



**TOWN OF VINCENT**

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*"Enhancing and celebrating our diverse community"*

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# MINUTES

**10 JULY 2007**

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

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Minutes of the Ordinary Meeting of Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 10 July 2007, commencing at 6.00pm.

**1. DECLARATION OF OPENING**

The Presiding Member, Mayor Nick Catania, JP, declared the meeting open at 6.47pm.

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

**(a) Apologies:**

Nil.

**(b) Present:**

Mayor Nick Catania, JP	Presiding Member
Cr Steed Farrell ( <i>Deputy Mayor</i> )	North Ward
Cr Simon Chester	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Maddalena Torre	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Mike Rootsey	Director Corporate Services
Rick Lotznicker	Director Technical Services
Annie Smith	Minutes Secretary
Frank Poli	Parks Staff - Employee of the Month Recipient (until 7.10pm)
Lindsay McPhee	Journalist - Guardian Express

Approximately 5 Members of the Public

**(c) Members on Leave of Absence:**

- Cr Helen Doran-Wu on approved leave of absence for the Ordinary Meeting of Council to be held on 10 July 2007 for family reasons.

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

1. Mr James Taylor of 6 Chelmsford Road, Mt Lawley - Item 10.1.3 - Stated that considerable effort had been made to consider the whole environment in this development. Advised that the eave is part of a passive solar design feature to assist with ventilation, heat and light control and can barely be seen from outdoors spaces or the street. Requested that Council consider the variation on the height in this regard.

2. Ms Judith Burrows of 70 Auckland Street, North Perth on behalf of the North Perth Precinct Group - Item 14.1 - Reinforced the views and concerns of the Precinct Group with regard to protecting the Eton Locality in this area. Stated that the property does not front or have direct access to Scarborough Beach Road and is not part of the Scarborough Beach Road Locality. Believes that the development is excessive under the current R-Codes and that the surrounding neighbours have advised that they would not object to an increase to nine units but twelve is too much. Requested that the Council strictly adhere to the current R-Codes when considering this development. Also requested that the contents of the meeting be made available to the Precinct Group and residents at a later time if appropriate.

There being no further questions from the public, the Presiding Member, Mayor Nick Catania, JP, closed Public Question Time at 6.55pm.

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

Nil.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

- 4.1 Cr Sally Lake for 17 July 2007 for personal reasons.

**Moved Cr Ker, Seconded Cr Torre**

*That Cr Sally Lake's for a leave of absence for 17 July 2007 for personal reasons, be approved.*

**CARRIED (8-0)**

**(Cr Doran-Wu on leave of absence.)**

- 4.2 Cr Torre for the Elected Members' Forum to be held on 17 July 2007 and Ordinary Meeting of Council to be held on 24 July 2007 as she will be in New Zealand on Council business, be approved.

**Moved Cr Farrell, Seconded Cr Ker**

*That Cr Torre's request for a leave of absence for the Elected Members' Forum to be held on 17 July 2007 and Ordinary Meeting of Council to be held on 24 July 2007, as she will be in New Zealand on Council business.*

**CARRIED (8-0)**

**(Cr Doran-Wu on leave of absence.)**

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

- 5.1 The Chief Executive Officer advised that a petition, with 24 signatures, had been received from residents in Forrest Street, Mt Lawley expressing strong concerns about the amount of traffic using Forrest Street as a thoroughfare between William and Fitzgerald Streets and requests Council to implement a solution to the increasing problem and advised that the speed humps on Forrest Street are totally inadequate.

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

**Moved Cr Farrell, Seconded Cr Ker**

*That the Petition be received.*

**CARRIED (8-0)**

**(Cr Doran-Wu on leave of absence.)**

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

Minutes of the Ordinary Meeting of Council held on 26 June 2007.

**Cr Messina departed the Chamber at 7.00pm.  
Cr Messina returned to the Chamber at 7.01pm.**

**Moved Cr Farrell, Seconded Cr Torre**

*That the Minutes of the Ordinary Meeting of Council held on 26 June 2007 be confirmed as a true and correct record subject to the following amendment:*

- *Clause (ii)(q) of the Council Decision on page 128 be replaced with the following:*

*“(q) **BDAC5. Building Height and BDR 5. Building Height be amended to read as follows:***

<b><i>Building Height</i></b>	<b><i>Building Height</i></b>	<b><i>7.4.5</i></b>								
<b><i>BDAC 5. Building Height</i></b>	<b><i>BDR 5. Building Height</i></b>	<b><i>7.4.5</i></b>								
<p><i>(i) Building height is to be considered to:</i></p> <ul style="list-style-type: none"> <li>• <i>Limit the height of dwellings so that <del>not one</del> <u>no</u> 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</i></li> </ul>	<p><i>(a) The maximum height of a dwelling is to be 2 storeys (including any garage, <del>basement,</del> loft or the like) and comply with the following measurements:</i></p> <table border="1"> <thead> <tr> <th><i>Element</i></th> <th><i>Maximum Allowable Heights For Two Storey Dwellings</i></th> </tr> </thead> <tbody> <tr> <td><i>Top of external wall (roof above) <del>(ii)</del> <u>(1)</u></i></td> <td><i>6.0 metres</i></td> </tr> <tr> <td><i>Top of external wall (concealed roof) <u>(1)</u></i></td> <td><i>7.0 metres</i></td> </tr> <tr> <td><i>Top of pitched roof <del>(iii) (iv)</del> <u>(1)</u></i></td> <td><i>9.0 metres</i></td> </tr> </tbody> </table>	<i>Element</i>	<i>Maximum Allowable Heights For Two Storey Dwellings</i>	<i>Top of external wall (roof above) <del>(ii)</del> <u>(1)</u></i>	<i>6.0 metres</i>	<i>Top of external wall (concealed roof) <u>(1)</u></i>	<i>7.0 metres</i>	<i>Top of pitched roof <del>(iii) (iv)</del> <u>(1)</u></i>	<i>9.0 metres</i>	
<i>Element</i>	<i>Maximum Allowable Heights For Two Storey Dwellings</i>									
<i>Top of external wall (roof above) <del>(ii)</del> <u>(1)</u></i>	<i>6.0 metres</i>									
<i>Top of external wall (concealed roof) <u>(1)</u></i>	<i>7.0 metres</i>									
<i>Top of pitched roof <del>(iii) (iv)</del> <u>(1)</u></i>	<i>9.0 metres</i>									

<p><i>character and integrity of the existing streetscape.</i></p>	<p><b>Notes:</b>  <i>Provisions for two storey development will apply unless the streetscape is identified to have a particular character or single storey streetscape, in which case heights are to be consistent with adjoining dwellings. The maximum height permitted for any single storey development located within the front six metres of a property is to be 3.5 metres (top of external wall height) and 6 metres (top of pitched roof) for a pitched roof development and 4 metres for a concealed roof development.</i></p> <p><i>(1) Gable walls above eaves height:</i>  <i>— less than 9 metres long : exempted</i>  <i>— greater than 9 metres long: add one third of the height of the gable, between the eaves and the apex of the gable wall, to the eaves height; and</i></p>	
	<p><del><i>(2) Applies to ridges greater than 6m long. Short ridges: add 0.5m height for each 2m reduction in length.</i></del></p> <p><i><u>(1) The above heights are the absolute maximum and are not to be increased, regardless of the length of gable walls or roof ridges as may be permitted under the requirements of the Residential Design Codes; and</u></i></p> <p><i><u>(2) Please refer to Guidance Notes clause 7.4.5 for instances where the Town may consider a variation to the building external wall and pitched roof height requirements.</u></i></p> <p><i>(b) The following matters are to be considered with regard to the potential impact on neighbouring properties:</i></p> <ul style="list-style-type: none"> <li><i>• minimise overshadowing and overlooking of living and private open space areas; and</i></li> <li><i>• relationship to the streetscape.</i></li> </ul> <p><b><u>Definition:</u></b>  <i><u>“Basement” means a storey of a building partly or wholly underground, such structure which supports those portions of the building which come above it.</u></i></p>	

**Cr Torre departed the Chamber at 7.03pm.**

**CARRIED (7-0)**

**(Cr Doran-Wu on leave of absence. Cr Torre was absent from the Chamber and did not vote.)**

**Cr Torre returned to the Chamber at 7.04pm.**

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

**7.1 Employee of the Month Award for the Town of Vincent for July 2007**

As members of the public will know, the Council recognises its employees by giving a monthly award for outstanding service to the Ratepayers and Residents of the Town. The recipients receive a \$100 voucher, kindly donated by the North Perth Community Bank, and a Certificate. Also their photograph is displayed in the Town's Administration Centre Foyer, in the Library and at Beatty Park Leisure Centre.

For July 2007, the award is presented to Frank Poli, Gardener. Frank was nominated by the Manager Parks Services and Director Technical Services for his loyal services to the Town over a period of fourteen years and also previously, three years at the former City of Perth.

During his time with the Town, Frank was responsible for maintaining the parks and gardens around the Town's Administration & Civic Centre and immediate surrounds to an extremely high standard, with many positive comments being received over the years from residents and visitors alike.

Frank is a very dedicated, conscientious and hard working employee who took complete ownership of the maintenance requirements and worked autonomously to achieve excellent results. Frank is very likeable person who is well regarded by his work colleagues and peers.

Unfortunately, Frank is retiring this month to look after his wife who is unwell. Frank will be a sad loss to the Town and we wish Frank and his family all the best for the future.

Congratulations Frank - and well done!!

**Received with acclamation.**

Frank thanked the Town and the Council for the Award and stated that he was sad to be retiring and that had really enjoyed his time working for the Town.

**7.2 Amendment to Proposed New Local Law Relating to Parking and Parking Facilities**

Pursuant to Section 3.12 - 3.16 of the Local Government Act, the Town of Vincent hereby gives notice that it proposes to amend its draft Local Law Relating to Parking and Parking Facilities as shown on Item 10.1.5 on tonight's Agenda.

The purpose of this Amendment is to provide for ticket machines in Brisbane Street, Perth between Lake and Beaufort Streets.

The Amendment will be advertised for a period of six (6) weeks and public comments are invited.

7.3 Leederville Masterplan - Public Consultation

I am pleased to announce that the Town will be holding its first Public Meeting for the Launch of the Leederville Masterplan at 7.30pm on Tuesday 17 July 2007 at the Town of Vincent Administration & Civic Centre.

As you are aware, the Leederville Masterplan is a proposal for the redevelopment of the Leederville Business District and the first stage will involve redevelopment of two hectares of the Town owned land which currently comprises of The Avenue and Frame Court Car Parks.

This Public Meeting will include a PowerPoint presentation of the concept plans and an explanation by the Town's Chief Executive Officer and Directors.

Other meetings will be held to suit the business arrangements of Proprietors in the area and also with key stakeholders.

The Public Consultation period will be until 31 August 2007 and I encourage members of the public to provide their written feedback and comments to the Town's Administration.

7.4 Macedonian Minister for Foreign Investment - Visit

The Mayor advised that he and the Chief Executive Officer had met with the Macedonian Minister for Foreign Investment on Monday 9 July 2007.

The purpose of his visit was to meet with Executives of medium and large sized companies to interest them in using the Republic of Macedonia as a manufacturing base for European operations.

The Minister visited the Town as there are a large number of Macedonians living in the Town and their Church and Clubhouse are also located in the Town and he expressed gratitude with Town's commitment to improving these facilities for the Macedonian community.

**8. DECLARATION OF INTERESTS**

- 8.1 Mayor Catania declared a financial interest in Item 10.3.1 - Investment Report as at 30 June 2007. The nature of his interest being that he is the Chairperson of the North Perth Community Bank.
- 8.2 Cr Messina declared a financial interest in Item 10.3.1 - Investment Report as at 30 June 2007. The nature of his interest being that he is a Director and Shareholder of the North Perth Community Bank.
- 8.3 Mayor Catania declared an interest affecting impartiality in Item 5.1 - Petition - Forrest Street. The nature of his interest being that he owns property in the street.

- 8.4 Cr Messina declared an interest affecting impartiality in Item 5.1 - Petition - Forrest Street. The nature of his interest being that he has an interest in a property abutting Forrest Street.
- 8.5 Cr Farrell declared an interest affecting impartiality in Item 10.3.2 - Lease - 13 Haynes Street, North Perth. The nature of his interest being that his daughter attends another child care centre owned by the applicant.
- 8.6 Cr Chester declared an interest affecting impartiality in Item 10.2.6 - East Perth Redevelopment Authority (EPRA) Verge Treatments within the Town of Vincent Boundaries. The nature of his interest being that he a Board Member of EPRA.

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

Nil.

**Mayor Catania advised that a request for deferral had been received from the applicant of Item 10.1.4 - Nos. 60-62 (Lots 172 and 173, D/P 25971) Randell Street, corner Randell Place, Perth - Proposed Construction of Two (2) Three-Storey Single Houses with Home Offices and Associated Basement Car Parking to allow for further discussions with the Town's Officers. He asked that this item be now considered.**

**Moved Cr Ker, Seconded Cr Farrell**

*That Item 10.1.4 - Nos. 60-62 (Lots 172 and 173, D/P 25971) Randell Street, corner Randell Place, Perth - Proposed Construction of Two (2) Three-Storey Single Houses with Home Offices and Associated Basement Car Parking be DEFERRED at the request of the applicant to allow for further discussions with the Town's Officers.*

**CARRIED (7-1)**

<b><u>For</u></b>	<b><u>Against</u></b>
Mayor Catania	Cr Chester
Cr Farrell	
Cr Ker	
Cr Lake	
Cr Maier	
Cr Messina	
Cr Torre	

(Cr Doran-Wu on leave of absence.)

(Refer to page 10 for report)

## 10. REPORTS

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

The Agenda Items were categorised as follows:

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

Item 10.1.3

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

Nil.

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

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

Cr Farrell	Nil.
Cr Chester	Items 10.1.1, 10.2.7, 10.3.3 and 10.3.4
Cr Ker	Items 10.1.5 and 10.4.2
Cr Torre	Nil.
Cr Lake	Item 10.2.6
Cr Messina	Nil.
Cr Maier	Item 10.3.2
Mayor Catania	Nil.

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

10.4 **Items which members/officers have declared a financial or proximity interest and the following was advised:**

Item 10.3.1

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

Items 10.1.2, 10.2.1, 10.2.2, 10.2.3, 10.2.4, 10.2.5, 10.2.8, 10.2.9, 10.2.10, 10.2.11 and 10.4.1

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

Items 14.1 and 14.2

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

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

Items 10.1.2, 10.2.1, 10.2.2, 10.2.3, 10.2.4, 10.2.5, 10.2.8, 10.2.9, 10.2.10, 10.2.11 and 10.4.1

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

Item 10.1.3

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

**Moved Cr Farrell, Seconded Cr Torre**

*That the following unopposed items be moved en bloc;*

*Items 10.1.2, 10.2.1, 10.2.2, 10.2.3, 10.2.4, 10.2.5, 10.2.8, 10.2.9, 10.2.10, 10.2.11 and 10.4.1*

**CARRIED (8-0)**

**(Cr Doran-Wu on leave of absence.)**

**10.1.4 Nos.60-62 (Lots 172 and 173, D/P 25971) Randell Street, corner Randell Place, Perth - Proposed Construction of Two (2) Three-Storey Single Houses with Home Offices and Associated Basement Car Parking**

<b>Ward:</b>	South	<b>Date:</b>	4 July 2007
<b>Precinct:</b>	Hyde Park; P12	<b>File Ref:</b>	PRO3490; 5.2007.219.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	L Mach,		
<b>Checked/Endorsed by:</b>	R Rasiah, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by the owner S Grewal for proposed Construction of Two (2) Three- Storey Single Houses with Home Offices and Associated Basement Car Parking, at Nos.60-62 (Lots 172 and 173 D/P: 25971) Randell Street, corner Randell Place, Perth and as shown on plans stamp-dated 3 July 2007, for the following reasons:*

- (a) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (b) the non-compliance with the setback and vehicular access and height requirements of the Residential Design Codes, and the Town's Policy relating to the Hyde Park Precinct, respectively; and*
- (c) consideration of the objection received.*

**COUNCIL DECISION ITEM 10.1.4**

(taken from page 7)

Mayor Catania advised that a request for deferral had been received from the applicant of Item 10.1.4 - Nos. 60-62 (Lots 172 and 173, D/P 25971) Randell Street, corner Randell Place, Perth - Proposed Construction of Two (2) Three-Storey Single Houses with Home Offices and Associated Basement Car Parking to allow for further discussions with the Town's Officers.

**Moved Cr Ker, Seconded Cr Farrell**

*That the Item 10.1.4 - Nos. 60-62 (Lots 172 and 173, D/P 25971) Randell Street, corner Randell Place, Perth - Proposed Construction of Two (2) Three-Storey Single Houses with Home Offices and Associated Basement Car Parking be DEFERRED at the request of the applicant to allow for further discussions with the Town's Officers.*

**CARRIED (7-1)**

**For**  
**Mayor Catania**  
**Cr Farrell**  
**Cr Ker**  
**Cr Lake**  
**Cr Maier**  
**Cr Messina**  
**Cr Torre**  
**(Cr Doran-Wu on leave of absence.)**

**Against**  
**Cr Chester**

<b>Landowner:</b>	S Grewal
<b>Applicant:</b>	S Grewal
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	373 square metres
<b>Access to Right of Way</b>	N/A

**BACKGROUND:**

13 February 2007 The Council at its Ordinary Meeting resolved to conditionally approve an application for demolition of existing two (2) single houses and refuse an application for construction of two (2) three-storey single houses with home offices and associated basement car parking at the subject property.

**DETAILS:**

The proposal involves construction of two (2) three-storey single houses with home offices and associated basement car parking at the subject property. The main differences between the subject proposal and the proposal refused at the Ordinary Meeting of Council held on 13 February 2007 has been summarised by the applicant in a letter dated 5 May 2007 and attached for the Council's consideration.

**ASSESSMENT:**

<b>Non-Compliant Requirements</b>			
<b>Requirements</b>	<b>Required</b>	<b>Proposed *</b>	<b>Officer Comments Pursuant to Clause 38(5) of TPS 1</b>
Density	2 single houses R 60 ( as single houses are proposed)	2 single houses R 60	Noted- no variation.
Plot Ratio	0.65 or 121 square metres per dwelling on each lot.	Western side dwelling: 1.41 or (264 square metres)  Eastern side dwelling: 1.33 or (247 square metres)	Not supported- in conjunction with the height and setbacks variations sought, plot ratio proposed is considered to result in excessive bulk and scale and to have an undue impact on streetscape.

Height	Two storeys encouraged, three storey can be considered.	Three storeys and a basement.	Not supported - refer to 'Comments' section.
Garages and Vehicular Access	Vehicular access from secondary street where legally available.	Vehicular access proposed from primary street.	Not supported - refer to 'Comments' section.
Driveway Width	40 per cent of lot frontage	51 per cent	Not supported- undue impact on streetscape.
Setbacks:  East (all floor levels)	1.0 metre	Nil	Not supported - in conjunction with the height and plot ratio variations proposed, setback variation is considered to contribute to excessive bulk and scale and undue impact on amenity of neighbours, streetscape and surrounding area.
Privacy Setbacks	Habitable rooms other than bedrooms - 6.0 metres  Outdoor habitable areas- 7.5 metres	Office and living room is 5.0 metres to eastern property.  Terrace is 4.6 metres to eastern property.	Not supported- as undue impact on neighbour, to be conditioned to comply in event of approval.

**Consultation Submissions**

The subject proposal has not been advertised as it does not result in any greater variations from the previous plans, with the exception of privacy setbacks requirements which can be conditioned to comply in the event of approval. The one submission received in the previous community consultation period is outlined as below.

Support	Nil	Noted.
Objection (1)	<ul style="list-style-type: none"> <li>• Overshadowing.</li> <li>• Vehicular access from street not in keeping with streetscape.</li> <li>• Eastern setbacks.</li> </ul>	<p>Not supported- as proposal complies with overshadowing requirements of R Codes. Supported- refer to 'Comments' section.</p> <p>Supported - refer to above. It is noted that objection relating to eastern setback was not from an affected neighbour.</p>

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

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

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

**COMMENTS:**

**Height**

While the Town's Policy relating to the Hyde Park Precinct allows for the consideration of three - storeys building height, it is considered that the height of the proposal is beyond a typical three storey building due to the design and the additional basement garage. Given this and the immediate streetscape predominately consisting of single and two storey buildings, it is considered that the height proposed is out of scale to the streetscape and has an undue impact on the streetscape and general amenity of the area.

**Garages and Vehicular Access**

In summary, the applicant has asserted that vehicular access from Randell Place cannot be achieved mainly due to safety reasons and the narrowness of Randell Place and subject lots. In relation to safety concerns, the Town's Technical Services has advised that this can be addressed via adequate setbacks and truncations.

While it is noted that the subject application involves two existing narrow lots that would make vehicular access from the Randell Place unachievable, it is considered that an appropriate redesign of the development and a re-subdivision/realignment of the lot boundaries could feasibly facilitate vehicular access from Randell Place. It is noted that the current application is already proposing to realign the current boundary line between the 2 subject lots.

In light of the above, it is considered that the amended plans has not adequately address the previous reasons for refusal by the Council at its Ordinary Meeting held on 13 February 2007 and it is recommended that the subject planning application be refused.

**10.1.2 No. 97 (Lot 154 D/P: 2503) Flinders Street, Mount Hawthorn- Proposed Partial Demolition of and Third Storey Addition to Existing Two-Storey House**

<b>Ward:</b>	North	<b>Date:</b>	3 July 2007
<b>Precinct:</b>	Mount Hawthorn ; P01	<b>File Ref:</b>	PRO3948 5.2007.141.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	S Kendall		
<b>Checked/Endorsed by:</b>	R Rasiah, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by K Acton on behalf of the owner F Bonannella for proposed Partial Demolition of and Third Storey Addition to Existing Two-Storey House, at No. 97 (Lot 154 D/P: 2503) Flinders Street, Mount Hawthorn, and as shown on plans stamp-dated 19 April 2007, subject to the following conditions:*

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *any new street/front wall, fence and gate between the Flinders Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
  - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
  - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
  - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
  - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
  - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level; and*

- (iii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the proposed screening to the sitting room being extended, within the 6 metres cone of vision to the southern property and the southern end of the front verandah, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject window not exceeding one square metre in aggregate in the respective subject wall, so that it is not considered to be a major opening as defined in the Residential Design Codes 2002. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No. 99 and No. 95 Flinders Street, Mount Hawthorn stating no objection to the respective proposed privacy encroachment. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes (RDC) and the Town's Policies.*

**COUNCIL DECISION ITEM 10.1.2**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (8-0)**

**(Cr Doran-Wu on leave of absence.)**

<b>Landowner:</b>	F Bonannella
<b>Applicant:</b>	K Acton
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	487 square metres
<b>Access to Right of Way</b>	Western side, 5 metres wide, sealed, Town owned

**BACKGROUND:**

No specific background directly relates to the proposal.

