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**(11 JULY 2006)**

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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 11 July 2006, commencing at 6.00pm.

**1. DECLARATION OF OPENING**

The Presiding Member, Mayor Nick Catania JP, declared the meeting open at 6.12pm.

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

**(a) Apologies:**

Cr Helen Doran-Wu	North Ward
Cr Maddalena Torre	South Ward (will arrive late)

**(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 (until 8.30pm)
Cr Maddalena Torre	South Ward (from 6.16pm)
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental and Development Services
Rick Lotznicker	Executive Manager, Technical Services
Mike Rootsey	Executive Manager, Corporate Services
Annie Smith	Minutes Secretary
Lindsay McPhee	Journalist - Guardian Express (until 8.40pm)
Giovanni Torre	Journalist - Perth Voice (from 6.14pm until 8.40pm)

Approximately 20 Members of the Public

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

Nil.

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

1. Ms Ann Courtley of 6 St Albans Avenue, Highgate - Item 10.1.1 - Referred to the carparking table and how the calculations are done. Believes that for a fair and concise calculation, decimals should be used throughout or round to whole throughout. Requested that this matter be defined and clarified before approving this Item.

**Journalist Giovanni Torre entered the meeting at 6.14pm.**

2. Mr Ben Doyle of 93 West Parade, Perth - Item 10.1.11 - Requested Council consider deleting conditions (iii), (iv), (vii)(c), (vii)(f) and (xv). Addressed concerns relating to these conditions. Considers that these conditions are ultra vires and could be successfully appealed.

**Cr Torre entered the meeting at 6.16pm.**

3. Mr Robert Gordon of 3/34 Money Street, Perth - Item 10.1.10 - Believes that the noise, traffic etc would be doubled if this proposal is approved. Advised that he has had issues with noise in the past and has had to call the Police on a few occasions.
4. Dr Alex Dhepnorrarat of 322 Oxford Street, Leederville - Item 10.1.8 - Advised that there would only be two dentists practicing at any one time and they plan to work out of two surgeries concurrently. Does not believe that there will be a significant increase in the traffic using the premises. Believes there is sufficient public car parks available in close proximity. Advised that the average appointment time is one hour therefore there is fewer patient flow in and out of the practice. Requested that Council waive the additional carparking requirements.
5. Mr Nick Nocciolino of 118 Buxton Street, Mt Hawthorn - Item 10.4.3 - Advised that he had only received notification that the Item would be presented to Council tonight. Requested the Council allow him more time to argue his case which is requesting an extension of time.
6. Mrs Nguyen of 35 Money Street, Perth - Item 10.1.10 - Concerned with the proposal to increase the size of the hostel as it would increase the amount of noise and anti-social behaviour. Stated that they are already having problems with noise and people throwing food etc over their fence. Also concerned that traffic congestion would increase.
7. Mr Mark Butler of 18 Monger Street, Perth - Item 10.1.10 - Concerned that the Town's guidelines for lodging houses have not been addressed in the proposal. Requested that if Council are going to approve the proposal, there is a clause stating that the guidelines will be adhered to.

**Cr Messina departed the Chamber at 6.25pm.**

8. Mr Malcolm McGregor of 20A Harold Street, Mt Lawley - Item 10.1.2 - Objected to the proposal primarily on the grounds that it is a substantial overdevelopment of the site and represents a loss of amenity to the neighbours. Requests that Council refuse the application.
9. Mr Michael Waters of 58A First Avenue Claremont - Item 10.1.10 - Requested that the Item be deferred as a preliminary parking and traffic study was completed and included in the development application that was lodged however, the Council Officer has made no reference to this in the report.

10. Mr Brett Shulman of 16 Namur Street, North Perth - Item 10.1.2 - Stated that the development is an articulated form and not box-like which predominately prevails around and adjoining this site. Advised that there is a substantial setback to the southern boundary which respects the northern amenity of the blocks relying on northern light and air and believes that this addresses any issues on excess plot ratio. Stated that there are no overlooking issues in relation to the Design Codes. Believes that the submission is acceptable.

**Cr Messina returned to the Chamber at 6.30pm.**

11. Mr Daniel Carrol of 5 Sekem Street, North Perth - Item 10.1.15 - Stated that if they were to set the patio back 1 metre it would result in quite an awkward and unsightly structure which would be out of keeping with the architecture of the house and would be impracticable as it would not afford a great deal of protection from winter weather. Advised that his neighbour's house is identical to his and that they have had the same structure which was approved by the Town.

There being no further questions from the public, the Presiding Member, Mayor Nick Catania, JP closed Public Question Time at 6.35pm.

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

Nil.

**4. APPLICATIONS FOR LEAVE OF ABSENCE**

- 4.1 Cr Ker requested a leave of absence for the Ordinary Meeting of Council to be held on 25 July 2006 for work reasons.

**Moved Cr Torre, Seconded Cr Farrell**

*That Cr Ker be granted a leave of absence for the Ordinary Meeting of Council to be held on 25 July 2006 for work reasons.*

**CARRIED (8-0)**

(Cr Doran-Wu was an apology.)

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

- 5.1 The Chief Executive Officer advised that a petition had been received from Mr Andrew Greenfield of 67 Barlee Street, Mt Lawley with 27 signatures objecting to the Change of Use Application from "Residential" to "Office Use" at No 69 Barlee Street, Mt Lawley.

*The Chief Executive Officer advised that the petition would be referred to the Executive Environmental and Development Services for investigation and action.*

**Moved Cr Farrell, Seconded Cr Torre**

*That the petition be received.*

**CARRIED (8-0)**

(Cr Doran-Wu was an apology.)

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

**Moved Cr Farrell, Seconded Cr Torre**

*That the Minutes of the Ordinary Meeting of Council held on 27 June 2006 be confirmed as a true and correct record.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

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

**7.1 Employee of the Month Award for the Town of Vincent for July 2006**

As members of the public will know, the Council recognises its employees by giving a monthly award for outstanding service to the Ratepayers and Residents of the Town. The recipients receive a \$75 voucher and a Certificate. Also their photograph is displayed in the Town's Administration Centre Foyer, in the Library and at Beatty Park Leisure Centre.

For JULY 2006, the award is presented to Scott Teymant, Environmental Health Officer (EHO) in the Town's Health Services Section.

Scott's nomination was put forward as a result of an email received from the Leederville Police, who wrote in as follows;

*"I was just writing to express my gratitude for all the help [Scott has] given to me and Leederville Police in the last couple of months.*

*Working in partnership with Vincent has made our job a lot easier as both agencies have differing powers which, combined, seem to be having a positive affect staying on top of these problem addresses thus far.*

*I look forward to working with [the EHOs] in the future and should the Town of Vincent require Police assistance in future operations we will be only too happy to help.*

*Kind Regards,  
Leederville Police"*

Scott always undertakes his duties with professionalism, as was formally recognised by the Leederville Police Services. His continued efforts have also resulted in verbal praise being expressed to the Town, by Inspector Charlie Carver, from Perth Police Station, particularly relating to the ongoing combined efforts in the area of substandard dwellings.

From the feedback received, the ongoing securing and monitoring of these premises has assisted in reducing the crime rate, and antisocial behaviour issues surrounding these premises.

Congratulations Scott and well done!!

**Received with acclamation.**

## 8. DECLARATION OF INTERESTS

8.1 Mayor Catania declared a financial interest in the following Items:

- 10.1.16 - Amendment No 39 to Planning and Building Policies Relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses; and
- 10.1.17 - Draft Municipal Heritage Inventory - Community Consultation Progress Report No 1.

The nature of his interest being that he is the owner of property which may be listed on the Town's Municipal Heritage Inventory. *(Mayor Catania has Minister for Local Government approval to participate in debate and vote in these matters and to preside at Council meetings where the matters are discussed.)*

8.2 Cr Chester declared a financial interest in the following Items:

- 10.1.16 - Amendment No 39 to Planning and Building Policies Relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses; and
- 10.1.17 - Draft Municipal Heritage Inventory - Community Consultation Progress Report No 1.

The nature of his interest being that he is part owner of property that maybe considered for listing on the current Municipal Heritage Inventory. *(Cr Chester has Minister for Local Government approval to participate in debate and vote on these matters.)*

8.3 Cr Ker declared a financial interest in the following Items:

- 10.1.16 - Amendment No 39 to Planning and Building Policies Relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses; and
- 10.1.17 - Draft Municipal Heritage Inventory - Community Consultation Progress Report No 1.

The nature of his interest being that he is the owner of a property listed on the current Municipal Heritage Inventory. *(Cr Ker has Minister for Local Government approval to participate in debate and vote on these matters.)*

8.4 Cr Lake declared a financial interest in Item 10.1.16 - Amendment No 39 to Planning and Building Policies Relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses. The nature of her interest being that she is the owner of property listed in the Town's Municipal Heritage Inventory. Cr Lake requested permission to remain in the Chamber during discussion and decision making on the Item but not to vote.

8.5 Cr Maier declared a financial interest in Item 10.1.16 - Amendment No 39 to Planning and Building Policies Relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses. The nature of his interest being that he is the owner of property listed in the Town's Municipal Heritage Inventory. Cr Maier requested permission to remain in the Chamber during discussion and decision making on the Item but not to vote.

- 8.6 Cr Lake declared an interest affecting impartiality in Item 10.1.17 - Draft Municipal Heritage Inventory - Community Consultation Progress Report No. The nature of her interest being that she is the owner of property listed in the Town's Municipal Heritage Inventory. *Cr Lake later changed this declaration to a financial interest (refer to Item 10.1.17).*
- 8.7 Cr Maier declared an interest affecting impartiality in Item 10.1.17 - Draft Municipal Heritage Inventory - Community Consultation Progress Report No. The nature of his interest being that he is the owner of property listed in the Town's Municipal Heritage Inventory. *Cr Maier later changed this declaration to a financial interest (refer to Item 10.1.17).*
- 8.8 The Chief Executive Officer - John Giorgi declared an interest affecting impartiality in Item 10.1.3 - No 37 Glendower Street, Perth - Proposed Demolition of Existing Single House. The nature of his interest being that the applicant is a former employee of the Town. The CEO advised that he did not have any involvement with this application.
- 8.8 The Executive Manager Environmental and Development Services - Rob Boardman declared an interest affecting impartiality in Item 10.1.3 - No 37 Glendower Street, Perth - Proposed Demolition of Existing Single House. The nature of his interest being that the applicant is a former employee of the Town.

**The Presiding Member advised Crs Lake and Maier that their request would now be considered.**

**Crs Lake and Maier departed the chamber at 6.46pm.**

**Moved Cr Ker, Seconded Cr Torre**

*That Crs Lake and Maier be permitted to remain in the chamber during Item 10.1.16 but not participate in debate or vote on the Item.*

**LOST ON THE CASTING VOTE OF THE  
PRESIDING MEMBER (3-4)**

<b><u>For</u></b>	<b><u>Against</u></b>
<b>Cr Chester</b>	<b>Mayor Catania (2 votes)</b>
<b>Cr Ker</b>	<b>Cr Farrell</b>
<b>Cr Torre</b>	<b>Cr Messina</b>

**(Cr Doran-Wu was an apology. Crs Lake and Maier were absent from the Chamber and did not vote.)**

**Crs Lake and Maier returned to the Chamber at 6.47pm. The Presiding Member advised them that their request had not been approved.**

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

Nil.

## 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:**

Items 10.1.1, 10.1.11, 10.1.10, 10.1.8, 10.4.3, 10.1.2 and 10.1.15

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, advised that Item 10.3.4 – Provision of Meals on Wheels – Rosewood Care Group had been withdrawn as further information had become available.**

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	Item 10.1.9
Cr Chester	Items 10.1.6 and 10.4.2
Cr Ker	Items 10.1.3, 10.2.5 and 10.4.1
Cr Torre	Nil.
Cr Lake	Nil.
Cr Messina	Nil.
Cr Maier	Item 10.1.12

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:**

Items 10.1.16 and 10.1.17

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

Items 10.1.4, 10.1.5, 10.1.7, 10.1.13, 10.1.14, 10.1.18, 10.1.19, 10.2.1, 10.2.2, 10.2.3, 10.2.4, 10.2.6, 10.3.1 and 10.3.2

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 10.1.4, 10.1.5, 10.1.7, 10.1.13, 10.1.14, 10.1.18, 10.1.19, 10.2.1, 10.2.2, 10.2.3, 10.2.4, 10.2.6, 10.3.1 and 10.3.2

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

Items 10.1.1, 10.1.11, 10.1.10, 10.1.8, 10.4.3, 10.1.2 and 10.1.15

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

**The Presiding Member advised that there had been a request from a member of the public to defer Item 10.1.10 - Nos 37-39 (Lot 93) Money Street, Perth - Proposed Change of Use from a Single House to Lodging House and Associated Alterations, and Increase in Total Number of Lodgers from Forty-Five (45) to Eighty (80), at the Existing Lodging House at Nos 41-43 (Lot 94) Money Street, Perth and the Proposed Lodging House at Nos 37-39 (Lot 93) Money Street, Perth.**

**Moved Cr Maier, Seconded Cr Torre**

*That Item 10.1.10 be DEFERRED at the request of the applicant to allow consideration of a preliminary parking and traffic study which was submitted with the development application.*

**CARRIED (8-0)**

(Cr Doran-Wu was an apology.)

**Moved Cr Farrell, Seconded Cr Torre**

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

*Items 10.1.4, 10.1.5, 10.1.7, 10.1.13, 10.1.14, 10.1.18, 10.1.19, 10.2.1, 10.2.2, 10.2.3, 10.2.4, 10.2.6, 10.3.1 and 10.3.2*

**CARRIED (8-0)**

(Cr Doran-Wu was an apology.)

**10.1.10 Nos. 37-39 (Lot 93 D/P: 613) Money Street, Perth - Proposed Change of Use from Single House to Lodging House and Associated Alterations, and Increase in Total Number of Lodgers from Forty-Five (45) to Eighty (80), at the Existing Lodging House at Nos. 41-43 (Lot 94) Money Street, Perth and the Proposed Lodging House at Nos. 37-39 (Lot 93) Money Street, Perth.**

<b>Ward:</b>	South	<b>Date:</b>	4 July 2006
<b>Precinct:</b>	Beaufort; P13	<b>File Ref:</b>	PRO2663; 5.2005.3238.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	B McKean		
<b>Checked/Endorsed by:</b>	D Abel, 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 M A Waters on behalf of the owner Backpack Pty Ltd for proposed Change of Use from Single House to Lodging House and Associated Alterations at Nos. 37-39 (Lot 93) Money Street Perth, and Increase in Total Number of Lodgers from Forty-Five (45) to Eighty (80), at the Existing Lodging House at Nos. 41-43 (Lot 94) Money Street, Perth and the Proposed Lodging House at Nos. 37-39 (Lot 93) Money Street, Perth and as shown on plans stamp-dated 27 October 2005, 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 Money 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;*
- (iii) all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate planning application, and all signage shall be subject to a Sign Licence application, being submitted and approved prior to the erection of the signage;*

(iv) *prior to the issue of a Building Licence, or first occupation of the development, whichever occurs first, revised plans shall be submitted and approved demonstrating the following;*

(a) *adequate landscaping to screen communal spaces from adjoining properties; and*

(b) *communal spaces to be sufficiently equipped with seating and tables.*

*The revised plans shall not result in any greater variation to the requirements of the Towns Policies. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*

(v) *the applicant/owner shall pay a cash-in-lieu contribution of \$19,162 for the equivalent value of 7.37 car parking spaces, based on the cost of \$2,600 per bay as set out in the Town's 2005/2006 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;*

(vi) *the lodging house at Nos. 37-39 (Lot 93) Money Street, Perth shall accommodate a maximum of 48 lodgers at any one time and the lodging house at Nos. 41-43 (Lot 94) Money Street, Perth shall accommodate a maximum of 32 lodgers at any one time;*

(vii) *a detailed management plan that addresses the control of noise, traffic, car parking, litter and anti-social behaviour (to reasonable levels) associated with the development shall be submitted and approved prior to the first occupation of the development, and thereafter implemented and maintained;*

(viii) *prior to the issue of a Building Licence or first occupation of the development, whichever occurs first:*

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

(b) *the owner(s) shall enter into a legal agreement and lodge an appropriate assurance bond/bank guarantee, with or register a grant of easement on the subject land in favour of the Town and to its satisfaction, to provide rights of access to/from and use of a minimum 5 car parking bays on Nos. 41 - 43 (Lot 94) Money Street, Perth. The subject access and 5 car parking bays are to be provided at no costs for use by the employees, customers and visitors of the lodging house at Nos. 37 - 39 (Lot 93) Money Street, Perth. The legal agreement shall be secured by a caveat while the grant of easement shall be registered on the Certificate(s) of Title of the subject land. The legal documentation shall be prepared by the Town's solicitors or other solicitors agreed upon by the Town. All costs associated with this condition being borne by the applicant/owners(s); and*

(ix) *the lodgers may stay at the subject lodging house for a maximum period of three consecutive months.*

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**COUNCIL DECISION ITEM 10.1.10**

**Moved Cr Maier, Seconded Cr Torre**

*That Item 10.1.10 be DEFERRED at the request of the applicant to allow consideration of a preliminary parking and traffic study which was submitted with the development application.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

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<b>Landowner:</b>	Backpack Pty Ltd
<b>Applicant:</b>	M A Waters
<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>	Lodging House
<b>Use Classification:</b>	"SA"
<b>Lot Area:</b>	Lot 93 - 486 square metres
<b>Access to Right of Way</b>	N/A

**BACKGROUND:**

2 June 2005

An application for change of use from residential to lodging house, and increase in total number of lodgers from thirty-two (32) to eighty (80), between the existing lodging house at Nos. 41-43 (Lot 94) Money Street Perth and the proposed lodging house at Nos. 37-39 (Lot 93) Money Street Perth was deemed refused under delegated authority, as the Town did not receive information that was requested on 25 October 2004 and 17 May 2005 and the 60 day period within which the application was required to be determined had expired.

**DETAILS:**

The proposal involves change of use from residential to lodging house at Nos. 37-39 (Lot 93) Money Street, Perth, and increase in total number of lodgers from forty-five (45) to eighty (80), at the existing lodging house at Nos. 41-43 (Lot 94) Money Street, Perth and the proposed lodging house Nos. 37-39 (Lot 93) Money Street, Perth.

The applicant requested that the cash-in-lieu of car bays be waived by the Council as the applicant believes there is ample street parking, public parking and public transport in the area. Furthermore, the applicant suggests that the majority of backpackers do not use private motor vehicles and generally rely on public transport.

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

**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>
Plot Ratio	N/A	N/A	Noted.
Communal Space for Lodging Houses, Hostels and Serviced Apartments	Landscaping to be provided to screen communal spaces from adjoining properties and/or adjoining public area and to enhance the amenity of the property. All communal spaces to be equipped with seating and tables.	Nil provided.  Nil provided.	Not supported - as undue impact on adjoining properties and has been addressed in condition (iv) of the Officer Recommendation.  Not supported - inadequate amenities provided for lodgers and has been addressed in condition (iv) of the Officer Recommendation.
<b>Consultation Submissions</b>			
Support	Nil		Noted
Objections (9)	<ul style="list-style-type: none"> <li>• The appearance of the backpackers is 'scruffy' and does not fit in with the streetscape.</li> <li>• Car parking shortfall.</li> <li>• Noise issues from drunken patrons, party buses late at night and tour buses early in the morning.</li> <li>• Non-compliance with the Town's Policies.</li> <li>• Property values would decrease.</li> </ul>		<p>Not supported - proposal is not considered to have an undue impact on the streetscape and is addressed in the applicant's submission.</p> <p>Not supported - addressed in Car Parking comments and condition (v) of the Officer Recommendation and applicant's submission.</p> <p>Not supported - addressed in the applicant's submission/management statement and further addressed in condition (vii) of the Officer Recommendation.</p> <p>Not supported - addressed in the Assessment Table.</p> <p>Not supported - not a major planning consideration.</p>

	<ul style="list-style-type: none"> <li>• Anti-social behavior from patrons.</li>   <li>• Security issues.</li>   <li>• No staff on the premises at night.</li> </ul>	<p>Not supported - addressed in the applicant's submission/management statement and further addressed in condition (vii) of the Officer Recommendation.</p> <p>Not supported - as there will be an increase in passive surveillance in the street and addressed in the applicant's submission/management statement.</p> <p>Not supported - the applicants have outlined in their submission that a night manager is always on duty at the premises and the proprietor is available at any time to respond to any urgent matters.</p>
	<ul style="list-style-type: none"> <li>• Subject premises has been operating as a backpackers previously.</li>   <li>• Concerns management plan will not be able to control noise or patrons.</li>   <li>• Increase in traffic.</li> </ul>	<p>Not supported - a site inspection on 3 April 2006 by the Town's Officers indicated that the subject premises were not operating as a 'lodging house'.</p> <p>Not supported - addressed in condition (vii) of the Officer Recommendation and applicants are required to comply with the subject condition of Planning Approval.</p> <p>Not supported - proposal is not considered to result in an increase in the traffic in the area as backpackers are not considered to rely on the use of private motor vehicles, and is addressed in the applicant's submission/management statement.</p>

	<ul style="list-style-type: none"> <li>• Increase in pedestrian traffic.</li> <li>• Concerns backpackers may be used as 'long term' tenants.</li> <li>• Undue impact on amenity.</li> <li>• Rubbish being thrown over fences.</li> </ul>	<p>Noted - however not considered to have an undue impact on the streetscape, surrounding properties or amenity. Is considered beneficial for the surrounding commercial uses.</p> <p>Not supported - however addressed in condition (ix) of the Officer Recommendation.</p> <p>Not supported - as proposal is not considered to have an undue impact on the streetscape or surrounding amenity.</p> <p>Not supported - not a major planning consideration and has been addressed in the applicant's submission/management plan.</p>
	<ul style="list-style-type: none"> <li>• People jumping over the fence to retrieve missing items.</li> </ul>	<p>Not supported - not a major planning consideration and has been addressed in the applicant's submission/management statement.</p>
<b>Other Implications</b>		
Legal/Policy		TPS 1 and associated Policies.
Strategic Implications		Nil
Financial/Budget Implications		Nil
<b>Car Parking</b>		
Car Parking Requirement (nearest whole number) -1 space per bedroom or 1 space per 3 beds provided, whichever is the greater (Total: 80 beds = 27 car bays)		27 car bays
Apply the adjustment factors		(0.614125)
<ul style="list-style-type: none"> <li>▪ 0.85 (within 400 metres of a bus stop)</li> <li>▪ 0.85 (within 400 metres of one or more existing public car parks with in excess of 75 spaces)</li> <li>▪ 0.85 (within 800 metres of a rail station)</li> </ul>		16.58 car bays
Minus car parking on-site		5 car bays

Minus the most recently approved on-site car parking shortfall - based on existing number of lodgers (45) at Nos. 41-43 (Lot 94) Money Street, Perth and adjustment factors	4.21 car bays
Resultant shortfall	7.37 car bays

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

**COMMENTS:**

**Car Parking**

The proposed lodging house will result in a car parking shortfall of 7.37 car bays, after the application of adjustment factors. This shortfall can be addressed as a cash-in-lieu contribution.

The Council at its Ordinary Meeting held on 12 April 2005, resolved the following:

“ . . .(ii) *ADOPTS the draft amended version of the Policy relating to Parking and Access to be applied in the interim during the advertising period and up to formal adoption of the draft amended Policy to those planning and building applications received after the date the draft amended Policy is adopted by Council; . . .* ”

The draft amended version of the Parking and Access Policy introduces a provision that the cash-in-lieu contribution is to be based on not only the construction costs, but also on a land component being 50 per cent of the land value of the area of a car parking bay on the subject property.

Given the debate and Council resolutions relating to Items 10.1.5 and 10.1.16 at the Ordinary Meeting of Council held on 26 July 2005, in the context of the current and draft amended cash-in-lieu of car parking provisions and the increase in cash-in-lieu construction costs in the 2005/2006 Fees and Charges, the following practice is considered to be the most appropriate in such cases:

1. No land value component is to be included in the cash-in-lieu of car parking contribution until the draft amended Parking and Access Policy is finally adopted by the Council.
2. Planning applications received prior to and on 12 July 2005 (date of formal adoption of 2006/2007 Budget and Fees and Charges) - the cash-in-lieu contribution is to be based on \$2,500 per car bay.
3. Planning application received after 12 July 2005 - the cash-in-lieu contribution is to be based on \$2,600 per car bay.

**SUMMARY:**

The proposal is supported as it is not considered to unduly impact the amenity of the adjacent or surrounding properties and is compliant with the Town's Beaufort Precinct Policy.

In light of the above, approval is recommended, subject to standard and appropriate conditions to address the above matters.

**10.1.4 No. 9 (Lot 22 D/P: 79300) Elizabeth Street, North Perth - Proposed Additional Two (2) Storey Grouped Dwelling to Existing Single House**

<b>Ward:</b>	North	<b>Date:</b>	3 July 2006
<b>Precinct:</b>	North Perth; P08	<b>File Ref:</b>	PRO3014; 5.2005.3336.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	B McKean		
<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 Danmar Homes Pty Ltd on behalf of the owner T & N Dujmovic for proposed Additional Two (2) Storey Grouped Dwelling to Existing Single House, at No. 9 (Lot 22 D/P: 79300) Elizabeth Street, North Perth, and as shown on site plan stamp-dated 28 June 2006, and floor plans and elevations plans stamp-dated 26 April 2006, subject to the following conditions:*

- (i) *any new street/front wall, fence and gate between the Elizabeth 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;*
- (ii) *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;*
- (iii) *first obtaining the consent of the owners of No. 11 Elizabeth Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 11 Elizabeth Street in a good and clean condition; and*

- (iv) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following the western most window to bedroom 1 on the northern elevation on the upper floor, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished ground/upper 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 they are not considered to be major openings as defined in the Residential Design Codes 2002.*

*The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes.*

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**COUNCIL DECISION ITEM 10.1.4**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

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<b>Landowner:</b>	T & N Dujmovic
<b>Applicant:</b>	Danmar Homes Pty Ltd
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30/40
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Grouped Dwelling
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	647 square metres
<b>Access to Right of Way</b>	N/A

**BACKGROUND:**

3 February 2005                      Conditional approval for the demolition of existing house at the subject property was granted under delegated authority.

14 June 2006                        The Council at its Ordinary Meeting granted conditional approval for proposed Two-Storey Single House at the subject property.

**DETAILS:**

The proposal involves additional two (2) storey grouped dwelling to existing single house at the subject property.

The area provided as common property allows for the maintenance of the western parapet wall, rear access if needed for Strata Lot 1 and access to Strata Lot 2.

**ASSESSMENT:**

<b>Non-Compliant Requirements</b>			
<b>Requirement</b>	<b>Required</b>	<b>Proposed *</b>	<b>Officer Comments Pursuant to Clause 38(5) of TPS 1</b>
Density	2 dwellings R 30	2 dwellings R30	Noted.
Plot Ratio	N/A	N/A	Noted.
Setbacks: Proposed Dwelling- Ground Floor West	1.1 metres	Nil - 2.66 metres	Supported - as the variation is not considered to have an undue impact on affected neighbour and no objection has been received.
Upper Floor South	1.6 metres	1.5 metres	Supported - as the variation is considered minor and to not have an undue impact on affected neighbour. No objection has been received.
Building on Boundary (proposed dwelling)	Walls not higher than 3.5 metres with average of 3 metres for 2/3 the length of the balance of the boundary behind the front setback, to one side boundary.	West boundary wall height 4 metres - 4.16 metres (average 4.08 metres).	Supported - as the variation is not considered to have an undue impact on affected neighbour, is a result of the sloping nature of the site and no objection has been received.
Building Wall Height: Proposed Dwelling- North	6 metres	5.2 metres - 6.193 metres	Supported - as the variation is considered minor, to be a result of a sloping site and to not have an undue impact on affected neighbour.
West	6 metres	6.083 metres - 6.193 metres	Supported - as above.
South	6 metres	5.2 metres - 6.293 metres - 6.458 metres	Supported - as above.

Privacy Proposed Dwelling North			
-Bedroom 1 (western window)	4.5 metres	3.9 metres to western boundary	Not supported - as it is considered to have an undue impact on affected neighbour and is addressed in the Officer Recommendation.
-Balcony	7.5 metres	5.274 metres to northern boundary.	Supported - overlooking is internal.
<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.

\* 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:**

In light of the above, the application is recommended for approval, subject to standard and appropriate conditions to address the above matters.

**10.1.5 No. 36 (Lot: 95 D/P: 3002) Ruby Street, North Perth - Proposed Partial Demolition of and Two-Storey Addition to Existing Single House**

<b>Ward:</b>	North	<b>Date:</b>	3 July 2006
<b>Precinct:</b>	North Perth; P8	<b>File Ref:</b>	PRO2523; 5.2006.179.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	B Phillis		
<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 Phillip Mcallister Architect PTY LTD on behalf of the owner N & N Gibson for proposed Partial Demolition of and Two-Storey Addition to Existing Single House at No. 36 (Lot: 95 D/P: 3002) Ruby Street, North Perth, and as shown on plans stamp-dated 21 April 2006 , subject to the following conditions:*

- (i) *any new street/front wall, fence and gate between the Ruby 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;*
- (ii) *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;*
- (iii) *that the upper floor "tower" section of wall on the western elevation be amended to the match the proposed height of the remaining section of the upper floor wall; and*

- (iv) *prior to the issue of the Building Licence, revised plans shall be submitted and approved demonstrating that either the proposed rear deck be amended so not to exceed a maximum height of 500 millimetres above natural ground level at any point; OR alternatively screening in accordance with the Residential Design Codes is provided to protect the privacy of the western adjoining property; OR the western adjoining owner provide written approval of the deck at the proposed height of 600 millimetres above natural ground level;*

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

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**COUNCIL DECISION ITEM 10.1.5**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

(Cr Doran-Wu was an apology.)

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<b>Landowner:</b>	N & N Gibson
<b>Applicant:</b>	Phillip McAllister Architect Pty Ltd
<b>Zoning:</b>	Metropolitan Region Scheme: (MRS) Urban Town Planning Scheme No.1 (TPS 1): Residential R30/R40
<b>Existing Land Use:</b>	Residential
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	491 square metres
<b>Access to Right of Way</b>	N/a

**BACKGROUND:**

No specific background directly relates to the proposal.

**DETAILS:**

The proposal involves partial demolition of and two-storey addition to existing single house.

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

**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>
Plot Ratio	N/A	N/A	Noted.

Building Wall <u>Height</u> East	6 metres	5.9 metres - 6.1 metres	Supported-as the variation is considered to be minor (that is, 100 millimetres) and that the floor to ceiling height for the upper floor (above the existing ground floor) is proposed at the minimum 2.4 metres.
West	6 metres	6.4 metres - 6.8 metres	Supported-except the "tower" portion should be reduced to the same level as the rest of the wall, as the tower is only a cosmetic feature and is not essential. A condition has been applied to this effect. The rest of the wall height is supported at the proposed level as this is the result of a lower natural ground level on this side of the property.
Building <u>Setbacks</u> East Ground Floor (Laundry)	1.0 metres	0.7 metre	Supported-as it is a minor setback variation and will not have a detrimental impact on the adjoining property.
West Upper wall with minor opening	1.6 metres	1.2 - 1.7 metres	Supported-as it is a minor variation due to the wall predominantly complying at 1.7 metres; a small section of wall (that is, 1.2 metres).
East Upper wall with major opening (Bed 3 Window)	3.3 metres	1.7 - 4.5 metres	Supported-as the window generally faces the street, will overlook the eastern adjoining dwelling's roof only. It is also noted that the eastern adjoining owner has not objected to this matter.

<u>Visual Privacy</u>			
West	Raised deck 500 millimetres above natural ground level to be setback 7.5 metres from adjoining boundary.	600 millimetres above natural ground level, setback 4.0 metres from western boundary.	Supported- however, a condition has been applied that requires appropriate screening to the western side in accordance with the R Codes. This will be required unless the adjoining owner submits their positive written comments for the deck level prior to the issue of a Building Licence.
<b>Consultation Submissions</b>			
Support	1 (Eastern adjoining property owner)		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 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.

**Comment**

In light of the above, it is recommended that the proposed partial demolition of and two-storey addition to existing single house be approved, subject to conditions.

**10.1.7 Nos. 71-77 (Lot 62 D/P: 73028) Walcott Street, corner Beaufort Street, Mount Lawley - Proposed Partial Demolition of and Alterations and Additions to Existing Shop and Associated Signage (Fresh Provisions)**

<b>Ward:</b>	South	<b>Date:</b>	29 June 2006
<b>Precinct:</b>	Mount Lawley; P11	<b>File Ref:</b>	PRO0703; 5.2006.124.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	B McKean		
<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 Malcolm Jones Project Management on behalf of the owner Silverleaf Investments Pty Ltd for proposed Partial Demolition of and Alterations and Additions to Existing Shop and Associated Signage (Fresh Provisions), at Nos. 71-77 (Lot 62 D/P: 73028) Walcott Street, Mount Lawley, and as shown on plans stamp-dated 21 March 2006, 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) windows, doors and adjacent areas fronting Walcott Street shall maintain an active and interactive relationship with this street;*
- (iii) all signage shall be kept in a good state of repair, safe, non-climbable, and free from graffiti for the duration of its display on-site;*
- (iv) the signage shall not have flashing or intermittent lighting;*
- (v) the applicant/owner shall pay a cash-in-lieu contribution of \$3,172 for the equivalent value of 1.22 car parking spaces, based on the cost of \$2,600 per bay as set out in the Town's 2005/2006 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;*
- (vi) prior to the issue of a Sign Licence, revised plans shall be submitted and approved demonstrating the proposed panel sign located on the existing roller door to be a minimum of 1.2 metres from the finished ground level. The revised plans shall not result in any greater variation to the requirements of the Towns Policies; and*
- (vii) all signage shall be subject to a Sign Licence application, being submitted and approved prior to the erection of the signage.*

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**COUNCIL DECISION ITEM 10.1.7**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

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<b>Landowner:</b>	Silverleaf Investments Pty Ltd
<b>Applicant:</b>	Malcolm Jones Project Management
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): District Centre
<b>Existing Land Use:</b>	Shop
<b>Use Class:</b>	Shop
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	2784 square metres
<b>Access to Right of Way</b>	N/A

**BACKGROUND:**

26 August 1996

The Council at its Ordinary Meeting resolved to conditionally approve development application at Nos. 71 - 77 (Lot 62) Walcott Street, corner Beaufort Street, Mount Lawley for proposed alterations and additions to the existing Alexander Building subject to conditions including;

*"(vii) in accordance with the Town of Vincent Cash-In-Lieu Contribution for Car Parking Policy, the shortfall of 16.54 car bays shall be provided by way of a total cash-in-lieu contribution of \$99 240; and*

*(ix) should the applicant be successful in purchasing any other adjoining land to be used for the necessary parking, clause (vii) will be put to the Council to be rescinded;"*

10 February 1997

The Council at its Ordinary Meeting resolved to amend the resolution adopted by the Council at its Ordinary Meeting held on 26 August 1996, with regard to Item 12.1.12 Nos. 71 - 77 (Lot 62) Walcott Street, corner Beaufort Street, Mount Lawley - Proposed Alterations and Additions to the existing Alexander Building by rescinding condition (vii);

*"in accordance with the Town of Vincent Cash-In-Lieu Contribution for Car Parking Policy, the shortfall of 16.54 car bays shall be provided by way of a total cash-in-lieu contribution of \$99 240."*

11 August 1997

The Council at its Ordinary Meeting resolved to conditionally approve alteration and additions to the existing shops on Nos. 71 - 77 (Lot 62) Walcott Street, corner Beaufort Street, Mount Lawley subject to conditions including;

*"(iv) in accordance with the Town of Vincent Cash-in-Lieu Contribution for Car Parking Policy - Draft Policy, the shortfall of 2.744 car bays shall be provided by way of a total cash-in-lieu contribution of \$8232";*

27 October 1997

The Council at its Ordinary Meeting resolved to amend the resolution adopted by the Council at its Ordinary Meeting held on 11 August 1997 for Nos. 71 - 77 (Lot 62) Walcott Street, Mount Lawley by rescinding condition (iv);

*"condition (iv) in accordance with the Town of Vincent Cash-in-Lieu Contribution for Car Parking Policy - Draft Policy, the shortfall of 2.744 car bays shall be provided by way of a total cash-in-lieu contribution of \$8232"; and*

*(ii) Silverleaf Investments Pty Ltd be advised that the Fresh Provisions site does not have a surplus car parking figure as a result of condition (iv) being rescinded by the Council."*

An extract from the Council Minutes explaining the car parking situation is as follows:

*"The Council land previously accommodated 19 car bays and a single residential dwelling. Following the sale of the residual land, the demolition of the dwelling and the construction of the new car park, 41 car bays were accommodated on Lot 62. Effectively, an additional 7 bays were realised within the Council owned portion of the land by the redevelopment at Silverleaf's cost. It is noted that the redesign and redevelopment works on the Council owned land is conservatively estimated by the Councils Technical Services at \$20 479. As such, it would be reasonable to conclude that, given the cost expended by Silverleaf to reconfigure the Council car parking resulting in an additional seven (7) bays, the cash-in-lieu contribution of \$8232 imposed on Silverleaf for 2.744 car bays (Council meeting held 11 August 1997) would be waived.*

*The applicant should be advised however, that the reconfiguration of Council's car park resulting in an additional 7 bays, does not effect a surplus figure on the Fresh Provisions site. The rescinding of the cash-in-lieu contribution is considered on the basis of the cost for the works carried out, not on the additional bays created."*

25 May 2004

The Council at its Ordinary Meeting resolved to refuse an application for a proposed bin storage area within the existing car park at adjoining lot No. 8 (Lot 200) Grosvenor Road, Mount Lawley, for the following reason:

- 1. The proposal is not consistent with the orderly and proper planning and the preservation of the amenities of the locality, mainly due to the undue impact of the activities and externalities associated with bin storage area on the adjacent residential properties.*

*The Council also advises the applicant that it is prepared to give consideration to a development proposal, which demonstrates the proposed bin storage area being located adjacent to the commercial properties at Nos. 71 - 77 Walcott Street."*

- 22 June 2004 The Council at its Ordinary Meeting resolved to conditionally approve development application at Nos. 71 - 77 (Lot 62) Walcott Street, corner Beaufort Street, Mount Lawley for proposed bin storage area additions to existing shops.
- 7 December 2004 The Council at its Ordinary Meeting granted conditional approval for proposed alterations to existing eating house and associated signage (Dome Café) at the subject property.
- 22 November 2005 At its Ordinary Meeting, the Council refused an application for proposed Telecommunications Facility to Existing Commercial Building (Development Application No.5.2005.3098.1).
- 19 December 2005 Greg Rowe and Associates, on behalf of the owner lodged an application for the review of the Council determination at its Ordinary Meeting on 22 November 2005, with SAT.
- 20 and 21 April 2006 Full 2 day SAT Hearing.

