



TOWN OF VINCENT

"Enhancing and celebrating our diverse community"

MINUTES

12 AUGUST 2008

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Minutes of the Ordinary Meeting of Council of the Town of Vincent held at the Administration and Civic Centre, 244 Vincent Street, Leederville, on Tuesday 12 August 2008, commencing at 6.00pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania, declared the meeting open at 6.01pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Cr Doran-Wu - apologies - for personal reasons.

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Anka Burns	South Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Noel Youngman	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Anita Radici	Executive Assistant (Minutes Secretary)
Phynea Papal	Journalist – “ <i>The Guardian Express</i> ” (until approximately 7.43pm)
Andrei Buters	Journalist – “ <i>The Perth Voice</i> ” (until approximately 7.43pm)

Approximately 17 Members of the Public

(c) Members on Approved Leave of Absence:

Cr Steed Farrell (Deputy Mayor) - for personal reasons.

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

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

1. Debra Lamers of 6A Hunter Street, North Perth - Item 10.1.5. Advised that they are the Applicants and they have read the officers recommendation for conditional approval of the proposal. Stated that she would like to acknowledge and thank the Town planning officers for their review of the application, they have also worked in consultation with Peter Webb, who forwarded emails to the councillor's on 11 August 2008 and they are generally supportive of the recommendations, but would like to raise two issues:

- (i) Condition two requires the consent of owners of 30 Ruby Street, for entry on to their land in order to finish and maintain the surface and boundary wall facing their property. In the event the owners do not agree to this, they presume they do not have to fulfil this condition as it would be beyond their power to do so; and
- (ii) They concur with condition 7, as the existing boundary between the 2 lots extends through the proposed house and there is a need to amalgamate the 2 lots to ensure the proposed dwelling sits on its own, single certificate of title. In the event sub-division does occur, they presume there would be no objection from the Town to do so, as long as any sub-division respects the required set backs and R codes and the Town Planning Scheme. She welcomed any questions, through the chair.

Response:

The Presiding Member, Mayor Nick Catania advised that he would answer one of the questions by referring it to the Chief Executive Officer or Mr Boardman, with respect to if they are refused entry into their neighbours' property.

The Chief Executive Officer advised that the entry matter is a civil matter between the two property owners, but in the event that that does happen, the Town would ask that the applicant come back to the Town's officers and enter into discussions and the Town may be able to mediate between the parties.

2. Stanley Schur of Violet Street, West Perth - Item 10.1.4. Advised that the only concern to these units going up is they are going to have underground garages and his house is a federation house and is heritage listed and therefore is fragile. Stated his only concern is that the vibrations in putting in the underground garages and buttressing them, could possibly damage the heritage house. Stated that he has not seen any underground garages in the area around 27 Violet Street and they would be the first ones he has seen.
3. Stephen Caine of 34 Ruby Street North Perth - Item 10.1.5. Stated that the application should not be considered and returned to the officer's as it has not been assessed against the Council's RDE policies. Believes that in his opinion, the application contains both factual errors and omissions. Advised that the officer's report states it was submitted on the 19 December 2007, but it was not complete as the application did not contain any plans as the plans for that application were not submitted to council until 12 January 2008, well after the RDE policy had been adopted. Secondly, stated the original plans presented were for a "battle axe" development, but these were rejected by the officers. Advised that he is unable to say what date they were rejected, but presumes it is because they didn't comply with the residential either the residential design codes or the locality statement. Stated that the plans shown are a new development application and are substantially different and constitute a new DA. Referred to the comment from Mr Boardman dated 19 June, which stated that this is to confirm that the application is to be assessed against the RDE's adopted by Council on 18 December 2007, as the revised plans were received on 22 May 2008 and are substantially different to the original application, the application before the Council is not the application that was submitted in December 2007. Believes that it is an established planning principle that all applications need to be judged on their merit, but against the rules that apply at the time if, for example, the Lamers application was rejected, they could appeal to the SAT, but the SAT would judge their application against Council's RDE

policy, not the old locality guidelines. Therefore, this is the basis the officers, should have assessed the application. Pointed out that the residents of Ruby Street are not against development, however, they expect that the development will be in accordance with Council's policies. Requested that that application be sent back to the officers for consideration against that policy.

4. Graeme Mitchell of 30 Ruby Street, North Perth - Item 10.1.5. Stated that following on from what Stephen Caine has said, they were given information via email and also verbally from the planning department that the application would be assessed on the RDE Guidelines and their responses requested by the Town were based around those Guidelines. Advised that they have not had the opportunity to respond to the application under the old Guidelines and the application that is before council now is for two blocks split down the middle and the original application was a "battle axe" so it is different from the original application he therefore believes it should be deferred for reassessment under the new RDE Guidelines.
5. Tony Lucas-Brown of 57 Glendower Street - Item 10.1.8. Advised that he lodged a submission some time ago, but has not received a response from Council and he only became aware tonight that the proposal would appear to be going through as submitted. Stated that he has not had the opportunity to see the variations to the plans and understands the development has been proved beyond what the guidelines were as required in the Council's listings, but each of the items exceed that. Questioned, why discretion was allowed to be made to approve four units facing Glendower Street rather than having two units facing Glendower Street and two units facing Primrose Street? Suggested that until such time as he and others have a further chance to seek further expert advice on this, that this matter be deferred.
6. Anthony Kerr of 32 Ruby Street, North Perth - Item 10.1.5. Advised that he would not dwell on the points raised by other neighbours, but he would like to reiterate that they were genuinely directed to the RDE's and consequently they put their effort into assessing the application against the RDE's. He would also like to reiterate that they are not against development; they would just like it to be assessed in line with the policies of the Town.
7. Katherine Bryant on behalf of Ruth Smith who is away internationally of 76 Vincent Street, Mt Lawley. Spoke regarding Amendment 43. Stated that she was advised approximately a month ago that this policy would be going to council this evening and that information would be received regarding this policy of when it would be going forward.

Response:

The Presiding Member, Mayor Nick Catania advised that this policy is not going forward and that it is out for public consultation. He advised that it is not policy at present. He stated that submissions are currently being looked at and would be reported to Council.

Katherine Bryant (continued)

She stated that they did submit a number of submissions in regards to this, and were advised that they would receive further information and that it would be going to council today and they had received no further information, therefore, that is why she is here tonight. She asked that council revise their policy of keeping people advised.

The Presiding Member, Mayor Nick Catania stated that the Town usually do, although it may be missed at times, however the Town tries to ensure that people are advised. At times there are hiccups, and apologised however as far as Amendment 43, it is out and it will be assessed and people will be advised especially those that made submissions, as to when council will meet regarding this.

There being no further speakers, public question time finished at approx. 6.25pm.

There were no questions received from Members in the Public Gallery.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

4.1 Cr Burns requested leave of absence for the period 26 August 2008 to 15 September 2008 for personal reasons.

Moved Cr Ker, Seconded Cr Youngman

That Cr Burns' request for leave of absence for the period 26 August 2008 to 15 September 2008 for personal reasons be approved.

CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND MEMORIALS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Minutes of the Ordinary Meeting of Council held on 22 July 2008.

Moved Cr Ker, Seconded Cr Messina

That the Minutes of the Ordinary Meeting of Council held 22 July 2008 be confirmed as a true and correct record.

CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 ICLEI Oceania Recognition Event and Briefing Breakfast at WALGA 2008 Local Government Convention and Trade Exhibition

The Director Technical Services recently represented me at the ICLEI Oceania recognition event and briefing breakfast at the WALGA 2008 Local Government Convention and Trade Exhibition held at the Perth Convention Centre.

ICLEI - Local Governments for Sustainability, is an international association of national and regional local government organisations who have made a commitment to sustainable development.

Across Australia ICLEI Oceania is working with Local Governments committed to sustainability and engaging with their community to achieve tangible outcomes.

All WA Local Governments participating in the following were recognised at the event and a number of awards were presented;

- CCP Program
- Water Campaign™ and
- Triple Bottom Line Program with Integrated Sustainability Services

I am pleased to advise that the Town of Vincent was presented with an award in recognition of its completion of an action agenda to work towards integrated freshwater resource management.

