



**CITY OF VINCENT**

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*"Enhancing and celebrating our diverse community"*

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# MINUTES

**8 MAY 2012**

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Minutes of the Ordinary Meeting of Council of the City of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 8 May 2012, commencing at 6.00pm.

**1. (a) DECLARATION OF OPENING**

The Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting open at 6.05pm and read the following Acknowledgement of Country Statement:

**(b) ACKNOWLEDGEMENT OF COUNTRY STATEMENT**

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

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

**(a) Apologies:**

Cr Julia Wilcox due to family commitments.  
Executive Assistant (Minutes Secretary), Anita Radici due to family commitments.

**(b) Members on Approved Leave of Absence:**

Nil.

**(c) Present:**

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Warren McGrath ( <i>Deputy Mayor</i> )	South Ward
Cr Matt Buckels	North Ward
Cr John Carey	South Ward (until 9.17pm)
Cr Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Shenade Unicombe	Communications Officer (until 7.17pm)
Yvette Mordini	Personal Assistant to the Mayor (until 6.40pm)
Lauren Peden	Journalist – <i>"The Guardian Express"</i> (until 8.33pm)
David Bell	Journalist – <i>"The Perth Voice"</i> (until 8.33pm)
7 Members of the Public	

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

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

1. Anne Chapple of 2/75-77 King William Street, Bayswater, member of the Friends of Anzac Cottage Group – Item 9.1.4. Stated the following:
  - She does have a personal connection to the Cottage as Private John Porter was her grandfather and her mother was born in the Cottage and lived there until she enlisted in the Army in World War 2. Her mother and youngest brother also funded court action in the late 1980's to prevent the demolition of the Cottage and redevelopment of the site.

- As children, both her and her mother wondered what was special about the small brick Cottage surrounded by later built much grander houses. They did not realise the significance of the Cottage during their childhood but now realise that it is a powerful symbol of sacrifice and community spirit as do many community members judging by the attendance at this year's sunset Anzac Service and the number of visitors to the Cottage since being open to the public and comments left in the visitors book.
- As the centenary of the Anzac landing at Gallipoli is being approached and the following year the centenary of the construction of the Cottage, she feels it is important that this memorial is further developed as a first class national treasure and tribute – not only to the Anzac's but to all who have donned a uniform in the service of Australia and those who remain behind to support them.
- She has done quite a bit of research throughout Australia and believes that Anzac Cottage is unique in that it is a memorial and a house. The Interpretation Plan has been written as the first stage in this and is the key to attracting funding to carry out any further developments. Whilst all that is recommended in the Plan may not eventuate or may be modified due to advances in technology or other reasons, it is the cornerstone of keeping the Cottage as a living example of community spirit and appreciation of those who have been prepared to fight for this Country. Therefore she recommends the document to the Council.

**The Presiding Member, Mayor Hon. Alannah MacTiernan congratulated Anne and the Group for their wonderful work, research and beautiful Anzac Service.**

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

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

IB03 – Letter to Mr S. Klifunis of Fitzgerald Street, North Perth in response to Question Taken on Notice at the Ordinary Meeting of Council held on 24 April 2012.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

- 4.1 Cr Wilcox requested to change her approved leave of absence to commence from 9 May 2012 rather than 16 May 2012 to 2 July 2012 (inclusive), due to family commitments.

**Moved Cr Harley, Seconded Cr Pintabona**

**That Cr Wilcox's request for leave of absence be approved.**

**CARRIED UNANIMOUSLY (8-0)**

**(Cr Wilcox was an apology for the Meeting.)**

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

Nil.

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

Minutes of the Ordinary Meeting of Council held on 24 April 2012.

**Moved Cr Maier, Seconded Cr Harley**

**That the Minutes of the Ordinary Meeting of Council held 24 April 2012 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY (8-0)**

**(Cr Wilcox was an apology for the Meeting.)**

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

7.1 Congratulations – Cr Wilcox

On behalf of the Council, CEO and Staff, I am very pleased to congratulate Councillor Julia Wilcox and her husband, Ed, on the birth of their baby girl.

Both Councillor Wilcox and baby are doing well and as you may be aware, Cr Wilcox has requested her leave of absence be brought forward to commence from 9 May 2012, due to the early arrival of her baby.

We look forward to having Cr Wilcox's excellent contribution back on the Council.

**Received with Acclamation!**

7.2 Appointment of City Employees

I have pleasure in announcing the appointment of the following new City employees:

2.1 Yvette Mordini has been appointed Personal Assistant to the Mayor and will be working three days per week.

2.2 Shenade Unicomb has been appointed Communications Officer.

Both Officers are in attendance at tonight's meeting to gain knowledge about the workings of the Council.

**Received with Acclamation!**

7.3 Urgent Business

I have approved of an Urgent Business item on tonight's Agenda as follows:

13.1 No. 1/162 Oxford Street, Leederville – Proposed Change of Use from Shop and Office Building to Shop, Office Building and Small Bar (Unlisted Use) (Reconsideration of Conditions of Planning Approval)

This item was originally approved at the Ordinary Meeting of Council held on 10 April 2012 and there is a request for reconsideration of a condition relating to car parking. This item was previously distributed to Council Members on Friday 4 May 2012.

The matter is considered Urgent as it has potential legal and financial implications to the City and also has the potential to be appealed in the State Administrative Tribunal, if not determined at tonight's Council Meeting.

7.4 Local Government Reform Panel

You would all be aware of the Local Government Reform Panel that came out last week. I think that if we take all of the aspects of all of the different directions that the panel refer to, I think there is a very clear possibility that we will be amalgamated with the City of Perth. One of the clear and very central findings of the Panel's review is that the City of Perth needs to get bigger. They are advocating and I think their very serious submission is 10 to 12 Councils and when that is taken into account together with their clear recommendation that where possible Councils be amalgamated rather than divided up, that "odds on" the result is that we will be amalgamated into the City of Perth should the government go ahead with Local Government Reform.

Bearing that in mind, I think we have a year to get a lot of work done. I think we could well be faced with the situation where in deed there will be no elected officials in the Local Government Perth Metropolitan area for the two years subsequent to that. Therefore I would urge us all to take this opportunity of this year to really get stuck into all those good things that we want to do for our community that has seen us take the trouble of getting elected. I think this will be the year of delivery.

## 8. DECLARATIONS OF INTERESTS

- 8.1 Cr Topelberg declared an Impartiality interest in Item 9.1.3 – Nos. 117a & 119 (Lots 8 & 9; D/P: 854) Richmond Street Leederville - Proposed Demolition of Existing Single House and Construction of Seven (7) Two-Storey Single Bedroom Multiple Dwellings. The extent of his interest being that the owner is an occasional client of his business however, he has not had any liaison with the applicant in relation to this application. Cr Topelberg stated that as a consequence, there may be a perception that his impartiality on the matter may be affected. He declared that he would consider the matter on its merits and vote accordingly.

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

Nil.

## 10. REPORTS

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

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

Item 9.1.4.

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

Item 9.5.3.

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

Nil.

Presiding Member, Mayor Hon. Alannah MacTiernan, requested Council Members to indicate:

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

Cr Carey	Items 9.1.1 and 9.5.4.
Cr Topelberg	Item 9.2.1.
Cr Buckels	Item 9.1.3.
Cr McGrath	Item 9.5.2.
Cr Pintabona	Nil.
Cr Harley	Nil.
Cr Maier	Item 9.1.2.
Mayor Hon. MacTiernan	Nil.

**Cr Carey departed the Chamber at 6.17pm.**

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

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

Items 9.3.1, 9.3.2, 9.4.1, 9.5.1 and 9.5.5.

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

Item 14.1.

**New Order of Business:**

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

**(a) Unopposed items moved *En Bloc*;**

Items 9.3.1, 9.3.2, 9.4.1, 9.5.1 and 9.5.5.

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

Item 9.1.4.

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

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

**(d) Confidential Items – to be considered ("Behind Closed Doors").**

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

**ITEMS APPROVED "*EN BLOC*":**

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

**Moved Cr McGrath, Seconded Cr Maier**

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

**Items 9.3.1, 9.3.2, 9.4.1, 9.5.1 and 9.5.5.**

**CARRIED UNANIMOUSLY (7-0)**

**(Cr Carey was absent from the Chamber and did not vote. Cr Wilcox was an apology for the Meeting.)**

**Cr Carey returned to the Chamber at 6.19pm.**

**9.3.1 Capital Works Programme – 2011/2012 – Progress Report No. 3**

<b>Ward:</b>	Both	<b>Date:</b>	24 April 2012
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0025
<b>Attachments:</b>	<a href="#">001</a> – Capital Works Programme Schedule		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	M Rootsey, Director Corporate Services; R Lotznicker, Director Technical Services; R Boardman, Director Development Services C Eldridge, Director Planning Services		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council **RECEIVES** Progress Report No. 3 for the period 1 January to 31 March 2012 for the Capital Works Programme 2011/2012, as detailed in Appendix 9.3.1.

**COUNCIL DECISION ITEM 9.3.1**

**Moved Cr McGrath, Seconded Cr Maier**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Cr Carey was absent from the Chamber and did not vote. Cr Wilcox was an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of this report is to provide a quarterly progress report on the Council's Capital Works Programme 2011/12 for the period 1 January 2012 to 31 March 2012.

**BACKGROUND:**

The Council adopted the Capital Works Programme at the Ordinary Meeting of Council held on 9 August 2011 as follows:

*“That the Council APPROVES the 2011/2012 Capital Works Programme as shown in Appendix 9.3.1.”*

Quarterly reports will be presented to Council to advise of the schedule and progress of the Capital Works Programme.

**DETAILS:**

This report focuses on the work that was due to be completed up to the end of the first quarter. Comments on the report relate only to works scheduled to be carried out in the period up to 31 March 2012.

**CONSULTATION/ADVERTISING:**

Not Applicable.

**LEGAL/POLICY:**

The Capital Works Programme has been prepared on the adopted 2011/2012 Annual Budget.

**RISK MANAGEMENT IMPLICATIONS:**

**Medium:** All Capital Works items have been funded in the adopted Annual Budget 2011/2012. However, some items on the plan may be subject to change due to approval processes required to be obtained and in other cases the availability of products and services.

**STRATEGIC IMPLICATIONS:**

Plan for the Future 2011-2016 Key Result Area One – Natural and Built Environment:

*“Objective 1.1: Improve and maintain the Environment and Infrastructure.”*

**SUSTAINABILITY IMPLICATIONS:**

The Capital Works Programme has been prepared taking into account all aspects of sustainability that is environmentally, financially and sound.

**FINANCIAL/BUDGET IMPLICATIONS:**

The Capital Works Programme is funded in the 2011/2012 Annual Budget.

**COMMENTS:**

The schedule of projects may be subject to change during the year. Progress for the third quarter is on schedule in accordance with the planned programme, with exception of the following projects which are on hold or have been rescheduled:

Item	Amount	Comments
Server UPS Replacement	\$6,000	Moved due to UPS breakdown
Nib Stadium Heritage Walls	\$30,000	State Government now has responsibility under the lease.
<u>Traffic Management:</u>		
Coogee Street	\$15,000	On hold pending MRWA approval
Claisbrook Rd/Summer Street	\$19,500	On hold pending visioning outcomes
Lindsay/Monger Street	\$20,000	On hold pending MRWA approval
The Boulevard/Ashby – install median islands	\$20,000	On hold pending MRWA approval
Googee/Ashby – install median islands/realign stop sign	\$20,000	On hold pending MRWA approval
<u>Road Works:</u>		
Moir Street	\$190,000	Pending LEP Project
Beaufort/Brisbane St (intersection improvements)	\$260,000	Pending outcomes of discussions/negotiations with PTA, MRWA and City of Perth
Brisbane St/Beaufort St to William St	\$150,000	Pending outcomes of discussions/negotiations with PTA, MRWA and City of Perth
Brisbane St/Beaufort St to Parry St	\$200,000	Pending outcomes of discussions/negotiations with PTA, MRWA and City of Perth

Item	Amount	Comments
<u>Right of Ways:</u> Solar lighting trial, Clarence to Beaufort St Nova Lane configuration/resurfacing Beaufort St/Walcott St resurfacing/kerbing	\$75,000 \$50,000 \$18,000	Project not being undertaken Project not being undertaken Pending redevelopment
<u>Slab footpath programme:</u> Brisbane St/Beaufort St to Stirling St	\$55,000	Pending outcomes of discussion/negotiations with PTA, MRWA and City of Perth
Wetland Heritage Trail Greenway to Beatty Park Reserve	\$100,000	To be completed after the Beatty Park redevelopment
New Entry Statements	\$95,000	Council rescission motion, not to proceed
Depot resurfacing works	\$30,000	Work on hold, funds utilised for Works Depot office alterations

**9.3.2 Beatty Park Redevelopment, No. 220 Vincent Street, North Perth – Progress Report No. 7**

<b>Ward:</b>	South	<b>Date:</b>	27 April 2012
<b>Precinct:</b>	Smiths Lake	<b>File Ref:</b>	CMS0003
<b>Attachments:</b>	<a href="#">001</a> – Progress Photos		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	D Morrissy; Manager Beatty Park Leisure Centre; K Bilyk; Property Officer; J Fondacaro; Coordinator Aquatic & Operations; J van den Bok; Manager Parks & Property Services; M Rootsey, Director Corporate Services		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council **RECEIVES** Progress Report No. 7 as at 8 May 2012, relating to the Beatty Park Leisure Centre Redevelopment Project, No. 220 Vincent Street, North Perth.

**COUNCIL DECISION ITEM 9.3.2**

**Moved Cr McGrath, Seconded Cr Maier**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Cr Carey was absent from the Chamber and did not vote. Cr Wilcox was an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of the report is to update the Council on the progress of the Beatty Park Leisure Centre Redevelopment Project, No. 220 Vincent Street North Perth.

**BACKGROUND:**

**Progress Reports**

Progress reports have been submitted to the Council on 7 December 2010, 22 November 2011, 20 December 2011, 14 February 2012, 13 March 2012 and 10 April 2012.

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

*“That the Council;*

2. **APPROVES:**

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

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

**DETAILS:**

1. CONTRACT DOCUMENTATION

1.1 **Tender**

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

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

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

1.2 **Contracts**

Construction contract signed on 7 October 2011.

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

Geothermal contract signed on 6 September 2011.

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

Construction

- Removal of existing concrete pool concourse;
- Removal of Water Tanks and Water Tank Screens;
- Roof Safety Fall Arrest System;
- Door Hardware;
- Additional Anchor Points to Indoor Pool, Dive Pool and Beginners Pool;
- Removal of Dive Pool windows;
- Kitchen Equipment;
- Temporary Entrance Work; and
- Removal of indoor pool marble sheen layer and rendering.

Geothermal

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

1.4 **Cost Variations**

Construction

Provisional Sums:

Description	Provisional Sum	Amount Agreed	Variation
Temporary Entrance Works	20,000	\$27,154	(\$7,154)
Safemaster roof safety system	\$7,000	(\$6,055)	\$945
Door hardware	\$85,000	(\$59,170)	\$25,830
Western Power charges	\$5,000	(\$1,363)	\$3,637
Kitchen equipment	\$200,000	(\$143,887)	\$56,113
Internal bollards and retractable belts	\$5,000	(\$3,680)	\$1,320
Hoist to family accessible change 4	\$6,000	(\$4,037)	\$1,963
<b>Total</b>	<b>\$328,000</b>	<b>(\$245,346)</b>	<b>\$82,654</b>

Client Requests:

Description	Amount
Anchor points to indoor pool	\$5,016
Additional Pool features/furniture	\$19,789
Removal of marble sheen to indoor pool	\$46,200
Removal of five pool windows and make good concrete structure	\$9,735
Anchor points to beginners pool	\$3,344
<b>Total</b>	<b>\$84,084</b>

Latent Conditions:

Description	Amount
Removal of original pool concourse	\$29,920
Replacement of indoor pool valves	\$1,595
<b>Total</b>	<b>\$31,515</b>

Summary of Variations

<b>Total Variation Savings</b>	(\$82,654)
<b>Total Variation Additions</b>	\$115,599
<b>Total Savings</b>	<b>\$32,945</b>

Geothermal

Provisional Sum	Description	Variation Amount	Adjustments
Nil	Additional 100m drilling	\$61,000	-\$61,000
Nil	Additional time for production bore development	\$46,500	-\$46,500
Nil	Loss of cement during grouting	\$968	-\$968
Nil	Test pumping of production bore delayed- rescheduled to coincide with injection bore pumping	-\$15,500	\$15,500

<b>Provisional Sum</b>	<b>Description</b>	<b>Variation Amount</b>	<b>Adjustments</b>
Nil	Headworks removed from scope	-\$18,800	\$18,800
Nil.	Variations to design of injection bore, based on production bore geophysical data.	TBA	TBA

<b>Total Variation Savings</b>	\$34,300
<b>Total Variation Additions</b>	\$108,468
<b>Total Additions</b>	<b>\$74,168</b>

1.5 **Claims**

None applicable at this time.

1.6 **Insurance**

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

2. **GEOTHERMAL WORKS**

2.1 **Groundworks**

Completed.

2.2 **Bores**

Injection bore stainless steel casing installed. Test pumping to commence shortly.

2.3 **Commissioning**

Not applicable at this time.

2.4 **Pipe works**

This is expected to be carried out in early/mid May 2012.

3. **BUILDING WORKS/EXISTING BUILDING**

3.1 **Temporary works**

No changes to previous report.

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

No changes to previous report.

3.3 **Earthworks**

Not applicable at this time.

3.4 **Structural and Civil Engineering**

No changes to previous report.

3.5 **Hydraulic services**

No changes to previous report.

3.6 **Electrical Services**

No changes to previous report.

3.7 **Mechanical services**

Ventilation system installation throughout existing change rooms, crèche and new staff areas is complete.

3.8 **Environmental services**

Not applicable at this time.

4. BUILDING WORKS-NEW

4.1 **Temporary works**

Not applicable at this time.

4.2 **Earthworks/Demolition**

Completed.

4.3 **Structural and Civil Engineering**

Floor slab complete.

Suspended slab structure in place and structural steel being installed.

Lift well and service stair well created.

4.4 **Hydraulic services**

Storm water services installed.

4.5 **Electrical Services**

Relocation of existing indoor pool hall switchboard underway.

4.6 **Mechanical Services**

Ventilation services to new building being installed.

4.7 **Environmental Services**

No changes to previous report.

4.8 **Building External and Internal Colour Finishes**

No changes to previous report.

5. POOLS AND PLANT ROOM

5.1 **Outdoor Main Pool**

50m pool concrete being prepared for tiling.

Some areas around pool have been backfilled.

Pipe work to connect to plant room underway.

5.2 **Dive Pool**

Observation windows have now been bricked up and sealed to allow for tiling over.

5.3 **New Learn to swim pool**

Excavation of pool has commenced. (\*stopped until 50m pool pipe work to plant room is completed).

5.4 **Indoor pool/Leisure area**

Tiling has commenced. Approximately 30% completed.

5.5 **Plant Room**

No changes to previous report.

6. INDICATIVE TIMELINE

6.1 **Progress**

Pool work is on schedule. Good progress is being made.

Geothermal work is on schedule. Good progress is being made.

6.2 **Days Claimed**

One (1) wet weather day (disputed).

7. COMMUNICATION PLAN

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

- Frequently asked questions (FAQ's) posted on the City's website and displayed within the facility;
- A number of mailouts to members, clubs and stakeholders;
- City of Vincent quarterly newsletter;
- A letter drop to surrounding residents;
- Fencing signage around geothermal compound;
- Internal signage;
- Website updates, including a photo diary, plans and a detailed project overview;
- Twitter account @BeattyPark in operation to provide regular updates on the redevelopment and other related information. (65 followers as at 23 March 2012).

8. MEMBERSHIP

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

A number of members have opted to suspend their membership throughout the redevelopment period. The number of suspensions applied for since the project commenced is 162.

Refunds have been provided to those members who requested this option. As at the 23 April 2012 a total of \$25,241 has been refunded. (\$267.80 since the 30 January 2012)

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

The current number of members is 1162.

9. EMPLOYEE MATTERS

Several permanent part time staff have had their hours reduced during the redevelopment and staff have taken the opportunity to reduce their accumulated long service or annual leave.

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

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

10. HISTORY

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

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

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

**CONSULTATION/ADVERTISING:**

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

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

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

**LEGAL/POLICY:**

Not applicable.

**RISK MANAGEMENT IMPLICATIONS:**

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

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

**STRATEGIC IMPLICATIONS:**

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

"Natural and Built Environment

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

**SUSTAINABILITY IMPLICATIONS:**

The redevelopment is committed to a number of sustainability initiatives.

