



## TOWN OF VINCENT

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*"Enhancing and celebrating our diverse community"*

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# MINUTES

7 DECEMBER 2010

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**11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil.

**13. URGENT BUSINESS**

Nil.

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

Nil.

**15. CLOSURE**

**There being no further business, the Presiding Member, Mayor Nick Catania, declared the meeting closed at 9.00pm 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
Anita Radici	Executive Assistant (Minutes Secretary)
Lauren Peden	Journalist – “ <i>The Guardian Express</i> ”
David Bell	Journalist – “ <i>The Perth Voice</i> ”

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 7 December 2010.

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

Dated this ..... day of ..... 2010

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 7 December 2010, commencing at 6.00pm.

**1. DECLARATION OF OPENING**

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

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

**(a) Apologies:**

Cr Warren McGrath – apology – arriving late due to work commitments.

**(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 (from 6.13pm)
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
Anita Radici	Executive Assistant (Minutes Secretary)
<u>Employee of the Month Recipient</u>	
Ashley Smith	Ranger (until approximately 6.20pm)
Lauren Peden	Journalist – “ <i>The Guardian Express</i> ”
David Bell	Journalist – “ <i>The Perth Voice</i> ”

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. Graham Lantzke of 13 Egina Street, Mt Hawthorn on behalf of the Friends of Britannia Reserve. Apologised to any Councillors offended by his behaviour at the last meeting. Thanked the Mayor for advising him of the meeting rules. Also thanked the Council for extending the public consultation time. Submitted a copy of the Council’s brochure distributed to residents. Stated that:
  - residents of Mt Hawthorn are concerned and distrustful of the masterplan;
  - “masterplan” is referred to in the brochure however, this does not have much detail, nor does it have supporting documentation;
  - it is presented to the residents as a *fait accompli*, which has created concern as to whether the consultation is actually going to have any meaning and whether views of residents will be taken into consideration;

- there is a \$15million development proposal encompassed in the document however, it does not refer to the size or scope of the development which is described as an administration building however, when the plans are reviewed, it is shown as a Stadium;
- it is not mentioned in the survey that residents are asked to respond to;
- that the survey includes no question as to whether residents could support or reject the proposal.

Believed residents have not been advised of their options. Believed the questions are somewhat misleading.

2. Norelle O'Neill of 1 Matlock Street, Mt Hawthorn – Item 9.1.2. Disappointed that she has been advised that the approval will probably go through which she considers is sad/utterly heartbreaking. Stated that 16 objections have been submitted however, apparently there is nothing they can do. Understood the approval has conditions regardless of how “toothless” they appear. Advised that she sees this as a really sad indictment on all ratepayers of Mt Hawthorn that this situation exists. Stated the fact that people not living nor paying rates in the Town can determine the direction of the Town, can erode its cultural and historical significance and believes its is time for future generations that rate payers stand up and take back control of streets. Believed direction needs to be determined, retain history and do not need to have ad hoc rules and regulations or, sudo rules and regulations that can see a house being demolished that is in absolutely perfect condition.
3. Peter Jodrell of Clydesdale Street, Como – Item 9.1.1. Stated they have had various meetings with Town Officers, Deputy Mayor and SAT to attempt to resolve this issue and have now submitted modified plans. Modifications include the removal of two apartments, redesigned the front elevation to lower the height of the balcony, generally reduced the height of the building by in excess of 2m, added loft spaces to the upper level apartments and minor alterations to the building to try and bring it into compliance with requirements. Believed the changes should address the neighbours and the Council’s concerns and provide the necessary interface between the 5 storey building to the west and the 2 storey townhouses to the east. Requested that the Council support the application.

**Cr Warren McGrath entered the Chamber at 6.13pm.**

4. Anne Warr of 5 Seabrook Street, Mt Hawthorn – Item 9.1.2. Agreed with previous speaker on the matter. Stated the Council has made a point that it is not rare or of scientific aesthetic or social value however, she believes the property does fit in the with streetscape of Matlock Street. Believed if plans are submitted they will be for a modern 2 storey house which has absolutely no place in the streets surrounding their area. Requested the Council reconsider the demolition order.
5. Tony Blott of 9 Seabrook Street, Mt Hawthorn – Item 9.1.2. Stated he is the owner of 4 Matlock Street. Stated that there is no heritage listing on this property nor is there is no streetscape policy. Believed there are multiple examples in the Town where old homes have been demolished for new, even amongst existing character homes. Stated that property owners should not be subject to the “whims and fancies” of neighbours as to what they wish to do with their property that abide by the rules and regulations that apply to everyone hence, he understands their designs need approval by the Council in the future. Advised that as a sensible course of action they applied for demolition prior to investing any more funds into preparing plans. Stated it is disappointing that people in the neighbourhood believe they have a right to dictate what others should do with their property. Stated it was not appreciated that a neighbour went to his home this morning to question the intent of his actions instead of following the Town’s processes as laid down for consultation. Requested that the Council take his points into consideration when considering the item.

There being no further speakers, Public Question Time closed at approx. 6.16pm.

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

Refer to IB02 – letter to Mr G. Lantzke.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil.

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

5.1 A petition was received from the residents in the vicinity of Charles Veryard Reserve received from Ms B. Chester of Hanover Place, North Perth along with 40 signatures, requesting that the Town ceases the proposed plan for a path way through the Reserve.

The Chief Executive Officer advised that this petition related to Item 9.2.4 on this Agenda, and recommended that the Item be considered during debate on the Item.

5.2 A petition was received from M/s L. Cummins of Thompson Street, North Perth on behalf of residents and owners of Thompson Street along with 16 signatures, requesting that the Council takes steps to introduce the following for the residents/owners/ratepayers of Thompson Street:

- Restrict parking Thompson Street to a maximum of 3 hours; and
- Issue 2 resident parking permits per dwelling to enable residents to have unrestricted parking.

The Chief Executive Officer recommended that this petition be received and referred to the Director Technical Services and Director Development Services jointly for investigation and report.

**Moved Cr Burns, Seconded Cr Maier**

*That the petition be received as recommended.*

**CARRIED (9-0)**

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

Minutes of the Ordinary Meeting of Council held on 9 November 2010.

**Moved Cr Burns, Seconded Cr Topelberg**

*That the Minutes of the Ordinary Meeting of Council held 23 November 2010 be confirmed as a true and correct record.*

**CARRIED (9-0)**

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

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

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

For DECEMBER 2010, the award is presented jointly to Ashley Smith and Paul Martin, Rangers in the Town's Ranger and Community Safety Services Section.

Ashley and Paul were nominated by the Chief Executive Officer, John Giorgi, after Councillor Joshua Topelberg brought to his attention that a radio announcement was made by ABC 720AM announcer, Gillian O'Shaunassy, expressing her appreciation to the Town of Vincent Rangers who had gone out of their way to return her lost purse at the Leonard Cohen concert, held recently at nib Stadium.

Gillian had attended the Leonard Cohen concert and prior to arriving called into a Service Station for petrol. Upon arriving at the concert, she realised she had lost her purse. She managed to enter the Stadium (as the Security Guards were able to check her on-line ticket receipt). During the Concert, two Town of Vincent Rangers (Ashley and Paul) managed to locate her and return her purse - intact. Gillian was extremely grateful and announced the Rangers' good deed on the ABC radio.

Both Ashley and Paul were working on the night of the Concert and found the purse on the footpath. The tickets for the Concert were in the purse and as they recognised Gillian's name, they tried to contact her via the ABC but were unable to get through. They then went to the Stadium, where they explained the situation to a Security Guard, who went to check the allocated seats and return the purse to Gillian.

Cr Topelberg brought this matter to the Chief Executive Officer's attention as he also believes that Ashley and Paul are to be commended for their "*above and beyond*" call of duty, excellent service and honesty!

Congratulations Ashley and Paul - and well done!

**Received with Acclamation!**

**7.2 Opening of Accessible Children's Playground in Hyde Park**

I am pleased to announce that the Accessible Children's Playground in Hyde Park was officially opened last Sunday.

The former playground was constructed by City of Perth in the early 1970s and was in desperate need of upgrade.

In 2006, the Council decided to upgrade this playground site to provide improved "access for all" following installation of the "Liberty Swing".

Funding for this project was sought through various grant opportunities open to local governments and in 2009 the Town was successful in obtaining a grant of \$125,000 through LotteryWest to proceed with the project.

Work commenced on-site in June 2010 and the playground was opened for use on Monday 29 November 2010.

I would like to acknowledge the many people involved in this project including:

- LotteryWest for their funding;
- the numerous consultants and contractors; and
- the Town's Parks and property Services Section for the landscaping.



The Opening Ceremony was attended by Councillors, Town employees and a large crowd. A "Welcome to Country", on behalf of the Nyoongar people, was made by elder, Richard Wilkes.

Congratulations to all on a job well done.

7.3 Mayor's Community Barbecue – Sunday 5 December 2010

The Mayor's Community BBQ was held last Sunday and was attended by a big crowd of Mums, Dads, Grandparents and many children of the Town.

An afternoon of entertainment was organised, including a band and children's activities.

A wonderful afternoon was had by all and I would like to thank all the Town of Vincent Employees who helped make this community BBQ happen, particularly our Community Development and Parks Services Sections.

7.4 Local Government Charter for the Swan and Canning River System

I am pleased to advise that on 21 October 2010, the Town of Vincent, along with 20 other local governments attended the Launch of the "Discover your Rivers Campaign" and signed the Local Government Charter for the Swan and Canning River System.

This Charter acknowledges the work carried to date by the 21 local governments which adjoin the Swan River and outlines a commitment to raise the profile of the river system and create community awareness about the health of the waterways.

The Town of Vincent is pleased to be a part of this campaign.

The Community Newspaper Group sponsored this campaign and featured a number of stories about the river.

7.5 Carols by Candlelight – Friday 10 December 2010

Carols by Candlelight will be held at Hyde Park on Friday evening, 10 December 2010, commencing at 7.00pm.

The Town has provided funding to "Youth with a Mission" for the event and everyone is welcome to attend.

7.6 Withdrawal of Item 9.1.3

It is announced that Item 9.1.3 relating to a proposed development at Nos. 57-59 Fairfield Street, Mount Hawthorn has been WITHDRAWN from tonight's Agenda at the request of one of the applicants - who advises that they intend to resubmit revised plans.

**8. DECLARATIONS OF INTERESTS**

8.1 Cr Lake declared an Impartiality interest in Item 9.2.3 – Local Plant Sales and Associated Projects. The extent of her interest being that she is a member of the Claise Brook Catchment Group and assists with the plant sale as a volunteer.

8.2 Cr McGrath declared an Impartiality interest in Item 9.2.3 – Local Plant Sales and Associated Projects. The extent of his interest being that he is a member of the Claise Brook Catchment Group that assists the Town with the plant sales.

- 8.3 Cr Maier declared an Impartiality interest in Item 9.2.3 – Local Plant Sales and Associated Projects. The extent of his interest being that he is a member of the Claise Brook Catchment Group and assists at the plant sales.
- 8.4 Cr Topelberg declared a Proximity interest in Item 9.2.2 – Traffic Related Matter for Referred to the Local Area Traffic Management (LATM) Advisory Group; Intersection Leake Street and Vincent Street, North Perth – Further Report. The extent of his interest being that his primary residence is located on Leake Street, approximately 100m from the intersection.
- 8.5 Cr Topelberg declared an Impartiality interest in Item 9.1.6 – Consent for Advertisement of the Draft Economic Development Strategy 2011 - 2016. Stated that he considers he has an “interest in common” for the matter, however, disclosed his interest. The extent of his interest being that his family own a property in the Perth Town Centre on William Street and this is also his primary place of business.

**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:**

Items 9.1.2 and 9.1.1.

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

Items 9.1.1, 9.4.2, 9.4.3 and 9.4.4.

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

Item 9.2.2.

Presiding Member, Mayor 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	Nil.
Cr Buckels	Nil.
Cr McGrath	Item 9.1.4.
Cr Harvey	Nil.
Cr Lake	Item 9.1.8.
Cr Burns	Nil.
Cr Maier	Items 9.1.5, 9.1.6, 9.3.2, 9.3.6, 9.4.6 and 9.4.7.
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 9.1.7, 9.2.1, 9.2.3, 9.2.4, 9.3.1, 9.3.3, 9.3.4, 9.3.5, 9.4.1 and 9.4.8.

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 9.1.7, 9.2.1, 9.2.3, 9.2.4, 9.3.1, 9.3.3, 9.3.4, 9.3.5, 9.4.1 and 9.4.8.

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

Items 9.1.2 and 9.1.1.

The Chief Executive Officer advised that Item 9.4.5 would also have to be debated as it calls for a nomination.

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

**Moved Cr Buckels, Seconded Cr McGrath**

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

*Items 9.1.7, 9.2.1, 9.2.3, 9.2.4, 9.3.1, 9.3.3, 9.3.4, 9.3.5, 9.4.1 and 9.4.8.*

**CARRIED (9-0)**

**ITEM WITHDRAWN AT THE REQUEST OF THE APPLICANT**

**9.1.3 Nos. 57 - 59 (Lots 14, 15, 16 & 17; D/P2503 and Lot 302; D/P: 34665) Fairfield Street, Mount Hawthorn - Proposed Demolition of Two Existing Single Houses and Construction of Five Single Storey Grouped Dwellings**

<b>Ward:</b>	North	<b>Date:</b>	25 November 2010
<b>Precinct:</b>	Mount Hawthorn ; P01	<b>File Ref:</b>	PRO5024; 5.2010.457.1
<b>Attachments:</b>	<a href="#">001</a> , <a href="#">002</a>		
<b>Reporting Officer:</b>	R Narroo, Senior Planning Officer (Statutory) Hoping Au, Heritage Officer		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, REFUSES the application submitted by D Musca on behalf of the owner D & C & G & T Musca & A Ricciardello & C Esposito & J Martelli for proposed Demolition of Two Existing Single Houses and Construction of Five Single Storey Grouped Dwellings, at Nos. 57-59 (Lots 14, 15, 16 & 17; D/P 2503 and Lot 302; D/P: 34665) Fairfield Street, Mount Hawthorn and as shown on plans stamp-dated 8 September 2010, for the following reasons:*

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (ii) consideration of the objections received; and*
- (iii) the non-compliance with the Town's Policy No. 3.2.1 relating to Residential Design Elements, specifically clause SADC 8 (b)(1),(2),(3) and (4) respectively.*

<b>Landowner:</b>	D & C & G & T Musca & A Ricciardello & C Esposito
<b>Applicant:</b>	D Musca
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R30
<b>Existing Land Use:</b>	Single Houses
<b>Use Class:</b>	Grouped Dwellings
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	2316 square metres
<b>Access to Right of Way</b>	Western side, 5 metres wide, sealed, dedicated road

**PURPOSE OF REPORT:**

The application requires referral to the Council for determination as it involves more than three dwellings.

**BACKGROUND:**

28 March 2002 The Western Australian Planning Commission conditionally approved the amalgamation and subdivision of No. 57 (Lots 14, 15 & 16) Fairfield Street, Mount Hawthorn.

16 January 2009 The Western Australian Planning Commission conditionally approved the amalgamation and subdivision of Nos. 57 and 59 (Lots 14, 15, 16, 17 & 302) Fairfield Street, Mount Hawthorn.

**DETAILS:**

The proposal involves the demolition of two existing single houses and construction of five single storey grouped dwellings.

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

**COMPLIANCE:**

<b>NON-COMPLIANT REQUIREMENTS</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>Density:</b>	R30- 7.7 grouped dwellings	R 21.6- 5 grouped dwellings
<i>Officer Comments:</i>		
Noted.		
<b>Plot Ratio:</b>	N/A	N/A
<i>Officer Comments:</i>		
Noted.		
<b>Building Setbacks:</b>		
North	Lot 1= 1.5 metres to 1 metre	Nil to 1 metre
South	Lot 5= 1.5 metres	1.02 metres to 2.1 metres
<i>Officer Comments:</i>		
Supported- No undue impact on the amenity of the surrounding area in terms of ventilation and overshadowing.		
Garages are to be located at the rear of the property and accessed via right of way	Garages located in the front of the property and access via primary street	Garages located in the front of the property and accessed via the primary street.
<i>Officer Comments:</i>		
Not supported- Refer to Comments below.		
<b>Driveways</b>	Driveways not to exceed more than 40 per cent of the frontage of the property.  No closer than 0.5 metre to side of boundary.	44 per cent of the frontage of the property.  0.25 metre from the side boundary.
<i>Officer Comments:</i>		
Not supported- Refer to Comments below.		
<b>Retaining walls</b>	Not more than 0.5 metre and behind front building setback	1.32 metres within the front setback
<i>Officer Comments:</i>		
Supported- The land is already retained and therefore the new retaining walls will not have any undue impact on the streetscape.		
Store	Minimum internal area= 4 square metres	Minimum internal area = 3.85 square metres
<i>Officer Comments:</i>		
Not supported- If this application is supported, then a condition of planning approval will require the applicant to comply with required internal area for storage.		

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

Consultation Submissions		
Item	Comments Received	Officer Comments
Support	Nil	Noted.
Objections (2)	<p>Object to all the variations to development standards. The applicant should comply with Town's requirements.</p> <p><i>"We have no objection to the proposed plans of 5 single storey grouped dwellings, however we are opposed to 5 double driveways and garages fronting onto Fairfield Street in the proposed form, over 2 blocks in which is already a problematic area for all day parking as we have had ongoing problems with the Street since the development of the Mezz and soon late night trading weekdays to 9 pm will compound the matter as approximately 55 metres of street parking will be eliminated due to the proposed double driveways, where approximately 6-7 vehicles park on the street daily. Eliminating parking will push this problem further up the Street. A possible solution could be to reduce the crossover width, reduce driveway and or reduce the line markings setbacks in order to maintain maximum parking. If these issues could be addressed it would be a more favourable outcome in regards to garages/driveways located in the front of the properties for all nearby residents and the development.</i></p>	<p>Not supported in part- Refer to comments in "Assessment Table". The R-Codes allow for variations to development standards subject to the Town being satisfied that there will be no impact on the surrounding area.</p> <p>Supported- Refer to "Comments" below.</p>
<b>Advertising</b>	Advertising for a period of 14 days was carried out as per the Town's Policy No. 4.1.5 – relating to Community Consultation.	

The applicant's justification and the Town's response is shown below:

<b>Applicant Comments</b>
<i>"A visual survey has determined that there are a total of ten cross-overs and ten dwellings from Scarborough Beach Road to the corner of Woodstock Street. Also on Woodstock Street there is a recently constructed home which abuts Unity Lane but has its access via the primary street namely, Woodstock Street."</i>
<b>Officer Response</b>
It is confirmed that there are 10 existing dwellings (including 57 and 59 Fairfield Street) from Scarborough Beach Road to the corner of Woodstock Street, on the same side of the street. However, there are five existing crossovers including Nos. 57 and 59 Fairfield Street. Refer to Comments below.
With regard to the site abutting Unity Lane along Woodstock Street, two dwellings between Unity Lane and Flinders Street face Woodstock Street which is 50 percent of the dwellings facing Woodstock Street and in this context the crossover was supported.

<b>Applicant Comments</b>
<i>Two double storey homes currently under construction on Flinders Street, directly backing up to our proposed subdivision, have their access via Flinders Street and not Unity Lane.</i>
<b>Officer Response</b>
The Town supported the application as more than 50 per cent of the dwellings in the immediate street block, on the same side of the street that the subject dwelling is located have carports or garages accessed from the primary street.
<b>Applicant Comments</b>
<i>The majority of homes on Flinders Street, some recently built, abutting Unity Lane is serviced from the primary street.</i>
<b>Officer Response</b>
Noted. Some of the dwellings have access both to Flinders and Unity Lane. Moreover, the right of way may not have been sealed at the time of some approvals.
<b>Applicant Comments</b>
<i>Each proposed lot would have an approx. 11.1 m frontage. A double cross-over of approx. 4.5 m would comply with the current R-Codes, i.e. 40% of the frontage.</i>
<b>Officer Response</b>
Agree. However, the proposed crossovers for the lots will result in the loss of all kerbside car parking along the full extent of the subject sites.
<b>Applicant Comments</b>
<i>In terms of the streetscape policy, providing an additional three cross-overs (there are two existing) would have minimal affect, as the majority of homes of Fairfield St and Flinders Street already have their access points from the primary street.</i>
<i>We also do not agree with the streetscape policy being taken over a portion of a street and not the entire street or neighbouring streets i.e. Flinders Street</i>
<b>Officer Response</b>
Refer to "Comments" below.
<b>Applicant Comments</b>
<i>Unity lane has a minimum width of approx. 4.3 metres (at the bollards) and 5.0 m elsewhere with bollards at the one end. On a number of occasions parked vehicles have hindered entry and exit from this laneway. This would be of great inconvenience for the residents and should an emergency situation occur, most concerning.</i>
<i>The fact that there is only one entry and exit point to a primary street from Unity Lane provides further argument as to why garage access should be from Fairfield Street.</i>
<b>Officer Response</b>
Unity Lane is 5 metres in width all the way. If any vehicle is obstructing the laneway, the Town's Rangers can issue infringements.
<b>Applicant Comments</b>
<i>The majority of blocks on Fairfield Street are an average of approx 12.1 m. The existing cross-over width of 3.0 m would reduce space available for street parking down to approx. 9.0 m – which is only sufficient for one vehicle. The proposed lots are 11.1 m (approx). A double cross-over of 4.5 m would reduce this space to 5.6 m which is still suitable for a car-bay.</i>
<i>Hence, we would consider using the argument of reduced car-bays as unfair and discriminatory as other residents with cross-overs provide no more than what this proposal would.</i>
<b>Officer Response</b>
An 8 metres length is required for the provision of a single car bay with crossovers on either side. Therefore the proposed crossovers will impact on the existing street kerbside parking.

<b>Applicant Comments</b>
<i>In relation to the amount of rain water run-off from the proposed driveways into the existing stormwater drains, this can be easily resolved by the inclusion of trench gates at the boundaries of the cross-over if required.</i>
<b>Officer Response</b>
Noted. However, the amount of water run-off includes impervious area of internal driveway also.
<b>Applicant Comments</b>
<i>We believe it would be unfair not to give us the option as to the location of the double garages, especially as other existing residences (some recently completed and others still currently under construction) have their access from the primary street.</i>
<b>Officer Response</b>
As above comments.
<b>Applicant Comments</b>
<i>Finally the majority of neighbours from the shopping centre to Woodstock Street would have no objection to this proposal. In fact, we have only had good feedback with regards to demolition and our proposed sub-division.</i>
<b>Officer Response</b>
Noted. Notwithstanding the majority of neighbours support the proposal, the Town has to ensure any proposal does not have any detrimental impact on the surrounding area.
<b>Applicant Comments</b>
<i>Regarding our application for a demolition licence we would also like to specially request Council to grant a licence to at least demolish the two residences as they are increasingly becoming an issue of safety and health risk to the community.</i>
<b>Officer Response</b>
If this application is supported then as part of the condition of approval the applicant will be required to obtain a demolition licence. Moreover, the Town's Coordinator Building Services will have to carry out a site inspection to confirm whether the existing buildings are unsafe. In addition, the applicant may be required to submit a Structural Engineer's report at their own cost confirming the buildings are unsafe.

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

**COMMENTS:**

**Demolition**

No. 57 Fairfield Street, Mount Hawthorn

The single storey brick and tile dwelling whilst constructed in c1922 in the Interwar period demonstrates the characteristics of the Federation Bungalow style of architecture. The dwelling is face brick with a rendered band to waist height that extends along the front facade and side elevations of the dwelling.

The WA Post Office Directories first listed the subject place in 1924, with Mrs Ellen McMaster as the first resident. Since then, the subject dwelling has been transferred several times to new owners and occupiers.



A full heritage assessment was undertaken for No. 57 Fairfield Street, Mount Hawthorn in February 2006 and an external inspection was undertaken on 21 September 2010, which indicates that the place has *little cultural heritage significance* and does not meet the threshold for entry onto the Town's Municipal Heritage Inventory in accordance with the Town's Policy No. 3.6.2 relating to Heritage Management – Assessment (refer to Appendix 9.1.3).

In light of the above, it is considered that approval should be granted for demolition of No. 57 Fairfield Street, Mount Hawthorn subject to standard condition.

#### No. 59 Fairfield Street, Mount Hawthorn

The subject one storey brick and tile dwelling at No. 59 Fairfield Street, Mount Hawthorn was constructed circa 1925 in the Interwar Bungalow style of architecture. The dwelling, which is sited on a limestone foundation, has a two room street frontage and has a main hipped roof form with a gable over the southern front protruding room.

The WA Post Office Directories first listed the subject place in 1926, with Mrs Mary Godwin as the resident. Since then, the subject dwelling has been transferred several times to new owners and occupiers.

A full heritage assessment was undertaken for No. 59 Fairfield Street, Mount Hawthorn which indicates that the place has little aesthetic, historic, scientific or social heritage significance. In accordance with the Town's Policy relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the Town's Municipal Heritage Inventory (refer to Appendix 9.1.3).

In light of the above, it is considered that approval should be granted for demolition for No. 59 Fairfield Street, Mount Hawthorn subject to standard condition.

#### **Technical Services**

The subject lots have a double road frontage - Fairfield Street to the east, and Unity Lane (a 5m wide sealed and drained dedicated road) to the west.

The development site is adjacent to the Mezz Shopping Centre and parking and traffic issues have been of issue in Fairfield Street. This application proposes 5 crossovers from Fairfield Street, with insufficient room between the crossovers to provide any parking spaces at all. Therefore, as a result of this development, no kerbside parking will be available on this side of Fairfield Street for the full 55m frontage.

The proposal, as presented, will also necessitate the relocation of one power pole and the "piano key" speed control platform and raised kerbed island installed by the Town.

In accordance with both the Town's and State Government's Planning Policy, which urges the minimization of the number of additional crossovers resulting from new development, Technical Services requests that the garaging and vehicular access for these dwellings be accessed from Unity Lane.

#### **Planning Services**

Clause SADC 8 (b) of the Town's Policy No. 3.2.1 relating to Residential Development specifies the following:

“(b) *Notwithstanding the above, vehicular access to car parking, carports and garages for single houses may be from a street, regardless whether a right of way is available to the property, where;*

- (1) *the right of way is unsealed or not programmed to be sealed within the current, or subsequent, financial year in accordance with the Town's right of way upgrade program; or*

- (2) *more than 50 per cent of the dwellings in the immediate street block, on the same side of the street that the subject dwelling is located have carports or garages accessed from the primary street; or*
- (3) *the applicant demonstrates there is a mobility or access issue by using the right of way; or*
- (4) *the applicant demonstrates there would be a major impact on the existing amenity or open space at the rear of the property by using the right of way.”*

With regard to (b) (1), Unity Lane is a sealed and dedicated road.

With respect to (b)(2), the Town’s practice has been to count the existing number of crossovers, excluding the lots subject to an application and commercial property, on the same side of the street located in between two streets. In this case, there are only three existing crossovers to Fairfield Street along this stretch of this street, which is less than 50 per cent. Therefore, the proposal does not comply with this clause and vehicular access to Fairfield Street is unwarranted.

The proposal does not satisfy Clauses b (3) and (4) above.

In light of the above, the proposal does not comply with clause SADC 8 (b) (1), (2), (3) and (4) of the Town’s Policy No. 3.2.1 relating to Residential Design Elements. The proposed crossovers will have an adverse impact on the streetscape. The application is recommended for refusal.

**9.1.7 City of Bayswater – Scheme Amendment No. 45 to the Town Planning Scheme No. 24, regarding rezoning the Maylands Town Centre to Maylands Activity Centre Zone**

<b>Ward:</b>	N/A	<b>Date:</b>	25 November 2010
<b>Precinct:</b>	N/A	<b>File Ref:</b>	ORG0016
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	E Lebbos, Planning Officer (Strategic)		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report relating to the City of Bayswater – Scheme Amendment No. 45 to the Town Planning Scheme No. 24, regarding rezoning the Maylands Town Centre to ‘Maylands Activity Centre Zone’ as shown in Appendix 9.1.7;*
- (ii) *ADVISES the City of Bayswater that the Town of Vincent SUPPORTS IN PRINCIPLE the Scheme Amendment No. 24, and notes the following;*
  - (a) *the Scheme Amendment No. 45 is consistent with Directions 2031 and Beyond – Metropolitan Planning Beyond the Horizon (Directions 2031), and the associated Draft Central Metropolitan Perth Sub-regional Strategy;*
  - (b) *the Scheme Amendment No. 45 is consistent with the State Planning Policy 4.2 relating to Activity Centres for Perth and Peel;*
  - (c) *it should be clarified how the ‘Transport Summary’ on page 82 of the Amendment Report was arrived at (i.e. whether this was qualified with a study/report etc.); and*
  - (d) *as part of the ‘Further Studies’ discussed on page 82 of the Amendment Report, a traffic and parking study is strongly recommended to be undertaken.*

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**COUNCIL DECISION ITEM 9.1.7**

**Moved Cr Buckels, Seconded Cr McGrath**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

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**PURPOSE OF REPORT:**

The purpose of this report is to provide the Council with an overview of the City of Bayswater Scheme Amendment No. 45 to the City’s Town Planning Scheme No. 24, relating to the rezoning of the Maylands Town Centre to Maylands Activity Centre Zone.

## **BACKGROUND:**

The City of Bayswater Council endorsed the Maylands Activity Centre Urban Design Framework (UDF) in December 2009, following widespread community consultation. The UDF provides strategic direction for the future of the Maylands Town Centre, and generally comprises the area within a 400 metre radius of the Maylands Train Station.

In order to implement the recommendations of the UDF, the City of Bayswater has initiated Scheme Amendment No. 45 to its Town Planning Scheme No. 24, to rezone the Maylands Town Centre to Maylands Activity Centre Zone.

The Town received a formal invitation from the City of Bayswater, dated 1 November 2010, requesting comment from the Town on Scheme Amendment No. 45. The comment period closes on 17 December 2010.

## **DETAILS:**

The Maylands Town Centre currently has a mix of zonings that have been in place for a number of years, including: 'Business'; 'Medium and High Density Residential R40'; 'Medium and High Density Residential R50'; 'Medium and High Density Residential R60'; 'Special Purpose'; and 'Public Purposes'. The existing zonings allow a limited range of development and land uses. Furthermore, the height for residential development is limited to two storeys, unless otherwise approved.