7.2 Beatty Park Redevelopment - Concept Designs Out for Community Consultation

Beatty Park Leisure Centre is one of our greatest and most recognisable assets. In addition to the aquatic centre being a leader in recreation facilities in this State since its creation in 1962, it has been an icon in the Vincent community. The Centre not only caters for our community, but draws patrons from across the metropolitan area and has been the pre-eminent choice for sporting groups and schools as a venue for aquatic events.

We are dedicated to ensuring that Beatty Park continues to meet and exceed the expectations of its patrons, remains a state-of-the-art recreation facility and a well managed and profitable asset for our ratepayers.

The last major refurbishment of the Centre took place in the 1990s and the Centre is at a stage where the needs of users have changed and the plant and equipment are due for replacement. A recent Needs Analysis recommended that the Centre undergo redevelopment and so we have contracted Peter Hunt Architect to develop Concept Designs for a revamped Centre.

These Concept Designs have now been released for Community Consultation and when the comment period has ended on 12 September we look forward to progressing the redevelopment of this popular leisure centre.

7.3 Schools' Tree Day

As part of Schools' Tree Day on 25 July 2008 the Town's Park Services team joined with students from West Leederville Primary School to plant scrubs along Oxford Street Reserve.

There was a great turnout of students who all dug in, in aid of supporting National Tree Day on 27 July.

We were delighted to receive a beautiful card of thanks from the students and some great photos showing the kids planting shrubs assisted by Ian Ellies and Kim Godfrey.

With comments such as "that was soooo much fun", "we would love to do it again" and "thank you for helping us plant our trees", we were very happy to help out the students who showed not only great concern for the environment but a willingness to get their hands dirty for the cause.

Thank you to Pip Hawson and the students from West Leederville Primary School for bestowing us with such a lovely card and memento. And our thanks to Ian, Kim and the team from Parks Services.

7.4 Welcome of New Journalist from the Guardian Express

We have tonight a new Guardian Express journalist, I wish to welcome Phynea Papal, a journalist with the Guardian Express who has taken the place of Lindsay McPhee, Lindsay having gone to the West Australian. Welcome, I hope you enjoy your time here and I hope we have wonderful relations.

8. DECLARATIONS OF INTERESTS

- 8.1 Mayor Catania declared a Financial interest in Item 10.3.2 – Investment Report. The extent of his interest being that he is the chairperson of the North Perth Community Bank in which the Town has shares.
- 8.2 Cr Burns declared a Financial interest in Item 10.3.2 – Investment Report. The extent of her interest being that she is a shareholder and her father is a Director in the North Perth Community Bank in which the Town has shares.
- 8.3 Cr Messina declared a Financial interest in Item 10.3.2 – Investment Report. The extent of his interest being that he is a director and shareholder of the North Perth Community Bendigo Bank in which the Town has shares.
- 8.4 Cr Maier declared a proximity interest in Item 10.2.1 – Traffic Management Matter 'Chatsworth Road - Highgate' - Local Area Traffic Management Advisory Group Considerations (TES0213) Hyde Park Precinct. The extent of his interest being that he owns a property in Chatsworth Road.
- 8.5 Cr Lake declared a proximity interest in Item 10.2.1 – Traffic Management Matter 'Chatsworth Road - Highgate' - Local Area Traffic Management Advisory Group Considerations (TES0213) Hyde Park Precinct. The extent of her interest being that she owns a property in Chatsworth Road.

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

Nil.

10. REPORTS

The Presiding Member, Acting Mayor Steed Farrell, 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 10.1.5, 10.1.4 and 10.1.8.

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

Nil.

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

Item 10.2.1 and 10.3.2.

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

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

Cr Messina	Items 10.1.1 and 10.2.2.
Cr Youngman	Nil.
Cr Ker	Nil.
Cr Lake	10.4.4.
Cr Burns	Nil.
Cr Maier	10.2.3 and 10.2.4.
Mayor Catania	Nil

The Presiding Member, Mayor Nick Catania, 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 10.1.2, 10.1.3, 10.1.6, 10.1.7, 10.1.9, 10.1.10, 10.1.11, 10.3.1, 10.3.3, 10.3.4, 10.4.1, 10.4.2 and 10.4.3.

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

Items 14.1, 14.2, 14.3 and 14.4.

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 10.1.2, 10.1.3, 10.1.6, 10.1.7, 10.1.9, 10.1.10, 10.1.11, 10.3.1, 10.3.3, 10.3.4, 10.4.1, 10.4.2 and 10.4.3.

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

Items 10.1.5, 10.1.4 and 10.1.8.

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

Moved Cr Ker, Seconded Cr Youngman

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

Items 10.1.2, 10.1.3, 10.1.6, 10.1.7, 10.1.9, 10.1.10, 10.1.11, 10.3.1, 10.3.3, 10.3.4, 10.4.1, 10.4.2 and 10.4.3.

CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

10.1.2 Further Report – Renumbering of the Properties Along Woodstock Street

Ward:	North	Date:	4 August 2008
Precinct:	Mount Hawthorn, P1	File Ref:	PLA0172
Attachments:	001		
Reporting Officer(s):	S Kendall		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

FURTHER OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the further report relating to the renumbering of the properties along Woodstock Street, Mount Hawthorn;*
- (ii) *APPROVES the proposed renumbering of the following properties along Woodstock Street, Mount Hawthorn, and ADVISES the owners of the following properties that the costs associated with the re-direction of mail for a 6 month period (\$36 per property) and the re-marking of bins and houses/mailboxes to a value of up to \$75 for each property will be reimbursed by the Town upon the submission of relevant receipts:*
 - (a) *No. 1 (Lot 243) Woodstock Street, to change to No. 31 Woodstock Street, Mount Hawthorn;*
 - (b) *No. 1A (Lot 242) Woodstock Street, to change to No. 33 Woodstock Street, Mount Hawthorn; and*
 - (c) *No. 3 (Lot 24) Woodstock Street, to change to No. 35 Woodstock Street, Mount Hawthorn; and*
- (iii) *APPROVES the proposed renumbering of the following properties along Woodstock Street, Mount Hawthorn, at the owner's cost:*
 - (a) *No. 98A (Lot 36) Flinders Street, to change to No. 23 Woodstock Street, Mount Hawthorn;*
 - (b) *No. 98B (Lot 37) Flinders Street, to change to No. 21 Woodstock Street, Mount Hawthorn; and*
 - (c) *No. 98C (Lot 38) Flinders Street, to change to No. 19 Woodstock Street, Mount Hawthorn.*

COUNCIL DECISION ITEM 10.1.2

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

FURTHER REPORT:

The Council considered the application at its Ordinary Meeting held on 11 March 2008 and resolved as follows:

“That the item be DEFERRED for further investigation”

At the above Ordinary Meeting a number of issues were raised by the speakers during Public Question Time, which required the deferral of the item. The main points raised have been summarised and addressed below:

(i) The renumbering of Woodstock Street will be to the detriment of the long term residents of Woodstock Street.

Officer Comment:

It is noted that renumbering of properties along Woodstock Street is necessary to accommodate the new development, which has recently taken place. However, the Officers have aimed to structure the renumbering in a manner that would have minimal impact on the existing residents and also to ensure that there are adequate property numbers for future subdivisions and development without further disruption in terms of renumbering.

(ii) What happens to the mail after the 3 month redirection notice expires?

Officer Comment:

Australia Post offers a one, three, six or twelve month mail redirection service. All mail received after the finish date will be delivered as addressed. To appease concerns that the original proposal for a three month redirection of mail was insufficient, it is recommended that the Town reimburse the costs associated with the redirection of mail for a 6 month period, at a cost of approximately \$36 per property.

(iii) Who is going to take responsibility to advise all the necessary authorities?

Officer Comment:

As outlined in the Town's Policy No. 3.5.20 relating to Property Numbering and Addressing, where a change to property address or number is approved by the Town of Vincent, the following agencies and organisations will be notified by the Town of Vincent:

- Australian Electoral Commission;
- Western Australian Electoral Commission;
- Telstra;
- Alinta Gas;
- Synergy;
- Water Corporation;
- Saint John Ambulance;
- Fire and Emergency Services Authority of Western Australia;
- Australia Post; and
- Landgate.

(iv) The Council needs to consider numbering of both sides for potential future development.