**FINANCIAL/BUDGET IMPLICATIONS:**

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

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

Building Construction Tender Progress Claim Payments – Perkins Builders

Six (6) progress claims have been received to date, as follows:

<b>Progress Payment Number</b>	<b>Date Received</b>	<b>Amount Requested (excl GST)</b>	<b>Amount Paid (excl GST)</b>	<b>Date Paid</b>
No. 1	14/11/2011	\$168,597.91	\$168,597.91	30/11/2011
No. 2	09/12/2011	\$330,358.48	\$330,358.48	11/01/2012
No. 3	09/01/2012	\$426,642.09	\$426,642.09	08/02/2012
No. 4	09/02/2012	\$262,230.86	\$262,230.86	07/03/2012
No. 5	08/03/2012	\$999,561.79	\$999,361.79	04/04/2012
No. 6	10/04/2012	\$641,879.57		

**Total Paid            \$2,187,191.13**

Geothermal Tender Progress Claim Payments – Drilling Contractors Australia

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

<b>Progress Payment Number</b>	<b>Date Received</b>	<b>Amount Requested (excl GST)</b>	<b>Amount Paid (excl GST)</b>	<b>Date Paid</b>
No. 1	18/11/2011	\$482,899.18	\$482,899.18	20/12/2011
No. 2	16/12/2011	\$638,710.00	\$638,710.00	25/01/2012

<b>Progress Payment Number</b>	<b>Date Received</b>	<b>Amount Requested (excl GST)</b>	<b>Amount Paid (excl GST)</b>	<b>Date Paid</b>
No. 3	31/12/2011	\$501,120.57	\$501,120.57	08/02/2012
No. 4	12/04/2012	\$214,355.86		
No. 5				
No. 6				
No. 7				
No. 8				
No. 9				
No. 10				

**Total Paid \$1,622,728.75**

Fire Detection and Water Tanks Tender Progress Claim Payments

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

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

**Total Paid Nil.**

Funding

On 15 March 2012, the City received \$5 million from the State Government, being the upfront payment of the nib Stadium Lease. As per the Council decision, \$3 million has been placed in the Beatty Park Leisure Centre Reserve Fund and \$2 million placed in the Hyde Park Lakes Restoration Reserve Fund.

Loan

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

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

CSRFF Funding

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

<b>Progress Payment Number</b>	<b>Date Requested</b>	<b>Amount Requested (excl GST)</b>	<b>Amount Received (excl GST)</b>	<b>Date Received</b>
No. 1	03/01/2012	\$217,165.69	\$217,165	06/01/2012
No. 2	31/01/2012	\$191,614.00	\$191,614	06/02/2012
No. 3	17/04/2012	\$923,968.38		
No. 4				
No. 5				

**Total Received \$408,779**

### Additional Funds

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

- Lotterywest;
  - Liaising with other City of Vincent departments on projects that will be beneficial to the community.
- Heritage Council;
  - No funding available for Local Governments from the Heritage Council.
- Healthways
  - Sponsorship of up to \$50,000 for promoting healthy lifestyles is available per Local Government per year and we will be liaising with other City of Vincent Departments to see what areas or programs would most benefit by applying for this funding.
- Community Energy Efficiency Program (CEEP);
  - A grant application has been submitted by the City to assist with the cost of utilising extra heat produced by the new geothermal bore at Beatty Park at the Administration Centre
  - A further grant application is being prepared to assist with the cost of changing existing light fittings at Beatty Park that are not being touched during the current renovations. There are currently over 500 fluorescent globes that could be replaced with LED panels in the Centre.
- Community Sport and Recreation Facility Fund;
  - Small grants are available for local clubs and we will be meeting with resident Beatty Park water polo and swimming clubs to coordinate any request to the Department of Sport and Recreation for this funding.

### **COMMENTS:**

The Beatty Park Redevelopment Project is continuing to make good progress. An updated program schedule has been provided by the builder with the indoor pool and refurbished change rooms scheduled to open in July 2012, the outdoor pools in September 2012 and the new extensions in December 2012.

Positive feedback has been received from facility users in regards to how the project is progressing. The Mayor and CEO carried out an inspection on Monday 22 April 2012.

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

**9.4.1 One Life Suicide Prevention Strategy – Community Action Plan (CAP) Proposal**

<b>Ward:</b>	All	<b>Date:</b>	27 April 2012
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0200
<b>Attachments:</b>	<a href="#">001</a> – City of Vincent Community Action Plan (CAP) Proposal <a href="#">002</a> – Stage 1 Budget		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	A Cole, Community Development Officer J Anthony, Manager Community Development		
<b>Responsible Officer:</b>	R Boardman, Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **ENDORSES** the;
  - 1.1 **City of Vincent’s participation in the One Life Suicide Prevention Strategy; and**
  - 1.2 **One Life Suicide Prevention Strategy – Community Action Plan (CAP) proposal as shown in Appendix 9.4.1; and**
2. **APPROVES** the City’s in-kind support of the Strategy as the Host Agency; and
3. **NOTES** that regular reports will be submitted to the Council.

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**COUNCIL DECISION ITEM 9.4.1**

**Moved Cr McGrath, Seconded Cr Maier**

**That the recommendation be adopted.**

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

**(Cr Carey was absent from the Chamber and did not vote. Cr Wilcox was an apology for the Meeting.)**

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**PURPOSE OF REPORT:**

To inform the Council of the City’s successful application for a 1.0 x full-time Equivalent (FTE) Community Coordinator for six (6) months, to implement Stage 1 of the Community Action Plan (CAP) Proposal, as part of the One Life Suicide Prevention Strategy.

**BACKGROUND:**

The Western Australian Government has committed \$13 million over four (4) years to implement the One Life Suicide Prevention Strategy. Each year in Western Australia, over 200 people complete suicide and an even greater number harm themselves in suicide attempts.

This Strategy aims to transform attitudes regarding suicide and suicidal behaviour and represents a guide for policies and services to better meet the needs of people at risk. The Strategy also charts a longer term vision to promote individual mental health and wellbeing and the need to enhance community capacity in approaches to suicide prevention.

Centrecare has been appointed as the non government organisation to coordinate the One Life Suicide Prevention Strategy. Their responsibility lies in actively attracting support across sectors to facilitate a coordinated agency and local response to communities experiencing early signs of suicide crisis. They will implement initiatives to increase awareness, coordinate training, research and evaluation of suicide prevention strategies across the State of Western Australia. Centrecare has developed a structured One Life Team, including an Agency Coordinator who engages government, non government and corporate agencies to establish organisation wide suicide prevention strategies.

Agency involvement is through the development and implementation of Community Action Plans (CAPs), which will highlight the key issues for the City and will focus on increasing the capacity of local community organisations, the promotion of mental health and wellbeing awareness/information and local implementation strategies.

**DETAILS:**

Following a presentation by Centre Care (One Life) to a forum in February 2012. On 23 March 2012 the Chief Executive Officer and Director Community Services met with the One Life Agency Coordinator to discuss the Suicide Prevention Strategy including how and to what capacity the City could be involved as well as details of how to apply for funding.

From this meeting, Community Development Officers developed a CAP Proposal and Stage 1 Budget as their application for funding.

The CAP Proposal outlines the CAP Project Outcomes, as follows:

1. Communities are knowledgeable and aware of information, resources and services to support suicide prevention, and positive mental health and wellbeing;
2. The Community Action Plan identifies community resources, gaps and opportunities for the City and for various demographic target groups, for example, young people, Culturally and Linguistically Diverse (CaLD) and seniors;
3. Communities have capacity to own and respond to suicide prevention, and mental health and wellbeing issues as identified in the Community Action Plan;
4. Service providers are networking and communication with one another to support positive mental health and wellbeing in the community, thereby reducing the risk of suicide;
5. Community stakeholders are skilled and confident in responding to issues pertaining to suicide prevention and mental health;
6. The Community Action Plan informs opportunities for strategic planning, collaboration and advocacy;
7. The City of Vincent has a shared responsibility in creating a positive mentally healthy community; and
8. The Community Action Plan capitalises on developing social capital and identifying community assets within the City to build long term strategies and sustainable plans.

The Stage 1 Budget breaks down the first six months of the project, and includes salary costs, operational costs, program costs and education and training costs. The total costing of Stage 1 is \$95,900, with the City applying for \$82,900 funding from One Life and the remaining \$13,000 being in-kind operational costs and professional supervision from the City. These items were submitted to One Life on 4 April 2012.

On 18 April 2012, the City was advised by the One Life Agency Coordinator that the Ministerial Council for Suicide Prevention approved funding for 1 x FTE [over six (6) months] Community Coordinator and on 23 April 2012 the Minister for Mental Health signed off on the approved salary. Once the contract has been received by the City, advertising for the 1 x FTE Community Coordinator for six (6) months can commence.

The City of Vincent is one of four local governments who have been approved for the project. The others being; Perth, Bayswater and Swan.

**CONSULTATION/ADVERTISING:**

Implementation of the CAP will require significant community consultation, as outlined in the CAP proposal.

City wide engagement is planned to be undertaken to develop a Local CAP Reference Group, to consist of interested community members and stakeholders. In developing the CAP, the City will hold a number of engagement sessions, utilise key public facilities within the City to promote and gather information relevant to the CAP, as well as undertake engagement at community events.

**LEGAL/POLICY:**

Not applicable.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** The increase in support from Council is associated with low risk implications for the City.

**STRATEGIC IMPLICATIONS:**

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

*“Community Development and Wellbeing*

- 3.1 *Enhance and promote Community Development and Wellbeing:*
  - 3.1.2 *Promote and foster community safety and security*
  - 3.1.3 *Promote health and wellbeing in the community*
  - 3.1.5 *Promote and provide a range of community events to bring people together and to foster a community way of life*
  - 3.1.6 *Build capacity within the community for individuals and groups to meet their needs and the needs of the broader community.”*

**SUSTAINABILITY IMPLICATIONS:**

The development and implementation of the CAP will assist community groups and service providers in promoting positive mental health and wellbeing messages in the future. This will be achieved in the development and continuation of networking with one another, as outlined in CAP Project Outcome 4.

**FINANCIAL/BUDGET IMPLICATIONS:**

Salary for the 1 x FTE for six (6) months Community Coordinator and the implementation of the CAP Stage 1 will be largely funded by One Life with the provision of \$82,900 funding. The remaining \$13,000 will be in-kind from the City in the form of operational cost support and professional supervision.

**COMMENTS:**

The One Life Suicide Prevention Strategy is a call to action in preventing both complete suicide and suicide attempts. The City's involvement in this Statewide initiative provides the opportunity to ensure the City continues to meet all the communities' health and wellbeing needs. The project will be implemented by the City's Community Development Section.

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

<b>Ward:</b>	-	<b>Date:</b>	27 April 2012
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0042
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	M McKahey, Personal Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

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

**COUNCIL DECISION ITEM 9.5.1**

**Moved Cr McGrath, Seconded Cr Maier**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY "EN BLOC" (7-0)**

**(Cr Carey was absent from the Chamber and did not vote. Cr Wilcox was an apology for the Meeting.)**

**BACKGROUND:**

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

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

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

<b>Date</b>	<b>Document</b>	<b>No of copies</b>	<b>Details</b>
10/04/2012	Contract Documents	2	City of Vincent and Mr and Mrs Jones of Unit 21 Leederville Gardens Retirement Estate, Britannia Road, Leederville
10/04/2012	Sponsorship Agreement	3	City of Vincent and Medibank Private of Level 3, Durack Centre, 263 Adelaide Terrace, Perth, Subiaco Football Club Inc of 246 Vincent Street and East Perth Football Club Inc of 246 Vincent Street, Leederville - Re: Naming Rights for Leederville Oval (Medibank Stadium) - <i>As per Council decision of Ordinary Meeting of Council held on 6 December 2011 - Confidential Item 14.2 (This report (except for the legal advice, financial details and its implications) was released for public information by the Chief Executive Officer)</i>

Date	Document	No of copies	Details
10/04/2012	Deed of Extension	3	City of Vincent and Multicultural Services Centre of Western Australia Inc of 20 View Street, North Perth re: Deed of Extension of Lease for 4 View Street, North Perth - <i>As per Council decision of Ordinary Meeting of Council held on 8 May 2007 - Item 10.1.7</i>
10/04/2012	Deed of Variation	3	City of Vincent and Perth Soccer Club Inc of 3 Lawley Street, West Perth re: Deed of Variation of Lease for 3 Lawley Street, West Perth - <i>As per Council decision of Ordinary Meeting of Council held on 14 June 2011 - Item 9.3.4</i>
16/04/2012	Withdrawal of Caveat	2	City of Vincent and Downings Legal of Level 11, 167 St Georges Terrace, Perth re: No. 2 (Lot 501; D/P: 36820) Elven Street, Corner Emmerson Street, North Perth - <i>As part of the original subdivision of the lots along Elven Street, North Perth each lot was created with a Restrictive Covenant. Given the dwellings on site have now been constructed and completed for some four (4) years, the caveat can be withdrawn</i>
18/04/2012	Deed of Settlement and Release	2	City of Vincent and Ms J Bunn of The Glow Studio, PO Box 1842, Fremantle re: Entry Statement Project as per council decision of Ordinary Meeting of Council held on 27 March 2012.

### 9.5.5 Information Bulletin

<b>Ward:</b>	-	<b>Date:</b>	27 April 2012
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">001</a> – Information Bulletin		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	A Radici, Executive Assistant		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council **RECEIVES** the Information Bulletin dated 8 May 2012, as distributed with the Agenda.

**COUNCIL DECISION ITEM 9.5.5**

**Moved Cr McGrath, Seconded Cr Maier**

That the recommendation be adopted.

**CARRIED UNANIMOUSLY “EN BLOC” (7-0)**

(Cr Carey was absent from the Chamber and did not vote. Cr Wilcox was an apology for the Meeting.)

**DETAILS:**

The items included in the Information Bulletin dated 8 May 2012 are as follows:

ITEM	DESCRIPTION
IB01	Ranger Services Statistics for January, February and March 2012
IB02	Letter from State Administrative Tribunal (SAT) regarding Matter No. DR/379 of 2011 – Giorgini & Anor v City of Vincent, No. 360 (Lots 71 & 73) Stirling Street, Highgate
IB03	Letter to Mr S. Klifunis of Fitzgerald Street, North Perth in response to Questions Taken on Notice at the Ordinary Meeting of Council held on 24 April 2012 (copy of attachment not enclosed)
IB04	Letter of Appreciation from Ms G. Hopkin on behalf of a group of carers who attended the St John of God Retreat in Shoalwater
IB05	Unconfirmed Minutes of the Design Advisory Committee (DAC) Meeting held on 4 April 2012
IB06	Register of Petitions – Progress Report – May 2012
IB07	Register of Notices of Motion – Progress Report – May 2012
IB08	Register of Reports to be Actioned – Progress Report – May 2012
IB09	Register of Legal Action ( <b>Confidential – Council Members Only</b> ) – Monthly Report (May 2012)
IB10	Register of State Administrative Tribunal Appeals – Progress Report – May 2012
IB11	Register of Applications Referred to the Design Advisory Committee – May 2012
IB12	Register of Applications Referred to the MetroWest Development Assessment Panel – April 2012
IB13	Forum Notes – 17 April 2012
IB14	Notice of Forum – 29 May 2012

**9.1.4 Anzac Cottage – Interpretation Plan from the Friends of Anzac Cottage – No. 38 (Lot 15) Kalgoorlie Street, Mount Hawthorn**

<b>Ward:</b>	North	<b>Date:</b>	27 April 2012
<b>Precinct:</b>	Mount Hawthorn; P1	<b>File Ref:</b>	PRO0326
<b>Attachments:</b>	<a href="#">001</a> – Interpretation Plan <a href="#">002</a> – Forward Plans <a href="#">003</a> – Memorandum of Understanding		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officers:</b>	H Au, Heritage Officer		
<b>Responsible Officers:</b>	C Eldridge, Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council;

- ENDORSES** the Interpretation Plan, as shown in Appendix 9.1.4, submitted by the Friends of Anzac Cottage for Anzac Cottage located at No. 38 Kalgoorlie Street, Mount Hawthorn as a working document to inform the proposed conservation and interpretation works to be undertaken to the property from March 2012 to June 2016;
- APPROVES** of the following upgrade Program, to enable the proposed conservation and interpretation works in the Interpretation Plan to be undertaken prior to the Centenary celebrations of Anzac Cottage on 12 February 2016:

Year	Amount
2012/2013	\$1,800
2013/2014	\$66,600
2014/2015	\$5,625
2015/2016	\$4,100

**TOTAL FUNDS = \$78,125; and**

- NOTES** that a grant application for funding will be made to Lotterywest.

**COUNCIL DECISION ITEM 9.1.4**

**Moved Cr Maier, Seconded Cr McGrath**

That the recommendation be adopted.

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

(Cr Wilcox was an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of this report is to seek the Council's approval of the proposed Interpretation Plan for the Anzac Cottage and the Annual Draft Budgets for the financial years from 2012/13 to 2015/16 to finance the implementation of the proposed Interpretation Plan.

**BACKGROUND:**

Anzac Cottage, which is located at No. 38 (Lot 15) Kalgoorlie Street, Mount Hawthorn, is listed on both the City's Municipal Heritage Inventory as Management Category A – Conservation Essential since 1995, and the State Heritage Office's Register of Heritage Places under Section 51 of the Heritage of Western Australian Act 1990 since October 2000.

**History:**

Date	Comment
1 October 2005	The property was transferred to the ownership of the City of Vincent from the Vietnam Veterans Association and leased back to the Vietnam Veterans Association for a twenty-one (21) year period with three (3) five year options on a peppercorn rental, which expires on 30 September 2026.
2008	The Friends of Anzac Cottage was formed as a sub-committee of the Vietnam Veterans Association of Western Australia, to raise awareness of Anzac Cottage to the general public.
22 June 2010	The Council accepted the proposed Forward Plans submitted by the Friends of Anzac Cottage and authorized the Chief Executive Officer to enter into a Memorandum of Understanding to upgrade the premises and to celebrate the Centenary of the Anzac Cottage in 2016. The Forward Plans is contained within this report as shown in Appendix 9.1.4.
14 December 2010	The City of Vincent and the Friends of Anzac Cottage entered into a Memorandum of Understanding. Condition 5.4 on the Memorandum of Understanding states: <ul style="list-style-type: none"> <li>• The City to provide a timeline for the works as outlined in the Friends of Anzac Cottage Forward Plans.</li> <li>• The City of Vincent to carry out the work listed in the Forward Plans within the five year time frame.</li> <li>• The City of Vincent is to list items for consideration on the subsequent Annual Draft Budgets to enable the required work to be funded.</li> </ul> The Memorandum of Understanding is contained within this report as shown in Appendix 9.1.4.
22 April 2012	Based on the approved Forward Plans, the Friends of Anzac Cottage developed and submitted an Interpretation Plan to the City to detail the conservation and interpretation works and funding arrangement outlined in the Forward Plans.

**Previous Reports to Council:**

22 June 2010 The Council accepted the proposed Forward Plans submitted by the Friends of Anzac Cottage and authorized the Chief Executive Officer to enter into a Memorandum of Understanding to upgrade the premises and to celebrate the Centenary of the Anzac Cottage in 2016.

Information relating to the approval of the Forward Plans can be viewed from the Minutes of Item 9.3.4 of the Ordinary Meeting of Council held on 22 June 2010, at the following link:

[http://www.vincent.wa.gov.au/Your\\_Council/Agenda\\_Minutes/Minutes\\_2010](http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes/Minutes_2010)

**DETAILS:**

The Interpretation Plan is meant to be used as a “road map” to alter and redefine the setup of the Anzac Cottage, along with significant additions to ensure that the whole story of the Anzac Cottage is imparted to the visitors in a meaningful and interesting way. The Interpretation Plan as proposed includes the following items:

- Review of current displays, objects, recorded history;
- Identification of the most significant themes and stories;
- Identification of types of visitors and potential markets;

- Recommendations for interpretive displays to be developed;
- Recommendations for forms of interpretation;
- Recommendations for the development of educational and public programs;
- Identification of indicative costs for new interpretation and comparative maintenance issues;
- Prioritisation of a list of achievable projects and indicative timetable for implementation; and
- Recommendations for evaluation.

