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Minutes of the Ordinary Meeting of the Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 8 April 2003, commencing at 6.02pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania, JP declared the meeting open at 6.02pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Nil

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Simon Chester	Mt Hawthorn Ward (<i>from 6.03pm</i>)
Cr Caroline Cohen	North Perth Ward
Cr David Drewett, JP	Deputy Mayor - Mt Hawthorn Ward
Cr Helen Doran-Wu	Mt Hawthorn Ward
Cr Basil Franchina	Mt Hawthorn Ward
Cr Kate Hall	North Perth Ward
Cr Ian Ker	North Perth Ward
Cr Marilyn Piper, JP	North Perth Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental & Development Services
Rick Lotznicher	Executive Manager, Technical Services
Mike Rootsey	Executive Manager Corporate Services
Debbie Winfield	Minutes Secretary
Caroline Mooney	Planning Officer - Employee of the Month Recipient (<i>until 6.37pm</i>)
Jenny D'Anger	Journalist – Voice News
Ryan Sturman	Journalist – Guardian Express

Approximately 41 Members of the Public

(c) Members on Leave of Absence:

Nil

Cr Chester entered the Chamber at 6.03pm.

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

1. Mr Peter Isles of 53 Wasley Street, North Perth – Item 10.1.17. He stated that the application complies with all Council requirements, and the intention was to update the residents' accommodation, and that the Town of Vincent has a significant aged population. He also stated that St Michaels currently accommodates 91 people, (with a 66 high care bed facility and 22 independent living units), and the increase to 105 is not a huge increase. He advised that currently there were 26 parking bays, (2 of which are occupied by independent living residents) and the number of bays was increasing to 40.

2. Libby Nicholson of 9 Hobart Street, North Perth – Item 10.1.7. She stated that she lived directly opposite the proposed development site and requested Councillors that the decision be deferred as she was notified of the application last Friday, and would like time to review the plans, as she had a concern with the style and nature of the proposal. She also stated that Peter and Jaye Veering of 7 Hobart Street, and Mike and Pat Hegney of 1 Hobart Street were also concerned, however, were unable to attend tonight's meeting due to the short notice of the development.
3. Jennifer Harrison of 73 Wasley Street, North Perth – Item 10.1.17. Tabled a report to Council, with a number of residents' signatures. Stated that she spoke at the last Council meeting and was in opposition to the development, and that over the past 20 years St Michaels had had a severe and negative impact on the amenity of the area. She stated concerns to further expansion of traffic flow and parking (which was occurring on both sides of Wasley Street, effectively making the street one lane). She also stated that she believed there were currently 7 car bays allocated to independent living residents, which left 4 bays for visitors after allowing for 4 service bays and 26 staff. She referred to the nursing home opposite the North Perth Town Hall which does not affect the amenity of the local area and has no parking problems, and believes that this is the type of development to which residents are entitled.
4. Ruth Bailey of 2/16 Oak Lane, West Perth – Item 5.1. Stated that the reasons for the Petition requesting that the currently designated "off leash" dog area of Charles Veryard Reserve be enlarged were that the current area is small and adjacent to a busy local road, the reserve is large and the proposed expansion would not affect the current usage. Also stated that she had liaised with Town Officer, John McGee who said he agreed with the proposal. She also referred to the importance of exercise for dogs, away from a busy road. Requested Councillors to consider the request.
5. John Velios of 55 Egina Street, Mount Hawthorn – Item 10.1.6. Requested removal of clause (vi) of the Town Officer's report that requested the garage be setback 1.5 metres. He stated that a 1 metre setback would allow a third car to be parked in the garage. He tabled photographs to Council of existing garages with less than the 1.5 metres setback in the vicinity.
6. Mr Cosi Schirripa, Chairman North Perth Precinct Group, of 66 Auckland Street, North Perth – Item 11.1. Stated that at the North Perth Precinct Group Meeting on 24 March, he was requested to speak to this motion. Also stated that residents and ratepayers had been battling this issue for two and a half years. He believes that the Minister for Planning and Infrastructure and the WA Planning Commission have their own agenda for infill development, and that if the amendment doesn't go through, it will mean that the opinion of residents and ratepayers has been discounted. Requested the Council to support the motion and to also take immediate action to ensure the amendment proceeds.
7. Mr Paul Whitmore of 21 Moore Street North Perth – Item 10.1.5. Stated that he was advised by the Town's Planning department today, of an amendment to page 19 of the report, and that the proposed setbacks rear and eastern were put back to .3 metre and if so, this was satisfactory.

8. Lorraine Pitcinsoni, from the North Perth Precinct Group, of 73 Sydney Street – Items 10.1.7 and 11.1. Stated that in regard to 11.1, she endorsed comments by an earlier speaker, Cosi Schirripa and requested Council to follow through with the Minister and finalise the matter. In regard to 10.1.7, she stated that the North Perth Precinct Group opposed this development because it was not advertised and they were uncertain if there was compliance with the R Codes and Planning and Building Policies, as well as concern with the number of crossovers and scale and bulk. She requested Council to defer the application so that it can be advertised and a more detailed planning report provided.
9. Mr Robert Chambers, architect, of Suite 7/15 Rothsman Street, West Leederville – Item 10.1.7. Stated that the lots were currently zoned R30/R40 and the application has been based on R30 zoning and complied with all aspects of the Residential Design Codes. Also stated that the Eton Locality Policy Plan 7 favours infill development, in the form of splitting the wider frontage blocks down the middle. He believes that the passive domestic theme used does not conflict with the local character or Policy 3.2.1. Also stated that the development was not advertised because it fully complied and he requested support of the development.
10. Sally Lake, Chairperson of Hyde Park Precinct Group, of 51 Chatsworth Street, Highgate - Item 11.1. Stated that the proposed rezoning of the area was the result of an overwhelming demand from the residents of the area. She requested Council to support the motion and to meet with the Minister and put the residents' reasons for the rezoning very clearly to the Minister.
11. Vasha Tzamaria of 108 Joel Terrace, Mount Lawley – Item 10.1.16. She requested the application be deferred as she had only received notification on Friday and would like some more time to provide further information to the Council. Also stated that she had a previous planning approval that had expired two months previously.
12. Lucia Dedear, on behalf of the Mount Hawthorn Precinct Group, of 98 Buxton Street, Mount Hawthorn– Item 11.1. Congratulated Cr Chester for putting forward the motion, and stated that she agreed with previous speakers Sally Lake and Cosi Schirripa, and that it was important the Council meet with the Minister, and the Minister listens to the residents' wishes.
13. Kamal Rezvaninejad of 262 Oxford Street, Leederville – Item 10.1.12. Requested the Council to defer the application so that as the applicant and landowner, he could comply with the rules of the Planning Department.
14. Claude Sabatina of Unit 6/178 Grosvenor Road, North Perth - Item 10.1.17. Stated that he and his wife own the property at 86 Forrest Street, North Perth, which backs onto the right of way, and currently there is a garage at the rear of the site, with entry from the right of way. He referred to one of the proposals for a controlled gate to be installed at the entry of the right of way, and advised that he did not want this as he had concerns that access to his property would be restricted.

15. Linda Liacopoulos of 2 Hobart Street, North Perth – Item 10.1.7. She requested that this Item be deferred as there was not sufficient time given to view plans, having received advice on 4 April. She advised that neighbours opposite had still not received advice and she questioned why plans were not shown to her, as she is an adjacent neighbour. She also stated that the first submission is being appealed.
16. Gavin Woodward from Viking Developments of Suite 3, Hampden Road, Nedlands – Item 10.1.7. Stated that he was here two months ago with a proposal to retain the existing house, which was unanimously rejected by Council, and a completely revised proposal that conforms to the Residential Design Codes had been put forward. Also stated in support of the application, that the Town Planners had recommended approval, and that the current zoning was R30/40, and requested Council to make their decision based on the current zoning.
17. Peter Nicholson of 9 Hobart Street, North Perth – Item 10.1.7. Requested that this Item be deferred to allow him time to view the plans as he only received advice on Friday. He stated that the previous application for this site was currently under appeal. Also stated that there appeared not to be 2 car parking spaces per unit, the width of the carports exceeded 50% of the building line, six crossovers were excessive and setbacks and privacy considerations were not adequate.
18. Anne Robinson of 51 Mary Street, Highgate, representing Mike and Sheryl Butler – Item 10.1.13. She read a letter from the Butlers which stated that parking has always been a problem in this area, and that the Yoga Centre was not necessarily the cause of it, and that the Yoga Centre, which brought life and diversity to the area, should be encouraged.
19. Kate Boyle of 22 Monger Street, North Perth – Item 10.1.13. Stated she lives in a property adjacent to this development, and that parking, amenity and precedent needed to be considered. She stated that the hours of the business were outside business hours, when as a resident, she was at home, and therefore subject to the increase in traffic and human noise. Requested that the Town Officer's recommended refusal be supported.
20. Virginia Lockhart of 47 Alma Road, Mount Lawley – Item 10.1.9. Stated that she had lived in Alma Road for 13 years, and that in the last 12 months, the commercial kitchen in the Masonic Lodge had resulted in staff and deliveries from 5am, waking her. Also stated that Forrest Street was more suitable for parking, not Alma Road. Requested that Council take action to improve the situation.
21. Katherine Hogan, Yoga teacher at Yoga Centre, of Corinthian Road, Riverton – Item 10.1.13. Stated the business had been open for four to six months, had received a very good response and the Yoga Centre had addressed the parking problem by requesting their students to park in the carpark nearby. Also stated the classes were very quiet and students used the side gate to access the premises.

22. Sidney Sheath of 3D South Terrace, Como – Item 10.1.7. Stated in support of the application, that the development had been recommended for approval by the Town Officers and the brief report was the result of compliance with the Residential Design Codes. Also stated that the end of Hobart Street was unattractive and the development would enhance the streetscape, and that the appeal for the previous submission had been withdrawn.
23. Eloise Hodge of 22 Monger Street, North Perth – Item 10.1.13. Stated that she had been an inner city resident for the past 7 years and in relation to this item, parking, noise and precedent were considerations, and the zoning was commercial/residential not recreational. She also stated that students of the Yoga Centre were still parking in Monger Street, and not using the nearby carpark. Requested Council to uphold the Town Officer's recommendation of refusal.
24. Percy Robinson of 51 Mary Street, Highgate – Item 10.1.13. Stated that parking had always been a problem near the city, and that eight of the neighbours had signed a letter "welcoming the Yoga". Also stated that the Yoga Centre were addressing the parking and noise issues and asked the Council to allow the Yoga Centre to operate.
25. Ernest Soutar, representing the Masonic Hall, of Coniston Way, Balga – 10.1.13. Stated that all deliveries would be made from the rear of the premises and residents of Alma Road and Forrest Street would always be considered in future developments.

There being no further questions from the public, Public Question Time was closed at 6.51pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND MEMORIALS

- 5.1 Ms Ruth Bailey of 2/16 Oak Lane West Perth, with 15 signatories, requesting that the currently designated "off leash" dog area of Charles Veryard Reserve be enlarged. It was recommended that this petition be referred to the Executive Manager Environmental and Development Services and the Executive Manager Technical Services for investigation and report.

Moved Cr Cohen, Seconded Cr Piper

That the petition be received and the report be prepared as recommended.

CARRIED (9-0)

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Meeting of Council held on 25 March 2003.

Moved Cr Drewett, Seconded Cr Piper

That the Minutes of the Ordinary Meeting of Council held on 25 March 2003 be confirmed as a true and correct record.

Moved Cr Drewett , Seconded Cr Piper

To correct the Minutes of the Ordinary Meeting of Council held on 25 March 2003 as follows:

That on page 4 of the minutes of the Ordinary Meeting of Council held on 25 March 2003 under AMENDMENT No. 1 PUT; and following:

"Cr Drewett raised a point of order that "a member who discloses on an item will not participate, Section 5.67 (b) page 176 of the Local Government Act.""

insert the following:

"Mayor Catania overruled the point.

Cr Drewett asked that the issues he raised be put on the public record.

Cr Franchina interjected stating Cr Drewett is correct and that the Mayor should not be presiding over this item and wanted that put on the public record."

That on page 5 of the minutes of the Ordinary Meeting of Council held on 25 March 2003 under AMENDMENT No. 3 PUT; delete the following words:

"Chief Executive Officer, John Giorgi drew the Council's attention to Standing Orders and the Local Government Act, whereby the Presiding Member has called for a vote, Councillors in the Chamber must vote, and those Councillors that do not vote are contravening the Local Government Act."

and replace with the following words:

"Chief Executive Officer John Giorgi read out the relevant part of the Local Government Act, section 5.21 sub clause 1, and advised the Council that the voting was to be either "for" or "against" - abstaining from voting would be contrary to the Local Government Act."

AMENDMENT CARRIED (9-0)

MOTION AS AMENDED (TO CORRECT THE MINUTES) CARRIED (9-0)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Congratulations

Mayor Catania congratulated Councillor Simon Chester on his re-election to the North Ward and also to Steed Farrell – both of whom were elected unopposed. The congratulations was received with acclamation.

7.2. Anzac Day Ceremony – Open Invitation

Mayor Catania extended an open invitation to all of the Town's ratepayers and residents to the Town's Anzac Day Ceremony to be held at 11am on Friday 25 April 2003 at Axford Park, Mount Hawthorn. He advised that people were welcome to attend and to also lay a wreath if they wished.

7.3 Employee of the Month Award for the Town Of Vincent for April 2003

Mayor Catania advised that 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 \$75 voucher and a certificate, and their photograph is displayed in the Administration Centre Foyer, in the Library and at Beatty Park Leisure Centre.

Mayor Catania announced that for April 2003, the award is presented to Caroline Mooney, Planning Officer (Statutory) in the Town's Planning and Building Services Section. Caroline was nominated by Mr Andrew Bruechert of Raglan Road, Mount Lawley, who wanted to express his appreciation at the professional and helpful manner in which Caroline dealt with his development application.

Mr Bruechert witnessed the employee of the month award being presented at last month's council meeting and wrote to the town and Mayor Catania read out part of the letter as follows;

“Having just been through a rather testing planning approval, another of your employees, I felt, should be given the same opportunity. Caroline Mooney is young, keen, polite and enthusiastic – qualities not often seen these days.

During the course of our application, Caroline constantly went beyond the call of her duty by keeping us constantly informed throughout the process and even coming into work briefly on her day off to ensure completion and continuity of our application.

Caroline is a real asset to the Town of Vincent and would be a worthy winner of the Employee of the Month Award.”

The award was received with acclamation.

8. DECLARATION OF INTERESTS

- 8.1 Mayor Catania declared a financial interest in Item 10.3.1 – Investment Report. His interest being that he is Chairperson of the Board of Directors of the North Perth Bendigo Bank.
- 8.2 Cr Doran-Wu declared an impartiality interest in Item 10.3.3 – Community and Welfare Grants and Donations 2003/2004. Her interest being that she is an employee of the Loftus Community Centre.
- 8.3 Cr Franchina declared a proximity interest in Item 10.1.12 - No 262 (Lot 3) Oxford Street, Leederville - Proposed Three Storey Mixed Use Development Comprising Four Offices, Three Multiple Dwellings and Associated Carparking (Leederville Precinct) PRO2066 (00/33/1460). His interest being that he owns property in the nearby vicinity.

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

9.1 Councillor Hall – Costs of the Office of the Mayor

What has been the cost of running the Office of the Mayor during the last two years, including the \$12,000 sitting fee and \$36,000 tax free Mayoral allowance?

The following details are requested;

- (i) corporate costs – breakfasts, lunches and seminars;
- (ii) cost of interstate airfares and accommodation and any conference fees incurred;
- (iii) claims for fuel/mileage;
- (iv) home telephone, fax and internet costs incurred (including mobile phone costs); and
- (v) any costs incurred due to the cancellation of attendance at conferences.

Response:

The costs for the last two years are as follows;

- (i) Corporate costs – breakfasts, lunches and seminars

The Mayoral allowance and sitting fees are prescribed by the Local Government Act and approved by the Council.

<i>Mayoral Allowance</i>	<i>\$36,000.00 per annum</i>
<i>Meeting Fees</i>	<i>\$12,000.00 per annum</i>

It should be noted that these allowances and fees are not tax free. The allowances and fees have not changed since approved by the Ordinary Meeting of Council held on 25 July 2000.

- Breakfast:*
- | | |
|---|---------|
| 1. WALGA Breakfast on behalf of the Town -
Commissioner for Police | \$44.00 |
|---|---------|
- Lunches* Nil
- Seminars:*
- | | |
|--|----------|
| 1. Local Government Week 2002 - Plenary Session | \$253.00 |
| 2. Security Industry and Crime Prevention Awards
Evening (to receive Award on behalf of Town) | \$66.00 |
- (ii) cost of interstate airfares and accommodation and any conference fees incurred
- | | |
|---|--------------|
| <i>Sporting Facilities Study Tour (approved at
Ordinary Meeting of Council held on 9 July 2002)</i> | \$1,898.12 * |
| <i>National General Assembly of Local Government
(approved at Ordinary Meeting of Council held on
13 August 2002)</i> | \$1,787.14 * |
- *(includes airfares and accommodation)*
- (iii) claims for travel expenses – including fuel/mileage
- \$1,557.67
- (iv) home telephone, fax and internet costs incurred (including mobile phone costs)
- | | |
|--|-------------------|
| <i>Home Telephone/Fax and Internet Costs</i> | <i>Nil claims</i> |
| <i>Mobile Telephone</i> | <i>\$4,489.24</i> |
- (v) any costs incurred due to the cancellation of attendance at conferences
- Nil.*

10. REPORTS

Presiding Member, Mayor Nick Catania, requested the Chief Executive Officer to 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 10.1.17, 10.1.7, 10.1.6, 11.1, 10.1.5, 10.1.16, 10.1.12, 10.1.13 and 10.1.9.

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

Items 10.4.4 and 10.4.5.

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

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

Mayor Catania	Nil
Cr Drewett	Nil
Cr Cohen	10.1.1, 10.1.10, 10.1.15, and 10.4.6
Cr Franchina	Nil
Cr Chester	Nil
Cr Hall	11.2 and 11.3
Cr Doran-Wu	10.1.4
Cr Ker	Nil

Presiding Member, Mayor Nick Catania, requested the Chief Executive Officer to advise the Meeting of:

10.4 **Items which members/officers have declared a financial or proximity interest but which have not been subject to a public question/comment, require an absolute special majority or have been identified by elected members for discussion:**

Items 10.3.1 and 10.3.3.

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

Items 10.1.2, 10.1.3, 10.1.8, 10.1.11, 10.1.14, 10.2.1, 10.2.2, 10.2.3, 10.3.2, 10.4.1, 10.4.2, 10.4.3 and 10.4.7.

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

Nil

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

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

Items 10.1.2, 10.1.3, 10.1.8, 10.1.11, 10.1.14, 10.2.1, 10.2.2, 10.2.3, 10.4.1, 10.4.2, 10.4.3 and 10.4.7.

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

Items 10.1.17, 10.1.7, 10.1.6, 11.1, 10.1.5, 10.1.16, 10.1.12, 10.1.13 and 10.1.9.

(c) **Those requiring an Absolute Majority/Special Majority decision;**

Items 10.4.4 and 10.4.5.

(d) **Those which were identified by Elected Members for discussion;**

Items 10.1.1, 10.1.10, 10.1.15, 10.4.6, 11.2, 11.3 and 10.1.4.

(e) **Items which members/officers have declared a financial or proximity interest but which have not been subject to a public question/comment, require an absolute special majority or have been identified by elected members for discussion;**

Items 10.3.1 and 10.3.3.

(f) **Confidential Reports which will be considered behind closed doors and the following was advised.**

Nil.

Cr Hall departed the Chamber at 7.06pm.

Moved Cr Drewett, Seconded Cr Ker

That the following unopposed items be moved en bloc;

Items 10.1.2, 10.1.3, 10.1.8, 10.1.11, 10.1.14, 10.2.1, 10.2.2, 10.2.3, 10.3.2, 10.4.1, 10.4.2, 10.4.3 and 10.4.7.

CARRIED (8-0)

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

10.1.2 No.37 (Lot 3) Paddington Street, Corner Hunter Street, North Perth - Proposed Demolition of Existing Dwelling

Ward:	Mount Hawthorn	Date:	27 March 2003
Precinct:	North Perth, P8	File Ref:	PRO1998; (00/33/1535)
Reporting Officer(s):	A Nancarrow		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application dated 10 March 2003 submitted by D K Majteles on behalf of the landowners, C M Murphy & P J Vasoli, for the proposed demolition of the existing dwelling at No.37 (Lot 3) Paddington Street, corner Hunter Street, North Perth, subject to:

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on 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 and approved prior to the issue of a Demolition Licence;*
- (iii) a redevelopment proposal for the subject property shall be submitted to and approved by the Town prior to the issue of a Demolition Licence;*
- (iv) 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;*
- (v) 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;*
- (vi) 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; and*
- (vii) compliance with all relevant Environmental Health, Engineering and Building requirements;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.2

Moved Cr Drewett, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

FURTHER REPORT:

Use Class	Single House
Use Classification	"P"
Lot Area	539 square metres

LANDOWNER: C M Murphy & P J Vasoli
APPLICANT: D K Majteles
ZONING: Metropolitan Region Scheme: Urban Town Planning Scheme
No.1: Residential R30/40
EXISTING LAND USE: Single house

SITE HISTORY:

The site is occupied by a brick and tile dwelling that was constructed in 1931.

DETAILS:

Approval is sought for the demolition of the existing dwelling.

CONSULTATION/ADVERTISING:

Demolition applications for properties not listed on the Town's Municipal Heritage Inventory are not required to be advertised.

COMMENTS:

A detailed heritage assessment is contained in Appendix 10.1.2.

Paddington Street in North Perth was subdivided during the late nineteenth century, however, residential development along the street generally did not take place until the Interwar period. The subject place is a brick and tile dwelling that was constructed in 1931 on Lots 26 and 27 of Swan Location 685, on the corner of Paddington and Hunter Streets. It was constructed in a style that was typical of the Interwar period. In 1963, Lots 26 and 27 were re-subdivided into two wide lots - one with a frontage to Paddington Street and one with a frontage to Hunter Street. The lots were renumbered Lots 3 and 4. Lot 3 fronted Paddington Street and contained the existing house that was constructed in 1931 and which is the subject of this assessment.

In 1979, the place underwent substantial alterations and additions. The plans for this work indicate that the original 1931 house had four principle rooms, an entry hall, a bathroom and sleep-outs along the eastern and southern sides of the house. The southern sleep-out was demolished during the 1979 additions to make way for a new open plan kitchen, dining room, lounge room and outdoor pergola. A new games room, sewing room, laundry and storeroom were constructed at basement level. Access to the new basement rooms was provided via a staircase from the existing house at ground level. The floor levels in one of the principle rooms of the original house were lowered in order to create a sunken T.V. room. The original front entry to the house was bricked up and a new lobby and front entry, which opened onto the new lounge room, were constructed. The bricking up and relocation of the original front entry has significantly reduced the readability of the original part of the house and its relationship to the 1979 additions. The principle rooms of the original house, which once held pride of place near the front entry, are now simply bedrooms at the 'back-end' of the house.

Fireplaces were also removed during the 1979 works and a new roof gable, with false timber battens, was constructed along the western side of the building to incorporate the new additions into the existing building. As a result of all of the works, rooms are now spread over four different floor levels.

Although the place retains some pleasing elements, such as windows, gable treatments and verandah piers, the sum total of the whole lacks visual cohesion as a result of the substantial alterations and additions that took place in 1979.

As a result of these changes and the impact that they have had on the integrity and readability of the original 1931 house, the place has little value in providing a record of Interwar domestic architecture and life. Additionally, the place does not represent any unique or endangered aspects of the Town's built heritage, and no links of historical importance have been established. It is not considered that the place meets the threshold for entry in the Town's Municipal Heritage Inventory.

With regard to the Paddington Street streetscape, it is considered that a certain ambience and amenity is created by the prominent Queensland Box street trees and the continuity of the similarly pitched and shaped roofs of houses along the street. It is the visual coherence of these two elements - street trees and roofscape - that is considered to be integral to the preservation of the ambience and amenity of Paddington Street. In light of this, the retention of the subject place is not considered to be critical to the preservation of the amenities of the street. It is considered that the amenity could be maintained with a replacement development that is respectful of the existing pattern of roofs along the street.

In light of the above considerations, it is recommended that the application to demolish the place be approved, subject to standard conditions.

10.1.3 No.12 (Lot 3) Farr Avenue, North Perth - Proposed Demolition of Existing Dwelling

Ward:	North Perth	Date:	25 March 2003
Precinct:	Smith's Lake, P6	File Ref:	PRO2296; (00/33/1544)
Reporting Officer(s):	A Nancarrow		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application stamp-dated 24 March 2003 submitted by G L Taylor on behalf of the landowner, M T & M E Rowland, for the proposed demolition of the existing dwelling at No.12 (Lot 3) Farr Avenue, North Perth, subject to:

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on 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 and approved prior to the issue of a Demolition Licence;*
- (iii) a development proposal for the redevelopment of the subject property shall be submitted to and approved by the Town prior to the issue of a Demolition Licence;*
- (iv) 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;*
- (v) 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;*
- (vi) 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; and*
- (vii) compliance with all relevant Environmental Health, Engineering and Building requirements;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.3

Moved Cr Drewett, **Seconded** Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

FURTHER REPORT:

Use Class	Single House
Use Classification	"P"
Lot Area	486 square metres

LANDOWNER: M T & M E Rowland
APPLICANT: G L Taylor
ZONING: Metropolitan Region Scheme: Urban Town Planning Scheme
No.1: Residential R40
EXISTING LAND USE: Single house

SITE HISTORY:

The site is occupied by a brick and tile dwelling that was constructed in 1930.

DETAILS:

Approval is sought for the demolition of the existing dwelling.

CONSULTATION/ADVERTISING:

Demolition applications for properties not listed on the Town's Municipal Heritage Inventory are not required to be advertised.

COMMENTS:

Subdivision of Farr Avenue in North Perth took place circa 1927 and the subject site, being No.12 (Lot 3) Farr Avenue, was purchased by John Birrell Macaulay of South Perth in 1928. The property was sold to builder, James Henry Boyce and his wife, Violet Amelia Boyce in January 1930. Boyce constructed a house on the site and nine months later he sold the newly developed property to its new owner, Isaac Tyson. Tyson passed away in 1942 and in the sixty years that have followed, the property has had a string of different owners.

The place is a typical 'pattern book' home of the Interwar period, of which there are many examples in the Town. It is a brick and tile dwelling with a stucco finish to the front walls. The proportions of this place are modest in comparison to other dwellings of its period. There are just four principle rooms to the original house - a living room, a kitchen, a main bedroom and a small second bedroom. The original rear verandah has been enclosed as a sleep-out and further rear additions have been undertaken beyond this point to create more living space. These additions have incorporated the backyard water closet into the main dwelling structure, but the original walls and roof of the water closet remain in situ. The rear additions have a metal skillion roof and fibro walls with aluminium-sliding windows. Along the eastern side of the property is a garage that was constructed in 1953. Most of the original building fabric of the dwelling (including skirtings, architraves, doors and ceilings) remains in situ, with the exception of all of the windows, which have been replaced with aluminium-framed windows. The front and rear yards are paved with concrete slabs, interspersed by some plantings.

Although generally representative of a typical Interwar dwelling, the place is not a unique, endangered or outstanding example of its type, and no links of historical importance have been established. The place is not considered to meet the threshold for entry in the Municipal Heritage Inventory and it is considered that a full heritage assessment is not required in this instance. It is recommended that the application to demolish the place be approved, subject to standard conditions.

10.1.8 No. 333 (Lot 51) William Street, Perth - Proposed Increase in Numbers for an Existing Place of Public Worship at the Assembly Salvation Army Headquarters

Ward:	North Perth	Date:	13 March 2003
Precinct:	Beaufort, P13	File Ref:	PRO 1641; 00/33/1489
Reporting Officer(s):	S Crawford		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Everard Yeo and Associates on behalf of the owner Salvation Army (Western Australia) Property Trust for proposed increase in assembly numbers for an existing place of public worship at the Salvation Army Headquarters at No. 333 (Lot 51) William Street, Perth, and as shown on plans stamp-dated 7 February 2003 and details contained in correspondence dated 3 February 2003 and 12 March 2003, subject to:

- (i) the number of attendees at the place of public worship shall not exceed 150 people at any one time;*
- (ii) the hours of operation for the Chinese Ministry Place of Public Worship shall not be within the hours of operation for the existing office, which are currently between 8.30am and 4.30pm Monday to Friday;*
- (iii) the basement carparking provision shall be made available for use during the permitted hours of operation for the place of public worship; and*
- (iv) compliance with all relevant Environmental Health, Engineering and Building requirements;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.8

Moved Cr Drewett, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

LANDOWNER:	The Salvation Army (Western Australia) Property Trust
APPLICANT:	Everard Yeo and Associates
ZONING:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1: Commercial
EXISTING LAND USE:	Office/ Place of Public Worship

COMPLIANCE:

Use Class	Office & Place of Public Worship (incidental to predominant office use)	
Use Classification	"P" & "AA"	
Lot Area	2128 square metres	
Requirement of Town's Policy	Required	Proposed
Carparking	42.64 bays	52 bays

SITE HISTORY:

The site currently supports the Salvation Army which is a non-profit organisation. The building is four (4) storeys in height with the ground floor being the carparking provision. The building supports an office use and two places of public worship, which are incidental to the predominant office use of the premises. The following application history is considered relevant:

- 13 February 2001: Application conditionally approved for alterations and additions to the existing commercial building.
- 8 July 2002: Application approved for a patio addition to the existing commercial building.
- 22 October 2002: The Salvation Army were advised that the Town had no objection to an internal fitout to create a Chinese Ministry assembly (place of public worship) subject to conditions including limiting patronage to a maximum of 60 persons. Any change to the parameters of the operation of the Assembly requires Planning Approval.

DETAILS:

The applicant seeks to extend the number of people that can be accommodated at worship for the Chinese Ministry Assembly. Previously the assembly area was permitted to accommodate 60 people and the Salvation Army seeks to increase this to 150 people. The applicant confirms that the assembly area will only be utilised between 10am and 2pm on Sundays and occasionally between 7pm and 10pm midweek. The applicant has further confirmed that the times of use of the assembly area will not conflict with the times of uses for the remainder of the building. The other uses include office hours between 8.30am and 4pm Monday to Friday and the Perth Fortress (Chapel) use between 10am and 11.30am on Sundays. Through provision of these details it is actually apparent that the Chinese Ministry and Perth Fortress will overlap in their times of use on Sundays.

CONSULTATION/ADVERTISING:

The proposal was advertised and no objections were received.

COMMENTS:

Carparking

In considering carparking, it is appropriate to look at the different uses of the building separately due to the different operational demands placed on carparking at differing times for each use. Currently, the premises supports offices, and two places of public worship; being the Perth Fortress (Chapel) and the Chinese Assembly.

The office use operates between 8.30am and 4.30pm Mondays to Fridays with no change being proposed to the terms of this use as part of this application. As such, the existing carparking provision of 52 bays in the basement will continue to service the office use within these hours, as well as existing reliance on public transport servicing the area. Because no change is proposed to this use, the established carparking provision continues to be acceptable.

The Chapel and Chinese Assembly uses will overlap in use times, that being for their Sunday worship services. As such, it is reasonable to consider that both these uses will compete for carparking on Sundays and therefore should be considered jointly for carparking provision.

The Chapel accommodates an area of 171 square metres on the fourth floor of the building, and the Chinese Assembly accommodates a space of 197.96 square metres on the second floor. The Town's Policy relating to Parking and Access requires the provision of 1 carparking bay per 4.5 square metres of area for the Place of Public Worship use class. As such, generally 82 carparking bays would be required to be provided onsite based on the floor areas of each use.

Clause 10 of the Town's Parking and Access Policy allows for carparking requirements to be adjusted in certain circumstances. In this instance, the following adjustments are applicable, including the adjustment criteria and reduction factors.

Car Parking Requirement (nearest whole number)	82 car bays
Apply the adjustment factors.	(0.52)
<ul style="list-style-type: none"> • 0.85 (within 800 metres of a railway station) • 0.85 (within 400 metres of a bus stop/station) • 0.80 (within 50 metres of existing public carparking with an excess of 50 spaces) • 0.90 (the facility provides for end of trip facilities for bicycle users) 	42.64 car bays
Minus the car parking provided on site.	52 car bays
Resultant excess	9.36 car bays

On this basis the proposed increase in numbers can be accommodated within the existing carparking provision.

Accordingly, the proposal is recommended for approval, subject to standard conditions.

10.1.11 Nos. 244-260 (Lots Y105, 23, 1, 2, 3, 21 and 20) Beaufort Street, and Nos. 209-219 (Lots Y105, 22, 5, 6, Y107 and 123) Stirling Street, Perth - Proposed Signage to the Approved Mixed Use Development

Ward:	North Perth	Date:	25 March 2003
Precinct:	Beaufort, P13	File Ref:	PRO 1682; 00/33/1495
Reporting Officer(s):	S Crawford		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Pindan Property Group on behalf of the owner Arcadia Asset Pty Ltd for the proposed signage to the approved mixed use development at Nos. 244-260 (Lots Y105, 23, 1, 2, 3, 21 and 20) Beaufort Street, and Nos. 209-219 (Lots Y105, 22, 5, 6, Y107 and 123) Stirling Street, Perth, as shown on plans stamp-dated 13 February 2003, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements, including relevant Australian Standards and noise regulations;*
- (ii) the signage shall not have flashing or intermittent lighting;*
- (iii) the signage shall be limited to the following:*
 - (a) the entire Beaufort Street frontage is permitted to have a continuous 1.8 metres high sale sign attached to the construction fencing located onsite along the frontage boundary. In addition, three (3) display home signs are permitted to this frontage with maximum dimensions of 4.2 metres in length x 2.4 metres in height, mounted no higher than 1.8 metres above natural ground level. Such signage is permitted to be erected in April 2003 and shall be removed by 31 March 2004;*
 - (b) the entire Stirling Street frontage is permitted to have a continuous 1.8 metres high sale sign attached to the construction fencing located onsite along the frontage boundary. In addition, two (2) display home signs are permitted to this frontage with maximum dimensions of 4.2 metres in length x 2.4 metres in height, mounted no higher than 1.8 metres above natural ground level. Such signage is permitted to be erected in May 2003 and shall be removed by 31 December 2004; and*
 - (c) all signage shall be of the design, colour and locations denoted on the approved plans;*
- (iv) all signage shall be kept in a good state of repair, safe, be non-climbable and free from graffiti for the duration of their display onsite;*
- (v) all signage shall be subject to a separate Sign Licence application being submitted and approved prior to the erection of the signage;*
- (vi) the display home signs shall not be illuminated after 9.00pm; and*
- (vii) the sale sign shall not be erected before the issue of a Building Licence for the redevelopment proposal for the subject property;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.11

Moved Cr Drewett, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

LANDOWNER: Arcadia Asset Pty Ltd
APPLICANT: Pindan Property Group
ZONING: Metropolitan Region Scheme: Urban
 Town Planning Scheme No.1: Commercial and
 Commercial/Residential R80
EXISTING LAND USE: Shops and Showroom/Warehouse
COMPLIANCE:

Use Class	Approval for Multiple Dwelling, Local Shop, Office Building
Use Classification	Commercial Zone - 'AA', 'P', 'P' Commercial/Residential Zone - 'P', 'AA', 'AA'
Lot Area	10647 square metres

Requirement of Town's Policy	Required	Proposed
Sale Sign	Not to exceed 1 square metre in area Not to be erected for a period exceeding six months without the approval of the Town of Vincent	395.68 square metres Beaufort Street signage for a period of 11 months commencing in March 2003 Stirling Street signage for a period of 19 months commencing in May 2003
Display Home Sign	To be a maximum area of 2 square metres To be a maximum height of 4 metres above the finished ground level	11.52 square metres (2.4 metres x 4.2 metres) each. Three signs to Beaufort Street frontage and two signs to Stirling Street frontage 4.2 metres

	To be approved for a period not exceeding twelve months at any one time	Beaufort Street signage for a period of 11 months commencing in March 2003 Stirling Street signage for a period of 19 months commencing in May 2003
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SITE HISTORY:

The site is currently utilised as shops and showroom/warehouse. Conditional Approval was granted by Council at its Ordinary Meeting of 27 August 2002 for the proposed demolition of existing showroom/warehouse buildings and construction of four-storey mixed use development, including one hundred and thirty-six (136) (including 48 single bedroom) multiple dwellings, one (1) local shop, nine (9) offices and ancillary facilities.

DETAILS:

The proposal seeks to erect signage to advertise the display centre associated with the redevelopment of the site. The applicant seeks two forms of signage for this purpose, that being sale signage and display home signs.

The sale signage is to be mounted to the construction fencing for the site. This sale sign will be a continuous sign along the entire frontage of Beaufort and Stirling Streets. It is proposed to be 1.8 metres in height for these frontages, and will be deep purple in colour with white script. The second form of signs being sought are display home signs. The applicant seeks five of these structures, three to be located on the Beaufort Street frontage and two to be located on the Stirling Street frontage. The signs are 4.6 metres in width and 2.4 metres in height (11.52 square metres) and will be spaced along these frontages. These signs will have graphic representations and associated script in varying colours.

The applicant sought to erect the sale signage by March 2003 and for it to remain in place until February 2004 (11 months) for the Beaufort Street frontage, and to erect the Stirling Street signage in May 2003 and for this to remain in place until December 2004 (19 months).

CONSULTATION/ADVERTISING:

The proposal was advertised and no objections were received.

COMMENTS:

Size of Signage

The Town's Policy relating to 'Signs and Advertising' stipulates that a sale sign should be no greater than one (1) square metre in area. However, the proposed continuous banner form of sale signage is not specifically addressed in the Policy. The Policy principally addresses the standard real estate 'for sale' signs.

As part of the redevelopment the site will be under construction for a considerable period. Therefore, the required construction fencing which does not require Approval will also be in place onsite for approximately the same duration. The signage intends to be mounted against the fencing. It is considered that the proposed signage is not considered to have any greater impact than if the construction fencing were left blank. Furthermore, during the construction stage, a solid screen to the construction site at ground level is considered more desirable than open mesh style fencing from an aesthetic perspective.

The actual amount of signage script along the fencing is limited to five equally spaced elements stating 'Beaufort Central Resort Style Apartments', between these scripts a very small repetitive decorative element is proposed.