**DETAILS:**

The proposal involves the addition of a third storey to an existing part two-storey dwelling. The subject site slopes down from Flinders Street to the rear sealed right of way (ROW), which abuts the property's western boundary. The rear of the dwelling comprises of an undercroft carport, which is cut into the natural ground level. This undercroft carport constitutes a storey as per the definition in the Town's Town Planning Scheme No.1, which states:

"storey - means that portion of a building which is situated between the top of any floor and the top of any floor next above it and, if there is no floor above it, that portion between the top of the floor and ceiling above it but does not include any portion of a building used solely for car parking and having 50% or more of its volume below natural ground level".

The habitable living area of the existing dwelling is essentially contained within the level above the undercroft carport.

**ASSESSMENT:**

<b>Non-Compliant Requirements</b>			
<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>	<b>Officer Comments Pursuant to Clause 38(5) of TPS 1</b>
Density	R30 - 1 dwelling	R30 - 1 dwelling	Noted
Setbacks – First Floor to Northern Boundary.	2.2 metres	1.3 metres	Supported – as no objection received from adjoining neighbours and not considered to have an undue impact on affected neighbour.
First Floor to Southern Boundary.	2 metres	1.3 metres	Supported – as no objection received from adjoining neighbours and not considered to have an undue impact on affected neighbour.
Privacy Setbacks – Ground floor front verandah southern side.	7.5 metres or screening in accordance with the R Codes.	2 metres	Supported in part and conditioned to comply.
First floor front balcony to northern boundary	7.5 metres or screening in accordance with the R Codes.	3.3 metres	Supported - as the side of the balcony is screened in accordance with the RDC and the RDC state that there is a ' <i>lesser need to prevent overlooking of front gardens or areas visible from the street</i> '.
First floor front balcony to southern boundary	7.5 metres or screening in accordance with the R Codes.	2.8 metres	Supported - as above.
First floor sitting room to southern boundary	6 metres or screening in accordance with the R Codes.	4.6 metres	Supported in part and conditioned to comply.

Building Height - First floor southern side elevation	Top of external wall 6 metres	Ranging from 6.257 metres to 7.497 metres	Supported - as no objection received from neighbours and not considered to have an undue impact on affected neighbour. 'See Comment' section below.
First floor northern side elevation	Top of external wall 6 metres	Ranging from 6.147 metres to 7.477 metres	Supported - as no objection received from neighbours and not considered to have an undue impact on affected neighbour or streetscape. 'See Comment' section below.
First floor eastern elevation - front facing Flinders Street	Top of external wall 6 metres	Ranging from 6.147 metres to 6.107 metres	Supported - as no objection received from neighbours and not considered to have an undue impact on affected neighbour. 'See Comment' section below.
First floor western elevation - rear	Top of external wall 6 metres	Ranging from 7.477 metres to 7.497 metres	Supported - as no objection received from neighbours and not considered to have an undue impact on affected neighbour. 'See Comment' section below.
Ellesmere Locality Statement - Height Limit	(2) two - storeys	(3) three-storeys	Supported - see 'Comments' below.
<b>Consultation Submissions</b>			
Support	Nil		Noted
Objection	Nil		Noted
<b>Other Implications</b>			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

**COMMENTS:**

**Building Height:**

The Ellesmere Locality Statement states *"a general height limit of two-storeys including loft can be considered provided the second storey is generally setback a minimum of six metres from the street and the amenity of the area is protected in terms of privacy, scale and bulk."*

As outlined in the above Assessment Table, the proposed building height requirements for the top of the external walls to the southern, eastern, northern and western elevations do not comply with the minimum requirements of the acceptable standards of the RDC. In considering the proposed variation, it is to be noted that the proposal complies with the ridge height limits prescribed for the top of two-storey dwellings, being (9) nine metres from natural ground level. The proposed third storey floor to ceiling heights have been kept at a minimum and no objections were received from the adjoining affected neighbours.

The existing dwelling presents as a single-storey residence to Flinders Street and with the proposed third storey addition when viewed from Flinders Street will present as a two-storey dwelling. The third storey aspect will be apparent when viewed from the rear ROW. The surrounding streetscape along this portion of Flinders Street comprises a variety of housing stock, with similar brick residences flanking either side of the subject site. Comparable contemporary two-storey dwellings are currently being constructed directly opposite the subject site.

In light of the above, it is recommended that the proposal be approved, subject to standard and appropriate conditions.

**10.2.1 Proposed 2007/2008 Slab Footpath Replacement Program**

<b>Ward:</b>	Both	<b>Date:</b>	30 June 2007
<b>Precinct:</b>	All	<b>File Ref:</b>	TES0174
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	R Lotznicker, C Economo		
<b>Checked/Endorsed by:</b>	-	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *ADOPTS the first year, 2007/2008, of the five (5) year (2007/2008 to 2011/2012) Footpath Replacement Program as outlined in Attachment 10.2.1; and*
- (ii) *NOTES that the remaining four (4) years (2008/2009 to 2011/2012) of the above program is “preliminary only” and will be subject to change.*

**COUNCIL DECISION ITEM 10.2.1**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (8-0)**

**(Cr Doran-Wu on leave of absence.)**

**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council’s approval for the allocation of funds allowed for in the 2007/2008 budget to specific projects and adoption of the “first year” of the 2007/2008 Slab Footpath Replacement Program.

**BACKGROUND:**

The Council, in 1996, resolved to adopt a long term Slab Footpath Replacement Program to ensure the Town’s footpath infrastructure is maintained at an acceptable level of service and safety.

To ensure that the program is dynamic in reflecting changing circumstances, including development activity, other capital improvement projects, residents’ requests and changing conditions, it was considered appropriate to review and update the program annually and request that only the first year of the program be adopted by the Council annually.

**DETAILS:**

The first year of the program, as outlined in this report, relates to the 2007/2008 financial year.

As outlined in detail in the report presented to Council on 12 August 1996, this program was initially developed by assessing the condition and locality of all existing paths in the Town and by prioritising paths to be upgraded accordingly.

The program is continually revised and updated based on the revised condition of some paths, requests received, footpaths listed in the current program either brought forward or deferred, and footpaths on the current program being already upgraded by either service authorities or developers.

The Five (5) Year Footpath Replacement Program is outlined in attachment 10.2.1

**CONSULTATION/ADVERTISING:**

Residents are advised by means of an information bulletin prior to works proceeding in their street.

**LEGAL/POLICY**

The Town is responsible for the care control and management of approximately 300 km of footpaths.

**FINANCIAL/BUDGET IMPLICATIONS:**

Since 1996/1997 the Council has expended approximately \$3.5m on the footpath program (the annual allocation has gradually increased from \$250,000 per annum to \$450,000 per annum).

The total cost of the slab replacement program was estimated at between \$6.5m and \$7m (*depending on footpath construction tender rates and annual budget allocation over the life of the program*). There is still approximately \$3.0m to \$3.6m to expend on the program.

The draft 2007/2008 Capital Works Budget includes funds of \$450,000 for year 10 of the program. At \$450,000 per annum it will take approximately another 6 to 8 years to complete the program.

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of Strategic Plan 2006-2011 – “1.1.6 *Enhance and maintain the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment: (a) Implement infrastructure upgrade programs, including streetscape enhancements, footpaths, Right of Ways, and roads.*”

**COMMENTS:**

The purpose of this report is to obtain Council’s approval for the allocation of funds allowed for in the 2007/2008 budget to specific projects in the 2007/2008 Footpath Replacement Program.

**10.2.2 Proposed 2007/2008 Road Rehabilitation and Upgrade Program**

<b>Ward:</b>	Both	<b>Date:</b>	30 June 2007
<b>Precinct:</b>	All	<b>File Ref:</b>	TES0174
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	R Lotznicker, C Economo		
<b>Checked/Endorsed by:</b>	-	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *ADOPTS the first year, 2007/2008, of the five (5) year (2007/2008 to 2011/2012) Road Rehabilitation and Upgrade Program as outlined in Attachment 10.2.2; and*
- (ii) *NOTES that the remaining four (4) years (2008/2009 to 2011/2012) of the program is “preliminary only” and will be subject to change.*

**COUNCIL DECISION ITEM 10.2.2**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (8-0)**

**(Cr Doran-Wu on leave of absence.)**

**PURPOSE OF REPORT:**

The purpose of this report is to obtain the Council’s approval for the allocation of funds allowed for in the 2007/2008 budget to specific projects in the 2007/2008 Road Rehabilitation and Upgrade Program.

**BACKGROUND:**

In 1997, the Council resolved to adopt a long term Road Rehabilitation and Upgrade Program. The program was developed to ensure the Town’s road infrastructure is maintained at an acceptable level of service and safety.

To ensure that the program is dynamic in reflecting changing circumstances, including development activity, other capital improvement projects, residents’ requests, changing conditions and State Funding for roads through the Metropolitan Regional Road Program, it was considered appropriate to review and update the program annually and request that only the first year of the five (5) year program be adopted annually.

**DETAILS:**

**Metropolitan Regional Road Funding**

A letter from Main Roads WA was received in March 2007, advising of the approved Metropolitan Local Road Project Grants for 2007/2008:

Note: The Town's 2007/2008 budget indicates the following projects:

Road	Section	Estimated Cost \$	Grant \$	TOV contribution \$
William St	Brisbane St - Newcastle St	160,000	106,666	53,334
Newcastle St	Loftus St - Charles St	121,000	80,667	40,333
Scarb Bch Rd	Fairfield St - The Boulevard	182,500	121,667	60,833
London St	Gill St - Scarb Bch Rd	250,000	165,665	83,335
	<b>Total:</b>	<b>\$ 713,500</b>	<b>\$ 474,665</b>	<b>\$237,835</b>

Therefore, \$237,835, comprising Municipal funds, has been allocated in the 2007/2008 Budget for the Road Rehabilitation and Upgrade program.

### Five Year Road Rehabilitation and Upgrade Program

In addition, \$252,165 has been allocated in the 2007/2008 budget for the road rehabilitation and upgrade program local roads resurfacing/rehabilitation. Therefore, the total funds available for the program in 2007/2008 are \$490,000 i.e. \$237,835 plus \$252,165.

As outlined in detail in the report presented to Council on 28 April 1997, the “roads” program was initially developed using ROMAN (pavement management software).

The major purpose of ROMAN is to:

- Determine the condition of the existing road network system
- Establish a priority rating system for road reconstruction and resurfacing works, including special maintenance considerations
- Determine both short and long term funding requirements
- Determine AAS27 requirements

At the Ordinary Meeting held on 28 April 1997, the Council was advised as follows:

*“The results obtained from ROMAN indicate that Council is required to spend in the order of \$8.4 million on its roads over the next 15 years. This equates to an average annual expenditure of \$560,000.*

*It is important to note that the above funding requirements do not allow for general road maintenance or traffic management works.”*

The Council subsequently allocated only \$400,000 in the 1997/1998 financial year and this level of annual funding was maintained until 2004/2005.

The first year (2007/2008) and the next four years (2008/2009 to 2011/2012) of the five year road rehabilitation and upgrade program as presented in this report has been updated and revised to include future possible projects to be funded from the State Metropolitan Regional Road Program, projects reprioritised according to road condition, projects associated with other capital works and requests received etc.

The projected required level of funding has also been revised to ensure the road asset is continually improved relative to its deterioration.

The five (5) year Road Rehabilitation and Upgrade Program is outlined in attachment 10.2.2.

**CONSULTATION/ADVERTISING:**

N/A

**LEGAL/POLICY**

The Town is responsible for the care control and management of over 140 km of roads, which include Primary Distributors, Local Distributors and Access Roads.

**FINANCIAL/BUDGET IMPLICATIONS:**

The 2007/2008 Draft Capital Works Budget includes funds of \$490,000 for the road rehabilitation and upgrade program.

Results obtained from ROMAN in 1997 indicated the Town was required to spend in the order \$560,000 per annum on its roads.

The draft program attached to this report includes an increased projected level of funding to ensure the road network asset is better maintained to an acceptable standard.

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of Strategic Plan 2006-2011 – 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment *“(a) Implement infrastructure upgrade programs, including streetscape enhancements, footpaths, Right of Ways, and roads.”*

**COMMENTS:**

The purpose of this report is to obtain the Council's approval for the allocation of funds allowed for in the 2007/2008 budget to specific projects in the 2007/2008 Road Rehabilitation and Upgrade Program.

**10.2.3 Proposed 2007/2008 - Right of Way Upgrade Program**

<b>Ward:</b>	Both	<b>Date:</b>	2 July 2007
<b>Precinct:</b>	All	<b>File Ref:</b>	TES0173
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	R Lotznicker, A Munyard		
<b>Checked/Endorsed by:</b>		<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the Report on the proposed 2007/2008 Right of Way Upgrade Program;*
- (ii) *ADOPTS the 2007-2008 upgrade schedules as outlined in the report and as outlined in appendix 10.2.3; and*
- (iii) *RECEIVES a further report on the proposed schedule for the upgrading of all remaining ROWs once detailed assessments have been completed and the scores calculated.*

**COUNCIL DECISION ITEM 10.2.3**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (8-0)**

**(Cr Doran-Wu on leave of absence.)**

**PURPOSE OF REPORT:**

The purpose of this report is to inform the Council of the progress of the amended right of way (ROW) upgrade schedule and to seek the Councils approval of the proposed schedule for 2007-2008.

**BACKGROUND:**

The Town's current ROW upgrade program, which was adopted in 1998, includes the upgrading of all ROWs, both Town and privately owned. All Town owned ROWs have now been substantially completed, however before proceeding with the acquisition and improvement of the remaining ROWs, the ROWs are being reassessed to ensure that current conditions and usage patterns will be reflected in an amended program.

A report on the revised ROW assessment table was considered by the Council at its ordinary Meeting held on 27 February 2007, where the following decision (in part) was adopted.

*“That the Council;*

- (iii) *ADOPTS Option 1 as the preferred Rights of Way Assessment Table for the reasons outlined in the report (refer attached sample ROW assessment sheet appendix 10.2.1);*
- (iv) *AUTHORISES the Chief Executive Officer to prepare a revised Right of Ways Acquisition and Upgrade Program using the adopted “revised” Assessment Table; and*
- (v) *RECEIVES a further report on the revised “Right of Ways Acquisition and Upgrade Program” as soon as practical.”*

The data collection and assessment process for all the outstanding ROW has not yet been finalised, and therefore it is proposed that the 2007-2008 program be based on ROWs that are Council owned, are currently in the process of being acquired or have presented significant ongoing problems for the Town and/or adjoining residents.

**DETAILS:**

Approximately 120 individual ROW legs within the Town remain to be acquired and sealed. Assessment charts for each of these ROWs have been prepared and the collection of data is nearing completion. This data once available will be weighted and a score awarded to each ROW in accordance with the following criteria:

Prone to flooding		Usage		Condition/Surface		Geometry		Retaining required	
Yes	20	Heavy	12	Impassable	10	Straight	6	No	1
No	0	Medium	8	Fair/Firm	5	Bends with truncations	4	Yes	0
		Low	4	Good/Sealed	0	Bends, >3.0m wide, No truncations	2		
		None	0			Bends, <3.0m wide, No truncations	0		

The implementation of the annual ROW upgrade program commences in mid July as working in ROWs is very labour intensive and creates dust etc. Therefore for the well being of the Town's workforce and to ensure that the amenity of adjoining property owners is not adversely impacted upon the works are programmed for the winter months. The ROW work also provides “in house” work for the Town's Engineering Services work force early in the financial year (prior to substantial rates income being received).

Therefore as the assessment and scoring of all ROWs will not be completed for at least another 6 to 8 weeks (currently due to limited resources) it is proposed that the 2007-2008 ROW upgrade program consist of ROWs that are either Town owned, are currently in the process of being acquired or have presented significant ongoing problems for the Town and/or adjoining residents.

In addition, several of the ROWs listed are substantially complete as they have been recently or previously partially upgraded by developers. Completing the upgrade the works on these ROWs will reduce the incidence of damage to the already completed portions of ROW and maximize the life of the upgrade.

All the ROWs proposed to be upgraded in 2007/2008, as listed in the following table, if not already Town owned or in the process of being acquired, are subject to one or more undesirable factors. In these instances the Town is empowered to carry out remedial works in accordance with Schedule 3.2 of the Local Government Act 1995 – “*Particular things local government can do on land even though it is not local government property.*”

- *Carry out works for the drainage of land.*
- *Do earthworks or other works on land for preventing or reducing flooding.*
- *Take from land any native growing or dead timber, earth, stone, sand, or gravel that, in its opinion, the local government requires for making or repairing a thoroughfare, bridge, culvert, fence, or gate.*

It should be noted however that all the ROWs listed (not already owned by the Town) will be acquired during the 2007/2008 financial year.

### Proposed 2007-2008 Right of Way Upgrade Program

North	West	Length (m)	Width (m)	Estimated Cost	Comment
Albert St	Olive St	160	4	\$40,000	Town owned/partially upgraded
Anzac Rd	Oxford St	88	5	\$28,500	Partially upgraded, flooding problems
Bramall St	East Pde	40	4	\$10,000	Substantially upgraded
Bulwer St	Wade St	25	4	\$6,500	Acquisition in progress
Bulwer St	Palmerston St	35	4	\$8,500	Acquisition in progress
Burt St	Fitzgerald St	40	5	\$13,500	On going complaints
Chatsworth Rd	William St	239	3	\$55,000	On going complaints - To be acquired
Clarence St	Beaufort St	231	3	\$25,000	Town owned -kerbing/resurface
Ebsworth St	Pakenham St	151	3	\$36,000	Council Decision - Taking in progress
Gardiner St	East Pde	195	4	\$52,000	Council Decision - Taking in progress
Waugh St	Magnolia St	125	3	\$25,000	Acquisition in progress
			<b>Total</b>	<b>\$300,000</b>	

### CONSULTATION/ADVERTISING:

The proposed program for 2007/2008 has been developed following review of updated data and consultation with Operations staff.

### LEGAL/POLICY:

As most of the ROWs programmed for 2007/2008 present on-going issues for the Town and its residents, the Town may carry out the work on some of the ROWs listed prior to acquisition under “Good Governance”.

### STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2006-2011 – *1.1.6 (a) Implement Infrastructure upgrade programs, including streetscape enhancements, footpaths, Rights of Way, and Roads.*

**FINANCIAL/BUDGET IMPLICATIONS:**

Funds totalling \$300,000 have been allocated in the 2007-2008 draft budget.

**COMMENTS:**

A number of health and safety issues can be resolved simply by upgrading a ROW. Flooding, scour (sand being washed onto footpaths), fire hazard, dumping, squatting, fouling and abandoned drug paraphernalia are all far more prevalent in unmade ROWs.

Unmade ROWs are frequently overgrown with long grass and encroaching vegetation from adjoining properties, hence they provide concealment for anti-social behaviour. There is markedly less dumping in sealed ROWs, which are perceived to be a "public domain" more so than the sandy tracks of unmade ROWs.

It is the Town's endeavour to acquire and upgrade all remaining private ROWs, however, it is essential that this takes place in an orderly manner with the ROWs being prioritized according to the Town's chosen criteria. The Town's first concerns must be health and safety, and therefore it is recommended that the Council approve the proposed upgrade schedule for 2007/2008. The acquisition of the required ROWs will be finalised during the 2007/2008 financial year.

A further report including the proposed schedule for the remaining ROWs will be presented to the Council once the assessments have been concluded and the scores calculated.

**10.2.4 Proposed 2 Hour Parking Restriction - Washing Lane, Perth**

<b>Ward:</b>	South	<b>Date:</b>	3/07/2007
<b>Precinct:</b>	Beaufort (P13)	<b>File Ref:</b>	PKG
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	T Blankenburg		
<b>Checked/Endorsed by:</b>	C Wilson	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report on the introduction of a two (2) hour parking restriction on the northern side of Washing Lane and a ‘No Parking’ restriction on the south side of Washing Lane; between Money and Lindsay Streets, and*
- (ii) *APPROVES the introduction of the two (2) hour parking and ‘No Parking’ restrictions as illustrated on Plan 2532-PP-1; and*
- (iii) *PLACES a moratorium on issuing infringement notices for a period of two (2) weeks from the installation of the new parking restriction signs*

**COUNCIL DECISION ITEM 10.2.4**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (8-0)**

(Cr Doran-Wu on leave of absence.)

**PURPOSE OF REPORT:**

The purpose of this report is to seek the Council's approval of the introduction of a 2 hour parking restriction on the northern side of Washing Lane, Perth, between Money Street and Lindsay Streets.

**BACKGROUND:**

Washing Lane is located within the Beaufort Precinct and as is bounded by Newcastle, Money, Lindsay and Monger Streets. It was created as a result of recent subdivision by the East Perth Redevelopment Authority under Northbridge Renewal Project.

Currently there are no parking restrictions in Washing Lane, of which Central Business District (CBD) workers and Central TAFE students have become aware. As a consequence Washing Lane is regularly “parked out” by motorists taking advantage of the free long term parking.

Further, the Washing Lane carriageway is only five (5) meters wide and can not safely accommodate parking on both sides of the road, however in the absence of any restrictions motorists tend park abreast and / or partially on the footpath on the northern side of the road making access difficult for motorists and pedestrians alike.

**DETAILS:**

Parking in surrounding streets is regulated by a two (2) hour restriction enforced from 8am to 5:30pm Monday to Friday. For reasons of continuity and enforcement it is considered that that the same restrictions should apply in Washing Lane.

Further it is considered that the parking should be installed on the northern side of the road for the following reasons:

The southern side of the Washing Lane carriageway abuts boundary fences while the northern side abuts a footpath. If the parking was confined to the southern side passengers would have difficult alighting. Where as parking on the northern side, east bound allows room for passengers to alight safely and ensures that the vehicle is parked adjacent the kerb and not off-set to allow additional room.

However, as indicated above, in light of the lanes narrow width some motorists partially park on the footpath to increase the separation for passing vehicles, thereby restricting pedestrian access. To prevent this occurring it is also proposed to install, in conjunction with the Parking Restriction signs "No Parking" on footpath signs, as indicated on Drawing 2532-PP-1.

**CONSULTATION/ADVERTISING:**

Given that there are currently no adjacent residents and this restriction will only affect people taking advantage of the free all day parking, further consultation is not considered necessary.

**LEGAL/POLICY:**

The Town's rangers will enforce the restrictions once implemented.

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of Strategic Plan 2006-2011 – 1.1.6 Natural and Built Environment. *"e) Review, implement and promote the Car Parking Strategy;*

**FINANCIAL/BUDGET IMPLICATIONS:**

Implementing parking restrictions in Washing Lane will require the manufacture and installation of six (6) new signs and will cost approximately \$500.00.