The details of the above recommendations are contained in the attached Interpretation Plan. A summary of the proposal and the staged funding arrangement is tabled below:

Financial Year	Summary of proposal	Contributions from			Total Cost
		Friends of Anzac Cottage	City of Vincent	Grant Agencies	
2011/12	Development of Interpretation Plan	\$15,150	Nil	Nil	\$15,150
2012/13	Audio/technological interpretation upgrade	\$8,500	\$1,800	\$6,720	\$17,020
2013/14	Internal alterations	\$400	\$66,600	\$8,100	\$75,100
2014/15	Marketing Strategy	\$960	\$5,625	\$13,220	\$19,805
2015/16	Installation of display	\$3,900	\$4,100	\$13,700	\$21,700
	<b>Total</b>	\$28,910 (19.4%)	<b>\$78,125</b> <b>(52.5%)</b>	\$41,740 (28%)	<b>\$148,775</b> (100%)

The Interpretation Plan proposes that the City of Vincent contributes approximately 52.5 percent of the total costs of the conservation and interpretation works and the Friends of Anzac Cottage contributes approximately 18.4 percent of the total costs. It is envisaged that the proposed Interpretation Plan will be submitted by the Friends of Anzac Cottage to the Lotterywest for a grant application under the *Interpretation of Cultural Heritage*, which closes on 6 July 2012. Other potential grant funding can also be sought from the Office of State Heritage, Tourism WA and Healthway in the future.

In addition to the above, it is anticipated that the Interpretation Plan will be re-submitted by the Friends of Anzac Cottage and reviewed by the City of Vincent on an annual basis until 2015/16 to ensure that the Interpretation Plan reflects the up-to-date costs.

It is also note that all proposed works for the site outlined above will need to be referred to the State Heritage Office for consideration and to comply with the City's Policies relating to Heritage Management.

**CONSULTATION/ADVERTISING:**

Required by legislation:	No	Required by City of Vincent Policy:	No
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**LEGAL/POLICY:**

The property was transferred to the City of Vincent on 1 October 2005. The property is leased to the Vietnam's Veterans Association from 1 October 2005 for a period of twenty-one (21) years, which expires on 30 September 2026.

The Memorandum of Understanding is valid for a period of seven (7) years from 1 September 2010.

**RISK MANAGEMENT IMPLICATIONS:**

**Medium:** As per condition 5.4 stated on the Memorandum of Understanding, the City has committed to fund the works in due process.

**STRATEGIC IMPLICATIONS:**

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

"Natural and Built Environment

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

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

"Leadership, Governance and Management

4.3 *Promote and Implement Knowledge Management and Technology*

4.3.1 *Promote technology opportunities to improve the City's business, communication, security and sustainability."*

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

"General Actions

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

K. *Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice."*

**SUSTAINABILITY IMPLICATIONS:**

ENVIRONMENTAL	
Issue	Comment
The conservation and interpretation works proposed in the Interpretation Plan for Anzac Cottage enhance and maintain the City's property to provide a safe, sustainable and functional environment. The works proposed for the cottage will, where possible, take cognisance of the sustainability issues, in particular, those relating to the materials used.	

SOCIAL	
Issue	Comment
The conservation and interpretation works proposed in the Interpretation Plan for the Anzac Cottage serve to promote and celebrate the City's heritage and sense of place.	

ECONOMIC	
Issue	Comment
The conservation and interpretation works proposed in the Interpretation Plan for the Anzac Cottage, in particular the recommendations for interpretive displays for visitors and tourists, assist in the conservation and retention of the City's heritage places, which contribute to the economic vibrancy of the City and recognised valued character of the City's residential streets.	

**FINANCIAL/BUDGET IMPLICATIONS:**

Expenditure to implement the Interpretation Plan will be incurred under the following budgeted item:

<b>Year</b>	<b>Amount</b>
<b>2012/2013</b>	<b>\$1,800</b>
<b>2013/2014</b>	<b>\$66,600</b>
<b>2014/2015</b>	<b>\$5,625</b>
<b>2015/2016</b>	<b>\$4,100</b>
<b>TOTAL</b>	<b>\$78,125</b>

**COMMENTS:**

The Friends of Anzac Cottage are to be commended for presenting an Interpretation Plan to implement the approved Forward Plans. The City's Officers are supportive of the proposed Interpretation Plan which would meet the objectives and conditions of the Memorandum of Understanding dated September 2010, agreed between the City of Vincent and the Friends of Anzac Cottage.

**9.1.1 Nos. 37-39 (Lot 93) Money Street, Perth – Continuation of Planning Approval for Lodging House**

<b>Ward:</b>	South	<b>Date:</b>	24 April 2012
<b>Precinct:</b>	Beaufort; P13	<b>File Ref:</b>	PRO2663; 5.2012.15.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans <a href="#">002</a> – Applicant’s justification		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	S Radosevich, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	C Eldridge, Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by M Waters for Continuation of Planning Approval for Lodging House at Nos. 37-39 (Lot 93) Money Street, Perth, as shown on plans stamp dated 18 January 2012, subject to the following conditions:

1. the proposed lodging house shall comply with the following:
  - 1.1 the lodging house at Nos. 37-39 (Lot 93) shall accommodate a maximum of twenty-four (24) lodgers at any one time;
  - 1.2 the lodgers may stay at the subject lodging house for a maximum period no longer than three (3) consecutive months; and
  - 1.3 a lodging housekeeper or manager shall be resident at Nos. 37-39 Money Street at all times/reside continuously in the lodging houses in accordance with Div 3 – Management and Care, cl 146 of the City of Vincent Health Local Law 2004.
2. any new street/front wall, fence and gate within the Money Street setback area, including along the side boundaries within this street setback area, shall comply with the City’s Policy provisions relating to Street Walls and Fences;
3. all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Money Street;
4. no street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning;
5. all signage that does not comply with the City's Policy No. 3.5.2 relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage; and
6. updated management plans shall be submitted and approved at that address:
  - 6.1 the control of noise, traffic, car parking, litter and anti-social behaviour (to reasonable levels). The "quiet times" are to be restricted to:
    - 6.1.1 Friday and Saturday: 12 midnight to 7.30am; and
    - 6.1.2 Sunday to Thursday: 11pm to 7am; and

- 6.2 Refuse and Recycling Management Plan. The Plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring.**

Revised plans and details shall be submitted demonstrating a bin compound being provided in accordance with the City's Health Services Specifications:

**Commercial:**

**1 x mobile garbage bin per unit; and**

**1 x paper recycle bin per unit, or per 200 square metres of floor space**

associated with the development shall be submitted within twenty-eight (28) days of planning approval and approved by the City, and thereafter implemented and maintained.

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**Moved Cr Buckels, Seconded Cr Harley**

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

"That new clauses 1.4, 1.5 and 1.6 be inserted as follows:

- 1.4 bedrooms 1 and 2 at the front of the building , as shown on the plans, shall be for the exclusive use of the lodging house keeper/manager, with no more than one (1) room being used as a bedroom within the lodging house;**
- 1.5 installation of exit signs which are clearly visible by persons approaching an exit to meet the requirements of E4.5 of B.C.A. Vol. 1 2012; and**
- 1.6 construct an additional toilet and washbasin to meet the minimum requirements of the Health Local Law 2004."**

Debate ensued.

**AMENDMENT**

**Moved Cr Maier, Seconded Cr Harley**

That a new clause 1.7 be inserted as follows:

**"1.7 this approval is valid for five (5) years from the date of approval. Should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the City prior to continuation of the use."**

Debate ensued.

**AMENDMENT PUT AND CARRIED (6-2)**

**For:** Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr Maier, Cr Pintabona

**Against:** Cr McGrath, Cr Topelberg

**(Cr Wilcox was an apology for the Meeting.)**

Debate ensued.

**MOTION AS AMENDED PUT AND CARRIED (6-2)**

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

**Against:** Cr Carey, Cr Harley

**(Cr Wilcox was an apology for the Meeting.)**

**COUNCIL DECISION ITEM 9.1.1**

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by M Waters for Continuation of Planning Approval for Lodging House at Nos. 37-39 (Lot 93) Money Street, Perth, as shown on plans stamp dated 18 January 2012, subject to the following conditions:

1. the proposed lodging house shall comply with the following:
  - 1.1 the lodging house at Nos. 37-39 (Lot 93) shall accommodate a maximum of twenty-four (24) lodgers at any one time;
  - 1.2 the lodgers may stay at the subject lodging house for a maximum period no longer than three (3) consecutive months;
  - 1.3 a lodging housekeeper or manager shall be resident at Nos. 37-39 Money Street at all times/reside continuously in the lodging houses in accordance with Div 3 – Management and Care, cl 146 of the City of Vincent Health Local Law 2004;
  - 1.4 bedrooms 1 and 2 at the front of the building , as shown on the plans, shall be for the exclusive use of the lodging house keeper/manager, with no more than one (1) room being used as a bedroom within the lodging house;
  - 1.5 installation of exit signs which are clearly visible by persons approaching an exit to meet the requirements of E4.5 of B.C.A. Vol. 1 2012;
  - 1.6 construct an additional toilet and washbasin to meet the minimum requirements of the Health Local Law 2004; and
  - 1.7 this approval is valid for five (5) years from the date of approval. Should the applicant wish to continue the use after that period, it shall be necessary to reapply to and obtain approval from the City prior to continuation of the use;
2. any new street/front wall, fence and gate within the Money Street setback area, including along the side boundaries within this street setback area, shall comply with the City's Policy provisions relating to Street Walls and Fences;
3. all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Money Street;
4. no street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning;
5. all signage that does not comply with the City's Policy No. 3.5.2 relating to Signs and Advertising shall be subject to a separate Planning Application and all signage shall be subject to a separate Sign Licence application, being submitted to and approved by the City prior to the erection of the signage; and
6. updated management plans shall be submitted and approved at that address:
  - 6.1 the control of noise, traffic, car parking, litter and anti-social behaviour (to reasonable levels). The "quiet times" are to be restricted to:
    - 6.1.1 Friday and Saturday: 12 midnight to 7.30am; and
    - 6.1.2 Sunday to Thursday: 11pm to 7am; and

**6.2 Refuse and Recycling Management Plan. The Plan shall include details of refuse bin location, number of rubbish and recycling receptacles, vehicle access and manoeuvring.**

**Revised plans and details shall be submitted demonstrating a bin compound being provided in accordance with the City's Health Services Specifications:**

**Commercial:**

**1 x mobile garbage bin per unit; and**

**1 x paper recycle bin per unit, or per 200 square metres of floor space**

**associated with the development shall be submitted within twenty-eight (28) days of planning approval and approved by the City, and thereafter implemented and maintained.**

**ADDITIONAL INFORMATION:**

**Health Services:**

The City's Health Services completed an inspection of the premises on Friday 13 April 2012. Minor cleaning non-compliances were observed with respect to the kitchen facilities. It was also observed that the properties are not joined via a gate or door, but access is available via the rear yard as the properties are not separated by a dividing fence. As a result of the non-compliances identified during the inspection, a follow-up visit was undertaken by the City's Health Services on Tuesday 8 May 2012 and it was determined that the Lodging House was well maintained and was compliant with the requirements of the *City of Vincent Health Local Law 2004* with regard to the lodging house requirements (including numbers of beds).

Please find below calculations for the premises:

Provisions

Sanitary conveniences: two showers, two hand wash basins, two toilets = adequate for 20 persons. Manager Health Services has approved the facilities as adequate for 24 persons.  
Laundry facilities: two washing machines, two wash troughs = adequate for 30 lodgers  
Kitchen facilities: two double bowl sinks, two four burner stoves, two fridges and two hand wash basins = adequate for 30 lodgers

Area calculations

Kitchen and dining: 20.1m<sup>2</sup> in each lodging house = compliant

Bedrooms:

Beds 11 & 15 = 17.55m<sup>2</sup> (requires 15m<sup>2</sup>) = compliant

Beds 16 & 12 = 8.6m<sup>2</sup> (requires 8m<sup>2</sup>) = compliant

Beds 17 & 13 = 10.88m<sup>2</sup> (requires 8m<sup>2</sup>) = compliant

Beds 18 and 14 = 11.9m<sup>2</sup> (requires 8m<sup>2</sup>) = compliant

In relation to concerns raised regarding the windows, FESA have been requested to inspect the property as soon as possible to ascertain whether the windows are of a fire safety concern.

**Building Services:**

Further to the inspection on 8 May 2012, it has been concluded that the owner of the building must comply with E4.5 of B.C.A. Vol. 1 2012 by installing exit signs which are clearly visible by persons approaching an exit.

After further investigation of the Fire report provided by Fire Design and Commissioning, no alternative solution has been detailed for the removal of Fire exit signs from the premises.

**PURPOSE OF REPORT:**

The proposal requires referral to the Council for determination given that the proposal relates to a 'SA' use involving the proposed continuation of a lodging house at Nos. 37-39 Money Street, Perth.

**BACKGROUND:****History:**

Date	Comment
2 June 2005	A development application for change of use from residential to lodging house, and increase in total number of lodgers from thirty-two (32) to eighty (80), between the existing lodging house at Nos. 41-43 (Lot 94) Money Street Perth and the proposed lodging house at Nos. 37-39 (Lot 93) Money Street Perth was deemed refused under delegated authority.
11 July 2006	The Council at its Ordinary Meeting deferred the change of use from single house to lodging house and associated alterations and increase in total number of lodgers from forty-five (45) to eighty (80), at the existing lodging house at Nos. 41-43 (Lot 94) Money Street, Perth and the proposed lodging house at Nos. 37-39 (Lot 93) Money Street, Perth. The application was deferred at the request of the applicant to allow consideration of a preliminary parking and traffic study which was submitted with the development application.
25 May 2007	The State Administrative Tribunal granted a five year approval for the lodging houses at Nos. 37-39 and Nos. 41-43 (Lots 93 and 94) Money Street, Perth.
18 January 2010	Council considered an application during the Christmas/New Year Council recess period for a change of use from single house to lodging house and associated alterations, and increase in total number of lodgers from forty-five (45) to sixty-five (65), at the existing lodging house at Nos. 41-43 (Lot 94) Money Street, Perth and Nos. 37-39 (Lot 93) Money Street, Perth. The application was approved under delegated authority.
10 August 2010	The Council at its Ordinary Meeting approved a reconsideration of condition on the approved change of use from single house to lodging house and associated alterations and additions at Nos. 37-39 Money Street, Perth.

**Previous Reports to Council:**

The application presented to Council at its Ordinary Meeting held on 11 July 2006, comprised a change of use from residential to lodging house at Nos. 37-39 (Lot 93) Money Street, Perth, and increase in total number of lodgers from forty-five (45) to eighty (80), at the existing lodging house at Nos. 41-43 (Lot 94) Money Street, Perth and the proposed lodging house Nos. 37-39 (Lot 93) Money Street, Perth. The applicant had requested that the cash-in-lieu of car bays be waived by the Council as they believed that there is ample street parking, public parking and public transport in the area.

On 18 January 2010 Council approved a development application, as the SAT approval had expired, for the reconsideration of condition to the change of use from single house to lodging house and associated alterations, and increase in total number of lodgers from forty-five (45) to sixty-five (65), at the existing lodging house at Nos. 41-43 (Lot 94) Money Street, Perth and the proposed lodging house at Nos. 37-39 (Lot 93) Money Street, Perth.

A further development application was considered by Council at its Ordinary Meeting held on 10 August 2010. The application involved the reconsideration of condition (viii) of the Planning Approval dated 18 January 2010, which required either of the following:

- (a) Nos. 37-39 (Lot 93) to be amalgamated with Nos. 41-43 (Lot 94); or
- (b) A Legal Agreement, which is secured by a caveat on the certificate of title, that provides a grant of easement for the lodgers on Lot 39 to be able to use the car bays on Lot 49 as Lot 39 has no on-site car bays.

The applicant lodged the development application for the reconsideration of the above condition as they were seeking approval for the two sites to run independently of one another. The car parking assessments for Nos. 37-39 and Nos. 41-43 Money Street, Perth indicated that there was very little difference in the car parking calculations if calculated together or separately. It was therefore considered appropriate in this instance that the car parking be calculated separately, particularly to avoid confusion with legal agreements and caveats in the future, in the event that either of the properties are sold or the use ceases.

Council approved the development application presented at its Ordinary Meeting held on 10 August 2010, with the cash-in-lieu condition amended to reflect 4.91 car bays and the maximum accommodation number being amended to a maximum of twenty-four (24) lodgers at Nos. 37-39 Money Street, Perth.

**DETAILS:**

<b>Landowner:</b>	M Waters
<b>Applicant:</b>	M Waters
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1: Commercial
<b>Existing Land Use:</b>	Lodging House
<b>Use Class:</b>	Lodging House
<b>Use Classification:</b>	"SA"
<b>Lot Area:</b>	487 square metres
<b>Right of Way:</b>	N/A

**ASSESSMENT:**

**Town Planning Scheme/R Codes/Residential Design Element's Initial Assessment**

<b>Design Element</b>	<b>Complies 'Acceptable Development' or TPS Clause</b>	<b>OR</b>	<b>'Performance Criteria' Assessment or TPS Discretionary Clause</b>
<b>Density/Plot Ratio</b>	N/A		
<b>Streetscape</b>	N/A		
<b>Front Fence</b>	N/A		
<b>Front Setback</b>	N/A		
<b>Building Setbacks</b>	N/A		
<b>Boundary Wall</b>	N/A		
<b>Building Height</b>	N/A		
<b>Building Storeys</b>	N/A		
<b>Open Space</b>	N/A		
<b>Bicycles</b>	N/A		
<b>Access &amp; Parking</b>	N/A		
<b>Privacy</b>	N/A		
<b>Solar Access</b>	N/A		
<b>Site Works</b>	N/A		
<b>Essential Facilities</b>	N/A		

There are no proposed changes to the existing building, as the development application proposes to continue the lodging house approval.

**Town Planning Scheme/R Codes/Residential Design Element's Detailed Assessment**

Not applicable

**CONSULTATION/ADVERTISING:**

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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<b>Comments Period:</b>	9 March 2012 to 22 March 2012
<b>Comments Received:</b>	Community consultation was undertaken in relation to the proposed lodging house; with one (1) support and two (2) objections being received.

<b>Summary of Comments Received:</b>	<b>Officers Technical Comment:</b>
<p><b>Issue: Amenity</b> As a ratepayer and most affected by the operation I request that the Council inform SAT to use the laws/regulations to <u>terminate/not extend</u> the May 27<sup>th</sup> 2007 development approval. The so called professionals that recommended this should go and see what a disaster it has turned out to be and the reputation it must have earned in the tourist industry in Perth.</p> <p>Dispense the services of the backpacker owner for violating SAT's Order and have the premises temporary closed for breaching the conditions during the five year tenure, and for not adhering to the pack back business's high standards.</p> <p>Last but not least Vincent Council's earlier refusal of the development application and request at the hearing - especially those comments from Councillor Ian Ker and agreed by SAT to have the approval for a period of five years thus permits a review of the operation and consideration of relevant issues is so right and essential indeed.</p>	<p>Dismissed. It is considered that the proposal to continue the use of the lodging house at the subject site is an appropriate use within the locality and zoning. The lodging house has been operating in accordance with its approval issued on 25 May 2007, with no objections being received prior to the submission of the development application, for the continuation of planning approval for the lodging house.</p>
<p><b>Issue: Health and Safety</b> The Fire and Health Department urgently need to check the premises before a disaster that is begging to happen.</p> <p>To provide adequate wet waste disposal to reduce vermin at the premises.</p>	<p>Dismissed. The fire safety aspects of the development are assessed in accordance with the Building Code of Australia, with the health regulations being assessed by the City's Environmental Health Officers.</p> <p>The City's Health Officers have undertaken an inspection of the subject site and advised that they have no concerns.</p> <p>If there are concerns that development has occurred without the relevant approvals from the City, complaints are to be made in writing to the City for further investigation.</p>
<p><b>Issue: Building</b> Order all external windows that are welded closed from the exterior cutting off for any emergency exits.</p>	<p>Dismissed. The structural aspects of the development are assessed in accordance with the Building Code of Australia.</p> <p>If there are concerns that development has occurred without the relevant approvals from the City, complaints are to be made in writing to the City for further investigation.</p>

Note: Submissions are considered and assessed by issue rather than by individual submitter for clarity.

**Design Advisory Committee:**

Referred to Design Advisory Committee: No

**LEGAL/POLICY:**

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

**RISK MANAGEMENT IMPLICATIONS:**

Should the Council refuse the application for development approval, the applicant has the right to have the decision reviewed in accordance with Part 14 of the *Planning and Development Act*.