**DETAILS:**

The proposal involves partial demolition of and alterations and additions to existing shop and associated signage (Fresh Provisions).

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

**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>
Plot Ratio	N/A	N/A	Noted
Signage Total Signage	Not to exceed 10 per cent of the total area of the building wall in which that signage is located.	11.5 per cent.	Supported - as the variation is considered minor and signage fronts an existing car park and is, therefore, not considered to have an undue impact on the streetscape or surrounding amenity.
Created Roof Sign	3 square metres	7.14 square metres	Supported - as the signage fronts an existing car park and is, therefore, not considered to have an undue impact on the streetscape or surrounding amenity.

Panel Sign	Not to be less than 1.2 metres or greater than 6 metres from the finished ground level.	1 metre from finished ground level.	Not supported - as it is considered to be below the line of sight and has been addressed in the Officer Recommendation.
<b>Consultation Submissions</b>			
Advertising of the proposal was not considered necessary as the whole development on Nos. 71-77 (Lot 62) Walcott Street is under the same ownership and is being referred to the Council for its consideration and determination.			
<b>Car Parking</b>			
Car Parking Requirement (nearest whole number) -Retail/Shop: 1 car bay per 15 square metres of gross floor area (proposed additional gross floor area - 31 square metres)		2 car bays for proposed additional gross floor area (31 square metres)	
Apply the adjustment factors <ul style="list-style-type: none"> <li>▪ 0.85 (within 400 metres of a bus stop)</li> <li>▪ 0.80 (within 50 metres of one or more public car parks in excess of 50 spaces)</li> <li>▪ 0.90 (within a District Centre Zone)</li> </ul>		(0.612)  1.22 car bays	
Minus car parking on-site		Nil for proposed additional gross floor area	
Minus the most recently approved on-site parking shortfall		Nil for proposed additional gross floor area	
Resultant shortfall		1.22 car bays	
<b>Other Implications</b>			
Legal/Policy		TPS 1 and associated Policies.	
Strategic Implications		Nil	
Financial/Budget Implications		Nil	

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

**COMMENTS:**

**Car Parking**

The Council at its Ordinary Meeting held on 12 April 2005, resolved the following:

“ . . .(ii) *ADOPTS the draft amended version of the Policy relating to Parking and Access to be applied in the interim during the advertising period and up to formal adoption of the draft amended Policy to those planning and building applications received after the date the draft amended Policy is adopted by Council; . . .* ”

The draft amended version of the Parking and Access Policy introduces a provision that the cash-in-lieu contribution is to be based on not only the construction costs, but also on a land component being 50 per cent of the land value of the area of a car parking bay on the subject property.

Given the debate and Council resolutions relating to Items 10.1.5 and 10.1.16 at the Ordinary Meeting of Council held on 26 July 2005, in the context of the current and draft amended cash-in-lieu of car parking provisions and the increase in cash-in-lieu construction costs in the 2005/06 Fees and Charges, the following practice is considered to be the most appropriate in such cases:

1. No land value component is to be included in the cash-in-lieu of car parking contribution until the draft amended Parking and Access Policy is finally adopted by the Council.
2. Planning applications received prior to and on 12 July 2005 (date of formal adoption of 2005/2006 Budget and Fees and Charges) - the cash-in-lieu contribution is to be based on \$2,500 per car bay.
3. Planning application received after 12 July 2005 - the cash-in-lieu contribution is to be based on \$2,600 per car bay.

The total gross floor area for the proposed shop extension will result in a car parking shortfall of 1.22 car bays, after the application of adjustment factors. This shortfall can be addressed as a cash-in-lieu contribution.

**SUMMARY:**

The proposal is supported as it is not considered to unduly impact the amenity of the adjacent or surrounding properties and is compliant with the Town's Mount Lawley Centre Precinct Policy.

In light of the above, approval is recommended, subject to standard and appropriate conditions to address the above matters.

**10.1.13 No. 75 (Lot 88 D/P: 35708) Palmerston Street, Perth - Proposed Landfill**

<b>Ward:</b>	South	<b>Date:</b>	3 July 2006
<b>Precinct:</b>	Hyde Park; P12	<b>File Ref:</b>	PRO2370; 5.2006.184.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	B Phillis		
<b>Checked/Endorsed by:</b>	D Abel, 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 Greg Rowe & Associates on behalf of the owner Oceanbird Holdings Pty Ltd for proposed Landfill, at No. 75 (LOT 88 D/P: 35708) Palmerston Street, Perth, and as shown on plans stamp-dated 24 April 2006, subject to the following conditions:*

- (i) landfill material shall be clean sand only;*
- (ii) prior to the commencement of works, the following details shall be submitted to and approved by the Town demonstrating the following:*
  - (a) detailed design of the angle of repose and the battering so as to contain the proposed landfill within the subject site; and*
  - (b) detailed cross-sectional drawings showing the proposed fill and battering on-site and reflecting the proposed fill levels shown on the approved plans;*
- (iii) a detailed management plan that addresses the control of noise, dust suppression, compaction details, machinery to be used, to reasonable levels, associated with the landfill shall be submitted and approved prior to the commencement of works and thereafter implemented and maintained;*
- (iv) all stormwater produced on the subject land shall be retained on-site to the satisfaction of the Town's Technical Services Division. No further consideration will be given to the disposal of stormwater without the submission of a geotechnical report from a qualified consultant; and*
- (v) the maximum amount of landfill that is permitted to be placed on the site is 15.3 AHD and 16.0 AHD as shown on the approved plans. No additional landfill is permitted on the site when vacant or with any future development on the site, without the prior approval of the Council.*

**COUNCIL DECISION ITEM 10.1.13**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

<b>Landowner:</b>	Oceanbird Holdings Pty Ltd
<b>Applicant:</b>	Greg Rowe & Associates
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
<b>Existing Land Use:</b>	Vacant Land
<b>Use Class:</b>	Unlisted Use, however, the proposal is associated with Single Houses and Grouped Dwellings.
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	3999 square metres
<b>Access to Right of Way</b>	N/A

**BACKGROUND:**

- 23 October 2001 Conditional approval granted by the Western Australian Planning Commission (WAPC) for the subdivision of the above site into 17 green title/freehold lots. The three (3) year approval period has since expired.
- 9 April 2002 The Council at its Ordinary Meeting resolved to proceed with the amended subdivision plan for the small lot and super lot subdivision of the "Old Bottleyard" site.
- 31 May 2002 The WAPC approves the revised subdivision plan stamp dated 24 April 2002, as part of the 23 October 2001 approval. The three (3) year approval period has since expired.
- 22 July 2003 The Council at its Ordinary Meeting resolved to conditionally approve an application for landfill at the subject property. The original plan is attached.
- 14 March 2006 The Council at its Ordinary Meeting resolved to grant a Conditional Recommendation of Approval to the WAPC for proposed green title/freehold subdivision for the subject property. The following relevant condition was applied: -
- "(iv) the land being filled and/or drained at the subdivider's cost to the satisfaction of the Town and any easements and/or reserves necessary for the implementation thereof, being provided free of cost. The maximum permitted amount of fill and height of associated retaining walls is 15.3 AHD for proposed Lots 1 to 9, inclusive, and 16.0 AHD for proposed Lots 10 to 17, inclusive. No additional landfill is permitted on the site when vacant or with any future development on the site, without the prior Planning Approval being applied to and obtained from the Town of Vincent. This fill limit reflects the Planning Approval granted for landfill on the subject property on 22 July 2003 and issued on 28 July 2003;"*
- 24 April 2006 Subject development application was lodged to the Town for proposed landfill, of which the finished ground levels are identical to the application conditionally approved on 22 July 2003.
- 10 May 2006 Conditional approval granted by the WAPC for the subdivision of the above site into 17 green title/freehold lots. (WAPC Reference: 130292).

**DETAILS:**

The proposal involves proposed landfill.

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

**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	N/A	N/A	Noted.
Plot Ratio	N/A	N/A	Noted.
<b>Consultation Submissions</b>			
The application was not advertised, as identical plans were approved by the Council on 22 July 2003.			
It is noted that the previous proposal was not advertised for the reason most of the adjacent properties were under the ownership of the Town and the application was referred to the Council for consideration and determination.			
<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:**

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

**10.1.14 No. 69 (Lot: 26 D/P: 1106) Chatsworth Road, Highgate - Proposed Demolition of Existing Single House and Construction of a Two (2) Storey Single House with Undercroft Garage**

<b>Ward:</b>	South	<b>Date:</b>	4 July 2006
<b>Precinct:</b>	Smith's Lake; P06	<b>File Ref:</b>	PRO3545; 5.2006.189.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	E Saraceni		
<b>Checked/Endorsed by:</b>	R Rasiah, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That;*

(i) *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 L Castelanelli on behalf of the owner A & G Lombardi for proposed Construction of a Two (2) Storey Single House with Undercroft Garage, at No. 69 (Lot: 26 D/P: 1106) Chatsworth Road, Highgate, and as shown on plans stamp-dated 14 June 2006, 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; and*
- (b) *the non-compliance with Plot Ratio, Wall Height, Building Setbacks, and Buildings on Boundary requirements of the Residential Design Codes, and the Town's Policies relating to Non Variation to Specific Development Requirements, respectively; and*

(ii) *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 L Castelanelli on behalf of the owner A & G Lombardi for proposed Demolition of Existing Single House at No. 69 (Lot: 26 D/P: 1106) Chatsworth Road, Highgate and as shown on plans stamp-dated 14 June 2006 , subject to the following conditions:*

- (a) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (b) *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;*
- (c) *a development proposal for the redevelopment of the subject property shall be submitted and approved prior to the issue of a Demolition Licence;*
- (d) *support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
- (e) *demolition of the existing dwelling may make the property ineligible for any development bonuses under the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community; and*

- (f) *any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies.*

**COUNCIL DECISION ITEM 10.1.14**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

<b>Landowner:</b>	A & G Lombardi
<b>Applicant:</b>	L Castelanelli
<b>Zoning:</b>	Metropolitan Region Scheme: (MRS) Urban Town Planning Scheme No.1 (TPS 1): Residential R80
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	314 square metres
<b>Access to Right of Way</b>	Rear, 3.01 metres wide, unsealed

**BACKGROUND:**

No specific background directly relates to the proposal.

**DETAILS:**

The proposal involves an application to demolish an existing single storey house and the construction of a two-storey house with an undercroft garage.

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

**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>
Plot Ratio	0.65 - (204.1 square metres)	0.75 - (235.5 square metres)	Not Supported- as the plot ratio is an element of the Town's Non-Variation to Specific Development Requirements Policy.
<u>Setbacks</u> Ground Floor East	4.5 metres	1 metre -1.514 metres	Supported- as the variation is not considered to have an adverse impact on the adjoining neighbour.

Upper Floor West East	2.3 metres 5.2 metres	2.1 metres 1.4-3.4 metres	Supported- As above. Supported- As above.
<u>Buildings on Boundary</u>	In areas coded R30 and higher, walls not higher than 3.5 metres with an average of 3 metres for 2/3 the length the balance of the boundary behind the front setback, to one side boundary.	Average height of boundary wall is 3.63 metres.	Supported- as the subject site is sloping and to achieve the required height, whilst maintaining a consistent finished floor level is difficult.
<u>Height</u>	6 metres to the top of the eaves	Height ranges from 5.9 metres-6.7 metres to the top of the eaves.	Supported- As above. Also, the ceiling heights for the upper floor are the minimum 2.4 metres.
<u>Privacy</u>	Setback within the cone of vision 4.5 metres in the case of bedrooms.	Window to bedroom 4 setback 3 metres within the cone of vision.	Supported- Cone of vision encroaches onto the adjoining neighbours roof and front garden.

**Consultation Submissions**

The application was advertised from 16 June 2006 to 30 June 2006 and no submissions were received.

**Other Implications**

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

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

**COMMENTS:**

The brick and tile dwelling at No.69 Chatsworth Street was constructed circa 1910. However, later alterations and additions have removed and concealed the place's original facade and detail. The façade features no elements of interest and comprises of a simple aluminium framed central entrance, which is flanked on either side by aluminium sliding windows. The main roof form is hipped and extends to provide a small verandah covering at the front of the house, which is supported by two brick columns. Set back approximately three metres from the street, the front setback is completely covered by concrete pavers.

The subject dwelling is located between the portion of Chatsworth Road between William and Harley Streets in Highgate. Chatsworth Road is an intact streetscape of residences that were built around the turn of the last century, in response to the increased demand for housing that accompanied the population explosion of the Gold Rush. The street is characterised by consistent short front and side setbacks and single storey cottages of a modest scale. Much of the original housing stock is still intact and the majority of residences exhibit characteristics of Federation style architecture, thus comprising a streetscape that is not only uniform in terms of the pattern of development, but also architectural style. While the subject dwelling conforms to the prescribed setback and scale of the street, the building has been severely altered, which has eroded any aesthetic contribution that it once might have had to the streetscape.

The subject property is not listed on the Town's Municipal Heritage Inventory or Interim Heritage Data Base and is considered to have little cultural heritage significance. It is considered that a full heritage assessment is not warranted in this instance and approval should be granted for its demolition, subject to standard conditions.

In light of the above, the demolition is recommended for approval, however, the development application is recommended for refusal.

**10.1.18 Draft State of the Environment Report WA, 2006**

<b>Ward:</b>	Both	<b>Date:</b>	3 July 2006
<b>Precinct:</b>	All	<b>File Ref:</b>	ENS0084
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	D Brits		
<b>Checked/Endorsed by:</b>	R Boardman, R Lotznicher	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *NOTES the draft State of the Environment 2006 report released by the Environmental Protection Authority, Government of Western Australia; and*
- (ii) *ADVISES the Environmental Protection Authority that the Town supports in principle the identified key findings and suggested responses.*

**COUNCIL DECISION ITEM 10.1.18**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council on the release of the draft State of the Environment Report WA 2006 and key findings.

**BACKGROUND:**

Dr Wally Cox, Chairman of the Environmental Protection Authority released the draft report for community comment.

In 2003, the Government of Western Australia announced that the Environmental Protection Authority (EPA) would develop the next State of the Environment (SoE) report. This represents the third formal SoE report for Western Australia, with reports being previously undertaken by State Governments in 1992 and 1998.

The EPA has welcomed the responsibility of coordinating the State of the Environment report, which closely links to its duties in the Environmental Protection Act 1986. Fundamentally, the EPA is a statutory authority that provides independent advice on environmental matters, undertakes impact assessments, and assesses the performance of natural resource management.

The report identifies the most important environmental issues facing Western Australia. It also identifies the current condition of the State's environment and what we (as individuals and the community) are doing, or should be doing, to improve our environment. The EPA encourages the use of this report to generate positive changes that lead to a healthier environment and, in turn, allow for enhanced community wellbeing and a robust economy.

**DETAILS:**

State of the Environment Reports are designed to communicate credible, timely and accessible information about the condition of the environment to decision makers and the community. The 2006 report does not consider all of the many environmental issues facing Western Australia. Rather, it focuses on the major environmental issues, to focus attention on them, and help set the State's environmental policy agenda.

In Australia, the 'pressure-state-response' model provides a foundation for State of the Environment reports. 'Pressure' (or threat) refers to human activities that affect the environment and the functioning of important environmental processes. 'Response' refers to human actions or efforts that have been made to address pressures on the environment.

In Western Australia, a modified version of the model is used: condition-pressure-response-implication. This greatly assists in environmental policy planning, while retaining the benefits of an internationally agreed framework for environmental reporting.

Similar to many other State and National State of the Environment Reports, Western Australia's reports are structured around environmental themes, issues and indicators. 'Themes' refer to major groupings of the environment, including fundamental pressures, atmosphere, land, inland waters, biodiversity, marine, human settlements, heritage and sustainability.

'Issues' refer to environmental problems and are reported under relevant themes. Environmental indicators are used to provide a summary measure of the condition and/or trend of natural resources and issues.

The State of the Environment Report is the key mechanism used for reporting on sustainability. That is, the State's environmental bottom line. The report also reviews the progress of Western Australia's natural resource sectors in the 'Towards Sustainability' theme, by reporting on their sustainable management use, protection and conservation of natural resources.

**Statewide priorities**

*Priority rankings for environmental issues in Western Australia*

☆☆☆☆☆	☆☆☆☆	☆☆☆	☆☆	☆
Climate change	Particulates	Photochemical smog	Indoor air	Stratospheric ozone depletion
Population and consumption	Changed fire regimes	Soil acidification	Air toxics	Sulphur dioxide
Greenhouse gas emissions	Clearing	Acidification of inland waters	Oxides of nitrogen	Carbon monoxide
Introduced animals	Soil erosion	Erosion and sedimentation of inland waters	Overgrazing	
Phytophthora dieback	Altered water regimes	Eutrophication	Trawling	
Weeds	Loss of wetlands	Introduced marine pests	Land contamination	
Land salinisation	Loss or degradation of fringing and in stream vegetation	Transport	Marine contamination	

Salinisation of inland waters	Degradation of marine habitat	Water use in settlements	Appreciation and support for heritage	
	Settlement patterns	Energy use in settlements Waste generation and disposal Heritage conservation and management	Statutory recognition and protection of heritage	

This draft State of the Environment Report represents the environmental bottom line for Western Australia and will underpin proposed State sustainability reporting. The report's 'Towards Sustainability' theme specifically investigates how sustainable our State's natural resources are conserved, managed, protected and used. Through this process, new headline indicators have begun to emerge to describe the inter-relationships between the environment, society and the economy. Although considerable work is still required, future State of the Environment Reports will further develop and refine integrative measures of sustainability.

**CONSULTATION/ADVERTISING:**

Consultation and advertising is the responsibility of the Environmental Protection Authority of Western Australia. Written comments should be submitted by Friday, 29 September 2006 to:

Environmental Protection Authority

[www.epa.wa.gov.au](http://www.epa.wa.gov.au)

[www.soe.wa.gov.au](http://www.soe.wa.gov.au)

[soe@environment.wa.gov.au](mailto:soe@environment.wa.gov.au)

PO Box K822

PERTH WA 6842

Telephone: (08) 9222 8668

Telefacsimile: (08) 9322 1598

**STRATEGIC IMPLICATIONS:**

- Town of Vincent Strategic Plan 2005 – 2010:  
*'We will continue to be a safe and healthy inner city area, rich in heritage and cultural diversity' and 'sustainability guides our decision making.'*
- *Vincent Vision 2024 (June 2005) – Vision Ideas for the Future: Workshop participants identified 'Environment and Sustainability' as a key area to maintain and improve quality of life in Vincent.*

**LEGAL POLICY:**

Environmental Protection Act 1986 (as amended) and numerous Environmental Protection policies.

**FINANCIAL/BUDGET IMPLICATIONS:**

As detailed in draft Town of Vincent Strategic Plan 2006-2011.

**COMMENTS:**

The EPA in protecting the WA environment promotes the health of natural resources by maintaining key ecosystem services including soil, water and vegetation health, habitat provision, carbon sequestration, climate regulation and cultural values amongst others. Inadequate protection of ecosystem services will impact natural cycles that humans often take for granted. This approach includes environmental protection (for example, pollution control, environmental harm control, etcetera) and planning mechanisms.

Once the Statewide Priorities have been finalised and approved, the role of Local Government Authorised Officers/Inspectors and planning mechanisms will become clear.

It is recommended that the EPA be advised of the Council's in-principle support of the draft report.

**10.1.19 Asbestos Removal Licensing - Discussion Paper**

<b>Ward:</b>	Both	<b>Date:</b>	26 June 2006
<b>Precinct:</b>	All	<b>File Ref:</b>	ENS0084
<b>Attachments:</b>	Nil		
<b>Reporting Officer(s):</b>	D Brits		
<b>Checked/Endorsed by:</b>	R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report relating to the Department of Consumer and Employment Protection and the Commission for Occupational Safety and Health Discussion Paper on the proposal to amend the bonded asbestos removal licensing threshold; and*
- (ii) *ADVISES the Chairman and Executive Officer of the Commission for Occupational Safety and Health that the Town SUPPORTS in principle the proposal to upgrade the removal licensing requirements and notifications to Local Government.*

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**COUNCIL DECISION ITEM 10.1.19**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

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**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council on the release of the Discussion Paper from the Department of Consumer and Employment Protection, and the Commission for Occupational Safety and Health proposal to amend the bonded asbestos removal licensing threshold.

**BACKGROUND:**

The Chairman of the Commission for Occupational Safety and Health announced the release of the Discussion Paper on the Department of Consumer and Employment Protection and the Commission for Occupational Safety and Health proposal to amend the bonded asbestos removal licensing threshold.

The Discussion Paper is the result of consideration of the seriousness of health effects associated with exposure to respirable asbestos fibres in the context of current asbestos removal licensing requirements.

Comments are requested from community members, unions, organisations and industry representatives. The paper is available until the end of August 2006 on the WorkSafe website: [www.worksafe.wa.gov.au/newsite/worksafe/pages/wswanews0001.html](http://www.worksafe.wa.gov.au/newsite/worksafe/pages/wswanews0001.html)

**DETAILS:**

The Commission for Occupational Safety and Health is currently considering a proposal to amend the Occupational Safety and Health (OSH) Regulations 1996 concerning the licensing of bonded asbestos removal. The proposed amendment seeks to require a bonded asbestos licence for any work involving the removal of greater than 10 square metres of asbestos containing material (ACM). Currently the threshold is 200 square metres.

Left undisturbed in buildings and when basic precautions are followed, the risk of ill-health from respirable asbestos fibres is low. The rationale for the proposed amendment has arisen from concerns that safe work practices are not always being followed when removing asbestos, thereby potentially exposing workers and bystanders to unsafe levels of exposure to airborne asbestos fibres.

The European Environment Agency have noted that poor implementation of asbestos regulations is a contributing factor to high incidence rates for asbestos-related diseases.

It should be noted that the requirement to hold a licence would apply to workers defined under the OSH Act, not to home owners carrying out work on their own properties. Requirements in relation to the activities of home owners would fall under the provisions of the Health (Asbestos) Regulations 1994. The Department of Health advise that these regulations may be reviewed in the near future also.

If asbestos fibres are inhaled by humans, asbestos fibres can cause asbestosis, lung cancer and mesothelioma, a disease which is invariably fatal. ACM building products can be removed safely and with minimal risk to workers or the public, provided safe work procedures are complied with.

The risk of exposure to asbestos is likely to occur during the removal or disturbance of asbestos and asbestos containing materials. This can occur during renovation or refurbishment of buildings containing asbestos, or replacing electrical meter boards containing asbestos. The rationale for the proposed amendment has arisen from concerns that safe work practices are not always being followed when removing asbestos.

A requirement to obtain a licence would predominantly impact on those working in the residential sector, for example, demolition of single storey houses, removal of asbestos cement sheeting due to renovations or removal of asbestos cement fencing. More stringent prerequisites would improve standards for bonded asbestos cement removal and reduce the amount of unsafe asbestos cement removal work. Bystanders would also benefit from improved working standards.

Local Governments currently require notification that asbestos is present when a demolition application is submitted, and although WorkSafe receives information via lists of Council building demolition approvals, they are usually not received until after demolition has taken place. One suggestion is for Local Governments to require proof of a WorkSafe asbestos removal licence before approving demolition renovation work.

**CONSULTATION/ADVERTISING:**

Consultation and advertising is the responsibility of the Department of Consumer and Employment Protection, Government of Western Australia, and the Commission for Occupational Safety and Health. Comments should be submitted to:

Executive Officer, Commission for Occupational Safety and Health –

- In person: 5th Floor, 1260 Hay Street, West Perth;
- By post: P O Box 294, WEST PERTH 6872;
- By email: *wslibrary@docep.wa.gov.au*
- By telefacsimile: (08) 9321 2148.

**STRATEGIC IMPLICATIONS:**

Town of Vincent Strategic Plan 2005 – 2010:

*'We will continue to be a safe and healthy inner city area, rich in heritage and cultural diversity' and 'sustainability guides our decision making.'*

**LEGAL POLICY:**

Occupational Safety and Health Act 1984 and the Occupational Safety and Health Regulations 1996.

The Health (Asbestos) Regulations 1994, are applicable to home owners.

**FINANCIAL/BUDGET IMPLICATIONS:**

Nil.

**COMMENTS:**

In view of the information provided in the Discussion Paper, it is deemed prudent to upgrade the licensing requirements in the interest of safety and health of the Town and wider community in general. The review is of particular significance to the Town given the quantity of pre-1987 developments, which utilised considerable quantities of asbestos cement products in fencing, eave linings and sheds, etcetera.

### 10.2.1 Revised Playground Upgrade Program

Ward:	Both	Date:	19 June 2006
Precinct:	All	File Ref:	RES0027
Attachments:	<a href="#">001;002;003</a>		
Reporting Officer(s):	J van den Bok		
Checked/Endorsed by:	R Lotznicker	Amended by:	

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) **RECEIVES** the report in relation to the revised Playground Upgrade Program;
- (ii) **NOTES** that an audit of all playgrounds within the Town including an itemised cost estimate and recommendation for the staged replacement of playground equipment, dependant on current condition and useful life cycle, was undertaken in April 2005 by an independent playground consultant (as laid on the table);
- (iii) **ADOPTS** the revised Playground Upgrade Program as outlined in Appendix 10.2.1B, and lists \$127,000 in the 2006/2007 Draft budget to implement Year 1 of the program; and
- (iv) **AUTHORISES** the Chief Executive Officer to liaise with interested local precinct/community groups and local residents when finalising individual playground designs as listed in the program.

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**COUNCIL DECISION ITEM 10.2.1**

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

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

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**PURPOSE OF REPORT:**

The purpose of this report is to request that the Council adopts the revised Playground Upgrade Program which has been developed following an audit of all the playgrounds within the Town in April 2005 by an independent playground consultant.

**BACKGROUND:**

At its Ordinary Meeting held on the 11 February 2003 an amended playground upgrade program (Appendix 10.2.1A) was considered by the Council where the following decision was made:

*That the Council;*

- (i) *receives the report on the proposed playground upgrade for Braithwaite Park, Mt Hawthorn;*
- (ii) *ADOPTS the amended Annual Playground Upgrade Program to include the playground upgrade works at Braithwaite Park in 2003/2004 as outlined in attachment 2;*
- (iii) *lists an amount of \$93,000 for consideration in the 2003/2004 draft budget to implement Year 3 of the program; and*
- (iv) *consults with interested groups in relation to the final playground design upon adoption of the 2003/2004 budget.*

The Town has a total of thirty seven (37) individual playground which are inspected and maintained regularly in accordance with the relevant Australian Standards.

Since the Town's inception, many of these existing playgrounds have been upgraded and several additional sites were identified for the installation of new playgrounds as follows.

**Prior to July 2006 - Twenty Two (22) Upgraded Playgrounds**

Oxford Street Reserve	Birdwood Square
Auckland/Hobart Street Reserve	Kyilla Park
Edinboro Street Reserve	Lynton Street Reserve
Stuart Street Reserve	Hyde Street Reserve
Braithwaite Park	Robertson Park
Les Lilleyman Reserve	Blackford Street Reserve
Keith Frame Reserve	Beatty Park Reserve
Woodville Reserve	Brigatti Gardens
Forrest Park	Jack Marks Reserve
Banks Reserve	Charles Veryard Reserve
Menzies Park	Redfern / Norham Street Reserve

**Prior to July 2006 - Six (6) New Playground**

Ivy Park	Multicultural Federation Garden
Shakespeare Street Reserve	Tolcon Place Reserve
Leake/Alma Street Reserve (South)	Leake/Alma Street Reserve (North)

**DETAILS:**

An amount of \$15,000 was included in the 2004/05 budget to undertake an audit of the Town's playground areas and to provide safety signage at each respective playground site.

In accordance with Australian/New Zealand Standard AS/NZS 4486.1.1997 (*Playgrounds & Playground Equipment Part 1: Development, installation, inspection, maintenance and operation.*) the owner or operator of playgrounds is required to maintain an 'up to date' playground register of all playground items including:

- Location
- Equipment
- Under surfacing
- Installation dates

- Installers details
- Warranty information
- Testing certificates
- Instructions for use and records of inspections
- Incidents and corrective actions.

Whilst the Town maintained a basic register inherited from the former City of Perth a more comprehensive list of information was required. In addition it had been previously recommended by the Town's insurers that appropriate signage be installed at each playground site advising of the risks, including a telephone number to report any playground defects.

During October 2004 new Australian Standards (AS 4685 Part 1-6:2004) for playgrounds came into effect, however the Standards Australia Committee decided that to avoid excessive costs to manufacturers and operators, the previous (*now superseded Standards AS 1924 part 1 & 2*) would continue for a period of 12 months. Therefore, from October 2005 all new playgrounds should comply with the new Australian standard.

### **Playground Consultant / Audit**

PlayRight Australia Pty Ltd was selected by the Town's officers to undertake the playground audit, having provided the lowest quotation and having completed playground audits for many other local governments.

The playground consultants brief included the following parts:

- 1) To undertake an audit of all the Town's playgrounds taking into account the most recent Australian Playground Standards (AS 4685 Part 1-6:2004)
- 2) Provide a priority repair list
- 3) Provide an indicative replacement cost per playground/item
- 4) Develop a replacement program
- 5) Provide examples of / and recommendations of playground safety signage

Following receipt of the completed audit the playground consultant advised that the Town's playgrounds were generally in very good condition in comparison with other organisations recently audited. It was also advised that having an adopted playground upgrade program was being proactive in ensuring playground equipment/areas were maintained to the highest possible safety standards.

### Audit

The audit of each respective playground site included the supply of a digital photograph of the playground, an inventory of play equipment, identification of hazards and various other required information such as manufacturers name and installation date.

The information was recorded onto a data base that can be easily accessed and updated as playgrounds are upgraded or modified. Since the original audit was completed in April 2005 a further eight (8) playgrounds have been upgraded. An audit was again undertaken upon completion of each upgraded playground and the database updated accordingly.

### Priority Repair List

As the consultant was requested to audit all playgrounds under the most recent Australian Standards, it was obvious that a number of playground items would be identified as being non-compliant. New standards are not applied retrospectively, unless existing playground items are moved or replaced.

Eighty three (83) of a total of 162 individual playground items inspected in April 2005 were non-compliant. This number has since decreased significantly as the Town upgraded an additional eight (8) playgrounds (*approximately 50 new playground items*) since the original audit was undertaken.

The consultant was however requested to provide a priority repair/replacement list which indicated what playground items required immediate works as they were considered unsafe.

The consultant identified six (6) items and corrective action was undertaken immediately.

#### Replacement Cost per Playground/item

The consultant provided a replacement cost per playground/item as a guide for staff in formulating future budgets however it should be noted that the costs provided were indicative only based on replacing “like” with “like.”

Therefore, where a sandpit currently exists no allowance was made to replace this with rubber softfall, nor was any allowance made to replace an existing playground with additional or alternative items of play equipment.

Where individual playground items require replacement from time to time, the costs associated with the removal replacement can be usually absorbed by the individual parks maintenance account allocation for playgrounds.

#### Replacement Program

The consultant also provided a playground replacement program. Again, this has only been used by staff as a guide in formulating the attached revised playground upgrade program.

The replacement program provided by the consultant was based on the existing condition of equipment and an expected ten (10) year life span and did not consider other issues such as the level of use etc.

It should be noted that the modern steel powder coated equipment should last between ten (10) and twenty (20) years if bore reticulation systems are directed away from the equipment.

Upon completion of any playground upgrade within the Town, the surrounding reticulation system is altered to ensure that overspray is minimised.

#### **Revised 6 Year Playground Upgrade Program (refer appendix 10.2.1B)**

##### Year 1 (2006/2007) - Total \$127,000

##### *Ellesmere Street Reserve - \$75,000.*

The majority of this playground was installed in 1986/87 (*records from former City of Perth*) with additional components added in 1992 and 1998. Most of the equipment is constructed from timber and has reached the end of its useful life.

Many of the timber components are splintering representing a hazard and a vast proportion of the components do not comply with Australian Standards.

The playground is “moderately” patronised, mainly after school hours and on weekends. Additional large trees will also be provided around this playground to provide shade.

##### *Britannia Road Reserve (South) - \$52,000.*

The existing equipment is very basic although structurally sound and in good condition. The playground area is not ideally located adjacent to a dog exercise area and should be fenced.

Whilst this playground was not initially listed for replacement until around 2008/2009, representation from local residents to provide a more interesting and safer (fenced) playground site was supported.

This use of this playground would be considered “high” particularly after school hours and on weekends.

Year 2 (2007/2008) - Total \$250,000

*Hyde Park (West) - \$250,000.*

This area of Hyde Park is used extensively and the playground would have the “highest use” of any playground located within the Town. Consisting of playground items installed from 1986 to 2004 the location and level of use warrants the upgrade of this playground as soon as practicable. This site has been identified for the installation of a universally accessible playground with ramps and specialised equipment for children with disabilities. While originally listed for upgrade in 2006/07, due to budget priorities, this upgrade was postponed for a further 12 months.

Plans are currently being prepared and the significant cost involved includes some additional landscaping components and a universally accessible playground similar to what has recently been constructed at Manning Park in the City of Cockburn. The entire project will be subject to Council and Heritage Council approval prior to installation.

Year 3 (2008/2009) - Total \$152,000

*Britannia Road Reserve (North) - \$83,000.*

The majority of playground components were installed in 1987/88 and are very weathered. There are also issues in regard to existing installation levels, angles of equipment and minimal fall zone requirements since the fence was installed around the playground by the former City of Perth.

The use of this playground is considered to be “very high” particularly after school hours and during weekend sports activities. It is however also used continually during normal working hours. The playground site is very open and in sun continually through the day. Whilst the installation of shade sails has not been encouraged due to the initial cost and constant vandalism, there is ample justification and a requirement for a shade sail in this location.

*Brentham Street Reserve (South) - \$39,000.*

This playground was installed in 1993 and minor corrosion is now evident due to weathering and the overspray of reticulation. The influx of young families in the local area warrants that this playground be upgraded, increased in size and made more interesting. The use of this playground would be considered “moderate” to “high” with Aranmore School in the vicinity.

*Ellesmere/ Matlock Street Reserve - \$30,000.*

This is playground located on a very small portion of land and has only three (3) items of equipment, two (2) which do not comply with Australian Standards. This playground has “low” to “moderate” use mainly when parents are dropping and picking up students from the Mt Hawthorn Primary School. The playground should be fenced and the existing *Eucalyptus* tree located within the sandpit removed due to fall zone requirements prior to a more condensed combination unit or similar items installed and rubber surfacing provided.

Year 4 (2009/2010) - Total \$158,000

*Hyde Park (East) - \$69,000.*

The majority of these playground items were originally installed in 1993, then relocated to Hyde Park from the area of public open space (*Kingston/Loftus Street*) upon commencement of the Loftus Duplication project. The equipment is showing slight weathering. This playground would be considered as having “high” use and by 2009 will warrant upgrading. The existing sandpit is also regularly fouled with leaf litter and it is proposed to provide a rubber softfall base.

*Brigatti Gardens - \$36,500.*

This playground was installed in 1999 and has deteriorated prematurely due to the excessive shade and high mineral content of the groundwater and subsequent overspray of the reticulation system. Corrosion in several items is evident and the playground pit is constantly fouled with leaf and fruit drop. Installation of rubber softfall is required and replacement equipment be constructed of aluminium rather than the existing powder coated steel type. This playground site would be considered as having “moderate” use.

*Auckland/Hobart Street Reserve - \$52,500.*

This park is used constantly by the local community and the playground is a very popular meeting place for young families. Rubber softfall is proposed and several items of the existing equipment require modification to bring them up to the standard required and warranted for such a popular playground area.

Year 5 (2010/2011) \$144,000

*Kyilla Park - \$33,000*

Located adjacent to Kyilla Primary School, this playground would be considered as having “high” use. Significant benefits particularly from a maintenance perspective would be achieved from having rubber softfall installed. Modification of some items is required and the existing pit allows for the addition of new items of play equipment.

*Jack Marks Reserve - \$41,500*

Having “moderate” use, particularly after school hours and on weekends, again some items of the existing equipment have been identified as non-compliant and warrant modification given the overall good condition of the equipment. Rubber softfall is also required at this site due to the excessive leaf drop from the surrounding trees.

*Redfern/Norham Street Reserve - \$28,500*

A playground site that does attract a lot of local patronage, equipment is in relatively good condition, however some items such as various panels, slides etc. do require modification to comply with the current standards. Again the major component of this upgrade is the provision of rubber softfall which is required due to the excessive leaf drop from the adjacent deciduous trees.

*Brentham Street Reserve (North) - \$41,000.*

Aranmore School in liaison with the Town recently installed new playground equipment with rubber softfall directly adjacent to the Town’s existing playground. Given the “high” use of this site during school hours it would be prudent to upgrade the remaining section of the playground and integrate the two areas with the installation of additional rubber softfall.

Year 6 (2011/2012) - Total \$135,500

*Charles Veryard Reserve- \$33,500.*

The major component of the upgrade is the provision of rubber softfall. Several items of play equipment have been identified as requiring replacement or modification.

*Various Locations- \$102,500*

An amount of \$30,000 has been included for the replacement/ modification of various play panels, slides etc at playground locations installed within the last few years prior to the new standards being introduced.

The remaining funding allowance of \$60,000 is for where items that require replacement are cut out from the original rubber base. Cut outs are undertaken in a circle or star shape, then the rubber re-laid, usually in a different colour.

In addition, with the installation of rubber softfall in the earlier years, no border such as a garden kerb edge or limestone was provided. Retro- fitting a garden kerb around these existing playground sites is recommended as it stops the edges from deteriorating and being vandalised and will ensure that the Town's significant investment in rubber softfall playground (recycled tyres) areas is protected and perpetuated for as long as possible.

### **Playground Signage**

It was recommended by the Town's insurers, (Municipal Liability Scheme) and specifically their Risk Manager that signage be erected at each playground within the Town advising of safety precautions required and risks associated with the use of play equipment.

Following adoption of Council Policy 3.8.7 *Prohibition of Smoking in Designated Council Owned Playgrounds* on the 4 November 2003, the signage when finally installed was also to include a symbol advising that smoking is prohibited in or near playgrounds.

Playground safety signs (*refer Appendix 10.2.1C*) have now been installed at each respective playground site. The signs were developed in conjunction with the consultant and endorsed prior to fabrication/installation by the Town's insurers.

