



TOWN OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

11 SEPTEMBER 2007

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**INDEX
(11 SEPTEMBER 2007)**

ITEM	REPORT DESCRIPTION	PAGE
10.1 DEVELOPMENT SERVICES		
10.1.1	Further Report - No. 46 (Lot 115 D/P: 7489) Kadina Street, North Perth - Proposed Demolition of Existing Single House (PRO3911; 5.2007.171.1)	75
10.1.2	Nos. 416-418 (Lot 300 D/P: 30854) Oxford Street, corner Scarborough Beach Road, Mount Hawthorn - Proposed Three-Storey Plus Basement Mixed Use Development Comprising Shops, Offices, Consulting Rooms and Four (4) Multiple Dwellings - Amended Plans to Planning Approval (PRO1767; 5.2006.169.1)	64
10.1.3	No. 40 (Lot 210 D/P: 33158, Lot 18 D/P: 2360, Lot 19 D/P: 2360, Lot 108 D/P: 31795, Lot 70 D/P: 29157, Lot 71 D/P: 29157) Florence Street, West Perth- Proposed Partial Demolition of and Additions and Alterations to Existing Institutional Building (Nursing Home) (PRO4048; 5.2007.252.1)	17
10.1.4	No. 301 (Lot: 1 D/P: 5184) Oxford Street, corner Wylie Place, Leederville - Proposed Demolition of Existing Single House and Construction of Five (5) Two- Storey Single Bedroom Single Houses (PRO3902; 5.2007.80.1)	20
10.1.5	No. 2 (Lot 3, Strata Lot: 2 STR: 48529) Imbros Lane, North Perth - Proposed Two Storey Single House (PRO3919; 5.2007.113.1)	91
10.1.6	No. 27 (Lot: 6 D/P: 3660) Knutsford Street, North Perth- Proposed Additional Three (3) Two-Storey Grouped Dwellings and Alterations and Additions to Existing Single House (Application for Retrospective Approval) - Reconsideration of Condition (PRO1217; 5.2007.287.1)	98
10.1.7	Nos. 64A and 64B (Lots 1 and 2) Wasley Street, North Perth- Proposed Temporary Car Park Associated with the Institutional Building (St Michael Nursing Home and Independent Living Units) at Nos. 53-65 Wasley Street, corner Norfolk Street and Forrest Street, North Perth (Reconsideration of Conditions) (PRO3523; 5.2007.215.1)	106
10.1.8	Nos. 2 and 6 (Lot: 2 D/P: 17910, Lot 1 D/P: 17910) Wavertree Place Leederville - Proposed Nine (9) Two-Storey Multiple Dwellings (PRO3442; 5.2007.163.1)	68
10.1.9	No. 36 (Lot 211 D/P: 2355) Wasley Street, Mount Lawley - Proposed Demolition of Existing Three (3) Grouped Dwellings and Construction of Four (4) Two-Storey Grouped Dwellings (PRO4012; 5.2007.229.1)	29
10.1.10	Amendment No. 47 to Planning and Building Policies – Draft Policy Relating to Residential Subdivisions (PLA0184)	116
10.1.11	Town of Vincent Library and Local History Centre – Competition to name Junior and Youth Areas (CM002)	35

10.1.12	Heritage Strategic Plan 2007 – 2012 (PLA0088)	124
10.1.13	Review of Childhood Immunisation Clinics within the Town of Vincent (ENS0025)	128
10.1.14	Proposed Agreement between Town of Vincent and Main Roads Western Australia, for the Removal of apparently abandoned vehicles and unattended animals from the State Road Network (ENS003)	37

10.2 TECHNICAL SERVICES

10.2.1	Progress Report No 3 - Proposed Improvements Brookman Street, Moir Street, Robinson Avenue and Forbes Road, Perth (TES0484, TES0069 TES0006, TES0311) Hyde Park Precinct	83
10.2.2	Tender for Hire of Temporary Labour - Tender No. 372/07 (TEN0382) All Precincts	39

10.3 CORPORATE SERVICES

10.3.1	Financial Statement as at 31 July 2007 (FIN0026)	135
10.3.2	Investment Report as at 31 August 2007 (FIN0008)	139
10.3.3	Authorisation of Expenditure for the period 1 - 31 August 2007 (FIN005)	43
10.3.4	Cultural Development Seeding Grant Application - The Big Draw-In! (FIN0155)	46
10.3.5	Early Birds Playgroup - Lease (CMS0028)	49
10.3.6	Britannia Reserve Clubrooms Upgrade - Approval of Plans (ADM0031)	59

10.4 CHIEF EXECUTIVE OFFICER

10.4.1	Use of the Council's Common Seal (ADM0042)	51
10.4.2	National General Assembly of Local Government 2007 (ADM0031)	141
10.4.3	Loftus Centre Redevelopment, 99 Loftus Street, Leederville - Progress Report No. 19 (RES0061)	144
10.4.4	Review and Adoption of Policy for Employees Study Leave and Assistance (ADM0023)	53
10.4.5	Consideration of Public Submissions - Policy - Use of Open Fires at Public Buildings Within the Town of Vincent (ENS0043)	56
10.4.6	Members Equity Stadium - Purchase of Essential Items (RES0082)	150
10.4.7	Information Bulletin	153

- 11. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- Nil. 155
- 12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES**
- Nil. 155
- 13. URGENT BUSINESS**
- Nil. 155
- 14. CONFIDENTIAL REPORTS (*Behind Closed Doors*)**
- Nil 155
- 15. CLOSURE** 156
-

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 September 2007, commencing at 6.00pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania, JP, declared the meeting open at 6.10 pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr Torre (arriving late due to work commitments – from 7.42pm)

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Simon Chester	North Ward
Cr Helen Doran-Wu	North Ward
Cr Dudley Maier	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Izzi Messina	South Ward
Cr Maddalena Torre	South Ward (from 7.42pm)
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services (annual leave)
Brendan Foster	Journalist - <i>“The Perth Voice”</i> (until approximately 8.42pm)

Approximately 18 Members of the Public

(c) Members on Leave of Absence:

Cr Farrell (*Deputy Mayor*) (on approved leave of absence due to work commitments)

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

1. Brad Ogden of 73 Elvira Street, Palmyra spoke on Item 10.3.6. Spoke on behalf of tenants of Britannia Reserve Clubrooms advising there have been some modifications to the redevelopment plan submitted to Council in July. Wished to reiterate that all current stakeholders' views and submissions have been integrated into the redesign plan. Leederville Cricket Club, Floreat Athena Soccer Club and WA Junior Rugby Association have all had input and thorough consultation during the redesign process. Letters of support from co-tenants have been submitted with redesign plans. The main reason for the submitted redesign plan is cost. All tenants believe the redesign plans to be an enhanced way of providing their respective patrons with clean, safe and hygienic facilities. Wanted to ensure all Councillors and Executives of the Council that the Leederville Cricket Club and all other tenants are provided to providing the Council and local community with a cost efficient, cost effective and completed project that the Town can model future developments on.

2. Marcus Kotsoglo representing Building Solutions spoke on Item 10.1.2 advised he was happy with the Officers Recommendations for the alterations from the original planning approval to the proposed alterations required for the Building Licence.
 3. Faye Caldwell of Wavertree Place, Leederville spoke on Item 10.1.8. Emphasised that the entrance to unit is off the right-of-way and once into the garage everything is orientated to the south and will share a common boundary with the northern building from the proposal. Does not understand why Officers are encouraging developer to exceed plot ratio.
 4. David Hillam of Unit 2, 31 Hood Street, Subiaco spoke on Item 10.1.8 Addressed two points. Firstly, the plot ratio proposed for the project. Mr Hillam requested Council support the recommendation in the report. As background, spent a considerable amount of time with his client convincing them to locate a lot of the construction of the project underground and this effectively exceeded the plot ratio variation that has been requested believing this is a positive outcome for the development. Also, in regard to neighbours comments relating to setback, this project in comparison to the townhouses built to the north is setback further so in fact the impact of that development on this side is greater than what we believe this development will have on that side. Believes that the average setback of between 3-5metres to the north side of this site is in fact very generous in comparison to what would be allowed if they had in fact oriented the units sideways to the street where a 1.2 metre setback would have been acceptable for a length of up to 9 metres. Would be keen to address any concerns from neighbours relating to privacy by installing appropriate screening etc. Requested the Council approve the application.
 5. Angela Kapecci of 52 Raymond Street, Yokine spoke on Item 10.1.1. Believes the Heritage Assessment compiled by the Town of Vincent has stalled the demolition. Considers the assessment is not strong and only passes the historical value test. The reason for historical value is the house was originally earmarked for demolition in 1956 to make way for a new road to be built. The demolition was rejected by the then owners and allegedly affected the current alignment of the roads. No other significant evidence to support the application to place the house on the Municipal Heritage Inventory. The house has no cultural, spiritual, scientific, aesthetic or social value. There is clearly not enough substance in the report to justify the retention of the dwelling and stop applicant's plans for redevelopment of the site. The proposal is to demolish the house and make way for two new residences. Requested that if the Council sees it relevant a plaque can be placed at the site, however, do not see the need to see it marked on the Certificate of Title. Requested Council favourably consider the demolition of this house.
 6. Con O'Brien of 68A Robinson Avenue spoke on Item 10.2.1 relating to the potential improvements in Robinson Avenue. Virtually all permanent residents of Robinson Avenue have sent to Ward Councillors, Mayor and CEO a letter of concern. Advised they have been raising issues for quite some time. Each morning Mr O'Brien walks to Hyde Park walking out of Robinson Avenue, up Lake Street, Hope Street, Brisbane Street, Amy Street, Ruth Street, Edith Street, Bulwer Street, Primrose Lane, Glendower Street and the things all these streets have which Robinson Avenue does not are decent footpaths, controlled parking, traffic calming and trees.
-

Robinson Avenue has been left without any form of beautification. Has now been advised this will be deferred until March 2008 and would like to know what is going to be done in March 2008. Requested Council to consider something relating to beautification as distinct from deferral as this is what residents is have had to put up with for a considerable period of time.

7. Matt Buckels of 73 Bourke Street, Leederville spoke on the Leederville Masterplan and Leederville Action Group. Stated it was brought to his attention recently that certain reporting requirements have not been met for quite a number of years since before taking over as President in July 2006. Would like to apologise for this and would like to work with the Town's administration to resolve these issues and become more compliant in the future. In regard to the Leederville Masterplan felt compelled to act quite decisively when the Town "sprung" the Masterplan on them with three days notice. Held informal discussions with the local resident members of the group and other local residents and based upon this ran a vocal media campaign raising awareness of the project mostly ensuring people had heard about the Masterplan and encouraging them to make comment whether they love it or hate it. Stated the Town's Vincent Vision showed that 80% of locals don't want high rise in Leederville with the Leederville Masterplan claiming that a proposal to locate 4, 24 storey buildings stems from the Vincent Vision.

Mr Buckels made comments concerning the Bendigo Bank's recent newspaper advertisement. The Presiding Member, Mayor Catania interjected and advised that the audience can ask questions and refer matters concerning the Town, however if it is in relation to an item such as the Bendigo Bank, it is not permitted.

Cr Lake dissented and raised a Point of Order. She considered that Mr Buckels comments were permitted under the Town's Standing Orders.

The Presiding Member ruled that he rejected the Point of Order.

Moved Cr Lake, Seconded Cr Maier

That the ruling of the Presiding Member be disagreed with.

MOTION PUT AND LOST (3-4)

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

**Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm**

8. John Bettes of 1B Coogee Street, Mount Hawthorn spoke on Item 10.3.2. Mr Bettes asked the following questions:

Q1) Understands the Town of Vincent holds 11,000 shares in the North Perth franchise of the Bendigo Bank. What benefits accrue to the Town of Vincent as a result of this investment, what dividends have been paid and at what times have those dividends been paid?

- Q2) Does the Bank forward to the Town of Vincent period reports of its progress ie. the progress of the North Perth franchise? If so, at what intervals and covering what items?
- Q3) Does the Town of Vincent receive an Annual Report from the North Perth franchise operation and if so, is this available to the public? If not, why not given that it might be regarded as a public document as it forms part of the governance of the Town?
- Q4) Is the Town able to confirm the current worth of the shares held by the Town of Vincent in the North Perth franchise of the Bendigo Bank? What basis is the current worth assessed?
- Q5) How are shares in this franchise operation transferred?
- Q6) Under the Corporations Act Section 173 the Share Register of the Company must be made available to any shareholder requesting access. This section does not recognise commercial in confidence as valid non-compliance. Will the Town of Vincent request a copy of the shareholders register for the North Perth franchise and make it available to those to whom the Council is accountable, that is its residents and ratepayers, that is us?

The Presiding Member stated that these questions would be taken on notice.

9. Helen Skantzos of 44 Kadina Street, North Perth spoke on Item 10.1.1 - Proposed Demolition of Existing Single House. Ms Skantzos advised they are not asking to build a 10 storey apartment or to build business premises but to build two solid houses for families. Requested Council's favourable consideration by granting approval for demolition.

There being no further questions from the public, the Presiding Member, Mayor Nick Catania, JP, closed Public Question Time at 6.40 pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND MEMORIALS

- 5.1 Petition received from Con O'Brien of Robinson Avenue, Perth on behalf of residents in Robinson Avenue, with 27 signatures, expressing concern at Council's approach to requested improvements in Robinson Avenue between William and Lake Streets.

The Chief Executive Officer recommended that the Petition be received and considered during consideration of Item 10.2.1 as it is related to this matter and also be referred to the Director, Technical Services for investigation and report.

Moved Cr Ker, Seconded Cr Messina

That the Petition be received and considered during consideration of Item 10.2.1 and also referred to the Director, Technical Services for investigation and report.

CARRIED (7-0)

**Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm**

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Meeting of Council held on 28 August 2007.

Moved Cr Ker, Seconded Cr Doran-Wu

That the Minutes of the Ordinary Meeting of Council held on 28 August 2007 be confirmed as a true and correct record subject to the following changes;

Item 10.1.2 – Delete (ii)(b) and insert (iii)(b);

Item 10.1.3 – The Item was moved with the amendment and not separately as an amendment, therefore the vote should be deleted.

Item 10.1.8 – Corrected to show that Cr Maier voted for the amendment on clause (ii)(b) and Mayor Catania voted against it.

CARRIED (7-0)

**Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm**

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Employee of the Month Award for the Town of Vincent for September 2007

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

For September 2007, the award is presented jointly to Barbara Wong and Cheryl Liddelow - Accountant and Casual Accountant (respectively) in the Financial Services Section. Barbara and Cheryl were nominated by the Manager Financial Services, Bee Choo Tan, for the following reasons;

Barbara Wong commenced with the Town in December 2006 as an Accounting Officer. She is responsible for the reconciliation of both the Advance and Trust Bank Accounts. In March 2007 Barbara became the Acting Accountant and recently appointed the position of the Accountant. She was further given the responsibility of also maintaining the Municipal Bank account which is the main operating account. These accounts were previously reconciled manually.

Cheryl is the Town's Casual Accountant who has worked part time to assist with projects and issues the Town has had with bank reconciliation. The bank reconciliations were previously manually reconciled on a monthly basis and in December 2006, the electronic process was implemented. Electronic bank reconciliations are now done on a daily basis. This is a great accomplishment and achievement in the Finance area, as bank reconciliation is one of its core functions and control.

Both Barbara and Cheryl have shown excellent work ethic and positive attitude in their roles and are extremely diligent and conscientious employees. They are an excellent role model for other employees.

These comments are also endorsed by the Director Corporate Services, Mike Rootsey.

Congratulations Barbara and Cheryl - and well done!!

7.2 Town Hosts State Cabinet

I am very pleased to announce that on Monday 10 September 2007, the Town hosted the State Cabinet meeting at the Administration and Civic Centre. Cabinet has previously met at regional locations, however this is the first time that the State Government has met at a metropolitan local government and the meeting was an outstanding success.

As a result of hosting the Cabinet Meeting, the Town was afforded the opportunity to make a half hour presentation to the full Cabinet and this was done by myself, Deputy Mayor Councillor Steed Farrell and the CEO, John Giorgi.

The following matters were presented;

1. Leederville Masterplan
2. Hyde Park Lakes Restoration
3. Underground Power Program
4. Glendalough - Request for Suburb Name Change
5. Beatty Park Leisure Centre - Major Upgrade and Refurbishment
6. Members Equity Stadium - Proposed Upgrade
7. Major Stadium - selection of the Site

The Town has already received positive feedback from several Ministers, including;

1. Minister for Water Resources, Hon John Kobelke, has received further details concerning the Town's Hyde Park Lakes Restoration project and has expressed positive comments to assist the Town financially and with any licensing and approvals.
 2. Minister for Sport and Recreation, Hon John Kobelke, requested further details concerning the upgrade for essential items at Members Equity Stadium and expressed positive comments to fund these works up to \$400,000. The correspondence requesting the funds has been forwarded to the Department of Sport and Recreation and the Minister's Office.
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3. Minister for Local Government, Hon Liljiana Ravlich, expressed positive comments concerning the Town's submission for funding for the Hyde Park Playground upgrade for persons with disabilities and we have had contact from her Department with respect to funding and the process required to obtain the balance of the monies required for the project.
4. Deputy Premier and Treasurer, Hon Eric Ripper, expressed a strong interest in the Town's Leederville Masterplan. He requested a personal briefing on the project and, in particular, the Town's request for the Leederville Train Station footbridge to be made more "pedestrian friendly" and an extension of the free transit zone CAT buses to Leederville via East Perth and Highgate and possibly, to Subiaco and also information on State Government assets within the Masterplan area.

7.3 Beatty Park Leisure Centre – Finalist in the 2007 Water Awards

I am very pleased to announce that Beatty Park Leisure Centre has been selected as a finalist in the 2007 Water Awards in the Water Conservation and Efficiency Category, which will be announced on Thursday 11 October 2007.

The Town's Beatty Park Leisure Centre is a major user of water and the Centre Manager, Dale Morrissy, has been instrumental in carrying out water use audits and changing of fittings and fixtures to conserve water and be more efficient.

It is therefore very pleasing for the Town to be a finalist in these Awards, as these fit in with the Town's new sustainable Environment Plan strategic direction.

8. DECLARATIONS OF INTERESTS

- 8.1 Mayor Catania declared a financial interest in Item 10.3.2 – Investment Report. The extent of his interest is that he is the Chairman of the North Perth Community Bank in which the Town has investment shares.
 - 8.2 Cr Messina declared a financial interest in Item 10.3. 2 – Investment Report. The extend of his interest is that is a Director and shareholder of the North Perth Community Bank in which the Town has investment shares.
 - 8.3 Cr Chester declared an interest affecting impartiality in Item 10.3.6 relating to the Britannia Reserve Clubrooms upgrade. The extent of his interest is that his son is enrolled to play “Have your go” cricket with the Leederville Cricket Club at Britannia Reserve.
 - 8.4 Cr Lake declared an interesting affecting impartiality in Item 10.1.8 relating to development at Wavetree Place. The extent of her interest is that she has an association with the person in the neighbouring property.
 - 8.5 Cr Lake declared an interest affecting impartiality in Item 10.1.1 relating to development at Kadina Street. The extent of her interest is that she authored a document referred to in the Heritage Assessment.
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**9. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN
(WITHOUT DISCUSSION)**

- 9.1 Cr Messina - Questions concerning the Town's Leederville Masterplan and the Leederville Action Group.

Q1. When was the Leederville Action Group (LAG) formed?

Response:

Council records reveal that the inaugural Leederville Action Group meeting was held on Friday 9 September 1994 at Giardini's Restaurant, Oxford Street, Leederville. The Group was incorporated on 18 May 2000.

Q2. How many members are in the LAG?

Response:

The Town has not been provided with this information, however we are aware that the Group comprises of a Chair, Secretary, Treasurer and two Committee Members.

Q3. Who is the current Chairman of the LAG?

Response:

Mr Matt Buckels.

Q4. When was the current Chairman of the LAG elected?

Response:

The Town received an email from the former Chair, Ray Stevenson advising that a meeting had been called to elect a new Chairperson on 29 June 2006. On 11 July 2006, Ray Stevenson emailed the Town to advise that the new Chairperson was Mr Matt Buckels.

Q5. How many times has the LAG met in the last 12 months and on what dates?

Response:

The Town's records reveal the Town has not received any Agendas or Minutes from the Leederville Action Group since approximately mid 2005. On Thursday 6 September 2007, enquiries were made with Mr Matt Buckels who advised that the reason the Town had not received Agendas and Minutes as he was not aware of this requirement. On the same day, he emailed and advised that there had been a number of meetings in 2005 and 2006 and undertook to provide copies of Minutes to the Town. As of 11 September 2007, the Town had not received this information.

Q6. When was the last meeting held?

Response:

Refer to response for Question 5.

Q7. Has the Town received a submission on the Leederville Masterplan from the LAG?

Response:

No.

Q8. If yes, when was it received?

Response:

Not applicable.

Q9. If yes, who signed it and in what capacity?

Response:

Not applicable.

Q10. If yes, at what meeting was it formally considered?

Response:

Not applicable.

Q11. How many submissions concerning the Leederville Masterplan has the Town received?

Response:

The Town issued approximately 16,000 brochures on the Leederville Masterplan. At the close of the community consultation period the Town received 173 submissions. A further five (5) submissions have been since received. Therefore, as at Monday 10 September 2007, a total of 178 submissions have been received. (This includes nine (9) submissions from State Government departments and key stakeholders.)

9.2 Mayor Catania - Questions relating to the Town's Budget.

Q1. What is the process used by the Town for the preparation and adoption of the Town's Annual Budget?

Response:

The process for the preparation and adoption of the Town's Annual Budget is as follows.

Prior to Christmas or early in the New Year memos are issued to Directors and Managers regarding the requirements and timetable for both the Operating and Capital Budgets.

In February of each year, a Budget timetable is submitted to Council for adoption; this includes Elected Members' briefings and two Special Council meetings prior to the Special Council meeting to adopt the budget.

During February, March and April, the Town's administration prepares a balanced budget using a combination of budgeting techniques, including zero based budgeting.

The Operating and Capital budgets are prepared from the input received; Capital Works and submissions are prioritised and reviewed by the Senior Management Team prior to a draft budget being presented to the Council.

The Operating and Capital expenditure is combined with funds allocated to reserve funds for future expenditure to provide the total expenditure.

Income other than rates revenue, i.e. grants, reserve funds, fees and charges investment interest and other income, are calculated and the difference from the expenditure total is what is required to be generated from rates revenue.

This figure governs the proposed rate increase.

The Town's budget has been regularly acknowledged over previous years by the Department of Local Government and Regional Development Financial Management Awards, as being of a "High Standard".

Q2. How many Council meetings are held prior to the adoption of the Annual Budget?

Response:

The Adopted Budget timetable provides for two (2) Special Council Meetings prior to the adoption of the Annual Budget.

Q3. How many Forums/Briefings are held prior to the adoption of the Annual Budget?

Comments:

The Adopted Budget timetable provides for one (1) confidential Briefing session with Elected Members

The Briefing provides the opportunity for the Elected Members to ask questions and receive detailed explanations on all the line items in the Draft Budget document.

Individual Briefings with the Directors are available for any Elected Member to seek further details and particularly, those who are unable to attend the Elected Members' Briefing sessions.

Q4. Approximately how many hours are involved?

Response:

It is difficult to estimate the number of hours involved in the Budget process, however a significant amount of the Director Corporate Services and Senior Management Team's time is spent on the preparation of the draft Budget. The Budget preparation as stated commences the week prior to Christmas and the Annual Budget is currently adopted at the first Council meeting in July.

Q5. What information is provided to the Council meetings and Forums/Briefings and also the budget Special Council meetings?

Response:

The following financial reports are provided to the Elected Members at Council meetings:

- Operating Statement
- Summary of Programme/Activities
- Capital Works Schedule
- Balance Sheet (Statement of Financial position and Statement of Changes in Equity)
- Reserve Schedule
- Rates Report
- Beatty Park Report - Financial Position
- Statement of Financial Activity
- Net Current Position
- Variance Comment Report.

The following information is provided at Budget Briefing and Forums:

- Statement on the funding of the Draft Budget for the year indicating the calculation of any proposed rate increase.
 - Capital Budget:
Including details of each proposed line item, indicating the items linked to the current Strategic Plan and a brief justification for the inclusion of the item on the Draft Budget.
 - Operating Budget:
Shows for each individual accounts within the financial activities for Programs, sub-programs and locations. This report includes last year's budget, estimated expenditure to the end of the financial year and the proposed budget for the forthcoming year.
 - Reserve Fund Budget
 - New Operating Items:
A report of the items that were submitted for inclusion in the Draft Budget that were not included in the Draft Budget presented to Council for discussion.
-

- Preliminary Carried Forward Items.

The same information is provided to the Council at the Special Council meetings for the Budget.

The Annual Budget document presented to Council for adoption includes the statutory budget with the associated notes.

Q6. What information is provided to Elected Members?

Response:

All of the above information is included in the response to the previous question.

Q7. Is there any restriction on what information is provided to Elected Members?

Response:

There is no specific restriction on the information provided to Elected Members.

However, since the creation of the Town in 1994, the Administration has reported the Operating Expenditure in the monthly financial statements at the Program, summary sub-program and activity level.

It has not reported to the individual account level as there are approximately 15,000 separate accounts and this is considered too much detail to absorb. This level of report comprises approximately 100-120 pages.

It is regarded to be financial management "best practise" to provide summarised reports when regularly reporting to the highest level of an organisation.

Q8. Can Elected Members ask questions about the detail of the Budget items?

Response:

Yes.

Q9. Does the Town advertise its Draft budget for public comment, prior to adoption and is it a common practice for local governments to advertise Draft Budgets for public comment?

Response:

Yes.

It is not normal practice for local Governments to advertise their Budgets for public comment. The Town is aware that only 3-4 other metropolitan local governments have adopted this practice.

Q10. How long is the Public Comment period?

Response:

In accordance with the Town's Community Consultation Policy 4.1.12, the Draft Budget is advertised for twenty-one (21) days for public comment.

Q11. How many submissions were received;

(a) *In 2005-06*

Response:

1.

(b) *In 2006-07*

Response:

4.

(c) *In 2007-08*

Response:

1.

Q12. Did Cr Maier request information about the Draft Budget 2007-08?

Response:

Yes.

Q13. What was the requested information?

Response:

Cr Maier requested a further explanation on the increase in the Town Planning salaries amount in the Draft Budget 2007/08.

The information above was in addition to information provided to all Elected Members in response to questions asked during the Confidential Briefing on the Draft Budget.

Q14. Was the information provided?

Response:

Yes.

Q15. Did Cr Maier request further details during the Budget process, prior to him requesting the detailed reports providing provisional end of year figures at the Council meeting held on 14 August 2007?

Response:

No other information was requested.

Q16. If yes, was the requested information provided?

Response:

Not applicable.

Q17. At the Council meeting held on 28 August 2007, Cr Maier moved an amendment requesting "that detailed reports providing provisional end of year figures at the same level of detail as the Annual Budget to be provided to Elected Members upon request", - what was the Council decision concerning the amendment?

Response:

The amendment was lost.

Q18. Following the Council meeting held on 14 August 2007, did Cr Maier ask the Town's Administration for the same detailed information, prior to submitting a Freedom of Information application for the information?

Response:

No.

Q19. If Cr Maier had asked the Town's Administration for the information, what would have happened?

Response:

The Town's Administration would have requested a meeting with Cr Maier to discuss his specific requirements for the information and the Administration would have endeavoured to find a solution to the request.

Q20. What is the date of Cr Maier's Freedom of Information application and when was it received by the Town?

Response:

Cr Maier's Freedom of Information (FOI) application was dated 29 August 2007 and the Town received the application on 4 September 2007.

Q21. Is a Freedom of Information application considered necessary for an Elected Member to obtain the detailed information?

Response:

No.

Cr Maier was advised by the Town's FOI Officer at the time that he submitted his request that in his opinion it was not necessary for him to submit an FOI application to receive the information

It should be noted that the provisional year end financial statements for the year ending 30 June 2007 show there is no percentage variance between the actual and budget operating expenditure at the end of the year and actual revenue shows a 20% increase over budget estimates.