The current Town Planning Scheme provisions and zonings therefore need to be updated in order to implement the recommendations of the UDF. Each lot in the area will be zoned Maylands Activity Centre Zone, and will be assigned to a Special Control area in the Town Planning Scheme.

The Maylands Activity Centre Zone will provide the broad statutory provisions for the area and the minimum development standards, whilst the Special Control Areas will outline a vision for each precinct and provide detailed development requirements such as minimum and maximum building heights, setbacks and other development standards.

Generally speaking, the Maylands Activity Centre Zone will provide for more development potential on each lot and a wider range of land uses. In return, developers will be required to build high quality development to enhance the character of the area.

The Special Control Areas have been designed specifically for each street or area, allowing the centre to develop as a collection of unique 'places' within a common strategic framework. The precincts or Special Control Areas are as follows:

- Precinct 1 – Main Street;
- Precinct 2 – Guildford Road;
- Precinct 3 – Town Centre Expansion;
- Precinct 4 – Character Residential;
- Precinct 5 – Ross's Site Redevelopment; and
- Precinct 6 – Civic.

Although the UDF was largely completed prior to the finalisation of the State Strategic document *Directions 2031* and State Planning Policy 4.2 relating to *Activity Centres for Perth and Peel*, it is based on the same key principles of both documents, in particular, the objective to focus appropriate mixed use development around key activity centres with good public transport connections.

More specifically, *Directions 2031* identified Maylands as a 'District Town Centre'. It is considered that the proposed Scheme Amendment No. 45 will facilitate the development of the Maylands Town Centre as a 'District Centre', providing a locally relevant response to *Directions 2031*.

It is noted that although the City of Bayswater do not refer to the draft *Central Metropolitan Perth Sub-regional Strategy*, which states 'a proposed local planning scheme amendment will introduce a Special Control Area and new zoning and urban design provisions to reflect the *Maylands Urban Design Framework*', Scheme Amendment No. 45 is in line with the recommendations outlined in the Draft Strategy.

More detailed information regarding how the Scheme Amendment No. 45 relates to State Strategies and Planning Policies is outlined in section 6.2 of Appendix 9.17.

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

The City of Bayswater is currently advertising Scheme Amendment No. 24 for public comment, which closes on 17 December 2010.

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

Planning and Development Act 2005; Town Planning Regulations 1967; and State Planning Policy No. 4.2 – Activity Centres for Perth and Peel

#### **STRATEGIC IMPLICATIONS:**

The Town of Vincent Strategic Plan 2009-2014 states;

##### *Economic Development*

2.1 *Progress economic development with adequate financial resources*

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

#### **SUSTAINABILITY IMPLICATIONS:**

Proposed Scheme Amendment No. 45 addresses the triple bottom line aspects of sustainability, by providing a range of environmental, economic and social and benefits as follows:

##### *Environmental Benefits*

- *Promotes transit oriented development, which is a more sustainable urban form when compared to continued urban sprawl;*
- *Locates development in an existing area with few if any environmental issues (such as habitat loss or contamination);*
- *Supports 'Local Living', which enables people to access many of their daily needs within walking distance of their homes;*
- *Enables less vehicle trips, which will help reduce traffic congestion and greenhouse gas emissions from vehicles; and*
- *Promotes environmentally sustainable development.*

Economic Benefits

- *Promoting local business and employment;*
- *Attracting investment to the area;*
- *Providing more certainty to the development industry on the appropriate types and forms of development within the Maylands Town Centre;*
- *Reducing the time taken for development approvals;*
- *Allowing more land use flexibility for landowners and developers;*
- *Providing savings for taxpayers and ratepayers as it is cheaper to promote development in existing areas rather than provide services and infrastructure to new sites on the urban fringe; and*
- *Making it easier to live without or with fewer cars, saving money on the purchase and running costs of one or multiple cars per household.*

Social Benefits

- *Encouraging pedestrians (more people and activity on the street can deter anti-social behaviour);*
- *Creating diversity in land uses to provide activity and passive surveillance over areas at different times of the day and night;*
- *Creating active streetscapes with variety and interest to encourage more people onto the street; and*
- *Upgrading streets, footpaths and cycle ways and installing effective lighting measures.'*

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

It is considered that Scheme Amendment No. 45 will provide the basis for the Maylands Town Centre area to develop in accordance with the strategic direction provided by the Maylands UDF as a vibrant, desirable and safe place to live, work and socialise.

Furthermore, the Scheme Amendment is considered to support and provide a locally relevant response to the issues and principles contained in the Western Australian Planning Commission's Strategies and Policies such as *Directions 2031* and *State Planning Policy-Activity Centres for Perth and Peel*.

In light of the above, it is recommended that the Council adopt the Officer Recommendation and forward the Town's comments and a copy of this report to the City of Bayswater for their consideration.

**9.2.1 Traffic Related Matters for referral to the Local Area Traffic Management (LATM) Advisory Group; North Perth Primary School Request – Further Report**

<b>Ward:</b>	North	<b>Date:</b>	26 November 2010
<b>Precinct:</b>	North Perth	<b>File Ref:</b>	TES0334
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

*That the Council APPROVES the Local Area Traffic Management Advisory Group recommendations of its meeting held on 18 November 2010 as follows:*

(i) North Perth Primary School

*the Town's officers working with the North Perth Primary School to progress the provision of a 'school crossing guard' on Charles Street just North of Bourke Street;*

(ii) Charles Street

(a) *the Town again write to the Department of Planning concerning the future long term configuration of Charles Street requesting that they provide a progress update with regards to the proposal; and*

(b) *the Town's Officers liaise with Main Roads WA regarding the following:*

1. *the provision of wider pedestrian refuge islands located within the existing carriageway in Charles Street between Albert Street and Bourke Street;*
2. *investigate whether MRWA would be amenable to road widening (subject to costings being undertaken) to accommodate a wider median island;*
3. *requesting that consideration be given to providing 40kph school zones on Angove Street and View Street; and*
4. *the installation of school 'road crossing indicators' on Charles Street.*

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**COUNCIL DECISION ITEM 9.2.1**

**Moved Cr Buckels, Seconded Cr McGrath**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (9-0)**

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**PURPOSE OF REPORT:**

To provide a further report on a matter referred to the Town's Local Area Traffic Management (LATM) Advisory Group for consideration.

**BACKGROUND:**

As previously reported to Council a letter was received on 29 July 2010 requesting that North Perth Primary School representatives be given the opportunity to address the Town's LATM Advisory Group to discuss issues of concern regarding traffic management for Charles and View Streets etc.

As a result, the Council, at its Ordinary meeting held on 10 August 2010 referred a number of matters to the Local Area Traffic Management (LATM) Advisory Group for consideration. One such matter was *to investigate pedestrian safety improvements in the vicinity of the North Perth Primary School* and after considering the report the Council made the following decision (*in part*):

*"That the Council;*

- (i) REFERS the following traffic related matters to the Town's Local Area Traffic Management (LATM) Advisory Group for consideration:*
  - (a) North Perth Primary School;*
- (ii) INVITES representatives from the relevant schools/streets to attend the respective scheduled LATM Advisory Group meeting; and*
- (iii) NOTES that a further report on the above matters will be submitted to the Council following consideration by the Town's Local Area Traffic Management Advisory Group."*

**DETAILS:**

LATM Advisory Group Meeting held on 18 November 2010:

Issues:

At the meeting the North Perth Primary School representative advised as follows:

- Pedestrian crossing facility/s on Charles Street needs to be improved by either reinstating a crossing guard or undertaking physical improvement.
- The possibility of traffic signals midway along Charles Street between Vincent Street and Scarborough Beach Road.
- Approximately 80 students from the North Perth primary School reside on the west side of Charles Street.
- Existing Pedestrian crossing points are not wide enough to accommodate prams/bikes.
- Suggested that options be explored to improve the level of safety when crossing Charles Street.
- Indicated that Kyilla Primary School has a crossing warden on the crossing at Charles Street opposite the school at Selkirk Street.
- Extending the existing 40 kph school zone.
- The possibility of investigating the installation of school 'road crossing indicators' as have been used on other busier roads.



MRWA Studies:

In 2003 MRWA commissioned two studies for Charles Street:

- Road Link performance Review.
- Road safety Audit.

This *Link Performance Review* of Charles Street between Newcastle Street and 100m south of its intersection with Green Street identified a number of potential safety issues to be addressed and low cost schemes that would enhance its operation performance.

The key schemes identified comprised:

Low Cost Schemes (value below \$0.75M):

- Added lane off Charles Street/Newcastle Street;
- Revision to Bourke Street/View Street intersections;
- Left turn lane from Angove Street;
- Carrington Street to Ellesmere Street realignment of Charles Street;
- Various pedestrian crossing improvements;
- Bus stops and shelters;
- Other minor low cost improvements;

High Cost Schemes (value \$0.75M and above):

- Undergrounding power lines; and
- Staged introduction of southbound bus lane between Scarborough Beach Road and Carr Street.

The *Road Safety Audit* of the existing situation along Charles Street between Newcastle Street and 100m south of its intersection with Green Street identified a number of potential safety issues to be addressed.

This audit was carried out to identify features of the current layout that could be added to, altered or removed to improve safety. The report contained a number of recommendations for consideration and implementation where appropriate.

Officers Comments:

*There were no major recommendations regarding the crossings on the section of Charles Street between Albert and Bourke Street other than to decommission the existing children crossing near Albert Street, as a children's crossing, (as this no longer had a crossing guard). This was undertaken.*

*With regards to Bourke/View/Charles the Council spent a considerable time consulting and debating this intersection in 1999/2000/2001. The outcome was a trial left in/left out, which is now permanent, traffic signals were not supported by MRWA, continuous medium to ban through movements was also not supported.*

Traffic Wardens:

The North Perth Primary School representative advised that the school would like a traffic warden at Charles Street. There was previously a warden at the crossing near Charles Street however the provision of a warden at this location was discontinued and the crossing decommissioned.\*

Note:\* The physical crossing still exists, i.e. median island however it no longer has the compliant infrastructure, lines, bollards etc.

The Traffic Warden State Management Unit manages all traffic warden-controlled children's crossing facilities in Western Australia. This unit is responsible for recruiting, training and assessing traffic wardens (crossing guards) as well as monitoring activities and the operation of children's crossings.

It was however agreed at the meeting that a more suitable location for a possible Traffic Warden would be on Charles Street just north of the intersection of Bourke and View Street. There is an existing pedestrian refuge island at this location.

There are two (2) types of children crossings where a traffic warden can be allocated i.e. Type A and Type B.

Type 'A' crossing may be installed under the following conditions:

- The applicant shall be either the school principal or the president or secretary of the recognised school/parent organisation at the school.
- A 'recognised school/parent organisation' may be a Parent and Citizens' Association or a Parent's and Friends' Association.
- Council/Board/Authority/Committee or a school based Management Group. (Task Force on Road Safety at Schools Report, 1991, Volume 2).

For example, if the minimum of 20 primary students (i.e. the applicant school is a Primary School) use a crossing point, a total of 750 through vehicles are required to meet the pedestrian/vehicle conflict of 15,000.

Type 'B' crossing may be installed under the following conditions:

- The applicant shall be either the school principal or the president or secretary of the recognised school/parent organisation at the school.
- A 'recognised school/parent organisation' may be a Parent and Citizens' Association, a Parent's and Friends' Association, School Council/Board/Authority/Committee or a school based Management Group.
- The applicant may choose to provide volunteer guards or to arrange to employ and pay wages for a traffic warden.

In the case where a location is solely utilised by primary school students a Type 'B' may be provided where a minimum of 10 student pedestrians and 100 vehicle movements occur (within the same one hour period) with a minimum student/vehicle conflict ratio of 7,500.

For example, if the minimum of 10 primary students use a crossing point, a total of 750 through vehicles are required to meet the student/vehicle conflict ratio of 7,500.

Officers Comments:

*In accordance with the guidelines with a Type 'A' crossing there may be scope for the WA Police to fund the warden however with a Type 'B' crossing the cost of the warden would need to be met by the school. With both types of crossings there is a comprehensive application procedure required which includes:*

- *Road Safety around Schools Guidelines obtained and read.*
- *Surveys meet minimum criteria and documentation completed.*
- *Details of Traffic Warden(s) provided.*
- *District Office/Education Authority endorsement of application.*
- *Local Government endorsement of application.*
- *Application form completed.*

*It was agreed that the Town's officers would work with the school to progress the provision of a school crossing guard on Charles Street north of Bourke Street.*

Charles Street reconfiguration:

General discussion ensued where the above issues were discussed in detail. One of the LATM Advisory Group members (and former Town of Vincent Councillor) recalled that the future configuration of Charles Street was previously discussed by the LATM group and referred to the Council.

The Town's records indicate that the LATM Advisory Group discussed the matter in November 2002 and the matter was subsequently reported to Council on 3 December 2002 where the following decision was made (*in part*):

- (iii) *requests the Department for Planning and Infrastructure to review its current proposal for the future installation of a dedicated south bound bus lane and cycle lane between Angove and Carr Streets and, as an alternative, considers adopting the following proposals for the reasons outlined in this report;*
- (a) *investigates the implementation of either Option A - Installation of a dedicated south bound Bus Lane between Claverton Street and the existing bus embayment south of Vincent Street, as outlined on plan No 2124-CP-1, or, Option B - Installation of a dedicated south bound Bus Lane between Claverton Street and Carr Street as shown on plan No 2124-CP-2, including typical cross sections as outlined on plan No 2124-CP-3;*
  - (b) *ensures that any future proposal for Charles Street maintains a minimum 1.80m wide painted/solid median Island/s between Angove and Carr Streets to cater for pedestrians and cyclists;*
  - (c) *ensures that any future proposal for Charles Street allows for a minimum of 2 x 4.0m wide inner traffic lanes to accommodate cyclists;*

Since 2002 a number of meetings were convened with stakeholders however to date no firm proposals for Charles Street have been agreed to.

It was also suggested that, in the short term, widening the existing central island within the existing carriageway and or a possible road widening to accommodate a wider island be further investigated.

Officers Comments:

*The matter of the future long term configuration of Charles Street will again be raised with the Department for Planning requesting that they provide information on any progress with regards the proposal.*

*With regards the shorter term safety measures officers will liaise with MRWA regarding the provision of a wider island located within the existing carriageway and whether MRWA would be amenable to road widening (subject to costings being undertaken) to accommodate a wider median island.*

**40 kph School Zone:**

MRWA Technical Guidelines indicate that school zones can be applied to particular roads in the vicinity of pre-primary, primary and secondary schools to reduce traffic speeds at times of the day when school children are likely to be present on or about these roads (i.e. between 7.30am to 9.00am and 2.30pm and 4.00pm). The appropriate school zone speed limits are as follows:

- 40 km/h school zone - within 50, 60 and 70 km/h speed zones.
- 60 km/h school zone - within 80 and 90 km/h speed zones.

School zones should generally extend at least the full length of the school frontage and about 50 m beyond the school frontage to effectively cover children crossing in the vicinity of the school.

The minimum length of a school zone along the main school frontage should generally be not less than 200 metres.

Where a school zone is also installed on a secondary school frontage road, the length of the school zone may be considerably less than that specified for the main frontage.

The actual lengths of school zones should be determined from the needs of the individual school having regard for the type of road, traffic volume, traffic speed, visibility and road conditions.

Officers Comments:

*It was agreed that the Town would write to MRWA requesting that consideration be given to providing 40 kph school zones on Angove Street, View Street and Olive Street.*

**Discussion/Conclusions:**

Charles Street is under the Care Control and Management of Main Roads Western Australia (MRWA). The existing crossing facility at Charles and Albert Streets, which previously had a Traffic Warden (crossing guard), was installed by MRWA a number of years ago until the Traffic Warden was removed due to the crossing not meeting the Traffic Warden controlled warrant criteria.

With regards to extending the 40 kph zone in other streets in 2005 the Town approached MRWA however they did not support the introduction of 40kph school zones in streets not directly adjoining the school. Therefore in summary the following matters will be pursued:

- (a) The Town's officers will work with the school to progress the provision of a school crossing guard on Charles Street north of Bourke Street.
- (b) The future long term configuration of Charles Street will again be raised with the Department for Planning requesting that they provide information on any progress with regards to the proposal.
- (c) The Town's officers will liaise with MRWA regarding the following:
  - The provision of a wider island located within the existing carriageway; and
  - Investigate whether MRWA would be amenable to road widening (*subject to costings being undertaken*) to accommodate a wider median island.
- (d) The Town's officers would write to MRWA requesting that consideration be given to providing 40 kph school zones on Angove Street, View Street and Olive Street.
- (e) The Town's officers will also write to MRWA regarding the installation of school 'road crossing indicators' on Charles Street (as indicated below)



**CONSULTATION/ADVERTISING:**

Following the Council Decision, the Town will write to the North Perth Primary School and advise it of its decision.

**LEGAL/POLICY:**

Charles Street is under the Care Control and Management of MRWA

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: 1.1.6 Enhance and maintain the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment. *“(d) Implement Local Area Traffic Management matters referred to the Local Area Traffic Management Advisory Group by the Council”.*

**SUSTAINABILITY IMPLICATIONS:**

Improved safety.

**FINANCIAL/BUDGET IMPLICATIONS:**

Not applicable at this stage.

**COMMENTS:**

The Town receives many requests for Traffic Management from time to time. A large number of these requests are addressed at officer level as vehicle classifier results often indicate that there is a perceived speed and traffic volume issue rather than an actual problem. Other matters are referred to the WA Police for enforcement of the legal speed limit etc.

In this instance a number of suggestions/requests from the North Perth Primary School were discussed by the Local Area Traffic Management Advisory Group and need to be further investigated in liaison with MRWA. Further reports will be provided to the Council once the matter has been considered and determined.

**9.2.3 Local Plant Sales and Associated Projects**

<b>Ward:</b>	Both	<b>Date:</b>	25 November 2010
<b>Precinct:</b>	All	<b>File Ref:</b>	CMS0096
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	K Godfrey, Technical Officer Parks Services		
<b>Responsible Officer:</b>	J van den Bok, Manager Parks & Property Services		

**OFFICER RECOMMENDATION:**

*That the Council APPROVES conducting the following Projects in 2011:*

- (i) *two (2) Local Plant Sales to be held in front of the Town's Library and Local History Centre on Saturday 16 April 2011 and Saturday 16 July 2011 commencing at 8.00am; and*
- (ii) *the Leederville Spring Walk to commence from the Town's Administration and Civic Centre on Saturday 17 September 2011 at 2.00pm.*

**COUNCIL DECISION ITEM 9.2.3**

**Moved Cr Buckels, Seconded Cr McGrath**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (9-0)**

**PURPOSE OF REPORT:**

The purpose of this report is to obtain Council approval concerning a Leederville Spring Walk and two (2) Local Plant Sales in 2011.

**BACKGROUND:**

This matter was previously considered at the Ordinary Meeting of Council held on 9 March 2010.

**DETAILS:**

**Local Plant Sales**

The first plant sale held on Saturday 17 April 2010 attracted 128 residents. This attendance figure was an excellent result considering the April 2009 plant sale attracted only eighty two (82) residents. In addition eighty one (81) residents purchased plant stock at the second plant sale held on Saturday 17 July 2010.

As requested following discussions with the Claise Brook Catchment Group the plant sale (which was normally held in August) and was rescheduled for July to take advantage of the winter rain. This change would result in likely water savings and assist the new plant/s in establishing their root systems prior to the onset of the summer season.

Records indicate that the second plant sale generally does not appear to be as well attended as the first sale and this may be attributed to the sale being held in the middle of the winter season whereby people do not tend to venture out as often compared with the warmer months. However, given our drying climate it would still be prudent to maintain the last plant sale in July to save water to establish the new plant/s.

Officers Comments

*It is recommended that given the continued level of interest in local plant sales the Town continues holding two (2) local plant sales per year and the final plant sale remain in the month of July for reasons outlined above.*

**Leederville Spring Walk**

The Leederville Spring walk was held on Saturday 18 September 2010, commencing from the Town's Administration Centre, with twenty two (22) people attending the guided walk.

Attendance for these walks over the past two years has been somewhat disappointing with only eight (8) people turning out in 2008 and five in 2009.

Officer's Comments

*When the first spring walk held in 2006 twenty (20) people turned up on the day. As indicated above, the last two years attendance has been disappointing, however given that twenty two (22) people turned up for this years guided walk it is recommended that the Town continue to hold a "Spring Walk" in 2011.*

**CONSULTATION/ADVERTISING:**

The matter will be extensively advertised in the local papers, the Town's website and newsletters and display of banners.

**LEGAL/POLICY:**

Nil.

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2009 - 2014 - Key Result Area One: 1.1.4 Minimise negative impacts on the community and environment. "(f) Enhance and protect our natural environment and, where practicable, promote the use of native local vegetation."

**SUSTAINABILITY IMPLICATIONS:**

Promoting and supporting the use of local native plants and other species is the most suitable long term sustainable option when planning a garden in Western Australia. These plants have a greater survival rate when compared to exotic plant species and also require less water during our extreme summer period. In addition, these plants are provided to the Town's residents at a subsidised cost.

**FINANCIAL/BUDGET IMPLICATIONS:**

As indicated in previous reports, the plant sales provide residents with local plants at a subsidised rate. Therefore, the budget is reduced after expenditure and revenue components are taken into account. The funding for Local Plant Sales is sourced from the Local Plants project budget.

**COMMENTS:**

The Local Plant Sale is relatively well attended and supported by residents within the Town. Given that Perth has just experienced one of the driest winter seasons on record it would be prudent to further encourage residents to change their traditional "English Style "garden to one that utilises waterwise native plants.

With regards the Great Gardens Workshops, given the success of previous workshops, it is recommended that the Town's Project Officer Environment progress with engaging the services of his team of experts and holds further "Great Gardens Workshop" at the Town's Administration and Civic Centre during 2011 (dates to be advised).

It is therefore recommended that Council approves the projects as outlined in the report and advertises the dates of the Local Plant Sales, Leederville Spring Walk and any future "Great Gardens" workshops in local papers and on the Town's website.



**9.2.4 Proposed Implementation Program – Wetland Heritage Trail/Wetlands Greenway, Charles Veryard Reserve**

<b>Ward:</b>	North Ward	<b>Date:</b>	29 November 2010
<b>Precinct:</b>	Smith's Lake P6	<b>File Ref:</b>	CMS0071
<b>Attachments:</b>	<a href="#">001</a> ; <a href="#">002</a> ; <a href="#">003</a> ; <a href="#">004</a> ; <a href="#">005</a> ; <a href="#">006</a>		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

*That the Council:*

- (i) *CONSIDERS the submissions received from the community consultation and NOTES that most of the comments/suggestions have been incorporated into the amended concept Plan No. 2747-CP-01A or will be implemented as part of the future park improvements;*
- (ii) *APPROVES the implementation of the Wetland Heritage Trail/Wetlands Greenway in the Charles Veryard Reserve, as shown on the attached AMENDED concept Plan No. 2747-CP-01A as shown in Appendix 9.2.4 (and electronic Attachment 006), estimated to cost \$145,000; and*
- (iii) *ADVISES the respondents of the decision and expresses its appreciation for the submissions they have provided.*

**COUNCIL DECISION ITEM 9.2.4**

**Moved Cr Buckels, Seconded Cr McGrath**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

**PURPOSE OF REPORT:**

The purpose of this report is to provide a report on the next stage of the Wetlands Heritage Trail/Greenway (i.e. the shared path through Charles Veryard Reserve) following community consultation.

**BACKGROUND:**

As previously reported to Council, in May 2006 the Council was advised that, since November 2005, the Wetlands Heritage Trail/Greenway Working Group had met on numerous occasions to discuss and resolve the various options presented in terms of the final trail routes, infrastructure improvements, artworks and signage etc. After considering the report the Council made the following decision (in part):

- “(vi) *APPROVES IN PRINCIPLE the program of works and annual cost estimates for years 2006/2007 to 2012/2013, as indicated in the report, to be implemented over a six year (6) year period subject to the officers considering a stage implementation of the Smith’s Lake Link in 2006/07;*”

The most recent report regarding the Wetlands Heritage Trail/Greenway was considered by the Council at its Ordinary Meeting held on 26 October 2010 where the following decision was made

*“That the Council;*

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

## **DETAILS:**

### **Community Consultation:**

In accordance with *clause (iv)* of the Council decision, in early November 2010 ninety-three (93) letters were distributed to residents in the streets adjoining the Charles Veryard Reserve i.e. Albert Street, Macedonia Place, Bourke Street and Barnett Street. The proposal was also included in the consultation section of the Town's Web Site and additional letters were distributed to all residents of Deague Court, Hanover Place.

At the close of consultation on 26 November 2010, eight\* (8) written responses were received together with a petition with forty (40) signatories. A brief summary of the eight (8) written comments received are outlined in appendix 9.2.4 A.

Note:\* The author of the petition together with five (5) of the signatories, to the petition, also provided a written response.

### Petition:

The petition received stated the following:

*‘We the residents in the vicinity of the Charles Veryard Reserve Area request the Town of Vincent to cease the proposed pathway through Veryard Reserve for the following reasons:’*

Seven (7) reasons were outlined in the petition and the signatories to the petition indicated which of the reasons they supported and also provided brief one line comments on the spaces provided on the petition document.

The following table outlines the reasons provided (by the author of the petition), the percentage of petitioners who agreed with the reason provided and the officer's comments.

Immediately following the table is a brief summary of the individual comments provided by the petitioners.

	<b>Summary of comments raised in Petition</b>	<b>% agree</b>	<b>Officer Comments</b>
1	It is unjustifiable to allocate \$145,000 on a path that leads nowhere and across the most utilised area of the reserve.	75%	<u>Not Supported:</u> As mentioned in the report the section of path forms a small part of the Greenway Wetlands heritage trail. Bikewest has contributed almost \$50,000 towards the project.
2	The plan provided was not clear how the whole scheme of wetland trails fit together.	65%	<u>Noted:</u> As mentioned in the report ( <i>and as previously reported to Council</i> ) the section of path forms a small part of the Greenway Wetlands heritage trail. Recently completed path through Smith's Lake Reserve has been extremely popular
3	The path will visually scar the green open space.	68%	<u>Not Supported:</u> Comment noted however where the Greenway has been implemented in other reserves it has added to the amenity of the reserve and not detracted to the visual amenity.
4	The proposed path will condemn the dog park to be unusable.	73%	<u>Partially Supported:</u> Comment noted. It is recommended that the path be realigned to run outside of the dog exercise area.
5	The path if necessary should go around the western edge of the dog park. This direction would stop pedestrians and bikes going through the dog park.	85%	<u>Supported:</u> It is recommended that the path be realigned to run outside of the dog exercise area.
6	The current suggested path will scar the roots of a significant feature tree.	70%	<u>Not Supported:</u> Noted, the actual path alignment will ensure that tree roots are protected/avoided (as has been implemented elsewhere along the Greenway)
7	The park is already well lit. Why the need to place more intrusive lighting along the proposed path.	65%	<u>Partially Supported:</u> The recommended new alignment will reduce the need for as many lights however the proposed lighting is synonymous with the Greenway

Associated brief comments provided by the petitioners:

- Replace lost trees; bench required on east side of Dog Park, object to exercise equipment placed in Dog Park.
- BBQ please (*number of comments referred to this*).

- No path or exercise equipment in dog exercise area (*number of comments referred to this*).
- Waste of money.
- Fence playground.
- Spend on park beautification.
- Move path to the west (*large number of comments referred to this*).

Officers Comments:

*As can be seen from the comments submitted by the respondents (refer Appendix 9.2.4) and the petition (above), the main concern is that the proposed pathway will traverse the existing dog exercise area in the south east corner of Charles Veryard Reserve. When the officers initially mapped out the route, it was considered that the path would be at the edge of the dog area however as can be seen from the following photograph, the dog area actually extends further to the east and encompasses the Macedonia Place Road Reservation.*

*Given this and the comments received, moving the pathway to the west outside of the dog exercise area is supported. The proposed new route of the pathway is outlined on **Amended Plan No. 2747-CP-01A**.*

*Requests for other improvements are further discussed in the report.*



Aerial Photograph showing existing dog exercise area

**Greenway:**

As the Council is aware, extensive funds have been expended on the greenway over the years and the information on the sections that currently exist, or are planned for in the future, between Lake Monger and the Swan River is outlined below (**refer Appendix 9.2.4B**).

- Lake Monger Dual use path through Britannia Reserve to Brentham Street Reserve (*Proposed*).
- Through Brentham Street Reserve to Albert Street (*proposed*).
- Charles Veryard Reserve (*Planned to be implemented this financial year*).
- Smiths Lake Reserve (*Existing*).
- Farr Ave/Beatty Park Reserve Smith Lake to Vincent Street (*Proposed*).

- Beatty Park Reserve (Vincent Street side) (*Existing*).
- Royal Park (*Existing*).
- Along Victoria Street (*Existing*).
- Along Lawtey Street (*Existing*).
- Through Robinson Park (*Existing*).
- Robertson park to Hyde park along Palmerston Street (*Existing*).
- Through Stuart Street Reserve (*Existing*).
- Along Forbes Road (*Existing*).
- Little Parry Street link on this years budget (*Planned to be implemented this financial year*).
- On road cycle way along Parry Street(*Existing*).
- Dual use path along the Graham Farmer Freeway to link into the Swan River Recreational path (*Existing*).

The proposed indicative route of the Greenway from Charles Veryard Reserve to Lake Monger is shown in **Appendix 9.2.4 C & D** and a further report will be prepared on this in the New Year.

**Conclusions/Recommendations:**

In assessing the comments received the following is proposed:

- (a) due to strong concerns expressed by the Community the proposed Dual Use Path has been relocated outside of the existing dog exercise area a (i.e. the path is now proposed to run east/west from where it crosses over from Smiths Lake and then north south from Bourke Street to Albert Street;
- (b) a section of fencing will be installed on the eastern side of the existing play ground adjacent to the proposed dual use path;
- (c) no proposed items of Outdoor Exercise Equipment will be located within the dog exercise area. These will be located next to the dual use path;
- (d) barbeques and seating, and other improvements as requested by some of the respondents, will be incorporated in the Physical Activity Strategic Plan, the Parks and Reserve Strategy implementation Plan;
- (e) investigations on planting additional/replacement trees will be undertaken including additional landscaping along the proposed Greenway as suggested by one of the respondents;
- (f) with the proposed new route the amount of lighting may be able to be reduced and this will be further investigated and incorporated in the final design; and
- (g) a further report will be presented to the Council on the proposed route for the Greenway from Charles Veryard Reserve to Lake Monger.