The signage is constructed of 5mm aluminium plate which is graffiti coated. Standard symbols have been used to indicate no dogs or smoking is permitted within or near the playground and other information provided, including a telephone number for patrons to report any damage or defective playground equipment.

### **CONSULTATION/ADVERTISING:**

Where local precinct/community groups or residents are interested in being involved in the design of a new playground, a small working group is set up and the design progressed in association with the contracted playground company consultants.

### **LEGAL/POLICY:**

All new playgrounds supplied and installed from October 2006 should comply with the most recent Australian Standards referring to Playground Equipment components. *AS 4685 Parts 1 to 6:2004.*

There are various other Australian Standards for playground pits, equipment and softfall areas which have been developed and reviewed since 1981. Updated standards are not applied retrospectively and therefore there are various items within most playgrounds that do not conform to the new standards introduced in October 2005.

However, it should be noted that all of the Town's playground items, pits and softfall conform to the current Australian Standards at the time of installation.

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *“e) Ensure all Council services, playgrounds and facilities are universally accessible.”*

**FINANCIAL/BUDGET IMPLICATIONS:**

The majority of playground upgrades throughout the Town have been funded using municipal funds, however occasionally nearby property developments have been required to provide a cash-in-lieu of public open space contribution. In these cases the funds can be used to upgrade facilities in nearby areas of existing public open space.

The funding allocation for the revised playground upgrade program is between \$120,000 to \$160,000 per year, the exception being in 2007/08 when the Western Playground at Hyde Park is listed and a purpose built universal playground provided.

The cost breakdown for each respective playground site including equipment, softfall, fencing, earthworks etc. is provided in the attached document.

**COMMENTS:**

The upgrade of the Town's playground areas has been highly regarded by the community and whilst all the playgrounds complied with the standards at the time of installation, there has been increasing pressure to ensure that existing safe, functional equipment is renewed and a more interesting, modern playground area provided.

Over the past few years' playground upgrades have been undertaken not necessarily in the order of preference or requirement, but due to the pressure of individual ratepayers, playgroups or community groups.

The revised playground upgrade program has been carefully thought through with the assistance of a qualified playground consultant. It has been produced taking into account all aspects of playground safety, use and existing locations and should be adhered where possible.

“Fast tracking” the upgrade program where additional funding is possibly provided in future years would however, be considered favourable option.

**10.2.2 Proposed Naming of Rights of Way – Colvin Lane**

<b>Ward:</b>	South	<b>Date:</b>	3 July 2006
<b>Precinct:</b>	Cleaver Precinct (P5)	<b>File Ref:</b>	TES0441
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	A Munyard		
<b>Checked/Endorsed by:</b>	R Lotznicker	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council*

- (i) *RECEIVES the report on the naming of the right of way bounded by Carr, Strathcona, Newcastle and Charles Streets;*
- (ii) *APPROVES the application of the name COLVIN LANE to the right of way; as illustrated by Plan 2444-RP-1; and*
- (iii) *ADVISES the Geographic Names Committee, the applicant and all residents adjoining the right of way of its decision.*

**COUNCIL DECISION ITEM 10.2.2**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

(Cr Doran-Wu was an apology.)

**PURPOSE OF REPORT:**

The purpose of this report is to seek the Council's approval for the naming of the private right of way (ROW) bounded by Carr, Strathcona, Newcastle and Charles Streets as illustrated by Plan 2444-RP-1.

**BACKGROUND:**

The Town has, through its ROW naming and lighting program previously named those ROWs which are dedicated as public roads. The naming of other ROWs is facilitated upon the request from residents, provided the cost of installing name plates is borne by the applicant and the name is approved by the Council and the Geographic Names Committee of the Department for Planning and Infrastructure.

Naming of ROWs has a number of positive outcomes for adjacent residents. Once approved by the Geographic Names Committee, ROW names are included in the Streetsmart guide, and are therefore identifiable to FESA, should their attendance be necessary, and to the public in general.

**DETAILS:**

The Town has received an application for the naming of the ROW bounded by Carr, Strathcona, Newcastle and Charles Street, West Perth. The ROW provides primary access to the car parking facilities at Westone Services. Westone Services is funded by the Western Australian State Government and operates as a service unit of the Department of Education and Training.

Westone believe that naming the ROW will assist people to locate the car parking area more easily.

The Town's historian has suggested the ROW be named *Colvin Lane*. Colvin's was a self raising flour factory which was located in nearby Newcastle Street, operating from 1907 to 1934. This name appears to meet all of the criteria set down by the Geographic Names Committee, who will make their assessment if the name is approved by the Council.

**CONSULTATION/ADVERTISING:**

Consultation regarding ROW, road or place names is not usually undertaken. Such naming is based on the decision of the Council together with the approval of the Geographic Names Committee.

**LEGAL/POLICY:**

There are no legal implications to naming the ROWs.

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of Strategic Plan 2005-2010 – *1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment*

**FINANCIAL/BUDGET IMPLICATIONS:**

The applicants have given an undertaking to pay the costs of manufacture and installation of the street nameplate.

**COMMENTS:**

Westone have requested that the Town name the ROW which provides access to their car park, and are willing to pay the cost of manufacture and installation of the street nameplate.

The name Colvin Lane has been recommended as it has historical relevance. Colvin's was a flour factory which operated in this area from 1907 until 1934.

It is therefore recommended that the Council approves the application of the name "Colvin Lane" to the right of way; as illustrated by Plan 2444-RP-1

**10.2.3 Further Report Proposed Streetscape, Parking and Infrastructure Improvements – Victoria Street, West Perth**

<b>Ward:</b>	South	<b>Date:</b>	5 July 2006
<b>Precinct:</b>	Hyde Park P12;	<b>File Ref:</b>	TES0572
<b>Attachments:</b>	<a href="#">001</a> ; <a href="#">002</a>		
<b>Reporting Officer(s):</b>	R Lotznicker; J van den Bok		
<b>Checked/Endorsed by:</b>		<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the further report on streetscape, parking and infrastructure improvements, Victoria Street, Perth;*
- (ii) *NOTES that the majority of respondents where either fully or partially in favour of the proposal (as shown attached Plan No. 2426-CP-1A) and that their suggestions / requests (where feasible) have been incorporated in the revised proposal;*
- (iii) *APPROVES the proposal estimated to cost \$85,000 as outlined on attached revised Plan No.2426-CP-1B;*
- (iv) *NOTES the recommended funding sources from the 2006/2007 'draft' budget as outlined in the 'Financial Implications' section of the report; and*
- (v) *ADVISES all respondents of the decision and acknowledges their comments and input.*

**COUNCIL DECISION ITEM 10.2.3**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of the outcome of the consultation with residents with regards the streetscape and parking improvement proposal for Victoria Street, West Perth.

**BACKGROUND:**

A petition signed by 35 signatories was received by the Council at its Ordinary meeting held on 26 April 2006. The petitioners requested that *the Town considers allocating funds in the 2006/2007 budget for parking, traffic safety and streetscape improvements in Victoria Street.*

The petitioners indicated that *the street infrastructure is run down and they consider that an opportunity exists to incorporate the above improvements in an upgrade in the near future.*

A report on the matter was subsequently presented to the Ordinary meeting of Council held on 9 May 2006 where the following decision was made:

*That the Council;*

- (i) *RECEIVES the report on the streetscape, parking and infrastructure improvements, Victoria Street, Perth;*
- (ii) *APPROVES IN PRINCIPLE the proposal estimated to cost \$85,000 as outlined on attached Concept Plan No.2426-CP-1A;*
- (iii) *ADVERTISES the proposal for public comment for a period of twenty one (21) days, in accordance with Council Policy No. 4.1.21 "Community Consultation", inviting written submissions;*
- (iv) *NOTES the possible funding sources from the 2006/2007 'draft' budget as outlined in the 'Financial Implications' section of the report; and*
- (v) *RECEIVES a further report on this proposal at the conclusion of the consultation period.*

#### **DETAILS:**

##### **Community Consultation**

In accordance with clause (iii) of the Council's decision on 12 May 2006 thirty (30) letters were distributed to residents in Victoria Street requesting their comment on the upgrading proposal.

At the close of the consultation period on 2 June 2006 seventeen responses were received (57% response) with ten (10) in favour (59%), five (5) partially in favour (29%) two (2) against (12%).

##### **Summary of Responses**

###### Related Comments In Favour of proposal - Ten (10)

- We are pleased it's being done and are happy with the plan as it is.
- Great plan – my only concern is the leaf litter from the gum trees.
- In favour however the choice of flooded gum tree will drop leaves and attract ants.
- Seven (7) comment sheets returned with no comment.

###### Officers Comments:

All tree species drop leaves, bark, fruit etc at various times of the year and therefore any other species of tree would create similar issues, albeit at a different time of the year.

This area (*Victoria Street*) of the Town being in a small depression is likely to have originally contained a grove of Flooded Gums. The Flooded Gum is relatively large tree and will provide some much needed "greenery" to the street. This species is not likely to attract ants anymore than any other tree unless they have other associated insect infestations such as scale that ants are in turn attracted to.

The Flooded Gum is not a tree that is highly regarded for its ornamental qualities however it is regarded as a suitable species for park or road side planting and is considered most appropriate for this location and purpose.

Related Comments Partially In Favour of proposal - Five (5)

- *Looks fantastic!* Just concerned with the amount of parking available (*at Nos 7,9,11 and 13*). When soccer is on at the Italian club there is an influx of at least 10 parked cars. Perhaps if the parking bays are paved areas then we can squeeze in as many cars as possible? Also, please remove the 3 trees on the Cowle Street end – we need maximum parking space.
- *Fantastic* that the street is getting a makeover, although I think five (5) speed humps are overkill. Extra parking is good, however, I think it should be on the other side of the road, perhaps retaining walls and setting the bays between the light poles would allow for 8 more bays. I am not sure about the trees as I think it would crowd the street. Your choice of flooded gums is poor as they drop branches, attract ants and drop leaves. It's great that the street is being done but please consider what I have written and please don't crowd the street.
- Disabled Access – I ride a 3 wheel mobility scooter and am concerned that access on Victoria Street will be affected – narrowing the pavement may result in a very strange angle for a scooter to remain upright and may cause more of an obstruction on the pavement. Generally, I have found the Town of Vincent has provided access for the disabled very well. Treescape – Vision: difficult enough to reverse cars out of townhouses, without additional trees.
- In general, *I am happy with the proposal*, however, I disagree with the proposed flooded gums, due to the self shedding, ant attraction. My main concern is street drainage – there are only two (2) drains at the base of the hill. I hope this can be given consideration and an upgrade of drainage can be considered before improvements are made.
- In principle, *we agree* with the proposal. One point that we would like to make, is that as we understand the drainage of the proposal and there are too few parking bays, particularly at the west end of the street, with only two (2) parking bays being allocated we believe that this will not be sufficient – please see attached drawing with amendments

Officers Comments

The existing footpath width outside no's 7, 9, 11 and 13 Victoria Street is approximately 2.5m wide. Parked vehicles currently straddle the footpath. The proposal is to reduce the footpath width to 1.8m to allow for vehicle parking.

The removal of the trees at the Cowle street end is not supported, however, the plan has been modified to increase the number of parking bays on the western side of the street at this location from 4 to 7 bays, by adjusting the tree locations.

The speed humps will be 'low profile'. In addition additional (paved) parking bays have been accommodated on the eastern side of the road as requested. Also additional parking spaces have been accommodated by adjusting the tree locations and speed humps. The total number of on road parking spaces have been increased from 9 (*as originally proposed*) to 22.

The new footpaths on the western side will be 1.8m wide. The current footpath is in poor condition. The design/construction will ensure universal access is maintained. The design will also ensure parked vehicles do not straddle the path.

A number strategically placed gully soakwells will be installed in the street to improve drainage capture.

Many Eucalypts have a propensity to drop limbs and nearly all species are what is termed as "self shedding." The Flooded gums will drop smaller twigs/branches in high winds; however this tree is not renowned for dropping large limbs like the Lemon Scented Gum. (*Fraser Avenue, Kings Pk*)

The leaf drop from the proposed species is not likely to be significant in comparison with the deciduous trees currently located and identified above at Royal Park/Mick Michael Reserve.

The addition of street trees at the spacing provided may assist in slowing traffic speeds, will not significantly impede traffic movement and cause major sightline issues.

#### Related Comments *Against* the proposal - Two (2)

- Only *agree* with the construction of the speed hump as outlined in the proposal. I *strongly disagree* with the parking proposal, as on road parking will make the street too narrow for traffic flow in both directions. Residents on the east side are disadvantaged by this proposal. – Where are people on the east side supposed to park their cars?
- I think it is a waste of money taking the concrete path up on the west side, but a concreted area opposite my unit on Victoria Street with an easy drive up kerb for extra parking would be beneficial (where the current grassed dirt area is).

#### Officers Comments

The speed humps will be low profile so more of a visual deterrent. The total number of on road parking spaces have been increased from 9 (*as originally proposed*) to 22.

The existing footpath while generally in reasonable condition, is deteriorated in parts. It needs to be modified to accommodate the proposal. Sections of the existing footpath (in good condition) will be retained (where possible) and 'saw' cut to reduce its width to accommodate the new kerbing and the on road parking. This would occur on the west side south of the Right of Way (ROW - Greenway link). The west side north of the ROW would require the removal and replacement of the footpath to accommodate the proposed widening due to the large number of narrow crossovers in this section. A paved area for parking as suggested has now been incorporated in the design

#### **Overview of Proposal**

As previously reported to Council, given the geometry of the street, and keeping in mind the request from the petitioners, i.e. *parking, traffic safety, streetscape and infrastructure improvements*, concept plan No 2426-CP-1A was prepared and approved 'in principle' by the Council.

The proposal included the following:

- Reducing the footpath width on the west side of the street to accommodate on road parking in selected locations.
- Traffic Safety improvements - Forcing vehicles to park on the road. Staggered on road parking to act as a traffic management device. Two (2) low profile speed hump entry statements and two (2) strategically spaced low profile humps proposed.
- Streetscape Improvements - Trees *{Flooded Gum (Eucalyptus rudest)}* to be planted at even spacings on the western side of the street in the widened carriageway. The trees to be planted in a 1.5 x 1.5 square with flush kerbing and bollards in between the proposed on-road parking bays.

- Infrastructure Improvements - An asphalt overlay and rekerbing to be undertaken. The footpath, while generally in reasonable condition, is deteriorated in parts. Victoria St will be listed for rehabilitation in 2006/2007.

### **Revised proposal following Consultation**

Following the consultation the plan/proposal has been revised to accommodate the following (*refer revised plan No 2426-CP-1A*)

- An increase in the number of parking bays on the western side of the street at the Cowle Street end from 4 to 7 bays with minor adjustments of tree locations.
- Additional (paved) parking bays accommodated on the eastern side of the road
- Additional parking spaces accommodated (overall) by adjusting the tree and speed hump locations. The total number of on road parking spaces increased from 9 (*as originally proposed*) to 22.
- A number of strategically placed gully soak wells to improve drainage capture.
- The design/construction will ensure universal access is maintained and ensure parked vehicles do not straddle the path.
- A paved area for parking as suggested incorporated on the eastern side of the street near the units

### **Proposed Greenway Link**

Funds totalling \$31,000 have been allocated in the 2005/2006 budget for the 'Victoria Street Link' (*Greenway implementation*). This is the subject of a separate report on in this agenda.

### **CONSULTATION/ADVERTISING:**

The respondents will be advised of the Council decision

### **LEGAL/POLICY:**

N/A

### **STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 *Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment.*

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

The estimated cost of the proposal outlined above is \$85,000. A breakdown of the cost components of the proposal is as follows:

- Traffic Safety and Streetscape Improvements - Estimated cost \$35,000
- Infrastructure Improvements - Estimated cost \$50,000 (*\$18,000 footpath and Road \$32,000*)

It is recommended that the funding be allocated as follows:

- \$35,000 - 2006/2007 Streetscape Improvement Budget
- \$18,000 - Annual footpath upgrade Program
- \$32,000 - Annual road rehabilitation program

**COMMENTS:**

As previously reported Victoria Street is in need of improvement as the road infrastructure is run down. An opportunity exists as part of the 'required' upgrade to improve the street's appearance and environment (tree planing) and parking and safety amenity.

The majority of respondents where either fully or partially in favour of the proposal and their suggestions / requests (where feasible) have been incorporated in the revised plan.

It is recommended that the Council support the officer recommendation and that the respondents be advised of the Council's decision.

**10.2.4 Victoria Street – Proposed Wetlands Heritage Trail/Greenway Link**

<b>Ward:</b>	South	<b>Date:</b>	5 July 2006
<b>Precinct:</b>	Hyde Park P15	<b>File Ref:</b>	CMS0071
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	K Godfrey; J van den Bok		
<b>Checked/Endorsed by:</b>	R Lotznicker	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the report on the outcome of the Community consultation for the proposal to undertake works in Victoria Street associated with the Proposed Wetlands Heritage Trail /Greenway Link;*
- (ii) *APPROVES the implementation of the works as outlined on the attached Plan No. 2426-CP-1C estimated to cost \$31,000; and*
- (iii) *ADVISES all respondents of its decision and acknowledges their comments and input.*

**COUNCIL DECISION ITEM 10.2.4**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of the results of the recent community consultation undertaken in relation to the *Wetlands Heritage Trail /Greenway Link* proposal and seek the Council's approval to undertake the works as outlined in the report.

**BACKGROUND:**

At its Ordinary Meeting held on 23 May 2006 the Council considered a report on the proposed implementation program for the Wetland Heritage Trail/Greenway where it was decided (*in part*):

*That the Council;*

- (v) *APPROVES BY AN ABSOLUTE MAJORITY of the following:*

*"APPROVES the implementation of sections of dual use path for sections of the Wetlands Heritage Trail along Palmerston Street between Robertson Park and Hyde Park (Hyde Park Spur) as shown on attached plan No 2441-CP-01 and along Victoria Street (from the ROW to the Dorrien Gardens Link) estimated to cost \$80,000";*

- (vi) *APPROVES IN PRINCIPLE the program of works and annual cost estimates for years 2006/2007 to 2012/2013, as indicated in the report, to be implemented over a six year (6) year period subject to the officers considering a stage implementation of the Smith's Lake Link in 2006/07;*
- (ix) *CONSULTS with the various stakeholders prior to implementing the various sections of the Wetland Heritage Trail / Greenway and associated works in accordance with the Town's consultation policy; and*
- (x) *RECEIVES a further report/s on the project/s following consultation prior to implementation proceeding.*

#### **DETAILS:**

##### **Community Consultation**

In accordance with clause (ix) of the Council's decision on 23 May 2006 thirty (30) letters were distributed to residents in Victoria Street requesting their comment on the Wetlands Heritage Trail/Greenway link proposal.

At the close of the consultation period on 3 July 2006 eight responses were received (26% response) with seven (7) in favour (87.5%), one (1) partially in favour (12.5%) and no against the proposal.

##### **Summary of Responses**

###### Related Comments *In Favour* of proposal - Seven (7)

- This is going to look great, an excellent use of the space – thank you.
- Speed humps in Victoria Street are much needed for traffic calming.
- Looks wonderful – except for flooded gums on the west side of Victoria Street.

###### Related Comments *Partially In Favour* of proposal

- The proposed extension to Greenway link – If this involves only the red asphalt shared path and the low profile of speed humps, I concur with this proposal on the condition that there is no parking on the asphalt path and the asphalt path is at a flat or very small inclination angle, that is suitable for disabled travellers (ie: wheelchair or motorised scooters).

###### Related Comments *Against* proposal

- Nil

###### Officers Comments

The Flooded Gum trees while not part of this proposal (*they are part of the Victoria Street Improvement proposal which is dealt with in a separate agenda item in the current agenda*) are considered to be a suitable species for this location as they are a true representation of what trees were originally growing within this part of Perth and will contribute to the Wetland Heritage Trail/Greenway Link.

The proposal includes a red asphalt path with a 1 in 50 cross fall (*1 in 40 recommended as a maximum for disabled travellers*). There will be a high barrier kerb adjacent to the path and 'no stopping line marking to deter vehicles from parking on the path.

**CONSULTATION/ADVERTISING:**

The respondents will be advised of the Council decision.

**LEGAL/POLICY:**

Nil

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One & Two of Strategic Plan 2005-2010.

*1.1 Protect and enhance the environment and biodiversity; 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment 2.1 Celebrate and acknowledge the Town's cultural diversity; 2.3 Develop and implement initiatives for universal access.*

**FINANCIAL/BUDGET IMPLICATIONS:**

An amount of \$80,000 was allocated in the 2005/06 capital works budget for implementation of the Greenway project. This amount will be carried forward into the 2006/2007 financial year and a total of \$31,000 will be used to undertake the proposed works in Victoria Street as outlined within the report and shown on the attached plan.

**COMMENTS:**

Given the positive comments received it is recommended that the Council approve the implementation of the works as shown on the attached Plan No. 2426-CP-1C and that the respondents be advised of the Council's decision.

**10.2.6 Proposed Traffic Management Improvements – Results of Community Consultation - Lincoln and Smith Streets, Highgate**

<b>Ward:</b>	Both	<b>Date:</b>	4 July 2006
<b>Precinct:</b>	Forrest P14	<b>File Ref:</b>	TES0061
<b>Attachments:</b>	<a href="#">001</a> ; <a href="#">002</a> ; <a href="#">003</a>		
<b>Reporting Officer(s):</b>	C Wilson		
<b>Checked/Endorsed by:</b>	R Lotznicher	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) **RECEIVES** the further report on Traffic Management Matters Referred to the Local Area Traffic Management Advisory Group – Lincoln and Smith Streets, Highgate;
- (ii) **NOTES** the results of the Community Consultation;
- (iii) **APPROVES** the implementation of the following measures estimated to cost \$35,000 to improve the amenity for residents along Lincoln Street between Lord and Smith Streets as shown on attached Plan No 2384-CP-1 including;
  - (a) installation of paved nibs at the intersection of Lincoln and Wright Streets, Lincoln and Smith Streets, and at appropriate locations between the intersections to create an embayed parking lane;
  - (b) installation of a 'low' raised entry statement at the intersection of Lord and Lincoln Streets incorporating low level landscaping;
  - (c) painting of demarcation lines with 'No Stopping' either side of every crossover in the section of Lincoln Street between Lord and Smith Streets and painting a continuous white line 'parallel' to the kerb on both sides of Lincoln Street; and
  - (d) the planting of additional verge trees to augment the streetscape and to act as a passive traffic calming measure in consultation with adjoining residents;
- (iv) **APPROVES** the implementation of the following measures in Smith Street between Bulwer and Harold Streets estimated to cost \$10,000 as shown on attached Plan No 2416-LM-1 which includes;
  - (a) the painting of demarcation lines with 'No Stopping' either side of every crossover in the section of Smith Street between Bulwer and Harold Streets, linking the existing roundabouts at each intersection and painting a continuous white line 'parallel' to the kerb on both sides of Smith Street as shown on attached Plan No 2416-LM-1;
  - (b) the installation of symbolic bicycle symbols and Perth Bicycle Network route identification markings on the Smith Street pavement; and

- (c) *the planting of additional verge trees to augment the streetscape and to act as a passive traffic calming measure in further consultation with adjoining residents; and*
  - (v) *ADVISES all respondents of its decision and thanks for their input.*
- 

**COUNCIL DECISION ITEM 10.2.6**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

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**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of the outcome of the Community Consultation for the proposed Traffic Management Improvements in Lincoln and Smith Streets, Highgate.

**BACKGROUND:**

At its Ordinary Meeting of 28 March 2006, the Council considered a further report on Traffic Management Matters – Referred to the Local Area Traffic Management Advisory Group - Lincoln and Smith Streets, Highgate, where it was decided:

*That the Council;*

- (i) *RECEIVES the further report on Traffic Management Matters Referred to the Local Area Traffic Management Advisory Group – Lincoln and Smith Streets, Highgate;*
- (ii) *APPROVES IN PRINCIPLE the following measures estimated to cost \$35,000 to improve the amenity for residents along Lincoln Street between Lord and Smith Streets as shown on attached Plan No 2384-CP-1 including;*
  - (a) *installation of paved nibs at the intersection of Lincoln and Wright Streets, Lincoln and Smith Streets, and at appropriate locations between the intersections to create an embayed parking lane;*
  - (b) *installation of a raised entry statement at the intersection of Lord and Lincoln Streets incorporating low level landscaping;*
  - (c) *painting of demarcation lines with 'No Stopping' either side of every crossover in the section of Lincoln Street between Lord and Smith Streets and painting a continuous white line 'parallel' to the kerb on both sides of Lincoln Street; and*
  - (d) *the planting of additional verge trees to augment the streetscape and to act as a passive traffic calming measure;*

- (iii) *CONSULTS with residents in Lincoln Street between Lord and Smith Streets regarding the 'parking and traffic' proposals as outlined in clause (ii) above, giving them 21 days in which to provide a response;*
- (iv) *APPROVES IN PRINCIPLE the following measures in Smith Street between Bulwer and Harold Streets estimated to cost \$10,000 as shown on attached Plan No 2416-LM-1 which includes;*
- (a) *the painting of demarcation lines with 'No Stopping' either side of every crossover in the section of Smith Street between Bulwer and Harold Streets, linking the existing roundabouts at each intersection and painting a continuous white line 'parallel' to the kerb on both sides of Smith Street as shown on attached Plan No 2416-LM-1; and*
- (b) *the planting of additional verge trees to augment the streetscape and to act as a passive traffic calming measure.*
- (v) *CONSULTS with residents in Smith Street between Bulwer and Harold Streets regarding the 'parking and traffic' proposals as outlined in clause (iv) above, giving them 21 day in which to provide a response;*
- (vi) *APPROVES BY AN ABSOLUTE MAJORITY the reallocation of \$10,000 from the Smith Street budget to Lincoln Street budget as recommended in the main body of the report; and*
- (vii) *RECEIVES a further report at the conclusion of the Community Consultation as outlined in clauses (iii) and (v) above.*

This report deals with clauses (iii) & (v) of Councils decision in respect of the outcome of Community Consultation.

#### **DETAILS:**

##### **Lincoln Street Community Consultation.**

In accordance with clause (iii) of Council's decision, a total of 35 letters were delivered to the residents, Silver Chain, Uniting Church, the WA Police Service and Water Corporation for those properties on Lincoln Street between Lord Street and Smith Street.

At the close of the consultation on Wednesday 3 May 2006 13 responses had been received, representing a response rate of 37%. The breakdown of the results is tabulated below.

In favour:	9	70%
Generally in Favour:	2	15%
Against:	2	15%
<b>Total:</b>	<b>13</b>	<b>100%</b>

The following is an outline of the comments received.

##### Related Comments *In Favour* of proposal (70% of respondents)

- Much appreciated and needed. We have been lucky not to have a tragedy from speeding vehicles.
- Looks good. Heaps of trees. When is the power going underground?
- Good idea. It should deter speeders. A few boxed shrubs along the defined parking strips would enhance the street.

- As soon as possible please.
- Congratulations on the proposal. Looks fantastic and particularly approve of the planting and cleaning up of the unsightly corner of Lord and Lincoln Streets.
- As a resident for the past 40 years, I am delighted with the plan to upgrade Lincoln Street and very much in favour of what you want to do. But we should have power underground first as we were promised a year ago!
- Three (3) in favour but no further comments.

Related Comments *Generally In Favour* of proposal (15% of respondents)

- I concur with the proposal but would like to know where you are planning to plant additional trees and, if on my verge, would want to have a choice as to the species. I would like to see a greater diversity of trees, preferably local natives other than Melaleuca.
- I have been a resident for 35 years and comment as follows:
  1. Lord/Lincoln Sts - No landscaping please, only paving. The corner shop owners do not keep their verge sufficiently clean. Any vegetation would only trap shop rubbish.
  2. Paving nibs - The nibs reduce the available parking space. Most residents have no garages.
  3. Verge widths could be reduced.

Related Comments *Against* the proposal (15% of respondents)

- This proposal will not reduce or slow down traffic and we will end up with more unsightly signs (as we now have) and hideous markings on road. Think the Bike Ed unit should clean up their verges on Lincoln and Smith Streets.
- One (1) other noted as, against, however, comments sheet was returned with no comment.

**Discussion**

As can be seen from the above information, the majority of the respondents were *in favour* of the proposal as presented *i.e. 9 out of the 13 respondents or 70%*.

Two (2) respondents (or 15%) were *partially in favour* with specific questions about landscaping, paving and parking issues which will be addressed in the final design if approved by Council.

Two (2) were *against* the proposal as presented, one of whom had an expectation that traffic calming measures and road closures could be used to resolve social issues.

**Recommendation/s**

Given the positive comments received (*while not discounting the other suggestions made,*) it is recommended that the proposal as outlined on attached Plan No 2384-CP-1 be implemented:

It is also recommended that some of the comments made, where appropriate, be incorporated in the proposal or further investigated, eg tree species and additional paving where appropriate.

**Smith Street Community Consultation.**

In accordance with clause (v) of Councils decision of 28 March 2006 a total of 286 letters were delivered to the residents of Smith Street between Bulwer and Harold Streets. It should be noted that there a several large blocks of residential units in the subject area and hence the significant number of letters distributed.

By the close of the consultation on Wednesday 3 May 2006 some 30 responses had been received, representing a response rate of 10.5%. The breakdown of the results is tabulated below.

In favour:	17	57%
Generally in Favour:	7	23%
Against or other comments:	6	20%
<b>Total:</b>	<b>30</b>	<b>100%</b>

The following is an outline of the comments received.

Related Comments *In Favour* of proposal (57% of respondents)

I appreciate the proposal but the large cost concerns me. That said, the additional trees will be just fantastic!

- Thank you. Please make it happen as the traffic is getting faster - especially motor bikes and young ones in high powered vehicles.
- In addition to planting more trees, it would be beneficial to plant uniform groundcover on the verge. Some lots have grass, some dirt, and some groundcover. This would make a significant improvement.
- Thank you. Any plans which will assist in both slowing speeding traffic between the roundabouts and possibly the increasing numbers falling is very welcome. My elderly arthritic neighbour is nervous of even crossing Smith Street now.
- We agree with the proposal to paint demarcation lines and the "No Stopping" either side of crossovers as this will help with visibility as we leave and enter the premises. However, there is concern about the addition of trees as they will have an affect on the visibility provided to drivers using our facility.
- Great idea!
- Eleven (11) noted as against, however, comments sheets were returned with no comments.

Related Comments *Generally In Favour* of proposal (33% of respondents)

- Although I concur with the proposal, I see the utilisation of speed bumps a strategically better approach as many children and elderly individuals appear to find it difficult to cross Smith Street during peak times. Furthermore, the creation of higher kerbs would also prevent individuals from parking half way on the grass, damaging trees, plants and signs.
- The proposal is fine by us, however, Smith St is a primary bicycle route and attention should be given to ensure that Smith St is not hazardous to cyclists - e.g. bicycle lane or shared path. Thank you on behalf of cyclists who use Smith St.
- I concur with the proposal with the exception that the "additional verge trees" are not shown on the plan. It is therefore impossible to consider the affect on sightlines to traffic and aesthetics.
- I agree with any traffic calming measures as Smith Street is being used as an alternative to Lord and Beaufort Streets during peak hour, with fast moving, high volume traffic. I am not really sure how verge trees calm traffic - surely islands or speed humps or even blocking off the Curtis St entry to Walcott St would be more effective.
- I reserve judgement on the proposed amendments, solely personal ramifications.
- What is also needed are high speed bumps on the Beaufort St side of the roundabouts. The number of vehicles flying through the roundabouts is unbelievable. It is only a miracle that no one has been killed "thus far" by those morons from the café strip.

- I don't think this is the whole solution and suggest at some stage you put islands in the middle of the road. Reducing the speed limit to 40 would be a definite advantage. I'm not clear on how the roundabout areas will change but they need to be widened making it harder for people to drive around at high speeds. Currently there is little need to slow down at all so people fly through and accelerate up our street.

Related Comments either *Against* the proposal or other suggestions (10% of respondents)

- I cannot see the benefit of additional verge trees to act as a traffic calming measure. At night between Broome and Lincoln there have been problems of noise due to hotel patrons - perhaps a restricted parking zone between certain times. Drivers use Lincoln roundabout Smith to Broome as a drag strip. Perhaps a 40 kph zone between the 2 roundabouts - rumble strips.
- Smith St is as busy as Beaufort St and too narrow for parking on both sides. Because of the church, every Sunday the verges are packed with cars, including private car bays. Traffic needs to be directed back onto the major roads such as Beaufort and Lord Sts.
- Obviously street parking will be reduced and one wonders what the church goes will do on Sunday and feasts and funerals, etc. I can't imagine what the trees can do as a traffic calming device. The existing trees are a poor mix of trees for this street. Every morning from 7.00 am this street becomes a major thoroughfare. This traffic should gain access to the city via Lord and Beaufort Streets.
- How will the planting of additional trees on the verge calm traffic in Smith St? I have difficulty leaving my home in the morning as Smith St is used as a thoroughfare by traffic into the city. Many of the vehicles are travelling at or above the speed limit. This also applies to the evening rush hour and at weekends. I would like to see more aggressive methods used such as reducing the street to a single lane or by the use of speed humps.
- I have no problem with traffic going fast on Smith St. As a female pedestrian I have a problem with the opposite, i.e. traffic going slowly (kerb crawlers) e.g. male drivers not making it through roundabouts because they wish to sit and watch you cross.
- One (1) other noted as, against, however, comments sheet was returned with no comment.

**Discussion**

As can be seen from the above information, the majority of the respondents were *in favour* of the proposal as presented *i.e. 17 out of the 30 respondents or 57%*.

Seven (7) respondents (or 23%) were *generally in favour* with specific questions about the perceived safety benefits of planting additional street trees, placement of the trees, the need for more aggressive traffic calming measures, and consideration of cyclists, issues which can be addressed in the final design if approved by Council.

In reference to the comment about providing for cyclists Smith Street forms part of Perth Bicycle Network (PBN) Route NE26. The pavement width of Smith Street, which does not change under this proposal, is 10.1m. The proposed parking lanes are 2.1m wide effectively leaving 5.9m wide carriageway. While this width is adequate for 2 lanes of passing traffic (travelling in opposite directions) it is not of sufficient width to accommodate dedicated cycling lanes.

However to raise drivers awareness of cyclists and to better delineate the PBN route Main Roads WA will be asked to expedite the installation of large scale symbolic bicycle pavement markings in accordance with their policy 37/19/01. The attached photograph shows a recent installation in Hamersley Street Subiaco on PBN Route NW9.

Six (6) were either *against* the proposal or offered observations or comments not specifically related to the proposal as presented, one of whom offered the view that:

*"I have no problem with traffic going fast on Smith St. As a female pedestrian I have a problem with the opposite, i.e. traffic going slowly (kerb crawlers) e.g. male drivers not making it through roundabouts because they wish to sit and watch you cross."*

**Recommendation/s**

Given the positive comments received (*while not discounting the other suggestions made,*) it is recommended that the proposal as outlined on attached Plan No 2416-LM-1 be implemented:

It is also recommended that some of the comments made, where appropriate, be incorporated in the proposal or further investigated, eg placement of streets and accommodating cyclists.

**CONSULTATION/ADVERTISING:**

Undertaken in accordance with Council's *Community Consultation Policy 4.1.5.*

**LEGAL/POLICY:**

Project design and implementation will be in accordance with the relevant Australian and Main Roads WA standards.

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *"o) Investigate and implement traffic management improvements in liaison with the Local Area Traffic Management (LATM) Advisory Group."*

**FINANCIAL/BUDGET IMPLICATIONS:**

The following funds were carried forward from the 2005/2006 budget for Traffic Management in this area.

Project	Budget
Lincoln / Wright St - (Black spot)	\$15,000
Smith St - Embayed parking / traffic calming	\$20,000
Lincoln St – Lord St to Smith St	\$10,000
Total:	\$45,000

The budget for the Lincoln / Wright State Black Spot project is set by a formula that calculates the BCR (Benefit Cost Ratio) and therefore cannot be varied. However, as result of the LATM Advisory Group's discussions, the scope of works on both Lincoln and Smith Streets were effectively reversed.

Therefore at its Ordinary Meeting of 28 March 2006 Council resolved by an *ABSOLUTE MAJORITY* to reallocate \$10,000 from the Smith Street budget to Lincoln Street budget resulting in revised budget allocations as per the table below.

Project	Budget
Lincoln / Wright St - (Black spot)	\$15,000
Smith St - Embayed parking / traffic calming	\$10,000
Lincoln St – Lord St to Smith St	\$20,000
Total:	\$45,000

**COMMENTS:**

The Town receives many requests for Traffic Management. Most requests received are addressed by the officers as vehicle classifier results usually indicate that there is a perceived problem rather than an actual problem, whereas other matters are referred to the WA Police for enforcement of the legal speed limit.

However, in respect of Lincoln and Smith Streets there is a community expectation that appropriate measures will be taken to address both the real and perceived problems and therefore it is recommended that the proposals be adopted.

**10.3.1 Community and Welfare Grants and Donations 2006/2007**

<b>Ward:</b>	Both	<b>Date:</b>	1 July 2006
<b>Precinct:</b>	All	<b>File Ref:</b>	FIN0133
<b>Attachments:</b>			
<b>Reporting Officer(s):</b>	J Symons		
<b>Checked/Endorsed by:</b>	J Anthony/M Rootsey	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That Council:*

- (i) *APPROVES payment of the first round of grants and donations to the organisations listed below subject to the adoption of the 2006/2007 Annual Budget:*

<i>Carers WA</i>	<i>\$2,500</i>
<i>Ethnic Communities Council</i>	<i>\$2,000</i>
<i>Fifth Greek Orthodox (Greek Welfare)</i>	<i>\$3,000</i>
<i>Multicultural Services Centre of WA Inc</i>	<i>\$3,000</i>
<i>Passages Resource Centre</i>	<i>\$2,500</i>
<i>St Vincent de Paul Society</i>	<i>\$4,000</i>
<i>Continence Advisory Service</i>	<i>\$1,400</i>
<i>St Hildas Anglican Church</i>	<i>\$2,000</i>
<i>Women's Health Care House</i>	<i>\$3,000</i>
<i>WA AIDS Council</i>	<i>\$2,000</i>
<i>Sundry Donations</i>	<i>\$6,300</i>
<b>TOTAL</b>	<b>\$31,700</b>

- (ii) *REQUESTS that the second round of grants and donations to the value of \$17,300 be presented to Council in December 2006.*

**COUNCIL DECISION ITEM 10.3.1**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

**PURPOSE OF REPORT**

To obtain Council approval for the first round of Community and Welfare Grants and Donations.