10. REPORTS

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

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

Items 10.3.6, 10.1.2, 10.1.8, 10.1.1 and 10.2.1

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:**

Item 10.4.6

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

Item 10.3.2

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

10.4 **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	Leave of Absence
Cr Chester	10.1.6, 10.1.7, 10.1.10, 10.1.12, 10.3.1, 10.4.6, 10.4.7
Cr Doran-Wu	Nil
Cr Ker	10.1.13, 10.4.3
Cr Lake	Nil
Cr Maier	10.1.5, 10.4.2
Cr Messina	Nil
Mayor Catania	Nil

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

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

Items 10.1.3, 10.1.4, 10.1.9, .10.1.11, 10.1.14, 10.2.2, 10.3.3, 10.3.4, 10.3.5, 10.4.1, 10.4.4 and 10.4.5

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

Nil

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

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

Items 10.1.3, 10.1.4, 10.1.9, .10.1.11, 10.1.14, 10.2.2, 10.3.3, 10.3.4, 10.3.5, 10.4.4 and 10.4.5

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

Items 10.3.6, 10.1.2, 10.1.8, 10.1.1 and 10.2.1

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

Moved Cr Ker, Seconded Cr Doran-Wu

That the following unopposed items be moved en bloc;

Items 10.1.3, 10.1.4, 10.1.9, .10.1.11, 10.1.14, 10.2.2, 10.3.3, 10.3.4, 10.3.5, 10.4.1, 10.4.4 and 10.4.5

CARRIED (7-0)

Cr Farrell on Approved Leave of Absence

Cr Torre was an apology for the Meeting until 7.42pm

10.1.3 No. 40 (Lot 210 D/P: 33158, Lot 18 D/P: 2360, Lot 19 D/P: 2360, Lot 108 D/P: 31795, Lot 70 D/P: 29157, Lot 71 D/P: 29157) Florence Street, West Perth- Proposed Partial Demolition of and Additions and Alterations to Existing Institutional Building (Nursing Home)

Ward:	South	Date:	3 September 2007
Precinct:	Cleaver, P5	File Ref:	PRO4048; 5.2007.252.1
Attachments:	001		
Reporting Officer(s):	R Narroo		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Hall & Prior Aged Care Organisation on behalf of the owner G Kay, H & N Schmidiger and Stately Nominees Pty Ltd for proposed Partial Demolition of and Additions and Alterations to Existing Institutional Building (Nursing Home) at No.40 (Lot 210 D/P: 33158 , Lot 18 D/P: 2360, Lot 19 D/P: 2360, Lot 108 D/P 31795, Lot 70 D/P: 29157, Lot 71 D/P: 29157) Florence Street, West Perth, and as shown on plans stamp-dated 5 July 2007, subject to the following conditions:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) the materials and finishes of the proposed additions shall complement the existing buildings on site; and*
- (iii) the proposed development shall not result in any increase in the number of beds in the overall development.*

COUNCIL DECISION ITEM 10.1.3

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm

Landowner:	G Kay & H & N Schmidiger & Stately Nominees Pty Ltd
Applicant:	Hall & Prior Aged Care Organisation
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R 80
Existing Land Use:	Institutional Building (Nursing Home)
Use Class:	Institutional Building
Use Classification:	"SA"

Lot Area:	3405 square metres
Access to Right of Way	Southern side, 3.48 metres wide, sealed, resumed and vested in the Town

BACKGROUND:

- 16 November 1981 The City of Perth Council at its Ordinary Meeting recommended approval for alterations and additions to the existing nursing home to the Metropolitan Region Planning Authority.
- 5 January 1982 The Metropolitan Region Planning Authority granted approval for the alterations and additions to the existing nursing home.

DETAILS:

The proposal involves the construction of two new ensuite bathrooms, one on each floor, between the existing four bedrooms on the western side of the eastern wing. To the southern end of the middle wing, the wall basin alcove and shower will be removed, a new single bedroom in existing unused lounge area and new exit corridor will be created, and the ramp to the courtyard will be extended. The applicant has confirmed that the new bedroom being created will take one resident out of existing four bedrooms which will change into three bedrooms. Therefore, there will be no increase in bed numbers which will have no impact on the car parking requirement.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	Not Applicable	Not Applicable	Noted
Open Space	60 per cent	54 per cent (Existing= 54.4 per cent)	Refer to Comments' below.
Consultation Submissions			
Support (1)	Support as long as the additions and alterations do not come closer to the boundaries.		The additions will not be located closer to the boundaries than the existing buildings.
Objection	Nil		Noted.
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:

Open Space

The variation to the open space is not considered significant (6 per cent which is equivalent to an area of 190 square metres) and given this existing open space shortfall, it is expected that there is sufficient open space around the Institutional Building (Nursing Home) to complement the existing buildings. Moreover, the open space variation will not impact on the streetscape and is likely to suit the future needs of the residents.

Conclusion

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

10.1.4 No. 301 (Lot: 1 D/P: 5184) Oxford Street, corner Wylie Place, Leederville - Proposed Demolition of Existing Single House and Construction of Five (5) Two- Storey Single Bedroom Single Houses

Ward:	North	Date:	4 September 2007
Precinct:	Leederville; P03	File Ref:	PRO3902 ; 5.2007.80.1
Attachments:	001_002		
Reporting Officer(s):	D Pirone		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Esteem Pty Ltd on behalf of the owner Esteem Pty Ltd & D J Condidorio for proposed Demolition of Existing Single House and Construction of Five (5) Two- Storey Single Bedroom Single Houses at No. 301 (Lot: 1 D/P: 5184) Oxford Street, corner Wylie Place, Leederville and as shown on plans stamp-dated 8 March 2007 and 27 August 2007 , subject to the following conditions:

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

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

- (iii) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on the site;*
- (iv) 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;*
- (v) prior to the issue of a Building Licence for the single bedroom dwellings, 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 single bedroom dwelling that:
 - (a) a maximum of one (1) bedroom and two (2) occupants are permitted in the single bedroom dwelling at any one time;*
 - (b) the floor plan layout of the single bedroom dwelling shall be maintained in accordance with the Planning Approval plans; and*
 - (c) the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential unit/dwelling. 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 single bedroom dwelling;

- (vi) a detailed landscaping plan, including a list of plants and the landscaping of the Oxford Street and Wylie Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (vii) the street verge tree(s) on Oxford Street and Wylie Street adjacent to the subject land, shall be retained and measures being taken to ensure their identification and protection to the satisfaction of the Town prior to commencement of site works;*
- (viii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:
 - (a) a visual truncation of 1.5 metres by 1.5 metres being provided at the intersection of footpaths and crossovers; and**

- (b) *the terrace and windows to the desk landing on the southern elevation, on the first floor for units ~~1-5~~ 2-5, inclusive being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole 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. Alternatively prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No. 299 Oxford Street stating no objection to the respective proposed privacy encroachment.*

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

- (ix) *in keeping with the Town's practice for multiple dwellings, commercial, retail and similar developments the footpaths adjacent to the subject ~~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 \$12,150 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; and*
- (x) *first obtaining the consent of the owners of No. 1/1 Wylie Place and No. 299 Oxford 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.1/1 Wylie Place and No. 299 Street in a good and clean condition.*

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

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

Cr Farrell on Approved Leave of Absence

Cr Torre was an apology for the Meeting until 7.42pm

COUNCIL DECISION ITEM 10.1.4

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 Esteem Pty Ltd on behalf of the owner Esteem Pty Ltd & D J Condidorio for proposed Demolition of Existing Single House and Construction of Five (5) Two- Storey Single Bedroom Single Houses at No. 301 (Lot: 1 D/P: 5184) Oxford Street, corner Wylie Place, Leederville and as shown on plans stamp-dated 8 March 2007 and 27 August 2007, subject to the following conditions:

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

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

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

- (v) *prior to the issue of a Building Licence for the single bedroom dwellings, 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 single bedroom dwelling that:*
- (a) *a maximum of one (1) bedroom and two (2) occupants are permitted in the single bedroom dwelling at any one time;*
 - (b) *the floor plan layout of the single bedroom dwelling shall be maintained in accordance with the Planning Approval plans; and*
 - (c) *the Town of Vincent will not issue a residential or visitor car parking permit to any owner or occupier of the residential unit/dwelling. 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 single bedroom dwelling;

- (vi) *a detailed landscaping plan, including a list of plants and the landscaping of the Oxford Street and Wylie Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (vii) *the street verge tree(s) on Oxford Street and Wylie Street adjacent to the subject land, shall be retained and measures being taken to ensure their identification and protection to the satisfaction of the Town prior to commencement of site works;*
- (viii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
- (a) *a visual truncation of 1.5 metres by 1.5 metres being provided at the intersection of footpaths and crossovers; and*
 - (b) *the terrace and windows to the desk landing on the southern elevation, on the first floor for units 2-5, inclusive being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole 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. Alternatively prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No. 299 Oxford Street stating no objection to the respective proposed privacy encroachment.*
-

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

- (ix) *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 \$12,150 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; and*
- (x) *first obtaining the consent of the owners of No. 1/1 Wylie Place and No. 299 Oxford 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.1/1 Wylie Place and No. 299 Street in a good and clean condition.*

Landowner:	Esteem Pty Ltd & D J Condidorio
Applicant:	Esteem Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	594 square metres
Access to Right of Way	Not Applicable

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the demolition of existing single house and the construction of five single bedroom single houses.

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

CORRECTED ASSESSMENT TABLE:

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

Non-Compliant Requirements			
Requirements	Required	Proposed	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density:	4.95 single bedroom dwellings at R60	5 single bedroom dwellings at R60 (1.01 per cent density bonus proposed under the reduced requirements for single bedroom	Supported – as a 5 per cent density bonus is supported in accordance with clause 3.1.3 of the R Codes where the proposal facilitates the development of lots with separate and sufficient

		dwellings.	frontage to more than one public street.
Plot Ratio:	0.65	0.60	Supported – no variation.
Single Bedroom Dwelling Plot Ratio:			
Unit 1	60 square metres	66.5 square metres	Supported – not considered to have an undue impact on the amenity of the area.
Unit 2	60 square metres	73.49 square metres	Supported – not considered to have an undue impact on the amenity of the area.
Unit 3	60 square metres	73.49 square metres	Supported – not considered to have an undue impact on the amenity of the area.
Unit 4	60 square metres	73.49 square metres	Supported – not considered to have an undue impact on the amenity of the area.
Unit 5	60 square metres	73.49 square metres	Supported – not considered to have an undue impact on the amenity of the area.
Setbacks: Ground Floor- West	1.5 metres	Nil	Supported – not considered to have an undue impact on the neighbouring property.
Store-South	1.5 metres	Nil	Supported- not considered to have an undue impact on the neighbouring property.
Upper Floor- East (Oxford Street) Balcony	6 metres	5 metres	Supported – not considered to have an undue impact on the amenity of the area.
South	2.8 metres	1.5 metres	Supported – not considered to have an undue impact on the neighbouring property.
Buildings on the Boundary –West	Boundary Wall- Walls not higher than 3.5 metres with an average of 3 metres for 2/3 the length of the balance of the boundary behind the front setback, to one side boundary.	Maximum and average height of 14.4 metres.	Supported – not considered to have an undue impact on the neighbouring property.
South		Maximum and average height of 5.6 metres. Two boundary walls on boundaries.	Supported – not considered to have an undue impact on the neighbouring property. Supported – not considered to have an undue impact on the neighbouring properties.

		<p><u>Two boundary walls proposed.</u></p> <p><u>West boundary wall-</u></p> <p><u>Wall height-</u> 6.3 metres – 6.6 metres (average height is 6.45 metres).</p> <p><u>Wall length-</u> 2/3 = 9.86 metres <u>Proposed length = 9.04 metres</u></p> <p><u>South boundary wall-</u></p> <p><u>Wall height-</u> 3.3 metres – 3.4 metres (average height is 3.35 metres)</p> <p><u>Wall length-</u> 2/3 = 26.82 metres <u>Proposed length = 1.8 metres</u></p>	Supported – the two boundary walls are not considered to have an undue impact on the neighbouring properties. No objection was received from the western neighbour.
Outdoor Living Area:	To be provided behind the front setback.	All units have provided the outdoor living area within the front setback.	Supported – not considered to have an undue impact on the amenity of the area.
Vehicular Access:	To be provided from a secondary street where available. Driveways shall not have an aggregate total width of 9 metres	Vehicular access for unit 1 from Oxford Street (primary street). 3 driveways proposed – total aggregate width is 17.1 metres, comprising 2 driveways to Wylie Place (total width of 11.9 metres) and 1 driveway to Oxford Street (width of 4.65 metres).	Supported – not considered to have an undue impact on the amenity of the area. Supported – not considered to have an undue impact on the amenity of the area.
Consultation Submissions			
Support	Nil.	Noted.	
Objection (1)	<ul style="list-style-type: none"> Objection to the density bonus 	<ul style="list-style-type: none"> Not supported - as a 5 per cent density bonus is supported under clause 3.1.3 of the R Codes for the reasons stated above. 	

	<ul style="list-style-type: none"> • Setbacks 	<ul style="list-style-type: none"> • Not supported – not considered to have an undue impact on neighboring property.
	<ul style="list-style-type: none"> • Courtyards in front setback • Too many driveways proposed 	<ul style="list-style-type: none"> • Not supported – not considered to have an undue impact on the amenity of the area. • Not supported – not considered to have an undue impact on the amenity of the area.
Other Implications		
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

An external site visit was undertaken on 3 August 2007. The single storey brick and tile dwelling modest in bulk, scale and detail was constructed c1920 in the inter-war bungalow style of architecture. The research undertaken as part of the attached Heritage Assessment indicated that the subject dwelling has little cultural heritage significance and in accordance with the Town's Policy relating to Heritage Management - Assessment, it does not meet the threshold for entry onto the Town's Municipal Heritage Inventory. In light of the above, the proposed demolition is supported subject to standard conditions.

Summary

In light of the above, the demolition of the subject dwelling and the construction of five single bedroom dwellings is supported, subject to standard and appropriate conditions to address the above matters.

CORRECTED HERITAGE ASSESSMENT:

A replacement page 3 of the Heritage Assessment is attached. The replacement page corrects the construction date of the subject dwelling from *c1938* to *c1920* under clause 3.2 Physical Evidence.

10.1.9 No. 36 (Lot 211 D/P: 2355) Wasley Street, Mount Lawley - Proposed Demolition of Existing Three (3) Grouped Dwellings and Construction of Four (4) Two-Storey Grouped Dwellings

Ward:	North	Date:	4 September 2007
Precinct:	Norfolk, P10	File Ref:	PRO4012; 5.2007.229.1
Attachments:	001		
Reporting Officer(s):	R Narroo		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council REFUSES the application submitted by M Carbone Designs on behalf of the owner L M Zorzi, P J D'Ercole, S & M Venafro and A & M Magistro for proposed Demolition of Existing Three (3) Grouped Dwellings and Construction of Four (4) Two-Storey Grouped Dwellings, at No. 36 (Lot 211 D/P: 2355) Wasley Street, Mount Lawley, and as shown on plans stamp-dated 24 August 2007, 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 Town's Policy relating to the Alma Locality as the Wasley Street streetscape is considered to be intact and the proposed redevelopment is not sympathetic to the scale and rhythm of the streetscape; and*
- (iii) the non-compliance with the minimum front setback requirement of 6 metres for the second storey as prescribed in the Town's Policy relating to the Alma Locality, and the average height of the boundary wall along the western boundary as prescribed by the Residential Design Codes.*

COUNCIL DECISION ITEM 10.1.9

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

Cr Farrell on Approved Leave of Absence

Cr Torre was an apology for the Meeting until 7.42pm

Landowner:	L M Zorzi , P J D'Ercole, S & M Venafro and A & M Magistro
Applicant:	M. Carbone Designs
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R40
Existing Land Use:	Grouped Dwellings
Use Class:	Grouped Dwelling

Use Classification:	"P"
Lot Area:	1012 square metres
Access to Right of Way	Not applicable

BACKGROUND:

5 February 2007 Western Australian Planning Commission (WAPC) conditionally approved the subdivision the subject property into four (4) survey strata lots.

DETAILS:

The proposal involves the demolition of existing three (3) grouped dwellings and construction of four two-storey dwellings. The applicant's submission is "*Laid on the Table*".

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	4.6 grouped dwellings at R40; however, a maximum of two dwellings are permitted per lot in Norfolk Precinct	4 grouped dwellings - R 40	Supported-refer to 'Comments' below.
Plot Ratio	N/A	N/A	Noted.
Setbacks - Unit A: Internal variations to setbacks and boundary walls are not stated in the Non-Compliant Requirements <u>Ground Floor:</u> South (Wasley Street) West	4 metres Boundary Wall- Walls not higher than 3.5 metres with an average of 3	2.825 metres to 3.418 metres Average Height 3.3 metres Two boundary walls on	Supported- refer to 'Comments' below. Not Supported- refer to 'Comments' below

	metres for 2/3 the length of the balance of the boundary behind the front setback, to one side boundary.	two side boundaries	
<u>First Floor</u>			
South-(Wasley Street)	6 metres	3.41 metres	Not supported- refer to 'Comments' below.
West (Units A & B)	5.7 metres	4.6 metres to 6.6 metres	Supported-no undue impact on the neighbouring property in terms of visual impact, ventilation and sunlight.
East (Units A & B)	5.7 metres	4 metres to 6.5 metres	Supported-no undue impact on the neighbouring property in terms of visual impact, ventilation and sunlight.
Setbacks - Unit B:			
<u>Ground Floor</u>			
West	1.5 metres	1 metre to 1.5 metres	Supported- no undue impact on the neighbouring property in terms of visual impact, ventilation and sunlight.
Setbacks- Unit C :			
<u>Ground Floor</u>			
West	1.5 metres	1 metre to 1.5 metres	Supported-no undue impact on the neighbouring property in terms of visual impact, ventilation and sunlight.
Setbacks - Unit D:			
<u>Ground Floor</u>			
North	1.5 metres	1 metre to 1.5 metres	Supported-no undue impact on the neighbouring property in terms of visual impact, ventilation and sunlight.
<u>First Floor</u>			

North	1.6 metres	1.2 metres to 1.5 metres	Supported-no undue impact on the neighbouring property in terms of ventilation and sunlight.
Crossovers	Not more than one crossover to any one property with a frontage less than 25 metres.	Two crossovers	Supported- refer to 'Comments' below.
	Crossovers not to occupy more than 25 per cent of the street frontage of a property.	33.3 per cent	Supported- refer to 'Comments' below.
Consultation Submissions			
Support (1- Anonymous)	<ul style="list-style-type: none"> Supports Development 		Noted.
Objection (3)	<ul style="list-style-type: none"> Density Traffic and Parking Privacy Boundary wall along the eastern boundary 		<p>Not supported- WAPC has conditionally approved the subdivision of the subject lot into four survey strata lots.</p> <p>Not supported- the proposal complies with the car parking requirements of Residential Design Codes.</p> <p>Not supported- the windows comply with the privacy requirements of Residential Design Codes.</p> <p>Not supported- no boundary wall proposed along the eastern boundary</p>
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

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

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

COMMENTS:

Heritage

The proposed subject dwellings to be demolished comprise a Federation style bungalow addressing Wasley Street constructed circa 1902 and two grouped dwellings to the rear of the lot constructed in 1986.

The single storey brick and iron Federation Bungalow has a complex roof form with front and east facing gables that are rendered with timber battens and a gablet facing east - west above the hipped section of the roof. The dwelling has a two room frontage with a front protruding room to the western portion. The dwelling has been rendered and painted yellow with much of the original Federation exterior detailing of the dwelling no longer extant. The dwelling features a cement roof verandah that extends above the three paned casement windows along the front protruding room supported by cast iron detailing and along the front porch supported by simple iron posts.

The subject Federation Bungalow was one of the earlier dwellings to be constructed in this section of Wasley Street, originally named Shenton Street until it changed its name in 1917. A Mr William Dean is listed as a long time resident and owner of the subject dwelling from first occupancy in 1903 until 1927.

With regard to the preliminary research undertaken, it is considered that the single storey brick and iron bungalow has *little* social, historic, aesthetic or scientific value and has insufficient cultural heritage significance to meet the threshold for entry onto the Town's Municipal Heritage Inventory, in accordance with the Town's Policy relating to Heritage Management - Assessment.

The two dwellings to the rear of the lot are constructed in a brick veneer with a low pitched tile roof and feature aluminium framed windows and doors. The dwellings are considered to have *little* cultural heritage significance and do not meet the threshold for entry onto the Town's Municipal Heritage Inventory in accordance with the Town's Policy relating to Heritage Management - Assessment.

It is however to be noted that the subject dwelling that addresses Wasley Street forms part of a relatively intact streetscape of dwellings constructed in the early part of the 20th century. In accordance with the policy for the Alma Locality, in which the dwelling is located, in an attempt to retain the historic character of the locality, the retention and restoration of established houses is to be encouraged and applications for demolitions are generally not supported in areas that have intact streetscapes. Furthermore, in areas coded R40, as is the case of the subject dwellings, single and 'infill' dwellings are the favoured forms of development with a maximum of two dwellings permitted per lot.

In light of the above, the proposed demolition of the three grouped dwellings at No. 36 (Lot 211) Wasley Street, Mount Lawley, whilst supported in terms of not meeting the threshold for entry onto the Town's Municipal Heritage Inventory, consideration of the Town's Policy for the Alma Locality should be applied in the assessment of this application.

Demolition and Redevelopment

The variation to the front setback (ground floor) is supported as the existing building is already setback at 2.7 metres. Therefore, the new front setback (2.825 metres to 3.418 metres) will not unduly impact the streetscape.

With regard to the crossovers, such variation is not prevalent in the surrounding area. However, it can be argued that if the combined width of the crossovers is 6 metres (which is equivalent to one crossover), this will not have an undue impact on the streetscape and can be recommended for approval.

The variation to the average height of the boundary wall along the western boundary will unduly impact on the amenity of the adjoining property in terms of visual impact, ventilation and sunlight. Therefore, the variation is not recommended for approval.

The applicant's submission for the front setback variation for the upper floor (Unit A) is noted; however, it is considered that this front setback will have an undue impact as the built form will dominate the streetscape and will create a discontinuity of the streetscape. The proposed upper floor front setback is not in compliance with the Town's Policy relating to the Alma Locality.

The subject site is located within the Norfolk Precinct. Clause 20(4) (d) (ii) of TPS 1 specifies that for the Norfolk Precinct, within the areas coded R40, a maximum of two dwellings will be permitted per lot. The Town received previous legal advice that notwithstanding the two (2) dwellings per lot limitation in the Norfolk Precinct, properties within this Precinct can still be subdivided into more than two (2) lots provided they comply with the minimum lot area requirements. There are three (3) existing dwellings on the subject site and the Western Australian Planning Commission (WAPC) conditionally approved the subdivision of the subject property into four survey strata lots. The proposed lots comply with the minimum lot area requirement under R40. Given the above, the Town can consider the development application for four dwellings.

In relation the proposed demolition, the Town's Policy relating to the Alma Locality states that intact streetscapes are strongly encouraged to be maintained and, as such, demolitions are generally not supported. In this instance, the subject streetscape is considered to be intact and the redevelopment proposal is not considered to be sympathetic to the scale and rhythm of the streetscape.

In light of the above, the development proposal is recommended for refusal.

10.1.11 Town of Vincent Library and Local History Centre – Competition to name Junior and Youth Areas

Ward:	Both	Date:	3 September 2007
Precinct:	All	File Ref:	CMS0002
Attachments:	-		
Reporting Officer(s):	S. Bell		
Checked/Endorsed by:	R. Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report in relation to naming and signage within the new Town of Vincent Library and Local History Centre; and*
- (ii) *ENDORSES the proposal to run a competition to determine names for the junior and youth areas of the new Library.*

COUNCIL DECISION ITEM 10.1.11

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

**Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm**

PURPOSE OF REPORT:

The purpose of the report is to seek the Council’s permission for the Library to run a competition to name the junior and youth areas of the new Town of Vincent Library and Local History Centre.

BACKGROUND:

The new Town of Vincent Library and Local History Centre is designed to be a vibrant community hub, setting a high standard of service and facilities on offer. It is now time to move forward from traditional and uninspiring names and signage, such as “*Junior Area*” and “*Young Adult Area*”, and present the Library in a more upbeat light.

In order to engage with our younger members of the community, and recognising their value now and as potential lifelong members, it is proposed to run a competition open to young members of the community and local school children to rename the “*Junior*” and “*Young Adult*” areas within the new Library with something that has meaning for them. This is expected to be something more dynamic and stimulating to reflect the welcoming and friendly service the Library provides.

The competition will be a good marketing exercise for the new Library, drawing further attention to the Town of Vincent and the Library and Local History Centre, and fostering ownership by the community's younger people of the space and collection within the Library dedicated to them.

CONSULTATION/ADVERTISING:

This competition will be advertised on the Town of Vincent website, signage within the Library, mailouts to schools, e-mailouts to Library members registered for library e-news, and in the local press.

LEGAL/POLICY:

Not applicable.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 : Strategic Objectives -

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

(a) Organise and promote community events and initiatives that engage the community and celebrate cultural and social diversity of the Town."

FINANCIAL/BUDGET IMPLICATIONS:

Costs for prizes can be met from the Library's Displays and Promotions 2007/2008 Budget allocation, which allocates \$4,000.00 for these purposes.

COMMENTS:

As it is important for the Library signage to reflect terminology relevant to our youth, rather than using traditional and perhaps perceived old-fashioned language, it is recommended that the Council endorses this proposal.

10.1.14 Proposed Agreement between Town of Vincent and Main Roads Western Australia, for the Removal of apparently abandoned vehicles and unattended animals from the State Road Network

Ward:	Both	Date:	4 September 2007
Precinct:	All	File Ref:	ENS0003
Attachments:	001 002		
Reporting Officer(s):	J MacLean		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Town of Vincent enters into a formal agreement with Main Roads Western Australia, to enable the removal of apparently abandoned vehicles and unattended animals from the State Road network, using similar procedures to those applied to local roads.

COUNCIL DECISION ITEM 10.1.14

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm

PURPOSE OF REPORT:

The purpose of the report is to formalise the authority for the Town's Rangers to deal with apparently abandoned vehicles and unattended animals, on thoroughfares that fall under the jurisdiction of Main Roads Western Australia.

BACKGROUND:

It has been suggested to Main Roads Western Australia, by some local governments, that they may not have an authority to remove apparently abandoned vehicles and unattended animals from major roads. As a result, Main Roads Western Australia have contacted all local governments, seeking a formal agreement to authorise local government Rangers and other staff to remove vehicles and animals, when necessary. The "*Instrument of Authorisation*" is attached at appendix 10.1.14.

DETAILS:

The Town of Vincent Parking Facilities Local Law currently covers all thoroughfares within the Town, except the Mitchell Freeway, which is specifically excluded, under clause 6(1). Rangers currently exercise their authority, to remove apparently abandoned vehicles, throughout the Town, including those that are parked on roads that fall under the jurisdiction of Main Roads Western Australia. The two roads within the Town are Charles Street and East Parade.

The Town's current *Local Law Relating to Removal and Disposal of Obstructing Animals or Shopping Trolleys* also permits the Rangers to deal with unattended animals, throughout the Town, including major roads.

However, a number of other local governments do not have appropriate local legislation, which enables authorised officers to impound unattended vehicles and animals, on major roads, so in the interest of consistency, all local governments are being asked to formally agree to be authorised, by Main Roads Western Australia, to impound them.

Given that the Town already exercises the authority, which is provided by the Local Law, there will be no change to the existing procedures, used by Rangers.

CONSULTATION/ADVERTISING:

There is no need to advertise the above, since it is simply formalising what is currently done.

LEGAL/POLICY:

Main Roads Western Australia would like to formalise the authority for all local governments to remove apparently abandoned vehicles and unattended animals, falling within their jurisdiction, so they would like to enter into a formal agreement to do so. The purpose of the Instrument is to:

- (a) eliminate any confusion about the Town of Vincent's authority to remove apparently abandoned vehicles and unattended animals from ordinary main roads and Highways within the Town's district without needing to consult with Main Roads Western Australia; and
- (b) specifically authorise the Town of Vincent to remove apparently abandoned vehicles and unattended animals on any proclaimed control-of-access Highways/Freeways currently, or in the future, within the municipal boundary of the Town of Vincent.

STRATEGIC IMPLICATIONS:

The above meets the requirements of the Strategic Plan, 2006 - 2011, Objective 2.1.2(b) - "*Develop partnerships with government agencies including education institutions, Water Corporation*".

FINANCIAL/BUDGET IMPLICATIONS:

There are no financial implications associated with this report.

COMMENTS:

The above recommendation simply formalises what is currently being done by Rangers and other authorised persons and there will be no change to how the Town operates, in relation to apparently abandoned vehicles and unattended animals. The report is recommended for approval.

10.2.2 Tender for Hire of Temporary Labour - Tender No. 372/07

Ward:	Both	Date:	5 September 2007
Precinct:	All	File Ref:	TEN0382
Attachments:	-		
Reporting Officer(s):	J van den Bok		
Checked/Endorsed by:	M Rootsey; R Lotznicker	Amended by:	

OFFICER RECOMMENDATION:

That the Council ACCEPTS the tenders submitted by LoGo Appointments, Flexistaff and IPA for the Hire of Temporary Labour in accordance with the specifications detailed in Tender No. 372/07.