Furthermore, should the Council refuse the application it will result in the loss of appropriately located short term accommodation within the City.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2011-2016 states:

*"Economic Development*

- 2.1 *Progress economic development with adequate financial resources.*
  - 2.1.1 *Promote business development and the City of Vincent as a place for investment appropriate to the vision for the City."*

*"Community Development and Wellbeing*

- 3.1 *Enhance and promote community development and wellbeing.*
  - 3.1.1 *Celebrate, acknowledge and promote the City's cultural and social diversity."*

**SUSTAINABILITY IMPLICATIONS:**

The City's Strategic Plan 2011-2016 states:

*"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice."*

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	Comment
The application proposes to continue the use of a lodging house within an existing building. The continuation of the use of the building has a lower environmental impact compared to constructing a new building for this purpose.	

SOCIAL	
Issue	Comment
The application provides for diversity of affordable accommodation within the locality.	

ECONOMIC	
Issue	Comment
The continuation of the land use provides employment opportunities and positively contributes to bringing tourists into the area.	

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS & CONCLUSION:**

It is considered that the proposal to continue the use of the lodging house at the subject site is an appropriate use within the locality and zoning. As the application does not propose any internal changes or increase the number of patrons, it does not result in any further variations to what has previously been approved by Council.

In view of the above, it is considered that the proposed continuation of planning approval for lodging house is supportable. Accordingly, it is recommended the application be approved subject to standard and appropriate conditions.

**9.1.2 No. 192 (Lot 601; D/P: 65807) Stirling Street, corner of Edward Street, Perth – Proposed Fee Paying Car Park (Retrospective Approval)**

<b>Ward:</b>	South	<b>Date:</b>	24 April 2012
<b>Precinct:</b>	Beaufort Precinct; P 13	<b>File Ref:</b>	PRO5670; 5.2012.54.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans <a href="#">002</a> – Applicant’s submission		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Narroo, Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	C Eldridge, Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council,

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by MGA Town Planners on behalf of the owner, Scope Property Group Pty Ltd for Proposed Fee Paying Car Park (Retrospective Approval) at No. 192 (Lot 601; D/P: 665807) Stirling Street, corner of Edward Street, Perth, and as shown on plans stamp dated 15 February 2012 and amended plans stamp dated 23 April 2012, subject to the following conditions:

1. **Building**

Any new street wall, fence and gate within the Stirling Street and Edward Street setback areas, including along the side boundaries within these street setback areas, shall comply with the City’s Policy provisions relating to Street Walls and Fences;

2. **Signage**

2.1 All signage that does not comply with the City's Policy No. 3.5.2 relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application being submitted and approved prior to the erection of the signage;

2.2 The signage shall not have flashing or intermittent lighting;

2.3 All signage shall be subject to a separate Sign Licence application being submitted to and approved by the City prior to the erection of the signage; and

2.4 All signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site;

3. **Paid Parking**

3.1 The approval for the fee paying car park is valid for a period of five (5) years only, following which, the use shall revert back to a non-fee paying car park or further approval to continue the fee paying parking sought from the Council; and

3.2 The City of Vincent will not become involved in any enforcement action relating to the use of the land as a private parking facility;

4. **Management Plan**

Within twenty-eight (28) days from the date of planning approval, a Car Parking Management Plan shall be submitted and approved by the City. The Car Parking Management Plan shall detail the full operation of the fee paying car park, control of unauthorised parking, access control to the car park so that the general public cannot access the site and cleaning of the car park;

5. **Landscaping and Reticulation Plan**

Within twenty-eight (28) days from the date of planning approval, a detailed landscape and reticulation plan for the development site and adjoining road verges shall be submitted to the City's Parks and Property Services for assessment and approval.

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

- 5.1 the location and type of existing and proposed trees and plants;
- 5.2 all vegetation including lawns;
- 5.3 areas to be irrigated or reticulated; and
- 5.3 proposed watering system to ensure the establishment of species and their survival during the hot and dry months;
- 5.3 planting of low growing native species/shrubs that would not exceed a height of 0.5 metre within the landscaping beds along the Stirling and Edward Street frontages.

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

All such works shall be undertaken and completed within twenty-eight (28) days from the date of the approval of the landscaping plan, and maintained thereafter by the owner(s)/occupier(s); and

6. **Redundant Crossover**

Within twenty-eight (28) days from the date of planning approval, the redundant or 'blind' crossover shall be removed and the verge and kerb made good to the satisfaction of the City's Technical Services.

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**Moved Cr Maier, Seconded Cr Buckels**

That the recommendation be adopted.

Debate ensued.

**AMENDMENT NO 1**

**Moved Cr Maier, Seconded Cr McGrath**

That clause 5.1 be amended to read as follows:

- “5.1 the location and type of existing and proposed trees and plants including a new garden bed of a minimum 0.6 metres width along the southern edge of the car park and the provision of one (1) shade tree for every four (4) car parking bays;”

Debate ensued.

Cr Carey departed the Chamber at 6.40pm.

Debate ensued.

Cr Carey returned to the Chamber at 6.41pm.

Debate ensued.

**AMENDMENT NO 1 PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Wilcox was an apology for the Meeting.)

Debate ensued.

**AMENDMENT NO 2**

**Moved Cr Topelberg, Seconded Cr Pintabona**

That an Advice Note be inserted as follows:

“ADVICE NOTE:

As the use is not compliant with Law 17 of Policy No. 3.7.1 relating to Parking and Access, the City strongly encourages the Applicant to consider redevelopment options for alternative uses prior to the conclusion of the five (5) year approval.”

**AMENDMENT NO 2 PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Wilcox was an apology for the Meeting.)

Debate ensued.

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Wilcox was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.1.2**

That the Council,

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by MGA Town Planners on behalf of the owner, Scope Property Group Pty Ltd for Proposed Fee Paying Car Park (Retrospective Approval) at No. 192 (Lot 601; D/P: 665807) Stirling Street, corner of Edward Street, Perth, and as shown on plans stamp dated 15 February 2012 and amended plans stamp dated 23 April 2012, subject to the following conditions:

1. **Building**

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

2. **Signage**

2.1 All signage that does not comply with the City's Policy No. 3.5.2 relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application being submitted and approved prior to the erection of the signage;

2.2 The signage shall not have flashing or intermittent lighting;

2.3 All signage shall be subject to a separate Sign Licence application being submitted to and approved by the City prior to the erection of the signage; and

2.4 All signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site;

3. **Paid Parking**

3.1 The approval for the fee paying car park is valid for a period of five (5) years only, following which, the use shall revert back to a non-fee paying car park or further approval to continue the fee paying parking sought from the Council; and

3.2 The City of Vincent will not become involved in any enforcement action relating to the use of the land as a private parking facility;

4. **Management Plan**

Within twenty-eight (28) days from the date of planning approval, a Car Parking Management Plan shall be submitted and approved by the City. The Car Parking Management Plan shall detail the full operation of the fee paying car park, control of unauthorised parking, access control to the car park so that the general public cannot access the site and cleaning of the car park;

5. **Landscaping and Reticulation Plan**

Within twenty-eight (28) days from the date of planning approval, a detailed landscape and reticulation plan for the development site and adjoining road verges shall be submitted to the City's Parks and Property Services for assessment and approval.

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

5.1 the location and type of existing and proposed trees and plants including a new garden bed of a minimum 0.6 metres width along the southern edge of the car park and the provision of one (1) shade tree for every four (4) car parking bays;

5.2 all vegetation including lawns;

5.3 areas to be irrigated or reticulated;

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

5.5 planting of low growing native species/shrubs that would not exceed a height of 0.5 metre within the landscaping beds along the Stirling and Edward Street frontages;

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

All such works shall be undertaken and completed within twenty-eight (28) days from the date of the approval of the landscaping plan, and maintained thereafter by the owner(s)/occupier(s); and

6. **Redundant Crossover**

Within twenty-eight (28) days from the date of planning approval, the redundant or 'blind' crossover shall be removed and the verge and kerb made good to the satisfaction of the City's Technical Services.

**ADVICE NOTE:**

As the use is not compliant with Law 17 of Policy No. 3.7.1 relating to Parking and Access, the City strongly encourages the Applicant to consider redevelopment options for alternative uses prior to the conclusion of the five (5) year approval.

**PURPOSE OF REPORT:**

This proposal requires referral to the Council for determination given that the proposal relates to an "SA" use in a Residential/Commercial zone.

**BACKGROUND:**

The subject site is located within the Beaufort Precinct and is currently a car park.

**History:**

Date	Comment
9 March 1998	The Council at its Ordinary Meeting conditionally approved demolition of an existing building and construction of a two-storey shop/office/warehouse with car parking being located at No. 192 Stirling Street. It is noted that No. 190 and 192 Stirling Street previously formed part of one lot.
11 November 1998	The Western Australian Planning Commission issued conditional subdivision approval.
22 April 2008	The Council at its Ordinary Meeting conditionally approved an additional four-storey mixed use development comprising sixteen (16) multiple dwellings, twelve (12) offices and basement car parking to the existing shop/office/warehouse.
21 October 2008	The Council at its Ordinary Meeting conditionally approved an additional four-storey mixed use development comprising sixteen multiple dwellings, four offices and basement car parking, to existing and approved shop/office/warehouse. Due to the Global Financial Crisis, the construction of the mixed-use development did not proceed.

**DETAILS:**

<b>Landowner:</b>	Scope Property Group Pty Ltd
<b>Applicant:</b>	MGA Town Planners
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Residential/Commercial R80
<b>Existing Land Use:</b>	Car Park
<b>Use Class:</b>	Car Park
<b>Use Classification:</b>	"SA"
<b>Lot Area:</b>	1220 square metres
<b>Right of Way:</b>	N/A

The applicant provided the following information:

*"The land has been used as a car park for many years, but, more recently, the number of bays has been increased with the closure of a crossover to Edward Street and the removal of some servicing infrastructure allowing additional bays to be added. Plans attached show "before" and "after" layouts to illustrate the change. The number of parking bays is increased from 32 to 44.*

*The land was the subject of an approval to redevelopment in April 2008, however, this approval was not implemented due to the impacts of the Global Financial Crisis. Continuing weak market conditions have further delayed implementation.*

*Continuing use of the site as a car park has therefore been enhanced by the modifications illustrated. This development results in no diminution of local amenity, representing an interim arrangement until market conditions have further delayed implementation.*

*Charging for parking allows the landowner to provide for cleaning, including regular mechanical sweeping, to be undertaken in the car park which is regularly and extensively having rubbish deposited in it from the neighbouring properties, in particular, the nightclub directly across the street. Rubbish regularly found in the car park includes smashed beer bottles, half full bottles of alcohol, syringes, drug implements, used and unused condoms, human faeces and excrement.*

*The effective orderly management of the site is made possible through charging for parking.*

*Lighting of the car park is via 3 x 400w flood lights which are on a light sensitive timer this affords users of the car park greater security as well as providing a deterrent to vandals and criminal elements. See the attached lighting specifications, pictures and certification.*

*The majority of the car parks users are from our neighbouring building.*

*We understand that the City of Vincent's Car Parking Strategy does address and acknowledge the use of vacant sites as a means to maintain the streetscape when they would otherwise become rundown.*

*We note the recent approval of paid car parking at 462 Beaufort Street at the council meeting on the 20/12/2011."*

The applicant has confirmed that the car park will be leased on an all day monthly basis and that there will be a payment for the lease. The leased bays will be available to the lessees on a 24 hours/7 days basis.

**ASSESSMENT:**

**Town Planning Scheme/R Codes/Residential Design Element's Initial Assessment**

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Density/Plot Ratio	N/A		N/A
Streetscape	N/A		N/A
Front Fence	N/A		N/A
Front Setback	N/A		N/A
Building Setbacks	N/A		N/A
Building Height	N/A		N/A
Building Storeys	N/A		N/A
Open Space	N/A		N/A
Bicycle Parking	N/A		N/A
Car Parking	N/A		N/A
Privacy	N/A		N/A
Solar Access	N/A		N/A

**CONSULTATION/ADVERTISING:**

Required by Legislation:	No	Required by City of Vincent Policy:	Yes
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<b>Consultation Type:</b>	Twenty-one (21) days advertising with sign on site and newspaper advertising.
<b>Comments Period:</b>	6 March 2012 to 26 March 2012.
<b>Comments Received:</b>	No submissions were received.

<b>Summary of Comments Received:</b>	<b>Officers Technical Comment:</b>
N/A	N/A

Note: Submissions are considered and assessed by issue rather than by individual submitter for clarity.

**LEGAL/POLICY:**

- Town Planning Scheme No. 1 and associated Policies;
- City of Vincent Car Parking Strategy;
- Policy 3.7.1 relating to Parking and Access; and
- Policy 3.1.13 relating to Beaufort Precinct.

**RISK MANAGEMENT IMPLICATIONS:**

If this application is refused the applicant has a right of appeal to the State Administrative Tribunal.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2011-2016 states:

*"Natural and Built Environment*

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

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

**SUSTAINABILITY IMPLICATIONS:**

The City's Strategic Plan 2011-2016 states:

*"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice."*

The following tables outline the applicable sustainability issues for this proposal:

<b>ENVIRONMENTAL</b>	
<b>Issue: Reuse</b>	<b>Comment:</b>
The car parking has existed for many years and its continued use is not considered to have any further environmental impact.	

<b>SOCIAL</b>	
<b>Issue: Car Park</b>	<b>Comment:</b>
The car park provides additional parking bays for people working in nearby offices, hence improving convenience.	

<b>ECONOMIC</b>	
<b>Issue Car Parking – Active Use</b>	<b>Comment:</b>
Collection of fees from an underutilised car park.	

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

**Ranger and Community Safety Services**

The operation of the private car park is solely the responsibility of the land owners and, should unauthorised vehicles make use of the facility, the City will not become involved in any enforcement action. It is suggested that, to avoid the facility being accessed by the general public, the land owners should consider some form of access control on the entry/exit, in the form of a chain, gate, electric barrier, card activated barrier, or pin code activated barrier, etc.

## Planning

### Car Parking Strategy

Strategic Planning have advised that the car park is supported as the City's Car Parking Strategy addresses and acknowledges the use of vacant sites as a means to maintain the streetscape when they become rundown.

### "SA" use and Policy No. 3.7.1 relating to Parking and Access

A car park is classified as an "SA" use under the City of Vincent Town Planning Scheme No. 1, meaning the use is not permitted unless Council has exercised its discretion and has granted planning approval after giving special notice in accordance with Clause 37. Moreover Clause 17 of Policy No. 3.7.1 relating to Parking and Access specifies that the City does not support the use of vacant land or buildings for parking purposes unless occasional parking.

The fee paying car park is supported for the following reasons:

- The subject site has been used as car parking for many years since 1998 as indicated in the history of the site;
- No objections were received for the fee paying car park;
- The car park will be used mostly by employees working in the immediately surrounding office buildings;
- The Wilson car park opposite the site has closed and therefore this car park will provide an alternative car park for the public;
- The car park will not impact any further on the streetscape as the site has been used as car parking for many years; and
- The fee paying car park is consistent with the City's Car Parking Strategy.

### Policy No. 3.1.13 relating to Beaufort Precinct

The City's Policy No. 3.1.13 relating to the Beaufort Precinct, encourages mixed use development in the area. The car parking has been existing for many years and therefore the proposal is not for a new use for the subject site. According, it is recommended that in the event this application is approved, the approval should be limited to five (5) years, whereby upon expiration of the five (5) years, the Council will be given the opportunity to reconsider the use of the site for paid car parking into the future.

In view of the above, the application is recommended for approval for a period of five (5) years, subject to standard and appropriate conditions.

**9.1.3 Nos. 117a & 119 (Lots 8 & 9; D/P: 854) Richmond Street Leederville - Proposed Demolition of Existing Single House and Construction of Seven (7) Two-Storey Single Bedroom Multiple Dwellings**

<b>Ward:</b>	South	<b>Date:</b>	24 April 2012
<b>Precinct:</b>	Leederville, P3	<b>File Ref:</b>	PRO4279; 5.2011.611.2
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans <a href="#">002</a> – Additional Information Provided by the Applicant		
<b>Tabled Items</b>	Nil		
<b>Reporting Officer:</b>	A Dyson, Planning Officer (Statutory)		
<b>Responsible Officer:</b>	C Eldridge, Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by Gary Batt & Associates on behalf of the owner D De Fiddes for Proposed Demolition of Existing Single House and Construction of Seven (7) Two-Storey Single Bedroom Multiple Dwellings, at Nos. 117a & 119 (Lots 8 & 9 D/P: 854) Richmond Street, Leederville, and as shown on plans stamp-dated 12 April 2012, subject to the following conditions:

1. All external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Richmond Street;
2. Any new street/front wall, fence and gate within the Richmond Street setback area, including along the side boundaries within this street setback area, shall comply with the Residential Design Codes provisions relating to Street Walls and Fences;
3. A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site;
4. No street verge tree(s) shall be removed. The street verge tree(s) is to be retained and protected from any damage including unauthorised pruning;
5. Subject to first obtaining the consent of the owners of Nos. 121 Richmond Street and No. 20 Melrose Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing No. 121 Richmond Street and No. 20 Melrose Street in a good and clean condition. The finish of the walls are to be fully rendered or face brickwork;
6. **PRIOR TO THE SUBMISSION OF A BUILDING PERMIT APPLICATION**, the following shall be submitted to and approved by the City:

**6.1 Privacy**

The proposed rear balcony to Unit 7 on the western façade is to be screened to a height of 1.6 metres with a permanent obscure material to a minimum height 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. Prior to the submission of a Building Permit Application, revised plans shall be submitted demonstrating the above major openings being provided with permanent vertical screening or equivalent, preventing direct line of sight within the cone of vision to ground level of the adjoining properties in accordance with the Residential Design Codes;

**6.2 Section 70A Notification under the Transfer of Land Act**

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

6.2.1 the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby non-residential activities; and

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

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

**6.3 Construction Management Plan**

A Construction Management Plan, detailing how the construction of the development will be managed to minimise the impact on the surrounding area, shall be submitted to and approved by the City, in accordance with the requirements of the City's Policy No. 3.5.23 relating to Construction Management Plans, and Construction Management Plan Guidelines and Construction Management Plan Application for approval Proforma;

**6.4 Amalgamation of Lots**

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

**6.5 Schedule of External Finishes**

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

**6.6 Landscape and Reticulation Plan**

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

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

6.6.1 Provision of increased soft landscaping of 10 percent of the total site common areas with a view to significantly reduce areas of hardstand and paving;

- 6.6.2 Planting to a minimum width of 0.5 metres be provided along the entire length of the eastern and southern boundaries common area including trees planted at a minimum width of 5 metre spacings;
- 6.6.3 Planting to a minimum width of 0.5 metres from the boundary fence be provided in both courtyards to Units 2 and 3;
- 6.6.4 Planting to a minimum width of 0.5 metres be provided to Unit 1 courtyard along the inside of the northern boundary fence;
- 6.6.5 Planting be provided between the front boundary and the Unit 1 front courtyard fence;
- 6.6.6 the location and type of existing and proposed trees and plants;
- 6.6.7 all vegetation including lawns;
- 6.6.8 areas to be irrigated or reticulated;
- 6.6.9 proposed watering system to ensure the establishment of species and their survival during the hot and dry months; and
- 6.6.10 separate soft and hard landscaping plans (indicating details of plant species and materials to be used).

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

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

**6.7 Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the City for approval. The recommended measures of the Acoustic Report shall be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the first occupation of the development; and

**6.8 Refuse and Recycling Management Plan**

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

**6.9 Truncations**

Fencing along the eastern boundary to be truncated to a maximum height of 0.65 metres for a distance of 1.5 metres from the front of the property; and

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

**7.1 Car Parking**

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

**7.2 Clothes Dryer**

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

**7.3 Residential Car Bays**

A minimum of seven (7) car bays shall be provided for the residents and visitors respectively. The seven (7) car parking spaces provided for the residential component and visitors of the development shall be clearly marked and signposted for the exclusive use of the residents and visitors of the development; and

**7.4 Visitor Bays**

The car parking area shown for the visitor bays shall be shown as 'common property' on any strata or survey strata subdivision plan for the property.

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**COUNCIL DECISION ITEM 9.1.3**

**Moved Cr Topelberg, Seconded Cr Pintabona**

That the corrected Officer Recommendation, together with the following changes, be adopted as follows:

"That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, APPROVES the application submitted by Gary Batt & Associates on behalf of the owner D De Fiddes for Proposed Demolition of Existing Single House and Construction of Seven (7) Two-Storey Single Bedroom Multiple Dwellings, at Nos. 117a & 119 (Lots 8 & 9 D/P: 854) Richmond Street, Leederville, and as shown on amended plans stamp-dated ~~12 April~~ 1 May 2012, subject to the following conditions:"

"That a new clause 6.9 be inserted as follows:

**6.9 Screen Wall**

The height of the boundary walls (along the western boundary) to the courtyards for Units 2 and 3 shall be provided to a maximum height of 2.2 metres with an acoustic glass screen above to a height of 3.0 metres."