**BACKGROUND:**

**Community and Welfare Grants and Donations 2006/2007**

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

Traditionally, the Community and Welfare Grants and Donations have been offered on an annual basis. In the 2006/2007 financial year not for profit organisations could apply for funding up to \$15,000. In the 2006/2007 financial year this criteria changed with the Grants and Donations now being offered biannually.

In May and November of this year, not-for-profit organisations providing community and welfare services to Town of Vincent residents may apply for a grant of up to \$5,000 to assist with the delivery of a particular service or program. Funds are also set aside under "Sundry Donations" to enable the Town to provide small donations, on an ad hoc basis, to not-for-profit community service providers, not in receipt of an annual grant. Provision has also been made, with funds set aside under "Sundry Donations", to assist individual residents who are disadvantaged and in crisis. In all cases, applications are thoroughly assessed in accordance with set guidelines.

In accordance with the Community and Welfare Grants and Donations Guidelines, the scheme was advertised in four editions of two local papers during the month of May inviting applications for funding which resulted in 10 applications.

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

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

**DETAILS:**

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

**Applications recommended for funding:**

<b>Organisation</b>	<b>Carers WA</b>
Purpose of Funding	To provide social events for family carers living in the Town of Vincent who are socially isolated due to their caring roles and who would otherwise be unable to afford to attend such events. Funds would be used for the hire of facilities, transport and promotion of the program. Over the past three years, Carers WA has developed a social support program called "Linking Together" to aid carers living in and around the Town of Vincent. Groups of carers meet each month at local cafes, parks and halls to socialise with one another.
Target Group	Any adult person caring for a family member or friend, who has a disability, chronic or mental illness, is frail aged living in WA.
Services Provided by the Organisation	Carers WA provide information, resources, support, counselling and referrals for Family Carers.
Proportion of Vincent Residents Serviced by the Program	3200 clients used the full range of services provided by Carers WA last year. Approximately 300 of these clients live within the Town of Vincent. There are approximately 2600 family carers in the Town of Vincent.
Incorporated	Yes
Comments	This program will specifically benefit carers living in the Town of Vincent.
Amount Requested	\$4,800
<b>Amount Recommended</b>	<b>\$2,500</b>

<b>Carers WA</b>	<b>Raw Score</b>	<b>Weighted Score</b>
Adherence to policy guidelines	8	24
Benefit to Town of Vincent residents	8	16
Financial viability of the project or program	8	8
Previous grants acquitted satisfactorily	N/A	N/A
Targets vulnerable and disadvantaged groups in the community	8	8
A unique service that meets the needs of the community	8	8
Demonstrated experience in delivering the service or program	9	9
<b>TOTAL</b>	<b>57</b>	<b>73</b>

<b>Organisation</b>	<b>Ethnic Communities Council WA</b>
Purpose of Funding	<p>The grant would be used to run a series of four educational / consultative workshops that aim to provide a better understanding of the role and services of Local Government, in particular the Town of Vincent.</p> <p>Three workshops are aimed at assessing the knowledge base and attitudes of the participants towards local government and the fourth will involve a presentation by a Town of Vincent representative.</p> <p>Each workshop will cater for a maximum of 40 participants.</p> <p>Funds would be used to cover running costs, project coordination, administration, catering costs, facilitator's fees, promotion and venues hire.</p>
Target Group	CaLD groups (multicultural groups).
Services Provided by the Organisation	Ethnic Communities Council WA (ECCWA) is an organisation concerned with issues relevant to people from non-English speaking backgrounds.
Incorporated	Yes
Number of Vincent Residents Served	There are over 6000 residents from non English speaking backgrounds who were born overseas in the Town of Vincent.
Comments	<p>The ECCWA has identified a lack of understanding of the role of the 3 tiers of government among the various CaLD groups. This lack of knowledge is seen to disempower and disadvantage individuals who wish to actively participate in a new society.</p> <p>The total cost of the programme is \$7,210.</p>
Amount Requested	\$5,000
<b>Amount Recommended</b>	<b>\$2,000</b>

<b>Ethnic Communities Council</b>	<b>Raw Score</b>	<b>Weighted Score</b>
Adherence to policy guidelines	8	24
Benefit to Town of Vincent residents	8	16
Financial viability of the project or program	7	7
Previous grants acquitted satisfactorily	N/A	N/A
Targets vulnerable and disadvantaged groups in the community	9	9
A unique service that meets the needs of the community	8	8
Demonstrated experience in delivering the service or program	7	7
<b>TOTAL</b>	<b>47</b>	<b>71</b>

<b>Organisation</b>	<b>Fifth Greek Orthodox Archdiocesan District of WA Welfare Association (GOWA)</b>
Purpose of Funding	Funds would be used to provide the following services: <ul style="list-style-type: none"> <li>• A volunteer program that provides social support to the frail aged and disabled who are isolated.</li> <li>• A Senior Citizens Group involving transport for social outings and to cultural information and training sessions.</li> <li>• A translation and interpretation service.</li> </ul> Funds would be used to cover the costs of running the program, salaries and wages and supporting costs.
Target Group	The primary target group is disadvantaged Greek and Macedonian speaking families and individuals. The organisation also provides services to the wider community.
Services Provided by the Organisation	<ul style="list-style-type: none"> <li>• Support including casework, information, referrals and advocacy to disadvantaged families and individuals;</li> <li>• Emergency relief to disadvantaged families, individuals and seniors from all backgrounds;</li> <li>• A volunteer program that provides social support to the frail aged and disabled who are isolated.</li> <li>• A Senior Citizens Group involving transport for social outings and to cultural information and training sessions.</li> </ul>
Incorporated	Yes
Proportion of Vincent Residents Served	The 2001 ABS census showed that 586 persons residing in the Town of Vincent listed Greece or Macedonia as their place of birth and 894 listed Greek or Macedonian as their main language spoken at home. Services were provided to 350 people last year.
Comments	Greek speaking people represent a significant proportion of the Town's residents, in particular those aged over 55 years. This organisation services a large number of Town of Vincent residents in this age group.  The total cost of the project is \$8,000.
Amount Requested	\$5,000
<b>Amount Recommended</b>	<b>\$3,000</b>

<b>Fifth Greek Orthodox Archdiocesan District of WA Welfare Association</b>	<b>Raw Score</b>	<b>Weighted Score</b>
Adherence to policy guidelines	8	24
Benefit to Town of Vincent residents	8	16
Financial viability of the project or program	8	8
Previous grants acquitted satisfactorily	N/A	N/A
Targets vulnerable and disadvantaged groups in the community	8	8
A unique service that meets the needs of the community	8	8
Demonstrated experience in delivering the service or program	9	9
<b>TOTAL</b>	<b>49</b>	<b>73</b>

<b>Organisation</b>	<b>Multicultural Services Centre WA</b>
Purpose of Funding	To assist with the cost of providing a counselling service delivered by professional bilingual/bicultural counsellors, paid and voluntary.  Funds would be used towards the expenses of operating the service such as salaries, venue and operational costs.
Target Group	Any person or group that needs counselling, in particular, people from non English speaking backgrounds in live in the TOV.
Services Provided by the Organisation	The MSCWA provides home and aged care; emergency relief; accommodation program; employment, education and training; Personal Support Program; Legal Program; Community Settlement Services Program.
Incorporated	Yes
Proportion of Vincent Residents Served	In the last financial year more than 4000 people received services through the Multicultural Services Centre and approximately 750 of these people live within the Town of Vincent.
Comments	They are the only organisation in the Town of Vincent offering this service. In the past the service has only available to clients of the HACC Personal Support & Multicultural. Total cost of the service is \$9,256
Amount Requested	\$5,000
<b>Amount Recommended</b>	<b>\$3,000 - The extent for the demand of the service to non HACC clients in the Town is not indicated.</b>

<b>Multicultural Services Centre WA</b>	<b>Raw Score</b>	<b>Weighted Score</b>
Adherence to policy guidelines	8	24
Benefit to Town of Vincent residents	8	16
Financial viability of the project or program	7	7
Previous grants acquitted satisfactorily	8	8
Targets vulnerable and disadvantaged groups in the community	8	8
A unique service that meets the needs of the community	8	8
Demonstrated experience in delivering the service or program	8	8
<b>TOTAL</b>	<b>55</b>	<b>79</b>

<b>Organisation</b>	<b>Passages Resource Centre</b>
Purpose of Funding	The grant would be used to run a Healthy Cooking Group. This will involve clients learning how to budget, shop and prepare healthy, low cost meals.  Funds will be used to purchase fresh and packaged food, hygiene and cleaning products.
Target Group	Street present young people, primarily with issues of homelessness and drug and alcohol misuse.
Services Provided by the Organisation	Services provided by Passages include: <ul style="list-style-type: none"> <li>• Relevant information and referrals</li> <li>• Informal counselling</li> <li>• Non-judgmental hospitality within a safe environment</li> <li>• Laundry, bathroom and kitchen facilities</li> <li>• Telephone, postal and computer access</li> <li>• Clothing vouchers</li> <li>• Medical and personal hygiene products</li> <li>• Life skills programs</li> </ul>
Number of Vincent Residents Served	Passages provided services to 1251 clients in 2005. The total number of recorded client contacts (includes repeat clients) is 4112.  Due to the transient nature of the clients who use the service, it is difficult to determine the exact number of Town of Vincent residents using the service.
Incorporated	Yes
Comments	Passages provides services to young people who are most disadvantaged, particularly those living on the street. The assistance offered meets very basic and concrete needs.  The Healthy Cooking Program was initiated in 1999 with the support of the Town of Vincent. It has been running successfully ever since. It was established at the request of the young people accessing the centre. The total cost of the program is \$4,000
Amount Requested	\$2,500
<b>Amount Recommended</b>	<b>\$2,500</b>

<b>Passages Resource Centre</b>	<b>Raw Score</b>	<b>Weighted Score</b>
Adherence to policy guidelines	8	24
Benefit to Town of Vincent residents	8	16
Financial viability of the project or program	9	9
Previous grants acquitted satisfactorily	6	6
Targets vulnerable and disadvantaged groups in the community	9	9
A unique service that meets the needs of the community	8	8
Demonstrated experience in delivering the service or program	9	9
<b>TOTAL</b>	<b>57</b>	<b>81</b>

<b>Organisation</b>	<b>St Vincent de Paul Society (WA) Inc</b>
Purpose of Funding	The grant would be used for emergency relief assistance to people within the Town of Vincent and will be divided between the four conferences (member groups) that operate in the area.
Target Group	All members of the community in need, there is no demographical criteria for support
Services Provided by the Organisation	Emergency relief and support, including home visits, food parcels, clothing, essential household items, assistance with utility bills and friendship.
Number of Vincent Residents Served	Approximately 1575 families and individuals have been assisted in the Town of Vincent.
Incorporated	Yes
Comments	This is a very important service in the community. Community Development Officers at the Town of Vincent receive, on average, 20 calls each year from residents wanting to access the type of services offered by St Vincent de Paul.
Amount Requested	\$5000
<b>Amount Recommended</b>	<b>\$4,000</b>

<b>St Vincent de Paul Society</b>	<b>Raw Score</b>	<b>Weighted Score</b>
Adherence to policy guidelines	9	27
Benefit to Town of Vincent residents	9	18
Financial viability of the project or program	9	9
Previous grants acquitted satisfactorily	N/A	N/A
Targets vulnerable and disadvantaged groups in the community	9	9
A unique service that meets the needs of the community	8	8
Demonstrated experience in delivering the service or program	9	9
<b>TOTAL</b>	<b>53</b>	<b>80</b>

<b>Organisation</b>	<b>Continance Advisory Service of WA Inc</b>
Purpose of Funding	To deliver an education session called “Simply Busting” that provides participants with relevant and accurate information on bladder and health issues. The sessions are delivered in a humorous manner by professional continence advisors.  Topics covered include understanding bladder and bowel health problems, good bladder and bowel health habits and hints to keep healthy.  The funds will be used for running costs, salaries and presenters fees, supporting costs and advertising.
Target Group	Men and woman of all ages particularly seniors, people with disabilities and their carers’ and parents.
Services Provided by the Organisation	The Continance Advisory Service (CAS) provides expert advise and management of bladder/and or bowel control problems. They provide education services, resource material and conduct health promotion campaigns.
Incorporated	Yes
Number of Vincent Residents Served	This financial year CAS has serviced 4071 individuals 46 from the Town of Vincent. Numbers usually increase after the delivery of the “Simply Busting” program.
Comments	Nearly one in five Australians experience bladder and or bowel problems which equates to approximately 5000 people within the TOV. Bladder and bowel control problems are more common among seniors who make up 23.3% of the Town of Vincent population.  “Simply Busting” education sessions have been previously held for other councils however not yet in the Town of Vincent.
Amount Requested	\$1,400
<b>Amount Recommended</b>	<b>\$1,400</b>

<b>Continance Advisory Service of WA Inc.</b>	<b>Raw Score</b>	<b>Weighted Score</b>
Adherence to policy guidelines	8	27
Benefit to Town of Vincent residents	8	18
Financial viability of the project or program	8	9
Previous grants acquitted satisfactorily	N/A	N/A
Targets vulnerable and disadvantaged groups in the community	8	9
A unique service that meets the needs of the community	9	10
Demonstrated experience in delivering the service or program	9	10
<b>TOTAL</b>	<b>50</b>	<b>83</b>

<b>Organisation</b>	<b>St Hildas Anglican Church</b>
Purpose of Funding	<p>To continue to provide English conversational classes in a community setting to people from culturally and linguistically diverse backgrounds who experience isolation due to language barriers.</p> <p>In particular, the classes aim to meet the needs of migrants who are intimidated by the formal system, but who will be able to integrate into the community once they have an adequate grasp of English.</p> <p>The classes are currently run in conjunction with the Multicultural Services Centre of WA.</p> <p>The program will consist of two 2-hour classes each week for one year as well as four 3 hour workshops (one per quarter) that focus on helping migrants understand Australian culture.</p> <p>Class numbers range from 10 to 14 people. The students ages range from those in their 20's – 70's.</p> <p>Funds would be used to cover venue hire, teaching materials, teachers and workshop presenters, supporting costs, stationery and promotional material.</p>
Target Group	People of all ages who are socially isolated and from non-English speaking backgrounds
Services Provided by the Organisation	All the services of a multicultural church; spiritual, welfare, counselling with particular focus on the aged and on children and families.
Incorporated	The church provides services to approximately 6000 Town of Vincent residents.
Number of Vincent Residents Serviced	Yes
Comments	<p>The English conversational classes at St Hilda's Anglican Church Hall, under the umbrella of Multicultural Services Centre are well run and well attended.</p> <p>By gaining proficiency in English people from CaLD backgrounds are able to participate in everyday activities with increased confidence. The classes also create a great sense of multicultural community.</p> <p>The total cost of the program is \$11,050</p>
Amount Requested	\$5000
<b>Amount Recommended</b>	<b>\$2,000</b>

<b>St Hildas Anglican Church, North Perth</b>	<b>Raw Score</b>	<b>Weighted Score</b>
Adherence to policy guidelines	8	24
Benefit to Town of Vincent residents	8	16
Financial viability of the project or program	7	7
Previous grants acquitted satisfactorily	1	1
Targets vulnerable and disadvantaged groups in the community	8	8
A unique service that meets the needs of the community	8	8
Demonstrated experience in delivering the service or program	8	8
<b>TOTAL</b>	<b>48</b>	<b>72</b>

<b>Organisation</b>	<b>Women's Health Care House – Mental Health Community Outreach Project (MHCOP)</b>
Purpose of Funding	<p>To expand the Mental Health Community Outreach Program (HCOP) to include woman and children from the Pregnancy Early Parenting Illicit Drug Users Program (PEPISU). The Aboriginal Grandparents Support Program, Moort Warping Waar Aboriginal Children's Playgroup, the Multicultural Woman's Advocacy Service (MWAS), the Spanish speaking Seniors Group and individuals who participate in the GP and health promotion and physical activity assessment.</p> <p>The Community Mental Health Outreach Project currently enables women on low incomes who are using the service to access facilities and exercise programs that would ordinarily be out of their price range. Social workers accompany the women.</p> <p>Funds would be used to cover the annual cost of entry and attendance for various structured activities at Beatty Park Leisure Centre for 12 months.</p>
Target Group	Woman and children in the target groups of the programs mentioned above.
Services Provided by the Organisation	<p>The service aims to strengthen the community support networks of women who have a mental illness and enhance their personal coping strategies in order to minimise the stress and disruption of mental illness.</p> <p>MHCOP provides:</p> <ul style="list-style-type: none"> <li>• Individual support and advocacy</li> <li>• Group support and activities</li> <li>• Recreational activities</li> </ul>
Incorporated	Yes
Number of Vincent Residents Served	<p>Currently 40 families, 80 children, 100 individual woman and 20 Spanish speaking seniors would be eligible for the program.</p> <p>Of those eligible to access this program approximately 30-40% reside in the Town of Vincent.</p>

<b>Organisation</b>	<b>Women's Health Care House – Mental Health Community Outreach Project (MHCOP)</b>
Comments	<p>The Town has funded this project for the past seven years. Feedback from clients indicates that participation in the exercise program is of benefit to their health, fitness, sense of wellbeing and confidence, relationship with their children and establishing friendships with other mothers.</p> <p>Many of the women in the program have booked their children into swimming classes at Beatty Park and the women also access other programs at Beatty Park if their incomes permit it.</p> <p>The total cost of the project is \$11,500</p>
Amount Requested	\$5,000
<b>Amount Recommended</b>	<b>\$3,000</b>

<b>Women's Health Care House</b>	<b>Raw Score</b>	<b>Weighted Score</b>
Adherence to policy guidelines	8	24
Benefit to Town of Vincent residents	9	18
Financial viability of the project or program	8	8
Previous grants acquitted satisfactorily	9	9
Targets vulnerable and disadvantaged groups in the community	8	8
A unique service that meets the needs of the community	7	7
Demonstrated experience in delivering the service or program	8	8
<b>TOTAL</b>	<b>57</b>	<b>82</b>

<b>Organisation</b>	<b>WA AIDS Council</b>
Purpose of Funding	Funding towards the "HIV Assistance Fund" which provides emergency financial assistance to clients experiencing financial hardship and who are finding it difficult to meet the most basic costs of daily living. The assistance is granted under strict criteria and the funds provided are limited to utilities and food, in order to maintain basic living standards
Target Group	People living with HIV/AIDS.
Services Provided by the Organisation	The Western Australian AIDS Council is a community-based organisation which provides a diverse range of services to People Living with HIV/AIDS and to the broader community. Services include education, advocacy, support services and health enhancement services.
Incorporated	Yes
Number of Vincent Residents Served	19 clients living in the Town of Vincent used the HIV Assistance Fund Program last year. Clients may access the fund on more than one occasion. The funds applied for would provide an average of \$105 per client per year..
Comments	<p>One third of this organisation's registered clients reside in the TOV.</p> <p>In the last financial year this particular program distributed 121 food parcels and delivered financial assistance on 154 separate occasions'.</p>

	Many clients are single and, therefore, not eligible for emergency relief through Family and Children's Services and many other welfare providers. Fear of discrimination regarding their HIV status, limits the services that many people living with HIV/AIDS can access.
Amount Requested	\$2,000
<b>Amount Recommended</b>	<b>\$2,000</b>

<b>W.A AIDS Council</b>	<b>Raw Score</b>	<b>Weighted Score</b>
Adherence to policy guidelines	9	27
Benefit to Town of Vincent residents	8	16
Financial viability of the project or program	8	8
Previous grants acquitted satisfactorily	7	7
Targets vulnerable and disadvantaged groups in the community	8	8
A unique service that meets the needs of the community	8	8
Demonstrated experience in delivering the service or program	8	8
<b>TOTAL</b>	<b>56</b>	<b>82</b>

**Applications not recommended for funding:**

<b>Organisation</b>	<b>Parents without Partners WA Inc</b>
Purpose of Funding	To subsidise the cost for single parents and their children to attend the annual Westclub Christmas Fun Day.  The funds will be used to subsidise entry to the event, carnival rides and a small present for each child to be presented by Santa Claus.
Target Group	Parents and children from single parents who are disadvantaged either financially or socially.
Incorporated	Yes
Services Provided by the Organisation	Parents without Partners holds a variety of adult and family social, recreational and educational activities and programmes for parents, step-parents or foster parents who are separated, divorced, widowed or never married and their children.
Number of Vincent Residents Served	Approximately 30 adults and their children.
Comments	Funding cannot be provided under the Community and Welfare Grants Guidelines for cultural development activities.  The Community Development Officer will contact the organisation and recommend that they apply to the Town of Vincent for a Cultural Development Seeding Grant of \$1000.
Amount Requested	\$1500
<b>Amount Recommended</b>	<b>Nil (eligible for a Cultural Development Seeding Grant)</b>

**SUMMARY OF RATINGS:**

**Summary of ratings for applications recommended for funding:**

<i>Organisation</i>	<i>Raw Score</i>	<i>Weighted Score</i>
<i>Carers WA</i>	<i>57</i>	<i>73</i>
<i>Ethnic Communities Council</i>	<i>47</i>	<i>71</i>
<i>Fifth Greek Orthodox (Greek Welfare)</i>	<i>49</i>	<i>73</i>
<i>Multicultural Services Centre of WA Inc.</i>	<i>55</i>	<i>79</i>
<i>Passages Resource Centre</i>	<i>57</i>	<i>81</i>
<i>St Vincent de Paul Society</i>	<i>53</i>	<i>80</i>
<i>Continence Advisory Service WA Inc</i>	<i>50</i>	<i>83</i>
<i>St Hildas Anglican Church</i>	<i>48</i>	<i>72</i>
<i>Women's Health Services</i>	<i>57</i>	<i>82</i>
<i>W.A AIDS Council</i>	<i>56</i>	<i>82</i>

**Summary of applications not recommended for funding:**

<i>Organisation</i>
<i>Parents Without Partners</i>

**CONSULTATION/ADVERTISING:**

The scheme was advertised twice in two (2) local papers during the month of May 2006.

**LEGAL/POLICY:**

Nil.

**STRATEGIC IMPLICATIONS:**

Strategic Plan - Amended 2005 – 2010

Key Result Area 2.1: “*Celebrate and acknowledge the Town’s social diversity.*”  
and;

Key Result Area 2.4: “*Review the range of community services provided.*”

**FINANCIAL/BUDGET IMPLICATIONS:**

**Community & Welfare Grants and Donations**

The table below details the financial implications of the welfare donations scheme over the past two years. It also lists the amount requested this financial year and the funding which is recommended.

Organisation	Funding Requested (05/06)	Funding Recommended (05/06)	Funding Requested (06/07)	Funding Recommended (06/07)
Carers WA	2,000	2,000	4,800	2,500
Ethnic Communities Council	7,200	2,000	5,000	2,000
Greek Welfare Centre	10,000	3,000	5,000	3,000
Multicultural Services Centre	3,000	3,000	5,000	3,000
Passages Resource Centre	2,500	2,500	2,500	2,500
St Vincent de Paul Society	2,000	2,000	5,000	4,000
Contenance Advisory Service			1,400	1,400
St Hilda's Anglican Church			5,000	2,000
Women's Health Care House	1,000	1,000	5,000	3,000
W.A AIDS Council	2,000	2,000	2,000	2,000
Sundry Donations	6,300	6,300	6,300	6,300
<b>TOTAL</b>	<b>\$36,000</b>	<b>\$23,800</b>	<b>\$47,500</b>	<b>\$31,700</b>

#### Ad Hoc/Sundry Donations

In the 2006/2007 Budget, \$6,300.00 is allocated to cover sundry donations.

#### 2006/2007 Budget

An amount of \$49,000 has been allocated for Community and Welfare Grants and Donations in the Budget for 2006/2007. The remaining \$17,300 will be considered for allocation in the second round of funding in November 2006.

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

FINANCIAL YEAR	AMOUNT REQUESTED	AMOUNT GRANTED
1996/1997	\$43,000.00	\$40,110.00
1997/1998	\$72,500.00	\$45,300.00
1998/1999	\$129,000.00	\$51,740.00
1999/2000	\$95,940.00	\$55,500.00
2000/2001	\$139,507.00	\$55,000.00
2001/2002	\$128,133.20	\$59,368.00
2002/2003	\$167,172.00	\$63,700.00
2003/2004	\$120,786.00	\$63,300.00
2004/2005	\$137,065.00	\$67,585.00
2005/2006	\$90,555.00*	\$49,000.00*
2006/2007	\$47,500.00	\$31,700.00

\* These figures do not include funding for the Loftus Community Centre and Rosewood Care Group.

#### Regular Annual Grants to Playgroups and Toy Libraries Located in the Town

In past years the Town has received a number of applications for funding from playgroups and toy libraries located in the Town. While the Town recognises that playgroups and toy libraries provide an essential service to many families living in the Town, it has not always been possible to grant funding because the groups have asked for items which cannot be funded under the Community and Welfare Grants guidelines. In order to provide a more equitable approach, assistance to playgroups and toy libraries was offered in the form of a regular annual grant of a specified amount.

In the 2005/2006 year a grant of \$500 was offered to each Toy Library and Playgroup located in the Town of Vincent to assist with the costs of advertising and promotion.

This money was distributed to the following Toy Libraries:

Noah's Ark Toy Library  
Mount Hawthorn Toy Library  
Leederville Toy Library

Playgroups: Highgate/Forrest Park Playgroup  
North Perth Playgroup  
Earlybirds Playgroup  
Loftus Community Centre Playgroup  
Mount Hawthorn Playgroup

In addition to this an amount of \$20,000 from the 2005/2006 budget was allocated to Playgroups in this financial year. Each of the five Playgroups that operate within the Town of Vincent is eligible for funds totalling \$4,000 to use for capital works. To date all five playgroups have submitted requests.

**COMMENTS:**

As indicated by the number of applications received this year for Community and Welfare Grants, there are many not for profit organisations requiring assistance to provide key services to the Town's residents.

The Town recognises the valid requests for funding from all applicants, however in many cases the amount recommended is lower than that requested due to the limited funds available for grants. Priority has been given to funding those organisations to which the Town regularly makes referrals, and whose services directly or indirectly benefit a large number of the Town's residents and best reflect the needs of the local community.

**10.3.2 Meerilinga Children's Week 2006**

<b>Ward:</b>	All	<b>Date:</b>	4 July 2006
<b>Precinct:</b>	All	<b>File Ref:</b>	CMS0073
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	S Jarman		
<b>Checked/Endorsed by:</b>	J Anthony M Rootsey	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That Council PERMITS Meerilinga to organise the "Children's Multicultural Festival" in Hyde Park on 29 October 2006, subject to;*

- (i) a total sponsorship contribution of \$3,000 to assist with the costs of the event as allocated in the 2006-2007 budget;*
- (ii) hire fees of \$78 for the hire of Hyde Park for four (4) hours being waived;*
- (iii) a bond of \$1,000 being lodged by applicant as security for any damage to or clean-up of the Park;*
- (iv) Meerilinga, as event organisers, shall full comply with conditions of use being imposed including Environmental Health and other conditions; and*
- (v) acknowledgement of the Town of Vincent as a major sponsor of the events on all publications and advertising materials subject to the conditions listed in the report*

*to the satisfaction of the Chief Executive Officer.*

**COUNCIL DECISION ITEM 10.3.2**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

**PURPOSE OF REPORT:**

To permit the Meerilinga Children's Week Multicultural Festival to be held in Hyde Park subject to conditions as listed in the report.

**BACKGROUND:**

Since 2004 the Town of Vincent has assisted Meerilinga in hosting the official closing ceremony for Children's Week in Hyde Park. Past support has been to waive fees for hiring Hyde Park, a Cultural Development Seeding Grant of \$1000 for both years and a Community Development Officer sitting on the Children's Week Committee.

**DETAILS:**

Meerilinga is once again holding the Children's Week Multicultural Festival and closing ceremony in Hyde Park. This non profit young children's foundation, aimed at improving the quality of life for children in Western Australia will run a range of free children's activities, marquees and entertainment for their closing ceremony for Children's Week on Sunday 29 October 2006. The event will be held from 10:00am to 2:00pm at Hyde Park, Perth and will include activities such as face painting, play dough, an animal farm and multicultural children's activities.

The event is open to everyone and will be widely advertised in local papers, radio, as well as through a local newsletter drop. There is plenty of parking nearby, including ACROD bays, and the venue, Hyde Park, is accessible to public transport. The event will be open to everyone irrespective of race, religion, gender, sexual preferences physical or intellectual disability.

**CONSULTATION/ADVERTISING:**

N/A

**LEGAL/POLICY:**

The standard conditions for sponsorship would apply to this event:

1. The events must not promote smoking, alcohol, any use of illicit substances and/or adult "R" rated entertainment;
2. The sponsorship funds should be expended in keeping with ethical conduct and practices;
3. The Town of Vincent must be acknowledged in associated publicity and promotional material with the Town's Logo displayed appropriately;
4. Event organisers must liaise with relevant Council officers before proceeding to use the Town's Logo or material;
5. Upon completion of the sponsored event, a report outlining the outcomes of the event, publicity/promotion and how the sponsorship monies were expended must be submitted to Council no more than 30 (thirty) days after the event;
6. The event organisers must take out and hold current a policy of insurance for Public Liability for an amount of not less than \$10,000,000 (ten million dollars) for any one event. A copy of the current certificate is to be provided to Council at least 10 (ten) days before the commencement of the event; and
7. The event organisers must indemnify the Council against any claims, damages, writs, summonses or other legal proceedings and any associated costs, expenses, losses or other liabilities as a result of loss of life, personal injury or damage to property arising from an occurrence in or connected with the sponsored event, regardless of the cause.

In addition, it is recommended that the Council impose the same conditions for other events which will incorporate the following:

- (a) All applications for food vendors must be submitted by the specified closing date.
- (b) Assistance from Meerilinga to ensure unauthorised food activities closed by the Town's Environmental Health Officers remain non-operational.
- (c) Meerilinga is to inform the Town of all food and drinks stalls and Coke and Ice-cream vans, prior to commencement of the Festival.

- (d) All power, water supplies and waste water disposal to be fully operative in all food vans prior to the commencement of the Festival.
- (e) Meerilinga is to be responsible to ensure that parking permits are issued to stall holders.
- (f) All access ways into the event to be manned by personnel allocated by the organising committee.
- (g) **Noise**
- No amplified music or public address to be permitted prior to 10:00am or after 9:00pm as detailed in the submissions.
  - Noise/Sound from amplified sources at the event, should be controlled so as not to impact adversely on surrounding residents. However, should it be expected that amplified sound levels may impact on surrounding residents, a noise management plan for the event is to be submitted outlining the timeframe of amplified noise/sound and confirmation that a letter/flier drop will be undertaken to all potentially affected residents (letters/fliers must contain an event contact/complaint line, and other details of the event such as when, where and reason for the event).
- (h) **Food**
- All food related stall holders to liaise with Environmental Health Officer to apply for a Temporary Food Handling Permit at least 14 days prior to the event. Please note only fresh food prepared in a commercial kitchen can be sold to the public.
  - It is confirmed that all perishable foods (including food tasting) are to be kept at safe temperatures and protected from contamination.
- (i) **Toilets**
- It is highly recommended that one unisex disabled WC be provided.
  - Consumables (toilet paper, soap & paper hand towels to be replenished during the event. In addition, sanitary bins to be provided in portable toilets designated for females.
  - Servicing and cleaning of toilets to be carried out on a regular basis throughout the event. The contractor for the toilets is to be on call in case toilets become full or blocked.
  - Should the event become an annual function it can be anticipated that connection to sewer will be required.
- (j) **General**
- The Risk Management Plan referred to in the submission should also contain a noise management plan, (if applicable - see (g) noise above), which should be updated and provided to the Town's Health Services at least 28 (twenty-eight) days prior to the event.
  - In regards to cleaning and rubbish disposal the event organisers should liaise with the Town's Technical Services. Rubbish and litter collection should occur during the event and a major clean up should be conducted by 12:00 noon the following day.
  - Structural Certification and a copy of Public Liability Cover to be submitted for entertainment such as Fly Motion.
  - The First Aid Posts be suitably positioned to cover the entire event (They should have direct communication with crowd controllers, Police and the event organisers).
  - A clear site plan to be provided detailing location of all events, toilets, ambulances, entertainment, stalls, and street closures.

- All activities including displays, street theatre (buskers), amplified music to be contained in the specified area.
  - Animal farm and animal rides to be located a minimum of 18 metres from any food vans, and all animal faeces to be regularly collected and bagged for immediate disposal in a waste receptacle.
  - The event organisers are to require all artists/performers/participants to refrain from using offensive explicit language and behaviour and activities, which could impact on the safety and amenity of the patrons.
  - The event organisers to provide a list of relevant contact mobile phone numbers. This should include at least two contacts for the event organiser and crowd controllers.
- (k) **Public Building Matters**
- Provide details of any temporary public buildings (eg. Marquees) that are to be constructed. Details should include, seating arrangements, exit widths, size and electrical compliance certification.
  - Certification for all stage(s) and marquees to be provided advising they are structurally sound, and fire safe.
  - Overcrowding – all reasonable precautions to be taken to prevent overcrowding and crowd controllers to take steps where necessary.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2005-2010

Key Result Area 2.1 Celebrate and acknowledge the Town's cultural diversity

*“(a) Develop, financially support, promote and organise community events and initiatives (including those generated by community groups) that engage the community and celebrate the cultural diversity of the Town.”*

**FINANCIAL/BUDGET IMPLICATIONS:**

An amount of \$3000 has been listed in the 2006/2007 Budget for the 2006 festival which is additional to the amount provided last year. The budget amount will enable the group to cover costs such as promotion, marquees and entertainment.

It is recommended that the Town waives the park hire fees to assist with the organisation of the event.

**COMMENTS:**

The closing ceremony to Children's week, organised by Meerilinga, will benefit the community by providing an enjoyable, fun day out that fosters community involvement while promoting culturally diverse experiences to families and children.

The Town supports Children's Week with the provision of allocated sponsorship funds and the availability of officers who have met with event organisers a number of times to advise on the appropriate processes and procedures relevant to organising an event of this nature. The festival has proven to be a very popular event in the Town's calendar.

**10.1.1 Further Report - No. 2 (Lot 4 D/P: 2447) St Albans Avenue, corner Beaufort Street, Highgate - Proposed Change of Use from Open Air Display and Shop to Open Air Display, Shop and Eating House and Associated Internal Alterations**

<b>Ward:</b>	South	<b>Date:</b>	4 July 2006
<b>Precinct:</b>	Mount Lawley; P11	<b>File Ref:</b>	PRO2536; 5.2005.3202.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	B McKean		
<b>Checked/Endorsed by:</b>	R Rasiah, R Boardman	<b>Amended by:</b>	-

**FURTHER OFFICER RECOMMENDATION:**

*That;*

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by T Metcalf on behalf of the owner Flynn-Guardall Security Pty Ltd for Change of Use from Open Air Display and Shop to Open Air Display, Shop and Eating House, at No. 2 (Lot 4 D/P: 2447) St Albans Avenue, corner Beaufort Street, Highgate, and as shown on plans stamp-dated 19 April 2006, subject to the following conditions:*
- (a) *within twenty-eight (28) days of notification, the following works shall be completed:*
- (1) *the provision of a minimum of three on-site car bays with access from the right of way, which comply with the Town's Policy Relating to Parking and Access and Australian Standards AS2890.1 - "Off Street Parking". The car bays shall be available for the visitors of the tenancy during all opening times of the use. The provision of these car bays will require the demolition and/or alterations to the existing north-western high brick wall and roller door abutting the right of way; and*
- (2) *the provision of 1 metre by 1 metre visual truncations where the car parking bays intersect the right of way;*
- (b) *the gross floor area of the open air display, shop and eating house components shall be limited to 53 square metres, 79 square metres and 37 square metres respectively. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the Town;*
- (c) *prior to the first occupation of the development, one (1) class 1 or 2 bicycle parking facilities and three (3) class 3 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;*
- (d) *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;*

- (e) *doors, windows and adjacent floor areas fronting Beaufort Street shall maintain an active and interactive relationship with this street;*
- (f) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate planning application, and all signage shall be subject to a Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (g) *the applicant/owner shall pay a cash-in-lieu contribution of \$6,474 for the equivalent value of 2.48 car parking spaces, based on the cost of \$2,600 per bay as set out in the Town's 2006/2007 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;*
- (h) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the location of the 37 square metres of eating house public floor area, 79 square metres of shop floor area and 53 square metres of open air display area; and*
- (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; and*
- (ii) *the Council ADVISES the applicant and owners that the above works that form part of clause (i)(a)(1) above shall be completed within twenty-eight (28) days of notification, and the Council AUTHORISES the Chief Executive Officer to continue legal proceedings should the above works have not been completed within this twenty-eight (28) day period.*

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**Moved Cr Farrell, Seconded Cr Messina**

*That the recommendation be adopted.*

Debate ensued.

**Moved Cr Maier, Seconded Cr Messina**

*That:*

1. *clause (i)(a) be amended to read as follows:*

*"(a) within twenty-eight (28) days of notification or prior to the change of use of the development whichever occurs first, the following works shall be completed:*

- (1) *the provision of a minimum of three on-site car bays with access from the right of way, which comply with the Town's Policy Relating to Parking and Access and Australian Standards AS2890.1 - "Off Street Parking". The car bays shall be available for the visitors of the tenancy during all opening times of the use. The provision of these car bays will require the demolition and/or alterations to the existing north-western high brick wall and roller door abutting the right of way; and*

(2) *the provision of 1 metre by 1 metre visual truncations where the car parking bays intersect the right of way;"*

2. *new clauses (i)(j) and (i)(k) be added as follows:*

"(j) *the hours of operation of the eating house shall be limited to:*

*Friday to Wednesday 9.00am – 6.00pm; and  
Thursday 9.00am – 9.00pm; and*

(k) *prior to the first occupation of the development, the eating house floor area shall be clearly indicated by brass plaques delineating the eating house floor area."*

**AMENDMENT CARRIED (6-2)**

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

(Cr Doran-Wu was an apology.)

