardens Inc Board (3 Council Members)*

* *The Constitution of Leederville Gardens Inc provides for the Town to nominate three persons to the Board of Management. Appointees need not be elected Members of Council.*

Background

Meeting Occurrence:	Bi-Monthly
Date of Meeting:	When suitable
Time of Meeting:	5.30pm
Location of Meeting:	Town of Vincent Admin & Civic Centre or Leederville Gardens Retirement Village
Liaison Officer:	Director Corporate Services
<i>Purpose of Committee:</i>	<i>To make decisions for the management of Leederville Gardens Retirement village.</i>
Non-Members of Council:	<ul style="list-style-type: none">• Leederville Gardens Residents• Director Corporate Services• Manager Community Development• Administration Officer, Corporate Services

Previous Council Members

1. Mayor Nick Catania (Chair)
2. Cr Steed Farrell
3. Cr Dudley Maier

Deputies

1. Cr Helen Doran-Wu (Chair)
2. Cr Sally Lake

2. Local Government Association - Central Metropolitan Zone (2 Council Members)

Background

Meeting Occurrence:	Bi-Monthly (or six weekly)
Date of Meeting:	Thursday
Time of Meeting:	6pm
Location of Meeting:	Local Governments in the Central Metropolitan Zone on a rotation basis
Liaison Officer:	Chief Executive Officer
<i>Purpose of Appointment:</i>	<i>To represent the Council on the Western Australian Local Government Association Central Zone.</i>
Non-Members of Council:	<ul style="list-style-type: none">• Representatives from Central Metropolitan Zone Councils• Chief Executive Officer

Previous Council Members

1. Cr Ian Ker
2. Cr Sally Lake

Deputies

1. Chief Executive Officer (for both)

3. Metropolitan Regional Recreation Advisory Committee (NMRRAC) (1 Council Member)

Background

Meeting Occurrence:	3 times per year
Date of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	Local Government Members on a Rotation Basis
Liaison Officer:	Manager Community Development

Purpose of Committee:

- *To communicate and share information between members of NMRRAC and similar bodies.*
- *To foster improvement in the planning and coordination of community facilities including comment on regionally significant facility projects grants applications.*
- *To discuss and support cross boundary facility initiatives and to take possible developments back to member Councils for consideration.*
- *To seek cost effective solutions about access to recreational opportunities for the communities represented, including establishment and operation of facilities; and services.*
- *To support and share management initiatives and encourage improvement in the management of community facilities.*
- *To lobby on behalf of the Advisory Committee to any Government, sporting body or private interest on any matter of common concern to members, especially those involving planning, development, management or funding of facilities.*
- *To promote best practice in all aspects of these objectives (communication, planning, management and development, cost and lobbying).*

Non-Members of Council:	<ul style="list-style-type: none">• Member Councils• Manager Community Development
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Previous Council Members

1. Cr Helen Doran-Wu

Deputy

1. Cr Noel Youngman

4. Mindarie Regional Council (1 Council Member)*

* *Council Representative appointed until 30 June 2010 as per Ordinary Meeting of Council held on 14 July 2009.*

Background

Meeting Occurrence:	Monthly
Date of Meeting:	Third Thursday of Month (<i>approx.</i>)
Time of Meeting:	5.30pm
Location of Meeting:	Member Councils on a rotation basis
Liaison Officer:	Mindarie Regional Council - Chief Executive Officer
<i>Purpose of Council:</i>	<ul style="list-style-type: none">• <i>To make decisions concerning Waste Management, including the landfill disposal site at Tamala Park.</i> <p>(* <i>Member sitting fee of \$2,400 and \$1,000 allowances is paid.</i>)</p>
Non-Members of Council:	<ul style="list-style-type: none">• Member Councils - Chief Executive Officers and Senior Management• Chief Executive Officer• Director Technical Services

Council Member

Deputy**

1. Cr Steed Farrell (*until 30/06/10*)

(** *Council to separately appoint a Deputy to act for each occasion when the Member is unavailable, due to an anomaly with the Local Government Act.*)