As such, varying the Policy requirement to allow larger sale signage is considered appropriate in this instance as no undue detriment is caused to the visual amenity of the area.

The applicant also seeks five (5) display home signs. These signs are each 11.52 square metres in size. The Town's Policy states that these signs should be limited in size to two square metres in area. The Beaufort Street frontage of the site is 98.86 metres in length and the Stirling Street frontage is 120.96 metres. Due to the large nature of the site and its large scale redevelopment, it is considered appropriate to consider larger display home signs so that they are proportionate to their location and effective in nature. Again these signs are well designed and of a high quality, which is considered to have minimal undue impact on the visual amenity of the area. On this basis, the display home signs are considered acceptable.

Height of Signage

The display home signs extend to a maximum of 4.2 metres above natural ground level. The Town's Policy relating to 'Signs and Advertising' generally requires the signs to be only 4.0 metres above natural ground level. The minor variation is considered appropriate in light of the overall signage concept for the site. The proposed sale signage is 1.8 metres in height. The display home signs commence immediately above this fencing and extend from 1.8 metres to 4.2 metres above natural ground level.

The appropriateness of the display home signs has already been established and the minor variation in their height above natural ground level is again not considered to result in any undue impact on the visual amenity of the area.

Sign Display Duration

The Town's Policy relating to 'Signs and Advertising' indicates that sale signs should be erected for a period of six months with any longer durations requiring Council approval. This Policy similarly indicates that display home signs should generally be approved for 12 months or less.

Due to the large scale of this project, it will not be completed within twelve months, as such it is appropriate to consider greater durations for the signage to co-incide with the development duration. The applicant has provided the exact detail for the erection of the signage and when it is intended to be removed.

The Beaufort Street frontage signage will be erected in March 2003 and removed in February 2004 and the Stirling Street frontage will be erected in May 2003 and removed in December 2004. It is considered that the approval can be appropriately conditioned to ensure compliance with these time frames. It is considered appropriate to modify the Beaufort Street frontage to be between April 2003 to March 2004, taking into account the applicant will not received their approval until early April.

It is considered that the proposal will generally have no unreasonable detrimental impact on the amenity of the surrounding area. Accordingly, the proposal is recommended for approval, subject to standard conditions and conditions to address the above matters.

10.1.14 Application for the Installation of a Greywater System – No. 46 Egina Street, Mount Hawthorn

Ward:	Mt Hawthorn	Date:	1 April 2003
Precinct:	Mt Hawthorn	File Ref:	ENS0042
Reporting Officer(s):	A Bosworth		
Checked/Endorsed by:	D Brits, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That the Council;

- (i) *receives the report on the proposed installation of a Greywater System at No. 46 Egina Street, Mount Hawthorn;*
- (ii) *notes that the “Greywater Reuse System” has received approval from the Department of Health (WA);*
- (iii) *APPROVES the application for installation of the Greywater Reuse System (GRS) with WaterSaver Filter and Piped Trench; and*
- (iv) *maintains a Register of Approved Greywater System Locations within the Town of Vincent.*

COUNCIL DECISION ITEM 10.1.14

Moved Cr Drewett, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

BACKGROUND:

At the Ordinary Meeting of Council held on 23 July 2002, the Council resolved in relation to Greywater Reuse Systems (GRS) that "(iii) each application will be reported to the Council for consideration; and (iv) authorises the Chief Executive Officer to prepare a Draft Policy once local needs and concerns become clear."

An "Application to Construct or Install an Apparatus for the Treatment of Sewage" has been submitted by Dr Ross Mars of Greywater Reuse Systems, on behalf of the owners of No. 46 Egina Street, Mount Hawthorn.

DETAILS:

Greywater is defined as the waste-water generated in the bathroom, kitchen and laundry. Greywater is therefore defined as the components of domestic wastewater, which have not originated from the toilet. The State Agencies report that the opportunity exists for greywater to be reused to irrigate gardens. This will reduce the demand on quality ground and surface water supplies. Considering the dry environment in many parts of Western Australia and the sometimes limited supply of water available, it is important that water is used efficiently and conserved wherever possible. The responsible reuse of greywater is therefore supported and encouraged by the State Government and numerous Local Governments to help conserve water.

An *“Application to Construct or Install an Apparatus for the Treatment of Sewage”* was received with the appropriate fees, for the installation of an approved greywater system. The proposed Greywater Reuse System with Greywater filter, and piped trench system to be installed has been approved by the Department of Health WA (DOHWA).

The Conditions of Approval were issued on 13 March 2003, and is approved by the Executive Director, Public Health under the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* for use within Western Australia in accordance with the relevant Schedule 1 conditions.

An assessment of the proposed installation by the Town’s Health Services revealed that the plans indicate compliance with the conditions of approval set by the DOHWA. The greywater reuse in this instance is to be limited to the waste water from the laundry only, thus eliminating any potential problems with oil and food particles that may be associated with reuse of waste water from the kitchen. These substances can impact on operational performance and the life expectancy of a greywater irrigation system, and as such, it can be anticipated that this particular proposed use will be advantageous.

COMMENTS:

Health Services recommend that this first compliant application for the reuse of greywater be approved. After a further four (4) future applications for the installation of DOHWA approved systems, a Policy in this regard with appropriate delegations will be drafted for Council’s consideration.

10.2.1 Introduction of a One Hour Parking Restriction on the North Side of Glendower Street Between Fitzgerald Street and Throssell Street

Ward:	North Perth	Date:	1 April 2003
Precinct:	Hyde Park Precinct P5	File Ref:	PKG0076
Reporting Officer(s):	A Munyard		
Checked/Endorsed by:	R Lotznicher		
Amended by:	-		

RECOMMENDATION:

That the Council;

- (i) *APPROVES the introduction of a one (1) hour parking restriction from 8.00 am until 5.30 pm Monday to Friday and 8.00 am until 12 noon Saturday on the North side of Glendower Street, Perth, between Fitzgerald and Throssell Streets, as shown on attached Plan 2149-PP.1;*
- (ii) *places a moratorium on issuing infringement notices for a period of two (2) weeks from the installation of the new parking restriction signs; and*
- (iii) *advises the adjacent residents and business proprietors of its resolution.*

COUNCIL DECISION ITEM 10.2.1

Moved Cr Drewett, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

BACKGROUND:

Residents of Glendower Street have requested that restricted parking be put in place on the North side of the street, between Fitzgerald and Throssell Streets. As time restrictions are already in place in the remainder of the street, drivers seeking long term parking take up whatever space is available in this zone early each day.

DETAILS:

The Town has received a number of complaints regarding the availability of parking in this section of Glendower Street, which is currently unrestricted. Those employed nearby, as well as city commuters looking for free all day parking, are taking advantage of its unrestricted status. This practice disadvantages local residents and business proprietors, whose visitors and patrons are unable to find convenient nearby parking. Applying a time restriction to this part of the street will prevent this occurrence and ensure that parking spaces are more frequently available.

CONSULTATION/ADVERTISING:

Twenty five (25) consultation letters were distributed to addresses on both sides of Glendower Street, and nine (9) responses were received. All respondents were in favour of the introduction of the restriction. Residents will be eligible to apply for exemptions from the restrictions for themselves and their visitors.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of the Draft Strategic Plan 2002-2007 – 1.4 Maintain and enhance the town's infrastructure to provide a safe, healthy, sustainable and functional environment. *“Develop and implement a Transport and Car Parking Strategy”*.

FINANCIAL/BUDGET IMPLICATIONS:

The cost of installation of three (3) new parking restriction signs and would be approximately \$270.00.

COMMENTS:

The Manager, Law and Order Services, has been consulted and sees no impediment to the introduction of the hour restriction. It is therefore recommended that the Council approve the introduction of this one (1) hour parking restriction on the North side of Glendower Street, between Fitzgerald Street and Throssell Street as illustrated in the attached plan.

10.2.2 Endorsement of East Perth Redevelopment Authority's Application of a Name to a Proposed New Laneway Within the "Northbridge the Project" Zone

Ward:	North Perth	Date:	31 March 2003
Precinct:	Beaufort Precinct P13	File Ref:	TES0462
Reporting Officer(s):	Anne Munyard		
Checked/Endorsed by:	Rick Lotznicher		
Amended by:			

RECOMMENDATION:

That the Council;

- (i) *receives the report on the application of the name "Washing Lane" to a proposed new laneway being part of the Northbridge Urban Renewal Project;*
- (ii) *endorses the East Perth Redevelopment Authority's recommendation that the name "Washing Lane" be applied to the ROW; and*
- (iii) *advises the East Perth Redevelopment Authority of its decision.*

COUNCIL DECISION ITEM 10.2.2

Moved Cr Drewett, Se conded Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

BACKGROUND:

The Planning Manager of the East Perth Redevelopment Authority (EPRA) has written to the Town, requesting endorsement of the name "Washing Lane" to be applied to a laneway proposed to be constructed as part of a redevelopment of properties in Newcastle Street, between Money and Lindsay Streets.

DETAILS:

At the Ordinary Meeting of Council held on 13 September 1999, the Council resolved to support the inclusion of that land within its boundaries, which has been identified as part of the Northbridge Urban Renewal Project within the auspices of EPRA. Consequently EPRA, in close consultation with the Town, is responsible for the implementation of all aspects of the redevelopment.

EPRA has identified the north side of Newcastle Street, between Money and Lindsay Streets as a site for future redevelopment, incorporating the creation of a rear access laneway. They have set aside the name "Washing Lane" for the new laneway, and now request the Town's endorsement of the name before presenting the proposal to the Geographic Names Committee for approval. The location of the proposed new laneway is indicated on the attached sketch supplied by EPRA.

History of the Washing Brothers

In the late 1880s, the Washing brothers set up a furniture manufacturing business in Murray Street, Perth. Originally from Canton, it is presumed their name was anglicised from Wa Hing, Wa Ling or Wa Sing, as has been reported was the practice at that time. Family members are unsure which was the original name.

In approximately 1910, they built a two story factory in Newcastle Street. The building burnt down in the 1950s and was replaced by a new one, leased by International Harvesters. The building was recently demolished as part of the Northbridge Village Project.

Joseph Charles Washing, the elder of the brothers, became a wealthy man, and lived out his life in Glenroyd Street, Mount Lawley. A chair made by the brothers is currently on display in the West Australian Museum.

CONSULTATION/ADVERTISING:

EPRA have carried out consultation as part of their naming program, and therefore further consultation is not necessary.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of the Draft Strategic Plan 2002-2007 - 1.2: Manage Heritage to provide a sense of place, identity and character for the area *'d) Conserve our heritage for the future'*.

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications for the Town.

COMMENTS:

The Council's endorsement of the application of the name is sought by EPRA, who will be advised of their decision.

10.2.3 Road Rage - Road Funding Advocacy Campaign

Ward:	Both	Date:	2 March 2003
Precinct:	All	File Ref:	TES0174
Reporting Officer(s):	R Lotznicher		
Checked/Endorsed by:	-		
Amended by:	-		

RECOMMENDATION:

That the Council;

- (i) *receives the report on the Road Rage - Road Funding Advocacy Campaign and advises the Western Australian Local Government Association that it fully supports the campaign; and*
- (ii) *writes to the Perth MLA, the Yokine MLA, the Minister for Transport and the Premier of Western Australia and advises that:*
 - (a) *it strongly objects to the State Government's proposal to reduce, by at least \$18m in 2003/2004, state funding for the Local Government Roads;*
 - (b) *the current levels of funding must be maintained, in accordance with the State Road Funds to Local Government Agreement 2000/2001 to 2004/2005; and*
 - (c) *any reduction in State road funding will result in the progressive deterioration of the condition of the Town's Primary Distributor road infrastructure which is already substandard in many locations.*

COUNCIL DECISION ITEM 10.2.3

Moved Cr Drewett, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

BACKGROUND:

Each year the Town is invited to submit road projects for funding from the Metropolitan Regional Road Program. In accordance with the funding criteria, only the higher order roads in the Town qualify for this funding.

Since 1996 the Town has been successful in receiving substantial funding (based on a two thirds - state / one third - LGA funding split). The funds have been used to upgrade roads which generally are not used exclusively by the Town's residents. The roads upgraded to date include: Beaufort Street, Fitzgerald Street, Vincent Street, Oxford Street, Walcott Street, Bulwer Street and Loftus Street.

Many more additional roads and some sections of the above roads are still to be upgraded

DETAILS:

Recent advice provided through various sources indicate that the State Government funding available for the Local Government Roads Program in 2003/04 will be reduced by at least \$18m. This entails a \$6m reduction in the total quantum available for the local road network and a reallocation of \$12m from Local Road Project grants into the State initiatives fund. In addition, the allocation of which is controlled by the Minister for Planning and Infrastructure and will not necessarily attract the 1/3 contribution from Local Government sources.

The following is an extract from the Western Australian Local Government Association publication *Infopage*:

“There is concern that the Government initiated Functional Review Taskforce recommendations currently being considered by Cabinet may further impact on road funding levels and this concern is further compounded by indications from the State Government that it may be May 2003 before the final State Government funding available for Local Government road projects is known.

The Association has been, and will continue to advocate, as a minimum, for the State Government to reaffirm its support for the State to Local Government Road Funding Agreement incorporating an identified 2003/04 funding level of \$92m.

“Road Rage” is the advocacy and lobbying campaign that the Association will be pursuing with the State Government, in conjunction with Councils and interested stakeholders, with the primary goal being to maintain the current level of State funds to Local Government road projects in the May 2003 State Budget process. The campaign will focus on the media, politicians, member Councils, and potential partners such as the RAC. Case studies on the direct impact of the anticipated road funding reductions on individual Councils have been developed and will be used as part of the campaign.

Councils can assist in the “Road Rage” campaign by writing to local members of Parliament outlining the impact that a reduction in road funding will have on their communities, and running a media campaign through community newspapers to have road funding levels maintained.

Updates on the “Road Rage” advocacy campaign will be provided to Councils on a regular basis.”

FINANCIAL/BUDGET IMPLICATIONS:

Reduced state funding on Local Government roads would result in Local Government having to provide more funds from its municipal rates revenue to fund road works on higher order roads.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of the Draft Plan 2002-2007 - 1.4 Maintain and enhance the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment – “a) *Continue to develop and implement annual road and footpath upgrade programs*”.

COMMENTS:

The effective and efficient management of the Town's road infrastructure is one of the Town's major responsibilities and the State Government's contribution is a welcomed addition to the road funds already expended by Council annually.

As previously mentioned, each year the Town is invited by Main Roads WA to submit an application for funding for the Metropolitan Regional Road Program. The current funding arrangement is $\frac{2}{3}$ State funds and $\frac{1}{3}$ Local Government funds. In addition, a direct road grant is also provided annually, which further subsidises the Town's road expenditure.

In the Town over the past few years, this funding arrangement has seen the upgrade of many higher order roads and it is intended that many more of the Town's higher order roads will be upgraded through this program in the coming years.

These higher order roads carry high volumes of through traffic and it is considered unreasonable to expect the Town's municipal funds to fully fund improvement works on these roads. Hence the purpose of the metropolitan regional road funding arrangement.

It is therefore recommended that WALGA's Road Rage - Road Funding Advocacy Campaign be fully supported by the Council.

10.3.2 Donation - Perth Modern School

Ward:	Both	Date:	2 April 2003
Precinct:	All	File Ref:	FIN0008
Reporting Officer(s):	J. Anthony		
Checked/Endorsed by:	M. Rootsey		
Amended by:			

RECOMMENDATION:

That the Council approves a grant of \$500 (five hundred dollars) to Perth Modern School for students from refugee backgrounds living in the Town of Vincent.

COUNCIL DECISION ITEM 10.3.2

Moved Cr Drewett, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

DETAILS:

A request for donation has been received by Perth Modern School to assist with students from refugee and traumatised backgrounds at the school.

The donation will be used to assist these students who reside in the Town of Vincent with their progress at the Intensive Language Centre.

STRATEGIC IMPLICATIONS:

Strategic Plan 2000-2002 – Key Result Area 2.4(a) *“To facilitate the provision of services and programs which are relevant to the needs of our community”.*

LEGAL/POLICY:

The donation will be provided as per the conditions set out in Council policy "Ad-Hoc Community and Welfare Donations For Groups And Organisations" as approved at the Ordinary Council meeting of 8 October 2002. This policy states that donations of up to \$500 are available on an ad-hoc basis for groups and organisations providing community and welfare services that benefit the Town's residents. The policy also states criteria by which donations will be approved.

ADVERTISING:

The Council policy states that applicants must acknowledge the Town of Vincent's support of the service or program by doing the following:

- Displaying the Town's Logo on all promotional material such as flyers and brochures related to the funded service or program.
- Acknowledging the Town as a sponsor in the annual report.
- Acknowledging the Town during a launch of the funded service or program.

FINANCIAL/BUDGET IMPLICATIONS:

The funds will be expended from the Donations account as an ad hoc grant as approved by Council. The school will be required to provide a report on how the funds have been acquitted at the end of the financial year.

COMMENTS:

An acquittal report will be required within twelve months upon the receipt of the donation. The school will be required to confirm the number of residents from the Town who will be serviced as part of the donation acquittal.

10.4.1 Use of Common Seal

Ward:	-	Date:	2 April 2003
Precinct:	-	File Ref:	ADM0042
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	John Giorgi		
Amended by:	-		

RECOMMENDATION:

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

COUNCIL DECISION ITEM 10.4.1

Moved Cr Drewett, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

DETAILS:

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

Date	Document	No of copies	Details
19/03/03	Transfer of Land	1	Town of Vincent and Even Management Pty Ltd of 7 Delawney Street, Balcatta re: Lot 611 on Deposited Plan 25762 ("Richmond on the Park")
24/03/03	Transfer of Land	1	Town of Vincent and Oceanbird Holdings Pty Ltd of Level 1, 284 Oxford Street, Leederville re: Lot 88 on Deposited Plan 35708 (Old Bottle Yard land)
31/03/03	Contract Documents	2	Town of Vincent and Leederville Gardens (Inc) of 37 Britannia Road, Leederville and Mrs O.J. Dunstan re: Unit 51, Leederville Gardens
01/04/03	Withdrawal of Caveat	1	Town of Vincent and Mr I. Yujnovich of Harold Street, Highgate re: portion only of Lot 123 and Lot 124 and being part of the land contained in the Certificate of Title Volume 1055 Folio 965 as is identified as Lot 123 and 124

01/04/03	Contract Documents	2	Town of Vincent and Leederville Gardens (Inc) of 37 Britannia Road, Leederville and Mrs S.M. Hibbert re: Unit 60, Leederville Gardens
01/04/03	Contract Documents	2	Town of Vincent and Leederville Gardens (Inc) of 37 Britannia Road, Leederville and Ms K.M. Shepley and Ms N.M. Shepley re: Unit 35, Leederville Gardens
01/04/03	Deed for Reduction in Service Fees	2	Town of Vincent and Leederville Gardens (Inc) of 37 Britannia Road, Leederville and Mrs S.M. Hibbert re: Unit 60, Leederville Gardens
01/04/03	Deed for Reduction in Service Fees	4	Town of Vincent and Leederville Gardens (Inc) of 37 Britannia Road, Leederville and Ms K.M. Shepley and Ms N.M. Shepley re: Unit 35, Leederville Gardens

**10.4.2 Western Australian Local Government Association (WALGA)
Referendum - Entitlement to the Presidency**

Ward:	-	Date:	2 April 2003
Precinct:	-	File Ref:	ORG0044
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-		
Amended by:	-		

OFFICER RECOMMENDATION:

That the Council advises the Western Australian Local Government Association (WALGA) that it APPROVES of the following entitlement to the Presidency;

"endorses the proposal for rotation of the Presidency between the country and metropolitan constituencies."

COUNCIL DECISION ITEM 10.4.2

Moved Cr Drewett, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

BACKGROUND:

WALGA recently wrote to the Town seeking feedback on two alternative methods for determining the entitlement to President of the Western Australian Local Government Association, as follows;

1. **Best Person for the Job**

This proposition is based on the merit principle with all representatives to State Council, irrespective of their constituency, eligible to nominate for President.

2. **Rotation Policy**

This proposition would rotate the entitlement to President every two years between the metropolitan and country constituencies.

A non-exhaustive list of advantages to the two methods of determining the President is outlined below for the consideration of member Local Governments;

Rotation of President

- Promotes equity between constituencies by ensuring that the entitlement to President of the Association rotates between each constituency every second term; and
- Injects “new blood” into the leadership of the Association.

Merit-Based Determination

- Accords with the Association’s merit-based selection policy and reflects the best practice principles of effective corporate governance;
- Allows a representative to serve consecutive terms as President where he or she retains the confidence of State Council; and
- Improves the stability of leadership and increases the capacity for a President to implement his or her strategic vision for the Association.

The outcome of the referendum will be determined by an absolute majority of member Local Governments. Where an absolute majority is achieved in favour of rotation, the State Council will instigate an amendment to the Association’s Constitution to enshrine this principle. This constitutional amendment will then be presented to delegates at the Annual General Meeting in August 2003. Where a majority favours the merit principle in determining the President, the existing provisions of the Constitution will be retained.

Voting in the referendum requires a resolution of Council in favour of presidential rotation or the merit principle of “best person for the job”. Councils are requested to complete the Referendum Voting Form and return it to the Association before 30 April 2003.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

LEGAL/POLICY IMPLICATIONS:

Nil.

PRINCIPAL ACTIVITIES PLAN:

Nil.

STRATEGIC IMPLICATIONS:

Nil.

COMMENT:

It is considered that the principle of rotation between metropolitan and country constituencies will provide a more fair and equitable procedure for the position of Presidency. It will still allow the "best person for the job" in either constituency to nominate for the position of President.

10.4.3 Expressions of Interest No 252/03 - Construction of the Multi-Purpose Rectangular Sports Stadium and the Redevelopment of Perth Oval

Ward:	Both	Date:	2 April 2003
Precinct:	-	File Ref:	TEN0261
Reporting Officer(s):	John Giorgi, Rick Lotznicher, Rob Boardman		
Checked/Endorsed by:	-		
Amended by:	-		

RECOMMENDATION:

That the Council INVITES Broad Construction Services Pty Ltd, Entact Clough, BGC Construction and John Holland Pty Ltd to submit a tender for the Construction of the Multi-Purpose Rectangular Sports Stadium and the Redevelopment of Perth Oval.

COUNCIL DECISION ITEM 10.4.3

Moved Cr Drewett, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

BACKGROUND:

At the Special Council Meeting held on 30 October 2001, the Council approved of entering into a partnership with the State Government of Western Australia to redevelop and construct a number of sporting facilities, including a Multi-Purpose Rectangular Sports Stadium on Perth Oval, State Indoor Multi-Use Sports Centre on the Loftus Centre land and the redevelopment of Leederville Oval into a "Football Centre of Excellence" for joint use by EPFC and SFC. The Town has also approved of the construction of an office building on Leederville Oval to house the Department of Sport and Recreation.

At a Special Meeting of Council held on 10 December 2002, the Council resolved to redevelop Perth Oval, construct a Multi-Purpose Rectangular Sports Stadium (Stage 1) and create approximately 35,000m² of public open space, including plants, lawn, paths, lighting, fencing, street furniture, public art and bore upgrade and reticulation, at an estimated cost of \$10,548,000.

On 8 March 2003 an advertisement was placed in the West Australian Newspaper inviting Expressions of Interest (EOI) from suitably qualified and experienced registered builders. At 2pm on 25 March 2003 five (5) EOIs were received. Present at the opening were David Paull (Purchasing/Contracts Officer) and John Giorgi (Chief Executive Officer).

EOI's were received from the following companies:

	Name	Address
1.	Broad Construction Services Pty Ltd	Level 1 Broad Construction Centre 82 Royal Street East Perth
2.	Southdown Construction Co Pty Ltd	31 Moreau Mews Applecross
3.	Entact Clough	1st Floor 9 Havelock Street West Perth
4.	BGC Construction	6th Floor 18 Mount Street Perth
5.	John Holland Pty Ltd	Level 11 263 Adelaide Terrace Perth

EOI EVALUATION

Selection Criteria

The following evaluation criteria was applied in the assessment of this EOI:

Criteria	%	Weighting
1.1 Professional expertise and relevant experience in similar projects		
<ul style="list-style-type: none"> Demonstrated knowledge and experience in the construction and contract administration of significant sporting projects of a similar nature. 	20	40%
<ul style="list-style-type: none"> Capacity to address the range of technical aspects involved in the project. 	20	
1.2 Relevant experience of key personnel		
<ul style="list-style-type: none"> Credentials (i.e. formal qualifications and experience) of key personnel on the project team. 	7	20%
<ul style="list-style-type: none"> Roles of the key personnel on the project and their experience. 	7	
<ul style="list-style-type: none"> Position of the key personnel in the firm's organizational structure. 	6	
1.3 Methodology		
<ul style="list-style-type: none"> Proposed methodology for this project to achieve the proposed construction timeline. 	7	20%
<ul style="list-style-type: none"> Proposed methodology in relevant projects and demonstrated evidence of successful results. 	7	
<ul style="list-style-type: none"> Demonstrated project management experience in relevant projects of a similar nature. 	6	
1.4 Key Issues and Risk		
<ul style="list-style-type: none"> Demonstrate your understanding of the required service by identifying the key issues and risks associated with delivering the project. 	5	10%
<ul style="list-style-type: none"> Explain how you intend to address these issues and risks. 	5	

1.5 Financial History and Viability of Organisation		
<ul style="list-style-type: none"> Financial history and viability of the organisation. Demonstrate your financial capacity to deliver. 	5 5	10%
	100	100%

EOI Evaluation Panel

The EOI Evaluation Panel consisted of Chief Executive Officer, John Giorgi and Executive Manager Environmental and Development Services, Rob Boardman, Executive Manager Technical Services, Rick Lotznicher and Project Architect, Con Lampropoulos of Peter Hunt Architect.

Each EOI was assessed in accordance with an Evaluation Assessment Matrix as used by the State Government Department of Housing and Works. This provided for the following scoring;

0-1	Inadequate or non-appropriate offer, critical or disqualifying deficiencies, does not meet criterion, unacceptably high risk to Principal.
2-3	Marginal offer, some deficiencies, partly meets criterion, high risk to Principal.
4-5	Fair offer, few deficiencies, almost meets criterion, medium risk to Principal.
6-7	Good offer, no deficiencies, meets criterion, medium to low risk to Principal.
8-9	Very good offer, exceeds criterion, low risk to Principal.
10	Outstanding offer, greatly exceeds criterion, very low risk to Principal.

(Scoring was calculated using the criterion weighting)

EOI SUMMARY

The following is a summary of the EOI's received.

Criteria	%	Broad Const	Southdown Const	Entact Clough	BGC Const	John Holland
1.1 Professional expertise and relevant experience in similar projects						
<ul style="list-style-type: none"> Demonstrated knowledge and experience in the construction and contract administration of significant sporting projects of a similar nature. 	20	18	14	20	20	20
<ul style="list-style-type: none"> Capacity to address the range of technical aspects involved in the project. 	20	18	15	20	20	20
1.2 Relevant experience of key personnel						
<ul style="list-style-type: none"> Credentials (i.e. formal qualifications and experience) of key personnel on the project team. 	7	7	5	7	7	7
<ul style="list-style-type: none"> Roles of the key personnel on the project and their experience. 	7	7	5	7	7	7
<ul style="list-style-type: none"> Position of the key personnel in the firm's organizational structure. 	6	6	6	6	6	6

1.3 Methodology						
<ul style="list-style-type: none"> Proposed methodology for this project to achieve the proposed construction timeline. 	7	7	3	7	7	7
<ul style="list-style-type: none"> Proposed methodology in relevant projects and demonstrated evidence of successful results. 	7	7	3	7	7	7
<ul style="list-style-type: none"> Demonstrated project management experience in relevant projects of a similar nature. 	6	6	3	6	6	6
1.4 Key Issues and Risk						
<ul style="list-style-type: none"> Demonstrate your understanding of the required service by identifying the key issues and risks associated with delivering the project. 	5	5	3	5	5	5
<ul style="list-style-type: none"> Explain how you intend to address these issues and risks. 	5	5	2	5	5	5
1.5 Financial History and Viability of Organisation						
<ul style="list-style-type: none"> Financial history and viability of the organisation. 	5	5	5	5	5	5
<ul style="list-style-type: none"> Demonstrate your financial capacity to deliver. 	5	5	5	5	5	5
	100	96	69	100	100	100

EOI Evaluation Panel Comments

All EOI's, with the exception of Southdown Construction Co Pty Ltd, were submitted by large building companies with the proven capacity to carry out a project of this size within the specified tight time frame.

Southdown's EOI consisted mainly of copied manuals and internal quality assurance procedures. Basic and generic information which was non-specific to this project was also provided. Limited information relating to "*Methodology*" and "*Key Issues and Risks*" was submitted. However, this did not adequately address the selection criteria. Southdown have not carried out any major sporting projects.

In addition, with only 13 staff, Southdown did not adequately demonstrate their capacity to carry out this project.

Therefore, all companies except Southdown Construction are recommended to be invited to submit a tender.

FINANCIAL/BUDGET IMPLICATIONS:

No finances are required for EOI's.

LEGAL/POLICY IMPLICATIONS:

The EOI was advertised in accordance with the Local Government (Functions and General) Regulations 1996 - tender requirements.

PRINCIPAL ACTIVITIES PLAN:

The upgrade of Perth Oval is listed in the Town's Principal Activities Plan.

STRATEGIC IMPLICATIONS:

The upgrade and redevelopment of Perth Oval is in accordance with the Town's Strategic Plan 2002-2002 Key Result Area 3.6 "*Develop and Implement Strategies to improve the Town's Parks and Reserves*".

This is in keeping with the Town's Draft Strategic Plan (yet to be adopted) – Key Result Area “*Economic Development*”.

COMMENT:

The Town's partnership with the State Government of Western Australia to provide upgraded and new sporting facilities within the Town of Vincent, as part of the State Sporting Facilities Plan will be a major benefit to the Town, its residents and taxpayers. Expressions of Interest will ensure that only suitably qualified registered builders, with the proven capacity to carry out a project of this magnitude will be invited to tender for the work. This process will provide a more cost competitive price and will remove the uncertainty of awarding a tender to a company that may not deliver the project within the strict budgetary and timeline requirements specified by the Council.

The Council's approval of this recommendation is therefore requested.

A summary of the builders is listed below;

1. Broad Construction Services Pty Ltd

Total weighted score:	96
Knowledge and experience:	Extensive knowledge and experience in large projects including: <ul style="list-style-type: none"> • Softwood Nursery, Manjimup \$5.86m • Araluen Country Club - \$5.9m • Fitness First Health Club - \$1.3m • Hatch Building, Perth - \$6.9m • Peel TAFE Campus - \$20m Limited experience with large sports projects.
Capacity to address technical aspects:	Highly detailed.
Credentials:	Highly detailed.
Roles of key persons/experience:	Highly detailed.
Position in organization:	Directors and senior personnel will be used.
Proposed methodology:	Highly detailed and documented.
Demonstrated project management experience:	Highly detailed and documented. Quality Assurance details provided.
Identification of key issues and risks:	Highly detailed and extensive specific details.
Financial history/viability:	No demonstrated previous problems.
Demonstrated financial capacity:	Verification provided by ANZ, Bankwest and St George Bank.

2. Southdown Construction Co Pty Ltd

Total weighted score:	69
Knowledge and experience:	Extensive work in small to medium sized projects, including: <ul style="list-style-type: none"> • Police stations, • Southlakes and Gosnells Pools • Nursing Homes • Home Units Limited experience in large sports projects.
Capacity to address technical aspects:	Limited information provided.
Credentials:	Adequate details provided.
Roles of key persons/experience:	Senior staff will be used, however, a staff of 13 people is deemed insufficient for a project of this size.
Position in organization:	Directors and senior personnel will be used.
Proposed methodology:	Basic and limited information provided.
Demonstrated project management experience:	Only small to medium sized projects. Quality Assurance details provided.
Identification of key issues and risks:	Basic and limited information provided.
Financial history/viability:	No demonstrated previous problems.
Demonstrated financial capacity:	Verification provided by Commonwealth Bank.

3. Entact Clough

Total weighted score:	100
Knowledge and experience:	Extensive knowledge and experience in large projects including: <ul style="list-style-type: none"> • Kwinana Motorplex \$16m • Fremantle Dockers Clubrooms - \$3.5m • State Tennis Centre - \$11.45m • Subiaco Oval Grandstand 1980 - \$3.5m
Capacity to address technical aspects:	Highly detailed.
Credentials:	Highly detailed.
Roles of key persons/experience:	Highly detailed.
Position in organization:	Directors and senior personnel will be used.
Proposed methodology:	Highly detailed and documented.
Demonstrated project management experience:	Highly detailed and documented. Quality Assurance details provided.
Identification of key issues and risks:	Highly detailed and extensive specific details.
Financial history/viability:	No demonstrated previous problems.
Demonstrated financial capacity:	Verification provided by Commonwealth Bank, Citibank and others.

4. BGC Construction

Total weighted score:	100
Knowledge and experience:	Extensive knowledge and experience in large projects including: <ul style="list-style-type: none"> In 2002 completed refurbishment of Western Australian Cricket Association at a project value of \$10.8m. Completed on time and within budget. Curtin Schools of Business and Physiotherapy \$25m Oral Health Centre WA - \$24m Chinese Consulate, East Perth - \$13m Armadale Private and Public Hospital - \$50.5m Annual turnover of \$120m.
Capacity to address technical aspects:	Highly detailed.
Credentials:	Highly detailed.
Roles of key persons/experience:	Highly detailed.
Position in organization:	Directors and senior personnel will be used.
Proposed methodology:	Highly detailed and documented.
Demonstrated project management experience:	Highly detailed and documented. Quality Assurance details provided.
Identification of key issues and risks:	Highly detailed and extensive specific details.
Financial history/viability:	No demonstrated previous problems.
Demonstrated financial capacity:	Verification provided by Bankwest and Westpac Banking Corporation.

5. John Holland Pty Ltd

Total weighted score:	100
Knowledge and experience:	Extensive and varied projects, including: <ul style="list-style-type: none"> 1998-2000 Subiaco Oval Redevelopment - \$33.4m 1993-1994 Joondalup Sports Complex - \$9.4m 1990-1992 Melbourne Cricket Ground, Southern Stand - \$118.5m
Capacity to address technical aspects:	Highly detailed.
Credentials:	Highly detailed.
Roles of key persons/experience:	Highly detailed.
Position in organization:	Directors and senior personnel will be used.
Proposed methodology:	Highly detailed and documented.
Demonstrated project management experience:	Highly detailed and documented. Quality Assurance details provided.
Identification of key issues and risks:	Highly detailed and extensive specific details.
Financial history/viability:	No demonstrated previous problems.
Demonstrated financial capacity:	Verification provided by ANZ, National and Commonwealth Bank.

10.4.7 Information Bulletin

Ward:	-	Date:	4 March 2003
Precinct:	-	File Ref:	-
Reporting Officer(s):	A Smith		
Checked/Endorsed by:	J Giorgi		
Amended by:	-		

RECOMMENDATION:

That the Information Bulletin dated 8 April 2003, as distributed with the Agenda, be received.

COUNCIL DECISION ITEM 10.4.7

Moved Cr Drewett, Seconded Cr Ker

That the recommendation be adopted.

CARRIED (8-0)

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

Cr Hall returned to the Chamber at 7.09pm.

DETAILS:

The items included in the Information Bulletin dated 8 April 2003 are as follows:

ITEM	DESCRIPTION
IB01	Letter from the Environmental Protection Authority – EPA Final Guidance for Assessment of Environmental Factors No. 4 – Deep and Shallow Well Injection of Liquid Industrial Waste.
IB02	Letter from the Western Australian Government Railways Commission – Western Australian Government Railway (WAGR): Stations Lighting Upgrade.
IB03	Letter to the Town Planning Appeal Tribunal – Appeal No. 33 of 2003, Nos. 79-183 (Lot 102) Charles Street, dual frontage with Oak Lane, West Perth – Proposed Eight (8), Three Storey Grouped Dwellings.
IB04	Letter from the Minister for Housing and Works; Local Government and Regional Development; The Kimberley, Pilbara and Gascoyne – Appeal – Town of Vincent – No. 31 (Lot 31) Mabel Street, North Perth.
IB05	Letter from the Western Australian Planning Commission – Town Planning Scheme No. 1 – Amendment No. 16.
IB06	Disability Services Commission - "disAbility update" - Issue No 15 - December 2002 - Award Winning Program is Child's Play

10.1.17 Further Report - Nos. 53-65 (Lots 12, 134, 135, 136) Wasley Street, Corner Norfolk Street and No. 88 (Lot 4, Strata Lot 3) Forrest Street, North Perth - Proposed Demolition of Two Existing Dwellings, and Alterations and Additions to and Partial Demolition of Existing Nursing Home

Ward:	North Perth	Date:	6 April 2003
Precinct:	Norfolk, P10	File Ref:	PRO2045; 00/33/1092
Reporting Officer(s):	V Lee, H Eames,		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

FURTHER OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1, and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Edgar Idle Wade Architects, on behalf of the owners Iles Investments Pty Ltd, for proposed demolition of two existing dwellings, and alterations and additions to and partial demolition of existing nursing home at Nos. 53 - 65 (Lots 12, 134, 135 and 136) Walsey Street, Corner Norfolk Street, and No. 88 (Lot 4, Strata Lot 3) Forrest Street, North Perth, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (iii) prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development, \$3700.00 shall be submitted to and approved by the Town. The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development and Administrative Services Section with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*

- (v) *no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Wasley Street, Norfolk Street and Forrest Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (vi) *a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Wasley Street, Norfolk Street and Forrest Street verges adjacent to the subject property, shall be submitted and approved prior to the issue of a building licence. The applicant is requested to liaise with adjacent landowners in regard to the selection of appropriate species and design where it abuts residential properties. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (vii) *no street trees shall be removed, cut back, pruned or interfered with in any way, without the prior approval of the town's parks services section;*
- (viii) *all car parking bays shall be dimensioned on the building licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking";*
- (ix) *prior to the first occupation of the development, seven (7) class three bicycle parking rail(s) shall be provided within, or at a location convenient to the entrance of the development. The design and layout of the bicycle parking facilities shall be submitted to and approved by the Town prior to the installation of such facilities;*
- (x) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (xi) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xii) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xiii) *a detailed management plan that addresses the control of noise, traffic, car parking, right of way access to adjoining properties, delivery and service vehicle times, rubbish collection and litter associated with the development shall be submitted and approved prior to the first occupation of the development, and thereafter implemented and maintained;*
- (xiv) *detailed plans of site works, including identification of pavement type, drainage and parking shall be submitted with the Building Licence application;*
- (xv) *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;*
- (xvi) *prior to the first occupation of the development, the full length and width of the right of way from Norfolk Street to the western most boundary abutting the subject land shall be sealed, drained and paved to the specifications of and supervision under the Town, at the applicant's/owner(s)' full expense;*

- (xvii) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (xviii) *a bond and/or bank guarantee for \$7,400.00 for the full upgrade of the right of way shall be lodged prior to the issue of a Building Licence;*
- (xix) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division. No further consideration will be given to the disposal of stormwater without the submission of a geotechnical report from a qualified consultant;*
- (xx) *a road and verge security deposit bond and/or bank guarantee of \$880 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the Town's assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (xxi) *a visual truncation of 2 metres by 2 metres at the intersection of the driveway and the footpath shall be provided at the owner's cost;*
- (xxii) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (xxiii) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (xxiv) *all development and uses on site shall be directly associated with the nursing home on site;*
- (xxv) *the development and use of the right of way shall not restrict access to those properties that have a legal right of access over that right of way, unless agreed upon by the affected property owners; and*
- (xxvi) *prior to the issue of a Building Licence, the applicant/owner shall undertake a traffic impact assessment in liaison with the Town's Technical Services Division to determine the traffic impact the development will have on the adjacent residential streets, and this assessment shall be submitted to and approved by the Town. The recommendations of this assessment shall be undertaken prior to the first occupation of the development. All costs associated with this condition shall be borne by the applicant/owner;*

to the satisfaction of the Chief Executive Officer.