Note: \*\* A report on Physical Activity Strategic Plan Update was reported to the Council on 28 September 2010 where it was decided that *the item be DEFERRED to enable a report that is consistent with the original request to be presented*. A further report is currently being prepared.

**CONSULTATION AND ADVERTISING:**

As is the normal practice, all respondents will be advised in writing of the Council decision.

**LEGAL/POLICY:**

Nil.

**STRATEGIC IMPLICATIONS:**

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

**SUSTAINABILITY IMPLICATIONS:**

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

- Improvements to Parks and Reserves (access, lighting and furniture);
- Cultural benefits;
- Recreational and health and fitness benefits (walking, cycling); and
- Possible tourism incentives.

**FINANCIAL/BUDGET IMPLICATIONS:**

As previously reported to the Council the estimated cost to the project is in the order of \$140,000 with Bikewest contributing almost \$50,000 towards the project. The additional works suggested may need to be budgeted for separately in the 2011/2012 budget however the proposed fencing (next to the Playground) will be funded from the project allocation.

**COMMENTS:**

The comments from the community have been assessed and where considered appropriate, have been included in the proposal. It should be noted that there was never any intention to compromise the amenity of the Dog Exercise area.

When the officers initially mapped out the greenway route, it was considered that the path would be at the edge of the dog area, however the dog area actually extends further to the east and encompasses the Macedonia Place Road Reservation.

The community have expressed strong concerns regarding the proposed location of the proposed path and therefore the route of the path has been amended.

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

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

**9.3.1 Annual Budget 2011/2012 – Adoption of Timetable**

<b>Ward:</b>	Both	<b>Date:</b>	25 November 2010
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0025
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	M Rootsey, Director Corporate Services		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council;*

(i) *APPROVES the timetable for the 2011/2012 Budget as detailed below:*

<u>DATE</u>	<u>ITEM</u>
28 March - 22 April	Chief Executive Officer and Directors to review 1 <sup>st</sup> Draft Budget
22 April	1 <sup>st</sup> Draft Budget issued to Council Members
28 April	Briefing provided to Council Members on Draft Budget
3 May	1 <sup>st</sup> Budget briefing/Special Council Meeting (open to the public)
17 May	2 <sup>nd</sup> Budget briefing/Special Council Meeting (open to the public) – if required
18 May – 24 May	Budget documentation finalised for public comment
25 May	Advertise for public comment (14 days)
7 June	Public comment closes
8 June - 14 June	Final Budget documentation and report for Council prepared
14 June	Issue Agenda report
5 July	Adoption of Annual Budget at the Special Council meeting; and

(ii) *AUTHORISES the Chief Executive Officer to make minor variations to the timeframe, if unforeseen circumstances arise or if a change is necessary.*

**COUNCIL DECISION ITEM 9.3.1**

**Moved Cr Buckels, Seconded Cr McGrath**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

**PURPOSE OF REPORT:**

To provide a timetable for the preparation and adoption of the Annual Budget 2011/2012.

**BACKGROUND:**

It is recommended that the Budget is adopted as early in the new financial year as possible. It is proposed that Special Meeting of Council for the adoption the budget be held on the 5 July 2011. This will again allow the Town a cash flow benefit from the earlier issue of Rates Notices.

A separate Special Council meeting for the adoption of the Annual Budget will also allow more time for discussion on the final Budget document, without the constraint of the timing of the Ordinary Meeting of Council.

**DETAILS:**

The Annual Budget forms an integral part of the Town's "Plan for the Future" 2009-2014, which was adopted by the Council.

The timetable proposed allows for both suitable Council Member and community reviews.

The Draft Budget will be initially issued to Council Members. A confidential briefing will be provided to Council Members either collectively or individually depending on circumstances. The Draft Budget deliberations will then be held at the scheduled Special Council Meetings, the public are invited to attend these meetings.

The public will also be invited to comment on the Draft Budget prior to adoption.

The proposed Budget Timetable is outlined below:

<u>DATE</u>	<u>ITEM</u>
28 March - 22 April	Chief Executive Officer and Directors to review 1 <sup>st</sup> Draft Budget
22 April	1 <sup>st</sup> Draft Budget issued to Council Members
28 April	Briefing provided to Council Members on Draft Budget
3 May	1 <sup>st</sup> Budget briefing/Special Council Meeting (open to the public)
17 May	2 <sup>nd</sup> Budget briefing/Special Council Meeting (open to the public) – if required
18 May – 24 May	Budget documentation finalised for public comment
25 May	Advertise for public comment (14 days)
7 June	Public comment closes
8 June - 14 June	Final Budget documentation and report for Council prepared
14 June	Issue Agenda report
5 July	Adoption of Annual Budget at the Special Council meeting

This year it is scheduled to hold the briefing session for Council Members on a weekday (Thursday) as trialled last year.

It is also proposed that the Special Meeting for the adoption of the Annual Budget be held on 5 July 2011.

**CONSULTATION/ADVERTISING:**

The Town's Consultation Policy specifies that the Draft Annual Budget is to be advertised for a period of fourteen (14) days prior to adoption.

**LEGAL/POLICY:**

The Annual Budget is prepared in accordance with the Local Government Act (1995) Section 6.2.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2009-2014 Plan for the Future – Key Result Area Four (4) - Leadership, Governance and Management:

*“4.1.1 Provide Good Strategic Decision Making, Governance, Leadership and Professional Management.*

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

*4.1.3 Plan effectively for the future.”*

**FINANCIAL/BUDGET IMPLICATIONS:**

N/A.

**COMMENTS:**

It is important that both the Administration and the Council adheres to the deadlines identified in the timetable to ensure that the Annual Budget is adopted in the required time frame.



**9.3.3 Community and Welfare Grants and Donations 2010/2011**

<b>Ward:</b>	Both	<b>Date:</b>	24 November 2010
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN00195
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	T Farrell, Community Development Officer; J Anthony, Manager Community Development		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

**OFFICER RECOMMENDATION:**

*That the Council APPROVES payment of the following grants and donations listed below:*

<i>Organisation</i>	<i>Amount</i>
<i>Passages Resource Centre</i>	<i>\$4,500</i>
<i>St Vincent de Paul Society (WA) Inc</i>	<i>\$5,000</i>
<i>Carers WA</i>	<i>\$2400</i>
<i>Epilepsy Association (WA) Inc</i>	<i>\$2000</i>
<i>The Salvation Army</i>	<i>\$5,000</i>
<i>Volunteer Task Force</i>	<i>\$5,667</i>
<i>(Memorandum of Understanding)</i>	
<i>People Who Care</i>	<i>\$5,667</i>
<i>(Memorandum of Understanding)</i>	
<i>Toy Libraries</i>	<i>\$2,000</i>
<i>Sundry Donations</i>	<i>\$6,000</i>
<b>TOTAL</b>	<b>\$38,234</b>

**COUNCIL DECISION ITEM 9.3.3**

**Moved Cr Buckels, Seconded Cr McGrath**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

**PURPOSE OF REPORT:**

The purpose of this report is to obtain Council approval for Community and Welfare Grants and Donations for the 2010/2011 financial year.

**BACKGROUND:**

The Town of Vincent established the Community and Welfare Grants and Donations Scheme to provide financial assistance to individuals who are disadvantaged and/or in crisis and non-profit community groups and organisations providing community and welfare services to Town of Vincent residents.

Not for profit organisations are entitled to apply for grants of up to \$5,667 to assist with providing community services and programmes.

Funds are also set aside under "Sundry Donations" to enable the Town to provide small donations, on an ad hoc basis, to not-for-profit community service providers, not in receipt of an annual grant. In all cases, applications are thoroughly assessed in accordance with determined criteria and guidelines.

Each application has been rated on a standard scale against a standard set of criteria. The ratings scale is shown below:

<b>Criteria</b>	<b>Weighting</b>
Adherence to policy guidelines	30%
Benefit to Town of Vincent residents	20%
Financial viability of the project or programme	10%
Previous grants acquitted satisfactorily	10%
Targets vulnerable and disadvantaged groups in the community	10%
A unique service that meets the needs of the community	10%
Demonstrated experience in delivering the service or programme	10%
	<b>100%</b>

**DETAILS:**

A summary of the applications and their ratings is shown on the following pages:

**Applications Recommended for Funding:**

<b>Organisation</b>	<b>Passages Resource Centre</b>
Purpose of Funding	<p>The grant would be used to continue to run a Healthy Cooking Group. This will involve clients learning how to budget, shop and prepare healthy, low cost meals. Clients are shown the importance of hygiene in food preparation as well as basic cooking techniques.</p> <p>This program will incorporate a Healthy Breakfast option during the colder months. The clients will prepare a variety of breakfast menus and purchase the ingredients the day before.</p> <p>Funds will be used to purchase fresh and packaged food, hygiene and cleaning products.</p>
Target Group	Marginalised young people aged between 12-25 years who are experiencing severe disadvantage such as homelessness, poverty, substance abuse, mental illness, abuse and trauma.
Services Provided by the Organisation	<p>Services provided by Passages include:</p> <ul style="list-style-type: none"> <li>• Advocacy and referrals;</li> <li>• Informal counselling;</li> <li>• Non-judgmental hospitality within a safe environment;</li> <li>• Laundry, bathroom and kitchen facilities;</li> <li>• Telephone, postal and computer access;</li> <li>• Clothing vouchers;</li> <li>• Medical and personal hygiene products;</li> <li>• Information and Life skills programs;</li> <li>• Positive leisure and recreation activities;</li> <li>• Medium term supported accommodation; and</li> <li>• Education scholarships.</li> </ul>

<b>Organisation</b>	<b>Passages Resource Centre</b>
Number of Vincent Residents Served	<p>Due to the transient and street-present nature of the clients it is difficult to quantify how many actually reside in the Town of Vincent. It is however estimated that a significant proportion of clients live within the Town of Vincent boundaries or adjoining suburbs. In 2009, Passages provided services to 1,113 clients a total of 3,622 times.</p> <p>The Healthy Cooking Group involves up to 12 young people at a time with a further 10-12 young people participating in the weekly BBQ which has commenced in the last year.</p>
Incorporated	Yes
Comments	<p>Passages provide services to young people who are most disadvantaged, particularly those living on the street. The assistance offered meets very basic and concrete needs.</p> <p>The Healthy Cooking Program was initiated in 1999 with the support of the Town of Vincent, and due to the Towns support it has been running successfully ever since. It was established at the request of the young people accessing the centre. During this time the program has involved around 2,700 individuals including 119 in 2009/2010.</p> <p>Passages has expanded to provide supported accommodation, whilst the Healthy Cooking Group has been assimilated into this venture, which provides education and training creating a pathway into independent living.</p> <p>The total cost of the program is \$6,000, with other funding coming from the organisation.</p>
Amount Requested	\$4500
<b>Amount Recommended</b>	<b>\$4500</b>

	<b>Raw Score</b>	<b>Weighted Score %</b>
<b>Passages Resource Centre</b>		
Adherence to policy guidelines	90	27
Benefit to Town of Vincent residents	90	18
Financial viability of the project or program	90	9
Previous grants acquitted satisfactorily	100	10
Targets vulnerable and disadvantaged groups in the community	90	9
A unique service that meets the needs of the community	90	9
Demonstrated experience in delivering the service or program	100	10
<b>TOTAL</b>	<b>650</b>	<b>92</b>

<b>Organisation</b>	<b>St Vincent de Paul Society (WA) Inc</b>
Purpose of Funding	<p>The grant would be used to assist with the cost of running the Emergency Relief Assistance.</p> <p>Funds would be used to provide food parcels, food vouchers, fuel vouchers, financial assistance to pay bills such as gas, electricity and telephone, school supplies and clothing, for individuals and families.</p> <p>Assistance is offered without discrimination to anyone in need regardless of age, race or religion.</p>

<b>Organisation</b>	<b>St Vincent de Paul Society (WA) Inc</b>
Target Group	Individuals, families and seniors who are experiencing financial difficulties due to unemployment, poverty and family breakdown.
Services Provided by the Organisation	Services provided by St Vincent de Paul include; <ul style="list-style-type: none"> <li>• Emergency relief and support;</li> <li>• Home visits;</li> <li>• Food parcels;</li> <li>• Clothing;</li> <li>• Essential household items;</li> <li>• Assistance with utility bills; and</li> <li>• Counselling and training in life skills.</li> </ul>
Number of Vincent Residents Served	The organisation assisted approximately 175,000 people in 2009/2010. It is estimated that 750 Town of Vincent residents accessed the service in the financial year.
Incorporated	Yes
Comments	The funding from this welfare grant will provide emergency relief assistance for Town of Vincent residents. The total cost of the program is \$30,000, with donations from private businesses and individuals and a Lottery west grant.
Amount Requested	\$5000
<b>Amount Recommended</b>	<b>\$5000</b>

	<b>Raw Score</b>	<b>Weighted Score %</b>
<b>St Vincent de Paul Society (WA) Inc</b>		
Adherence to policy guidelines	90	27
Benefit to Town of Vincent residents	90	18
Financial viability of the project or program	90	9
Previous grants acquitted satisfactorily	100	10
Targets vulnerable and disadvantaged groups in the community	100	10
A unique service that meets the needs of the community	90	9
Demonstrated experience in delivering the service or program	100	10
<b>TOTAL</b>	<b>660</b>	<b>93</b>

<b>Organisation</b>	<b>CARERS WA</b>
Purpose of Funding	<p>Over the past six years, Carers WA has developed a Social Support Program to aid carers.</p> <p>The program helps to support carers by providing opportunities for carers to meet. Carers WA endeavours to reduce the social isolation experienced by carers, empower carers to focus on their own health and wellbeing, and enable carers to establish their own social network. Social activities provide the opportunity for Carers WA to provide carers with information and resources available to them.</p> <p>Funding is sought to arrange a Day Trip to Harvey in March 2011. It is proposed that 28 carers will be taken on a fully funded "Special Event" trip to Harvey to enjoy wine, beer and cheese tasting enroute to a catered lunch.</p>
Target Group	Carers and care recipients of all ages who reside in the Town of Vincent and clients who are listed on the Carers WA data base will benefit from the planned program. A group of 28 carers can attend this "Special Event".

<b>Organisation</b>	<b>CARERS WA</b>
Services Provided by the Organisation	<p>Carers WA is carer focused and carer driven and provide the following services;</p> <ul style="list-style-type: none"> <li>• Advocacy;</li> <li>• Social support;</li> <li>• Training and education; and</li> <li>• Representation and counselling.</li> </ul> <p>Carers WA encourage carers to be more proactive in their lives by promoting friendship, laughter, and connection with other carers through the use of their centre, facilities and attending events.</p>
Proportion of Vincent Residents Serviced by the Program	The Social Support program supported 3059 carers with social events, 182 of which were supported with "Special Events" Approximately 253 of these clients live within the Town of Vincent of which 65 accessed the social Support program on a regular basis throughout the financial year
Incorporated	Yes
Comments	<p>This program will aim to specifically benefit carers and their carer recipients living in the Town of Vincent.</p> <p>The Town has provided funding for the Social Support program for a number of years.</p> <p>The total cost of conducting this "Special Event" is \$2400.</p>
Amount Requested	\$2400
<b>Amount Recommended</b>	<b>\$2400</b>

<b>Carers WA</b>	<b>Raw Score</b>	<b>Weighted Score %</b>
Adherence to policy guidelines	90	27
Benefit to Town of Vincent residents	90	18
Financial viability of the project or program	90	9
Previous grants acquitted satisfactorily	100	10
Targets vulnerable and disadvantaged groups in the community	90	9
A unique service that meets the needs of the community	90	9
Demonstrated experience in delivering the service or program	100	10
<b>TOTAL</b>	<b>650</b>	<b>92</b>

<b>Organisation</b>	<b>Epilepsy Association of Western Australia (Inc)</b>
Purpose of Funding	<p>The funding will be used to implement support groups to assist people in the Town of Vincent who are living with epilepsy. There will be trained facilitators who volunteer their time to assist the support groups. By raising public awareness and understanding of epilepsy it is envisaged that less pressure will be placed upon existing health services.</p> <p>Epilepsy is the most common of all neurological disorders affecting 1-2% of the population. In Western Australia there are 20,100 people with active epilepsy and an additional 1.400 diagnoses every year.</p>
Target Group	Epilepsy sufferers and their carers
Services Provided by the Organisation	The Association in 2009/10 responded to over 800 client calls and is currently implementing an Education Department approved distribution of educational DVD's and posters to all State Schools In WA. They provide an education and referral service and are currently operating three support groups.

<b>Organisation</b>	<b>Epilepsy Association of Western Australia (Inc)</b>
Incorporated	Yes
Number of Vincent Residents Served	The group have no statistics readily available on the number of Town of Vincent residents that they have assisted, but with up to 2% of the population affected by the disorder, there are substantial numbers who could benefit from the support group.
Comments	The total cost to the Support Group project is \$30,116 the association has received Lotterywest funding but currently has no State Government funding. It is recommended that some funding be provided to the group to contribute towards the training of volunteer facilitators and promotion of the support groups locally.
Amount Requested	\$5,000
<b>Amount Recommended</b>	<b>\$2,000</b>

	<b>Raw Score</b>	<b>Weighted Score %</b>
<b>Epilepsy Association of Western Australia (Inc)</b>		
Adherence to policy guidelines	90	27
Benefit to Town of Vincent residents	80	16
Financial viability of the project or program	80	8
Previous grants acquitted satisfactorily	N/A	N/A
Targets vulnerable and disadvantaged groups in the community	90	9
A unique service that meets the needs of the community	90	9
Demonstrated experience in delivering the service or program	90	9
<b>TOTAL</b>	<b>520</b>	<b>78</b>

<b>Organisation</b>	<b>The Salvation Army</b>
Purpose of Funding	The grant would be used to assist with the cost of running Perth Community Support Services emergency relief program  Funds would be used to provide food parcels, clothing, assistance with utility bills, for individuals and families.  Assistance is offered without discrimination to anyone in need regardless of his or her age, race or religion.
Target Group	Individuals, families and seniors who are experiencing economic hardship due to unemployment, poverty and family breakdown.
Services Provided by the Organisation	Services provided by The Salvation Army include; <ul style="list-style-type: none"> <li>• Emergency relief and support;</li> <li>• Home visits;</li> <li>• Food parcels;</li> <li>• Clothing;</li> <li>• Essential household items;</li> <li>• Assistance with utility bills; and</li> <li>• Counselling and training in life skills.</li> </ul>
Number of Vincent Residents Served	In 2009/10 the Perth Community Support assisted 8915 people. Using the postcodes as an identifier it is estimated that 891 clients were Town of Vincent residents. These clients would access the services 2-3 times per year.
Incorporated	Yes

Comments	The total cost of the Salvation Army Perth Community Support Program is more than a \$1000,000, with government grants of 170,500 and the Red Shield Appeal contributing \$480,000 towards the cost.  The funding from this welfare grant will provide emergency relief assistance for Town of Vincent residents.
Amount Requested	\$5,000
<b>Amount Recommended</b>	<b>\$5,000</b>

	Raw Score	Weighted Score %
<b>The Salvation Army.</b>		
Adherence to policy guidelines	90	27
Benefit to Town of Vincent residents	90	18
Financial viability of the project or program	90	9
Previous grants acquitted satisfactorily	100	10
Targets vulnerable and disadvantaged groups in the community	100	10
A unique service that meets the needs of the community	90	9
Demonstrated experience in delivering the service or program	100	10
<b>TOTAL</b>	<b>660</b>	<b>93</b>

**Summary of Ratings:**

Summary of ratings for applications recommended for funding:

Organisation	Raw Score	Weighted Score %
<b>Passages Resource Centre</b>	<b>650</b>	<b>92</b>
<b>St Vincent de Paul Society (WA) Inc</b>	<b>660</b>	<b>93</b>
<b>Carers WA</b>	<b>650</b>	<b>92</b>
<b>Epilepsy Association (WA) Inc</b>	<b>520</b>	<b>78</b>
<b>The Salvation Army</b>	<b>660</b>	<b>93</b>

**CONSULTATION/ADVERTISING:**

Again due to the limited grant funding available for 2010/2011 the grant round was not advertised. In September 2010 the following organisations were contacted by Community Development Officers and invited to apply for funding by 19 November 2011.

- Women's Health Services;
- Passages;
- Western Australia AIDS Council;
- The Salvation Army;
- Carers WA;
- Multicultural Services;
- St Vincent de Paul; and
- Epilepsy Association.

**LEGAL/POLICY:**

Policy number: 1.1.5 "Donations, sponsorships and waiving of fees and charges."

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2009 – 2014:

*“3.1.1 Celebrate and acknowledge the Town’s cultural and social diversity.*

*3.1.3 Determine the requirements of the Community and focus on needs, value, engagement and involvement.”*

**FINANCIAL/BUDGET IMPLICATIONS:**

**Community & Welfare Grants and Donations**

The table below details the financial implications of the welfare donations scheme over the past financial year 2009/2010 and this financial year 2010/2011.

Organisation	Funding Requested 2009/2010	Funding Recommended 2009/2010	Funding Requested 2010/2011	Funding Recommended 2010/2011
Passages Resource Centre	4,500	4,500	4,500	4,500
The Salvation Army	5,000	5,000	5,000	5,000
Saint Basil’s Aged Care	5,000	5,000		
ENASCO Australia	5,000	3,000		
Carers WA			2,400	2,400
Volunteer Taskforce	5000*	5000*	5,667*	5,667*
People Who Care	5000*	5000*	5,667*	5,667*
W.A AIDS Council	2,500	2,500		
Epilepsy Association			5,000	2,000
St Vincent de Paul Society			5,000	5,000
Toy Libraries	2,000	2,000	2,000	2,000
Sundry Donations	6,000	3,000	6,000	6,000
<b>TOTAL</b>	<b>\$40,000</b>	<b>\$35,000</b>	<b>\$41,234</b>	<b>\$38,234</b>

\*Funding allocated under Memorandum of Understanding

**Ad Hoc/Sundry Donations**

In the 2010/2011 Budget, \$6,000 is allocated to cover requests for sundry donations received during the year.

**2010/2011 Budget**

An amount of \$45,000 has been allocated for Community and Welfare Grants and Donations in the Budget for 2010/2011.

Six thousand dollars (\$6,000) has been allocated separately for Volunteer Task Force in the 2010/2011 Budget.

Since the introduction of the Community and Welfare Grants and Donations the total amount of funding requested has increased as shown in the table below:

FINANCIAL YEAR	AMOUNT REQUESTED	AMOUNT GRANTED
1996/1997	\$43,000.00	\$40,110.00
1997/1998	\$72,500.00	\$45,300.00
1998/1999	\$129,000.00	\$51,740.00
1999/2000	\$95,940.00	\$55,500.00



<b>FINANCIAL YEAR</b>	<b>AMOUNT REQUESTED</b>	<b>AMOUNT GRANTED</b>
2000/2001	\$139,507.00	\$55,000.00
2001/2002	\$128,133.20	\$59,368.00
2002/2003	\$167,172.00	\$63,700.00
2003/2004	\$120,786.00	\$63,300.00
2004/2005	\$137,065.00	\$67,585.00
2005/2006	\$90,555.00*	\$49,000.00*
2006/2007	\$69,750.00*	\$54,450.00*
2007/2008	\$55,750.00*	\$46,800.00*
2008/2009	\$53,975.00*	\$47,975.00*
2009/2010	\$40,000.00*	\$38,000.00*
2010/2011	\$41,234.00*	\$38,234.00*

\* These figures do not include funding for the Loftus Community Centre, Rosewood Care Group-(meals on wheels provider until December 2008) and City of Stirling (meals on wheels provider since January 2009)

### **Memorandum of Understanding**

People Who Care and Volunteer Task Force are two organisations that provide a range of Home and Community Care (HACC) services to frail aged and disabled residents within the Town of Vincent. Both organisations have been funded since the introduction of the Community and Welfare Grants and Donations Scheme. Under the Memorandum of Understanding approved in 2009/2010 these organisations will receive the maximum grant amount for five (5) years.

### **Regular Annual Grants to Toy Libraries Located in the Town**

This 2010/2011 financial year, grants of \$1,000 will be offered to each Toy Library located in the Town of Vincent to assist with the costs of advertising, promotion and purchase of toys.

### **COMMENTS:**

Priority is given to funding those organisations to which the Town regularly makes referrals, and whose services directly or indirectly benefit a large number of the Town's residents and best reflect the needs of the local community.

**9.3.4 Proposed Lease for Mount Hawthorn Playgroup –197 (Lots 273 & 274) Scarborough Beach Road, Mount Hawthorn**

<b>Ward:</b>	North Ward	<b>Date:</b>	25 November 2010
<b>Precinct:</b>	Mount Hawthorn P1	<b>File Ref:</b>	PRO0003
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	T Lumbis, Technical Services Administration Officer		
<b>Responsible Officer:</b>	M Rootsey, Director Corporate Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *APPROVES a five (5) year Lease from 1 January 2011 to 31 December 2015 with one (1) extended period lease option for a period of five (5) years for portion of the premises at 197 (Lots 273 & 274) Scarborough Beach Road, Mount Hawthorn, being granted to Mount Hawthorn Playgroup, subject to final satisfactory negotiations being carried out by the Chief Executive Officer; and*
- (ii) *AUTHORISES the Mayor and Chief Executive Officer to sign the new lease and AFFIX the Council's Common Seal.*

**COUNCIL DECISION ITEM 9.3.4**

**Moved Cr Buckels, Seconded Cr McGrath**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (9-0)**

**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council's approval regarding the Mount Hawthorn Playgroup's new Lease.

**BACKGROUND:**

Mount Hawthorn Playgroup has held a lease over portion of 197 Scarborough Beach Road, Mount Hawthorn since December 1997, consisting of three (3) five (5) year terms of which the current term is due to expire on the 31 December 2010.

**DETAILS:**

The Town received correspondence from Mount Hawthorn Playgroup on the 16 November 2010 which in part stated as follows;

*"... on behalf of Mt Hawthorn Playgroup as our current five year lease with Town of Vincent is due to expire at the end of 2010. We are leasing part of the Mt Hawthorn Community Centre on the corner of Scarborough Beach Rd and The Boulevarde in Mt Hawthorn.*

*We are a popular playgroup with a membership of 120 families, the majority of which are from the immediate area. As such, we are keen to sign another five year lease with a further five year option.*

*I believe we are reliable tenants; we maintain the premises well and continue to make improvements and satisfactory upkeep, as a recent property inspection should show."*

**CONSULTATION/ADVERTISING:**

N/A.

**LEGAL/POLICY:**

As per Council Policy 1.2.1, Terms of Lease as outlined below:

- "1. Any new lease granted by the Council shall usually be limited to a five year period, and any option to renew shall usually be limited to no more than a ten year period.*
- 2. Council may consider longer periods where the Council is of the opinion that there is benefit or merit for providing a longer lease term.*

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One:

- "1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment:*
- (a) implement adopted annual infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way, car parking and roads."*

**SUSTAINABILITY IMPLICATIONS:**

N/A.

**FINANCIAL/BUDGET IMPLICATIONS:**

The current Mount Hawthorn Playgroup lease is currently \$912.96 per annum (GST inclusive) and it is recommended that given the use, the agreement be continued subject to satisfactory negotiations.

**COMMENTS:**

Mount Hawthorn Playgroup have been a good tenant for the fifteen (15) year period and the Town's Administration has no hesitation supporting a further five (5) year period with one (1) extended period lease option of five (5) years.

**9.3.5 Proposed Sub-Lease of Loton Park Tennis Club to Rugby WA for 2011 – Cnr Bulwer & Lord Streets, Perth (Lots Z1 & Z2)**

<b>Ward:</b>	South Ward	<b>Date:</b>	25 November 2010
<b>Precinct:</b>	Beaufort	<b>File Ref:</b>	PRO0823
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	M Rootsey, Director Corporate Services		
<b>Responsible Officer:</b>	M Rootsey - Director Corporate Services		

**OFFICER RECOMMENDATION:**

*That the Council:*

- (i) *APPROVES the agreement between the Loton Park Tennis Club and Rugby WA for the sub-lease of the property located at the Corner of Bulwer and Lord Streets Perth (Lots Z1 & Z2) for the 2011 Super Rugby Season, ending 30 July 2011; and*
- (ii) *AUTHORISES the Mayor and Chief Executive Officer to sign the sublease and AFFIX the Council Common Seal.*

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**COUNCIL DECISION ITEM 9.3.5**

**Moved Cr Buckels, Seconded Cr McGrath**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

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**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council’s approval regarding the sub-lease of the premises located at the Corner of Bulwer and Lord Streets Perth (Lots Z1 & Z2) between the Loton Park Tennis Club (LPTC) and Rugby WA (RWA) as outlined in this report.

**BACKGROUND:**

Loton Park Tennis Club currently occupies the premises located at the Corner (Lots Z1 & Z2) of Bulwer and Lord Streets Perth. The current lease agreement expires on 30 June 2014.