COUNCIL DECISION ITEM 10.2.2

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

**Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm**

BACKGROUND:

Tenders for the Hire of Temporary Labour for a three (3) year period closed at 2.00 pm on 15 August 2007 and six (6) tenders were received.

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

DETAILS:

Tenderers were requested to indicate the mark-up rate to all levels listed in the Schedule in accordance with the Municipal Employees/City of Perth Award. The mark-up rate was to be expressed as a percentage rate of the hourly rate and was to include the following items:

- Inductions by Contractor
- Advertising
- Workers Compensation Insurance
- Administration Costs
- Taxes, fees and charges
- Compliance with all Occupational Safety & Health Requirements
- Tool Allowances (where applicable)
- Fuel, travel expenses, mobilisation & demobilisation costs

Details of all submissions received for Tender No. 372/07 are as follows.

Pay rates to be in accordance with Level 4 to 8 of the Municipal Employees City of Perth Award 2000.

% Mark-up Rate (Excl. GST)	IPA	Lo-Go Appointments	Hays	Workforce International	Skill Hire	Flexistaff
Level 4						
Normal Time	42.5	45	57.7	42	69.90	48
Time & One Half	32	32	57.7	37	29.84	39
Double Time	31	32	57.7	24	27.27	39
Double Time & One Half	31	32	57.7	22	25.18	39
% Mark-up Rate (Excl. GST)	IPA	Lo-Go Appointments	Hays	Workforce International	Skill Hire	Flexistaff
Level 5						
Normal Time	43.5	45	57.7	42	69.50	48
Time & One Half	32.5	32	57.7	36	29.65	39
Double Time	31.5	32	57.7	24	26.81	39
Double Time & One Half	31.5	32	57.7	22	25.10	39
Level 6						
Normal Time	44.5	45	57.7	41	68.67	48
Time & One Half	33	32	57.7	36	28.94	39
Double Time	32	32	57.7	23	26.51	39
Double Time & One Half	32	32	57.7	22	24.54	39
Level 7						
Normal Time	45.5	45	57.7	41	68.00	48
Time & One Half	33.5	32	57.7	36	28.76	39
Double Time	32.5	32	57.7	23	26.00	39
Double Time & One Half	32.5	32	57.7	21	24.34	39
Level 8						
Normal Time	46.5	45	57.7	40	67.76	48
Time & One Half	34	32	57.7	35	28.10	39
Double Time	33	32	57.7	23	25.82	39
Double Time & One Half	33	32	57.7	21	23.97	49

Tender Evaluation

Selection Criteria

The following weighted criteria was used for the selection of the companies for the Hiring of Labour personnel.

CRITERIA		WEIGHTING
1	Contract Price	65%
2	Past experience in similar projects/works	15%
3	Adequate resources available to carry out works	10%
4	References	5%
5	Overall compliance with tender specification & requirements	5%
TOTAL:		100%

Tender Evaluation Panel

The Tender Evaluation Panel consisted of the Director Technical Services, Rick Lotznicker, Manager Financial Services, Bee Choo Tan, and Manager Parks Services, Jeremy van den Bok.

Each tender was assessed using the above selection criteria in accordance with the tender documentation.

Tender Summary

Selection Criteria	IPA	Lo-Go Appointments	Flexistaff	Workforce International	Skill Hire	Hays
Contract Price	61.40	61.88	58.57	49.39	65	49.39
Past Experience	15	15	15	15	0	0
Adequate Resources	10	10	10	8	0	0
References	5	5	5	5	2.5	0
Compliance	5	3	4	4	0	0
Total	96.4	94.88	92.57	81.39	67.5	49.39
Ranking	1	2	3	4	5	6

The Town currently holds this contract with both Flexistaff and Logo Appointments, who have provided satisfactory service over the past three (3) years. Many of these labour hire staff have been employed by the Town as vacancies arise in both the Engineering and Parks sections and the majority have been staff with above average skills.

IPA and Hays also have vast experience in providing similar staff for work in the outside operations workforce and hold contracts with many other local government authorities, however, Hays mark up percentage rate is far higher.

The submissions provided by Workforce International and Skill Hire lacked the required information to adequately assess their past experience and resources to undertake the requirements of this tender.

CONSULTATION/ADVERTISING:

The tender was advertised in accordance with the Local Government Act Tender Regulations and the Town's Tender Policy.

LEGAL/POLICY:

The tender was evaluated in accordance with the Local Government Act Tender Regulations and the Town's Tender Policy.

STRATEGIC IMPLICATIONS:

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

FINANCIAL/BUDGET IMPLICATIONS:

Costs associated with the Hire of Temporary Labour personnel are charged against the respective Parks and Engineering maintenance or capital works accounts as/when required.

COMMENTS:

It is therefore recommended that the Council accepts the tenders submitted by LoGo Appointments, Flexistaff and IPA for the Hire of Temporary Labour in accordance with the specifications as detailed in Tender No. 372/07.

10.3.3 Authorisation of Expenditure for the period 1 - 31 August 2007

Ward:	Both	Date:	04 September 2007
Precinct:	All	File Ref:	FIN0005
Attachments:	001		
Reporting Officer(s):	M Orchard		
Checked/Endorsed by:	B Tan	Amended by:	

OFFICER RECOMMENDATION:

That the Council CONFIRMS the;

- (i) Schedule of Accounts for the period 1 August – 31 August 2007 and the list of payments;*
- (ii) direct lodgement of payroll payments to the personal bank account of employees;*
- (iii) direct lodgement of PAYG taxes to the Australian Taxation Office;*
- (iv) direct lodgement of Child Support to the Australian Taxation Office;*
- (v) direct lodgement of creditors payments to the individual bank accounts of creditors; and*
- (vi) direct lodgement of Superannuation to Local Government and City of Perth superannuation plans.*

as shown in Appendix 10.3.3

COUNCIL DECISION ITEM 10.3.3

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm

DECLARATION OF INTEREST

Members/Officers	Voucher	Extent of Interest
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Nil.

PURPOSE OF REPORT:

To seek authorisation of expenditure for the period 1 - 31 August 2007.

BACKGROUND:

The Local Government Act provides for all payments to be approved by the Council. In addition the attached Schedules are submitted in accordance with Item 13 of the Local Government (Finance Management) Regulations 1996.

DETAILS:

The Schedule of Accounts to be passed for payment, cover the following:

FUND	CHEQUE NUMBERS/ PAY PERIOD	AMOUNT
Municipal Account		
Town of Vincent Advance Account	EFT	\$303,687.63
Total Municipal Account		\$303,687.63
Advance Account		
Automatic Cheques	59470-59473, 59571-60041	\$976,894.12
EFT Batch		
Municipal Account		
Transfer of Creditors by EFT Batch	691, 693-698, 700-701	\$2,790,639.28
Transfer of PAYG Tax by EFT	August 2007	\$168,239.25
Transfer of GST by EFT	August 2007	\$0.0
Transfer of Child Support by EFT	August 2007	\$643.94
Transfer of Superannuation by EFT:		
• City of Perth	August 2007	\$32,641.54
• Local Government	August 2007	\$99,614.89
Total		\$4,068,673.02
Bank Charges & Other Direct Debits		
Bank Charges – CBA		\$2,172.45
Lease Fees		\$2,354.13
Corporate Master Cards		\$6,753.70
Folding Machine Lease Equipment		\$293.70
Trace Fees		\$0.00
Loan Repayment		\$57,086.95
Rejection Fees		\$17.50
System Disk Fee		\$0.00
Beatty Park - miscellaneous deposit		\$0.00
Total Bank Charges & Other Direct Debits		\$68,678.43
Less GST effect on Advance Account		-\$216,888.43
Total Payments		\$4,224,150.65

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 – Key Result Area 4.2 – Governance and Management

“Deliver services, effective communication and public relations in ways that accord with the expectations of the community, whilst maintaining statutory compliance and introduce processes to ensure continuous improvement in the service delivery and management of the Town.”

ADVERTISING/CONSULTATION:

Nil.

COMMENT:

Vouchers, supporting invoices and other relevant documentation are available for inspection by Councillors at any time following the date of payment and are laid on the table.

10.3.4 Cultural Development Seeding Grant Application – The Big Draw-In!

Ward:	Both	Date:	3 September 2007
Precinct:	All	File Ref:	FIN0155
Attachments:			
Reporting Officer(s):	J. Bennett		
Checked/Endorsed by:	J. Anthony M. Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council APPROVES the application of the “Community Arts Group” for a Cultural Development Seeding Grant of \$670 for “The Big Draw In!” project.

COUNCIL DECISION ITEM 10.3.4

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

**Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm**

PURPOSE OF REPORT:

To seek approval for a Cultural Development Seeding Grant application for a free drawing art workshop in support of “W.A’s Biggest Draw” and involving local residents.

BACKGROUND:

“W.A’s Biggest Draw” is being presented by Artopia which is a month long celebration of art and artist’s state-wide promoted by Artsource. A number of “Big Draw” events are being coordinated throughout the state including cartooning, mark making and long drawings.

DETAILS:

An application for a Cultural Development Seeding grant has been received from Julie Rosario the Event Coordinator for the Community Arts Group for conducting “The Big Draw-In!”. “The Big Draw In!” is part of Artopia which is a biennial festival celebrating the talents of local artists across the state of Western Australia.

During Artopia, 21 September to 14 October, visitors can follow a trail of stepping into different studios, seeing artists’ working in situ, plus the bonus of taking part in Big Drawing sessions around the State, as well as discovering the rich array of West Australian galleries. In 2005, 2000 artists at 200 venues welcomed over 200,000 people into their working worlds.

“The Big Draw-In!” will consist of a number of community artists facilitating a range of free drawing activities and workshops for children and adults. This includes cartooning, mark making, chalk marking, long drawings and more.

“The Big Draw-In!” event will be conducted on Saturday 22 September 2007 at the Loftus Community Centre and surrounds from 9 am to 12 noon.

Participants will be encouraged to come down and join the local artists as the Loftus Centre is transformed with drawings of all shapes, sizes and styles. “The Big Draw-In!” is open to the general public, users of the Vincent library, Loftus Community Centre and the Recreation Centre. Students from Aranmore Catholic College will also be involved at the event as volunteers.

It is proposed that direct benefits for those involved will be:

- To learn new skills;
- To explore different activities and mediums (of drawing);
- To meet other locals and promote a positive community spirit amongst residents;
- To have fun together as a family or group of friends;
- To inform them of the Town of Vincent’s facilities and activities; and
- To provide them with free and accessible art and cultural activities.

In line with previous applications it is recommended that funding of \$670 be supported to go towards assistance with costs relating to the artist fees and promotion. The project will be a free event, open to the community.

This event will be accessible to members of the community including people with a disability.

CONSULTATION/ADVERTISING:

Nil

LEGAL/POLICY:

Nil

STRATEGIC IMPLICATIONS:

The Cultural Development Seeding Grants and the submitted application address the following strategic objectives of the Town’s Strategic Plan 2006–11:

“3.1.1 *Celebrate and acknowledge the Town’s cultural and social diversity*
(a) *Organise and promote community events and initiatives that engage the community and celebrate cultural and social diversity of the Town.*”

“1.1.5 *Enhance and maintain parks and community facilities*
(d) *Continue to provide vibrant meeting places for the community (eg Beatty Park Leisure Centre, Hyde Park and Library).*”

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$6,000 is allocated for Cultural Seeding Grants of which this is the first grant put forward within the 2007/08 budget.

COMMENTS:

“The Big Draw-In!” is an innovative project that meets the criteria for the Cultural Development Seeding Grants. The Town's support will be acknowledged during the project and in the workshop promotion. Participants will be targeted from within the Town of Vincent and it will be conducted at the Loftus Community Centre. This project will also form an interesting and engaging community activity to support Artopia over the month of September.

The applicant will be required to complete an acquittal report after the event, detailing how the Cultural Development Seeding Grant was expended.

10.3.5 Early Birds Playgroup - Lease

Ward:	North Ward	Date:	24 September 2007
Precinct:	Mount Hawthorn Precinct	File Ref:	CMS0028
Attachments:	-		
Reporting Officer(s):	P Betts		
Checked/Endorsed by:	M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council APPROVES a lease be granted to the Earlybirds Playgroup (Inc) for the period 1 July 2007 until 30 June 2012 for the premises located at 87 The Boulevard, Mount Hawthorn, subject to final satisfactory negotiations being carried out by the Chief Executive Officer.

COUNCIL DECISION ITEM 10.3.5

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

**Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm**

PURPOSE OF REPORT

To report on the details for the request from Earlybirds Playgroup (Inc) to be granted a five (5) year lease for the premises located at 87 The Boulevard, Mount Hawthorn.

BACKGROUND:

Earlybirds Playgroup (Inc) have leased the premises at 87 The Boulevard since 1 July 1996. Their current lease is for the period 1 July 2002 until 30 June 2007. The Playgroup has asked for another five (5) year lease. They are currently on a monthly lease.

DETAILS:

Earlybirds Playgroup (Inc) has proven to be a good tenant in the eleven (11) years that they have leased the premises at 87 The Boulevard. With the assistance of the Town of Vincent they have made a number of improvements to the property, including the erection of a shade sail and the external painting of the building.

The playgroup conducts thirteen (13) sessions from Monday to Friday. Services are provided to eighty six (86) families in the area and the President of the playgroup is confident one hundred (100) families will be receiving services by September 2007.

The playgroup is currently on a one (1) month lease, the previous lease period being 1 July 2002 until 30 June 2007. A new five (5) year lease will be for the period 1 July 2007 until 30 June 2012.

CONSULTATION/ADVERTISING:

N/A

LEGAL/POLICY:

Policy No. 1.2.1

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

STRATEGIC IMPLICATIONS:

Strategic Plan 2006 – 2011 – Strategic Objectives: Community Development

“Objective 3.1 Enhance community development and wellbeing

3.1.1 Determine the requirements of the community

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

FINANCIAL/BUDGET IMPLICATIONS:

Earlybirds Playgroup (Inc) currently pay \$800.00 in annual lease fees.

COMMENTS:

Earlybirds Playgroup (Inc) has been an ideal tenant for the Town over the past eleven (11) years. They have been proactive regarding improvements and maintenance to the property and have one of the most aesthetically pleasing playgroups in the Town. It is recommended that Council approves the granting of a five (5) year lease so that they can continue providing a valuable community service.

10.4.1 Use of the Council's Common Seal

Ward:	-	Date:	5 September 2007
Precinct:	-	File Ref:	ADM0042
Attachments:	-		
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

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

COUNCIL DECISION ITEM 10.4.1

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

**Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm**

BACKGROUND:

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

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

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

Date	Document	No of copies	Details
10/08/07	Sub-Lease	3	Town of Vincent (<i>Sub-lessee</i>) and Housing Authority of 99 Plain Street, East Perth (formerly known as The State Housing Commission under the <i>Housing Act 1980</i>) (<i>Sub-lessor</i>) and Perth Transport Authority of PO Box 8125, Perth Business Centre, Perth (<i>Head Lessor</i>) regarding Norwood Park - East Perth Train Station Site - 50 years effective from 1 July 2004 and expiring on 30 June 2054
17/08/07	Restrictive Covenant	3	Town of Vincent and A P Murphy and C M Murphy both of 65a Wesley Street, Balcatta re: No. 153 (Pt Lots: 294 and 295) Coogee Street, Mount Hawthorn - Condition 9 of approval

Date	Document	No of copies	Details
			from WAPC dated 31 May 2006 stated that the Restrictive Covenant is to state as follows; <i>"No new development shall occur with 0.485 [metre] of the right-of-way abutting the boundary of the lots to accommodate widening of the right-of-way should it be required in the future."</i>
21/08/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services, Gate 7, Subiaco Oval, Subiaco Road, Subiaco re: Members Equity Stadium Season Launch - 22 August 2007 (Gareth Naven Room)
22/08/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services, Gate 7, Subiaco Oval, Subiaco Road, Subiaco re: Drug & Alcohol Office Event - 24 August 2007 (Gareth Naven Room)
22/08/07	Contract	3	Town of Vincent and The Public Transport Authority of WA of PO Box 8125, Perth Business Centre, Perth (PTAWA) - Contract for Grant of a Licence to occupy Land by Offer and Acceptance re: Bicycle Path, East Perth (approximately 210 m ²) on PTA Plan 7128
29/08/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services, Gate 7, Subiaco Oval, Subiaco Road, Subiaco re: Coles Myer Event - 30 August 2007 (Gareth Naven Room)
29/08/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services, Gate 7, Subiaco Oval, Subiaco Road, Subiaco re: First Rock Mortgage Centre Meeting - 19 September 2007 (Chairman's Lounge)
29/08/07	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services, Gate 7, Subiaco Oval, Subiaco Road, Subiaco re: Department and Sport Recreation Meeting - 21 September 2007 (Gareth Naven Room)
30/08/07	Deed of Covenant	4	Town of Vincent and Pride Land Holdings Pty of PO Box 6686, East Perth 6892 and Bank of Western Australia of GPO Box E237, Perth 6842 re: Nos. 209-213 (Lots 1, 2, 3 and 44) Bulwer Street, Dual Frontage to Edith Street, Perth - Proposed Demolition of existing two (2) single houses, warehouses and shop and construction of three (3) storey mixed use development comprising six (6) grouped dwellings and three (3) offices - <i>In order to satisfy condition (xviii) of Planning Approval issued on 8 January 2007</i>
30/08/07	Deed of Assignment	3	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Brett McKeon, Tony Sage and John Spence of 18 Oxford Close, Leederville and PG Company No. 1 Pty Ltd, Okewood Pty Ltd, RDI Holdings Ltd, <i>trading as PG Partnership</i> , of 18 Oxford Close, Leederville re: Deed of Assignment of Licence for Members Equity Stadium

10.4.4 Review and Adoption of Policy for Employees' Study Leave and Assistance

Ward:	-	Date:	5 September 2007
Precinct:	-	File Ref:	ORG0023
Attachments:	001		
Reporting Officer(s):	A Smith, John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RESCINDS existing Policy No 5.7.13 – Study Leave and Assistance as shown in Appendix 10.4.4A;*
- (ii) *ADOPTS the draft Policy No 5.7.13 – Study Leave Assistance as shown in Appendix 10.4.4B;*
- (iii) *NOTES that the policy will not be advertised, as it relates to Town employees only and does not involve the community.*

COUNCIL DECISION ITEM 10.4.4

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm

PURPOSE OF REPORT:

The purpose of this report is to seek Council’s approval to rescind existing Policy No: 5.7.13 – Study Leave and Assistance and adapt a new policy in its place.

BACKGROUND:

At the Ordinary Meeting of Council held on 21 December 2004, the Council resolved to adopt the Human Resources Policy Manual.

DETAILS:

As part of its conditions of employment the Town encourages and supports on-going training and study for its employees. This training encompasses formal training during work hours and also attendances at tertiary institutions. There has been a large increase in the number of applications for study leave and the current Study Leave and Assistance Policy does not provide sufficient detailed guidelines for applications for study leave. To ensure that there is equity when approving such applications, detailed guidelines have been prepared and included in the draft Policy.

In preparing the new policy, the Town researched policies in six other local governments to compare entitlements and benefits. These have been used as a guide.

The proposed Policy includes:

1. Eligibility Clause

This is a new clause and specifies who is eligible to apply for study leave.

2. Provision of 5 hours per week and up to 4 days per annum paid study leave

The current policy does not specify the amount of time an employee can apply for to attend classes, lectures etc. The proposed policy will allow for an employee to apply for up to 5 hours per week (on a 50:50% basis) to attend such classes, lectures etc. The employee will be required to fulfil the other 50% of study time as their own time.

Currently employees can apply for Study Leave for exams and each application is assessed individually. To ensure equity across the organisation, the proposed policy will allow for an employee to apply for up to a maximum 4 days per annum paid Study Leave.

3. Conditions of Assistance – Repayment of Fees

This is a new clause and allows the Town to recover financial assistance (on a sliding scale) should the employee leave the Town within 1-2 years of receiving the financial assistance.

4. Financial Assistance

The current policy allows for an employee to claim financial assistance to a maximum of \$1,035 per annum.

The proposed policy allows for an employee to be reimbursed up to a maximum of 50% of the total unit course fee plus one text book with a maximum contribution of \$2,000 per calendar year. This amount will be increased by Consumer Price Index (Perth) on 1 July each year.

CONSULTATION/ADVERTISING:

Policies are generally advertised for a period of twenty-one (21) days seeking comments from the public, however as this policy relates to employees only and does not involve the community there is no requirement to advertise. This is the normal practice for policies involving the Town Human Resources and employees.

LEGAL/POLICY:

Policies are not legally enforceable, they provide guidance to the Town's Administration and Elected Members when considering various matters.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 - Key Result Area 4 – Leadership, Governance and Management –

“4.1.2 – Manage the organisation in a responsible, efficient and accountable manner”.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

It is recommended that the Council approve the draft Policy No: 5.7.13 – Study Leave and Assistance. The new policy will ensure that the criteria is clearer for its employees. With a highly mobile workforce, employees are very mobile and there is a trend to move to a new employer within 1-2 years.

The new policy encourages an employee to remain with the Town for a longer period, thereby ensuring the Town obtains some benefit from the study leave.

It is considered the new policy is more precise, flexible and better meets the needs of both the employee and the Employer (Town). It is therefore recommended for approval.

10.4.5 Consideration of Public Submissions - Policy - Use of Open Fires at Public Buildings Within the Town of Vincent

Ward:	Both	Date:	4 September 2007
Precinct:	All	File Ref:	ENS0043
Attachments:	-		
Reporting Officer:	S Teymant; A Giles		
Checked/Endorsed by:	R Boardman; J Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report relating to the submission received concerning the Draft Council Policy 3.8.9 – Use of Open Fires at Public Buildings within the Town of Vincent; and*
- (ii) *ADOPTS the amended Draft Policy 3.8.9 – Use of Open Fire Places at Public Buildings within the Town of Vincent, as Council Policy 3.8.9 - Use of Open Fires at Public Buildings within the Town of Vincent, subject to amendment of Clause 2, and deletion of Clause 7 as follows:*
 - 2. *'Not less than 50% of staff There shall be a fire safety certified member of staff on-duty at any given time, shall be certified with their respective level of fire safety training, with the premises specific minimum, number of fire wardens to also be present during all operating hours.*
 - 7. ~~*Written in principal endorsement has been obtained from the Fire and Emergency Services Association (FESA).*~~

COUNCIL DECISION ITEM 10.4.5

Moved Cr Ker, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm

PURPOSE OF REPORT:

The purpose of the report is to report back to the Council with the public submissions received in relation to the advertised *Draft Policy 3.8.9 - Use of Open Fires at Public Buildings Within the Town of Vincent*, and to present an amended draft policy for adoption by the Council.

BACKGROUND:

The Council at its Ordinary Meeting held on 12 June 2007 resolved the following:

“That the Council;

- (i) *RECEIVES the report relating to the use of open fire places at Public Buildings within the Town of Vincent;*
- (ii) *APPROVES the application from The Queens Tavern, for an open fire in their building at No. 512 - 522 Beaufort Street, Highgate;*
- (iii) *in accordance with Section 5.42 of the Local Government Act 1995, APPROVES BY AN ABSOLUTE MAJORITY to delegate to the Chief Executive Officer the power to approve as follows;*

<i>Delegation Number</i>	<i>Responsible Area</i>	<i>Delegation</i>	<i>Assignee</i>	<i>Conditions</i>
<i>14A</i>	<i>Health Services</i>	<i>Authority to: (i) Approve open fires at Public Buildings</i>	<i>EMEDS</i>	<i>Subject to: 1. A report being received from the Town’s Manager Health Services, supporting any application for such open fire; 2. Compliant with Policy No. 3.8.9; and 3. A Register of approvals being kept and updated annually.</i>

- (iv) *APPROVES IN PRINCIPLE the Draft Policy 3.8.9 - Use of Open Fires at Public Buildings Within the Town of Vincent, contained in Appendix 10.4.4; and*
- (v) *AUTHORISES the Chief Executive Officer to:*
 - (a) *advertise the Draft Policy 3.8.9 - Use of Open Fires at Public Buildings Within the Town of Vincent, for a period of 21 days seeking public comment;*
 - (b) *report back to the Council with any public submissions received; and*
 - (c) *include the new Policy in the Town’s Policy Manual if no public submissions are received.”*

DETAILS:

The Town only received one (1) written submission from the Queen's Hotel on 1 August 2007 in relation to the advertised *Draft Policy 3.8.9 - Use of Open Fires at Public Buildings Within the Town of Vincent*. The Queen's Hotel is supportive of the Draft Policy in general; however, objects to the requirement of having 50% of all staff on duty at any given time to be certified. The Hotel claims that complying with this requirement at all times would be *'near impossible'*, due to unplanned sick leave, last minute roster changes and the transient nature of the industry's workforce. In addition, the Hotel states that it would also be difficult to comply with the Draft Policy requirement of providing bi-annual fire warden training.

After careful review of the objection it is considered that the requirement to have no less than 50% of staff with certified fire safety training on-duty at any given time, is too onerous for many premises. As a result, it is recommended that Clause 2 of the Draft Policy be amended as follows:

'~~Not less than 50% of staff~~ There shall be a fire safety certified member of staff on-duty at any given time, ~~shall be certified with their respective level of fire safety training, with the premises minimum, specific number of fire wardens to also be present during all operating hours.~~'

The Fire and Emergency Services Association verbally advised the Town's Health Services that they do not provide "in principle" endorsement. Subsequently, it is recommended that Clause 7 of the Draft Policy be deleted accordingly.

CONSULTATION/ADVERTISING:

Subject to the adoption of the Policy, all Public Buildings will be advised in writing of their obligations to comply with the new Policy.

LEGAL/POLICY:

The Health (Public Building) Regulations 1992 prescribe the requirements for public buildings.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 - 'Leadership, Governance and Management':

4.1.1 Deliver services in ways that accord with the expectations of the community, whilst maintaining statutory compliance.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

It is considered judicious to have a sound policy in place to protect public safety. Such a policy also provide operational flexibility to public buildings proprietors by not placing an outright ban on the use of open fires in public buildings, whilst at the same time circumventing potential liability presented to the Council, by establishing a clear process that demonstrates due diligence. Adoption of the Policy, as amended, is recommended.

10.3.6 Britannia Reserve Clubrooms Upgrade – Approval of Plans.

Ward:	North	Date:	3 September 2007
Precinct:	Leederville	File Ref:	ADM0031
Attachments:	001		
Reporting Officer(s):	M Rootsey		
Checked/Endorsed by:		Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *APPROVES the upgrade of the Britannia Reserve Clubrooms as shown in Plan SK04.03; and*
- (ii) *AUTHORISES the Chief Executive Officer to;*
 - (a) *prepare a specification with detailed working drawings for the proposed upgrade of the Britannia Reserve Clubrooms; and*
 - (b) *calls tenders for the work.*

Moved Cr Ker , Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Lake, Seconded Cr Ker

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

- (i) *APPROVES the concept plan (SK04.03) for the upgrade of the Britannia Reserve Clubrooms subject to the facility being available to any community group when not in use by the leaseholders and the income from casual use be paid to the Town of Vincent and that the lease between the Town and the leaseholders be amended to reflect this condition;*

Debate ensued.

AMENDMENT PUT AND LOST (1-6)

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

Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm

Debate ensued.

MOTION PUT AND CARRIED (7-0)

COUNCIL DECISION ITEM 10.3.6

That the Council;

- (i) ***APPROVES the upgrade of the Britannia Reserve Clubrooms as shown in Plan SK04.03; and***
- (ii) ***AUTHORISES the Chief Executive Officer to;***
 - (a) ***prepare a specification with detailed working drawings for the proposed upgrade of the Britannia Reserve Clubrooms; and***
 - (b) ***calls tenders for the work.***

PURPOSE OF REPORT:

To present the Plans for the upgrade of the Britannia Reserve Clubrooms for approval by the Council.

BACKGROUND:

At the Ordinary Council meeting of the 24th April 2007, a petition was presented to the Council with sixty four (64) signatures the Leederville Cricket Club submitted in support of the redevelopment and planned upgrade of the Britannia Road Clubrooms proposed by the Leederville Cricket Club, the WA Junior Rugby Association and the Floreat Athena Soccer Club, and requesting the upgrade commence immediately as the current facility is inadequate.

The Leederville Cricket Club have submitted the following information as the background to the proposal.

“1. Background and Environment:

The Leederville Cricket Club was formed in 1946 with its home ground at the Lake Monger-Leederville area where the Mitchell Freeway currently runs. Sponsored by the Temperance Society and then the RSL, the club was originally in the “Matting Competition”, and then progressed into the Metropolitan Cricket Association, where it has been up until 1997/98 when the MCA merged with the Perth Mercantile Cricket Association to form the Perth Cricket Association. The PCA currently fields approximately 80 teams across many grades and is one of the strongest competitions outside the WACA pennants/first class systems. Leederville entered first grade competition in 1965 and has won 23 of the past 40 1st grade premierships, more than all other clubs combined.