**COMMENTS:**

The proposed changes will correct an anomaly which currently permits free all day parking within close proximity to the Central TAFE and CBD. Further as the properties abutting Washing Lane are sold and developed there will be increasing pressure on the limited on-road parking spaces within the area and therefore it is considered prudent to introduce the restrictions now.

**10.2.5 Tender for Pavement Profiling – Tender No. 366/07**

<b>Ward:</b>	Both	<b>Date:</b>	28 June 2007
<b>Precinct:</b>	All	<b>File Ref:</b>	TEN0377
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	R Lotznicher; C Economo		
<b>Checked/Endorsed by:</b>	M Rootsey	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council ACCEPTS the Tender submitted by Works Infrastructure Pty Ltd for Pavement Profiling in accordance with the specifications as detailed in Tender No. 366/07.*

**COUNCIL DECISION ITEM 10.2.5**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (8-0)**

(Cr Doran-Wu on leave of absence.)

**PURPOSE OF REPORT:**

To obtain Council approval of Tender 366/07.

**BACKGROUND:**

Tenders for Pavement Profiling for a three (3) year period closed at 2.00 pm on 20 June 2007 and three (3) tenders were received.

The prices submitted are to be fixed for a twelve (12) month period. Beyond this, price adjustments for CPI and material increases/decreases may be negotiated.

**DETAILS:**

Details of the submissions received are listed below (prices include GST):

Description	Unit	Hotmix		WA Profiling		Works Infrastructure Pty Ltd	
		Rate \$ (A)	Rate \$ (B)	Rate \$ (A)	Rate \$ (B)	Rate \$ (A)	Rate \$ (B)
Profiling - 25mm depth	m <sup>2</sup>	\$1.32	\$1.99	\$1.98	\$2.59	\$1.40	Hourly
- 50mm depth	m <sup>2</sup>	\$1.55	\$2.30	\$2.53	\$3.41	\$1.50	Rates for
- 100mm depth	m <sup>2</sup>	\$1.69	\$3.09	\$2.97	\$4.29	\$1.80	Trucking as
- 150mm depth	m <sup>2</sup>	\$1.89	\$3.45	\$3.19	\$5.17	\$2.00	Listed below
Sweeping Rate	m <sup>2</sup>	\$120/hr * see note below	\$120/hr *see note below	\$0.55	\$0.55	\$85/hr Skidsteer \$120/hr Suction	

Additional Notes: \* Hotmix - minimum 4 hours price is inclusive of bobcat sweeper.

Rate \$ (A) = Profile only

Rate \$ (B) = Profile/convey onto truck including cartage (max. distance 5km)

Description		Unit	Hotmix Rate \$	WA Profiling Rate \$	Works Infrastructure Pty Ltd Rate \$
Mobilisation Fee		Item	\$385.00	\$539.00	\$700 1 man \$800 2 men
Weekend Penalty		Item	\$440.00	\$605.00	\$25/hr per man
Traffic Control		Hour	\$105.00 (2 men)	\$65.00 p/person	\$152/hr 3 men \$185/hr 4 men O/T + 15%
Truck Hire with Operator	6 wheeler	Hour	\$72.00	\$71.50 (min 4 hrs)	\$85/hr
	8 wheeler	Hour	\$78.00	\$93.50 (min 4 hrs)	\$100/hr
	Semi tipper	Hour	\$105.00	\$110.00 (min 4 hrs)	\$115/hr

The three (3) tenders received were evaluated in accordance with the selection criteria as outlined in the tender documentation as follows:

Selection Criteria		Hotmix	WA Profiling	Works Infrastructure Pty Ltd
Demonstrated previous experience in the provision of similar projects/works	25%	23	23.75	25
Organisational structure/capacity to deliver required services/resources	25%	25	25	25
Contract Price	25%	25	17.98	23.88
Compliance with the Tender Specification	15%	15	15	15
Financial capacity of the Company	5%	5	5	5
References from other persons/organisations	5%	3	4.75	5
<b>TOTAL</b>	<b>100%</b>	96	91.48	98.88

The evaluation was undertaken by Directors Technical and Corporate Services, and Manager Engineering Operations.

The assessment was undertaken by comparing each tenderers price based on a standard project carried out during a weekend (when the majority of profiling is undertaken). In addition the vast majority of profiling projects comprise 50mm depth of profiling.

**CONSULTATION/ADVERTISING:**

N/A

**LEGAL/POLICY:**

The Tender was advertised in accordance with the Local Government Act tender regulations.

**STRATEGIC IMPLICATIONS:**

Although not directly affiliated with a Key Result Area this would fall into the general category in the Town's Strategic Plan 2006-2011 Key Result Area One: 1.1.6 "Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment."

**FINANCIAL/BUDGET IMPLICATIONS:**

The service provided as outlined in this tender will be utilised for the construction and maintenance of the Town's infrastructure during the 2007/08 - 2009/10 financial years.

**COMMENTS:**

In assessing the tenders, it has been determined that for the most common profiling depth i.e. 50mm and for an average size job say 2,000m<sup>2</sup>, two (2) of the tenderers have submitted competitive prices.

In assessing overall compliance with the Tender requirements it is considered that Works Infrastructure will provide the best value to the Town. Works Infrastructure is the Town's current profiling contractor and has provided a very good service to date.

Therefore, it is recommended that the Tender for Pavement Profiling be awarded to Works Infrastructure in accordance with the specifications as detailed in Tender 366/07 for reasons of project efficiency which will alternatively result in lower overall project costs.

**10.2.8 Tender for the Construction of Concrete Crossovers and Cast In-situ Concrete Paths - Tender No. 363/07**

<b>Ward:</b>	-	<b>Date:</b>	28 June 2007
<b>Precinct:</b>	-	<b>File Ref:</b>	TEN0374
<b>Attachments:</b>			
<b>Reporting Officer(s):</b>	R Lotznicker; C Economo		
<b>Checked/Endorsed by:</b>	M Rootsey	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council ACCEPTS the tender submitted by Cobblestone Concrete for the Construction of Concrete Crossovers and Cast In-situ Concrete Paths in accordance with the specifications as detailed in Tender No. 363/07.*

**COUNCIL DECISION ITEM 10.2.8**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED “EN BLOC” (8-0)**

**(Cr Doran-Wu on leave of absence.)**

**PURPOSE OF REPORT:**

To obtain Council approval of Tender 363/07.

**BACKGROUND:**

Tenders for the Construction of Concrete Crossovers and Cast In-situ Concrete Paths for a three (3) year period closed at 2.00 pm on 20 June 2007 and two (2) tenders were received.

The prices submitted are to be fixed for a twelve (12) month period. Beyond this, price adjustments for CPI and material increases/decreases may be negotiated.

**DETAILS:**

Details of all submissions received for Tender No. 363/07 are as follows. Prices exclude GST:

**Construction of Concrete Crossovers**

Description	Unit	Cobblestone Concrete	Techsand Pty Ltd (minimum charge \$520 less than 10 m2)
		Rate	Rate
Box out, prepare base, supply all materials and install standard crossover and make good			
• 100mm thick	m <sup>2</sup>	\$38.50	\$43.00
• 150mm thick	m <sup>2</sup>	\$48.50	\$56.00
• 200mm thick	m <sup>2</sup>	\$60.50	\$72.00
Concrete cutting	Lin. metre	\$8.00	\$13.00
Additional Cost for 150mm thick concrete wings per crossover	item	\$50.00	\$76.00

Evaluation

The two (2) tenders received were evaluated in accordance with the selection criteria as outlined in the tender documentation as follows:

<b>Selection Criteria</b>	<b>Weighting</b>	<b>Cobblestone Concrete</b>	<b>Techsand Pty Ltd</b>
Demonstrated previous experience in the provision of similar projects/works	25%	25	25
Organisational structure/capacity to deliver required services/resources	25%	25	25
Contract Price	25%	25	19.71
Compliance with the Tender Specification	15%	15	15
Financial capacity of the Company	5%	5	5
References from other persons/organisations	5%	4	5
<b>TOTAL</b>	<b>100%</b>	<b>99</b>	<b>94.71</b>

Construction of Concrete Paths

		<b>Cobblestone Concrete</b>	<b>Techsand Pty Ltd (minimum charge \$520 less than 10 m2)</b>
<b>Description</b>	<b>Unit</b>	<b>Rate</b>	<b>Rate</b>
Path Construction (replacement paths incorporating removal of existing slab path) Remove slabs, box out/compact, supply all materials for the construction of 100mm thick In-situ concrete footpaths and makes good.	m <sup>2</sup>	\$30.00	\$42.00
Path Construction/Repairs - Less than 30m <sup>2</sup>	m <sup>2</sup>	\$40.00	\$55.00
Cutting concrete or bitumen	Linear metre	\$8.00	\$13.00
Cost per salvaged precast concrete slab to residents in Town of Vincent	each	\$2.00	\$3.00

Evaluation

The two (2) tenders received were evaluated in accordance with the selection criteria as outlined in the tender documentation as follows:

<b>Selection Criteria</b>	<b>Weighting</b>	<b>Cobblestone Concrete</b>	<b>Techsand Pty Ltd</b>
Demonstrated previous experience in the provision of similar projects/works	25%	25	25
Organisational structure/capacity to deliver required services/resources	25%	25	25
Contract Price	25%	25	17.70
Compliance with the Tender Specification	15%	15	15
Financial capacity of the Company	5%	5	5

<b>Selection Criteria</b>	<b>Weighting</b>	<b>Cobblestone Concrete</b>	<b>Techsand Pty Ltd</b>
References from other persons/organisations	5%	4	4
<b>TOTAL</b>	<b>100%</b>	99	92.7

The evaluation was undertaken by Directors Technical and Corporate Services, and Manager Engineering Operations.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

The Tender was advertised in accordance with the Local Government Act tender regulations.

**STRATEGIC IMPLICATIONS:**

Although not directly affiliated with a Key Result Area this would fall into the general category in the Town's Strategic Plan 2006-2011 Key Result Area One: *1.1.6 "Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment."*

**FINANCIAL/BUDGET IMPLICATIONS:**

The service provided as outlined in this tender will be utilised for the construction and maintenance of the Towns infrastructure during the 2007/08 - 2009/2010 financial years.

**COMMENTS:**

The Town's current contractor is Cobblestone Concrete. Cobblestone Concrete has submitted the best price and has scored highest in the selection criteria.

It is therefore recommended that the Tender for the Construction of Concrete Crossovers and Cast In-situ Concrete Paths, Tender No. 363/07, be awarded to Cobblestone Concrete.

**10.2.9 Tender for Laying of Brick/Concrete Pavers - Tender No. 364/07**

<b>Ward:</b>	-	<b>Date:</b>	28 June 2007
<b>Precinct:</b>	-	<b>File Ref:</b>	TEN0375
<b>Attachments:</b>			
<b>Reporting Officer(s):</b>	R Lotznicker, C Economo		
<b>Checked/Endorsed by:</b>	M Rootsey	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council ACCEPTS the tender submitted by A-Line Brickpaving for the Laying of Brick/Concrete Pavers in accordance with the specifications as detailed in Tender No. 364/07.*

**COUNCIL DECISION ITEM 10.2.9**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (8-0)**

**(Cr Doran-Wu on leave of absence.)**

**PURPOSE OF REPORT:**

To obtain Council approval of Tender 364/07.

**BACKGROUND:**

Tenders for the Laying of Brick/Concrete Pavers for a three (3) year period closed at 2.00 pm on 20 June 2007 and three (3) tenders were received.

The prices submitted are to be fixed for a twelve (12) month period. Beyond this, price adjustments for CPI and material increases/decreases may be negotiated.

**DETAILS:**

Details of all submissions received for Tender No. 290/04 are as follows. The prices include GST.

Description	Unit	Access	A-Line	Affirmative
		Brickpaving Co	Brickpaving	Paving
		Price	Price	Price
<b><u>Laying Patterns</u></b>				
• 90° herringbone pattern	m <sup>2</sup>	\$13.20	\$12.10	\$13.20
• 45° herringbone pattern	m <sup>2</sup>	\$13.20	\$13.20	\$13.20
• 400mmx400mm Urban Stone Pavers	m <sup>2</sup>	\$18.00	\$16.50	\$18.00

		<b>Access Brickpaving Co</b>	<b>A-Line Brickpaving</b>	<b>Affirmative Paving</b>
<b>Description</b>	<b>Unit</b>	<b>Price</b>	<b>Price</b>	<b>Price</b>
<b><u>Cutting Pavers</u></b>				
<ul style="list-style-type: none"> <li>To match building and kerbline</li> </ul>	Lineal metre	\$8.83	\$11.00	\$3.00
<ul style="list-style-type: none"> <li>To match public utility service outlets</li> </ul>	Lineal metre	\$8.83	\$11.00	\$3.00
Laying Standard Concrete Edge bricks on mortar bed (Prep work & concrete to be supplied by Contractor)	Lineal metre	\$9.46	\$16.50	\$3.00
Reinstatement	m <sup>2</sup>	\$25.00	\$22.00	\$12.00

**Evaluation**

The two (2) tenders received were evaluated in accordance with the selection criteria as outlined in the tender documentation as follows:

<b>Selection Criteria</b>	<b>Weighting</b>	<b>A-Line Brickpaving</b>	<b>Access Brickpaving</b>	<b>Affirmative Paving</b>
Demonstrated previous experience in the provision of similar projects/works	25%	25	24	21
Organisational structure/capacity to deliver required services/resources	25%	25	25	25
Contract Price	25%	22	21.46	25
Compliance with the Tender Specification	15%	15	15	15
Financial capacity of the Company	5%	5	5	5
References from other persons/organizations	5%	5	5	4
<b>TOTAL</b>	<b>100%</b>	<b>97</b>	<b>95.46</b>	<b>95</b>

The evaluation was undertaken by Directors Technical and Corporate Services, and Manager Engineering Operations.

The assessment was undertaken by comparing each tenderers price based on a standard project using the predominant laying pattern, etc. The price submitted by Affirmative Paving for cutting and matching to public utility services and laying standard concrete bricks on mortar bed appears to be very low.

The laying of standard concrete bricks on a mortar bed is usually undertaken by the Town and not the contractor. This was therefore discounted in the calculation. While Affirmative Paving submitted the lower price, following an overall assessment of the tenders, it is recommended the tender should be awarded to A-Line Brickpaving who scored highest overall.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

The Tender was advertised in accordance with the Local Government Act tender regulations.

**STRATEGIC IMPLICATIONS:**

Although not directly affiliated with a Key Result Area this would fall into the general category in the Town's Strategic Plan 2006-2011 Key Result Area One: *1.1.6 "Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment."*

**FINANCIAL/BUDGET IMPLICATIONS:**

The service provided as outlined in this tender will be utilised for the construction and maintenance of the Towns infrastructure during the 2007/08 - 2009/2010 financial years.

**COMMENTS:**

A-Line Brickpaving is the Town's current brick paving Contractor and have provided a high level of service in all the projects they have been involved with. It is therefore recommended, that the Council accept the tender for the Laying of Brick/Concrete Pavers as submitted by A Line Brickpaving as in accordance with the specifications as detailed in Tender No. 364/07.

**10.2.10 Tender for the Hire of Trucks and Miscellaneous Plant-  
Tender No. 361/07**

<b>Ward:</b>	-	<b>Date:</b>	28 June 2007
<b>Precinct:</b>	-	<b>File Ref:</b>	TEN0372
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	R Lotznicker, C Economo		
<b>Checked/Endorsed by:</b>	M Rootsey	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council:*

- (i) *ACCEPTS the following tender/s submitted for the Hire of Trucks, in accordance with the specifications as detailed in Tender No. 361/07;*
  - (a) *Caversham Truck Hire for the Hire of Single Axle Tippers;*
  - (b) *Caversham Truck Hire and Mayday Earthmoving for the Hire of six (6) Wheel tippers; and*
  - (c) *A & M D'Angelo and Mayday Earthmoving for the hire of eight (8) wheel and semi tippers; and*
- (ii) *ACCEPTS all tenders submitted, subject to availability, (except Coates Hire Operations P/L who submitted a non conforming tender), for the Hire of Plant in accordance with the specifications as detailed in Tender No. 361/07.*

**COUNCIL DECISION ITEM 10.2.10**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (8-0)**

**(Cr Doran-Wu on leave of absence.)**

**PURPOSE OF REPORT:**

To obtain Council approval of Tender 361/07.

**BACKGROUND:**

Tenders for the Hire of Trucks and miscellaneous plant for a three (3) year period closed at 2.00 pm on 20 June 2007 and eight (8) tenders were received. One of the Tenders Coates Hire Operations P/L submitted a non confirming tender and therefore this tender was not assessed any further.

The prices submitted are to be fixed for a twelve (12) month period. Beyond this, price adjustments for CPI and material increases/decreases may be negotiated.

**DETAILS:**

Details of all submissions received for Tender No. 361/07 are as follows. Prices exclude GST.

**Truck Hire**

	Dalco Earthmoving	A & M D'Angelo	Caversham Truck Hire	Universal Diggers	Mayday Earthmoving	Fred's Mini Excavators	Miniquip
	\$/hr	\$/hr	\$/hr	\$/hr	\$/hr	\$/hr	\$/hr
Single Axle Tipper	-	-	\$49	-	-	-	\$75
6 Wheel Tipper	\$72	\$75	\$69	-	\$70	\$77	\$78
8 Wheel Tipper	\$82	\$80	-	-	\$80	-	-
Semi Tipper	\$107	\$100 Bogie \$105 Tri-axle	-	-	\$105	-	-

**Evaluation**

The tenders received for the hire of trucks were evaluated in accordance with the selection criteria as outlined in the tender documentation as follows:

**Truck Hire - Single Axle Tipper**

Selection Criteria	%	Caversham Truck Hire	Miniquip
Demonstrated previous experience in the provision of required service	20	20	19
Organisational structure/capacity to deliver required services/resources	20	20	19
Contract Price	35	35	22.87
Compliance with the Tender Specification	15	15	15
Financial capacity of the Company	5	5	5
References from other persons/organisations	5	5	5
<b>TOTAL</b>	<b>100</b>	100	85.87

**Truck Hire - 6 Wheel Tippers**

Selection Criteria	%	Dalco Earthmoving	A & M D'angelo	Caversham Truck Hire	Mayday Earthmoving	Fred's mini Excavators	Miniquip
Demonstrated previous experience in the provision of required service	20	20	20	20	20	18	19
Organisational structure/capacity to deliver required services/resources	20	20	20	20	20	17	19
Contract Price	35	33.65	32.31	35	34.55	31.41	31.41

<b>Selection Criteria</b>	<b>%</b>	<b>Dalco Earthmoving</b>	<b>A &amp; M D D'angelo</b>	<b>Caversham Truck Hire</b>	<b>Mayday Earthmoving</b>	<b>Fred's mini excavators</b>	<b>Miniquip</b>
Compliance with the Tender Specification	15	15	15	15	15	15	15
Financial capacity of the Company	5	5	5	5	5	5	5
References from other persons/organisations	5	5	5	5	5	5	5
<b>TOTAL</b>	<b>100</b>	<b>98.65</b>	<b>97.31</b>	<b>100</b>	<b>99.55</b>	<b>91.44</b>	<b>94.41</b>

Truck Hire - 8 Wheel and Semi Tippers

<b>Selection Criteria</b>	<b>%</b>	<b>Dalco Earthmoving</b>	<b>A &amp; M D D'angelo</b>	<b>Mayday Earthmoving</b>
Demonstrated previous experience in the provision of required service	20	20	20	20
Organisational structure/capacity to deliver required services/resources	20	20	20	20
Contract Price	35	33.8	35	34.5
Compliance with the Tender Specification	15	15	15	15
Financial capacity of the Company	5	5	5	5
References from other persons/organisations	5	5	5	5
<b>TOTAL</b>	<b>100</b>	<b>98.8</b>	<b>100</b>	<b>99.5</b>

**Plant Hire**

	<b>Dalco Earthmoving</b>	<b>A &amp; M D D'Angelo</b>	<b>Universal Diggers</b>	<b>Mayday Earthmoving</b>	<b>Fred's Mini Excavators</b>	<b>Miniquip</b>
<b>Plant Hire</b>	<b>\$/hr</b>	<b>\$/hr</b>	<b>\$/hr</b>	<b>\$/hr</b>	<b>\$/hr</b>	<b>\$/hr</b>
Skid - Steer Loader	\$65	-	\$63	\$63	\$77	\$68
Backhoe	\$87	-	\$80	\$85	-	-
Excavator Up to 3 Tonne	\$75	\$70	\$70	\$73	-	\$68
Excavator 3-5 T	\$87	\$80	\$80	\$85	\$77	\$78
Excavator 5-8T	\$100	-	\$100	\$98	-	\$85 - 5T \$90 - 8T
Excavator 8-12 Tonne	-	\$95	-	-	-	\$105
Loader 1 - 2m <sup>3</sup>	\$97	\$100	-	\$95	-	-
Loader 2 - 3m <sup>3</sup>	\$112	\$105	-	\$110	-	-

	Dalco Earthmoving	A & M D D'Angelo	Universal Diggers	Mayday Earthmoving	Fred's Mini Excavators	Miniquip
Loader 3 - 4m <sup>3</sup>	\$137	-	-	\$135	-	-
Rock Breaker Backhoe Breaker	\$112	-	\$120	\$110	-	-
Rock Breaker 5t Excavator Breaker	\$112	-	\$115	\$110	\$120	\$120

The evaluation was undertaken by Directors Technical and Corporate Services, and Manager Engineering Operations.

All the above tenders meet the minimum selection criteria for the hire of plant. While the prices submitted vary the variance is small and the experience is that some items of plant are difficult to hire at short notice given the current state of the construction industry.

It is therefore recommended that the Council accepts all tenders submitted, except for Coates Hire Operations P/L subject to availability, for the hire of Plant in accordance with the specifications as detailed in Tender No. 361/07.

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

Nil.

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

The Tender was advertised in accordance with the Local Government Act tender regulations.

#### **STRATEGIC IMPLICATIONS:**

Although not directly affiliated with a Key Result Area this would fall into the general category in the Town's Strategic Plan 2006-2011 Key Result Area One: *1.1.6 "Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment."*

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

The service provided as outlined in this tender will be utilised for the construction and maintenance of the Towns infrastructure during the 2007/08 - 2009/2010 financial years.

#### **COMMENTS:**

It is recommended that the Council accepts the following tender/s submitted for the Hire of Trucks, in accordance with the specifications as detailed in Tender No. 361/07;

- Caversham Truck Hire for the Hire of Single Axle Tippers;
- Caversham Truck Hire, Mayday Earthmoving and Dalco Earthmoving for the Hire of six (6) Wheel tippers;
- Dalco Earthmoving, A & M D D'Angelo and Mayday Earthmoving for the Hire of eight (8) Wheel and Semi-Tippers.