Officer Comment:

The previous report did allocate numbers to both sides of the street to cater for new development and associated subdivisions. As advised at this time, the requirements of the

Town's Policy No. 3.5.20 relating to Property Numbering and Addressing were applied in principle to Woodstock Street; however, some numbers have remained, particularly along the northern side of the street, to minimise the inconvenience to owners and costs to the Town. It was found that six properties along the southern side of Woodstock Street between Fairfield and Matlock Streets, which are the subject of this report, need to be renumbered to accommodate the existing proposed and potential development of lots.

(v) What implications would the proposed renumbering have on Title Deeds?

Officer Comment:

Property/street addressing data custodianship rests with Landgate, whilst the control and responsibility for addressing resides with the local government authorities. Any change of property address or locality (suburb) address will not be reflected on the Certificate of Title until it is amended as a matter of a transfer request or through notification of any amendments from the relevant local government. Out-of-date or incorrect address information on a Certificate of Title does not affect the legality or status of the Title.

In light of the above, the previous Officer Recommendation remains unchanged, with the exception of the increased time period of the redirection of mail.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 11 March 2008.

“That the Council;

- (i) RECEIVES the report relating to the renumbering of the properties along Woodstock Street, Mount Hawthorn;*
- (ii) APPROVES the proposed renumbering of the following properties along Woodstock Street, Mount Hawthorn, and ADVISES the owners of the following properties that the costs associated with the re-direction of mail for a 3 month period and the re-marking of bins and houses/mailboxes to a value of up to \$75 for each property will be reimbursed by the Town upon the submission of relevant receipts:*
 - (a) No. 1 (Lot 243) Woodstock Street, to change to No. 31 Woodstock Street, Mount Hawthorn;*
 - (b) No. 1A (Lot 242) Woodstock Street, to change to No. 33 Woodstock Street, Mount Hawthorn; and*
 - (c) No. 3 (Lot 24) Woodstock Street, to change to No. 35 Woodstock Street, Mount Hawthorn; and*
- (iii) APPROVES the proposed renumbering of the following properties along Woodstock Street, Mount Hawthorn, at the owner's cost:*
 - (a) No. 98A (Lot 36) Flinders Street, to change to No. 23 Woodstock Street, Mount Hawthorn;*
 - (b) No. 98B (Lot 37) Flinders Street, to change to No. 21 Woodstock Street, Mount Hawthorn; and*
 - (c) No. 98C (Lot 38) Flinders Street, to change to No. 19 Woodstock Street, Mount Hawthorn.*

Moved Cr Farrell, Seconded Cr Youngman

That the recommendation be adopted.

Debate ensued.

COUNCIL DECISION ITEM 10.1.6

PROCEDURAL MOTION

Moved Cr Farrell, Seconded Cr Youngman

That the item be DEFERRED for further investigation.

PROCEDURAL MOTION PUT AND CARRIED (8-0)

(Cr Messina was on approved leave of absence for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to present to the Council for approval the proposed new street numbers for the properties along Woodstock Street.

BACKGROUND:

14 September 1998 The Council at its Ordinary Meeting resolved to make the Local Law relating to Property Numbers.

23 May 2006 The Council at its Ordinary Meeting resolved to adopt Policy No.3.5.20 relating to Property Numbering and Addressing.

DETAILS:

A significant number of larger lots are being subdivided into smaller lots within the Town of Vincent, which has resulted in the need for the allocation of additional property numbers. This applies to freehold green title, survey strata and strata lots.

A number of applications for subdivision and development of existing lots along Woodstock Street, Mount Hawthorn have recently been submitted to the Town, which now necessitates the allocation of new property numbers in some instances to cater for the recent and proposed developments and subdivisions. The manner in which the property numbering was allocated in the past has now presented a problem along Woodstock Street, particularly in relation to No. 98 Flinders Street, corner of Woodstock Street.

To address the issue of property numbering in relation to the subdivision at No. 98 Flinders Street and to cater for future subdivision along Woodstock Street, the Town's Officers have initiated a review of the property numbering along Woodstock Street in accordance with the Town's Policy No. 3.5.20 relating to Property Numbering and Addressing.

It is a recommended and accepted method of property numbering to generally allocate a property number to every 16 metres of street frontage. Even and odd numbers are required to be on opposite sides of a street/road to avoid confusion and inconvenience for the delivery of mail, emergency and other services. This has been applied in principle to Woodstock Street; however, some numbers have remained to minimise the inconvenience to owners and costs to the Town.

When applying the above rationale to the properties, which abut Woodstock Street, it was found that six properties along southern side of Woodstock Street between Fairfield and Matlock Streets need to be renumbered to accommodate the existing proposed and potential development of lots. The six properties can be divided into two groups, those which were part of the subdivision of No. 98 Flinders Street and those which were not.

Those properties which were part of the subdivision of No. 98 Flinders Street, Mount Hawthorn are as follows:

- *No. 98A (Lot 36) Flinders Street, to change to No. 23 Woodstock Street, Mount Hawthorn;*
- *No. 98B (Lot 37) Flinders Street, to change to No. 21 Woodstock Street, Mount Hawthorn; and*
- *No. 98C (Lot 38) Flinders Street, to change to No. 19 Woodstock Street, Mount Hawthorn.*

Those properties which were not part of the subdivision of No. 98 Flinders Street, Mount Hawthorn are as follows:

- *No. 1 (Lot 243) Woodstock Street, to change to No. 31 Woodstock Street, Mount Hawthorn;*
- *No. 1A (Lot 242) Woodstock Street, to change to No. 33 Woodstock Street, Mount Hawthorn; and*
- *No. 3 (Lot 24) Woodstock Street, to change to No. 35 Woodstock Street, Mount Hawthorn.*

CONSULTATION/ADVERTISING:

As part of the Town's Property Numbering and Addressing Policy, the owners and occupiers of the affected properties where a change in property address or number is being considered were consulted with. A letter was sent to the affected owners on 25 January 2007 advising of the above proposed property numbers.

One objection was received in response to the Town's letter dated 25 January 2007 and the proposed property numbering. The main points of the objection are summarised below.

- *The proposal is in opposition to clauses (v), (vi) and (vii) of the Town's Policy No. 3.5.20 relating to Property Numbering and Addressing. One of the compromises of purchasing a subdivided block is that the original number will be shared.*

Officer Comment:

Woodstock Street runs in an east to west direction between London and Matlock Streets. All the lots from London Street to the right of way to the west of Coogee Street have a primary frontage to the cross streets (that is, Coogee, Flinders, Fairfield, Edinboro, Shakespeare, Dunedin and London Streets), which has resulted in street numbers only being provided to a small number of dwellings along Woodstock Street between Matlock Street and the right of way west of Coogee Street.

Should a corner lot be subdivided and the Town allocate a suffix to the rear lot, both addresses would retain a street address to the primary street such as Coogee Street. In this instance, it is considered appropriate to provide the rear lot with a street address, which reflects its primary frontage. This requires new numbers being allocated as opposed to the provision of a suffix for the benefit of owners, emergency services and mail delivery. This rationale is consistent with the following provisions of the Town's Policy No. 3.5.20 relating to Property Numbering and Addressing:

"(ii)(e) Where a lot has two road frontages and the orientation of the dwelling/ building has not yet been determined then the subject property will be allocated a property number for both roads where possible.

(ii)(g) If a new subdivision is being developed in stages and the first stage occurs in the middle portion of what will eventually be a continuous road of dwellings or buildings, an estimate will be made of the total number of lots likely to be created along the entire road. This will be in accordance with the Residential Design Code provisions for density and lot frontage widths for residential properties."

Clauses (v) and (vi) of the Town's Policy No. 3.5.20 relating to Property Numbering and Addressing are more pertinent to single lot subdivisions, where a whole street will not be impacted upon. Clause (vii) is pertinent to a situation where there is no scope for renumbering an existing street. Woodstock Street predominantly comprises secondary property frontages, which may in the future be further subdivided and developed. Therefore, it is important that a process be endorsed, which ensures that future subdivisions and developments are able to take place without further disruption in terms of renumbering.

- The proposal is to the detriment of the existing residents and to the benefit of the developer.*

Officer Comment:

The Town's Officers have aimed to structure the renumbering in a manner that would have minimal impact on the residents and also to ensure that there are adequate property numbers for future subdivisions. Due to the lack of existing dwellings, which utilise Woodstock Street as a primary frontage, a renumbering strategy is required.

LEGAL/POLICY

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

STRATEGIC IMPLICATIONS

*Strategic Plan 2006-2011 - Key Result Area One: 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 total cost to the Town will be \$225, which will be sourced from the 2007/2008 Operating Budget.