At present we share the Britannia Clubrooms with the Western Australian Junior Rugby Association. This arrangement has been in place for approximately 10 years. When we took possession of the existing clubrooms at Britannia Oval, some 20 years ago, we fielded 3 sides and had approximately 40 members. At present we have upwards of 80 members and field 6 sides. We also have a support/work group of family and friends in the vicinity of 30 people that frequent the club on a regular basis. As you can imagine the size of the current rooms (6m x 10m) and the current toilet facilities are totally inadequate for us to hold any meeting or successfully run our club. This has been the situation for some time now at the main reason for our request.

The Leederville Cricket Club is one of the founding and strongest sides in the PCA competition. Unfortunately our clubrooms do not match our on field performance. The existing building has been designed with no scope for future development.

Currently the Leederville Cricket Club, WA Junior Rugby Association and Floreat Athena Soccer Club are co-tenants of the Britannia Road Clubrooms. The building is of a brick and tin construction and was built in the 1980's.

The City of Perth, who were the original owners, through bad design and short sightedness, constructed a building that was inadequate and unable to accommodate a diverse and wide range of user groups. This has put the tenants and the council in an awkward and potentially exposed situation.

The Britannia Road Clubrooms are extensively used all year round by tenants and the general public and the upgrade proposed is long over due.

2. Proposal:

To upgrade the existing clubrooms to provide much needed facility for local residence. Specifically the local community, along with all members that are currently associated with these clubrooms, across at least 3 different sports (i.e. Cricket, rugby, soccer), will receive the following:

- (i) A modern, safe, clean and secure building that will have the capacity to accommodate a wide variety of sporting clubs with up to 150 playing members.*
- (ii) Modern and hygienic shower and toilet facilities, that will meet current community standards.*
- (iii) A more functional building to improve on an existing building that has been badly designed and as a consequence has aged considerably.*

3. Future Use:

- Junior participation in a variety of activities will be prominent in the philosophy of the tenants sporting objectives.*
 - Other community-based groups will have access to modern facilities that have to date been insufficient.*
 - More community involvement in a voluntary capacity will increase the value the building and the sporting clubs have in the local area."*
-

The Leederville Cricket Club made a submission to the last round of CSSRF grant funding. The Town supported the proposal, however the application for funding was not successful. The club has subsequently sought funding directly from the Town directly through the 2007/08 budget process.

DETAILS:

Facility Users

The Britannia Reserve Clubrooms are currently leased jointly by the Leederville Cricket Club, the WA Junior Ruby Union, The Floreat Athena Soccer Club leases a small portion of the clubrooms for storage and canteen use.

The current lease for the facility is for the period 1 December 2006 - 30 November 2010.

The Leederville Cricket Club and the WA Junior Rugby Union both pay a lease fee of \$1,592. per annum for their portion of the facility.

The Floreat Athena Junior Soccer Club pays an annual lease fee of \$910. The Town's Officer have been in discussions with the Leederville Cricket Club during the duration of the development of the project. The Club has proposed the project with the support of the other lessees.

The proposal includes letters of support from both the WA Junior Rugby Union and the Floreat Athena Soccer Club for the redevelopment.

The Leederville Cricket Club are prepared to provide in kind support for the work required on the project and also contribute to any fit out costs.

Plans

The Leederville Cricket Club have submitted the following plans as part of the submission.

SK04.01 This is the existing floor plan

SK04.02 This plan illustrates the proposed plan with the existing floor plan glossed in the background.

SK04.03 This plan indicates the proposed floor plan.

SK04.04 This plan illustrates the different elevations.

The original plan that was submitted at the time of the petition included, the extension of the building of the walls and roof line six metres. Due to the cost implication the original plan has been superseded by the one presented in this report.

It is now intended to refurbish to the inside of the building, which will include the refurbishment of the toilet and showers which will not require any additional plumbing.

Secure storage will be provided for the clubs that utilise the facility. A significant sized function area will be created that can be utilised for both the clubs and the community.

The kitchen area will be upgraded to allow better service internally and externally.

A new roofed outdoor paved area would be constructed enable patrons to be sheltered from the elements.

It should be noted that the Player Change rooms 1 and 2 are currently not used as change rooms but are utilised as canteen and storage space for the Floreat Athena Junior Soccer Club.

The Change rooms at the back of the pavilion numbers 3, 4, 5 and 6 are not fully utilised by the clubs who use the facility.

Cost Estimate:

The current estimated cost of the upgraded and refurbishment is up to \$240,000.

CONSULTATION/ADVERTISING:

Not applicable. All three clubs are supportive of the proposed works.

LEGAL/POLICY:

Nil.

STRATEGIC IMPLICATIONS:

In accordance with Plan for the Future Strategic Plan 2006 - 2011;

“3.1 Community Development

3.1.2 Deliver a range of leisure programs to encourage structured and co structured recreation to the community.”

FINANCIAL/BUDGET IMPLICATIONS:

The Annual Budget 2007/08 has amount of \$250,000 allocated for the completion of this project.

COMMENTS:

The Britannia Reserve Clubrooms are in need of an upgrade to reflect the current and future usage requirements of the clubrooms. The Leederville Cricket Club are to be commended for their leadership and enthusiasm to initiate this redevelopment project. The proposed plan has the support of the users and its recommend that it is supported.

The redeveloped Clubrooms will provide an excellent facility for the use of both the lessees and the community.

10.1.2 Nos. 416-418 (Lot 300 D/P: 30854) Oxford Street, corner Scarborough Beach Road, Mount Hawthorn - Proposed Three-Storey Plus Basement Mixed Use Development Comprising Shops, Offices, Consulting Rooms and Four (4) Multiple Dwellings - Amended Plans to Planning Approval

Ward:	North	Date:	4 September 2007
Precinct:	Mount Hawthorn Centre; P2	File Ref:	PRO1767; 5.2006.169.1
Attachments:	001		
Reporting Officer(s):	L Mach		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the amended plans stamp dated 24 August 2007 to Planning Approval (Serial No. 5.2006.169.1) granted by the Council on 12 September 2006 and issued on 29 September 2006 for proposed Three-Storey Plus Basement Mixed Use Development Comprising Shops, Offices, Consulting Rooms and Four (4) Multiple Dwellings, at Nos. 416-418 (Lot 300 D/P: 30854) Oxford Street, corner Scarborough Beach Road, Mount Hawthorn, subject to the plans being further amended prior to issue of Building Licence to comply with the following requirements without resulting in any greater variation to the requirements of the Residential Design Codes and the Town's Policies:

- (i) the overall building height of the building shall be reduced to be consistent with the previous Planning Approval Plans granted by the Council at its Ordinary Meeting held on 12 September 2006 and issued on 29 September 2006; and*
- (ii) the conditions imposed on the previous Planning Approval granted by the Council at its Ordinary Meeting held on 12 September 2006 and issued on 29 September 2006 shall be relevant and applicable to the subject approved amended plans.*

COUNCIL DECISION ITEM 10.1.2

Moved Cr Messina, Seconded Cr Maier

That the recommendation be adopted.

CARRIED (7-0)

Cr Farrell on Approved Leave of Absence

Cr Torre was an apology for the Meeting until 7.42pm

PURPOSE OF REPORT:

The subject amended plans have been submitted as part of the Building Licence application for the proposed development and varies from the Planning Approval plans. The subject amended plans are being referred to this Ordinary Meeting for consideration and determination by the Council mainly due to the extent and nature of changes to the Planning Approval Plans.

Landowner:	Vincorp Holdings Pty Ltd
Applicant:	Building Solutions (AUS) Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Commercial
Existing Land Use:	Vacant
Use Class:	Office Building, Shop, Consulting Rooms, Multiple Dwellings
Use Classification:	"P", "P", "AA", "AA"
Lot Area:	1383 square metres
Access to Right of Way	East side, 5.0 metres wide, sealed, Town-owned

BACKGROUND:

12 February 2006 The Council at its Ordinary Meeting resolved to conditionally approve the proposed demolition of the existing service station and construction of a two storey mixed use development comprising one (1) eating house, three (3) shops, three (3) offices and associated carparking.

12 September 2006 The Council at its Ordinary Meeting granted conditional approval for proposed three-storey plus basement mixed use development comprising shops, offices, consulting rooms and four (4) multiple dwellings at the subject property.

DETAILS:

The main differences between the current Building Licence application plans and the previous Planning Approval plans are highlighted (clouded) on the attached Building Licence plans and summarised by the applicant below:

"Basement

*Added lower car park area
Residential bin area added
Parking bays increased
Change room deleted*

Ground Floor

*Transformer relocated
Bins area added
DA Condition – Changes to car park entry to Oxford Street
DA Condition – Changes to car park entry from row
Change room added
Lift core and stair layout revised
Rear escape stair layout revised
Letter boxes added
First Floor Toilet core layout modified
Row balcony modified to ac area
Street planters change to balconies
Part entry roof change to balcony Oxford Street
Internal stair added*

Second Floor

Rear outdoor drying relocated

Gymnasium deleted

Internal unit layouts modified

West Elevation Grooves locations modified

Windows modified

DA Condition – Changes to windows and car park access

Entry modified

North Elevation Grooves locations modified

Windows modified

First floor balcony added

East Elevation Grooves locations modified

Windows modified

DA Condition – Changes to car park access

Balcony/ Window screening added."

In addition to the above, the following amendments have also been made to the subject Building Licence plans from the previous Planning Approval plans:

- (a) a fire hydrant booster has also been incorporated along the Oxford Street frontage;
- (b) floor areas of the commercial component have been amended slightly but does not affect the previous approved car parking shortfall; and
- (c) height as detailed below:

Elevation	Maximum Height Above Natural Ground Level - Previous Planning Approval Plans (millimetres)	Maximum Height Above Natural Ground Level - Building Licence Plans (millimetres)
East	11300	11200
North	11500	11900
West	13200	12900
South -	11800	11800

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Refer to 'Comments'.			
Consultation Submissions			
Refer to 'Comments'.			
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

COMMENTS:

With the exception of the increase in the overall height of the building, the amendments to the plans (as outlined in the "Details" section of this report):

- are not considered to propose any further variation to the Residential Design Codes or the Town's Policies;
- are not considered to have an undue impact on the amenity of the area;
- have addressed the planning conditions of the previous approval granted; and
- are generally supported by the Town's Officers.

In light of this and previous objections relating to the height and scale of the building, it is recommended that the Council approves the amended plans to the previous Planning Approval, subject to the height of the overall building being reduced to be consistent with the previous Planning Approval Plans.

10.1.8 Nos. 2 and 6 (Lot: 2 D/P: 17910, Lot 1 D/P: 17910) Wavertree Place, Leederville - Proposed Nine (9) Two-Storey Multiple Dwellings

Ward:	North	Date:	4 September 2007
Precinct:	Leederville, P3	File Ref:	PRO3442; 5.2007.163.1
Attachments:	001		
Reporting Officer(s):	R Narroo		
Checked/Endorsed by:	D Abel	Amended by:	R Boardman, John Giorgi

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 Hillam Architects on behalf of the owner Gilpin Park Pty Ltd for proposed Nine (9) Two-Storey Multiple Dwellings, at Nos.2 & 6 (Lot: 2 D/P: 17910, Lot 1 D/P: 17910) Wavertree Place, Leederville, and as shown on plans stamp dated 31 August 2007, 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 plot ratio requirement as prescribed by the Residential Design Codes; and*
- (iii) — the plot ratio requirements proposed to be varied is as specified in the Town's Policy relating to Non-Variation of Specific Development Standards and Requirements.*

CHIEF EXECUTIVE OFFICER AND DIRECTOR DEVELOPMENT SERVICES 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 Hillam Architects on behalf of the owner Gilpin Park Pty Ltd for proposed Nine (9) Two-Storey Multiple Dwellings, at Nos.2 & 6 (Lot: 2 D/P: 17910, Lot 1 D/P: 17910) Wavertree Place, Leederville, and as shown on plans stamp-dated 31 August 2007, subject to the following conditions:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) prior to the issue of a Building Licence, 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) *a detailed landscaping plan, including a list of plants and the landscaping of Wavertree Place verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. The landscaping of the verge shall include details of the proposed watering system to ensure the establishment of species and their survival during the hot, dry summer months. The Council encourages landscaping methods which do not rely on reticulation. Where reticulation is not used, the alternative method should be described. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*

(iv) *prior to the issue of the Building Licence, revised plans shall be submitted to be approved demonstrating the following:*

(a) *the windows to units 1, 2 and 3 on the northern elevation, the balconies to units 2, 3 and 4 on the northern elevation, and the balcony of unit 4 on the western elevation, on the first floor being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscured 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. Alternatively, prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of No 8 Wavertree Place, respectively, stating no objections to the proposed privacy encroachment; and*

(b) *a visual truncation of 1.5 metres by 1.5metres at the intersection of footpaths / right of way and crossovers.*

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

(v) *prior to the first occupation of the development, the full length and width of the right of way widening abutting the subject land shall be sealed, drained and paved to match existing to the specifications of and supervision under the Town, at the applicant's/owner(s)' full expense;*

(vi) *a bond and/or bank guarantee for \$2500 for the full upgrade of the right of way shall be lodged prior to the issue of a Building Licence;*

(vii) *a non refundable fee of \$500 to cover the cost of reinstatement works within the road reserve associated with the installation of underground power to the development shall be paid prior to the issue of a Building Licence;*

(viii) *a bin compound shall be constructed in accordance with the Town's Health Services specifications, sized to contain:-*

- *Residential*
 - 1 x mobile garbage bin per unit; and*
 - 1 x general recycle bin per 2 units;*

- (ix) *rubbish is to be collected 1 time a week with a maximum of 9 general waste bins and 9 recycle bin;*
- (x) *no street verge tree(s) shall be removed unless written approval has been received from the Town's Parks Services Section. Should such an approval be granted all cost associated with the removal and replacement shall be borne by the applicant/owner(s); and*
- (xi) *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 Wavertree boundary and the main building, including along the side boundaries within this front setback area, complying with the following:*
- (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

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

Moved Cr Maier, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

Cr Messina departed the Chamber at 7.27pm.

Debate ensued.

Cr Messina returned to the Chamber at 7.30pm.

Moved Cr Doran-Wu, Seconded Cr Ker

That the item be DEFERRED for further consideration and investigation of items relating to safety using the ramp, the balconies and potential over-looking.

PROCEDURAL MOTION PUT AND CARRIED (5-2)

For
Mayor Catania
Cr Chester
Cr Doran-Wu
Cr Ker
Cr Lake

Against
Cr Maier
Cr Messina

Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm

COUNCIL DECISION ITEM 10.1.8

That the item be DEFERRED for further consideration and investigation of items relating to safety using the ramp, the balconies and potential over-looking.

Landowner:	Gilpin Park Pty Ltd
Applicant:	Hillam Architects
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R 60
Existing Land Use:	Vacant Land
Use Class:	Multiple Dwellings
Use Classification:	"P"
Lot Area:	1513 square metres
Access to Right of Way	Eastern side, 5 metres wide, sealed, Town owned

BACKGROUND:

- 23 May 2006 The Council at its Ordinary Meeting conditionally approved the demolition of existing single house at No.2 Wavertree Place.
- 13 June 2006 The Council at its Ordinary Meeting conditionally approved the demolition of single house at No.6 Wavertree Place.
- 15 August 2006 The Western Australian Planning Commission approved four new green title lots for Nos. 2 and 6 Wavertree Place. However, the clearance of conditions of the subdivision approval was not proceeded by the applicant.

DETAILS:

The proposal involves the construction of nine two-storey multiple dwellings, including an undercroft basement for parking, at Nos. 2 and 6 Wavertree Place. Four dwellings are proposed on the northern side of the property and five dwellings on the southern side. Between the two rows of the proposed dwellings there is common pedestrian access way. The proposed dwellings will consist of 3 to 4 bedrooms. The undercroft basement will accommodate parking bays, stores and rubbish bins.

The proposed development is on two lots (Lot 1 and Lot 2) at Wavertree Place. There is no approval for the amalgamation of the two lots. Therefore, if this application is supported, then as a condition of approval the two lots will require to be amalgamated.

On the northern side of the site, there is an existing grouped dwellings development and on the southern side there is parkland. The land slopes from the right of way, approximately 2.2 metres fall, towards Wavertree Place.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	9 multiple dwellings R 60	9 multiple dwellings R 60	Noted-no variation
Plot Ratio	0.7 - 1052 square metres	0.83 - 1262 square metres	Not supported-refer to 'Comments' below.
Setbacks-First Floor- Northern and Southern Boundaries	7 metres	1.2 metres to 5.2 metres	Supported- the applicant has amended the plans to provide screening which will avoid unreasonable overlooking of the neighbouring northern property. Moreover, the variation will not unduly impact on the adjoining property in terms of visual impact, ventilation and sunlight.
Communal Open Space	16 square metres	Nil	Supported-each dwelling is provided with a courtyard of more than 16 square metres which is acceptable.
Car Parking from Rights of Way	Car parking to be accessible from a right of way.	Vehicles accessing site from primary street (Wavertree Place)	Supported-refer to 'Comments' below.
Consultation Submissions			
Support (2)	Nil		Noted
Objections (3)	<ul style="list-style-type: none"> • Privacy • Setbacks 		<p>Not supported-Applicant has amended the plans to comply with the privacy requirements of the Residential Design Codes.</p> <p>Not supported-refer to</p>

	<ul style="list-style-type: none"> Site levels-infill for the provision of visitor's car parking which may impact on privacy. 	<p>'Comments' above.</p> <p>Not supported-the floor level of the proposed visitors parking will not be more than 0.5 metre above the natural ground level. The land will be cut to accommodate the two visitors' bays.</p>
Other Implications		
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:

Plot Ratio

The comments provided by the applicant in support for the plot ratio and right of way variations are noted.

It is recognised that the proposal complies with the density and height requirements, and also the open space and setbacks are considered acceptable. However, the variation to the plot ratio requirement will result in the bulk and scale of the proposed development having a visual impact on the surrounding neighbourhood.

Right of Way

With regard to access from right of way, it is recognised that the topography of the site (fall of 2.2 metres) restricts the development of the site with access from the right of way. In that context, it is considered that vehicular access from Wavertree Place can be supported. It is to be noted that the crossover width along Wavertree Place complies with the requirement of the Town's Policy relating to Vehicular Access.

Conclusion

In light of the proposal being non-compliant with the plot ratio requirements, the proposal is recommended for refusal.

Chief Executive Officer and Director Development Services Comment:

The Chief Executive Officer and Director Development Services have amended this report as it is considered that the proposed development and variation to the plot ratio requirement is considered acceptable for the following reasons:

1. It is considered that the bulk and scale of the development will not unduly impact on the amenity of the surrounding neighbourhood as the proposal complies with the required density, height, open space requirements and also the setbacks are considered acceptable.

2. Given there is an existing aged care development facing the subject site along Wavertree Street, a two-storey grouped dwelling development on the northern side and a park on the southern side, it is considered that the proposal is consistent with the surrounding built form.
 3. The existing pattern of high density/multi-residential development in the general locality, particularly Brentham Street, Namatjira Place and Aranda Place.
-

10.1.1 Further Report - No. 46 (Lot 115 D/P: 7489) Kadina Street, North Perth - Proposed Demolition of Existing Single House

Ward:	North	Date:	3 September 2007
Precinct:	Smith's Lake; P6	File Ref:	PRO3911; 5.2007.171.1
Attachments:	001 002		
Reporting Officer(s):	S Kendall		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by J Skantzos on behalf of the owner Carizon Pty Ltd for proposed Demolition of Existing Single House at No. 46 (Lot 115 D/P: 7489) Kadina Street, North Perth, and as shown on plans stamp-dated 14 May 2007, 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;*
- (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;*
- (vii) any future redevelopment of the subject site shall incorporate recognition of the historic values of the place at No. 46 Kadina Street, North Perth in accordance with the Town's Policy relating to Heritage Management - Interpretive Signage. Details of the interpretation shall be submitted to and approved by the Town at the development approval stage. The approved interpretation proposal shall be fabricated and installed at the owner(s)/occupier(s) expense prior to the first occupation of the new development and thereafter maintained by the owner(s)/occupier(s); and*

(viii) *prior to the issue of a Demolition Licence or Building Licence for a redevelopment proposal of the subject property, whichever occurs first, a Section 70A Transfer of Land Act 1893 Notification being registered against the Certificate of Title for the land advising proprietors or prospective proprietors of the existence of the following conditions which affect the use or enjoyment of the land:*

- (a) *any future redevelopment of the subject site shall incorporate recognition of the historic values of the place at No. 46 Kadina Street, North Perth in accordance with the Town's Policy relating to Heritage Management - Interpretive Signage;*
- (b) *details of the interpretation proposal shall be submitted to and approved by the Town at the development approval stage; and*
- (c) *the approved interpretation proposal shall be fabricated and installed at the owner(s)/occupier(s) expense prior to the first occupation of the new development and thereafter maintained by the owner(s)/occupier(s).*

This notification shall be prepared and registered by the Town's solicitors or other solicitors agreed upon by the Town at the cost of the applicant/owner;

Moved Cr Doran-Wu, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Messina, Seconded Cr Ker

That clause (viii) be amended to read as follows;

(viii) *prior to the issue of a Demolition Licence or Building Licence for a redevelopment proposal of the subject property, whichever occurs first: ~~; a Section 70A Transfer of Land Act 1893 Notification being registered against the Certificate of Title for the land advising proprietors or prospective proprietors of the existence of the following conditions which affect the use or enjoyment of the land:~~*

- (a) *any future redevelopment of the subject site shall incorporate recognition of the historic values of the place at No. 46 Kadina Street, North Perth in accordance with the Town's Policy relating to Heritage Management - Interpretive Signage;*
- (b) *details of the interpretation proposal shall be submitted to and approved by the Town at the development approval stage; and*
- (c) *the approved interpretation proposal shall be fabricated and installed at the owner(s)/occupier(s) expense prior to the first occupation of the new development and thereafter maintained by the owner(s)/occupier(s).*

~~*This notification shall be prepared and registered by the Town's solicitors or other solicitors agreed upon by the Town at the cost of the applicant/owner;*~~

Debate ensued.

AMENDMENT PUT AND CARRIED (4-3)

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

Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (6-1)

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

Cr Farrell on Approved Leave of Absence
Cr Torre was an apology for the Meeting until 7.42pm

COUNCIL DECISION ITEM 10.1.1

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by J Skantzos on behalf of the owner Carizon Pty Ltd for proposed Demolition of Existing Single House at No. 46 (Lot 115 D/P: 7489) Kadina Street, North Perth, and as shown on plans stamp-dated 14 May 2007, 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;*
- (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;*
- (vii) *any future redevelopment of the subject site shall incorporate recognition of the historic values of the place at No. 46 Kadina Street, North Perth in accordance with the Town's Policy relating to Heritage Management - Interpretive Signage. Details of the interpretation shall be submitted to and approved by the Town at the development approval stage. The approved interpretation proposal shall be fabricated and installed at the owner(s)/occupier(s) expense prior to the first occupation of the new development and thereafter maintained by the owner(s)/occupier(s); and*
- (viii) *prior to the issue of a Demolition Licence or Building Licence for a redevelopment proposal of the subject property, whichever occurs first:*
- (a) *any future redevelopment of the subject site shall incorporate recognition of the historic values of the place at No. 46 Kadina Street, North Perth in accordance with the Town's Policy relating to Heritage Management - Interpretive Signage;*
- (b) *details of the interpretation proposal shall be submitted to and approved by the Town at the development approval stage; and*
- (c) *the approved interpretation proposal shall be fabricated and installed at the owner(s)/occupier(s) expense prior to the first occupation of the new development and thereafter maintained by the owner(s)/occupier(s).*

FURTHER REPORT:

The Council at its Ordinary Meeting held on 14 August 2007 considered the subject proposal and resolved the following:

"That this item be DEFERRED to allow Officers to carry out further discussions with the owner and provide further information."

In accordance with the resolution from the Ordinary Meeting of Council held on 14 August 2007, the Town's Planning and Heritage Officers met with the applicant/owners of the subject place on 30 August 2007. At this meeting the applicant outlined the intentions for the site, which involved the construction of two dwellings for the owner's two daughters. The applicant advised that as the proposed development was to accommodate new dwellings for the owner's two daughters and not to maximise the number of lots for resale and/or financial gain, any proposed density bonuses would not be a sufficient reason to retain the dwelling. During the meeting the applicant reiterated why the demolition of the place should be granted by the Council. This included:

- The place is in a very poor condition and it is not feasible to retain and repair.
 - The retention of the dwelling would not enable the planned redevelopment of the site.
-

- The property was not bought as an investment property and it was built to provide for the family's habitation needs.
- The dwelling has not been identified previously as having cultural heritage value.
- The dwelling has no cultural heritage value.

As per the Town's Policy relating to Heritage Management – Assessment, a place will be considered to be significant to the locality and worthy of inclusion into the Town of Vincent's Municipal Heritage Inventory if **one** of the criteria under the headings of Aesthetic, Historic, Scientific/Research or Social Value are found to have at least some significance. As per the Heritage Assessment, the dwelling at No. 46 Kadina Street has '*some historic value in illustrating the evolution of this part of the suburb of North Perth and through its influence on the realignment of Kadina Street in the 1950's.*'

In accordance with the Town's Policy relating to Heritage Management – Assessment, the place is considered to be significant to the locality and worthy of consideration for inclusion onto the Town's Municipal Heritage Inventory as a Management Category B - Conservation Recommended. However, as per the Town's Policy relating to Heritage Management - Interpretive Signage, if the Council resolves that a building being considered for demolition has solely historic and/or social significance that is deemed by the Council as not directly reflected in the building's structure, style or physical appearance, the demolition may be approved subject to an appropriate plaque or an alternative form of interpretation, which is to be displayed on the site of the existing building.

In light of the objections raised by the applicant/owner and as the place's cultural heritage value is not directly reflected in the building's structure, style or physical appearance, it is recommended that the application for demolition be approved, subject to standard and other appropriate conditions to address the requirement for interpretation.

The following is a verbatim copy of the Minutes of the item placed before the Council at its Ordinary Meeting held on 14 August 2007.

"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 J Skantzos on behalf of the owner Carizon Pty Ltd for proposed Demolition of Existing Single House, at No. 46 (Lot 115 D/P: 7489) Kadina Street, North Perth, and as shown on plans stamp-dated 14 May 2007, for the following reasons:*
 - (a) *the development is not consistent with the orderly and proper planning and the preservation of the amenities of the locality by virtue of the demolition of the existing building; and*
 - (b) *the existing place has cultural heritage significance in terms of its historic value;*
- (ii) *the Council ADVISES the landowner of No. 46 (Lot 115 D/P: 7489) Kadina Street, North Perth that Council is prepared to give consideration to a development proposal that incorporates the retention of the existing single house and that such a proposal may attract development bonuses;*

- (iii) *the Council AUTHORISES the Chief Executive Officer to ADVERTISE the proposed inclusion of the place at No. 46 (Lot 115 D/P: 7489) Kadina Street, North Perth on the Municipal Heritage Inventory in accordance with the Town's Policy No.3.6.5 relating to Heritage Management - Adding/Deleting/Amending Places on the Municipal Heritage Inventory, including:*
- (a) *advertising for public comment the proposed inclusion of the places on the Municipal Heritage Inventory for a period of 28 days in the local newspaper; and*
 - (b) *notifying the owners of the proposed inclusion of the places on the Municipal Heritage Inventory and to provide 28 days for the owners to comment; and*
- (iv) *a FURTHER REPORT be presented to the Council to consider any submissions received and whether to approve the proposed inclusion of the subject place on the Municipal Heritage Inventory after considering the submissions.*

COUNCIL DECISION ITEM 10.1.8

Moved Cr Messina, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

Moved Cr Messina, Seconded Cr Chester

That this item be DEFERRED to allow Officers to carry out further discussions with the owner and provide further information.

MOTION TO DEFER PUT AND CARRIED (8-0)

(Cr Torre was an apology until 7.27pm)

<i>Landowner:</i>	<i>Carizon Pty Ltd</i>
<i>Applicant:</i>	<i>J Skantzos</i>
<i>Zoning:</i>	<i>Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30</i>
<i>Existing Land Use:</i>	<i>Single House</i>
<i>Use Class:</i>	<i>Single House</i>
<i>Use Classification:</i>	<i>"P"</i>
<i>Lot Area:</i>	<i>1042 square metres</i>
<i>Access to Right of Way</i>	<i>N/A</i>

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the demolition of the existing single storey brick and tile dwelling at No. 46 Kadina Street, North Perth.