It is further recommended that the Council accepts all tenders submitted, subject to availability, (except Coates Hire Operations P/L who submitted a non conforming tender), for the Hire of Plant in accordance with the specifications as detailed in Tender No. 361/07.

**10.2.11 Tender for the Supply of Pre Mixed Asphalt and Supply and Laying of Hotmixed Asphalt - Tender No. 362/07**

<b>Ward:</b>	-	<b>Date:</b>	28 June 2007
<b>Precinct:</b>	-	<b>File Ref:</b>	TEN0373
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	R Lotznicker, C Economo		
<b>Checked/Endorsed by:</b>	M Rootsey	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council ACCEPTS the following tenders in accordance with the specification as detailed in Tender No. 362/07;*

- (i) the tender for the Supply and Laying of Dense Graded Hotmixed Asphalt, the Supply and Laying of Stone Mastic Asphalt and the Supply and Laying of Red (Gravel Pave Hot mixed asphalt be awarded to Pioneer Road Services P/L;*
- (ii) the tender for the Supply and Laying of SAMI Seals be awarded to Hotmix;*
- (iii) the tender for 7mm and 10mm Premixed Asphalt be awarded to Pioneer Road Services P/L; and*
- (iv) the tender for Hotmixed Asphalt ex Plant to be collected by the Town be awarded to all tenderers.*

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**COUNCIL DECISION ITEM 10.2.11**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (8-0)**

**(Cr Doran-Wu on leave of absence.)**

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**PURPOSE OF REPORT:**

To obtain Council approval of Tender 362/07.

**BACKGROUND:**

Tenders for the supply of Pre Mixed Asphalt and Supply and Laying of Hotmixed Asphalt for a three (3) year period closed at 2.00 pm on 9 June 2004 and seven (7) tenders were received.

The prices submitted are to be fixed for a twelve (12) month period. Beyond this, price adjustments for CPI and material increases/decreases may be negotiated.

**DETAILS:**

Details of all submissions received are listed below:

**Supply and Laying of Pre-Mixed Hotmixed Asphalt**

Note 1: 7mm/35 Blow means the mix comprises of a 7mm aggregate size (Granite) and 35 blow equates to the required compaction for the voids/bitumen ratio.

Note 2: Weekend and public holidays opening fees (refer Item 3 below).

Mix Type	Size (T)	Asphaltech	Pioneer Road Services P/L	Boral Asphalt (WA)	Hotmix
7mm 35 Blow	0 - 25	\$270.00	\$170.55	\$333.40	\$176.00
	26 - 50	\$206.00	\$117.40	\$207.40	\$154.00
	51 - 100	\$174.00	\$115.50	\$167.40	\$132.00
	101 - 200	\$147.00	\$108.50	\$140.40	\$126.50
	201 - 300	\$146.00	\$105.00	\$127.40	\$126.50
	301 - 400	\$145.00	\$105.00	\$127.40	\$126.50
	400+	\$144.00	\$105.00	\$127.40	\$126.50
10mm 35 Blow	0 - 25	\$267.00	\$170.55	\$333.40	\$159.50
	26 - 50	\$203.00	\$117.40	\$207.40	\$143.00
	51 - 100	\$171.00	\$115.50	\$167.40	\$126.50
	101 - 200	\$144.00	\$108.50	\$140.40	\$121.00
	201 - 300	\$143.00	\$105.00	\$127.40	\$121.00
	301 - 400	\$142.00	\$105.00	\$127.40	\$121.00
	400+	\$141.00	\$105.00	\$127.40	\$121.00
10mm 50 Blow	0 - 25	\$265.00	\$165.55	\$333.40	\$159.50
	26 - 50	\$201.00	\$112.40	\$207.40	\$143.00
	51 - 100	\$169.00	\$110.50	\$167.40	\$126.50
	101 - 200	\$142.00	\$105.50	\$140.40	\$121.00
	201 - 300	\$141.00	\$103.00	\$127.40	\$121.00
	301 - 400	\$140.00	\$103.00	\$127.40	\$121.00
	400+	\$139.00	\$103.00	\$127.40	\$121.00
14mm 50 Blow	0 - 25	\$262.00	\$165.55	\$333.40	\$154.00
	26 - 50	\$198.00	\$112.40	\$207.40	\$137.50
	51 - 100	\$166.00	\$110.50	\$167.40	\$121.00
	101 - 200	\$139.00	\$105.50	\$140.40	\$115.50
	201 - 300	\$138.00	\$103.00	\$127.40	\$115.50
	301 - 400	\$137.00	\$103.00	\$127.40	\$115.50
	400+	\$136.00	\$103.00	\$127.40	\$115.50
14mm 75 Blow	0 - 25	\$262.00	\$165.55	\$333.40	\$154.00
	26 - 50	\$198.00	\$112.40	\$207.40	\$137.50
	51 - 100	\$166.00	\$110.50	\$167.40	\$121.00
	101 - 200	\$139.00	\$105.50	\$140.40	\$115.50
	201 - 300	\$138.00	\$103.00	\$127.40	\$115.50
	301 - 400	\$137.00	\$103.00	\$127.40	\$115.50
	400+	\$136.00	\$103.00	\$127.40	\$115.50

Fee / Day	Asphaltech	Pioneer Road Services P/L	Boral Asphalt (WA)	Hotmix
Weekend & Public Holiday	\$1,350	\$2,200	\$1,980	\$1,595

The evaluation was undertaken by Directors Technical and Corporate Services, and Manager Engineering Operations.

Evaluation

The tenders were evaluated in accordance with the selection criteria as outlined in the tender documentation as follows:

Selection Criteria	Weighting	Pioneer	Hotmix	Boral	Asphaltech
Demonstrated previous experience in the provision of similar projects/works	25%	25	23	24	24
Organisational structure/capacity to deliver required services/resources	25%	25	25	25	25
Contract price	25%	25	22.07	16.18	15.68
Compliance with the Tender Specification	15%	15	15	15	15
Overall compliance with tender specification and requirements	5%	5	5	5	5
Financial capacity of the Company	5%	5	5	5	5
<b>TOTAL</b>	<b>100%</b>	<b>100</b>	<b>95.07</b>	<b>90.18</b>	<b>89.68</b>

**Supply and Laying of Stone Mastic Asphalt (SMA)**

Mix Type	Size (T)	Asphaltech	Pioneer Road Services P/L	Boral Asphalt (WA)	Hotmix
SMA 7	0 - 25	\$303.00	\$214.50	\$347.40	\$214.50
	26 - 50	\$237.00	\$165.00	\$225.40	\$187.00
	51 - 100	\$204.00	\$145.60	\$186.40	\$170.50
	101 - 200	\$176.00	\$144.00	\$160.40	\$154.00
	201 - 300	\$162.00	\$140.00	\$147.40	\$154.00
	301 - 400	\$161.00	\$140.00	\$147.40	\$154.00
	400+	\$160.00	\$140.00	\$147.40	\$154.00
SMA 10	0 - 25	\$300.00	\$214.50	\$347.40	\$209.00
	26 - 50	\$234.00	\$165.00	\$225.40	\$181.50
	51 - 100	\$201.00	\$145.60	\$186.40	\$165.00
	101 - 200	\$173.00	\$144.00	\$160.40	\$148.50
	201 - 300	\$159.00	\$140.00	\$147.40	\$148.50
	301 - 400	\$158.00	\$140.00	\$147.40	\$148.50
	400+	\$157.00	\$140.00	\$147.40	\$148.50

Mix Type	Size (T)	Asphaltech	Pioneer Road Services P/L	Boral Asphalt (WA)	Hotmix
SMA 14	0 - 25	\$300.00	\$214.50	\$347.40	\$203.50
	26 - 50	\$234.00	\$165.00	\$225.40	\$176.00
	51 - 100	\$201.00	\$145.60	\$186.40	\$159.50
	101 - 200	\$173.00	\$144.00	\$160.40	\$143.00
	201 - 300	\$159.00	\$140.00	\$147.40	\$143.00
	301 - 400	\$158.00	\$140.00	\$147.40	\$143.00
	400+	\$157.00	\$140.00	\$147.40	\$143.00

Evaluation

The tenders were evaluated in accordance with the selection criteria as outlined in the tender documentation as follows: -

Selection Criteria	Weighting	Pioneer Road Services P/L	Hotmix	Boral Asphalt (WA)	Asphaltech
Demonstrated previous experience in the provision of similar projects/works	25%	25	23	24	24
Organisational structure/capacity to deliver required services/resources	25%	25	25	25	25
Contract price	25%	25	23.19	20.09	19.6
Compliance with the Tender Specification	15%	15	15	15	15
Overall compliance with tender specification and requirements	5%	5	5	5	5
Financial capacity of the Company	5%	5	5	5	5
<b>TOTAL</b>	<b>100%</b>	100	96.19	94.09	93.60

**Supply and Laying of Red (Gravel Pave) Hotmixed Asphalt**

Mix Type	Size (T)	Asphaltech	Pioneer Road Services P/L	Boral Asphalt (WA)	Hotmix
10mm	0 - 25	\$302.00	\$177.20	\$364.40	\$214.50
	26 - 50	\$240.00	\$177.20	\$238.40	\$187.00
	51 - 100	\$210.00	\$173.00	\$198.40	\$170.50
	101 - 200	\$182.00	\$170.50	\$171.40	\$154.00
	201 - 300	\$181.00	\$143.00	\$158.40	\$154.00
	301 - 400	\$180.00	\$143.00	\$158.40	\$154.00
	400+	\$179.00	\$142.00	\$158.40	\$154.00

Mix Type	Size (T)	Asphaltech	Pioneer Road Services P/L	Boral Asphalt (WA)	Hotmix
12mm	0 - 25	-	\$177.20	\$364.40	\$214.50
	26 - 50	-	\$177.20	\$238.40	\$187.00
	51 - 100	-	\$173.00	\$198.40	\$170.50
	101 - 200	-	\$170.50	\$171.40	\$154.00
	201 - 300	-	\$143.00	\$158.40	\$154.00
	301 - 400	-	\$143.00	\$158.40	\$154.00
	400+	-	\$142.00	\$158.40	\$154.00

**Evaluation**

The tenders were evaluated in accordance with the selection criteria as outlined in the tender documentation as follows: -

Selection Criteria	Weighting	Pioneer	Hotmix	Boral	Asphaltech
Demonstrated previous experience in the provision of similar projects/works	25%	25	23	24	24
Organisational structure/capacity to deliver required services/resources	25%	25	25	25	25
Contract price	25%	25	24.19	23.91	19.44
Compliance with the Tender Specification	15%	15	15	15	15
Overall compliance with tender specification and requirements	5%	5	5	5	5
Financial capacity of the Company	5%	5	5	5	5
<b>TOTAL</b>	<b>100%</b>	<b>100</b>	<b>97.19</b>	<b>97.9</b>	<b>93.44</b>

**Supply and Lay Sami Seal**

Mix Type	Job Size (\$/m <sup>2</sup> )	Asphaltech	Pioneer	Boral	Hotmix
7mm	0 - 500	\$14.90	-	\$29.02	\$12.50
	500 - 1000	\$12.90	-	\$16.37	\$11.50
	1000 - 2000	\$11.90	-	\$10.66	\$9.50
	2000 - 3000	\$9.90	-	\$7.11	\$7.50
	3000 +	\$6.90	-	\$5.08	\$5.50
10mm	0 - 500	\$15.40	-	\$29.02	\$13.00
	500 - 1000	\$13.40	-	\$16.37	\$12.00
	1000 - 2000	\$12.40	-	\$10.66	\$10.00
	2000 - 3000	\$10.40	-	\$7.11	\$8.00
	3000 +	\$7.40	-	\$5.08	\$6.00

Evaluation

The tenders were evaluated in accordance with the selection criteria as outlined in the tender documentation as follows: -

Selection Criteria	Weighting	Hotmix	Boral Asphalt (WA)	Asphaltech
Demonstrated previous experience in the provision of similar projects/works	25%	23	24	24
Organisational structure/capacity to deliver required services/resources	25%	25	25	25
Contract price	25%	25	21.34	17.49
Compliance with the Tender Specification	15%	15	15	15
Overall compliance with tender specification and requirements	5%	5	5	5
Financial capacity of the Company	5%	5	5	5
<b>TOTAL</b>	<b>100%</b>	98	95.34	91.49

The Town has gone away from using SAMI seals in lieu of using SMA however it may choose to still use this application in some instances

**Supply of Premixed Asphalt**

	Asphaltech	Pioneer Road Services P/L	Boral Asphalt (WA)	Hotmix
Item Description	\$/Tonne	\$/Tonne	\$/Tonne	\$/Tonne
7mm Coldmix	-	\$101.60	\$122.10	\$132.00
10mm Coldmix	-	\$101.60	\$122.10	\$130.00

Evaluation

Prices vary for each respective mix size. All tenderers meet the minimum selection criteria (as previously assessed). However based on price it is recommended that Pioneer Road Services P/L be awarded the tender for 7mm and 10mm Premixed Asphalt.

**Supply of Hotmixed Asphalt ex Plant to be collected by the Town**

Mix Type	Blow	Asphaltech	Pioneer Road Services P/L	Boral Asphalt (WA)	Hotmix
7mm	35 Blow	\$107.25	\$96.25	\$107.47	\$90.75
10mm	35 Blow	\$107.25	\$96.25	\$107.47	\$88.00
	50 Blow	\$107.25	\$96.25	\$107.47	\$88.00
14mm	50 Blow	\$106.70	\$96.25	\$106.92	\$88.00
	75 Blow	\$106.70	\$96.25	\$106.92	\$88.00

Evaluation

Prices vary for each respective mix size however the quantity used by the Town annually is small. As all tenderers meet the minimum selection criteria it is recommended that the tender for Hotmixed Asphalt ex Plant to be collected by the Town be awarded to all tenderers.

**CONSULTATION/ADVERTISING:**

Nil.

**LEGAL/POLICY:**

The Tender was advertised in accordance with the Local Government Act tender regulations.

**STRATEGIC IMPLICATIONS:**

Although not directly affiliated with a Key Result Area this would fall into the general category in the Town's Strategic Plan 2006-2011 Key Result Area One: 1.1.6 *“Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment.”*

**FINANCIAL/BUDGET IMPLICATIONS:**

The service provided as outlined in this tender will be utilised for the construction and maintenance of the Towns infrastructure during the 2007/08 - 2009/2010 financial years.

**COMMENTS:**

The quantity of hotmixed Asphalt used annually is in the order of 2,500 tonnes, with the majority of projects being in the 50 tonne category.

The Town only uses about 5 tonnes of premixed “cold mix” per annum, and approximately 50 to 100 tonnes of premixed hotmixed asphalt.

The Town also carries out red asphalt overlays in streetscapes and traffic management projects and SMA road resurfacing projects.

Due to the range in tenders submitted and the various products to be provided it is recommended that the Council accepts the following tenders in accordance with the specification as detailed in Tender No. 362/07:

- the tender for the Supply and Laying of Dense Graded Hotmixed Asphalt, the Supply and Laying of Stone Mastic Asphalt (SMA), and the Supply and Laying of Red (Gravel Pave) Hotmixed Asphalt be awarded to Pioneer Road Services
- the tender for the Supply and Laying of SAMI Seals be awarded to Hotmix.
- the tender for 7mm and 10mm Premixed Asphalt be awarded to Pioneer Road Services; and
- the tender for Hotmixed Asphalt ex Plant to be collected by the Town, be awarded to all tenderers.

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

<b>Ward:</b>	-	<b>Date:</b>	2 July 2007
<b>Precinct:</b>	-	<b>File Ref:</b>	ADM0042
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	M McKahey		
<b>Checked/Endorsed by:</b>	John Giorgi	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council ENDORSES the use of the Council's Common Seal on the documents listed in the report, for the month of June 2007.*

**COUNCIL DECISION ITEM 10.4.1**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED "EN BLOC" (8-0)**

**(Cr Doran-Wu on leave of absence.)**

**BACKGROUND:**

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

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

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

<b>Date</b>	<b>Document</b>	<b>No of copies</b>	<b>Details</b>
07/06/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Western Australian Rugby League Ltd c/o Members Equity Stadium, 310 Pier Street, Perth WA 6000 re: States National Championship - 8-10 June 2007 (Western side of Stadium)
11/06/07	Deed of Agreement	2	Town of Vincent and Foundation Housing Ltd of Unit 2, 131 Brisbane Street, Northbridge re: No. 207 (Lot 22 and 50) Lincoln Street, Highgate. (In order to bind the new public company, Foundation Housing Pty Ltd, in the same manner as Perth Inner City Housing (City Housing) and as part of the Council's Planning Approval dated 9 April 10906 (condition (vii) required the owner to forgot the right to strata title the land in perpetuity. In keeping with the Deed of Agreement & the Planning Approval, Perth City Housing (City Housing) has notified the Town of the intended change of ownership.)

<b>Date</b>	<b>Document</b>	<b>No of copies</b>	<b>Details</b>
11/06/07	Withdrawal of Caveat	1	Town of Vincent and Hammond Worthington of Level 2, 40 St Georges Terrace, Perth WA 6000 re: No. 207 (Lot 22 and 50) Lincoln Street, Highgate ( <i>Transfer of land</i> )
11/06/07	Caveat	1	Town of Vincent and Hammond Worthington of Level 2, 40 St Georges Terrace, Perth WA 6000 on behalf of Foundation Housing Ltd of Unit 2, 131 Brisbane Street, Northbridge re: No. 207 (Lot 22 and 50) Lincoln Street, Highgate ( <i>Transfer of land</i> )
19/06/07	Contract Documents	2	Town of Vincent and Leederville Gardens Retirement Estate of 37 Britannia Road, Leederville and Ms A E Brown re: Unit 6, Leederville Gardens
22/06/07	Transfer of Land	1	Town of Vincent and Schnapper Developments Pty Ltd of PO Box 471, Subiaco re: Sale of Land at Lot 10, Corner Pier and Brewer Street, Perth
25/06/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Western Power Events - 29/06/07, 6/07/07, 17/07/07, 14/08/07, 28/08/07, 11/09/07, 25/09/07, 9/10/07, 23/10/07, 6/11/07, 20/11/07, 4/12/07 and 18/12/07 (Gareth Naven Room, Glory Lounge and Suite Nos 10 and 11)
26/06/07	Contract Documents	2	Town of Vincent and Leederville Gardens Retirement Estate of 37 Britannia Road, Leederville and Ms A E Brown re: Unit 6, Leederville Gardens
29/06/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Brett McKeon, Tony Sage and John Spence trading as PG Partnership of PO Box 8438, Perth WA 6849 re: Perth Glory - Hyundai A-League Pre-Season Friendly and Family Event on 9 July 2007 (Stadium)

**10.1.3 No. 1 (Lot: 1 D/P: 3428) Monmouth Street, Mount Lawley - Proposed Two-Storey Single House Addition and Alterations and Additions to Existing Single House**

<b>Ward:</b>	South	<b>Date:</b>	3 July 2007
<b>Precinct:</b>	Norfolk Precinct; P10	<b>File Ref:</b>	PRO0681 5.2007.76.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	D Pirone		
<b>Checked/Endorsed by:</b>	R Rasiah, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner D McAullay for proposed Two-Storey Single House Addition and Alterations and Additions to Existing Single House, at No. 1 (Lot: 1 D/P: 3428) Monmouth Street, Mount Lawley, and as shown on the amended plans stamp-dated 27 June 2007, subject to the following conditions:*

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the Monmouth Street and Forrest Street boundary and the main building, including along the side boundaries within this front setback area, complying with the following:*
  - (a) the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
  - (b) decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
  - (c) the maximum width, depth and diameter of posts and piers being 350 millimetres;*
  - (d) the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
  - (e) the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

*The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes (RDC) and the Town's Policies;*

- (iii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the height of the building being a maximum of 7 metres from natural ground level;*
- (iv) *the carport shall be one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted), except where it abuts the main dwelling;*
- (v) *prior to the issue of a Building Licence, the owner(s) shall enter into a legal agreement to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town for the conservation of the existing dwelling located on proposed Lot 1. All costs associated with this condition shall be borne by the applicant/owner(s); and*
- (vi) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Monmouth Street and Forrest Street verges adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner/occupier.*

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**Moved Cr Farrell, Seconded Cr Ker**

*That the recommendation be adopted.*

Debate ensued.

**Moved Cr Ker, Seconded Cr Farrell**

*That clause (iii) be deleted and the remaining clauses renumbered.*

Debate ensued.

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

(Cr Doran-Wu on leave of absence.)

Debate ensued.

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

(Cr Doran-Wu on leave of absence.)

**COUNCIL DECISION ITEM 10.1.3**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by the owner D McAullay for proposed Two-Storey Single House Addition and Alterations and Additions to Existing Single House, at No. 1 (Lot: 1 D/P: 3428) Monmouth Street, Mount Lawley, and as shown on the amended plans stamp-dated 27 June 2007, subject to the following conditions:*

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

- (ii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the Monmouth Street and Forrest Street boundary and the main building, including along the side boundaries within this front setback area, complying with the following:*
- (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
  - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
  - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
  - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
  - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

*The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes (RDC) and the Town's Policies;*

- (iii) *the carport shall be one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted), except where it abuts the main dwelling;*
- (iv) *prior to the issue of a Building Licence, the owner(s) shall enter into a legal agreement to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town for the conservation of the existing dwelling located on proposed Lot 1. All costs associated with this condition shall be borne by the applicant/owner(s); and*
- (v) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Monmouth Street and Forrest Street verges adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner/occupier.*

<b>Landowner:</b>	D McAullay
<b>Applicant:</b>	D McAullay
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Grouped Dwelling
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	339 square metres
<b>Access to Right of Way</b>	Not Applicable

**BACKGROUND:**

No specific background directly relates to the proposal.

**DETAILS:**

The proposal involves a two storey single house addition and alterations and additions to an existing single house.

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

**ASSESSMENT:**

**Note: The following Assessment Table was corrected and distributed prior to the meeting. Changes are indicated by strikethrough, italic font and underline**

<b>Non-Compliant Requirements</b>			
<b>Requirements</b>	<b>Required</b>	<b>Proposed</b>	<b>Officer Comments Pursuant to Clause 38(5) of TPS 1</b>
Density:	1.88 dwellings at R60 <u>(Should be R55, however, the R-Codes round this figure to R60, based on an average of 180 square metres per lot.)</u>	2 dwellings At R59 <del>(5.83 6.19</del> per cent density bonus)	Supported – as the development retains and conserves a property, which is on the Municipal Heritage Inventory. As much as a 50 per cent density bonus can be considered under Clause 20 of the Town of Vincent Town Planning Scheme No. 1.
Plot Ratio: Unit 2-	0.65 or 114.4 square metres	0.63 or 112.03 square metres	Supported – no variation
Setbacks: Ground Floor North-East (Monmouth Street)	2.5 metres	1.5 metres	Supported – as not considered to have an undue impact on the amenity of the streetscape and unit 1 is existing and has a ‘nil’ setback to Monmouth Street. This will give the streetscape a staggering effect.
Upper Floor North-East (Monmouth Street)	6 metres	3.3 metres - 6 metres	Supported – as not considered to have an undue impact on the streetscape and compliments with the 1.5 metre setback of the ground floor.