5. Northbridge History Steering Committee (2 Council Members)

Background

Meeting Occurrence:	Quarterly
Date of Meeting:	Thursday
Time of Meeting:	10.30am
Location of Meeting:	Town of Vincent Library and Local History Centre
Liaison Officer:	Co-ordinator Strategic Planning
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>To assist in the identification and collation of the different histories of Northbridge within the Town.</i>• <i>To provide guidance in developing an accessible history for the public so that they appreciate the uniqueness of Northbridge.</i>• <i>To contribute in the delivery of useable history for educational and tourism purposes.</i>

- Non-Members of Council:
- Director Northbridge History Project
 - Co-ordinator Northbridge History Project
 - Co-ordinator Strategic Planning
 - Senior Librarian (Local Studies)
 - Library Officer (Local Studies)

Previous Council Members

Deputy

1. Cr Ian Ker Nil
2. Cr Sally Lake

6. North West District Planning Advisory Group (1 Council Member)

Background

- Meeting Occurrence: Bi-Monthly
- Date of Meeting: Thursday
- Time of Meeting: 8.30am
- Location of Meeting: Member Councils on a rotation basis
- Liaison Officer: Director Development Services
- Purpose of Committee:*
- *To represent the Town on this Committee concerning regional planning matters.*

- Non-Members of Council:
- Officers from Member Councils
 - Director Development Services

Previous Council Members

Deputy

1. Cr Ian Ker 1. Cr Dudley Maier

7. Swan River Trust (*only matters relating to Town of Vincent*) (1 Council Member)

Background

- Meeting Occurrence: When suitable
- Date of Meeting: When suitable
- Time of Meeting: When suitable
- Location of Meeting: Swan River Trust Offices
- Liaison Officer: Director Development Services or Director Technical Services
- Purpose of Committee:*
- *To represent the Town concerning matters affecting the Town and the Swan River.*

- Non-Members of Council:
- Officers from Member Councils
 - Director Development Services or
 - Director Technical Services

Previous Council Members

Deputy

1. Cr Helen Doran-Wu 1. Cr Anka Burns

8. Tamala Park Regional Council (1 Council Member)

Background

Meeting Occurrence:	Bi-Monthly
Date of Meeting:	Thursday
Time of Meeting:	5.30pm
Location of Meeting:	Member Councils on a rotation basis
Liaison Officer:	Chief Executive Officer
<i>Purpose of Council:</i>	<ul style="list-style-type: none">• <i>To make decisions concerning the Tamala Park land and its redevelopment.</i> <p>(<i>* Member sitting fee of \$2,400 and \$1,000 for allowances is paid.</i>)</p> <p>(<i># The Regional Council has a preference for Member Councils to elect their Mayor as the representative.</i>)</p>
Non-Members of Council:	<ul style="list-style-type: none">• Officers from Member Councils• Chief Executive Officer

Previous Council Members

Deputy**

1. Mayor Nick Catania

(** *Council to separately appoint a Deputy to act for each occasion when the Member is unavailable, due to an anomaly with the Local Government Act.*)

9. Vincent Accord (1 Council Member)

Background

Meeting Occurrence:	Quarterly
Date of Meeting:	When suitable (<i>Normally Wednesdays</i>)
Time of Meeting:	1.00pm
Location of Meeting:	Different Licensed Premises in Town of Vincent
Liaison Officer:	Manager Health Services
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>To reduce alcohol-related harm, crime and anti-social behaviour in and around licensed premises within the Town of Vincent.</i>• <i>To improve the perception of safety and the appeal of the Town's entertainment precincts to visitors and residents.</i>• <i>To further develop and maintain relationships between licensees, government and other stakeholders.</i>• <i>To evaluate the effect of alcohol and other associated factors on public health, crime, violence and anti-social behaviour, with a view to developing measures to minimise their adverse consequences.</i>

- *To advocate the core Vincent Accord message — ‘Socialise with Safety’ to the community and patrons.*

Non-Members of Council:

- Owners of Licensed Premises
- WA Police
- Department of Racing Gaming and Liquor
- Drug and Alcohol Office
- Other individuals, groups, accords or agencies as is deemed necessary
- Manager Health Services
- Senior Environmental Health Officer

Previous Council Members

1. Mayor Nick Catania

Deputy

1. Cr Noel Youngman

10. Youth Council (1 Council Member)

Background

Meeting Occurrence:

When suitable

Date of Meeting:

When suitable

Time of Meeting:

When suitable

Location of Meeting:

Town of Vincent Admin & Civic Centre

Liaison Officer:

Manager Community Development

Purpose of Committee:

- *To address the issues and needs of the young people in the Town.*
- *Some of the issues to be addressed by the Town of Vincent Youth Advisory Council include:*
 - *services for young people;*
 - *programs;*
 - *recreation;*
 - *information;*
 - *possible events for young people;*
 - *drugs related issues;*
 - *graffiti; and*
 - *any other issues which are seen to be relevant to youth.*

Non-Members of Council:

- Community Development (Youth) Officer

Previous Council Members

1. Cr Izzi Messina

Deputy

1. Cr Anka Burns

ADVISORY GROUPS

1. **Aboriginal Liaison Occasional Advisory Group** (*Mayor*)

Background

Meeting Occurrence:	Meet as required
Date of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	Various Venues
Liaison Officer:	Chief Executive Officer
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>To act as a link between the Town of Vincent and aboriginal residents of the area.</i>• <i>To identify the needs of aboriginal residents with a view to encouraging the development of appropriate services or by making existing services more accessible.</i>• <i>To raise the awareness of the community as to the needs and the abilities of aboriginal residents.</i>• <i>To encourage full participation of such residents in all facets of community life.</i>• <i>To seek funds from appropriate Organisations outside the Town of Vincent to facilitate the development of facilities and/or programs.</i>
Non-Members of Council:	<ul style="list-style-type: none">• Town of Vincent Reconciliation• Aboriginal Advancement Council• Nyoongar Circle of Elders
Previous Council Members:	1. Mayor

2. **Art Advisory Group** (3 *Council Members*)

Background

Meeting Occurrence:	Meet as required (<i>Generally Bi-Monthly</i>)
Date of Meeting:	When suitable
Time of Meeting:	6.00pm
Location of Meeting:	Town of Vincent - Committee Room
Liaison Officer:	Arts Officer
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>To provide advice for the acquisition of artwork.</i>• <i>To act as Judges for Town of Vincent Art Competition.</i>• <i>To provide advice for the competition.</i>• <i>To provide advice for the visual arts budget.</i>• <i>To provide advice for the display and viewing of pieces of artwork.</i>

- *To develop and implement an acquisition policy.*
- *To provide advice on matters generally relating to the art, as required from time to time.*

Non-Members of Council:

- Up to 3 (previously 6) Community Representatives
- Art Gallery of WA or University/TAFE Representative
- Manager Community Development
- Arts Officer

Previous Council Members:

1. Cr Izzi Messina (*Chair*)
2. Cr Anka Burns
3. Cr Noel Youngman

3. **Heritage Advisory Group** (3 Council Members)

Background

Meeting Occurrence:

Meet as required

Date of Meeting:

When suitable

Time of Meeting:

6.00pm

Location of Meeting:

Town of Vincent - Committee Room

Liaison Officer:

Co-ordinator Strategic Planning

Purpose of Committee:

- *The Heritage Advisory Group's prime role is to oversee the preparation of a Heritage Strategic Plan and associated strategies and initiatives, and consideration of the Town's Heritage Survey and Municipal Heritage Inventory Review, for submission to the Council.*
- *Make recommendations to the Council on actions to be undertaken to inform, educate and raise awareness in the community in regards to heritage initiatives or events.*

Non-Members of Council:

- Up to 3 (previously 5) Community Representatives
- Director Development Services
- Co-ordinator Strategic Planning
- Planning Officer

Previous Council Members:

1. Cr Helen Doran-Wu (*Chair*)
2. Cr Anka Burns
3. Cr Ian Ker

4. Local Area Traffic Management Advisory Group (3 Council Members) - (previously 2)

Background

Meeting Occurrence:	Meet as required (<i>usually bi-monthly</i>)
Date of Meeting:	When suitable
Time of Meeting:	5.30pm
Location of Meeting:	Town of Vincent - Committee Room
Liaison Officer:	Manager Asset & Design Services
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>To act in an advisory capacity in all local area traffic management matters and make recommendations to the Council.</i>• <i>To develop guidelines for local area traffic management for the consideration of the Council.</i>• <i>To advise the Town of Vincent on matters relating to reducing the adverse impacts of road traffic on residents and businesses in the Town of Vincent, including, but not restricted to traffic calming through road engineering measures.</i>
Non-Members of Council:	<ul style="list-style-type: none">• Up to <u>3</u> (<i>previously 5</i>) Community Representatives (including Business)• Director Technical Services• Manager Asset & Design Services
Previous Council Members:	<ol style="list-style-type: none">1. Cr Ian Ker (<i>Chair</i>)2. Cr Dudley Maier