A site visit was undertaken of the subject property and a Heritage Assessment was undertaken in accordance with the Town's Policy relating to Heritage Management – Assessment. The applicant was provided with a copy of the Heritage Assessment and has provided the following comments:

- The Statement of Significance is based on the concern of the owner of the subject property at the time. The owner at the time was viewing their concern on loosing the home they occupied at the time. There is no evidence to state that there were any other concerns raised by other members of the community.
- No scientific, social or aesthetic value. It is poorly aligned to the street, interfering with the amenity of the adjoining property owner to the north-western side.
- The home was occupied at the time that a proposal was put forward for a road extension. It is only logical that the owner/occupier at the time would object in loosing the roof over their head.
- The noted 'historic value' is on the merits of a previous owners personal response to the Council.
- The dwelling is exposed on its 3 frontages, is not of good quality and poor solar design. The demolition will allow for new, well constructed, sustainable housing.
- There is an application with the WAPC for two green titled lots. This will not be possible without demolition approval to the existing dwelling on the subject site.
- The Town of Vincent has zoned the property to allow for more than one dwelling to be constructed on this site
- The proposed demolition should be assessed on the merits of positive future development in the Town of Vincent, as can be seen at the top end of Kadina Street (near Charles Street) where Clover Meats and Brownes Dairy were demolished for development.
- The house is not accommodating to today's family/ living requirements, security and safety needs.
- Current owner is willing to recognize the property if demolition is granted with a photographic record and/or plaque to signify the site.
- Not feasible to retain and continue maintenance to keep the integrity of the property that has no cultural significance to the area.

The applicant's full submission is provided as an attachment to this report and 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>Density</i>	<i>N/A</i>	<i>N/A</i>	
<i>Plot Ratio</i>	<i>N/A</i>	<i>N/A</i>	...
<i>Consultation Submissions</i>			
<i>Support (2)</i>	<i>No reason provided.</i>		<i>Noted</i>
<i>Objection</i>	<i>Nil</i>		<i>Noted</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.*

Comments:

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

The subject residence situated at No. 46 Kadina Street, North Perth is a partially rendered brick and tile dwelling of the Interwar Bungalow style of architecture, which was constructed circa 1934. The dwelling is situated on a large 1042 metres square lot, which has three street frontages. These include the dwelling's primary frontage to Kadina Street, along its eastern boundary; the dwelling's secondary frontage to Barnet Street along its southern boundary; and the dwelling's rear boundary along Barnet Place.

The dwelling was one of the first homes built in the first stage of the development of the Smiths Lake area. The dwelling was originally earmarked for demolition to enable the extension of Kadina Street in the 1950s. However, in response to concerns from the former owner of the property, Kadina Street was realigned to ensure the retention of the dwelling, which has resulted in the road alignment that is extant today. Based on the results of this assessment, the place has been found to have local cultural significance as it illustrates the evolution of this part of the suburb of North Perth and through its influence on the realignment of Kadina Street in the 1950's.

In summary, in accordance with the Town's Policy relating to Heritage Management – Assessment, the place is considered to be significant to the locality and worthy of inclusion into the Town's Municipal Heritage Inventory as a Management Category B -Conservation Recommended and, therefore, it is recommended that the proposed demolition of the existing dwelling be refused. However, it is recommended that careful consideration be given to the comments and concerns of the applicant, as outlined in the attached submission."

10.2.1 Progress Report No 3 - Proposed Improvements Brookman Street, Moir Street, Robinson Avenue and Forbes Road, Perth

Ward:	South	Date:	4 September 2007
Precinct:	Hyde Park P12	File Ref:	TES0484, TES0069 TES0006, TES0311
Attachments:	001		
Reporting Officer(s):	R Lotznicker		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES report No 3 on the proposed improvements for Brookman Street, Moir Street, Robinson Avenue and Forbes Road, Perth;*
- (ii) *NOTES that:*
 - (a) *the Council, at its Ordinary Meeting held on 5 December 2006, decided to DEFER the implementation of ALL proposed works in Brookman Street, Moir Street and Forbes Road and the streetscape improvement works in Robinson Avenue (except for the Traffic Management and Parking proposal in Robinson Avenue as shown on attached Plans No 2473-CP-1 and No 2474-PP-1 - in conjunction with the proposed William Street upgrade works) pending the outcome of the Town's Expression of Interest for the State Underground Localised Enhancement Program;*
 - (b) *the Town's Expression of Interest to the Office of Energy for the area bounded by Robinson Avenue, Wellman Street, Forbes Road and Lake Street to be considered for funding from the State Underground Localised Enhancement Power Program was not successful in being included in the shortlist for Round Four, but has been selected as a reserve list project;*
 - (c) *the Traffic Management and Parking proposal in Robinson Avenue - has been implemented as part of the William Street upgrade works (currently in progress); and*
 - (d) *no funds have been listed in the 2007/2008 budget for the upgrading of the footpaths in Robinson Avenue;*
- (iii) *given that the underground power proposal has been listed as a reserve project and there is a likelihood that the project could still receive funding, DEFERS the implementation of ALL proposed works in Brookman Street, Moir Street and Forbes Road and the streetscape improvement works in Robinson Avenue until this matter has been determined;*
- (iv) *WRITES to the Office of Energy requesting an update and more information on the listing of the underground proposal as a "reserve project";*
- (v) *RECEIVES a further progress report on this matter by no later than March 2008 to determine a way forward if no new information has been received from the office of energy with regard to the status of the Town's underground power submission; and*

- (vi) *ADVISES the author of the petition of its decision and the information contained in the report.*
-

Moved Cr Maier, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Cr Torre entered the Meeting at 7.42pm.

Debate ensued.

AMENDMENT

Moved Cr Lake, Seconded Cr Messina

That a new clause (vii) be added to read as follows:

- “(vii) *REQUESTS that a report be submitted to the next Ordinary Meeting of Council concerning possible infrastructure upgrade in Robinson Avenue and to also identify whether costs would be incurred by carrying out this work prior to the undergrounding of the power.*”

AMENDMENT PUT AND CARRIED (7-1)

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

MOTION AS AMENDED PUT AND CARRIED (8-0)

Cr Farrell on Approved Leave of Absence

COUNCIL DECISION ITEM 10.2.1

That the Council;

- (i) *RECEIVES report No 3 on the proposed improvements for Brookman Street, Moir Street, Robinson Avenue and Forbes Road, Perth;*
- (ii) *NOTES that:*
- (a) *the Council, at its Ordinary Meeting held on 5 December 2006, decided to DEFER the implementation of ALL proposed works in Brookman Street, Moir Street and Forbes Road and the streetscape improvement works in Robinson Avenue (except for the Traffic Management and Parking proposal in Robinson Avenue as shown on attached Plans No 2473-CP-1*
-

and No 2474-PP-1 - in conjunction with the proposed William Street upgrade works) pending the outcome of the Town's Expression of Interest for the State Underground Localised Enhancement Program;

- (b) the Town's Expression of Interest to the Office of Energy for the area bounded by Robinson Avenue, Wellman Street, Forbes Road and Lake Street to be considered for funding from the State Underground Localised Enhancement Power Program was not successful in being included in the shortlist for Round Four, but has been selected as a reserve list project;*
- (c) the Traffic Management and Parking proposal in Robinson Avenue - has been implemented as part of the William Street upgrade works (currently in progress); and*
- (d) no funds have been listed in the 2007/2008 budget for the upgrading of the footpaths in Robinson Avenue;*
- (iii) given that the underground power proposal has been listed as a reserve project and there is a likelihood that the project could still receive funding, DEFERS the implementation of ALL proposed works in Brookman Street, Moir Street and Forbes Road and the streetscape improvement works in Robinson Avenue until this matter has been determined;*
- (iv) WRITES to the Office of Energy requesting an update and more information on the listing of the underground proposal as a "reserve project";*
- (v) RECEIVES a further progress report on this matter by no later than March 2008 to determine a way forward if no new information has been received from the office of energy with regard to the status of the Town's underground power submission;*
- (vi) ADVISES the author of the petition of its decision and the information contained in the report; and*
- (vii) REQUESTS that a report be submitted to the next Ordinary Meeting of Council concerning possible infrastructure upgrade in Robinson Avenue and to also identify whether costs would be incurred by carrying out this work prior to the undergrounding of the power.*

PURPOSE:

The purpose of this report is to update the Council on the proposed Improvements for Brookman Street, Moir Street, Robinson Avenue and Forbes Road.

BACKGROUND:

At its Ordinary Meeting held on 5 December 2006, the Council received a further report on proposed improvements for Brookman Street, Moir Street, Robinson Avenue and Forbes Road. The report discussed the following:

- Community Consultation – Proposed Streetscape Improvements, Bookman, Moir, Robinson Avenue and Forbes Road
 - Community Consultation – Proposed Traffic Management and Parking Improvements
 - Meeting between the Town's Officers and Heritage Council of Western Australia
 - Consultation – Heritage Council of Western Australia
-

The report concluded that while a number of respondents to the Community Consultation were happy for the project to proceed *as proposed*, a common thread in the majority of responses received (including the petition) included:

- Defer ALL works in Brookman and Moir Streets in particular until the undergrounding of power has been completed
- Some respondents were happy to have trees but not the ones suggested
- Although most respondents chose the Crepe Myrtle, they were still reluctant to have this species
- There was a general reluctance to plant trees as some 'on road' parking would be lost
- A few thought further consultation with residents would be a good idea once the project proceeded further
- The HCWA suggested that should trees be considered, advice regarding the selection of trees suitable for the precinct should be obtained by an aboriculturalist

Given that there was overwhelming support for the Traffic Management proposal in Robinson Avenue, it is considered that this should be implemented when the proposed William Street upgrade works are under way, as the low tension power lines will be undergrounded in the section of Robinson Avenue (between William Street and Bulwer Place) as part of the proposed William Street works.

The Council subsequently made the following decision (in part):

"That the Council;

(ii) *NOTES that:*

- (a) *while the majority of the comments received by respondents during the recent community consultation indicated general support for the proposals as presented, many did not support the planting of trees and/or the species suggested;*
 - (b) *there was general support for the traffic management and parking proposal as shown on attached Plans No. 2473-CP-1 and No. 2474-PP -1;*
 - (c) *many of the respondents indicated that the undergrounding of power in the heritage precinct should be implemented prior to embarking on any of the upgrade works proposed on attached Plans Nos 2456-CP-01, 2362-CP-2A and 2409-CP-03;*
 - (d) *the Heritage Council of WA indicated that the undergrounding of power should be implemented first and, should trees be considered, that consideration should be given to establishing a selection of trees that would complement the precinct in accordance with the landscaping guidelines in the Brookman and Moir Streets Design Guidelines (City of Perth 1998) and that advice regarding the selection of trees suitable for the precinct should be obtained by an aboriculturalist;*
 - (e) *the Town's officers are currently preparing an Expression of Interest to the Office of Energy for the area bounded by Lake Street, Robinson Avenue, Wellman Street and Forbes Road to be considered for funding for the next round of Localised Enhancement Projects and that submissions must be submitted by 4 February 2007;*
-

- (iii) *APPROVES the implementation of the Traffic Management and Parking proposal in Robinson Avenue as shown on Plan No 2473-CP-1 and Plan No 2474-PP-1 (in conjunction with the proposed William Street upgrade works) as there was overall general support for this proposal and NOTES that the proposal has been amended slightly to incorporate three (3) on road parking bays on the south side of Robinson Avenue, between Brookman and Wellman Streets as requested;*
- (iv) *DEFERS the implementation of ALL proposed works in Brookman Street, Moir Street and Forbes Road and the streetscape improvement works in Robinson Avenue pending the outcome of the Town's Expression of Interest for the State Underground Localised Enhancement Program as outlined in clause (ii)(d) above;*
- (v) *ADVISES all respondents and the Heritage Council of WA of its decision, thanks them for their valuable input and informs them that further consultation, possibly in the form of a residents' meeting, regarding the overall proposal will be undertaken once the outcome of the Town's expression of Interest as outlined in clause (ii)(d) has been determined; and*
- (vi) *RECEIVES further progress report/s on this matter as new information becomes available."*

DETAILS:

All respondents were advised of the Council decision in December 2007 and the officers proceeded to action the Council decision.

Traffic Management and Parking proposal in Robinson Avenue - Council Decision Clause (iii)

This has been implemented as part of the William Street upgrade works (currently in progress)

Deferral of Works pending the outcome of the Expression of Interest for the State Underground Localised Enhancement Program Clause (iv)

In February 2007 the Town submitted an Expression of Interest to the Office of Energy for the area bounded by Robinson Avenue, Wellman Street, Forbes Road and Lake Street to be considered for funding from the State Underground Localised Enhancement Power Program.

In June 2007 the following response was received:

"Please be advised that this Town of Vincent proposal was not successful in being included in the shortlist for Round Four, but has been selected as a reserve list project. You will receive separate notification of any other successful and/or unsuccessful proposals submitted by the Town of Vincent with regard to Round Four.

Proposals on the reserve list have satisfied the key assessment criteria within the Round Four Guidelines and following an assessment of project feasibility, these proposals were deemed to be feasible for implementation. However, the reserve projects are not as competitive as the proposals that have been short listed to progress to the Detailed Proposal Stage for Round Four.

If a situation arises that requires the Underground Power Steering Committee to consider the possibility of expanding the schedule of projects for implementation, such as the early withdrawal of a shortlisted project from Round Four, the reserve projects may be further considered. Please note that the possible inclusion of the Brookman and Moir Streets Vincent proposal for implementation in Round Four will be at the discretion of the Committee and will be determined on a case-by-case basis in accordance with the Round Four Guidelines.

You should also be aware that the reserve list is not perpetual - the start of each new Round of the Program requires local governments with reserve projects to resubmit new proposals for those areas."

Therefore, there is still a chance that this project will receive funding.

Petition Received from residents in Robinson Avenue

In July 2007 a petition was received from 28 residents of Robinson Ave as follows:

"The undersigned residents of Robinson Avenue, Perth, wish to express concern at Council's attitude to requested improvements in Robinson Avenue between William and Lake Streets.

In early 2006 residents in Robinson Avenue raised the following concerns with Council:

We believe that houses in Robinson Avenue have among the best cityscape views in the Town of Vincent. However, the street itself has been sadly neglected, with no foliage or landscaping, ugly overhead power lines, a basic road and footpath and major problems caused by through traffic between William and Lake Streets. These issues have been canvassed since 1997, but the residents are still waiting for some action to address them.

We indicated that we believed Council should address the following issues:

- *Problems with through traffic from William Street, which could be limited by the introduction of a nib at William Street and one-way east-bound traffic between William Street and Brisbane Place;*
- *Traffic calming at the Lake Street entrance to Robinson Avenue (either a nib or a speed control hump);*
- *Foliage protected by bollards in Robinson Avenue, to both improve the streetscape and to protect parked vehicles;*
- *Proper footpath paving;*
- *Improvement of street markings.*

We also sought support for "undergrounding" of power lines.

Despite initial positive responses from Council Officers, we eventually received advice (19 December 2006) that streetscaping would not take place because Council was preparing an "Expression of Interest" to the Office of Energy for undergrounding of power lines, to be submitted by 4 February 2007.

There was also an indication in the response of 19 December 2006 that “many did not support the planting of trees”, which we suspect mainly related to responses from residents of Brookman and Moir Streets, which are not our concern because their street areas are already relatively attractive (thanks to the paving previously undertaken by the City of Perth).

Of the issues we raised, only the first item, relating to the William Street entrance, appears to be being addressed currently – and this is effectively part of Council’s scheduled William Street project.

As residents, we are becoming frustrated with delays, excuses and referrals to other bodies.

We seek from Council an early indication (preferably well before the October 2007 elections) of the following issues relating to our section of Robinson Avenue:

- *Will power lines be placed underground in the near future and, if so, at what date?*
- *When can we expect foliage to be positioned in our street? We consider that trees would provide both streetscape improvements and, significantly, traffic calming options;*
- *When the William Street improvements are eventually completed, will we have the benefits originally requested in March 2006 submission?*
- *Will traffic calming be introduced at the Lake Street entrance?*
- *When will street markings be improved?*
- *What will Council do about the state of our footpaths?*

The following is advised with regard to the matters raised by the author of the petition:

Will power lines be placed underground in the near future and, if so, at what date?

The Council decided to defer ALL works pending the outcome of the Town's Underground Power Submission. While the Town was not successful, the project has been listed as a reserve project so it still has a chance to proceed. The timing of this is not known at present.

When can we expect foliage to be positioned in our street? We consider that trees would provide both streetscape improvements and, significantly, traffic calming options.

The Council decided to defer ALL works pending the outcome of the Town's Underground Power Submission. Robinson Avenue, between William and Lake Streets, is contained within a 10m wide road reservation. It comprises cast insitu concrete footpaths on either side and a bitumen roadway. Therefore, the full width of the road reservation is paved. There would be substantial disruption to the paved areas should the undergrounding of power proceed in the future. Therefore, the planting of trees at this stage is not considered prudent.

When the William Street improvements are eventually completed, will we have the benefits originally requested in the March 2006 submission?

These works are currently in progress. The delay in commencing these works was mainly due to Western Power and a decision of the most suitable lighting design/type for the street. The works, all going well, should be completed in early 2008.

Will traffic calming be introduced at the Lake Street entrance?

This 'nib' will be installed when the underground power proposal has been determined.

When will street markings be improved?

This is on hold pending the planting of trees as changes to the parking regime will result.

What will Council do about the state of our footpaths?

The respondent was previously advised that this would be considered in the context of the 2007/2008 budget and *did not* receive funding. The respondent requested that the footpaths be brickpaved. The officers consider that the paths are in reasonable condition (cast insitu not slab). The road was resurfaced in the late 1990s. An asphalt seal lasts about 20 to 25 years on a low trafficked road like Robinson Avenue therefore no additional upgrade works have been programmed for the short to medium term.

The upgrading of the paths would require the kerbing to be removed and a new kerb laid.

CONSULTATION/ADVERTISING:

Residents and businesses and HCWA were consulted regarding the proposal and requested to provide comments.

LEGAL/POLICY:

N/A

STRATEGIC IMPLICATIONS:

In accordance with the objective of Strategic Plan 2006-2011 – 1.1.6 Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *“(d) implement infrastructure upgrade programs, including streetscape enhancements, footpaths, rights of way and roads.”*

FINANCIAL/BUDGET IMPLICATIONS:

The 2006/2007 budget included funds to carry out tree planting on Robinson Avenue, Moir and Brookman Streets. These funds have been carried forward to 2007/2008. In addition, funds for the undergrounding of power (the Town's 50% contribution to be recouped from the residents) has also been included in the 2007/2008 budget

COMMENTS:

The results of the previous community consultation indicated that while most residents were generally in favour of the proposals as presented, not all were happy with the planting of trees and/or the species suggested. In addition, many comments requested that the undergrounding of power be implemented prior to embarking on any upgrade work. The recent petition received has asked why certain measures have not proceeded. Responses are outlined in the report.

It is therefore requested that the officer's recommendation be adopted

10.1.5 No. 2 (Lot 3, Strata Lot: 2 STR: 48529) Imbros Lane, North Perth - Proposed Two Storey Single House

Ward:	North	Date:	31 August 2007
Precinct:	Smith's Lake; P6	File Ref:	PRO3919; 5.2007.113.1
Attachments:	001		
Reporting Officer(s):	D Pirone		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Danmar Homes Pty Ltd on behalf of the owner H & M Legg for proposed Two Storey Single House at No. 2 (Lot 3, Strata Lot: 2 STR: 48529) Imbros Lane, North Perth, and as shown on plans stamp-dated 13 August 2007, subject to the following conditions:

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

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

- (iii) *first obtaining the consent of the owners of Nos. 55 and 57 Scarborough Beach Road for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 55 and 57 Scarborough Beach Road 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:*
- (a) *the balcony being setback a minimum of 1.5 metres from the Imbros Lane boundary and 4 metres from the Anzac Road boundary;*
 - (b) *the top of the building wall height being reduced to a maximum of 6 metres from the natural ground level;*
 - (c) *the top of the roof pitch height being reduced to a maximum of 9 metres from the natural ground level; and*
 - (d) *the carport being one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted), except where it abuts the main dwelling.*

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

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

Moved Cr Maier, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Chester

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

“(iv)(d) the carport being one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted), except where it abuts the main dwelling and the north-western wall.”

AMENDMENT PUT AND CARRIED (8-0)

MOTION AS AMENDED PUT AND CARRIED (7-1)

For
Mayor Catania
Cr Chester
Cr Doran-Wu
Cr Ker
Cr Lake
Cr Maier
Cr Torre

Against
Cr Messina

Cr Farrell on Approved Leave of Absence

COUNCIL DECISION ITEM 10.1.5

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 H & M Legg for proposed Two Storey Single House at No. 2 (Lot 3, Strata Lot: 2 STR: 48529) Imbros Lane, North Perth, and as shown on plans stamp-dated 13 August 2007, subject to the following conditions:

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

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

- (iii) first obtaining the consent of the owners of Nos. 55 and 57 Scarborough Beach Road for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 55 and 57 Scarborough Beach Road 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:*

- (a) *the balcony being setback a minimum of 1.5 metres from the Imbros Lane boundary and 4 metres from the Anzac Road boundary;*
- (b) *the top of the building wall height being reduced to a maximum of 6 metres from the natural ground level;*
- (c) *the top of the roof pitch height being reduced to a maximum of 9 metres from the natural ground level; and*
- (d) *the carport being one hundred (100) per cent open on all sides and at all times (open type gates/panels are permitted), except where it abuts the main dwelling and the north-western wall.*

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

Landowner:	H & M Legg
Applicant:	Danmar Homes Pty Ltd
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R60
Existing Land Use:	Vacant Land
Use Class:	Single House
Use Classification:	"P"
Lot Area:	182 square metres
Access to Right of Way	South-west side, 5 metres wide, sealed, resumed and vested in the Town

BACKGROUND:

28 January 2004 The Western Australian Planning Commission approved the subdivision at No. 55 Scarborough Beach Road, North Perth.

DETAILS:

The proposal involves the construction of a two storey single house.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed	Officer Comments:
Plot Ratio:	0.65 or 118.3 square metres	With Loft: 0.75 or 137.2 square metres Without Loft: 0.65 or 119.2 square metres	Supported – not considered to have an undue impact on the amenity of the area. The loft is contained entirely within the roof space therefore the dwelling will not look different with or without the loft. No objections were received regarding this proposal.
Setbacks: Ground Floor-			

North/West	1.6 metres	Nil – 1.5 metres	Supported – not considered to have an undue impact on neighbouring property and no objections received.
North/East (Rear)	1 metre	Nil	Supported – not considered to have an undue impact on neighbouring property and no objections received.
Upper Floor-South/West (Imbros Lane) Balcony	1.5 metres from Imbros Lane	1.3 metres from Imbros Lane	Not supported – the setback of the balcony from Imbros Lane is considered to have an undue impact on the amenity of the area. Condition applied to setback balcony 1.5 metres from Imbros Lane as per the requirement of the R Codes.
	6 metres from Anzac Road	4.3 metres from Anzac Road	Supported – the balcony is not considered to have an undue impact on the amenity of the streetscape of Anzac Road. The lot shape is awkward and the adjoining right of way and park reduces perceived bulk and scale of development.
Main Building	6 metres from Anzac Road	3.7 metres to 7 metres from Anzac Road	Supported – not considered to have an undue impact on the amenity of the area. The lot shape is awkward and the adjoining right of way and park reduces perceived bulk and scale of development.
South/East	3.1 metres	2.308 metres	Supported – not considered to have an undue impact on neighbouring property and no objections received.
North/West	1.5 metres	Nil – 1.5 metres	Supported – not considered to have an undue impact on neighbouring property and no objections received.
Buildings on Boundary:	Walls not higher than 3.5 metres with average of 3 metres for 2/3 the length of the balance of the	Two boundary walls proposed. North/West Wall Height –	Supported – not considered to have an undue impact on neighbouring property and no objections received.

	boundary behind the front setback, to one side boundary.	4.7 metres – 5.05 metres (average is 4.88 metres) Wall length is compliant. North/East Wall Height – 3.2 metres – 3.3 metres (average is 3.25 metres) Wall Length – The permitted length is 8.13 metres and the proposed length is 8.9 metres.	
Building Height:	Maximum building wall height is 6 metres to the top of the eaves.	Maximum height proposed is 6.1 metres to the top of the eaves.	Not supported – considered to have an undue impact on the amenity of the area and the neighbouring property. Condition applied to reduce the building wall height to a maximum of 6 metres from natural ground level.
	Maximum building height is 9 metres to the top of the roof pitch.	Maximum height proposed is 9.6 metres to the top of the pitch.	Not supported – considered to have an undue impact on the amenity of the area and the neighbouring property. Condition applied to reduce the roof pitch height to a maximum of 9 metres from natural ground level.
Carports and Garages:	Carport is to be unenclosed except to the extent that it abuts the dwelling or property boundary, on one side.	Carport is enclosed on the north-west and south-east elevations.	Not supported – considered to have an undue impact on the amenity of the area. Condition applied for the carport to be one hundred (100) per cent open on all sides and at all times except where it abuts the main dwelling.
Street Walls and Fences:	Not to exceed a maximum height of 1.8 metres above the adjacent footpath level. The solid portion of the wall or fence excepting piers is to be a maximum height of 1.2 metres	Solid wall to 1.8 metres in the front setback facing Anzac Road.	Not supported – considered to have an undue impact on the amenity of the area. Condition applied for fencing to comply with the Town's Policy regarding Street Walls and Fences.

	above the adjacent footpath level. The pillars not to exceed 350 mm wide.		
Consultation Submissions			
Support	Nil	Noted	
Objection	Nil	Noted	
Other Implications			
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 Council approve the proposal, subject to standard and appropriate conditions to address the above matters.

10.1.6 No. 27 (Lot: 6 D/P: 3660) Knutsford Street, North Perth- Proposed Additional Three (3) Two-Storey Grouped Dwellings and Alterations and Additions to Existing Single House (Application for Retrospective Approval) - Reconsideration of Condition

Ward:	North	Date:	4 September 2007
Precinct:	North Perth: P08	File Ref:	PRO1217; 5.2007.287.1
Attachments:	001		
Reporting Officer(s):	E Saraceni, A Munyard, N Wellington		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

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 Marchese on behalf of the owner T Marchese for proposed Additional Three (3) Two-Storey Grouped Dwellings and Alterations and Additions to Existing Single House (Application for Retrospective Approval) - Reconsideration of Condition, at No. 27 (Lot: 6 D/P: 3660) Knutsford Street, North Perth, and as shown on plans stamp-dated , subject to the following conditions:*

- (a) *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;*
- (b) *the street/front wall, fence and gate between the Knutsford Street boundary and the main building, including along the side boundaries within this front setback area, shall comply 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 the right of way intersects with Knutsford Street. Walls, fences and gates may be located within the truncation area where the maximum height of the solid portion is 0.65 metres above the adjacent footpath level and right of way level;*
- (c) *prior to the issue of a Building Licence the owner(s) enter into a legal agreement with and/or a grant of easement in favour of the Town and to the satisfaction of the Town so that the owners and occupiers of proposed Lots 2 and 3 have rights of access over proposed Lot 1 to gain access to essential services. The access shall be a minimum width of 1 metre. The legal agreement being secured by a caveat while the grant of easement being 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, and all costs associated with this condition shall be borne by the applicant/owner(s). The applicant is advised that the implementation of this condition will result in the survey-strata subdivision approved by the Western Australian Planning Commission on 14 December 2006 not being cleared by the Town or the Western Australian Planning Commission; and*
- (d) *first obtaining the consent of the owners of No.31 Knutsford 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.31 Knutsford Street in a good and clean condition; and*
- (ii) *the Council AUTHORIZES the Chief Executive Officer to instruct the Town's Solicitors to commence prosecution proceedings against the owner of No. 27 (Lot: 6 D/P: 3660) Knutsford Street, North Perth for contravention of the Town's Town Planning Scheme No. 1 and committing an offence pursuant to the provisions of the Planning and Development Act 2005 in relation to the requirement to provide a pedestrian access way of a minimum width of 1.5 metres adjacent to the southern boundary to the proposed rear Lots 2 and 3.*

Moved Cr Torre, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Chester, Seconded Cr Maier

That clause (ii) be deleted.

Debate ensued.

AMENDMENT PUT AND CARRIED (8-0)

Debate ensued.