**MOTION AS AMENDED CARRIED ON THE CASTING VOTE  
OF THE PRESIDING MEMBER (5-4)**

<u>For</u>	<u>Against</u>
Mayor Catania (2 votes)	Cr Chester
Cr Farrell	Cr Ker
Cr Lake	Cr Maier
Cr Torre	Cr Messina

**COUNCIL DECISION ITEM 10.1.1**

*That;*

(i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by T Metcalf on behalf of the owner Flynn-Guardall Security Pty Ltd for Change of Use from Open Air Display and Shop to Open Air Display, Shop and Eating House, at No. 2 (Lot 4 D/P: 2447) St Albans Avenue, corner Beaufort Street, Highgate, and as shown on plans stamp-dated 19 April 2006, subject to the following conditions:*

(a) *within twenty-eight (28) days of notification or prior to the change of use of the development whichever occurs first, the following works shall be completed:*

- (1) *the provision of a minimum of three on-site car bays with access from the right of way, which comply with the Town's Policy Relating to Parking and Access and Australian Standards AS2890.1 - "Off Street Parking". The car bays shall be available for the visitors of the tenancy during all opening times of the use. The provision of these car bays will require the demolition and/or alterations to the existing north-western high brick wall and roller door abutting the right of way; and*
  - (2) *the provision of 1 metre by 1 metre visual truncations where the car parking bays intersect the right of way;*
- (b) *the gross floor area of the open air display, shop and eating house components shall be limited to 53 square metres, 79 square metres and 37 square metres respectively. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the Town;*
- (c) *prior to the first occupation of the development, one (1) class 1 or 2 bicycle parking facilities and three (3) class 3 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;*
- (d) *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;*
- (e) *doors, windows and adjacent floor areas fronting Beaufort Street shall maintain an active and interactive relationship with this street;*
- (f) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate planning application, and all signage shall be subject to a Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (g) *the applicant/owner shall pay a cash-in-lieu contribution of \$6,474 for the equivalent value of 2.48 car parking spaces, based on the cost of \$2,600 per bay as set out in the Town's 2006/2007 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;*
- (h) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the location of the 37 square metres of eating house public floor area, 79 square metres of shop floor area and 53 square metres of open air display area; and*
- (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; and*

- (j) *the hours of operation of the eating house shall be limited to:*
- |                            |                             |
|----------------------------|-----------------------------|
| <i>Friday to Wednesday</i> | <i>9.00am – 6.00pm; and</i> |
| <i>Thursday</i>            | <i>9.00am – 9.00pm; and</i> |
- (k) *prior to the first occupation of the development, the eating house floor area shall be clearly indicated by brass plaques delineating the eating house floor area;*
- (ii) *the Council ADVISES the applicant and owners that the above works that form part of clause (i)(a)(1) above shall be completed within twenty-eight (28) days of notification, and the Council AUTHORIZES the Chief Executive Officer to continue legal proceedings should the above works have not been completed within this twenty-eight (28) day period.*
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#### **FURTHER REPORT:**

The Council at its Ordinary Meeting held on 13 June 2006 considered the subject proposal and resolved the following:

*"That the Item be DEFERRED for further information and negotiation between the Town and the applicant."*

The applicant has since submitted a detailed submission addressing issues raised by the Council at its Ordinary Meeting held on 13 June 2006. The applicant in their submission have outlined the following:

#### **MRS Form 1**

The applicants have confirmed that the landowner has signed the original MRS Form 1.

#### **Construction of the 3 Parking Bays**

The applicants confirm that upon receiving a decision on the eating house, the construction of the car bays will be carried out in accordance with the approval.

The applicants would be agreeable to an on-site meeting with the Town's Officers and Elected Members to demonstrate compliance with the relevant approvals.

#### **Compliance with Designated Eating House Floor Space**

The applicants would be prepared to have the floor areas limited via a condition on the planning approval. To address the Council's concerns regarding the amount of floor area being allocated to each use, the applicant has proposed to extend the floor areas of the shop and eating house area, resulting in cash-in-lieu being paid to the Town for the shortfall in car parking. These new areas allocated are 37 square metres for the eating house component, 79 square metres for the shop component and the open air display component remains the same at 53 square metres.

A petition containing 218 signatures in support of the subject proposal was read at the Ordinary Meeting of Council held on 13 June 2006.

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

In light of the above, the Car Parking Table is amended as follows:

<b>Car Parking</b>	
Car parking requirement (nearest whole number) <ul style="list-style-type: none"> <li>• Eating house - 1 car bay per 4.5 square metres of public area (37 square metres) - 8.22 car bays</li> <li>• Shop - 1 car bay per 15 square metres of gross floor area (79 square metres) - 5.26 car bays</li> <li>• Open air display - 3 spaces for the first 200 square metres of display and sales area and thereafter 1 space per 100 square metres of display and sales area or part thereof (53 square metres) - 3 car bays</li> </ul> Total = 16.48 car bays	16 car bays
Apply the adjustment factors. <ul style="list-style-type: none"> <li>• 0.85 (within 400 metres of a bus stop)</li> <li>• 0.85 (within 400 metres of car park in excess of 75 car parking spaces)</li> </ul>	(0.7225)  11.56 car bays
Minus the car parking provided on-site	3 car bays
Minus the most recently approved on-site car parking shortfall	6.07 car bays
Resultant shortfall	2.49 car bays
<b>Bicycle Parking</b>	
Retail/Shop: (79 square metres of gross floor area) -1 space per 300 square metres of gross floor area for employee/resident. -1 space per 200 square metres for visitor/shopper. Restaurant/Eating House: (37 square metres) -1 space per 100 square metres of public area -2 spaces plus 1 space per 100 square metres of public area	0.26 space (Class 1 or 2) 0.39 space (Class 3)  0.37 space (Class 1 or 2) 2.37 spaces (Class 3) Total: Class 1 or 2 = 0.63 (1 space) Class 3 = 2.76 (3 spaces)

**FURTHER COMMENTS:**

**Car Parking**

The increased areas for the eating house and shop components will result in a car parking shortfall of 2.48 car bays, after the application of adjustment factors. This shortfall can be addressed as a cash-in-lieu contribution and is included in the Further Officer Recommendation.

The Council at its Ordinary Meeting held on 12 April 2005, resolved the following:

“ . . .(ii) *ADOPTS the draft amended version of the Policy relating to Parking and Access to be applied in the interim during the advertising period and up to formal adoption of the draft amended Policy to those planning and building applications received after the date the draft amended Policy is adopted by Council; . . .* ”

The draft amended version of the Parking and Access Policy introduces a provision that the cash-in-lieu contribution is to be based on not only the construction costs, but also on a land component being 50 per cent of the land value of the area of a car parking bay on the subject property.

Given the debate and Council resolutions relating to Items 10.1.5 and 10.1.16 at the Ordinary Meeting of Council held on 26 July 2005, in the context of the current and draft amended cash-in-lieu of car parking provisions and the increase in cash-in-lieu construction costs in the 2006/07 Fees and Charges, the following practice is considered to be the most appropriate in such cases:

1. No land value component is to be included in the cash-in-lieu of car parking contribution until the draft amended Parking and Access Policy is finally adopted by the Council.
2. Planning applications received prior to and on 12 July 2005 (date of formal adoption of 2005/2006 Budget and Fees and Charges) - the cash-in-lieu contribution is to be based on \$2,500 per car bay.
3. Planning application received after 12 July 2005 - the cash-in-lieu contribution is to be based on \$2,600 per car bay. The above proposal was received on 5 October 2005.

### **Bicycle Parking**

The increased floor areas for the eating house and shop components have increased the bicycle parking requirement. This has been addressed in the Further Officer Recommendation.

### **Summary**

The applicant's have addressed the Council's concerns and reasons for deferral. This is summarised as follows:

- Increase in floor area for the eating house and shop components have resulted in a car parking shortfall which has been addressed in the Further Officer Recommendation;
- The floor areas for each use will be indicated on plans prior to the issue of a Building Licence and have been addressed accordingly in the Further Officer Recommendation; and
- The construction of the three car bays has been addressed in the Further Officer Recommendation.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 13 June 2006.

#### **"OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by T Metcalf on behalf of the owner Flynn-Guardall Security Pty Ltd for proposed Change of Use from Open Air Display and Shop to Open Air Display, Shop and Eating House and Associated Internal Alterations, at No. 2 (Lot 4 D/P: 2447) St Albans Avenue, corner Beaufort Street, Highgate, and as shown on plans stamp-dated 19 April 2006, subject to the following conditions:*

- (i) *the gross floor area of the open air display, shop and eating house components shall be limited to 53 square metres, 37 square metres and 29 square metres respectively. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the Town;*

- (ii) *prior to the first occupation of the development, two (2) class 3 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;*
- (iii) *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;*
- (iv) *doors, windows and adjacent floor areas fronting Beaufort Street shall maintain an active and interactive relationship with this street; and*
- (v) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate planning application, and all signage shall be subject to a Sign Licence application, being submitted and approved prior to the erection of the signage.*

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COUNCIL DECISION ITEM 10.1.15

Moved Cr Farrell, Seconded Cr Ker

*That the recommendation be adopted subject to it being amended to read as follows:*

"That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by T Metcalf on behalf of the owner Flynn-Guardall Security Pty Ltd for Change of Use from Open Air Display and Shop to Open Air Display, Shop and Eating House, at No. 2 (Lot 4 D/P: 2447) St Albans Avenue, corner Beaufort Street, Highgate, and as shown on plans stamp-dated 19 April 2006, subject to the following conditions:*
  - (a) *within twenty-eight (28) days of notification, the following works shall be completed:*
    - (1) *the provision of a minimum of three on-site car bays with access from the right of way, which comply with the Town's Policy Relating to Parking and Access and Australian Standards AS2890.1 - "Off Street Parking". The car bays shall be available for the visitors of the tenancy during all opening times of the use. The provision of these car bays will require the demolition and/or alterations to the existing north-western high brick wall and roller door abutting the right of way;*
    - (2) *the provision of 1 metre by 1 metre visual truncations where the car parking bays intersect the right of way;*
  - (b) *the gross floor area of the open air display, shop and eating house components shall be limited to 53 square metres, 37 square metres and 29 square metres respectively. Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the Town;*

- (~~iii~~c) *prior to the first occupation of the development, two (2) class 3 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;*
- (~~iii~~d) *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;*
- (~~iv~~e) *doors, windows and adjacent floor areas fronting Beaufort Street shall maintain an active and interactive relationship with this street; ~~and~~*
- (~~v~~f) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate planning application, and all signage shall be subject to a Sign Licence application, being submitted and approved prior to the erection of the signage-; and*
- (g) *the 'seating' area for the eating house is to be clearly delineated on site.*
- (ii) *the Council ADVISES the applicant and owners that the above works that form part of clause (i)(a) above shall be completed within twenty-eight (28) days of notification, and the Council AUTHORIZES the Chief Executive Officer to continue legal proceedings should the above works have not been completed within this twenty-eight (28) day period."*

Debate ensued.

Moved Cr Torre, Seconded Cr Farrell

*That the Item be DEFERRED for further information and negotiation between the Town and the applicant.*

CARRIED (6-3)

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

**ADDITIONAL INFORMATION:**

*The Town received a phone call on 12 June 2006 alleging that the Metropolitan Region Scheme (MRS) Form 1 was not signed by the owner of the subject property. The Town requested that this allegation be proven by having the owner submit in writing details that they did not sign the MRS Form 1.*

*The applicant submitted additional information regarding the delineation of the eating house floor space, rear car parking area and the delivery of stock. This additional information was circulated to the elected members and is "Laid on the Table" for Councils consideration.*

*Car Parking*

*Condition (iii) of the conditional approval granted by Council at its Ordinary Meeting held on 17 January 2006 states as follows:*

*"(iii) the Council ADVISES the applicant and owners that the above works that form part of clause (i)(a) above shall be completed within twenty-eight (28) days of notification, and the Council AUTHORIZES the Chief Executive Officer to continue legal proceedings should the above works have not been completed within this twenty-eight (28) day period."*

*Furthermore, proposed clause (i)(a) of states as follows:*

*"(i)(a) within twenty-eight (28) days of notification, the following works shall be completed:*

- (1) the provision of a minimum of three on-site car bays with access from the right of way, which comply with the Town's Policy Relating to Parking and Access and Australian Standards AS2890.1 - "Off Street Parking". The car bays shall be available for the visitors of the tenancy during all opening times of the use. The provision of these car bays will require the demolition and/or alterations to the existing north-western high brick wall and roller door abutting the right of way.*
- (2) the provision of 1 metre by 1 metre visual truncations where the car parking bays intersect the right of way."*

*A site inspection by the Town's Officers on 25 May 2006 indicated that the three car bays had not been constructed as required by the previous approval. This is addressed in the Amended Officer Recommendation and will be closely monitored by the Town's Development Liaison Officer.*

*In summary, the Town's Officers consider the proposed eating house component to be of a minor nature which will contribute to the commercial diversity and vitality of the Beaufort Precinct.*

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<i>Landowner:</i>	<i>Flynn-Guardall Security Pty Ltd</i>
<i>Applicant:</i>	<i>T Metcalf</i>
<i>Zoning:</i>	<i>Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial</i>
<i>Existing Land Use:</i>	<i>Shop</i>
<i>Use Class:</i>	<i>Open Air Display, Shop and Eating House</i>
<i>Use Classification:</i>	<i>"AA", "P", and "P"</i>
<i>Lot Area:</i>	<i>503 square metres</i>
<i>Access to Right of Way</i>	<i>North-western side, 5.2 metres wide, unsealed, Town owned.</i>

**BACKGROUND:**

*24 May 2005*

*The Council at its Ordinary Meeting constructively refused an application for change of use from shop to shop and eating house at the subject property for the following reasons:*

- "1. Impact of parking shortfall on the local area.*
- 2. Consideration of objections received.*
- 3. Uncertainty that three (3) car parking bays can be accommodated on the site."*

17 January 2006      *The Council at its Ordinary Meeting granted conditional approval for change of use from shop to open air display and shop and associated signage (application for retrospective approval).*

**DETAILS:**

*The proposal involves change of use from open air display and shop to open air display, shop and eating house and associated internal alterations at the subject property.*

*The applicant in their submission has addressed each of the issues raised by the Council in relation to the original proposal. Furthermore, the applicant has requested that the trading hours be from 8am until 9pm Monday to Sunday. This request has been addressed in the Assessment Table.*

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

**ASSESSMENT:**

<i>Non-Compliant Requirements</i>			
<i>Requirements</i>	<i>Required</i>	<i>Proposed *</i>	<i>Officer Comments Pursuant to Clause 38(5) of TPS 1</i>
<i>Plot Ratio</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<i>Consultation Submissions</i>			
<i>It was considered that the application did not require to be re-advertised in this instance as the proposal is compliant with the Town of Vincent Policies 'Mount Lawley Centre Precinct' and 'Parking and Access', was advertised from 5 May 2005 - 19 May 2005. Furthermore, all previous submissions have been addressed in the report and all previous objectors have been notified in writing that the application is being referred to the Council.</i>			
<i>Support</i>	<i>Nil</i>		<i>Noted</i>
<i>Objection (3)</i>	<ul style="list-style-type: none"> <li>• <i>Shortage of parking</i></li> </ul>		<i>Not supported- refer to 'Comments'.</i>
	<ul style="list-style-type: none"> <li>• <i>No safeguard to ensure development will not intensify in the future</i></li> </ul>		<i>Not supported- as any intensification or change of use of a site will require further assessment and Planning Approval.</i>
	<ul style="list-style-type: none"> <li>• <i>Undue impact on surrounding residential area</i></li> </ul>		<i>Not supported- as the uses proposed are considered to be appropriate for the commercially zoned lot and not considered to have an undue impact on surrounding residential area.</i>
	<ul style="list-style-type: none"> <li>• <i>Illegal parking</i></li> </ul>		<i>Not supported- as not a valid planning consideration. This issue can be monitored by Town's Ranger Services and Community Safety.</i>
	<ul style="list-style-type: none"> <li>• <i>Additional rubbish</i></li> </ul>		<i>Not supported- as not a valid planning consideration. This issue can be monitored by Town's Technical Services and Health Services.</i>

	<ul style="list-style-type: none"> <li>Trading hours</li> </ul>	Not supported - as the Town generally does not impose conditions relating to trading hours on commercially zoned land unless there is valid reason to do so.
<i>Other Implications</i>		
Legal/Policy		TPS 1 and associated Policies.
Strategic Implications		Nil
Financial/Budget Implications		Nil
<i>Car Parking</i>		
Car parking requirement (nearest whole number)		12 car bays
<ul style="list-style-type: none"> <li>Eating house - 1 car bay per 4.5 square metres of public area (29 square metres) - 6.44 car bays</li> <li>Shop - 1 car bay per 15 square metres of gross floor area (37 square metres) - 2.46 car bays</li> <li>Open air display - 3 spaces for the first 200 square metres of display and sales area and thereafter 1 space per 100 square metres of display and sales area or part thereof (53 square metres) - 3 car bays</li> </ul> <p>Total = 11.9 car bays</p>		
Apply the adjustment factors.		(0.7225)
<ul style="list-style-type: none"> <li>0.85 (within 400 metres of a bus stop)</li> <li>0.85 (within 400 metres of car park in excess of 75 car parking spaces)</li> </ul>		8.67 car bays
Minus the car parking provided on-site		3 car bays
Minus the most recently approved on-site car parking shortfall		6.07 car bays
Resultant surplus		0.4 car bay
<i>Bicycle Parking</i>		
Retail/Shop: (37 square metres of gross floor area)		0.12 space (Class 1 or 2)
-1 space per 300 square metres of gross floor area for employee/resident.		0.19 spaces (Class 3)
-1 space per 200 square metres for visitor/shopper.		0.29 spaces (Class 1 or 2)
Restaurant/Eating House: (29 square metres)		2.29 spaces (Class 3)
-1 space per 100 square metres of public area		Total:
-2 spaces plus 1 space per 100 square metres of public area		Class 1 or 2 = 0.41 (0 spaces)
		Class 3 = 2.48 (2 spaces)

\* 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:**

The proposal is supported as it is not considered to unduly impact the amenity of the adjacent or surrounding properties and is compliant with the Town's 'Mount Lawley Centre Precinct' and 'Parking and Access Policy'.

*Furthermore, the applicant has addressed the Council's previous reasons for refusal as follows:*

1. *Impact of parking shortfall on the local area.*

*The applicants met with the Town's Officers on 17 February 2006 and were advised to clearly define where each use will be located. As a result, the applicants submitted amended plans clearly demonstrating the exact location and floor area for each use. The application is compliant with the Town's Policy relating to 'Parking and Access' and the floor areas have been conditioned accordingly in the Officers Recommendation.*

2. *Consideration of objections received.*

*These concerns have been addressed in the 'Assessment Table'.*

3. *Uncertainty that three (3) car parking bays can be accommodated on the site.*

*The Town's Technical Services have advised that the car parking arrangement (consisting of 3 bays) on the current plans stamp dated 19 April 2006 is acceptable.*

*In light of the above, approval is recommended, subject to standard and appropriate conditions to address the above matters."*

**10.1.11 No.658 (Lot 3 D/P: 541) Newcastle Street, Dual Frontage to Carr Place, Leederville - Proposed Demolition of Existing Office/Warehouse and Construction of Three-Four Storeys Plus Basement Car Park Mixed Use Development Comprising Offices and Two (2) Multiple Dwellings**

<b>Ward:</b>	South	<b>Date:</b>	4 July 2006
<b>Precinct:</b>	Oxford Centre; P4	<b>File Ref:</b>	PRO3243; 5.2006.214.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	L Mach		
<b>Checked/Endorsed by:</b>	D Abel, 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 Planning Solutions (Aust) Pty Ltd on behalf of the owner Lavenda Pty Ltd and A & E M Percudani for proposed Demolition of Existing Office/Warehouse and Construction of Three -Four Storey Plus Basement Car Park Mixed Use Development Comprising Offices and Two (2) Multiple Dwellings, at No. 658 (Lot 3 D/P: 541) Newcastle Street, dual frontage to Carr Place, Leederville, and as shown on plans stamp-dated 23 May 2006 (A1 Rev.2, A3 Rev.2 , A4 Rev.2, A5 Rev.2, A6 Rev.2 and A7 Rev.2) and 28 June 2006, subject to the following conditions:*

- (i) any future vehicular entry gates adjacent to Carr Place shall be either open at all times or suitable management measures shall be implemented to ensure access is readily available for visitors at all times. Details of the management measures shall be submitted to and approved by the Town prior to the first occupation of the development;*
- (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) 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 (\$24,500) shall be submitted to and approved by the Town, OR alternatively, the applicant/owner shall pay a cash-in-lieu contribution of \$24,500, 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 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). The art work contribution of \$24,500 shall not be used for the provision of underground power, and all costs associated with the provision of underground power shall be met by the owner(s);*
- (iv) the provision of underground of power in the Newcastle Street road reserve to the property and all costs associated with the provision of underground power shall be met by the owner(s);*

- (v) *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;*
- (vi) *to first obtaining the consent of the owners of No(s). 654-656 (Lot 4) and No. 660 (Lot 2) Newcastle Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 654-656 (Lot 4) and No. 660 (Lot 2) Newcastle Street in a good and clean condition;*
- (vii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
- (a) *a minimum of two significant design features being incorporated into the ground floor walls facing Carr Place, to break up the visual bulk of the walls to further compliment the streetscape;*
  - (b) *any proposed security gate along the Carr Place frontage being a minimum 50 percent visually permeable when viewed from the street;*
  - (c) *a continuous and complementary awning(s) being provided along the entire Newcastle Street frontage and along the Carr Place frontage between the two (2) motor vehicle access points onto Carr Place of the subject site. The awnings shall be a minimum height of 2.75 metres from the footpath level to the underside of the awning and a minimum of 600 millimetres from the kerb line of Newcastle Street and Carr Place;*
  - (d) *the terraces to the dwellings being fully open on at least 2 sides. Where screening is required for privacy reasons, permanent obscure glazing at a height of 1.6 metres may be considered as an open side;*
  - (e) *1.5 metres by 1.5 metres visual truncations being provided on the either side of where the two ramps meet the footpath. This would include the removal of the stairwell nib walls and adjusting the truncation of the walls between the ramps; and*
  - (f) *in order to retain the enclosed stairwells, the ramps are to be widened to a minimum of 4metres.*

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

- (viii) *prior to the first occupation of the development, five (5) class - one or two bicycle parking facilities, shall be provided at a location convenient to the entrance of the development. Details of the design and layout of the bicycle parking facilities shall be submitted and approved prior to the installation of such facilities;*
- (ix) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate Planning Application, and all signage shall be subject to a separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (x) *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;*

- (xi) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (xii) *doors, windows and adjacent floor areas fronting Newcastle Street and the first and second floors of Carr Place shall maintain an active and interactive relationship with these streets. Glazing within the subject doors and windows on the ground floor shall be clear glazing with no heavy/dark tinting nor be reflective;*
- (xiii) *prior to the first occupation of the development, two (2) car parking spaces provided for the residential component of the development shall be clearly marked and signposted for the exclusive use of the residents of the development and shall not be in tandem arrangement unless they service the same residential unit/dwelling;*
- (xiv) *the maximum gross floor area for the office use shall be limited to 993 square metres unless adequate car parking is provided for the changes in floor space area;*
- (xv) *in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject land are to be upgraded, by the applicant, to a brick paved standard to the Town's specification. A refundable footpath upgrading bond and/or bank guarantee of \$2,520 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing facilities have been reinstated to the satisfaction of the Town's Technical Services Division. An application to the Town for the refund of the upgrading bond must be made in writing;*
- (xvi) *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;*
- (xvii) *the office/non-residential car parking area shall be shown as 'common property' on any strata or survey strata subdivision plan for the property;*
- (xviii) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xix) *prior to the issue of a Building Licence, an acoustic report prepared in accordance with the Town's Policy relating Sound Attenuation shall be submitted and approved by the Town. The recommended measures of the acoustic report shall be implemented and certification from an acoustic consultant that the measures have been undertaken, prior to the first occupation of the development, and the applicant/owners shall submit a further report from an acoustic consultant 6 months from first occupation of the development certifying that the development is continuing to comply with the measures of the subject acoustic report;*
- (xx) *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 residential units/dwellings that:*
  - (a) *the use or enjoyment of the property may be affected by noise, traffic, car parking and other impacts associated with nearby commercial and non-residential activities; and*

(b) *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.*

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

(xxi) *prior to the first occupation of the development, each dwelling shall be provided with a screened outdoor area for clothes drying or clothes tumbler dryer; and*

(xxii) *on-site parking for the office/non-residential component shall be available for the occupiers of the residential component outside normal business hours.*

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#### **COUNCIL DECISION ITEM 10.1.11**

**Moved Cr Farrell, Seconded Cr Messina**

*That the recommendation be adopted.*

Debate ensued. A question was raised.

The Presiding Member ruled that debate would be suspended on this Item while the Officers located information and the next Item be considered while this is happening.

At 7.10pm **Moved Cr Torre, Seconded Cr Farrell**

*That the debate on the Item be held over until the Officers can locate the information and that the next Item be considered.*

**CARRIED (8-0)**

(Cr Doran-Wu was an apology.)

Item 10.1.8 was then considered.

At 7.15pm debate resumed on this Item.

Debate ensued. The Officers advised that the information was not available.

**Moved Cr Torre, Seconded Cr Farrell**

*That the Item be DEFERRED for further information.*

**CARRIED (8-0)**

(Cr Doran-Wu was an apology.)

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<b>Landowner:</b>	Lavenda Pty Ltd and A & E M Percudani
<b>Applicant:</b>	M Zurzolo
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
<b>Existing Land Use:</b>	Office/Warehouse
<b>Use Class:</b>	Office Building, Multiple Dwelling
<b>Use Classification:</b>	"P", "AA"
<b>Lot Area:</b>	470 square metres
<b>Access to Right of Way</b>	N/A

**BACKGROUND:**

17 January 2006 The Council at its Ordinary Meeting resolved to conditionally approve an application for demolition of existing single storey office/warehouse and the construction of a three (3) storey building comprising offices and undercroft car parking.

**DETAILS:**

The proposal involves three - four storey plus basement car park mixed use development comprising of offices and two (2) multiple dwellings. The current proposal essentially differs from the previous proposal in that it proposes an additional storey, comprising two multiple dwellings.

The applicant's submission is "*Laid on the Table*". The applicant has specifically requested in the submission the removal of condition (iv) and (vii)(c) from the above Officer Recommendation. These conditions relate to the requirement of the provision of underground power and an awning along Carr Street and the removal of these conditions are not supported on the basis that these requirements will enhance and provide amenity to the streetscape and area in general. It is noted that the Council previously resolved that the art work contribution shall not be used for the provision of underground power, and all costs associated with the provision of underground power shall be met by the owner(s).

**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	3 dwellings R 80	2 dwellings R43	Supported- no variation.
Plot Ratio	1.0 - 470 square metres	0.33 - 153 square metres  -excludes basement storerooms as no added bulk and terraces which have been conditioned to be open on two sides (privacy screens which are 1.6 metres high and of obscure glazing are considered to be open)	Supported- no variation.

Maximum No. of Storeys	Three storeys, preferably at street corners and a fourth storey (including loft) can be considered.	3-4 storeys and basement	Supported-as it is considered acceptable in the context of the height, scale and nature of surrounding commercial buildings which are 3 and 4 storeys in height.
Front Setback - Newcastle Street	Nil	Nil-3.2 metres	Supported -as the front setback is not considered to create an undue, adverse effect to the existing streetscape.
Landscaping	10 per cent	Nil	Supported- on the basis that most of the developments along Newcastle Street within the Precinct do not have landscaping, mainly due to the nature and urban form of surrounding developments.
Pedestrian Access	All sidewalks and footpaths contiguous to street are to be sheltered.	Carr Street- nil provided.	Not supported- has been conditioned to comply.
	Awnings over openings in walls on the street boundary are permitted to project over the property boundary by a maximum of 1.5 metres.	Newcastle Street- 2.0 metres projection.	Supported- no undue impact on streetscape.
Car Parking - Residential Component	3 car bays	Applicant has advised that 2 car bays are to be allocated to residential component and third car bay to be reciprocal with commercial car parking.	Supported- no variation and has been conditioned accordingly, as per Officer Recommendation.
<b>Consultation Submissions</b>			
Support (1)	<ul style="list-style-type: none"> <li>Details not provided.</li> </ul>		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

<b>Car Parking-Commercial Component</b>		
Office: 1 car bay per 50 square metres gross floor area (proposed 993 square metres) = 19.86 car bays. To nearest whole number		20 car bays
Apply the parking adjustment factors.		(0.614)
<ul style="list-style-type: none"> <li>▪ 0.85 (within 400 metres of a bus stop)</li> <li>▪ 0.85 (within 50 metres of one or more public car parks in excess of 50 spaces)</li> <li>▪ 0.85 (within 800 metres of a rail station)</li> </ul>		12.28 car bays
Car parking provided on-site for commercial component		14 car bays
Resultant surplus		1.72 car bays
<b>Bicycle Parking Facilities</b>		
<b>Requirements</b>	<b>Required</b>	<b>Provided</b>
<b>Office:</b> <ul style="list-style-type: none"> <li>• 1 space per 200 (proposed 993) square metres gross floor area (class 1 or 2).</li> <li>• 1 space per 750 square metres over 1000 square metres for visitors (class 3)</li> </ul>	4.97 spaces  Nil	Eight (8) bicycle racks are indicated on site plans. 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:**

##### **Demolition**

A preliminary investigation of the subject place at No. 658 Newcastle Street indicated that a full heritage assessment was not required in this instance, as the place is a recently constructed office/commercial premise with no heritage value.

The place has little cultural heritage significance, and does not meet the minimum criteria for entry into the Town of Vincent Municipal Heritage Inventory.

In light of the above, it is recommended that approval be granted for the demolition of the existing building, subject to standard conditions.

##### **Vehicular Ramp and Pedestrian Access**

These matters have been conditioned accordingly due to safety reasons on the advice of Technical Services. Conditions (vii)(e) and (vii)(f) will result in the loss of a car bay, as reflected in the Car Parking Table.

##### **Redevelopment**

In general, the proposal is considered to enhance and improve the streetscape and surrounding area through the redevelopment of an under-utilised site and to have adequately addressed the Town's requirements and objectives for the area.

The planning application is, therefore, recommended for approval, subject to standard and appropriate conditions to address the scale and nature of the proposal and the matters raised in the report.

**10.1.8 No. 322 (Lot 26, Strata Lot 41) Vincent Street, Leederville - Proposed Alterations and Additions to Existing Consulting Rooms (Dental Surgery)**

<b>Ward:</b>	South	<b>Date:</b>	4 July 2006
<b>Precinct:</b>	Oxford Centre; P04	<b>File Ref:</b>	PRO2366; 5.2006.135.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	B McKean		
<b>Checked/Endorsed by:</b>	D Abel, 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 Dentists on Vincent on behalf of the owner T Dhepnorrarat & I I Lamattina for proposed Alterations and Additions to Existing Consulting Rooms (Dental Surgery), at No. 322 (Lot 26, Strata Lot 41) Vincent Street, Leederville, and as shown on plans stamp-dated 15 June 2006, 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) all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate planning application, and all signage shall be subject to a Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (iii) windows, doors and adjacent floor areas fronting Vincent Street shall maintain an active and interactive relationship with this street;*
- (iv) a maximum of two (2) consulting rooms may be used at any one time, and a maximum of two (2) consultants/practitioners, two (2) nurses, one (1) receptionist and three (3) clients are permitted on the premises at any one time;*
- (v) the applicant/owner shall pay a cash-in-lieu contribution of \$3,510 for the equivalent value of 1.35 car parking spaces, based on the cost of \$2,600 per bay as set out in the Town's 2005/2006 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;*
- (vi) this approval is for Consulting Rooms (Dental Surgery) only and should the applicant/owner wish to change the nature of the consulting room use, it shall be necessary to reapply to and obtain approval from the Town prior to commencement of the new use;*
- (vii) all activities at the premises shall be in compliance with the Town's Draft Policy requirements relating to Consulting Rooms, and no activity of a non-medical nature, prostitution, brothel business, agency business associated with prostitution, escort agency business, and the like, shall occur at the premises;*

- (viii) *no massage activity of a commercial nature shall occur at the premises at any one time; ~~and~~*
- (ix) *the hours of operation shall be limited to 8am to 8pm Monday to Friday, and 8am to 2.00pm on Saturday, inclusive; and*
- (x) *prior to the issue of a Building Licence for the proposed installation of the partition walls and the removal of an internal door, the support/approval of the Heritage Council of Western Australia shall be obtained, and its comments and conditions shall be complied with in relation to the work.*

**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 Lake, Seconded Cr Maier**

*That the recommendation be adopted.*

Debate ensued.

**CARRIED (8-0)**

(Cr Doran-Wu was an apology.)

**COUNCIL DECISION ITEM 10.1.8**

*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 Dentists on Vincent on behalf of the owner T Dhepnorrarat & I I Lamattina for proposed Alterations and Additions to Existing Consulting Rooms (Dental Surgery), at No. 322 (Lot 26, Strata Lot 41) Vincent Street, Leederville, and as shown on plans stamp-dated 15 June 2006, 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) *all signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate planning application, and all signage shall be subject to a Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (iii) *windows, doors and adjacent floor areas fronting Vincent Street shall maintain an active and interactive relationship with this street;*
- (iv) *a maximum of two (2) consulting rooms may be used at any one time, and a maximum of two (2) consultants/practitioners, two (2) nurses, one (1) receptionist and three (3) clients are permitted on the premises at any one time;*

- (v) *the applicant/owner shall pay a cash-in-lieu contribution of \$3,510 for the equivalent value of 1.35 car parking spaces, based on the cost of \$2,600 per bay as set out in the Town's 2005/2006 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;*
- (vi) *this approval is for Consulting Rooms (Dental Surgery) only and should the applicant/owner wish to change the nature of the consulting room use, it shall be necessary to reapply to and obtain approval from the Town prior to commencement of the new use;*
- (vii) *all activities at the premises shall be in compliance with the Town's Draft Policy requirements relating to Consulting Rooms, and no activity of a non-medical nature, prostitution, brothel business, agency business associated with prostitution, escort agency business, and the like, shall occur at the premises;*
- (viii) *no massage activity of a commercial nature shall occur at the premises at any one time;*
- (ix) *the hours of operation shall be limited to 8am to 8pm Monday to Friday, and 8am to 2.00pm on Saturday, inclusive; and*
- (x) *prior to the issue of a Building Licence for the proposed installation of the partition walls and the removal of an internal door, the support/approval of the Heritage Council of Western Australia shall be obtained, and its comments and conditions shall be complied with in relation to the work.*

**ADDITIONAL INFORMATION:**

The Former RAAF Air Training Corps, Drill Hall and Mechanics Institute at No.322 Vincent Street, Leederville is listed on the State Register of Heritage Places. As required under Section 78 of the *Heritage of Western Australia Act*, any changes or works that may affect the place's significance are required to be referred to the Heritage Council of Western Australia for advice. The above condition has been included within the 'Officer Recommendation' to facilitate and ensure that this statutory requirement is met.

<b>Landowner:</b>	T Dhepnorrarat & I I Lamattina
<b>Applicant:</b>	Dentists on Vincent
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential/Commercial R80
<b>Existing Land Use:</b>	Consulting Rooms
<b>Use Class:</b>	Consulting Rooms
<b>Use Classification:</b>	"SA"
<b>Lot Area:</b>	Lot 26 - 6956 square metres
<b>Access to Right of Way</b>	N/A

**BACKGROUND:**

22 May 2001

The Council granted conditional Planning Approval at its Ordinary Meeting for demolition of an existing dwelling, a commercial building and former RAAF demountable buildings; and alterations and additions to and partial demolition of a former RAAF Drill Hall and the development of five, two-storey grouped dwellings, six offices and fifty-eight (58) multiple dwellings.

- 8 April 2003 The Council granted conditional Planning Approval at its Ordinary Meeting for change of use from approved office to consulting room (dental surgery) for a period of twelve (12) months.
- 27 April 2004 The Council granted conditional Planning Approval at its Ordinary Meeting for renewal of change of use from approved office to consulting room (dental surgery) and associated signage. The approval included a condition which required the deletion of the proposed created 'Dentists on Vincent' roof sign.
- 12 April 2005 The Council at its Ordinary Meeting resolved to grant conditional approval for proposed alterations and additions to existing signage to existing consulting rooms (Dental Surgery) at the subject property.

**DETAILS:**

The proposal involves alterations and additions to existing consulting rooms at the subject property. The proposal involves creating an additional four consulting rooms within the built structure resulting in a total of five consulting rooms on the subject property.

The applicant has requested that any cash-in-lieu for the proposal be waived by the Council on the basis that one dentist will utilise 2 consulting rooms and the fifth consulting room is available in case of equipment breakdown.

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

**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>
Plot Ratio	N/A	N/A	Noted
<b>Consultation Submissions</b>			
Support	Nil		Noted.
Objection	Nil		Noted.
<b>Other Implications</b>			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil
<b>Car Parking</b>			
Car Parking Requirement (nearest whole number): -Consulting Room: 3 car bays per consulting room (proposed 5 consulting rooms)			15 car bays
Apply the adjustment factors <ul style="list-style-type: none"> <li>▪ 0.85 (within 400 metres of a bus stop)</li> <li>▪ 0.80 (within 50 metres of one or more public car parks in excess of 50 spaces)</li> <li>▪ 0.80 (within 400 metres of a rail station)</li> </ul>			(0.544)  8.16 car bays
Minus car parking on-site			3 car bays
Minus the most recently approved on-site parking shortfall			Nil
Resultant shortfall			5.16 car bays

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

**COMMENTS:**

**Car Parking**

In accordance with the Town's Parking and Access Policy, the proposed 4 additional consulting rooms will result in a car parking shortfall of 5.16 car bays, after the application of adjustment factors. This shortfall can be addressed as a cash-in-lieu contribution.

The Council at its Ordinary Meeting held on 12 April 2005, resolved the following:

“ . . .(ii) *ADOPTS the draft amended version of the Policy relating to Parking and Access to be applied in the interim during the advertising period and up to formal adoption of the draft amended Policy to those planning and building applications received after the date the draft amended Policy is adopted by Council; . . .* ”

The draft amended version of the Parking and Access Policy introduces a provision that the cash-in-lieu contribution is to be based on not only the construction costs, but also on a land component being 50 per cent of the land value of the area of a car parking bay on the subject property.

Given the debate and Council resolutions relating to Items 10.1.5 and 10.1.16 at the Ordinary Meeting of Council held on 26 July 2005, in the context of the current and draft amended cash-in-lieu of car parking provisions and the increase in cash-in-lieu construction costs in the 2005/06 Fees and Charges, the following practice is considered to be the most appropriate in such cases:

1. No land value component is to be included in the cash-in-lieu of car parking contribution until the draft amended Parking and Access Policy is finally adopted by the Council.
2. Planning applications received prior to and on 12 July 2005 (date of formal adoption of 2005/2006 Budget and Fees and Charges) - the cash-in-lieu contribution is to be based on \$2,500 per car bay.
3. Planning application received after 12 July 2005 - the cash-in-lieu contribution is to be based on \$2,600 per car bay.

Notwithstanding the above, the applicant's submission stated that the maximum number of people in the dental surgery at any one time will be two dentists, two nurses, one receptionist and three clients (one client with each dentist and a maximum of one client waiting). The applicant has indicated that each dentist requires two consulting rooms per client as dental work requiring different equipment is carried out in separate consulting rooms. The applicant has indicated that the fifth consulting room is available in case of equipment breakdown.