In accordance with the current lease document the LPTC is seeking approval from Council for this agreement under clause General (e). This clause states as follows:

***“Assignment or Sub-letting:***

*The Lessee must not assign or sub-let the premises or give any other person the right to possess or occupy the premises without the prior written approval of the Lessor.”*

In addition, the following clauses may apply to this proposed sub-let agreement:

***“Alterations:***

*The Lessee will not conduct the following without the prior written consent of the Lessor:*

- (a) *erect or suffer to be erected any building or structure on the Premises or to make or suffer to be made any alteration in or to any building or structure erected on the Premises or cut, maim or injure or suffer to be cut maimed or injured any of the walls or timbers of such building or structure; and*

**Shared Usage:**

*To permit community, charitable and recreational associations and bodies and such other associations, bodies or person as the Town of Vincent may approve, to use the premises at all times when the premises are not required by the Lessee and not to charge any fee for such use in excess of the fees fixed by the Town of Vincent from time to time. A written proposal must be submitted to the Town of Vincent at least fourteen (14) days before such an arrangement is entered into."*

**DETAILS:**

The Town received the proposed agreement between Rugby WA to Loton Park Tennis Club regarding the sub-lease of the property for our comment, which in part stated the following:

*"LPTC agree to provide RWA access to their club grounds for the purposes of running a Members Bar area on their hard court facility two (2) hours prior and two (2) hours after each Emirates Western Force home game including finals, as well as ensuring the LPTC clubhouse facility is available for a VIP function post match at each home game including finals, for a period not exceeding Liquor Licensing limitations.*

**Term:**

*This agreement commences upon the execution of the document by both parties and runs through to the end of the 2011 Super Rugby Season.*

**Access:**

*LPTC will provide RWA with reasonable access to the grounds of LPTC for the bumping in and bumping out of the required infrastructure to achieve the above purpose. RWA acknowledges that the bump in will need to be mindful of the day to day operation of the tennis club. Both parties agree to work together to ensure the needs of one another are met in this area.*

**Fixtures:**

*The fixtures of each home game are as per below:*

- *Saturday 5 March;*
- *Saturday 2 April;*
- *Saturday; 9 April;*
- *Saturday 23 April;*
- *Saturday 30 April;*
- *Saturday 21 May;*
- *Saturday 11 June; and*
- *Finals to be confirmed.*

**The Investment:**

*Ruby WA agrees to pay LPTC the following amount for the use of their facilities:*

- (a) *\$1,000 (incl GST) per fixture, totally \$8,000 for the season. Please note that this does not include finals and any finals fixture will attract a similar fee is applicable.*

- (b) *Payment is non-refundable if the event does not take place due to inclement weather.*
- (c) *The first 50% of the fee (\$4,000) will be paid in advance of the first event and the remaining 50% will be paid upon the completion of the season.”*

The Director Corporate Services has provided the following amendments for consideration by the Loton Park Tennis Club before the final signing of the agreement:

Officers Comments:

- Loton Park Tennis Club as well as receiving an upfront payment, should receive a payment per game rather than at the end of the season;
- Loton Park Tennis Club should also retain a bond of a minimum of 25% of the total fee;
- A clause must be included to indemnify the Town for any costs incurred during the period of the agreement; and
- Specify the terms to be included in the *Damages Clause*, rather than the use of the word “*timely*”.

**CONSULTATION/ADVERTISING:**

N/A.

**LEGAL/POLICY:**

As per Council Policy 1.2.1, Terms of Lease as outlined below:

- “1. *Any new lease granted by the Council shall usually be limited to a five year period, and any option to renew shall usually be limited to no more than a ten year period.*
2. *Council may consider longer periods where the Council is of the opinion that there is benefit or merit for providing a longer lease term.*

There have been no breaches of the Lease by the Club.

**STRATEGIC IMPLICATIONS:**

In accordance with the Town’s Plan for the Future, Strategic Plan 2009-2014:

Key Result Area Two: Economic Development:

- “2.1 *Progress Economic Development with adequate financial resources:*
- 2.1.6 *Develop business strategies that provide a positive triple bottom line return for the Town:*
- (a) *Continue to review leases and commercial contracts to ensure the best return for the Town, whilst being cognisant of its community service obligations.”*

**SUSTAINABILITY IMPLICATIONS:**

N/A.

**FINANCIAL/BUDGET IMPLICATIONS:**

There are no budgetary implications for the Town in the proposed sub-lease agreement. The Town will not receive any monies from the Agreement/sub-lease.

The Town will ensure that the required indemnification clause is included in the agreement to ensure that the Town will not be responsible for any damages that may occur.

There are no legal costs associated in preparing the Agreement/sub-lease.

The Loton Park Tennis Club current lease is on a peppercorn rent of \$1.00 per annum.

**COMMENTS:**

The Administration supports the proposed sub-lease agreement and recommends the Loton Park Tennis Club consider the inclusion of the Town's suggested changes to the final agreement.

The agreement is therefore recommended for approval by the Council.

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

<b>Ward:</b>	-	<b>Date:</b>	29 November 2010
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0042
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	M McKahey, Personal Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council NOTES the use of the Council's Common Seal on the documents listed in the report, for the month of November 2010.*

**COUNCIL DECISION ITEM 9.4.1**

**Moved Cr Buckels, Seconded Cr McGrath**

*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:

<b>Date</b>	<b>Document</b>	<b>No of copies</b>	<b>Details</b>
01/11/2010	Withdrawal of Caveat	1	Town of Vincent and Downings Legal, Level 11, 2 Mill Street, Perth 6000 re: Nos. 470-472 (Lots 8 and 9) William Street, Perth
04/11/2010	Restrictive Covenant	3	Town of Vincent and T Jupp and Chih-Huan Yao of 51 Grosvenor Road, Bayswater re: No. 17 (Lot 26) Fairfield Street, Mount Hawthorn - <i>To satisfy conditional approval by the Western Australian Planning Commission of a green title subdivision of the subject lot dated 17 March 2010</i>
05/11/2010	Deed of Licence	1	Town of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Pharmaceutical Council of WA Meetings - 8, 9, 10, 11 and 12 November 2010 (Suites 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12, nib Lounge and Gareth Naven Room)



Date	Document	No of copies	Details
05/11/2010	Deed of Licence	2	Town of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Football West Ltd of PO Box 214, Maylands WA 6931 re: Women's League - 13 November 2010 (Stadium)
09/11/2010	Transfer of Land	1	Town of Vincent and Perpetual Trustee Ltd of Angel Place, 123 Pitt Street, Sydney as executor of the Will of Henry Briggs ( <i>deceased</i> ) re: Lot 66 (ROW) on Diagram 1435 ( <i>off Forrest Street, Perth</i> )
09/11/2010	Transfer of Land	1	Town of Vincent and Perpetual Trustee WA Ltd of Angel Place, 123 Pitt Street, Sydney as executor of the Will of Henry Briggs ( <i>deceased</i> ) re: Part of Lot 171 on Plan 3660 ( <i>known as "Street No. 1" - between Blake Street and Mable Street</i> )
10/11/2010	Deed of Licence	1	Town of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: AHA Consulting Meeting - 11 and 12 November 2010 (South West Super Suite)
11/11/2010	Grant Acceptance Form	2	Town of Vincent and Minister for Veterans' Affairs, C/o Department of Veterans; Affairs, Parliament House, Canberra re: "Saluting their Service" Grant Acceptance Form for \$4,000 to help install plaques at the Wall of Remembrance, Axford Park War Memorial
12/11/2010	Deed of Licence	1	Town of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Curriculum Council of WA Information Session - 6 December 2010 (nib Lounge)
16/11/2010	Funding Agreement	2	Town of Vincent and the Commonwealth of Australia represented by and acting through the Department of Regional Australia, Regional development and Local Government, c/o GPO Box 803, Canberra ACT 2601 re: Funding Agreement for Round 3 of the Regional and Local Community Infrastructure Program (RLCIP)
17/11/2010	Lease	3	Town of Vincent and Mount Hawthorn Toy Library re: Lease for 197 Scarborough Beach Road, Mount Hawthorn - <i>Five Years from 1/02/11 to 31/01/16, with further option from 1/02/16 to 31/01/21</i>
26/11/2010	Deed of Licence	1	Town of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Nova Man Muster Function - 30 November 2010 (Pitch, Change Rooms 1 and 2 and Suite 7)
29/11/2010	Deed of Licence	2	Town of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and The Frontier Touring Co. Pty Ltd of 135 Forbes Street, Woolloomooloo, NSW 2011 re: Concert* - 21 March 2011 (Stadium) (* <b>Commercial-in-Confidence until released to the public</b> )
29/11/2010	Deed of Licence	2	Town of Vincent, Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and The Frontier Touring Co. Pty Ltd of 135 Forbes Street, Woolloomooloo, NSW 2011 re: Concert* - 6 April 2011 (Stadium) (* <b>Commercial-in-Confidence until released to the public</b> ) (** <i>Supersedes Licence signed on 15/03/10</i> )

**9.4.8 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	30 November 2010
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	A Radici, Executive Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council RECEIVES the Information Bulletin dated 7 December 2010, as distributed with the Agenda.*

**COUNCIL DECISION ITEM 9.4.8**

**Moved Cr Buckels, Seconded Cr McGrath**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (9-0)**

**DETAILS:**

The items included in the Information Bulletin dated 7 December 2010 are as follows:

<b>ITEM</b>	<b>DESCRIPTION</b>
IB01	Letter of Appreciation from CMS Engineering regarding Road Works and Paving on Stirling Street throughout November 2010
IB02	Letter to Mr G. Lantzke of Egina Street, Mount Hawthorn in response to Question Taken on Notice at the Ordinary Meeting of Council held on 23 November 2010
IB03	Unconfirmed Minutes of the Universal Access Advisory Group Meeting held on 11 November 2010
IB04	Unconfirmed Minutes of the Art Advisory Group Meeting held on 27 October 2010
IB05	Register of Petitions - Progress Report - December 2010
IB06	Register of Notices of Motion - Progress Report - December 2010
IB07	Register of Reports to be Actioned - Progress Report – December 2010
IB08	Register of Legal Action (Confidential – Council Members Only) - Progress Report - December 2010
IB09	Register of State Administrative Tribunal Appeals - Progress Report - December 2010
IB10	Forum Notes - 16 November 2010
IB11	Notice of Forum - 14 December 2010

**9.1.2 No. 4 (Lot 103; D/P 2848) Matlock Street, Mount Hawthorn - Proposed Demolition of Existing Single House**

<b>Ward:</b>	North	<b>Date:</b>	25 November 2010
<b>Precinct:</b>	Mount Hawthorn; P01	<b>File Ref:</b>	PRO4243; 5.2010.555.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	H Au, Heritage Officer		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by the owner Anthony James Blott for proposed Demolition of Existing Single House, at No. 4 (Lot 103; D/P 2848) Matlock Street, Mount Hawthorn, and as shown on plans stamp-dated 25 October 2010, subject to the following conditions:*

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition work on the site;*
- (ii) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted to and approved by the Town prior to the issue of a Demolition Licence;*
- (iii) support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
- (iv) demolition of the existing dwelling may make the property ineligible for any development bonuses under the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community;*
- (v) any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies;*
- (vi) the demolished cleared site levels shall match into existing verge, footpath, road and right of way levels. The site is to be cleared of all building debris and made secure; and*
- (vii) PRIOR TO THE ISSUE OF A DEMOLITION LICENCE a redevelopment proposal for the subject property shall be submitted to and approved by the Town and/or the Council.*

**ADVICE NOTE:**

*The Council STRONGLY ENCOURAGES the applicant to retain all or part of the existing building as part of any new development for the site in order to maintain the amenity of the existing Matlock Street streetscape.*

**Moved Cr Buckels, Seconded Cr Maier**

*That the recommendation be adopted.*

Debate ensued.

**PROCEDURAL MOTION**

**Moved Cr Maier, Seconded Cr McGrath**

*In accordance with clause 41(a) of the Town of Vincent Town Planning Scheme No. 1, the Council DEFERS consideration of the application for demolition.*

The Presiding Member, Mayor Nick Catania commenced to speak on the matter.

Cr Maier called as a Point of Order – stated there is no debate on a Procedural Motion for deferral.

The Presiding Member, Mayor Nick Catania asked for the wording again and requested the Chief Executive Officer to check if this was correct.

The Chief Executive Officer stated this was in accordance with the Standing Orders.

The Presiding Member, Mayor Nick Catania put the Procedural Motion.

**PROCEDURAL MOTION PUT AND LOST (4-5)**

**For:** Cr Buckels, Cr Lake, Cr McGrath, Cr Maier

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

Debate ensued.

**AMENDMENT**

**Moved Cr Topelberg, Seconded Cr Harvey**

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

*“(vii) **PRIOR TO THE ISSUE OF A DEMOLITION LICENCE a redevelopment proposal for the subject property shall be submitted to and approved by ~~the Town and/or~~ the Council. A building licence for this development must have been issued and the applicant must demonstrate to the satisfaction of the Council that this development will commence.”***

Debate ensued.

**AMENDMENT PUT AND CARRIED (9-0)**

Debate ensued.

**MOTION AS AMENDED PUT AND CARRIED (7-2)**

**For:** Mayor Catania, Cr Buckels, Cr Burns, Cr Farrell, Cr Harvey, Cr Maier, Cr Topelberg

**Against:** Cr Lake, Cr McGrath

**COUNCIL DECISION ITEM 9.1.2**

*That the Council;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by the owner Anthony James Blott for proposed Demolition of Existing Single House, at No. 4 (Lot 103; D/P 2848) Matlock Street, Mount Hawthorn, and as shown on plans stamp-dated 25 October 2010, subject to the following conditions:*

- (i) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition work on the site;*
- (ii) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted to and approved by the Town prior to the issue of a Demolition Licence;*
- (iii) *support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
- (iv) *demolition of the existing dwelling may make the property ineligible for any development bonuses under the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community;*
- (v) *any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies;*
- (vi) *the demolished cleared site levels shall match into existing verge, footpath, road and right of way levels. The site is be cleared of all building debris and made secure; and*
- (vii) ***PRIOR TO THE ISSUE OF A DEMOLITION LICENCE a redevelopment proposal for the subject property shall be submitted to and approved by the Council. A building licence for this development must have been issued and the applicant must demonstrate to the satisfaction of the Council that this development will commence.***

**ADVICE NOTE:**

***The Council STRONGLY ENCOURAGES the applicant to retain all or part of the existing building as part of any new development for the site in order to maintain the amenity of the existing Matlock Street streetscape.***

<b>Landowner:</b>	Anthony James Blott
<b>Applicant:</b>	Anthony James Blott
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R30
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	425 square metres
<b>Access to Right of Way</b>	East side, 5 metres wide, sealed, Town owned

**PURPOSE OF REPORT:**

The application requires referral to the Council for demolition as more than 6 objections were received.

**BACKGROUND:**

No specific background directly relates to the proposal.

**DETAILS:**

The proposal involves the demolition of the brick and tile dwelling at No. 4 Matlock Street, Mount Hawthorn. The application is for demolition only. The applicant advised that a redevelopment application will be submitted once the Council's endorsement for the demolition of the place is confirmed. To ensure that the matter is redeveloped appropriately, timely and the demolition (if approved) does not result in a vacant site, a condition has been included requiring the submission of an application to be considered and determined, prior to the issue of a demolition licence.

As per the Town's Policy No. 4.1.5 relating to Community Consultation, the subject application has been included in the Agenda to obtain the Council approval, as more than five submissions were received during the community consultation period.

Consultation Submissions		
Item	Comments Received	Officer Comments
Support	Nil.	Noted.
Objections (16)	<ul style="list-style-type: none"> <li>Demolition of the subject place will destroy the streetscape and historical significance of the area.</li> </ul>	<ul style="list-style-type: none"> <li>Refer to 'Officer Comments'.</li> </ul>
	<ul style="list-style-type: none"> <li>The proposed design of any new building should be revealed before the existing house is demolished.</li> </ul>	<ul style="list-style-type: none"> <li>Noted. A condition of planning approval requires a redevelopment proposal for the subject property to be submitted and approved by the Town prior to the issue of a Demolition Licence.</li> </ul>
	<ul style="list-style-type: none"> <li>The subject place is recently renovated. There is no justifiable reason to demolish it.</li> </ul>	<ul style="list-style-type: none"> <li>Noted. See comment above.</li> </ul>
	<ul style="list-style-type: none"> <li>A different character of home being built in the area would result in a decrease in value of our property.</li> </ul>	<ul style="list-style-type: none"> <li>Not Supported - As per the Town's Policy No. 4.1.5 relating to Community Consultation, comments received which are based on civil or non-planning matters, such as property values will not be considered.</li> </ul>
<b>Advertising</b>	Advertising for a period of 14 days was carried out as per the Town's Policy No. 4.1.5 – relating to Community Consultation.	

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

**COMMENTS:**

**Heritage**

A detailed Heritage Assessment is included as an attachment to this report.

The existing house at No. 4 (Lot 103 D/P: 2848) Matlock Street, Mount Hawthorn is an example of the Interwar Bungalow style of architecture constructed circa 1930. The front façade of the dwelling appears to remain substantially unchanged from its date of construction and it remains a modest example of the Interwar Bungalow.

However, the dwelling is not rare; it has little scientific, aesthetic or social value and no specific links of historic significance have been identified. The place is not considered to meet the threshold for consideration of entry onto the Town's Municipal Heritage Inventory in accordance with the Town's Policy No. 3.6.2 relating to Heritage Management - Assessment. In light of this, it is considered reasonable that the proposed demolition be approved.

**Streetscape**

As seen from the above Assessment Table, there is community concern regarding the proposed demolition and the potential impact that a new development could have on the Matlock Street streetscape. The Town's Officers recognise that the section of Matlock Street, which the subject place is located, is dominated by Interwar Bungalows with comparable traditional setbacks, scale and proportion.

However, the Town does not have any Streetscape Policies from which to refuse the demolition of the subject place. The Council at its Ordinary Meeting held on 9 November 2010, resolved not to proceed with a Streetscape Policy.

The Town's Officers appreciate the sensitivities associated with the demolition of the subject place and, in accordance with good sustainability principles and in an attempt to retain the character of the area, it is considered prudent to encourage the applicant to investigate options to retain all or part of the place as part of any new development for the site as per the Officer Recommendation.

In view of the above, the Town's Officers recommend that the application be approved subject to standard and appropriate conditions to address the above matters.

**9.1.1 No. 91 (Lot 3; D/P 6257) Bourke Street, Leederville - Proposed Construction of Four-Storey Mixed Use Development comprising Three (3) Single Bedroom Multiple Dwellings, Three (3) Multiple Dwellings and One (1) Office and Associated Car Parking- State Administrative Tribunal (SAT) Review Matter No. 293 of 2010**

<b>Ward:</b>	South	<b>Date:</b>	29 November 2010
<b>Precinct:</b>	Leederville; P03	<b>File Ref:</b>	PRO4826; 5.2010.209.2
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	R Narroo, Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

(i) *RECEIVES the report relating to No. 91 (Lot 3; D/P 6257) Bourke Street, Leederville, for proposed Demolition of the Existing Single House and the Construction of a Four-Storey Mixed Use Development Comprising Four Single Bedroom Multiple Dwellings, Four Multiple Dwellings and One Office and Associated Car Parking;*

(ii) *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 Peter Jodrell Architects on behalf of the owner S Motearefi for proposed Construction of a Four-Storey Mixed Use Development comprising Three (3) Single Bedroom Multiple Dwellings, Three Multiple Dwellings and One (1) Office and Associated Car Parking, at No. 91 (Lot 3; D/P 6257) Bourke Street, Leederville, and as shown on plans stamp-dated 19 November 2010, subject to the following conditions:*

(a) **Building**

(1) *all new external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Bourke Street;*

(2) *if entry to neighbouring land is required, first obtaining the consent of the owners of Nos. 250-252 Oxford Street, Nos. 89, 89A, 89B Bourke Street and No. 19 Burgess Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet)/retaining walls facing Nos. 250-252 Oxford Street, No. 89, 89A, 89B Bourke Street and No. 19 Burgess Street in a good and clean condition;*

(3) *doors, windows and adjacent floor areas of the office fronting Bourke Street shall maintain an active and interactive relationship with this street;*

(4) *the maximum gross floor area for the office component shall be limited to 107square metres; and*



- (5) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site; and*
- (6) *the commercial tenancy is approved as office. Any increase in floor space or change of use of the office shall require Planning Approval to be applied to and obtained from the Town. Any change of use shall be assessed in accordance with the relevant Planning Policy including the Town's Policy No. 3.7.1 relating to Parking and Access;*
- (b) **Car Parking and Accessways**
- (1) *the on-site car parking area for the non-residential component shall be available for the occupiers of the residential component outside normal business hours;*
- (2) *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town; and*
- (3) *the car parking area shown for the non-residential component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (c) **Public Art**

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

- (1) *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 \$11,000 (Option 2), for the equivalent value of one per cent (1%) of the estimated total cost of the development (\$1,100,000); and*
- (2) *in conjunction with the above chosen option;*
- (i) *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*
- (ii) *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;*

(d) Signage

*All signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the Town prior to the erection of the signage;*

(e) Fencing

*Any new street/front wall, fence and gate within the Bourke 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;*

(f) Verge Tree

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

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

(1) Construction Management Plan

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

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

(2) Landscape and Reticulation Plan

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

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

1. *the location and type of existing and proposed trees and plants;*
2. *all vegetation including lawns;*
3. *areas to be irrigated or reticulated;*

4. *proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and*
5. *separate soft and hard landscaping plans (indicating details of plant species and materials to be used).*

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

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

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

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

1. *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non- residential activities; and*
2. *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/or office. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*
3. *a maximum of one (1) bedroom and two (2) occupants are permitted in the single bedroom multiple dwellings (Units A1,A2 and A4) at any one time; and*
4. *the floor plan layout of the single bedroom multiple dwellings (units A1, A2 and A4) shall be maintained in accordance with the Planning Approval Plans;*

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

(4) *Schedule of External Finishes*

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

(5) *Acoustic Report*

*An Acoustic Report in accordance with the Town's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted. 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;*

(6) **Refuse and Recycling Management**

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

(7) **Privacy**

*Revised plans shall be submitted and approved demonstrating the following:*

(1) *the balconies on the first and second floors (units A1 and A4) on the eastern elevation;*

(2) *the living rooms on the first and second floors (units A1 and A4) on the eastern elevation;*

(3) *the bedroom 1 on the first and second floors (units A1 and A4) on the eastern elevation;*

(4) *the balconies on the first and second floors (units A3 and A6) on the eastern and northern elevations; and*

*being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the respective finished floor level. A permanent obscure material does not include a self-adhesive material that is easily removed; OR prior to the issue of a Building Licence revised plans shall be submitted demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject wall, so that they are not considered to be a major opening as defined in the Residential Design Codes 2008; OR prior to the issue of a Building Licence, revised plans shall be submitted demonstrating the above major openings being provided with permanent vertical screening or equivalent, preventing direct line of sight within the cone of vision to ground level of the adjoining properties in accordance with the Residential Design Codes. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 89, 89A, 89B Bourke Street stating no objection to the respective proposed privacy encroachment; and*

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

(1) **Underground Power**

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

(2) **Residential Car Bays**

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

(3) *Clothes Drying Facility*

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

(4) *Bicycle Parking*

*One (1) class one or two bicycle parking facility, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle facility shall be submitted and approved prior to the installation of such facilities;*

(4) *Management Plan-Vehicular Entry Gate*

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

(iii) *NOMINATES Cr Sally Lake and Cr Matt Buckels, as per Orders No. 3 of the State Administrative Tribunal, to attend the Mediation on behalf of the Council on the Review (appeal) at 11am on 8 December 2010 at the Town's Administration Centre, in relation to the above review matter.*

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**COUNCIL DECISION ITEM 9.1.1**

**Moved Cr Topelberg, Seconded Cr Lake**

*That the recommendation be adopted.*

Debate ensued.

Cr Farrell departed the Chamber at 7.19pm.

Debate ensued.

Cr Farrell returned to the Chamber at 7.21pm.

Debate ensued.

The Presiding Member, Mayor Nick Catania called for nominations for clause (iii).

Cr Sally Lake and Cr Matt Buckels nominated.

No further nominations were received.

Debate ensued.

**MOTION PUT AND CARRIED**  
**BY AN ABSOLUTE MAJORITY (8-1)**

**For:** Mayor Catania, Cr Buckels, Cr Burns, Cr Farrell, Cr Harvey, Cr Lake,  
Cr McGrath, Cr Maier

**Against:** Cr Topelberg

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<b>Landowner:</b>	S Motearafi
<b>Applicant:</b>	Peter Jodrell Architects
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential R40
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Office Building and Multiple Dwelling
<b>Use Classification:</b>	"P" and "SA"
<b>Lot Area:</b>	616 square metres
<b>Access to Right of Way</b>	Not applicable

**PURPOSE OF REPORT:**

To update the Council on the above review application and to comply with the requirements of the Town's Policy/Procedure for the State Administrative Tribunal (SAT).

**BACKGROUND:**

15 December 2009 The Council at its Ordinary Meeting conditionally approved additional two (2) two-storey grouped dwellings to existing single house.

24 August 2010 The Council at its Ordinary Meeting refused the application for Demolition of the Existing Single House and the Construction of Four Storey Mixed Use Development Comprising Four Single Bedroom Multiple Dwellings, Four Multiple Dwellings and One Office and Associated Car Parking for the following reasons:

- “1. The development is too high and too dense; and
2. There is insufficient car parking.”

14 October 2010 On-site inspection and mediation held by SAT.

17 November 2010 Mediation held at Town of Vincent Administration Centre.

8 December 2010 Further mediation scheduled to be held at Town of Vincent Administration Centre.

**DETAILS:**

**Comparison of Plans**

The changes to the new plans submitted (Attachment 001) as compared to the plans refused by Council at its Ordinary Meeting held on 9 November 2010 are as follows:

- The four single bedroom multiple dwellings and four multiple dwellings have been reduced to three single bedroom multiple dwellings and three multiple dwellings;
- The third floor has been converted into a loft and is setback from the southern boundary by 10.2 metres;
- Units 5 and 6 will each have a loft;
- Parking bays have been reduced from 11 to 9 bays;

- One window of units 3 and 6 will have a sill height of 1.6 metres facing the southern property and the other window will be setback 5 metres to the southern property;
- The overall height of the building has been reduced from 15 metres to 13.2 metres;
- The plot ratio has been reduced from 1.29 to 0.97; and
- The area of the office has increased from 78 square metres to 107 square metres.

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

**COMPLIANCE:**

<b>NON-COMPLIANT REQUIREMENTS</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>Density</b>	R40- 2.5 multiple dwellings or 3.7 single bedroom multiple dwellings	R81- 3 multiple dwellings and 3 single multiple dwellings  Density bonus= 103 per cent
<b><i>Officer Comments:</i></b>		
Supported- As the development is consistent with the objectives of Clause 40 of TPS 1, in terms of enhancing the amenity of the area. The height and scale is considered compatible with the surrounding built form, in particular, the approved 5 storey development adjoining the lot at Nos. 250-252 Oxford Street, on the former Leederville Police Station site. As per the Town's Non-Residential/Residential Development Interface Policy No. 3.4.3, this site can be considered as a buffer site which acts as a transitional filter between the non-residential area and the residential area. Given the proposal is predominantly residential, has adequate setbacks from the adjoining residential properties, complies with the overshadowing and the parking requirement, this buffer site can be considered for a higher density residential development.		
<b>Plot Ratio</b>	0.6	0.97
<b><i>Officer Comments:</i></b>		
Supported- The plot ratio has been reduced from 1.29 to 0.97 which further reduces any undue impact on the amenity of the area. Moreover, it is considered that the design reduces the bulk and scale and provides for vertical and horizontal articulation elements, when taken into perspective with the single/double storey dwellings to the east and south of the subject site.		
<b>Front building setbacks-North-Bourke Street</b>		
Ground Floor	4.88 metres	2 metres
First and Second Floors	6.88 metres for wall 5.88 metres for balcony	Nil to 0.5 metre
Third Floor (Loft)	6.88 metres for wall	2 metres
<b><i>Officer Comments:</i></b>		
Supported - It is considered that the Bourke Street streetscape would not be unduly affected as the setbacks are consistent with the street setbacks approved for the proposed development at Nos. 250-252 Oxford Street.		

<b>NON-COMPLIANT REQUIREMENTS</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>Building setbacks</b>		
<u>Ground Floor</u>		
West	1.9 metres	Nil
East-Store	1 metre	Nil
South-Stores	1.5 metres	Nil
<u>First Floor</u>		
West	7.3 metres	Nil to 4.2 metres
East	6.6 metres	4 metres to 7.06 metres
<u>Second Floor</u>		
West	9.5 metres	Nil to 4.2 metres
East	8.7 metres	4 metres to 7.06 metres
South	5 metres	4.5 metres to 5 metres
<u>Third Floor</u>		
West	Unit A6-1.7 metres Unit A5-2 metres	Nil
<b><i>Officer Comments:</i></b>		
Supported – No undue impact on the adjoining eastern and southern residential properties as the proposed building is setback generally 4 metres to 7.06 metres to the eastern boundary and 4.5 metres to 5 metres to the southern property, which will provide adequate ventilation to these properties. With regard to the eastern adjoining property, the existing buildings are separated from No. 91 Bourke Street by a driveway. Moreover, in relation to the southern property, the proposal complies with the overshadowing requirement as per the R-Codes. On the western side, the proposal will be facing the proposed 5 storey building at Nos. 250-252 Oxford Street. Given the adjoining western property is zoned commercial and no objection has been received from the owners of Nos. 250-252 Oxford Street, the variation is supported.		
<b>Boundary Walls</b>		
<u>Western Boundary</u>	Behind the front setback  Length= 21.5 metres  Maximum Height= 3.5 metres  Average Height= 3 metres  One side only	Within the front setback  Length= 35.72 metres  Maximum Height = 11.8 metres  Average Height = 8.2 metres  Three sides
<b><i>Officer Comments:</i></b>		
Supported- The boundary wall will not have any undue impact on the streetscape as it is consistent with development approved at Nos. 250-252 Oxford Street. On the western side, the proposal will be facing the proposed 5 storey building at Nos. 250-252 Oxford Street. Given the adjoining western property is zoned commercial and no objection has been received from the owner of Nos. 250-252 Oxford Street, the variation to the boundary walls is supported. Moreover, on the southern and eastern side, the boundary wall complies with the wall height requirement and, therefore, the boundary walls to the three sides is supported.		



<b>NON-COMPLIANT REQUIREMENTS</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>Site works</b>	Retaining wall and filling not more than 0.5 metre  Setback= 1.5 metres	0.84 metre along the western and southern boundaries  Nil
<i><b>Officer Comments:</b></i>		
Supported: No undue impact on the adjoining properties in terms of overshadowing.		
<b>Height and Number of Storeys</b>	Height= 7 metres  Number of storeys= 2	Height= 13.2 metres  Number of Storeys= 4 (the fourth storey will be proposed as a loft)
<i><b>Officer Comments:</b></i>		
Supported: The overall height has been reduced from 15 metres to 13.2 metres and the fourth floor has been converted into a loft which will minimise the impact on the surrounding area. Moreover, the proposed building is generally setback 4 metres to 7.06 metres to the eastern boundary and 4.5 to 5 metres to the southern property, which will provide adequate ventilation to these properties. In addition, the proposal complies with the overshadowing requirement of the R-Codes.		
<b>Privacy</b>	Balcony= 7.5 metres  Bedroom= 4.5 metres	<u>Units A1 and A4</u>  Front Balcony- 4 metres to the eastern boundary  Living room- 4 metres to the eastern boundary  Bedroom 1- 4 metres to the eastern boundary  <u>Units A3 and A6</u>  Balcony on the northern elevation- 4 metres to the eastern boundary
<i><b>Officer Comments:</b></i>		
Not supported: Undue impact on the neighbouring eastern property, and a screening condition has been imposed.		