MOTION AS AMENDED PUT AND CARRIED (8-0)

Cr Farrell on Approved Leave of Absence

COUNCIL DECISION ITEM 10.1.6

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 Marchese on behalf of the owner T Marchese for proposed Additional Three (3) Two-Storey Grouped Dwellings and Alterations and Additions to Existing Single House (Application for Retrospective Approval) - Reconsideration of Condition, at No. 27 (Lot: 6 D/P: 3660) Knutsford Street, North Perth, and as shown on plans stamp-dated, subject to the following conditions:*
- (a) *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;*
 - (b) *the street/front wall, fence and gate between the Knutsford Street boundary and the main building, including along the side boundaries within this front setback area, shall comply 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 the right of way intersects with Knutsford Street. Walls, fences and gates may be located within the truncation area where the maximum height of the solid portion is 0.65 metres above the adjacent footpath level and right of way level;*
 - (c) *prior to the issue of a Building Licence the owner(s) enter into a legal agreement with and/or a grant of easement in favour of the Town and to the satisfaction of the Town so that the owners and occupiers of proposed Lots 2 and 3 have rights of access over proposed Lot 1 to gain access to essential services. The access shall be a minimum width of 1 metre. The legal agreement being secured by a caveat while the grant of easement being 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, and all costs associated with this condition shall be borne by the applicant/owner(s). The applicant is advised that the implementation of this condition will result in the survey-strata subdivision approved by the Western Australian Planning Commission on 14 December 2006 not being cleared by the Town or the Western Australian Planning Commission; and*
-

- (d) *first obtaining the consent of the owners of No.31 Knutsford 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.31 Knutsford Street in a good and clean condition.*

Landowner:	T Marchese
Applicant:	T Marchese
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30/40
Existing Land Use:	Grouped Dwelling
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	1009 square metres
Access to Right of Way	South side, 7.0 metres wide, sealed, privately owned

BACKGROUND:

- 26 July 2002 The Council at its Ordinary Meeting conditionally approved the demolition of the existing dwelling and the construction of three (3) two-storey grouped dwellings on the subject site.
- 8 October 2002 The Council at its Ordinary Meeting conditionally approved proposed additional three (3) two-storey grouped dwellings and carport addition to the existing dwelling, on the subject site.
- 11 May 2004 The Council at its Ordinary Meeting conditionally approved an application for proposed additional three, two-storey grouped dwellings and carport addition to the existing single house at the subject site.
- 23 May 2006 The Council at its Ordinary Meeting resolved to defer an application for proposed additional three (3) two-storey grouped dwellings to existing single house (application for retrospective approval) for the following reason “...to allow for further investigation regarding the pedestrian accessway/permanent easement and discussion with the applicant.”
- 22 August 2006 The Council at its Ordinary Meeting further considered the application for proposed additional three (3) two-storey grouped dwellings and alterations and additions to existing single house (application for retrospective approval) and reconsideration of condition, and resolved as below:
- “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 I Mikic on behalf of the owner TT Marchese for proposed Additional Three (3) Two-Storey Grouped Dwellings and Alterations and Additions to Existing Single House (Application for Retrospective Approval) and Reconsideration of Condition, at No. 27 (Lot 6 D/P: 3660)*

Knutsford Street, North Perth, and as shown on plans stamped 6 December 2005, subject to the following conditions:

- (a) 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;*
 - (b) the street/front wall, fence and gate between the Knutsford Street boundary and the main building, including along the side boundaries within this front setback area, shall comply 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 the right of way intersects with Knutsford Street. Walls, fences and gates may be located within the truncation area where the maximum height of the solid portion is 0.65 metres above the adjacent footpath level and right of way level;*
 - (c) a pedestrian access way of a minimum width of 1.5 metres shall be provided and constructed adjacent to the southern boundary to the proposed rear Lots 2 and 3. These works shall be undertaken to the specifications of and supervised by the Town, at the applicant's/owner(s)' full expense; and*
 - (d) first obtaining the consent of the owners of No. 31 Knutsford 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. 31 Knutsford Street in a good and clean condition;*
-

- (ii) *the Council ADVISES the applicant and owners that the above works shall be completed within sixty (60) 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 sixty (60) days period; and*
- (iii) *the Council ADVISES the applicant and owner that the Jacaranda tree along the northern boundary of the existing dwelling lot (proposed Lot 4) can be removed.”*

14 December 2006 The Western Australian Planning Commission conditionally approved the survey-strata subdivision application for Lot 6 subject to 7 conditions.

DETAILS:

The proposal involves the reconsideration of condition (c) of the conditional approval granted by the Council at its Ordinary Meeting held on 22 August 2006. The condition reads as follows:

“(c) a pedestrian access way of a minimum width of 1.5 metres shall be provided and constructed adjacent to the southern boundary to the proposed rear Lots 2 and 3. These works shall be undertaken to the specifications of and supervised by the Town, at the applicant’s/owner(s)’ full expense.”

The applicant is seeking the Town’s approval to reconsider the width of the pedestrian accessway and approve a reduction from 1.5 metres in width to 1 metre in width.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
These matters were addressed in Item 10.1.2 at the Ordinary Meeting of Council held on 22 August 2006, in relation to the previous application.			
Consultation Submissions			
No submissions were received for the previous application.			
Other Implications			
Legal/Policy			TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications			Nil
Financial/Budget Implications			Nil

COMMENTS:

Technical Services

The resultant construction was carried out without due regard to the conditions that the Council applied, and satisfactory retrospective resolution of these issues is now almost impossible to achieve.

The Town's Engineering Services is in particular concerned with the lack of provision of a pedestrian accessway/service corridor. The developer has constructed a retaining wall along the boundary of the right of way (ROW) which is within 1 metre of the footings of Unit 1. It is not possible to construct a pedestrian accessway which would satisfy safety and access requirements. Alternatives such as the installation of a footpath at the developers cost on the southern side of the ROW have been considered, however, the geometry of the sealed right of way makes this unfeasible.

The right of way was constructed by the developer as a condition of approval, and the levels have been altered to marry into the garage crossovers on the northern side. The resultant grades at the northern edge of the right of way and the southern boundary of the lots renders it unfeasible to construct a level footpath adjacent to the dwellings without impeding access to the garages.

Technical Services finds this an extremely unsatisfactory outcome, but concedes that the pedestrian accessway cannot now be achieved without significant alterations to the completed construction, including removal of the retaining wall, possible relocation of services below the new surface level, and adjustments to the geometry of the right of way and crossovers.

Notwithstanding this, the 1 metre wide service corridor which accommodates the utilities for Units 2 and 3 must remain as either common property or an easement, so that maintenance of utilities can be carried out.

Planning Services

Condition 7 of the Western Australian Planning Commission's approval of the survey-strata subdivision reads as follows:

“7. The provision of a common property access leg of 1.0 metre width from proposed Lot 4 to Knutsford Street enlarged at the Knutsford Street road reserve to 2.0 metres width x 2.0 metres depth as indicated on the approved plan.”

The Department for Planning and Infrastructure has advised the Town's Officers that the above condition cannot be changed as the 28 day post approval period allowed for reconsiderations and reviews has lapsed. The implementation of the revised condition (c) will result in the application for clearance of the approved survey-strata subdivision not being cleared by the Town or the Western Australian Planning Commission. If the applicant wishes to proceed with the survey-strata subdivision of the subject property, a new application would need to be submitted to and approved by the Western Australian Planning Commission.

The Town's Officers have given due consideration to the application for a reconsideration of previous condition (c) and consider that the inclusion of the revised condition (c) addresses the situation.

The revised condition (c) is not considered to be a desirable outcome and that all sections involved would prefer that the original condition (c), included in the approval granted by the Council at its Ordinary Meeting held on 22 August 2006, be implemented. However, as has been demonstrated above, it is not feasible to achieve this outcome and as a result of this the Town needs to consider alternative action.

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

It is also recommended that the Town commence prosecution proceedings against the owner of the subject property for failing to comply with the original requirements of the Town and thereby committing an offence pursuant to the provisions of the Planning and Development Act 2005.

10.1.7 Nos. 64A and 64B (Lots 1 and 2) Wasley Street, North Perth- Proposed Temporary Car Park Associated with the Institutional Building (St Michael Nursing Home and Independent Living Units) at Nos. 53-65 Wasley Street, corner Norfolk Street and Forrest Street, North Perth (Reconsideration of Conditions)

Ward:	South	Date:	5 September 2007
Precinct:	Norfolk; P10	File Ref:	PRO3523; 5.2007.215.1
Attachments:	001		
Reporting Officer(s):	S Kendall		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Edgar Idle Wade Architects on behalf of the owner Almera Holdings Pty Ltd for proposed Temporary Car Park Associated with the Institutional Building (St Michael Nursing Home and Independent Living Units) at Nos. 53-65 Wasley Street, corner Norfolk Street and Forrest Street, North Perth (Reconsideration of Conditions), at Nos. 64A and 64B (Lots 1 and 2) Wasley Street, North Perth, and as shown on plans stamp-dated 24 July 2007, subject to the following conditions:

- (i) the temporary car park shall be directly associated with the St Michael Nursing Home at Nos. 53-65 Wasley Street, North Perth;*
- (ii) the approval for the car park and storage uses is valid for three years only, from 9 August 2006, which is the date of issue of the original Planning Approval, and the use should revert back to residential after this time or upon the first occupation of stage 3 of the development at Nos. 53-65 Wasley Street, North Perth, whichever occurs first;*
- (iii) the car park area shall be reinstated with landscaping or other development to the satisfaction of the Town within 60 days of the car park use ceasing on-site;*
- (iv) the Operations Management Plan, dated 11 October 2006 for the operation of the temporary car park addressing loading and unloading operations (including delivery and service vehicle times), car park security, staff and visitors car parking, and the control of noise, traffic, litter, lighting or storage uses shall be implemented and thereafter maintained by the owner(s)/occupier(s) for the temporary period of time;*
- (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 separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (vi) motor vehicle parking is not permitted on the Wasley Street verge adjacent to the subject property;*

- (vii) *compliance with the Deed of Agreement between the Town of Vincent and Almera Holdings Pty Ltd, as trustees for the Carroll Family, dated 17 January 2007 relating to the use of Nos. 64A and 64B (Lots 1 and 2) Wasley Street, North Perth as a temporary car park and storage area;*
- (viii) *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;*
- (ix) *the car park shall be made secure outside the hours of operation;*
- (x) *any new street/front wall, fence and gate between the Wasley 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;*
- (xi) *within twenty eight days (28) days of the date of the notification of this approval, the following works shall be undertaken to the satisfaction of the Town;*

 - (a) *150 millimetre by 150 millimetre raised concrete curb, along the north east corner of the site, as demarcated on the approved site plan dated 24 July 2007, shall be installed;*
 - (b) *the landscaped garden bed along the eastern boundary of the property shall be reinstated to reflect the site plan and landscaping plan dated 24 July 2007, which illustrates a minimum width for the landscaping bed of 0.5metre; and*
 - (c) *the security lighting shall be mounted on the retained buildings and focussed in a way as to avoid light spill to the neighbouring properties.*

All such works associated with the requirements of clause (xi) (a), (b) and (c) above shall be undertaken and maintained thereafter by the owner's/occupier's at the owner's/occupier's cost;

(xii) *within fourteen (14) days of the notification of this approval, revised plans shall be submitted and approved demonstrating the following;*

(a) *the removal of car parking bay No.4 and the reconfiguration of car parking bay Nos. 1 - 3 inclusive to have a minimum length of 6 metres;*

(b) *the re-location of the car parking bay (No.5) for people with disabilities to car parking bay Nos. 17 and 18; ~~and~~*

(c) *the width of car parking bay Nos. 5 to 16 inclusive being reduced in width to 2.5 metres to enable a total of five additional car bays to be incorporated in the temporary car park; and*

~~(e)~~ (d) *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved site plans dated 24 July 2007 and maintained thereafter by the owner's/occupier's to the satisfaction of the Town.*

The works required as a result of clauses (xii) (a), (b) ~~and (c)~~ and (d) above shall be completed within twenty-eight (28) days of the notification of this approval. All such works associated with the requirements of clauses (xii) (a), (b) ~~and (c)~~ and (d) above shall be undertaken and maintained thereafter by the owner's/occupier's at the owner's/occupier's cost; and

(xiii) *the hours of operation of the car park shall only be between 7am and 9pm, Monday to Sunday inclusive.*

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

Moved Cr Torre, Seconded Cr Maier

That the corrected recommendation be adopted.

Debate ensued.

Cr Torre departed the Chamber at 8.19pm.

Debate ensued.

Cr Torre returned to the Chamber at 8.23pm.

AMENDMENT

Moved Cr Maier, Seconded Cr

That clause (xii)(c) be amended by deleting "24 July 2007" and inserting "as approved by the Council on 25 July 2006".

Amendment lapsed as there was no seconder.

Debate ensued.

MOTION PUT AND CARRIED (7-1)

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

Cr Farrell on Approved Leave of Absence

COUNCIL DECISION ITEM 10.1.7

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No. 1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Edgar Idle Wade Architects on behalf of the owner Almera Holdings Pty Ltd for proposed Temporary Car Park Associated with the Institutional Building (St Michael Nursing Home and Independent Living Units) at Nos. 53-65 Wasley Street, corner Norfolk Street and Forrest Street, North Perth (Reconsideration of Conditions), at Nos. 64A and 64B (Lots 1 and 2) Wasley Street, North Perth, and as shown on plans stamp-dated 24 July 2007, subject to the following conditions:

- (i) the temporary car park shall be directly associated with the St Michael Nursing Home at Nos. 53-65 Wasley Street, North Perth;*
- (ii) the approval for the car park and storage uses is valid for three years only, from 9 August 2006, which is the date of issue of the original Planning Approval, and the use should revert back to residential after this time or upon the first occupation of stage 3 of the development at Nos. 53-65 Wasley Street, North Perth, whichever occurs first;*
- (iii) the car park area shall be reinstated with landscaping or other development to the satisfaction of the Town within 60 days of the car park use ceasing on-site;*
- (iv) the Operations Management Plan, dated 11 October 2006 for the operation of the temporary car park addressing loading and unloading operations (including delivery and service vehicle times), car park security, staff and visitors car parking, and the control of noise, traffic, litter, lighting or storage uses shall be implemented and thereafter maintained by the owner(s)/occupier(s) for the temporary period of time;*
- (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 separate Sign Licence application, being submitted and approved prior to the erection of the signage;*
- (vi) motor vehicle parking is not permitted on the Wasley Street verge adjacent to the subject property;*

- (vii) *compliance with the Deed of Agreement between the Town of Vincent and Almera Holdings Pty Ltd, as trustees for the Carroll Family, dated 17 January 2007 relating to the use of Nos. 64A and 64B (Lots 1 and 2) Wasley Street, North Perth as a temporary car park and storage area;*
- (viii) *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;*
- (ix) *the car park shall be made secure outside the hours of operation;*
- (x) *any new street/front wall, fence and gate between the Wasley 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;*
- (xi) *within twenty eight days (28) days of the date of the notification of this approval, the following works shall be undertaken to the satisfaction of the Town;*

 - (a) *150 millimetre by 150 millimetre raised concrete curb, along the north east corner of the site, as demarcated on the approved site plan dated 24 July 2007, shall be installed;*
 - (b) *the landscaped garden bed along the western boundary of the property shall be reinstated to reflect the site plan and landscaping plan dated 24 July 2007, which illustrates a minimum width for the landscaping bed of 0.5metre; and*
 - (c) *the security lighting shall be mounted on the retained buildings and focussed in a way as to avoid light spill to the neighbouring properties.*

All such works associated with the requirements of clause (xi) (a), (b) and (c) above shall be undertaken and maintained thereafter by the owner's/occupier's at the owner's/occupier's cost;

(xii) within fourteen (14) days of the notification of this approval, revised plans shall be submitted and approved demonstrating the following;

- (a) the removal of car parking bay No.4 and the reconfiguration of car parking bay Nos. 1 - 3 inclusive to have a minimum length of 6 metres;*
- (b) the re-location of the car parking bay (No.5) for people with disabilities to car parking bay Nos. 17 and 18;*
- (c) the width of car parking bay Nos. 5 to 16 inclusive being reduced in width to 2.5 metres to enable a total of five additional car bays to be incorporated in the temporary car park; and*
- (d) the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved revised site plans n- -0 and maintained thereafter by the owner's/occupier's to the satisfaction of the Town.*

The works required as a result of clauses (xii) (a), (b), (c) and (d) above shall be completed within twenty-eight (28) days of the notification of this approval. All such works associated with the requirements of clauses (xii) (a), (b), (c) and (d) above shall be undertaken and maintained thereafter by the owner's/occupier's at the owner's/occupier's cost; and

(xiii) the hours of operation of the car park shall only be between 7am and 9pm, Monday to Sunday inclusive.

Landowner:	Almera Holdings Pty Ltd
Applicant:	Edgar Idle Wade Architects
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R40
Existing Land Use:	Western Portion (Lot 1) -Temporary Car Park; and Eastern Portion (Lot 2) - Temporary Storage and Administration Purposes
Use Class:	Use Associated with the Institutional Building
Use Classification:	Uses Associated with Institutional Building -"SA"
Lot Area:	1020 square metres
Access to Right of Way	Not Applicable

BACKGROUND:

25 July 2006

The Council at its Ordinary Meeting granted approval for demolition of the western grouped dwelling and construction of a temporary car park, and change of use of the eastern grouped dwelling to temporary storage associated with the institutional building (St Michael Nursing Home and Independent Living Units) at Nos. 53-65 Wasley Street, corner Norfolk Street and Forrest Street, North Perth, subject to several conditions, including the following condition:

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

- 9 August 2006 Approval to Commence Development Serial No. 5.2006.143.1 for demolition of the western grouped dwelling and construction of a temporary car park, and change of use of the eastern grouped dwelling to temporary storage associated with the institutional building (St Michael Nursing Home and Independent Living Units) at Nos. 53-65 Wasley Street, corner Norfolk Street and Forrest Street, North Perth was issued by the Town.
- 1 May 2007 The Town received a written complaint alleging non-compliance with a number of conditions of the abovementioned Approval.
- 3 May 2007 A site inspection undertaken by the Town's Development Compliance Officer revealed that the western grouped dwelling had been demolished and the temporary car park had been constructed and was being utilised. A search of the Town's records revealed that a Demolition Licence for the subject development had not been applied for and obtained from the Town.
- 22 May 2007 The Council at its Ordinary Meeting authorised the Chief Executive Officer to instruct the Town's solicitors to commence legal proceedings against the owner of No. 64A (Lot 1) Wasley Street, North Perth for contravention of Section 374A (1) of the Local Government (Miscellaneous Provisions) Act 1960 for failing to obtain a Demolition Licence prior to demolishing the dwelling at No. 64A (Lot 1) Wasley Street, North Perth.

DETAILS:

The proposal involves the reconsideration of a number of conditions from the above Planning Approval, which was considered at the Ordinary Meeting of Council held on 25 July 2006. The subject conditions requiring consideration are (vii) (c), (ix), (xviii), and (xix). These subject conditions are outlined in full in the 'Comments' section of this report.

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

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Noted.
Consultation Submissions			
Support	Nil		Noted
Objection (1)	- The car park has already caused much inconvenience with extra noise from the coming and goings during the time when most people are at home; that is, on weekends and at night. An extension of the car parking until 9pm would extend the inconvenience and noise factor.		Not supported - as the applicant has prepared an Operations Management Plan that makes provisions for noise management. The applicant has also advised that neighbours in the immediate vicinity will

		be provided with the relevant contact telephone numbers in the event of any concerns.
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 subject conditions requiring consideration are (vii) (c), (ix), (xviii), and (xix). The subject conditions, the applicant's comment/justification for reconsideration and an associated Officer comment is provided below.

- *“(vii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*

(c) the crossover being widened to 6.5 metres.”

Applicant's Comment/Justification

The existing crossover is approximately 6 metres wide and is sufficient width to serve the purpose. Widening the crossover would result in the partial demolition of kerbing, paths, brick pier and low brick wall, which would be difficult to make good in matching materials.

Officer Comment

Supported as the Town's Technical Services have endorsed the retention of the existing crossover and have advised that the existing crossover, which is 5.6 metres wide is sufficient for the minimal number of staff vehicles, which will utilise the premises.

- *“(ix) 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.”*

Applicant's Comment/Justification

The car parking has been bitumised and line marked in accordance with the revised plans.

Officer Comment

The Town's Officers acknowledge that the proposed car parking layout has been modified as a result of conditions imposed from the Ordinary Meeting of Council (OMC) held on 25 July 2006, resulting in the removal of seven car bays.

The approval for the car park from the OMC held on 25 July 2006 required car bay 5 to be widened to accommodate for people with disabilities. This requirement has been satisfied. However, to comply with the BCA requirements, which requires car bays for people with disabilities to be as close as possible to the building's main entrance, the car bay should be in the location of bays 17 and 18. Taking into consideration this requirement and the slope of the car park at the location of the current car bay for people with disabilities, this has been conditioned to comply.

In addition to this, car bay Nos. 1 - 4 are non-compliant and require to be reconfigured as outlined in the Officer Recommendation.

- *“(xviii) the hours of operation of the car park and storage uses shall only be between 7 am and 7 pm, Monday to Sunday inclusive. Details of measures, such as a gate, to prevent use of the car park outside these hours shall be submitted and approved prior to the issue of a Demolition/Building Licence or first occupation of this development or the commencement of either use on-site, whichever occurs first. All works shall be undertaken prior to the first occupation of the development or commencement of either use on-site, whichever occurs first and maintained thereafter by the owners/occupiers.”*

Applicant’s Comment/Justification

The proposed hours of operation being extended to 7am to 9pm to accommodate the last work shift. The existing low brick wall and chain is sufficient to prevent parking at the site outside operation hours.

Officer Comment

Supported, as the applicant has prepared an Operations Management Plan that makes provisions for noise management and has advised that neighbours in the immediate vicinity will be provided with the relevant contact telephone numbers in the event of any concerns. In addition to this, the hours of operation reflect the shifts of the workers. It would be impractical to require the staff to remove the cars from the temporary car park for the last two hours of the shift.

In relation to the chain link fence, it is considered supportable as it would satisfy the requirements to ensure the car park is not used outside the designated hours of operation and as it is compatible with the low brick boundary wall.

- *“(xix) a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Wasley Street verge adjacent to the subject property and on-site, shall be submitted and approved prior to the issue of a Demolition/Building Licence or first occupation of the development or commencement of the either use on-site whichever occurs first. All such works shall be undertaken at the owners cost prior to the first occupation of the development or commencement of either use on-site, whichever occurs first, and maintained thereafter by the owner(s)/occupier(s).”*

Applicant’s Comment/Justification

On the basis that the car parking is temporary and that all the landscaping will be removed in the short term, it is proposed that all existing landscaping be retained and only minimal new landscaping be introduced as per the proposed landscaping plan.

Officer Comment

The previous decision acknowledged that given the car park has an anticipated life expectancy of three (3) years, low level planting was considered appropriate as documented on the previously approved plans. Notwithstanding the above, a site inspection revealed that the existing landscaping is not in accordance with the plans in terms of the minimum widths of the garden beds. The sealing of the car park has removed the provision of a garden bed around a number of existing plants along the western boundary and thus has been conditioned to comply.

Summary

The Officer Recommendation has taken into consideration the request of the applicant and the Officer comments in relation to the reconsideration of conditions (vii) (c), (ix), (xviii), and (xix), and has also included the other appropriate conditions of approval from the Ordinary Meeting of Council held on 25 July 2006.

10.1.10 Amendment No. 47 to Planning and Building Policies – Draft Policy Relating to Residential Subdivisions

Ward:	Both Wards	Date:	5 September 2007
Precinct:	All Precincts	File Ref:	PLA0184
Attachments:	001		
Reporting Officer(s):	B McKean		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the Draft Policy relating to Residential Subdivisions, as attached at appendix 10.1.10;*
- (ii) *ADOPTS the Draft Policy relating to Residential Subdivisions in the interim until the formal adoption of the Draft Policy; subject to the Policy being amended to as follows:*
 - (a) *the diagrams/drawings in the Policy being amended to more accurately reflect the current development/subdivision situation in the Town, be more consistent in orientation and of a higher quality;*
 - (b) *clause PC 1. (i) Subdivision be amended to read as follows:*
 - '(i) *The subdivision of land does not have an undue impact on the streetscape and surrounding amenity.*';
 - (c) *clause ADC 1. (a) Subdivision be amended to read as follows:*
 - '(a) *Subdivision of land that retains an existing dwelling(s) is to allow for adequate setbacks and curtilage to ensure...*';
 - (d) *clause ADC 2. (c) Minimum Site Area be amended to read as follows:*
 - '(c) *Green Title/Freehold Battleaxe Lots*
Where a subdivision results in the creation of a green title/freehold battleaxe lot, a maximum of 20 per cent of the access way can be included in the calculation of the minimum green title/freehold battleaxe site area in accordance with clause 3.1.2 A2 (ii) of the R Codes.

Where the green title/freehold battleaxe lot (excluding the access leg) adjoins or abuts a right of way or public reserve for open space, pedestrian access, school site or equivalent, half the width (up to a maximum depth of two metres) may be added to the green title/freehold battleaxe minimum site area in accordance with Clause 3.1.2 A2 (ii) of the R Codes.

The above provisions do not apply to survey strata or strata subdivision of land on a 'battleaxe' configuration/pattern.';

- (e) *clause PC 3. (i) Lot Configuration and Subdivision Pattern be amended to read as follows:*

'(i) The lot configuration and subdivision pattern does not have an undue impact on the streetscape and surrounding amenity.'

- (f) *clause ADC 3. (a) Lot Configuration and Subdivision Pattern be amended to read as follows:*

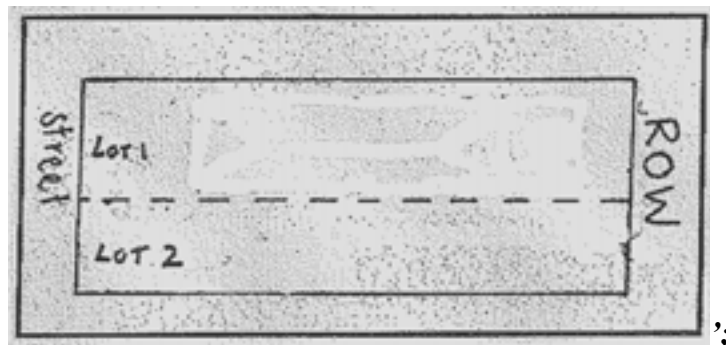
'(a) The lot configuration and subdivision pattern are to reflect the existing predominant subdivision pattern of the immediate street block the subject property is located, in terms of layout and orientation.'

- (g) *clause ADC 3. (c) (6) Lot Configuration and Subdivision Pattern be amended to read as follows:*

'(c)(6) The retention of an existing dwelling(s) ~~which~~ where the block is split down the middle.'

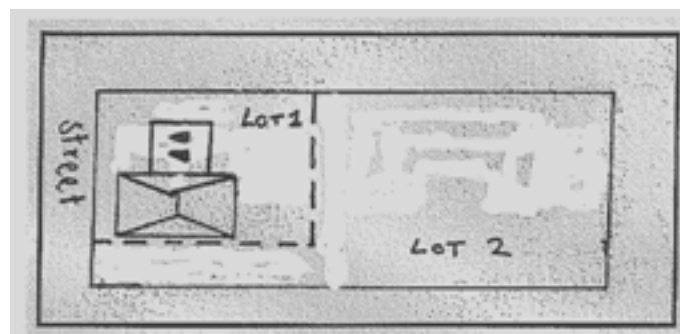
- (h) *clause ADC 3. (c) (7) Lot Configuration and Subdivision Pattern be amended to read as follows:*

'(c)(7) Vacant site which is split down the middle.'



- (i) *clause ADC 3. (c) (8) Lot Configuration and Subdivision Pattern be amended to read as follows:*

'(c)(8) Green Title/Freehold Battleaxe Lot.