On the above basis, it is reasonable that the total amount of car parking bays required would be 8 car bays (1 car bay per person on the premises at any one time). After applying the adjustment factors (0.544) and minus the three car bays provided on-site, there would be a car parking shortfall of 1.35 car bays. In light of this, it is recommended, in this instance, given the nature of use of the consulting rooms, the applicants pay \$3, 510 for a car parking shortfall of 1.35 car bays.

**SUMMARY:**

The proposal is supported as it is not considered to unduly impact the amenity of the adjacent or surrounding properties and is compliant with the Town's Oxford Centre Precinct Policy.

In light of the above, approval is recommended, subject to standard and appropriate conditions to address the above matters.

**10.4.3 Information Bulletin**

<b>Ward:</b>	-	<b>Date:</b>	5 July 2006
<b>Precinct:</b>	-	<b>File Ref:</b>	-
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	A Smith		
<b>Checked/Endorsed by:</b>	John Giorgi	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Information Bulletin dated 11 July 2006 as distributed with the Agenda, be received.*

**COUNCIL DECISION ITEM 10.4.3**

**Moved Cr Ker, Seconded Cr Farrell**

*That the recommendation be adopted.*

Cr Torre departed the Chamber at 7.17pm.

Debate ensued.

**CARRIED (5-2)**

<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 Doran-Wu was an apology. Cr Torre was absent from the Chamber and did not vote.)

**ADDITIONAL INFORMATION – IB10 – REGISTER OF LEGAL ACTION:**

The Council at its Ordinary Meeting held on 9 August 2005 resolved:

*"That;*

- (i) *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 N and C Nocciolino for Alterations and Additions to Street/Front Fence to Existing Single House (Application for Part Retrospective Approval), at No. 118 (Lot 206 D/P: 1791) Buxton Street, Mount Hawthorn, and as shown on plans stamp-dated 11 July 2005, subject to:*
  - (a) *no landscaping shall be provided in the planter box within the 1.2 metres by 1.2 metres visual truncation area at the south-west side corner of the driveway and the front boundary; and*

- (b) the applicant demonstrating the proposed new clear glazed infill panels being 1 metre high on the site plan, floor plan and elevation plans;*
- (ii) the Council ADVISES the applicant and owners that the works that form part of clause (i) above shall be completed within twenty-eight (28) days of notification, and the Council AUTHORISES the Chief Executive Officer to proceed with legal proceedings should the above works not be completed and the unauthorised street/front fence remains after this twenty-eight (28) days period; and*
- (iii) the applicant/owners shall pay the outstanding fee, being \$100, for application for retrospective Planning Approval, within 14 days of the date of notification of the above approval."*

At the Ordinary Meeting of Council held on 27 September 2005, the Council resolved to change the decision as follows:

- "(ii) (a) the Council ADVISES the applicant and owners that every second timber slat on the existing street/front fence shall be removed within 14 days of notification and the Council AUTHORISES the Chief Executive Officer to proceed with legal proceedings should the above works not be completed and the unauthorised timber slats remain after this fourteen (14) days period; and*
- (b) the Council ADVISES the applicant and owners that the works that form part of clause (i) above shall be completed within ninety (90) days of notification, and the Council AUTHORISES the Chief Executive Officer to proceed with legal proceedings should the above works not be completed and the unauthorised street/front fence remains after this ninety (90) days period. The ninety (90) days period to complete the works will not be further extended."*

The Town wrote to the owners on 19 April 2006, further requesting compliance with the Council resolutions of 9 August and 27 September 2005 by 10 May 2006.

The Town's Executive Manager Environmental and Development Services and Development Compliance Officer met with the owners on-site to further progress the matter on 19 June 2006. As a result of that meeting, a further letter dated 21 June 2006 was sent to the owners requesting them to either comply with the abovementioned Council resolutions, or, alternatively comply with the Written Directions issued on 2 June 2005 for the removal of the unauthorised works. The owners were advised that the matter would now be referred to the Town's solicitors to commence legal proceedings, however, they were invited to submit in writing their intention with regard to the matter within 14 days.

On 7 July 2006, the Town received a written response from the owners (copy attached - dated 6 July 2006).

The Town's Officers will write to the owners advising that: (a) they cannot grant a further extension of time (in accordance with the Council resolution); and (b) they do not support the amended plans which propose 60 millimetre timber slat infills with 30 millimetre spacings, which results in 33 per cent permeability, not 50 per cent as stated in their letter. In addition, the owner has proposed further changes to the driveway elevation and southern boundary elevation adjoining No. 116 Buxton Street, which are also not supported by the Town's Officers.

This matter will now be referred to the Town's solicitors to commence legal proceedings immediately.

**DETAILS:**

The items included in the Information Bulletin dated 11 July 2006 are as follows:

<b>ITEM</b>	<b>DESCRIPTION</b>
IB01	Further Report-Nos. 457-465 (Lot 1 D/P: 2447 and Lot 110 D/P 1106) Beaufort Street, Highgate - Awning to Shop, Incidental Light Industry and Associated Office (Mount Lawley Centre Precinct) PRO2821 (5.2006.120.1)
IB02	Letter from the State Administrative Tribunal attaching Reasons and Orders in relation to 1A Primrose Street, North Perth (DR654 of 2005)
IB03	Letter from Main Roads WA – Installation of Bicycle Lanterns
IB04	Letter from Minister for Disability Services – Companion Card
IB05	Letter from Minister for Local Government and Regional Development
IB06	Letter of Appreciation for Beatty Park from Mr T Pearce
IB07	Register of Petitions - Progress Report - July 2006
IB08	Register of Notices of Motion - Progress Report - July 2006
IB09	Register of Reports to be Actioned - Progress Report - July 2006
IB10	Register of Legal Action
IB11	Register of State Administrative Tribunal Appeals
IB12	Forum Notes - 20 June 2006
IB13	Notice of Forum - 18 July 2006

**10.1.2 Further Report - No. 18A (Lot: 2 STR: 46886) Harold Street, Mount Lawley - Proposed Two (2) Storey Single House**

<b>Ward:</b>	South	<b>Date:</b>	5 July 2006
<b>Precinct:</b>	Banks; P15	<b>File Ref:</b>	PRO3462; 5.2006.92.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	E Saraceni; B Phillis		
<b>Checked/Endorsed by:</b>	R Rasiah, R Boardman	<b>Amended by:</b>	-

**FURTHER OFFICER RECOMMENDATION:**

*That;*

*in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by K J Polla on behalf of the owner R K Singh & K J Polla for proposed Two (2) Storey Single House, at No. 18A (Lot: 2 STR: 46886) Harold Street, Mount Lawley, and as shown on plans stamp-dated 30 May 2006, for the following reasons:*

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (ii) the non-compliance with the Open Space and Plot Ratio requirements of the Residential Design Codes and as specified in the Town's Policy relating to Non-Variation of Specific Development Standards and Requirements; and*
- (iii) consideration of objections from the immediate adjoining property owners.*

**COUNCIL DECISION ITEM 10.1.2**

**Moved Cr Farrell, Seconded Cr Messina**

*That the Item be DEFERRED to consider the additional information provided.*

**CARRIED (4-3)**

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

**(Cr Doran-Wu was an apology. Cr Torre was absent from the Chamber and did not vote.)**

**ADDITIONAL INFORMATION:**

Attached is additional information and more legible plans of the proposal for the Council's consideration. The applicant has provided a justification response to the Officer's comments on variations sought and also the applicant's response to the submissions (all objections) lodged from the adjoining property owners.

The attached information does not alter the 'Officer's Recommendation'.

**FURTHER REPORT:**

The Council at its Ordinary Meeting held on 13 June 2006 resolved that "*the Item be DEFERRED at the request of the applicant*", as per an email to the Town on 13 June 2006 requesting deferral of the item to allow for advertising.

It is to be noted that the Town's Officers had previously advised the applicant and the part owner at a site meeting on 26 May 2006 that there were two courses of action which could be taken. Firstly, for the variations to be advertised to the affected neighbours and the comments considered or, alternatively, a report be prepared with a recommendation for refusal without advertising. The applicant chose to adopt the latter course of action as a result of perceived delays incurred by the two week advertising period.

The Town's Officers had also advised the applicant and part owner that there was the possibility that the Council may request that advertising is undertaken prior to further determination of the matter. Below is an Amended Assessment Table taking into account the submissions (objections) received during the consultation period.

<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>
Plot Ratio	0.65 or 151.45 square metres	0.95 or 222.81 square metres	Not supported- as the plot ratio variation is not supportable under the Town's Non-Variation Policy. Moreover, the proposal is considered an overdevelopment of the lot and would result in bulk and scale impact on the amenity of the area. The plot ratio can be achieved via a redesign.
Density	R60	R60	Noted.
<u>Setbacks</u> Ground Floor- East (to main dwelling) East (to porch) South  North  Upper Floor- East West North	2.5 metres  1.5 metres 1.1 metres  1 metre  2.5 metres 2.0 metres 1.5 metres	1.8 metres  1.2 metres Nil  Nil  1.5-3.5 metres 1.6-5.2 metres Nil	Noted- the variations are considered to be of a minor nature and will have a minimal impact on adjoining neighbours.  Noted- as the adjoining property also has a single storey parapet wall.  Not supported - the variations are considered to have an adverse impact on adjoining streetscape and neighbours.

<u>Open Space</u>	45 per cent	37 per cent	Not supported- as open space variation is not supportable under the Town's Non-Variation Policy and can be achieved via a redesign.
<b>Consultation Submissions</b>			
Objection Submission 1: Eastern Neighbour (115 West Parade)	Plot Ratio  Building setbacks Open Space		Noted (and refer to non-compliant requirements above) Noted (as above report) Noted (as above report)
Submission 2: Northern Neighbour (1 Chertsey Street)	Same as submission 1, plus: <ul style="list-style-type: none"> <li>Seeks variation generally with the Residential Design Guidelines Locality Statement Policies.</li> <li>Two storey parapet wall on northern dividing boundary will have considerable visual impact on my property.</li> <li>The parapet will restrict the future strata development of my property</li> <li>The parapet will restrict access to gutters on my roof and may cause ongoing overflow, drainage and damp problems for both properties.</li> </ul>		<ul style="list-style-type: none"> <li>Noted</li> <li>Objection supported - particular reference is made to '3.2.8 Building Scale Policy'</li> <li>The boundary wall does not comply with Acceptable Development Standards of the R Codes and is not supported.</li> <li>Noted-as this will also be dependent on what is being built.</li> <li>Noted-as the applicant will require to comply with BCA and maintenance from the other side of the property.</li> </ul>
Submission 3: Western Neighbour (20A Harold Street)	Same as Submission 1, plus: <ul style="list-style-type: none"> <li>Scale and building bulk is excessive</li> <li>Zero setbacks on three boundaries - impacting on future development for those affected properties.</li> </ul>		<ul style="list-style-type: none"> <li>Noted-as stated above in Submission 2.</li> <li>Objection supported.</li> <li>Objection Supported- as more than one boundary wall represents a variation to the Acceptable Development Standards of the R Codes.</li> </ul>

	<ul style="list-style-type: none"> <li>• A parapet wall is adjacent to my courtyard and the north east living area and my open space.</li> <li>• Lacks sustainable and environmental design principles</li> </ul>	<ul style="list-style-type: none"> <li>• Objection supported - as development considered under the Performance Criteria must not have any significant adverse effect on the amenity of the adjoining property, however, the existing wall on the objector's property may reduce the wall's impact.</li> <li>• Noted</li> </ul>
	<ul style="list-style-type: none"> <li>• Overdevelopment</li> <li>• Seeks variation generally with the Residential Design Guidelines Locality Statement Policies</li> </ul>	<ul style="list-style-type: none"> <li>• Noted as above.</li> <li>• Noted as above.</li> </ul>
Submission 4: Southern Neighbour (18B Harold Street)	<p>Same as Submission 1 plus particular concern with:</p> <ul style="list-style-type: none"> <li>• South facing boundary wall <ul style="list-style-type: none"> <li>○ (4 metres in height) - 1.8 metres setback required</li> <li>○ Visual impact in terms of scale and bulk onto our property</li> <li>○ Overshadow will fall across our courtyard and back living area</li> <li>○ The wall will confine and block in our only outdoor area</li> </ul> </li> <li>• Plans Visually Misrepresented <ul style="list-style-type: none"> <li>○ The plans misrepresent the size of our house (showing that the house occupies 1/3 of our property, when it occupies 3/4 of our property) - therefore the rear of our house is closer to the proposed boundary wall than shown on the plans, having a greater physical and visual impact from our property</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Noted</li> <li>• Noted</li> <li>• Noted, however, the required setback is 1.1 metres.</li> <li>• Objection supported.</li> <li>• Noted-the overshadowing complies with the Residential Design Codes.</li> <li>• Noted</li> <li>• Noted</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	

In light of the above, the previous Officer Recommendation remains unchanged. The following is a verbatim copy of the Minutes for the item placed before the Council at its Ordinary Meeting held on 13 June 2006.

*“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 K J Polla on behalf of the owner R K Singh & K J Polla for proposed Two (2) Storey Single House, at No. 18A (Lot: 2 STR: 46886) Harold Street, Mount Lawley, and as shown on plans stamp-dated 30 May 2006, for the following reasons:*

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality; and*
- (ii) the non-compliance with the Open Space and Plot Ratio requirements of the Residential Design Codes and as specified in the Town's Policy relating to Non-Variation of Specific Development Standards and Requirements.*

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*COUNCIL DECISION ITEM 10.1.2*

*Moved Cr Lake, Seconded Cr Messina*

*That the Item be DEFERRED at the request of the applicant.*

*CARRIED (8-0)*

*(Mayor Catania was absent from the meeting until 7.48pm.)*

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*FURTHER REPORT:*

*The Council at its Ordinary Meeting held on 26 April 2006 resolved that "the Item be DEFERRED as per the applicant's request, to further investigate the matter".*

*The submission sent to the Elected Members on 17 May 2006 (attached) raised concerns with regard to the site coverage, plot ratio, vehicular manoeuvring and amenity to adjoining landowners that were addressed in the original Agenda Report.*

*The Town's Officers had an on-site meeting with the architect and one of the owners on Friday, 26 May 2006. The matters discussed related to walls on boundaries, privacy, plot ratio, site cover and vehicle manoeuvring.*

*The applicant noted that the concerns relating to site coverage and car access could be ameliorated and should be reassessed as part of the Further Report. Whilst the issues relating to plot ratio and the amenity of adjoining land owners were addressed and justified in the applicant's submission, they were not reduced. Below is an amended Assessment Table taking into account the changes made on the amended plans:*

<i>Non-Compliant Requirements</i>			
<i>Requirements</i>	<i>Required</i>	<i>Proposed *</i>	<i>Officer Comments Pursuant to Clause 38(5) of TPS 1</i>
<i>Plot Ratio</i>	<i>0.65 Or 151.45 square metres</i>	<i>0.95 or 222.81 square metres</i>	<i>Not supported- as the plot ratio variation is not supportable under the Town's Non-Variation Policy. Moreover, the proposal is considered an overdevelopment of the lot and would result in bulk and scale impact on the amenity of the area. The plot ratio can be achieved via a redesign.</i>
<i>Density</i>	<i>R60</i>	<i>R60</i>	<i>Noted.</i>
<i>Setbacks</i> <i>Ground Floor-</i> <i>East (to main dwelling)</i> <i>East (to porch)</i> <i>South</i>	<i>2.5 metres</i>  <i>1.5 metres</i> <i>1.8 metres</i>	<i>1.8 metres</i>  <i>1.2 metres</i> <i>Nil</i>	<i>Noted- the variations are considered to be of a minor nature and will have a minimal impact on adjoining neighbours.</i>
<i>North</i>	<i>1 metre</i>	<i>Nil</i>	<i>Noted- as the adjoining property also has a parapet wall.</i>
<i>Upper Floor-</i> <i>East</i> <i>West</i> <i>North</i>	<i>2.5 metres</i> <i>2.0 metres</i> <i>1.5 metres</i>	<i>1.5-3.5 metres</i> <i>1.6-5.2 metres</i> <i>Nil</i>	<i>Noted- the variations are considered to have an adverse impact on adjoining streetscape and neighbours.</i>
<i>Open Space</i>	<i>45 per cent</i>	<i>37 per cent</i>	<i>Not supported- as open space variation is not supportable under the Town's Non-Variation Policy and can be achieved via a redesign.</i>

*In light of the fact that plot ratio and open space are aspects stated in the Town's Policy relating to Non-Variation to Specific Development Standards and Requirements, and the setback variations have not been advertised to adjoining land owners, the previous Officer Recommendation remains unchanged. The applicant and owner advised that they did not want the matter to be advertised due to delays encountered and wanted the matter to be dealt with by the Council.*

*The following is a verbatim copy of the Minutes for the item placed before the Council at its Ordinary Meeting held on 26 April 2006*

*"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 owners R K D Singh & K J Polla for proposed Two (2) Storey Single House, at No. 18A(Lot: 2 STR: 46886) Harold Street, Mount Lawley and as shown on plans stamp-dated 7 March 2006, for the following reasons:*

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality; and*
- (ii) the non-compliance with the Open Space and Plot Ratio requirements of the Residential Design Codes and as specified in the Town's Policy relating to Non-Variation of Specific Development Standards and Requirements.*

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*COUNCIL DECISION ITEM 10.1.11*

*Moved Cr Lake, Seconded Cr Maier*

*That the Item be DEFERRED as per the applicant's request, to further investigate the matter.*

*CARRIED (8-0)*

*(Cr Messina on leave of absence.)*

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<i>Landowner:</i>	<i>R K D Singh &amp; K J Polla</i>
<i>Applicant:</i>	<i>R K D Singh &amp; K J Polla</i>
<i>Zoning:</i>	<i>Metropolitan Region Scheme: (MRS) Urban Town Planning Scheme No.1 (TPS 1): Residential R60</i>
<i>Existing Land Use:</i>	<i>Vacant Land</i>
<i>Use Class:</i>	<i>Single House</i>
<i>Use Classification:</i>	<i>"P"</i>
<i>Lot Area:</i>	<i>220 square metres</i>
<i>Access to Right of Way</i>	<i>Eastern side, 3.62 metres wide, sealed and Council owned</i>

*BACKGROUND:*

*No specific background directly relates to the proposal.*

*DETAILS:*

*The proposal involves the construction of a single two-storey house at the rear of an existing single house.*

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

ASSESSMENT:

<i>Non-Compliant Requirements</i>			
<i>Requirements</i>	<i>Required</i>	<i>Proposed *</i>	<i>Officer Comments Pursuant to Clause 38(5) of TPS 1</i>
<i>Plot Ratio</i>	<i>0.65 or 151.45 square metres</i>	<i>0.95 or 222.81 square metres</i>	<i>Not supported- plot ratio variation is not supportable under the Town's Non-Variation Policy. Moreover, the proposal is considered overdevelopment of the lot and would result in bulk and scale impact on the amenity of the area.</i>
<i>Density</i>	<i>R60</i>	<i>R60</i>	<i>Noted.</i>
<i><u>Setbacks</u> Ground Floor- East (to main dwelling) East (to porch) West North South  Upper Floor- East West North</i>	<i>2.5 metres  1.5 metres 1.5 metres 1 metre 1.8 metres  2.5 metres 1.9 metres 1.5 metres</i>	<i>1.8 metres  1.2 metres 1.6-5.2 metres Nil Nil-5.9 metres  1.5-3.5 metres 1.6-4.1 metres Nil</i>	<i>Noted- the variations are considered to be of a minor nature and will have a minimal impact on adjoining neighbours.  Noted- the variations are considered to have an adverse impact on adjoining neighbours.</i>
<i><u>Open Space</u></i>	<i>45 per cent</i>	<i>37 per cent</i>	<i>Noted- open space variation is not supportable under the Town's Non-Variation Policy.</i>
<i><u>Carports and Garages</u></i>	<i>Carports and garages located off a Right of Way are to be located in such a manner as to provide a minimum access manoeuvring dimension of 6 metres.</i>	<i>5.2 metres</i>	<i>Not supported- as manoeuvring space is not sufficient to enable safe access.</i>
<i>Consultation Submissions</i>			
<i>Consultation is not required as the application is non compliant with the Residential Design Codes and the Town's Non-Variation Policy, and is being referred to the Council for refusal.</i>			

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

*\* 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.*

*\* 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:**

*In light of the above, the application is recommended for refusal.”*

**10.1.15 No. 5 (Lot 107 D/P: 97921) Sekem Street, North Perth - Proposed Patio Addition to Existing Single House**

<b>Ward:</b>	South	<b>Date:</b>	5 July 2006
<b>Precinct:</b>	Smith's Lake; P6	<b>File Ref:</b>	PRO3561; 5.2006.200.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	O Hammond		
<b>Checked/Endorsed by:</b>	D Abel, 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 Ese Patio & Home Improvements on behalf of the owner D J Carroll for proposed Patio Addition to Existing Single House at No. 5 (Lot 107 D/P: 97921) Sekem Street, North Perth, and as shown on plans stamp-dated 2 May 2006, for the following reasons:*

- (i) the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;*
- (ii) the non-compliance with the open space requirements of the Residential Design Codes; and*
- (iii) the open space requirements proposed to be varied is as specified in the Town's Policy relating to Non-Variation of Specific Development Standards and Requirements.*

**COUNCIL DECISION ITEM 10.1.15**

**Moved Cr Maier, Seconded Cr Ker**

*That the recommendation be adopted.*

Cr Farrell departed the Chamber at 7.21pm.  
Cr Messina departed the Chamber at 7.22pm.

Debate ensued.

**Moved Cr Maier, Seconded Cr Lake**

*That the Item be DEFERRED for further information.*

**CARRIED (3-2)**

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

(Cr Doran-Wu was an apology. Crs Farrell, Messina and Torre were absent from the Chamber and did not vote.)

<b>Landowner:</b>	D J Carroll
<b>Applicant:</b>	Ese Patio & Home Improvements
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R40
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	300 square metres
<b>Access to Right of Way</b>	N/A

**BACKGROUND:**

No specific background directly relates to the proposal.

**DETAILS:**

The proposal involves a patio addition to an existing single house.

**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>
Plot Ratio	N/A	N/A	Noted.
Total Open Space	45 percent	37 percent	Not supported- proposed total open space is significantly less than the requirement for the R30 code and undue impact on the amenity of the property and area.
<b>Consultation Submissions</b>			
The proposed patio addition to single house did not require any community consultation in accordance with the Council's Community Consultation Policy.			
<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:**

The applicant has explicitly requested the Council to consider and determine this application.

In light of the above, it is recommended that the Council refuse this application.

**10.1.3 No. 37 (Lot 11 D/P: 1257) Glendower Street, Perth - Proposed Demolition of Existing Single House**

<b>Ward:</b>	South	<b>Date:</b>	5 July 2006
<b>Precinct:</b>	Hyde Park; 12	<b>File Ref:</b>	PRO3233; 5.2005.240.1
<b>Attachments:</b>	<a href="#">001</a> <a href="#">002</a> <a href="#">003</a>		
<b>Reporting Officer(s):</b>	H Eames, S Kendall		
<b>Checked/Endorsed by:</b>	D Abel, 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 C A Penheiro on behalf of the owner A Lazidis for proposed Demolition of Existing Single House, at No. 37 (Lot 11 D/P:1257) Glendower Street, Perth and as shown on plans stamp-dated 18 May 2006, subject to the following conditions:*

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) a redevelopment proposal for the subject property shall be submitted and approved by the Town prior to the issue of a Demolition Licence;*
- (iv) support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
- (v) demolition of the existing dwelling may make the property ineligible for any development bonuses under the provisions of the Town of Vincent Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community;*
- (vi) any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Planning Scheme No.1 and associated Policies;*
- (vii) the owner/applicant shall comply with all discussion comments/recommendations contained in the Structerre Consulting Group engineer's reports dated 10 March 2006 and 11 April 2006 (entitled Re: Residence at Lot 11 (No.37) Glendower Street, Highgate), at the owner/applicant's expense and in consultation with the adjoining property owner at No.39 Glendower Street; and*

- (viii) *within 28 days after the completion of the demolition works, a report by a practicing structural engineer addressing the structural integrity of the common party wall and chimney, and if necessary, remedial measures to be undertaken to ensure the party wall and chimney is structurally adequate, shall be submitted and approved by the Town. All such works and measures shall be undertaken in accordance with these structural engineers reports and all costs associated with this condition shall be borne by the applicant(s)/owner(s).*

**Moved Cr Ker, Seconded Cr Lake**

*That the recommendation be adopted subject to a new clause (ix) being added as follows:*

- “(ix) prior to the issue of a Demolition Licence, the owner(s) of No. 37 Glendower Street, Perth shall enter into a legal agreement with the owner(s) of No. 39 Glendower Street, Perth to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of both subject properties, with the purpose to ensure the common party wall and chimney is structurally adequate during and after the demolition works. All costs associated with this condition shall be borne by the applicant/owner(s) of No. 37 Glendower Street, Perth.”*

Cr Torre returned to the Chamber at 7.24pm.

Debate ensued.

**Moved Cr Maier, Seconded Cr**

*That clause (ix) be deleted.*

**AMENDMENT LAPSED FOR WANT OF A SECONDER**

**MOTION CARRIED (4-2)**

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

(Cr Doran-Wu was an apology. Crs Farrell and Messina were absent from the Chamber and did not vote.)

**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 C A Penheiro on behalf of the owner A Lazidis for proposed Demolition of Existing Single House, at No. 37 (Lot 11 D/P:1257) Glendower Street, Perth and as shown on plans stamp-dated 18 May 2006, subject to the following conditions:*

- (i) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*

- (ii) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) *a redevelopment proposal for the subject property shall be submitted and approved by the Town prior to the issue of a Demolition Licence;*
- (iv) *support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
- (v) *demolition of the existing dwelling may make the property ineligible for any development bonuses under the provisions of the Town of Vincent Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community;*
- (vi) *any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Planning Scheme No.1 and associated Policies;*
- (vii) *the owner/applicant shall comply with all discussion comments/recommendations contained in the Structerre Consulting Group engineer's reports dated 10 March 2006 and 11 April 2006 (entitled Re: Residence at Lot 11 (No.37) Glendower Street, Highgate), at the owner/applicant's expense and in consultation with the adjoining property owner at No.39 Glendower Street;*
- (viii) *within 28 days after the completion of the demolition works, a report by a practicing structural engineer addressing the structural integrity of the common party wall and chimney, and if necessary, remedial measures to be undertaken to ensure the party wall and chimney is structurally adequate, shall be submitted and approved by the Town. All such works and measures shall be undertaken in accordance with these structural engineers reports and all costs associated with this condition shall be borne by the applicant(s)/owner(s); and*
- (ix) *prior to the issue of a Demolition Licence, the owner(s) of No. 37 Glendower Street, Perth shall enter into a legal agreement with the owner(s) of No. 39 Glendower Street, Perth to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of both subject properties, with the purpose to ensure the common party wall and chimney is structurally adequate during and after the demolition works. All costs associated with this condition shall be borne by the applicant/owner(s) of No. 37 Glendower Street, Perth.*

<b>Landowner:</b>	A Lazidis
<b>Applicant:</b>	C A Penheiro
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	468 square metres
<b>Access to Right of Way</b>	5.1 metres wide, sealed, privately owned

**BACKGROUND:**

23 August 2005 The Council at its Ordinary Meeting considered the application and Officer Recommendation for conditional approval, and deferred the item for further information.

6 December 2005 The Town received copy of an architect report on the proposed demolition, submitted by J Considine Architect on behalf of the owner and applicant.

20 December 2005 The Council at its Ordinary Meeting considered the application and the Officer Recommendation for conditional approval and resolved to defer the item to the Ordinary Meeting of Council to be held on 17 January 2006.

17 January 2006 The Council at its Ordinary Meeting considered the application and Officer Recommendation for conditional approval. The application was "constructively refused" as the following reasons were cited by the Council:

1. Potential adverse impact on the structural adequacy of the adjoining property at No. 39 Glendower Street.
2. Undue impact on streetscape.
3. Lack of consultation with the adjoining owner at No. 39 Glendower Street.
4. Need for surety that it is possible to demolish and redevelop the site without impacting adversely on the adjoining property at No. 39 Glendower Street.

It was further recorded in the Minutes that *"It was agreed that the applicant be advised that the Council would be willing to consider a demolition application in conjunction with a development application for the property which includes a construction management plan."*

16 February 2006 Meeting held between the owners, Mayor Nick Catania and Executive Manager Environmental and Development Services Rob Boardman.

27 April 2006 Further to the meeting held on 16 February 2006, the Town received letter dated 24 April 2006 and attached consulting engineer's reports dated 10 March 2006 and 11 April 2006 from the owner in relation to the proposed demolition. Copies of the documentation have been provided to the adjoining property owner at No. 39 Glendower Street.

**DETAILS:**

The proposal involves the demolition of the existing dwelling.

**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>
Plot Ratio	N/A	N/A	Noted

<b>Consultation Submissions</b>		
Support (1) (with concerns)	<ul style="list-style-type: none"> <li>• No objection in principal. However, the author expressed concern regarding the potential damage of the adjoining dwelling at No.39 Glendower Street, during demolition of the subject place, as both dwellings share a common wall.</li> <li>• Concern regarding potential privacy and overshadowing issues associated with redevelopment.</li> </ul>	<p>Not Supported - as consulting engineer's reports have been prepared to address the potential impact of the demolition of the subject place on No.39 Glendower Street.</p> <p>Not supported - as a redevelopment proposal has not been submitted to the Town at this stage.</p>
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 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:**

A detailed Heritage Assessment and consulting engineer's reports are contained as attachments to this report.

The owner has met with senior representatives from the Town and subsequently supplied the Town with engineer's reports dated 10 March 2006 and 11 April 2006, which are shown as an attachment to this report. The two-part nature of the engineer's reports was due to delays in accessing the adjoining dwelling at No. 39 Glendower Street.

The owner, in commissioning this report, has now consulted the adjoining property owner at No. 39 Glendower Street and the adjoining property owner has been given copies of the engineer's reports. The engineer's reports identifies areas of concern that will require additional consultation with the adjoining owner in the event that demolition is approved by the Council.

The brief of the engineer's reports were to assess the structural implications of demolishing the existing residence at No. 37 Glendower Street and to build a new residence on the site with due regard to the existing common boundary wall between the two properties. The engineer reports outline, but are not limited to, the following key points:

- It will be necessary to retain the 230 millimetres thick existing party wall to at least the rear of the kitchen at No. 39 Glendower Street.
- Common chimney will most likely need demolishing with suitable replacement in consultation with the adjoining owners.
- No machine demolition should occur until the two residences have been separated from roof level to ground level using only hand tools.
- A Licensed Surveyor is required to confirm some details as specified in the report.
- Weatherproofing of the 8 metres section of the wall immediately following demolition works.

- Temporary bracing of the 9.4 metre by 3.5 metre high 230 millimetres thick eastern wall of the kitchen/dining room at No. 39 Glendower Street.

It is considered that the owner has demonstrated full co-operation with the Town by providing additional information commissioned by relevant specialists. The specific recommendations of the structural engineer may be incorporated as part of the Demolition Licence conditions. The owner is cognisant of the requirement for a redevelopment proposal to be prepared and submitted to the Town prior to the issuing of a Building Licence, as illustrated in a letter addressed to Mayor Nick Catania dated 2 July 2006. The owners have advised that they are more than willing to comply with these conditions and that they have not yet commissioned an architect to commence works on a redevelopment proposal in the event the demolition of the place is refused. A copy of this letter is contained within the attachment to this report.

The place has been assessed by the Town's Heritage Officers and has been found to have little cultural heritage significance and does not meet the minimum criteria for entry into the Town's Municipal Heritage Inventory. The Heritage Assessment is shown as an attachment to this report.

Subject to the Town's standard demolition conditions, as well as the recommendations of the relevant specialists, it is recommended that the demolition of the existing dwelling be approved.

**10.1.6 No. 12 (Lot 118 D/P: 1223) Franklin Street, Leederville - Proposed Demolition of Existing Single House**

<b>Ward:</b>	North	<b>Date:</b>	3 July 2006
<b>Precinct:</b>	Leederville; P03	<b>File Ref:</b>	PRO3471 5.2006.238.1
<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 P Di Lanzo on behalf of the owner Topat Nominees for proposed Demolition of Existing Single House, at No. 12 (Lot 118 D/P: 1223) Franklin Street, Leederville, and as shown on plans stamp-dated 17 May 2006, subject to the following conditions:*

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (ii) an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (iii) a redevelopment proposal for the subject property shall be submitted to and approved by the Town prior to the issue of a Demolition Licence;*
- (iv) support of the demolition application is not to be construed as support of the Planning Approval/Building Licence application for the redevelopment proposal for the subject property;*
- (v) demolition of the existing dwelling may make the property ineligible for any development bonuses under the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies for the retention of existing dwellings valued by the community; and*
- (vi) any redevelopment on the site shall be sympathetic to the scale and rhythm of the streetscape in line with the provisions of the Town of Vincent Town Planning Scheme No. 1 and associated Policies.*

**COUNCIL DECISION ITEM 10.1.6**

**Moved Cr Torre, Seconded Cr Lake**

*That the recommendation be adopted.*

**CARRIED (4-2)**

**For**  
Mayor Catania  
Cr Ker  
Cr Maier  
Cr Torre

**Against**  
Cr Chester  
Cr Lake

(Cr Doran-Wu was an apology. Crs Farrell and Messina were absent from the Chamber and did not vote.)

<b>Landowner:</b>	Topat Nominees Pty Ltd
<b>Applicant:</b>	P Di Lanzo
<b>Zoning:</b>	Metropolitan Region Scheme: (MRS) Urban Town Planning Scheme No.1 (TPS 1): R30
<b>Existing Land Use:</b>	House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	880 square metres
<b>Access to Right of Way</b>	Northern side, 5 metres wide, partially sealed and privately owned.

**BACKGROUND:**

No specific background directly relates to the proposal.

**DETAILS:**

The proposal involves the demolition of the existing single house.

**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>
Plot Ratio	N/A	N/A	Noted
<b>Consultation Submissions</b>			
Support (2)	No reason/comment provided.		Noted
Objection	Nil		Noted
<b>Other Implications</b>			
Legal/Policy			TPS 1 and associated Policies.
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

**COMMENTS:**

A detailed Heritage Assessment is contained in the attachment to this report.

The subject brick and tile dwelling at No. 12 Franklin Street was constructed circa 1935 in the Inter-war Bungalow style of architecture. The single-storey dwelling has a two room street frontage and a broad simple hipped roof form and deep shady verandah. The dwelling is in a very good condition and has recently had its façade re-tuck pointed. Internally, much of the original detailing has been retained, including: the timber floors, ceiling detail, cornices, picture rail and the timber framed casement window. There have been some alterations to the dwelling including: the upgrading of the bathroom and kitchen facilities and the addition of a rear sleep out and a brick laundry area.

The place is not rare and is considered to be of little aesthetic, historic, scientific and social value. The subject dwelling contributes to an eclectic streetscape, which is comprised of dwellings dating from the Federation, Inter-war and Late Twentieth Century periods with varied setbacks. The place is not considered to meet the threshold for entry in the Municipal Heritage Inventory and it is recommended that the application to demolish the place be approved, subject to standard conditions.

**10.1.9 No. 396 (Lot Pt 116 D/P: 3002) Charles Street, Corner Mabel Street, North Perth- Proposed Partial Demolition of and Alterations and Additions to Existing Shop (Beauty Salon)**

<b>Ward:</b>	North	<b>Date:</b>	4 July 2006
<b>Precinct:</b>	North Perth; P08	<b>File Ref:</b>	PRO2811; 5.2006.90.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	J Barton		
<b>Checked/Endorsed by:</b>	D Abel, 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 O Lindsell on behalf of the owners D R & D M Kellett for proposed Partial Demolition of and Alterations and Additions to Existing Shop (Beauty Salon), at No. 396 (Lot Pt 116 D/P: 3002) Charles Street, corner Mabel Street, North Perth, and as shown on plans stamp-dated 28 April 2006, 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 issue of a Building Licence, revised plans shall be submitted and approved demonstrating car bay 5 being increased to a minimum of 2.7 metres in width. All car parking bays shall be dimensioned on the Building Licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking". The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (iii) any new signage that does not comply with the Town's Policy relating to Signs and Advertising shall be subject to a separate planning application, and all signage shall be subject to a Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (iv) the floor areas shall be limited to a maximum of:*
  - (a) 192 square metres of gross floor area for the shop component; and*
  - (b) 26 square metres of gross floor area for the office component;*

*Any increase in floor space or change of use for the subject land shall require Planning Approval to be applied to and obtained from the Town;*
- (v) doors, windows and adjacent floor areas fronting Charles and Mabel Streets shall maintain an active and interactive relationship with these streets;*
- (vi) 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;*

- (vii) *the new car bays on the Mabel Street verge do not form part of this approval and require further investigation and approval by the Town's Technical Services at the crossover approval stage;*
- (viii) *prior to the issue of a Building Licence for the proposed fence adjacent to Charles Street, the support/approval of the Department for Planning and Infrastructure and/or the Western Australian Planning Commission shall be obtained, and its comments and conditions shall be complied with in relation to the proposed fence adjacent to Charles Street; and*
- (ix) *prior to the issue of a Building Licence for the proposed fence adjacent to Charles Street, revised plans shall be submitted and approved demonstrating any new street/front wall, fence and gate between the Charles 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;*
  - (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*
  - (f) *the solid portion adjacent to the Charles Street boundary can increase to a maximum height of 1.8 metres, provided that the fence and gate have at least two (2) significant appropriate design features to reduce the visual impact. Examples of design features may include significant open structures, recesses and/or planters facing the street at regular intervals, and varying materials; and the incorporation of varying materials, finishes and/or colours are considered to be one (1) design feature. Details of these design features shall be submitted to and approved by the Town prior to the issue of a Building Licence.*

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

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Cr Farrell returned to the Chamber at 7.25pm.