Moved Cr Piper, Seconded Cr Ker

That the recommendation be adopted.

Moved Cr Ker, Seconded Cr Chester

That in clause (xiii) the words "first occupation of the development" be deleted, and the words "issue of a building licence" be inserted as follows:

“(xiii) *a detailed management plan that addresses the control of noise, traffic, car parking, right of way access to adjoining properties, delivery and service vehicle times, rubbish collection and litter associated with the development shall be submitted and approved prior to the issue of a building licence, and thereafter implemented and maintained;*”

AMENDMENT CARRIED (9-0)

Debate ensued.

MOTION AS AMENDED CARRIED (9-0)

COUNCIL DECISION ITEM 10.1.17

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1, and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Edgar Idle Wade Architects, on behalf of the owners Iles Investments Pty Ltd, for proposed demolition of two existing dwellings, and alterations and additions to and partial demolition of existing nursing home at Nos. 53 - 65 (Lots 12, 134, 135 and 136) Walsey Street, Corner Norfolk Street, and No. 88 (Lot 4, Strata Lot 3) Forrest Street, North Perth, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (iii) prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development, \$3700.00 shall be submitted to and approved by the Town. The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development and Administrative Services Section with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (v) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Wasley Street, Norfolk Street and Forrest Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*

- (vi) *a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Wasley Street, Norfolk Street and Forrest Street verges adjacent to the subject property, shall be submitted and approved prior to the issue of a building licence. The applicant is requested to liaise with adjacent landowners in regard to the selection of appropriate species and design where it abuts residential properties. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (vii) *no street trees shall be removed, cut back, pruned or interfered with in any way, without the prior approval of the town's parks services section;*
- (viii) *all car parking bays shall be dimensioned on the building licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking";*
- (ix) *prior to the first occupation of the development, seven (7) class three bicycle parking rail(s) shall be provided within, or at a location convenient to the entrance of the development. The design and layout of the bicycle parking facilities shall be submitted to and approved by the Town prior to the installation of such facilities;*
- (x) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (xi) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xii) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xiii) *a detailed management plan that addresses the control of noise, traffic, car parking, right of way access to adjoining properties, delivery and service vehicle times, rubbish collection and litter associated with the development shall be submitted and approved prior to the issue of a building licence, and thereafter implemented and maintained;*
- (xiv) *detailed plans of site works, including identification of pavement type, drainage and parking shall be submitted with the Building Licence application;*
- (xv) *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;*
- (xvi) *prior to the first occupation of the development, the full length and width of the right of way from Norfolk Street to the western most boundary abutting the subject land shall be sealed, drained and paved to the specifications of and supervision under the Town, at the applicant's/owner(s)' full expense;*
- (xvii) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*

- (xviii) *a bond and/or bank guarantee for \$7,400.00 for the full upgrade of the right of way shall be lodged prior to the issue of a Building Licence;*
- (xix) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division. No further consideration will be given to the disposal of stormwater without the submission of a geotechnical report from a qualified consultant;*
- (xx) *a road and verge security deposit bond and/or bank guarantee of \$880 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the Town's assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (xxi) *a visual truncation of 2 metres by 2 metres at the intersection of the driveway and the footpath shall be provided at the owner's cost;*
- (xxii) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (xxiii) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (xxiv) *all development and uses on site shall be directly associated with the nursing home on site;*
- (xxv) *the development and use of the right of way shall not restrict access to those properties that have a legal right of access over that right of way, unless agreed upon by the affected property owners; and*
- (xxvi) *prior to the issue of a Building Licence, the applicant/owner shall undertake a traffic impact assessment in liaison with the Town's Technical Services Division to determine the traffic impact the development will have on the adjacent residential streets, and this assessment shall be submitted to and approved by the Town. The recommendations of this assessment shall be undertaken prior to the first occupation of the development. All costs associated with this condition shall be borne by the applicant/owner;*

to the satisfaction of the Chief Executive Officer.

FURTHER REPORT:

The Council at its Ordinary Meeting held on 25 March 2003 considered the application and resolved that the item be deferred for further investigation and report regarding the following issues:

1. Examine carparking requirements and access to ROW.
2. Examine verge parking.
3. Obtain traffic impact survey.
4. Clarify car ownership of self care residents.
5. Re-evaluate ratio of beds to carparking bays.

The Mayor Nick Catania, and Councillor Marilyn Piper have requested that this matter be listed as a Late Item on this Agenda.

Additional information has been provided by the Director of St Michael's Aged Care Centre as follows:

Letter dated 2 April 2003-

"In response to the Council's decision to defer Planning Approval for the above project in the previous Council Meeting on Tuesday, 25th March, 2003, we make the following comment.

Edgar Idle Wade Architects on behalf of Iles Investments re-submitted for Planning Approval on the 26th of November, 2002. A letter was received from the council dated the 19th of December, 2002 seeking that the proposal be advertised in accordance with the councils requirements. Edgar Idle Wade Architects undertook the required advertising of behalf of Iles Investments and kept the council informed of this during this period, with the period closing on the 14th February 2003. Edgar Idle Wade received a phone call from Verity Lee of the Planning and Services Department of the Council on the 25th February, 2003 seeking further information with regard to submissions received. This information was sent to Council on the 10th of March, 2003.

On the 24th of March, Edgar Idle Wade Architects received a letter from the Town of Vincent dated the 20th March 2003, stating that the matter was going before council at their meeting of the 25 March 2003.

After reviewing a copy of the council's agenda for the meeting and report with the officers recommendation for Approval of the Development, it became clear that all issues with respect to Planning approval had been addressed by Edgar Idle Wade Architects and also in the report made by the Town's Planning Officer, including the submissions received from residents during the advertising period.

We understand the Council has deferred approved on the basis of:

- 1. The concern over current verge parking situation.*
- 2. The Council now seeking a Traffic Impact Assessment before approval.*
- 3. The Council wanting to review the car parking requirements for an Aged Care Facility.*

In response to the issues:

- 1. We feel that the current verge-parking situation is a separate council issue and should not halt the Planning Approval Process.*
- 2. As per the Officer's Recommendation Report, the Planning Approval would be granted subject to the condition to a Traffic Impact Study being undertaken at the applicant/owners expense before a building licence would be issued.*
- 3. As spelt out in the Report also, the number of car parking bays on site exceeds the minimum required under the council's requirements of 1 bay per 3 beds. We have provided more bays than stipulated under the Town of Vincent's Town Planning Scheme No. 1 and question whether there is any basis for amending established parameters following extensive consultation and agreement with Council Officers.*
- 4. The new development is a high care Nursing Home Facility where no residents will drive cars. Currently the facility, with its 22 Independent Living Units and its 66 bed Nursing Home, only two residents of the Independent Living Units drive their own cars.*
- 5. The future of the laneway will be as per the officer's recommendation of condition xxv and our letter, which already forms part of the report to council.*

The angst and anxiety that is being caused to our current residents and the families of those who are on our waiting list for the new development is something that we feel is unnecessary and avoidable.

St. Michael Aged Care Centre is committed to the Residential environment of the local community whilst caring for the aged and infirm in line with the new Commonwealth Aged Care Guidelines. We have invested a great deal of resources into this new development and believe that all issues have been addressed, both by ourselves and the council and that the development should be expedited not hindered.

Again as a matter of urgency we respectfully ask that this matter be addressed at the next Council Meeting on Tuesday , 8th April, 2003 and that the council review it's stand on the Deferment and approve the Application in line with its Officer's Recommendation . . ."

Letter dated 3 April 2003-

"After submitting to you our urgent letter yesterday, we have accessed the minutes of the Council meeting held on he 25th March 2003 and note on page 2- point 4, Jennifer Harrison's comments. We acknowledge that the minutes are yet to be confirmed.

Further to her comments we reiterate the point that the Development meets all the requirements of the Town's Planning Scheme. The application for Planning Approval has been assessed by the Council's Planning Department and been recommended for Approval. We do not feel this would be done if the development contradicted the Town's Policy for the Norfolk Precinct.

With regards to the proposed parking of 40 car bays being insufficient, this is not the case as stated in our previous letter and the development has exceeded the Town's Planning Policy requirement of 1 bay per 3 beds for a Nursing Home Facility.

The recommendations, Jennifer Harrison made should the proposal be accepted, that St Michael's explain the deference in bed number from those proposed and those funded by the Commonwealth Government and the increase in staff numbers to bed numbers, we feel are commercial in confidence queries and do not relate to the Planning Approval Applications..."

Representatives from the Town met with the Director of St. Michael's Aged Care Centre, Ms Pauline Iles on Thursday 3 April 2003. Ms Iles agreed to obtain the services of a consultant to carry out the traffic impact assessment, investigating issues including car parking (on-site, verge and carriageway), right of way access to adjoining properties, emergency vehicles and rubbish collection.

Technical Services have recently erected new "No Standing" signage within 10 metres of the south western corner of the intersection of Wasley Street and Norfolk Street, and line marking on the south western corner of the intersection of Wasley Street and Norfolk Street.

In relation to the reasons for deferring the decision, the applicant has agreed to pay for the cost involved in undertaking a traffic impact assessment, and advised that only 2 of the current residents own and park vehicles on site. The owner has advised that the high care new nursing home patients will not have vehicles. As previously reported to Council, the proposal provides surplus car parking bays on site, to that required under the Town's Parking and Access Policy.

Parking and Access

The Town's Policy relating to Parking and Access requires that fifteen (15) class one, and five (5) class three bicycle parking rails be provided on site or at a location convenient to the entrance of the development. In this instance, given the nature of the development and its occupants, the provision of bicycle parking in accordance with the Town's Policy relating to Parking and Access is considered to be excessive. It is considered appropriate that a minimum of seven (7) Class 3 bicycle parking rails are provided, to encourage employees, visitors and capable residents to use alternative means of transport.

Accordingly, it is recommended that the previous Officer Recommendation of conditional approval remain unchanged, with the exception of condition (ix) to reflect the above revised number of bicycle parking rails required.

The following is a verbatim copy of the minutes of the Item placed before the Council at its Ordinary Meeting held on 25 March 2003.

"OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1, and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Edgar Idle Wade Architects, on behalf of the owners Iles Investments Pty Ltd, for proposed demolition of two existing dwellings, and alterations and additions to and partial demolition of existing nursing home at Nos. 53 - 65 (Lots 12, 134, 135 and 136) Walsey Street, corner Norfolk Street, and No. 88 (Lot 4, Strata Lot 3) Forrest Street, North Perth, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (iii) prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development, \$3700.00 shall be submitted to and approved by the Town. The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development and Administrative Services Section with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (v) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Wasley Street, Norfolk Street and Forrest Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (vi) a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Wasley Street, Norfolk Street and Forrest Street verges adjacent to the subject property, shall be submitted and approved prior to the issue of a building licence. The applicant is requested to liaise with adjacent landowners in regard to the selection of appropriate species and design where it abuts residential properties. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*

- (vii) *no street trees shall be removed, cut back, pruned or interfered with in any way, without the prior approval of the town's parks services section;*
- (viii) *all car parking bays shall be dimensioned on the building licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking";*
- (ix) *prior to the first occupation of the development, fifteen (15) class one and five (5) class three bicycle parking rail(s) shall be provided within, or at a location convenient to the entrance of the development. The design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*
- (x) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (xi) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xii) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xiii) *a detailed management plan that addresses the control of noise, traffic, car parking, right of way access to adjoining properties, delivery and service vehicle times, rubbish collection and litter associated with the development shall be submitted and approved prior to the first occupation of the development, and thereafter implemented and maintained;*
- (xiv) *detailed plans of site works, including identification of pavement type, drainage and parking shall be submitted with the Building Licence application;*
- (xv) *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;*
- (xvi) *prior to the first occupation of the development, the full length and width of the right of way from Norfolk Street to the western most boundary abutting the subject land shall be sealed, drained and paved to the specifications of and supervision under the Town, at the applicant's/owner(s)' full expense;*
- (xvii) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (xviii) *a bond and/or bank guarantee for \$7,400.00 for the full upgrade of the right of way shall be lodged prior to the issue of a Building Licence;*
- (xix) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division. No further consideration will be given to the disposal of stormwater without the submission of a geotechnical report from a qualified consultant;*

- (xx) a road and verge security deposit bond and/or bank guarantee of \$880 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the Town's assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;
- (xxi) a visual truncation of 2 metres by 2 metres at the intersection of the driveway and the footpath shall be provided at the owner's cost;
- (xxii) the construction of crossovers shall be in accordance with the Town's specifications;
- (xxiii) prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;
- (xxiv) all development and uses on site shall be directly associated with the nursing home on site;
- (xxv) the development and use of the right of way shall not restrict access to those properties that have a legal right of access over that right of way, unless agreed upon by the affected property owners; and
- (xxvi) prior to the issue of a Building Licence, the applicant/owner shall undertake a traffic impact assessment in liaison with the Town's Technical Services to determine the traffic impact the development will have on the adjacent residential streets, and this assessment shall be submitted to and approved by the Town. The recommendations of this assessment shall be undertaken prior to the first occupation of the development. All costs associated with this condition shall be borne by the applicant/owner;

to the satisfaction of the Chief Executive Officer.

Moved Cr Cohen, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

COUNCIL DECISION ITEM 10.1.8

Moved Cr Cohen, Seconded Cr Drewett

That this item be DEFERRED for further investigation and report.

1. Examine carparking requirements and access to ROW.
2. Examine verge parking.
3. Obtain traffic impact survey.
4. Clarify car ownership of self care residents.
5. Re-evaluate ratio of beds to carparking bays.

CARRIED (6-2)

For

Cr Chester
Cr Cohen
Cr Doran-Wu
Cr Drewett
Cr Franchina
Cr Hall

Against

Mayor Catania
Cr Ker

(Cr Piper was an apology for the meeting.)

LANDOWNER: Iles Investments Pty Ltd
APPLICANT: Edgar Idle Wade Architects
ZONING: Metropolitan Region Scheme – Urban Town Planning Scheme No. 1
 - Residential R40
EXISTING LAND USE: Residential and Nursing Home

COMPLIANCE:

<i>Requirement of Residential Design Codes and Town's Policy</i>	<i>Required</i>	<i>Proposed</i>
<i>Wasley Street Setback</i>	<i>Buildings are to be setback from the street alignment such distance as is generally consistent with the building setback on adjoining land - 6 metres</i>	<i>1 metre to portico/drop off point</i>

<i>Use Class</i>	<i>Nursing Home</i>
<i>Use Classification</i>	<i>'SA'</i>
<i>Lot Area</i>	<i>8335 square metres (not including privately owned right of way)</i>

Car Parking:

<i>Car parking requirement (nearest whole number) Nursing Home requires 1 space per 3 beds 105 beds = 35 car bays required</i>	<i>40 car bays provided on site</i>
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Bicycle Parking Facilities:

<i>Required</i>	<i>Provided</i>
<i>1 Class One bicycle parking space required per 7 beds 2 Class Three bicycle parking spaces required per 1500 metres gross floor area End of trip facilities including the provision of seven lockers and at least one shower encouraged.</i>	<i>No bicycle parking facilities provided on site. End of trip facilities shown, including showers, change rooms and staff room.</i>

SITE HISTORY:

There has been a hospital/nursing home at No. 53 Wasley Street since the 1930's. The current owners have managed the premises since the 1980's and have provided additional accommodation to the nursing home and a selection of independent retirement units for the aged population over the past 20 years.

Currently, St Michael's Aged Care Centre has 66 beds. In 2002, the owners were successful in obtaining 28 new bed places in the Commonwealth Government Aged Care Approvals Round.

An unsealed, privately owned, 5.03 metres wide, right of way abuts the proposal.

DETAILS:

The current owners wish to further develop and upgrade the existing accommodation in line with the current recommendations and regulations governed by the Aged Care Act 1997 and subsequent amendments.

The proposed works include:

1. *The demolition of the north-east wing of the existing nursing home.*
2. *The demolition of the two existing dwellings at Nos. 63 and 65 Wasley Street and extension of the Nursing Home onto this site.*
3. *The provision of 39 new nursing home places to the existing nursing home.*
4. *Conversion of the existing one and two bedroom independent aged care units into nursing home places.*
5. *Construction of a new 46 bed wing and reception and administration area.*
6. *Provision of new lounge areas, day rooms and chapel.*
7. *Alterations and upgrading of the existing kitchen and laundry areas.*

The applicant has provided the following information regarding the proposal:

"St. Michael's Aged Care Centre requires major rebuilding works to provide single ensuite and twin shard ensuite accommodation facilities to meet the needs and expectations of the current and future residents. A mix of one and two bedroom will enable a choice of accommodation and care options.

The proposed building works will be a staged redevelopment proposal that includes:

A single storey development in lieu of multiple storey incorporating a staged development program to maintain occupancy and continuing care and services for current residents.

Improving the entry and accessibility of the overall facility promoting a quality campus image offering a choice of accommodation and care options.

Creative design in providing amenities for caring for people suffering from dementia and for those from non English speaking backgrounds.

The overall facility will be enhanced with indoor atrium gardens, courtyards with external secure walkways in garden settings, additional dining and meals areas, additional occupational therapy and physiotherapy areas to promote variety of experience, privacy and dignity including hydrotherapy."

Further information submitted by the applicant, is included in Attachment 10.1.8 to this Report..

The applicant has provided the following comparison for the development.

	<i>Existing</i>	<i>Proposed</i>
<i>Number of Nursing Home Places</i>	66	105
<i>Plot Ratio</i>	43 per cent	50 per cent (based on the amalgamation of Lot 12, 134, 135, 136, Part Lot 4, and private right of way.)
<i>Site Coverage</i>	51 per cent (based on existing Lot 13 only)	55 percent (based on amalgamation of Lots 12, 134, 135, 136, Part Lot 4 and private right of way)
<i>On Site Car Parking</i>	26 bays	41 bays

<i>Time</i>	<i>Existing Staff Numbers</i>	<i>Proposed Staff Numbers</i>
<i>Daytime 6.00am - 4.00pm</i>	20	26
<i>Evening 4.00pm - 9.00pm</i>	8	10
<i>Night 9.00pm - 7.30am</i>	3	5

CONSULTATION/ADVERTISING:

The use 'nursing home' is not defined in the Town's Town Planning Scheme No. 1 and it is considered that the use is a 'use not listed' within Town Planning Scheme No. 1. Accordingly, the proposal was advertised in accordance with 'SA' advertising requirements with signs being erected on site, an advertisement being placed in a locally circulating newspaper, the Vincent Voice, and adjacent landowners contacted by registered mail.

Five submissions were received during the consultation period. Several concerns were raised in the submissions, including;

Car parking

Currently, the verge and surrounding streets are used by staff and visitors for car parking and there is concern that this has a detrimental impact on the streetscape and a vehicular and pedestrian hazard. Submissions have stated that parking on the verge restricts vision of oncoming traffic potentially contributing to several accidents that have been witnessed at this intersection.

Traffic Management

One submission requests that stop signs are reinstalled at the intersection of Norfolk Street and Walsey Street. Concern is also raised that the 50 kilometres per hour is often exceeded and is particularly dangerous where there are elderly people and people who may be concerned or distracted after visiting inmates.

Expansion of the Nursing Home through the Residential Area

Concern has been raised that the nursing home has gradually expanded throughout the area, potentially changing the residential amenity of the immediate area, and exacerbating parking problems. The complainant suggests that such a use would be more appropriate in a commercial area.

Right of Way

The adjoining right of way provides access to a number of other adjoining properties. The plans indicate that access to the right of way will be via controlled gates, which may prevent these properties from using the right of way.

Noise

Concerns are raised that noise from delivery and service vehicles, including rubbish collection, will cause unacceptable noise at unsociable times. This is an issue with the current development.

Dust

Concerns raised regarding dust during demolition.

Landscaping

Concerns were raised regarding proposed landscaping adjacent to private property. It was requested that any proposed landscaping / trees be undertaken so that they do not cause problems such as roots, leaves and light.

COMMENTS:

Car Parking

The Town's Law and Order Services have undertaken a survey of the parking in the area. The Town's Officers have reiterated that the current situation is undesirable with staff and visitors parking on the verge as there currently appears to be a lack of on site car parking. The current situation with parking on the verges and the street is not considered acceptable for several reasons including;

- 1. Unsightly and unlandscaped verges;*
- 2. Restricted line of sight around parked vehicles; and*
- 3. Unattractive streetscape.*

Accordingly, as a condition of Planning Approval, it is considered appropriate that all verges should be required to be reinstated, landscaped and reticulated.

The Town's Policy relating to Parking and Access states that a nursing home should provide 1 space per 3 beds provided. This provides for both patients, staff and visitors. Accordingly, for 105 beds, 35 car parking bays are required to be provided on site. The proposal shows 40 car parking bays provided on site, and therefore the proposal complies with the Town's Policy relating to Parking and Access.

Traffic Management

The Town's Technical Services has received complaints from residents of Forrest Street regarding excessive traffic volumes and speeds.

It is therefore considered that the proposed increase in size of the facility may further impact on the adjoining residential streets (classified as access roads in accordance with the Metropolitan Functional Road Hierarchy) and that a traffic impact assessment should be carried out by the applicant to determine what traffic impact the proposal will have on the adjoining residential streets

Expansion of the Use

The Town's Policy relating to the Norfolk Precinct states that:

"Any new development should be of a similar scale to existing buildings and compatible with adjacent residential buildings, particularly in relation to height and setbacks from the street.....

Careful control is to be exercised over the nature of the uses within these areas, and their design and layout to minimise the impact on any adjacent residential uses or land. The expansion of development into adjacent residential areas is not to be accepted. Adequate car parking is to be available to ensure that unreasonable vehicular traffic does not encroach into residential areas."

The proposed expansion of the nursing homes involves the demolition of two single houses. The proposed nursing home is considered to be similar in physical structure to that of a residential dwelling, in that the proposed structures are single storey, and are setback in line with the existing streetscape.

However, it is acknowledged that the number of people that will live and work in this premise is much higher than what would be expected in a residential dwelling. Associated deliveries and services vehicles, ambulances and staff and visitors to the premise would add additional vehicular traffic to that normally expected in a residential area.

Accordingly, it is considered imperative that adequate car parking, loading bays, etc are provided on site and appropriately designed, so that vehicles associated with the nursing homes are not imposing onto the streetscape or amenity of the adjoining residential area.

As on-site car parking does comply with the Town's Policy, it is anticipated that car parking should no longer pose an unreasonable affect on the adjoining residents amenity.

When compared to other commercial uses, a nursing home is considered to be a compatible use with the surrounding residential area. When making a decision, the Town should only consider the current proposal, which expands the nursing home over two additional lots that were previously residential. Should the applicant/owner continue to expand the business, the proposal will be subject to further Planning Approval, which will include further public consultation.

Right of Way

The Town's Officers have made the applicant aware of the issues raised by adjoining landowners in regard to the right of way. Prior to the issue of a Building Licence, the applicant is to provide the Town with evidence of ownership over the right of way and provide a management plan, in consultation with the affected adjacent landowners who have a legal right of access over the right of way, if appropriate. The applicant has suggested that one option may be to provide these landowners with their own remote control to the gates to allow them access to the rear of their lots.

Noise

The proposal shows rubbish collection and a delivery bay provided from the car park. It is considered that this proposal is workable and practical and should not cause traffic to build up on the adjacent streets. In order to lessen the impact on adjoining residents, it is recommended that the applicants/owners prepare a management plan, co-ordinating the majority of its deliveries and rubbish collection to times, which will not unduly disturb the amenity of the adjacent residents.

Dust

Dust problems created during the demolition/construction phase are controlled by the Environmental Protection Act 1986. The developers are required to comply with these standards and should a dust problem arise during demolition/construction, appropriate action can be undertaken by the Town.

Landscaping

Landscaping, both within the development and of the adjoining verges should be required as a part of the Planning Approval. The applicant/owner is requested to liaise with adjoining landowners when designing landscaping that abuts residential properties, particularly No. 88 Forrest Street.

Bicycle Parking Facilities

In accordance with the Town's Policy relating to Parking and Access, it is considered appropriate that 15 class one bicycle parking facilities and 5 class three bicycle parking facilities are provided.

Setback

The majority of the building complies with the setback requirements for residential requirements, expect for a covered portico which covers the drop off /pick up point from Walsey Street.

The variation to setback requirements caused by the portico is considered to be minor as it is only eight metres long, which equates to approximately 7 percent of the property's Wasley Street frontage.

As the portico structure is an open structure, it is not considered to unduly affect the amenity of the streetscape and accordingly, this variation is supported.

Demolition

The subject places at Nos.63 and 65 (Lots 135 and 136 respectively) are brick dwellings that were most likely to have been constructed in 1917. The original Building Licences for these properties are dated 1917 but are missing from the City of Perth archives.

The place at No.63 (Lot 135) Wasley Street is a generously sized dwelling that is currently used for administrative services associated with the Wasley Nursing Home. It has generally undergone substantial alteration with exception of minor decorative features that illustrate its construction period. The dwelling has a symmetrical facade with two short protruding bay windows either side of the centralised front door. There is a front verandah across the front of the dwelling, which wraps around to the western side of the dwelling. There is a wide central hallway with an arch half way through. Off either side of this hallway are four main rooms. Fireplaces have been removed and the majority of windows have been replaced. Skirting boards of varying heights remain, as do elaborate air vents. The kitchen, general living area and bathroom facilities have been located under a skillion area to the rear. The kitchen contains a tiled stove cook area with a Warren stove probably dating from the 1940s. Post office directories show that Mr Edward Fletcher lived at the property until at least 1925.

By the start of World War Two, William Duncan is shown to have lived there for a further 10 years until 1949.

No.65 (Lot 136) is smaller in size than No.63 and is also likely to have been constructed in 1917. The roof is clad in short iron sheets painted green. There is one chimney. The protruding southern gable is decorated with batons and roughcast render. The verandah is concrete and decorated with tiles and the verandah floor is also concrete. A central hallway leads to the main rooms to either side, which all generally have plain finishes except for cornices which are stylised in art deco like patterns. The skillion contains a kitchen and laundry/bathroom. The front garden contains a mature frangi pani tree and mature conifer (pine) tree. The rear garden contains large olive trees, pomegranate and grape vines and various outbuildings.

Although representative of a typical mid-1910s residences, the places are not unique or outstanding examples of its type. Moreover, the proposed development sits in a streetscape of buildings that exhibit wide-ranging differences in terms of their construction dates and styles, although there is generally a consistent set back and height. In this context, it is considered that the places contribute little to the amenity of the area. Overall, the places are not considered to meet the threshold for the Town's Municipal Heritage Inventory and it is considered that the places does not warrant full heritage assessment. It is recommended that the proposal to demolish the places be approved, subject to standard conditions.

Conclusion

Accordingly, it is recommended that the application be approved, subject to standard and appropriate conditions to address the above issues."

10.1.7 Nos. 4 - 8 (Lots 485, 484, 483 and 482) Hobart Street, North Perth – Proposed Demolition of Existing Single House and Construction of Six (6) Two-Storey Single Houses

Ward:	Mount Hawthorn	Date:	31 March 2003
Precinct:	North Perth, P8	File Ref:	PRO2212; 00/33/1525
Reporting Officer(s):	P Mastrodomenico		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owners Viking Developments for proposed demolition of existing single house and construction of six (6) two-storey single houses at Nos. 4 - 8 (Lots 485, 484, 483 and 482) Hobart Street, North Perth, and as shown on the plans stamp dated 10 March 2003, subject to:

- (i) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (ii) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Hobart Street and Sydney Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iii) a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Hobart Street and Sydney Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) a two (2) metres by two (2) metres visual truncation shall be provided where the driveway intersects with the footpath at the owner's cost;*
- (v) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (vi) a road and verge security deposit bond and/or bank guarantee of \$550.00 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (vii) the construction of each crossovers shall be perpendicular to the road, be a minimum width of three metres, and be in accordance with the Town's specifications;*

- (viii) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (ix) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (x) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xi) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence; and*
- (xii) *compliance with all relevant Environmental Health, Engineering and Building requirements;*

to the satisfaction of the Chief Executive Officer.

Moved Cr Drewett, Seconded Cr Ker

That the following amended recommendation be adopted.

AMENDED RECOMMENDATION:

Amend the preamble to the previous officer's recommendation as follows:

"That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owners Viking Developments for proposed demolition of existing single house and construction of six (6) two-storey single houses at Nos. 4 - 8 (Lots 485, 484, 483 and 482) Hobart Street, North Perth, and as shown on the plans stamp dated 10 March 2003 (drawing no. SK4) and amended plans stamp dated 7 April 2003, including amendments dated 8 April 2003, subject to:"

Moved Cr Doran-Wu, Seconded Cr Cohen

That a new clause (xiii) be added as follows:

"(xiii) the applicant provide amended plans showing improved interaction with streetscape;"

Debate ensued.

Cr Franchina departed the Chamber at 7.35pm.

Moved Cr Chester

That this item be DEFERRED.

There was no Secunder and therefore the Motion lapsed.

AMENDMENT CARRIED (5-3)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Drewett
Cr Chester	Cr Hall
Cr Cohen	Cr Piper
Cr Doran-Wu	
Cr Ker	

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

MOTION AS AMENDED CARRIED (6-2)

<u>For</u>	<u>Against</u>
Cr Cohen	Mayor Catania
Cr Doran-Wu	Cr Chester
Cr Drewett	
Cr Hall	
Cr Ker	
Cr Piper	

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

COUNCIL DECISION ITEM 10.1.7

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owners Viking Developments for proposed demolition of existing single house and construction of six (6) two-storey single houses at Nos. 4 - 8 (Lots 485, 484, 483 and 482) Hobart Street, North Perth, and as shown on the plans stamp dated 10 March 2003 (drawing no. SK4) and amended plans stamp dated 7 April 2003, including amendments dated 8 April 2003, subject to:

- (i) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (ii) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Hobart Street and Sydney Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iii) a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Hobart Street and Sydney Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*

- (iv) *a two (2) metres by two (2) metres visual truncation shall be provided where the driveway intersects with the footpath at the owner's cost;*
- (v) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (vi) *a road and verge security deposit bond and/or bank guarantee of \$550.00 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (vii) *the construction of each crossovers shall be perpendicular to the road, be a minimum width of three metres, and be in accordance with the Town's specifications;*
- (viii) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (ix) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (x) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xi) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xii) *compliance with all relevant Environmental Health, Engineering and Building requirements; and*
- (xiii) *the applicant provide amended plans showing improved interaction with streetscape;*

to the satisfaction of the Chief Executive Officer.

FURTHER REPORT:

The applicant has provided revised plans, stamp dated 7 April 2003.

The revised plans show minor modifications to the windows and balconies on the proposed units. The proposed modifications are not considered to increase over looking into adjoining properties, and comply with the privacy requirements of the Residential Design Codes, and accordingly, are supported, in accordance with to the previous Officer Recommendation.

The previous application of seven two storey single houses and partial demolition of existing single house on the abovementioned property, referred to the Ordinary Meeting held on 11 February 2003, of which four members of the public voiced their concerns and objections to the previous application during public question time. Two objections have been received by the Town on the current application firstly via electronic mail dated 8 April 2003, and secondly a verbal objection was received by the Town's Officers from a representative of the North Perth Precinct Group. In light of the above, the current application has been referred to Council for its consideration and determination.

LANDOWNER: Viking Developments
APPLICANT: Viking Developments
ZONING: Metropolitan Region Scheme: Urban own Planning
Scheme No.1: Residential R30/40
EXISTING LAND USE: Single House

COMPLIANCE:

Use Class	Single House
Use Classification	"P"
Lot Area	1977 square metres

SITE HISTORY:

The subject site is occupied by a single storey dwelling. The surrounding area is characterised by single storey dwellings. A concurrent application for a proposed 6 green-title lot subdivision has been submitted to the Western Australian Planning Commission.

- 11 February 2003 The Council at its Ordinary Meeting constructively refused an application for additional seven (7) two-storey single houses and partial demolition of existing dwelling at Nos. 4 - 8 (Lots 482, 483, 484 and 485) Hobart Street, North Perth.
- 14 March 2003 The Town received Notice of Appeal to the Town Planning Appeal Tribunal against the above Council refusal.
- 17 March 2003 Notice of first sitting of appeal scheduled for 2 April 2003.
- 28 March 2003 The Town is advised that the appellant has deferred the first sitting of appeal.

CONSULTATION/ADVERTISING:

In accordance with the Town's Community Consultation Policy, and Planning and Building Policies, and the Residential Design Codes advertising to adjacent property owners was not required as the development is considered to be fully compliant with the relevant requirements.

DETAILS:

Approval is sought for six (6) two-storey single houses and demolition of the existing dwelling.

COMMENTS:

Heritage

The subject place is a brick and tile dwelling that, according to the City of Perth Building Licence archive cards, was constructed in 1951 for a Mrs M.A. Nicholls. It is one of many thousand houses that were constructed in Perth during the immediate post-war period, when the demand for housing was exceptionally high. It was a period of austerity due to the strict limits that the government placed on the use of building materials at the time. The place has undergone some additions since its original construction, including two sleep-outs on its northern side. Most of the 1951 fabric is in place, albeit in a fair to poor condition.

The place is representative of the austere nature of housing from the immediate post-war period, but it is not considered to be a unique or endangered example of its type. The place is not considered to meet the threshold for entry in the Municipal Heritage Inventory and it is considered that a full heritage assessment is not required in this instance. It is recommended that the application to demolish the place be approved, subject to standard conditions.

Summary

The proposal is supportable as it is not considered to unreasonably adversely affect the amenity of the adjacent properties or the existing streetscape. Accordingly, it is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters.

10.1.6 No. 55 (Lot 617) Egina Street (Corner Ashby Street), Mount Hawthorn - Proposed Alterations and Two Storey and Basement Cellar/Store Additions to and Partial Demolition of Existing Single House

Ward:	Mount Hawthorn	Date:	1 April 2003
Precinct:	Mount Hawthorn; P1	File Ref:	PRO 2287; 00/33/1532
Reporting Officer(s):	S Crawford		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner JV Velios for proposed alterations and two storey and basement cellar/store additions to and partial demolition of existing single house at No. 55 (Lot 617) Egina Street (corner Ashby Street), Mount Hawthorn, and as shown on plans stamp-dated 10 March 2003, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) a visual truncation of 2 metres by 2 metres at the intersection of the driveway and footpath shall be provided at the owner's cost;*
- (iii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (iv) a road and verge security deposit bond and/or bank guarantee of \$880 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (v) the construction of crossovers shall be in accordance with the Town's specifications;*
- (vi) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the garage being setback a minimum of 1.5 metres to Ashby Street. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (vii) subject to first obtaining the consent of the owners of No. 53 Egina Street and No. 54 Federation Street, Mount Hawthorn for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 53 Egina Street and No. 54 Federation Street, Mount Hawthorn in a good and clean condition;*

- (viii) *the Town's Technical Services have indicated that they have no objection to the removal of the two (2) street verge trees located adjacent to the property subject to their replacement with two (2) street trees, and all removal and replacement costs shall be borne by the applicant/owner(s). Details of the proposed two (2) replacement street trees (including size, species, and planting location) shall be submitted to and approved by the Town prior to the issue of a Building Licence;*
- (ix) *no fence shall exceed a maximum height of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Egina Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency; and*
- (x) *the solid portion of the secondary street frontage fences and gates adjacent to Ashby Street shall be a maximum height of 1.8 metres above the ground level and incorporate of a minimum of two (2) design features to the satisfaction of the Town. Detail shall be submitted to and approved by the Town prior to the erection of such fences and gates;*

to the satisfaction of the Chief Executive Officer.

Moved Cr Cohen, Seconded Cr Drewett

That the following amended recommendation be adopted.

AMENDED RECOMMENDATION:

Amend clause (viii) of the previous recommendation to read as follows:

- (viii) *the Town's Technical Services have indicated that they have no objection to the removal of the Ashby Street ~~two (2)~~ street verge trees located adjacent to the property subject to ~~their~~ its replacement ~~with two (2) street trees~~, and all removal and replacement costs shall be borne by the applicant/owner(s). Details of the proposed ~~two (2)~~ replacement street trees (including size, species, and planting location) shall be submitted to and approved by the Town prior to the issue of a Building Licence;*

Moved Cr Cohen, Seconded Cr Ker

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

Debate ensued.

AMENDMENT CARRIED (7-1)

For
Mayor Catania
Cr Chester
Cr Cohen
Cr Drewett
Cr Hall
Cr Ker
Cr Piper

Against
Cr Doran-Wu

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

Cr Franchina returned to the Chamber at 7.45pm.