COMMENTS

The renumbering of properties along Woodstock Street is necessary to accommodate the new development, which has recently taken place. It also ensures that future subdivisions and developments are able to take place without further disruption in terms of renumbering.

In accordance with clause 4 (vi) of the Town's Policy No. 3.5.20 relating to Property Numbering and Addressing 'the owner or occupier of the development or subdivision requiring new or amended numbers is to meet all costs associated with the numbering and renumbering of properties, including any renumbering of other properties along the road as a result of that development or subdivision."

However, in this instance as the subdivision of No. 98 Flinders Street was approved in November 2002, prior to the formulation of the Town's Policy No. 3.5.20 relating to Property Numbering and Addressing and as the newly created lots have since been sold, the Town is not in a reasonable position to request that the former developer meet all costs associated with the property renumbering along Woodstock Street.

As per clause 6 (i) of the Town's Policy No. 3.5.20 relating to Property Numbering and Addressing, the Town will notify the following agencies and organisations:

- *Australian Electoral Commission;*
- *Western Australian Electoral Commission;*
- *Telstra;*
- *Alinta Gas;*
- *Western Power;*
- *Water Corporation;*
- *Saint John Ambulance;*
- *Fire and Emergency Services Authority of Western Australia;*
- *Australia Post; and*
- *Western Australian Land Information Authority – Landgate.*

Clause 6 (ii) of the above Policy requires that all other costs associated with the change of property address or number remains the responsibility of the property owner. This includes the replacement or relocation of letterboxes, costs of new numbers, amendments to numbers on buildings, notifications to other agencies or organisations, business contacts, family, friends and acquaintances and amendments to business and personal stationary.

In light of the above, the Town's Officers consider it is appropriate to reimburse the money for selected items associated with the property renumbering for the owners, who were not part of the subdivision at No. 98 Flinders Street and have been required to change the existing property number. Based on a recent survey of the subject properties, it is recommended that the owners be reimbursed for the following items:

- *re-marking of bins and houses/mailboxes to a value of up to \$50 per property; and*
- *the re-direction of mail for 3 months at a cost of approximately \$25 per property.*

It is recommended that the costs associated with the above items be paid by the owners of the properties, which were part of the original subdivision of No. 98 Flinders Street, Mount Hawthorn as per the Officer Recommendation.

10.1.3 No. 37 (Lot: 144 D/P: 3002) Mabel Street, Corner Norham Street North Perth - Proposed Demolition of Existing Garage and Additional Two-Storey Grouped Dwelling to Existing Single House

Ward:	North	Date:	4 August 2008
Precinct:	North Perth; P08	File Ref:	PRO4245; 5.2008.107.1
Attachments:	001		
Reporting Officer(s):	D Pirone		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

CORRECTED 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 B L Shulman on behalf of the owner Sanjon Holdings Pty Ltd for Proposed Demolition of Existing Garage and Additional Two-Storey Grouped Dwelling to Existing Single House, at No. 37 (Lot: 144 D/P: 3002) Mabel Street, Corner Norham Street, North Perth, and as shown on plans stamp-dated 13 May 2008, subject to the following conditions:

- (i) all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) any new street/front wall, fence and gate within the Mabel Street setback area and the Norham Street setback area including along the side boundaries within these street setback areas, shall comply with the following:*
 - (a) the maximum height being 1.8 metres above the adjacent footpath level;*
 - (b) the maximum height of piers with decorative capping being 2.0 metres above the adjacent footpath level;*
 - (c) the maximum height of the solid portion of the wall being 1.2 metres above the adjacent footpath level, and a minimum of fifty percent visually permeable above 1.2 metres;*
 - (d) the piers having a maximum width of 355 millimetres and a maximum diameter of 500 millimetres;*
 - (e) the distance between piers should not be less than the height of the piers except where pedestrian gates are proposed; and*
 - (f) the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*

- (iii) *first obtaining the consent of the owners of No. 16 Ruby 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. 16 Ruby Street in a good and clean condition;*
- (iv) *a detailed landscaping plan, including a list of plants and the landscaping of the Mabel Street and Norham Street verges 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);*
- (v) *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);*
- (vi) *prior to the issue of a Building Licence the owner(s) shall enter into a legal agreement to the satisfaction of the Town, which is secured by a caveat on the Certificate(s) of Title of the subject land, prepared by the Town's solicitors or other solicitors agreed upon by the Town for the conservation of the existing dwelling located on the proposed northern lot. All costs associated with this condition shall be borne by the applicant/owner(s);*
- (vii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the windows to the kitchen on the southern elevation and the windows to bedroom 3 on the northern elevation, 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 2008. 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. 39 Mabel Street and No. 16 Ruby Street stating no objection to the respective proposed privacy encroachments.*

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

~~*(viii) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the incorporation of vertical and horizontal articulation into the western kitchen/bathroom/bathroom 3 wall of the first floor.*~~

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 strike through and underline.**

COUNCIL DECISION ITEM 10.1.3

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

ADDITIONAL INFORMATION:

The above clause (viii) is to be deleted, as there is no requirement for the upper floor western elevation wall to have vertical and horizontal articulation pursuant to the Residential Design Elements Policy, as the subject side setback complies with the setback requirements of the R Codes.

Landowner:	Sanjon Holdings Pty Ltd
Applicant:	B L Shulman
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30/40
Existing Land Use:	Single House
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	491 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 the existing garage and the construction of an additional two-storey grouped dwelling to existing single house.

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

ASSESSMENT:

***Note: The following Assessment Table was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.**

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density:	1.63 dwellings at R30 2.23 dwellings at R40	2 dwellings at R40 (R40 zoning is to be applied as the existing dwelling is proposed to be retained.)	Supported – no variation at R40.

Plot Ratio:	N/A	N/A	Noted – no variation.
Minimum Site Area: Proposed Southern Lot	200 square metres	196 square metres (2.04 per cent minimum site area bonus).	Supported – the retention of the existing dwelling facing Mabel Street, maintains the amenity of the streetscape. In addition to this, clause 6.1.3 of the R Codes allow for a 5 per cent minimum site area bonus.
Building Setbacks: Ground Floor -East (Norham Street) Main Building -South -North -West Upper Floor -East (Norham Street) Main Building	2.5 metres 1.5 metres 1 metre 1.5 metres 4 metres	2.1 metres – 3.4 metres Nil – 0.95 metre Nil – 2.95 metres 1 metre – 1.5 metres 2 metres – 4.38 metres	Supported – see “Comments”. Supported – not considered to have an undue impact on the neighbouring property. Supported – not considered to have an undue impact on the neighbouring property. Supported – not considered to have an undue impact on the neighbouring property. Supported – see “Comments”
Articulation:	Walls greater than 9 metres in length are required to incorporate vertical and horizontal articulation.	The western wall on the upper floor is 11.95 metres in length without any articulation.	Not supported – considered to have an undue impact on the neighbouring property. Condition applied for articulation to be incorporated into the western wall on the first floor.
Buildings on Boundary:	Walls not higher than 3.5 metres with average of 3 metres for 2/3 (8.09 metres) of the length of the balance of the boundary behind the front setback, to one side boundary.	One boundary walls proposed. -North Wall Wall Height = 3.4 metres – 3.5 metres (average = 3.45 metres) Wall Length = 4 metres	Supported – not considered to have an undue impact on the neighbouring property and no objections received from the affected property.

Consultation Submissions		
Support (1)	No comments provided.	Noted.
Objection (2)	<ul style="list-style-type: none"> • Privacy. 	<ul style="list-style-type: none"> • Not supported – all major openings are compliant with the privacy requirements of the R Codes.
	<ul style="list-style-type: none"> • Setbacks of upper floor wall and eaves on southern elevation. 	<ul style="list-style-type: none"> • Not supported – the proposed building wall setback is compliant with the requirements of the R Codes.
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil
Financial/Budget Implications		Nil
Sustainability 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:

The street setback variations proposed is not considered to have an undue impact on the amenity of the streetscape as Norham Street does not have a consistent established streetscape, as it is predominantly a secondary street to dwellings facing Elizabeth Street, Mabel Street, Ruby Street and Waugh Street. The majority of the dwellings that do front onto Norham Street comprise large two-storey dwellings that have reduced setbacks to the street. The property at No. 1 Norham Street was approved by the Council at its Ordinary Meeting held on 16 December 2003, with an upper floor setback of 2.5 metres – 4.06 metres. The subject application resembles the approval of No. 1 Norham Street as varying setbacks and articulation is provided in the front elevation. In this instance, the proposed front setback to the ground floor and upper floor is supportable, as it complements the existing streetscape by creating interaction between the dwelling and the street.