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

<b>Consultation Submissions</b>
Not applicable.

In accordance with the Residential Design Code requirements for mixed-use development, on-site car parking requirements for multiple dwellings may be reduced to one car bay per dwelling, where on-site car parking required for other users is available outside normal business hours. A total of 9 car bays have been provided for the proposed development. For the residential component, 6 car bays have been provided. The balance of car bays available for the commercial component in this instance is 3 car bays.

<b>Car Parking</b>	
Car parking requirement (nearest whole number) Office: 1 car bay per 50 square metres gross office/administration floor area (proposed 107 square metres) = 2.14 car bays= 2 car bays	2 car bays

<b>Car Parking</b>	
Apply the parking adjustment factors: <ul style="list-style-type: none"> <li>• 0.85 (within 400 metres of a bus stop)</li> <li>• 0.85 (within 400 metres of one or more public car parks in excess of 75 spaces)</li> </ul> 0.80 (development contains a mix of uses, where at least 45 per cent of the gross floor area is residential)	(0.578)
Minus the car parking provided on-site	3
Minus the most recently approved on-site car parking shortfall	Nil
Surplus	1.844 car bays

<b>Bicycle Parking</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>Bicycle Parking</b>	Offices- 1 space per 200 (proposed 107 square metres) 0 gross floor area (class 1 or 2)= 1 space	Not provided- a condition of planning approval would be imposed in the event of an approval.

<b>Other Implications</b>	
<b>Legal/Policy</b>	<p>Planning and Development Act 2005 (WA), State Administrative Tribunal Act 2004 (WA) and Town’s Policy No. 4.1.23-State Administrative Tribunal Policies and Procedures.</p> <p>Section 31 of the State Administrative Tribunal 2004 states as follows:</p> <p>“31. <i>Tribunal may invite decision-maker to reconsider</i></p> <p>(1) <i>At any stage of a proceeding for the review of a reviewable decision, the Tribunal may invite the decision-maker to reconsider the decision.</i></p> <p>(2) <i>Upon being invited by the Tribunal to reconsider the reviewable decision, the decision-maker may –</i></p> <p style="padding-left: 20px;">(a) <i>affirm the decision;</i></p> <p style="padding-left: 20px;">(b) <i>vary the decision; or</i></p> <p style="padding-left: 20px;">(c) <i>set aside the decision and substitute its new decision.</i></p> <p>(3) <i>If the decision-maker varies the decision or sets it aside and substitutes a new decision, unless the proceeding for a review is withdrawn it is taken to be for the review of the decision as varied or the substituted decision.”</i></p> <p>Under Section 31 of the SAT Act 2004, the Town has been invited to determine the subject application; that is, to (a) affirm the decision; (b) vary the decision; or (c) set aside the decision and substitute its new decision.</p> <p><b>Absolute Majority</b></p> <p>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 an approval, is required to do so by an absolute majority decision.</p>

<b>Other Implications</b>	
<b>Strategic</b>	The Town's Local Planning Strategy has identified Oxford Street as an Activity Corridor and the subject site is located 47 metres from Oxford Street.
<b>Sustainability</b>	Nil.
<b>Financial/Budget</b>	Potential cost of employing a private consultant to represent the Town.

**COMMENTS:**

The fourth floor, proposed as a loft, is considered as another storey as there is a wall which extends to the top of the roof on the western side at a height that is consistent with an additional storey. From the eastern boundary, the fourth floor (loft) will be seen mostly as a roof and from the south, the fourth floor (loft) will be setback to 10.2 metres. Overall the fourth floor(loft) will not have an undue impact on the amenity of the area.

The new plans have addressed the issue of height, bulk and scale. The overall building height has been reduced by nearly two metres, the number of units has been reduced, the fourth floor has been converted into a loft which contributes to minimise the impact on the adjoining surrounding area.

The amended plans indicate an additional car bay for the office component, and as depicted in the Car Parking Assessment Table, the application complies with the required number of car parking bays.

**9.1.4 Amendment No. 77 to Planning and Building Policies – Policy No. 3.5.10 relating to Sustainable Design**

<b>Ward:</b>	Both Wards	<b>Date:</b>	29 November 2010
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA0209
<b>Attachments:</b>	<a href="#">001</a> , <a href="#">002</a> , <a href="#">003</a>		
<b>Reporting Officer(s):</b>	A Gordon, Project Officer – Sustainability S Kendall, Senior Planning Officer (Strategic)		
<b>Checked/Endorsed by:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report relating to Sustainable Design, as shown in Attachment 001 and the draft Sustainable Residential Design Checklist, as shown in Attachment 002, which may be amended by the Chief Executive Officer from time to time, as the need arises;*
- (ii) *ADVERTISES the Draft Policy No. 3.5.10 - Sustainable Design for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1;*
- (iii) *after the expiry of the period for submissions:*
  - (a) *REVIEWS the Draft Policy No. 3.5.10 relating to Sustainable Design, having regard to any written submissions; and*
  - (b) *DETERMINES to proceed with, or not to proceed with, the Draft Policy No. 3.5.10 - Sustainable Design, with or without amendment;*
- (iv) *AUTHORISES the Chief Executive Officer to:*
  - (a) *investigate the application of the Green Star Rating System in the Town’s own development projects; and*
  - (b) *source the necessary funds in the 2010/11 Mid-year Budget Review or alternatively lists for consideration an amount of \$10,000 in the Draft Budget 2011-12, to fund an in-house Green Star Rating System training course; and*
- (v) *NOTES that the Town is now a registered member of the Green Building Council of Australia, with effect from October 2010.*

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Cr Burns departed the Chamber at 7.29pm.

**Moved** Cr Maier, **Seconded** Cr Farrell

*That the recommendation, together with the following changes, be adopted:*

- “1. *That clause (ii) be amended to read as follows:*
- “(ii) *ADVERTISES the Draft Policy No. 3.5.10 - Sustainable Design for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, subject to the Policy being amended as follows:*

- (a) *Clause 2.1 be amended to read as follows:*

**‘2.1 Passive Design:**

*To the maximum extent possible, buildings should:*

- a) be oriented;*
- b) incorporate appropriate features; and*
- c) use appropriate building materials,*  
*to maximise the benefit from the winter sun, ~~and~~ minimise the impact of the summer sun, and make use of prevailing breezes with the result of reducing the need for energy-consuming artificial heating and cooling.’*

- (b) *Clause 2.3 be amended to read as follows:*

**‘2.3 Water Use:**

*Buildings should be designed to minimise the use of water, including by locating hot water systems close to those areas that will use hot water, and through the use of considered and appropriate “water wise” landscaping.*

- (c) *A new clause 6 be inserted to read as follows:*

**‘6. Encourages practising professionals and the general community to become more aware of the benefits of sustainable building design in terms of amenity and liveability, and in reducing the whole of life costs of a building.’**

2. *That a new clause (vi) be added as follows:*

**“(vi) REQUESTS that the Chief Executive Officer write to:**

- (a) Architects, designers and developers who are located in the Town, or who are known to work within the Town, to gauge their interest in attending a Green Star Rating System training course at a reduced cost;**
- (b) Relevant professional organisations and bodies, informing them that the Town wishes to encourage sustainable building practices and is considering holding Green Star Rating System training courses for professionals located or working in the Town; and**
- (c) The City of Perth, to determine whether it would be interested in co-hosting a Green Star Rating System training course.”**

Debate ensued.

Cr Burns returned to the Chamber at 7.31pm.

Debate ensued.

AMENDMENT

**Moved Cr McGrath, Seconded Cr Topelberg**

*That a new clause (ii)(a) be inserted and the remaining clauses renumbered as follows:*

**“(ii)(a) Introduction, Page 1 be amended to read as follows:**

**“Accordingly, the Town of Vincent recognises that it has become imperative for the building design to incorporate ~~energy-efficient~~ elements ~~to~~ that create more sustainable development, ...”**

**AMENDMENT PUT AND CARRIED (9-0)**

**MOTION AS AMENDED PUT AND CARRIED (9-0)**

**COUNCIL DECISION ITEM 9.1.4**

*That the Council;*

(i) **RECEIVES** the report relating to Sustainable Design, as shown in Attachment 001 and the draft Sustainable Residential Design Checklist, as shown in Attachment 002, which may be amended by the Chief Executive Officer from time to time, as the need arises;

(ii) **ADVERTISES** the Draft Policy No. 3.5.10 - Sustainable Design for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, subject to the Policy being amended as follows:

(a) Introduction, Page 1 be amended to read as follows:

*“Accordingly, the Town of Vincent recognises that it has become imperative for the building design to incorporate ~~energy-efficient~~ elements ~~to~~ that create more sustainable development, ...”*

(b) Clause 2.1 be amended to read as follows:

**‘2.1 Passive Design:**

*To the maximum extent possible, buildings should:*

- a) be oriented;*
- b) incorporate appropriate features; and*
- c) use appropriate building materials,*  
*to maximise the benefit from the winter sun, ~~and~~ minimise the impact of the summer sun, and make use of prevailing breezes with the result of reducing the need for energy-consuming artificial heating and cooling.’*

(c) Clause 2.3 be amended to read as follows:

**‘2.3 Water Use:**

*Buildings should be designed to minimise the use of water, including by locating hot water systems close to those areas that will use hot water, and through the use of considered and appropriate “water wise” landscaping.’*

(d) A new clause 6 be inserted to read as follows:

**‘6. Encourages practising professionals and the general community to become more aware of the benefits of sustainable building design in terms of amenity and liveability, and in reducing the whole of life costs of a building.’**

(iii) *after the expiry of the period for submissions:*

(a) **REVIEWS** the Draft Policy No. 3.5.10 relating to Sustainable Design, having regard to any written submissions; and

(b) **DETERMINES** to proceed with, or not to proceed with, the Draft Policy No. 3.5.10 - Sustainable Design, with or without amendment;

- (vi) **REQUESTS that the Chief Executive Officer write to:**
- (a) *Architects, designers and developers who are located in the Town, or who are known to work within the Town, to gauge their interest in attending a Green Star Rating System training course at a reduced cost;*
  - (b) *Relevant professional organisations and bodies, informing them that the Town wishes to encourage sustainable building practices and is considering holding Green Star Rating System training courses for professionals located or working in the Town; and*
  - (c) *The City of Perth, to determine whether it would be interested in co-hosting a Green Star Rating System training course;*
- (v) **AUTHORISES the Chief Executive Officer to:**
- (a) *investigate the application of the Green Star Rating System in the Town's own development projects; and*
  - (b) *source the necessary funds in the 2010/11 Mid-year Budget Review or alternatively lists for consideration an amount of \$10,000 in the Draft Budget 2011-12, to fund an in-house Green Star Rating System training course; and*
- (vi) **NOTES that the Town is now a registered member of the Green Building Council of Australia, with effect from October 2010.**

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**PURPOSE OF REPORT:**

The purpose of this report is to present to the Council, for endorsement to advertise, a draft Sustainable Design Policy and a draft Sustainable Residential Design Checklist, and to report to the Council on investigations into:

- an appropriate incentive scheme to encourage the use of the Green Building Council of Australia's Green Star Rating System; and
- community education opportunities that arise from the Town's membership of the Green Building Council of Australia.

**BACKGROUND:**

At its Ordinary Meeting held on 28 September 2010, the Council considered Progress Report No. 2 relating to the Development of Sustainable Design Guidelines and resolved as follows:

*"That the Council:*

- (i) *RECEIVES the Progress Report No. 2 relating to the Development of Sustainable Residential Design Guidelines;*
- (ii) *AUTHORISES the Chief Executive Officer to register membership with the Green Building Council of Australia for a period of two years, at a cost of \$2,200 per financial year, following which time membership will be reviewed;*
- (iii) *NOTES that the draft Sustainable Residential Design Guidelines and draft Sustainable Residential Design Policy will be tabled at the next meeting of the Sustainability Advisory Group for feedback and comment prior to it being presented to the Council for consideration; and*

- (iv) *REQUESTS the Chief Executive Officer to:*
- (a) *provide a report to the Council no later than 21 December 2010 on an appropriate incentive scheme for developers and architects to apply the Green Star Rating System and achieve a four star rating or higher. The Chief Executive Officer may seek the advice of the Sustainability Advisory Group on this matter; and*
  - (b) *investigate any opportunities that membership of the Green Building Council of Australia provides to assist in the education of practising professionals and the general community through tailored workshops."*

The Council previously considered Progress Report No. 1 relating to the Development of Sustainable Design Guidelines at its Ordinary Meeting held on 27 April 2010.

**DETAILS:**

The Town's Officers have undertaken additional research and have consulted with the Sustainability Advisory Group in order to address the Council resolution of the Ordinary Meeting held on 28 September 2010. The following information addresses the above matters:

***"...(iii) NOTES that the draft Sustainable Residential Design Guidelines and draft Sustainable Residential Design Policy will be tabled at the next meeting of the Sustainability Advisory Group for feedback and comment prior to it being presented to the Council for consideration;..."***

Officer Comments:

The issue of promoting sustainable design within the Town was discussed at the Sustainability Advisory Group (SAG) meeting held on 25 October 2010. The Town's Officers presented a draft Sustainable Residential Design Policy and a draft Sustainable Residential Design Checklist to the SAG for comment.

The Town's Officers, and the SAG, are of the view that the best approach is for the Town to play an educative and informative role to encourage the incorporation of sustainable design, rather than mandating sustainable design practices.

It is considered that greater enforcement of sustainable design should be initiated from the State and Federal levels, with the Town's role at this time being predominantly one of education, encouragement and leading by example. As illustrated in the flow chart in Attachment 003, the Town's immediate approach to promoting sustainable design will form part of a broader, longer-term picture, which will take into account the building requirements imposed by the Building Code of Australia (BCA), and WA's Residential Design Codes (R-Codes).

As detailed below, the Town's Officers recommend the following immediate steps to promoting sustainable design, which the SAG has endorsed:

- (a) a Sustainable Design Policy that encourages, rather than mandates, the incorporation of sustainable design features;
- (b) a Sustainable Residential Design Checklist, to function as a succinct, handy guide to key sustainable design considerations; and
- (c) provide more detailed information about sustainable design to the community through an improved Sustainability Portal on the Town's website.



The Town's Officers will also be looking to incorporate sustainability principles in the new Town Planning Scheme No. 2, and after the State Government's review of the R-Codes, the Town's Residential Design Elements Policy will be reviewed to mandate sustainable design features to the extent possible while being consistent with the revised R-Codes.

The draft Sustainable Design Policy, attached as Attachment 001, takes into account feedback received from the SAG. The draft Policy is intended to be a succinct and short statement with the purpose of:

- demonstrating the Town's commitment to environmental, economic and social stewardship and to contribute to the Town's goals of protecting, conserving and enhancing the area's and the State's environmental resources;
- encouraging the incorporation of sustainable design features in existing and new development in the Town; and
- setting out the Town's expectations of the sustainability outcomes to be achieved by homeowners, developers and builders in new building and renovation projects.

The SAG noted that the Town is one of the few local councils that does not currently have a public stance on sustainable design, and that a formal policy is a good way for the Town to state its position publicly. The SAG recommended that the policy should be broad and performance-based, setting out in general terms, the Town's expectations of how new development should achieve sustainability outcomes.

Given the SAG's feedback that the Policy should be broad and high-level, and given the approach to encourage rather than mandate features in residential design, the draft Policy has been broadened to set out the Town's position in relation to the sustainability of all buildings within the Town, not just residential development.

#### *Sustainable Residential Design Checklist*

The draft Checklist is at Attachment 002. It is aimed at people who are thinking about building a new home or undertaking major renovations to a home within the Town, and sets out a number of key sustainability considerations to be taken into account when designing a home.

The SAG's feedback on the draft Checklist was that it will be a useful and simple tool for prospective homeowners to refer to, setting out key sustainability considerations that they should discuss with their builder or designer at an early stage in planning their new home. The SAG suggested that copies of the Checklist should be made available when people are looking for information about building a new home, particularly through the Town's Customer Service Centre.

#### *Sustainability Portal on the Town's website*

There is a wealth of information currently available online from reputable sources with technical expertise in sustainable design, such as the YourHome site, which is a joint initiative of the Australian Government and the design and construction industries, and includes a comprehensive Technical Manual (<http://www.yourhome.gov.au/technical/index.html>). The Town's Officers are of the view that rather than issuing lengthy and detailed Guidelines, the preferable approach is to review and update the 'Sustainability' section of the Town's website to pull together and link to the comprehensive and well-organized information provided on the YourHome website, and other relevant websites. This will provide a good reference point for people wishing to locate detailed information about sustainable design.

It is noted that the Town is in the process of redeveloping its website. An internal 'Web Design Working Group' has been working through issues relating to the requirements and development of the Town's new website. As part of this, all service areas within the Town will be involved in updating information relating specifically to their area. It is intended that an informative and user-friendly Sustainability portal will form part of the redevelopment.

***"...(ii) AUTHORISES the Chief Executive Officer to register membership with the Green Building Council of Australia for a period of two years, at a cost of \$2,200 per financial year, following which time membership will be reviewed; ..."***

Officer Comments:

The Town is now a registered member of the Green Building Council of Australia (GBCA), with effect from October 2010. Membership runs from start to end of financial year, so the Town has paid a pro rata portion of \$2,200 for membership to 30 June 2011. The Town's membership will be renewed to 30 June 2012, and will be reviewed prior to renewal beyond that time.

The 'Sustainability' section of the Town's website will be updated to note that the Town is a member of the GBCA, and to provide a link to the GBCA website.

***"...(iv) REQUESTS the Chief Executive Officer to:***

- (a) provide a report to the Council no later than 21 December 2010 on an appropriate incentive scheme for developers and architects to apply the Green Star Rating System and achieve a four star rating or higher. The Chief Executive Officer may seek the advice of the Sustainability Advisory Group on this matter;..."***

Officer Comments:

As the Council is aware, the GBCA's Green Star Rating System is a comprehensive, national, voluntary environmental rating system that evaluates the environmental design and construction of buildings. Green Star takes a holistic approach to sustainable design, and awards points across a broad range of nine sustainability categories. Green Star rating tools are currently available or in development for a variety of sectors, including commercial offices (design, construction and interior fit outs), retail centres, schools and universities, multi-unit residential dwellings, industrial facilities and public buildings. The tools are freely available to be used for self-assessment purposes, but a Green Star rating cannot be claimed unless a formal certification process for the building has been conducted by the GBCA.

The 4 Star Green Star Certified Rating, which the Town seeks to promote, signifies 'Best Practice' in environmentally sustainable design and/or construction. 5-star and 6-star ratings also exist (which signify, respectively, 'Australian Excellence' and 'World Leadership' in environmentally sustainable design and/or construction).

The cost of going through the Green Star certification process is significant – it is estimated to be between \$8,000 and \$27,000, depending on the size of the development. In addition, the administrative requirements to obtain certification are quite onerous – extensive records and receipts must be kept in order for points to be awarded.

The Town's Officers have conducted some research into the use of an incentive scheme to promote the Green Star Rating System, and sought the advice of the Sustainability Advisory Group as to what an appropriate scheme might be.

There are six other local governments in WA who are also members of the GBCA. These are the Town of Mosman Park and the Cities of Belmont, Joondalup, Gosnells, Perth and Swan. It does not appear that any currently have a specific incentive scheme in place to promote the Green Star Rating System. However, other local government GBCA members have advised that the GBCA has recently established a Local Government Task Group (LGTG), which is comprised of representatives from local government GBCA members across Australia, with at least one representative from each State. The purpose of the LGTG is to identify opportunities for the GBCA to work more closely with local governments. The Terms of Reference for the LGTG include a mandate to, amongst other things:

- Develop a protocol for the GBCA to work with local councils which promote/mandate the use of Green Star rating tools;
- Develop a specific government section for inclusion on the GBCA website, including advice specifically for local governments on promoting the use of the Green Star rating system; and
- Develop a policy guide on the use of the Green Star rating system by local governments.

The LGTG's first meeting was held in July 2010. While not all local government GBCA members are directly involved with the LGTG, all meeting outcomes and materials are communicated to all local government GBCA members.

Given the mandate of the LGTG, the SAG and the Town's Officers are of the view that it would be useful for the Town to wait and see what guidance is developed by the LGTG as to approaches to encourage use of the Green Star rating system, and draw from those suggestions, before proceeding to develop the Town's own incentive scheme. The SAG recognised that since no other local government GBCA members have developed a specific incentive scheme, it is an issue for everyone and is not simple, and one of the reasons for the Town joining the GBCA was to take advantage of and pool knowledge with other members.

The SAG also noted that the Town's membership of the Green Building Council of Australia could be used as a promotional tool in that it shows that the Town looks favourably on 'Green Design'. This may be enough of an incentive for the first year or two of the Town's GBCA membership. In addition, the SAG suggested that best practice examples of buildings in the Town – both private and Town-owned assets, such as Beatty Park – could be featured on the Town's website, to provide practical examples of employing the Green Star Rating System.

**“...(iv) REQUESTS the Chief Executive Officer to:**

- ...(a) investigate any opportunities that membership of the Green Building Council of Australia provides to assist in the education of practising professionals and the general community through tailored workshops.”**

Officer Comments:

One of the benefits of membership of the Green Building Council of Australia (GBCA) is access to in-house versions of the GBCA's Green Star courses. The Green Star courses aim to provide participants with a solid knowledge of green building practices and how to apply Green Star rating tools to building projects.

The GBCA offers in-house versions of all of its Green Star courses to GBCA members, including:

- Green Star Foundation Course (Full day);
- Green Star Office Interiors (Half day); and
- Green Star Project Certification Workshop (Half day).

The Green Star Foundation Course is the recommended course for an introduction to the Green Star Rating System and green building practices.

The GBCA also offers half day Green Star specific courses for Multi Unit Residential, Healthcare, Retail, Education, Building Occupants and Industrial.

Full day courses cost \$450 per participant (non-member price for attending a public training session is \$800), and half-day courses cost \$250 per participant. The courses are run for between 20 and 50 participants, and courses can be customised to the needs and requirements of the member organization. Participants in in-house training courses also receive \$100 off the price of Green Star Rating Technical Manuals (pre-discount prices vary from \$300 to \$600 per manual).

The advantages of running a GBCA in-house training course include reduced costs for participants; being able to choose a Course Presenter with industry experience most relevant to the Town's needs; the ability to have courses customised to the Town's needs; and having the course run at a convenient time and location.

It is recommended that the Town consider running the Green Star Foundation Course, offering a reduced fee for architects, developers and designers who may be looking to build within the Town. Councillors, members of the Sustainability Advisory Group, and Senior Officers within the Town's Administration could also be encouraged to attend. The minimum number of participants for a course is 20, and at \$450 per person, the total cost would be \$9,000. This cost would be reduced somewhat by fees paid by attending architects, developers and designers.

The GBCA has advised that they would need about 5 weeks' advance notice in order to plan and run a course for the Town.

**CONSULTATION/ADVERTISING:**

If endorsed by the Council, advertising of the draft Sustainable Design Policy will be undertaken in accordance with clause 47 of the Town of Vincent Town Planning Scheme No. 1.

**LEGAL/POLICY:**

Town Planning Scheme No. 1 and associated Policies.

**STRATEGIC IMPLICATIONS:**

The Town's Strategic Plan 2009-2014 states:

*"1. Natural and Built Environment*

*Objective 1.1 Improve and maintain environment and infrastructure,*

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

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

*1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment."*

**FINANCIAL/BUDGET IMPLICATIONS:**

Advertising of the Sustainable Design Policy will be funded from the "Town Planning Scheme Amendments and Policies" account, which is allocated \$58,200 in the current 2010/2011 Budget.

The current 2010/2011 Budget allocates \$10,000 for the “Strategic Planning and Heritage Publications and Promotions” account.

No funding is currently set aside to provide training such as a Green Star Foundation Course. It is proposed that \$10,000 be sourced in the 2010/2011 Mid-year Budget Review or listed for consideration in the 2011-12 draft Budget, for this purpose.

**COMMENTS:**

The Town’s Officers consider that it is important that the Town adopt a policy regarding sustainable design, so that the Town has a formal and public stance on the importance of sustainable design, and makes clear the expectations for development within the Town in terms of sustainability. The draft Sustainable Residential Checklist will form a useful supporting document and will be a helpful resource for those who are looking to build a home within the Town. In addition, the re-vamped Sustainability Portal on the Town’s website will see considerably more emphasis on education and resources relating to sustainability, not just from a design point of view, but as a holistic approach to all areas of sustainability within the Town.

These measures, together with the promotion of the Green Star Rating System, will form the important first step of the ongoing process to encourage developers, builders and the Town’s residents to adopt green building practices and will promote the development of sustainable buildings within the Town.

**9.1.5 No. 360 (Lot 59) Lord Street, Highgate - Proposed Suburb Boundary Realignment**

<b>Ward:</b>	South	<b>Date:</b>	25 November 2010
<b>Precinct:</b>	Banks (P15)	<b>File Ref:</b>	PRO5009
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	R Marie; Planning Officer (Strategic)		
<b>Responsible Officer:</b>	R Boardman; Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council ADVISES Landgate – Geographic Names Committee that in relation to the proposed suburb boundary realignment on the corner of Lord Street and Chapman Street, Highgate, that it:*

- (i) SUPPORTS Landgate’s option 1 as outlined in the letter dated 29 June 2010 and shown in Attachment 001, as it relates to the suburb boundary realignment only, to retain both properties as Highgate 6003;*
- (ii) DOES NOT SUPPORT a change of address for No. 360 (Lot 59) Lord Street, Highgate, that will result in a change of street address to a Chapman Street address; and*
- (iii) REQUESTS that No. 360 (Lot 59) Lord Street, Highgate, should remain in the suburb of Highgate, and that both dwellings on the lot should maintain their current street addresses.*

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**Moved Cr Maier, Seconded Cr Buckels**

*That the recommendation, together with the following changes, be adopted:*

*“That;*

*1. clause (iii) be deleted; and*

*2. a new clause (iii) be added as follows;*

*“(iii) REQUESTS that the two dwellings currently on Lot 59 Lord Street, corner of Chapman Street, Highgate, retain their current street addresses as follows;*

*(a) No. 360 Lord Street, Highgate; and*

*(b) No. 42 Chapman Street, Highgate.” ”*

**Debate ensued.**

**MOTION PUT AND CARRIED (9-0)**

**COUNCIL DECISION ITEM 9.1.5**

*That the Council ADVISES Landgate – Geographic Names Committee that in relation to the proposed suburb boundary realignment on the corner of Lord Street and Chapman Street, Highgate, that it:*

- (i) SUPPORTS Landgate’s option 1 as outlined in the letter dated 29 June 2010 and shown in Attachment 001, as it relates to the suburb boundary realignment only, to retain both properties as Highgate 6003;*

- (ii) *DOES NOT SUPPORT a change of address for No. 360 (Lot 59) Lord Street, Highgate, that will result in a change of street address to a Chapman Street address; and*
- (iii) *REQUESTS that the two dwellings currently on Lot 59 Lord Street, corner of Chapman Street, Highgate, retain their current street addresses as follows;*
- (a) *No. 360 Lord Street, Highgate; and*
- (b) *No. 42 Chapman Street, Highgate.*

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**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of a proposed suburb boundary realignment raised by Landgate – Geographic Names Committee and provide a recommendation to the Council concerning the affected property owner of No. 360 (Lot 59) Lord Street, Highgate.

**BACKGROUND:**

- 29 June 2010 A letter dated 29 June 2010 from Landgate – Geographic Names Committee advised that a new strata subdivision on the corner of Lord Street and Chapman Street was affected by the current locality boundary.
- 16 July 2010 The Town wrote to the owner and occupier of the affected address requesting their comment on the proposal.
- 16 July 2010 The Town wrote to Landgate and advised there are no issues with changing the suburb boundary, however it would be considered more practicable for the property to maintain its existing suburb name. It is also considered that Option 1 as outlined in the letter dated 29 June 2010 and shown in attachment 001, would result in a simpler and neater suburb boundary.
- 22 July 2010 The Town received a letter from the owners of No. 360 Lord Street who provided comments on the proposal.
- 14 October 2010 A representative from Landgate contacted the Town advising that they require a determination on the matter, following the consultation held.

**DETAILS:**

On 30 June 2010, the Town received a letter dated 29 June 2010 from Landgate Geographic Names Committee regarding a new strata subdivision on the corner of Lord Street and Chapman Street which is affected by a locality boundary.

The letter advised that both lots are situated in the locality of Highgate, however Chapman Street is in the locality of Perth. Landgate proposed two (2) options as outlined below. A representation of the plan is shown in Attachment 001.

*'Option 1- realign the boundary to place the portion of road – the area show in black hachuring on the attached plan into the locality of Highgate. Both properties would be addressed to Chapman Street Highgate – postcode 6003.*

*Option 2- realign the boundary to place Strata Lots 1 and 2- the area shown in red hachuring on the attached plan in the locality of Perth. Both properties would be addressed to Chapman Street Perth – postcode 6000.'*

The Town prepared a response to Landgate advising that the Town’s Planning Services, Technical Services and Rates Department have no issue with changing the suburb boundary, however it would be considered more practical for the property to maintain its existing suburb name. It is also considered that Option 1 would result in a simpler and neater suburb boundary.

Further to the above, a Senior Valuer utilized by the Town of Vincent has suggested that the suburb change from Highgate to Perth will not affect the rating of this property as it is within the boundary of the assessing area.

The Town consulted with the owner and occupier of No. 360 Lord Street. Their comments and Officer comments are outlined in the consultation table below.

A site visit on 19 October 2010 revealed the dwelling at No. 360 Lord Street appeared to address Lord Street, however the entrance and letter box were off Chapman Street. The dwelling to the rear (No. 42 Chapman Street) both fronts, and has its entrance off, Chapman Street.