5. Safer Vincent Crime Prevention Partnership (3 Council Members) - (previously 4)

Background

Meeting Occurrence:	Meet as required (<i>usually monthly</i>)
Date of Meeting:	First Wednesday of the Month
Time of Meeting:	5.30pm
Location of Meeting:	Town of Vincent - Committee Room
Liaison Officer:	Co-ordinator Safer Vincent
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>Develop, execute and review the Community Crime Prevention Business Plan as required under the Community Crime Prevention Partnership Agreement.</i>• <i>Provide information and make recommendations to the Council on issues relating to Graffiti, Safety and Security, Neighbourhood Watch and Local Emergency Management matters.</i>

- *Provide information and make recommendations to the Council on strategies to control Graffiti, Safety and Security and Neighbourhood Watch.*
- *Provide information and make recommendations to the Council on actions to be undertaken to inform, educate and raise awareness in the community with regard to safety and security issues.*
- *Develop strategies to address specific issue as they relate to public safety.*
- *Facilitate the preparation of various strategies and initiatives.*
- *Carry out a review of the Safer Vincent Program.*

Non-Members of Council:

- Up to 3 (previously 8) Community Representatives
- WA Police (Perth)
- WA Police (Wembley)
- Ethnic Communities Council
- Nyoongar Patrol
- ~~Three~~—(3) Two (2) Community Representatives (Seniors, Youth)
- ~~Two~~—(2) One (1) Community Representatives (Business)
- Manager Ranger & Community Safety Services
- Co-ordinator Safer Vincent
- Customer Service Officer (*Minute Taker*)

Previous Council Members:

1. Cr Helen Doran-Wu (*Chair*)
2. Cr Steed Farrell
3. Cr Sally Lake
4. Cr Izzi Messina

6. Seniors Advisory Group (3 Council Members) - (previously 4)

Background

Meeting Occurrence: Meet as required

Date of Meeting: When suitable

Time of Meeting: 6.00pm

Location of Meeting: Town of Vincent - Committee Room

Liaison Officer: Community Development Officer

Purpose of Committee:

- *To act in an advisory capacity in all current and future matters relating to Seniors, Aged Care Services and the Multicultural Industry and make recommendations to the Council.*
- *To act in an advisory capacity in all current and future matters relating to Seniors, Aged Care Services and the Multicultural Industry on strategies and policies and make recommendations to the Council.*

- *To act in an advisory capacity on actions to be undertaken to inform, educate and raise awareness in the community with regard to current and future Seniors' matters, Aged Care Services and the Multicultural Industry and make recommendations to the Council.*
 - *To act in an advisory capacity in the development of a Seniors' Strategic Plan for the Town of Vincent.*
- Non-Members of Council:
- Up to 3 Community Representatives
 - Director Corporate Services
 - Manager Community Development
 - Community Development Officer
- Previous Council Members:
1. Cr Helen Doran-Wu (*Chair*)
 2. Cr Dudley Maier
 3. Cr Izzi Messina
 4. Cr Noel Youngman

7. Sustainability Advisory Group (3 Council Members) - (previously 4)

Background

- Meeting Occurrence: Meet as required
- Date of Meeting: When suitable
- Time of Meeting: When suitable
- Location of Meeting: Town of Vincent - Committee Room
- Liaison Officer: Sustainability Officer
- Purpose of Committee:*
- *Provide comments and recommendation to the Council in the formulation of a community and Council vision of sustainability.*
 - *Provide comments and recommendation to the Council in relation to the development of the Town's proposed Sustainability Management System, Sustainability Strategy, and on-the-ground projects to deliver financial and environmental returns to the Council.*
 - *Provide comments and recommendations to the Council in relation to other sustainability initiatives and programs.*
 - *Provide comments and recommendations to the Council in relation to education and awareness initiatives and programs, to inform, educate and raise awareness in the community regarding sustainability and its initiatives and programs.*
 - *Support the community to fully participate in achieving sustainability, through the development of partnerships, initiatives and programs with the community.*