The required setbacks as set out in the Town’s Residential Design Elements Policy is designed to create articulation to the street and to provide an interesting elevation that is free of flush type walls. Whilst the proposal illustrates variations to these minimum setback requirements, the proposal demonstrates a reasonable amount of articulation that provides interest in the elevation. In this instance, the reduced street setbacks is considered to be supportable.

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

10.1.6 No. 34 (Lot: 900 D/P: 50845) Mabel Street, North Perth - Alterations and Additions to Retaining Wall to Existing Single House (Part Application Retrospective Approval)

Ward:	North Ward	Date:	31 July 2008
Precinct:	North Perth, P08	File Ref:	PRO4384; 5.2008.163.1
Attachments:	001		
Reporting Officer(s):	D Bothwell		
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 J Corp Pty Ltd on behalf of the owner B N Randall for Alterations and Additions to Retaining Wall to Existing Single House (Part Application for Retrospective Approval), at No. 34 (Lot: 900 D/P: 50845) Mabel Street, North Perth, and as shown on plans stamped 23 June 2008, subject to the following conditions:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *any new street/front wall, fence and gate between the Mabel Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level; and*
- (iii) *as agreed by the subject property owner, Mr Benjamin Randall at the site meeting held on 26 May 2008 with the Town's Officers, the portion of the retaining wall adjacent to the alfresco area being raised by one limestone coarse in height to be level with the top of the adjoining wall immediately to the east (RL 12.80).*

COUNCIL DECISION ITEM 10.1.6

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Landowner:	B N Randall
Applicant:	J Corp Pty Ltd
Zoning:	Metropolitan Region Scheme: MRS: Urban Town Planning Scheme No.1 (TPS 1): Residential R30/40
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	406 square metres
Access to Right of Way	Nil

BACKGROUND:

On 26 May 2008, a site meeting was carried out in the presence of the Mayor (Nick Catania), the Director of Development Services (Rob Boardman), A Cicchino (owner of No. 42 Norham Street), Ben Randall (owner of No. 32 (Strata lot 2) Mabel Street, and Building Surveyors Ben Tran and Dennis Barrett. At this meeting, Mr Cicchino was of a view that the limestone retaining wall is inadequately high enough to retain the existing soil on Mr Cicchino’s property and the newly constructed ‘colorbond’ dividing fence is not securely installed. Mr Randall agreed at this meeting to provide an additional limestone layer at the top of the portion of retaining wall adjacent to the alfresco area, as well as to install additional braces to strengthen the ‘colorbond’ dividing fence.

DETAILS:

The application involves alterations and additions to retaining wall to existing single house (part application for retrospective approval).

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio:	N/A	N/A	Noted.
Retaining Walls:	0.5 metre above the natural ground level.	1.0 metre - 1.4 metres above the natural ground level.	Supported – no undue impact on neighbouring property and no objections received.

Consultation Submissions	
Support	Nil
Objection	Nil
Other Implications	
Legal/Policy	TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications	Nil
Financial/Budget Implications	Nil
Sustainability 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 application is considered acceptable and would not result in any undue impact on the amenity of the surrounding area. The application is, therefore, supported subject to standard conditions and a condition for the portion of the retaining wall adjacent to the alfresco area being raised by one limestone course in height to be level with the top of the adjoining wall immediately to the east, as agreed by the subject property owner at the site meeting held on 26 May 2008 with the Town's Officers. It was considered at this site meeting that the additional limestone layer on top of the existing retaining wall was necessary to retain the existing soil on the adjoining property to the north at No. 42 Norham Street.

10.1.7 No. 42 (Lot: 101 D/P: 36076) London Street, North Perth - Proposed Two-Storey Single House

Ward:	North	Date:	4 August 2008
Precinct:	North Perth, P08	File Ref:	PRO2440 ; 5.2008.136.1
Attachments:	001		
Reporting Officer(s):	D Bothwell		
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 JWH Group Pty Ltd on behalf of the owner L T Tran for proposed Two-Storey Single House, at No. 42 (Lot : 101 D/P: 36076) London Street, North Perth, and as shown on plans stamp-dated 15 May 2008, subject to the following conditions:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *any new street/front wall, fence and gate between the London 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;*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level; and*
 - (f) *the solid portion adjacent to the London Street boundary from the above truncation(s), can increase to a maximum height of 1.8 metres, provided that the fence and gate have at least two (2) significant appropriate design features to reduce the visual impact. Examples of design features may include significant open structures, recesses and/or planters facing the*

street at regular intervals, and varying materials; and the incorporation of varying materials, finishes and/or colours are considered to be one (1) design feature. Details of these design features shall be submitted to and approved by the Town prior to the issue of a Building Licence;

- (iii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the windows to the sitting room on the southern elevation, windows to the sitting room on the western elevation within the 6.0 metre cone of vision to the southern boundary, and windows to bedroom 3 on the northern elevation within the 4.5 metre cone of vision to the eastern elevation, on the upper floor, being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished upper floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2008. 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. 54 Hobart Street and No. 52A Hobart Street stating no objections 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; and

- (iv) *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).*

COUNCIL DECISION ITEM 10.1.7

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Landowner:	L T Tran
Applicant:	JWH Group Pty Ltd
Zoning:	Metropolitan Region Scheme: (MRS) Town Planning Scheme No.1 (TPS 1): Residential R20
Existing Land Use:	Vacant Land
Use Class:	Single House
Use Classification:	"P"
Lot Area:	323 square metres
Access to Right of Way	Nil

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

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

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
Street Setbacks: (Upper Floor)	6.0 metres	4 metres	Supported – no undue impact on streetscape or surrounding amenity, subject property has been subdivided to the rear of corner lot; therefore, proposed 4 metre upper floor street setback is adequate.
Building Setbacks: Southern Boundary-Ground	1.5 metres	1.0 – 3.55 metres	Supported – no undue impact on neighbouring property and no objections received.
Southern Boundary-Upper	3.0 metres	2.05 metres	Supported – no undue impact on neighbouring property and no objections received.
Eastern Boundary-Ground	1.5 metres	1.0 metre – 2.15 metres	Supported – no undue impact on neighbouring property and no objections received.
Privacy Setbacks: Southern Boundary – Windows to Sitting Room (South)	6.0 metres	2.05 metres	Not supported – undue impact on neighbouring property and condition applied for compliant screening to be provided.
Southern Boundary- Windows to Sitting Room (West)	6.0 metres	3.5 metres	Not supported – undue impact on neighbouring property and condition applied for compliant screening to be provided.

Eastern Boundary- Windows to Bedroom 3 (North)	4.5 metres	3.6 metres	Not supported – undue impact on neighbouring property and condition applied for compliant screening to be provided prior to the issue of a Building Licence.
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	
Sustainability 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:

Requirements

The application has not been assessed in accordance with the Residential Design Elements Policy as the applicant has provided written advice demonstrating that the design of the proposal had commenced prior to the adoption of the Policy on 18 December 2007. The application has been referred to the Council as it is a proposal for a new dwelling in a Residential R20 area.

Summary

The application is considered acceptable and would not result in any undue impact on the streetscape or amenity of the surrounding area. In addition, there were no objections received during the advertising period. In light of the above, the application is recommended for approval subject to standard and appropriate conditions to address the above matters.

10.1.9 No. 405 (Lot: 124 D/P: 10932) Walcott Street, Coolbinia - Proposed Change of Use from Single House to Single House and Office and Associated Alterations

Ward:	North	Date:	4 August 2008
Precinct:	North Perth; P8	File Ref:	PRO1572; 5.2008.64.1
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 T Pham on behalf of the owners T T & T T H Pham for proposed Change of Use from Single House to Single House and Office and Associated Alterations at No. 405 (Lot: 124 D/P: 10932) Walcott Street, Coolbinia, and as shown on amended plans stamp-dated 3 June 2008, 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 Non-Residential/Residential Development Interface, the objectives of the Town's Town Planning Scheme No.1 and the Town's Economic Development Strategy; and*
- (iii) consideration of the objection received.*

COUNCIL DECISION ITEM 10.1.9

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Landowner:	T T & T T H Pham
Applicant:	T Pham
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R 60
Existing Land Use:	Single House
Use Class:	Office Building
Use Classification:	"SA"
Lot Area:	596 square metres
Access to Right of Way	West side, 5 metres wide, sealed, Town owned

BACKGROUND:

26 September 2000 The Council at its Ordinary Meeting held on 26 September 2000 conditionally approved alterations and additions to existing single house.