MOTION AS AMENDED CARRIED (9-0)

COUNCIL DECISION ITEM 10.1.6

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner JV Velios for proposed alterations and two storey and basement cellar/store additions to and partial demolition of existing single house at No. 55 (Lot 617) Egina Street (corner Ashby Street), Mount Hawthorn, and as shown on plans stamp-dated 10 March 2003, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) a visual truncation of 2 metres by 2 metres at the intersection of the driveway and footpath shall be provided at the owner's cost;*
- (iii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (iv) a road and verge security deposit bond and/or bank guarantee of \$880 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (v) the construction of crossovers shall be in accordance with the Town's specifications;*
- (vi) subject to first obtaining the consent of the owners of No. 53 Egina Street and No. 54 Federation Street, Mount Hawthorn for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 53 Egina Street and No. 54 Federation Street, Mount Hawthorn in a good and clean condition;*
- (vii) the Town's Technical Services have indicated that they have no objection to the removal of the Ashby Street street verge tree located adjacent to the property subject to its replacement, and all removal and replacement costs shall be borne by the applicant/owner(s). Details of the proposed replacement street tree (including size, species, and planting location) shall be submitted to and approved by the Town prior to the issue of a Building Licence;*
- (viii) no fence shall exceed a maximum height of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fences and gates adjacent to Egina Street shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency; and*

- (ix) *the solid portion of the secondary street frontage fences and gates adjacent to Ashby Street shall be a maximum height of 1.8 metres above the ground level and incorporate of a minimum of two (2) design features to the satisfaction of the Town. Detail shall be submitted to and approved by the Town prior to the erection of such fences and gates;*

to the satisfaction of the Chief Executive Officer.

FURTHER REPORT:

Street Trees

A tree inspection has been undertaken by the Town's Parks Services in relation to the above proposal, as the applicant seeks removal of an existing street tree located along the Ashby Street frontage. The Parks Technical Officer identified one (1) street tree on each frontage to the property. The applicant seeks removal of the Ashby Street verge tree due to the future damage the tree is likely to cause to development onsite due to the substantial root structure and canopy associated with the species. The applicant has supported the removal of the tree with an independent Arborculturalist's report and Parks Services have consented to the removal of this tree, subject to its replacement with more suitable species.

LANDOWNER: JV Velios
APPLICANT: As Above
ZONING: Metropolitan Region Scheme: Urban
 Town Planning Scheme No.1: Residential R30
EXISTING LAND USE: Single House

COMPLIANCE:

Use Class	Single House
Use Classification	"P"
Lot Area	491 square metres

Requirement	Required	Proposed
Setbacks		
Garage - Secondary Street	1.5 metres	1.0 metre
Rear ground level	1.5 metres	Nil
Rear upper level	2.5 metres	1.2 metres
Southern side ground level	1.5 metres	Nil
Southern side setback upper level	2.3 metres	1.0 metre - 2.2 metres
Cone of Vision		
Play room - southern side, upper level	6.0 metres	2.2 metres

SITE HISTORY:

The site currently supports a single storey single house located on the corner of Egina and Ashby Streets, with the principal frontage being to Egina Street.

DETAILS:

The applicant seeks to undertake alterations and additions to the single house, which includes a two storey extension, addition of a basement/cellar component to the existing dwelling and involves partial demolition.

CONSULTATION/ADVERTISING:

The applicant provided comments from the affected neighbours to the satisfaction of the Town, which negated the requirement to advertise the proposal.

COMMENTS:

Demolition

In order to undertake the alterations and additions to this property partial demolition of the existing dwelling is required. The dwelling is not listed on the Municipal Heritage Inventory or the Interim Heritage Database, and the proposed partial demolition is supported by the Town's Heritage Officer with the following assessment having been made.

This property is not listed on the Town's Municipal Heritage Inventory and as such, the proposed alterations and additions are just subject to general Town Planning Scheme policies and provisions. The proposed partial demolition at the rear of the house is supported, as the building fabric that is to be demolished is considered to have little significance in the overall context of the existing dwelling.

Street Trees

A tree inspection has been undertaken by a Town's Parks Services in relation to the above proposal, as the applicant seeks removal of existing street trees. The Parks Technical Officer identified two (2) street trees on the Ashby Street frontage and one (1) tree on the Egina Street frontage. Parks Services have consented to the removal of these trees subject to their replacement with more suitable species of trees.

Rear Ground Level Setback

The rear neighbour has an existing parapet wall on their rear boundary to accommodate their garage. The garage parapet is 5.5 metres in length and the subject ground level parapet is proposed to be 11.1 metres in length. The rear neighbour is on the western side of the proposal and thus no undue affect is considered to be caused on their amenity. Furthermore, this neighbour has provided their specific consent to the proposal identifying this element and advises that they intend to apply to increase their parapet to be the full length of this boundary also.

Rear Upper Level Setback

This upper level accommodates two bedrooms and a playroom. The applicant has implemented highlight windows to this elevation to address privacy issues for the rear neighbour. Due to the location of north, no undue overshadowing will result from the reduced setback, thus maintaining amenity to the rear neighbour. Again, this neighbour has provided their consent to the proposal specifically referencing this element.

Southern Side Ground Level Setback

Overshadowing will be caused to the neighbour as they are to the south of the development, however the overshadowing is not considered to cause detriment to the amenity space of the neighbour due to its limited encroachment. All overshadowing is within the limits of the Residential Design Codes (R Codes). Furthermore, the southern neighbour has provided their specific consent to the proposal.

Southern Side Upper Level Setback

Again, the upper level overshadowing is limited to the very rear of the neighbouring property and, through the limited size of the upper storey, this overshadowing is not considered to cause any undue effect on the neighbour. Again, this neighbour has provided their specific consent to the proposal.

Ashby Street Setback

The R Codes require the secondary street setback to be 1.5 metres. In order to reduce the visual impact of the garage adjacent to Ashby Street, the alignment of the garage with the verandah and upper storey setback (1.5 metres) will enhance the streetscape amenity and comply with the R-Codes.

Cone of Vision

The play room to the upper level would require a setback of 6.0 metres to the southern boundary in order to comply with the R Codes requirements. The applicant achieves a setback of 2.2 metres. Normally a screening condition would be required to be applied, however the neighbours have specifically cited that this window is acceptable as proposed.

Conclusion

It is considered that the proposal will generally have no unreasonable detrimental impact on the amenity and streetscape of the area. Accordingly, the proposal is recommended for approval, subject to standard conditions and conditions to address the above matters.

11.1 Notice of Motion – Councillor Simon Chester – Town Planning Scheme No. 1 – Amendment No. 11 – Eton Locality

That the Council authorises the Chief Executive Officer to write to the Minister for Planning and Infrastructure and the Local Member for Yokine to reinforce the Council's strong support and, in turn, request their support for Amendment No. 11 to the Town of Vincent Town Planning Scheme No. 1, to reflect – Rezoning the land contained in the Eton – Locality Plan 7 from “Residential R30” and “Residential R30/40” to “Residential R20”.

Moved Cr Chester, Seconded Cr Drewett

That the recommendation be adopted.

Moved Cr Chester, Seconded Cr Drewett

That the words "urgently before close of business 10 April 2003" be inserted following the words "to write" as follows:

"That the Council authorises the Chief Executive Officer to write urgently before close of business 10 April 2003 to the Minister for Planning and Infrastructure and the Local Member for Yokine to reinforce the Council's strong support and, in turn, request their support for Amendment No. 11 to the Town of Vincent Town Planning Scheme No. 1, to reflect – Rezoning the land contained in the Eton – Locality Plan 7 from “Residential R30” and “Residential R30/40” to “Residential R20”."

Debate ensued.

AMENDMENT CARRIED (9-0)

Debate ensued.

MOTION AS AMENDED CARRIED (9-0)

COUNCIL DECISION ITEM 11.1

That the Council authorises the Chief Executive Officer to write urgently by close of business 10 April 2003 to the Minister for Planning and Infrastructure and the Local Member for Yokine to reinforce the Council's strong support and, in turn, request their support for Amendment No. 11 to the Town of Vincent Town Planning Scheme No. 1, to reflect – Rezoning the land contained in the Eton – Locality Plan 7 from “Residential R30” and “Residential R30/40” to “Residential R20”."

10.1.5 No. 21 (Lot 17) Waugh Street (Corner Magnolia Street), Perth – Proposed Alterations and Additions of Mezzanine Floor to Approved Free-Standing Garage/Studio Structure and Retrospective Patio, to the Existing Single House

Ward:	Mount Hawthorn	Date:	1 April 2003
Precinct:	North Perth, P8	File Ref:	PRO 2270; 00/33/1513
Reporting Officer(s):	S Crawford		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by P Whitmore on behalf of the owners , P Whitmore and D Femming for proposed alterations and additions of mezzanine floor to approved free-standing garage/studio structure and retrospective patio, to the existing single house, at No.21 (Lot 17) Waugh Street (corner Magnolia Street), Perth, and as shown on plans stamp-dated 24 February 2003, subject to:

- (i) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) the garage/studio structure is permitted to have a maximum wall height of 4.8 metres and a maximum ridge height of 6.3 metres in accordance with the existing Planning Approval and Building Licence issued by the Town on 11th June 2002;*
 - (b) the external staircase to the northern elevation being removed from the proposal and replaced with an appropriate internal staircase. The Town will support a ground level access door to the northern elevation to achieve this;*
 - (c) the provision of two (2) carparking bays at ground level within the garage/studio structure being retained and complying with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking"; and*
 - (d) no part of the roof, including gutters, being setback nearer than 500 millimetres from eastern and southern boundaries.*

The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;
- (ii) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (iii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (iv) a road and verge security deposit bond and/or bank guarantee of \$220 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*

- (v) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (vi) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (vii) *a visual truncation of 1.5 metres by 1.5 metres at the intersection of the driveway and footpath, shall be provided at the owner's cost;*
- (viii) *details of all street trees adjacent to the subject property shall be submitted with the Building Licence application;*
- (ix) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (x) *the garage/studio structure shall not be used for industrial, commercial or habitable purposes and is for the sole personal use of the inhabitants of the dwelling only; and*
- (xi) *prior to the issue of a Building Licence for the garage/studio structure, details shall be submitted and approved demonstrating the following:*
 - (a) *the existing patio structure has been in existence for greater than two (2) years; and*
 - (b) *a structural engineer's certification confirming that the existing patio structure is structurally sound.*

The Town will take no further action with respect to the existing patio structure in the event of compliance with this condition;

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.5

Moved Cr Doran-Wu, Seconded Cr Cohen

That the following amended recommendation be adopted.

AMENDED RECOMMENDATION:

Amend the preamble clause of the previous recommendation to read as follows:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by P Whitmore on behalf of the owners , P Whitmore and D Femming for proposed alterations and additions of mezzanine floor to approved free-standing garage/studio structure and retrospective patio, to the existing single house, at No.21 (Lot 17) Waugh Street (corner Magnolia Street), Perth, and as shown on plans stamp-dated 24 February 2003 and 8 April 2003 incorporating setback amendments as advised by the applicant, subject to:

Moved Cr Cohen, Seconded Cr Hall

That a new clause (xii) be added as follows:

"(xii) no plumbing or sanitary facilities or fixtures shall be provided to or within the garage/studio structure without the prior approval of such by the Town;"

AMENDMENT CARRIED (9-0)

Debate ensued.

Moved Cr Piper, Seconded Cr Doran-Wu

That a new clause (xiii) be added as follows:

"(xiii) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the windows on the northern elevation on the first floor shall be screened with a permanent obscure material to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed. The obscure portion of the window shall be fixed in a closed position and any higher part may be openable, or the whole window be top hinged and the obscure portion of the window openable to a maximum of 20 degrees;"

AMENDMENT CARRIED (9-0)

ORIGINAL MOTION LOST (2-7)

For
Cr Doran-Wu
Cr Drewett

Against
Mayor Catania
Cr Chester
Cr Cohen
Cr Franchina
Cr Hall
Cr Ker
Cr Piper

Reasons:

1. There is an unauthorised structure on the site.
2. Inadequate and misrepresenting plans.

FURTHER REPORT:

Garage/Studio Setbacks

The applicant advised verbally on 8 April 2003 that in submitting the planning application he had made an error with respect to the proposed setbacks of the structure.

The plans demonstrate a 0.5 metre setback to the rear southern setback and the eastern side setback respectively. The applicant intended for these setbacks to remain at 0.3 metre, as approved in the existing Building Licence issued on 11 June 2002.

The affected neighbour at Number 19 Waugh Street agreed to this lesser setback of 0.3 metre by signing the original Building Licence application plans dated 15 July 2002. The current proposal was advertised to the rear neighbour at Number 8 Magnolia Street, and within this time no submission was received.

The applicant has the ability to enact the existing Building Licence for the studio structure in the approved location and as such, altering the current planning application to reflect this original location on the lot, will have no significant or undue impact on the nature of the structure or the amenity of the surrounding area.

On this basis, these minor alterations can be accepted and the attached plan demonstrates the changes.

LANDOWNER: P Whitmore and D Flemming
APPLICANT: P Whitmore
ZONING: Metropolitan Region Scheme: Urban Town Planning Scheme No.1: Residential R30/40 (R40 applies for this application - existing house retained)
EXISTING LAND USE: Single House

COMPLIANCE:

Use Class	Single House
Use Classification	"P"
Lot Area	491 square metres

Requirement of Residential Design Codes or Town's Policy	Required	Proposed
Setbacks		
Rear setback	1.5 metres	0.5 metre
Side setback(east)	1.2 metres	0.5 metre
Secondary street setback	1.5 metres	1.2 metres
Outbuilding		
Size	Maximum 49.10 square metres. Approved at 74.2 square metres	72.18 square metres
Wall height	2.4 metres. Approved at 4.8 metres	5.2 metres
Ridge height	4.2 metres. Approved at 6.3 metres.	6.7 metres
Open Space	45 per cent	44.4 per cent
Cone of Vision - northern elevation	6.0 metres	3.4 metres

SITE HISTORY:

The site is occupied by a single storey single house . Existing development onsite includes a raised covered patio immediately to the rear of the house, and the approved garage/studio structure is under construction, with the pad and single storey walls in place. The following application history is relevant to the proposal:

28 December 2000: A Planning Approval and Building Licence was issued for a garage addition to the existing dwelling. The proposed structure was permitted to be 10.6 metres in length, 5.6 metres in width and 4.8 metres in height, having a total floor area of 59.36 metres.

11 June 2002: An amended Building Licence was issued by the Town for the construction of a garage addition to the existing dwelling. The structure was permitted to be 10.6 metres in length, 7.0 metres in width and 4.8 metres in height, having a total floor area of 74.2 square metres.

DETAILS:

The applicant seeks to modify the existing approved structure, which include the following elements:

- Addition of mezzanine level;
- Increase in height of the overall structure;
- Minor alterations in setbacks which results in minor reduction in size of the outbuilding;
- Addition of external staircase to the northern elevation;
- Increase in width of windows to northern elevation; and
- Changes to the western elevation, being the secondary street frontage, Magnolia Street.

The upper level mezzanine will be used as a personal martial arts studio and gymnasium for the applicant.

The alterations proposed are demonstrated in the table below:

Element	Approved	Proposed
Length	10.6 metres	10.3 metres
Width	7.0 metres	7.06 metres
Height	4.8 metres	5.2 metres
Area	74.2 square metres	72.718 square metres
Full height window width	1.8 metres	2.3 metres
Upper level	Not proposed	Mezzanine
External staircase	Not proposed	Proposed
Roller door	Double height roller door to Magnolia Street frontage	Single height roller door with windows above to Magnolia Street frontage

The applicant has commenced construction of the structure, with the pad and ground floor walls being in place.

CONSULTATION/ADVERTISING:

No objections were received during the advertising period. The neighbours at No. 19 Waugh Street have signed the applicant's plans at the time of submission.

COMMENTS

Existing Amended Building Licence

The principle of the structure and its form has already been accepted as part of the existing Building Licence, which was issued by the Town on 11th June 2002. As such, the size, appearance and the structure's impact on the amenity of the area has been established through this Licence. Consideration of the current proposal is generally limited to any greater impact that may be created as a result of the proposed alterations.

Setbacks

Due to the minor changes proposed to the dimensions of the structure, this has resulted in minor changes to the proposed setbacks. The table below demonstrates the approved setbacks in comparison to what is proposed.

Setback	Approved	Proposed
Rear (southern) setback	0.3 metre	0.5 metre
Eastern side setback	0.3 metre	0.5 metre
Secondary Street setback	1.2 metres	1.2 metres

It is considered these marginal increases in setback will have no further undue impact upon the amenity of the neighbouring properties and the streetscape.

Outbuilding

The existing Building Licence permits the applicant to construct an outbuilding which is 74.2 square metres in area. The modified proposal marginally reduces the size of the structure to 72.18 square metres. This change in size is resultant from marginal changes in setbacks which were identified above. The reduction in size to the structure is supported.

The wall and ridge height of the structure were approved at being 4.8 metres and 6.3 metres respectively. The applicant seeks to alter these dimensions to be 5.2 metres and 6.7 metres respectively.

At the approved height, there is sufficient room to accommodate a mezzanine level with appropriate floor to ceiling heights as required by the Building Code of Australia, that being 2.4 metres. As such, it is considered that any greater height increase will detrimentally affect the amenity of the area. The increase in height is considered to be excessive in comparison to existing development in the area and in comparison to existing development onsite. Of particular concern is the impact of the proposal on the southern neighbour at No. 20 Waugh Street. Due to the location of the outbuilding and its setbacks the structure will dominate this single storey dwelling and its frontage aspect to Magnolia Street. This situation is considered undesirable and unreasonable detriment will be caused through an increase in height, which will also unduly affect the amenities of the surrounding area. As such, any increase in height to the structure is not supported.

Open Space

The Residential Design Codes (R Codes) require that 45 per cent of the site be retained as open space. There are three structures onsite that contribute to site cover, those being; the dwelling, the approved outbuilding structure and a raised patio structure with a floor level greater than 0.5 metre above natural ground level. The resultant open space, inclusive of the revisions to the outbuilding, is 44.4 per cent.

At the time of considering the Building Licence, the applicant did not denote the existing patio structure onsite. There appears to be no approval (Planning or Building) for this structure. As such, at the time of issuing the Building Licence on 11th June 2002, the site would have appeared to comply with the open space requirements of the R Codes.

Cone of Vision - Northern Elevation

The revised proposal maintains two full height windows to the northern elevation of the structure. The applicant has proposed to increase their width from 1.8 metres to 2.3 metres. The eastern-most of these windows does not comply with the provisions of the cone of vision under the R Codes, only achieving a setback of 3.4 metres from the boundary. Generally this eastern-most window would require the imposition of screening, however the owners of the neighbouring residence at No. 19 Waugh Street have signed the plans stating they have no objection.

External Staircase - Local Character and Building Scale

In relation to the Town's Policies relating to Local Character and Building Scale, the proposed external staircase is considered undesirable. The outbuilding, inclusive of the minor size variation as part of this application, is more than sufficient in scale to accommodate an internal staircase. The internal staircase will not interrupt the provision of the required two carparking bays at ground level and will not result in undue loss of floor area for the proposed mezzanine, level, which is proposed to be 72.718 square metres. Furthermore, the addition of an access door at ground level is considered more suitable than an external staircase.

There are no examples of external staircases within the surrounding residential area and the introduction of such an architectural element is not considered appropriate with respect to the local character of the area and the impact the structure will have on the bulk and scale of the outbuilding. It has already been established above that the outbuilding is excessive in size and impact and the detrimental effect this has on the surrounding area. It is considered that an external staircase would exacerbate this situation unnecessarily.

Building Scale

From the above it has been established that the applicant has the right to construct the outbuilding structure, which was approved under the Town's Building Licence dated 11th June 2002. The scale of the structure, inclusive of the acceptable minor alterations, which are part of this current application do not affect the structure's scale.

In considering the appropriateness of the proposed mezzanine level, consideration is limited to the impact of the proposed additional floor space. As the bulk and scale of the structure, including approved height has been established through the existing Building Licence, and the full height windows have been established also, there is no reason not to permit the installation of a mezzanine level. The use of this upper level is not considered to have any greater impact on the area than the existing approved structure.

Unauthorised Patio Structure

The applicant has advised that the patio structure was in existence at the time that the property was purchased, and confirms that no Planning Approval exists for the structure. The applicant has confirmed that the structure is greater than two (2) years old and is willing to undertake to provide documentation to demonstrate this.

There are various time limits applicable to the Town with respect to taking action on unauthorised works. With respect to planning, the Town has received previous legal advice, which identifies that the limitation period for undertaking prosecution under the Town Planning and Development Act is one (1) year from when the unauthorised works occurred, in accordance with the interpretation of section 51 of the Justices Act 1902. Because the unauthorised patio structure appears to have been in place for in excess of two (2) years, the Town is likely to be outside the permitted time-frame for taking action under Section 10(4) of the Town Planning and Development Act.

Similarly, the Local Government Act 1995, section 9.25 (2), Time Limit for Prosecutions, also limits the ability of the Town to take action on unauthorised works, when such works are greater than two (2) years old. Again, the time limit provisions are likely to prevent the Town from taking action under this statute.

On the basis that the applicant can provide suitable details to demonstrate that the existing patio structure is greater than two (2) years old, and submission of a structural engineer's certification confirming the structural adequacy of the patio, it is recommended that the Town not take any further action over this matter.

Conclusion

From the above justification, it is considered that the proposed increase in wall height and subsequent increase in ridge height and the external staircase are unsuitable alterations to the approved structure. Conversely, the variation in setbacks, minor reduction in size of the structure, the size of the windows to the northern elevation and changes in elevational appearance to the western elevation, being the secondary street frontage of Magnolia Street, are all considered suitable. On this basis, the proposal is recommended for approval, subject to standard conditions and conditions to address the above matters.

10.1.16 No.108 (Lot 35) Joel Terrace, Mount Lawley - Proposed Two (2) Three Storey Grouped Dwellings and One (1) Two Storey Grouped Dwelling

Ward:	North Perth	Date:	2 April 2003
Precinct:	Banks, P15	File Ref:	PRO1339; (00/33/1428)
Reporting Officer(s):	C Mooney		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme and having regard to the matters it is required to consider generally, and in particular:

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (ii) the non-compliance with the privacy, plot ratio, setbacks, building height, access and car parking, and store requirements of the Residential Design Codes and the building height requirements of the Riverside Locality Policy; and*
- (iii) consideration of the objections received;*

the Council REFUSES the application submitted by the owner S Tzamaria for the proposed two (2) three storey grouped dwellings and one (1) two storey grouped dwelling on No. 108 (Lot 35) Joel Terrace, Mount Lawley, and as shown on plans stamp-dated 13 December 2002.

Moved Cr Ker, Seconded Cr Hall

That the recommendation be adopted.

COUNCIL DECISION ITEM 10.1.16

Moved Cr Hall, Seconded Cr Ker

That this item be DEFERRED as requested by the applicant during public question time at this meeting.

CARRIED (6-3)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Chester
Cr Doran-Wu	Cr Cohen
Cr Drewett	Cr Piper
Cr Franchina	
Cr Hall	
Cr Ker	

LANDOWNER:	S Tzamaria
APPLICANT:	S Tzamaria
ZONING:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1: Residential R60
EXISTING LAND USE:	Vacant Site

COMPLIANCE:

Use Class	Residential	
Use Classification	"P"	
Lot Area	718 square metres	
Requirements	Required	Proposed
Privacy - Cone of Vision		
Unit 2 - Side Setback, Northern Elevation - First Floor - Second Floor	Balcony within 7.5 metres of a property boundary more than 0.5 metre above natural ground level to be screened	No screening applied
Unit 3 - Side Setback, Southern Elevation - First Floor - Second Floor	Balcony within 7.5 metres of a property boundary more than 0.5 metre above natural ground level to be screened	No screening applied.
Boundary Setbacks		
Front Setback – First Floor	6 metres	3.5 metres - 4.8 metres
Northern Elevation - Unit 1 - First Floor	1.6 metres	1.53 metres - 2.53 metres
Unit 2 - First Floor and Second Floor	1.7 metres	1.3 metres - 1.9 metres
Southern Elevation - Unit 3 - Garage	1.2 metres	Nil
Parapet Wall	One Side Boundary Only - 2/3 (67%) The length of the balance behind the front setback, walls not to be higher than 3.5 metres with an average height of 3.0 metres.	Two Side Boundaries - <ul style="list-style-type: none"> ▪ Northern Boundary - Garage, Unit 2 ▪ Southern Boundary - Garage and Store, Unit 3. Height: 6 metres
Vehicular Access - Manoeuvrability	Vehicles to enter street in forward gear	Insufficient manoeuvrability
Car Parking	2 car parking spaces	Unit 3 - 1 car parking space
Minimum store dimension	1.5 metres	Unit 2 - 1.3 metres
Height/Building Scale	Two storeys including loft	Units 2 and 3: Three Storeys
Southern Elevation	Wall height - 6 metres Ridge height - 9 metres	Wall height - 9.25 metres Ridge height - 11.6 metres
Northern Elevation	Wall height - 6 metres Ridge height - 9 metres	Wall height - 9.2 metres Ridge height - 11.6 metres

Riverine Setback	8 metres	3 metres to verandah and balcony overhang. 5 metres to main building structure
Plot Ratio	0.65	0.69

SITE HISTORY:

The land is immediately adjoined by two-storey grouped dwellings on the northern and southern side boundaries. The land is bounded to the east by a Parks and Recreation Reserve which abuts the Swan River. The property abuts land within the Swan River Trust Management Area.

November 1999 The Swan River Trust refused the application, on grounds that the proposal did not meet the requirements for Trust Policy "DE3 Development Setback for Riverside Development".

18 January 2000 Council at its Ordinary Meeting conditionally approved a development proposal for two (2) three storey grouped dwellings and one (1) two storey grouped dwelling on the abovementioned property.

27 April 2000 The proposal was referred to the Western Australian Planning Commission (WAPC) for determination. The WAPC conditionally approved the development proposal for two (2) three storey grouped dwellings and one (1) two storey grouped dwelling on the abovementioned property.

CONSULTATION/ADVERTISING:

In accordance with the Western Australian Planning Commission Notice of Delegation, the application was referred to the Swan River Trust for their comments. The Swan River Trust responded with the following comments in correspondence dated 12 February 2003;

" That the Trust resolve to advise the Town of Vincent that the proposed One 2- Storey and Two 3- Storey Grouped Dwellings at Lot 35, (108) Joel Terrace Mount Lawley WA 6050, as described in the plans received by the Trust dated 24 December 2002, be refused for the following reasons:

- 1. The proposed development will detract from the amenity of the riverscape by virtue of its close proximity to the foreshore reserve and the waters of the Swan River.*
- 2. The proposed development is visually intrusive on the recreational amenity of the foreshore reserve and the riverine environment."*

The proposal was considered at the Trust's meeting held on 3 February 2003. The Town's Officers were invited to attend and comment. The Town vetoed its right to vote on the matter and did not comment opting to observe the proceedings. The Trust's Council resolved to refuse the application as per its Officer's recommendation.

The proposal was advertised to adjoining property owners and three submissions were received, which raised the following respectively,

"The main issue we have with the proposal is the height. We do not believe the height (3 storeys and the 'column' design are in keeping with the character of the area.

We do appreciate design is not an issue - however height is.

We are concerned with the 70 course high parapet Wall on our Boundary extending 8.2 metres. The majority of this will not effect our view or lighting however a section of approximately 2 metre at the Western end of the wall impacts on our courtyard clothes drying area and will because of its height cause overshadowing/darkness of the family room on our Northern face.

We do not have an issue with the set back of the property on the riverside . . . and does extend past the line of vision between our property and the property to the North of the proposed dwelling.

In conclusion we reinforce our concerns of the height of the Parapet wall on the Southern Boundary and ask that you consider the impact of the 3 storey building on the landscape. We would certainly prefer two (2) storeys."

". . . . Have grave concerns regarding my privacy (overlooking) from balcony of the 1st Floor and 2nd floor. As stated on plans I request the developer's abide by the required R codes."

"I wish to express my concern with regards to the proposed development, as there is a discrepancy between the development requirements and the provided distances of the new development especially with the cone of vision from the balconies of the 1st and 2nd floors. . .

I believe that any development should meet the council requirements and that major discrepancies like this from the requirements should not be accepted as this will set precedence for future developments in Joel Tce."

The Town's Planning Officer and the Architect of the proposal met on site with adjoining property owners at their request on 12 March 2003 to discuss their concerns in relation to the proposed setbacks, location and height of walls, aspects of parapet walls, the height of the three storey dwellings and the impact of the three-storey height on the amenity of the surrounding locality.

DETAILS:

The submitted plans detail one, two storey dwelling setback a minimum 3.5 metres from the front boundary with a further two, three storey dwellings positioned towards the rear of the lot accessed via a driveway on the southern side of the lot. Each level of the two, three-storey dwellings has a balcony overlooking the Parks and Recreation Reserve and the river.

Parking for the units is provided with two double garages and a single garage for Unit 3 within the site. Each dwelling is provided with a store and courtyard areas.

The applicant has provided information in support of the application, the detail of the submission is comprehensive and is 'Laid on the Table'.

The proposal was refused by the Swan River Trust; the details of this report are extensive and are also 'Laid on the Table'.

COMMENTS:

Height

The subject proposal is located within the Banks Precinct, which states the following regarding heights;

" . . . i) *Height:*

Buildings with two storeys (including loft) are strongly encouraged.

A third storey (including loft) can be considered, provided that the amenity of the adjacent residential area is protected in terms of privacy, scale and bulk."

The Town's Riverside Locality Policy states the following in regard to desired residential development and takes precedent over the precinct statement;

"3) SPECIAL POLICIES

i)Height:

A general height limit of two storeys (including loft) can be considered provided the second storey (including loft) is generally setback a minimum of 6 metres from the street and the amenity of the area is protected in terms of privacy, scale and bulk. . . ."

In relation to the objectors' comments and concerns over the scale, bulk and height of the proposal as well as the immediate impact on their amenity. The proposed three storey dwellings, Units 2 and 3, although they are facing the riverside will impact on the amenity of the area, given the height and scale of the proposal.

It is acknowledged that the subject lot has a substantial fall to the rear of the lot of approximately 4.5 metres from the front of the block to the rear; therefore the relative natural ground levels of the site vary noticeably. It is further acknowledged that the adjoining properties may vary in height due to the nature of the land and various fill that may have occurred during various development stages. Nevertheless, the proposal does not meet the requirements of height under both the Residential Design Codes and The Town's Policies relating to Building Scale and Riverside Locality Statement.

Plot Ratio

The proposal does not meet the requirements of the Residential Design Codes, although the variation may be deemed minor in nature, the scale and bulk of proposal is considered inappropriate.

Parapet Walls

The parapet walls relating to the proposed development vary from the setback requirements as stipulated in the Residential Design Codes, which only permit a parapet wall to be located adjacent to one side boundary, two thirds the length of the balance behind the front setback area for an average height of 3 metres and a minimum of 3.5 metres. In this instance, the proposal has two parapet walls to two side boundaries, and the parapet wall adjacent to the southern property is 6 metres in height. Nevertheless, it is acknowledged that the parapet walls are located adjacent to existing retaining walls on the respective adjoining properties however, in this instance, the addition is considered unacceptable, as it is 3 metres above the requirements of the Residential Design Codes. Therefore, it will unfavourably adversely affect the amenity of the adjoining southern property.

Compliance with the Residential Design Codes setback requirements will significantly alter the scale of the structure, and reduce the visual impact on the amenity of the adjoining southern property. The visual impact of the parapet wall is considered to be exasperated due to the narrowness of the adjoining property.

Overshadowing

The Residential Design Codes permits a maximum of 50 per cent overshadowing onto an adjoining site, for areas zoned between R40 and RIC. Unit 3 will overshadow onto the living areas of No. 104A (Lot 35) Joel Terrace, the adjoining southern property. However, the actual percentage of overshadowing caused by Unit 3 onto the adjoining southern property is approximately 14 per cent, which is well below the permitted maximum of the Residential Design Codes.

Unit 1 will not pose any undue overshadowing effect onto the adjoining southern property. The proposal will also have no undue overshadowing effect on the neighbouring property to the north.

Privacy

With regard to the potential for unreasonable overlooking, it is considered that the application of relevant screening conditions to these non-compliant openings would ensure compliance with the requirements of the Residential Design Codes.

Parking and Access

The submitted plans detail vehicle accessways and reversing areas which restrict the ability of vehicles to adequately manoeuvre safely and enter the street in forward gear. It is acknowledged that the proposal provides ample driveway access, however in this instance, the ability for safe vehicular manoeuvrability is not achievable. Unit 3 only proposes a single car parking space, which is not compliant with the Residential Design Codes, and in this instance, this variation is deemed to be unacceptable.

Side Setbacks

The side setbacks variations, excluding that of the parapet wall setbacks, are considered to be minor and in this instance could be considered supportable.

Street Setbacks

The Town's Riverside Locality Policy states the following in regard to setbacks;

"Buildings are generally to be setback from all boundaries in landscaped gardens, although reduced street setbacks may be appropriate to maintain the existing streetscape in some locations and reduced side setbacks may be appropriate on narrow lots. . .

i) Height:

. . . the second storey (including loft) is generally setback a minimum of 6 metres from the street and the amenity of the area is protected in terms of privacy, scale and bulk. . ."

ii) Setbacks:

Maintaining existing front, side and rear setbacks is strongly encouraged.

Intact streetscapes are strongly encouraged to be maintained. As such, applications for demolitions are generally not supported in areas that have intact streetscapes."

The street setbacks of the adjoining properties vary from approximately 5.5 metres to 6 metres for the second storey. The required second storey setback is 6 metres; the proposal has a second storey setback ranging from 3.5 metres to 4.8 metres, with an average of 4.15 metres. Therefore, it is considered that the proposal has not met the Town's requirements for maintaining second storey setback in relation to the existing streetscape.

Riverine Setback

The setback adjoining the Parks and Recreation Reserve is 5 metres to the main building and 3 metres to the verandah and balconies. The Swan River Trust's *'Development Setbacks for Development Near the River'* Policy requires a setback of 8 metres.

It is noted that the adjacent southern property is setback approximately 7 metres, with the setback to the northern adjacent property setback approximately 2 metres, other neighbouring properties to the north have an approximate setback of 3 metres. The riverine setback is a requirement of the Swan River Trust; however, the proposal has been setback to be in line with the neighbouring property to the north.

Storage area

A minimum dimension of 1.5 metres is required for a grouped dwelling development. Unit 2 proposes a minimum dimension of 1.3 metres. There is no justification to consider a reduced provision in this instance; nevertheless, it is acknowledged that minor revision of the proposal would be able to cater for this dimension.

Previous Approval

As stated in the Site History, the Town granted conditional Planning Approval on 18 January 2000. Due to objection by the Swan River Trust, the application was referred to the WAPC for determination from which conditional Planning Approval was granted on 27 April 2000. The current proposal is based on this previous approval, and it is not significantly different to that proposal.

The Planning Approval granted by the WAPC on 27 April 2000 is no longer valid. Since the time of the previous approval, the Town has developed, advertised and formally adopted Planning Policies relating to the Banks Precinct and Riverside Locality on 27 March 2001, and in addition, the Residential Design Codes were promulgated on 4 October 2002. In light of the requirements of both the Town's Policies and the Residential Design Codes, the current proposal should be determined under those appropriate requirements.

Summary

The proposed development inappropriately adds bulk and scale to the amenity of the surrounding area. A proposal submitted to the Town with a more appropriate scale and height that is compatible with the adjoining properties would be more complimentary to the amenity of area.

Given the above, the non-compliances with the requirements of the Residential Design Codes and the Town's Policies, as well as the obtrusive scale and nature of the structure, it is recommended that the proposal be refused.

Mayor Catania announced that Cr Franchina had declared a proximity interest in this item. Cr Franchina departed the Chamber at 8.14pm. He did not speak or vote on the item.

10.1.12 No 262 (Lot 3) Oxford Street, Leederville - Proposed Three Storey Mixed Use Development Comprising Four Offices, Three Multiple Dwellings and Associated Carparking

Ward:	Mount Hawthorn	Date:	31 March 2003
Precinct:	Leederville, P3	File Ref:	PRO2066; 00/33/1460
Reporting Officer(s):	P Mastrodomenico		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme and having regard to the matters it is required to consider generally, and in particular:

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (ii) the non-compliance with the front setback requirements of the Town's Policy relating to the 'Oxford' Locality, and the streetscape, boundary setbacks, building height and privacy requirements of the Residential Design Codes; and*
- (iii) consideration of the objections received;*

the Council REFUSES the application submitted by the owner K Rezvaninejad for proposed three storey mixed use development comprising four offices, three multiple dwellings and associated carparking on No. 262 (Lot 3) Oxford Street, Leederville, and as shown on the plans stamp-dated 16 January 2003.

Moved Cr Ker, Seconded Cr Hall

That the recommendation be adopted.

COUNCIL DECISION ITEM 10.1.12

Moved Cr Ker, Seconded Cr Hall

That this item be DEFERRED as requested by the applicant.

CARRIED (7-1)

For
Mayor Catania
Cr Cohen
Cr Doran-Wu
Cr Drewett
Cr Hall
Cr Ker
Cr Piper

Against
Cr Chester

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

LANDOWNER: K Rezvaninejad
APPLICANT: K Rezvaninejad
ZONING: Metropolitan Region Scheme: Urban
 Town Planning Scheme No.1: Residential R60
EXISTING LAND USE: Vacant Land

COMPLIANCE:

Use Class	Multiple Dwelling
Use Classification	"SA"
Lot Area	607 square metres

Requirements	Required	Proposed
Street Setback	4.0 metres to ground floor 6.0 metres to first floor and second floor	Nil setback to ground floor Nil setback to first floor and 1.0 metre to second floor
Side Setbacks		
South -ground floor -first floor -second floor	2.3 metres 2.3 metres 3.5 metres	Nil Nil 1.5 metres
North -first floor -second floor	5.5 metres 3.5 metres	3.8 metres 1.5 metres
Height	Two storeys (including loft)	Three storeys
Parapet Wall	Wall not higher than 3.5 metres with an average of 3 metres on one side boundary	5.6 metres
Privacy Unit 2 North -first floor (bedroom 2) (kitchen and living) Unit 3 North -second floor (bedroom 2 and 3) (kitchen) Unit 3 South -second floor (bedroom 1) (dining)	Window to habitable room (other than bedroom) within 6.0 metres and to bedroom within 4.5 metres, of a property boundary more than 0.5 metre above natural ground level to be screened.	No Screening shown

Commercial Car Parking:

Car parking requirement (nearest whole number) -170.9 square metres of office requires 3 car parking bays	3 car bays
Apply the adjustment factors.	(0.61)
<ul style="list-style-type: none"> ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.80 (mixed use development with 45 percent residential) ▪ 0.90 (end of trip bicycle facilities) 	2.04 car bays
Minus the car parking provided on site.* *	5 car bays
Resultant surplus	2.96 car bay

* The development proposes nine carparking bays, however only eight bays have adequate area for manoeuvring.