<b>Consultation</b>	
<b>Comments Received</b>	<b>Officer Comments</b>
A change in street name could be detrimental to our business, home office and life in general.	Noted. The Town acknowledges the potential inconvenience a change in street address could result in.
No. 42 Chapman is not a new property, the subdivision is occurring now as we are selling the dwelling.	Noted. A property address is yet to be allocated by the Town.
We are opposed to a street address change, however are prepared to change to Perth 6000.	Noted.
<b>Advertising</b>	<p>The Town of Vincent Policy No. 3.5.20 relating to Street Addressing states the following in regards to changes in street addresses;</p> <p>‘5) <i>Consultation</i></p> <p style="margin-left: 20px;">i) <i>The Town of Vincent will consult with the owners and occupiers of the affected properties where a change in street address is being considered.</i></p> <p style="margin-left: 20px;">ii) <i>Consultation is to be in accordance with the Town of Vincent Community Consultation Policy and be undertaken for a fourteen (14) day period.</i></p> <p style="margin-left: 20px;">iii) <i>The Town of Vincent will consider all valid submissions in the determination of the proposed change in street address.’</i></p> <p>In accordance with the above, the Town wrote to the owners of No. 360 Lord Street, with details of Landgate’s proposal.</p>

<b>Other Implications</b>	
<b>Legal/Policy</b>	Town of Vincent Town Planning Scheme No. 1 and associated Policies.
<b>Strategic</b>	<i>Town of Vincent Strategic Plan 2009-2014</i> <i>Objective 1.1 Improve and maintain the environment and infrastructure</i> <i>1.1.3 (d) Investigate and prepare a Strategy to upgrade front fences and street numbering in the Town.</i>
<b>Sustainability</b>	From the social aspect of sustainability, this report is considered to address the affected community members concerns.
<b>Financial/Budget</b>	Nil.



**COMMENTS:**

Following the consultation undertaken with the property owner of No. 360 Lord Street, the Town is of the opinion that a change to the street address would have a detrimental impact to the owners. Whilst there was no objection from the property owners to change the suburb name, the Town is of the opinion that option 1 would produce a neater suburb boundary and not affect the existing property address details for either dwelling. It is also noted that No. 42 Chapman Street, as referred to by the owners, is yet to be allocated a property address by the Town. It is recommended that the street address also be maintained for this property.

Notwithstanding the above, it is noted that the Town's Policy No. 3.5.20 relating to Street Addressing states the following;

- '1) *Determining the Street Address*  
*The main access from a road to a property (i.e. front door) determines the correct street address. ...'*

Whilst it is acknowledged that it is standard practice for the Town to allocate a property address based on the location of the front door in relation to the street, in this instance, it would have a detrimental impact to the owners to modify the street address and therefore it is not considered appropriate to change No. 360 Lord Street, to a Chapman Street address. It is also recommended, that when the Town is required to allocate a street address for the property at the rear of No. 360 Lord Street, that the Town endorse the No. 42 Chapman Street address that the owners have unofficially allocated to it.

In light of the above, it is recommended that the Council adopt the Officer Recommendation.

**9.1.6 Consent for Advertisement of the Draft Economic Development Strategy 2011 - 2016**

<b>Ward:</b>	Both	<b>Date:</b>	25 November 2010
<b>Precinct:</b>	All	<b>File Ref:</b>	ADM0067
<b>Attachments:</b>	<a href="#">001</a> , <a href="#">002</a>		
<b>Reporting Officer:</b>	E Lebbos, Strategic Planning Officer T Woodhouse, Coordinator Strategic Planning		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report relating to the draft Economic Development Strategy 2011 - 2016, as shown in Appendix 9.1.6 (electronic Attachment 001), and the Economic Development Strategy Discussion Paper as “Laid on the Table” (electronic Attachment 002), prepared by SGS Economics and Planning;*
- (ii) *ADVERTISES the draft Economic Development Strategy 2011 - 2016 prepared by SGS Economics and Planning for public comment for a period of twenty-eight (28) days inviting written submissions from the public; and*
- (iii) *after the expiry of the period for submissions:*
  - (a) *REVIEWS the draft Economic Development Strategy 2011 - 2016 having regard to any written submissions received; and*
  - (b) *ENDORSES the draft Economic Development Strategy 2011 - 2016 with or without amendment.*

**Moved Cr Maier, Seconded Cr Topelberg**

*That the recommendation, together with the following changes, be adopted:*

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

- (ii) *ADVERTISES the draft Economic Development Strategy 2011 – 2016 prepared by SGS Economics and Planning for public comment for a period of twenty-eight (28) days inviting written submissions from the public, subject to the Strategy being amended to remove all references to ‘Perth’s Chinatown’; and”*

Debate ensued.

**MOTION PUT AND CARRIED (9-0)**

**COUNCIL DECISION ITEM 9.1.6**

*That the Council;*

- (i) *RECEIVES the report relating to the draft Economic Development Strategy 2011 - 2016, as shown in Appendix 9.1.6 (electronic Attachment 001), and the Economic Development Strategy Discussion Paper as “Laid on the Table” (electronic Attachment 002), prepared by SGS Economics and Planning;*

- (ii) **ADVERTISES** the draft *Economic Development Strategy 2011 - 2016 prepared by SGS Economics and Planning for public comment for a period of twenty-eight (28) days inviting written submissions from the public, subject to the Strategy being amended to remove all references to 'Perth's Chinatown'; and*
- (iii) *after the expiry of the period for submissions:*
- (a) **REVIEWS** the draft *Economic Development Strategy 2011 - 2016 having regard to any written submissions received; and*
- (b) **ENDORSES** the draft *Economic Development Strategy 2011 - 2016 with or without amendment.*

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

The purpose of the report is to obtain the Council's approval to advertise for public comment, the draft *Economic Development Strategy 2011 – 2016*.

#### **BACKGROUND:**

- 23 February 2010 At its Ordinary Meeting, the Council resolved to authorise the Chief Executive Officer to call for quotations for the preparation and delivery of an *Economic Development Strategy*, to replace the existing *Economic Development Strategy 2005-2010*.
- 10 March 2010 The Town's Officers sent out a request for quotation to five (5) consultants, relating to the preparation of an *Economic Development Strategy*.
- 25 May 2010 At its Ordinary Meeting, the Council endorsed SGS Economics and Planning to undertake an *Economic Development Strategy and Action Plan*.
- 13 October 2010 The Consultants presented their findings to the Executive Management Team.
- 2 November 2010 At the Special Council Member Forum, the Consultants presented a brief overview of the key findings of the *Economic Development Strategy*.

#### **DETAILS:**

In preparing the *Economic Development Strategy*, the Consultants were required to develop goals and objectives, together with an *Implementation and Action Plan*, that addressed the Town's five town centres and the four (4) major regeneration projects, notably the Leederville Masterplan, the West Perth Regeneration Masterplan, the Glendalough Station Precinct, and the nib Bank Stadium Precinct. In addition, the Consultants were also required to develop economic rationale to achieve the Town's vision for these areas in line with the Local Planning Strategy.

More specifically, the broad objectives of preparing the *Economic Development Strategy* for the Town of Vincent were identified as follows:

1. Assess Regional, State and Federal economic development and related strategies that impact on the Town or provide opportunities for economic development in the future;

2. Quantify and categorise the current level of economic activity including identifying the target markets for Town of Vincent businesses, optimal retail floor area, home occupations and home businesses;
3. Review and revise internal policies and procedures, and evaluate the Town's resourcing capacities to participate in economic development programs;
4. Identify strategies including any potential strategic alliances which the Town of Vincent can implement or support which will boost economic development in the Town and Region and incorporate these into a five year strategy from 2011-2016;
5. Promote the Town of Vincent as a 'location of choice' to facilitate economic development;
6. Develop goals and objectives, together with an incorporated Implementation and Action Plan, that addresses the Town's five town centres and the four (4) major regeneration projects, notably the Leederville Masterplan, the West Perth Regeneration Masterplan, the Glendalough Station Precinct, and the ME Bank Stadium Precinct;
7. Develop economic rationale to achieve the Town's vision for the above areas, in line with the Local Planning Strategy;
8. Develop an Implementation and Action Plan simultaneously with the *Economic Development Strategy*; and
9. Address the following main themes in order to ensure that an integrated/whole of local government approach is adopted:
  - Development and Construction;
  - Branding;
  - Employment and Skills Development;
  - Integrated Transport;
  - Tourism and Entertainment;
  - Sports and Recreation Facilities;
  - Business Development; and
  - Business Support and Facilitation.

In order to successfully develop the *Economic Development Strategy* and associated *Implementation and Action Plan*, the Consultants were required to undertake the following tasks, as per the Project Brief:

- Map current economic activity and the Town's current position in economic development and presenting this information in a clear format using tables, graphs and matrices for ease of reading;
- Conduct interviews with relevant stakeholders including representatives involved with Economic Development from State Government Agencies, East Perth Redevelopment Authority, and local business owners and groups;
- Review current regional, State and Commonwealth Government policies and programs and evaluating their relevance for the Town of Vincent;

- Review Town of Vincent Strategic Plan 2009-2014, internal policies and project documentation to ensure integration with the Economic Development Strategy;
- Developing a 5 year Economic Development Strategy for 2011-2016;
- Develop a corresponding Implementation and Action Plan in order to ensure the operational success of the Strategy;
- Utilise a SMART approach (specific, measurable, attainable, realistic, and timely) in the development of the Strategy and implementation and action plan;
- Identify the resources required to deliver the recommendations in the Strategy, the potential funding sources of the resources, and determine the allocation and prioritisation of the resources; and
- Presentation of the Strategy and Implementation and Action Plan to the CEO and Councillors as required.

The Consultants have prepared detailed documents, namely, the draft *Economic Development Strategy 2011 - 2016* as shown in Appendix 9.1.6 and the *Economic Development Strategy Discussion Paper* as "*Laid on the Table*", which contain a compilation of tasks and actions carried out by the Consultant in response to the objectives of the Project Brief as outlined above.

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

Both documents are shown in the electronic attachment 001 and 002.

Business owners/key business representatives in the Town were invited to participate in the Town's Economic Development Futures Forums during the week of 13 to 17 September 2010. A Forum was held for each of the Town's five Town Centre Precincts, namely Leederville 16 September 2010, Mt Hawthorn 17 September 2010, North Perth 15 September 2010, Mt Lawley/Highgate 13 September 2010 and Perth 15 September 2010, in the Town's Administration and Civic Centre.

The Forums provided participants with the opportunity to reflect on the desktop analysis prepared by the Consultants, and allowed them to discuss local attributes, issues, opportunities and priorities for the Consultants to consider in their preparation of the *Economic Development Strategy*.

However, whilst these Forums were undertaken for business owners and key business representatives, it is considered important that residents within the Town are also given the opportunity to comment on the draft *Economic Development Strategy* prior to Council's adoption of the document.

Therefore, in line with the Town's current practice, it is considered appropriate to advertise the draft *Economic Development Strategy 2011 - 2016* for a period of twenty-eight (28) days.

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

It is not a legal requirement to have an *Economic Development Strategy*; however, it is considered "*Best Practice*" management that a Strategy be adopted, in order to complement the Council's *Strategic Plan 2009-2014* and the Annual Budget.

**STRATEGIC IMPLICATIONS:**

*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."*

*"Economic Development*

*2.1 Progress economic development with adequate financial resources*

*2.1.1 Promote the Town of Vincent as a place for investment appropriate to the vision for the Town.*

*2.1.3 Promote business development.*

*2.1.4 Identify the needs and expectations of the business community and facilitate outcomes in the Town."*

**SUSTAINABILITY IMPLICATIONS:**

The development of an *Economic Development Strategy 2011-2016*, will have dividends in the long term, in relation to providing clear guidance for economic and social sustainability within the Town.

**FINANCIAL/BUDGET IMPLICATIONS:**

The current 2010/2011 Budget lists \$40,000 for the Economic Development Strategy.

**COMMENTS:**

In order to foster economic progress, it is considered crucial to promote the Town of Vincent as a 'location of choice' for businesses, residents and visitors through effective use of Council resources.

In light of this, it is considered that the preparation of the *Economic Development Strategy 2011-2016*, which reflects the values and visions of community stakeholders, will provide future direction for the Council over the next five (5) years to ensure the successful economic development of the Town.

**9.1.8 No. 67 (Lot 61; D/P 3002) Ruby Street, North Perth – Retrospective Rollerdoor Addition to Existing Single House - Request from the State Administrative Tribunal (SAT) to Reconsider Decision - Review Matter No. DR 268 of 2010**

<b>Ward:</b>	North	<b>Date:</b>	25 November 2010
<b>Precinct:</b>	North Perth; P8	<b>File Ref:</b>	PRO1270; 5.2010.353.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	C Harman, Statutory Planning Officer		
<b>Responsible Officer:</b>	R Boardman, Director Development Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report relating to No. 67 (Lot 61; D/P: 3002) Ruby Street, North Perth - Retrospective Rollerdoor Addition to Existing Single House - State Administrative Tribunal (SAT) Review Matter No. DR 268 of 2010; and*
- (ii) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES, as part of the State Administrative Tribunal Review Matter No. DR 268 of 2010, the application submitted by C Iaconi for Retrospective Rollerdoor Addition to Existing Single House at No. 67 (Lot: 61, D/P: 3002) Ruby Street, North Perth, and as shown on plans stamp-dated 22 July 2010 and 23 November 2010, subject to the following conditions:*
  - (a) *WITHIN NINETY (90) DAYS OF THE ISSUE OF APPROVAL TO COMMENCE DEVELOPMENT, the following shall be completed by the applicant to the satisfaction of the Town:*
    - (1) *the existing rollerdoor being modified to comply with the applicant's submission and plans dated 23 November 2010, to the satisfaction of the Town of Vincent: and*
    - (2) *the works described in (1) above, are to be completely constructed to the satisfaction of the Town within ninety (90) days.*

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**COUNCIL DECISION ITEM 9.1.8**

**Moved Cr Lake, Seconded Cr Burns**

*That the recommendation be adopted.*

Debate ensued.

**MOTION PUT AND CARRIED (5-4)**

**For:** Mayor Catania, Cr Burns, Cr Farrell, Cr Harvey, Cr Topelberg

**Against:** Cr Buckels, Cr Lake, Cr McGrath, Cr Maier

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<b>Landowner:</b>	C Iaconi
<b>Applicant:</b>	C Iaconi
<b>Zoning:</b>	Metropolitan Region Scheme: (MRS): Urban Town Planning Scheme No. 1 (TPS 1): Residential R30/40
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	490 square metres
<b>Access to Right of Way</b>	Not Applicable

**PURPOSE OF REPORT:**

To comply with the requirements of the Town's Policy/Procedure for the State Administrative Tribunal (SAT).

Section 31 of the State Administrative Tribunal 2004 states as follows:

*"31. Tribunal may invite decision-maker to reconsider*

- (1) At any stage of a proceeding for the review of a reviewable decision, the Tribunal may invite the decision-maker to reconsider the decision.*
- (2) Upon being invited by the Tribunal to reconsider the reviewable decision, the decision-maker may –*
  - (a) affirm the decision;*
  - (b) vary the decision; or*
  - (c) set aside the decision and substitute its new decision.*
- (3) If the decision-maker varies the decision or sets it aside and substitutes a new decision, unless the proceeding for a review is withdrawn it is taken to be for the review of the decision as varied or the substituted decision."*

Under Section 31 of the SAT Act 2004, the Town has been invited to determine the revised application; that is, to (a) affirm the decision; (b) vary the decision; or (c) set aside the decision and substitute its new decision.

**BACKGROUND:**

13 September 1999 Council approved an application for construction of a two-storey single residence with the following condition:

*"(i) the carport shall be one hundred (100) per cent open at all times;"*

23 June 2010 The applicant was informed that the unauthorised rollerdoor had come to the Town's attention and that the applicant was required to either remove the unauthorised rollerdoor or apply for retrospective planning approval.

22 July 2010 The Town received an application for retrospective planning approval for the unauthorised rollerdoor.

3 August 2010 The Town, under delegated authority from the Council, refused an application for Retrospective Rollerdoor Addition to Existing Single House.



- 28 August 2010 The applicant appealed the Town’s decision to the State Administrative Tribunal.
- 15 November 2010 Mediation held on-site by the SAT, where the SAT made the following Orders dated 22 November 2010:
- “1. In view of a modified proposal to be submitted by the applicant on or before 22 November 2010 and pursuant to s 31(1) of the State Administrative Tribunal Act 2004 (WA) the respondent is invited to reconsider its decision on or before 7 December 2010.
  2. The matter is adjourned to a further mediation to commence at 12 noon on 15 December 2010 for a duration of one hour.
  3. If a positive recommendation will not be made to Council, the matter is not to proceed to the Council meeting; the respondent is to advise the applicant and the Tribunal; and the parties are to seek an earlier mediation.”

**DETAILS:**

The proposal involves an unauthorised rollerdoor which was constructed contrary to the planning approval dated 13 September 1999.

The applicant has provided an amended rollerdoor design as a result of the SAT Mediation, held on 15 November 2010, to address the reasons why the application was refused under delegated authority on 3 August 2010. The applicant is now proposing a design which incorporates tinted perspex panels to allow visual permeability, similar to the rollerdoors at Nos. 2A - 2C Haynes Street, North Perth, which were approved by Council on 6 July 2007. No further variations are proposed.

**COMPLIANCE:**

<b>NON-COMPLIANT REQUIREMENTS</b>		
<b>REQUIREMENTS</b>	<b>REQUIRED</b>	<b>PROPOSED</b>
<b>Carpports:</b>	Solid roller doors are not permitted on carpports within the front setback area.	Solid roller door located on carport within the front setback area.
<i><b>Officer Comments:</b></i>		
Supported – the applicant has submitted a revised rollerdoor design which incorporates tinted perspex and is visually permeable. The modifications are considered a better outcome than the existing solid rollerdoor and the modified proposal is the same as one which has previously been approved by Council.		

<b>Consultation Submissions</b>	
<b>Advertising</b>	Advertising was not carried out as part of the retrospective application as the recommendation was for refusal. The applicant did, however, submit letters of consent from adjoining landowners with the retrospective application.

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

**COMMENTS:**

It is considered that the proposed modified rollerdoor will not have an undue impact on the amenity of the area or the streetscape and in light of the above, it is recommended that the Council approve the application, subject to standard and appropriate conditions.

The Presiding Member, Mayor Nick Mayor Catania advised that Cr Topelberg had declared a proximity interest in Item 9.2.2. Cr Topelberg departed the Chamber at 7.50pm and did not speak or vote on this matter.

**9.2.2 Traffic Related Matter for Referred to the Local Area Traffic Management (LATM) Advisory Group; Intersection Leake Street and Vincent Street, North Perth – Further Report**

<b>Ward:</b>	South	<b>Date:</b>	26 November 2010
<b>Precinct:</b>	Smith's Lake P6	<b>File Ref:</b>	TES0535
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *APPROVES IN PRINCIPLE the proposed Traffic Safety Improvements at the intersection of Leake and Vincent Street as shown on attached Plan No. 2759.CP.01; and*
- (ii) *NOTES that:*
  - (a) *a black spot funding submission for improvements at the Leake Street and Vincent Street intersection has been submitted for 2011/2012; and*
  - (b) *a further report on the matter will be submitted to the Council at the conclusion of a fourteen (14) day community consultation period.*

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**COUNCIL DECISION ITEM 9.2.2**

**Moved Cr Farrell, Seconded Cr McGrath**

*That the recommendation be adopted.*

Debate ensued.

**MOTION PUT AND CARRIED (7-1)**

**For:** Cr Buckels, Cr Burns, Cr Farrell, Cr Harvey, Cr Lake, Cr McGrath, Cr Maier  
**Against:** Mayor Catania

(Cr Topelberg was absent from the Chamber and did not vote on this matter.)

Cr Topelberg returned to the Chamber at 7.55pm. The Presiding Member, Mayor Nick Catania advised that the item was carried.

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**PURPOSE OF REPORT:**

To provide a further report on a matter referred to the Town's Local Area Traffic Management (LATM) Advisory Group for consideration.

**BACKGROUND:**

The Council considered a report at its Ordinary Meeting held on 12 October 2010 and made the following decision:

*“That the Council;*

- (i) REFERS the Intersection of Leake Street and Vincent Street to the Town’s Local Area Traffic Management (LATM) Advisory Group for consideration:*
- (ii) INVITES representatives from the street to attend the scheduled LATM Advisory Group meeting; and*
- (iii) NOTES that a further report on the above matter will be submitted to the Council following consideration by the Town’s Local Area Traffic Management Advisory Group.”*

**DETAILS:**

LATM Advisory Group Meeting held on 18 November 2010:

Issues:

As previously reported to the Council in the late 1990’s a proposal to restrict access into Leake Street from Vincent Street to ‘left in left out’ only was canvassed with residents. This proposal was rejected at the time and a pedestrian refuge island installed instead.

In accordance with Main Roads WA, Black Spot intersection rankings, this intersection has had 19 recorded accidents over the last five (5) years. The predominant accident type is right angle and right through. This confirms the appropriateness of previous treatment that was proposed.

Discussion:

The LATM Advisory Group discussed the proposal and were advised that based on the traffic data the Town’s officers submitted an application for Black Spot funding to restrict the intersection to ‘left in left out’ as shown on attached concept Plan No. 2759.CP.01.

General discussion ensued on the impacts of implementing such a measure at this intersection in terms of impact on adjoining streets and it was considered that while there would undoubtedly be redistribution in traffic the impacts on adjoining streets would be minimal.

Officers Comments:

*The LATM Advisory Group concurred with the concept proposal as being the best option for addressing the issues currently being experienced at the intersection.*

**Discussion/Conclusions:**

As with traffic management treatment that involves restricting vehicle movements there are always some compromises required in terms of access.

While not all residents may be in favour of restricting vehicle access, as this may increase traffic on other adjoining streets or simply shift the problem elsewhere, in this instance it is considered that the measures proposed are justified to reduce the high number of recorded accidents at this location.

**CONSULTATION/ADVERTISING:**

Affected residents will be consulted regarding the proposal.

**LEGAL/POLICY:**

The Town is responsible for the care, control and management of over 140km of roads.

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2009-2014 – Key Result Area One: 1.1.6 Enhance and maintain the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment. *“(d) Implement Local Area Traffic Management matters referred to the Local Area Traffic Management Advisory Group by the Council”*.

**SUSTAINABILITY IMPLICATIONS:**

Improved safety as a result of the proposal.

**FINANCIAL/BUDGET IMPLICATIONS:**

No funds are currently allocated in the 2010/2011 budget for this proposal. A black spot funding submission for improvements at the Leake Street and Vincent Street intersection has been submitted for 2011/2012.

**COMMENTS:**

The Town receives many requests for Traffic Management from time to time. A large number of these requests are addressed at officer level as vehicle classifier results often indicate that there is a perceived speed and traffic volume issue rather than an actual problem. Other matters are referred to the WA Police for enforcement of the legal speed limit etc.

In this instance it is considered that the proposed traffic safety improvements at this location are justified.

**9.3.2 Physical Activity Strategic Plan Update**

<b>Ward:</b>	Both	<b>Date:</b>	1 November 2010
<b>Precinct:</b>	All	<b>File Ref:</b>	CMS0084
<b>Attachments:</b>	<a href="#">001</a> ; <a href="#">002</a>		
<b>Reporting Officer(s):</b>	J Bennett, Senior Community Development Officer J Van Den Bok, Manager Parks and Property Services		
<b>Responsible Officer(s):</b>	M Rootsey, Director Corporate Services R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

*That the Council RECEIVES the report relating to the adoption of the Physical Activity Strategic Plan, the Parks and Reserve Strategy/Recreational Needs Analysis and the Playground Upgrade Program.*

Cr Harvey departed the Chamber at 7.56pm.

Moved Cr Lake, Seconded Cr Burns

*That the recommendation, together with the following changes, be adopted:*

*“That new clauses (ii) and (iii) be inserted as follows:*

- (ii) REQUESTS a report in March 2011 which advises of the anticipated outcomes of the current financial year and the plan for the forthcoming financial year in order to assist the Council in formulating the budget for 2011/12; and*
- (iii) INVESTIGATES the opportunities for natural based play area to be included along but not restricted to the Wetlands Heritage Trail.”*

Debate ensued.

**MOTION PUT AND CARRIED (8-0)**

(Cr Harvey was absent from the Chamber and did not vote.)

Cr Harvey returned to the Chamber at 7.59pm.

**COUNCIL DECISION ITEM 9.3.2**

*That the Council;*

- (i) RECEIVES the report relating to the adoption of the Physical Activity Strategic Plan, the Parks and Reserve Strategy/Recreational Needs Analysis and the Playground Upgrade Program;*
- (ii) REQUESTS a report in March 2011 which advises of the anticipated outcomes of the current financial year and the plan for the forthcoming financial year in order to assist the Council in formulating the budget for 2011/12; and*
- (iii) INVESTIGATES the opportunities for natural based play area to be included along but not restricted to the Wetlands Heritage Trail.*

**PURPOSE OF REPORT:**

The purpose of the report is to update the Council on any changes that will be made in the Town's parks and recreation areas over a five year period commencing 2010/2011, as a result of adoption of the 'Physical Activity Strategic Plan', the 'Parks and Reserve Strategy/Recreational Needs Analysis' and the Playground Upgrade Program.

**BACKGROUND:**

Under the Delegated Authority Reports 16 December 2009 – 8 February 2010 the following resolution was adopted.

*"That the Council;*

- (i) NOTES the community consultation submissions on the Physical Activity Strategic Plan 2009-2013;*
- (ii) ADOPTS the strategies and timelines as recommended in the Physical Activity Strategic Plan 2009-2013; and*
- (iii) REQUESTS a report by April 2010 detailing the five year (5) program commencing in 2010/2011, of changes that will be implemented in each of the Town's parks and recreation areas as a result of the adoption of the 'Physical Activity Strategic Plan' in the 'Parks and Reserve Strategy/Recreational Needs Analysis' and the 'Playground Upgrade Program'."*

A report was prepared and presented at the Ordinary Meeting of Council 28 September 2010 where the following resolution was adopted:

*"That the item be DEFERRED to enable a report that is consistent with the original request to be presented."*

The report has been revised in accordance with the request from feedback received.

**DETAILS:**

There is a range of initiatives that the Town's officers are working on to enhance the recreational opportunities within the Town. These actions are in accordance with the fulfilment of the following plans:

- Physical Activity Strategic Plan;
- Parks and Reserves Strategy;
- Playground upgrade programme;
- Electric BBQ replacement programme;
- Wetlands Heritage Trail;
- Park facilities upgrade programme;
- Future proposed upgrade works; and
- Ecozoning programme (replacement of existing turf with native garden areas).

Attachment 9.3.2A outlines each of the parks and reserves across the Town and the planned impact that future works will have on these areas. The information is defined by individual sites.

Attachment 9.3.2B outlines the ongoing objectives of the Physical Activity Strategic Plan and incorporates programs, policy and plans that are not specific to individual sites.

In addition to these ongoing plans it is relevant to note that many of the initiatives identified in enhancing the recreational spaces within the Town or programmes to encourage physical activity have been started or completed. These are not in the attachments but are briefly outlined below.

#### Wetlands Heritage Trail

The Trail was officially opened on Sunday 17 January in Hyde Park. The trail stretches across 7km from Charles Veryard to Banks Reserve. Its rollout is ongoing and will form an exciting infrastructure backbone for physical activity, nature, heritage and cultural appreciation.

The Trail opening provided the opportunity to launch the Wild Wetlands program which encourages families and community members to be active in their local parks. This program was supported with a grant of \$29,550 from the Department of Environment and Conservation. The launch was opened with a traditional Welcome to Country and Smoking Ceremony. There were displays from a range of community groups and activities including reptile handling, aboriginal story telling, stone painting, bird and local history walks. The Wild Wetlands program continued with activities in the Autumn School Holidays

#### Outdoor Gym Equipment

At the Ordinary Meeting of Council 11 August 2009 the purchase and installation of Outdoor Exercise Equipment was approved. This positioning and installation of the equipment was in line with recommendations made from the Physical Activity Strategic Plan and to date equipment has been installed in the following areas:

- Hyde Park – 10 items of Life Trail Equipment, this equipment targets increasing physical activity and wellness in older adults;
- Charles Veryard Reserve – 2 items Outdoor Gym Equipment;
- Beatty Park Reserve – 2 items Outdoor Gym Equipment;
- Les Lilleyman Reserve – 2 items Outdoor Gym Equipment; and
- Forrest Park – 2 items of Outdoor Gym Equipment.

Placement for additional gym equipment is identified in Attachment 9.3.2A.

#### Recreation Facility Upgrades

Redevelopment of Britannia Reserve Clubrooms to meet the needs of the local community. This included the creation of additional secure storage, the rationalisation of the changing rooms and the enhancement of the kitchen, toilets and club room. Also a large patio was added to provide a sheltered spectator area. An upgrade was made to the adjacent playground transforming this into a family friendly facility. There is currently a consultation process underway for the Britannia Reserve Masterplan.

Forrest Park Pavilion has recently been redeveloped and completed to ensure that there is adequate space to accommodate the range of sporting and community requirements undertaken on the reserve. This has resulted in two change rooms, a small club area and refurbished playgroup facilities. Outdoor gym equipment, signage and additional lighting has been installed to enhance the informal use of the reserve for activities such as dog walking.

### Playground Upgrade Programme

Playgrounds have been upgraded in line with the Playground Upgrade Programme along with the implementation of the Electric Barbeque Upgrade Programme that has installed and replaced barbeques in local parks. The refurbishment of Hyde Park playground is underway and will provide a state of the art accessible playground when completed.

These programmes provide ongoing opportunities to encourage people to be physically active and appreciate the natural environment of their local parks.

### **CONSULTATION/ADVERTISING:**

Extensive consultation was undertaken for the Physical Activity Strategic Plan and ongoing projects will incorporate input from key stakeholders.

### **LEGAL/POLICY:**

As strategies are initiated there may be policy changes required.

### **STRATEGIC IMPLICATIONS:**

Strategic Plan 2009 - 2014, Objectives

- “1.1 *Improve and maintain the environment and infrastructure:*
  - 1.1.5 *Enhance and maintain parks, landscaping and community facilities:*
    - (b) *Continue to implement infrastructure improvements for public open space, including the Wetlands Heritage Trail and the Greenway Plan.*
- 3.1 *Enhance community development and wellbeing*
  - 3.1.1 *Celebrate and acknowledge the Town’s cultural and social diversity*
    - (h) *Deliver a range of leisure programs to encourage structured and unstructured recreation in the community.”*

### **SUSTAINABILITY IMPLICATIONS:**

The initiatives highlighted are in line with the Sustainable Environment Plan 2007 – 2012.

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

An amount of \$17,000 is allocated in the 2010/11 Budget to continue the strategies of the Physical Activity Strategic Plan.