Building Height:	Maximum 7 metres for a concealed roof	Highest point is 7.13 metres	Not supported – as considered to have an undue impact on neighbouring property. Condition applied to reduce the building height to a maximum of 7 metres from natural ground level.
Outdoor Living Area: Unit 2-	The outdoor living area shall be provided behind the street setback area.	The outdoor living area is proposed in the front setback.	Supported – as not considered to have an undue impact on the streetscape and the amenity of the area. Moreover, the site has a double frontage to two (2) streets.

**Consultation Submissions**

Support (1)	<ul style="list-style-type: none"> <li>• Monmouth Street is run down, neglected and suffers from a high crime rate. Therefore, development at the property will have a positive effect on the area.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted.</li> </ul>
Objection (1)	<ul style="list-style-type: none"> <li>• The building is proposed to be 7.13 metres high and will block natural light onto the neighbouring property.</li> </ul>	<ul style="list-style-type: none"> <li>• Supported in part – as a variation to building height is considered to have an undue impact on neighbouring property. Condition applied to reduce the building height to a maximum of 7 metres from natural ground level. There is no overshadowing onto neighbouring property.</li> </ul>
	<ul style="list-style-type: none"> <li>• Additional noise pollution from future residents</li> </ul>	<ul style="list-style-type: none"> <li>• Not Supported – this is a non valid planning consideration as the proposal is for an additional dwelling.</li> </ul>
	<ul style="list-style-type: none"> <li>• The development will remove they views of trees and downtown Mount Lawley.</li> </ul>	<ul style="list-style-type: none"> <li>• Noted.</li> </ul>
	<ul style="list-style-type: none"> <li>• The two-storey wall will give a feeling of being hemmed in.</li> </ul>	<ul style="list-style-type: none"> <li>• Not supported – as the proposal complies with the side setback requirements of the R Codes.</li> </ul>
	<ul style="list-style-type: none"> <li>• The proposal will remove street parking from Forrest Street.</li> </ul>	<ul style="list-style-type: none"> <li>• Not supported – as adequate car parking has been proposed on-site.</li> </ul>

	<ul style="list-style-type: none"> <li>Does not support the proposed density bonus.</li> </ul>	<ul style="list-style-type: none"> <li>Not supported – As per Clause 20 (2) (b) of the Town's Town Planning Scheme No. 1, the Town is able to consider the provision of a density bonus of up to 50 per cent if the proposed development conserves or enhances an existing dwelling worthy of retention. The existing dwelling complies with the above provisions. See 'Comments' below.</li> </ul>
<b>Other Implications</b>		
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).	
Strategic Implications	Nil	
Financial/Budget Implications	Nil	

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

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

**COMMENTS:**

**Heritage:**

The former rendered brick and iron shop and attached house at No. 1 Monmouth Street was constructed circa 1912 in the Federation Free Classical style of architecture on the corner of Monmouth Street and Forrest Street, Mount Lawley. The place has some aesthetic, historic and rarity value and was listed on the Town's Municipal Heritage Inventory (MHI) as part of the MHI Review at the Special Meeting of Council held on 3 April 2007, as a Management Category B - Conservation Recommended place.

The proposal involves two components. The first component involves alterations to the existing corner shop. These alterations involve the reinstatement of doors within the corner truncation, the introduction of two additional openings along the northern façade of the shop and the formalisation of a rear courtyard and car parking area. Various alterations have been undertaken to the shop front in the past with the rendering and bricking up of the original openings. It is considered that the proposed openings are acceptable and are in accordance with the Heritage Management Development Guidelines Policy No. 3.6.1, which states '*if new openings are visible from the street they are proportionally related to those of the heritage place.*'

The second half of the proposal relates to the development of a two-storey dwelling to the side of the subject lot. The western boundary of the new dwelling abuts two Federation Cottages at Nos. 14 and 16 Forrest Street, which are also on the Town's Municipal Heritage Inventory as Management Category B-Conservation Recommended places. The new development is contemporary in design and constructed from Custom Orb sheeting.

In considering this development, the Town's Officers acknowledge that comments on the contemporary design of the proposed two-storey dwelling are subjective and will reflect personal aesthetics. The applicant has advised that the "*material and form of the new dwelling has been chosen to respond to the site both with regard to sustainability and the local character.*" In accordance with good conservation practice, the preferred approach for new buildings, adjacent to other heritage buildings, is to design them in a contemporary manner, which is sympathetic to the surrounding area as opposed to mimicking or replicating historical styles.

It is the opinion of the Officers that the applicant has demonstrated due regard to the existing streetscape and has used as reference points the roofing materials of adjacent Federation Buildings in a considered design solution for a complex site. It is considered the elevation of the habitable area along Forrest Street has reduced the overall bulk of the building to the primary street and reduced the potential of the contemporary building to visually dominate the adjacent heritage buildings.

In light of the above, the Town's Heritage Services have no objection to the proposed development.

**CONCLUSION:**

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

**10.1.1 No. 17 (Lot 7 D/P: 11538) Green Street, Corner London Street, Mount Hawthorn – Proposed Demolition of Existing Caretakers Residence and Shop and Construction of a Two-Storey Mixed Use Development Comprising Five (5) Offices and Four (4) Multiple Dwellings (Reconsideration of Condition)**

<b>Ward:</b>	North	<b>Date:</b>	3 July 2007
<b>Precinct:</b>	Mount Hawthorn; P01	<b>File Ref:</b>	PRO0375 5.2007.170.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	S O'Loughlin		
<b>Checked/Endorsed by:</b>	R Rasiah, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by S Butto on behalf of the owner Czernik Family Trust for proposed Demolition of Existing Caretakers Residence and Shop and Construction of a Two -Storey Mixed Use Development Comprising Five (5) Offices and Four (4) Multiple Dwellings (Reconsideration of Condition), at No. 17 (Lot 7 D/P: 11538) Green Street, corner London Street, Mount Hawthorn, and as shown on plans stamp-dated 14 May 2007, subject to the following conditions:*

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (iii) the two (2) car parking bays for the office component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (iv) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (v) prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$5,590) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$5,590, subject to the Town agreeing to this arrangement . The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development Section with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (vi) all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*

- (vii) *subject to first obtaining the consent of the owners of No. 19 Green 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. 19 Green Street in a good and clean condition;*
- (viii) *the gross floor area of the office component shall be limited to a maximum of 391 square metres;*
- (ix) *prior to the first occupation of the development, the applicant/owner(s) shall, in at least 12-point size writing, advise (prospective) purchasers of the residential units/dwellings that the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development;*
- (x) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the multiple dwellings that the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities. This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;*
- (ix) *prior to the ~~first occupation of the development~~ issue of a Building Licence, the applicant/owner(s) shall, ~~in at least 12 point size writing, advise (prospective) purchasers of the residential units/dwellings~~ 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 that the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*
- (xii) *prior to the first occupation of the development, four (4) car parking spaces being provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling;*
- (xiii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
- (a) *the bin compound being constructed in accordance with the Town's Health Services Specifications, divided into commercial and residential areas and sized to contain:-*
- Residential*  
*1 x Mobile Garbage Bin per Unit*  
*1 x General Recycle Bin per 2 Units*
- Commercial*  
*1 x Mobile Garbage Bin per Unit*  
*1 x Paper Recycle Bin per Unit, or per 200 square metres of floor space;*

- (b) *the car parking bays fronting the southern dedicated road being setback a minimum of 6 metres from the southern side of that road;*
- (c) *all car parking bays complying with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking", including one car parking bay for people with disabilities.*

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

- (xiv) *doors, windows and adjacent floor areas fronting Green and London Streets shall maintain an active and interactive relationship with these streets;*
- (xv) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town;*
- (xvi) *the awnings shall be a minimum height of 2.75 metres from the footpath level to the underside of the awning and 600 millimetres from the kerb line of Green and London Streets;*
- (xvii) *prior to the issue of the Building Licence, the applicant/owner shall pay a cash-in-lieu contribution of \$7,920 for the equivalent value of 3.168 car parking spaces, based on the cost of \$2,500 per bay as set out in the Town's 2007/2008 Budget. Alternatively, if the car parking shortfall is reduced as a result of a greater number of car bays being provided, the cash in lieu amount can be reduced to reflect the new changes in car parking requirements;*
- (xviii) *prior to first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owners(s)' full expense;*
- (xix) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xx) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xxi) *prior to the first occupation of the development, two (2) class 1 or 2 bicycle parking facilities shall be provided at a location convenient to the entrances of the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to installation of such facilities; and*
- (xxii) *the on-site car parking provided for the offices shall be available for use by the multiple dwellings outside the normal business hours of the offices.*
- (xxiii) *this approval is valid until 13 September 2007 as per the previous planning approval (Serial No. 5.2005.2915.1). If the development is not substantially commenced within the above period, a new planning approval must be obtained prior to commencing or continuing the development.*

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

**Moved Cr Torre, Seconded Cr Farrell**

*That the recommendation be adopted.*

Debate ensued.

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

<b><u>For</u></b>	<b><u>Against</u></b>
Mayor Catania	Cr Chester
Cr Farrell	Cr Maier
Cr Ker	
Cr Lake	
Cr Messina	
Cr Torre	

(Cr Doran-Wu on leave of absence.)

**COUNCIL DECISION ITEM 10.1.1**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by S Butto on behalf of the owner Czernik Family Trust for proposed Demolition of Existing Caretakers Residence and Shop and Construction of a Two -Storey Mixed Use Development Comprising Five (5) Offices and Four (4) Multiple Dwellings (Reconsideration of Condition), at No. 17 (Lot 7 D/P: 11538) Green Street, corner London Street, Mount Hawthorn, and as shown on plans stamp-dated 14 May 2007, subject to the following conditions:*

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (iii) the two (2) car parking bays for the office component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (iv) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*
- (v) prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$5,590) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$5,590, subject to the Town agreeing to this arrangement . The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development Section with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*

- (vi) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (vii) *subject to first obtaining the consent of the owners of No. 19 Green 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. 19 Green Street in a good and clean condition;*
- (viii) *the gross floor area of the office component shall be limited to a maximum of 391 square metres;*
- (ix) *prior to the first occupation of the development, the applicant/owner(s) shall, in at least 12-point size writing, advise (prospective) purchasers of the residential units/dwellings that the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development;*
- (x) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the multiple dwellings that the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities. This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;*
- (ix) *prior to the issue of a Building Licence, the applicant/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 that the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*
- (xii) *prior to the first occupation of the development, four (4) car parking spaces being provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling;*
- (xiii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
  - (a) *the bin compound being constructed in accordance with the Town's Health Services Specifications, divided into commercial and residential areas and sized to contain:-*
    - Residential*
      - 1 x Mobile Garbage Bin per Unit*
      - 1 x General Recycle Bin per 2 Units*
    - Commercial*
      - 1 x Mobile Garbage Bin per Unit*
      - 1 x Paper Recycle Bin per Unit, or per 200 square metres of floor space;*

- (b) the car parking bays fronting the southern dedicated road being setback a minimum of 6 metres from the southern side of that road;*
- (c) all car parking bays complying with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking", including one car parking bay for people with disabilities.*

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

- (xiv) doors, windows and adjacent floor areas fronting Green and London Streets shall maintain an active and interactive relationship with these streets;*
- (xv) prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town;*
- (xvi) the awnings shall be a minimum height of 2.75 metres from the footpath level to the underside of the awning and 600 millimetres from the kerb line of Green and London Streets;*
- (xvii) prior to the issue of the Building Licence, the applicant/owner shall pay a cash-in-lieu contribution of \$7,920 for the equivalent value of 3.168 car parking spaces, based on the cost of \$2,500 per bay as set out in the Town's 2007/2008 Budget. Alternatively, if the car parking shortfall is reduced as a result of a greater number of car bays being provided, the cash in lieu amount can be reduced to reflect the new changes in car parking requirements;*
- (xviii) prior to first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owners(s)' full expense;*
- (xix) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xx) an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xxi) prior to the first occupation of the development, two (2) class 1 or 2 bicycle parking facilities shall be provided at a location convenient to the entrances of the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to installation of such facilities; and*
- (xxii) the on-site car parking provided for the offices shall be available for use by the multiple dwellings outside the normal business hours of the offices.*
- (xxiii) this approval is valid until 13 September 2007 as per the previous planning approval (Serial No. 5.2005.2915.1). If the development is not substantially commenced within the above period, a new planning approval must be obtained prior to commencing or continuing the development.*

<b>Landowner:</b>	Czernik Family Trust
<b>Applicant:</b>	S Butto
<b>Zoning:</b>	Metropolitan Region Scheme: (MRS) Urban Town Planning Scheme No.1 (TPS 1): Local Centre (R60)
<b>Existing Land Use:</b>	Office and Caretakers Residence
<b>Use Class:</b>	Multiple Dwelling and Office
<b>Use Classification:</b>	"AA" and "P"
<b>Lot Area:</b>	647 square metres
<b>Access to Right of Way</b>	N/A (South side, 4 metres wide dedicated road)

**BACKGROUND:**

- 22 September 1997            The Council, at its Ordinary Meeting, resolved to conditionally approve proposed new shop building and boundary fencing to London Street.
- 14 April 1998                The Council, at its Ordinary Meeting, resolved to refuse proposed change of use from caretakers residence to consulting rooms.
- 12 July 1999                 The Council, at its Ordinary Meeting, resolved to conditionally approve proposed construction of an eating house and change of use from caretakers residence to office.
- 13 September 2005         The Council, at its Ordinary Meeting, resolved to conditionally approve the demolition of existing caretakers residence and shop and the construction of a two-storey mixed use development comprising five (5) offices and four (4) multiple dwellings, subject to the following conditions:
- “(i)    *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
  - (ii)    *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
  - (iii)   *the two (2) car parking bays for the office component shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
  - (iv)    *a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence;*

- (v) *prior to the issue of a Building Licence, designs for art work(s) valued at a minimum of 1 per cent of the estimated total cost of the development (\$5,590) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$5,590, subject to the Town agreeing to this arrangement . The art work(s) shall be in accordance with the Town's Policy relating to Percent for Art Scheme and be developed in full consultation with the Town's Community Development and Administrative Services with reference to the Percent for Art Scheme Policy Guidelines for Developers. The art work(s) shall be installed prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (vi) *all signage shall be subject to a separate Planning Approval and Sign Licence application being submitted and approved prior to the erection of the signage;*
- (vii) *subject to first obtaining the consent of the owners of No. 19 Green 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. 19 Green Street in a good and clean condition;*
- (viii) *the gross floor area of the office component shall be limited to a maximum of 391 square metres;*
- (ix) *prior to the first occupation of the development, the applicant/owner(s) shall, in at least 12-point size writing, advise (prospective) purchasers of the residential units/dwellings that the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential units/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development;*
- (x) *prior to the issue of a Building Licence, the owner(s) shall agree in writing to a notification being lodged under section 70A of the Transfer of Land Act notifying proprietors and/or (prospective) purchasers of the multiple dwellings that the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities. This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development;*

- (xi) *the residential component of the development shall be adequately sound insulated prior to the first occupation of the development. The necessary sound insulation shall be in accordance with the recommendations, developed in consultation with the Town, of an acoustic consultant registered to conduct noise surveys and assessments in accordance with the Environmental Protection Act 1986. The sound insulation recommendations shall be submitted and approved prior to the issue of a Building Licence. The engagement of and the implementation of the recommendations of this acoustic consultant are to be at the applicant's/owner(s)' costs;*
- (xii) *prior to the first occupation of the development, four (4) car parking spaces being provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling;*
- (xiii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating:*
- (a) *the bin compound being constructed in accordance with the Town's Health Services Specifications, divided into commercial and residential areas and sized to contain:-*
- Residential*  
*1 x Mobile Garbage Bin per Unit*  
*1 x General Recycle Bin per 2 Units*  
*Commercial*  
*1 x Mobile Garbage Bin per Unit*  
*1 x Paper Recycle Bin per Unit, or per 200 square metres of floor space;*
- (b) *the car parking bays fronting the southern dedicated road being setback a minimum of 6 metres from the southern side of that road;*
- (c) *all car parking bays complying with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking", including one car parking bay for people with disabilities; and*
- (d) *the balconies to Units 1, 2, 3 and 4 on the upper level having minimum dimensions of 2.0 metres.*

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

- (xiv) *doors, windows and adjacent floor areas fronting Green and London Streets shall maintain an active and interactive relationship with these streets;*
- (xv) *prior to the issue of a Building Licence, a Construction Management Plan addressing noise, hours of construction, traffic and heavy vehicle access, dust and any other appropriate matters, shall be submitted to and approved by the Town;*
- (xvi) *the awnings shall be a minimum height of 2.75 metres from the footpath level to the underside of the awning and 600 millimetres from the kerb line of Green and London Streets;*
- (xvii) *prior to the issue of the Building Licence, the applicant/owner shall pay a cash-in-lieu contribution of \$7,920 for the equivalent value of 3.168 car parking spaces, based on the cost of \$2,500 per bay as set out in the Town's 2004/2005 Budget. Alternatively, if the car parking shortfall is reduced as a result of a greater number of car bays being provided, the cash in lieu amount can be reduced to reflect the new changes in car parking requirements;*
- (xviii) *prior to first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owners(s)' full expense;*
- (xix) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xx) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xxi) *prior to the first occupation of the development, two (2) class 1 or 2 bicycle parking facilities shall be provided at a location convenient to the entrances of the approved development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to installation of such facilities; and*
- (xxii) *the on-site car parking provided for the offices shall be available for use by the multiple dwellings outside the normal business hours of the offices."*

**DETAILS:**

The proposal involves the reconsideration of condition (xiii) (d) stated below, for the demolition of existing caretakers residence and shop and construction of a two-storey mixed use development comprising five (5) offices and four (4) multiple dwellings, which was approved by the Council at its Ordinary Meeting held on 13 September 2005.

“(xiii) (d) *the balconies to Units 1, 2, 3 and 4 on the upper level having minimum dimensions of 2.0 metres.*”

The applicant has provided a written submission in regard to the reconsideration of the above condition. The applicant's submission is "*Laid on the Table*" and key points are outlined below:

- Policy 3.1.1 – Mount Hawthorn Precinct refers to awnings/verandahs to provide continuous cover and protection for the public. This Policy also suggests that alternatively buildings of two storeys may provide this means of cover by providing a 2 metre wide balcony over;
- The balcony is an alternative to providing a roof awning and is not intended to be a requirement, and at no time is the 2 metre minimum width stipulated to be the minimum width of any balcony; and
- The Residential Design Codes Part 4 – Dwellings in Mixed-Use Development (4.2.1) (A1) (iii) requires the balconies to be not less than 1.5 metres in depth and 4 square metres in area.

**ASSESSMENT:**

The Assessment Table considered at the Ordinary Meeting of Council on 13 September 2005 remains the same except for the variation to the balconies. Moreover, no submissions were received when the application was initially advertised for public comment.

**COMMENTS:**

As the proposed reconsideration of condition does not result in a greater variation, the matter does not require to be re-advertised. Condition (xiii) (d) was applied on the previous planning approval to satisfy the requirements of Policy No. 3.1.1- Mount Hawthorn Precinct. This policy states;

“(iii) *Awnings/Verandahs and Balconies*  
*Buildings are strongly encouraged to be provided with continuous and complementary awnings/verandahs over the adjacent footpaths.*

*Buildings with two or more storeys may be provided with balconies with minimum dimensions of two metres and located up to and/or over the adjacent footpath.”*

The 2.0 metre wide balcony is intended to be provided where awnings over the footpath are not viable and ensure adequate shelter to pedestrians is provided, while also promoting direct interaction of the upper floors built form and uses with the street to contribute to a safe, vibrant, interactive and integrated urban centre. In this case, the applicant has proposed an awning along both London Street and Green Street for the entire length of the building to satisfy this policy.

In light of the above, it is recommended that the Council approves the above application as the proposed balcony widths of 1.5 metres, with areas greater than 4.0 square metres, is considered reasonable and acceptable in this case, and support the deletion of condition (xiii) (d) of the Council decision as determined at the Ordinary Meeting of Council held on 13 September 2005.

**10.1.5 Introduction of Paid Parking in Brisbane Street, between Beaufort Street and Lake Street, Perth and Amendment of the Proposed Town of Vincent Parking and Parking Facilities Local Law to Enable the Installation of Ticket Issuing Machines**

<b>Ward:</b>	South	<b>Date:</b>	3 July 2007
<b>Precinct:</b>	Hyde Park Precinct; P12	<b>File Ref:</b>	PKG0055
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	P. Cicanese, J MacLean		
<b>Checked/Endorsed by:</b>	R Boardman, John Giorgi	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report on the introduction of paid parking in Brisbane Street; between Lake Street and Beaufort Street, Perth;*
- (ii) *APPROVES the introduction of paid parking on both sides of Brisbane Street, between Lake Street and Beaufort Street, Perth as shown on the attached plans, 2530-PP-1 and 2531-PP-1;*
- (iii) *AUTHORISES the Chief Executive Officer to advertise the proposed amendment for a period of six (6) weeks and undertake public consultation with residents, businesses and other potentially affected organisations, in the area around Brisbane Street, Perth;*
- (iv) *AMENDS the existing Schedule 6, of the proposed new Parking and Parking Facilities Local Law, which was approved by the Council at the Ordinary Meeting of Council held on 26 June 2007 by inserting the following new clauses:*

**SCHEDULE 6**

**Local Government Act 1995  
Parking and Parking Facilities Local Law**

**TICKET MACHINES ZONES**

**PERIOD AND FEES**

	<b>LOCATION</b>	<b>BETWEEN</b>	<b>PERIOD OF OPERATION</b>
13	<u>North South</u> side of Brisbane Street, Perth	<u>Between Beaufort Street and William Street</u>	<u>9.00am to 8.00pm Monday to Friday and 8.00am to 8.00pm Saturday and Sunday</u>
14	<u>South North</u> side of Brisbane Street, Perth	<u>Between Beaufort Street and William Street</u>	<u>8.00am to 8.00pm Monday to Sunday</u>
15	<u>North and South</u> sides of Brisbane Street, Perth	<u>Between William Street and Lake Street</u>	<u>8.00am to 8.00pm Monday to Sunday</u>

- (v) *NOTES that a further report will be submitted to the Council to consider any submissions received as part of the public consultation process, associated with the adoption of a new Parking and Parking Facilities Local Law and any further appropriate recommendations; and*
- (vi) *subject to the ticket machine proposal being approved by the Council, APPROVES of the hourly fee to be \$2.20 per hour.*

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

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**Moved Cr Ker, Seconded Cr Farrell**

*That the recommendation be adopted subject to clause (iii) being amended to read as follows:*

*“(iii) **AUTHORISES** the Chief Executive Officer to:*

- (a) **advertise the proposed amendment for a period of six (6) weeks and undertake public consultation with residents, businesses and other potentially affected organisations, in the area around Brisbane Street, Perth; and***
- (b) **invite potentially affected eligible residents in Brisbane Street to apply for residential and visitor parking permits prior to the installation of the ticket machines;**”*

Debate ensued.