Debate ensued.

**AMENDMENT NO 1**

**Moved Cr Maier, Seconded Cr Topelberg**

**"7.3 Residential Car Bays**

A minimum of ~~seven (7)~~ six (6) car bays and one (1) car bays shall be provided for the residents and visitors respectively. The seven (7) car parking spaces provided for the residential component and visitors of the development shall be clearly marked and sign posted for the exclusive use of the residents and visitors of the development; and"

Debate ensued.

**AMENDMENT NO 1 PUT AND LOST (1-7)**

**For:** Cr Maier

**Against:** Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr McGrath, Cr Pintabona, Cr Topelberg

**(Cr Wilcox was an apology for the Meeting.)**

Debate ensued.

**AMENDMENT NO 2**

**Moved Cr Maier, Seconded Cr Topelberg**

**“7.3 Residential Car Bays**

**A minimum of ~~seven (7)~~ five (5) car bays and two (2) car bays shall be provided for the residents and visitors respectively. The ~~seven (7)~~ car parking spaces provided for the residential component and visitors of the development shall be clearly marked and sign posted for the exclusive use of the residents and visitors of the development; and”**

**AMENDMENT NO 2 PUT AND CARRIED (7-1)**

**For:** Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr McGrath, Cr Pintabona, Cr Topelberg

**Against:** Cr Maier

**(Cr Wilcox was an apology for the Meeting.)**

Debate ensued.

**PROCEDURAL MOTION**

**Moved Cr Topelberg, Seconded Cr McGrath**

**That the item be DEFERRED for further consideration (and clarification of matters raised during consideration of the Item).**

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

**(Cr Wilcox was an apology for the Meeting.)**

**ADDITIONAL INFORMATION:**

The applicant has provided additional justification as attached. The additional justification is to be read in conjunction with the Detailed Assessment of the application, specifically the *Building Setbacks* Clause 6.3.1 of the Residential Design Codes design section of the Agenda report.

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**PURPOSE OF REPORT:**

This proposal requires referral to the Council for determination as seven (7) multiple dwellings are proposed.

**BACKGROUND:**

The subject site is located in the Leederville Precinct, along the southern side of Richmond Street. Richmond Street is characterised by a mix of grouped dwellings and larger character dwellings.

**HISTORY:**

Date	Comment
10 June 2008	The Council at its Ordinary Meeting of Council approved an application for the Demolition of existing Single House and Construction of Two (2) Two-Storey with Loft Multiple Dwellings and Two (2) Three-Storey Multiple Dwellings.
15 December 2009	The Council at its Ordinary Meeting approved an application for the Proposed Demolition of an existing single house and Construction of a Two-Storey Building comprising Six (6) Single Bedroom and Two (2) Two Bedroom Aged and Dependant Persons Dwellings.

**DETAILS:**

<b>Landowner:</b>	D De Fiddes Pty Ltd
<b>Applicant:</b>	Gary Batt & Associates
<b>Zoning:</b>	Metropolitan Region Scheme: (MRS) Urban Town Planning Scheme No. 1 (TPS 1): Residential R60
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Multiple Dwelling
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	653 square metres (Lots 8 & 9)
<b>Access to Right of Way</b>	N/A

The proposal involves the demolition of an existing single house and construction of a two-storey development comprising seven (7) single bedroom, multiple dwellings.

**ASSESSMENT:**

**Town Planning Scheme/R Codes/Residential Design Element's Initial Assessment**

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Density/Plot Ratio			✓
Streetscape	✓		
Front Fence	✓		
Front Setback			✓
Building Setbacks			✓
Boundary Walls			✓
Building Height			✓
Building Storeys	✓		
Open Space	✓		
Bicycle Parking	✓		
Car Parking	✓		
Privacy			✓
Solar Access	✓		

**Town Planning Scheme/R Codes/Residential Design Element's Detailed Assessment**

Issue/Design Element:	Plot Ratio
Requirement:	<b>Residential Design Codes Table 1</b> Plot Ratio – Residential R60 – 0.7 (454.30 square metres)
Applicants Proposal:	Plot Ratio – 0.73 (471.79 square metres)
Performance Criteria:	<i>P1 Development of the building is at a bulk and scale intended in the local planning scheme and is consistent with the existing or future desired built form of the locality.</i>
Applicant justification summary:	No justification provided by applicant.
Officer technical comment:	The proposed development is considered to comply with the performance criteria in this instance as: <ul style="list-style-type: none"> <li>The proposed building/development is consistent with the current and desired built form of the locality, as the location of the site is within an R60 coded precinct and located in an inner city local close to the Leederville Town Centre. In addition the multiple dwelling proposal provides for an alternative housing choice.</li> </ul>

Issue/Design Element:	Plot Ratio
	<ul style="list-style-type: none"> <li>• The increase in plot ratio of 17.49 square metres does not result in development that is inconsistent with the two-storey development form of multiple dwellings and with the desired future built form of the locality and the prevalent height existing along Richmond Street.</li> <li>• As the proposal is a two storey development it reflects the existing scale of the streetscape and minimises its impact on the adjoining properties through its contemporary design, use of staggered side and rear setbacks to the eastern and southern elevations and the use of different building materials, which provide articulation to both the adjoining properties and Richmond Street.</li> </ul>
Issue/Design Element:	Front Setbacks
Requirement:	<p><b>Residential Design Elements Policy SADC 5</b> Front Setback: Lower: 4.94 metres Upper Balcony: 5.94 metres Upper Dwelling: 6.94 metres</p>
Applicants Proposal:	<p>Front Setback: Lower: 4.8 metres Upper Balcony: 3.7 metres (minimum) Upper Dwelling: 4.3 metres (minimum)</p>
Performance Criteria:	<p><b>Residential Design Elements Policy SPC 5</b> <i>Development is to be appropriately located on site to:</i></p> <ul style="list-style-type: none"> <li>• <i>Maintain streetscape character;</i></li> <li>• <i>Ensure the amenity of neighbouring properties is maintained;</i></li> <li>• <i>Allow for the provision of landscaping and space for additional tree plantings to grow to maturity;</i></li> <li>• <i>Facilitate solar access for the development site and adjoining properties;</i></li> <li>• <i>Protect significant vegetation; and</i></li> <li>• <i>Facilitate efficient use of the site.</i></li> </ul> <p><i>Variations to the Acceptable Development Criteria relating to upper floor setbacks may be considered where it is demonstrated that the lesser upper floor setbacks incorporate appropriate articulation, including but not limited to; varying finishes and staggering of the upper floor walls to moderate the impact of the building on the existing or emerging streetscape and the lesser setback is integral to the contemporary design of the development.</i></p>
Applicant justification summary:	<p>We believe that the proposed front setback is justified as this will still maintain the streetscape character. Some neighbouring properties have setbacks considerably less than this and other greater so therefore the 'averaging' will provide continuity. The amenity of the west neighbour will not be affected as their front setback is 3.0 metres.</p> <p>The variety of finishes will provide interest and the stepped walls and layering will have the effect of reducing bulk. The roof design which slopes back from the street will also assist in this respect.</p>

Issue/Design Element:	Front Setbacks
Officer technical comment:	<p>The proposed development is considered to comply with the performance criteria in this instance for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposed development provides for a staggering of front setbacks on both the lower and upper storeys which not only reduce bulk and scale to the existing streetscape but provide an attractive street frontage which is in keeping with the existing varied Richmond Street streetscape.</li> <li>• The proposed set out of the development across the site allows for significant amenity in the design of the dwelling but allows for significant light, ventilation and reduction in overshadowing to the adjoining properties. The presence of large open areas along the eastern façade reduces bulk in addition to the use of courtyard areas along the western façade provides for an opening up of the development to the surrounding properties.</li> <li>• The landscaping condition requires landscaping along the eastern and southern boundary including trees and landscaping within the three courtyards and a minimum of 10 percent of the site as soft landscaping.</li> <li>• The setback of the lower floor also features a large open courtyard area which allows for the future planting of soft landscaping, also included as part of the landscaping and reticulation plan condition of approval, and the retention of the existing mature street tree to offset any bulk of the building, including the upper storey, from the street.</li> <li>• The proposed development complies with the overshadowing provisions of the Residential Design Codes, with maximum overshadowing to the rear of the property of 14 percent (73.5 square metres). In addition to this minimal overshadowing, the north south orientation of the site allows the adjoining properties have adequate daylight and direct sun throughout significant portions of the day.</li> <li>• The lower front setback variation is minimal at 0.14 metres and considered to maintain the existing streetscape, with a number of dwellings along Richmond Street incorporating a variety of street setbacks, on both sides of the street, with a number of newer dwellings at a similar lower floor front setback to that of the subject property.</li> <li>• The proposed lower floor also includes a staggering of setbacks across the front of the property and the vehicle entry point to reduce the impact of the lower floor on the street. The proposed upper floor includes a variety of setbacks, provides for an open balcony across the majority of the Unit 4 street frontage as well as including varying finishes such as brick render, vertical colourbond cladding and metal balastrading.</li> <li>• The upper front setback variation at 2.64 metres for the dwelling portion and 2.24 metres for the upper balcony section is offset by the presence of a similar development across Richmond Street, where the upper storey balconies and dwelling overhang the lower floor. It is also noted that only a small section of dwelling intrudes into the front setback area, with the majority of Unit 4 setback in closer compliance with the setback required.</li> </ul>

Issue/Design Element:	Building Setbacks
Requirement:	<p><b>Residential Design Codes Clause 6.3.1</b> Acceptable Development Criteria:</p> <p><u>Ground Floor</u> Southern boundary = Nil (minimum)</p> <p><u>First Floor</u> Western boundary = 6.0 metres Southern boundary = 1.2 metres Eastern boundary (Balance) = 6.0 metres</p>
Applicants Proposal:	<p><u>Ground Floor</u> Southern boundary = Nil – 1.5 metres</p> <p><u>First Floor</u> Western boundary (Balance) = 3.0 metres Southern boundary = 0.99 metres Eastern boundary (Balance) = 4.8 metres</p>
Performance Criteria:	<p><b>Residential Design Codes Clause 6.3.1 P1</b> Buildings setback from boundaries other than street boundaries so as to:</p> <ul style="list-style-type: none"> <li>• provide adequate direct sun and ventilation to the building;</li> <li>• ensure adequate direct sun and ventilation being available to adjoining properties;</li> <li>• provide adequate direct sun to the building and appurtenant open spaces;</li> <li>• assist with protection of access to direct sun for adjoining properties;</li> <li>• assist in ameliorating the impacts of building bulk on adjoining properties; and</li> <li>• assist in protecting privacy between adjoining properties.</li> </ul>
Applicant justification summary:	No justification provided by the applicant.
Officer technical comment:	<p>The proposed development is considered to comply with the performance criteria in this instance for the following reasons:</p> <ul style="list-style-type: none"> <li>• The presence of windows on both of the eastern and western elevations, together with the staggered nature of the development from the eastern boundary, allow for the provision of adequate daylight, direct sun and ventilation to the proposed dwellings on both the ground and upper floor.</li> <li>• The siting of the development across the site on both the lower and upper floor allow for significant areas of space to be achieved, and in turn sunlight to penetrate the adjoining properties in the areas of window openings and allow for sufficient ventilation to be provided.</li> <li>• The development of the lower floor to the west of the site and the upper floor to the middle of the site, along with the location of adequate window and door openings allows for both morning and afternoon sun to be afforded to each of the dwellings.</li> </ul>

Issue/Design Element:	Building Setbacks
	<ul style="list-style-type: none"> <li>• As noted above the design of the dwellings, together with the availability of significant setbacks to the lower and upper floors, together with an acceptable building height allows for direct sun to be provided to the adjoining dwellings throughout significant periods of the day. Furthermore the location of open courtyard areas will still afford the adjoining properties significant amount of sunlight in concert with similar developments of this nature.</li> <li>• The staggering of setbacks that have been provided to the lower and upper floors along the eastern, western and southern facades allow for a reduction in building bulk to the adjoining properties.</li> <li>• The provision of screening and obscure windows along all facades allows for the retention of privacy to the adjoining property owners from all the dwellings proposed.</li> </ul>

Issue/Design Element:	Boundary Wall
Requirement:	<b>Residential Design Codes Clause 6.3.2 A2</b> Boundary walls to one side boundary
Applicants Proposal:	Boundary walls to two side boundaries  <u>Western Wall</u>  Compliant with the Acceptable Development Provisions of Clause 6.3.2 of the Residential Design Codes with a maximum wall height of 3.0 metres and average wall height of 3.0 metres.  <u>Southern wall</u> Length: 3.7 metres.  The wall on the boundary is for a small portion of the rear apartment, Apartment 3.
Performance Criteria:	<b>Residential Design Codes Clause 6.3.2 P2</b> <i>P2 Buildings built up to boundaries other than the street boundary where it is desirable to do so in order to:</i> <ul style="list-style-type: none"> <li>• <i>Make effective use of space;</i></li> <li>• <i>Enhance privacy;</i></li> <li>• <i>Otherwise enhance the amenity of the development;</i></li> <li>• <i>Not have any significant adverse impact on the amenity of the adjoining property; and</i></li> <li>• <i>Ensure that direct sun to major openings to habitable rooms and outdoor living areas of the adjoining properties is not restricted.</i></li> </ul>
Applicant justification summary:	No justification in relation to the boundary walls received.
Officer technical comment:	The proposed development is considered to comply with the performance criteria in this instance for the following reasons: <ul style="list-style-type: none"> <li>• The proposed southern boundary parapet wall is incorporated into a small portion of the Unit 3 development, which is well set out across the block allowing for a significant provision of light and reduction of bulk to the adjoining properties.</li> </ul>

Issue/Design Element:	Boundary Wall
	<ul style="list-style-type: none"> <li>• The proposal complies with the Acceptable Development Provisions of Clause 7.4.1 “Visual Privacy” A1 of the R-Codes, as no overlooking can occur, demonstrating that the proposal protects privacy between the subject site and adjoining properties to the south.</li> <li>• The location of the southern boundary parapet wall ensures the remainder of the Unit 3 dwelling is well sited and affords significant area for light and ventilation to be accessible from the west and east.</li> <li>• The proposed southern boundary wall is minimal in nature at a length of 3.7 metres for a 14.4 metre rear boundary for the adjoining property and still affords the adjoining property significant sunlight and ventilation as it is well setback from the common boundary between the two properties;</li> <li>• Given the minor area of parapet wall along the southern façade, significant areas of direct sunlight will still remain available to major habitable rooms and outdoor living areas of the adjoining property.</li> </ul>

Issue/Design Element:	Building Height
Requirement:	<b>Residential Design Elements Clause 7.4.5 BDADC 5</b> Maximum Concealed Roof Height of 7.0 metres
Applicants Proposal:	Maximum Concealed Roof Height of 7.2 metres
Performance Criteria:	<b>Residential Design Elements BDPC 5</b> <i>Building height is to be considered to:</i> <ul style="list-style-type: none"> <li>• <i>Limit the height of dwellings so that no individual dwelling dominates the streetscape;</i></li> <li>• <i>Limit the extent of overshadowing and visual intrusion on the private space of neighbouring properties; and</i></li> <li>• <i>Maintain the character and integrity of the existing streetscape.</i></li> </ul>
Applicant justification summary:	The revised drawings show the overall height as being 7.2 metres which is only 0.2 metres above the maximum allowed; a minor variation over the limit.
Officer technical comment:	<p>The proposed development is considered to comply with the performance criteria in this instance for the following reasons:</p> <ul style="list-style-type: none"> <li>• The proposed height of the development at 7.2 metres, although considered a 0.2 metre variation to the overall height requirements for concealed roofs, is substantially less than the permitted height of 9.0 metres for a pitched roof development and maintains the appearance of two (2) storey developments within this area of Richmond Street.</li> <li>• The proposed height is concentrated to the middle of the site, away from the eastern or western boundaries of the subject site. Furthermore the overshadowing to the rear of the site is minimal and compliant with the provisions of the Residential Design Codes.</li> <li>• As noted above, the minimal height variation of 0.2 metres will allow the development to maintain the appearance of a two storey development, consistent with a number of properties along Richmond Street.</li> </ul>

<b>Issue/Design Element:</b>	<b>Roof Forms</b>
Requirement:	<b>Residential Design Elements Clause 7.4.3 BDADC 3</b> Roof Pitch to be 30 - 45 degrees
Applicants Proposal:	12 degrees
Performance Criteria:	<b>Residential Design Elements Clause 7.4.3 BDPC 3</b> The roof of a building is to be designed so that: <ul style="list-style-type: none"> <li>• <i>It does not unduly increase the bulk of the building;</i></li> <li>• <i>In areas with recognised streetscape value it complements the existing streetscape character and the elements that contribute to this character; and</i></li> <li>• <i>It does not cause undue overshadowing of adjacent properties and open space.</i></li> </ul>
Applicant justification summary:	The roofs do not meet the requirements to be pitched to a minimum of 30 degrees. However, the roof forms do not unduly increase the building bulk; in fact the roof design assists to break up the bulk with its varying forms and separations. The building design and roof form will compliment the streetscape character. The roof and form is well within the overshadowing limits to adjacent properties.
Officer technical comment:	The proposed roofing is considered to comply with the Performance Criteria of Clause 7.4.3 <i>Roof Forms</i> : <ul style="list-style-type: none"> <li>• The proposed roofing is contemporary design feature in nature, and it is argued that the height and bulk of the structure with a skillion roof is less bulky and of a lesser height than what would be allowed if the development was of a pitched roof design.</li> <li>• It is also noted that overshadowing proposed would be of a greater degree and impact if the development was of a pitched roof format rather than skillion roof format.</li> <li>• Furthermore the Richmond Street streetscape contains a mixture of roof pitch types with some flat roof dwellings immediately across the road from the subject dwelling to sharply pitched roofing to the east of the subject property. In addition the adjoining property to the east, currently under construction is also a flat roofed construction.</li> </ul>

<b>Issue/Design Element:</b>	<b>Privacy</b>
Requirement:	<b>Residential Design Codes Clause 6.8.1 A1</b> Rear Balcony-Cone of Vision privacy setback of 7.5 metres.
Applicants Proposal:	Rear Balcony-Cone of vision setback to south of 2.1 metres
Performance Criteria:	<b>Residential Design Codes Clause 6.8.1 P1</b> <i>P1 Direct overlooking of active habitable spaces and outdoor living areas of other dwellings is minimised by building layout, location and design of major openings and outdoor active habitable spaces, screening devices and landscape, or remoteness.</i> <i>Effective location of major openings and outdoor active habitable spaces to avoid overlooking is preferred to the use of screening devices or obscured glass.</i> <i>Where these are used, they should be integrated with the building design and have minimal impact on residents' or neighbours' amenity.</i> <i>Where opposite windows are offset from the edge of one window to the edge of another, the distance of the offset should be sufficient to limit views into adjacent windows.</i>
Applicant justification summary:	No justification provided by applicant.

Issue/Design Element:	Privacy
Officer technical comment:	The proposed balcony is not considered to comply with the performance criteria of the Residential Design Codes to the southern properties as viewing from this area has the propensity to overlook the rear backyard area of the adjoining property. A condition has been included in the recommendation for screening accordingly.

### Car Parking

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

Car Parking	
Small Multiple Dwelling based on size (<75 square meters or 1 bedroom) - 0.75 bays per dwelling (7 multiple dwellings) = 5.25 car bays = 5 car bays	
Visitors = 0.25 per dwelling (7 multiple dwellings proposed) = 1.75 = 2 car bays	
Total car bays required = 7 car bays	7 car bays
Total car bays provided	7 car bays
<b>Surplus</b>	<b>Nil car bay</b>

Bicycle Parking		
<b>Bicycle Parking</b>	<ul style="list-style-type: none"> <li>1 bicycle space to each 3 dwellings for residents and 1 bicycle space to each 10 dwellings for visitors (total 7 dwellings proposed): 2.33 bicycle bays or 2 bicycle bays for the residents.</li> <li>1 Bicycle space per 10 dwellings: 1 bicycle space required</li> </ul>	3 bicycle bays are provided

### CONSULTATION/ADVERTISING:

Required by Legislation:	No	Required by City of Vincent Policy:	Yes
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<b>Consultation Type:</b>	Fourteen (14) days advertising.
<b>Comments Period:</b>	16 January 2012 – 30 January 2012
<b>Comments Received:</b>	No Support, Three (3) Objections. Consultation was sought on variations such as building setbacks, plot ratio, street setbacks, street fencing, building height, roof forms, bicycle parking and visual privacy.