### **COMMENTS:**

The Physical Activity Strategic Plan is being implemented in an ongoing manner. The installation of freely accessible fitness options through the Wetlands Heritage Trail and Outdoor Gym Equipment will give access to new physical activity options to a broad cross section of the community.

The ongoing upgrade of playground equipment and barbeques will provide improved play spaces for families and children across the Town.



**9.3.6 Beatty Park Leisure Centre Redevelopment - Progress Report No. 3**

<b>Ward:</b>	South	<b>Date:</b>	30 November 2010
<b>Precinct:</b>	Smith Lakes	<b>File Ref:</b>	CMS0003
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	M Rootsey, Director Corporate Services		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council:*

- (i) **RECEIVES** Progress Report No. 3 as at 30 November 2010 concerning the Redevelopment Plans of the Beatty Park Leisure Centre; and
- (ii) **NOTES** that the various Business Cases and Financial information will be presented to the December Forum 2010.

**COUNCIL DECISION ITEM 9.3.6**

**Moved Cr Maier, Seconded Cr Buckels**

*That the recommendation be adopted.*

Debate ensued.

**MOTION PUT AND CARRIED (9-0)**

**PURPOSE OF REPORT:**

To provide an update on the progress of the Beatty Park Leisure Centre Redevelopment.

**BACKGROUND:**

At the Ordinary Meeting of Council held on 28 September 2010 the Council resolved the following:

*“That the Council;*

- (i) **APPROVES:**
  - (a) *of the revised Concept Plans for the Beatty Park Leisure Centre Redevelopment as shown in Appendix 9.3.4A;*
  - (b) *of a Staged Redevelopment of Beatty Park Leisure Centre as follows;*
    - 1. *Stage 1: May 2011 – October 2012*  
*New Extension, Geothermal Energy System, new 50 metre Outdoor Pool, Plant Room and associated equipment Upgrade;*
    - 2. *Stage 2: 2012 – 2013 financial year*  
*Car park Upgrade, associated landscaping and refurbishment of existing Gymnasiums;*

3. Stage 3: 2013 – 2014 financial year  
*New outdoor Learner’s Pool, replacement of the indoor Water Slide, Spa area Renovation and upgrade of dive pool;*
  4. Stage 4: 2014 – 2015 financial year  
*Upgrade Grandstand/Heritage works;*
- (c) *of the installation of a Geothermal Energy System for heating of water at the Beatty Park Leisure Centre; and*
- (d) *the revised Timeline for the redevelopment, as outlined in this report;*
- (ii) *AUTHORISES the Chief Executive Officer to:*
- (a) *call an expression of interest for a consortium or consultant to project manage the installation of the Geothermal process, including the engagement of Drilling Contractors to undertake the work for the Geothermal process and installation of the necessary plant equipment. The expression of interest should invite the tenderer to present any other viable alternative implementation models (to include cost/benefit analysis) to that proposed by Council (e.g. external party funded, designed, built and operated rather than Council funded and operated); and*
  - (b) *instruct the project Architect to:*
    - (1) *prepare working drawings, detailed specifications and tender documentation for the Redevelopment; and*
    - (2) *ensure the final design represents Best Practice in environmentally sustainable design and/or construction, with reference to Green Building Council Australia categories of assessing the environmental impact of a building and providing corresponding initiatives that improve or have the potential to improve the environmental performance of the building (applied principally to the new extension, but examining opportunities to retro fit within the existing building where works are planned to take place);*
- (iii) *NOTES:*
- (a) *the detailed Business Case and associated Financial Reports as summarised in this report and ‘Laid on the Table’ as Confidential “Commercial-in-Confidence” documents; and*
  - (b) *that a report will be submitted to the Council in November 2010 on the options to stage, together with corresponding timelines, and fund the Project, including options for the allocation of the upfront offer payment (\$5 million) and annual fees funds, which may be received from the State Government for the long term lease of nib Stadium. The stage options to be presented will include:*
    - (1) *the recommended staging plan in the report to the Council in the Agenda for the Ordinary Meeting of Council of 28 September 2010;*
    - (2) *an option with the new extension and refurbishment of the Administration and Entrance commencing in 2012 instead of 2011; and*
    - (3) *an option with the installation of the new outdoor 50 metre x 10 metre lane pool commencing in 2012 instead of 2011;*

- (iv) *REQUESTS a meeting with the Federal Minister of Infrastructure and Transport in regard to funds required urgently for works needed for the continued operation of the aquatic facility originally built for the 1962 Commonwealth Games. This request will be made by the Mayor on behalf of Council and the Vincent community and follows an original letter sent by the Chief Executive Officer on 29 July 2010;*
- (v) *REQUESTS that the Chief Executive Officer update the Business Case and associated Financial Reports to provide separate business cases for:*
- (a) *installation of the geothermal unit plus plant;*
  - (b) *new extension/refurbished administration/entrance; and*
  - (c) *the other items listed in Stages 1A and 1B; and*
- (vi) *REQUESTS the Chief Executive Officer includes projections if membership does not reach 3,500 (e.g. memberships of 2,500 and 3,000)."*

#### **DETAILS:**

##### **Business Case and Additional Financial Information**

The Director Corporate Services has prepared the requested project timing scenarios, business cases and financial estimates.

However, due to the large volume of material that this request has produced (to date there are over a hundred pages of appendices) the Chief Executive Officer is of the opinion that it would be more beneficial to present this information in the first instance to a Council Forum. This will enable the information to be more clearly explained and for Council Members to absorb the information prior to making decision when the material is presented to the Council.

It is therefore proposed that the information be presented at the December Forum on 14 December 2010. The information would then be reported to Council at the Ordinary Meeting of Council 8 February 2011.

#### **Tenders**

##### Provision of Consultant Services:

The tender for the Provision of Consultant Services – Beatty Park Leisure Centre Redevelopment closed on 27 October 2010 with a total of 32 submission received by 17 tenderers.

The Council approved the Consultants for the Beatty Park Leisure Centre Redevelopment at the Ordinary Meeting of Council held on 9 November 2010.

The Council adopted the following recommendation:

*“That the Council ACCEPTS the following tenders as being the most acceptable and advantageous to the Town for the provision consultant services for the Redevelopment of the Beatty Park Leisure Centre:*

- (i) *Quantity Surveyor Services  
Rawlinsons (WA) Quantity Surveyors & Construction Cost Consultants, at a cost of \$121,000 (including GST);*

- (ii) Structural/Civil Engineering Services  
*BPA Engineering Pty Ltd, at a cost of \$95,700 (including GST);*
- (iii) Mechanical Engineering Services  
*Norman Disney & Young (NDY), at a cost of \$40,493.20 (including GST);*
- (iv) Electrical Engineering Services  
*Norman Disney & Young (NDY), at a cost of \$32,279.50 (including GST);*
- (v) Hydraulic Services  
*Norman Disney & Young (NDY), at a cost of \$27,397 (including GST);*
- (vi) Environmental and Acoustic Services  
*Norman Disney & Young (NDY), at a cost of \$18,755 (including GST);*
- (vii) Pool Engineering Services  
*AVP Commercial Pools, at a cost of \$41,250 (including GST);”*

The project architect held a preliminary meeting with the consultants on the 30 November 2010, followed by an onsite meeting on 1 December 2010 in order for them to familiarise themselves with the project and complexities of the work.

#### Hydrological Consultant:

The tender for the Provision Hydrological Consultant Services Pool and Space Heating – Beatty Park Leisure Centre Redevelopment closed on 1 December 2010. At the time of writing this report, ten (10) tender documents had been collected, indicating a strong interest in the matter.

#### **Working Drawings**

It was intended that the revised working drawings would be reported at the Ordinary Meeting of Council held on 21 December 2010 for approval.

However in regard to the working drawings, the Project Architect has advised the following:

*“Due to the need to investigate the environmental/sustainability issues and other request from the Council, which has resulted in an additional scope of works, the Working Drawings/Construction Tender plans will not be finalised until mid/late January 2011.”*

Accordingly, it is now aimed to submit a report on the final working drawings to the Ordinary Meeting of Council 8 February 2011.

#### **Meeting with Federal Minister of Infrastructure and Transport**

As resolved at the Ordinary Meeting of Council 28 September 2010, the Town has requested a meeting with the Federal Minister of Infrastructure and Transport to discuss the funds urgently required for the Beatty Park Leisure Centre redevelopment. The requested is being progressed by the Federal Member for Perth, Stephen Smith.

At the time of preparing this report the Town has yet to receive a response.

**CONSULTATION/ADVERTISING:**

The current concept plans are displayed at the Town's Administration Centre, the Beatty Park Leisure Centre and the Town of Vincent Library.

**LEGAL/POLICY:**

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

Beatty Park Leisure Centre is registered on the State Heritage List.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2009-2014 Strategic Objectives: Natural and Built Environment:

*"1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainably and functional environment:*

*(i) Implement the redevelopment of the Beatty Park Leisure Centre".*

**SUSTAINABILITY IMPLICATIONS:**

The Council has resolved to ensure that the final design represents Best Practice in environmentally sustainable design and/or construction with reference to Green Building Council Australia categories of assessing the environmental impact of a building and providing corresponding initiatives that improve or have the potential to improve the environmental performance of the building (applied principally to the new extension, but examining opportunities to retro fit within the existing building where works are planned to take place).

**FINANCIAL/BUDGET IMPLICATIONS:**

The estimates cost for Stage 1A and 1B remains at \$14m. The project architect has advised that current the construction market is very competitive which has resulted in recent tenders being awarded at a discount to the estimated price. It is therefore important that the tender for this project is finalised before this current climate changes due to a more buoyant market.

**COMMENTS:**

This report has indicated a minor delay in the presentation of the final working drawings and the different financial scenarios requested. However the Town's Administration is confident that project will be able to commence in accordance with the timeline specified for Stage 1 and 1B as outlined in the report presented to the Council on the 28 September 2010.

**9.4.2 Delegated Authority – 2010-2011 Council Recess Period**

<b>Ward:</b>	-	<b>Date:</b>	26 November 2010
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0018
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	A Radici, Executive Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council APPROVES BY AN ABSOLUTE MAJORITY, pursuant to Section 5.42 of the Local Government Act 1995 to delegate authority to the Chief Executive Officer to deal with any items of business that may arise from 22 December 2010 to 7 February 2011, subject to:*

- (i) the action taken being in accordance with the Officer recommendation;*
- (ii) the Chief Executive Officer being authorised to make minor amendments to the Officer Recommendation which may be necessary, as a result of responses received from Council Members;*
- (iii) reports being issued to all available Council Members for a period of three (3) days prior to approval and a simple majority of the responses received be accepted;*
- (iv) items being displayed in the Town of Vincent Administration Centre, the Library and on the Town's website for a period of three (3) days prior to approval;*
- (v) a report summarising the items of business dealt with under delegated authority being submitted for information to the Council at its meeting to be held in February 2011; and*
- (vi) a Register of Items Approved under Delegated Authority being kept and made available for public inspection during the period that the delegation applies.*

**COUNCIL DECISION ITEM 9.4.2**

**Moved Cr Farrell, Seconded Cr Burns**

*That the recommendation be adopted.*

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

**PURPOSE OF REPORT:**

To obtain the Council's approval for Delegated Authority to deal with matters during the Council recess period 2010-2011.

**BACKGROUND:**

The Council will be in recess from 22 December 2010 to 7 February 2011. Therefore, it will be necessary to make arrangements to enable items of business that may arise during that period to be dealt with. This procedure has operated satisfactorily in previous years and is identical to that which operated during the 2009-2010 recess period.

**CONSULTATION/ADVERTISING:**

Whilst there is no statutory requirement to do so, items being processed under delegated authority will be advertised for a period of three (3) days.

**LEGAL/POLICY:**

The Local Government Act 1995 states:

*“Delegation of some powers and duties to CEO  
5.42(1) A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act (other than those referred to in section 5.43 and this power of delegation).”*

Matters requiring an Absolute Majority decision of the Council cannot be approved under Delegated Authority.

**STRATEGIC IMPLICATIONS:**

This is in keeping with the Town’s Strategic Plan 2009-2014 - Objective 4 – *“Leadership, Governance & Management and 4.1.2 – Manage the organisation in a responsible, efficient and accountable manner”*.

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

The Council is in recess from 22 December 2010 until 7 February 2011. A Council resolution is required to approve of matters which may arise under delegated authority (other than those matters which require an Absolute Majority decision).

In keeping with the Council’s philosophy of providing a high standard of customer service, it is appropriate to continue processing ratepayer requests and development applications. Where possible, these should be determined as soon as practicable, in order to minimise any delays or inconvenience.

In keeping with the Town’s previous practice, reports will be issued to all available Council Members for a period of three (3) days, (usually on a Thursday evening). The reports will be placed on the Town’s webpage on the Friday (usually by midday). Responses from Council Members are required to be received by the Chief Executive Officer by midday on the Monday (following issue). The item will be processed if a simple majority of the written responses received is achieved. The procedure is identical to that which was approved for the 2009-2010.

It is therefore recommended that the Council approve of the arrangements to be made to deal with items of business that may arise during the 2010-2011 recess period.

**9.4.3 Community Consultation Policy No. 4.1.5 – Amendments**

<b>Ward:</b>	Both Wards	<b>Date:</b>	26 November 2010
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA0116
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	Various		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council APPROVES BY AN ABSOLUTE MAJORITY the amendments to Policy No. 4.1.5 relating to “Community Consultation” and associated Guidelines and Policy Procedures, as shown in Appendix 9.4.3.*

**COUNCIL DECISION ITEM 9.4.3**

**Moved Cr Farrell, Seconded Cr Maier**

*That the recommendation, together with the following changes, be adopted:*

*“That new clauses (ii), (iii) and (iv) be inserted as follows:*

*That the Council:*

- (i) APPROVES BY AN ABSOLUTE MAJORITY the amendments to Policy No. 4.1.5 relating to “Community Consultation” and associated Guidelines and Policy Procedures, as shown in Appendix 9.4.3;*
- (ii) ADVERTISES the policy for a period of twenty-one days, seeking public comment;*
- (iii) after the expiry of the period of submissions:
  - (a) REVIEWS the Draft Policy No. 4.1.5 – “Community Consultation” having regard to any written submissions; and*
  - (b) DETERMINES to proceed with, or not to proceed with, the Draft Policy No. 4.1.5 – “Community Consultation”, with or without amendment; and**
- (iv) AUTHORISES the Chief Executive Officer to include the above policy in the Town’s Policy Manual if no submissions are received from the public.”*

Debate ensued.

**AMENDMENT NO 1**

**Moved Cr Maier, Seconded Cr Buckels**

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

- “(i) APPROVES BY AN ABSOLUTE MAJORITY the amendments to Policy No. 4.1.5 relating to “Community Consultation” and associated Guidelines and Policy Procedures, as shown in Appendix 9.4.3, subject to Clause 12.2(2) of the Policy being reinstated.”*



**Debate ensued.**

**Cr Burns suggested that consideration of this Item be suspended to allow more time for her to submit an alternative amendment.**

**The Presiding Member, Mayor Nick Catania agreed with this suggestion.**

**PROCEDURAL MOTION**

**Moved Cr Farrell, Seconded Cr Lake**

***That Item 9.4.3 be DEFERRED until later in the Meeting to allow time for Cr Burns to present an alternative amendment.***

**PROCEDURAL MOTION PUT AND CARRIED (9-0)**

**\*Note: This Item was recommitted later in the meeting. Refer to page 129.**

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**9.4.4 New Policy No. 1.1.8 – “Public Art – Murals”**

<b>Ward:</b>	Both	<b>Date:</b>	15 November 2010
<b>Precinct:</b>	All	<b>File Ref:</b>	CMS0025
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	R Gunning, Arts Officer J Anthony, Manager Community Development		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council:*

- (i) **APPROVES BY AN ABSOLUTE MAJORITY** new Policy No. 1.1.8 – “Public Art - Mural” as shown in Appendix 9.4.4; and
- (ii) **ADVERTISES** the policy for a period of twenty-one days, seeking public comment;
- (iii) **after the expiry of the period of submissions:**
  - (a) **REVIEWS** the Draft Policy No. 1.1.8 – “Public Art – Murals” having regard to any written submissions; and
  - (b) **DETERMINES** to proceed with, or not to proceed with, the Policy No. 1.1.8 – “Public Art – Mural”, with or without amendment; and
- (iv) **AUTHORISES** the Chief Executive Officer to include the above policy in the Town’s Policy Manual if no submissions are received from the public.

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**COUNCIL DECISION ITEM 9.4.4**

**Moved Cr Lake, Seconded Cr Maier**

*That the recommendation be adopted.*

Debate ensued.

**PROCEDURAL MOTION**

**Moved Cr Lake, Seconded Cr Maier**

*That the item be DEFERRED and referred to the Art Advisory Group for consideration.*

**PROCEDURAL MOTION PUT AND CARRIED (9-0)**

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**PURPOSE OF REPORT:**

To obtain Council’s approval to adopt a new Policy relating to “Public Art – Murals”.

**BACKGROUND:**

In the Strategic Plan 2009-2014, under Strategies and Action Plans 1.1.4(g) it states:

*‘Develop a policy and mechanisms to encourage public art and/or beautification on blank walls-both public and private properties.’*

**DETAILS:**

The Strategic Plan 2109-2014 strategy and action plan 1.1.4 has been proposed as a response in part to the growing trend of mural art to be placed on private walls within the Town that can be publicly viewed. It was considered that a policy and appropriate mechanisms be developed to review, approve, register and monitor such artwork. The approval process would ensure artwork would conform to appropriate community standards (see Public Murals Guidelines for Applicants).

The register would be an acknowledgement for the owner that the Mural is considered a permanent artwork and not to be removed or vandalised. The register would also allow the Town to monitor the murals and alert the owner if maintenance is needed. Maintenance and any associated costs would always be the responsibility of the owner.

The policy would also provide a process for the Town to develop murals on some of its blank walls.

**CONSULTATION/ADVERTISING:**

New policies are advertised for a period of twenty one (21) days.

**LEGAL/POLICY:**

Nil.

**STRATEGIC IMPLICATIONS:**

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

*3.1.1 Celebrate and acknowledge the Town's cultural and social diversity.*

**SUSTAINABILITY IMPLICATIONS:**

The approval process would consider the durability and sustainability of all materials proposed.

**FINANCIAL/BUDGET IMPLICATIONS:**

All financial responsibilities would rest with the owner of the private mural. Any murals planned on spaces which are owned by the Town will be budgeted for annually.

**COMMENTS:**

In recent times there has been an increased interest in public murals, not only due to their aesthetic qualities but also as a productive way of deterring unwanted defacement of walls.

The Public Art – Murals Policy will encourage more people to consider the option of wall murals by providing a clear set of processes for their production as well as support by monitoring maintenance. The policy will promote a considered approach to public murals by implementing a thorough review process ensuring the best possible outcome for all such projects.

**9.4.5 Local Government Managers' Australia (LGMA) National Congress and Business Expo 22 to 25 May 2011 - Cairns Convention Centre, Cairns**

<b>Ward:</b>	-	<b>Date:</b>	29 November 2010
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0031
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	John Giorgi, Chief Executive Officer		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council APPROVES the Chief Executive Officer and up to one (1) Council Member ....., to attend the Local Government Managers' Australia (LGMA) National Congress and Business Expo to be held at the Cairns Convention Centre, Cairns from 22 to 25 May 2011 at an estimated cost of \$3,962 for the Chief Executive Officer and \$4,462 for the Council Member.*

**Moved Cr Topelberg, Seconded Cr Farrell**

*That the recommendation be adopted.*

Debate ensued.

The Presiding Member, Mayor Nick Catania called for nominations.

No nominations were received.

**MOTION PUT AND CARRIED (9-0)**

**COUNCIL DECISION ITEM 9.4.5**

*That the Council APPROVES the Chief Executive Officer to attend the Local Government Managers' Australia (LGMA) National Congress and Business Expo to be held at the Cairns Convention Centre, Cairns from 22 to 25 May 2011 at an estimated cost of \$3,962.*

**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council's approval for the Chief Executive Officer, John Giorgi, and up to one (1) Council Member to attend the Local Government Managers' Australia (LGMA) National Congress and Business Expo to be held at the Cairns Convention Centre, Cairns from 22 to 25 May 2011.

**BACKGROUND:**

The theme for the 2011 LGMA National Congress and Business Expo is "Best Practice to Next Practice". The Congress and Business Expo will be held at the Cairns Convention Centre from 22 - 25 May 2011.

The Congress will explore how local government leaders in Australia have developed innovative and cutting edge solutions to some of the sector's most pressing issues whilst still navigating restraint in their communities.

A comprehensive list of keynote speakers will present their innovative case studies under three central themes:

- Attraction and retention
- Financial sustainability and infrastructure, and
- Population growth and community.

A copy of the conference programme is attached at Appendix 9.4.5 and electronic Attachment 001.

**DETAILS:**

**Leederville Masterplan Presentation**

The Chief Executive Officer has been selected to present a paper on the Leederville Masterplan under the stream of "*Financial Sustainability and Infrastructure*". One hour has been allocated on Day 1. In recognition of his presentation, a discount of \$500 is provided against the Member Registration Fee.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

**Council's Policy 4.1.15** - "*Conferences & Training - Attendance, Representation, Travel & Accommodation Expenses and Related Matters*" Clause 1.1(i) states:

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

The Contract of Employment for the Chief Executive Officer entitles him to attend one interstate conference per financial year. The Chief Executive Officer is a Fellow of the LGMA – WA Division.

**Previous Attendance**

The Chief Executive Officer has previously attended a National Conference of the LGMA in 2006 (Perth), where he also presented a paper on "*Risk Management*" and prior to that, in 2004 in Melbourne.

**STRATEGIC IMPLICATIONS:**

In keeping with the Town's Strategic Plan 2009-2014 – Objective 4.2 - "*Provide a positive and desirable workplace*", in particular, 4.2.4 - "*Attract and retain quality employees and encourage career development*".

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

	<b>Member</b> <i>(Conference Speaker)</i>	<b>Non- Member</b>
Accommodation (5 nights @ \$259 per night)**	\$1,295	\$1,295
Early Bird Registration*	*\$1,275	#\$1,775
Economy Airfare (approx. cost)	\$750	\$750
Expense allowance (6 days @ \$107 per day)**	\$642	\$642
	\$3,962	\$4,462

\* *Discounted Registration - Conference Speaker*

# *Non-member - \$1,775*

\*\* *As per Council Policy No. 4.1.15*

**COMMENTS:**

This conference provides an excellent opportunity to promote the Town of Vincent at a national level, amongst the local government professionals and council members. It also provides an excellent opportunity to gain the latest information and to network with counterparts in Australia, New Zealand and international delegates.

It is recommended that approval be granted for the Chief Executive Officer and up to one (1) Council Member to attend.

**9.4.6 Local Government Structural Reform – Proposed Amendments to Local Government Act – Progress Report No. 8**

<b>Ward:</b>	-	<b>Date:</b>	29 November 2010
<b>Precinct:</b>	-	<b>File Ref:</b>	ORG0031
<b>Attachments:</b>	-		
<b>Reporting Officer:</b>	John Giorgi, Chief Executive Officer		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council;*

(i) **NOTES:**

- (a) *the proposed changes to the Local Government Act 1995, as part of the Structural Reform process; and*
- (b) *the progress of Local Governments concerning amalgamations, Regional Transition Groups and Regional Collaborative Groups, as detailed in this report; and*

(ii) *ADVISES the Western Australian Local Government Association (WALGA) of its responses, as detailed in this report.*

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Cr Buckels departed the Chamber at 8.30pm.

**COUNCIL DECISION ITEM 9.4.6**

**Moved Cr Maier, Seconded Cr Topelberg**

*That the recommendation be adopted.*

Debate ensued.

Cr Buckels returned to the Chamber at 8.31pm.

Debate ensued.

**PROPOSED AMENDMENT**

**Moved Cr Maier, Seconded Cr .....**

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

*“(ii) ADVISES the Western Australian Local Government Association (WALGA) of its responses, as detailed in this report subject to the response to Question 5 being altered to indicate that the Town supports the Minister's proposal.”*

**PROPOSED AMENDMENT LAPSED FOR WANT OF A SECONDER**

Debate ensued.

Cr McGrath departed the Chamber at 8.34pm.

Debate ensued.

Cr McGrath returned to the Chamber at 8.36pm.

Debate ensued.

**MOTION PUT AND CARRIED (9-0)**

**PURPOSE OF REPORT:**

The purpose of this report is to update the Council of the progress concerning the Local Government Structural Reform in Western Australia and to respond to the WALGA Survey concerning proposed amendments to the Local Government Act 1995.

**BACKGROUND:**

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

**DETAILS:**

At the Ordinary Meeting of Council held on 28 September 2010 the Council considered this matter and resolved as follows:

*"That the Council:*

(i) *RECEIVES:*

(a) *the Progress Report No. 7 as at 22 September 2010 concerning Local Government Structural Reform and Local Government Reform Steering Committee Report dated May 2010 (tabled in Parliament on 16 September 2010) as 'Laid on the Table' and electronically attached (Appendix 9.4.4A) and as outlined in this report; and*

(b) *the Report Executive Summary, as shown in Appendix 9.4.4B; and*

(ii) *NOTES that further reports will be submitted once the report has been further researched."*

**Proposed Local Government Act Amendments - Survey**

WALGA wrote to all local governments on 26 November 2010 seeking a response to a questionnaire, as follows;

The Minister for Local Government has invited the sector to comment on a number of proposed amendments to the Local Government Act 1995. The latest amendments to the Act occurred with the introduction of the Local Government (Official Conduct) Amendment Act 2007 and the proclamation of the Local Government Amendment Act 2009.

WALGA welcomes this opportunity to provide comment prior to preparation of the drafting instructions and appreciates the influence this consultation process will have in developing amendments to the Local Government Act 1995.

It is therefore of some consequence that this consultation process results in a strong response from the Local Government sector to ensure comments and feedback are representative of the majority of Local Governments.

The Association requests that your Council gives formal consideration to the following proposals and provide comment by way of a Council resolution, and inform WALGA **by 7 January 2011.**



**Question 1: Reducing Elected Members to between six and nine**

Minister's Proposal:

*As part of the reform process, local governments were asked by the Minister for Local Government to consider reducing the number of elected members to between six and nine. The rationale is that a smaller number of elected members will encourage greater competition for positions on Council and contribute to a more strategic decision-making focus by councils. Fifty one local governments have committed to reducing the number to the range requested. Sixty one local governments already have Councillor numbers in this range.*

*It is proposed that section 2.17 of the Act be amended to reduce the number of elected members to between six and nine. Despite the new permitted range, local governments may continue with existing elected member numbers for up to an eight year period from the October 2011 elections. This will be for two full electoral terms. If they have not made the changes by then, the Local Government Advisory Board would take the action as set out in Schedule 2.1, Clause 6.(3) to implement the necessary change for the 2019 elections.*

WALGA Comment:

The Association has expressed to the Minister on a number of occasions, the continual opposition of this recommendation by the Local Government sector, most recently with the State Council resolving on 12 October 2010:

*"That WALGA;*

- c. Oppose the Local Government Reform Steering Committee Report recommendation 8 concerning prescribing the number of Elected members to between 6 and 9."*

The reduction in the numbers to this extent would require Elected Members in large metropolitan Councils to become full time Councillors. A significant number of Local Governments have provided the Association with reasoned arguments explaining the detrimental nature of this one size fits all approach.

It has been suggested the Minister engage the Department of Local Government in researching the benefits of this proposal in greater detail, and provide to the sector similarly reasoned arguments in support of this proposal.

Town of Vincent's Position:

The Town of Vincent currently has nine (9) Council Members - a Mayor elected by the electors and eight (8) Councillors. The current number of Elected Members is within the prescribed range of between six and nine, as recommended by the Minister.

At the Ordinary Meeting of Council held on 22 September 2009, the Council considered this matter and resolved as follows;

*"The Town of Vincent DOES NOT SUPPORT a reduction in the number of Elected Members (at the Town of Vincent) for the following reasons:*

- (a) the Council's current number of nine Elected Members is within the prescribed range of between six and nine as recommended by the Minister;*
- (b) the number of electors and community members served by each Elected Member is considered appropriate and manageable;*

- (c) *any reduction in the current number of Elected Members would result in an unreasonable increase in workload for individual Elected Members;*
- (d) *the current number of nine allows for a greater diversity of Elected Members from the Town of Vincent community;*
- (e) *a reduction in Elected Members would make it easier for 'decisions' to be made outside of the formal meeting process;*
- (f) *a reduction in Elected Members would increase the potential for a small interest group to control the Council;*
- (g) *consideration of the community submissions favouring 'no change'; and*
- (h) *the miniscule cost savings which would be achieved in a reduction from nine."*

The Town is not affected by this matter. However, it is recommended that the Town should **support** WALGA's request for the Minister to engage the Department of Local Government in researching the benefits of this proposal in greater detail, and provide to the sector similarly reasoned arguments in support of this proposal.