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

(Cr Doran-Wu on leave of absence.)

**COUNCIL DECISION ITEM 10.1.5**

*That the Council;*

- (i) **RECEIVES** the report on the introduction of paid parking in Brisbane Street; between Lake Street and Beaufort Street, Perth;*
- (ii) **APPROVES** the introduction of paid parking on both sides of Brisbane Street, between Lake Street and Beaufort Street, Perth as shown on the attached plans, 2530-PP-1 and 2531-PP-1;*
- (iii) **AUTHORISES** the Chief Executive Officer to:*
  - (a) **advertise the proposed amendment for a period of six (6) weeks and undertake public consultation with residents, businesses and other potentially affected organisations, in the area around Brisbane Street, Perth; and***
  - (b) **invite potentially affected eligible residents in Brisbane Street to apply for residential and visitor parking permits prior to the installation of the ticket machines;***
- (iv) **AMENDS** the existing Schedule 6, of the proposed new Parking and Parking Facilities Local Law, which was approved by the Council at the Ordinary Meeting of Council held on 26 June 2007 by inserting the following new clauses:*

**SCHEDULE 6****Local Government Act 1995  
Parking and Parking Facilities Local Law****TICKET MACHINES ZONES****PERIOD AND FEES**

	<b>LOCATION</b>	<b>BETWEEN</b>	<b>PERIOD OF OPERATION</b>
<u>13</u>	<u>South side of Brisbane Street, Perth</u>	<u>Between Beaufort Street and William Street</u>	<u>9.00am to 8.00pm Monday to Friday and 8.00am to 8.00pm Saturday and Sunday</u>
<u>14</u>	<u>North side of Brisbane Street, Perth</u>	<u>Between Beaufort Street and William Street</u>	<u>8.00am to 8.00pm Monday to Sunday</u>
<u>15</u>	<u>North and South sides of Brisbane Street, Perth</u>	<u>Between William Street and Lake Street</u>	<u>8.00am to 8.00pm Monday to Sunday</u>

- (v) *NOTES that a further report will be submitted to the Council to consider any submissions received as part of the public consultation process, associated with the adoption of a new Parking and Parking Facilities Local Law and any further appropriate recommendations; and*
- (vi) *subject to the ticket machine proposal being approved by the Council, APPROVES of the hourly fee to be \$2.20 per hour.*

**PURPOSE OF REPORT:**

To obtain Council approval to introduce ticket machines in two sections of Brisbane Street, Perth.

**BACKGROUND:**

Brisbane Street, Perth between Beaufort and William Streets is a west bound one-way street that serves as a District Distributor Road to traffic, which has Clearway Restrictions on one side of the road. The street then continues westward, as a two-way, main access road between William and Lake Streets. These two sections of the street are utilized as a parking facility for drivers who attend the many surrounding stores and restaurant facilities, on both Brisbane and William Streets and it also services the nearby Mosque and the Brisbane Hotel. The street consists of both Commercial and residential properties. There are approximately sixty seven (63) bays between Lake and William Street and thirty seven (37) bays between William and Beaufort Streets (Total 100 bays – approximately).

**DETAILS:**

Over the past few years, Brisbane Street, Perth has become very active and is regularly used as a parking facility for people frequenting the Perth area. It is one of the main parking alternatives when there is no availability for parking in William Street, Perth and the south side of the street has morning Clearway Restrictions in place. Currently, there are time restricted paid parking facilities, on both sides of the William Street, along with a morning Clearway, between Brisbane Street and Newcastle Street, Perth .

Complaints of vehicles constantly overstaying the restrictions in this street are being received by the Ranger Services, on an almost daily basis. Rangers patrol the area regularly and chalk the tyres of the parked vehicles; however, vehicles are often moved from bay to bay to avoid the current two hour (2P) and (1P) Restrictions. As a result, Rangers issue very few infringement notices leading to further complaints as the problem continues.

The installation of ticket issuing machines creates a more efficient enforcement function, because a Ranger only needs to check an area once, to establish if a vehicle displays a valid parking ticket. If the vehicle displays a valid ticket, the Ranger will move on and, if a vehicle does not display a valid ticket, he/she will issue an infringement notice. This has proven successful with the introduction of other Ticket Machine Zones, within the Town.

It is considered that the introduction of paid parking will discourage drivers from parking free on Brisbane Street, Perth and moving their vehicle every two hours, as an alternative to the paid parking, in nearby Brisbane Street Car Park. The introduction of time restricted paid parking, similar to that in adjacent William Street, will enable drivers to park for a period, suitable to the needs of both motorists and the occupiers. When the recommendation is approved, a two hour (2P) restriction would ensure consistency with the restrictions in the surrounding area, which would minimise any confusion to motorists visiting the area.

It should be noted that there are a number of fifteen minute (¼P) parking bays in Brisbane Street and, because they service the adjacent butcher's shop, it is proposed that these will remain free.

It is envisaged that ten (10) ticket machines will be required.

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

It is proposed that a letter be delivered to properties in Brisbane Street, between Beaufort and Lake Streets, Perth and the immediately adjacent properties around the location. The letter will explain the intention of the Town and will seek comment from the public, in this regard.

The Council approved a proposed new Parking and Parking Facilities Local Law, at its Ordinary Meeting held on 26 June 2007 and is currently in the process of advertising it. The proposed amendment to Schedule 6 of the proposed Local Law would not be considered a significant change, so it can be appended, without any problems. At the end of the consultation period, any submissions will be reported back to the Council.

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

The Town is currently advertising the Parking and Parking Facilities Local Law. This amendment will be considered as part of the process. This proposed "Ticket Machine Zone" will be added to Schedule 6, in the proposed new Local Law, so it will not be necessary to amend the existing Legislation.

At the completion of a statutory consultation period, for the proposed new Parking and Parking Facilities Local Law, a further report must be provided to the Council, outlining any submissions and seeking a final approval for the proposed amendment. When the Council gives this approval, the amendment must be advertised in the Government Gazette and it then takes 14 days before becoming enforceable.

#### **STRATEGIC IMPLICATIONS:**

The above report is in keeping with the Town's Strategic Plan 2006-2011 at Objective 2.1.4 - *"Identify the needs and expectations of the business community and facilitate outcomes in the Town"* at, Part 2.1.4(b) - *"Implement parking management strategies that provide assistance to businesses, while maintaining the Town's commitment to the whole community"*.

**FINANCIAL/BUDGET IMPLICATIONS:**

There will be a small cost associated with advertising the proposal, and there will be costs associated with the purchase and installation of the machines, along with the erection of appropriate signage. Funds for this proposal have been allocated in the Draft 2007/2008 Budget.

Additional income will be received by the Town, as the proposal involves approximately 104 car parking bays.

There are approximately 100 paid parking bays in Brisbane Street, between Beaufort Street and Lake Street and the bays closest to William Street would be expected to have substantially more use than those some distance away. Also, because there are a number of residential properties in Brisbane Street, west of William Street, it is anticipated that visitors, to these residences, will make use of the facilities.

Subject to Council approval, it is anticipated that the paid parking could be in place and operating by the end of October 2007 (the ticket machines have a 10 week delivery time). Based on an hourly rate of \$2.20 per hour (same as William Street) and an average of 6 hours usage per day (conservative), the expected revenue that will be generated by this proposal is conservatively estimated at approximately \$86,000 per annum.

**COMMENTS:**

The installation of Ticket Issuing Machines would ensure that there is a more frequent turnover of car parking bays and will make enforcement duties less time-consuming and would improve the efficiency of the Rangers' patrols.

Ticket issuing machines make enforcement much easier, since a vehicle either displays a current ticket and the Ranger will move on, or it does not display a current ticket, resulting in an infringement notice being issued. It is therefore recommended that the report be approved by the Council.

**10.2.6 East Perth Redevelopment Authority (EPRA) Verge Treatments within the Town of Vincent Boundaries**

<b>Ward:</b>	South	<b>Date:</b>	29 June 2007
<b>Precinct:</b>	Beaufort P13	<b>File Ref:</b>	TES0234
<b>Attachments:</b>			
<b>Reporting Officer(s):</b>	J. van den Bok ; R Lotznicker		
<b>Checked/Endorsed by:</b>		<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report in relation to the East Perth Redevelopment Authority's verge treatments within the Town of Vincent boundaries;*
- (ii) *NOTES that;*
  - (a) *the East Perth Redevelopment Authority had previously handed over all verge treatments within the City of Perth to the City of Perth prior to 1 July 2007;*
  - (b) *the Town of Vincent is now responsible for the maintenance of all verge treatments within the former City of Perth boundary (as of 1 July 2007); and*
  - (c) *that an allowance has been made within the street tree and verge maintenance operating budgets to cater for the minimum maintenance requirements and therefore the works as proposal as recommended in clause (iii) would be able to be undertaken within the context of the respective 2007/2008 maintenances budgets at an overall estimated cost of \$19,000 per annum;*
- (iii) *APPROVES the following actions;*
  - (a) *that the reticulation be turned off along Newcastle Street between Fitzgerald and William St, between William St and Money Street (including Money Street verges) and Between Stirling Street and Lord Street and that any tree watering requirements are undertaken manually;*
  - (b) *that the existing grassed verges along Newcastle Street will be considered for paving in future budgets or that any urgent the works will be funded from the Town's maintenance budget in 2007/2008 if the need arises;*
  - (c) *that the reticulation be turned off on the verges within the Grasso Precinct in the following streets, Stirling, Parry, Gregson, Grasso, Pier, Piconeri, Tudori and Braid Streets, and that any tree watering requirements be undertaken manually; and*
  - (d) *that the reticulation be turned off in Claise Brook North (former EPRA redevelopment site) bounded by Lord, Summers Graham Farmer Freeway and Railway line and any tree watering requirements be undertaken manually; and*

(iv) **ADVISES;**

- (a) *the East Perth Redevelopment Authority that the Town agrees to take over the care, control & management of the former EPRA area within the Town of Vincent boundaries, in accordance with the maintenance requirements as outlined in clause (iii) above and that the maintenance of all verge areas will become the responsibility of adjacent residents / businesses;*
- (b) *all adjacent residents/businesses within the areas concerned, that the maintenance of all verges including reticulation and mowing will be their responsibility for the reasons outlined in the report; and*
- (c) *the City of Perth that any reticulated verges or trees watered from any control system currently located within the Town of Vincent boundary will be immediately disconnected and they should consider alternative arrangements.*

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**Moved Cr Farrell, Seconded Cr Ker**

*That the recommendation be adopted.*

Debate ensued.

**Moved Cr Ker, Seconded Cr Farrell**

*That a new clause (iii)(e) be added as follows:*

“(iii) (e) *investigation be undertaken on where native planting would be appropriate;*

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

(Cr Doran-Wu on leave of absence.)

**Moved Cr Chester, Seconded Cr Farrell**

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

“(iv) (c) *the City of Perth that any reticulated verges or trees watered from any control system currently located within the Town of Vincent boundary will be ~~immediately~~ disconnected as soon as practicable and the City of Perth should put in place and they should consider alternative arrangements within a timeframe deemed appropriate by the Town of Vincent’s Chief Executive Officer.”*

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

**For**

Mayor Catania

Cr Chester

Cr Farrell

Cr Ker

Cr Lake

Cr Maier

Cr Torre

**Against**

Cr Messina

(Cr Doran-Wu on leave of absence.)

Debate ensued.

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

<b><u>For</u></b>	<b><u>Against</u></b>
Mayor Catania	Cr Messina
Cr Chester	
Cr Farrell	
Cr Ker	
Cr Lake	
Cr Maier	
Cr Torre	

(Cr Doran-Wu on leave of absence.)

**COUNCIL DECISION ITEM 10.2.6**

*That the Council;*

- (i) *RECEIVES the report in relation to the East Perth Redevelopment Authority's verge treatments within the Town of Vincent boundaries;*
- (ii) *NOTES that;*
  - (a) *the East Perth Redevelopment Authority had previously handed over all verge treatments within the City of Perth to the City of Perth prior to 1 July 2007;*
  - (b) *the Town of Vincent is now responsible for the maintenance of all verge treatments within the former City of Perth boundary (as of 1 July 2007); and*
  - (c) *that an allowance has been made within the street tree and verge maintenance operating budgets to cater for the minimum maintenance requirements and therefore the works as proposal as recommended in clause (iii) would be able to be undertaken within the context of the respective 2007/2008 maintenances budgets at an overall estimated cost of \$19,000 per annum;*
- (iii) *APPROVES the following actions;*
  - (a) *that the reticulation be turned off along Newcastle Street between Fitzgerald and William St, between William St and Money Street (including Money Street verges) and Between Stirling Street and Lord Street and that any tree watering requirements are undertaken manually;*
  - (b) *that the existing grassed verges along Newcastle Street will be considered for paving in future budgets or that any urgent the works will be funded from the Town's maintenance budget in 2007/2008 if the need arises;*
  - (c) *that the reticulation be turned off on the verges within the Grasso Precinct in the following streets, Stirling, Parry, Gregson, Grasso, Pier, Piconeri, Tudori and Braid Streets, and that any tree watering requirements be undertaken manually;*

- (d) *that the reticulation be turned off in Claise Brook North (former EPRA redevelopment site) bounded by Lord, Summers Graham Farmer Freeway and Railway line and any tree watering requirements be undertaken manually; and*
  - (e) *investigation be undertaken on where native planting would be appropriate; and*
  - (iv) **ADVISES;**
    - (a) *the East Perth Redevelopment Authority that the Town agrees to take over the care, control & management of the former EPRA area within the Town of Vincent boundaries, in accordance with the maintenance requirements as outlined in clause (iii) above and that the maintenance of all verge areas will become the responsibility of adjacent residents / businesses;*
    - (b) *all adjacent residents/businesses within the areas concerned, that the maintenance of all verges including reticulation and mowing will be their responsibility for the reasons outlined in the report; and*
    - (c) *the City of Perth that any reticulated verges or trees watered from any control system currently located within the Town of Vincent boundary will be disconnected as soon as practicable and the City of Perth should put in place alternative arrangements within a timeframe deemed appropriate by the Town of Vincent's Chief Executive Officer.*
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**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of the East Perth Redevelopment Authority (EPRA) further request for the Town to assume responsibility for the maintenance of verge treatments currently maintained by EPRA within the Town of Vincent.

**BACKGROUND:**

At the Ordinary Meeting of Council held on the 7 November 2006, a further report was presented in regards to the Proposed Northbridge Landscape Restoration Plan where it was decided (in part):

*That the Council;*

- (ii) *NOTES that the East Perth Redevelopment Authority;*
  - (a) *does NOT support the installation of domestic bores to provide irrigation source for the subject landscaped areas;*
  - (b) *does NOT wish to alter the current landscaping in the subject areas; and*
  - (c) *prefers that the Town take on the maintenance of the New Northbridge landscaping, in its current form, as from January 2007;*
- (iii) *NOTES that should the Town decide to take over the new Northbridge landscaping, as requested, the following information is provided;*

- (a) *the estimated cost to maintain the areas to the standard as requested by the East Perth Redevelopment Authority in 2006/2007, i.e. from January 2007 to June 2007, would be approximately \$17,800;*
  - (b) *the estimated total annual cost of maintaining the landscaping to the standard as requested by the East Perth Redevelopment Authority thereafter, would be in the order of \$35,570 per annum;*
  - (c) *as there is no 'current' budget allocation for this project, the costs associated with the maintenance, as outlined in clause (ii)(a) could be funded from various existing maintenance accounts to June 2007, (including the Street Tree Maintenance and Verge Maintenance budget accounts); and*
  - (d) *a new operating budget allocation comprising \$35,570 would need to be included from the 2007/2008 budget onwards;*
- (iv) *ADVISES the East Perth Redevelopment Authority that;*
- (a) *while it supports "IN PRINCIPLE" the formal handing over of the subject areas to the Town as outlined in appendix 10.2.4, it is requested that they extend their current maintenance responsibility for the landscaped areas in question until all of their lots have been sold; and*
  - (b) *when the Council formally agrees to assume the maintenance of the subject areas, the Town may alter the nature of the current landscaping in an effort to reduce the reliance on scheme water and ongoing maintenance requirements; and*
- (v) *RECEIVES a further report on the matter prior to the Town formally agreeing to take on the care, control and management of the subject landscaped areas.*

#### **DETAILS:**

##### **East Perth Redevelopment Authority Proposal**

A further letter was received from EPRA on 19 June 2007, in response to the above Council decision where EPRA advised ( in part) as follows:

*2) The final eleven lots in the "new Northbridge" project will released during 2007/08 and although the Town had previously requested EPRA maintain the landscaped areas until all lots had been sold, EPRA proposes it would be appropriate for the Town to resume management over the verge treatments due to EPRA's reduced presence in the area.*

*3) EPRA supports the Town's request to alter the nature of the current landscaping in an effort to reduce the reliance on scheme water by altering the water supply system.*

In addition to the above, at a meeting between EPRA representatives and the Town's Officers, held at the Town on 28 June 2007, EPRA advised that the City of Perth had previously assumed the care control and management of all former EPRA verge treatments within their boundary.

These "various verge areas" previously within the City of Perth previously formally maintained by EPRA are now under the Control of the Town of Vincent (as of 1 July 2007).

**Note:** The existing reticulation system installed by EPRA in the section of Newcastle Street east of William Street covers both the City of Perth and Town of Vincent areas and the water and electrical source for the controls is located within the Town of Vincent.

A breakdown of the landscaping scope/current maintenance practices etc in the areas now under the control of the Town is outlined as follows:

**Newcastle Street**

*Between Fitzgerald St and William St.*

Landscape

The landscaping along this section of Newcastle Street consists of Angophora costata – Apple Gum as street trees and small sections of turf planted along the verge.

The Town's staff indicated prior to the commencement of upgrade works that it was the Town's preference to have the sections of turf, which in some instances comprised only two square metres in places, removed and either paved or maintained as native garden beds. EPRA, however decided that the turfed areas should remain.

Note: The entire landscape, including all turfed areas is currently reticulated from a scheme operated automatic irrigation system.

Maintenance Requirement

The turfed/reticulated verges along Newcastle Street will be very labour intensive and costly to maintain. The turf itself will require mowing every fortnight for approximately six (6) months of the year and will require watering twice per week.

The existing trees (Apple Gums) have matured rapidly and will require minor tree maintenance to ensure their form is maintained. The majority of trees would now also only require minimal watering.

Officers Recommendation

It is therefore recommended that the reticulation be turned off along Newcastle Street - William Street to Fitzgerald St, and any tree watering requirements are undertaken manually. The existing grassed verges will be considered for paving in future budgets or that any urgent the works will be funded from the Town's maintenance budget in 2007/2008 if the need arises.

**Newcastle Street**

*Between William St to Money Street (including Money Street verges)*

Landscape

The landscaping along this section of Newcastle Street consists of Angophora costata – Apple Gum as street trees and larger sections of turf planted along the verge of Newcastle Street. Within Money Street several larger London Plane tree shave been planted and the verges have been grassed and reticulated.

Maintenance Requirements

The turfed/reticulated verges along Newcastle Street and within Money Street will be very labour intensive and costly to maintain. The turf itself will require mowing every fortnight for approximately six (6) months of the year and will require watering twice per week.

The existing trees (Apple Gums & London Plane trees) have matured rapidly and will require minor tree maintenance to ensure their form is maintained. The majority of trees would now also only require minimal watering.

Officers Recommendation

It is recommended that the reticulation be turned off along Newcastle Street - William St to Money Street (including Money Street verges) and any tree watering requirements undertaken manually. Adjacent residents/businesses will be advised that any verge maintenance requirements will now become their responsibility.

Newcastle Street - between Money Street & Stirling Street (including Lindsay Street verges)

Landscape

The landscaping along this section of Newcastle Street consists of Angophora costata – Apple Gum as street trees and larger sections of turf planted along the verge of Newcastle Street. Within Lindsay Street several larger Paperbark trees have been planted and the verges have been grassed and reticulated.

The reticulation system servicing this area also controls the Museum Street Precinct tree plantings and also the verges on the southern side of Newcastle Street within the City of Perth boundary.

Maintenance Requirements

The turfed/reticulated verges along Newcastle Street and within Lindsay Street will be very labour intensive and costly to maintain. The turf itself will require mowing every fortnight for approximately six (6) months of the year and will require watering twice per week.

The existing trees (Apple Gums and Paperbark trees) have matured rapidly and will require minor tree maintenance to ensure their form is maintained. The majority of trees would now also only require minimal watering.

Officers Recommendation

It is recommended that the reticulation is turned off along Newcastle Street - between Money Street and Stirling Street (including Lindsay Street verges) and any tree watering requirements undertaken manually. Adjacent residents/businesses will be advised that any verge maintenance requirements will now become their responsibility.

In addition the City of Perth will be advised that any reticulation originating from systems within the Town of Vincent will be turned off and alternative arrangements will need to be made if they should wish to continue watering their verges and tree plantings.

**Newcastle Street**

*Between Stirling Street & Lord Street including verges within the Grasso Precinct as follows: Stirling, Parry, Gregson, Grasso, Pier, Piscomeri, Tudori & Braid Streets)*

Landscape

The landscaping along this section of Newcastle Street consists of Angophora costata – Apple Gum as street trees and larger sections of turf planted along the verge of Newcastle Street.

Within the “Grasso” precinct many different tree varieties have been used and all the verges have been grassed and reticulated.

The reticulation system servicing some of this area also controls the verges on the southern side of Newcastle Street within the City of Perth. In addition it also services the median island adjacent to Weld Square.

Maintenance Requirements

The turfed/reticulated verges along Newcastle Street and within the Grasso Precinct will be very labour intensive and costly to maintain. The turf itself will require mowing every fortnight for approximately six (6) months of the year and will require watering twice per week.

Many of the existing trees will require summer watering for at least another two (2) years however this can be accommodated with a water truck.

Officers Recommendations

It is therefore recommended that the reticulation be turned off in the majority of the area along Newcastle Street - between Stirling Street & Lord Street including verges within the Grasso Precinct as follows: Stirling, Parry, Gregson, Grasso, Pier, Piscomeri, Tudori & Braid Streets) and that any tree watering requirements be undertaken manually. Adjacent residents/businesses will be advised that any verge maintenance requirements will now become their responsibility.