* In accordance with the Residential Design Codes, three of the eight car parking bays are required for the residential component of the development, resulting in five bays available for the commercial component.

Bicycle Parking Facilities:

Required	Provided
1 bicycle parking space (Class 1 or 2)	No bicycle parking shown on plans.

SITE HISTORY:

The subject site is vacant and fronts Oxford Street. The abutting property to the north is a single house and to the south is a shop, currently utilised by Giants Liquor store, which is a two storey building. The surrounding area is zoned Residential and is characterised by single storey character dwellings.

DETAILS:

Approval is sought for construction of a three storey mixed use development comprising four offices on the ground floor, three multiple dwellings above, and associated carparking.

CONSULTATION/ADVERTISING:

The proposal was advertised in accordance with "SA" advertising with a sign placed on site, advertisement placed in a local newspaper and adjacent landowners notified via registered mail. There were two objections received during the advertising period. Issues raised included, the concerns over the non commercial nature of the development; the height, bulk and scale and the overall design of the development; the proposed dwelling being unsympathetic with the heritage nature of the area and the effect on the overall streetscape of the area. Other issues raised included, the potential for overlooking on to the adjacent properties, concerns over open space and the lack of landscaping proposed.

COMMENTS:

Street Setback

The portion of Oxford Street between Tennyson and Bourke Streets comprises predominately single storey character dwellings with street setbacks ranging from 1.5 metres to 6.0 metres. The Giants Liquor store at No. 256 Oxford Street is setback approximately 1.5 metres, yet this is not construed as a desirable precedent for Oxford Street. The proposed nil front setbacks of the proposed dwelling is not considered supportable, as it would set a precedent for further similar development and is considered out of character with the traditional setbacks of the existing streetscape.

Side Setbacks

The second storey portion of the parapet wall located on the southern boundary is 2.6 metres in height above the requirements of the Residential Design Codes. The setback requirement for the second storey wall without major openings is 2.3 metres and in this instance the parapet wall will unfavourably affect the amenity of the immediate area.

Bulk and Scale

The Oxford Locality Policy permits a general height limit of two storeys (including loft) provided the second storey is generally setback a minimum of 6 metres from the street and the amenity of the area is protected in terms of privacy, scale and bulk. In this instance, a three-storey development with significant variations to the front and side setbacks and building height requirements, is not considered appropriate in this locality, as it will inappropriately add bulk and scale to the existing dwelling and will adversely affect the amenity and streetscape of the area.

Carparking

The development proposes nine parking bays, however only eight bays have adequate area for manoeuvring. The residential carparking component of the development requires three bays and the offices component requires 2.96 bays after application of adjustment factors. As such, the proposal complies with the Town's Policy relating to Parking and Access.

Privacy

To protect neighbours' reasonable privacy, the overlooking windows are required to be screened to 1.6 metres above respective the first floor levels in accordance with the Residential Design Codes.

Use

The land is zoned Residential R60 under Town Planning Scheme No.1. The Town Planning Scheme and the Oxford Centre Policy does not encourage the intrusion of commercial uses into the Oxford Street residential area. The proposed office use is considered to attract additional vehicular traffic and create other effects that would not normally be expected from a property zoned Residential R60. It is not considered to be appropriate to support a commercial development in this Residential area.

Summary

The proposal represents an inappropriate development for the site and as such may set an undesirable precedent in the locality for further development of a similar scale and nature in the future. Accordingly, it is recommended that the proposal be refused.

Cr Franchina returned to the Chamber at 8.15pm and Mayor Catania advised that Item 10.1.12 had been deferred as per the applicant's request.

10.1.13 No. 18 (Lot 54) Monger Street, Perth - Proposed Change of Use to Recreational Facility

Ward:	North Perth	Date:	31 March 2003
Precinct:	Beaufort, P13	File Ref:	PRO2276; 00/33/1518
Reporting Officer(s):	V Lee		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme and having regard to the matters it is required to consider generally, and in particular:*

(a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality:*

(b) *the non-compliance with the requirements of the Town's Policies relating to the Beaufort Precinct, Parking and Access, and Non-Residential Uses in/or Adjacent to Residential Areas; and*

(c) *consideration of the objections received;*

the Council REFUSES the application submitted by P Robinson on behalf of the owner M Butler for proposed change of use to recreational facility (yoga exercise and meditation) at No. 18 (Lot 54) Monger Street, Perth, and as shown on the plans stamp-dated 28 February 2003 and 25 March 2003; and

(ii) *the Council advises the owner and occupier of No. 18 (Lot 54) Monger Street, Perth, that the unauthorised recreational facility use at No. 18 (Lot 54) Monger Street, Perth, shall cease within fourteen (14) days of notification, and the Council authorises the Chief Executive Officer to commence legal proceedings to cease the unauthorised use should the use continue.*

COUNCIL DECISION ITEM 10.1.13

Moved Cr Drewett, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

CARRIED (8-1)

For
Mayor Catania
Cr Chester
Cr Cohen
Cr Doran-Wu
Cr Franchina
Cr Hall
Cr Ker
Cr Piper

Against
Cr Drewett

LANDOWNER: M Butler
APPLICANT: P Robinson
ZONING: Metropolitan Region Scheme – Urban Town Planning
 Scheme No. 1 - Residential/Commercial R80
EXISTING LAND USE: Unauthorised Recreational Facility

COMPLIANCE:

Car Parking:

Car parking requirement (nearest whole number) Recreation requires 1 space per 30 square metres of gross floor area. (Total floor area 424.08 square metres)	14 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> ▪ 0.85 (within 400 metres of a bus stop) ▪ 0.80 (within 400 metres of one or more public car parks in excess of 75 spaces) 	(0.68) 9.52car bays
Minus the car parking provided on site. (No car parking bays provided on site comply with Australian Standards)	0 car bays
Minus the most recently approved on site car parking shortfall. (No records of approved commercial uses on site, however residential use would have shortfall of two car parking bays)	2 car bays
Resultant shortfall	7.52 car bays

***Bicycle Parking Facilities:**

Required	Provided
1 Class One bicycle parking space required per 400 square metres gross floor area = 1 space. 1 Class Three bicycle parking spaces required per 200 metres gross floor area = 2 spaces.	Approximately 5 Class Three bicycle parking spaces.
Encourage the provision of end of trip facilities including the provision of lockers and showers.	Shower and room to change clothes available for patrons use.

*Taken from Health Club Use / Recreation Indoor, Outdoor, Private, Public,

Requirements	Required
Use Class	Recreational Facility
Use Classification	"AA"
Lot Area	438 square metres

SITE HISTORY:

The subject property is not listed on the Town's Municipal Inventory. However, based on anecdotal information, the place may have some historical significance.

A newspaper article from the *'West Australian'* dated 22 April 1989 states that the building was originally a milk depot. At some stage, pre 1989, it would appear that the barn/stable has been modified, upgraded and incorporated into the main dwelling. In addition to three rooms and a kitchen, living and bathroom area, there are two large open floor areas, one ground floor and one first floor, totalling approximately 240 square metres of usable open floor space. These two rooms have been created from the old milk depot.

The newspaper article suggests that the alterations and additions were designed by architect Brian Klopper. The article also suggest that at that time, the upstairs area was being used as an office and suggested that an appropriate use of the downstairs area would be a rehearsal place for musicians as it was already soundproofed. The Town has been unsuccessful in obtaining any historical records of the property, the additions nor the approved uses of the site from the City of Perth.

The owners have advised that they purchased the property in January 1993 when it was zoned C3 with the City of Perth. At the time, it was being run as a business known as "Monkey Music" and used by local bands for rehearsals and the sale of their music. The Town has been unsuccessful in obtaining any records of Planning Approval for this use from the City of Perth archives.

The Town has received a number of complaints regarding the subject property.

- | | |
|-------------------|--|
| 19 September 2001 | The Town's Health Services advised the owners of the subject property that a complaint had been received regarding noise and the use of the premise as a recording studio. |
| 2 November 2001 | The Town advised the owner and occupier that the Town had no record of the use of the premise as a recording studio/band rehearsal venue/party house for hire. The owner and occupiers were advised that the use must cease within seven days. They were also advised that they may wish to apply for retrospective Planning Approval and advised of their rights under the Environmental Protection (Noise) Regulations 1997. |
| 17 December 2001 | The Town wrote to the owner of the subject property acknowledging their attempts to rectify the situation, however were requested to provide Health Services with details regarding correspondence between the tenants/lease/rent agreements and their tenant's intentions in regard to the matter. |
| 17 December 2001 | The Town wrote to the owner of the subject property and advised of a potentially dangerous wall that required attention. |
| 21 December 2001 | The owner advised the Town that action was being taken in regard to the alleged dangerous wall. Subsequent concerns and issues regarding the upgrading of the wall were addressed in later correspondence between the affected persons. |

- 27 February 2002 The Town received a further complaint regarding noise and use of the subject property as a recording /rehearsal studio/party house for hire.
- 10 September 2002 -
11 December 2002 The Town received several complaints regarding the use of the subject site as a yoga centre/massage/kickboxing centre and associated car parking problems within Monger Street.
- 20 December 2002 The owners and occupiers were advised that no Planning Approval has been granted for the use of the building as a yoga centre and advised to cease the use within seven days.
- 3 January 2003 P Robinson, on behalf of the owner contacted the Town and advised that the owner is overseas and temporarily not contactable due to their current location in Mexico, and requested an extension of time prior to the initiation of legal action so that the owners could be contacted.
- 3 January 2003 The occupiers of the subject property contacted the Town.
- 5 February 2003 P Robinson, on behalf of the owner advised the Town that the owner had been contacted and the site was being surveyed so that an application could be submitted. During this time, the use of the building continued.
- 28 February 2003 The Town received an application for the proposed use.

DETAILS:

The applicant is applying to the Town for retrospective Planning Approval to operate a recreational facility from the premise, specifically for yoga and meditation. The applicant also intends to use one of the rooms for channelled healing under the internal healing system of Ka QiQune-Fy Sizth Dimension. The healing is done through meridian pressure points and energy channelling process where the client is not required to undress. The healing takes place while the client is fully clothed. This service would only be available on an appointment only basis. This use is considered to be ancillary to the recreational facility use.

The applicant has advised that the hours of operation for the yoga and meditation classes are as follows:

Monday to Friday - 6.45am to 8.30am
Monday to Thursday - 6.30pm to 8.00pm
Saturday - 9.00am to 10.30am

The applicant has advised that there will be two staff and up to twelve students per class. Separate toilets are available for men and women and washroom and change room facilities are available. The use does not involve amplified noise or machinery.

One undersize car parking bay is provided on site. The applicant has advised that there is a 'Wilson' car park nearby along Newcastle Street with 502 car parking bays.

The applicant advises that they have spent over \$50 000 renovating this property to take it to its current standard. The property was run down and inadequate capacity to teach yoga or be a healing centre as it is now.

The current tenants are keen to stay in the premise, given their capital outlay in setting up the business. They are willing to modify practices where possible to reduce their impact on the adjacent residents, including requesting that their staff and students park in the public car park along Newcastle Street. The tenant has provided the Town with a copy of information they will provide their students in regard to car parking and respecting the adjacent residents.

CONSULTATION/ADVERTISING:

Five objections were received during the advertising period.

Strong objections were expressed regarding the proposal. The main concerns raised relate to the lack of car parking in the area and the additional traffic that the business brings to the area. Hours of operation were also a concern, as surrounding residents were being disturbed by the morning classes and potential conflict with residents finding parking during class times.

Several submissions referred to non-compliances with the Town's Policies relating to Parking and Access, the Beaufort Precinct and Non-Residential Uses in or Adjacent to Residential Areas.

Other concerns related to noise from music and movement within the classes and the potential precedent for similar developments to occur in the area.

The applicant has also provided eight letters of support from adjacent businesses and residents, some of these providing conditional support subject to Council approval and particular hours of operation.

COMMENTS:

Parking and Access

The Town's Law and Order Services advise that they receive regular complaints from residents regarding the parking congestion in Monger Street, Money Street and Lindsay Street at all times of the day and evening.

The Town acknowledges that the existing business and residents of this area experience difficulties in parking, because the majority of these properties were developed before there was a need to provide on-site parking facilities. Both the residents and the businesses compete for the same kerbside parking facilities and it is currently not possible for the Town to provide any more kerbside parking bays than already exist.

However, as a general rule, residents are at work during day-time hours and are home in the evenings, while businesses tend to operate during day-time hours and many of them are closed at night. This generally allows for a co-existence of businesses and residents, where the availability of parking bays is maximised.

However, due to the times of the yoga and meditation classes, additional conflict has occurred, as the business runs outside of standard daytime working hours.

The proposal does not comply with the Town's Parking and Access Policy, and in this instance it is not considered appropriate that a cash-in-lieu is paid for the shortfall in car parking provided on site. The provision of additional parking bays, and/or upgrading of car parking in other areas from such a cash-in-lieu payment, is unlikely to alleviate any of the conflict in the immediate street.

Town's Policy relating to the Beaufort Precinct

The Town's Policy relating to the Beaufort Precinct states that:

"The Beaufort Precinct is to become, essentially, a mixed-use area of predominantly residential uses.....A renewed residential character is to be established in the Precinct. Although the area contains a diversity of activities, its primary use should be residential and therefore further conversion of residential properties away from residential use is to be resisted. A sensitive mix of uses is to be attained through the establishment of residential/commercial areas.

..Commercial uses are not to be permitted to develop independently of residential uses.

..Adequate car parking is to be provided on-site to ensure that unreasonable commercial parking does not spill into adjacent residential streets.

...Mixed Residential/Commercial Development:

Developments comprising residential and commercial uses:

- a) are to contain a residential component of no less than 66 per cent of the existing or approved floor space;"*

The proposed use is not considered to meet the requirements of the Town's Policy relating to the Beaufort Precinct.

It involves the conversion of an existing building that can be used for residential purposes to a solely commercial use. Accordingly, the proposal does not also comply with the requirement for 66 per cent of the building to be for residential uses.

The subject site is not considered to be able to support adequate car parking on site, as the associated parking is spilling onto the adjacent residential streets.

Town's Policy relating to Non-Residential Uses In/Or Adjacent to Residential Areas

The Town's Policy relating to Non-Residential Uses In/Or Adjacent to Residential Areas states:

"Non-residential development on land which is adjacent to land which is or may be used for residential purposes is only permitted where the nature of the non-residential use will not cause undue conflict through the generation of traffic and parking or the emission of noise or any other form of pollution which may be undesirable on residential areas."

The strong objections received regarding the use, illustrate that the use is causing conflict through the generation of traffic and parking within the residential area. Accordingly the proposal is not considered to comply with this portion of the Town's Policy relating to Non-Residential Uses In/Or Adjacent to Residential Areas.

It is acknowledged that the tenants have recently taken the initiative to make their students aware of conflicts with parking in the area. The tenant has advised that he is committed to monitoring students to ensure compliance with this request.

Summary

It is noted that the tenants of the subject property, took on the lease of the property and undertook extensive alterations and upgrading to the premise in good faith with the understanding that such a use was permitted at the subject site. However, the use is considered to constitute development and as such, requires specific Planning Approval

However, in this instance, the use is not considered to be appropriate, primarily due to the exacerbation of existing car parking constraints within the area, and strong opposition to the development from local residents. Accordingly, it is recommended that the application is refused, and the owners and occupiers be advised that the use must cease within 14 days. This will give the tenants some time to relocate their classes.

The Town is sympathetic to the constraints of setting up small business and the sometimes considerable capital outlay that setting up new businesses can cause.

However, the Town has been receiving a number of complaints regarding similar unauthorised uses in recent months. It is considered appropriate that the Town is proactive in educating owners and potential lessees of their obligations to obtain Council approval to operate new businesses. An appropriate method to educate the public would be through regular articles in the Town's newsletter.

10.1.9 No. 50 (Part Lot 276 and Lot 277) Alma Road, Dual Frontage with Forrest Street, Mount Lawley - Proposed Alterations and Additions to Existing Club (Masonic Lodge) and Change of Use to Club with Catering Business (Commercial Kitchen)

Ward:	North Perth	Date:	31 March 2003
Precinct:	Norfolk, P10	File Ref:	PRO2117; 00/33/1390
Reporting Officer(s):	V Lee		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by T Robbins on behalf of the owners, Northern Suburbs Masonic Hall Pty Ltd, for the proposed alterations and additions to existing club (Masonic Hall) and change of use to club with catering business (commercial kitchen) at No. 50 (Part Lot 276 and Lot 277) Alma Road, dual frontage with Forrest Street, Mount Lawley, and as shown on plans stamp dated 13 November 2002, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements, including the provision of an enclosed area suitable for the storage and cleaning of rubbish receptacles;*
- (ii) prior to the first occupation of the development, the applicant/owner of the subject land is encouraged to:*
 - (a) amalgamate the subject lots into one lot on Certificate of Title;*
 - (b) install bicycle parking facilities and end-of-trip bicycle facilities, such as locker storage area and shower and change room facilities, to encourage alternative means of transport and assist in creating a sustainable environment; and*
 - (c) provide carparking facilities and access to the building for people with disabilities;*
- (iii) a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Alma Road and Forrest Street verges adjacent to the subject property, and the provision of at least one (1) shade trees per four car parking spaces within the car park with access from Forrest Street, shall be submitted and approved prior to the issue of a Building Licence, or prior to the first occupation of the development, which ever occurs first. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) all car parking bays shall be dimensioned on the Building Licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking";*

- (v) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (vi) *a detailed management plan that addresses the control of noise, traffic and car parking including proposed methods to discourage parking and deliveries on and adjacent to Alma Road, associated with the development shall be submitted to and approved by the Town prior to the first occupation of the development, and thereafter implemented and maintained;*
- (vii) *a minimum of 24 car parking spaces shall be provided on site. 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;*
- (viii) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (ix) *a road and verge security deposit bond and/or bank guarantee of \$220 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the Town's assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (x) *a visual truncation of 2 metres by 2 metres at the intersection of the driveway and the footpath shall be provided at the owner's cost;*
- (xi) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (xii) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (xiii) *details of all street trees adjacent to the subject property shall be submitted with the Building Licence application;*
- (xiv) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s); and*
- (xv) *prior to the first occupation of the development, a sign shall be erected on site and adjacent to Alma Road, advising visitors to the site that car parking is available and shall occur at the rear of the building with access from Forrest Road. Details of the sign, including its location, dimensions and text shall be submitted to and approved by the Town, prior to issue of a Building Licence, or first occupation of the development, whichever occurs first.*

to the satisfaction of the Chief Executive Officer.

Moved Cr Piper, Seconded Cr Doran-Wu

That the recommendation be adopted.

Moved Cr Doran-Wu

That clause (vi) be amended by inserting the words "limiting hours of operation" following "traffic and carparking".

There was no seconder for this motion and Mayor Catania advised that it lapsed.

Cr Cohen departed the Chamber at 8.30pm.

Debate ensued.

Cr Cohen returned to the Chamber at 8.32pm.

Moved Cr Chester, Seconded Cr Ker

That clause (vi) be amended by deleting the words "discourage parking and deliveries" and replacing with the words "ensure no deliveries", deleting the word "approved" and replacing with the words "to the absolute approval", deleting the words "first occupation of the development" and replacing with the words "issue of a building licence", as follows:

"(vi) a detailed management plan that addresses the control of noise, traffic and car parking including proposed methods to ensure no deliveries on and adjacent to Alma Road, associated with the development shall be submitted to and to the absolute approval by the Town prior to the issue of a building licence, and thereafter implemented and maintained;"

Debate ensued.

AMENDMENT CARRIED (9-0)

Cr Doran-Wu departed the Chamber at 8.35pm.

Debate ensued.

Cr Doran-Wu returned to the Chamber at 8.37pm.

MOTION AS AMENDED CARRIED (8-1)

For

Cr Chester
Cr Cohen
Cr Doran-Wu
Cr Drewett
Cr Franchina
Cr Hall
Cr Ker
Cr Piper

Against

Mayor Catania

COUNCIL DECISION ITEM 10.1.9

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by T Robbins on behalf of the owners, Northern Suburbs Masonic Hall Pty Ltd, for the proposed alterations and additions to existing club (Masonic Hall) and change of use to club with catering business (commercial kitchen) at No. 50 (Part Lot 276 and Lot 277) Alma Road, dual frontage with Forrest Street, Mount Lawley, and as shown on plans stamp dated 13 November 2002, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements, including the provision of an enclosed area suitable for the storage and cleaning of rubbish receptacles;*
- (ii) prior to the first occupation of the development, the applicant/owner of the subject land is encouraged to:
 - (a) amalgamate the subject lots into one lot on Certificate of Title;*
 - (b) install bicycle parking facilities and end-of-trip bicycle facilities, such as locker storage area and shower and change room facilities, to encourage alternative means of transport and assist in creating a sustainable environment; and*
 - (c) provide carparking facilities and access to the building for people with disabilities;**
- (iii) a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Alma Road and Forrest Street verges adjacent to the subject property, and the provision of at least one (1) shade trees per four car parking spaces within the car park with access from Forrest Street, shall be submitted and approved prior to the issue of a Building Licence, or prior to the first occupation of the development, whichever ever occurs first. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (iv) all car parking bays shall be dimensioned on the Building Licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking";*
- (v) all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (vi) a detailed management plan that addresses the control of noise, traffic and car parking including proposed methods to ensure no deliveries on and adjacent to Alma Road, associated with the development shall be submitted to and to the absolute approval by the Town prior to the issue of a building licence, and thereafter implemented and maintained;*
- (vii) a minimum of 24 car parking spaces shall be provided on site. 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;*

- (viii) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (ix) *a road and verge security deposit bond and/or bank guarantee of \$220 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the Town's assets have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (x) *a visual truncation of 2 metres by 2 metres at the intersection of the driveway and the footpath shall be provided at the owner's cost;*
- (xi) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (xii) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (xiii) *details of all street trees adjacent to the subject property shall be submitted with the Building Licence application;*
- (xiv) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s); and*
- (xv) *prior to the first occupation of the development, a sign shall be erected on site and adjacent to Alma Road, advising visitors to the site that car parking is available and shall occur at the rear of the building with access from Forrest Road. Details of the sign, including its location, dimensions and text shall be submitted to and approved by the Town, prior to issue of a Building Licence, or first occupation of the development, whichever occurs first.*

to the satisfaction of the Chief Executive Officer.

LANDOWNER: Northern Suburbs Masonic Hall Pty Limited
APPLICANT: T Robbins
ZONING: Metropolitan Region Scheme – Urban Town Planning Scheme No. 1 - Residential R40
EXISTING LAND USE: Club

COMPLIANCE:

Requirements	Required	Proposed
Landscaping	Norfolk Precinct Policy requires that landscaping is to continue to be an important element of the environment, including the use of water conservation measures.	Subject site currently is not considered to have appropriate landscaping. No landscaping proposed on plans submitted.
Use Class	Club, Use not listed (commercial kitchen)	
Use Classification	'SA', 'SA'	
Lot Area	1350 square metres	

SITE HISTORY:

The Masonic Hall was built in 1928 and is listed in the Town's Municipal Heritage Inventory. The existing building consist of the main hall, lesser hall, kitchen and associated office and sanitary facilities. There is an existing car parking area with room for approximately 22 car parking bays at the rear of the building with access from Forrest Street, however the car parking area is not sealed, landscaped or line marked. Two car parking bays are provided at the front of the building with access from Alma Road.

DETAILS:

The applicant has advised that the existing Masonic Hall is used by a number of Masonic organisations for holding their meetings and generally holding functions associated with the principals of supporting its charitable work. Most of the organisations meet on a monthly, bi-monthly and quarterly basis. The applicant advises that the hall can not be used for public functions outside this organisation as they do not have sufficient female toilets to comply with regulations.

They advise that recent changes to the health regulations have required the upgrading of the existing kitchen facilities. In order to fund the upgrading of the kitchen facilities, the applicant advises that they wish to lease the kitchen to a commercial caterer for their mobile luncheon and function catering service, who would also be able to cater for Masonic functions.

CONSULTATION/ADVERTISING:

The proposal was advertised in accordance with 'SA' advertising requirements with a sign being placed on site, an advertisement placed in a locally circulating paper and adjacent land owners notified by registered mail.

One petition was received during the advertising period with nine signatures from residents of Alma Road. The concerns raised relate to existing traffic and parking problems in Alma Road, created by the use of the hall and the potential for these problems to be exacerbated by the use of the kitchen for an additional business.

The residents have discussed the parking issues with the proposed lessee of the premise who has suggested that they are willing to instruct their staff and delivery persons to access the kitchen via the Forrest Street car park. The complainants agree that this would alleviate a lot of the noise and crowding that is caused by using the entrance in Alma Road.

COMMENTS:

Parking and Access

Potentially, there is room for 24 car parking bays to be provided on the subject site. The proposed commercial kitchen use is not listed in the Town's Policy relating to Parking and Access. The existing kitchen is part of the approved 'club' use. Car parking requirements for a 'club' use are based on gross public assembly area. As the gross public assembly area is not increased as a part of this application, in this instance, it is not considered necessary for additional parking to be provided on site.

The applicant has advised that generally only two staff would be associated with the commercial kitchen, with a maximum of four staff during peak periods. Generally there would be one to three deliveries to the kitchen per day.

The tenant has advised that he is willing to advise his delivery vehicles to park in the rear car park in order to reduce their impact on the residents of Alma Road.

Notwithstanding, it is acknowledged that the existing building is within a residential zone and attracts a greater number of patrons to the site during meetings, than would normally be expected within a residential zone. The petition received from residents of Alma Road alleges that the existing use is causing conflict between the uses.

The proposed development provides the Council with an opportunity to require the upgrading of the existing car park and address concerns raised by residents in regard to patrons of the Masonic Hall parking on Alma Road. By upgrading the existing car park, including the provision of line marking and appropriate lighting, it is envisaged that the use of the car park will be maximised during peak periods, therefore minimising the number of vehicles that are parked on the street.

It is also considered appropriate that the Masonic Hall users be advised that the Town has received complaints from residents of Alma Road in regard to patrons parking their vehicles on Alma Road. It is recommended that users of the building be informed of the adjacent residents concerns and requested to park their vehicles within the car park at the rear of the building, with access from Forrest Street.

The Town's Technical Services have advised that it is not preferable for Alma Road to be made into a "Residential Only" car parking street. Should the problem persist, and the Town continue to receive complaints, after the upgrading of the car parking at the rear and the owners/occupiers notified of the problem, such methods may be imposed with further consultation with the affected landowners.

The Town's Policy relating to Parking and Access does not specify the existing, nor proposed use in its bicycle parking requirements table. Notwithstanding, the applicant/owners are encouraged to install appropriate bicycle parking and end of trip facilities to promote alternative means of transport.

Proposed Use

The proposed use of part of the existing building does not require any external modifications to the building.

The proposed commercial kitchen may increase the number of daily deliveries to the premise and accordingly increase the amount of traffic within the residential area. In order to minimise the impact of the development on the residents of Alma Road, it is considered appropriate that the proposal be conditioned to require that deliveries are made to the premise via the car park with access from Forrest Street.

It is considered appropriate that a sign be erected adjacent to Alma Road, advising that all vehicles delivering to the property are to park in the rear car park with access from Forrest Street.

Under the Building Code of Australia, the use of the building is not considered to change. Accordingly, there is no requirement for parking and facilities, such as ramps and sanitary facilities, to cater for persons with disabilities as part of this proposal. Notwithstanding, the applicant/owners are encouraged to install such facilities, and, it is suggested that the two car parking bays provided off Alma Road are made into car parking bays for people with disabilities.

Landscaping

The Town's Policy relating to the Norfolk Precinct states that:

"Throughout the Precinct, landscaping - including the use of water conservation measures and appropriate local and native plant species, where applicable - is to continue to be an important element of the environment. The retention of healthy mature trees is a priority."

The subject site currently lacks landscaping. It is considered appropriate that landscaping be imposed as a condition of approval, including the installation of reticulation to enable the landscaping to be more easily maintained. It is also considered appropriate that shade trees be incorporated into the car parking area at the rear of the building. The Town's Policy relating to Parking and Access states that a minimum of one shade tree per every four car parking spaces is required. Accordingly, a minimum of 5 shade trees should be required in the car park at the rear of the building.

Amalgamation

The existing building and proposed car park, straddle over two existing lots. It is unlikely that one of the lots would be sold due to the nature of the existing building. In addition, the structure of the building nor the uses within the building are significantly changing. In this instance, it is considered too onerous to require the lots to be amalgamated as a condition of this Planning Approval, however, the applicant is encouraged to amalgamate the lots so that the building, carpark and use are contained on one lot.

Summary

The proposal is supported as it does not unduly affect the amenity of the adjacent residents. It is considered that the conditions imposed will address concerns raised. Accordingly, it is recommended that the application be approved, subject to standard and appropriate conditions to address the above mentioned matters.

10.4.4 Tender No 256/03 - Relocation of the Sewer Main at Perth Oval

Ward:	Both	Date:	2 April 2003
Precinct:	-	File Ref:	TEN0263
Reporting Officer(s):	John Giorgi, Rick Lotznicher		
Checked/En dorsed by:	-		
Amended by:	-		

OFFICER RECOMMENDATION:

That the Council;

- (i) *ACCEPTS the tender as submitted by Underground Services Australia, for an amount of \$216,731 (plus \$21,673 GST), as being the most acceptable to the Town for the Relocation of the Sewer Main at Perth Oval;*
- (ii) *APPROVES of an amount of \$19,000 (plus \$1,900 GST) to BPA Engineering Pty Ltd, Civil and Structural Consultants, for tender specification documentation and contract management;*
- (iii) *APPROVES of an amount of \$4,500 to be used to meet the Aboriginal Heritage Act requirements;*
- (iv) *AUTHORISES the Chief Executive Officer to sign the contract between the Town and Underground Services Australia; and*
- (v) *APPROVES BY AN ABSOLUTE MAJORITY to reallocate \$263,804 from the Capital Reserve Fund for this contract and notes that the State Government of Western Australia is to reimburse the Town for these monies.*

COUNCIL DECISION ITEM 10.4.4

Moved Cr Chester, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

Cr Hall departed the Chamber at 8.44pm.

Cr Franchina departed the Chamber at 8.45pm.

Moved Cr Doran-Wu, Seconded Cr Ker

That clause (v) be amended by deleting the word "notes" and replacing with the words "subject to it being in writing".

Debate ensued.

Moved Cr Piper, Seconded Cr Drewett

That this item be DEFERRED until a letter is received by the Town from the State Government advising that the State Government will reimburse \$263,804.

CARRIED (4-3)

For

Cr Cohen
Cr Doran-Wu
Cr Drewett
Cr Piper

Against

Mayor Catania
Cr Chester
Cr Ker

(Crs Franchina and Hall were absent from the Chamber and did not vote.)

Cr Hall returned to the Chamber at 8.48pm.

BACKGROUND:

At the Special Council Meeting held on 30 October 2001, the Council approved of entering into a partnership with the State Government of Western Australia to redevelop and construct a number of sporting facilities, including a Multi-Purpose Rectangular Sports Stadium on Perth Oval, State Indoor Multi-Use Sports Centre on the Loftus Centre land and the redevelopment of Leederville Oval into a "Football Centre of Excellence" for joint use by EPFC and SFC. The Town has also approved of the construction of an office building on Leederville Oval to house the Department of Sport and Recreation.

At a Special Meeting of Council held on 10 December 2002, the Council resolved to redevelop Perth Oval, construct a Multi-Purpose Rectangular Sports Stadium (Stage 1) and create approximately 35,000m² of public open space, including plants, lawn, paths, lighting, fencing, street furniture, public art and bore upgrade and reticulation, at an estimated cost of \$10,548,000. A rising pressure sewer main crosses Perth Oval, in an east/west direction from Pier Street diagonally to Lord Street. This needs to be relocated to allow the redevelopment work to proceed. (See plan - Appendix 10.4.4.)

On 19 March 2003 an advertisement was placed in the West Australian Newspaper inviting tenders from suitably qualified and experienced persons/organizations for the relocation of a sewer main at Perth Oval. At 2pm on 2 April 2003, three (3) tenders were received. Present at the opening were David Paull (Purchasing/Contracts Officer), John Giorgi (Chief Executive Officer) and Rick Lotznicher (Executive Manager Technical Services).

Tenders were received from the following companies:

	Name	Address
1.	Underground Services Australia	245 Collier Road, Bayswater WA 6053
2.	DM Civil	PO Box 302, Gosnells WA 6110
3.	Mako Civil Pty Ltd	PO Box 137, Maddington WA 6989

TENDER EVALUATION

Selection Criteria

The following evaluation criteria was applied in the assessment of this tender:

	Criteria	Weighting
1.	Contract Price	65%
2.	Past performance in similar projects	15%
3.	Adequate resources available to carryout works	10%
4.	References	5%
5.	Overall compliance with tender specification and requirements	5%
	TOTAL	100%

Tender Evaluation Panel

The Tender Evaluation Panel consisted of Chief Executive Officer, John Giorgi, Executive Manager Technical Services, Rick Lotznicher and Mike Evans, Consultant Engineer from BPA Engineering Ltd, Civil and Structural Consultant.

Each tender was assessed in accordance with an Evaluation Assessment Matrix as used by the State Government Department of Housing and Works. This provided for the following scoring;

0-1	Inadequate or non-appropriate offer, critical or disqualifying deficiencies, does not meet criterion, unacceptably high risk to Principal.
2-3	Marginal offer, some deficiencies, partly meets criterion, high risk to Principal.
4-5	Fair offer, few deficiencies, almost meets criterion, medium risk to Principal.
6-7	Good offer, no deficiencies, meets criterion, medium to low risk to Principal.
8-9	Very good offer, exceeds criterion, low risk to Principal.
10	Outstanding offer, greatly exceeds criterion, very low risk to Principal.

(Scoring was calculated using the criterion weighting)

TENDER SUMMARY

The following is a summary of the tenders received;

Costs

	Underground Services Aust \$	Underground Services Aust *Alternative \$	DM Civil \$	Mako Civil Pty Ltd \$
Preliminaries - mobilisation and demolition	4,000.00	4,000.00	18,360.00	12,511.00
Supply & Construct HOBAS DN600 Class 12.5 SN10000 including all works as specified	187,069.00	181,563.00	216,474.60	201,211.00
Connection to existing by Water Corporation	5,000.00	5,000.00	-	8,122.00
Hydrostatic testing of pressure main	636.00	636.00	-	6,191.00
Restoration of site to Town of Vincent requirements/specifications	13,696.00	13,696.00	-	20,777.00
Provide as as-constructed information including survey and mark-ups	930.00	930.00	-	1,806.00
Charges for compliance with the Traffic Control measures during works	5,400.00	5,400.00	-	3,871.00
TOTAL	216,731.00	211,225.00	234,834.60	254,489.00
GST	21,673.00	21,123.00	23,483.46	25,448.90
TOTAL INCLUDING GST	238,404.00	232,348.00	258,318.06	279,937.90

* = Pipeline Construction using ductile iron bends

Tender Assessment

The Evaluation Panel assessed the tenders and the following was determined;

	Criteria	Weighting	U'ground Services	DM Civil	Mako Civil P/L
1.	Contract Price	65%	65	43.33	21.66
2.	Past performance in similar projects	15%	10	15	15
3.	Adequate resources available to carryout works	10%	10	10	10
4.	References	5%	5	5	5
5.	Overall compliance with tender specification and requirements	5%	5	5	5
	TOTAL	100%	95	78.33	56.66

All three tenderers are reputable companies with extensive local and national experience in providing services. Reference checks reveal that Underground Services Australia have the experience and capability to carry out this work. In addition, they have confirmed their prices. They are available to commence this work on Tuesday 22 April 2003 and it is estimated that the work will be completed within four weeks.

Therefore, the Evaluation Panel recommends Underground Services Australia to be awarded this tender.

Alternative Tender

The alternative tender submitted by Underground Services Australia proposed the use of ductile iron bends instead of HOBAS (piping). HOBAS is a synthetic material which is far superior to ductile iron and would have a considerably longer lifespan. Therefore, the cost saving by using ductile iron bends would be negligible in a project of this size. In addition, the Water Corporation, who are the determining authority, have specified HOBAS bends - therefore, the alternative tender would not conform with their requirements. Accordingly, the alternative tender is not accepted.

Sewer Line

The existing sewer line was built in 1932 and is constructed of cast iron. The proposed new sewer line will be diverted from the eastern side of the Oval in a northerly direction, to Bulwer Street (adjacent to the former Caretaker's Cottage). It will then proceed in a westerly direction along Bulwer Street, to the junction of Pier Street, where it will be connected to the newly upgraded Water Corporation sewer in Smith Street (see attached plan 10.4.4). This new route is recommended by Water Corporation as it is more cost effective and is supported by the Town's staff as it avoids excavating near numerous trees along the Pier Street frontage.

FINANCIAL/BUDGET IMPLICATIONS:

The 2002/2003 Budget lists an amount of \$950,000 for the proposed multi-purpose rectangular sports stadium.

The Council, at its Special Meeting held on 16 December 2002, approved the following:

"approves the Town carrying out the sewer diversion work at Perth Oval and to be reimbursed by the Water Corporation, when the work has been completed."

The Town has written to the Minister for Sport and Recreation and Minister for Government Enterprises. The Mayor and the CEO also recently met with the Minister for Government Enterprises to expedite the matter. The Minister advised that a *"whole of government"* approach to this project will involve the reimbursement to be via a *"community service obligation"* as the project is in partnership with the State Government of Western Australia.

It will be necessary to reallocate an amount of \$263,804 to cover the interim payment for this contract. This will cover the Town's position whilst it awaits the State Government of Western Australia's reimbursement of this money. It is recommended that the funds be reallocated from the Capital Reserve Fund, on the basis that this money will be replaced into the Reserve Fund when it is received.

LEGAL/POLICY IMPLICATIONS:

The tender was advertised in accordance with the Local Government (Functions and General) Regulations 1996 – Tender Requirements.

Perth Oval is listed on the Interim Register of Aboriginal Sites and approval under the Aboriginal Heritage Act is necessary to carry out any ground disturbing works. A condition of the necessary approvals will require Aboriginal monitors to oversee these works. An amount of \$4,500 has been included in the Project costs.

PRINCIPAL ACTIVITIES PLAN:

The upgrade of Perth Oval is listed in the Town's Principal Activities Plan.

STRATEGIC IMPLICATIONS:

The upgrade and redevelopment of Perth Oval is in accordance with the Town's Strategic Plan 2002-2002 Key Result Area 3.6 *"Develop and Implement Strategies to improve the Town's Parks and Reserves"*.