Summary of Comments Received:	Officers Technical Comment:
Issue: Concern the proposed development does not fit in with the existing streetscape character with regard to its proposed aesthetics, roof type and pitch and the building materials proposed.	Dismiss. The proposed development at a height of two-storeys is of a scale and amenity to that of development along Richmond Street. The contemporary materials and finishes add to the existing streetscape which includes a variety of built forms and appearances.
Issue: Concern in relation to the location of the proposed courtyards in close proximity to the adjoining dwelling's habitable areas and the potential for noise intrusion. Would note that the courtyards for Units 2 and 3 may be better served in the North West corner of the dwelling and south west corner respectively.	Dismiss. The courtyards are of an adequate size for dwellings under the Residential R60 coding of the Residential Design Codes; any excessive noise intrusion can be managed via the provisions of the Environmental (Noise) Regulations 1997.

Summary of Comments Received:	Officers Technical Comment:
Issue: Concern in relation to the use of the dwellings as single bedroom dwellings and the lack of parking on site which could result from visitors and more than one person living in the dwellings.	Dismiss. The parking provided on site is in compliance with the Acceptable Development Provisions of the Residential Design Codes Clause 7.3.3.
Issue: Concern in relation to possible privacy impacts from the upper storey windows to the adjoining properties.	Dismiss. The proposed windows provided to the western and eastern elevations are compliant with the acceptable development provisions as well as the performance criteria Clause 6.8.1 of the Residential Design Codes and the City's Policy 7.4.8 relating to Residential Design Elements.

Note: Submissions are considered and assessed by issue rather than by individual submitter for clarity.

**LEGAL/POLICY:**

- Town Planning Scheme No. 1;
- Residential Design Elements Policy;
- Precinct Policy; and
- Associated Policies.

Within the Leederville Precinct (P3), Residential Development is to comply with the Policies in relation to Residential Design Guidelines and Residential Development, with a maximum height of two storeys and loft and a character that complements the existing built form in the locality.

**RISK MANAGEMENT IMPLICATIONS:**

In the event the application is refused the applicant has a right of appeal to the State Administrative Tribunal.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2011-2016 states:

*"Natural and Built Environment*

- 1.1 *Improve and maintain the natural and built environment and infrastructure*
  - 1.1.2 *Enhance and maintain the character and heritage of the City."*

**SUSTAINABILITY IMPLICATIONS:**

The City's Strategic Plan 2011-2016 states:

*"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice."*

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue	Comment
The design of the dwellings allow for adequate light and ventilation. The dwellings all have substantial window/door openings providing light to their living areas and all have cross ventilation given their design. These design elements have the potential to reduce the need or reliance on artificial heating and cooling as well as high levels of artificial lighting.	

SOCIAL	
Issue	Comment
The proposal is for seven (7) multiple dwelling units within Leederville. This will increase housing diversity and provide housing for smaller households within the City which are anticipated to grow and become a significant proportion of households.	

ECONOMIC	
Issue	Comment
The construction of the building will provide employment opportunities.	

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

**Heritage**

The subject dwelling at No. 119 Richmond Street, Leederville is an example of a Post war Conventional Suburban Style Bungalow. Although a precise date of construction could not be determined, it was most likely built during the 1950's. It is a brick and tile bungalow with a hipped roof, with an 'L' shaped two room frontages.

An external inspection was undertaken on 22 December 2011 to assess the current condition of the subject place. The above heritage assessments indicate that the place has little aesthetic, historic, scientific or social heritage significance. In accordance with the City's Policy No. 3.6.2 relating to Heritage Management – Assessment, the place does not meet the threshold for entry on the City's Municipal Heritage Inventory.

In light of the above, it is considered that approval should be granted for demolition subject to the following condition:

*"A Demolition Permit shall be obtained from the City prior to commencement of any demolition works on the site."*

**Planning Comments**

In view of the above, the application is supportable as it is considered that the proposal complies with the Acceptable Development Provisions and Performance Criteria of the Residential Design Codes and City's Policy relating to Residential Design Elements with respect to plot ratio, front setbacks, boundary walls, boundary setbacks and privacy. In addition it is considered that within the Leederville locality, given the site's close proximity to public transport nodes and the Leederville Town Centre, a development of seven (7) single bedroom multiple dwellings will allow for greater intensity of land use than what is presently provided on site. In addition it is considered the contemporary appearance of the dwelling will suit the recently constructed and under construction developments along Richmond Street. Accordingly, it is recommended the application be approved subject to standard and appropriate conditions.

**9.2.1 Intersection of Walcott Street and Beaufort Street, Mount Lawley – Consideration of various Items.**

<b>Ward:</b>	South	<b>Date:</b>	27 April 2012
<b>Precinct:</b>	Mount Lawley Centre (11)	<b>File Ref:</b>	TES0334; TES0520
<b>Attachments:</b>	-		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	R Lotznicker, Director Technical Services		
<b>Responsible Officer:</b>	R Lotznicker, Director Technical Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **ENDORSES** the treatments relating to the intersection of Beaufort and Walcott Street which have the consensus of the Project Working Group, as detailed in this report;
2. **REFERS** the proposed modification to the intersection of Beaufort Street and Walcott Street as outlined in the report, to the City's Integrated Transport Advisory Group (ITAG) for consideration;
3. **INVITES** representatives from the 'Beaufort Street and Walcott Street Project Working Group' to attend the meeting; and
4. **NOTES** that a further report on the outstanding matters will be submitted to the Council following consideration by the Integrated Transport Advisory Group.

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**Moved Cr Topelberg, Seconded Cr Buckels**

That the recommendation be adopted.

Debate ensued.

**AMENDMENT NO 1**

**Moved Cr Maier, Seconded Cr Carey**

That a new clause 5 be inserted as follows:

- “5. **AUTHORISES** the Chief Executive Officer to write to the Western Australian Police requesting that they consider installing a red light camera at the Walcott/Beaufort Street intersection.”

Debate ensued.

The Mover, Cr Maier advised that he would like to withdraw his amendment and the Seconder, Cr Carey agreed.

Cr Buckels departed the Chamber at 7.30pm.

**AMENDMENT NO 2**

**Moved Cr Maier, Seconded Cr Carey**

That clause 1 be deleted, remaining clauses renumbered and clause 3 be amended to read as follows:

- “3. INVITES representatives from the ‘Beaufort Street and Walcott Street Project Working Group’ and other relevant persons to attend the meeting; and”

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

(Cr Buckels was absent from the Chamber and did not vote. Cr Wilcox was an apology for the Meeting.)

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

(Cr Buckels was absent from the Chamber and did not vote. Cr Wilcox was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.2.1**

That the Council;

1. REFERS the proposed modification to the intersection of Beaufort Street and Walcott Street as outlined in the report, to the City’s Integrated Transport Advisory Group (ITAG) for consideration;
  2. INVITES representatives from the ‘Beaufort Street and Walcott Street Project Working Group’ and other relevant persons to attend the meeting; and
  3. NOTES that a further report on the outstanding matters will be submitted to the Council following consideration by the Integrated Transport Advisory Group.
- 

**PURPOSE OF REPORT:**

To inform the Council on the outcomes of discussions by the Beaufort Street and Walcott Street Project Working Group.

**BACKGROUND:**

**Ordinary Meeting of Council 13 April 2010:**

The Council was advised of the City of Stirling’s Mt Lawley Commercial Precinct Streetscape Improvement Plan and of the potential costs to the City and, after considering the report, the following decision was made (in part).

*"That the Council:*

(iii) *NOTES that:*

- (a) *the City of Stirling’s Mt Lawley Commercial Precinct Streetscape Improvement project involves modifications to the traffic control signals and pedestrian ramps at the intersection of Walcott and Beaufort Streets, including those on the Town’s side of the intersection; and”*

**Ordinary Meeting of Council held on 22 June 2010:**

The Council received a report on Main Roads WA (MRWA) proposal to form a Project Working Group (PWG) specifically tasked to consider options for improving pedestrian safety and traffic movement through the intersection of Beaufort and Walcott Streets, Mt Lawley where the following decision was made (in part).

*“That the Council;*

(i) *NOTES that Main Roads WA:*

(a) *intends to reinstate investigations in partnership with the City of Stirling and the Town of Vincent with a view to identifying possible options to address issues associated with the Walcott Street/Beaufort Street intersection; and*

(b) *is seeking the Town's formal support and commitment to create a partnership in the form of a 'Project Working Group' consisting of representatives from the Town of Vincent, City of Stirling and Main Roads, the purpose of which is to undertake the project development role, predominately involving:*

- Identify and clarify issues associated with the intersection*
- Identify possible options to address these issues*
- Determine preferred improvement option(s)*
- Conduct stakeholder consultation (where required)*
- Identify and secure funding to implement the improvement option(s)*
- Prepare all project development documentation to allow the project to progress to the detailed design and construction stage;*

(iii) *ADVISES:*

(a) *Main Roads WA that it fully supports the proposal for the establishment of a project working group to investigate improvements at the Walcott Street/Beaufort Street intersection; and”*

**Council Member Forum held on 15 February 2011:**

The Network and System Planner for Transperth (PTA) and the Senior Transit Planner DoT gave a presentation on the proposed introduction of Bus Priority Lanes in Beaufort Street from Walcott Street to Newcastle Street.

The basis for the presentation was the State Government's impending adoption of the 'Draft 20 Year Public Transport Plan (2031), currently with the Minister for Transport.

The crux of the presentation was that PTA and the DoT were seeking to install 'Bus Priority' lanes the length of Beaufort Street (Morley to the Perth Central Business District).

**Letter from MRWA received April 2011:**

As a result of its discussions with the DoT, MRWA contacted the Working Group representatives and advised that in light of DoT's position there was little value in the Group continuing. It was concluded that any proposed changes and/or improvements suggested by the Group would be become largely redundant if dedicated bus transit lanes are introduced. Further, it was concluded until DoT's plans had been clarified, in respect of timing and funding of the project, the Group had no clear directions upon which to base any recommendations.

In April 2011 MRWA wrote to the Town advising that the PWG was to be disbanded *due to the significant impact of the Beaufort Street bus lanes extension on the efficiency of Beaufort Street and Walcott Street intersection and the surrounding road network.*

**Ordinary Meeting of Council held on 14 June 2011:**

The MRWA proposal was formally reported to the Council where the following decision was made (in part).

*“That the Council;*

- (ii) *WRITES to the Department of Transport seeking;*
  - (a) *a commitment to review the operation of the Beaufort Street and Walcott Street intersection; and*
  - (b) *clarification of their plans for dedicated bus transit lanes in Beaufort Street, through the Mt Lawley Centre Precinct;*
- (v) *WRITES to the Minister for Transport expressing the Town’s concern that the delays caused by the Public Transport Authority are compromising the safety of residents and visitors of businesses in the vicinity of the Beaufort and Walcott Street intersection.”*

**DETAILS:**

**Meeting with Minister for Transport:**

On 18 July 2011 the City wrote to Hon. Troy Buswell MLA seeking an urgent meeting to discuss the lack of progress regarding improvements at Beaufort/Walcott Intersection.

A meeting with the Minister and a number of other stakeholders was subsequently held at parliament house on Wednesday, 28 September 2011.

At the meeting the Minister requested that MRWA set up a working group to progress the matter as a matter of priority.

**Beaufort Street and Walcott Street Project Working Group:**

Inaugural Meeting 14 November 2011:

The of the group chaired by MRWA and attended by representatives from MRWA, City of Vincent and Stirling, PTA, MLA’s office, Ministers Office DoT was held. at Main Roads Head Office (Don Aitken Centre, Waterloo Crescent, East Perth).

The chair outlined the purpose for the meeting, that being, to clarify and address the safety concerns held by the Member for Mt Lawley, and those of his constituents, associated with the intersection of Beaufort Street and Walcott Street, Mt Lawley.

The Ministers representative indicated that the Minister for Transport desired outcome for any work undertaken by the PWG was to identify possible options (and associated costs) for improving the Beaufort Street and Walcott Street intersection for stakeholder consideration.

Meeting 14 March 2012:

Following a number of meetings, at this meeting the following *solutions* were agreed upon and *responsibilities* determined. The WA Police also have a representative on the working group.

- A number of treatments that had been touched on in discussions being:
  - Full time right turn bans on all legs of the intersection.
  - Extension of the 40km/h variable speed zone north of the Beaufort Street/Walcott Street intersection.
  - Removal of the fully protected pedestrian crossing and installation of parallel pedestrian crossing (subject to full time right turn bans).

- A consensus from the group was requested on the following treatments:
  - Extension of the 40km/h variable speed limit. *All in Agreement*
  - Full right turn bans on all legs of the intersection. *All in Agreement*
  - Removal of fully protected pedestrian crossing and installation of parallel pedestrian crossing (subject to full time right turn bans). *All in Agreement*
  - Installation of Red Light Speed Camera. *The group did not support this measure as it was considered warrants for installation are not supported and the constrained nature of the intersection would restrict installation.*
  - Relocation of Bus Stop on Beaufort Street to the departure side of the intersection. *All in Agreement – it was agreed that this work be included as part of the Bus Lane implementation.*
- It was agreed that the Cities of Stirling and Vincent work with Main Roads WA to develop the above-mentioned treatments and make submissions at Council level.

**Discussion:**

The proposed 'full time right turn bans' on all legs of the intersection may have traffic implications of the adjoining residential streets and this will need to be further examined.

The other measures proposed are supportable.

It is therefore recommended that the matter be referred to the ITAG for consideration.

**CONSULTATION/ADVERTISING:**

Not applicable at this stage.

**LEGAL/POLICY:**

Beaufort and Walcott Street are District Distributor A, roads in accordance with the Functional Road Hierarchy and are under the care, control and management of the City. However any significant changes to the road network are bound by the Road Traffic Code 2000, Main Roads WA Act 1930 and require the approval of the Managing Director, Main Roads WA.

**RISK MANAGEMENT IMPLICATIONS:**

**High:** The intersection of Walcott Street and Beaufort Street is classified as a 'Black Spot'.

**STRATEGIC IMPLICATIONS:**

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

*"Natural and Built Environment"*

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

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

**SUSTAINABILITY IMPLICATIONS:**

Not applicable.

**FINANCIAL/BUDGET IMPLICATIONS:**

Not applicable at this stage.

**COMMENTS:**

The Beaufort and Walcott Streets intersection has for many years been the subject of debate regarding what can be done to improve safety at the intersection. The working group has made a number of recommendations and it is recommended that the matter be referred to the ITAG for further consideration and report.

**9.5.2 Strategic Plan 2011-2016 – Progress Report for the Period  
1 January 2012 – 31 March 2012**

Ward:	-	Date:	27 April 2012
Precinct:	-	File Ref:	-
Attachments:	<a href="#">001</a> – Strategic Plan Quarterly Progress Report		
Tabled Items:	-		
Reporting Officer:	A Radici, Executive Assistant		
Responsible Officer:	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council:

1. **RECEIVES** the progress report on the Strategic Plan 2011-2016 for the period 1 January 2012 – 31 March 2012, as shown in Appendix 9.5.2; and
2. **APPROVES IN PRINCIPLE** to commence a review of its Strategic Community Plan in the final quarter of 2012 (October-December).

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Cr Buckels returned to the Chamber at 7.32pm.

**Moved** Cr McGrath, **Seconded** Cr Maier

That the recommendation be adopted.

Debate ensued.

Cr Carey departed the Chamber at 7.33pm.

Debate ensued.

**AMENDMENT**

**Moved** Cr McGrath, **Seconded** Cr Topelberg

That a new clause 3 inserted as follows:

- “3. **REQUESTS** the Sustainable Environment Strategy 2011-2016 Implementation Plan as per Item 1.1.3(a) of the Strategic Plan is provided to the Council by 11 June 2012.”

Debate ensued.

Cr Carey returned to the Chamber at 7.35pm.

Debate ensued.

The Mover, Cr McGrath advised that he wished to change his amendment to read as follows:

- “3. **REQUESTS** the Sustainable Environment Strategy 2011-2016 Implementation Plan as per Item 1.1.3(a) of the Strategic Plan is provided to the Council by ~~11 June~~ 10 July 2012.”

The Seconder, Cr Topelberg agreed.

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Wilcox was an apology for the Meeting.)

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Wilcox was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.5.2**

**That the Council:**

1. **RECEIVES** the progress report on the Strategic Plan 2011-2016 for the period 1 January 2012 – 31 March 2012, as shown in Appendix 9.5.2;
2. **APPROVES IN PRINCIPLE** to commence a review of its Strategic Community Plan in the final quarter of 2012 (October-December); and
3. **REQUESTS** the Sustainable Environment Strategy 2011-2016 Implementation Plan as per Item 1.1.3(a) of the Strategic Plan is provided to the Council by 10 July 2012.

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**PURPOSE OF REPORT:**

The purpose of this report is to provide a quarterly report to the Council to keep it informed of the various strategies in the City's Strategic Plan for the period 1 January 2012 – 31 March 2012.

**BACKGROUND**

At the Ordinary Meeting of Council held on 22 March 2011 (Item 9.4.5) the Council considered this matter and resolved as follows:

*"That the Council;*

- (i) *ADOPTS IN PRINCIPLE* the amended Town of Vincent Strategic Plan 2011-2016, as shown in Appendix 9.4.5A;
- (ii) *ADVERTISES* the amended document for a period of forty two (42) days, inviting written submissions for the public;
- (iii) *NOTES that:*
  - (a) *a further report will be submitted to the Council at the end of the consultation period to consider submissions and adopt the Plan; and*
  - (b) *the Local Government Act 1995 is currently being amended to introduce new legislation concerning the requirement for a Strategic Community Plan and a Corporate Business Plan and all Local Governments will be required to comply by 1 July 2012; and*
- (iv) *LISTS* an amount of \$20,000 in the draft Budget 2011/2012 to review the Plan for the Future and associated documents, in accordance with the proposed new legislation."

**Chief Executive Officer's Comment:**

The report at clause (iii)(b) stated that it was a legislative requirement for all Local Governments to adopt a Strategic Community Plan and a Corporate Business Plan by 1 July 2012. In fact, the Regulations require the matter to be complied with by 1 July **2013**. A revised Strategic Community Plan was adopted at the time and has been progressively implemented over the period.

A review by 1 July 2012 would have been superfluous and it is appropriate to commence a review in the last quarter of 2012, which will enable the matter to be completed by 1 July 2013.

**DETAILS:**

Progress reports are reported to Council for each quarter as follows:

<b>Period</b>	<b>Report to Council</b>
1 January - 31 March	April
1 April - 30 June	July
1 July - 30 September	October
1 October - 31 December	February

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

The Council adopted its Plan for the Future at the Ordinary Meeting of Council held on 12 May 2009. The City's Strategic Plan forms part of the Plan for the Future. It is not a legal requirement to have a Strategic Plan, however, it is considered "*Best Practice*" management that a Strategic Plan be adopted to complement and be linked and aligned to both the Principal Activities Plan and Annual Budget.

**RISK MANAGEMENT IMPLICATIONS:**

Not applicable.

**STRATEGIC IMPLICATIONS:**

The Strategic Plan provides the elected Council and administration with its aims, goals and objectives (key result areas) for the period 2011-2016. The reporting on a quarterly basis is in accordance with the Strategic Plain 2011-2016 Key Result Area.

This is in keeping with the City's Strategic Plan 2011-2016 - "*Leadership, Governance and Management*", in particular, Objective 4.1.2 - "*Manage the Organisation in a responsible, efficient and accountable manner*".

**SUSTAINABILITY IMPLICATIONS:**

Nil

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

The progress report for the Strategic Plan indicates that the City's administration is progressing the various strategies in accordance with the Council's adopted programs and adopted budget.