**COUNCIL DECISION ITEM 10.1.9**

**Moved Cr Farrell, Seconded Cr Chester**

*That the recommendation be adopted.*

**Debate ensued.**

**Cr Messina returned to the Chamber at 7.28pm**

**Moved Cr Lake, Seconded Cr Torre**

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

*"(vii) prior to the first occupation of the proposed additional floor space, the proposed modifications on the Mabel Street verge including the proposed crossover are to be constructed to the satisfaction of the Town's Technical Services Division with all costs associated with the work within the Mabel Street road reserve adjacent to the subject site being borne by owners/applicant;"*

**Debate ensued.**

**AMENDMENT CARRIED (8-0)**

**(Cr Doran-Wu was an apology.)**

**MOTION AS AMENDED LOST (2-6)**

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

**(Cr Doran-Wu was an apology.)**

**Reasons:**

- 1. The development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality;**
- 2. The increased intensity of the use will have a negative impact on the amenity of the surrounding residential area; and**
- 3. In consideration of the objections received in relation to the proposed development and the complaints received with respect to the existing shop (Beauty Salon).**

**ADDITIONAL INFORMATION:**

The Mabel Street verge area was previously paved to an acceptable standard. Eight (8) perpendicular marked bays currently exist in the verge including two bicycle parking rails.

The proposal shows five (5) on-site car parking bays. Car Bay No.5 needs to be widened to at least 2.7 metres to allow adequate manoeuvring. In addition, the proposed crossover needs to be relocated approximately 1.2 metres to the east to allow adequate access to and from the proposed on-site car parking area. This will result in the loss of one (1) of the proposed perpendicular verge car parking bay denoted as Car Bay No.6 on the submitted plan. The width of the proposed crossover should not exceed 7.5 metres and be constructed to the Town's crossover specification.

The existing bitumen crossover will need to be removed and the verge reinstated to match the existing brick paving. This will result in the creation of two perpendicular parking bays (Bay Nos. 6 and 7 as shown on the plan) making the total number of perpendicular verge parking bays seven (7), currently eight (8).

All proposed modifications within the road reserve are to be carried out at the applicant's expense to the satisfaction of the Town's Technical Services Division.

<b>Landowner:</b>	D R and D M Kellett
<b>Applicant:</b>	O Lindsell
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
<b>Existing Land Use:</b>	Shop (Beauty Salon)
<b>Use Class:</b>	Shop
<b>Use Classification:</b>	"SA"
<b>Lot Area:</b>	486 square metres
<b>Access to Right of Way</b>	N/A

**BACKGROUND:**

14 September 2004 The Council at its Ordinary Meeting resolved to conditionally approve proposed change of use from shop, office and showroom to shop (Beauty Salon) and associated signage (application for retrospective approval)

13 September 2005 The Council at its Ordinary Meeting resolved to constructively refuse an application for the proposed demolition of existing outbuilding (shed) and alterations and additions to existing shop (Beauty Salon).

**DETAILS:**

The proposal involves the demolition of existing outbuilding (shed) and alterations and additions to existing shop (Beauty Salon).

The proposed alterations and additions are similar to the previous application, except for minor internal layout changes, changes to the car parking arrangement to address the Council's concerns with the previous application and the addition of a fence and gate off Charles Street to create an enclosed courtyard area.

**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>
Plot Ratio	N/A	N/A	N/A
<b>Consultation Submissions-</b>			
The proposal was advertised for 21 days in accordance with the Town's "SA" advertising procedure.			
Support (1)	No comments provided.		Noted.
Objection (2)	No comments provided.		Not supported-the objectors do not raise any specific concerns in relation to the proposed development and the proposal is not considered to create an undue impact on the amenity of the adjoining property owners or the streetscape.

<b>Other Implications</b>	
Legal/Policy	TPS 1 and associated Policies.
Strategic Implications	Nil
Financial/Budget Implications	Nil
<b>Car Parking Requirements</b>	
Car parking requirement (nearest whole number) -Beauty Therapist (Shop - 1 bay per 15 square metres of gross floor area) - 191.96 square metres requires 12.80 car bays -Office (1 bay per 50 square metres of gross floor area) - 25.17 square metres require 0.50 car bay	13 car bays
Apply the adjustment factors. ▪ 0.85 (within 400 metres of a bus stop)	(0.85) 11.05 car bays
Minus the car parking provided on-site	5 car bays
Minus the most recently approved on-site car parking shortfall (after taking into account relevant adjustment factors) that is, 12 car bays (180.81 square metres for beauty salon) and 0.28 car bay (14.02 square metres for office) (nearest whole number) x 0.85 = 10.2 car bays minus the previous on-site parking (4 car bays) = 6.2 car bays. Therefore, 6.2 car bays is the approved on-site parking shortfall	6.2 car bays
Resultant surplus	0.15 car bay

\* 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:**

**Demolition**

The Town's Officers consider the demolition of the outbuilding (shed) to be acceptable and that it does not require a full heritage assessment.

**Car Parking**

The Town's Technical Services have advised that car bay 5 requires to be increased to 2.7 metres and the new car bays to Mabel Street verge require further investigation by Technical Services; the reinstatement of the verge parking bays will be considered at a later date with the proposed crossover installation application. Accordingly, conditions have been recommended to this effect.

**Summary**

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

**10.1.12 Nos. 327 - 331 (Lot Y34 D/P: 32 & Lot 5 D/P: 10399) Stirling Street, Highgate - Proposed Demolition of One (1) Existing Single House at No. 331 (Lot 5) Stirling Street and Construction of Fourteen (14) Single Bedroom Multiple Dwellings to Existing Single House**

<b>Ward:</b>	South	<b>Date:</b>	5 July 2006
<b>Precinct:</b>	Forrest; P14	<b>File Ref:</b>	PRO1789; 5.2005.3117.1
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	B McKean		
<b>Checked/Endorsed by:</b>	D Abel, 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 Braude & Associates Architects on behalf of the owner Miraudo Nominees Pty Ltd for proposed Demolition of One (1) Existing Single House at No. 331 (Lot 5) Stirling Street and Construction of Fourteen (14) Single Bedroom Multiple Dwellings to Existing Single House, at Nos. 327 - 331 (Lot Y34 D/P: 32 & Lot 5 D/P: 10399) Stirling Street, Highgate, and as shown on plans stamp-dated 7 June 2006, 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 Stirling 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;*
- (iii) *first obtaining the consent of the owners of No. 442-446 Beaufort Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 442-446 Beaufort Street in a good and clean condition;*

- (iv) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (v) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (vi) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (vii) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Stirling Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (viii) *the carports adjacent to Stirling Street shall be one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted);*
- (ix) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the windows to Units 8, 10, 11 and 13 on the northern elevation on the upper floor, the balconies to Units 10 and 11 on the northern elevation on the upper floor, the windows and balcony to Unit 14 on the southern elevation on the upper floor, the balcony to Unit 12 on the western elevation on the upper floor, and the balcony to Unit 14 on the eastern elevation on the upper floor, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first/upper floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies; and*
- (x) *the roof space of the proposed 14 single bedroom multiple dwellings shall not be used for habitable purposes.*

---

**Moved Cr Farrell, Seconded Cr Maier**

*That the recommendation be adopted.*

**Debate ensued.**

**Moved Cr Maier, Seconded Cr Lake**

*That the existing clause (x) be deleted and a new clause (x) be added as follows:*

*"(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 residential units/dwellings that:*

*(a) a maximum of one (1) bedroom and two (2) occupants are permitted in each single bedroom dwelling at any one time; and*

*(b) 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.*

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

Debate ensued.

**AMENDMENT LOST (2-6)**

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

(Cr Doran-Wu was an apology.)

**Moved Cr Maier, Seconded Cr Ker**

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

*“(xi) 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 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. This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development.”*

**AMENDMENT CARRIED (6-2)**

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

(Cr Doran-Wu was an apology.)

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

(Cr Doran-Wu was an apology.)

**COUNCIL DECISION ITEM 10.1.12**

*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 Braude & Associates Architects on behalf of the owner Mirauda Nominees Pty Ltd for proposed Demolition of One (1) Existing Single House at No. 331 (Lot 5) Stirling Street and Construction of Fourteen (14) Single Bedroom Multiple Dwellings to Existing Single House, at Nos. 327 - 331 (Lot Y34 D/P: 32 & Lot 5 D/P: 10399) Stirling Street, Highgate, and as shown on plans stamp-dated 7 June 2006, 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 Stirling 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;*

- (iii) *first obtaining the consent of the owners of No. 442-446 Beaufort Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No. 442-446 Beaufort Street in a good and clean condition;*
- (iv) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (v) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (vi) *an archival documented record of the place including photographs (internal, external and streetscape elevations), floor plans and elevations for the Town's Historical Archive Collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (vii) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Stirling Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (viii) *the carports adjacent to Stirling Street shall be one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted);*
- (ix) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the windows to Units 8, 10, 11 and 13 on the northern elevation on the upper floor, the balconies to Units 10 and 11 on the northern elevation on the upper floor, the windows and balcony to Unit 14 on the southern elevation on the upper floor, the balcony to Unit 12 on the western elevation on the upper floor, and the balcony to Unit 14 on the eastern elevation on the upper floor, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first/upper floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies;*
- (x) *the roof space of the proposed 14 single bedroom multiple dwellings shall not be used for habitable purposes; and*

- (xi) *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 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. This notification shall be lodged and registered in accordance with the Transfer of Land Act prior to the first occupation of the development.*

<b>Landowner:</b>	Miraudo Nominees Pty Ltd
<b>Applicant:</b>	Braude & Associates Architects
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
<b>Existing Land Use:</b>	Lot Y34 - Single House; Lot 5 - Single House
<b>Use Class:</b>	Multiple Dwelling
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	Lots 5 - 807 square metres; Y34 - 592 square metres; Total - 1399 square metres
<b>Access to Right of Way</b>	South side, 3.02 metres wide, sealed, privately owned.

**BACKGROUND:**

24 February 2004 The Council at its Ordinary Meeting resolved to refuse the application for demolition of existing single house at No. 327 (Lot Y34) Stirling Street, Highgate for the following reasons:

- "(a) *the proposal is not consistent with the orderly and proper planning and the preservation of the amenities of the locality by virtue of the demolition of the existing dwelling; and*
- (b) *the existing place has cultural heritage significance in terms of its historic and representative values;"*

Furthermore, the Council resolved that:

- "(ii) *the Council ADVISES the landowner that it is prepared to give consideration to a development proposal, which includes the retention and upgrading of the existing dwelling on the site; and*
- (iii) *the Council REFERS the place at No.327 (Lot 34) Stirling Street, Highgate, to the Hocking Planning and Architecture Collaboration for consideration for listing on the Town of Vincent Municipal Heritage Inventory as part of the current review of the Inventory."*

28 September 2004 The Council at its Ordinary Meeting granted conditional approval for the proposed demolition of existing dwelling at No. 331 (Lot 5) Stirling Street, Highgate. The Council also resolved the following:

*"the Council NOTES that the approved demolition of the existing dwelling on No 331 (Lot 5) Stirling Street, Highgate gives greater opportunity for the retention and re-use of the existing dwelling on No 327 (Lot Y34) Stirling Street, Highgate."*

**DETAILS:**

The proposal involves the demolition of existing single house at No. 331 (Lot 5) Stirling Street and construction of fourteen (14) single bedroom multiple dwellings to existing single house on the subject properties.

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

**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: Whole site (Lots Y34 & 5)	16 single bedroom multiple dwellings OR 11 multi-bedroom multiple dwellings OR 1 single house and 14 single bedroom multiple dwellings.  R80	1 single house and 14 single bedroom multiple dwellings.  R76	Noted - no variation.
Plot Ratio: Single House	0.65	0.53	Noted - no variation.
Single Bedroom Multiple Dwellings	1.00	0.66	Noted - no variation.
Setbacks:- Proposed Single Bedroom Multiple Dwellings: Ground Floor- West- Stores	1.5 metres	Nil	Supported - not considered to have an undue impact on affected neighbour and no objection received.
Upper Floor- North	2.8 metres	1.53 metre - 3 metres - 3.47 metres - 3.5 metres	Supported - non-compliant portion is minimal and is not considered to have an undue impact on affected neighbours.

Carport - Stirling Street/ East	1 metre	0.5 metre	Supported - not considered to have an undue impact on streetscape or surrounding amenity.
Outdoor Living Area: Existing House	Located behind the street setback area.	Located within the street setback area.	Supported- due to site constraints as a result of retention of existing dwelling.
Communal Open Space: Proposed Single Bedroom Multiple Dwellings	224 square metres	Communal open space is not indicated on the plans.	Supported - communal open space is not indicated on the plans however, individual dwellings are considered to have sufficient courtyards/balconies as open space.
Parking: Existing House	2 car bays	1 car bay	Supported- due to site constraints as a result of retention of existing dwelling.
Essential Facilities: Units 1, 2, 5, 6, 7, 8, 9, 12, 13, 14.	Store to be accessible from outside the dwelling.	Stores not accessed from outside the dwelling.	Supported - stores are considered adequate for the needs of residents and no undue impact on surrounding amenity.
<b>Consultation Submissions</b>			
Support	Nil		Noted.
Objection (1)	<ul style="list-style-type: none"> <li>• Visual Privacy.</li> <li>• Acoustic Privacy.</li> </ul>		<p>Not supported - proposal is compliant with the privacy requirements of the R Codes and is not considered to have an undue impact on affected neighbours.</p> <p>Not supported - not considered to have an undue impact on affected neighbour given the scale and nature of proposal.</p>

	<ul style="list-style-type: none"> <li>• Building Height.</li>   <li>• Bulk.</li>   <li>• Streetscape and character.</li>   <li>• Setbacks.</li>   <li>• Car Parking.</li>   <li>• Undue impact on amenity.</li> </ul>	<p>Not supported - proposal is compliant with the height requirements of the R Codes and is not considered to have an undue impact on affected neighbours.</p> <p>Not supported - proposal is compliant with the plot ratio and floor area requirements of the R Codes and is not considered to have an undue impact on the affected neighbours, streetscape or surrounding amenity.</p> <p>Not supported - not considered to have an undue impact on the streetscape or surrounding amenity.</p> <p>Not supported - addressed in the Assessment Table.</p> <p>Not supported - addressed in the Assessment Table and proposed fourteen single bedroom multiple dwellings are compliant with the car parking requirements of the R Codes.</p> <p>Not supported - not considered to have an undue impact on the streetscape or surrounding amenity.</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:**

**Demolition**

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

The place was likely to have been constructed in 1938 and is representative of late Inter-war California bungalow style. The place is a red brick, limestone foundation and tiled residence, with protruding central front gable, side entrance and internal features typical of the geometrical and stylised 1930s era. The place is, therefore, generally representative of the Inter-war California Bungalow. The place is not considered to have any cultural heritage significance that would meet the threshold for consideration for listing on the Town's Municipal Heritage Inventory.

It is recommended that the place be approved for demolition subject to standard conditions.

**Summary**

In light of the above, the proposal is considered supportable, subject to standard and appropriate conditions to address the above matters.

Mayor Catania advised that Crs Lake and Maier had declared a financial interest in this Item. Crs Lake and Maier departed the Chamber at 7.45pm and did not speak or vote on the matter.

**10.1.16 Amendment No. 39 to Planning and Building Policies Relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses**

<b>Ward:</b>	Both Wards	<b>Date:</b>	4 July 2006
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA 0161
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	T Woodhouse		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the final version of the Policy relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses as shown in Attachment 10.1.16, resulting from the advertised version having been reviewed during the formal advertising period, in accordance with Clauses 47 (4) and (5) (a) of the Town's Town Planning Scheme No. 1;*
- (ii) *ADOPTS the final version of the Policy relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses, as shown in Attachment 10.1.16, in accordance with clause 47 (5) (b) of the Town's Town Planning Scheme No. 1; and*
- (iii) *AUTHORISES the Chief Executive Officer to advertise the final version of the adopted Policy relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses, as shown in Attachment 10.1.16, in accordance with Clause 47 (6) of the Town's Town Planning Scheme No. 1.*

**COUNCIL DECISION ITEM 10.1.16**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

**CARRIED (6-0)**

**(Cr Doran-Wu was an apology. Crs Lake and Maier were absent from the Chamber and did not vote.)**

**PURPOSE OF REPORT:**

The purpose of this report is to present to the Council the final version of the Policy relating to *Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses*, and seek final adoption.

**BACKGROUND:**

The Council at its Ordinary Meeting held on 9 May 2006 resolved the following:

*“That the Council;*

- (i) RECEIVES the Draft Policy relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses, as shown in Attachment 10.1.13;*
- (ii) ADOPTS the Draft Policy relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses, to be applied in the interim until the formal adoption of the Draft Policy;*
- (iii) ADVERTISES the Draft Policy relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses for public comment, in accordance with Clause 47 of the Town of Vincent Town Planning Scheme No. 1, including:
  - (a) advertising a summary of the subject Draft Policy once a week for four consecutive weeks in a newspaper circulating in the locality;*
  - (b) where practicable, notifying those persons who, in the opinion of the Town, might be directly affected by the subject Draft Policy; and*
  - (c) forwarding a copy of the subject Draft Policy to the Western Australian Planning Commission and the Heritage Council of Western Australia; and**
- (iv) after the expiry of the period for submissions:
  - (a) REVIEWS the Draft Policy relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses, having regard to any written submissions; and*
  - (b) DETERMINES the Draft Policy relating to Heritage Management - Municipal Heritage Inventory (MHI) Incentives and Development Bonuses, with or without amendment, to or not to proceed with them.”**

**DETAILS:**

The key objectives of the Policy relating to Heritage Management-Municipal Heritage Inventory (MHI) Incentives and Development Bonuses are:

- 1) To outline incentives and development bonuses for owners of heritage listed places within the Town of Vincent.
- 2) To encourage the conservation and enhancement of the Town of Vincent's built environment, including individual buildings and streetscapes generally.
- 3) Outline incentives for development applications that deliver sound conservation outcomes.

**CONSULTATION/ADVERTISING:**

Any new or amended Planning Policy is required to be advertised for public comment in accordance with Clause 47 of the Town's Town Planning Scheme No. 1. The subject Policy was advertised accordingly.

No submissions were received during the comment period.

**LEGAL/POLICY:**

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

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2005-2010 - Key Result Area One: Environment and Infrastructure:

*"1.2 Recognise the value of heritage in providing a sense of place and identity".*

**FINANCIAL/BUDGET IMPLICATIONS:**

The Draft 2006/2007 Budget lists \$23,760 for Town Planning Scheme Amendments and Policies.

**COMMENTS:**

It is recommended that the Council receives, adopts and advertises the final version of the new Policy, in line with the Officer Recommendation.

**10.1.17 Draft Municipal Heritage Inventory - Community Consultation Progress Report No. 1**

<b>Ward:</b>	Both Wards	<b>Date:</b>	6 July 2006
<b>Precinct:</b>	All Precincts	<b>File Ref:</b>	PLA0098
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	T Woodhouse, H Eames		
<b>Checked/Endorsed by:</b>	D Abel, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

- (i) *RECEIVES the Draft Municipal Heritage Inventory (MHI) - Community Consultation Progress Report No. 1 as at 6 July 2006;*
- (ii) *CONSIDERS an extension to the period of community consultation for the Draft Municipal Heritage Inventory at the completion of the dedicated MHI owner workshops (due for completion on 14 July 2006) and a further report being submitted to the Council summarising the issues raised at the workshops; and*
- (iii) *CONSIDERS conducting a public meeting/forum regarding the Draft Municipal Heritage Inventory at the completion of the dedicated MHI owner workshops (due for completion on 14 July 2006) and a further report being submitted to the Council summarising the issues raised at the workshops.*

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Crs Lake and Maier returned to the Chamber at 7.46pm.

The Presiding Member suggested to Crs Lake and Maier that they may wish to reconsider their interest in this Item. Crs Lake and Maier had initially declared an interest affecting impartiality in this Item. Crs Lake and Maier reconsidered their declaration and changed it to a financial interest.

Crs Lake and Maier departed the Chamber at 7.49pm.

Moved Cr Farrell, Seconded Cr Messina

*That:*

1. *clause (ii) being amended as follows:*

*"(ii) ~~CONSIDERS an extension~~ EXTENDS the period of community consultation for the Draft Municipal Heritage Inventory ~~at the completion of the dedicated MHI owner workshops on 14 July 2006 and a further report being submitted to the Council summarising the issues raised at the workshops;~~ until 31 August 2006, and notifies all affected property owners in writing of the extension and the objectives of the consultation process."; and*

2. *clause (iii) being deleted and new clause (iii) be inserted as follows;*

*(iii) ~~not conduct a public meeting/forum regarding the Draft Municipal Heritage Inventory, as the specific Workshops have provided the appropriate information to concerned property owners.~~*

**Moved Cr Messina, Seconded Cr Ker**

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

*“(iv) advises the affected owners of the key issues as outlined below together with supporting information in order to provide a balanced view:*

- the perceived lack of transparency evident in the process by which owners have been consulted on the proposed heritage listing;*
- the anticipated potential financial hardship to be endured as a direct result of the proposed heritage listing;*
- the criterion used to select properties to be included on the Municipal Heritage Inventory;*
- the limited timeframe provided to allow owners the opportunity to consider the proposed heritage listing; and*
- the lack of clarity and certainty available to owners in what is expected if an objection is lodged to the proposed listing.”*

Debate ensued.

**AMENDMENT CARRIED (5-1)**

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

(Cr Doran-Wu was an apology. Crs Lake and Maier were absent from the Chamber and did not vote.)

**MOTION AS AMENDED CARRIED (6-0)**

**COUNCIL DECISION ITEM 10.1.17**

*That the Council;*

- (i) RECEIVES the Draft Municipal Heritage Inventory (MHI) - Community Consultation Progress Report No. 1 as at 6 July 2006;*
- (ii) EXTENDS the period of community consultation for the Draft Municipal Heritage Inventory until 31 August 2006, and notifies all affected property owners in writing of the extension and the objectives of the consultation process;*
- (iii) not conduct a public meeting/forum regarding the Draft Municipal Heritage Inventory, as the specific Workshops have provided the appropriate information to concerned property owners; and*
- (iv) advises the affected owners of the key issues as outlined below together with supporting information in order to provide a balanced view:*
  - the perceived lack of transparency evident in the process by which owners have been consulted on the proposed heritage listing;*

- *the anticipated potential financial hardship to be endured as a direct result of the proposed heritage listing;*
- *the criterion used to select properties to be included on the Municipal Heritage Inventory;*
- *the limited timeframe provided to allow owners the opportunity to consider the proposed heritage listing; and*
- *the lack of clarity and certainty available to owners in what is expected if an objection is lodged to the proposed listing.*

**ADDITIONAL INFORMATION: as at 11 July 2006.**

Since the writing of report (Item 10.1.17) relating to the Draft Municipal Heritage Inventory, four of the five dedicated workshops for affected owners have since been undertaken, providing a greater insight into the common issues of some affected property owners. The workshops have been well attended, with an average of 40 persons at each workshop. A summary of the key issues raised at the workshops are detailed below.

- the perceived lack of transparency evident in the process by which owners have been consulted on the proposed heritage listing;
- the anticipated potential financial hardship to be endured as a direct result of the proposed heritage listing;
- the criterion used to select properties to be included on the Municipal Heritage Inventory;
- the limited timeframe provided to allow owners the opportunity to consider the proposed heritage listing; and
- the lack of clarity and certainty available to owners in what is expected if an objection is lodged to the proposed listing.

In light of the issues raised at the workshops, it is considered appropriate that a letter is prepared and sent to all affected owners detailing the extension of the community consultation period and providing a clear overview of the consultation process. It is also considered appropriate that the letter provides the owner with three main avenues to provide feedback.

- Owner is in agreeance with listing and has no further comments or queries.
- Owner is unsure with listing and would like a detailed heritage assessment to be prepared and/or an overview of the redevelopment options for the property with due consideration to financial and non-financial incentives and development bonuses.
- Owner firmly objects to listing and provides a written submission detailing reasons for objection by 31 August 2006.

With reference to the three avenues to provide feedback listed above, it becomes evident that the responses will be most appropriately managed separately by the Town's Officers and should be considered by the Council in the relevant groupings over a staggered time period.

It is to be noted that whilst considering an extension to the period of community consultation was raised in all four workshops as a key issue, conducting a public meeting/forum regarding the Draft Municipal Heritage Inventory received little attention. The Officers consider that the workshops themselves have provided the forum by which owners have been able to raise their concerns in which all information has been documented and made available to Elected Members and the general public. In light of this, together with the fact that a public meeting/forum was not listed within the adopted Communication Strategy, it is considered that a public meeting/forum is not necessary in this instance and, as such, clause (iii) of the 'Officer Recommendation' should be deleted.

Notwithstanding the above, the workshops have attracted positive feedback from those whom attended in so far as providing owners the chance to raise concerns in relation to the Draft Municipal Heritage Inventory in a constructive environment. Furthermore, the Town's Officers have appreciated the opportunity to speak with owners face to face.

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

The purpose of this report is to provide an update on the progress of the community consultation for the Draft Municipal Heritage Inventory (Draft MHI), as at 6 July 2006.

#### **BACKGROUND:**

It is a requirement of all local governments in Western Australia to adopt and maintain a Municipal Heritage Inventory (MHI) under the Heritage of Western Australia Act (1990). The Town of Vincent first adopted its MHI in 1995.

At the Ordinary Meeting held on 20 December 2005 the Council resolved to approve a communications strategy for the public consultation of the Draft MHI as well as a detailed table of actions, events, resources, strategic projects and initiatives to support the consultation. This resolution stated community consultation would commence 13 February 2006.

At a Special Meeting of Council held on 1 February 2006, Council further considered the Draft MHI and consequently community consultation did not commence in February 2006 as planned.

At the Ordinary Meeting of Council held on 28 March 2006, the Council resolved to adopt a revised version of the timeframe, resources, strategic projects and initiatives to that adopted at the Ordinary Meeting of Council held on 20 December 2005, and to adopt the Communication Strategy and Issues/Crisis Response Strategy prepared by Glew Corporate Communications dated 29 November 2005 and 12 December 2005 respectively as the principle way forward for the positive and successful implementation of the revised Municipal Heritage Inventory.

#### **DETAILS:**

In accordance with the resolution adopted at the Ordinary Meeting of Council held on 28 March 2006, the Town commenced the community consultation phase of the Draft Municipal Heritage Inventory on 21 June 2006. The following information is provided as at 5 July 2006.

##### Number of Information Packages Issued

A total of 697 affected owners were sent an information package, the contents of which were in accordance with the Glew Corporate Communication Strategy and included a letter, a certificate, a question and answer sheet, a detailed schedule of the proposed owner workshops, a renovation story and an invitation to the morning tea that was held on 1 July 2006.

### Media Briefings

In accordance with the Glew Corporate Communication Strategy, relevant media outlets were invited to attend a media briefing at the Town on 26 June 2006, in which a representative from Channel 10 and *The West Australian* attended. On 29 June 2006, a large article was run on page 3 of *The West Australian* on the Town's Municipal Heritage Inventory (see Appendix 10.1.17A), focussing on modern public buildings that have been included on the Draft Municipal Heritage Inventory. As a follow on from this article that appeared in *The West Australian*, Curtin FM radio station ran a segment focussing on public opinion on whether the West Rail Centre in East Perth should be included on the Town's Municipal Heritage Inventory. The media resulted in very few phone calls being received.

### Morning Tea Launch - Saturday 1 July 2006

The morning tea held on Saturday, 1 July 2006 was attended by 120 affected owners, 5 Elected Members and 6 of the Town's Officers, including the Chief Executive Officer and the Executive Manager Environmental and Development Services. The majority of those in attendance were owners of private residential dwellings proposed for inclusion on the Town's Municipal Heritage Inventory. During his welcoming speech and in response to questions from several of the attendees, the Mayor stated that an extension of the consultation would be given to 31 August 2006 and that a public forum would be held.

### Workshops

Five dedicated workshops for affected owners have been scheduled over a two week period commencing on Wednesday, 5 July 2006 and concluding on Thursday 13 July 2006. To date, there has been a total of 100 owners who have indicated that they will be attending the workshops. Approximately 90 per cent of those to be in attendance are owners of new places to the Draft Municipal Heritage Inventory.

Forty-five (45) persons attended the workshop held on 5 July 2006. The workshop was well conducted and provided considerable information to the attendees. No new major issues were identified.

### Number of Phone Enquiries Received

Since the commencement of the public consultation period, the Town's Heritage Officers have received approximately 50 calls from affected owners, with specific queries or concerns relating to the proposed inclusion of their place onto the Municipal Heritage Inventory, five of which have been followed up with a one-on-one meeting with the Town's Heritage Officers. It is estimated that 75 per cent of these calls and/or meetings were concerning private dwellings and 25 per cent were related to commercial properties.

### Submissions Received

To date, there has been five formal written submissions received by the Town objecting to the proposed listing, including the following;

- single storey house at No. 232 Charles Street;
- inter-war shops at Nos. 437 and 439 Fitzgerald Street;
- restaurant and flats at Nos. 620 - 626 Beaufort Street;
- dwelling at No. 336 Oxford Street owned by Aranmore Catholic College; and
- a private residence at No. 26 Cleaver Street.

Reasons for objection have generally rested on the premise that the properties have undergone extensive changes to the original fabric, thus reducing their perceived heritage value. However, some have also expressed concern over the poor condition of their property and a perceived sense of economic hardship that would be imposed if their property was to be formally entered on the Municipal Heritage Inventory.

Out of a total of 697 affected owners, two owners have requested in writing an extension to the period to provide public comment and one owner has requested this verbally in a telephone conversation with the Town's Heritage Officers. It is considered that due to the small number of people requesting an extension, and the disruption and confusion to the prescribed timeline an extension may cause, that the advertised closing date of 31 July 2006 should remain.

**CONSULTATION/ADVERTISING:**

Public consultation for the Draft Municipal Heritage Inventory is scheduled to close on 31 July 2006.

**LEGAL/POLICY:**

Section 45 of the Heritage of Western Australia Act (1990) states that each Local Government shall compile and maintain a Municipal Inventory of Heritage Places and that this inventory is updated annually and reviewed every four years after compilation. A copy of the inventory is also to be given to the Heritage Council of Western Australia.

**STRATEGIC IMPLICATIONS:**

Strategic Plan 2005-2010:

Key Result Area 1.2 *"Recognise the value of heritage in providing a sense of place and identity"*.

**FINANCIAL/BUDGET IMPLICATIONS:**

The financial/budget implications for the Draft Municipal Heritage Inventory remain the same as were previously detailed in the Agenda Report (Item 10.1.17) at the Ordinary Meeting of Council held on 28 March 2006.

**COMMENTS:**

It is considered that in accordance with the Glew Corporate Communication Strategy and the revised timeline and associated strategies that were adopted by the Council on 28 March 2006, the Council continue to proceed with the scheduled timeframe adopted to ensure an effective implementation of the Draft Municipal Heritage Inventory, and give further consideration to an extension to the period of community consultation and the conducting of a public meeting/forum at the completion of the dedicated MHI owner workshops.

The Chief Executive Officer is of the view that the MHI matter is progressing well and that no new major issues have been identified to date.

**10.2.5 Palmerston Street – Proposed ‘Hyde Park Spur’ Wetlands Heritage Trail/Greeway Link**

<b>Ward:</b>	South	<b>Date:</b>	5 July 2006
<b>Precinct:</b>	Hyde Park P	<b>File Ref:</b>	CMS0071
<b>Attachments:</b>	<a href="#">001</a> ; <a href="#">002</a> ; <a href="#">003</a>		
<b>Reporting Officer(s):</b>	K Godfrey; J van den Bok		
<b>Checked/Endorsed by:</b>	R Lotznicker	<b>Amended by:</b>	

**OFFICER RECOMMENDATION:**

*That the Council*

- (i) *RECEIVES the report on the outcome of the Community consultation for the proposal to undertake works in Palmerston Street - 'Hyde Park Spur' associated with the Proposed Wetlands Heritage Trail /Greenway Link;*
- (ii) *NOTES that part of the overall proposal as shown Plan No 2441-CP-01 has been amended following the consultation (refer appendix 10.2.5A);*
- (iii) *APPROVES the implementation of the works as outlined on attached revised Plan No.2441-CP-01A estimated to cost \$49,000; and*
- (iv) *ADVISES all respondents of its decision and acknowledges their comments and input.*

---

Crs Maier and Lake returned to the Chamber at 8.08pm.

**Moved Cr Farrell, Seconded Cr Ker**

*That the recommendation be adopted.*

**Moved Cr Ker, Seconded Cr Messina**

*That clauses (ii), (iii) and (iv) to be deleted and new clauses (ii), (iii) and (iv) be added as follows;*

- “(ii) NOTES the comments received during and after the community consultation requesting that a review of the proposal be considered;*
- (iii) REFERS the proposal to the Town's Local Area Traffic Management Advisory Group for further assessment; and*
- (iv) RECEIVES a further report following assessment by the Town's Local Area Traffic Management Advisory Group.”*

Debate ensued.

**AMENDMENT CARRIED (6-2)**

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

(Cr Doran-Wu was an apology.)

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

(Cr Doran-Wu was an apology.)

**COUNCIL DECISION ITEM 10.2.5**

*That the Council*

- (i) ***RECEIVES the report on the outcome of the Community consultation for the proposal to undertake works in Palmerston Street - 'Hyde Park Spur' associated with the Proposed Wetlands Heritage Trail /Greenway Link;***
- (ii) ***NOTES the comments received during and after the community consultation requesting that a review of the proposal be considered;***
- (iii) ***REFERS the proposal to the Town's Local Area Traffic Management Advisory Group for further assessment; and***
- (iv) ***RECEIVES a further report following assessment by the Town's Local Area Traffic Management Advisory Group.***

---

**PURPOSE OF REPORT:**

The purpose of this report is to advise the Council of the results of the recent community consultation undertaken in relation to the *Wetlands Heritage Trail /Greenway Link* proposal and seek the Council's approval to undertake the works as outlined in the report.

**BACKGROUND:**

At its Ordinary Meeting held on 23 May 2006 the Council considered a report on the proposed implementation program for the Wetland Heritage Trail/Greenway where it was decided (*in part*):

*That the Council;*

- (v) ***APPROVES BY AN ABSOLUTE MAJORITY of the following:***  
  
***"APPROVES the implementation of sections of dual use path for sections of the Wetlands Heritage Trail along Palmerston Street between Robertson Park and Hyde Park (Hyde Park Spur) as shown on attached plan No 2441-CP-01 and along Victoria Street (from the ROW to the Dorrien Gardens Link) estimated to cost \$80,000";***

- (vi) *APPROVES IN PRINCIPLE the program of works and annual cost estimates for years 2006/2007 to 2012/2013, as indicated in the report, to be implemented over a six year (6) year period subject to the officers considering a stage implementation of the Smith's Lake Link in 2006/07;*
- (ix) *CONSULTS with the various stakeholders prior to implementing the various sections of the Wetland Heritage Trail / Greenway and associated works in accordance with the Town's consultation policy; and*
- (x) *RECEIVES a further report/s on the project/s following consultation prior to implementation proceeding.*

#### **DETAILS:**

##### **Community Consultation**

In accordance with clause (ix) of the Council's decision on 23 May 2006 eighty (80) letters were distributed to residents in Palmerston Street requesting their comment on the Wetlands Heritage Trail/Greenway link proposal.

At the close of the consultation period on 3 July 2006 five (5) responses were received (6% response) with four (4) in favour (80%), one (1) partially in favour (20%) and no respondents against the proposal.

One (1) late submission was received (*suggesting an alternative*) and these comments have been outlined separately.

##### **Summary of Responses**

###### Related Comments *In Favour* of proposal

- In favour however a new (*concrete*) footpath was recently laid in the section of Palmerston Street between Bulwer Street and Glendower Street .

###### Officers Comments

Following receipt of these comments the Executive Manager Technical Services inspected the site and concurs with these comments. The design had been amended so that the concrete footpath will remain and the proposed Dual Use path will be laid adjacent to the kerb line. The kerb will need to be modified to accommodate this. The existing grass verges at this location are in poor condition.

###### Related Comments *Partially In Favour* of proposal

- Whilst we agree that the Wetlands Trail is a good idea our only dismay is that the path outside our business has only recently been re-newed and now it will be removed and the new red trail path installed. Our business is disrupted during the first pathway works and once again it will be disrupted again, if the trail is installed.

###### Officers Comments

As mentioned above the design had been amended to minimise disruption to the business.

###### Related Comments *Against* proposal

- Nil

Late Submission

- A legible link between the two main public parks as part of the Wetlands Heritage Trail system makes a lot of sense. However, Palmerston Street is not only used for recreational bikers and walkers following the trail, but also for pedestrians accessing the commercial area. The proposed path will replicate the existing footpaths for pedestrians and will not increase their amenity except perhaps by way of legibility. This will only be viable for passive recreational bikers and most riders will be forced onto the road. An alternative could be to introduce a similar cross section of road and verge to that provided on Palmerston Street adjacent the Maltings, where verge bike lanes are provided. To assist legibility the bottlebrushes in the street could be reinforced by verge planting natives where available and trail markers provided on the footpaths.

Officers Comments

Comments included in this late submission are noted. The proposed red asphalt link is designed to provide a 'very legible' Greenway link between Robertson Park and Hyde Park which will be complemented with approved signage / markings. The proposed alternative is beyond the scope of the current proposal as this would require substantial modifications to the road reserve infrastructure.

**CONSULTATION/ADVERTISING:**

The respondents will be advised of the Council decision.

**LEGAL/POLICY:**

Nil

**STRATEGIC IMPLICATIONS:**

In accordance with Key Result Area One & Two of Strategic Plan 2005-2010;

*1.1 Protect and enhance the environment and biodiversity; 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment; 2.1 Celebrate and acknowledge the Town's cultural diversity; 2.3 Develop and implement initiatives for universal access.*

**FINANCIAL/BUDGET IMPLICATIONS:**

An amount of \$80,000 was allocated in the 2005/06 capital works budget for implementation of the Greenway project. This amount will be carried forward into the 2006/2007 financial year and a total of \$49,000 will be used to undertake the proposed works in Palmerston Street as outlined within the report and shown on the attached plan.

**COMMENTS:**

As a result of the comments received the proposal has been modified. The section of proposed Greenway north of Bulwer Street has been realigned to the edge of the road. Additional kerbing will be required however it is considered this will result in a more favourable outcome. A new kerb will also be laid south of Bulwer Street. It is therefore recommended that the Council approve the implementation of the works as shown on the attached Plan No.2441-CP-01 and that the respondents be advised of the Council's decision.

**10.4.1 Submission to the Local Government Advisory Board Report - Local Government Structural and Electoral Reform in Western Australia - Ensuring Future Sustainability of Communities - April 2006**

Ward:	-	Date:	5 July 2006
Precinct:	-	File Ref:	ORG0031
Attachments:	<a href="#">001</a>		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

**OFFICER RECOMMENDATION:**

*That the Council APPROVES of the submission as shown in Appendix 10.4.1, to be made to the Local Government Advisory Board's report - "Structural and Electoral Reform in Western Australia - Ensuring Future Sustainability of Communities - April 2006".*

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

Debate ensued.

Cr Messina departed the Chamber at 8.30pm and did not return to the meeting.