DETAILS:

The proposal involves change of use from single house to single house and office.

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- no variation.
Objective of Town Planning Scheme No.1	<i>"To promote and safeguard the economic well-being and functions of the Town."</i>	Non-residential use encroaching into a residential area.	Not supported- refer to "Comments" below.
Town of Vincent Economic Development Strategy	No requirement to add new commercial precincts or nodes as all Vincent's residents live within 1 kilometre of a commercial centre.	Non-residential use encroaching into a residential area.	Not supported- refer to "Comments" below.
Non-Residential/Residential Development Interface Policy	Non-residential uses to be restricted to District or Local Centres.	Located within a Residential R 60 zone.	Not supported- refer to "Comments" below.
Consultation Submissions			
Support (2)	Nil.		Noted.
Objection(1)	<ul style="list-style-type: none"> Concerns that business is encroaching in residential area. No adequate parking and the proposal will have a traffic impact on Walcott Street. 		<p>Supported - refer to "Comments" below.</p> <p>Not supported – the proposal complies with the parking requirements-refer to "Comments" below.</p>

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

Car Parking

Requirements as per Parking and Access Policy	Required
Total car parking required before adjustment factor (nearest whole number) Office-1 car bay per 50 square metres gross floor area (proposed 145 square metres) = 2.9 car bays.	3 car bays
Apply the parking adjustment factors. <ul style="list-style-type: none"> ▪ 0.85 (within 400 metres of a bus stop) 	(0.85) 2.55 car bays
Car parking provided on-site for commercial component	3 car bay (refer to "Comments" below)
Minus the most recently approved on-site parking shortfall on-site	Nil
Resultant surplus	0.45 car bay

Bicycle Parking

Requirements	Required	Provided
Office 1 per 200 (proposed= 145) square metres gross floor area for employees (class 1 or 2).	1 space	Bicycle parking not shown on plan.
1 space per 750 square metres over 1000 square metres for visitors (class 3).	N/A	N/A

The applicant is required to provide 2.55 car bays for the office and two bays for the existing residential component. Overall a minimum of 5 bays will be required on-site for the proposal.

COMMENTS:

Technical Services

The proposal includes the provision of ten car parking bays. However, the parking proposal does not comply with the requirements of AS2890.1 in terms of manoeuvring, layout, and bay size. As proposed, at least five of the bays would be non-compliant. Therefore, only five parking bays can be considered for parking for the proposal. Two parking bays are required for the existing residential development and three car bays for the proposed office.

As shown in the Car Parking Assessment Table, the proposal can comply with the parking requirements subject to Technical Services' approval of a compliant car parking layout.

Building Services

The proposal does not comply with many provisions of the Building Code of Australia and, therefore, the plans cannot be supported.

Department for Planning and Infrastructure (DPI)

The DPI has requested a more detailed plan detailing turning movements within the subject property existing onto Walcott Street in a forward direction. This must take into consideration the 1.5 metre Other Regional Road (ORR) widening requirements for Walcott Street.

Planning Services

The current use of the building is a residential use and is therefore a permitted use. Due to the nature of the proposed activities, the proposed office building ("SA" use) is not considered to be a part of the general fabric of the residential area, regardless of the scale and intensity of its operations. The proposed office use is not considered to serve the day-to-day needs of local residents and is considered more appropriate in areas which have been appropriately zoned and developed for such uses, namely the Town's commercial centres. Furthermore, the proposal is inconsistent with the objectives of the Town's Economic Development Strategy, which aims to condense commercial type activities within Local Centres, District Centres or Commercial zoned areas in order to capitalise upon co-locational benefits and increase the viability of the Town's commercial centres. Approval of the proposed development would create an undesirable precedent for the encroachment of commercial uses into residential areas.

The proposal is therefore considered unacceptable and is not supported by the Town's Officers.

10.1.10 Final Adoption of Amendment No. 52 to Planning and Building Policies – Amended Parking and Access Policy – Introduction of Car Parking Requirements for Small Bars

Ward:	Both Wards	Date:	31 July 2008
Precinct:	All Precincts	File Ref:	PLA0154
Attachments:	001		
Reporting Officer(s):	S O'Loughlin		
Checked/Endorsed by:	D Abel; R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the final version of the amended Policy No.3.7.1 relating to Parking and Access as attached at Appendix 10.1.10; resulting from the advertised version having been reviewed and with regard to two (2) submissions received during the formal advertising, in accordance with Clauses 47 (4) and (5) (a) of the Town's Town Planning Scheme No.1;*
- (ii) *ADOPTS the final version of the amended Policy No. 3.7.1 relating to Parking and Access, as attached at Appendix.10.1.10 and "Laid on the Table" in accordance with Clause 47 (5) (b) of Town Planning Scheme No.1; and*
- (iii) *AUTHORISES the Chief Executive Officer to advertise the final version of the amended Policy No.3.7.1 relating to Parking and Access, as attached at Appendix 10.1.10, in accordance with Clause 47 (6) of Town Planning Scheme No.1.*

COUNCIL DECISION ITEM 10.1.10

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with the outcome of the advertising period for this draft amended Policy and to present to the Council the final version of the amended Policy No.3.7.1 relating to Parking and Access.

BACKGROUND:

22 April 2008

The Council at its Ordinary Meeting, after considering Item 10.1.1 relating to No. 174 Scarborough Beach Road, corner Coogee Street, Mount Hawthorn – proposed change of use from single house and shop to unlisted use (small bar) and shop and associated alterations and additions, resolved to adopt the following subsequent motion:

“That a policy relating to parking requirements for small bar licences be prepared.”

13 May 2008

The Council at its Ordinary Meeting, resolved to adopt the following:

“That the Council;

- (i) *RECEIVES this report and the Draft Amended Policy No. 3.7.1 relating to Parking and Access as shown in Attachment 10.1.9 (“Laid on the Table”);*
- (ii) *ADOPTS the Draft Amended Policy No. 3.7.1 relating to Parking and Access in the interim until the formal adoption of the amended Policy;*
- (iii) *ADVERTISES the Draft Amended Policy No. 3.7.1 relating to Parking and Access 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 Amended Policy No. 3.7.1 relating to Parking and Access, having regard to any written submissions; and*
 - (b) *DETERMINES the Draft Amended Policy No. 3.7.1 relating to Parking and Access, with or without amendment, to or not to proceed with it”.*

DETAILS:

The Town’s draft amended Policy No. 3.7.1 relating to Parking and Access incorporates car parking requirements within the Land Use Parking Requirement Table for small bar use.

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.

The draft amended Policy was advertised in accordance with the above with two (2) submissions being received. The submissions stated as follows:

- (i) *“Car parking allocations proposed in Policy 3.7.1 appear exaggerated. As an example, the one car parking bay requirement for every six seats in a cinema would require Luna Cinema to provide a wasteland of many car parking places. This would counterproductive for the use of public transport (I understand there is a large car park across Luna cinema). As a general rule, the Town of Vincent should require as little car parking provisions as possible, less than it is proposed. The parking requirements in the table (Policy 3.7.1, page 4) are generally too high. Small bars should not have any car parking provision requirement at all”;* and
- (ii) *“I feel the paper has not identified the need to provide parking bays for smaller/compact size vehicles. By increasing the number of smaller parking bays, this may change the way people think about vehicle size. This format will also increase the overall number of parking bays (smaller bays in the same area)”.*

The above submissions has been noted; however, the Town’s Officers believe that it is important to provide car parking provisions and guidance for small bars to ensure that adequate parking facilities are provided to motorists. In addition, the Town is currently reviewing the Town’s Car Parking Strategy in which the various matters raised in the submissions will be examined and addressed.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies.

STRATEGIC IMPLICATIONS:

Strategic Plan 2006-2011: 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.”