**9.5.3 Delegations for the Period 1 January 2012 to 31 March 2012**

<b>Ward:</b>	Both	<b>Date:</b>	27 April 2012
<b>Precinct:</b>	All	<b>File Ref:</b>	ADM0018
<b>Attachments:</b>	<a href="#">001</a> – Delegation Reports		
<b>Tabled Items:</b>	-		
<b>Reporting Officers:</b>	J MacLean, Manager Ranger and Community Safety Services; P Morrice, Team Leader Ranger Administration		
<b>Responsible Officer:</b>	R Boardman, Director Community Services		

**OFFICER RECOMMENDATION:**

That the Council;

1. **ENDORSES** the delegations for the period 1 January 2012 to 31 March 2012 as shown at Appendix 9.5.3; and
2. **APPROVES BY AN ABSOLUTE MAJORITY** to write-off infringement notices/costs to the value of \$55,330 for the reasons as detailed below:

<u>Description</u>	<u>Amount</u>
<b>Breakdown/Stolen (Proof Produced)</b>	<b>\$510</b>
<b>Details Unknown/Vehicle Mismatched</b>	<b>\$7,755</b>
<b>Equipment Faulty (Confirmed by Technicians)</b>	<b>\$1,645</b>
<b>Failure to Display Resident or Visitor Permit</b>	<b>\$16,005</b>
<b>Interstate or Overseas Driver</b>	<b>\$2,000</b>
<b>Ranger/Administrative Adjustment</b>	<b>\$11,505</b>
<b>Signage Incorrect or Insufficient</b>	<b>\$1,460</b>
<b>Ticket Purchased but not Displayed (Valid Ticket Produced)</b>	<b>\$4,340</b>
<b>Other (Financial Hardship, Disability, Police On-duty, Etc)</b>	<b>\$7,605</b>
<b>Penalties Modified</b>	<b>\$0</b>
<b>Litter Act</b>	<b>\$1,000</b>
<b>Dog Act</b>	<b>\$300</b>
<b>Health Act</b>	<b>\$0</b>
<b>Pound Fees Modified</b>	<b>\$1,205</b>
<b>TOTAL</b>	<b>\$55,330</b>

**COUNCIL DECISION ITEM 9.5.3**

**Moved Cr Harley, Seconded Cr Maier**

That the recommendation be adopted.

Debate ensued.

The Director Community Services, Rob Boardman took “on notice” questions asked by Cr Harley concerning the write off of infringement notices.

**MOTION PUT AND CARRIED UNANIMOUSLY**  
**BY AN ABSOLUTE MAJORITY (8-0)**

(Cr Wilcox was an apology for the Meeting.)

**PURPOSE OF REPORT:**

The purpose of this report is to provide a quarterly progress report of the delegations exercised by the City's Administration for the period 1 January 2012 to 31 March 2012 and to obtain the City's approval to write-off infringement notices.

**BACKGROUND:**

The Local Government Act 1995, at Section 5.42, allows for a Council to delegate to the Chief Executive Officer its powers and functions.

The purpose of delegating authority to the Chief Executive Officer is to provide for the efficient and orderly administration of the day to day functions of the Local Government. The Chief Executive Officer, Directors and specific Managers exercise the delegated authority in accordance with the Council's policies.

**DETAILS:**

The area which results in most Infringement Notices being withdrawn for this quarter is that of where a resident or visitor was not displaying the necessary permits. While the offence is "Failure to Display a Valid Permit", it is not considered appropriate to penalise residents and their visitors, since the primary purpose of introducing Residential Parking Zones is to provide respite to them.

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

Section 5.42 of the Local Government Act 1995 gives power to a Council to delegate to the Chief Executive Officer the exercise of its powers and functions; prescribes those functions and powers which cannot be delegated; allows for a Chief Executive Officer to further delegate to an employee of the City; and states that the Chief Executive Officer is to keep a register of delegations. The delegations are to be reviewed at least once each financial year by the Council and the person exercising a delegated power is to keep appropriate records.

It is considered appropriate to report to the Council on a quarterly basis on the delegations utilised by the City's Administration. A copy of these for the quarter is shown at Appendix 9.5.3.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** It is a statutory requirement to report matters approved under Delegation Authority to the Council.

**STRATEGIC IMPLICATIONS:**

The above is in accordance with the City's *Strategic Plan 2011-2016* - Objective 4.1.2 (a) states:

*"4.1.2(a) Continue to adopt best practise to ensure the financial resources and assets of the City are responsibly managed and the quality of services, performance procedures and processes is improved and enhanced".*

**SUSTAINABILITY IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

The Council's Auditors recommend that infringement notices be reported to the Council for a decision to write-off the value of the infringement notice. In these cases, it is the opinion of the Co-ordinator Ranger Services and/or the Parking Appeals Review Panel that infringement notices cannot be legally pursued to recover the money or it is uneconomical to take action as this will exceed the value of the infringement notice.

**COMMENTS:**

It is recommended that the delegations be endorsed by the Council and the write-off of the Infringement Notices be approved.

**9.5.4 Community Perceptions Survey 2012**

<b>Ward:</b>	Both	<b>Date:</b>	27 April 2012
<b>Precinct:</b>	-	<b>File Ref:</b>	CVC0024
<b>Attachments:</b>	<a href="#">001 Community Perceptions Survey 2012</a> <a href="#">002 Industry Comparison</a>		
<b>Tabled Items:</b>	-		
<b>Reporting Officer:</b>	John Giorgi, Chief Executive Officer		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council;

1. **RECEIVES** the report relating to the Community Perceptions Survey 2012; and
2. **REQUESTS** the City's:
  - 2.1 **Integrated Transport Advisory Group (ITAG)** to review "the management and control of traffic on roads"; and
  - 2.2 **Safer Vincent Crime Prevention Partnership** to review "the control of graffiti and anti-social behaviour"; and
  - 2.3 **Seniors Advisory Group** to review "the seniors services"; and
  - 2.4 **Youth Advisory Council** to review "the youth services";

and provide recommendations to the Council.

---

**Moved Cr Topelberg, Seconded Cr McGrath**

That the recommendation be adopted.

Debate ensued.

Cr Carey departed the Chamber at 7.58pm.

Debate ensued.

Cr Carey returned to the Chamber at 7.59pm.

Debate ensued.

**AMENDMENT**

**Moved Cr Topelberg, Seconded Cr McGrath**

That clause 1 be amended, clause 2 be deleted and a new clause 2 be inserted as follows:

- "1. **RECEIVES NOTES** the report relating to the Community Perceptions Survey 2012; and
2. **REQUESTS** that the Chief Executive Officer provide a report to the Council by no later than 26 June 2012 that provides a range of options for annual assessment of community perception."

Debate ensued.

Cr Pintabona departed the Chamber at 8.00pm.

Debate ensued.

Cr Pintabona returned to the Chamber at 8.03pm.

Debate ensued.

The Mover, Cr Topelberg advised that he wished to change clause 2 of his amendment as follows:

“2. **REQUESTS that the Chief Executive Officer provide a report to the a Council Forum in by no later than 26 June July 2012 that provides a range of options for annual assessment of community perception.”**

The Seconder, Cr McGrath agreed.

Debate ensued.

**AMENDMENT PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Wilcox was an apology for the Meeting.)

Debate ensued.

**MOTION AS AMENDED PUT AND CARRIED UNANIMOUSLY (8-0)**

(Cr Wilcox was an apology for the Meeting.)

**COUNCIL DECISION ITEM 9.5.4**

That the Council;

1. **NOTES the report relating to the Community Perceptions Survey 2012; and**
2. **REQUESTS that the Chief Executive Officer provide a report to a Council Forum in July 2012 that provides a range of options for annual assessment of community perception.**

---

**PURPOSE OF REPORT:**

The purpose of the report is to inform the Council of the Community Perceptions Survey 2012.

**BACKGROUND:**

**Previous Reports**

The matter of Community Perceptions Surveys were previously reported to the Council at its Ordinary Meetings held on 22 March 2011 and 22 February 2011

**DETAILS:**

This Perceptions survey was carried out as an independent survey by a private company (Marketintel). It was carried out independently and without input from the City (or other local governments). All local governments (including the City of Vincent) covered by the survey were contacted in March 2012 to ascertain whether they wished to acquire the survey information. The City has been advised as follows:

- *“This survey was part of a larger Community Perception Survey which collected data from all Perth and Mandurah local government areas.*

- *Over 11,000 residents of Perth and Mandurah participated in the survey*
- *The benchmarking data is the most up-to-date and comprehensive CPS database.*
- *A total sample of 253 residents of the City of Vincent participated in the research.*
- *The Survey produced a sampling error of +/-6.1 at a 95% confidence interval.*
- *Data is weighted to ensure it is representative of the ABS population profile for The City of Vincent.”*

**Survey Objectives:**

The survey objectives were to identify:

- the Community's perceptions of a local government's services and their level of service expectation;
- information to assist in performance improvement in accordance with best practice models;
- awareness, usage and satisfaction with particular services; and
- satisfaction with specific facilities.

**Survey Findings**

The Survey reported as follows;

*“Overall 68% of respondents are satisfied with Council”. This is comprised of:*

*34% are delighted (very satisfied);*

*33% are satisfied; and*

*15% are neutral.*

*In total, 17% are dissatisfied (down from 27% in 2010), indicating there is room for improvement.*

***In comparison, the Council is performing well. The proportion of respondents who are delighted is considerably higher than the average for all Perth Councils and all “medium” Councils.***

*Since 2010, overall satisfaction has increased significantly from 61% to 68%.”*

**Areas of High Service Performance**

The following areas have been identified as high service performance:

ITEM	YEAR	
	2012	2010
Satisfaction with weekly rubbish collections	90%	91%
Satisfaction with parks and public open spaces	90%	70%
Council encourages business in my area	89%	NA
Satisfaction with sports grounds and facilities	86%	74%
Satisfaction with leisure and recreational facilities	85%	NA
Satisfaction with library and information services	83%	77%

ITEM	YEAR	
	2012	2010
Satisfaction with playgrounds	83%	NA
My neighbourhood is clean and tidy with little litter	78%	NA
Satisfaction with fortnightly recycling services	77%	85%
The air quality in my area is good	77%	NA
Satisfaction with footpaths and cycle ways	75%	61%
Satisfaction with conservation and environmental management	75%	58%
Satisfaction with festivals, events and social activities	74%	77%

NA = Not available, as it was not previously measured.

Chief Executive Officer's Comments:

It is pleasing to note that the City has continued to perform well in the traditional areas and has maintained and in a majority of cases improved it's performance since the last survey in 2010 (e.g. Rubbish Collections, Parks and open spaces, sports grounds and facilities, footpaths, cycleways, playgrounds, library and information services etc.)

**Areas Requiring Improvement**

The following areas have been identified as requiring improvement:

ITEM	YEAR	
	2012	2010
Controlling graffiti and antisocial behaviour	69%	57%
Overall satisfaction with Council	68%	61%
Bulk rubbish/verge collections	66%	72%
Fostering strong community spirit	64%	NA
Seniors services	62%	43%
Community Consultation	60%	45%
Transparent and accountable	54%	NA
Youth Services	54%	44%
Traffic congestion is not a problem in my area	41%	NA

NA = Not available, as it was not previously measured.

Chief Executive Officer's Comments:

Some areas identified in the survey have previously revealed low satisfaction e.g. controlling graffiti and antisocial behaviour, youth services, keeping the community informed, community consultation, being transparent and accountable and traffic congestion.

The City has various Advisory Groups to provide advice to the Council. It is therefore appropriate that the Advisory Groups be requested to consider the various matters referred to them.

**Benchmarking against other Local Governments**

Unlike previous surveys, this survey grouped local governments into "small", "medium" or "large", based on the number of dwellings. The City of Vincent was benchmarked against;

Small Councils	Medium Councils	Large Councils
<ul style="list-style-type: none"> <li>• Town of Bassendean</li> <li>• Town of Claremont</li> <li>• Town of Cottesloe</li> <li>• Town of East Fremantle</li> <li>• Town of Mosman Park</li> <li>• Shire of Murray</li> <li>• City of Nedlands</li> </ul>	<ul style="list-style-type: none"> <li>• City of Armadale</li> <li>• City of Bayswater</li> <li>• City of Belmont</li> <li>• Town of Cambridge</li> <li>• City of Fremantle</li> <li>• Shire of Kalamunda</li> <li>• Town of Kwinana</li> </ul>	<ul style="list-style-type: none"> <li>• City of Canning</li> <li>• City of Cockburn</li> <li>• City of Gosnells</li> <li>• City of Joondalup</li> <li>• City of Melville</li> <li>• City of Rockingham</li> <li>• City of Stirling</li> </ul>

Small Councils	Medium Councils	Large Councils
<ul style="list-style-type: none"> <li>• City of Perth</li> <li>• City of Subiaco</li> </ul>	<ul style="list-style-type: none"> <li>• City of Mandurah</li> <li>• Shire of Mundaring</li> <li>• City of South Perth</li> <li>• Town of Victoria Park</li> <li>• <b>City of Vincent</b></li> </ul>	<ul style="list-style-type: none"> <li>• City of Swan</li> <li>• City of Wanneroo</li> </ul>

Chief Executive Officer's Comments:

It is pleasing to note that the City ranked second out of the twelve medium sized local governments, as shows in Attachment 002.

**CONSULTATION/ADVERTISING:**

This survey was carried out by an independent organisation.

**LEGAL/POLICY:**

Not applicable.

**RISK MANAGEMENT IMPLICATIONS:**

**Low:** Monitoring levels of customer satisfaction with services provided by the Town is considered most beneficial as it provides feedback to the Town's Administration and the Council.

**STRATEGIC IMPLICATIONS:**

This is in keeping with the Town's Strategic Plan 2011-2016, Key Result Area 4.1.2 – *"Manage the organisation in a responsible, efficient and accountable manner"*.

**SUSTAINABILITY IMPLICATIONS:**

Community perception is an indicator of an organisations performance at a given point in time. Responses received assist an organisation in the provision of efficient and effective services and also identify priority areas.

**FINANCIAL/BUDGET IMPLICATIONS:**

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

Project Budget:	\$30,000
This Project:	<u>\$ 4,800</u>
Funds Remaining:	\$25,200

**COMMENTS:**

The 2012 Customer Perception Survey results show that, in the main, residents are satisfied with the services provided by the City of Vincent. **Overall the City of Vincent ranked second out of twelve medium size local governments.** It is pleasing to note that the overall satisfaction with the council increased from 61% to 68%, however this percentage could and should be improved. A number of service areas attracted extremely high satisfaction ratings indicating that residents are very satisfied with service levels and service activities.

Community Consultation is an important part of local government activities and customer perception/satisfaction surveys play an integral role in responding to community expectations. However, it should be noted that "perception surveys" are just perceptions and these do fluctuate from time to time and are influenced by other factors which prevail at the time (e.g. publicity, whether a Council is function cohesively etc). Those services and activities that attracted lower satisfaction ratings will be the focus for improvements in 2012 and beyond, however, the City will continue to look for improvements in all service areas.

The 2012 Customer Perception Survey report provides useful information relating to services and service delivery. The City's Administration will utilise the information to introduce and build on improvements in all service areas.

**10. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

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

Nil.

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

Nil.

**13. URGENT BUSINESS**

**13.1 URGENT BUSINESS: No. 1/162 (Lot 4; D/P: 62324) Oxford Street, Leederville – Proposed Change of Use from Shop and Office Building to Shop, Office Building and Small Bar (Unlisted Use) (Reconsideration of Conditions of Planning Approval)**

<b>Ward:</b>	South	<b>Date:</b>	3 May 2012
<b>Precinct:</b>	Oxford Centre; P 4 Leederville Town Centre Masterplan	<b>File Ref:</b>	PRO0784; 5.2012.174.1
<b>Attachments:</b>	<a href="#">001</a> – Property Information Report and Development Application Plans		
<b>Tabled Items:</b>	Nil		
<b>Reporting Officer:</b>	R Narroo, Senior Planning Officer (Statutory)		
<b>Responsible Officer:</b>	C Eldridge, Director Planning Services		

**OFFICER RECOMMENDATION:**

That the Council;

in accordance with the provisions of the City of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, **APPROVES** the application submitted by Canford Hospitality Consultants Pty Ltd on behalf of the owner, Tricast Development Pty Ltd and Bayking Holdings Pty Ltd for Proposed Change of Use from Shop and Office Building to Shop, Office Building and Small Bar (Unlisted Use)(Amendment to Condition of Planning Approval) at No. 1/162 (Lot 4; D/P: 62324) Oxford Street, Leederville, as shown on plans stamp-dated 23 December 2011 and amended plans dated 26 March 2012, subject to the following conditions:

1. the hours of operation of the small bar shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	7:00am to 11:00pm
Friday and Saturday	7:00am to 12:00 midnight
Sunday	7:00am to 10:00pm

2. the hours of operation of the small bar where alcohol can be sold and/or served shall be limited to:

DAY	HOURS OF OPERATION
Monday to Thursday	11:00am to 10:30pm
Friday and Saturday	11:00am to 12:00 midnight
Sunday	11:00am to 10:00pm

3. the maximum number of patrons to occupy the small bar at any one time shall be ninety four (94) persons;
4. packaged liquor shall not be sold at the premises;
5. the windows, doors and adjacent floor area facing Oxford Street shall maintain an active and interactive frontage to Oxford Street;
6. a detailed Management Plan that addresses the control of noise, patron and anti-social behaviour, traffic, car parking, the collection and disposal of rubbish and litter associated with the development and any other appropriate matters shall be submitted to and approved by the City prior to the first occupation of the development, and thereafter implemented and maintained;
7. all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive from Oxford Street;
8. all signage that does not comply with the City's Policy No. 3.5.2 relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;
9. bin numbers and collection shall comply with the City's minimum service provision;
10. PRIOR TO THE ISSUE OF A BUILDING LICENCE, the following shall be submitted to and approved by the City:

**10.1 Cash-in-lieu**

10.1.1 pay a cash-in-lieu contribution of \$22,127 for the equivalent value of 7.138 car parking spaces, based on the cost of \$3,100 per bay as set out in the City's 2011/2012 Budget; OR

10.1.2 lodge an appropriate assurance bond/bank guarantee of a value of \$22,127 to the satisfaction of the City. This assurance bond/bank guarantee will only be released in the following circumstances:

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

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

**10.2 Acoustic Report**

An Acoustic Report in accordance with the City's Policy No. 3.5.21 relating to Sound Attenuation shall be prepared and submitted to the City for approval. The recommended measures of the approved Acoustic Report shall be implemented and certification from an Acoustic Consultant that the measures have been undertaken, prior to the first occupation of the development;

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**COUNCIL DECISION ITEM 13.1**

**Moved Cr Topelberg, Seconded Cr Carey**

That the recommendation be adopted.

Debate ensued.

**AMENDMENT**

**Moved Cr Maier, Seconded Cr Harley**

That clause 10.1.1 be amended and new clauses 11 and 12 be inserted as follows:

“10.1.1 pay a cash-in-lieu contribution of ~~\$5,462~~ ~~\$22,127~~ for the equivalent value of ~~1.762~~ ~~7.138~~ car parking spaces, based on the cost of \$3,100 per bay as set out in the City's 2011/2012 Budget; OR

11. the car park shall only be used by employees, tenants and visitors directly associated with the (whole) lot (i.e. businesses at No. 162 Oxford Street, Leederville); and

12. the car park will be available to patrons of the small bar after normal business hours and that the management plan clearly addresses this.”

Debate ensued.

**AMENDMENT PUT AND LOST (1-7)**

**For:** Cr Maier

**Against:** Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr McGrath, Cr Pintabona, Cr Topelberg

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

**For:** Mayor Hon. MacTiernan, Cr Buckels, Cr Carey, Cr Harley, Cr McGrath, Cr Pintabona, Cr Topelberg

**Against:** Cr Maier

**(Cr Wilcox was an apology for the Meeting.)**

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**PURPOSE OF REPORT:**

This proposal requires referral to the Council for determination, given that the proposal is for the deletion of a condition which was imposed by the Council.

**BACKGROUND:**

The subject site is located within Precinct 1 - Oxford Street North of the Leederville Town Centre Masterplan and Built Form Guidelines. The building is vacant.

**History:**

Date	Comment
10 April 2001	The Council at its Ordinary Meeting approved an application for change of use from vacant building to shop and office building and associated alterations and additions.
23 December 2011	Application submitted.
26 March 2012	Amended Plans submitted.
10 April 2012	The Council at its Ordinary Meeting conditionally approved a change of use from shop and office building to shop, office building and small bar (unlisted use).

**DETAILS:**

<b>Landowner:</b>	Tricast Developments Pty Ltd and Bayking Holdings Pty Ltd
<b>Applicant:</b>	Canford Hospitality Consultants Pty Ltd
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No. 1 (TPS 1): Commercial
<b>Existing Land Use:</b>	Shop
<b>Use Class:</b>	Small Bar (Unlisted Use)
<b>Use Classification:</b>	"SA"
<b>Lot Area:</b>	778 square metres
<b>Right of Way:</b>	N/A

The report is in relation to the deletion of a condition of planning approval.