- (aa) *Each lot is to have direct frontage to a dedicated/gazetted road.*

- (bb) *Vehicular access is to comply with clause ADC 5. Vehicular Access.*
- (cc) *Green title/freehold Bbattleaxe subdivision will only be supported where the following criteria are met:*
- (aaa) *~~the~~ an existing dwelling(s) fronts the street and this dwelling is retained;*
- (bbb) *the existing vehicular access to the existing dwelling(s) is not sufficient in terms of width and ~~maneuvering~~ manoeuvring to service both the existing dwelling(s) lot and proposed lot(s)/dwelling(s);*
- (ccc) *the property does not have legal access to a right of way; and*
- (ddd) *the subdivision complies with the requirements of the R Codes.*

Note:

“Green title/freehold Bbattleaxe lot/site” means a green title/freehold single house lot or site that has a frontage to a public road only through a pedestrian or vehicular access way that is part of the lot, but the term excludes a lot that has vehicular access from a private or communal street or right of way connected to a public road.’;

- (j) *clause PC 4. (i) Small Lot Subdivision be amended to read as follows:*
- ‘(i) *Small lots are capable of accommodating development that provides adequate amenities to future occupants of that development without having an undue impact on the streetscape and surrounding amenity.’; and*
- (k) *clause ADC 4. (a) Small Lot Subdivision be amended to read as follows:*
- ‘(a) *A lot with a width/frontage less than 8 metres may be supported where the following criteria are achieved:*
- *The property has vehicular access from a right of way; and*
 - *Similar development/subdivision has occurred along the street within the subject street block; or*
 - *The proposal involves the re-adaptation of the existing dwelling into two dwellings.*
- *In all cases ~~€~~compliance with all other provisions of the Town of Vincent Policy relating to Residential Design Elements and the R Codes is required.; ~~and~~*
- *~~The proposal involves the re-adaptation of the existing dwelling into two dwellings.’.~~”*

- (iii) *ADVERTISES the Draft Policy relating to Residential Subdivisions 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 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 Policy; and*
 - (c) *forwarding a copy of the subject Policy to the Western Australian Planning Commission; and*
- (iv) *after the expiry of the period for submissions:*
- (a) *REVIEWS the Draft Policy relating to Residential Subdivisions, having regard to any written submissions; and*
 - (b) *DETERMINES the Draft Policy relating to Residential Subdivisions, with or without amendment, to or not to proceed with them.*

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

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Chester, Seconded Cr Ker

That a new clause (l) be added to read as follows:

“(l) clause ADC 3. (c) (7) (bb) be amended so that the vehicular access should be provided from the Right-of-way (ROW).”

Debate ensued.

AMENDMENT PUT AND CARRIED (7-1)

For

Mayor Catania
Cr Chester
Cr Doran-Wu
Cr Ker
Cr Lake
Cr Maier
Cr Messina

Against

Cr Torre

Cr Farrell on Approved Leave of Absence

Cr Messina departed the Chamber at 8.35pm.

AMENDMENT

Moved Cr Maier, Seconded Cr Ker

That clause ADC 3. (c) (6) (aa) Lot Configuration and Subdivision Pattern be amended to read as follows:

“(c) (6) (aa) This subdivision pattern will only be considered where the subdivision will result in a lot width which is consistent with more than 50 percent of the lot width within the immediate street block in which the subject property is located, and where the vacant lot, and where possible the lot with the existing house, has vehicular access from a right of way.”

AMENDMENT PUT AND CARRIED (5-2)

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

Cr Farrell on Approved Leave of Absence.
Cr Messina was out of the Chamber.

Moved Cr Chester, Seconded Cr Ker

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

*“(ii) **ADOPTS** the Draft Policy relating to Residential Subdivisions in the interim until the formal adoption of the Draft Policy; subject to the Policy being amended to as follows:*

(a) the diagrams/drawings in the Policy being amended to more accurately reflect the current development/subdivision situation in the Town, be more consistent in orientation and of a higher quality;

(b) clause ADC 3. (c) (6) (aa) Lot Configuration and Subdivision Pattern be amended to read as follows:

‘(c)(6)(aa) This subdivision pattern will only be considered where the subdivision will result in a lot width which is consistent with ~~more than~~ 50 percent or more of lot width within the immediate street block in which the subject property is located.’;

(c) clause ADC 3. (c) (7) (aa) Lot Configuration and Subdivision Pattern be amended to read as follows:

‘(c)(7)(aa) This subdivision pattern will only be considered where the subdivision will result in a lot width which is consistent with

~~more than~~ *50 percent or more of lot width within the immediate street block in which the subject property is located...'; and*

(d) *clause ADC 4. (b) Small Lot Subdivision be amended to read as follows:*

(b) *Lots with a width/frontage less than 8 metres and/or lots with an area less than 300 square metres and/or lots with an encumbrance (such as a sewer easement or rights of carriageway easement) that reduces the effective area of the lot to less than 300 square metres, and/or lots with an awkward shape, are to meet the following criteria to the satisfaction of the Town of Vincent:*

(aa) *the Town of Vincent has approved a Planning Approval and/or Building Licence for the development of dwelling(s) on the subject lot; and*

(bb) *the perimeter walls of the approved dwelling(s), including the garage walls and carport walls/pillars have been constructed to plate height.*

Notes:

(a) *“wall plate” means a horizontal structure on a wall to distribute the pressure from the roof frame structure; and*

(b) *“plate height” means the height of the wall between the natural ground level and the wall plate.*

The above Planning Approval and construction to plate height requirements provide the following benefits to the Town of Vincent and the applicant of the proposed subdivision:

- *Demonstrates that a dwelling with adequate amenities on site, while not unduly affecting the amenity of the surrounding area, can be developed on the small lots;*
- *Prevents Planning Approval lapsing after two (2) years or the owner changing over time, and the applicant and the Town of Vincent having to re-negotiate an appropriate new development on the small lots;*
- *Prevents newly subdivided lots remaining vacant; and*
- *Provides certainty of the scale and nature of development on the small lots.’.”*

Amendment not voted on as a Deferral Motion was moved.

Cr Messina returned to the Chamber at 8.37pm.

Debate ensued.

Moved Cr Messina, Seconded Cr Lake

That the Item be DEFERRED for clarification of various clauses.

PROCEDURAL MOTION PUT AND CARRIED (8-0)

COUNCIL DECISION ITEM 10.1.10

That the Item be DEFERRED for clarification of various clauses.

PURPOSE OF REPORT:

The purpose of this report is to present the Draft Policy relating to Residential Subdivisions and to seek the Council's approval to advertise the Draft Policy.

BACKGROUND:

23 January 2007 The Council at its Ordinary Meeting considered Item 10.1.8 relating to the draft Residential Design Policy. The Council resolved to adopt the following action:

“(ii) (i) *new policies relating to:*

 (1) *Subdivisions; and*

 (2) *Single Bedroom Dwellings;*

independent but inherently linked to the draft Residential Design Elements be prepared and that a report and draft policy be referred to the Council no later than April 2007;”

DETAILS:

In light of clause (ii) (i) (1) of the above Council Resolution at its Ordinary Meeting held on 23 January 2007, the Town's Officers have prepared a Draft Policy relating to Residential Subdivisions.

The objectives of the Draft Policy states as follows:

“1) *To provide clear policy direction on the requirements for residential subdivision in the Town of Vincent.*

2) *To encourage high quality residential development that complements the character of the streetscapes recognised by the Town of Vincent.*

3) *To ensure new residential allotments are of an appropriate size, shape and pattern to accommodate future desired development.*

4) *To respect the residential character of the locality through appropriate subdivision patterns.*

- 5) *To promote energy efficient and environmentally sustainable residential development through appropriate configuration and pattern of lots.*
- 6) *To protect existing trees of significance through appropriate configuration and pattern of lots and siting of dwellings.*
- 7) *To encourage appropriate residential development of land through the integration of the subdivision and construction processes.”*

The Draft Policy addresses various matters relating to Residential Subdivisions, with specific attention to minimum site area, lot configuration, vehicular access, split coding, small lot subdivision and pedestrian access leg requirements.

CONSULTATION/ADVERTISING:

Any new or rescinded 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.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 – Strategic Objective: Natural and Built Environment
“1.1.2 Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision.”

FINANCIAL/BUDGET IMPLICATIONS:

The current 2007/2008 Budget allocates \$60,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

The Draft Policy relating to Residential Subdivisions has been prepared to mainly provide applicants and developers with a set of concise guidelines and requirements for residential subdivisions within the Town. It is intended that this Policy will guide residential subdivision so the amenity of the Town's streetscapes will be protected and future subdivisions and subsequent development will not unduly impact on the amenity of the area.

In light of the above, it is recommended that the Council receives, adopts in the interim and advertises the Draft Policy in accordance with the Officer Recommendation.

10.1.12 Heritage Strategic Plan 2007 - 2012

Ward:	Both Wards	Date:	4 September 2007
Precinct:	All Precincts	File Ref:	PLA0088
Attachments:	001 002		
Reporting Officer(s):	T Woodhouse		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

"(i) RECEIVES the report relating to the final version of the Heritage Strategic Plan 2007 - 2012 subject to the Plan being amended as follows:

(a) Appendix 1 - Heritage Assets in Custodianship of the Town of Vincent be amended to read as follows:

- *'Perth Oval (Members Equity Stadium) No. 310 Pier Street, Perth - grounds and entrance gates*

...

- **Headquarters Youth Facility (formally Cullity Timbers or the State Emergency Services Building), No. 62 Frame Court, Leederville."**

(ii) ADOPTS the final version of the Heritage Strategic Plan 2007 - 2012 as attached at Appendix 10.1.12 (a) resulting from the advertised version having been reviewed with regard to two (2) written submissions received during the formal advertising period, detailed in the schedule of submissions as attached at appendix 10.1.12 (b); and

(iii) APPROVES the Heritage Strategic Plan 2007 - 2012 as attached in appendix 10.1.12 (a) to form part of the Town's Plan for the Future.

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

Moved Cr Torre, Seconded Cr Messina

That the corrected recommendation be adopted.

Journalist Brendan Foster departed the Meeting at approximately 8.42pm.

Debate ensued.

MOTION PUT AND CARRIED (8-0)

Cr Farrell on Approved Leave of Absence.

COUNCIL DECISION ITEM 10.1.12

That the Council;

- "(i) RECEIVES the report relating to the final version of the Heritage Strategic Plan 2007 - 2012 subject to the Plan being amended as follows:**
- (a) Appendix 1 - Heritage Assets in Custodianship of the Town of Vincent be amended to read as follows:**
- **'Perth Oval (Members Equity Stadium) No. 310 Pier Street, Perth - grounds and entrance gates**
 - ...
 - **Headquarters Youth Facility (formally Cullity Timbers or the State Emergency Services Building), No. 62 Frame Court, Leederville."**
- (ii) ADOPTS the final version of the Heritage Strategic Plan 2007 - 2012 as attached at Appendix 10.1.12 (a) resulting from the advertised version having been reviewed with regard to two (2) written submissions received during the formal advertising period, detailed in the schedule of submissions as attached at appendix 10.1.12 (b); and**
- (iii) APPROVES the Heritage Strategic Plan 2007 - 2012 as attached in appendix 10.1.12 (a) to form part of the Town's Plan for the Future.**
-

PURPOSE OF REPORT:

The purpose of this report is to present to the Council the final version of the Heritage Strategic Plan 2007 - 2012 and seek final adoption.

BACKGROUND:

The Council at its Ordinary Meeting held on 12 June 2007 considered the Draft Heritage Strategic Plan 2007 - 2012 and resolved as follows:

"That the item be DEFERRED to include an indicative timeline and also consider the proposed changes indicated by Cr Maier."

The Council at its Ordinary Meeting held on 26 June 2007 considered the Draft Heritage Strategic Plan 2007 - 2012 and resolved the following:

"That the Council;

- (i) RECEIVES the further report relating to the Draft Heritage Strategic Plan 2007 - 2012;**
- (ii) APPROVES IN PRINCIPLE the amended Draft Heritage Strategic Plan 2007 - 2012, as shown in Attachment 10.1.4;**
- (iii) AUTHORISES the Chief Executive Officer to:**
-

- (a) *advertise the Draft Heritage Strategic Plan 2007 - 2012 for a period of 28 days seeking public comment;*
- (b) *report back to Council with any public submissions received; and*
- (iv) *APPROVES the Heritage Strategic Plan (when adopted) to form part of the Town's Plan for the Future."*

DETAILS:

Heritage management throughout the Town of Vincent deals with aspects of asset management, town planning and community programs. An important component of the Heritage Strategic Plan 2007 - 2012 is the Key Result Areas which group common goals to assist the Town to achieve its mission, and identify the resources and actions required to undertake and achieve the objectives of each Key Result Area.

Five Key Result Areas have been identified as follows:

1. Community and Heritage - Education, Promotion and Celebration;
2. Statutory Provisions and Policies- A major responsibility of Council;
3. Funding Heritage Places - Resourcing and Supporting Heritage and Programs;
4. Council Property and Heritage - Effective Management of Heritage Assets and Leading by Example; and
5. Heritage Expertise in Council - Improving Knowledge and Services.

CONSULTATION/ADVERTISING:

In accordance with the Town's Community Consultation Policy 4.5.1, the Draft Heritage Strategic Plan 2007 - 2012 underwent a period of advertising from Tuesday, 10 July to Monday, 20 August 2007. During this period two (2) submissions were received by the Town.

LEGAL/POLICY:

There are no legal or policy implications applicable to this matter.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011: Strategic Objectives - 1. Natural and Built Environment:

"... 1.1.3 Enhance and maintain the character and heritage of the Town:

- (a) *Adopt the Conservation Plan for Beatty Park Leisure Centre and Beatty Park, Plan and complete so that redevelopment plans can be guided by the Conservation Plan.*
- (b) *Implement and promote the Municipal Heritage Inventory and Heritage Management Policies.*
- (c) *Implement and promote a Heritage Strategic Plan."*

The Heritage Strategic Plan 2007-2012 should form part of the Town's Plan for the Future.

FINANCIAL/BUDGET IMPLICATIONS:

The current 2007/2008 Budget allocates \$24,000 for Strategic Planning and Heritage Publicity and Promotion.

COMMENTS:

The modifications to the draft Heritage Strategic Plan 2007 - 2012 are addressed in the attached schedule of submissions, and are underlined and striked-through on the attached final version of the Strategic Plan.

In light of the above, it is recommended that the Council receives, adopts and approves the final version of the Heritage Strategic Plan 2007 - 2012, in line with the Officer Recommendation.

10.1.13 Review of Childhood Immunisation Clinics within the Town of Vincent

Ward:	Both	Date:	3 September 2007
Precinct:	All	File Ref:	ENS0025
Attachments:	-		
Reporting Officer:	A Giles		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

(ii) *RECEIVES the report relating to the review of Childhood Immunisation Services within the Town of Vincent;*

(ii) *NOTES that;*

(a) *whilst the level of service and attendance at the Childhood Immunisation Clinics remain unchanged, the total annual cost of immunisation services by the Town has risen \$24,259 in the past 5 years;*

(b) *17 of the 29 (58.7%) metropolitan Local Governments no longer provide immunisation services, due to a range of issues such as: cost shifting, immunisation being the responsibility of the State Government, rising cost factors, liability issues, lack of funding, and occupational safety and health;*

(c) *the Department of Health (WA) Central Immunisation Clinic operates from 8.30am – 5.00pm, Monday to Friday, at No. 16 Rheola Street, West Perth, approximately 2 kilometres from the Town's Administration and Civic Centre; and*

(iii) *APPROVES the;*

(a) *advertising of, and reduction of the Town's Immunisation Service to one centrally located clinic at the Loftus Child Health Clinic, on the first Wednesday of the month from 9am – 12 noon, effective from 1 October 2007 until 31 December 2007; and*

(b) *prior advertising of, and cessation of all the Town's Immunisation Services effective from 31 December 2007.*

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

Debate ensued.

Moved Cr Ker, Seconded Cr Torre

That the item be DEFERRED for further investigation of the matter including accessibility issues identified for various clinics.

PROCEDURAL MOTION PUT AND CARRIED (7-1)

For
Mayor Catania
Cr Chester
Cr Doran-Wu
Cr Ker
Cr Lake
Cr Messina
Cr Torre

Against
Cr Maier

Cr Farrell on Approved Leave of Absence.

COUNCIL DECISION ITEM 10.1.13

That the item be DEFERRED for further investigation of the matter including accessibility issues identified for various clinics.

PURPOSE OF REPORT:

The purpose of the report is to provide an overview of the Town's Immunisation Service, and details the short term and long term changes proposed to more effectively and efficiently manage the Town's resources.

DETAILS:

In Western Australia, vaccines are administered by the following service providers: General Practitioners, Department of Health, Community Health, and Local Government. Statistically, General Practitioners are by far the largest provider, are able to offer facilities of a higher standard, and provide parents with the added benefit of discussing other medical issues during the immunisation process.

Currently, the Town provides Childhood Immunisation to an average of 20 - 25 children at the following centres, on the first Wednesday of every month:

- Mount Hawthorn Child Health Clinic, No. 197 Scarborough Beach Road, Mount Hawthorn (1 hour 15 minutes);
- Loftus Child Health Clinic, No. 99 Loftus Street, Leederville (45 minutes);
- Highgate Child Health Clinic, corner Harold and Curtis Streets, Highgate (45 minutes); and
- North Perth Child Health Clinic, No. 20 View Street, North Perth (45 minutes).

The following table details the combined average attendance at the Town's four (4) Child Health Clinics since 2003. The average monthly attendance has remained at similarly low levels since 2003, and it should be noted that of the four clinics attended, only two could be considered 'relatively well attended'.

YEAR	2003	2004	2005	2006	2007 (*estimate)
Average attendance/clinic	21 children	20 children	23 children	25 children	22 children*
Total annual attendance	253 children	235 children	278 children	303 children	264 children*

The resources/staff required to operate the clinics for 5 hours, once per month is detailed as follows: Immunisation Doctor; 2 Customer Service Officers; and 1 Vehicle. An additional 5 – 6 hours of time is required by the Health Services Customer Service Officer to maintain effective record keeping and to keep vaccinations stocked. This is a strain on an increasingly busy part-time position.

Financially, the annual cost of providing Immunisation Services by the Town is as follows:

Financial Year	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007 (*estimate)
Total Cost	\$43,549	\$45,928	\$55,715	\$62,748	\$67,808
Cost per child	\$172.15	\$195.45	\$200.41	\$207.09	\$256.85*

As demonstrated above, whilst average attendance and level of service provision remains unchanged, increases in salaries, and other operating costs have resulted in the total annual cost of operating the service to escalate from \$43,549 to \$67,808 in 5 years. This is an increase of **\$24,259** despite the Town's residents receiving no additional services for the rising cost to the Town.

CONSULTATION/ADVERTISING:

Consultation was undertaken with all metropolitan Local Governments, Department of Health, and the Town's Medical Officer of Health.

Of the 29 metropolitan Local Governments surveyed, 12 Local Governments including the Town of Vincent (41.3%) continued to provide a childhood immunisation to residents, with all but one having a larger population base, and the majority being Cities (some of which have a team solely dedicated to immunisation). 17 Local Governments (58.7%) no longer provide an immunisation service, with the majority citing the following as reasons for discontinuing the service: cost shifting/State responsibility, general practitioners are better equipped and are offered significantly greater government funding, liability and occupational health and safety issues.

The following Table details the 12 Local Governments surveyed who provide an Immunisation service at this time:

LOCAL GOVERNMENT AUTHORITY	POPULATION
City of Stirling	183,897
City of Joondalup	157,793
City of Wanneroo	115,136
City of Melville	97,597
City of Gosnells	94,685
City of Bayswater	57,298
City of Armadale	52,879
LOCAL GOVERNMENT AUTHORITY	POPULATION
City of South Perth	38,631
City of Belmont	31,823
Town of Victoria Park	29,391
Town of Vincent	27,062
Town of Mosman Park	8,595

The following 17 Local Government authorities have ceased provision of an Immunisation service: City of Rockingham, City of Cockburn, Shire of Swan, City of Canning, City of Perth, City of Fremantle, Town of Claremont, Shire of Kalamunda, Shire of Mundaring, Town of Cambridge, Town of Kwinana, City of Nedlands, City of Subiaco, Town of Bassendean, Town of Cottesloe, Town of East Fremantle, and the Shire of Peppermint Grove.

The recent survey of other Local Authorities also indicated that the number of clinics provided per capita by the Town (4 clinics, for a population of 27,062) was far in excess of the number provided by larger Cities; for example, City of Stirling operates 8 clinics for a population of 183,897, City of Melville operates two clinics for a population of 97,597, and City of Belmont operates one clinic for a population of 31,832.

The Town's Health Services consulted, and requested comment from Dr Margaret Stevens, Chief Medical Adviser, Department of Health (WA) regarding the proposed review of provision of Childhood Immunisation Services within the Town. The Town wrote to Dr Stevens as follows:

"It is advised that the Town of Vincent is currently reviewing the provision of Childhood Immunisation, with a view to ceasing Childhood Immunisation Clinics as of 31 December 2007.

Currently, the Town provides Childhood Immunisation to approximately 25 children at the following centres, on the first Wednesday of every month:

- *Mount Hawthorn Child Health Clinic, No. 197 Scarborough Beach Road, Mount Hawthorn (1 hour 15 minutes);*
- *Loftus Child Health Clinic, No. 99 Loftus Street, Leederville (45 minutes);*
- *Highgate Child Health Clinic, Corner Harold and Curtis Streets, Highgate (45 minutes);*
- *North Perth Child Health Clinic, No. 20 View Street, North Perth (45 minutes).*

With the Central Immunisation Clinic located in close proximity to the Town, and numerous General Practitioners in the area, it is proposed that the Town's resources be re-directed to other local Public Health priorities. The facilities provided are not of the standard that is provided by medical practitioners, and the Town's service does not provide the parent with the ability to discuss other medical issues during the immunisation process. The Town ceased the School Immunisation programme some years ago, again due to resourcing and cost factors.

Reasons behind the proposed cessation of services include:

- *Escalating costs, and the increasing need to justify services;*
 - *Unnecessary duplication of state government and private sector services;*
 - *Ever increasing cost shifting from state to local government, resulting in the constant need to rationalise services;*
 - *Liability issues;*
 - *Occupational Safety and Health concerns;*
 - *Expanding vaccine schedules placing time constraints on the Immunisation Team;*
 - *Ageing clinics which do not provide adequate area for task separation; and*
 - *Close proximity to Central Immunisation Clinic (Rheola Street, West Perth).*
-

The Town proposes to implement a phasing-out approach to ceasing the service, to allow adequate notice to be given to service users. As of 1 October 2007, it is proposed that the service will operate solely from the Loftus Child Health Clinic, between 9am – 12.00pm on the first Wednesday of the month, until 31 December 2007 when the service will cease altogether.

*The Town's Health Services invites you to comment on the matter by **14 August 2007**, as the matter is due to be reported to Council for their consideration on 28 August 2007."*

The response received from Dr Tania Wallace, Medical Co-ordinator, Prevention and Control Program, Department of Health, is detailed as follows:

"Thank you for your letter advising us that you will be ceasing Childhood Immunisation Clinics at the end of December 2007.

We will pass this information onto the North Metropolitan Area Health Service. We would like to thank you for your valuable contribution to the Immunisation Program for Western Australia."

In addition, the Town's Medical Officer of Health has been consulted regarding the proposed changes and the current challenges impacting on the Immunisation team. The Medical Officer of Health expressed concern that many of the Town's clinics are inadequately set up to allow for adequate task separation for vaccinations. Only two of the four clinics are suitably set out to allow for adequate staff separation, these being the Loftus and Mount Hawthorn Child Health Clinics.

Concern was also raised that the "cold chain", required to maintain vaccines at an appropriate temperature, is difficult to achieve with the frequent packing and unpacking of the vaccines, and the increase in vaccinations on the National Immunisation Schedule. This is also resulting in occupational safety and health issues, and the team are required to carry heavier, more bulky equipment from clinic to clinic. The proposed interim measure of reducing the clinic to one central location from October 2007, will effectively manage the issues raised by the Medical Officer of Health relating to maintenance of the cold chain and manual handling.

Should the Council support the Officer Recommendation, the changes will be advertised at all four of the Town's Child Health Centres, Library, Administration and Civic Centre. In addition, the Town's Immunisation Doctor, Department of Health, North Metropolitan Area Health Service, and all Child Health Nurses will be formally advised in writing of the changes.

LEGAL/POLICY:

In accordance with the *Health Act 1911*, there is no obligation for Local Government to provide immunisation services. Local Government must appoint a Medical Officer of Health, in accordance with section 27, and may choose to undertake immunisation, and to provide buildings pursuant to the provisions of sections 330a, 330b and 340 of the *Health Act 1911*, and the *Health (Immunisation by Local Authorities) Regulations*.

The Medical Officer of Health will remain employed on a contract basis, and will continue to undertake the annual staff influenza vaccinations, and any other duties required of the position. Child Health facilities are provided and maintained by the Town for the predominant use of Child Health Nurses, from the North Metropolitan Area Health Services.

The *Local Government Act 1995* does not specify that a Local Government is to provide immunisation services; however, does place obligations on Local Government to ensure good local governance, integration and co-ordination with Federal and State services and facilities, and ensuring that services and facilities provided are managed efficiently and effectively.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011 - *'Leadership, Governance and Management'*:

4.1.5 Plan effectively for the future.

4.2.1 Provide quality services with the best use of resources.

FINANCIAL/BUDGET IMPLICATIONS:

As previously advised, the total increase in expenditure from 2002/2003 to 2006/2007 Financial Years has increased from \$43,549 to \$67,808. This is an increase of \$24,259 (well in excess of the Consumer Price Index), which can only be attributed to rising operating costs and salary increases, as there has been no increase in attendance, and no increase in service provision. It is recommended that the Immunisation service be scaled back initially to one central location at the beginning of October 2007, and that the clinics cease operating at the end of December 2007.

Immunisation remains the responsibility of State Government, and with increasing cost shifting to Local Government, it is deemed appropriate that the resources are directed toward other important public health initiatives which will benefit the community more widely.

In addition, it is noted that General Practitioners are eligible to collect a rebate of \$18.50 per completed vaccination schedule. In comparison, Local Governments are entitled to a rebate of \$6 per immunisation encounter, which results in an average income of just \$1,656 per financial year (that is, \$6 x 276 children who have completed their vaccination schedule per financial year).

There is a trend in Local Government to withdraw from Immunisation, as it is not a "value for money" service for residents, and the focus of the Federal Government is directed toward General Practitioners as the major service providers. In addition, it is noted that residents from the Cities of Stirling and Perth utilise the Town's service; however, they do not make up the bulk of the attendees.

With \$62,332 budgeted for the 2007/2008 Financial Year, it is anticipated that there will be a saving of around \$35,000 should the Officer Recommendation be approved.

COMMENTS:

It is recommended that the Officer Recommendation be adopted by the Council, for the reasons outlined in the report above, which include;

- Escalating costs;
 - Limited funding from Federal and State Government (particularly when compared to incentives offered to General Practitioners);
 - Unnecessary duplication of State Government and private sector services;
 - Ever increasing cost shifting from State to Local Government;
 - The need to rationalise services;
 - Liability issues;
-

- Occupational Safety and Health concerns;
 - Expanding vaccine schedules placing time constraints on the Immunisation Team;
 - Lack of opportunity for parents to discuss other child health concerns;
 - Ageing clinics which do not provide adequate area for task separation;
 - Close proximity to Central Immunisation Clinic (Rheola Street, West Perth); and
 - Increased opportunity/resources for the Town to reallocate to other initiatives which will benefit the Town's residents more effectively.
-

10.3.1 Financial Statements as at 31 July 2007

Ward:	Both	Date:	4 September 2007
Precinct:	All	File Ref:	FIN0026
Attachments:	001		
Reporting Officer(s):	B C Tan		
Checked/Endorsed by:	M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council RECEIVES the Financial Reports for the year ended 31 July 2007 as shown in Appendix 10.3.1.

COUNCIL DECISION ITEM 10.3.1

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Cr Chester departed the Chamber at 9.00pm.

Debate ensued.

Cr Chester returned to the Chamber at 9.01pm.

MOTION PUT AND CARRIED (8-0)

Cr Farrell on Approved Leave of Absence

PURPOSE OF REPORT:

The purpose of this report is to present the financial statements for the month ended 31 July 2007.

BACKGROUND:

The Local Government Act and Local Government (Financial Management) Regulations 1996 require monthly reports and quarterly financial reports to be submitted to Council. The Financial Statements attached are for the month ended 31 July 2007.

DETAILS:

The Financial Statements comprise:

- Operating Statement
- Summary of Programmes/Activities
- Capital Works Schedule
- Balance Sheet (Statement of Financial position) and Statement of Changes in Equity
- Reserve Schedule

- Debtor Report
- Rate Report
- Beatty Park Report – Financial Position
- Statement of Financial Activity
- Net Current Asset Position
- Variance Comment Report

Operating Statement and Detailed Summary of Programmes/Activities

The Operating Statement shows revenue and expenditure by Programme whereas the Summary of Programmes/Activities provides detail to Programme/Sub Programme level. Both reports compare actual results for the period with the Budget. The Operating Statement and the Summary of the Programmes Activities reports are in a new format providing a comparison between the year to date actual revenue and expenditure with the year to date budget.

The statements place emphasis on results from operating activity rather than construction of infrastructure or purchase of capital items and principally aim to report the change in net assets resulting from operations.

Operating Revenue

Operating revenue is currently 1% over the budget for the year ending 31 July 2007.

General Purpose Funding (Page 1)

General Purpose Funding is showing 1% over the budget.

Governance (Page 2)

Governance is showing 59% of the budget received to date.