SUSTAINABILITY IMPLICATIONS:

It is considered that the proposed car parking requirement for small bars is more appropriate for the scale and nature of small bars, as compared to the previous parking requirements applied.

FINANCIAL/BUDGET IMPLICATIONS:

The current 2008/2009 Budget allocates \$62,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

In light of the above, it is recommended that the Council receive and proceeds to adopt the final version of the amended Policy No.3.7.1 relating to Parking and Access in accordance with the Officer Recommendation.

10.1.11 Amendment No. 14 to Planning Policies – Final Rescission of Policies relating to Heritage - Heritage Assessment; Heritage - Heritage Management - Municipal Heritage Inventory; and Residential Design Guidelines - Design Elements - Heritage Conservation

Ward:	Both Wards	Date:	29 July 2008
Precinct:	All Precincts	File Ref:	PLA 0161
Attachments:	-		
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 rescission of the following Planning Policies:

- (a) *Heritage - Heritage Assessment (former No. 3.6.1);*
- (b) *Heritage - Heritage Management - Municipal Heritage Inventory (former No. 3.6.2); and*
- (c) *Residential Design Guidelines - Design Elements - Heritage Conservation (No. 3.2.2);*

resulting from the Policies having been reviewed and with regard to three (3) submissions received during the formal advertising, in accordance with Clauses 47 (5) (a) of the Town's Town Planning Scheme No. 1;

(ii) **FINALLY RESCINDS** the following Planning Policies:

- (a) *Heritage - Heritage Assessment (former No. 3.6.1);*
- (b) *Heritage - Heritage Management - Municipal Heritage Inventory (former No. 3.6.2); and*
- (c) *Residential Design Guidelines - Design Elements - Heritage Conservation (No. 3.2.2);*

in accordance with Clause 47(5)(b) of the Town's Town Planning Scheme No.1; and

(iii) **AUTHORISES** the Chief Executive Officer to advertise the final rescission of the following Planning Policies:

- (a) *Heritage - Heritage Assessment (former No. 3.6.1);*
- (b) *Heritage - Heritage Management - Municipal Heritage Inventory (former No. 3.6.2); and*
- (c) *Residential Design Guidelines - Design Elements - Heritage Conservation (No. 3.2.2);*

in accordance with Clause 47 (6) of the Town's Town Planning Scheme No.1.

COUNCIL DECISION ITEM 10.1.11

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to finally rescind the Policies relating to Heritage - Heritage Assessment; Heritage - Heritage Management - Municipal Heritage Inventory; and Residential Design Guidelines - Design Elements - Heritage Conservation.

BACKGROUND:

A report proposing amendments to the Town's Policies relating to Heritage Management was considered at the Ordinary Meeting of Council held on 23 August 2005. At this meeting, the Council resolved to advertise and adopt in the interim a series of new Policies relating to Heritage Management, and to advertise the rescission of the Policies relating to Heritage - Heritage Assessment; Heritage - Heritage Management - Municipal Heritage Inventory; and Residential Design Guidelines - Design Elements - Heritage Conservation.

Due to an administrative oversight, the advertising of the proposed rescinded Policies relating to Heritage - Heritage Assessment; Heritage - Heritage Management - Municipal Heritage Inventory; and Residential Design Guidelines - Design Elements - Heritage Conservation was not undertaken in 2005. Consequently, the proposed rescission of the three (3) subject Policies was advertised in accordance with clauses 47 (4), and (5) (a) of the Town's Town Planning Scheme No. 1 from 17 June 2008 to 15 July 2008.

DETAILS:

Prior to the review of the Town's Municipal Heritage Inventory undertaken in 2006, the Town undertook an extensive review of its Policies relating to Heritage Management. As part of this review process, the existing three (3) Policies adopted at the Ordinary Meeting of Council held on 27 March 2001 were rescinded and seven (7) new Policies have since been adopted. At the Ordinary Meeting of Council held on 22 July 2008, four (4) of these Policies were amended to improve the effectiveness of the Policies.

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: 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.”

Heritage Strategic Plan 2007 - 2012 - Key Result Area No. 2 - Statutory Provisions and Policies

“Performance Measure No. 2.6 - review the effectiveness of heritage management policies adopted in 2005 and amend as needed.”

SUSTAINABILITY IMPLICATIONS:

None.

FINANCIAL/BUDGET IMPLICATIONS:

The current 2008/2009 Budget allocates \$62,000 for Town Planning Scheme Amendments and Policies.

COMMENTS:

Three (3) submissions were received during the period of community consultation in relation to the proposed rescission of the three (3) subject Policies. All three submissions presented concerns in the rescission of the Policies relating to Heritage Management. Individual responses were sent to each of those who sent submissions to clarify that the rescission of the subject Policies was an administrative oversight and that the Town currently has seven (7) Policies that adequately address Heritage Management at the Town.

In light of the above, it is recommended that the Council receives the report relating to the final rescission of the subject three (3) Policies, and finally rescinds the Policies in line with the Officer Recommendation.

10.3.1 Financial Statements (Provisional) as at 30 June 2008

Ward:	Both	Date:	24 July 2008
Precinct:	All	File Ref:	FIN0026
Attachments:	001		
Reporting Officer(s):	B Tan		
Checked/Endorsed by:	M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council RECEIVES the Provisional Financial Reports for the year ended 30 June 2008 as shown in Appendix 10.3.1.

COUNCIL DECISION ITEM 10.3.1

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is to present the provisional financial statements for the month ended 30 June 2008.

BACKGROUND:

The Local Government Act and Local Government (Financial Management) Regulations 1996 require monthly reports to be submitted to Council. The Financial Statements attached are for the month ended 30 June 2008.

As stated above the financial reports as presented are provisional copies to provide an estimate of the year end position. There are still a number of year end transactions, and adjustments that need to be prepared before the year end accounts can be finalised.

It is anticipated that the audited final accounts will be presented at the second council meeting in October.

DETAILS:

The Financial Statements comprise:

- Operating Statement
- Summary of Programmes/Activities
- Capital Works Schedule
- Balance Sheet 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 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 3 % over the year to date budget for the month ending 30 June 2008.

General Purpose Funding (Page 1)

General Purpose Funding is showing 1 % over the budget.

Governance (Page 2)

Governance is showing 21 % under budget.

Law Order & Public Safety (Page 3)

Revenue of Law Order & Public Safety is 87 % of the budget.

Health (Page 4)

Health is showing 115 %, of the budget this is due to 381 Health Licences being issued for Lodging Houses, Eating Houses and Alfresco dining.

Education & Welfare (Page 5)

Education and Welfare is now showing 92 % of the budget.

Community Amenities (Page 6)

Community Amenities is 20 % above the year to date budget. There were 738 planning applications being processed to date.

Recreation & Culture (Page 7 to 9)

The total revenue for Recreation and Culture is currently on the revenue budget. Beatty Park Leisure Centre revenue is 76 % of the total Recreation and Culture revenue budget and is performing on target with the centre year to date revenue at 102 %.

Transport (Page 10 to 11)

The total revenue for Transport is 5 % over the budget.

Economic Services (Page 12)

Economic Services is 2 % under budget due to the increase number of building licences 642 issued compared to last year 487 licences.

Other Property & Services (Page 13)

The total revenue for Other Property & Services is 411 % over the budget due to the money received from the Trust retentions of work bonds.

Operating Expenditure

Operating expenditure for the month is 105 % of the year to date budget for the month ending 30 June 2008.

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 \$19,792,453 which is 78 % of the revised budget of \$25,436,439.

	Budget	Revised Budget	Actual to Date	%
Furniture & Equipment	538,150	928,137	816,895	88%
Plant & Equipment	1,487,450	1,536,200	1,181,280	77%
Land & Building	12,303,039	13,191,761	10,941,727	84%
Infrastructure	10,034,028	10,111,030	6,831,652	68%
Total	24,362,667	25,663,128	19,771,554	77%

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

The statement shows the current assets of \$14,899,874 and non current assets of \$140,786,416 for total assets of \$155,686,290.

The current liabilities amount to \$7,952,121 and non current liabilities of \$14,254,200 for the total liabilities of \$22,206,322. The net asset of the Town or Equity is \$133,479,969.

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 \$604,112 is outstanding at the end of June 2008. Of the total debt \$169,382 (28%) relates to debts outstanding for over 60 days, of which \$90,992 is related to Cash in lieu Parking. The Debtor Report identifies significant balances that are well overdue.