The Presiding Member asked Elected Members for their Comments.

It was agreed that the Submission would be amended as follows:

- 1.13 Comments - add the words "However, the Town reiterates its support for the Mt Lawley, Menora and Coolbinia proposal".
- 1.19 Change from "Yes" to "No".
- 1.27 Comments - add the words "However, in some situations it may of benefit".
- 1.31 Part (3) being marked as a "Yes".
- 1.37 Comments - add the words "However, training should allow for other demonstrated competencies".
- 2.2 Comments - Change to "This is not an issue for small local governments".
- 2.5 Note – The Town's Minutes should be referenced appropriately.

**Moved Cr Maier, Seconded Cr Lake**

*That Item 1.18 be changed from "No" to "Yes".*

Debate ensued.

**AMENDMENT LOST (2-5)**

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

(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber and did not vote.)

**Moved Cr Maier, Seconded Cr Chester**

*That the words “and should be subject to all parties involved being consulted on the proposal” be added to the comment for 1.22.*

Debate ensued.

**AMENDMENT CARRIED (7-0)**

(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber and did not vote.)

**Moved Cr Maier, Seconded Cr**

*That Item 1.29 be changed from “No” to “Yes”.*

Debate ensued.

**AMENDMENT LOST (1-6)**

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

(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber and did not vote.)

**Moved Cr Maier, Seconded Cr Lake**

*That Item 1.34 be changed from “No” to “Yes”.*

Debate ensued.

**AMENDMENT LOST (2-5)**

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

(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber and did not vote.)

**Moved Cr Maier, Seconded Cr Lake**

*That Item 2.12 - be changed from "No" to "Yes".*

Debate ensued.

**AMENDMENT LOST (2-5)**

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

(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber and did not vote.)

**MOTION AS AMENDED CARRIED (6-1)**

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

(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber and did not vote.)

**COUNCIL DECISION ITEM 10.4.1**

*That the Council APPROVES of the submission as shown in Appendix 10.4.1, to be made to the Local Government Advisory Board's report - "Structural and Electoral Reform in Western Australia - Ensuring Future Sustainability of Communities - April 2006" subject to it being amended as follows:*

- (a) 1.13 *Comments - add the words "However, the Town reiterates its support for the Mt Lawley, Menora and Coolbinia proposal".*
- (b) 1.19 *Change from "Yes" to "No".*
- (c) 1.22 *Comments - add the words "and should be subject to all parties involved being consulted on the proposal".*
- (d) 1.27 *Comments - add "However, in some situations it may of benefit".*
- (e) 1.31 *Part (3) to be marked as a "Yes".*
- (f) 1.37 *Comments - add the words "However, training should allow for other demonstrated competencies".*
- (g) 2.2 *Comments - Change to "This is not an issue for small local governments".*
- (h) 2.5 *Note - The Town's Minutes should be referenced appropriately.*

**PURPOSE OF REPORT:**

The purpose of the report is to provide further details to the Council on the recommendations and key findings of the Local Government Advisory Board's report into Local Government Structural and Electoral Reform in Western Australia - Ensuring Future Sustainability of Local Governments and to approve of a submission to be made.

**BACKGROUND:**

At the Ordinary Meeting of Council held on 9 May 2006, Council resolved as follows;

*"That the Council;*

- (i) RECEIVES the report on the Local Government Advisory Board's study of Structural and Electoral Reform in local government, as detailed in this report; and*
- (ii) NOTES that a further report will be submitted to the Council concerning the recommendations and findings of the report."*

In view of the Minister's position about amalgamations, a vast number of the recommendations are no longer relevant and comment is therefore not applicable.

On Saturday 29 April 2006, the Local Government Advisory Board released its report.

At the Ordinary Meeting of Council held on 20 December 2005, the Council considered the matter of Structural and Electoral reform and resolved to make a submission to the Board.

On 6 June 2006, the Mayor and Chief Executive Officer attended a Breakfast Meeting with the Minister for Local Government and also the Mayors and Chief Executive Officers of the Central Metropolitan Zone councils (which comprises mainly of the Western Suburbs councils). At this meeting the Minister announced that there would be no forced amalgamations as recommended in the Local Government Advisory Board's report, during this term of the Labor Government. Other boundary proposals will be considered on their merit.

**DETAILS:**

The report is 488 pages long and contains numerous recommendations. These were report to the Council at its Ordinary Meeting held on 9 May 2006.

This report is available on the Department of Local Government and Regional Development website: <http://www.dlgrd.wa.gov.au/localGovt/advisoryBoard/StructuralElectoralReform.asp>

The Town's proposal relating to altering the boundaries with the City of Stirling and City of Perth was not included in the recommendations and in fact received little or no comment in the report. It is understood that this was due to the Board not wishing to express an opinion, until the proposals were investigated and determined.

The Local Government Advisory Board has requested comments within a three month period.

**CONSULTATION/ADVERTISING:**

Not applicable.

**LEGAL/POLICY:**

Not applicable.

**STRATEGIC IMPLICATIONS:**

This matter is in keeping with the Town's Strategic Plan 2005-2010 - Key Result Area 4.1 - *"Create vision and leadership for the overall benefit of the Town and its people"*.

**FINANCIAL/BUDGET IMPLICATIONS:**

There have been no costs associated with investigating and preparing a response to this study, as all work has been carried out in-house.

**COMMENTS:**

The Minister for Local Government's decision not to support the Board's recommendation concerning amalgamations will ensure that many recommendations will not be implemented. Notwithstanding this decision, the Board's attempt to provide reform and strategic direction to local government is supported.

**10.4.2 Adoption of the Draft Plan for the Future (Incorporating Draft Strategic Plan 2006 – 2011, Strategic Financial Management Plan 2006 – 2016 and Associated Key Documents)**

<b>Ward:</b>	Both	<b>Date:</b>	5 July 2006
<b>Precinct:</b>		<b>File Ref:</b>	ADM0038
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	John Giorgi		
<b>Checked/Endorsed by:</b>	-	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council;*

(i) *ADOPTS IN PRINCIPLE the Draft Plan for the Future as shown in Appendix 10.4.2;*

(ii) *APPROVES of the “Plan for the Future” to comprise of the:*

(a) *Strategic Plan 2006-2011*

(b) *Strategic Financial Management Plan 2006-2016 as “Laid on the Table” and separately circulated to Elected Members;*

(c) *Strategic Asset Management Plan 2006-2026 (currently being developed); and*

(d) *associated key documents, including (but not limited to):*

- *Town Planning Scheme No 1;*
- *Economic Development Strategy;*
- *Vincent Vision 2024;*
- *Residential Design Elements Policy;*
- *Environmental Plan (being developed);*
- *Workforce Plan;*
- *Information Technology Plan;*
- *Customer Service Plan;*

(iii) *APPROVES of the following consultation process for the Plan for the Future:*

1. *document to be advertised for a period of six (6) weeks;*
2. *document to be placed on the Town’s website and copies provided at the Customer Service Centre at the Administration Centre and in the Town’s Library;*
3. *Town’s facilitators to provide a workshop for electors and ratepayers;*
4. *document to be provided to each Community/Precinct Group and the Town’s Chief Executive Officer to provide a detailed presentation/explanation of the Plan for the Future at a Public Meeting; and*
5. *a special edition newsletter to be issued to all ratepayers, summarising the Plan and seeking comment and submissions;*

- (iv) *NOTES that the Town will be facilitating a meeting for the public seeking input and comment into the Draft Strategic Plan; and*
- (v) *AUTHORISES the Chief Executive Officer to:*
- (a) *advertise the Draft Plan for the Future for a period of six (6) weeks seeking public comment; and*
  - (b) *report back to Council with any public submissions received.*
- 

**COUNCIL DECISION ITEM 10.4.2**

**Moved Cr Farrell, Seconded Cr Torre**

*That the recommendation be adopted.*

Debate ensued.

**Moved Cr Chester, Seconded Cr Farrell**

*That the Item be DEFERRED to allow an Elected Member's Forum to be held.*

**CARRIED (7-0)**

**(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber and did not vote.)**

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**PURPOSE OF REPORT:**

The purpose of the report is to adopt in principle the Draft Plan for the Future and advertise it for six (6) weeks for public comment.

**BACKGROUND:**

At the Ordinary Meeting of Council held on 21 December 2004, the Council approved and adopted its amended Strategic Plan 2003-2008 and resolved as follows:

*“That the Council;*

*...*

- (iv) *REVIEWS its Strategic Plan in mid to late 2005 and considers an amount of \$10,000 in the draft Budget 2005/06 for this matter.”*

**DETAILS:**

**Preparation of Draft Document**

In January and February 2006, the Town's Senior Officers (Executive Managers and Managers) met with the Town's consultants (Australian Institute of Management – Integral Leadership Centre) on several occasions and provided considerable background information. A forum with Elected Members and Senior Officers was held on 22 April 2006 and a draft document was provided.

The Draft Strategic Plan has been further refined by the Chief Executive Officer and Senior Officers and has indicative costings and timelines. It is now at a stage where consultation with the community is required prior to final adoption by the Council.

### **Draft Strategic Plan/Plan for the Future**

In 2003 the State Department of Local Government and Regional Development undertook a major review of the Local Government Act 1995 and associated regulations, and removed the requirement for principal activity planning.

The Local Government Act 2004 was proclaimed on 31 March 2005. Section 42 amended the Act to remove the requirements for principal activity planning. Sections 5.56, 5.57 and 5.58 were repealed and in their place, a new section 5.56 was included which provided a more general obligation of “*plan for the future*”. The new Section states:

*“Section 5.56 – Planning for the future*

- (1) A local government is to plan for the future of the district.*
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

*The regulations require local government to make a plan for the future of its district in respect of the period specified in the plan (being at least 2 financial years) and state that:*

- A plan for the future of a district is to set out the broad objectives of the local government for the period specified in the plan.”*

The Act and regulations do not prescribe the format of the Plan for the Future – this is the prerogative of each local government.

The Act requires the Plan for the Future to cover a minimum period of at least two (2) financial years. Consultation is required with electors, ratepayers and residents. In this regard, the draft document will be advertised for community consultation and will be provided to all Community/Precinct Groups. The Town’s consultants will facilitate a workshop with the public. Submissions and feedback from the community is to be considered and where appropriate, included into the Plan.

### **Plan for the Future**

The Plan for the Future is designed to assist the Council, Administration and the community to understand the broad directions the Town will be taking in the future.

It is proposed that the Town’s Plan for the Future document will consist of the following:

1. **Strategic Plan 2006-2011**

The Strategic Plan contains the:

- Purpose

The purpose defines the business of the Town. It is:

*“To provide and facilitate services for a safe, healthy and sustainable community.”*

- Vision

The Vision is what we are striving to become. The Town's vision is:

*"A sustainable and caring community built with vibrancy and diversity."*

- Guiding Values

The Guiding Values are those that describe how we want to operate. These values are:

- Honesty and Integrity
- Service and Commitment
- Innovation and Diversity
- Caring and Empathy
- Teamwork

- Strategic Objectives

The Strategic Plan has identified the following Key Objectives:

1. Natural and Built Environment

- Improve and maintain the natural and built environment and infrastructure.

2. Economic Development

- Progress economic development with adequate financial resources.

3. Community Development

- Enhance community development and wellbeing.

4. Leadership, Governance and Management

- Ensure good strategic decision-making, governance, leadership and professional management; supported by a positive and desirable workplace with technology for business improvement.

- Key Actions

The Draft Strategic Plan has identified a number of Key Actions. A summary (not in order of importance) of the Key Actions are as follows:

- Enhance centres and commercial areas.
- Review and implement the Town Planning Scheme & policies
- Enhance and maintain character and heritage.
- Enhance and maintain parks and community facilities.
- Enhance and maintain infrastructure.
- Develop and promote environmentally sustainable practices.
- Promote the Town as a place for investment
- Develop and promote partnerships and alliances.
- Promote business development.

- Identify needs and expectations of community.
- Reduce reliance on rates revenue.
- Provide a positive triple bottom line return.
- Implement the Leederville Masterplan.
- Celebrate cultural and social diversity.
- Provide a range of community programs.
- Continued implementation of the principles of universal access.
- Focus on community and customer needs.
- Enhance community safety programs.
- Develop leadership skills and behaviours.
- Plan effectively for the future.
- Enhance organisational business planning.
- Implement and promote Vincent Vision 2024
- Improve employee performance, recognition and reward.
- Promote employee satisfaction and wellbeing.
- Explore innovative ways of service delivery.
- Enhance knowledge management.

The Strategic Plan also links other strategic Town documents including:

- Town Planning Scheme No 1
- Economic Development Strategy
- Vincent Vision 2024
- Residential Design Elements
- Environment Plan (in draft – under development)

2. Strategic Asset Management Plan

Asset management planning is a significant component of the Plan for the Future. A major part of the Town's activities revolve around the management of its assets to ensure that they remain appropriate to community requirements both now and in the future.

The Town is currently undertaking a detailed analysis of the existing asset base to determine the projected rate of expenditure required to maintain the Town's assets (buildings, roads, footpaths, major plant, bores etc) to ensure meaningful and effective levels of service for each asset over its entire life cycle. This detailed analysis will provide information on the required asset investment and these requirements will be reflected in the Strategic Financial Plan, which will initially cover a ten (10) year period (and in some cases longer eg 20-40 years).

It is anticipated that this plan will be finalised in the 2006-07 financial year.

3. Strategic Financial Plan 2006-2016

The Strategic Financial Plan is a significant component of the Plan for the Future and provides a broad strategic overview of the major projects and programs that the Town will be undertaking over the next ten (10) years, links the Town's financial capacity with the strategic direction detailed in the Town's Strategic Plan 2006 – 2011 and allocates indicative sums of money to potential projects to ascertain whether the Town has the capacity to fund them when required. In some instances, it will also make long term financial projections (20 years and longer).

Sixteen (16) separate areas have been identified as 'Major Activities' of the Town and the purpose of the Plan is to provide an overview of major projects, programs and services proposed within each of these activities for the period 2005/06 to 2016. The Plan also details the performance indicators that will be used to measure the Town's success in delivering these services to the community in an efficient and effective manner.

This Plan also summarises the Town's objectives which include:

- Major redevelopment projects
- Operating expenditure
- Rates revenue.

It has been prepared with the use of a number of existing programs and services which include:

- Road Resurfacing Program
- Main Roads Funding Program
- Roads to Recovery Program
- Right of Way Program
- Parks and Reserve Development Program
- Playground Upgrade Program
- Park Furniture Upgrade Program
- Major Plant and Equipment Replacement Program
- Light Vehicle Replacement Program
- Greenway Project
- Car Parking Strategy
- Leederville Masterplan – Working Group
- Vincent Vision 2024
- Economic Development Strategy
- Seniors Strategy
- Safer Vincent Initiatives.

#### 4. Annual Plan

The Annual Plan is a new document and is the result of Corporate priorities identified by the Town's Executive Management Team (comprises Chief Executive Officer, Executive Managers Corporate Services, Technical Services and Environmental and Development Services) together with the annual strategic priorities identified by the Elected Members. These priorities are matters which are considered in the process leading up to the preparation of the Annual Budget. The priorities take cognisance of:

- financial capacity to deliver;
- operational impact on the program or service;
- seasonal requirements;
- workforce workload (leave periods, public holidays etc).

The priorities are then considered for inclusion in the Annual Budget.

Following adoption of the Annual Budget, the Council adopts a Priority Program for implementation of the key project, programs and services. This Annual Priority Program will replace the previous "Capital Works Program" following the adoption of the Annual Budget.

The Annual Plan will also contain Key Performance Indicators and also more precise detail about Capital Works Programs (eg ROW Upgrade Program, Footpath Upgrade Programme etc).

5. Annual Budget

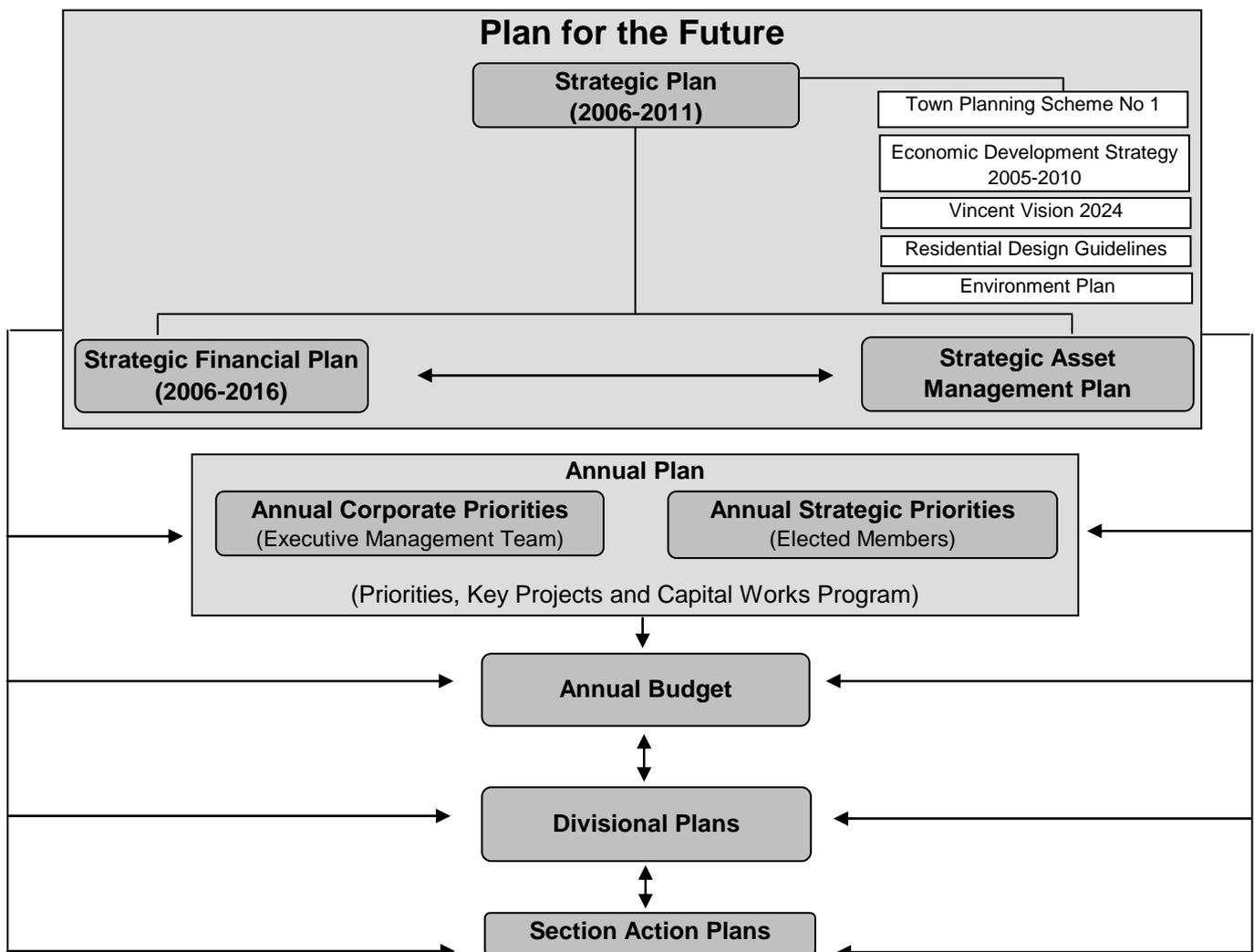
The Annual Budget document remains unchanged and contains the activities, capital works and projects and income and expenditure statements which are to be carried out in the financial year. The Budget contains the financial details in considerable detail, including a brief description of projects, programs and services.

6. Divisional and Section Plans

These are annual plans which are prepared and contain the operational details on how the Budget and Capital Works Programmes are implemented.

5. The Process

The following diagram illustrates the process undertaken to formulate the various plans and documents and how they inter-relate with each other.



### **CONSULTATION/ADVERTISING:**

The Local Government Act now requires the Plan for the Future to be the subject of consultation with the electors and ratepayers.

The Plan is to contain a description of the involvement by the electors and ratepayers in the development of the Plan.

The following consultation process is recommended:

1. Document to be advertised for a period of six (6) weeks.
2. Document to be placed on the Town's website and copies provided at the Customer Service Centre at the Administration Centre and in the Town's Library.
3. Town's facilitators to provide a workshop for electors and ratepayers.
4. Document to be provided to each Community/Precinct Group and the Town's Chief Executive Officer to provide a detailed presentation/explanation of the Plan for the Future at a public meeting.
5. A special edition newsletter to be issued to all ratepayers, summarising the Plan and seeking comment and submissions.

### **LEGAL/POLICY:**

It is now a legal requirement for each local government to have a Plan for the Future, which is to be prepared for the 2007-08 budget period onwards. As the Town is well advanced in its review of the Strategic Plan, it is appropriate to consider the Plan for the Future as part of this current process. The former Principal Activities Plan is no longer required, and in essence will be replaced by the Strategic Financial Plan and the Strategic Asset Management Plan (currently being developed).

The Local Government Act and regulations do not prescribe the format for the required Plan for the Future. Enquiries with other local governments reveal that they are considering the Plan for the Future to be a combination of various plans, such as Strategic Plan, long term financial plans etc. It is acknowledged that the Plan for the Future can cover a wide range of matters and can be extremely large and comprehensive. A view of a number of local governments is that the Plan for the Future can encompass a variety of plans already prepared by local governments. This is a logical view and is supported.

1. The Local Government Act (section 5.56) is a new provision. It requires each local authority to prepare a Plan for the Future in respect of each financial year after the financial year ending 30 June 2006. The Plan must cover a period of at least two years. The former Principal Activities Plan is replaced by the Plan for the Future and is no longer required.
2. Consultation is required with electors and ratepayers during the development of the Council's future Plan.
3. The specific matters that the Local Government (Administration) Regulations require to be included in the future Plan are set out in Regulation 19C which reads as follows:

*“Regulation 19C*

- a) *In this regulation and regulation 19D:*
- ‘Plan for the future’ means a Plan made under Section 5.56.*
- b) *A local government is to make a Plan for the future of its district in respect of the period specified in the Plan (being at least 2 financial years).*
- c) *A Plan for the future of a district is to set out the broad objectives of the local government for the period specified in the Plan.*
- d) *A local government is to review its current Plan for the future of its district every 2 years and may modify the Plan, including extending the period the Plan is made in respect of.*
- e) *A Council is to consider a Plan, or modifications, submitted to it and is to determine\* whether or not to adopt the Plan, or the modifications, as is relevant.*  
*\*Absolute majority required*
- f) *If a Plan, or modified Plan, is adopted by the Council then the Plan or modified Plan is to apply to the district for the period of time specified in the Plan.*
- g) *A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a Plan for the future of the district, and when preparing any modifications of a Plan.*
- h) *A Plan for the future of a district is to contain a description of the involvement by the electors and ratepayers in the development of the Plan, and any modifications to the Plan.*
- i) *A local government is to ensure that a Plan for the future made in accordance with this regulation applies in respect of each financial year after the financial year ending 30 June 2006.*
4. Regulation 19D sets out requirements for given public notice of the Council’s future Plan.

**STRATEGIC IMPLICATIONS:**

Progress reports on the Strategic Plan are reported to Council for each quarter as follows:

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

The quarterly progress reports will continue to be provided and will also include quarterly reports on the Annual Plan (previously the Capital Works Program). The Strategic Plan provides the elected Council and administration with its aims, goals and objectives (key result areas) for the next five (5) years.

**FINANCIAL/BUDGET IMPLICATIONS:**

An amount of \$8,500 is contained in the Budget 2005-06 for the Review of the Strategic Plan. To date, approximately \$4,000 has been spent on the consultants assisting in the preparation of the Plan. If a separate newsletter is to be issued, additional funds of approximately \$4,000 will be required.

**COMMENTS:**

The Council's Plan will provide the direction for the Elected Council and the Town's administration for the future. It will also provide information to the electors and ratepayers on the broad direction the Town will be taking in the future. Accordingly, it is appropriate that the process involve community consultation on a wide basis.

As the review of the Town's Strategic Plan has changed slight direction, to incorporate the Plan for the Future requirements and also information about the long term financial plan, progress has been slower than previously reported to Council. However, the final outcome will be more beneficial and will provide the Council will a Plan for the Future, a year in advance of the date when it is legally required to be provided.

The Chief Executive Officer recommends the Council approve of the Officer Recommendation.

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

Nil.

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

**12.1 WALGA Nomination – Municipal Waste Advisory Council**

<b>Ward:</b>	-	<b>Date:</b>	4 July 2006
<b>Precinct:</b>	-	<b>File Ref:</b>	ORG0045
<b>Attachments:</b>	<a href="#">001</a>		
<b>Reporting Officer(s):</b>	M McKahey		
<b>Checked/Endorsed by:</b>	John Giorgi	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That \_\_\_\_\_ and \_\_\_\_\_ and \_\_\_\_\_  
and \_\_\_\_\_ be nominated as WALGA Members - Municipal Waste  
Advisory Council (Serving Officers Total of (6) - 4 Metropolitan and 2 Non-Metropolitan).*

**COUNCIL DECISION ITEM 12.1**

No nominations were received.

**DETAILS:**

Please see Appendix 12.1 for details.

**N.B.:**

**NOMINATIONS CLOSE COB FRIDAY 28 JULY 2006**

**13. URGENT BUSINESS**

Nil.

At 8.40pm **Moved** Cr Ker, **Seconded** Cr Farrell

*That the meeting proceed "behind closed doors" to consider the confidential report, in accordance with:*

- *Section 5.23(d) of the Local Government Act 1995 – "legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting".*

**CARRIED (7-0)**

(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber and did not vote.)

Journalists Giovanni Torre and Lindsay McPhee departed the meeting at 8.40pm.

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

**14.1 CONFIDENTIAL REPORT - No. 153 (Lots 294 and 295 D/P: 2503) Coogee Street, Mount Hawthorn - Proposed Demolition of Existing Single House and Construction of Two (2) Two-Storey Single Houses - State Administrative Tribunal (SAT) Directions Hearing -Review Matter No. Dr 199 of 2006**

<b>Ward:</b>	North	<b>Date:</b>	3 July 2006
<b>Precinct:</b>	Mount Hawthorn; P01	<b>File Ref:</b>	PRO2843; 5.2006.219.1
<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. 153 (Lots 294 and 295 D/P: 2503) Coogee Street, Mount Hawthorn - Proposed Demolition of Existing Single House and Construction of Two (2) Two-Storey Single Houses - State Administrative Tribunal Directions Hearing-Review Matter Nos. Dr 199 of 2006;*
- (ii) *the Council FILES and SERVES the following draft "without prejudice" conditions in response to the SAT Orders made on 28 June 2006:*
  - (a) *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 Coogee Street boundary and the main building, including along the side boundaries within this front setback area, complying with the following:*
    - (1) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
    - (2) *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;*

- (3) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
- (4) *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*
- (5) *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 and the Town's Policies.*

- (b) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (c) *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;*
- (d) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Coogee Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (e) *the applicant/owner(s) shall advise (prospective) purchasers of the proposed dwelling sites, that if this development does not proceed any subsequent proposed development shall comply with the relevant development requirements of the Town's Town Planning Scheme No. 1 and the associated Policies and the Residential Design Codes, and it is not to be assumed that the Town will support variations to the requirements;*
- (f) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title or Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (g) *subject to first obtaining the consent of the owners of No. 157 Coogee 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. 157 Coogee Street in a good and clean condition;*
- (h) *the alfresco area shall be one hundred (100) per cent open on all sides and at all times except where it abuts the east elevation of the proposed houses;*
- (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;*

- (j) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the southern side of the balcony on the upper floor of unit 1, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished ground/upper floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies; and*
- (k) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (iii) *NOMINATES Councillor ..... to represent the Town as a witness in the full SAT Hearing to be held on 8 August 2006;*
- (iv) *ADVISES the Mount Hawthorn Precinct Group of the above review matter and that the full SAT Hearing is to be held on 8 August 2006;and*
- (v) *INVITES the resident who objected to the proposal to submit a written submission (witness statement) on behalf of the Council on the Review (appeal).*

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**Moved Cr Torre, Seconded Cr Farrell**

*That the recommendation be adopted.*

The Presiding Member called for nominations in accordance with clause (iii). No nominations were received.

**CARRIED (7-0)**

(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber and did not vote.)

**COUNCIL DECISION ITEM 14.1**

*That;*

- (i) *the Council RECEIVES the report relating to No. 153 (Lots 294 and 295 D/P: 2503) Coogee Street, Mount Hawthorn - Proposed Demolition of Existing Single House and Construction of Two (2) Two-Storey Single Houses - State Administrative Tribunal Directions Hearing-Review Matter Nos. Dr 199 of 2006;*
- (ii) *the Council FILES and SERVES the following draft "without prejudice" conditions in response to the SAT Orders made on 28 June 2006:*
  - (a) *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 Coogee Street boundary and the main building, including along the side boundaries within this front setback area, complying with the following:*
    - (1) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*

- (2) *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;*
- (3) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
- (4) *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*
- (5) *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 and the Town's Policies.*

- (b) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (c) *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;*
- (d) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Coogee Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (e) *the applicant/owner(s) shall advise (prospective) purchasers of the proposed dwelling sites, that if this development does not proceed any subsequent proposed development shall comply with the relevant development requirements of the Town's Town Planning Scheme No. 1 and the associated Policies and the Residential Design Codes, and it is not to be assumed that the Town will support variations to the requirements;*
- (f) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title or Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*
- (g) *subject to first obtaining the consent of the owners of No. 157 Coogee 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. 157 Coogee Street in a good and clean condition;*
- (h) *the alfresco area shall be one hundred (100) per cent open on all sides and at all times except where it abuts the east elevation of the proposed houses;*

- (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;*
- (j) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the southern side of the balcony on the upper floor of unit 1, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished ground/upper floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies; and*
- (k) *prior to the issue of a Building Licence, the subject land shall be amalgamated into one lot on Certificate of Title; OR alternatively, prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement with and lodge an appropriate assurance bond/bank guarantee to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town, undertaking to amalgamate the subject land into one lot within 6 months of the issue of the subject Building Licence. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (iii) *ADVISES the Mount Hawthorn Precinct Group of the above review matter and that the full SAT Hearing is to be held on 8 August 2006;and*
- (iv) *INVITES the resident who objected to the proposal to submit a written submission (witness statement) on behalf of the Council on the Review (appeal).*

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**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 comply with the requirements of the Town's Policy/Procedure for SAT.
- To consider an Elected Member (s) to appear as witness on behalf of the Council.
- To file draft "without prejudice" conditions of approval in advance of the hearing concerning the Council's refusal of the above application.
- To invite the resident who objected to the proposal to submit a written submission (witness statement) on behalf of the Council.

<b>Landowner:</b>	A P & C M Murphy
<b>Applicant:</b>	P M Murphy
<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>	625 square metres
<b>Access to Right of Way</b>	West side, 5 metres wide, sealed, Town owned.

**BACKGROUND:**

- 12 October 2004                      The Council at its Ordinary Meeting resolved to refuse an application for demolition of existing single house and construction of two (2) two storey single houses for the following reasons:
- "1. The development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality, particularly in terms of overshadowing and bulk and scale.*
  - 2. The two strata title developments on the southern adjoining property have their two primary outdoor living space that will be impacted upon by the bulk and scale.*
  - 3. The non-compliance with the building setback requirements of the Residential Design Codes.*
  - 4. Consideration of the objections received.*
  - 5. Non-compliance with the boundary setback requirements of the R Codes in terms of the acceptable development standards and performance criteria."*
- 23 August 2005                      The Council at its Ordinary Meeting granted conditional approval for proposed demolition of existing single house and construction of two (2) two-storey single houses at the subject property.
- 16 August 2005                      Owners of No.153 Coogee Street, Mount Hawthorn lodged an application for the Review of the Council determination at its Ordinary Meeting on 23 August 2005, with the State Administrative Tribunal (SAT).
- The applicants/owners are seeking a review by the SAT of the following condition (vii) (c) imposed by the Council at its Ordinary Meeting held on 23 August 2005, which is as follows:
- "(vii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
- (a) the southern side of the front balcony off bedroom 1 of Unit 1, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed;*
  - (b) the window to the activity room on the western elevation of Unit 2, 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; and*
  - (c) the upper floor of unit 1 being setback a minimum of 1.9 metres from the southern side boundary....."*
- 28 March 2006                      SAT ordered as follows:
- "The application for review is allowed such that condition (vii)(c) is deleted from the approval dated 23 August 2005 and the development set out in the plans of 6 July 2005 can proceed as otherwise approved".*
- This matter was reported in the Information Bulletin to Council at its Ordinary Meeting held on 26 April 2006.

9 May 2006	The Town recommended conditional approval of the subdivision for the subject property to the Western Australian Planning Commission under delegated authority from the Council.
23 May 2006	The Council at its Ordinary Meeting resolved to refuse an application for proposed demolition of existing single house and construction of two (2) two-storey single houses at the subject property.
June 2006	The applicant lodged a review applications with SAT
28 June 2006	Direction hearing at SAT.
12 July 2006	Town's written submissions to be lodged with the SAT.
8 August 2006	Matter listed for full hearing at SAT.

**DETAILS:**

The application for the Review relates to the Council determination made at its Ordinary Meeting held on 23 May 2006, where it resolved to refuse an application for proposed demolition of existing single house and construction of two (2) two-storey single houses at the subject property.

**CONSULTATION/ADVERTISING:**

Not required.

**LEGAL/POLICY:**

State Administrative Tribunal Act 2004 (WA) and the Town's Policy/Procedure For State Administrative Tribunal.

**STRATEGIC IMPLICATIONS:**

Nil.

**FINANCIAL/BUDGET IMPLICATIONS:**

Due to the tight time frames involved with the review process and the Officer Recommendation for the subject planning application being for conditional approval, Mr. Simon Bain has been engaged to represent the Town in the above review application. Cost associated with the services of Mr. Simon Bain, Planning Consultant is based on \$75 per hour plus GST and \$1000 for the witness statement.

**COMMENTS:**

The SAT has advised that the draft conditions would be "*without prejudice*" and "*is not a concession by the decision-maker that approval of the application is appropriate.*" The SAT has introduced the above practice for the following two reasons:

- (1) Under Section 9 of the State Administrative Tribunal Act 2004 (WA), the objectives include "*to act as speedily and with as little formality and technicality as practicable, and minimise the costs to the parties.*"
- (2) The SAT needs to have a full appreciation of all conditions applicable prior to making a reliable decision.

In accordance with the Policy/Procedure for State Administrative Tribunal, the following is recommended:

- The Council receive the subject report;
- The Council "Files" and "Serves" the draft "without prejudice" conditions applicable to the above development if the above review is allowed by the SAT;
- The Council nominates an Elected Member(s) to represent the Town as a witness in the full SAT Hearing;
- The Council advises the Mount Hawthorn Precinct Group of the above review matter and that the full SAT Hearing is to be held on 8 August 2006; and
- To invite the resident who objected to the proposal to submit a written submission (witness statement) on behalf of the Council.

**14.2 CONFIDENTIAL REPORT - No. 26 (Lot 47) Cleaver Street, West Perth - Consideration for Removal from the Draft Municipal Heritage Inventory**

<b>Ward:</b>	South	<b>Date:</b>	10 July 2006
<b>Precinct:</b>	Cleaver; P5	<b>File Ref:</b>	PRO0550
<b>Attachments:</b>	-		
<b>Reporting Officer(s):</b>	S Kendall; H Eames		
<b>Checked/Endorsed by:</b>	R Rasiah, R Boardman	<b>Amended by:</b>	-

**OFFICER RECOMMENDATION:**

*That the Council APPROVES the removal of the property at No.26 (Lot 47) Cleaver Street, West Perth from the Draft Municipal Heritage Inventory.*

**COUNCIL DECISION ITEM 14.2**

**Moved Cr Farrell, Seconded Cr Maier**

*That the recommendation be adopted.*

Debate ensued.

**CARRIED (7-0)**

(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber and did not vote.)

At 8.50 pm **Moved Cr Farrell, Seconded Cr Ker**

*That an "open" meeting be resumed.*

**CARRIED (7-0)**

(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber and did not vote.)

**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:**

This report has been prepared in relation to the property owners objections to the entry of No.26 (Lot 47) Cleaver Street, West Perth, on the draft Municipal Heritage Inventory.

**BACKGROUND:**

<b>Landowner:</b>	J F & M V McMahon
<b>Applicant:</b>	J F & M V McMahon
<b>Zoning:</b>	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30/40
<b>Existing Land Use:</b>	Single House
<b>Use Class:</b>	Single House
<b>Use Classification:</b>	"P"
<b>Lot Area:</b>	551 square metres
<b>Access to Right of Way</b>	Southern boundary, 5 metres wide, sealed and Town owned. Eastern boundary, 5 metres wide, sealed and Town owned.

The subject property was nominated for inclusion on the draft Municipal Heritage Inventory.

The Place Record Form drafted by the Heritage Consultant on behalf of the Town is shown as an attachment to this report and the Officer Heritage Assessment is also shown as an attachment to this report.

The draft Municipal Heritage Inventory has recently been released for owner and public consultation.

The owners of the subject property have expressed personal aggrievement at the proposed inclusion of the property on the draft Municipal Heritage Inventory and, as a result, the Officers were requested to prepare a full Heritage Assessment.

**DETAILS:**

The owners of the above property have requested that the property be removed from the draft Municipal Heritage Inventory.

The owners of the subject property have provided the Town with a submission which is shown as a confidential attachment.

**ASSESSMENT:**

In order to establish if the place has cultural heritage significance, a Heritage Assessment was prepared by the Town's Heritage Officers. The Heritage Assessment found that the place did not have sufficient cultural heritage value to warrant inclusion onto the Municipal Heritage Inventory.

**COMMENTS:**

A detailed Heritage Assessment is contained in the attachment to this report.

The place is representative of a modest Interwar Bungalow. It is not considered to meet the criterion for cultural heritage significance as stated in the Town's Heritage Management Policy 3.6.2 - Assessment.

It is therefore recommended that the place be removed from the draft Municipal Heritage Inventory.

At 8.50 pm **Moved Cr Farrell, Seconded Cr Ker**

*That an "open" meeting be resumed.*

**CARRIED (7-0)**

(Cr Doran-Wu was an apology. Cr Messina was absent from the Chamber and did not vote.)

**15. CLOSURE**

**The Presiding Member, Mayor Catania JP, declared the meeting closed at 8.50pm with the following persons present:**

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 Maddalena Torre	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Executive Manager, Environmental and Development Services
Rick Lotznicker	Executive Manager Technical Services
Mike Rootsey	Executive Manager, Corporate 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 11 July 2006.

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

Dated this ..... day of ..... 2006