In addition it is recommended that the City of Perth be advised that any reticulation originating from systems within the Town of Vincent will be turned off and alternative arrangements will need to be made if they should wish to continue watering their verges and tree plantings.

The grassed reticulated area within the median island adjacent to Weld Square will remain in operation two (2) days per week as permitted and in future the Town staff will determine whether this area can be connected to the Weld Square reticulation system which is serviced by a bore.

**Claise Brook North – former EPRA redevelopment site**

*Bounded by Lord, Summers Graham Farmer Freeway and Railway line*

Landscape

The above area is now under the care, control, & management of the Town (as from 1 July) and includes reticulated and grassed verges that were previously upgraded by EPRA and handed over to the City of Perth who continued to maintain the verges until handing them to the Town.

Maintenance Requirements

The turfed/reticulated verges will be very labour intensive and costly to maintain. The turf itself will require mowing every fortnight for approximately six (6) months of the year and will require watering twice per week.

Many of the existing trees will require summer watering for at least another two (2) years however this can be accommodated with a water truck.

Note: The scope of the maintenance requirements in this area was only revealed to the Town's officers on 3 July 2007. There are over 40 reticulation controllers in the area all operating from scheme operated automatic irrigation systems.

Officers Recommendations

It is recommended that the reticulation be turned off Claise Brook North – former EPRA redevelopment site Bounded by Lord, Summers Graham Farmer Freeway and Railway line and any tree watering requirements undertaken manually. Adjacent residents/businesses will be advised that any verge maintenance requirements will now become their responsibility.

**CONSULTATION/ADVERTISING:**

Where existing maintenance standards of verge treatments are modified eg where existing Town maintained verge reticulation is to be disconnected or mowing discontinued, adjacent owner/occupiers and businesses will be advised accordingly.

**LEGAL/POLICY:**

Nil.

**STRATEGIC IMPLICATIONS:**

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.6 Enhance and maintain the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment. “(a) *Implement infrastructure upgrade programs including streetscape enhancements, footpaths, Right of Ways and Roads.*”

**FINANCIAL/BUDGET IMPLICATIONS:**

**Newcastle Street - Fitzgerald Street to Lord Street including Money & Lindsay Street)**

EPRA has advised that the maintenance cost for all of the above was in excess of \$37,000 per annum. Previously the Town’s officers advised that the area could be maintained to a reasonable standard for around \$23,020 per annum.

If the area was maintained as recommended i.e. verge maintenance by the adjacent resident/business and the Town only undertook tree maintenance and watering the cost is estimated to be \$8,700 per annum.

**Grasso Precinct**

*Including Parry Street*

EPRA have advised that the maintenance cost for all of the above was in excess of \$31,000 per annum. Previously the Town’s officers advised that Parry Street could be maintained to a reasonable standard for around \$12,550 per annum. If the area were to be maintained as recommended i.e. verge maintenance by the adjacent resident/business and the Town only undertook tree maintenance and watering the cost is estimated to be \$5,300 per annum.

The cost of maintaining the median island adjacent to Weld Square is estimated at \$5,000 per annum.

It should be noted that no funding has been allocated within the Town of Vincent 2007/08 budget to maintain any the above areas to the standard set by EPRA however, an allowance has been made within the street tree and verge maintenance budgets to cater for the minimum maintenance requirements.

Therefore, the works as recommended would be able to be undertaken within the context of the respective 2007/2008 maintenances budgets.

Where additional paving or infrastructure improvements are required, these items would have to be listed for consideration on future draft capital works budgets or where minor works are required (for health and safety reasons) these could be undertaken from the 2007/2008 Engineering Operating budget.

**COMMENTS:**

EPRA have indicated that they do not have the funding to continue to maintain the verges under their current care, control & management for much longer and given their support for the Town to alter the landscaping to reduce the reliance on scheme water, it is considered prudent for the Town to now take over the responsibility of maintaining the areas in question.

Given the current emphasis on saving scheme water across all areas and the subsequent high maintenance costs associated with small narrow reticulated verges it would be prudent for the Town to discontinue with the current high maintenance standard.

There are approximately 201 separate reticulation stations or sections operating on the verges in the areas listed previously redeveloped by EPRA.

Given that a standard water meter has an average output of one (1) litre per second the amount of scheme water used every week to water the verge in these areas is estimated at 241,200 litres or 241.2 kilolitres (i.e. 201 sections x 10 minutes x twice per week).

In all other areas of the Town verge maintenance is the responsibility of the adjacent landowner and if this high standard of maintenance was set as precedence the cost implications for the Town would be significant.

**10.2.7 Proposed Leederville Oval Public Open Space Redevelopment -  
246 Vincent Street, Leederville**

<b>Ward:</b>	North Perth	<b>Date:</b>	3 July 2007
<b>Precinct:</b>	Oxford Centre, P4	<b>File Ref:</b>	TES0313/TES0245
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	R Lotznicker, J van den Bok, C Wilson		
<b>Checked/Endorsed by:</b>		<b>Amended by:</b>	-

**RECOMMENDATION:**

*That the Council;*

- (i) **RECEIVES** the report on the Proposed Leederville Oval Public Open Space Redevelopment - 246 Vincent Street, Leederville; and
- (ii) **NOTES** that;
  - (a) it previously adopted the Public Open Space Redevelopment concept plans at its Special Meeting held on 17 October 2006 (as shown in Appendix 10.2.7);
  - (b) the Town's Technical Services Officers have finalised construction plans for the Leederville Oval Public Open Space redevelopment (as shown on plan No. 2439-LS-01 Appendix 10.2.7) and are in the process of obtaining quotations for the earth works and the construction of tiered seating, from the builder of the Loftus Centre Redevelopment;
  - (c) the proposed tiered seating will comprise limestone retainers with turfed steps (refer detail plan No. 2439-LS-01 - Appendix 10.2.7); and
  - (d) the Public Open Space Redevelopment works on the south side of the Loftus Community centre are currently in progress (refer detail in Appendix 10.2.7B).

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**Moved** Cr Farrell, **Seconded** Cr Torre

*That the recommendation be adopted.*

Debate ensued.

Cr Farrell departed the Chamber at 7.43pm.

**Moved** Cr Chester, **Seconded** Cr Ker

*That a new clause (iii) be added as follows:*

- “(iii) **REQUESTS** that the inclusion of the link between Leederville TAFE and the Loftus Recreation Centre and the advantages of economies of scale be further investigated (with the aim of carrying out this work concurrently with the tiered seating works).”

**AMENDMENT PUT AND CARRIED (6-1)**

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Messina
Cr Chester	
Cr Ker	
Cr Lake	
Cr Maier	
Cr Torre	

(Cr Doran-Wu on leave of absence. Cr Farrell was absent from the Chamber and did not vote.)

Debate ensued.

Cr Farrell returned to the Chamber at 7.45pm.

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

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Lake
Cr Chester	
Cr Farrell	
Cr Ker	
Cr Maier	
Cr Messina	
Cr Torre	

**COUNCIL DECISION ITEM 10.2.7**

*That the Council;*

- (i) *RECEIVES the report on the Proposed Leederville Oval Public Open Space Redevelopment - 246 Vincent Street, Leederville; and*
- (ii) *NOTES that;*
  - (a) *it previously adopted the Public Open Space Redevelopment concept plans at its Special Meeting held on 17 October 2006 (as shown in Appendix 10.2.7);*
  - (b) *the Town's Technical Services Officers have finalised construction plans for the Leederville Oval Public Open Space redevelopment (as shown on plan No. 2439-LS-01 Appendix 10.2.7) and are in the process of obtaining quotations for the earth works and the construction of tiered seating, from the builder of the Loftus Centre Redevelopment;*
  - (c) *the proposed tiered seating will comprise limestone retainers with turfed steps (refer detail plan No. 2439-LS-01 - Appendix 10.2.7);*
  - (d) *the Public Open Space Redevelopment works on the south side of the Loftus Community centre are currently in progress (refer detail in Appendix 10.2.7B); and*
- (iii) *REQUESTS that the inclusion of the link between Leederville TAFE and the Loftus Recreation Centre and the advantages of economies of scale be further investigated (with the aim of carrying out this work concurrently with the tiered seating works).*

**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of the progress for implementing the Leederville Oval Public Open Space (POS) works.

**BACKGROUND:**

At its Ordinary Meeting held on 12 September 2006, the Council considered a further progress report on the Proposed Redevelopment of the Loftus Centre, incorporating a State Gymnastics Centre, Construction of a New Town Library and Local History Centre and Modified Loftus Community Centre, 99 Loftus Street where it was decided in part that the Council:

- (iv) *AUTHORISES the Chief Executive Officer to;*
  - (a) *advertise the concept plans for public comment for a period of fourteen (14) days, in accordance with the Council Policy No. 4.1.21 "Community Consultation", inviting written submissions as part of the consultation process; and*
  - (b) *make minor changes to the concept plans, as a result of matters which may arise during the public consultation period and/or of a technical or infrastructure improvement.*

The concept plans related to the overall redevelopment. The POS redevelopment are contained in appendix 10.2.7 A.

Following the community consultation at its Special Meeting held on 17 October 2006 the Council considered a further progress report on the Proposed Redevelopment where it was decided in part that the Council:

- (i) *CONSIDERS the submissions received concerning the Loftus Centre Redevelopment, as detailed in this report;*
- (ii) *APPROVES the Plan Nos. A-I, as detailed in the report and shown in Appendix 7.1, which is estimated to cost \$12 million (plus GST);*

The submissions related mainly to the Loftus centre redevelopment and the species of trees to be planted in the car park etc.

**DETAILS:**

The Loftus Centre redevelopment is progressing well (as reported by the CEO in Progress Report No 16, shown in the Information Bulletin – IB15).

The Town's Technical Services Officers have finalised plans for the POS redevelopment and are in the process of obtaining quotations for the construction of earth works and the tiered seating from the builder.

**Leederville Oval POS Redevelopment**

The proposed redevelopment is outlined on attached plan No 2439-LS-01 (Appendix 10.2.7 B). It is based on the concept proposal adopted by the Council at its ordinary meeting held on 17 October 2006 (refer attached plans at attachment 10.2.7).

Tiered Seating

The proposed tiered seating will comprise limestone retainers 0.45m high, and 0.9m apart with turfed runs or steps (refer detail plan No 2439-LS-01 (Appendix 10.2.7)).

The tiers will extend from the existing ablution block on the south eastern corner of the oval to the TAFE boundary.

Path

The path will be 2.50m wide red asphalt with lighting and will connect to the existing path existing ablution block and run northwards between the eastern limestone retaining wall and the top of the tiered seating. A curved section of path at the top of the tiered seating will also extend to the west.

A section of lit pathway will also be constructed from the ablution block to the rear of the Town's Administration and Civic Centre. (refer sketch plan Appendix 10.2.7).

Landscaping

The landscaping will be predominantly turfed (kikuyu) open areas around the oval perimeter embankment and in the north eastern corner of the POS. Turf will also be laid along the stepped areas of the tiered seating.

Native shrubbery consisting of low/medium shrubs and groundcovers will be planted (continuation of the landscape theme on the POS section south of Leederville Oval) in the garden areas indicated on the attached plan.

Due to the installation of large stormwater "Atlantis cells" on the garden embankment adjacent to the Loftus Centre Redevelopment, trees will not be able to be planted. A hardy native groundcover such as "Snake Vine" or similar will be planted and allowed to grow over the limestone wall to soften the view.

Some native trees (Tuarts) will be planted on the north eastern corner of the POS along the perimeter fence line.

**LEGAL/POLICY IMPLICATIONS:**

N/A

**ADVERTISING/COMMUNITY CONSULTATION:**

N/A

**FINANCIAL/BUDGET IMPLICATIONS:**

A budget of \$560,000 has been allowed for the Leederville Oval Public Open Space development.

**STRATEGIC IMPLICATIONS:**

This project is in keeping with the Town's Strategic Plan 2006-2011, Key Result Area: 2.1.6 *Develop business strategies that provide a positive triple bottom line return for the Town*

*a) Review leases and commercial contracts to ensure the best return for the Town, whilst being cognisant of its community service obligations.*

**COMMENT:**

The Council previously adopted the Public Open Space Redevelopment concept plans at its Special Meeting held on 17 October 2006. The Town's officers have now finalised construction plans for the Public Open Space redevelopment and are in the process of obtaining quotations for the earth works and the construction of tiered seating, from the builder of the Loftus Centre Redevelopment, as it is considered that there will be cost savings by using the same trades already on-site (eg. moving of sand, shorter time period, sharing of equipment).

The Chief Executive Officer advised that Mayor Catania and Cr Messina had declared a financial interest in this Item. Mayor Catania and Cr Messina departed the Chamber at 7.46pm and did not speak or vote on the matter.

Deputy Mayor, Cr Farrell assumed the Chair.

**10.3.1 Investment Report as at 30 June 2007**

Ward:	Both	Date:	3 July 2007
Precinct:	All	File Ref:	FIN0005
Attachments:	<a href="#">001</a> ;		
Reporting Officer(s):	B Wong		
Checked/Endorsed by:	Bee Choo Tan	Amended by:	

**OFFICER RECOMMENDATION:**

*That the Council RECEIVES the Investment Report for the month ended 30 June 2007 as detailed in attachment 10.3.1.*

**COUNCIL DECISION ITEM 10.3.1**

**Moved Cr Ker, Seconded Cr Torre**

*That the recommendation be adopted.*

**MOTION PUT AND CARRIED (6-0)**

(Cr Doran-Wu on leave of absence. Mayor Catania and Cr Messina were absent from the Chamber and did not vote.)

**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of the level of funds available, the distribution of surplus funds in the short term money market and the interest earned to date.

**BACKGROUND:**

Interest from investments is a significant source of funds for the Town, where surplus funds are deposited in the short term money market for various terms as detailed in attachment 10.3.1

Council's Investment Portfolio is spread across several Financial Institutions in accordance with Policy Number 1.3.8.

**DETAILS:**

Total Investments for the period ended 30 June 2007 were \$12,338,790 compared with \$15,381,269 at 31 May 2007. At 30 June 2006, \$12,251,100 was invested.

Total accrued interest earned on Investments as at 30 June 2007:

	Budget	Actual	%
	\$	\$	
Municipal	370,000	510,951	138.09
Reserve	434,300	626,639	144.29

**COMMENT:**

As the Town performs only a custodial role in respect of monies held in Trust Fund Investments these monies cannot be used for Council purposes, and are excluded from the Financial Statements.

Mayor Catania and Cr Messina returned to the Chamber at 7.47pm. Mayor Catania assumed the Chair.

**10.3.2 Lease - 13 Haynes Street, North Perth**

<b>Ward:</b>	North Ward	<b>Date:</b>	4 July 2007
<b>Precinct:</b>	North Perth Precinct	<b>File Ref:</b>	TEN0319
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	P Betts		
<b>Checked/Endorsed by:</b>	M Rootsey	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *APPROVES the extension of the option renewal clause for the Lease of 13 Haynes Street held by Kidz Galore Pty Ltd for a further five (5) years to 31 March 2020; and*
- (ii) *AUTHORISES the Mayor and Chief Executive Officer to sign the Lease options and affix the Council's Common Seal.*

**COUNCIL DECISION ITEM 10.3.2**

**Moved Cr Farrell, Seconded Cr Ker**

*That the recommendation be adopted.*

Debate ensued.

Cr Torre departed the Chamber at 7.55pm.

**MOTION PUT AND CARRIED (6-1)**

<b><u>For</u></b>	<b><u>Against</u></b>
Mayor Catania	Cr Maier
Cr Chester	
Cr Farrell	
Cr Ker	
Cr Lake	
Cr Messina	

(Cr Doran-Wu on leave of absence. Cr Torre was absent from the Chamber and did not vote.)

**PURPOSE OF REPORT**

To report on the details for the request from Kidz Galore Pty Ltd, the Lessee of the premises at 13 Haynes Street, to extend their current Lease of the premises for a further five (5) years.

**BACKGROUND:**

Kidz Galore Pty Ltd operates a childcare centre from the premises at 13 Haynes Street. The lease period is from 1 April 2005 until 31 March 2010. The option to renew clause grants a further lease period from 1 April 2010 until 31 March 2015. Kidz Galore currently pay annual lease fees of \$23, 034.

**DETAILS:**

Ken Bird, the director of Kidz Galore Pty Ltd, recently approached the Town requesting the lease be amended to include a further five (5) year option period which will operate from 1 April 2015 until 31 March 2020. Mr Bird advised that the reasoning behind the request was because Kidz Galore Pty Ltd wishes to commence a major capital project (kitchen refurbishment) that will require commitment to funding arrangements beyond the current lease date options. Also, due to the fact that one of the partners in Kidz Galore Pty Ltd is retiring, a longer lease period will be an additional incentive to attract potential partners.

**CONSULTATION/ADVERTISING:**

N/A

**LEGAL/POLICY:**

Policy No. 1.2.1

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

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2006 – 2011 – Strategic Objectives: Community Development

*“Objective 3.1 Enhance community development and wellbeing*

*3.1.3 Determine the requirements of the community*

- (a) *Determine the requirements of the community and ensure that the services provided meet those needs.*

**FINANCIAL/BUDGET IMPLICATIONS:**

Kidz Galore Pty Ltd currently pays annual lease fees of \$23, 034.

**COMMENTS:**

Kidz Galore Pty Ltd provide childcare services for more than 200 parents, over half of which live in the Town of Vincent area. A number of programs for different age groups are available and the centre is open twelve (12) hours a day, five (5) days a week for fifty two (52) weeks a year. Kidz Galore Pty Ltd has always been a good tenant who upon their first year of tenancy at 13 Haynes Street commenced capital works worth in excess of \$36, 000. It should also be noted that Kidz Galore Pty Ltd is a nationally recognised child care provider.

**10.3.3 William Street Upgrade – Approval of Public Artwork**

Ward:	South	Date:	3 July 2007
Precinct:	Beaufort	File Ref:	TES 0473
Attachments:	<a href="#">Jpg01</a> ; <a href="#">jpg02</a> ; <a href="#">001</a>		
Reporting Officer(s):	Richard Gunning		
Checked/Endorsed by:	J.Anthony / M.Rootsey	Amended by:	

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report on the proposed artwork; ~~and~~*
- (ii) *APPROVES the artwork proposal from Stuart Green and Adrian Jones for the William Street upgrade as detailed in this report and as shown in Appendix 10.3.3, at a cost of \$85,000; and*
- (iii) APPROVES:
  - (a) the advertising of the proposed artwork for a period of twenty-one (21) days; and
  - (b) considers any submissions received as a result of the community consultation period.

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

---

Moved Cr Farrell, Seconded Cr Ker

*That the recommendation be adopted.*

Debate ensued.

**MOTION PUT AND CARRIED (6-1)**

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Maier
Cr Chester	
Cr Farrell	
Cr Ker	
Cr Lake	
Cr Messina	

(Cr Doran-Wu on leave of absence. Cr Torre was absent from the Chamber and did not vote.)

**COUNCIL DECISION ITEM 10.3.3**

*That the Council;*

- (i) *RECEIVES the report on the proposed artwork;*

- (ii) *APPROVES the artwork proposal from Stuart Green and Adrian Jones for the William Street upgrade as detailed in this report and as shown in Appendix 10.3.3, at a cost of \$85,000; and*
- (iii) *APPROVES:*
- (a) *the advertising of the proposed artwork for a period of twenty-one (21) days; and*
- (b) *considers any submissions received as a result of the community consultation period.*

**PURPOSE OF REPORT:**

To obtain the Council approval for the artwork proposals for the William Street upgrade.

**BACKGROUND:**

At the Ordinary Meeting held on 22 August 2006, Council was advised of the upgrade of William Street, south of Brisbane Street. Following consideration of the report, the following decision was adopted relating to the art work:

*“(ix) REQUESTS that a report be presented to Council giving the details and status of the Public Art Project associated with the William Street Upgrade.”*

At its Ordinary Meeting of Council 19 December 2006, a progress report for the William Street Upgrade was tabled, a timetable for the artwork was outlined as was the procedure for the artist’s selection :

Projected Timeframe

November 2006	Project advertised
20 December 2006	Submissions close
15 January 2007	Short listed artists notified
29 January 2007	Briefing meeting
5 March 2007	Artist presentation material handed in
7 March 2007	Artists presentation to panel
19 March 2007	<u>Initial Council approval-Artists notified</u>
23 March 2007	Contracts exchanged
March /April 2007	Community Consultation
April / May 2007	Final Council approval
May/June 2007	Fabrication commences
July / August 2007	Artwork installed
August /September 2007	Opening launch

**DETAILS:**

Interested artists were invited to submit applications by 20 December 2006. Four artists' teams and two independent artists submitted applications. The selection panel, consisting of Executive Manager of Technical Services, Manager of Community Development, Manager of Engineering and the Arts Officer, short listed two artist's teams and one independent artist; they were Mark Datodi and Steven Tepper, Stuart Green and Adrian Jones and Tony Pankiw. The selected artists were invited to develop proposals for presentation.

The Artists brief stated the artists were "required to create a suite of artworks or a singular work that enhances and promotes the existing character of the street as well as celebration the rich, multi-layered, cultural and social heritage of the area."

The artists presented their concepts to the panel on 20 March 2007.

Although all three proposals were of high quality, it was the proposal of the team of Stuart Green and Adrian Jones and the independent artist Tony Pankiw that were seen to hold the most potential for the Williams Street Upgrade. While the panel eventually favoured the team of Stuart Green and Adrian Jones, it was considered appropriate to allow these artists to present the concepts to a Council Forum. Both proposals were presented to the Council Forum on April 17 2007. The Elected Members were impressed with both proposals.

The Council referred the proposals for comment to the Art Advisory Group before being presented to Council for final consideration. The Group were in agreement that both proposals were of a very high aesthetic quality and both succeeded in evoking cultural associations of the area.

Concern was raised by potential for glare on sculptures in Tony Pankiw proposal; it was conceded that differing finishes to the work would be able to counter such problems. The issue was raised regarding the fact that increased tree planting along the upgrade would diminish the impact of artwork; however the locations for the artwork would be at prominent corners where trees would be less likely to intrude. It was also acknowledged that the trees would provide much needed shade and the artists in consultation with the Town's Parks Services would be able to consider potential vistas created by the planting.

The officers are recommending the submission by Stuart Green and Adrian Jones as it delivers the most engaging and elegant response to the above mentioned brief. The artwork would consist of four or five separate units with the centre piece being a vertical column approximately 2.4 metres high, the columns are based on josh paper created from welded plate to mimic paper folds. The surface of the columns will have patterns laser cut into them so at night "the internally lit columns become lantern forms that punctuate the street length" and mark out points of "concentration or meeting". The inside of the columns would have a surface treatment of gold colour which would be seen through the laser cut piercing of the plate and also by the open folded nature of the column that forms 'a rough U shape rather than being completely closed.', thus making for a visually appealing object whether seen during the day or at night.