This is in keeping with the Town's Draft Strategic Plan (yet to be adopted) – Key Result Area *"Economic Development"*.

COMMENT:

The Town's partnership with the State Government of Western Australia to provide upgraded and new sporting facilities within the Town of Vincent, as part of the State Sporting Facilities Plan will be a major benefit to the Town, its residents and taxpayers. This work will allow the proposed Multi-Purpose Rectangular Sports Stadium and Redevelopment of Perth Oval to be carried out within the period May 2003 to November 2003. The Council's approval of this recommendation is therefore requested.

10.4.5 Consideration of Public Submissions relating to the Major Land Transaction for the Construction of a Multi Purpose Rectangular Sports Stadium, Creation of Public Open Space and Redevelopment of Perth Oval and Leasing part thereof to Perth Glory Soccer Club Pty Ltd and Western Australian Rugby League Ltd

Ward:	North Perth	Date:	2 April 2003
Precinct:	Beaufort, P13	File Ref:	RES0051
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-		
Amended by:	-		

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report and consider the submissions on the Major Land Transaction for the construction of a Multi Purpose Rectangular Sports Stadium, creation of Public Open Space, and redevelopment of Perth Oval and leasing part thereof to Perth Glory Soccer Club Pty Ltd (PGSC) and Western Australian Rugby League Ltd;*
- (ii) *APPROVES BY AN ABSOLUTE MAJORITY to proceed with the Major Land Transaction, and notes the Chief Executive Officer will be submitting a further report detailing the financial arrangement/loan for the Council's consideration and approval;*
- (iii) *APPROVES of the new Public Open Space to be named "Loton Park" and IN PRINCIPLE to be co-named "Yoordgoorading" as requested by the original Aboriginal inhabitants of the land, subject to;*
 - (a) *meeting the requirements of the Department of Land Administration (DOLA) Geographic Names Committee; and*
 - (b) *further consultation with each of the Aboriginal families (who have an interest in the land); and*
- (iv) *SUPPORTS IN PRINCIPLE the request from Loton Park Tennis Club for additional courts, parking and ramp for the disabled and advises that it will consider this as part of the Town's Community Recreation and Sporting Facilities Fund (CRSFF) application 2003/04.*

Moved Cr Chester, Seconded Cr Ker

That the recommendation, together with the following amended Clause (iv), be adopted;

- "(iv) ~~SUPPORTS IN PRINCIPLE~~ NOTES the request from Loton Park Tennis Club for additional courts, parking and ramp for the disabled and advises that;*
- (a) Loton Park Tennis Club is to provide information to support and justify the above additional facilities (and including membership numbers, number of members who are residents/ratepayers of the Town, usage, benefits and indicative costs, funding arrangements); and*
 - (b) subject to (a) above being satisfactorily complied with, the Town ~~is~~ will consider this request as part of the Town's Community Recreation and Sporting Facilities Fund (CRSFF) application 2003/04."*

Cr Piper departed the Chamber at 8.49pm.

Debate ensued.

Cr Piper returned to the Chamber at 8.50pm.

Debate ensued.

Cr Franchina returned to the Chamber at 8.54pm.

CARRIED BY AN ABSOLUTE MAJORITY (5-4)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Cohen
Cr Chester	Cr Drewett
Cr Doran-Wu	Cr Franchina
Cr Hall	Cr Piper
Cr Ker	

COUNCIL DECISION ITEM 10.4.5

That the Council;

- (i) *RECEIVES the report and consider the submissions on the Major Land Transaction for the construction of a Multi Purpose Rectangular Sports Stadium, creation of Public Open Space, and redevelopment of Perth Oval and leasing part thereof to Perth Glory Soccer Club Pty Ltd (PGSC) and Western Australian Rugby League Ltd;*
- (ii) *APPROVES BY AN ABSOLUTE MAJORITY to proceed with the Major Land Transaction, and notes the Chief Executive Officer will be submitting a further report detailing the financial arrangement/loan for the Council's consideration and approval;*
- (iii) *APPROVES of the new Public Open Space to be named "Loton Park" and IN PRINCIPLE to be co-named "Yoordgoorading" as requested by the original Aboriginal inhabitants of the land, subject to;*
 - (a) *meeting the requirements of the Department of Land Administration (DOLA) Geographic Names Committee; and*
 - (b) *further consultation with each of the Aboriginal families (who have an interest in the land); and*
- (iv) *NOTES the request from Loton Park Tennis Club for additional courts, parking and ramp for the disabled and advises that;*
 - (a) *Loton Park Tennis Club is to provide information to support and justify the above additional facilities (and including membership numbers, number of members who are residents/ratepayers of the Town, usage, benefits and indicative costs, funding arrangements); and*
 - (b) *subject to (a) above being satisfactorily complied with, the Town will consider this request as part of the Town's Community Recreation and Sporting Facilities Fund (CRSFF) application 2003/04.*

BACKGROUND:

At the Special Meeting of Council held on 16 December 2002, Council considered the matter of the Multi Purpose Rectangular Sports Stadium and redevelopment of Perth Oval and resolved inter alia as follows;

"That the Council;

- (1) *RECEIVES the Progress Report No. 3 as at 6 December 2002, relating to the proposed Multi Purpose Rectangular Sports Stadium and Redevelopment of Perth Oval, Pier Street, Perth; ...*

(17) *the proposed Public Open Space on Perth Oval be named "LOTON PARK" (in recognition of William Thorley LOTON, the original landowner, who transferred the land to the former City of Perth - now the Town of Vincent - to be used as a public park and recreation ground in perpetuity) subject to;*

- (i) *this matter being advertised for public comment for a period of forty two (42) days (as part of the Major Land Transaction); and*
- (ii) *the Chief Executive Officer submitting a further report to the Council to consider any submissions received at the end of the public consultation period."*

PUBLIC CONSULTATION

Business Plan

The Town advertised its Major Land Transaction Business Plan statewide and locally on 11 January 2003 and submissions closed on 28 February 2003. Approximately 2,600 leaflets outlining the proposal were delivered to all properties within the area bounded by the Railway Line, Walcott Street, Beaufort Street, Vincent, William and Newcastle Streets.

Responses to the Major Land Transaction – Business Plan

At the close of submissions, four hundred and twelve (412) responses from the public were received. Letters received numbered four (4), "Have your Say" leaflets numbered twenty-three (23), e-mails received numbered fifteen (15) and Perth Glory Soccer Club (PGSC) standard leaflets numbered three hundred and seventy-six (376).

Four hundred and seven (407) responses were in favour, five (5) were uncommitted or made comment, and five (5) were against, as follows;

Summary

	Within Vincent	Outside Vincent	Unknown	Total
Letters				
For	3	-	-	3
Uncommitted	0	-	-	0
Against	1	-	-	1
<i>Total</i>	<i>4</i>	<i>-</i>	<i>-</i>	<i>4</i>

"Have your Say" Leaflets				
For	11	3	1	15
Uncommitted	5	-	-	5
Against	2	-	1	3
<i>Total</i>	<i>18</i>	<i>3</i>	<i>2</i>	<i>23</i>

Perth Glory Soccer Club (PGSC) Leaflets				
For	14	193	169	376
Uncommitted	0	0	0	0
Against	0	0	0	0
<i>Total</i>	<i>14</i>	<i>193</i>	<i>169</i>	<i>376</i>

E-mail (Location not determined)				
For	-	-	13	13
Uncommitted	-	-	-	-
Against	2	-	-	2
<i>Total</i>	<i>2</i>	<i>0</i>	<i>13</i>	<i>15</i>

All responses were acknowledged in writing or e-mail reply (except the PGSC leaflets). Forty-two (42) written submissions were received. Details are as follows;

In Favour

1. Bob Donald (no address given, via email)

Supports proposal, but only if space for standing made available.

Chief Executive Officer's Comments

Standing room for approximately 2,000-2,500 spectators will be provided at the northern end of the stadium. "The Shed" will remain, as this is an icon of the PGSC spectators.

2. Michael Briggs, Darian Drive, Willetton

Supports proposal – suggests Golden Members area should have plastic seats with back on seats.

Chief Executive Officer's Comments

All grandstand seating (including Golden Members' area) will be upgraded and seats with backs will be installed. The existing bench seating will be removed.

3. Andrew Denny (no address given, via email)

Supports proposal.

4. Mirko Amidzic (no address given, via email)

Supports proposal – need for a new stadium is long overdue. Believes the new stadium will attract mid-to high profile soccer games to the State at a purpose built rectangular stadium.

Chief Executive Officer's Comments

Comments 3 and 4 are noted.

5. Dennis Knight (no address given, via email)

Supports proposal – believes that one end (the shed) should be all standing.

Chief Executive Officer's Comments

The northern end of the stand will be all standing for approximately 3,000-3,500 spectators.

6. Gerry and Yvonne McDermott (no address given, via email)

Support proposal – believe a properly run NSL, proper TV coverage with state of the art stadium will increase attendances, would like a roof to run right through the stadium, hope that no seating is put behind the goal and that the terraces go right down to behind the goal.

Chief Executive Officer's Comments

The new stadium will vastly improve the standard of the facilities. Considerable attention has been given to seating layout and viewing sightlines.

7. Shane Guerinoni (no address given, via email)

Supports proposal – would like three improvements;

- replay screen
- food and drinks kiosk in the grandstand for golden members
- commentary boxes soundproofed.

Chief Executive Officer's Comments

A replay screen has not been included in Stage 1 – due to the limited budget. Food and drink facilities will be upgraded. Commentary boxes will be built to meet the needs of the media – consultation with media will occur.

8. Jane Deller (no address given, via email)

Supports proposal – facilities badly need upgrading so that the soccer community can have a proper ground to showpiece the best supported team in the NSL.

Chief Executive Officer's Comments

Noted.

9. Benjamins World Gourmet Centre, Beaufort Street, Highgate

Supports proposal – however, parking problem issues need to be addressed. Without parking, businesses between Broome and Vincent Streets are suffering – some customers too old or incapable of walking from present carpark.

Chief Executive Officer's Comments

Noted – the current parking arrangements will be reviewed in consultation with the community and a further report will be submitted to the Council.

10. Steve Powell, Knebworth Avenue, Perth

Supports proposal.

11. Jeannie Dimov, Bulwer Street, Perth

Supports proposal – as long as only used for sporting venue.

Chief Executive Officer's Comments

Comments 10, 11 and 12 are noted.

12. Tomas Jaca, Lincoln Street, Highgate

Supports proposal.

Chief Executive Officer's Comments

Comments 10, 11 and 12 are noted.

13. Blanche Mathiot (via email)

Supports proposal – as long as adequate wheelchair access.

Chief Executive Officer's Comments

The new facility will be accessible to people with disabilities. This includes a new lift, access ramps, special designated viewing areas. Access to the upper grandstand cannot be achieved, due to limited funds and current building constraints.

14. Toby Vis, c/o Bussleton Land Company, Thorley Street, Perth

Supports proposal – Suggests extending parkland along Brewer Street to existing gatehouse on corner of Pier and Brewer Streets – to remove unsightly bins and pavement. Removal of unsightly barbed wire fencing if parkland. Ensure that security after games and cleaning is adhered to.

Chief Executive Officer's Comments

A landscape plan will be prepared. Bins will be relocated to a proper bin area. Barbed wire fencing will be removed wherever possible and replaced with a more aesthetic fence.

15. Paul Hansen, Seawest Investments, c/o Federation Tile Factory

Supports proposal – suggests extending park frontage to Gate House in Pier Street. Public parkland to be same as Hyde Park.

Chief Executive Officer's Comments

This area in front of the heritage gates will be landscaped.

16. Clark Youens, Lacey Street, Perth

Supports proposal – - Cat Bus to run past, perhaps along Pier Street. Full Service (day and night 7 days). Feeder buses on Game Nights to allow cars to park further away. Do not use other parks for parking.

Chief Executive Officer's Comments

The transport and parking requirements will be further reviewed and a report will be submitted to the Council.

17. Roger Simms, Lincoln Street, Highgate

Supports proposal - however, interests of local residents should be paramount - noise should be kept to a minimum, Council has done a good job with the parking restrictions, extra parkland is a good idea

Chief Executive Officer's Comments

Comments are noted. The control of noise will be included in the venue management plan.

18. Marc De Padavo, Summer Street, Perth

Supports proposal – applauds vision to create a public open space between the sports ground and tennis courts. Disappointed that no effort appears to have been made to create a local alfresco café strip in this location – inexpensive restaurant/open air café style units developed inside park.

Chief Executive Officer's Comments

The request for a café strip cannot be accommodated in this proposal.

19. John Hyde, Chapman Street, Perth

Supports proposal – however,

- Council should commit to potential extra tennis courts on the plan, either along Lord Street or Bulwer Street – two courts could be funded out of the POS requirement now, future funds through CSRFF. Disability access and multi-use car bays on Bulwer Street land abutting Loton Park would also prove of benefit for residents and tennis court users.
- Supports the name remaining as Perth Oval, new Lord Street Park could be named “Jack Marks Park” – existing small Jack Marks Reserve in Wright Street could be renamed.
- Fred Book grandstand name should remain.
- Supports that if Town makes this new park available for carparking on major event days, then not-for-profit groups within the Town should be able to operate the parking and collect parking fee as fundraiser (as per City of Subiaco for Subiaco Oval).

Chief Executive Officer's Comments

See comments relating to the Loton Park Tennis Club below.

The name "Jack Marks Park" is not supported. This is the only submission for this name – Jack Marks already has a park and lane named in his honour. The name of the grandstand needs to be further investigated.

Parking on event days on the Public Open Space will be explored – the generated revenue can be used by the Town towards the maintaining of this open space.

20. I.J. French, Brewer Street, Perth

Supports proposal – suggests redeveloping the whole area, not just Perth Oval.

Chief Executive Officer's Comments

The CEO agrees with this comment.

21. David Durrant, Wade Street, Perth

Business Plan identifies objective of achievement of the needs of a number of sporting disciplines but makes no mention of tennis. Under Stage 2, submits there should be acknowledgement of the need to continue to cater for the needs to tennis players. With regard to naming the proposed public open space, its being named "Loton Park" would subordinate the long-established tennis club to a new public open space and this would be contrary to a need to maintain historical associations. Alternative suggested is "Lord Park" or "Lord's Park". More appropriately the whole complex, including Perth Oval, Loton Park Tennis Club and the Public Open Space could have an umbrella name of "Loton Park".

Chief Executive Officer's Comments

See comments under Loton Park Tennis Club.

There is no other support for the name "Lord(s) Park".

22. Richard Stevens (via email)

Supports proposal – would like to see an area incorporated into the design for the members to stand and not just have seating provided.

Chief Executive Officer's Comments

Standing area for approximately 2,000-2,500 spectators will be provided on the northern end of the stadium. The "Shed" will be recreated, as this is an icon of the PGSC spectators.

23. Philip Baxter, Ninth Avenue, Inglewood (formerly of Brisbane St, Northbridge)

Supports proposal –feels that Perth Oval contributes greatly to the Town of Vincent. Many of the Members use surrounding facilities in the Town, e.g. cafes, delis, petrol stations, and even parking meters. In a direct and indirect way, they are contributing in a financial way to the constituency. Members would benefit greatly from proposed additional facilities at Perth Oval, including extra courts at the Loton Park Tennis Club and possibly a carpark area in the area currently occupied by the caretaker's house.

Chief Executive Officer's Comments

These comments are noted and supported.

24. Sue Norvill, Smith Street, Highgate

Supports proposal –having lived in Smith Street for many years, finds the days that PGSC play at Perth Oval give the area a sense of excitement – nice to see and hear people enjoying themselves.

Chief Executive Officer's Comments

These comments are noted.

25. Hyde Park Precinct Group

This group stated;

1. We support the redevelopment of this valuable facility. We are particularly keen for the Oval to become a financially viable asset for the community. We are also pleased to see the development of true public open space in accordance with Loton's original wishes.
2. We consider that the facility must be treated as a commercial proposition. Office space should be charged at commercial rates for the area.

The ground rent should be at the market rate. A clear indication of what this might be can be gained from the previous agreement that Glory had with the East Perth Football Club and the Town of Vincent. Glory were prepared to pay \$130,000 plus \$5,000 per game. This was for a run down facility with temporary seating, and on a short term basis. Any new long-term lease should therefore be significantly higher, particularly given that the facility will be considerably upgraded.

3. We would like to see the public open space co-named to acknowledge the original owners of the land as well as its more recent history. We therefore support the names Yoorgorading, or whatever name is considered appropriate by the Nyungar community, and Loton Park to acknowledge William Thorley Loton who deeded the land to the Perth City Council to be used as a recreation reserve.
4. If there is an intention to use the public open space on Lord St for car parking on match days, we consider that the design should be one that makes recreation the primary use. It should be parkland that can be used as a car park, not a car park that can be used as public open space.

We consider that any plan that is developed should be based on using local Australian plants. Any such plan should be developed in consultation with the local community.

5. We are concerned that no recognition has been given to the State Government's requirement that the facility be available for 'cultural and artistic events'. With the closure of the Entertainment Centre and moves to restrict loud concerts at the Burswood Dome from December 2004, Perth Oval is ideally situated to accommodate large concerts.

Such concerts are potentially lucrative money earners for the Town. However, past experience with the Big Day Out has shown that such concerts can have significant negative impact on the community close to the Oval. The Town should address any concerns about such events sooner rather than later. The project architects should be asked to consider such events in case there is an opportunity to modify the design to reduce some of the impact.

6. The existing plan shows the cross-over on Lord St crossing the pedestrian path to the new gatehouse. This should be redesigned to reduce conflict with pedestrians."

Chief Executive Officer's Comments

1. *It is pleasing to note that the Hyde Park Precinct Group supports the facility.*
2. *A commercial approach has been taken for this facility and commercial rates will be applied to private companies using the facility. Minimal rates will apply for "not for profit" sporting organisations.*
3. *The co-naming of an Aboriginal name for the park is supported along with the use of Loton Park. However, the Town will also be required to meet the DOLA Geographic Names Committee guidelines and also there will be a need to further consult with the various Aboriginal families that have an interest in the land.*
4. *The prime use of the Public Open Space will always be for this purpose. A practice pitch will enable both the public and sports persons to use this area. Temporary parking on match days will be strictly controlled. The use of Australian/Native plants is supported.*
5. *The Government proposal is to make the facility available to as many groups as possible. Strict requirements will be imposed relating to functions to be held at this facility.*
6. *The request for a pedestrian crossing at Lord Street will be investigated by the Town's Technical Services Division.*

Loton Park Tennis Club - Submissions

26. President of Loton Park Tennis Club, Perth

Requesting additional hard surface courts and additional lighting, on site parking and improved accessway to the Clubhouse.

Chief Executive Officer's Comments

Five submissions were received supporting the proposed redevelopment of Perth Oval. In addition, detailed comments were made for additional tennis courts and parking for the Loton Park Tennis Club.

The CEO made a presentation to Loton Park Tennis Club members on 13 September 2002. On 26 February 2003, the Mayor and CEO met with the President and Vice-President of Loton Park Tennis Club to further discuss their requests. The provision of two additional hard surface tennis courts and associated lighting, on-site parking and accessways to enable disabled persons to utilise the tennis club's facilities are supported in principle.

The Loton Park Tennis Club is prepared to contribute towards a CSRFF application. Preliminary cost estimates for the above work is \$150,000 and if the Town is successful in its application, it will be required to budget \$50,000 in the 2003/04 Budget. As part of the application, Loton Park Tennis Club was requested to provide additional information to support the increased patronage and usage of the courts.

27. Penny Lipscombe, River Way, Salter Point

Supports proposal – include benefits for Loton Park Tennis Club. Tennis Club and Members are willing to discuss financial arrangements – additional courts would cater for an increasing residential population, help maintain the heritage assets associated with the Club and not detract from the amenity offered by passive recreational space.

Chief Executive Officer's Comments

Several meetings have been held with Loton Park Tennis Club – a presentation to Members and separate meeting with President and Executive. The request for additional courts and parking is supported.

28. Beryln Templet and Megan Lawrence (no address given, via email)

As per previous discussions with Town, Loton Park Tennis Club (LPTC) suggested the need for a further 4 hard courts, access for people with a disability and extra parking to be allocated in any redevelopment of Perth Oval. The current plans do not include these. Recommended that a Loton Park Tennis Club designated parking lot be located where current caretaker's residence is located. LPTC has grown continually over past years and feel requests made by LPTC are extremely reasonable and well suited to the overall redevelopment concept and should be included.

Chief Executive Officer's Comments

See comments relating to the Loton Park Tennis Club submission.

29. Jenni Howlett, Resident and Loton Park Tennis Club Coach and Vice Captain

Suggests following issues be incorporated into the redevelopment;

- Parking – allow a greater number of permits and/or provision of carpark adjacent to Loton Park Tennis Club (LPTC)(including ACROD parking)
- Disability Access – improve access to LPTC, possibility of introducing wheelchair tennis
- Additional Courts – four additional hard-surfaced courts with lighting needed to allow for current overflow of members/visitors, increase availability/promotion of evening playing time, continue activity throughout off season months, greater provision for wheelchair players upon promotion of this activity; increase funds to Club, hitting board could be incorporated with one side facing the Public Open Space and other side facing the new hard court area

Chief Executive Officer's Comments

See comments relating to the Loton Park Tennis Club submission.

30. James Palmer, Ninth Avenue, Inglewood

Member of Loton Park Tennis Club. Believe LPTC is worthy of extension in the Town's Business Plan as it is an active and vibrant part of the Town. Addition of 4 new tennis courts behind the current 2 hard courts would increase patronage. Addition of a parking lot for the tennis club members would greatly reduce on-street parking, particularly during sporting fixtures at Perth Oval.

Chief Executive Officer's Comments

See comments relating to the Loton park Tennis Club submission.

31. Victor Bruce, Mitford Street, Swanbourne

Supports proposal – would like to request that an additional two (2) or more tennis courts be included in the development plan for Perth Oval. They could be situated ideally in the north-eastern corner of the public park near the existing Loton Park Tennis Club courts. Apart from providing additional sporting facilities in the Town, they would compliment the newly created parkland.

Chief Executive Officer's Comments

See comments relating to the Loton Park Tennis Club submission.

Uncommitted – Submitted Comment Only

1. Forrest Precinct Group Inc

This group stated;

- “1. Point (7) (f) of the Minutes of the Special Meeting of Council on 16 December 2002 states that the facility be made available to as many sporting groups as the facility design permits, including cultural and artistic events and significant occasions such as World Championships, Commonwealth Games, etc;” . This statement from the State Government is of great concern to residents and we believe completely opens up the venue to just about any use, including rock concerts etc. The Town of Vincent has given assurances this would not happen but the current administration and council will not always be in residence. We would like this statement qualified in any agreement with the State Government and the section including cultural and artistic events and significant occasions such as World Championships, Commonwealth Games, etc; excluded.
2. The Big Day Out which was held at this venue in the past had a dreadful impact on residents in the immediate area and we are aware that other venues within the City are closing, leaving limited venues for such events.
3. Point (12) refers to the sewer diversion at Perth Oval. We now understand that the new infrastructure would run north to Smith Street, but are still concerned that the old wooden drainage system south of the Oval (i.e. Brewer/Pier Sts) will not cope with the upgrade. We would request that further investigation be given to this matter.
4. We agree with continuing with Stage 1 only and for Stage 2 (the Eastern Stand) to be re-examined in 4 years time.
5. We would request that the temporary stand at the southern end of the oval be dismantled when not in use as it is an eyesore.
6. Lighting to be upgraded to 1200 lux - We would like assurances that this will not impact on neighbouring residences.
7. Lighting - We would request that a clause be put in place that the lighting must be turned off by a specific (reasonable) time on the night of use and penalties put in place if this is not carried out.
8. There is concern that the southern stand may affect the heritage listed trees in Brewer St. Please ensure that these trees will not be affected and/or modify the southern stand to accommodate them.
9. We note that BBQs are being installed inside the perimeter of the grounds and would have preferred the public to have access to these and therefore for them to be positioned in the Public Open Space.
10. Public Open Space - we are concerned that the public open space is shrinking. When used as a ‘practice pitch’ and ‘temporary car park’, use for the public at large is diminishing.
11. Loton Park Tennis Club has a separate tenure and we do not believe that any of the Public Open Space should be ceded to a private club for the creation of more tennis courts.

12. We request landscaping, or 'softening and/or greening' of the bitumen area in front of the Heritage Gates as at present it is very hot and not takes away from the beauty of the restored gates.
13. Residents are concerned that heavy haulage vehicles will be using Smith and Bulwer Streets during construction. We have been advised that the successful builder will be required to provide access plans for trucks and that a penalty clause will be included in the contract. We would like the Town's assurance that this clause will be enforced.
14. We would request that a traffic survey be carried out to determine the impact full year use of the Oval will have on the surrounding streets. In particular, Smith Street is being used as a major artery after the current games. The traffic could as easily be diverted along Bulwer to Lord Street.
15. We are concerned of reports regarding recent calls to Council complaining about Residents Only Parking. Please consider that quite a number of those complaining at present will probably complain even louder when once again they can no longer park outside their house on game nights/afternoons. This issue could be included in the traffic survey and hopefully a more effective system of managing resident only parking could be implemented.
16. There are concerns that there is a lack of pedestrian crossing on Lord Street, especially if patrons can be persuaded to better utilise public transport in the future.
17. We would wish for the Town/Glory to pursue Westrail in order that the car park at East Perth Station be available for parking when the Oval is in use.
18. We request that in special instances such as the two residences in Brewer Street opposite the Oval be considered for residents only parking and perhaps be given witches hats to use when the oval is in use.
19. We would like assurances built into any contracts that Grand Finals attracting potential crowds of over 20,000 will not be played at the Perth Oval.
20. We would request that a clause be included in Glory's contract that Glory are to actively promote use of public transport through media advertising, eg. TV, Radio, Newspapers, sports programs etc., negotiation with Transperth, Westrail etc. Targets could be set in place so as to enable measurement of improvement in use. We do not believe there has been enough effort in this area in the past.
21. We request that more stringent attention be given to noise pollution from the games. The audio gets out of control regularly. Complaints are made to Council officers on the Monday and dealt with, and there is an improvement the next game or two but then the audio reverts to excessive noise again. There is no recourse when the offence is occurring. The 'out of hours' number will not deal with the problem, and Rangers are not in a position to do anything about the problem.
22. Another problem with the current Management Plan is the collection of litter in the streets after games. Quite often by the time someone comes along to collect the litter it has already been blown around the neighbourhood. This needs greater control and, again, penalties if not carried out in accordance with contract conditions.

23. We request that any proposed Management Plans be made available to the public for scrutiny.
24. We would request that a member of the Forrest Precinct Group be considered as a member of the Management Board.
25. We support the naming of the public open space as "Loton Park" in honour of William Thorley Loton who deeded the land to the Perth City Council to be used as a recreation reserve. We would prefer the actual oval to be continued to be known as Perth Oval."

Chief Executive Officer's Comments

1. *The Government proposal is to make the facility available to as many groups as possible. Strict requirements will be imposed relating to functions to be held at this facility.*
2. *The "Big Day Out" rock concert has not been held at Perth Oval for approximately 7-8 years. There is no proposal for events such as this to be held at the proposed facility.*
3. *The Town's hydraulic consultants have investigated the sewerage and stormwater disposal. These will be upgraded wherever required. Investigations reveal that the drainage system surrounding the Oval can cope with the additional volume of water.*
4. *No comment required.*
5. *The temporary southern stand will be erected and made aesthetically pleasing. It is cost prohibitive to dismantle this and re-erect at the end of each season. Furthermore, this stand is required as it is an integral part of the seating capacity.*
6. *Strict requirements will be placed on the lighting to ensure that "spill" will not impact on neighbouring residences. No complaints have been received concerning the current lighting and the large tree canopies surrounding the Oval also prevent spill lighting into surrounding areas.*
7. *The Council already has a condition requiring that lighting not be illuminated after 10pm, or 30 minutes after the last game - whichever is the latter.*
8. *All trees on Perth Oval will be assessed. It is proposed to relocate some palms, remove some diseased or dead trees. Any trimming will be kept to an absolute minimum.*
9. *The installation of barbecues and other park furniture in the public area is supported and will be considered in future budgets.*
10. *The Public Open Space is proposed to be used as a practice pitch and also for temporary parking on match days. This will be strictly controlled by the Town.*
11. *The request for additional tennis courts and parking for Loton Park Tennis Club is supported in principle.*
12. *The forecourt in front of the heritage gates will be landscaped as part of the overall proposal.*

13. *Heavy haulage routes will be specified as a condition of the building licence and this will be enforced during construction. Routes will be on major roads and not into residential areas north of the Oval.*
14. *Traffic management is currently considered to be most satisfactory, however a review will be carried out with the traffic management providers.*
15. *The parking restrictions and requirements will be reviewed at the end of the season and prior to implementation to the season 2003/04.*
16. *The request for a pedestrian crossing at Lord Street will be investigated by the Town's Technical Services Division.*
17. *The use of the Westrail carpark is supported and the Town will approach Westrail to formalise an arrangement.*
18. *The request for specific parking requirements for two residents in Brewer Street is not supported, however the Town's Law and Order Section will further investigate the matter.*
19. *The capacity of the proposed stadium is approximately 18,000.*
20. *The Town supports the proposal to actively promote the use of public transport. this will be a matter for the Town and venue users to pursue.*
21. *Strict requirements relating to noise pollution are currently in place and enforced. It is noted that on several occasions complaints have been received and duty officers have responded on these occasions. Strict requirements will be a part of the future management of the venue.*
22. *Litter control is currently strictly enforced and this will continue in the future.*
23. *The Town supports Management Plans being made available for public scrutiny.*
24. *The composition of the proposed Management Board has not been determined at this stage. The request for a community member will be considered at the appropriate time.*
25. *Naming - the Town supports the naming of the Public Open Space as "Loton Park" and co-naming with an Aboriginal name. Naming rights for the actual stadium will be the subject of a tender - as revenue is required to service the loan repayment.*

2. B. Vojkovic, Smith Street, Highgate

Ensure heavy haulage vehicles do not use residential streets during construction, retain present parking restrictions. Request State government to spell out what "cultural activities" entail and let residents know. Ensure compensation to residents for any damage done. Houses close to new stadium should receive compensation for decrease in home value.

Chief Executive Officer's Comments

Vehicle access routes for the construction period will be determined. "Cultural activities" will be of the type for minimal impact on the amenity of the area. The aspect of compensation for property values is not accepted.

3. K. Baker, Harold Street, Mount Lawley

Comments as follows;

- Reduce bitumen area in front of main gates and use for parking
- Modify southern stand so does not impact on large trees fronting Brewer Street
- Dismantle southern temporary stand at end of each season – public eyesore
- Present parking permits working in most areas – consult residents if changes proposed
- Post-match traffic dispersal onto main roads – not residential streets as at present in Smith and Harold Streets
- Enforce management criteria with no waiver of penalties
- No fireworks to be permitted.

Chief Executive Officer's Comments

Similar issues to Forrest Precinct Group - see comments above. Strict controls on fireworks usage are in place.

4. Peter and Audrey Knight, Broome Street, Highgate

Concerns about traffic implications for Smith Street, Highgate – street already significantly used to cut from Bulwer and Pier Streets to Walcott Street. Suggest that strategies to encourage public transport (particularly train) be given major priority and subject to sustained monitoring. Pedestrian bridges over Lord Street highly desirable. Bituminised area outside existing Main Gates need a makeover – suggest some tall trees to provide shade. Suggest that redevelopment facility be 100% dry – no alcohol.

Chief Executive Officer's Comments

Similar comments to Forrest Precinct Group - see comments above. Liquor licensing requirements are strictly enforced. It is unreasonable to expect that a sporting facility of this nature will not permit alcohol. The use of low and mid-strength beer is encouraged.

5. David Waterhouse (via email)

Stated he had studied the Business Plan and queried the ability of the Town to service the loan without being a rates burden to its residents. Stated that if the loan cannot be supported without being a burden on the rates, that he opposes the borrowing of the monies for the redevelopment facility.

Chief Executive Officer's Comments

The Town has advertised tenders for naming rights, management and catering. It is expected that income derived from these tenders will service the loan and any surplus will be put towards the facility. It is not envisaged that Town's rates will be required to service the loan.

Against

1. Anonymous

Does not support proposal. Thinks money should be spent on creating a more cultural Mount Lawley café strip area and promote affordable inner city housing.

2. Eloise Hodge, Monger Street, Perth

No – does not support proposal. Feels there is a lack of consideration of the local residents, concerned about traffic parking and noise issues.

Chief Executive Officer's Comments

Strict controls are in place for traffic, parking and noise. These are reviewed on an ongoing basis. Any complaints are fully investigated.

3. Kate Boyle, Monger Street, Perth

Does not support proposal – feels that parking is not addressed, either for patrons or residents in the area. Comments that the proposal outlines a marked expansion in seating capacity, although this is not backed up by any additional parking facilities. Feels positive benefits that have been stated are for businesses in the area and not for the residents. States that on game matches currently, residents are stuck with streets crowded with vehicles and fans returning to cars making very loud noises, revving engines and kicking fences.

Chief Executive Officer's Comments

Strict parking controls were put in place in the 2002/03 season. Residential parking restrictions were strictly enforced, however these will be again reviewed for the 2003/04 season.

4. Lesley Bowerman, Marlborough Street, Perth

Strongly disagrees with the plan to increase the use of this land six-fold, e.g. six sporting disciplines. Commented that currently, residents and ratepayers are forced to bare the cost of parking restrictions, fines, security, etc which will also increase with increased usage of the facility. Has no interest in sporting activities. Traffic congestion is also a problem on weekends. Consult the local Nyoongar people regarding the public parkland.

Chief Executive Officer's Comments

It is a State Government requirement that this facility be made available for as many uses as possible - this is to ensure that the taxpayers' money benefits the wider community. Strict parking controls were put in place in the 2002/03 season. Residential parking restrictions were strictly enforced, however these will be again reviewed for the 2003/04 season. Full consultation with the Aboriginal claimants of this site has been carried out. They support the redevelopment of Perth Oval and a number of recommendations have been prepared in a report. Full compliance with the Aboriginal Heritage Act will be carried out.

5. Mr and Mrs Penirschke, Brewer Street, Perth

Submitted the following comments/concerns:

Building Concerns

- Undertake historical building assessment prior to development – impact of heavy machinery and infill will have considerable impact on surrounding area, visual pollution aspects.

Design

- Trees on southern side – new boundary appears to show a redrawn fence line on the inside of the tree line - are trees then part of the streetscape? Is the current embankment to stay? Is the bottom two feet of the current fence to be replaced with a retaining wall?
- Water control – old wooden drainage

Management

- Parking – south of Oval between Lord and Stirling Streets – exclusive residential/occupier only – all weekends. All other vehicles – tow away.
- Relatively car free streets south of the Oval should encourage pedestrians.
- If parking made available on “new public park – is it to be a carpark or public park?
- Noise Pollution – level of noise should be set such that persons not attending the fixture not subjected to unreasonable levels of noise – should be monitored and not left to Rangers.
- Lights – promised two years ago that 800 lux lights to be removed – now appears that not only are these to remain, they are to be increased by approximately 50%. Lights currently on continuously for days and nights.
- Ongoing management plans

General Comment

- Public park – how often will the “new public park” be required as a practice field? Available for parking one night/day a weekend, or two?
- Who will determine use of the park and will the Council be the body that collects the parking money if it is used for parking?
- Please leave the cars on the street and people on the park.

Chief Executive Officer’s Comments

- 1. It is considered that Perth Oval works will have minimal/no impact on surrounding properties.*
- 2. A landscape plan is being prepared by the Town's Technical Services Division and will be presented to Council for approval. Current embankments on the exterior of Lord and Brewer Streets are to remain in order to protect tree roots. Decorative fencing for safety reasons will replace the current 2 metre high wire fence.*
- 3. Water control - the works at Perth Oval are not expected to impact on water levels. Stormwater drains will be upgraded where required.*
- 4. Street parking restrictions are to remain and will be reviewed on an annual basis for Council's consideration - temporary parking on the newly created POS will be strictly controlled by the Town and only used on match days.*
- 5. Sound controls will be strictly monitored by the Town's Environmental Health Officers.*

6. *Lights - these will be upgraded and any light spill into surrounding areas will be strictly controlled. There has been no prior undertaking that the lights would be removed.*
7. *Ongoing management plans - these will strictly be controlled by the proposed Board of Management and overseen by the Town.*
8. *The public park will be controlled by the Town and made available to the public and as many users as possible. The use of the POS for training purposes has not been determined at this stage, however it is expected that this would not conflict with other park users.*

LEGAL/POLICY:

The Major Land Transaction and Business Plan was advertised on 11 January 2003 on a state-wide basis for a period of six weeks, in accordance with Sections 3.58 and 3.59 of the Local Government Act.

FINANCIAL IMPLICATIONS:

The redevelopment of Perth Oval will cost \$10.548 million. \$6.079 million will be provided by the State Government of Western Australia and the remaining \$4.469 million will be provided by the Town. The Town will borrow this amount over a period of 20-25 years and income derived from tender rights (naming, catering and management) will service the loan. It is envisaged that no rates revenue will be required to service the loan.

STRATEGIC IMPLICATIONS:

The upgrade and redevelopment of Perth Oval is in accordance with the Town's Strategic Plan 2002-2007 Key Result Area 3.6 *"Develop and Implement Strategies to improve the Town's Parks and Reserves"*, in particular, Key Result Area 3.6(a) - *"Investigate and Develop the future of Perth Oval"*.

The relocation of PGSC, Soccer Administration of WA and Rugby League administration to Perth Oval will attract additional visitors to the area throughout the year and will provide additional patronage to the local business community.

This is in keeping with the Town's Draft Strategic Plan 2002-2007 (yet to be adopted) – Key Result Area *"Economic Development - Develop Business Units for Perth and Leederville Oval"*.

The upgrade of Perth Oval is listed in the Town's Principal Activities Plan.

The Multi Purpose Rectangular Sports Stadium has been designed to meet the needs of seven sporting disciplines, including soccer, rugby league and rugby union, gaelic football, men's and women's lacrosse. It is proposed to provide accommodation for soccer, rugby league and possibly Soccer Administration of WA in the proposal.

COMMENT:

The Town's partnership with the State Government of Western Australia to provide upgraded and new sporting facilities within the Town of Vincent, as part of the State Sporting Facilities Plan will be a major benefit to the Town, its residents, ratepayers and also taxpayers. This proposal will relieve the Town of an expensive burden to upgrade and/or maintain the rundown facilities of Perth Oval."