The Council at its Ordinary Meeting held on 10 April 2012 conditionally approved a change of use from shop and office building to shop, office building and small bar (unlisted use). Condition 10 of the planning approval specified the following:

*"the car parking area shall be available to the patrons of the small bar;"*

In the Council Agenda report dated 10 April 2012 an Additional Information section was included. The Additional Information section specified the following:

*"The applicant has confirmed that only staff, not visitors to the small bar will be able to access the car parking area. Accordingly, the car parking has been recalculated.*

*Five bays on site are allocated to the office and shop (as per above table -  $8 \times 0.578 = 4.624 = 5$  car bays), the remaining ten bays are allocated to the small bar. Given the parking will only be allocated to staff and not visitors, it is considered only five bays are reasonably allocated to the small bar. This creates a shortfall for visitor bays for which cash-in-lieu is proposed. The new calculation is as follows:*

Car Parking	
Car parking requirement (nearest whole number): <ul style="list-style-type: none"> <li>Small Bar – 1 space 4.5 persons of maximum number of persons approved for the site-94 persons = 20.89 car bays</li> </ul> Total = 20.89 car bays = 21 car bays	21 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> <li>0.85 (The proposed development is within 400 metres of a bus stop/station)</li> <li>0.85 (The proposed development is within 400 metres of one or more existing public car parking place(s) with in excess of a total of 75 car parking spaces)</li> <li>0.80 (The proposed development is within 400 metres of a rail station)</li> </ul>	(0.578)  = 12.138 car bays
Minus the car parking provided on-site	5 car bays
Minus the most recently approved on-site car parking shortfall	N/A
Resultant shortfall	7.138 car bays

As shown above, the car parking calculation was based on the staff and not on the number of patrons; hence a greater cash in lieu contribution for parking resulted. Condition 10 however, was inadvertently not removed in the revised officer recommendation.

**ASSESSMENT:**

**Town Planning Scheme/R Codes/Residential Design Element's Initial Assessment**

Design Element	Complies 'Acceptable Development' or TPS Clause	OR	'Performance Criteria' Assessment or TPS Discretionary Clause
Density/Plot Ratio	N/A		N/A
Streetscape	N/A		N/A
Front Fence	N/A		N/A
Front Setback	N/A		N/A
Building Setbacks	N/A		N/A
Building Height	N/A		N/A
Building Storeys	N/A		N/A
Open Space	N/A		N/A
Bicycle Parking	N/A		N/A
Car Parking	N/A		N/A
Privacy	N/A		N/A
Solar Access	N/A		N/A

**CONSULTATION/ADVERTISING:**

Required by Legislation:	No	Required by City of Vincent Policy:	No
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The proposal is for deletion of a planning condition which does not require advertising.

**LEGAL/POLICY:**

Town Planning Scheme No. 1 and associated Policies.

City of Vincent Local Law Relating to Standing Orders - Clause 2.11.

**RISK MANAGEMENT IMPLICATIONS:**

In the event the application is refused the applicant has a right of appeal to the State Administrative Tribunal.

The Chief Executive Officer is of the opinion that this Item should be considered as Urgent Business, as it may have legal and/or financial implications for the City.

**STRATEGIC IMPLICATIONS:**

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

*"Natural and Built Environment*

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

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

**SUSTAINABILITY IMPLICATIONS:**

The City's *Sustainable Environment Strategy 2011-2016* states:

*"Encourage the incorporation of sustainable design principles and features in existing and new development within the City as standard practice."*

The following tables outline the applicable sustainability issues for this proposal:

ENVIRONMENTAL	
Issue: Adaptive Reuse	Comment:
The proposal uses an existing building for the proposed small bar. The adaptive use of this existing space has a lower environmental impact than constructing a new building for this purpose.	

SOCIAL	
Issue: Small Bar – local community facility	Comment:
The small bar has the potential to provide an additional entertainment option within the Leederville Town Centre. The proposal outlines that the venue is designed to cater for the local community in as a “local, community minded venue that aims to give the public more choice in their licensed premises selection and creating environments that are safe, friendly and designed with integrity.”	

ECONOMIC	
Issue Small Bar – Active Use	Comment:
The proposed small bar has significant potential to provide a venue for the local community and for tourists that will build upon the existing economic development for example cinemas and restaurants. The proponent also outlines their intention to hire local people “with good local knowledge, who are able to engage with local customers, as well as tourists”. The use provides for additional employment opportunities as an economic benefit.	

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

A new development application (Form 1) has been submitted for the reconsideration of Condition 10 of the planning approval granted by the Council at its Ordinary Meeting held on 10 April 2012. A new Form 1 is required due to the following:

- A revised Officer Recommendation was provided to the Council at the Ordinary Meeting of Council held on 10 April 2012 which included an amended Condition 11.1 with the increased cash in lieu figures and contained within the additional information section the car parking calculations and an explanation of the change including; *“Given the parking will only be allocated for staff and not visitors, it is considered only five bays are reasonably allocated to the small bar”*.
- The revised recommendation to Council recommending greater cash in lieu was based on the now determined shortfall of five (5) bays. As outlined in the additional information, although ten (10) bays exist allocated to this premises on site, as they are not available to the public, only half would be used in the car parking calculation as the provided bays. Accordingly, Condition 10 is in contrast to the car parking table approved at the Council Meeting held on 10 April 2012 and therefore it is required to be reconsidered. (Due to an administrative oversight, Condition 10 was not deleted.)

Given the above, the approval was given with no parking being available for the patrons. Therefore it is recommended that Clause 10 be deleted from the approval to reflect this decision and the Council’s intent.

**PROCEDURAL MOTION**

At 8.33pm **Moved Cr Topelberg, Seconded Cr Pintabona**

**That the Council proceed “behind closed doors” to consider confidential item 14.1, as this matter contains information concerning a matter affecting an employee or employees and/or legal advice obtained or which may be obtained.**

**PROCEDURAL MOTION PUT AND CARRIED (6-2)**

**For:** Mayor Hon. MacTiernan, Cr Buckels, Cr Harley, Cr McGrath, Cr Pintabona, Cr Topelberg

**Against:** Cr Carey, Cr Maier

**(Cr Wilcox was an apology for the Meeting.)**

**There were no members of the public present. There were two (2) journalists present (Lauren Peden and David Bell), who departed the Chamber at 8.33pm.**

**PRESENT:**

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Warren McGrath ( <i>Deputy Mayor</i> )	South Ward
Cr Matt Buckels	North Ward
Cr John Carey	South Ward
Cr Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services

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

**14.1 CONFIDENTIAL ITEM: Metropolitan Local Government Review Panel Draft Findings – April 2012**

<b>Ward:</b>	-	<b>Date:</b>	4 May 2012
<b>Precinct:</b>	-	<b>File Ref:</b>	ORG0031
<b>Attachments:</b>	<a href="#">001</a> – Local Government Review Panel Draft Findings <a href="#">002</a> – Directions 2031 – Map of Primary Centres <a href="#">003</a> – Directions 2031 – Map Central Metropolitan Sub Regions		
<b>Tabled Items:</b>	City of Vincent Submission 2012 - Metropolitan Local Government Review Panel		
<b>Reporting Officer:</b>	John Giorgi, Chief Executive Officer		
<b>Responsible Officer:</b>	John Giorgi, Chief Executive Officer		

**OFFICER RECOMMENDATION:**

That the Council;

1. **RECEIVES** the report relating to the Metropolitan Local Government Review Panel Draft Findings – April 2012 as shown in Appendix 14.1; and
2. **AUTHORISES** the Chief Executive Officer in liaison with the Mayor to prepare a submission in response to the Metropolitan Local Government Review Panel’s Draft Findings – April 2012, and for this to be further considered at the Ordinary Meeting of Council to be held on the 22 May 2012.

**COUNCIL DECISION ITEM 14.1**

**Moved Cr Maier, Seconded Cr Topelberg**

That the recommendation be adopted.

At 8.35pm: **PROCEDURAL MOTION**

**Moved Cr Pintabona, Seconded Cr Buckels**

That Standing Orders be suspended to enable free and open debate on the Item.

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

(Cr Wilcox was an apology for the Meeting.)

Debate ensued.

Cr Carey departed the Meeting at 9.17pm and did not return.

Debate ensued.

At 9.27pm: **PROCEDURAL MOTION**

**Moved Cr Buckels, Seconded Cr Pintabona**

That Standing Orders be resumed.

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr Carey had departed the Meeting at 9.17pm. Cr Wilcox was an apology for the Meeting.)

**MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr Carey had departed the Meeting at 9.17pm. Cr Wilcox was an apology for the Meeting.)

**Note: The Chief Executive Officer advised that this report is now released for public information, as the Council has determined the matter.**

## **PURPOSE OF REPORT:**

To advise the Council of the Metropolitan Local Government Review Panel's Draft Findings – April 2012 and authorise the Mayor and Chief Executive Officer to prepare a Draft Submission for the consideration of the Council and for this to be further considered at the Ordinary Meeting of Council to be held on the 22 May 2012.

## **BACKGROUND:**

### **Previous Reports**

The Council previously considered the matter of local government structural reform at the Ordinary Meetings of Council held on 7 September 2005, 20 December 2005, 16 March 2009, 28 April 2009, 7 July 2009 and 25 August 2009, 22 September 2009, 9 March 2010, 7 December 2010, 20 December 2011 and 13 March 2012.

### **Review of Local Government Boundaries in Perth**

On 24 June 2011 the Minister for Local Government made the following announcement:

*Local Government Minister John Castrilli today announced the appointment of a high level independent panel to examine the social, economic and environmental challenges facing Perth.*

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

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

*Mr Castrilli said the panel offered a vast amount of knowledge, experience and expertise a leaders in academic and business circles in Western Australia.*

*"I am delighted they have agreed to assist the State in this momentous review," he said.*

*"For the first time we will consider the future and identify the challenges and opportunities."*

### **Terms of Reference**

*The review's terms of reference are to:*

- *Identify current and anticipated specific regional, social, environmental and economic issues affecting, or likely to affect, the growth of metropolitan Perth in the next 50 years;*
- *Identify current and anticipated national and international factors likely to impact in the next 50 years;*
- *Research improved local government structures, and governance models and structures for the Perth metropolitan area, drawing on national and international experience and examining key issues relating to community representation, engagement, accountability and State imperatives among other things the panel may identify during the course of the review;*
- *Identify new local government boundaries and a resultant reduction in the overall number of local governments to better meet the needs of the community;*
- *Prepare options to establish the most effective local government structures and governance models that take into account matters identified through the review including, but not limited to, community engagement, patterns of demographic change, regional and State growth and international factors which are likely to impact; and*
- *Present a limited list of achievable options together with a recommendation on the preferred option.*

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

*The panel would directly engage with the Perth community, local governments, peak bodies, and government agencies and departments.*

*Two advisory groups would provide expert advice to the panel. One would consist of the directors general of the departments of Local Government and Planning. The president and vice-president of the Western Australian Local Government Association would also be invited to advise the panel”.*

### **The Review Panel**

The Review Panel has met on a number of occasions and invited both written and oral submissions from the public and also local government. The Mayor and Chief Executive Officer both attended and made oral submissions to the Panel in December 2011. The Council’s comprehensive submission was also sent to the Panel in December 2011.

### **Panel Forum**

The Mayor and the CEO also attended a forum, organised by the panel for local government Mayors, Councillors and senior officers, on 12 November 2011 at the University of Western Australia.

The forum provided an opportunity for attendees to ask questions of the panel chairman. It was apparent that the forum was not intended as a place where a debate on the process could be held but simply was an opportunity to clarify the panel’s intentions in asking the questions that they have and to encourage local government to make submissions.

### **The Review Panel’s Draft Findings**

On 27 April 2012, the Review Panel release its Draft Findings for public comment and has invited submissions from the public. A copy of the Review Panel’s Draft Findings is shown at Appendix 14.1 (Attachment 001).

It is important to note that submissions to the Panel **close on Friday 25 May 2012**.

### **WALGA Forum of Metropolitan Local Government Mayors and CEOs**

The Western Australian Local Government Association (WALGA) has organised a Forum of all Metropolitan Local Government Mayors and CEO’s to be held at the City of Belmont on the 22 May 2012. The purpose of the Forum is to consider the Review Panel’s Draft Findings and each Mayor will be entitled to one vote on each Key Finding, which will form WALGA’s submission.

### **Previous Council Decision**

The Council has previously considered this matter and at the Ordinary Meeting of Council held on 13 March 2012 resolved as follows:

*“That the Council;*

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

- *Mount Lawley;*
- *Menora;*
- *Coolbinia;*
- *Inglewood;*
- *Maylands; and/or*
- *East Perth/Claisebrook;”*

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

The City's submission is Tabled.

#### **Review Panel - Key Findings**

The following is a summary of the Key Findings;

- "1. *Enhanced strategic thinking and leadership across the State and local government sector and the wider community will be required to manage the extraordinary growth of metropolitan Perth over the next 50 years.*
2. *The current local government arrangements will not provide the best outcomes for the community into the future. The status quo cannot and should not remain.*
3. *There is a need for significant change in Perth's local government, including changes in local government structures, boundaries and governance.*
4. *The Panel envisages the outcome of the Review to be a stronger, more effective, more capable local government sector, with an enhanced role and greater authority.*
5. *Uncertainty about the future needs to be addressed by prompt and decisive government decision making.*
6. *A shared vision for the future of Perth should be developed by the State Government, together with local government, stakeholder and community groups.*
7. *A sense of place and local identity can be maintained through appropriate governance regardless of the size of a local government.*
8. *The primary benefits to be achieved by the proposed reforms of Perth's local government arrangements include:*
  - a. *increased strategic capacity across the local government sector;*
  - b. *a more equitable spread of resources across metropolitan Perth and more equitable delivery of services to all residents;*
  - c. *reduced duplication and better use of infrastructure;*
  - d. *a streamlined regulatory environment with greater transparency, simplicity, consistency, and certainty with attendant costs savings for all sectors of the community;*

- e. *potential to achieve greater economies of scale;*
  - f. *increased influence with State and Commonwealth governments reflected in improved funding for community projects;*
  - g. *the achievement of metropolitan-wide social, economic and environmental goals.*
9. *The structure and governance arrangements for local government in Perth cannot be considered in isolation from the role and function of local government, and from the relationship between State Government and local governments.*
  10. *Some function need to be managed from a metropolitan-wide perspective, including waste disposal and treatment, transport and planning. A shift in responsibility to the State Government may be warranted.*
  11. *Consideration should be given to establishing a Local Government Commission, comprising an Independent chair and persons with significant State and local government experience, to manage the relationship between State and local government, and to oversee implementation of the reform process.*
  12. *A redefined local government would have its role enhanced including re-empowerment in local planning.*
  13. *The most appropriate options for local government in metropolitan Perth are:*
    - a. *10 to 12 councils centred on strategic activity centres;*
    - b. *five councils based on the central area and sub-regions;*
    - c. *one single metropolitan council.*
  14. *In any future model, the size of the City of Perth should be increased and its role enhanced.*
  15. *It is important to make significant change and create a new structure with robust boundaries to minimise the need for further debate and change in the short to medium term.*
  16. *Once a new structure is settled, there should be periodic boundary reviews undertaken by an independent body, to ensure the local government structure is optimal for meeting the changing needs of a growing metropolitan region.*
  17. *The creation of larger local governments alone will not address all the shortcomings of the present system.*
  18. *Local government's ability to connect to the community is an important asset. In any new local government structure for metropolitan Perth, community engagement must be strengthened, to improve accountability and reduce the power of special interest groups.*
  19. *Local government must invest in mechanisms that encourage the whole community to participate. Consideration must be given to the development of formal community engagement networks, which may include the adoption of new institutional arrangements and structures to ensure adequate community engagement and access to council.*
  20. *If the new local government structure for metropolitan Perth comprises more than one local government, a Forum or Council of Perth Mayors should be created, chaired by the Lord Mayor.*
  21. *The role of elected members should be reshaped to enhance their capacity for strategic leadership and reduce their involvement in operational matters.*

22. *The potential for council controlled organisations / local government enterprises should be further considered.*
23. *Amendments to governance arrangements for local government in metropolitan Perth should include the following:*
- a. Introduction of compulsory voting at local government elections;*
  - b. Recognition of the leadership role of elected members;*
  - c. Election of Mayors by community;*
  - d. Increased remuneration of elected members;*
  - e. Training for elected members;*
  - f. Clarification of the role of CEO and elected members."*

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

There has been considerable media reporting concerning Local Government Structural Reform in Western Australia.

#### **Deliberative Democracy Forum**

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

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

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

Deliberative democracy can exist in many forms and combinations, and can be complementary to various other mechanisms that ensure democratic representation and efficient administration.

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

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

Current legislation requires a structural reform proposal to be made to the Local Government Advisory Board which will then hold a formal inquiry on the proposal. The Advisory Board will then make recommendations on the proposal and electors of each Local Government are then provided with an opportunity to demand a poll.

The Schedule provides that electors may demand a poll be conducted on any recommended amalgamation. It provides that the request for a poll is to be signed by at least 250, or at least 10% of electors of one of the affected districts. To be considered valid, at least 50% of the electors of one of the affected districts must vote and of those electors who vote, should a majority vote against the recommendation, the Minister is to reject the recommendation.

Should a poll be requested and at least 50% of the electors of one of the districts vote; and of those electors of that district who vote, a majority vote against the recommendation, the Minister is to reject the recommendation.

Based on previous experience, the structural reform process would normally take 18 months to two years, following a Council resolution to formally proceed with a proposal.

The Local Government Advisory Board is required to consider the following criteria when looking into structural reform changes:

- Community of interest
- Physical and topographic factors
- Demographic factors
- Economic matters
- History of the area
- Transport and communication
- Matters affecting viability of the Local Government(s) involved
- Delivery of Local Government services

Additionally, Schedule 2.1 provides that the employment of staff is not to be terminated or varied as a result of amalgamation unless compensation acceptable to the person is made, or a period of at least two years has elapsed since the order for amalgamation had effect.

**RISK MANAGEMENT IMPLICATIONS:**

**High:** There is a risk that if the City does not provide a response on the Metropolitan Local Government Review Panel Issues Papers, it would have missed an opportunity to comment on the future purpose and role of the Local Government in the metropolitan area and how it could best serve its community. The future of the City of Vincent will be dependent upon the recommendations made by the Panel, particularly should the review result in new Local Government boundaries.

**STRATEGIC IMPLICATIONS:**

The City's Strategic Plan 2011-2016 provides various stated objectives of financial sustainability, sustainable community infrastructure and best management practices.

**SUSTAINABILITY IMPLICATIONS:**

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

Over previous years, the City has been active in its asset management replacement and this will continue.

The desired outcome of Structural Reform is for a strong sustainable local government in Western Australia.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

It is considered that the Metropolitan Local Government Review Panel's Draft Findings, if adopted by the State Government, will have long term implications for the City of Vincent.

It is important to ensure that local government is not adversely affected or destabilised by unnecessary procrastination or ambiguity. The employment market is volatile and employees can quickly become unsettled and may seek alternative employment outside the industry. If at all possible, this should be avoided or at least kept to a minimum.

The City of Vincent is of the view that improvements can be made to local government arrangements in the Perth metropolitan area, however improvements need to take a broader view than the adequacy of the current state of local government and take a more holistic view, examining the intergovernmental relations between the Federal, State and Local Government.

A submission will be prepared by the Chief Executive Officer, in liaison with the Mayor and this will be reported to the Ordinary Meeting of Council to be held on 22 May 2012.

**PROCEDURAL MOTION**

At 9.32pm **Moved** Cr Pintabona, **Seconded** Cr Topelberg

That the Council resume an “open meeting”.

**PROCEDURAL MOTION PUT AND CARRIED UNANIMOUSLY (7-0)**

(Cr Carey had departed the Meeting at 9.17pm. Cr Wilcox was an apology for the Meeting.)

**15. CLOSURE**

There being no further business, the Presiding Member, Mayor Hon. Alannah MacTiernan, declared the meeting closed at 9.32pm with the following persons present:

Mayor Hon. Alannah MacTiernan	Presiding Member
Cr Warren McGrath ( <i>Deputy Mayor</i> )	South Ward
Cr Matt Buckels	North Ward
Cr Roslyn Harley	North Ward
Cr Dudley Maier	North Ward
Cr John Pintabona	South Ward
Cr Joshua Topelberg	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Community Services
Carlie Eldridge	Director Planning Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services

No members of the Public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 8 May 2012.

Signed: .....Presiding Member  
Mayor Hon. Alannah MacTiernan

Dated this ..... day of ..... 2012