- *Identify resourcing sources to support sustainability initiatives and programs.*
 - *Identify potential links with intrastate, interstate and international local governments to provide learning opportunities for the Town and the community.*
- Non-Members of Council:
- Up to 3 (previously 5) Community Representatives
 - Director Technical Services
 - Director Development Services
 - Co-ordinator Strategic Planning
 - Sustainability Officer
 - Project Officer - Environment
 - Council Officers (as required)
- Previous Council Members:
1. Mayor Nick Catania (*Chair*)
 2. Cr Helen Doran-Wu
 3. Cr Steed Farrell
 4. Cr Ian Ker

8. Town of Vincent Garden Awards Occasional Advisory Group (3 Council Members)

Background

- Meeting Occurrence: 1 Meeting per year and 1 Judging Day per year
- Date of Meeting: When suitable
- Time of Meeting: When suitable
- Location of Meeting: Town of Vincent Locality
- Liaison Officer: Manager Parks & Property Services
- Purpose of Committee:*
- *Meeting - (1 hour) – to discuss format and specifics of forthcoming annual garden competition*
 - *Judging – (5 hours) – participation in the final judging of gardens within the Town for each respective category*
- Non-Members of Council:
- Winner of previous year's Competition
 - Manager Parks & Property Services
- Previous Council Members:
1. Mayor Nick Catania (*Chair*)
 2. Cr Anka Burns
 3. Cr Izzi Messina

9. Town of Vincent Building Design and Conservation Occasional Advisory Group
(Mayor plus 2 Council Members)

Background

Meeting Occurrence:	One Judging Day <i>(every two years)</i>
Date of Meeting:	When suitable in November
Time of Meeting:	When suitable <i>(1-2 Hours)</i>
Location of Meeting:	On-site
Liaison Officer:	Co-ordinator Strategic Planning
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>The Town's Building Design and Conservation Awards are designed to recognise and celebrate the efforts of all those involved in the construction and conservation of Vincent's buildings.</i>• <i>The Awards are held every two years</i>
Non-Members of Council:	<ul style="list-style-type: none">• Heritage Architect• Community Member• Director Development Services• Co-ordinator Strategic Planning
Previous Council Members:	<ol style="list-style-type: none">1. Mayor Nick Catania <i>(Chair)</i>2. Cr Anka Burns

10. Universal Access Advisory Group *(3 Council Members)*

Background

Meeting Occurrence:	Meet as required
Date of Meeting:	When suitable
Time of Meeting:	5.30pm
Location of Meeting:	Town of Vincent - Committee Room
Liaison Officer:	Community Development Officer
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>To assist in the development of the Disabilities Services Plan addressing access and equity issues for all services and facilities provided by the Town of Vincent.</i>• <i>To review the Town of Vincent's Asset Register in relation to the accessibility of the Town's buildings and amenities to disabled persons.</i>• <i>To recommend appropriate programmed upgrading of the Council's facilities that do not meet the needs of the disabled residents. Any work recommended will be included in the Town's 5 and 10 year Capital Works Programmes in accordance with budgetary constraints.</i>

- Non-Members of Council:
- *To assess plans for the Council's functions, facilities, services and programmes and recommend appropriate standards for access for people with disabilities in accordance with the relevant building requirements and appropriate standards.*
 - *To oversee and advise the Council on the implementation of the Disabilities Services Plan.*
 - Up to 3 (previously 5) Community Representatives
 - Director Corporate Services
 - Manager Community Development
 - Community Development Officer
- Previous Council Members:
1. Cr Ian Ker (*Chair*)
 2. Cr Sally Lake
 3. Cr Dudley Maier

WORKING GROUPS

1. **Central Sub-Group for the Metropolitan Regional Road Group (CRRSG) (Nil Council Members)**

Background

- Meeting Occurrence: Annually
- Date of Meeting: When suitable
- Time of Meeting: When suitable
- Location of Meeting: City of Perth - Council House
- Liaison Officer: Manager Asset & Design Services
- Purpose of Committee:*
- *Discuss annual Metropolitan Regional Road Funding and Black Spot funding distribution to members, including successful and non-successful projects submitted.*
 - *Raise any related road funding issues, etc, affecting the local government which, in turn, are reported to the Metropolitan Regional Road Group who make the final recommendations to the Minister.*
- Non-Members of Council:
- Director Technical Services
 - Manager Asset & Design Services
 - City of Perth Officer
 - City of Subiaco Officer
- Previous Council Members: Not applicable.