Mayor Catania announced that he had declared a financial interest in this item and departed the Chamber at 8.55pm. He did not speak or vote on the item. Deputy Mayor, Cr Drewett assumed the Chair.

10.3.1 Investment Report

Ward:	-	Date:	01 April 2003
Precinct:	-	File Ref:	FIN0033
Reporting Officer(s):	C Liddelow		
Checked/Endorsed by:	N Forsyth		
Amended by:			

OFFICER RECOMMENDATION:

That the Investment Report for the month ended 31 March 2003 be received.

COUNCIL DECISION ITEM 10.3.1

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED (8-0)

(Mayor Catania was absent from the Chamber and did not vote.)

BACKGROUND:

The purpose of this report is to advise the Council of the level of funds available, the distribution of surplus funds in the short term money market and the interest earned to date. Details are attached. Interest from investments is a significant source of funds for the Town, where surplus funds are deposited in the short term money market for various terms.

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

DETAILS:

Total Investments for the period ended 31 March 2003 were \$11,616,580 compared with \$12,816,197 at 28 February 2003. At 31 March 2002, \$12,424,936 was invested.

Total accrued interest earned on Investments as at 31 March 2003:

	Budget	Actual	%
	\$	\$	
Municipal	300,000	227,603	75.87
Reserve	355,100	244,273	68.79

COMMENT:

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

Mayor Catania returned to the Chamber at 8.56pm and resumed the Chair. He was advised that Item 10.3.1 was carried (8-0).

Mayor Catania announced that Cr Doran-Wu declared a financial interest in Item 10.3.3. Cr Doran-Wu departed the Chamber at 8.56pm. She did not speak or vote on the item.

10.3.3 Community and Welfare Grants and Donations 2003/2004

Ward:	Both	Date:	2 April 2003
Precinct:	All	File Ref:	FIN0113
Reporting Officer(s):	A Hope		
Checked/Endorsed by:	J Anthony/M Rootsey		
Amended by:	John Giorgi		

OFFICER RECOMMENDATION:

That the Council APPROVES the following donations to be listed in the Draft 2003/2004 Budget:

<i>ANAWIM</i>	<i>\$ 1,210</i>
<i>Carers WA</i>	<i>\$ 2,500</i>
<i>Ethnic Child Care Resource Unit</i>	<i>\$ 500</i>
<i>Greek Welfare Centre</i>	<i>\$ 2,000</i>
<i>Loftus Community Centre</i>	<i>\$ 15,000</i>
<i>Mental Health Law Centre</i>	<i>\$ 500</i>
<i>Multicultural Services Centre</i>	<i>\$ 3,000</i>
<i>Passages Resource Centre</i>	<i>\$ 2,000</i>
<i>People Who Care</i>	<i>\$ 2,920</i>
<i>Playgroups (6 x \$500 each)</i>	<i>\$ 3,000</i>
<i>Rosewood Care Group</i>	<i>\$ 12,000</i>
<i>St Hilda's Anglican Church</i>	<i>\$ 2,000</i>
<i>Touch Australia</i>	<i>\$ 2,000</i>
<i>Toy Libraries (3 x \$500 each)</i>	<i>\$ 1,500</i>
<i>Volunteer Task Force</i>	<i>\$ 3,870</i>
<i>WA AIDS Council</i>	<i>\$ 1,500</i>
<i>Welfare Rights and Advocacy Service</i>	<i>\$ 500</i>
<i>Women's Health Care House</i>	<i>\$ 800</i>
<i>50 Piu' FENACOM – Italian Pensioners Society</i>	<i>\$ 2,000</i>
<i>Sundry Donations</i>	<i>\$ 5,000</i>
TOTAL	\$ 63,800

Moved Cr Ker, Seconded Cr Chester

That the recommendation be adopted.

Debate ensued.

COUNCIL DECISION ITEM 10.3.3

Moved Cr Ker, Seconded Cr Chester

That this item be DEFERRED for further investigation and an alternative assessment (as per the tender's evaluation) be included in the report.

CARRIED (7-1)

For
Mayor Catania
Cr Chester
Cr Cohen
Cr Drewett
Cr Franchina
Cr Hall
Cr Ker

Against
Cr Piper

(Cr Doran-Wu was absent from the Chamber and did not vote.)

Note:

It was requested that an alternative method of assessment be included in the report (as per the tender evaluations).

DETAILS:

Community and Welfare Grants and Donations 2003/2004

In accordance with the Community and Welfare Grants and Donations Guidelines, the scheme was advertised in two local papers during the month of January inviting applications for funding which resulted in 20 applications. A summary of these applications is shown below:

Applications recommended for funding:

Organisation	ANAWIM (Aboriginal Women's Night Shelter)
Purpose of Funding	ANAWIM will open a new Night Shelter this month. The funds would be used to provide clients staying overnight with necessary items of clothing, personal care items, food, medication, carry bags for luggage and to cover the cost bus and train fares so that residents can return home. Funds would also be used to purchase a first aid kit.
Target Group	The new Night Shelter targets Aboriginal women who are homeless or intoxicated and frequenting public places such as parks in the Town of Vincent.
Services Provided by the Organisation	ANAWIM currently operates as a refuge for lone Aboriginal women who are escaping domestic, family or social violence. It provides supported accommodation, non-residential support services and medium term accommodation. The new Night Shelter began operating this month.
Incorporated	Yes
Number of Vincent Residents Served	Whilst many of the women using the overnight shelter may reside outside the Town of Vincent, many of the Town's residents living in the Highgate area will benefit from the new service provided by ANAWIM as it will assist in reducing the occurrence of people sleeping and using alcohol and drugs in local parks and streets.

Comments	The Night Shelter is a response to an identified need in this area for temporary shelter for Aboriginal women who are homeless or itinerant and have problems associated with alcohol and drug misuse.
Amount Requested	\$1,210
Amount Recommended	\$1,210

Organisation	Carers WA
Purpose of Funding	To provide social events for family carers living in the Town of Vincent who would otherwise be unable to afford to attend such events. Funds would be used to pay for the hire of facilities, transport and promotion of the program. Over the past two years Carers WA has developed a social support program called "Linking Together" to aid carers living in and around the Town of Vincent. Groups of carers meet each month at local cafes, parks and halls to socialise with one another.
Target Group	Any family carer caring for a family member or friend who has a disability, chronic or mental illness, is frail aged living in WA.
Services Provided by the Organisation	Carers WA provides information, resources, support, counselling and referrals for Family Cares.
Incorporated	Yes

Number of Vincent Residents Serviced	117 carers living in the Town of Vincent are took part in the program last year.
Comments	This program will specifically benefit carers living in the Town of Vincent.
Amount Requested	\$2,500
Amount Recommended	\$2,500

Organisation	Ethnic Child Care Resource Unit
Purpose of Funding	To provide gifts to needy families as part of celebrations such as Luna New Year and the end of Ramadan.
Target Group	Families with young children from Chinese and Muslim backgrounds.
Services Provided by the Organisation	The Ethnic Child Care Resource Unit facilitates and promotes the participation of children and families and individuals from culturally and linguistically diverse (CALD) backgrounds in Children's Services by: Assisting services to meet individual needs through culturally and linguistically diverse programs; Promoting awareness, understanding and acceptance of diversity through education, training, resources and community networking; and Providing individual and community advocacy on inclusion issues in Children's Services on a local and national level. Services include a library, information and training, multicultural bilingual workers and a diversity shop.

Number of Vincent Residents Served	Approximately 750 residents.
Incorporated	Yes
Comments	
Amount Requested	\$4,750
Amount Recommended	\$500

Organisation	Greek Welfare Centre
Purpose of Funding	Funds would be used to assist the organisation to operate its current range of services and establish a "Senior Home Visiting Service" within its existing welfare service.
Target Group	Socially isolated older people and people with disabilities.
Services Provided by the Organisation	Bilingual welfare assistance (casework and counselling) to disadvantaged Greek families and individuals, experiencing financial, employment, health, education, language, social and psychological problems. Social and welfare support to Greek seniors provided through Day Centre activities and outings for the socially isolated, frail and well aged.
Incorporated	Yes
Number of Vincent Residents Served	Approximately 292 Vincent residents accessed the services provided by this organisation in the last financial year. This number represents 80% of the total number of people using the service.

Comments	Greek speaking people represent a significant proportion of the Town's residents aged over 55 years of age. This organisation services a large number of Town of Vincent residents in this age group.
Amount Requested	\$5,000
Amount Recommended	\$2,000

Organisation	Loftus Community Centre
Purpose of Funding	To assist the Loftus Community Centre to meet its operational costs including lease fee, building insurance, rates, public liability insurance and promotion of the Centre.
Target Group	All residents living in and nearby the Town of Vincent.
Services Provided by the Organisation	<ul style="list-style-type: none"> . Creche . Personal development courses . Playgroups . Three Plus Club . Toy Library . Seniors Programs . Post Natal Depression Support Group . Child Care Cooperative . Rooms for hire to the community . School holiday activities . Venue for many other community groups . Training for volunteers . Leisure courses . Student placements
Number of Vincent Residents Served	940 family members in total use the centre. Approximately 60% of users are Town of Vincent residents.
Comments	The programs offered at the Loftus Community Centre are well used. The Manager Community Development and Administrative Services and the Community Development and Disability Services Officers work closely with the centre.
Amount Requested	\$15,000
Amount Recommended	\$15,000

Organisation	Mental Health Law Centre
Purpose of Funding	The funds would be used to cover the cost of producing and distributing fact sheets and 7 separate pamphlets concerning issues such as Guardianship and involuntary admission to a mental health facility. The fact sheets were developed using funds provided by the Town in the 2001/2002 funding round.
Target Group	People with a psychiatric disability including seniors, young people and people from culturally and linguistically diverse backgrounds. Carers, service providers and other legal services.

Incorporated	Yes
Services Provided by the Organisation	The service promotes the legal and social rights and responsibilities of mental health consumers. Services include: Legal advice, advocacy, support, referral and representation Education for consumers about their legal rights Legal education, training and resources to the community to increase awareness of mental health legal issues Evaluation and monitoring of laws, legal and mental health service standards, policies and procedures.
Incorporated	Yes
Number of Vincent Residents Served	This organisation provided services to 1614 people in the last financial year. The number of Vincent residents is unknown.

Comments	It is appropriate that the Town of Vincent provide an amount that is less than that requested as the Town already provided funding for the completion of this specific project in the 2001/2002 funding round.
Amount Requested	\$2,200
Amount Recommended	\$500

Organisation	Multicultural Services Centre of WA
Purpose of Funding	The funds would be used to expand the operation of the Multicultural Services Centre's Evening Legal Service from one evening to two evenings per week.
Target Group	People from non-English speaking backgrounds living in the Town of Vincent and surrounding areas.
Services Provided by the Organisation	Aged care, community settlement, crisis accommodation, emergency relief, employment, training and education, legal advice, advocacy and casework. The Evening Legal Service operates each Tuesday from 5.00 – 7.30pm. It is staffed by solicitors working "pro-bono". The lawyers travel at their own cost from their offices in the City.
Number of Vincent Residents Served	500 Town of Vincent residents used the Centre's Legal Service in the last financial year. It is not clear how many of these people accessed the Evening Legal Service.
Comments	The increase in demand indicates that this is a valuable and useful service that is accessible to Town of Vincent residents.
Amount Requested	\$14,036
Amount Recommended	\$3,000

Organisation	Passages Resource Centre
Purpose of Funding	Funds will be used to run a Healthy Cooking Group. This will involve clients learning how to budget, shop and prepare healthy, low cost meals. Funds will be used to purchase fresh and packaged food, hygiene and cleaning products.
Target Group	Street present young people, primarily with issues of homelessness and drug and alcohol misuse.
Services Provided by the Organisation	Services provided by Passages include: <ul style="list-style-type: none"> • Relevant information and referrals for street present young people to appropriate services and agencies • Hospitality within a safe environment where young people feel safe and welcome • Laundry, shower, kitchen and meal facilities. • Access to computers for preparing resumes and job applications. • Clothing bank • Medical and toiletry kits • Weekly groups including PASH (Promoting Adolescent Sexual Health) and arts projects. Development of programs that address issues in the community related to alcohol and drug use, health, nutrition and the need for recreational and leisure activities.

Incorporated	Yes
Number of Vincent Residents Served	<p>Passages provided services to 1271 new clients this year. The total number of recorded client contacts (includes repeat clients) is 5420.</p> <p>Due to the transient nature of the clients who use the service, it is difficult to determine the exact number of Town of Vincent residents using the service.</p>
Comments	<p>Passages provides services to young people who are most disadvantaged, particularly those living on the street. The assistance offered meets very basic and concrete needs. The Healthy Cooking Program was initiated in 1999 with the support of the Town of Vincent. It has been running successfully ever since. It was established at the request of the young people accessing the centre.</p>
Amount Requested	\$2,000
Amount Recommended	\$2,000

Organisation	People Who Care
Purpose of Funding	To increase the provision of transport to residents of the Town of Vincent. This would include transport for social reasons and for shopping.
Target Group	Seniors and people with disabilities.
Services Provided by the Organisation	Gardening, transport, Community Visitors Scheme, home maintenance, social outings, a leisure centre for seniors and an OP Shop.
Number of Vincent Residents Served	People Who Care provided services to 420 Town of Vincent residents in the last financial year. This number represents 12% of the total number of clients serviced.
Comments	People Who Care have had an increase in the number of requests from seniors in the Town of Vincent requiring transport to shopping centres and for social visits to friends and family. They are the only organisation providing subsidised transport for shopping and social trips to seniors in the Town of Vincent.
Amount Requested	\$2,920
Amount Recommended	\$2,920

Organisation	Rosewood Care Group
Purpose of Funding	To cover costs associated with providing delivered meals to frail aged people in the Town of Vincent and surrounding areas.
Target Group	Frail aged.
Services Provided by the Organisation	This service provides hostel accommodation for elderly and frail aged people and coordination of the delivery of meals of a Meals on Wheels. Other services include hairdressing, podiatry, dining room meals and activities. This service assists elderly residents in the Town of Vincent to remain living independently in their homes for as long as possible.
Incorporated	Yes
Number of Vincent Residents Served	70 residents (approx. 18,500 meals).
Comments	There is a high demand for services provided by this organisation. The Town has made approximately 65 referrals for Meals on Wheels and podiatry services during the past financial year.
Amount Requested	\$12,000
Amount Recommended	\$12,000

Organisation	St Hilda's Anglican Church, North Perth.
Purpose of Funding	<p>To continue to provide English conversational classes in a community setting to people from culturally and linguistically diverse backgrounds who experience isolation due to language barriers.</p> <p>The classes are currently run by Multicultural Services Centre of WA with the support of the Town of Vincent, and St Hilda's Anglican Church (provision of venue).</p> <p>In particular, the classes aim to meet the needs of migrants who are intimidated by the formal system, but who will be able to integrate into the community once they have an adequate grasp of English.</p> <p>Funds would be used to cover teaching fees, some advertising, and materials.</p> <p>Three 2 hour classes will be run each week on an ongoing basis.</p>
Target Group	People of all ages who are socially isolated and from non-English speaking backgrounds.
Services Provided by the Organisation	All the services of a multicultural church ie spiritual activities, welfare and counselling.
Number of Vincent Residents Served	<ul style="list-style-type: none"> • The church provides services to approximately 4500 Town of Vincent residents. • Currently 2 of the students attending classes are residents of the Town of Vincent.
Comments	<ul style="list-style-type: none"> • The English conversational classes that are currently being taught by Erika Bentel and Joanne Baitz, at St Hilda's Anglican Church Hall, under the umbrella of Multicultural Services Centre are well run and well attended.

	<ul style="list-style-type: none"> • Very few Town of Vincent residents currently access the English classes. • The Town has asked the applicant to provide a strategy for encouraging enrolments by Town of Vincent residents. • The Town may consider providing additional funding in the future if a higher number of residents attend the classes in this financial year.
Amount Requested	\$14,000
Amount Recommended	\$2,000

Organisation	Touch Australia Inc
Purpose of Funding	Funds would be used to provide an outreach service for disadvantaged people, including homeless youth, women and families who are in need in the Town of Vincent.
Services Provided by the Organisation	Provision of emergency relief, social support, advocacy, counselling, emergency accommodation and a soup kitchen.
Target Group	Young people, families and seniors who are at risk.
Number of Vincent Residents Serviced	112 people in the Town of Vincent were assisted. 50 – 70 people visit the centre each week.
Incorporated	Yes
Comments	<ul style="list-style-type: none"> • Touch Australia have operated a services targeting people who are homeless and disadvantaged in the Town of Vincent for the past four years. • The demand for their services in this area, particularly emergency relief, has grown to the point that they now have an office in Cleaver Street, West Perth.
Amount Requested	\$10,000
Amount Recommended	\$2,000 for the provision of emergency relief.

Organisation	Toy Libraries and Playgroups
Purpose of Funding	To support the running of local groups
Target Group	Families living in the Town of Vincent
Services Provided by the Organisation	The toy libraries provide access to a toy loan service and information for families. The playgroups offer the opportunity for parents to socialise and gain support while their children have the opportunity to make friends and learn a range of social skills in a fun setting.
Number of Vincent Residents Serviced	Both toy libraries and playgroups are situated in the Town and the majority of people accessing them come from the local area.
Comments	There are a number of toy libraries and playgroups situated in the Town which provide a valuable service to local residents. Throughout the year the Town is approached by each group requesting funds. This donation would formalise the funding arrangement we have with them and assist in streamlining the donations process.
Amount Requested	\$3,000
Amount Recommended	\$500 for each organisation

Organisation	Volunteer Task Force
Purpose of Funding	Funds will be used to expand the Social Support Service provided by Volunteer Task Force to allow a greater servicing of aged people and people with a disability. This program was previously called "Live a Lot". Volunteers will be linked to socially isolated older residents and will undertake the following activities: <ul style="list-style-type: none"> ▪ Outings, including going for a walk, a drive or out for coffee. ▪ Participating in a leisure activity together in the Town of Vincent. ▪ Visiting clients in their homes to provide company and to play card or board games. ▪ Shopping on a regular basis or for a one off item.
Target Group	Seniors living in the Town of Vincent.
Services Provided by the Organisation	Volunteer Task Force provides community support to the elderly, people with disabilities and people who are disadvantaged such as single parents. Services include home maintenance, social support, gardening and transport to medical appointments. This service assists elderly people and those with disabilities to live independently in the community for as long as possible, thus, preventing early or unnecessary admission to hostel or other high care facilities.
Incorporated	Yes
Proportion of client base living in the Town	92 clients living in the Town of Vincent received services 240 times, for a total of 667 hours. This number represents 6% of the total number of clients serviced.
Comments	This program will benefit many disadvantaged and socially isolated seniors living in the Town of Vincent.
Amount Requested	\$3,870
Amount Recommended	\$3,870

Organisation	WA AIDS Council
Purpose of Funding	Funding towards the HIV Emergency Assistance Fund which provides emergency relief to clients experiencing financial hardship and who are finding it difficult to meet the most basic costs of daily living.
Target Group	People living with HIV/AIDS
Services Provided by the Organisation	Welfare and Housing Assistance; Client Assisted and Supported Accommodation; Treatments Information and Education; Living Futures Program; HIV Assistance Fund; Transport Assistance; Care Team Assistance; Buddy Program and Living Well Program.
Number of Vincent Residents Serviced	27 residents in living in the Town used the HIV emergency assistance fund last financial year. Clients may access the fund on more than one occasion.
Incorporated	Yes

Comments	<ul style="list-style-type: none"> This organisation provides a large proportion of its services to Vincent residents. Many clients are single and, therefore, not eligible for emergency relief through Family and Children's Services and many other welfare providers. Fear of discrimination regarding their HIV status, limits the services that many people living with HIV/AIDS can access.
Amount Requested	\$2,000
Amount Recommended	\$1,500

Organisation	Welfare Rights and Advocacy Service
Purpose of Funding	The funds would be used to develop key information products for people from non-English speaking backgrounds concerning their rights when dealing with Centrelink. The information would be targeted at newer and emerging communities from Somalia, Ethiopia and Eritrea.
Target Group	Families – including two parent and single parent.
Services Provided by the Organisation	Provision of a community legal centre offering advice on tenancy, consumer rights, neighbour disputes, legal aid, income support programs, welfare and welfare rights service. Information kits and sessions, community development involving the development of new services and projects.
Incorporated	Yes
Number of Vincent Residents Served	394 people living in the Town accessed services provided by this organisation. This number represents 22% of the total number of people serviced.
Comments	This is a valuable and necessary project, however, data from the 2001 Census indicates that less than 6 people from each of cultural groups targeted reside in the Town.
Amount Requested	\$4,000
Amount Recommended	\$500

Organisation	Women's Health Care House – Mental Health Community Outreach Project
Purpose of Funding	<p>Funds would be used to cover the annual cost of entry and attendance for various structured activities at Beatty Park Leisure Centre.</p> <p>The project enables women using the services of the Community Mental Health Outreach Project to access facilities and exercise programs where they would otherwise be unable to due to limited financial resources. The women are accompanied by two social workers.</p>
Target Group	Women and children where the mother has a mental illness. Age range approximately 20 – 50 years.
Services Provided by the Organisation	The service aims to strengthen the community support networks of women who have a mental illness and enhance their personal coping strategies in order to minimise the stress and disruption of mental illness.

Number of Vincent Residents Serviced	33 women living in the Town of Vincent access this service. This represents 50% of the total number of women accessing the program.
Comments	<ul style="list-style-type: none"> • This project is focusing on very practical ways to minimise the stress associated with mental illness and assist women with a mental illness to build support networks and interact in a positive way with their children. • The Town has funded this project for the past four years. Feedback from clients indicates that participation in the exercise program is of benefit to their health, fitness, sense of wellbeing and confidence, relationship with their children and establishing friendships with other mothers. Many mothers have booked their children into vacation swimming classes at Beatty Park.
Amount Requested	\$800
Amount Recommended	\$800

Organisation	50 Piu' FENACOM
Purpose of Funding	To coordinate and facilitate three 10 week terms of comprehensive elementary information technology (IT) courses. The courses will be made available to all members of the association and will be taught in languages other than English.
Target Group	Seniors from non-English speaking background, primarily Italian.
Services Provided by the Organisation	<ul style="list-style-type: none"> • Assisting members in receiving social and welfare benefits and entitlements from European localities in accordance with Australian pension and entitlement laws. • Cross cultural activities and events including English classes, cultural conferences, theatrical performances, gala balls and dinners. • A free service for members for processing tax returns, and assisting with Centrelink payments and benefits from the Federal and state governments. • Translation and interpreting service for members.
Incorporated	Yes
Number of Vincent Residents Serviced	420 Vincent residents accessed services and programs provided by this agency in the last financial year. This represents 70% of the total number of clients serviced.
Comments	There is a large number of seniors from an Italian background living in the Town. There is a demand amongst seniors for computer courses that cater to their needs in an atmosphere in which they already feel comfortable.
Amount Requested	\$7,000
Amount Recommended	\$2,000 to assist with instructors fees.

Applications not recommended for funding:

Organisation	Ethnic Communities Council
Purpose of Funding	The funds would be used to provide English classes in an informal setting for people from culturally and linguistically diverse backgrounds.
Target Group	People from culturally and linguistically diverse backgrounds living in Australia on Temporary Protection Visas.
Services Provided by the Organisation	Assistance to all migrants and refugees, particularly those from non-English speaking backgrounds.
Incorporated	Yes
Number of Vincent Residents Served	Approximately 3600 residents benefited from services provided by the Ethnic Communities Council.
Comments	St Hilda's Church has applied for funds to run English classes for migrants and refugees. These classes have been run successfully for the past year. It would be a better use of resources to provide funds to St Hilda's and recommend that ECC direct people wanting to participate in English classes to this service.
Amount Requested	\$2,500
Amount Recommended	Nil

Organisation	Narkling Network Reading Group Project
Purpose of Funding	Funding would be used to maintain a coordinator to run the Narkling Network Reading Group Project within the Town of Vincent and other areas. The project would provide support for people with developmental disabilities to use the Town of Vincent Library and alternative to print resources in their area. Support would be provided by volunteer mentors recruited from the Town. This program is currently running with some assistance from the Town of Vincent.
Target Group	Members of the Vincent community aged 18 years and over with a disability, specifically people with a developmental disability.
Services Provided by the Organisation	The aim of Narkling is to improve language and literacy skills for people with reading difficulties. Narkling provides reading kits that can be used by people who cannot access standard print material, including people with: <ul style="list-style-type: none"> • Intellectual disability • Past difficulty or lack of opportunity to learn and read • Acquired brain dysfunction • Dyslexia • English as a new language • Hearing impairment
Incorporated	Yes
Number of Vincent Residents Served	In 2001- 2002 the Narkling Network Reading Group assisted 65 adults who have a developmental disability. 2 of these people live in the Town of Vincent. 12% of the reading mentors live in the Town of Vincent.

Comments	This is a valuable program, however, in the past financial year most of the people assisted were from outside the Town of Vincent. It may be more appropriate for Narkling to apply for and ad hoc Community and Welfare Donation to assist individual clients from the Town of Vincent as necessary. According to the "Community and Welfare Grants and Donations" Policy, funding may not be granted for the payment of salaries and wages.
Amount Requested	\$4000
Amount Recommended	Nil Requests for ad hoc donations for individual clients living in the Town of Vincent will be considered as appropriate.

Applications funded according to an alternative arrangement:

Organisation	Loftus Playgroup Inc
Purpose of Funding	Funds would be used to purchase an Internet domain and develop a web page to provide people in the community with another avenue to access information about the playgroup.
Target Group	Families with children aged 0 – 3 years.
Services Provided by the Organisation	The Loftus Playgroup provides a safe environment with educational toys and art and craft supplies to maximise learning, in a fun way, for children aged between birth and school age. The playgroup also provides a supportive environment for parents/carers to share ideas and information.
Number of Vincent Residents Served	74 Town of Vincent residents were members of the Loftus Centre Playgroup last financial year. This represents 95% of the total number of users.
Comments	The Town now provides all playgroups with a standard donation each financial year to assist with the promotion of the group.
Amount Requested	\$1500
Amount Recommended	Nil. Current donation of \$500 as per existing arrangement for playgroups and toy libraries to remain.

FINANCIAL/BUDGET IMPLICATIONS:

Community & Welfare Donations

The table below details the financial implications of the welfare donations scheme over the past two years. It also details the amount requested this financial year and the funding which is recommended.

Organisation	Funding (01/02)	Funding (02/03)	Funding Requested (02/03)	Funding Recommended (03/04)
African Community in WA	Nil	500	N/A	-
ANAWIM	N/A	N/A	1,210	1,210
Ave Maria House	1,000	500	N/A	-
Beehive Industries	2,000	1,000	N/A	-
Carers WA		1,000	2,500	2,500
Ethnic Child Care Resource Unit	600	Nil	4,750	500
Ethnic Communities Council	N/A	N/A	2,500	Nil
Filipino – Australian Club of Perth		500	N/A	-
Greek Welfare Centre		2,000	5,000	2,000
Headquarters		4,000	N/A	N/A
Loftus Community Centre	15,000	15,000	15,000	15,000
Loftus Centre Playgroup	Nil	N/A	1500	See Playgroups
Mental Health Law Centre	1,000	1,000	2,200	500
Multicultural Services Centre	3,000	N/A	14,036	3,000
Narkaling Networking Group		2,000	4,000	Nil
Passages Resource Centre	2,000	2,000	2,000	2,000
People Who Care	5,000	N/A	2,920	2,920
Playgroups		3,500	3,000	3,000
Rosewood Care Group	12,000	12,000	12,000	12,000
St Hilda's Anglican Church	N/A	N/A	14000	2,000
Touch Australia Inc (Church)	2,000	N/A	10,000	2,000
Toy Libraries		1,500	1,500	1,500
Volunteer Task Force	3,000	3,700	3,870	3,870
WA AIDS Council	2,000	1,500	2,000	1,500
WA Deaf Society		1,000	N/A	-
Welfare, Rights and Advocacy Service	1,000	Nil	4,000	500
Women's Health Care House		5,263.22	800	800
50 Piu' FENACOM – Italian Pensioners Society	2,000	2,000	7,000	2,000
Sundry Donations	6,000	5,000	5,000	5,000
TOTAL			\$120,786	\$63,800

Ad Hoc/Sundry Donations

In the 2002/2003 Budget \$5000.00 was allocated to cover sundry donations. It is recommended that an amount of \$5000.00 be allocated for sundry donations in the Draft 2003/2004 budget.

2003/2004 Draft Budget

An amount of \$63,800 has been allocated for Community and Welfare Grants and Donations in the Draft Budget for 2003/2004.

STRATEGIC IMPLICATIONS:

Draft Strategic Plan 2000 – 2002 – Key Result Area 2.1: *“Celebrate and acknowledge the Town’s social diversity.”*

and

Key Result Area 2.4: *“Review the range of community services provided.”*

COMMENTS:

As indicated by the number of applications received this year for Community and Welfare Grants, there are many not for profit organisations requiring assistance to provide key services to the Town’s residents.

The Town recognises the valid requests for funding from all applicants, however, in many cases the amount recommended is lower than that requested due to the limited funds available for grants. Priority has been 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.

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

FINANCIAL YEAR	AMOUNT REQUESTED	AMOUNT DONATED
1996/1997	\$ 43,000	\$40,110
1997/1998	\$ 72,500	\$45,300
1998/1999	\$129,000	\$51,740
1999/2000	\$ 95,940	\$55,500
2000/2001	\$139,507	\$55,000
2001/2002	\$128,133	\$59,368
2002/2003	\$167,172	\$63,700
2003/2004	\$120,786	\$63,800

Regular Annual Grants

The Town supports the following organisations annually as it relies heavily upon them to take referrals from Community Development and other Town of Vincent Officers:

- Loftus Community Centre;
- People Who Care;
- Rosewood Care Group; and
- Volunteer Task Force.

It is recommended that the Council continue to support these groups at the recommended level of funding, as the Town would not be in a position to meet the level of funding required to provide these services itself.

Regular Annual Grants to Playgroups and Toy Libraries Located in the Town

Over the past few years the Town has received a number of applications for funding from playgroups and toy libraries located in the Town. While the Town recognises that playgroups and toy libraries provide an essential service to many families living in the Town, it has not always been possible to grant funding because the groups have asked for items which cannot be funded under the Community and Welfare Grants guidelines. A fair and equitable way to provide assistance to playgroups and toy libraries is to make a regular annual grant of a specified amount to each group to assist them with the cost of advertising and promotion. It is recommended that \$500 be allocated to each of 6 playgroups and 3 toy libraries located in the Town of Vincent in the 2003/2004 budget.

This money would be distributed to the following:

Toy Libraries: Noah's Ark Toy Library
Mount Hawthorn Toy Library
Leederville Toy Library

Playgroups: Highgate/Forrest Park Playgroup
North Perth Playgroup
Loftus Community Centre Playgroup
Mount Hawthorn Playgroup
Earlybirds Playgroup
St Hilda's Playgroup

CEO's Comment

The CEO amended this report by increasing the amount recommended to Carers WA from \$2,000 to \$2,500. This is identical to the amount they received in 2001/2002 financial year.

Cr Doran-Wu returned to the Chamber at 9.00pm and was advised by Mayor Catania that Item 10.3.3 was deferred (7-1).

Cr Chester departed the Chamber at 9.00pm.

10.1.1 Further Report - No.190 (Lot 302) Grosvenor Road, Corner Leake Street, North Perth - Proposed Three-Storey Dwelling - Determination of Town Planning Appeal Tribunal

Ward:	North Perth	Date:	2 April 2003
Precinct:	Smith's Lake, P6	File Ref:	PR01861; 00/33/0865
Reporting Officer(s):	D Abel		
Checked/Endorsed by:	R Boardman		
Amended by:	--		

FURTHER OFFICER RECOMMENDATION:

That;

in light of the Town Planning Appeal Tribunal decision to uphold an appeal and approve the application submitted by R Voulon on behalf of the owner Temple of Bel Pty Ltd for the proposed three-storey dwelling at No.190 (Lot 302) Grosvenor Road, corner Leake Street, North Perth as shown on the amended plans stamp-dated 30 January 2002, the Council applies the following conditions to this proposed development:

- (i) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) the louvers to the terrace and timber slats to the void, on the first floor on the front/western elevation, incorporating a gap with a minimum width as the louvre and slats battens respectively, in between each louvre and slat batten;*
 - (b) the footpath/pedestrian access to/from the proposed dwelling not being located on the adjacent proposed road closure and public open space portion of Leake Street; and*
 - (c) the existing and proposed dwellings each being provided with a store, not visible from the adjacent streets, of a minimum area of 4 square metres and a minimum dimension of 1.5 metres, and in accordance with the Residential Design Codes.*

The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;
- (ii) a detailed schedule of external finishes (including materials and colour schemes and details), with particular attention to reducing the visual impact of the development on the streetscape and adjacent properties, shall be submitted and approved prior to the issue of a Building Licence;*
- (iii) prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use and undertake works on the right of way, to the satisfaction of the Town;*

- (iv) *a right of way security bond and/or bank guarantee for \$880 shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for a standard 2 wheel drive vehicle) as a consequence of the works the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division;*
- (v) *a footpath security deposit bond and/or bank guarantee of \$220 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (vi) *prior to the issue of a Building Licence, permission is required to be obtained from the Town's Technical Services Division to construct a footpath/pedestrian access to the proposed dwelling;*
- (vii) *a detailed landscaping plan prepared in consultation with the Town's Parks Services Section, including a schedule of plant species and the planting of at least two mature trees on the Leake Street verge adjacent to the subject property with the height, location and species being specified by the Town's Parks Services Section, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s);*
- (viii) *to protect the privacy of adjacent residents, prior to the first occupation of the development, the window to the dining room on the northern elevation on the first floor shall be screened with a permanent obscure material and be non-openable to a minimum height of 1.6 metres above the finished first floor level. The permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject window either being deleted or not exceeding one square metre in aggregate in the respective subject wall, so that it is not considered to be a major opening as defined in the Residential Design Codes 2002;*
- (ix) *to protect the privacy of adjacent residents, prior to the first occupation of the development, the windows to the study on the first floor and bedroom 2 on the second floor, and the terrace on the first floor and balcony on the second floor, on the southern elevation, shall be screened with a permanent obscure material and be non-openable to a minimum height of 1.6 metres above the respective finished floor level. The permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be a major opening as defined in the Residential Design Codes 2002; and*
- (x) *compliance with all relevant Environmental Health, Building and Engineering requirements;*

to the satisfaction of the Chief Executive Officer.

Moved Cr Cohen, Seconded Cr Hall

That the recommendation be adopted.

Cr Chester returned to the Chamber at 9.01pm.

Moved Cr Cohen, Seconded Cr Drewett

That the following amendment be adopted;

AMENDMENT:

Amend clause (i) of, and add the following new clause (xi) to, the previous recommendation:

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

- (a) the louvers to the terrace and timber slats to the void, on the first floor on the front/western elevation, incorporating a gap with a minimum width as the louvre and slats battens respectively, in between each louvre and slat batten;*
- (b) the footpath/pedestrian access to/from the proposed dwelling not being located on the adjacent proposed road closure and public open space portion of Leake Street; ~~and~~*
- (c) the existing and proposed dwellings each being provided with a store, not visible from the adjacent streets, of a minimum area of 4 square metres and a minimum dimension of 1.5 metres, and in accordance with the Residential Design Codes; and*
- (d) a pedestrian access way of a minimum width of 1.5 metres being provided entirely on the subject lot to/ from Grosvenor Road to the proposed dwelling.*

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

(xi) No building materials, scaffolding, site fencing and the like shall be placed on the Leake Street road reserve;"

AMENDMENT CARRIED (9-0)

MOTION AS AMENDED CARRIED (8-1)

For
Mayor Catania
Cr Cohen
Cr Doran-Wu
Cr Drewett
Cr Franchina
Cr Hall
Cr Ker
Cr Piper

Against
Cr Chester

COUNCIL DECISION ITEM 10.1.1

That;

in light of the Town Planning Appeal Tribunal decision to uphold an appeal and approve the application submitted by R Voulon on behalf of the owner Temple of Bel Pty Ltd for the proposed three-storey dwelling at No.190 (Lot 302) Grosvenor Road, corner Leake Street, North Perth as shown on the amended plans stamp-dated 30 January 2002, the Council applies the following conditions to this proposed development:

- (i) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) the louvers to the terrace and timber slats to the void, on the first floor on the front/western elevation, incorporating a gap with a minimum width as the louvre and slats battens respectively, in between each louvre and slat batten;*
 - (b) the footpath/pedestrian access to/from the proposed dwelling not being located on the adjacent proposed road closure and public open space portion of Leake Street;*
 - (c) the existing and proposed dwellings each being provided with a store, not visible from the adjacent streets, of a minimum area of 4 square metres and a minimum dimension of 1.5 metres, and in accordance with the Residential Design Codes; and*
 - (d) a pedestrian access way of a minimum width of 1.5 metres being provided entirely on the subject lot to/ from Grosvenor Road to the proposed dwelling.*

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

- (ii) a detailed schedule of external finishes (including materials and colour schemes and details), with particular attention to reducing the visual impact of the development on the streetscape and adjacent properties, shall be submitted and approved prior to the issue of a Building Licence;*
- (iii) prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use and undertake works on the right of way, to the satisfaction of the Town;*
- (iv) a right of way security bond and/or bank guarantee for \$880 shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for a standard 2 wheel drive vehicle) as a consequence of the works the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division;*

- (v) *a footpath security deposit bond and/or bank guarantee of \$220 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
 - (vi) *prior to the issue of a Building Licence, permission is required to be obtained from the Town's Technical Services Division to construct a footpath/pedestrian access to the proposed dwelling;*
 - (vii) *a detailed landscaping plan prepared in consultation with the Town's Parks Services Section, including a schedule of plant species and the planting of at least two mature trees on the Leake Street verge adjacent to the subject property with the height, location and species being specified by the Town's Parks Services Section, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s);*
 - (viii) *to protect the privacy of adjacent residents, prior to the first occupation of the development, the window to the dining room on the northern elevation on the first floor shall be screened with a permanent obscure material and be non-openable to a minimum height of 1.6 metres above the finished first floor level. The permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject window either being deleted or not exceeding one square metre in aggregate in the respective subject wall, so that it is not considered to be a major opening as defined in the Residential Design Codes 2002;*
 - (ix) *to protect the privacy of adjacent residents, prior to the first occupation of the development, the windows to the study on the first floor and bedroom 2 on the second floor, and the terrace on the first floor and balcony on the second floor, on the southern elevation, shall be screened with a permanent obscure material and be non-openable to a minimum height of 1.6 metres above the respective finished floor level. The permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be a major opening as defined in the Residential Design Codes 2002;*
 - (x) *compliance with all relevant Environmental Health, Building and Engineering requirements; and*
 - (xi) *no building materials, scaffolding, site fencing and the like shall be placed on the Leake Street road reserve*
- to the satisfaction of the Chief Executive Officer.*

Executive Manager Environmental and Development Services Comments:

In relation to clause (i)(d) above, the proposed road closure as shown on drawing number 2032-CP.02 will result in the subject lot having a 1.99 metres wide frontage onto Leake Street. This will allow the adequate provision of services and mail delivery to the proposed dwelling/lot, therefore the 1.5 metres wide pedestrian access way to/from Grosvenor Road will not be required.