## **Question 2: Salaries and Allowances Tribunal to set the fees for Elected Members**

### Minister's Proposal:

#### Elected Members

*At present, the head of power for the setting of elected member fees and allowances is provided under the Act and monetary values are prescribed in Regulations. The Governor approves the setting or amending of these fees and allowances on a recommendation by the Minister for Local Government. Elected member meeting fees have only been amended twice since 1996 and, in both cases, in line with changes to the Consumer Price Index.*

*It is proposed that the responsibility for the setting of the dollar values for elected member fees and allowances be transferred to the Salaries and Allowances Tribunal, through amendment to the Act and the Salaries and Allowances Tribunal Act 1975. The approach envisaged would be for the Tribunal to provide its advice to the Minister for Local Government, who will then have the final decision about whether the fees and allowances are adopted.*

*The 2006 Local Government Advisory Board's report into Structural and Electoral Reform, as well as the 2008 WALGA Sustainability Study, both recommended that the Salaries and Allowances Tribunal be responsible for the setting of elected member fees.*

*Providing for an independent body to set the value of fees and allowances for local government elected members will bring the approach into line with that already in place for State Members of Parliament. In addition, other States have independent tribunals established to set fees and allowances for local government members.*

*The Minister for Local Government will also retain responsibility for the types of fees, allowances and expenses that elected members can be paid or reimbursed and the circumstances in which they are made.*

Chief Executive Officers (CEOs)

*At present, the Tribunal has a statutory role in making recommendations as to the remuneration to be paid or provided to local government CEOs. These recommendations are to be taken into account by the local government before entering into, or renewing, a contract of employment with a CEO.*

*It is proposed that the legislation be amended so that local governments are required to ensure the salaries of their CEOs are set within the salary bands recommended by the Tribunal. Similar to that for elected members, the approach envisaged would be for the Tribunal to provide its advice to the Minister for Local Government, who will then have the final decision about whether the salary bands are adopted.*

WALGA Comment:

*Elected Members – It is pleasing to note that the setting of remuneration levels for Elected Members by the Salaries and Allowances Tribunal has not been linked to the State Government's plan to reduce elected members.*

The Association has advocated on this issue since 2004 and reaffirmed this advocacy when State Council considered this matter in light of the 2006 Local Government Advisory Board (LGAB) Report on Structural Reform, subsequently resolving:

That recommendation 1.35 of the Local Government Advisory Board report be supported and that the State Government be requested to amend the Local Government Act 1995 accordingly to achieve the following outcome:

*“That the Western Australian Salaries and Allowances Tribunal be given the responsibility for establishing the range of fees and allowances for elected members, with each Local Government having the ability to set a fee within this range. The Tribunal also be required to update the fees and allowances on an annual basis.*

- (a) That the State Government be requested to amend the Local Government Act accordingly;*
- (b) In the event the Local Government Act 1995 is amended as per the Association's advocacy:*
  - i. that the question of the quantum and extent of Councillor Fees and Allowances be sought from other states with a view of presenting this to the Western Australian Salaries and Allowances Tribunal to support any Association submission on this subject; and*
  - ii. that targeted research be undertaken on Councillor responsibilities, level of control and work values, so that these can be extrapolated as industry averages and provided to the Tribunal in further support of any Association submission.”*

*Chief Executive Officers (CEOs) – This is a recent addition by the Minister to the Local Government Act amendment proposals and did not feature in the Local Government Reform Steering Committee Report recommendations. WALGA takes a view that Local Governments should retain the general competence power to determine appropriate remuneration levels for their key executive.*

Town of Vincent's Position:

It is recommended that the Town **supports** WALGA's position concerning the setting of fees for Elected Members by the Western Australian Salaries and Allowances Tribunal and they being given responsibility to set the range, with each local government having the ability to set a fee within the recommended range.

It is recommended that the Town **supports** WALGA's proposal "*that Local Governments should retain the general competence power to determine appropriate remuneration levels for their key executive.*"

**Question 3: New mechanism for the temporary suspension of a Council**

Minister's Proposal:

*The Department delivers both proactive and reactive assistance and support to Councils to aid them in providing good governance to the people of its district. However, on occasion, division and conflict between Council members, and between Council Members and the administrative officers, arises leading to Councils becoming dysfunctional.*

*Section 8.19 of the Act provides for the suspension of a Council, however, this only applies where an Inquiry Panel is appointed by the Minister to inquire and report on a local government's operation or affairs within six months of the suspension. The operation of Inquiry Panels has been found to be effective in dealing with serious and systemic governance issues. However, because the Inquiry process can recommend dismissal of a council, it involves a process that is necessarily exhaustive, and correspondingly time consuming and costly. It is estimated that a Panel Inquiry would cost approximately \$1-1.5 million. It is not viewed as being an appropriate mechanism to deal with the type of situations outlined above.*

*Section 8.15(2) of the Act also provides for a council to be suspended in circumstances where the council has not complied with an order made with respect to the recommendations of an Authorised Inquiry that is conducted pursuant to section 8.3 of the Act. Although less costly and time consuming than a Panel Inquiry, an Authorised Inquiry still typically takes between 6 – 12 months from commencement to completion. As a consequence, an Authorised Inquiry does not provide an immediate response to issues that are detrimentally affecting the operation of the local government.*

*It is proposed that Part 8 of the Act be amended to provide an alternative mechanism for the Minister to utilise where the Minister becomes aware of significant issues that he or she believes may lead to a breakdown in the effective decision making process of an elected Council. This mechanism will allow for the suspension of a Council and the appointment of a Commissioner to act on behalf of the Council for a maximum period of six months. Prior to the end of this period, the Minister would decide whether to reinstate the Council or to keep it suspended and establish a Panel Inquiry, as required by section 8.19 of the Act.*

*This new approach is considered to provide a circuit breaker to allow the issues that have arisen to be quickly resolved by the Commissioner and for the Council to be reinstated. The addition of an alternative 'issue resolution' process will enable the Minister to choose the most practical 'suspension' mechanism for each specific circumstance.*

*Once the Minister becomes aware of a dysfunctional Council, the suspension powers would operate in the following manner. The Minister would request the Department of Local Government to carry out an assessment and provide a report on the issues about a local government that have been brought to his or her attention. Based on this information, the Minister would then decide whether to take any action and, if so, whether the new suspension power would be utilised, or a Panel Inquiry held.*

*If this new suspension power was used, the Council would be issued a 'notice of intent to suspend' by the Minister and be given a period of 21 days to respond to this notice. If the Minister chose to carry through with the intention to suspend, a Commissioner would be appointed and the elected members of council temporarily suspended for a period of no more than six months. Elected members would continue to receive their meeting allowance.*

*Prior to the end of the six month suspension, the Minister would either reinstate the Council, or appoint an Inquiry Panel in line with the current section 8.19 of the Act.*

*In summary, Part 8 would require amendment to incorporate the following steps:*

- (a) The Minister issues the Council with a notice of intention to suspend due to issues arising that the Minister believes may lead to a breakdown in the effective decision making process of an elected Council;*
- (b) The Council will have a period of 21 days in which to respond to the Minister's notice detailing the Minister's reasons for providing a notice of intention to suspend;*
- (c) The Minister would give serious consideration to the reasons provided and determine whether the council should be suspended;*
- (d) If the Minister decides to suspend the Council, he or she has the option of suspending and appointing a Commissioner for a maximum period of six months (new power) or if the identified issues are considered so significant that a Commissioner would not be able to resolve them within six months, to immediately appoint an Inquiry Panel (existing power) to investigate the issues; and*
- (e) Prior to the end of the six month suspension period, the Minister is to reinstate the Council or appoint a Panel Inquiry.*

*The Minister is to have the power to require council members to undertake remedial action, such as undergoing training or mediation, during the period of suspension.*

**WALGA Comment:**

The proposed amendment appears to have its origin in situations the Minister and his Department have encountered, where there was insufficient reason to conduct a Panel Inquiry yet the operations of a Council were affected by internal conflicts that could potential escalate. From this perspective, WALGA appreciates there may the need for extraordinary powers to immediately provide to a community, a cost-effective remedy that will lead to the resumption of good governance.

WALGA's policy position on this issue was considered in 2008 where there was support for a mechanism to suspend individual Elected Members rather than an entire Council.

**Town of Vincent's Position:**

It is recommended that the Town **supports** WALGA's position.

**Question 4: Require Elected Members to resign when they are elected to State or Commonwealth Parliament**

**Minister's Proposal:**

*The Act provides that if a local government elected member is elected as a Member of Parliament, his or her council position does not become vacant until the next ordinary election day. There is no requirement in the Act, or other legislation, for the local government elected member to resign and, as such, a person can be an elected member of a local government Council and the Western Australian Parliament.*

*Section 36(1)(b) of the Constitution Acts Amendment Act 1899 requires a member of the WA Parliament to immediately resign when elected to Commonwealth Parliament.*

*It is proposed to amend the Act to require elected members to immediately resign (or for their position to become automatically vacant) when elected to State or Commonwealth Parliament. This will contribute to appropriate separation of responsibilities and reduce potential conflicts of interest that might arise if representing at a State or Federal and Local level simultaneously.*

*This will also align with the eligibility requirements for nomination or membership into State and Commonwealth Parliament set by the State Electoral Act 1907 and Constitution Acts Amendment Act 1899.*

*In 2008, WALGA requested the Minister consider an amendment of this type.*

WALGA Comment:

The proposal aligns with a State Council resolution of August 2007 –

*"That the Minister for Local Government be requested to consider amending the Local Government Act 1995 to require Elected Members to resign from Council immediately upon being declared elected to State or Federal Parliament."*

Town of Vincent's Position:

It is recommended that the Town **supports** WALGA's position to *"amend the Local Government Act 1995 to require Elected Members to resign from Council immediately upon being declared elected to State or Federal Parliament."*

**Question 5: Restricting the types of local government investments to low risk products such as those with the WA Treasury Corporation, major banks and government bonds.**

Minister's Proposal:

*The investment options available to local governments were altered in 1997 when the prescribed list of investments in the Trustees Act 1962 was removed and replaced by the 'Prudent Person' rule. This rule is no longer viewed as providing sufficient clarity and guidance in relation to local government investment management policies.*

*In 2007, it was revealed that eight local governments and two regional local governments had invested in Collateralised Debt Obligations with Lehman Brothers (formerly Grange Securities). This has resulted in multi-million dollar losses by the affected local governments and concerns have been raised in the community about the performance of local governments in this area.*

*It is proposed to amend the Act to allow for regulations to prescribe the investments that can be made by local government. This will include Government guaranteed and other low risk investments. A requirement for local governments to only invest in these types of products is expected to minimise the investment exposure of local governments and the loss of ratepayer funds.*

*At this stage, the following forms of investment are being considered to be included in this regulation:*

- 1. a deposit with the Western Australian Treasury Corporation or an investment facility of the Western Australian Treasury Corporation;*

2. *any public funds or securities issued by, or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory; and*
3. *interest bearing deposits with, and/or debentures or bonds issued by, an authorised deposit-taking institution (as defined in the Banking Act 1959 (Cwth)) where the Institution has a Standard & Poor's Rating of A-1+ (short-term) or AA (long term, but excluding subordinated obligations).*

*Further discussion is proposed to take place between the Department of Local Government, local governments and the WA Treasury Corporation to develop this regulation.*

WALGA Comment:

There remains subjectivity in the definition of the term 'low risk' in the context of this proposal. The WA Local Government Association supports the sector's right to retain the principle of general competency powers as provided under the Local Government Act 1995, and that Local Governments be allowed to continue to decide for themselves how best to deal with investment opportunities.

Town of Vincent's Position:

It is recommended that the Town **supports** WALGA's position whereby "*the sector's right to retain the principle of general competency powers as provided under the Local Government Act 1995, and that Local Governments be allowed to continue to decide for themselves how best to deal with investment opportunities*".

**Question 6: Align criminal conviction criteria for Elected Members with that of Western Australian Members of Parliament**

Minister's Proposal:

*It is proposed to amend the Act to preclude a person who has been convicted of an offence with a statutory penalty of imprisonment for five years or more from standing for election to local government.*

*This will align the eligibility requirements for local government candidates with those that apply to State Members of Parliament. This requirement will have a positive impact on the calibre of those standing and ultimately representing the community on Council.*

*These provisions need to be modelled on section 32(1)(b) of the Constitution Acts Amendment Act 1899 whereby a person is disqualified where he or she has been convicted on indictment of an offence for which the indictable penalty was or included;*

- (i) *imprisonment for life, or*
- (ii) *imprisonment for more than five years.*

*Serving elected members with such records will be able to serve out their terms, however, would not be eligible for re-election once the legislation was amended.*

WALGA Comment:

This proposal is consistent with the Association's policy position.

It is suggested that for true alignment of criteria, the proposal take a holistic approach incorporating all aspects of Candidates/Elected Member qualification and disqualification rather than one aspect of disqualification, namely criminal convictions.

One option would be for this proposal to be broadened to “Align the qualification and disqualification criteria for Local Government election candidates and Elected Members with that of Western Australian Members of State Parliament”.

Town of Vincent's Position:

It is recommended that the Town **supports** the option which would be broadened to “Align the qualification and disqualification criteria for Local Government election candidates and Elected Members with that of Western Australian Members of State Parliament”.

**Question 7: To limit employee termination payments to one year's salary**

Minister's Proposal:

*Recent consideration of the current provisions in the Act indicates that it is possible for employees of local governments, including CEOs, to receive up to two years' salary on redundancy. This situation has arisen out of an anomaly in the Act not intended when the Act was developed.*

*It is proposed that an amendment to regulations to limit payouts to all such employees to a maximum of one year's salary will bring local government provisions into line with Western Australian State and Commonwealth public sector arrangements and would be consistent with organisational practice in other jurisdictions.*

*This proposal will not affect the two year guarantee of employment as provided for in Clause 11(4) of Schedule 2.1 of the Act.*

WALGA Comment:

There is no current Association policy position on this proposal.

Town of Vincent's Position:

It is recommended that the Town **supports** this proposal to amend the Act, as it will address an anomaly in the Act.

**Local Governments Progressing Reform**

As at 23 November 2010, 37 local governments have accepted the State Government's invitation to participate in voluntary reform and have signed agreements to form amalgamation groups, Regional Transition Groups or Regional Collaborative Groups.

Amalgamations

Eight (8) local governments are pursuing amalgamations to form three new entities including:

- Geraldton-Greenough and Mullewa (currently with the Local Government Advisory Board for consideration).
- Morawa, Perenjori, Three Springs and Mingenew (currently with the Local Government Advisory Board for consideration).
- Westonia and Yilgarn (currently with the Local Government Advisory Board for consideration).



### Regional Transition Groups

Sixteen (16) local governments have formed five Regional Transition Groups including:

- Narrogin (Town), Narrogin (Shire), Cuballing and Wickepin (Agreement signed 17 November 2010).
- Beverley, Cunderdin, Quairading, Tammin and York (Agreement signed 7 August 2010).
- Brookton and Pingelly (Agreement signed 4 August 2010).
- Mount Marshall, Koorda and Trayning (Agreement signed 4 August 2010).
- Subiaco and Nedlands (Agreement signed 4 August 2010).

### Regional Collaborative Groups

Thirteen (13) local governments have formed four Regional Collaborative Groups:

- Murchison and Upper Gascoyne (Agreement signed 24 September 2010).
- Broome, Derby-West Kimberley, Halls Creek and Wyndham-East Kimberley (Agreement signed 2 September 2010).
- Carnarvon, Exmouth and Shark Bay (Agreement signed 17 August 2010).
- Ashburton, East Pilbara, Port Hedland and Roebourne (Agreement signed 24 June 2010).

### **CONSULTATION/ADVERTISING:**

Not applicable.

### **LEGAL/POLICY:**

Local Government Act 1995.

### **STRATEGIC IMPLICATIONS:**

The Town's Plan for the Future Strategic Plan 2009-2014 provides various stated objectives of financial sustainability, sustainable community infrastructure and best management practices.

### **SUSTAINABILITY IMPLICATIONS:**

The desired outcome of Structural Reform is a strong sustainable local government in Western Australia.

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

Nil.

### **COMMENTS:**

It is recommended that the Council provide a response to WALGA concerning these important changes to the Local Government Act.

**9.4.7 Minutes of the Annual General Meeting of Electors held on  
29 November 2010**

<b>Ward:</b>	Both	<b>Date:</b>	30 November 2010
<b>Precinct:</b>	All	<b>File Ref:</b>	ADM0009
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	A Radici, Executive Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council RECEIVES and CONFIRMS the Minutes of the Annual General Meeting of Electors (AGM) held at 6.00pm on Monday 29 November 2010, attached at Appendix 9.4.7.*

**Moved Cr Farrell, Seconded Cr Maier**

*That the recommendation be adopted.*

Debate ensued.

**AMENDMENT**

**Moved Cr Maier, Seconded Cr Topelberg**

*That the Officer Recommendation be amended to read as follows:*

*“That the Council:*

*(i) RECEIVES and CONFIRMS the Minutes of the Annual General Meeting of Electors (AGM) held at 6.00pm on Monday 29 November 2010, attached at Appendix 9.4.7; and*

*(ii) REQUESTS that:*

*(a) the Chief Executive Officer consult with the Banks Precinct Action Group, current users of the Banks Reserve Hall and the local community to identify if and how the hall can be upgraded to provide better facilities for the community; and*

*(b) a report be prepared indicating potential changes, the cost of those changes and possible staging, if required, in time for consideration in the 2012/2013 budget.”*

Debate ensued.

**AMENDMENT PUT AND CARRIED (9-0)**

**MOTION AS AMENDED PUT AND CARRIED (9-0)**

**COUNCIL DECISION ITEM 9.4.7**

*That the Council:*

*(i) RECEIVES and CONFIRMS the Minutes of the Annual General Meeting of Electors (AGM) held at 6.00pm on Monday 29 November 2010, attached at Appendix 9.4.7; and*

(ii) **REQUESTS that:**

- (a) *the Chief Executive Officer consult with the Banks Precinct Action Group, current users of the Banks Reserve Hall and the local community to identify if and how the hall can be upgraded to provide better facilities for the community; and*
  - (b) *a report be prepared indicating potential changes, the cost of those changes and possible staging, if required, in time for consideration in the 2012/2013 budget.*
- 

**PURPOSE OF REPORT:**

The purpose of the report is for the Council to receive and confirm the Minutes of the Annual General Meeting of Electors held on 29 November 2010 and consider any decisions made at that meeting.

**BACKGROUND:**

The Annual General Meeting of Electors of the Town of Vincent was held on Monday 29 November 2010 at 6.00pm. It was attended by the Mayor Nick Catania, five (5) Councillors, the Chief Executive Officer – John Giorgi, Directors – Rob Boardman, Mike Rootsey and Rick Lotznicker and thirteen (13) Electors and as shown in the Attendance Register attached to the Minutes.

**DETAILS:**

It is standard practice for the Minutes of the Meeting of Electors to be presented to the Council for information. In accordance with the Local Government Act 1995, Section 5.33, all decisions made at Electors Meetings are required to be considered at the next Ordinary Meeting of the Council.

The Minutes are attached for the information of the Council. No decisions were made at that meeting, however several questions were asked as detailed in the Minutes.

**CONSULTATION/ADVERTISING:**

Notice of the Annual General Meeting of Electors was advertised in two local newspapers (“*Guardian Express*” and “*Voice*”) and “*The West Australian*” Newspaper. Notices were displayed on all notice boards. It was also displayed on the Town's website.

The Minutes are attached for the information of the Council.

**LEGAL/POLICY:**

The Local Government Act 1995 states;

- “5.27 (1) *A general meeting of the electors of a district is to be held once every financial year.*
- (2) *A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.”*

- “5.33 (1) *All decisions made at an electors’ meeting are to be considered at the next ordinary council meeting or, if that is not practicable -*
- (a) at the first ordinary meeting after that meeting; or*
  - (b) at a special meeting called for that purpose,*
- whichever happens first.*
- (2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors’ meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.”*

**STRATEGIC IMPLICATIONS:**

Nil.

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

It is recommended that the Council receive the report concerning the Annual General Meeting, as required by the Local Government Act 1995.

The Presiding Member, Mayor Nick Catania asked Cr Burns if she was ready for the Item to be recommitted. Cr Burns advised that she was.

**9.4.3 Community Consultation Policy No. 4.1.5 – Amendments**

<b>Ward:</b>	Both Wards	<b>Date:</b>	26 November 2010
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA0116
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer:</b>	Various		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

*That the Council APPROVES BY AN ABSOLUTE MAJORITY the amendments to Policy No. 4.1.5 relating to “Community Consultation” and associated Guidelines and Policy Procedures, as shown in Appendix 9.4.3.*

Moved Cr Farrell, Seconded Cr Maier

*That the recommendation, together with the following changes, be adopted:*

*“That new clauses (ii), (iii) and (iv) be inserted as follows:*

*That the Council;*

- (i) APPROVES BY AN ABSOLUTE MAJORITY the amendments to Policy No. 4.1.5 relating to “Community Consultation” and associated Guidelines and Policy Procedures, as shown in Appendix 9.4.3;*
- (ii) ADVERTISES the policy for a period of twenty-one days, seeking public comment;*
- (iii) after the expiry of the period of submissions:*
  - (a) REVIEWS the Draft Policy No. 4.1.5 – “Community Consultation” having regard to any written submissions; and*
  - (b) DETERMINES to proceed with, or not to proceed with, the Draft Policy No. 4.1.5 – “Community Consultation”, with or without amendment; and*
- (iv) AUTHORISES the Chief Executive Officer to include the above policy in the Town’s Policy Manual if no submissions are received from the public.”*

Debate ensued.

**AMENDMENT NO 1**

Moved Cr Maier, Seconded Cr Buckels

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

- “(i) APPROVES BY AN ABSOLUTE MAJORITY the amendments to Policy No. 4.1.5 relating to “Community Consultation” and associated Guidelines and Policy Procedures, as shown in Appendix 9.4.3, subject to Clause 12.2(2) of the Policy being reinstated.”*

Debate ensued.

Cr Burns suggested that this Item be suspended to allow more time for her to submit an alternative amendment.

The Presiding Member, Mayor Nick Catania agreed with this suggestion.

**PROCEDURAL MOTION**

**Moved Cr Farrell, Seconded Cr Lake**

*That Item 9.4.3 be DEFERRED until later in the Meeting to allow time for Cr Burns to present an alternative amendment.*

**PROCEDURAL MOTION PUT AND CARRIED (9-0)**

**PROCEDURAL MOTION**

**Moved Cr Topelberg, Seconded Cr Burns**

*That consideration of Item 9.4.3 be recommenced.*

**PROCEDURAL MOTION PUT AND CARRIED (9-0)**

Debate ensued.

**AMENDMENT NO 1 PUT AND LOST (4-5)**

**For:** Cr Buckels, Cr Lake, Cr McGrath, Cr Maier

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

Debate ensued.

**AMENDMENT NO 1**

**Moved Cr Burns, Seconded Cr Topelberg**

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

***“(i) APPROVES BY AN ABSOLUTE MAJORITY the amendments to Policy No. 4.1.5 relating to “Community Consultation” and associated Guidelines and Policy Procedures, as shown in Appendix 9.4.3, subject to the Policy being amended to insert a new Clause 12.2(2) (and subsequent related references to the Consultation Matrix and Diagrams) as follows:***

***12.2(2) Despite previous practices, in instances where the applicant submits to the Town written documentary evidence that the owner(s) and occupier(s) of all or some adjacent affected properties have no objection to their proposal, the Town will still undertake consultation in accordance with this policy. If the applicant does submit such documentary evidence, then this evidence will be considered together with the public submissions.”***

Debate ensued.

Crs Lake and Topelberg suggested deleting the words “Despite previous practices,” from the amendment. The Mover, Cr Burns agreed.

**AMENDMENT NO 2 PUT AND CARRIED (9-0)**

Debate ensued.

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

**COUNCIL DECISION ITEM 9.4.3**

*That the Council:*

- (i) ***APPROVES BY AN ABSOLUTE MAJORITY the amendments to Policy No. 4.1.5 relating to “Community Consultation” and associated Guidelines and Policy Procedures, as shown in Appendix 9.4.3, subject to the Policy being amended to insert a new Clause 12.2(2) (and subsequent related references to the Consultation Matrix and Diagrams) as follows:***

***“12.2(2) In instances where the applicant submits to the Town written documentary evidence that the owner(s) and occupier(s) of all or some adjacent affected properties have no objection to their proposal, the Town will still undertake consultation in accordance with this policy. If the applicant does submit such documentary evidence, then this evidence will be considered together with the public submissions.”***

- (ii) ***ADVERTISES the policy for a period of twenty-one days, seeking public comment;***

(iii) ***after the expiry of the period of submissions:***

(a) ***REVIEWS the Draft Policy No. 4.1.5 – “Community Consultation” having regard to any written submissions; and***

(b) ***DETERMINES to proceed with, or not to proceed with, the Draft Policy No. 4.1.5 – “Community Consultation”, with or without amendment; and***

- (iv) ***AUTHORISES the Chief Executive Officer to include the above policy in the Town’s Policy Manual if no submissions are received from the public.”***

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**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council’s approval to adopt the amended Policy No. 4.1.5 relating to “Community Consultation”.

**BACKGROUND:**

The Town’s Policy No. 4.1.5 – “Community Consultation” is due for its 5 year review.

This matter was considered at the Ordinary Meeting of Council held on 21 December 2009 whereby the Council Decision was as follows:

*“That the Officer Recommendation be amended to read as follows:*

*“That the Council:*

- (i) ***APPROVES IN PRINCIPLE the amendments to Policy No. 4.1.5 relating to “Community Consultation” and associated Guidelines and Policy Procedures as shown in Appendix 9.4.3;***

- (ii) *IMPLEMENTS the changes to the Policy for a trial period until 30 June 2010;*
- (iii) *APPROVES BY AN ABSOLUTE MAJORITY to authorise the Chief Executive Officer to engage a suitably qualified consultant to assist in the review of the Policy; and*
- (iv) *REQUESTS the Chief Executive Officer to:*
  - (a) *further investigate how the Town's consultation with the community can be improved and including potential mechanisms to improve the level of community engagement; and*
  - (b) *provide a report on the matter to a Forum in late May/June 2010 and to the Council by 30 June 2010."*

*MOTION PUT AND LOST (4-5)*

*For:* *Mayor Catania, Cr Burns, Cr Farrell, Cr Harvey*

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

*Reasons:*

1. *Significant changes to the Policy including consulting only with property owners therefore disenfranchising all residents and business occupiers who are not property owners.*
2. *Involves reducing the advertising time.*
3. *Involves reducing consultation with the number of properties on either side of a proposed development."*

Following the Council Decision, comments were requested and received from Council Members and these were incorporated into a revised Policy.

**Presentation to Forum**

The amended Policy was presented to a Special Forum held on 2 November 2010. Following the presentation, Council Members were requested to provide further comments. Comments were subsequently received from Councillors Topelberg and Maier and these have in the main been incorporated.

**Local Government Structural Reform – Checklist Comments from the Department of Local Government**

Stage 1 of the Reform Agenda required the completion of a Local Government Reform Checklist. The Town's submitted its Checklist on 30 April 2009. The Checklist was then assessed by the Local Government Reform Steering Committee. On 23 July 2009 the Town received a letter from the Department of Local Government which advised that the Town had received a No. 1 Ranking as follows:

*"On the basis of the checklists assessment, the Town of Vincent was placed in **Category One**: evidence indicates that there is existing organisational and financial capacity to meet current and future community needs. Local governments should still consider reform opportunities which enhance service provision to local and regional communities."*



Whilst the checklist and response from the Department advised that the Town has the capacity to implement long term strategic and financial planning processes, areas where improvements are required were identified in relation to;

- *noted delays with processing development applications.*

#### Review Process

The review process has been comprehensive and extensive. This has included the following;

- (a) a review of the Town's existing Policy to reduce the volume (from 60 pages to approx. 30 pages), make it more readable and "user friendly";
- (b) re-writing it to be in plain language;
- (c) the inclusion of definitions (Community Consultation and Community);
- (d) the inclusion of other formats and information in other languages; and
- (e) a comprehensive review of other local government policies.

The review process has resulted in the following;

#### 1. Policy Procedures and Guidelines

- (a) The inclusion of an Index, for ease of reading and use.
- (b) The Guidelines have been made more concise – these will form part of the public document, which can be read by the public. (It was initially suggested that the Guidelines be initially used as internal "Officer Guidance Notes", however, the feedback from several Council Members have suggested that these be part of the public document.)
- (c) The number of Diagrams has been reduced from **38** to **6**. This has been achieved by deleting the reference to each development type in the Heading of the Diagram and renaming the individual Diagram for each specific type of development to the following:
  - Development Located Mid-Block Site;
  - Development Located Corner Site.

Essentially the various Diagrams were all the same for each specific type of development.

Over the previous 12 months, a number of strategies have been implemented to make the development approval process more efficient and streamlined and this has included a review of the Council's Community Consultation Policy.

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

The amendments to the Community Consultation Policy are mainly administrative in nature and are straight forward. It is considered that as the amendments do not materially affect the consultation principles or the extent of the consultation, they not be advertised for public comment.

**LEGAL/POLICY:**

Local Government Act 1995 and Regulations.  
Town Planning Scheme No. 1 and associated Policies.

**STRATEGIC IMPLICATIONS:**

The Community Consultation Policy is in keeping with the Town's Strategic Plan 2009-2014:

*“Leadership, Governance and Management*

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

*4.1.4 Focus on stakeholder needs, values, engagement and involvement.”*

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

The review of the Community Consultation Policy has been considered in conjunction with the review of the Town's Development Approval process, in order that it be streamlined and improved to provide a more efficient and effective service delivery and to meet statutory requirements. The review process has been holistic and multi-faceted, with all components of the process being scrutinised.

A review of the Community Consultation process has been carried out over the previous twelve months and the recommended changes will greatly assist and improve the process, without detracting from the consultation process.

In light of the above, it is recommended that the Council approves of the Officer Recommendation.

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

**10.1 Notice of Motion- Cr Dudley Maier- Request to Review the Town's Policy No: 3.9.8 - Residential and Visitors' Parking Permits**

*That the Council REQUESTS the Chief Executive Officer to:*

- (i) *investigate the feasibility and impact of:*
  - (a) *extending the period of issue of residential parking permits and visitor's parking permits beyond 12 months;*
  - (b) *increasing the number of parking permits allowed for Grouped Dwellings so that they are treated the same as single houses;*
  - (c) *extending the exempted area beyond the immediate street in which a person resides;*
  - (d) *extending the limit imposed on discretionary authority to issue residential or visitor's parking permits to enable the Chief Executive Officer to issue more than one additional residential or visitor's parking permit in situations like, but not limited to, a family whose children reach the age where they own a car; and*
  - (e) *adopting a mechanism that recognises that some residents take home vehicles from a car pool so that the vehicle may change on a frequent basis; and*
- (ii) *provide a report which identifies changes required to Policy 3.9.8 - Residential and Visitors' Parking Permits and the Town of Vincent Parking and Parking Facilities Local Law 2007 by March 2011.*

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**COUNCIL DECISION ITEM 10.1**

**Moved Cr Maier, Seconded Cr Farrell**

*That the Motion be adopted.*

**Debate ensued.**

**MOTION PUT AND CARRIED (9-0)**

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**11. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil.

**12. REPRESENTATION ON COMMITTEES AND PUBLIC BODIES**

Nil.

**13. URGENT BUSINESS**

Nil.

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

Nil.

**15. CLOSURE**

**There being no further business, the Presiding Member, Mayor Nick Catania, declared the meeting closed at 9.00pm 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
Anita Radici	Executive Assistant (Minutes Secretary)
Lauren Peden	Journalist – “ <i>The Guardian Express</i> ”
David Bell	Journalist – “ <i>The Perth Voice</i> ”

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 7 December 2010.

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

Dated this ..... day of ..... 2010