2. Claise Brook Catchment Group Inc (*Nil Council Members*)

Background

Meeting Occurrence:	Monthly
Date of Meeting:	When suitable (<i>Usually on a Monday</i>)
Time of Meeting:	6pm (<i>1-2 hours</i>)
Location of Meeting:	Loftus Community Centre or Rod Evans Senior Citizen's Centre, East Perth
Liaison Officer:	Project Officer - Environment
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>A community based environmental group working to restore wetlands and improve water quality flowing into the Swan River.</i>
Non-Members of Council:	<ul style="list-style-type: none">• Members of the Community• Manager Parks & Property Services• Project Officer, Environment
Previous Council Members:	Not applicable.

3. Emergency Management Committee (Local) (*Nil Council Members*)

Background

Meeting Occurrence:	Bi-Monthly
Date of Meeting:	When Suitable
Time of Meeting:	10.00am
Location of Meeting:	SES HQ, 5-7 Lynton Street, Mount Hawthorn
Liaison Officer:	Co-ordinator Safer Vincent
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>To ensure that the Town is able to deal with the likely problems associated with a local emergency.</i>
Non-Members of Council:	Representatives from: <ul style="list-style-type: none">• WA Police• Seven (7) Metropolitan Local Governments• Department for Child Protection• Emergency Management WA• Women's/Children's Health Service• Australian Red Cross• Silver Chain• Fire and Emergency Services (FESA)• Manager Ranger & Community Safety Services• Co-ordinator Safer Vincent
Previous Council Members:	Not applicable

4. Emergency Management Committee (District) (*Nil Council Members*)

Background

Meeting Occurrence:	Meet as required
Date of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	Perth Police
Liaison Officer:	Manager Ranger & Community Safety Services
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>To ensure that Emergency Management strategies are in place at a District level to minimise the effect of a substantial Emergency</i>
Non-Members of Council:	Representatives from: <ul style="list-style-type: none">• WA Police• Fire and Emergency Services (FESA)• Department for Child Protection• Emergency Management WA• Department of Defence• City of Perth• St John Ambulance• Manager Ranger & Community Safety Services
Previous Council Members:	Not applicable

5. Hyde Park Lakes Restoration Working Group (*Mayor plus 3 Council Members*)

Background

Meeting Occurrence:	Meet as required
Date of Meeting:	When suitable
Time of Meeting:	6.00pm
Location of Meeting:	Town of Vincent - Committee Room
Liaison Officer:	Manager Parks & Property Services
<i>Purpose of Committee:</i>	<ul style="list-style-type: none">• <i>To act in an advisory capacity concerning the development of strategies to improve the Hyde Park lakes and their immediate surrounds and make recommendations to Council.</i>
Non-Members of Council:	<ul style="list-style-type: none">• Claise Brook Catchment Representative• Environmental Consultant• Community Representative• Director Technical Services• Manager Parks & Property Services• Co-ordinator Strategic Planning

Previous Council Members:

1. Mayor (*Chair*)
2. Cr Anka Burns
3. Cr Ian Ker
4. Cr Izzi Messina

6. Mindarie - Technical Committee (*Nil Council Members*)

Background

Meeting Occurrence: 1st Friday of Month
Date of Meeting: 1st Friday of Month
Time of Meeting: 8.30am
Location of Meeting: Town of Cambridge
Liaison Officer: Director Technical Services
Purpose of Committee:

- *To advise the Mindarie Regional Council on technical matters concerning waste management.*

Non-Members of Council: • Director Technical Services
Previous Council Members: Not applicable.