FURTHER REPORT:

The Council at its Ordinary Meeting held on 19 November 2002 considered this matter and resolved that the item be deferred until the written decision of the Town Planning Appeal Tribunal is received.

In letter dated 18 March 2003, the Town Planning Appeal Tribunal (TPAT) referred to an attached copy of the Reasons for Decision. The TPAT letter dated 18 March 2003 and accompanying Reasons for Decision are included as an Appendix 10.1.1 to this report. Extracts from the Reasons for Decision are as follows:

- "16. *First, we were provided after the hearing of this appeal with a copy of the residential design codes which came into effect in October 2002. We accept for the purpose of this decision that those design codes are in place and that they are relevantly the design codes to which one should have regard for the purpose of determining this matter. Secondly, plot ratio is not included in these new R Codes where the zoning is R40. Thirdly, under these codes the threshold for public open space is 45 per cent per group dwelling - which is the case here. And, fourthly, we consider this is an appropriate matter for the exercise of discretion. In our view whilst again ultimately it is a matter of judgment, we determine that what is contemplated meets the relevant planning criteria and is otherwise acceptable.*
17. *For those reasons the appeal will be allowed. In allowing the appeal we hasten to emphasise that as part of the application the appellant in effect sought to construct a footpath across the Leak Street verge. This is not land owned by the appellant, it appears vested in the first respondent and there is not before us an application from the first respondent for development in respect of its land. For that reason it is not necessary to consider it.*
18. *If it were necessary to consider it, in our view we would not accept that this was a necessary part of the development or an acceptable outcome given what is contemplated in relation to the conversion or maintenance of the verge into public open space. And if otherwise open to us, we would not in any event be prepared to allow that as part of the application for development.*
19. *In accordance with the practice of the Tribunal, we'll allow the respondent 14 days to formulate the conditions upon which effect may be given to this decision."*

The Western Australian Planning Commission (WAPC) granted conditional subdivision approval for the subdivision of the lot into two freehold lots, one lot being 361 square metres at the corner of Grosvenor Road and Leake Street and accommodating the existing dwelling, and the other being 216 square metres fronting Leake Street and will accommodate the subject proposed dwelling.

The Council at its Ordinary Meeting held on 17 December 2002, considered the revised proposed closure of portion of Leake Street road reserve as determined by the WAPC in letter dated 28 November 2002. The WAPC did not support the road closure as initially proposed by the Council, however was prepared to support a modified proposal where the portion of the Leake Street road reserve proposed to connect with the rights of way being widened to 8 metres so as to afford the abutting lots frontage to Leake Street and access to services. On 17 December the Council resolved to approve the revised proposed closure of portion of the Leake Street road reserve, and formally requested the Minister for Land to vest the closed portion of the road reserve in the Town for the purpose of public open space.

A petition with four (4) signatories was read and received at the Ordinary Meeting of Council held on 17 December 2002, and stated as follows:

"We disagree to this proposed development on account of its height. It is out of character with existing dwellings in the immediate surrounding area. It is proposed to front onto public park space with a footpath cutting through grassland which is used by at least 8 families with children."

The previous Officer Recommendation has been amended to generally reflect the above TPAT's Reasons for Decision, status of the proposed freehold subdivision and revised proposed closure of portion of the Leake Street road reserve, recommended conditions from two Elected Members, discussions held with the Town's Technical Services, and the privacy requirements of the Residential Design Codes (R Codes).

In the recent Ordinary Meetings of Council, the Council has been prepared to vary the privacy requirements of the R Codes by allowing the overlooking window to be top hinged and the obscured portion of the window to be openable to a maximum of 20 degrees.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 19 November 2002.

'OFFICER RECOMMENDATION:

That;

in light of the Town Planning Appeal Tribunal decision to uphold an appeal and approve the application submitted by R Voulon on behalf of the owner Temple of Bel Pty Ltd for the proposed three-storey dwelling at No.190 (Lot 302) Grosvenor Road, corner Leake Street, North Perth as shown on the amended plans stamp-dated 30 January 2002, the Council applies the following conditions to this proposed development:

- (i) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) the louvers to the terrace and timber slats to the void, on the first floor, incorporating a gap with a minimum width as the louvre and slats battens respectively, in between each louvre and slat batten; and*
 - (b) a 800 millimetres by 800 millimetres truncation being provided at the south western corner entry to the garage;*

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

- (ii) a detailed schedule of external finishes (including materials and colour schemes and details), with particular attention to reducing the visual impact of the development on the streetscape and adjacent properties, shall be submitted and approved prior to the issue of a Building Licence;*
- (iii) prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use and undertake works on the right of way, to the satisfaction of the Town;*

- (iv) *a right of way security bond and/or bank guarantee for \$880 shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for a standard 2 wheel drive vehicle) as a consequence of the works the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division;*
- (v) *a footpath security deposit bond and/or bank guarantee of \$220 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (vi) *prior to the issue of a Building Licence, permission is required to be obtained from the Town's Technical Services Division to construct a footpath/pedestrian access to the proposed dwelling. This pedestrian access/footpath may be required to be provided directly from the adjoining right of way;*
- (vii) *to protect the privacy of adjacent residents, prior to the first occupation of the development, the window to the dining room on the northern elevation on the first floor shall either be deleted, or screened with a permanent obscure material and be non-openable to a minimum height of 1.6 metres above the finished first floor level. The permanent obscure material does not include a self-adhesive material or other material that is easily removed.*
- (viii) *a detailed landscaping plan prepared in consultation with the Town's Parks Services Section (including a schedule of plant species and the planting of at least two mature trees on the Leake Street verge adjacent to the subject property with the height, location and species being specified by the Town's Parks Services Section, and the landscaping and reticulation of the Leake Street and Grosvenor Street verges adjacent to the subject property) shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s); and*
- (ix) *compliance with all relevant Environmental Health, Building and Engineering requirements;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.14

Moved by Cr Doran Wu, Seconded by Cr Chester

That the recommendation be adopted.

Debate ensued.

Moved by Cr Chester, Seconded by Cr Hall

That this item be DEFERRED until the written decision of the Town Planning Appeal Tribunal is received.

CARRIED (6-3)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Doran-Wu
Cr Chester	Cr Drewett
Cr Cohen	Cr Piper
Cr Franchina	
Cr Hall	
Cr Ker	

LANDOWNER: *Temple of Bel Pty Ltd*
APPLICANT: *R Voulon*
ZONING: *Metropolitan Region Scheme: Urban*
Town Planning Scheme No.1: Residential R40
EXISTING LAND USE: *Single House*

COMPLIANCE:

<i>Use Class</i>	<i>Single House</i>
<i>Use Classification</i>	<i>"P"</i>
<i>Lot Area</i>	<i>Existing Lot 302 - 577 square metres</i>

SITE HISTORY:

20 November 2001 The Council at its Ordinary Meeting refused an application for a three storey single house.

18 December 2001 The Council at its Ordinary Meeting deferred its consideration of an application for a three storey single house at the request of the applicant in order for the applicant to modify the plans.

12 February 2002 The Council at its Ordinary Meeting refused an application for a three storey single house as shown on amended plans stamp dated 30 January 2002.

11 April 2002 The applicant/owner lodged an appeal with the Town Planning Appeal Tribunal (TPAT) against the Council's refusal of 12 February 2002.

15 May 2002 TPAT first sitting on the appeal.

19 June 2002 TPAT mediation session on the appeal.

29 July 2002 TPAT directions hearing on the appeal.

13 August 2002 The Council at its Ordinary Meeting considered a Confidential Report on the appeal and resolved to receive advice from the Town's solicitors, Minter Ellison, and authorise the Executive Manager Environmental and Development Services to represent the Town at the TPAT hearing to be held on 23 September 2002.

23 September 2002 *TPAT hearing on the appeal. The Town was represented by Minter Ellison.*

7 November 2002 *Handing down of TPAT determination on the appeal. Attended by the Town's solicitors, Minter Ellison on behalf of the Town.*

DETAILS/COMMENTS:

In a letter dated 8 November 2002, the Town's solicitors, Minter Ellison, advised that "... the Tribunal allowed Mr Voulon's appeal and made orders that the Town has 14 days in which to formulate conditions to give effect to the Tribunal's decision ..."

A copy of the Minter Ellison's letter is included as an attachment to this report.

The Town has not yet received a copy of the TPAT written reasons for its decision at the time of preparation of this report.

The conditions to be applied by the Town on the approved development should not result in a significant alteration to the development. The Town is also required to negotiate with the appellant to achieve a common set of conditions, and if there are any disputes the matter will be referred to the TPAT for arbitration/determination.

In light of the above, it is recommended that the Council apply the conditions to the subject development as detailed in the Officer Recommendation. These conditions are similar to those applied in the Officer Recommendation contained in the reports to the Ordinary Meetings of Council held on 12 February 2002 and 13 August 2002; and has been amended to reflect the new Residential Design Codes, that the adjacent right of way has been recently upgraded, and that the development was treated as a grouped dwelling by the TPAT, hence no longer a requirement for the subdivision of the land.'

10.1.10 No.314 (Lot 12) Vincent Street, Nos.177-179 (Lots 9 and10) Oxford Street and No.2 (Lot 4) Stamford Street, Leederville - Proposed Change of Use from Approved Office to Consulting Room

Ward:	North Perth	Date:	31 March 2003
Precinct:	Oxford Centre, P4	File Ref:	PRO1469; 00/33/1484
Reporting Officer(s):	P Mastrodomenico		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owners Cape Bouvard Developments Pty Ltd for proposed change of use from approved office to consulting room on No.314 (Lot 12) Vincent Street, Nos.177-179 (Lots 9 and10) Oxford Street and No.2 (Lot 4) Stamford Street, Leederville, and as shown on the plans stamp-dated 4 February 2003, subject to:

- (i) all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (ii) a maximum of one (1) consulting room shall be used at any one time;*
- (iii) no massage activity of a commercial nature shall occur at the premises at any time;*
- (iv) the hours of operation shall be limited to 8am to 8pm Monday to Friday, and 8am to 2.00pm on Saturday, inclusive; and*
- (v) compliance with all relevant Environmental Health, Engineering and Building requirements;*

to the satisfaction of the Chief Executive Officer.

Moved Cr Piper, Seconded Cr Ker

That the recommendation be adopted.

Moved Cr Piper, Seconded Cr Hall

That, a new clause (vi) be added as follows:

- (vi) this approval for a Consulting room shall be for a period of 12 months only and should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the Town prior to continuation of the use;*

AMENDMENT CARRIED (9-0)

MOTION AS AMENDED CARRIED (9-0)

COUNCIL DECISION ITEM 10.1.10

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owners Cape Bouvard Developments Pty Ltd for proposed change of use from approved office to consulting room on No.314 (Lot 12) Vincent Street, Nos.177-179 (Lots 9 and10) Oxford Street and No.2 (Lot 4) Stamford Street, Leederville, and as shown on the plans stamp-dated 4 February 2003, subject to:

- (i) all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (ii) a maximum of one (1) consulting room shall be used at any one time;*
- (iii) no massage activity of a commercial nature shall occur at the premises at any time;*
- (iv) the hours of operation shall be limited to 8am to 8pm Monday to Friday, and 8am to 2.00pm on Saturday, inclusive;*
- (v) compliance with all relevant Environmental Health, Engineering and Building requirements; and*
- (vi) this approval for a Consulting room shall be for a period of 12 months only and should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the Town prior to continuation of the use;*

to the satisfaction of the Chief Executive Officer.

LANDOWNER: Cape Bouvard Developments Pty Ltd
APPLICANT: Cape Bouvard Developments Pty Ltd
ZONING: Metropolitan Region Scheme – Urban and Other Regional Road
Town Planning Scheme No. 1 - Residential/Commercial R80, Commercial and Other Regional Road
EXISTING LAND USE: Alterations and additions to and partial demolition of a former RAAF Drill Hall and the development of five, 2-storey grouped dwellings, six offices and fifty-eight (58) multiple dwellings, currently under construction.

COMPLIANCE:

Use Class	Consulting Rooms
Use Classification	'SA'
Lot Area	6943 square metres

SITE HISTORY:

A development application for proposed demolition of an existing dwelling, a commercial building and former RAAF demountable buildings; and alterations and additions to and partial demolition of a former RAAF Drill Hall and the development of five, 2-storey grouped dwellings, six offices and fifty-eight (58) multiple dwellings, was conditionally approved at the Ordinary Meeting of Council held on 22 May 2001.

DETAILS:

The subject development is under construction and the subject tenancy has been approved as an office. The applicant proposes to change its use to a consulting room for a dental practice.

The applicant has advised that proposed trading hours will be between 9am to 5pm, Monday and Friday, 9am to 8pm, Tuesday to Thursday and 9am to 2.00pm on Saturday. They anticipate the employment of two people, including up to eight patients a day.

CONSULTATION/ADVERTISING:

The proposal was advertised in accordance with "SA" advertising with a sign placed on site, advertisement placed in a local newspaper and adjacent landowners notified via registered mail. There was one letter of concern received during the advertising period, which raised the issue of the lack of car parking for the existing development.

COMMENTS:

Objectors' Comments

The objectors' comments are noted. However, the development was approved with a shortfall of 1.7 bays in which a cash in lieu payment was made by the applicant.

Car Parking

In accordance with the Planning Approval granted at the Ordinary Meeting of Council on 22 May 2001, the subject office tenancy has a gross floor area of 168 square metres, which represents a requirement for 3.36 car parking spaces (without the application of adjustment factors). The application proposes a change of use from office to consulting rooms. One consulting room is proposed; as such 3 car parking spaces are required. Therefore, the proposed consulting room requires a lesser car parking requirement than the previously approved office for the subject tenancy.

Conclusion

Accordingly, it is recommended that the application be approved, subject to standard and appropriate conditions to address the above matters.

10.1.15 Authority to Sell Reduced Rate All-night Parking Permits for use in the Town's Car Parks, Which Attract a Night Parking Fee and Extension of Parking Time Restrictions for The Avenue Car Park and Frame Court Car Park

Ward:	Both	Date:	25 March 2003
Precinct:	All Precincts	File Ref:	PKG0112
Reporting Officer(s):	J MacLean, S Beanland		
Checked/Endorsed by:	R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

- (i) *the Council APPROVES of the introduction of monthly night parking permits for The Avenue and Frame Court Car Parks, Leederville at a monthly fee of approximately 60% of the average current night parking charge;*
- (ii) *the Council APPROVES the extension of the two-hour (2P) and one hour (1P) parking time restrictions in The Avenue Car Park and Frame Court Car Park, to cover the whole week from 8.00am to 8.00pm Monday to Sunday;*
- (iii) *the Second Schedule of the Town of Vincent Local Law Relating to Parking Facilities be amended to alter the applicable times for paid parking from "8.00am to 8.00pm Monday to Friday and 8.00am to 12 noon Saturday", to "8.00am to 8.00pm Monday to Sunday", in all car parks;*

In accordance with the provisions of Section 3.12 of the Local Government Act 1995 as amended, the Council gives a Statewide advertisement, indicating where the proposed amendment may be viewed and seeking public comment on the following amendments to the Town of Vincent Parking Facilities Local Law.

**LOCAL GOVERNMENT ACT 1995 (as amended)
TOWN OF VINCENT PARKING FACILITIES LOCAL LAW
AMENDMENT**

In pursuance of the powers conferred upon it by Section 3.12 of the Local Government Act 1995, the above-mentioned Local Law and all other powers enabling it, the Council of the Town of Vincent HEREBY RECORDS having resolved on 8 April 2003 to make the following amendments to the Town of Vincent Parking Facilities Local Law published in the Government Gazette on 23 May 2000.

That the existing Second Schedule Relating to Ticket Machine Zones – Periods and Fees, be deleted and replaced by the Second Schedule Relating to Ticket Machine Zones – Periods and Fees, shown at Appendix 10.1.15 to this report; and

- (iv) *the Chief Executive Officer, after the expiry of the statutory consultation period, again reports to the Council listing any comments from the public and providing any further recommendations considered appropriate.*

Moved Cr Chester, Seconded Cr Ker

That the recommendation be adopted.

Mayor Catania advised that this Item was not included in the Announcements in Item 7 of this meeting, and therefore could not be voted upon at this meeting and would need to be deferred.

COUNCIL DECISION ITEM 10.1.15

Moved Cr Hall, Seconded Cr Ker

That this item be DEFERRED to the next Ordinary Meeting of Council to be held on 22 April 2003.

CARRIED (9-0)

BACKGROUND:

Recently, Law and Order Services have received telephone calls from new residents of a units development, close to The Avenue Car Park, who had two vehicles, yet only had one parking bay provided within the development.

Initially, these residents requested Residential and Visitors Permits for parking in the surrounding streets but, since Oxford Street is time restricted during the day and it is heavily utilised at night time by restaurant and cinema patrons, it was considered inappropriate. It was also considered that, if the Town issues residential and visitor parking permits for developments such as this one, it would result in the currently available parking bays being completely taken up by residents, leaving patrons of local businesses with nowhere to park.

It should also be noted that, at Part 6.4.1 of the adopted "Car Parking Strategy", on page 26, it is recommended that the developer be made aware of the following condition, to be applied to developments:

"The Town of Vincent shall not issue a residential or visitor car parking permit to any owner occupier of this development or land use. This is because, at the time the application was made, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development."

DETAILS:

Currently, the Town issues Pre-paid Monthly Parking Permits for day time parking in all of the existing car parks, which attract a parking fee. In the case of The Avenue Car Park and Frame Court Car Park, a fee of 80 cents per hour to a maximum daily fee of \$4.40 is charged. The current pre-paid monthly fee, charged for day-time parking is \$55.00 per month, which equates to approximately \$2.70 per day.

Due to the small number of parking bays available on Oxford Street, and no bays being available on Vincent Street, residents should be given the option of purchasing monthly after hours parking permits for use in The Avenue and Frame Court Car Parks. Night Parking fees in both The Avenue and Frame Court Car Park is set at 60 cents per hour to a maximum of \$3.30 per night and it is suggested that a Pre-paid Monthly Night Parking Permit should be sold at \$40.00 per month.

When the Town commenced operation in 1995, the current parking restrictions were considered to be adequate to service the local business communities, but there has been an increasing pressure being placed on the facilities, particularly at weekends. Since The Avenue Car Park is currently being re-configured, to accommodate an additional 76 parking bays, it is considered an opportune time to re-assess the existing time restrictions in the area and to make alterations, if appropriate.

When East Perth Football Club commenced playing at Leederville Oval, it was found that the spectators were also utilising The Avenue Car Park. At the Ordinary Meeting of Council on 28 May 2002, the Council approved an alteration to the time restrictions, in the one-hour (1P) section of the car park, for it to operate between 8.00am and 8.00pm Monday to Sunday. This has resulted in a situation where part of the car park attracts different parking restrictions in different parts of the car park as follows:

- (a) a night parking fee from 8.00pm to 8.00am Monday to Sunday;
- (b) a day parking fee from 8.00am to 8.00pm Monday to Friday and from 8.00am to 12 noon on Saturday;
- (c) a one hour (1P) time restriction from 8.00am to 8.00pm Monday to Sunday; and
- (d) a two hour (2P) time restriction from 8.00am to 8.00pm Monday to Friday and 8.00am to 12 noon Saturday.

For obvious reasons, this has created a great deal of public confusion and it is almost impossible to develop signage, which reflects the above, in a way that the public can understand.

The need for an unrestricted parking period, from 12 noon to 8.00pm on Saturday and from 8.00am to 8.00pm on Sunday, may have been appropriate a number of years ago, but there does not appear to be any value in its retention at this time.

As a result, it is considered appropriate to standardise the time restrictions and the paid parking restrictions in all car parks, currently shown in the Second Schedule of the Parking Facilities Local Law.

Rather than alter individual parts of the Second Schedule, it is considered more appropriate to delete the existing Second Schedule and to substitute a new Second Schedule in its place. The proposed new Second Schedule has been attached at Appendix 10.1.15.

CONSULTATION/ADVERTISING:

There will be a statutory requirement to advertise the proposed amendment to the Local Law. It would be appropriate to place an information advertisement in a local newspaper to advertise the extension of the parking time restrictions in the car parks as well as advise all affected businesses and residents by letter drop.

LEGAL/POLICY:

When the Council approves the proposed amendment, an advertisement must be placed in a newspaper with a Statewide publication, seeking public comment and explaining where and when the proposed amendment may be inspected. At the completion of a statutory 6-week period, a further report must be provided to the Council, outlining any public objections, comments and suggestions and seeking a final approval for the proposed amendment. When the Council gives this approval, the amendment must be advertised in the Government Gazette for 14 days before becoming enforceable.

STRATEGIC IMPLICATIONS:

The above proposal is in accordance with the **Strategic Plan 2000-2002** - Key Result Area 1.4 *"Develop and implement a Transport and Car Parking Strategy"*.

The above proposal is also in accordance with the **Draft Strategic Plan 2002 - 2007** - Key Result Area 1.4(i)(1) *"Develop a strategy for parking management in business, residential and mixed use precincts, that include parking facilities that are appropriate to public needs"*

FINANCIAL/BUDGET IMPLICATIONS:

The Avenue Car Park is currently undergoing a redevelopment and costs for new signage have already been allocated for this car park. There will be a cost associated with the alteration of the signage for the other car parks and the total cost is estimated to be approximately \$1,500.00.

However, since the new restrictions will not be enforceable until the new signage is erected, it would be appropriate to stage the new signs over a number of months. Since the new restriction times will incorporate the old restrictions, the old restrictions will remain enforceable until the signs are changed.

COMMENTS:

The enforcement of parking restrictions needs to be a dynamic process, which should be amended to take account of the changing needs of the community. All of the above proposals take these changing needs into account and the recommendations will standardise the restriction periods, throughout the Town, making the wording for the signage simpler and making it easier for the public to understand the restrictions.

The proposal is recommended for approval.

10.4.6 Planning and Building Policies - Amendment No. 9 Relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines and Appendix No. 12 Design Guidelines for Elven on the Park

Ward:	Mount Hawthorn	Date:	1 April 2003
Precinct:	Smiths' Lake, P6 Hyde Park, P12	File Ref:	118874; PLA0128 & PLA0142
Reporting Officer(s):	Y Scheidegger		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines and Appendix No. 12 Design Guidelines for Elven on the Park, as shown in Appendices 10.4.6 (b) and (c);*
- (ii) *ADOPTS the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines and Appendix No. 12 Design Guidelines for Elven on the Park to be applied immediately;*
- (iii) *ADVERTISES the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines and Appendix No. 12 Design Guidelines for Elven on the Park for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*
 - (a) *advertising a summary of the subject Policies once a week for four consecutive weeks in a newspaper circulating in the locality;*
 - (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policies; and*
 - (c) *forwarding a copy of the subject Policies to the Western Australian Planning Commission; and*
- (iv) *after the expiry of the period for submissions:*
 - (a) *REVIEWS the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines and Appendix No. 12 Design Guidelines for Elven on the Park, having regard to any written submissions; and*
 - (b) *DETERMINES the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines and Appendix No. 12 Design Guidelines for Elven on the Park, with or without amendment, to or not to proceed with them.*

Moved Cr Ker, Seconded Cr Cohen

That the recommendation be adopted.

Debate ensued.

COUNCIL DECISION ITEM 10.4.6

Moved Cr Ker, Seconded Cr Chester

That Elven Park be DEFERRED for further consideration and report, and all references to Elven Park be deleted as follows:

That the Council;

- (i) *RECEIVES the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines as shown in Appendix 10.4.6 (b);*
- (ii) *ADOPTS the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines to be applied immediately;*
- (iii) *ADVERTISES the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*
 - (a) *advertising a summary of the subject Policies once a week for four consecutive weeks in a newspaper circulating in the locality;*
 - (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policies; and*
 - (c) *forwarding a copy of the subject Policies to the Western Australian Planning Commission; and*
- (iv) *after the expiry of the period for submissions:*
 - (a) *REVIEWS the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines, having regard to any written submissions; and*
 - (b) *DETERMINES the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines, with or without amendment, to or not to proceed with them.*

AMENDMENT CARRIED (9-0)

MOTION AS AMENDED CARRIED (9-0)

Reasons:

1. Further consideration and a report of Elven Park to be provided.

COUNCIL DECISION ITEM 10.4.6

That the Council;

- (i) *RECEIVES the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines as shown in Appendix 10.4.6(b);*
- (ii) *ADOPTS the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines to be applied immediately;*
- (iii) *ADVERTISES the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:*

- (a) *advertising a summary of the subject Policies once a week for four consecutive weeks in a newspaper circulating in the locality;*
- (b) *where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Policies; and*
- (c) *forwarding a copy of the subject Policies to the Western Australian Planning Commission;*
- (iv) *after the expiry of the period for submissions:*
 - (a) *REVIEWS the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines, having regard to any written submissions; and*
 - (b) *DETERMINES the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines, with or without amendment, to or not to proceed with them; and*
- (v) *DEFERS the Elven on the Park Design Guidelines.*

BACKGROUND:

The Council at its Ordinary Meeting held on 27 March 2001 resolved to adopt the Policy relating to Appendix No. 6 Brookman and Moir Streets Design Guidelines.

The Town applied to the Western Australian Planning Commission (WAPC) to subdivide a portion of its land on Elven Street, corner Emmerson Street, North Perth into seven lots. Conditional approval for the subdivision was received from the WAPC on 19 September 2002. The advice to applicant states as follows:

"3. *Detailed Residential Design Guidelines for the subdivisional area being submitted to the Western Australian Planning Commission for approval and adopted by the Town of Vincent pursuant to Clause 47 of the Town of Vincent Town Planning Scheme No.1 to address such issues as building orientation, site coverage, setbacks, the location and width of driveway crossovers, location of party walls, common fencing and parking.*"

Therefore, the Town was required to draft a new Policy that contained appropriate development guidelines. The subdivision was named "Elven on the Park", to reflect the adjacent street and the naming of the nearby subdivision of "Richmond on the Park". A copy of the approved subdivision plan is included as Appendix No.10.4.6(a) to this Agenda Report. The proposed subdivision forms part of the Smith's Lake Redevelopment Plan.

The Council at its Ordinary Meeting held on 3 December 2002 resolved to adopt the Policy relating to Appendix No. 6 Design Guidelines for Elven on the Park subject to some minor text amendments.

CONSULTATION/ADVERTISING:

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

DETAILS:

Policy relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines

The Brookman and Moir Streets Precinct in Perth has been recognised as a culturally significant area for some fifteen years. In 1988, it was included in the City of Perth Town Planning Scheme as a place of historical architectural significance and in 1995 it was included in the Town of Vincent Municipal Heritage Inventory.

Last year, the Town commissioned Considine and Griffiths Architects to undertake a detailed heritage assessment of the Brookman and Moir Streets Precinct. The heritage assessment was undertaken with a view to providing it to the Heritage Council of Western Australia so that at some point it can be considered for entry in the State Register of Heritage Places. In September 2002, all property owners in the Brookman and Moir Streets Precinct were advised in writing that the heritage assessment was being undertaken.

As part of the project, Considine and Griffiths Architects reviewed the existing Brookman and Moir Street Design Guidelines in consultation with Town Officers. The revised guidelines seek to provide more holistic advice and encouragement to owners regarding the development of their properties. The revised guidelines provide more than just design advice - they address all aspects of the development of properties in the Precinct. As such, it is considered more appropriate to refer to the revised guidelines as *development* guidelines, rather than *design* guidelines.

The draft amended Policy relating to Appendix No. 6 Brookman and Moir Street Development Guidelines is shown as Appendix No.10.4.6(b) to this Report.

Policy relating to Appendix No. 12 Design Guidelines for Elven on the Park

Amendments are required to this Policy to provide further clarity of acceptable development standards on the subject lots. These amendments include provision of garages in certain circumstances and the development of a detailed indicative plan showing all setback requirements from the ground and upper floors including carports/garages to the lot boundaries. The draft amended Policy relating to Appendix No. 12 Design Guidelines for Elven on the Park is shown as Appendix No.10.4.6(c) to this Report.

STRATEGIC IMPLICATIONS:

Strategic Plan 2000-2002 –

Key Result Area: 1.1 *"Implement Town Planning Scheme No. 1 and associated policies and guidelines"*.

Draft Strategic Plan 2002-2007 -

Key Result Area: 1.2 *"Manage heritage to provide a sense of place, identity and character for the area"; and*

Key Result Area: 1.3 *"Develop, implement and promote sustainable urban design"*.

COMMENTS:

In light of the above, it is recommended that the Council approves and advertises the amended version of the Policies relating to Appendix No. 6 Brookman and Moir Streets Development Guidelines and Appendix No. 12 Design Guidelines for Elven on the Park.

11.2 Notice of Motion – Councillor Kate Hall – Proposed Taping of Council Meetings

That;

- (i) in order to ensure the correct and accurate recording of Council Meetings, the Council adopts the procedure of tape recording all meetings of Council and this be implemented as soon as is practicable; and*
- (ii) the purchase of any equipment required to enable this be actioned as soon as possible and without delay.*

Moved Cr Hall, Seconded Cr Piper

That the motion be adopted.

Debate ensued.

Moved Cr Ker, Seconded Cr Piper

That in clause (i), the word "tape" be deleted and replaced with the word "audio" as follows:

- "(i) in order to ensure the correct and accurate recording of Council Meetings, the Council adopts the procedure of audio recording all meetings of Council and this be implemented as soon as is practicable; and"*

AMENDMENT CARRIED (9-0)

MOTION AS AMENDED CARRIED (9-0)

COUNCIL DECISION ITEM 11.2

That;

- (i) in order to ensure the correct and accurate recording of Council Meetings, the Council adopts the procedure of audio recording all meetings of Council and this be implemented as soon as is practicable; and*
- (ii) the purchase of any equipment required to enable this be actioned as soon as possible and without delay.*

CHIEF EXECUTIVE OFFICER'S COMMENTS:

An Absolute Majority decision of the Council is required to reallocate funds to enable the purchase of any audio/taping equipment – at the time of printing this Agenda, a preliminary cost estimate for audio/taping/transcribing equipment suitable to the Town's needs is in the vicinity of \$7,500. In addition, a cabinet for the secure storing of tapes is approximately \$250 and tapes are approximately \$100, therefore, a total cost of \$7,850.

**11.3 Notice of Motion – Councillor Kate Hall – Request for Right of Reply
(Relating to Health Conference)**

That pursuant to Clause 5.7 – Right of Reply of the Town of Vincent Local Law Relating to Standing Orders, the Council consents to Cr Hall being given a Right to Reply to the Council itself, immediately subsequent to the granting of this consent.

Moved Cr Hall, Seconded Cr Piper

That the motion be adopted.

Mayor Catania asked if a rundown of the monies in regard to the conference would be of assistance.

David Drewett moved a Point of Order, stating that under Standing Orders 5.7, Cr Hall has requested a right of reply in the first instance.

Mayor Catania rejected the Point of Order.

Moved Cr Drewett, Seconded Cr Ker

That the motion be PUT.

MOTION PUT AND CARRIED (8-1)

For

Cr Chester

Cr Cohen

Cr Doran-Wu

Cr Drewett

Cr Franchina

Cr Hall

Cr Ker

Cr Piper

Against

Mayor Catania

Mayor Catania then PUT the motion.

CARRIED (9-0)

Cr Hall gave her Right of Reply. This is summarised as follows;

1. The reason she had not attended the conference was because the Executive Manager Environmental and Development Services (EMEDS) had withdrawn from the conference and she did not have sufficient expertise in this field to attend alone.
2. She was not advised that the EMEDS had withdrawn, and only discovered this inadvertently on the grapevine, at a later date. She then advised that she would not be attending. She asked why she was not advised immediately the EMEDS withdrew from the conference?
3. The original motion voted on by Council, was that both Cr Hall and EMEDS were to attend the conference, and any changes should have gone back to a later Council meeting to be voted on again, and she should have been advised.
4. Asked when EMEDS withdrew from the conference?

At 9.35pm Moved Cr Drewett, Seconded Cr Piper

That Standing Orders be suspended to allow open discussion.

MOTION CARRIED (7-2)

For

Cr Chester
Cr Cohen
Cr Doran-Wu
Cr Drewett
Cr Franchina
Cr Hall
Cr Piper

Against

Mayor Catania
Cr Ker

Discussion continued.

At 9.50pm, Moved Cr Piper, Seconded Cr Ker

That Standing Orders be resumed.

MOTION CARRIED (9-0)

10.1.4 No. 2A (Lot 450, Strata Lot 2) Scott Street, Corner Richmond Street, Leederville - Proposed Single Carport and Front Fence Additions to Existing Single House

Ward:	North Perth	Date:	28 March 2003
Precinct:	Leederville, P3	File Ref:	PRO 2275; 00/33/1517
Reporting Officer(s):	M Bonini		
Checked/Endorsed by:	D Abel, R Boardman		
Amended by:	-		

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner D Cookson for the proposed single carport and front fence additions to existing single house on No. 2A (Lot 450, Strata Lot 2) Scott Street, Leederville, as shown on the plans stamp-dated 28 March 2003, subject to the following conditions;

- (i) compliance with all Building, Environmental Health and Engineering requirements;*
- (ii) a road and verge security deposit bond and/or bank guarantee of \$220 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (iii) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of the front fence, including the solid wall portion between the south carport column and south boundary, shall be a maximum height of 1.2 metres above the ground level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iv) a visual truncation of 2 metres by 2 metres at the intersection of the driveway and footpath, shall be provided at the owner's cost;*
- (v) the construction of crossovers shall be in accordance with the Town's specifications; and*
- (vi) the carport shall be one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted), except where it abuts the front elevation of the existing dwelling;*

to the satisfaction of the Chief Executive Officer.

Moved Cr Doran-Wu, Seconded Cr Chester

That the recommendation be adopted.

COUNCIL DECISION ITEM 10.1.4

Moved Cr Doran-Wu, Seconded Cr Hall

That this Item be DEFERRED as requested by the applicant due to illness.

CARRIED (8-1)

For

Mayor Catania
Cr Chester
Cr Doran-Wu
Cr Drewett
Cr Franchina
Cr Hall
Cr Ker
Cr Piper

Against

Cr Cohen

LANDOWNER: D Cookson
APPLICANT: As Above
ZONING: Metropolitan Region Scheme: Urban Town Planning
Scheme No.1: Residential R40
EXISTING LAND USE: Single House
COMPLIANCE:

Use Class	Single House
Use Classification	"P"
Lot Area	Strata Lot - 290 square metres

Requirement	Required	Proposed
Carport Door as per Residential Design Codes	Carport to be without a door unless that door is visually permeable.	Solid garage door
Front Fence	Solid up to 1.2 metres, 50 percent visual permeability to a height of 1.8 metres.	Solid wall between the south boundary and garage.

SITE HISTORY:

No.2A is a single house on a strata lot and occupied by a single storey residence with an existing single bay carport in the front setback area. A timber and colorbond carport currently exists on the subject lot, which is to be removed subsequent to the determination of this application.

DETAILS:

The owner seeks approval for the front boundary fence and carport. The proposed carport is located in the front setback area 0.3 metre away from the front boundary line. The carport consists of piers and a garage door facing Scott Street.

The owner submitted a letter in support of the proposal. The main points raised in the letter are as follows:

" I am an aged pensioner living at the above address by myself...I would prefer to leave my house and enter my car without being approached by pedestrians on the street.

The carport is to be fitted with a remote control roller door. On arriving home, this will allow me to park my car and secure the area before leaving the vehicle.

Currently, the open carport does not offer any protection to my car from the afternoon sun. The roller door will correct this problem."

CONSULTATION/ADVERTISING:

The applicant sought and obtained signatures of consent from the neighbours of Nos. 76 and 80 Richmond Street, Nos. 1, 1A, 2, 4, 5 and 9, Scott Street and No. 67 Bourke Street.

COMMENTS:

Garage Door

The application proposes a solid door at the entrance of the carport, which effectively encloses the carport to the streetscape. As stated in the Residential Design Codes (R Codes), a carport must be unenclosed except where it abuts a dwelling or a property boundary on one side and being without a door unless that door is visually permeable. The interpretation of a carport in the R Codes clearly delineates that a solid door is not acceptable for a carport. The solid door will have an undue adverse impact on the open character of the streetscape and discourage social interaction and surveillance between the dwelling and the street.

It is considered that a visually permeable door will still provide appropriate safety and security for the occupier. In this instance, the carport is supported provided that the door be removed and reinstated with visually permeable gates or panels.

Sitelines

The proposal involves a solid portion of wall between the south boundary and the south column of the carport. This is contrary to the Town's Policy relating to Street Walls and Front Fences. Furthermore, it also limits visibility to the street, which disrupts the streetscape and compromises surveillance and security. It is recommended that the solid wall be modified to comply with the Policy requirements, which will create a more aesthetically pleasing and consistent appearance.

The proposed carport and front fence are supported and recommended for approval, subject to standard and appropriate conditions to address the above matters.

12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

Nil

13. URGENT BUSINESS

Nil

14. CLOSURE

Presiding Member, Mayor Nick Catania JP, declared the Meeting closed at 9.52pm with Councillors Chester, Doran-Wu, Drewett JP, Franchina, Cohen, Hall, Ker and Piper JP, Chief Executive Officer, John Giorgi JP, Executive Manager Environmental and Development Services, Rob Boardman, Executive Manager Corporate Services, Mike Rootsey, Executive Manager Technical Services, Rick Lotznicher, Minutes Secretary, Debbie Winfield, journalist Guardian Express, Ryan Sturman, journalist Voice News, Jenny D'Anger and 5 members of the public present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 8 April 2003.

Signed:Presiding Member
Mayor Nick Catania, JP

Dated this day of 2003