Surrounding the columns would be sculptural shapes reminiscent of certain Asian coins, complete with square holes. These forms would double as seating that could be configured in different ways at different points along the street (see attachment).

The artists have considered carefully maintenance issues through the use of robust materials; the columns are to be made of steel plate and the seating of hollow reinforced concrete, the design also ensures easy accessibility for cleaning.

**CONSULTATION/ADVERTISING:**

The brief was sent via all artists registered with Artsource, the major representative body for visual artists in Western Australia (approximately 400 members).

**LEGAL/POLICY:**

Nil.

**STRATEGIC IMPLICATIONS:**

Plan for the Future - Strategic Plan 2006-2011

*3.1 Enhance community development and well being.*

*3.1.1 Celebrate and acknowledge the town's cultural and social diversity*

*3.1.2g Deliver a coordinated program plan to promote public and community art in the Town."*

**FINANCIAL/BUDGET IMPLICATIONS:**

Payment to the successful artist or artist's team will be to a total of \$85,000; full payment will not be made until the completion of the project as per the contract with the Town. The funding for the project has been allocated from the William Street Upgrade budget.

**COMMENTS:**

The proposed artworks by Stuart Green and Adrian Jones admirably fulfils the brief of enhancing and promoting the existing character of the street by creating a series of works that evoke cultural associations and memory without directly highlighting anyone community group or stakeholders. The fact that the artwork incorporates seating will encourage points of meeting, promoting community interaction and spirit. The iconic nature of the forms will no doubt visually enrich the streetscape and ensure the artwork gives a distinctive identity to the William Street upgrade.

**10.3.4 Proposed Artwork for 190 Scarborough Beach Road, Mt Hawthorn**

<b>Ward:</b>	North	<b>Date:</b>	3 July 2007
<b>Precinct:</b>	Mount Hawthorn	<b>File Ref:</b>	PRO 0446
<b>Attachments:</b>	<a href="#">Jpg01</a> ; <a href="#">jpg02</a>		
<b>Reporting Officer(s):</b>	Richard Gunning		
<b>Checked/Endorsed by:</b>	J.Anthony / M. Rootsey	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) **APPROVES IN PRINCIPLE** the artwork proposal for 190 Scarborough Beach Road, Mount Hawthorn as shown in Appendix 10.3.4A and subject to;
  - (a) *the owners of the development (and subsequent Body Corporate) entering into a legal agreement with the Town which requires them to maintain the proposed artwork (for the life of the artwork) to the satisfaction of the Town; and*
  - (b) *the specific location being approved by the Town's Director Technical Services as shown in the Plan at Appendix 10.3.4B; and*
- (ii) **APPROVES;**
  - (a) *the advertising of the proposed artwork for a period of twenty one (21) days, seeking comment from the public; and*
  - (b) *considers any submissions received as a result of the community consultation process; and*
- (iii) **AUTHORISES** the Chief Executive Officer to negotiate the terms and conditions and sign the legal agreement.

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

**Moved** Cr Farrell, **Seconded** Cr Ker

*That the recommendation be adopted.*

Cr Torre returned to the Chamber at 8.00pm.

Debate ensued.

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

<b><u>For</u></b>	<b><u>Against</u></b>
Cr Chester	Mayor Catania
Cr Farrell	Cr Messina
Cr Ker	
Cr Lake	
Cr Maier	
Cr Torre	

(Cr Doran-Wu on leave of absence.)

**COUNCIL DECISION ITEM 10.3.4**

*That the Council;*

- (i) ***APPROVES IN PRINCIPLE the artwork proposal for 190 Scarborough Beach Road, Mount Hawthorn as shown in Appendix 10.3.4A and subject to;***
    - (a) *the owners of the development (and subsequent Body Corporate) entering into a legal agreement with the Town which requires them to maintain the proposed artwork (for the life of the artwork) to the satisfaction of the Town; and*
    - (b) *the specific location being approved by the Town's Director Technical Services as shown in the Plan at Appendix 10.3.4B; and*
  - (ii) ***APPROVES;***
    - (a) *the advertising of the proposed artwork for a period of twenty one (21) days, seeking comment from the public; and*
    - (b) *considers any submissions received as a result of the community consultation process; and*
  - (iii) ***AUTHORISES the Chief Executive Officer to negotiate the terms and conditions and sign the legal agreement.***
- 

**PURPOSE OF REPORT:**

To provide details and designs for approval of artwork as part of the Town of Vincent's Percent for Art Scheme, Policy

**BACKGROUND:**

As part of the Town of Vincent's Percent for Art Scheme, Keytown Constructions Pty Ltd, the developers of Geo Apartments have engaged Rima Zabaneh to create a free standing sculpture. Geo Apartments is a mixed use building consisting of three stories including lofts, four shops, one eating house, nine multiple dwellings and undercroft car parking situated on the corner of Scarborough Beach Road and Matlock Street.

While the art work is to be located within the Matlock Street road reserve, the nominated position does not straddle standard service authority alignments. However, the onus is on the developer to determine the exact location of the various services prior to installation. Further, in the advent that the art work has to be removed, be it as a result of damage, accidental or malicious, a request of the Town or other services authorities, it would be at the developers cost. Therefore, this should be included as part of the legal Agreement.

An item was submitted to the Ordinary Meeting of Council held on 13 March 2007 (Item 10.3.3) and Council resolved inter alia as follows:

*"That the Council;*

- (i) ***DEFERS the approval of the artwork at 190 Scarborough Beach Road and refers the artwork and subsequent artwork be referred to the Town's Art Advisory Group for consideration and comment...***

**DETAILS:**

The artwork will be a metal sculpture located in the footpath in the front of Geo Apartments on Matlock Street set several metres back from the corner of Scarborough Beach Road. The sculpture will be approximately four metres high and 1.5 metres diameters at its widest point. The sculpture will be made from raw weathering steel that will form a protective layer of rust.

The plans of the sculpture and its location have been reviewed by Planning and Technical Services and have accepted the proposal it in regards to visual sight lines for traffic and safety for pedestrians. Although Planning and Technical services acknowledge that the location of the artwork's footings is unlikely to interfere with any underground services; the developers will still be obliged to determine the location of underground services before installation.

Rima Zabaneh is an artist who graduated from Curtin University in 2004. In that comparatively short time she has already successfully completed two public art commissions, most notably 'Elemental Harvest' a free standing metal construction for Land Corp at Harvest Lakes as well as exhibiting consistently in group exhibitions. Zabaneh was recommended to the developers via Tony Jones one of Perth's leading public artists. It is clear from the previous work Zabaneh is more than capable to take on this commission.

The artist has stated the inspiration for the sculpture takes its starting point from development's name, Geo Apartments, and based the idea on "snippets of the globe map to form their own globe, while the choice of these snippets is loose and takes into account the practical as well as aesthetic side of the sculpture, special care was taken to include Australia as a whole." As mentioned earlier, the sculpture will be made from raw weathering steel that forms a protective layer of rust which gives the sculpture rich and natural tones and creates an engaging tension between the material with its more earthbound organic tones that clearly relate to the streetscape and the artwork's imagery, which has more celestial concerns.

**CONSULTATION/ADVERTISING:**

The Art Advisory Group reviewed the proposal at their meeting on Wednesday 13 June 2007 and was content for the proposal to progress to the community consultation stage.

The community will be consulted about the proposed artwork, for at least twenty-one (21) days, as set out by the Town's Community Consultation Policy.

**LEGAL/POLICY:**

The artwork has been commissioned in accordance with the Town of Vincent's Percent for Art Policy which states that for a "commercial, non-residential, and /or mixed residential/commercial developments over the value of \$500, 000 are to set aside a minimum of one percent of the estimated total project cost of the development of public art works which reflect the place, locality and /or community."

**STRATEGIC IMPLICATIONS:**

Plan for the Future - Strategic Plan 2006-2011

3.1 *Enhance community development and well being.*

3.1.1 *Celebrate and acknowledge the town's cultural and social diversity*

(g) *Deliver a coordinated program plan to promote public and community art in the Town."*

**FINANCIAL/BUDGET IMPLICATIONS:**

The artwork would be at developers cost. Legal agreement may incur legal costs.

**COMMENTS:**

The sculpture will add greatly to the rich variation of forms and structures of this prominent location and as such has the potential to be seen as a good example of the Percent for Art Scheme.

**10.4.2 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	4 July 2007
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	G van den Bok		
<b>Checked/Endorsed by:</b>	John Giorgi	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Information Bulletin dated 10 July 2007, as distributed with the Agenda, be received.*

**COUNCIL DECISION ITEM 10.4.2**

**Moved Cr Ker, Seconded Cr Torre**

*That the recommendation be adopted.*

**Debate ensued.**

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

**(Cr Doran-Wu on leave of absence.)**

**DETAILS:**

The items included in the Information Bulletin dated 10 July 2007 are as follows:

<b>ITEM</b>	<b>DESCRIPTION</b>
IB01	Letter from State Administrative Tribunal regarding Matter No. DR/166 of 2007 – Kellett v Town of Vincent (396 Charles Street).
IB02	Letter from State Administrative Tribunal regarding Matter No. DR/475 of 2006 – Camera Land Pty Ltd v Town of Vincent (201-203 Oxford Street).
IB03	Letter from State Administrative Tribunal regarding Matter No. DR/167 of 2007 – Perth Mosque Inc v Town of Vincent (427-429 William Street).
IB04	Letter from State Administrative Tribunal regarding Matter No. DR/202 of 2007 – Baker v Town of Vincent (35 Harold Street, Highgate).
IB05	Letter from State Administrative Tribunal regarding Matter No. DR/123 of 2007 – Capone v Town of Vincent (248 Fitzgerald Street).
IB06	Letter from State Administrative Tribunal regarding Matter No. DR/209 of 2007 – Nicotra v Town of Vincent (6 London Street).
IB07	Letter from State Administrative Tribunal regarding Matter No. DR/423 of 2006 – Goldenstep Pty Ltd v Town of Vincent (395-397 William Street).
IB08	Local Government Elections 2007 Bulletin No. 4 from Department of Local Government and Regional Development

<b>ITEM</b>	<b>DESCRIPTION</b>
IB09	Letter received from Main Roads Western Australia regarding the East Parade and Bramall Street Intersection, East Perth
IB10	Letter of Appreciation to the Town from Director of "Divido", Mount Hawthorn
IB11	Letter of Appreciation to the Town from Resident of Bourke Street, Leederville
IB12	Safer Vincent Crime Prevention Partnership - Minutes of Meeting held on 6 June 2007
IB13	Keep Australia Beautiful Week 2007
IB14	Norwood Park - Sub-Lease
IB15	Loftus Centre Redevelopment, 99 Loftus Street, Leederville - Progress Report No. 16
IB16	Changes to the District Boundary of the Town - Report on Implementation Plan and Organisational Changes
IB17	Register of Petitions - Progress Report - July 2007
IB18	Register of Notices of Motion - Progress Report - July 2007
IB19	Register of Reports to be Actioned - Progress Report - July 2007
IB20	Register of Legal Action
IB21	Register of State Administrative Tribunal Appeals
IB22	Forum Notes - 19 June 2007
IB23	Notice of Forum - 17 July 2007

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

Nil.

**12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES**

Nil.

**13. URGENT BUSINESS**

13.1 Cr Torre -Questions on Notice - Hyde Park Hotel

Cr Torre voiced her concern that the live music currently played at the Hyde Park Hotel may be abandoned and it may be perceived that the Town is the blame. Cr Torre requested that the following questions be taken on notice.

Q1. How many sound complaints have been received by the Town since the purchase of the venue?

Q2. How does this compare to the average sound complaints that were received prior to the purchase?

Q3. Has the Hyde Park Hotel ever applied for sound attenuation and funding to actually sound proof etc?

**Debate ensued.**

**At 8.10pm** Moved Cr Farrell, Seconded Cr Ker

*That the meeting proceed "behind closed doors" to debate Confidential Items 14.1 and 14.2.*

**CARRIED (8-0)**

**(Cr Doran-Wu on leave of absence.)**

**Journalist - Lindsay Mc Phee and two Members of the Public departed the Chamber.**

**14. CONFIDENTIAL REPORTS (Behind Closed Doors)**

**14.1 CONFIDENTIAL REPORT – No. 6 (Lot 22 D/P: 167) London Street, Corner Haynes Street and Scarborough Beach Road, North Perth - Proposed Demolition of Existing Buildings and the Construction of a Three-Storey Development Comprising 12 Multiple Dwellings – State Administrative Tribunal (SAT) Review Matter No. DR 209 of 2007**

<b>Ward:</b>	North	<b>Date:</b>	4 July 2007
<b>Precinct:</b>	North Perth; P8	<b>File Ref:</b>	PRO3010; 5.2006.60.1
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	L Mach		
<b>Checked/Endorsed by:</b>	R Rasiah, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That;*

- (i) *the Council RECEIVES the report relating to No. 6 (Lot 22 D/P: 167) London Street, corner Haynes Street and Scarborough Beach Road, North Perth - Proposed Demolition of Existing Buildings and the Construction of a Three-Storey Development Comprising 12 Multiple Dwellings – State Administrative Tribunal Review Matter No. DR 209 of 2007;*
- (ii) *NOMINATES Councillor ..... and Councillor ..... to represent the Town at mediation to be held on 16 July 2007 at the offices of SAT; and*
- (iii) *ADVISES the North Perth Precinct Group and those who made submissions of the above review matter.*

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

Debate ensued.

**Moved Cr Ker, Seconded Cr Messina**

*That clause (ii) be deleted and the remaining clause renumbered.*

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

(Cr Doran-Wu on leave of absence.)

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

(Cr Doran-Wu on leave of absence.)

**COUNCIL DECISION ITEM 14.1**

*That;*

- (i) *the Council RECEIVES the report relating to No. 6 (Lot 22 D/P: 167) London Street, corner Haynes Street and Scarborough Beach Road, North Perth - Proposed Demolition of Existing Buildings and the Construction of a Three-Storey Development Comprising 12 Multiple Dwellings – State Administrative Tribunal Review Matter No. DR 209 of 2007; and*

- (ii) *ADVISES the North Perth Precinct Group and those who made submissions of the above review matter.*

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

**PURPOSE OF REPORT:**

- To advise the Council of the above review application.
- To consider two (2) Elected Members to represent the Town at mediation.

<b>Landowner:</b>	Nicotra Developments Pty Ltd
<b>Applicant:</b>	Allerding and Associates
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30/40
<b>Existing Land Use:</b>	Unoccupied building
<b>Use Class:</b>	Multiple Dwelling
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	2023 square metres
<b>Access to Right of Way</b>	Not applicable

**BACKGROUND:**

- 23 August 2005 The Council at its Ordinary Meeting resolved to conditionally approve the demolition of existing showroom and outbuilding, but refused the construction of three-storey mixed use development comprising eight (8) multiple dwellings, eating house, offices, shops and associated basement car parking, at No. 6 (Lot 22 ) London Street, corner Haynes Street and Scarborough Beach Road, North Perth.
- 28 February 2006 The Council at its Ordinary Meeting resolved not to acknowledge the showroom and open air display area as a non-conforming use and refused the application for the retention of non-conforming use as showroom/open air display, at No.6 (Lot 22) London Street, North Perth.
- 22 August 2006 The Council at its Ordinary Meeting considered a confidential report relating to the retention of non-conforming use as showroom/open air display - as part of a review matter to the State Administrative Tribunal - review matter No. DR 626 of 2005 at No. 6 (Lot 22) London Street, North Perth.
- 15 September 2006 The applicant in the review matter DR 626 of 2005 advised the Town that the review matter relating to the retention of non-conforming use as showroom/open air display at No. 6 (Lot 22) London Street, corner Haynes Street and Scarborough Beach Road, North Perth will not continue. As the showroom and air display has not operated for more than 6 months at the above site, the showroom and air display is no longer a valid non-conforming use.
- 8 May 2007 The Council at its Ordinary Meeting resolved to refuse an application for proposed demolition of existing buildings and the construction of a three-storey development comprising 12 multiple dwellings at the subject property.

- 1 June 2007            Application lodged with the State Administrative Tribunal to review the Council's decision.
- 15 June 2007            Directions Hearing held at SAT.
- 28 June 2007            Mediation held at SAT.
- 16 July 2007            The applicants/owners are preparing revised plans prior to the further mediation on 16 July 2007 addressing the reasons of the Council's refusal at its Ordinary Meeting held on 8 May 2007.

**DETAILS:**

The proposal involves proposed demolition of existing buildings and the construction of a three-storey development comprising 12 multiple dwellings at the subject property. The SAT Orders for 28 June 2007 have not been received at the time this Agenda Report was prepared. Once the SAT Orders are received, they will be circulated separately to Elected Members, the Chief Executive Officer and Directors.

**CONSULTATION/ADVERTISING:**

Not required.

**LEGAL/POLICY:**

Planning and Development Act 2005 (WA), State Administrative Tribunal Act 2004 (WA) and Town's Policy No. 4.1.25 - Procedure For State Administrative Tribunal.

**STRATEGIC IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

The Town's officers have attended both the SAT direction and mediation meetings to date. The Town is in the process of obtaining quotes for the cost associated with engaging a consultant to represent the Town in this matter.

**COMMENTS:**

In accordance with the Policy/Procedure for State Administrative Tribunal, it is recommended that the Council nominates two (2) Elected Members to represent the Town at mediation to be held on 16 July 2007, and the Council advises the North Perth Precinct Group of the review matter and those who made a submission during the advertising period for the development application.

**14.2 CONFIDENTIAL REPORT - Request for Approval of Naming of Media Centre for Leederville Oval (Medibank Stadium), 246 Vincent Street, Leederville**

<b>Ward:</b>	South	<b>Date:</b>	4 July 2007
<b>Precinct:</b>	Oxford Centre, P4	<b>File Ref:</b>	RES0052
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	John Giorgi		
<b>Checked/Endorsed by:</b>	-	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council APPROVES the joint request from East Perth and Subiaco Football Clubs to name the Media Centre in the Leederville Oval (Medibank Stadium) Grandstand as "The Jack Sweet Media Centre".*

**COUNCIL DECISION ITEM 14.2**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

Debate ensued.

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

(Cr Doran-Wu on leave of absence.)

At 8.20pm **Moved Cr Ker, Seconded Cr Farrell**

*That an "open" meeting be resumed.*

**CARRIED (8-0)**

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

**PURPOSE OF THE REPORT:**

The purpose of the report is to obtain the Council's approval to name the Media Centre in the Leederville Oval (Medibank Stadium) Grandstand as "The Jack Sweet Media Centre".

**BACKGROUND:**

In late June 2007, the East Perth Football Club (EPFC) and Subiaco Football Club (SFC) wrote to the Town requesting approval to name the newly constructed Media Centre in the Leederville Oval (Medibank Stadium) Grandstand in honour of Mr Jack Sweet.

The Town's Heritage Officers advise that Leederville Oval (Medibank Stadium) was entered onto the Town's Municipal Heritage Inventory at the Ordinary Meeting of Council held on 12 September 2006 as a Management Category 'A' - Conservation Essential. Prior to this, a draft Conservation Plan was undertaken on the place in 1999 and an Archival Record was undertaken on the place in 2003. The Conservation Plan recognises the Fletcher Stand, where the media boxes are located, as having a high degree of authenticity and some heritage significance.

Given the heritage significance associated with the Grandstand it is encouraged that any signage should be fixed to the boxes themselves. It is considered that modest wording fixed to the media boxes themselves will not impact on the heritage significance associated with the Grandstand.

As the Media Boxes are an addition to the original Grandstand and are associated with the current occupiers, East Perth and Subiaco Football clubs respectively, the naming of the boxes recognising the heritage of these Football Clubs (or their former players) is supported by the Town's Heritage Officers.

The Boards of both Clubs have unanimously endorsed the naming of the Media Centre. For information, they advise of the following concerning Mr Jack Sweet.

*"Jack was a champion player with East Perth, playing 105 games from 1938 – 1949 (war interrupted), a life member and he represented Western Australia. Jack then coached Subiaco for three years 1950 – 1952, was captain for two years and played 41 games. Jack is best remembered for his career as a football broadcaster. From 1953 to 1981 Jack broadcast football on 6PM, 6IX and 6PM, and was also a sports writer for the West Australian. Jack sadly passed away in 2006."*

Additional information is shown in Appendix 14.2, attached to this report.

The Clubs have requested that the Official Opening of these facilities be held on Saturday 4 August 2007, when EPFC and SFC play for the Town of Vincent Mayor's Cup. They intend to invite dignitaries from the Town, Western Australian Football Commission, Sporting personalities and Sweet family members, etc.

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

Not applicable.

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

The lease between the Town and EPFC and SFC at Clause 6.17 requires the Clubs to obtain the consent of the Town (which will not be unreasonably withheld) prior to naming or dedicating any part of the facility within the premises.

The Grandstand is considered "common area" and as such, comes under the control of the Ground Management Committee. The Ground Management Committee does not have any objection to the naming request.

#### **STRATEGIC IMPLICATIONS:**

This proposal is in keeping with the Town's Strategic Plan 2006-2011, Objective 1.1.6 - *"Enhance and Maintain the Town's Infrastructure to provide a safe, healthy, sustainable and functional environment"*.

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

All costs for erection of signage will be paid by the Clubs.

The Media Centre is being jointly paid by the Clubs, WA Football Commission and the Town.

**COMMENT:**

It is recommended that the Clubs' request be approved, as this will allow sufficient time to make arrangements, including ordering of signage and issuing of invitations prior to the Official Naming Event. The Clubs have requested that the matter be treated as confidential until all the arrangements have been finalised.

The Western Australian Football Commission have adopted the Leederville Oval (Medibank Stadium) media facilities as the benchmark for all their grounds. The new media facilities are a major improvement and now meet the requirements for all the media users. It also removes a potential safety risk, as the timekeepers have now been relocated to the former Subiaco Club coaches box, on the concourse level. (Many of the timekeepers are aged and had expressed a safety concern by needing to walk to the top of the grandstand seating).

At 8.20pm **Moved Cr Ker, Seconded Cr Farrell**

*That an "open" meeting be resumed.*

**CARRIED (8-0)**

## 15. CLOSURE

**The Presiding Member, Mayor Nick Catania JP, declared the meeting closed at 8.20pm with the following persons present:**

Cr Simon Chester	North Ward
Cr Steed Farrell ( <i>Deputy Mayor</i> )	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Maddalena Torre	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Mike Rootsey	Director Corporate Services
Rick Lotznicker	Director Technical Services
Annie Smith	Minutes Secretary

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 10 July 2007.

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

Dated this ..... day of ..... 2007