7. Party Bus Working Group (*Nil Council Members*)

Background

Meeting Occurrence: Quarterly
Date of Meeting: When suitable
Time of Meeting: When suitable
Location of Meeting: Town of Vincent - Function Room
Liaison Officer: Coordinator Safer Vincent
Purpose of Committee:

- *Identify and promote Authorised bus services operating to and from licensed premises, within the Town.*
- *Develop a Party Bus Code of Conduct.*
- *Develop additional proactive strategies and Complement Safety and Crime Prevention Strategies outlined in Safety and Crime Prevention Plan and Vincent Accord.*

Non-Members of Council:

- Party Bus Proprietors
- Licensees
- WA Police
- Manager Ranger & Community Safety Services
- Co-ordinator Safer Vincent
- Health Services Section Representative
- Customer Service Officer (*Minute Taker*)

Previous Council Members: Cr Noel Youngman

8. Perth Police Integration (*Nil Council Members*)

Background

Meeting Occurrence:	Meet as required
Date of Meeting:	When suitable
Time of Meeting:	When suitable
Location of Meeting:	Town of Vincent - Committee Room
Liaison Officer:	Safer Vincent Co-ordinator
<i>Purpose of Committee:</i>	<ul style="list-style-type: none"><i>To provide an effective forum to raise and action crime prevention, policing issues within the Perth Central Metropolitan area. This committee continues to foster a close and effective relationship with the Town and Police and relevant parties, and provides an ongoing conduit to deal with current and pressing community concerns in the Vincent/Perth policing districts.</i>
Non-Members of Council:	Representatives from: <ul style="list-style-type: none">• WA Police Service• Department of Housing & Works• Department of Community Services• Department of Community Development• City of Perth• Nyoongar Patrol• Killara Youth Services• Manager Ranger & Community Safety Services• <u>Co-ordinator/Prosecutions Officer</u> Co-ordinator Ranger Services• Safer Vincent Co-ordinator
Previous Council Members:	Not applicable.

CONSULTATION/ADVERTISING:

Not applicable.

Nominations for representatives from the Community for Advisory Groups/Partnerships for the 2009-2011 term will shortly being advertised in the local newspaper and a further report will be submitted to Council at the close of the nomination period.

LEGAL/POLICY:

Statutory Authorities/Committees/Working Groups/Advisory Groups

The Town of Vincent does not have any Statutory Committees (other than the Audit Committee) with delegated authority, as prescribed by the Local Government Act 1995. All "Committees", Working Groups/Advisory Groups have Terms of Reference and can only deal with matters referred to them by the Council. These groups can only make recommendations which are reported to the Council for its consideration.

To ensure consistency to provide a manageable workload for Council Members and to ensure that Advisory Groups do not become too unwieldy, it is recommended that the number of Council Members and Community Representatives be standardised to three (3) persons each.

The Local Government Act does not allow for a Council to appoint a Deputy to a Regional Council. If the Council's appointed Member cannot attend, the Council must formally resolve to appoint an Alternative Member for each specific occasion when the Member is unavailable or unable to act.

(The Regional Councils have recommended to the Minister for Local Government that the Act be amended to address this anomaly.)

STRATEGIC IMPLICATIONS:

This matter is in keeping with the Town's Plan for the Future Strategic Plan 2009-2014 - Key Objective 4.1.2 - *"Manage the organisation in a responsible, efficient and accountable manner."*

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL/BUDGET IMPLICATIONS:

Not applicable.

COMMENTS:

It is recommended that Council make appointments to the various Committees, Statutory Authorities, Advisory and Working Groups and standardise the number of Council Members/persons to each, as detailed in this report.

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

The Presiding Member, Mayor Nick Catania, declared the meeting closed at 8.05pm with the following persons present:

Mayor Nick Catania, JP	Presiding Member
Cr Matt Buckels	North Ward
Cr Anka Burns	South Ward
Cr Steed Farrell	North Ward
Cr Taryn Harvey	North Ward
Cr Sally Lake (<i>Deputy Mayor</i>)	South Ward
Cr Warren McGrath	South Ward
Cr Dudley Maier	North Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
John Hyde, MLA	Member for Perth, Shadow Minister for Cultural and the Arts

Four (4) Members of the Public

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 3 November 2009.

Signed:Presiding Member
Mayor Nick Catania

Dated this day of 2009