Law Order & Public Safety (Page 3)

Revenue of Law Order & Public Safety is just 50 % under budget.

Health (Page 4)

Health is showing 62%, of the budget this is due to 266 Health Licences being issued for Lodging Houses, Eating Houses and Alfresco dining.

Education & Welfare (Page 5)

Education and Welfare is now showing 5% below budget, there are leases that have not yet been invoiced for the first month of the financial year.

Community Amenities (Page 6)

Community Amenities is 40 % below the year to date budget due the late reversal of Adshell invoices. There were 108 planning applications being processed to date.

Recreation & Culture (Page 9)

The total revenue for Recreation and Culture is above target at 7% above their revenue budget. Beatty Park Leisure Centre revenue is 6 % of the total Recreation and Culture revenue budget and performing favourably with the centre year to date budget of 99%.

Economic Services (Page 12)

Economic Services is 152% over budget which is due to the increase number of 110 building licences issued compared to last year 61 licences.

Other Property & Services (Page 13)

The total revenue for Other Property & Services is 174% over the budget which is due the higher insurance claims for July.

Operating Expenditure

Operating expenditure for the month is 86% of the budget.

Capital Expenditure Summary (Pages 18 to 24)

The Capital Expenditure summary details projects included in the 2007/08 budget and reports the original budget and compares actual expenditure to date against these. Capital works show total expenditure including commitment for year amount of \$2,023,466 which is 8 % of the budget of \$24,179,667.

	Budget	Actual to Date	%
Furniture & Equipment	538,150	23,646	4%
Plant & Equipment	1,487,450	51,404	3%
Land & Building	12,220,039	1,160,487	9%
Infrastructure	9,934,028	787,929	8%
Total	24,179,667	2,023,466	8%

**Balance Sheet (Statement of Financial Position) and
Statement of Changes in Equity (Pages 25 & 26)**

The statement shows the current assets of \$37,444,654 and non current assets of \$121,860,098 for total assets of \$159,304,752.

The current liabilities amount to \$4,990,388 and non current liabilities of \$13,105,373 for the total liabilities of \$18,095,762. The net asset of the Town or Equity is \$141,208,990.

Restricted Cash Reserves (Page 27)

The Restricted Cash Reserves schedule details movements in the reserves including transfers, interest earned and funds used, comparing actual results with the annual budget.

Debtors and Rates Financial Summary**General Debtors (Page 28)**

Other Sundry Debtors are raised from time to time as services are provided or debts incurred. Late payment interest of 11% per annum may be charged on overdue accounts.

Sundry Debtors of \$747,945 is outstanding at the end of July. Of the total debt \$1,852 (0.2%) relates to debts outstanding for over 60 days. The Debtor Report identifies significant balances that are well overdue. There were \$ 37,533 debts over \$500 exceeding 60 days as at 31 July 2007

Finance has been following up with debt recovery by issuing reminder when it is overdue.

Rate Debtors (Page 29)

The notices for rates and charges levied for 2007/08 were issued on the 6 August 2007.

The Local Government Act 1995 provides for ratepayers to pay rates by four instalments. The due dates for each instalment are:

First Instalment	10 September 2007
Second Instalment	12 November 2007
Third Instalment	14 January 2008
Fourth Instalment	17 March 2008

To cover the costs involved in providing the instalment programme the following charge and interest rates apply:

Instalment Administration Charge	\$4.00
(to apply to second, third, and fourth instalment)	
Instalment Interest Rate	5.5% per annum
Late Payment Penalty Interest	11% per annum

Pensioners registered with the Town for rate concessions do not incur the above interest or charge.

Rates outstanding are \$16,119,225 which represents 94.74% of the outstanding collectable income compared to last year 94.36%.

Beatty Park – Financial Position Report (Page 30)

As at 31 July 2007 the operating deficit for the Centre was \$8,940 in comparison to the annual deficit of \$106,128.

The cash position showed a current cash surplus of \$24,132 in comparison annual budget estimate of a cash deficit of \$26,320. The cash position is calculated by adding back depreciation to the operating position.

Statement of Financial Activity (Page 31)

The closing surplus carry forward for the year to date 31 July 2007 was \$17,169,280.

Net Current Asset Position (Page 32)

The net current asset position is \$27,911,038.

Variance comment Report (Pages 33 to 36)

The comments will be for the favourable or unfavourable variance of greater than 10% of the year to date budgeted.

The Presiding Member advised that he and Cr Messina had declared a financial interest in this matter. He requested that a Presiding Member be appointed as the Deputy Mayor was absent.

Moved Cr Maier, Seconded Cr Torre

That Cr Ker be appointed Presiding Member for this Item.

MOTION PUT AND CARRIED (8-0)

Cr Farrell on Approved Leave of Absence.

Mayor Catania and Cr Messina departed the Chamber at 9.07pm and did not speak or vote on this item.

Cr Ker assumed the Chair.

10.3.2 Investment Report as at 31 August 2007

Ward:	Both	Date:	3 September 2007
Precinct:	All	File Ref:	FIN0008
Attachments:	001		
Reporting Officer(s):	B Wong		
Checked/Endorsed by:	Bee Choo Tan	Amended by:	

OFFICER RECOMMENDATION:

That the Council RECEIVES the Investment Report for the month ended 31 August 2007 as detailed in Appendix 10.3.2.

COUNCIL DECISION ITEM 10.3.2

Moved Cr Torre, Seconded Cr Chester

That the recommendation be adopted.

CARRIED (6-0)

Cr Farrell on Approved Leave of Absence.

Mayor Catania and Cr Messina were absent from the Chamber as they had declared a financial interest in this matter.

Mayor Catania and Cr Messina returned to the Chamber at 9.08pm and were advised that the Item had been carried as recommended.

PURPOSE OF REPORT:

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

BACKGROUND:

Interest from investments is a significant source of funds for the Town, where surplus funds are deposited in the short term money market for various terms. Details are attached in Appendix 10.3.2.

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

DETAILS:

Total Investments for the period ended 31 August 2007 were \$16,938,406 compared with \$13,838,406 at 31 July 2007. At 31 August 2006, \$11,251,365 was invested.

Total accrued interest earned on Investments as at 31 August 2007:

	Budget \$	Actual \$	%
Municipal	535,000	62,200	11.63
Reserve	547,600	107,886	19.70

COMMENT:

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

The significant increase in investment funds from August this year in comparison to last year is due to receipt of loan funds in July and August for Loftus Recreation Centre Redevelopment, which will be utilised over the forthcoming months.

10.4.2 National General Assembly of Local Government 2007

Ward:	-	Date:	5 September 2007
Precinct:	-	File Ref:	ADM0031
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Mayor and Chief Executive Officer be authorised to attend the National General Assembly of Local Government to be held in Darwin, the Northern Territory, from Monday 26 November 2007 to Thursday 29 November 2007 at an estimated cost of \$2,855.00 each.

COUNCIL DECISION ITEM 10.4.2

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

MOTION PUT AND CARRIED (7-1)

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

Cr Farrell on Approved Leave of Absence.

PURPOSE OF REPORT:

The purpose of this report is to obtain the Council's approval for the Mayor and Chief Executive Officer's attendance at the National General Assembly of Local Government in Canberra from Monday 26 November 2007 to Thursday 29 November 2007.

BACKGROUND:

For only the second time in the event's 14 year history, the National General Assembly, the peak forum for Local Government, will be held outside of Canberra - in Darwin, the Northern Territory. In 2002, the event was held in Alice Springs, Northern Territory, in recognition of the "Year of the Outback". The Assembly will be held at the Darwin Entertainment Centre, Darwin, Northern Territory from Monday 26 November 2007 to Thursday 29 November 2007.

National General Assembly

The theme for the National General Assembly 2007 is "A Climate for Change" and will address a range of important and topical issues facing local government. Over the last two years, local government has achieved several milestones. Its successes include the passing of

the parliamentary resolution on local government by both Houses of Parliament at the national level, the signing of the Intergovernmental Agreement on cost-shifting, and expanded partnerships with the Australian Government in the areas of health, environment and aged care.

Under the theme "*A Climate for Change*", this year's Assembly will further build on the Australian Local Government Association's 3F campaign - Fair Federal Funding; Fair Treatment and Formal Recognition. This enables us to explore a broad range of issues impacting on local government:

1. Physical climate - climate change and its implications for local government;
2. Financial climate - increasing financial sustainability challenges for local government; and
3. Political climate - new opportunities that may arise for Constitutional recognition of local government.

The speakers include prominent Futurist, Mr Richard Neville, and Constitutional law expert, Professor Cheryl Saudners, AO.

A copy of the program is "Laid on the Table".

The Assembly will be attended by in excess of 500 delegates Elected Members and Senior Local Government personnel and provides an excellent forum to discuss issues affecting Local Government.

FINANCIAL IMPLICATIONS:

National General Assembly

	Costs
Assembly Registration (early bird - payment by 5 October 2007)	\$770.00
Accommodation	\$640.00
Airfare (economy class)* - <i>indicative cost</i>	\$750.00
Expenses allowance (4 days @ \$97 per day)	\$388.00
	\$2,548.00

* *Business Class Airfare is \$3,095.*

LEGAL POLICY:

Council's Policy 4.1.15 – "*Conferences & Training – Attendance, Representation, Travel and Accommodation Expenses and Related Matters*"- Clause 1.1 states that up to a maximum of one Elected Member and One officer may attend conferences.

Council's Policy 4.1.15 – "*Conferences & Training – Attendance, Representation, Travel and Accommodation Expenses and Related Matters*"- states that the Mayor and Chief Executive Officer are entitled to travel business class and all other persons to travel economy class. However, in view of the cost difference in airfares, the Mayor and Chief Executive Officer have indicated their preference to travel economy class.

Previous Attendances

Clause 1.3 of the Policy requires details of previous attendances of the Conference to be included into the report.

Chief Executive Officer's Comment:

Previous attendance at the National General Assembly has been as follows;

<u>Year*</u>	<u>Attendees</u>
1998	<i>Chief Executive Officer, John Giorgi and former Mayor John Hyde (in his capacity as President of the Local Government Association)</i>
2002	<i>Mayor Nick Catania and Chief Executive Officer, John Giorgi</i>
2003	<i>Mayor Nick Catania, Chief Executive Officer, John Giorgi and Councillor Steed Farrell**</i>
2004	<i>Nil attendance</i>
2005	<i>Mayor Nick Catania (7-8/11/05 only) and Deputy Mayor, Cr Steed Farrell (7-10/11/05)</i>
2006	<i>Nil attendance</i>

* *Nil attendance 1995, 1996, 1997, 1999, 2000, 2001 and 2004*

** *Councillor Farrell was already in Canberra on work matters and therefore only a Day Registration for the Conference was paid (at a cost of \$400).*

STRATEGIC IMPLICATIONS:

In keeping with the Town's Strategic Plan 2006-2011 – Objective 4.2 - *“Provide a positive and desirable workplace in particular 4.2.4 (b) “Enhance employee empowerment, professional development and job satisfaction and create a workplace that encourages and rewards innovation, implements best practice, and positions the Town as an Employer of Choice”.*

Attendance at this National Forum is an excellent opportunity for the Mayor and Chief Executive Officer to be appraised of issues relating to Local Government, to network with colleagues and to lobby politicians.

COMMENT:

It is requested that approval be granted for the Mayor and Chief Executive Officer to attend the National General Assembly of Local Government.

10.4.3 Loftus Centre Redevelopment, 99 Loftus Street, Leederville - Progress Report No. 19

Ward:	South	Date:	5 September 2007
Precinct:	Oxford Centre; P4	File Ref:	RES0061
Attachments:	001		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council RECEIVES the Progress Report No. 19 as at 5 September 2007, relating to the Loftus Centre Redevelopment, 99 Loftus Street, Leederville.

COUNCIL DECISION ITEM 10.4.3

Moved Cr Torre, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

Cr Torre departed the Chamber at 9.14pm.

Cr Ker requested that further information be included in the Minutes concerning the matters relating to the documentation, in particular the Lease and the boundaries.

FURTHER INFORMATION

The Chief Executive Officer advised that the delay in finalising the Lease Contract and boundaries was due to the need for a re-survey of the Leederville Oval Reserve cadastral boundaries which had been carried out and discussions with Landgate. As a number of uses were being proposed and various buildings transverse previous cadastral boundaries, it was necessary to re-survey and ensure buildings were located within boundaries and not across them. The correct wording for the specific uses in the Vesting Order were also being drafted. In addition, with the potential change to the cadastral boundaries concerning the possible relocation of the Leederville Childcare Centre to the Richmond Street frontage the boundaries are being further considered. The Chief Executive Officer advised the Council that legal advice had been received that the Leases and Contracts are valid notwithstanding that they had not been signed by the Minister for Lands. It is anticipated that the matter will be finalised by late 2007.

Cr Torre returned to the Chamber at 9.16pm.

MOTION PUT AND CARRIED (8-0)

Cr Farrell on Approved Leave of Absence.

PURPOSE OF THE REPORT:

The purpose of the report is to update the Council on the progress of the Loftus Centre Redevelopment, 99 Loftus Street, Leederville, as at 5 September 2007.

BACKGROUND:

At the Ordinary Meeting of Council held on 23 January 2007, the Council considered this matter and resolved to award the building tender to Perkins Builders and for the project to proceed.

PROGRESS OF WORKS

Documentation

1. Belgravia Leisure Group Pty Ltd (Belgravia) - Lease and Contract

The Contract and Lease were signed on 23 February 2007 and is still with the Minister for Lands, awaiting consent (as the Loftus land is a Reserve - vested in the control of the Town).

2. Gymnastics WA- Lease

This lease was signed on 16 March 2007 and is still with the Minister for Lands awaiting consent.

Landgate has requested the Town to review the Leederville Oval Reserve cadastral layout and provide comment. This is being carried out and meetings are still being held. A surveyor has now been engaged to prepare the necessary plans and these are being refined for the approval of Landgate. It is anticipated that this will be finalised by late 2007.

Program and Progress

Regular site meetings between the Builder, Consultants, Architect and Town are being held. In addition, site inspections are carried out on a weekly basis and as required. Contact with the Site Supervisor, Architect and Consultants is occurring on a daily basis.

The Builder has advised that they are slightly ahead of target with the specified program at this stage, despite a delay with the recent wet weather.

No claims have been submitted by the Builder for extension of time due to inclement weather as yet, however it is expected that a claim will be submitted.

Architectural Services

The construction drawings have been provided and are updated where necessary. Shop drawings are prepared as required.

The Architect has submitted information and costs for the internal works (e.g. built-in furniture) and these are being costed.

Internal Fit-out

The new Board Room inside the Recreation Centre has been 90% completed. Work on the Gymnastics WA offices is expected to commence in the next 2-3 weeks.

Colour Schemes

The external colour scheme was approved at the Ordinary Meeting of Council held on 24 July 2007. The internal colour scheme was approved at the Ordinary Meeting of Council held on 28 August 2007. Several meetings with the Library, Community Centre and Belgravia have been held. A meeting with Rhythmic Gymnastics will be held in the next few weeks (due to their unavailability).

Construction - (See Photographs attached)

Earthworks

The earthworks are almost completed. The sand on the site will be used to fill areas and adjust the soil levels. Retaining walls fronting Leederville Oval have been completed, other than rendering the joints. Work has commenced on the walkway between the Centre and the Leederville Early Childhood Centre and this is awaiting the retaining walls to be erected.

The underground car park has been completed, other than the driveway and installation of gate.

The costing from the Builder for the completion of the public open space works immediately adjoining Leederville Oval was approved at the Ordinary Meeting of Council held on 28 August 2007. Cost savings are expected to be achieved by using the same Contractor. A timetable is being prepared.

Rhythmic Gymnastics Hall

The roof has been completed. Internal painting of roof purlins is completed. Internal cladding and integration of the existing building is being carried out.

A costing of the internal cladding of the face brickwork and painting of colorbond material has been obtained. Painting is the cheaper option and meets Gymnastic WA needs. External painting of the walls has commenced.

External Soccer Pitch

Brickwork and drainage have been completed. Pouring of the concrete floor is dependent upon fine weather and is due for completion in mid-September 2007.

Library and Local History Centre

- Internal brickwork has been completed.
- Roof has been installed and is 95% completed.
- Internal brickwork is completed.
- Wall rendering has commenced and is 50% completed.
- Installation of air conditioning ducting is 70% completed.
- External wall cladding with Donnybrook stone has commenced.

All going well, it is highly likely that the Library and Local History Building will be handed over to the Town just prior to the Christmas 2007 break, however this is now largely dependent upon some of the finishing trades being available at the critical times.

Structural and Civil Engineering

The tilt up panels for the Rhythmic Gymnastics Centre have been erected. The roof structural beams and purlins have been erected. Roof sheeting has been completed. Internal fit out has commenced.

The steel structural beams for the Library have been erected and completed. Structural beams for the main sports hall have been delivered and erection commenced. Roof sheeting to be installed, commencing on Thursday 6 September 2007.

Steel framework for external Luxalon cladding is completed.

Hydraulic Services

The installation of the Fire Service ring main around the building has been completed. The portion in the staff car park is now completed. Back filling around the retaining walls has been completed. A fire booster box has been ordered and installed.

Electrical Services

Conduits and preliminary cables have been installed. Selection of light fittings is being carried out, including a costing to replace existing lighting fittings which have been damaged from indoor soccer balls.

Mechanical Services

A Mechanical Services Contractor has been appointed. An assessment of the existing roof units has been carried out. Most of these are at the end of their life and will be replaced as part of the project. New units have been ordered and are currently being installed. Repairs to the existing roof sheeting will be at a cost of approximately \$41,000.

A report on all thirteen (13) air conditioning units has been prepared. This has revealed that the existing unit above the Library requires replacement at an estimated cost of \$10,000. Funds will be included in the Budget 2008/09 for the progressive replacement of the remaining units.

Loftus Community Centre

Several meetings have been held to discuss;

1. program of works and timeline;
2. outdoor play area and children's furniture; and
3. options for relocation in early 2008.

Brickwork for the Community centre is 90% completed. The roof steelwork is completed, with roof sheeting due to commence on Thursday 6 September 2007.

The Town will obtain quotations for the children's playground and furniture.

Public Art and Landscape Plan

An in-house Working Group has been formed to progress public art for this project. Several meetings have been held. The Architect has also been requested to provide examples of integrating art into the building fabric (e.g. floors, walls, features). A further report will be submitted to the Council in late 2007.

The Town's Technical Services have commenced work on the Landscape Plan and the first draft is nearing completion.

Matters still to be addressed

Options to minimise the Operating Deficit

The Council requested a report on the findings to minimise the operating deficit to be submitted, however due a lack of resources, investigation of this matter is still in a preliminary stage. Cost options currently being explored include;

- Investigation of energy efficient fixtures and fittings, e.g. lights, hot water, air conditioning;
- Investigation of introduction of costs;
- Investigation of sponsorship, including naming rights, external signage on the Recreation Centre facing Leederville Oval;
- Investigation of Government grants and funds, e.g. Healthways, Lotteries, Heart Foundation, State Library Services;

Comment:

This matter is still being progressed, however due to a lack of resources and a heavy workload, slow progress is being made.

ADVERTISING/COMMUNITY CONSULTATION:

Not applicable. The Town's Public Relations Officer has created a "Corporate Projects" site on the Town's web page and background information, together with weekly photographs are included on this site. The web-site is being updated on a regular basis.

LEGAL/POLICY IMPLICATIONS:

N/A.

STRATEGIC IMPLICATIONS:

This project is in keeping with the Town's Strategic Plan 2006-2011, Objective 1 - "*Natural and Built Environment*", in particular, 1.1.6(j) - "*Carry out redevelopment of the Loftus Centre.....*".

FINANCIAL/BUDGET IMPLICATIONS:

At the Ordinary Meeting of Council held on 23 January 2007, the Council approved this project at a cost of \$13,444,664. The building tender is \$11,901,664 (excluding GST).

Builder Progress Claim Payments

Progress Payment Number	Date Received	Amount Requested (excl GST)	Amount Paid (excl GST)	Date Paid
No. 1	17/04/07	\$247,568.00	\$247,568.00	26/04/07
No. 2	16/05/07	\$979,312.00	\$979,312.00	22/05/07
No. 3	18/06/07	\$1,158,441.86	\$1,158,441.86	25/06/07
No. 4	12/07/07	\$1,072,606.68	\$1,072,606.68	18/07/07
No. 5	10/08/07	\$1,145,259.15	\$1,145,259.15	20/08/07

Total Paid \$4,603,187.9

Cost Variations

A small number of minor cost variations have been approved.

These variations comprise of both increased costs in some areas and cost savings in other areas. This is a normal part of the construction program. No major variations have been necessary. All costs will be achieved within the project budget.

COMMENTS:

It is pleasing to report that good progress is still being made with the Loftus Centre Redevelopment Project and no major problems have occurred or been identified at this stage. The builder has been most accommodating and has worked with the Town's Officers and the Recreation Centre and Community Centre staff to minimise inconvenience.

Monthly progress reports will be provided to the Council as the project progresses.

10.4.6 Members Equity Stadium - Purchase of Essential Items

Ward:	South	Date:	6 September 2007
Precinct:	Beaufort, P13	File Ref:	RES0082
Attachments:	-		
Reporting Officer(s):	John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council APPROVES BY AN ABSOLUE MAJORITY to purchase the following for Members Equity Stadium 310 Pier Street, Perth for health and safety and public liability issues;

1.	<i>One 100kva generator</i>	<i>\$30,750</i>
2.	<i>Associated electrical works to finish generator to grandstand electricity supply</i>	<i>(approx) \$7,000</i>
3.	<i>Two seatainer storage units and shelving</i>	<i>\$8,500</i>
4.	<i>Modifications to Cash Counting Room</i>	<i>\$2,500</i>
	Total	<u>\$48,750</u>

COUNCIL DECISION ITEM 10.4.6

Moved Cr Doran-Wu, Seconded Cr Torre

That the recommendation be adopted.

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

Cr Farrell on Approved Leave of Absence.

PURPOSE OF REPORT:

The purpose of the report is to advise Council of action taken by the Town's Chief Executive Officer for health, safety and public liability reasons and seek approval for expenditure at Members Equity Stadium for essential items.

BACKGROUND:

At the Ordinary Meeting of Council held on 29 August 2007, the Council considered an item which outlined essential upgrade works at Members Equity Stadium. The Council authorised the Chief Executive Officer to prepare a submission to the Minister for Sport and Recreation for a number of Capital Items.

The Council decision was communicated to the Stadium Manager (Allia Venue Management) and other users. Consequently the Town received correspondence and further information expressing a serious concern about health, safety and public liability in the event of a power outage, the inability of the Stadium Caterer to adequately prepare and cook food for patrons, the risk of theft from the cash counting room and the loss of several Perth Glory signs valued at \$14,000. The Town was advised that in the event of a power outage during an event,

compensation would be sought from the Town, as Stadium owner. The following action was therefore taken;

Electricity

Enquiries were further made with the Town's Electrical Consultant and an opportunity arose to purchase a new 100kva generator, which was available immediately due to a cancellation of an order. Generators are in scarce supply and the normal waiting period is 4 months, from date of placing an order.

The original electrical contractor the Stadium was contacted and they advised that they could make the necessary changes to the Grandstand electrical circuit, if a decision was made on Monday 3 September 2007, in time for the weekend of 8-9 September 2008, when a rugby game will be played on 8 September and soccer on 9 September. (Large crowds are expected.) This work is estimated to cost \$8,500.

The generator supplier has indicated that they are willing to re-purchase the generator after the Town no longer requires it, providing it is well maintained. In this regard, the Town has engaged the supplier to provide a weekly service to the generator. It is anticipated that the majority of the cost will be recovered. Outright purchase was considered the better option, due to the uncertainty of the timeframe to carry out an electrical upgrade to the permanent supply, as opposed to long term hire of generators.

Seatainer Storage Units

The lack of suitable storage at the Stadium has resulted in signs going missing (allegedly stolen) as these could not be stored when the Stadium use changes from soccer to rugby.

The hire of seatainers was investigated and outright purchase was only slightly more expensive. Furthermore, the units can be sold when no longer required, thereby recouping the money.

One unit was installed on 5 September 2007 and the other will be delivered on 11 September 2007. Some shelving will also be installed in the containers.

Cash Counting Room

Upgrade to the cash counting room was estimated at approximately \$5,000-\$6,000 by Allia's contractor. The Town's Property Maintenance Officer reviewed the matter and obtained quotes from the Town's contractors, which was approximately \$1,500 for security grills, door and locks. An electronic security system is available for approximately \$1,000.

Allia is agreeable to the modifications as this meets their insurance requirements and satisfies the Risk Management Plan.

The expenditure is to be charged against the Perth Oval Reserve Fund.

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

As the Stadium owner, the Town has a legal responsibility to ensure that the premises comply with Building requirements and Statutory Utility Specifications (e.g. power).

The Local Government Act at Section 5.41 prescribes the role of the Chief Executive Officer. This includes responsibility for the day-to-day management of the organisation.

STRATEGIC IMPLICATIONS:

This is in keeping with the Town's Strategic Plan 2006-2011 - *"Leadership, Governance and Management"*, in particular, Objective 4.1.2 - *"Manage the Organisation in a responsible, efficient and accountable manner."*

FINANCIAL/BUDGET IMPLICATIONS:

As at 30 June 2007, the Perth Oval Reserve Fund contained an amount of \$331,355.

The 2007/08 Budget contains an amount of \$5,000 for General Maintenance and \$6,000 for building maintenance.

COMMENTS:

A submission has been prepared for the Minister for Sport and Recreation for essential Capital Items required at Members Equity Stadium. As previously reported, a number of the items will take several months to carry out (if approved), especially the electrical upgrade.

In view of the further representations received by the Town and the potential liability which would expose the Town to unnecessary litigation/compensation if a claim was submitted, the Chief Executive Officer authorised essential items to be purchased, as an urgent decision was required.

10.4.7 Information Bulletin

Ward:	-	Date:	5 September 2007
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer(s):	G van den Bok		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Information Bulletin dated 11 September 2007, as distributed with the Agenda, be received.

COUNCIL DECISION ITEM 10.4.7

Moved Cr Ker, Seconded Cr Torre

That the recommendation be adopted.

Discussion ensued.

MOTION PUT AND CARRIED (8-0)

Cr Farrell on Approved Leave of Absence.

DETAILS:

The items included in the Information Bulletin dated 11 September 2007 are as follows:

ITEM	DESCRIPTION
IB01	Letter from East Perth Redevelopment Authority – New Northbridge Design Guidelines
IB02	Letter from Heritage Council of Western Australia – P11263 Beaufort, Lindsay and Money Street Precinct
IB03	Letter from Department of Local Government – Amendments to Regulations – Elections, Official Conduct and Other Matters
IB04	Letter from State Administrative Tribunal regarding Matter No. DR/47 of 2007 – Evangel v Town of Vincent (11-13 Byron Street)
IB05	Letter from State Administrative Tribunal regarding Matter No. DR/194 of 2007 – Riede v Town of Vincent (46 Edinboro Street)
IB06	Letter from Fire & Emergency Services Authority of Western Australia – FESA Built Environment Branch.
IB07	Letter from Department of Housing and Works – 5 Star Plus - A New Standard in Sustainable Housing
IB08	Letter from Department of Housing and Works – Amendments to the Local Government (Miscellaneous Provisions) Amendment Act 1960

ITEM	DESCRIPTION
IB09	Letter from Hon John Kobelke – Hyde Park – Restoration of Ornamental Lakes and Surrounds
IB10	Register of Petitions - Progress Report - September 2007
IB11	Register of Notices of Motion - Progress Report - September 2007
IB12	Register of Reports to be Actioned - Progress Report - September 2007
IB13	Register of Legal Action
IB14	Register of State Administrative Tribunal Appeals
IB15	Notice of Forum - 18 September 2007

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

14. CONFIDENTIAL REPORTS (Behind Closed Doors)

Nil.

The Chief Executive Officer advised the Meeting that the report relating to the Mindarie Regional Council and Resource Recovery Facility is still being compiled as the matter was being researched.

He advised the Meeting that the Chief Executive Officer and Director Technical Services had met with the CEO's of three other regional Councils concerning waste disposal options.

It was proposed to call a Special Council Meeting for Tuesday 18th September, (subject to the report being finalized).

15. CLOSURE

The Presiding Member, Mayor Nick Catania JP, declared the meeting closed at 9.33pm with the following persons present:

Mayor Nick Catania, JP	Presiding Member
Cr Simon Chester	North Ward
Cr Doran-Wu	North Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Maddalena Torre	South Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Mike Rootsey	Director Corporate Services
Rick Lotchnicker	Director Technical Services

No media representatives or members of the public were present.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 11 September 2007.

Signed:Presiding Member
Mayor Nick Catania, JP

Dated this day of 2007