Finance has been following up outstanding items 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 (to apply to second, third, and fourth instalment)	\$4.00
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 \$343,274 which represents 2.02% of the outstanding collectable income compared to last year 2.07%.

Beatty Park – Financial Position Report (Page 30)

As at 30 June 2008 the operating deficit for the Centre was \$735,705 in comparison to the annual deficit of \$478,265.

The cash position showed a current cash deficit of \$262,531 in comparison annual budget estimate of a cash surplus 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 30 June 2008 was \$522,547.

Net Current Asset Position (Page 32)

The net current asset position \$522,547.

Variance comment Report (Pages 33 to 37)

The comments will be for the favourable or unfavourable variance of greater than 10% of the year to date budgeted.

10.3.3 Authorisation Of Expenditure For The Period 1 – 31 July 2008

Ward:	Both	Date:	5 August 2008
Precinct:	All	File Ref:	TEMP56
Attachments:	001		
Reporting Officer(s):	Gee Wong		
Checked/Endorsed by:	Bee-Choo Tan	Amended by:	

OFFICER RECOMMENDATION:

That the Council CONFIRMS the;

- (i) *Schedule of Accounts for the period 1 July – 31 July 2008 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 10.3.4

COUNCIL DECISION ITEM 10.3.3

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

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 July 2008.

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	\$ 507,040.15
Total Municipal Account		\$ 507,040.15
Advance Account		
Automatic Cheques	63283-63452	\$ 532,218.99
EFT Batch		\$0.00
Municipal Account		
Transfer of Creditors by EFT Batch	811 - 821	\$2,266,737.77
Transfer of PAYG Tax by EFT	July 2008	\$179,682.25
Transfer of GST by EFT	July 2008	\$0.00
Transfer of Child Support by EFT	July 2008	\$370.28
Transfer of Superannuation by EFT:		
• City of Perth	July 2008	\$32,615.55
• Local Government	July 2008	\$105,294.08
Total		\$3,116,918.92
Bank Charges & Other Direct Debits		
Bank Charges – CBA		\$2,632.09
Lease Fees		\$3,834.35
Corporate Master Cards		\$9,937.95
Folding Machine Lease Equipment		\$0.00
Trace Fees – Audit Certificate		\$50.00
Loan Repayment		\$58,131.94
Rejection Fees		\$20.00
System Disk Fee		\$0.00
Beatty Park - miscellaneous deposit		\$0.00
Total Bank Charges & Other Direct Debits		\$74,606.33
Less GST effect on Advance Account		-\$104,456.00
Total Payments		\$3,594,109.40

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 - Leederville TAFE Adult Learners Week Project

Ward:	South	Date:	1 August 2008
Precinct:	Oxford Centre	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 Central TAFE for a Cultural Development Seeding Grant of \$500 for the indigenous performance ‘Celebrating Reconciliation and Celebrating Inclusion’ as part of Adult Learners Week.

COUNCIL DECISION ITEM 10.3.4

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

PURPOSE OF REPORT:

To seek approval for a Cultural Development Seeding Grant application for Central TAFE to conduct an open day indigenous workshop and performance called ‘Celebrating Reconciliation and Celebrating Inclusion’ designed to encourage more people in the local community to engage with aboriginal culture as part of Adult Learning Week.

BACKGROUND:

Adult Learners Week is held in the first week in September every year and provides an opportunity to celebrate, promote and highlight the value of all forms of adult learning in the community. It provides an opportunity for organisations that offer adult learning activities to present special promotional activities as “Adult Learners Week” events.

DETAILS:

An application for a Cultural Development Seeding grant has been received from Central TAFE for conducting an Adult Learners Week opening event on Tuesday 2 September at Central TAFE Leederville Campus from 10am -1pm.

Central TAFE has been involved with Adult Learners Week for several years and continues to expand the event. The program for 2008 at Central TAFE offers the community at large the opportunity to participate in free, educational and interactive learning sessions to stimulate their thoughts and dreams for learning and knowledge gaining into the future. This year the program includes events at both the Perth and Leederville Campus.

Events include: Opening with a 'Welcome to Country', free coffee from the barista students with a disability coffee stand, Interactive – 2nd life training session, "Try your hand" at ceramics, drawing, sketching and other art forms, and free movie screenings.

The main event at Leederville Campus for the week is 'Celebrating Reconciliation and Celebrating Inclusion' highlighting the commitment and focus that Central TAFE has in providing learning to students from varied backgrounds. Students with a disability will offer their time and skills to communicate and promote the barista skills they have learned at Central TAFE, whilst local indigenous groups will offer visitors the opportunity to be a part of a Welcome to Country and indigenous music, dance, art and tour of the centre to promote future opportunities and learning.

The aim of the event is to introduce the community to aboriginal culture, music, art and history through visual entertainment forms. It is hoped that this will assist in breaking down barriers, promote aboriginal culture and provide opportunities for the gaining of knowledge through adult learning. For indigenous attendees it is hoped that they may gain confidence in expanding their adult learning experience and that this will encourage them to enrol in further education to up skill and extend their future capabilities in their personal and professional work lives.

Any community member is welcome to participate in the event. Flyers and promotional material will be provided to the Town for display at the library, community centres and other suitable locations.

Central TAFE is an inclusive learning environment offering training to people with varied needs and abilities. Leederville Campus caters to the needs of people with physical and intellectual disabilities and is the training venue for students with a disability. Central TAFE promotes inclusion and the rights of all people into the future without prejudice.

CONSULTATION/ADVERTISING:

The program for Adult Learning Week will be advertised in the community and promotional materials distributed to Town of Vincent library and community facilities.

LEGAL/POLICY:

None.

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.

SUSTAINABILITY IMPLICATIONS:

Ongoing life education is a key element in developing a sustainable community.

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$6,000 is allocated for Cultural Seeding Grants of which this is the first application.

COMMENTS:

The 'Celebrating Reconciliation and Celebrating Inclusion' as part of Adult Learning Week meets the criteria for the Cultural Development Seeding Grants. The Town's support will be acknowledged during the event. Participants will be targeted from the community across the Town of Vincent and it will be conducted within the Town.

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

10.4.1 Use of the Council's Common Seal

Ward:	-	Date:	4 August 2008
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 June/July 2008.

COUNCIL DECISION ITEM 10.4.1

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

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
3/07/08	Contract Document	2	Town of Vincent and Gardens Retirement Estate of 37 Britannia Road, Leederville and Ms P E Jones re: Unit 62, Leederville Gardens
3/07/08	Contract Document	2	Town of Vincent and Gardens Retirement Estate of 37 Britannia Road, Leederville and Ms H M Bennett re: Unit 18, Leederville Gardens
3/07/08	Deed of Licence	2	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Andrew McManus Presents (International Pty Ltd) of 460 Brunswick Street, Fitzroy, Victoria 3065 re: Def Leppard and Eros Ramazzotti Concerts - 31 October and 1 November 2008 respectively (Stadium)

Date	Document	No of copies	Details
8/07/08	Deed of Easement	3	Town of Vincent and K A Murphy of 22 Flinders Street, Mount Hawthorn (formerly of 200 Anzac Road, Mount Hawthorn) re: Easement over Reserve and Right of Way abutting Lot 19 Flinders Street, Mount Hawthorn (<i>Condition 2 of Application to Approve Development Serial No. 5.2007.359</i>)
8/07/08	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Western Power Meetings - 8 July 2008 and 15 October 2008 (Gareth Naven Room)
8/07/08	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Western Power Meetings - 25 July, 29 August, 26 September and 31 October 2008 (Gareth Naven Room)
8/07/08	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Sustainable Practitioners Association - 25 July 2008 (Members Equity Bank Lounge)
8/07/08	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Western Power Meeting - 7 November 2008 (Gareth Naven Room)
14/07/08	Grant Agreement	1	Town of Vincent (Beatty Park Swim School) of 220 Vincent Street, Leederville and Western Australian Health Promotion Foundation of 46 Parliament Place, West Perth (Healthway) re: Expanding Physical Activity Opportunities for People with Disabilities Grant Agreement 17954 - Special Needs Learn to Swim Classes
14/07/08	Withdrawal of Caveat	2	Town of Vincent and Downings Legal, Level 11, 2 Mill Street, Perth WA 6000 re: Nos. 313-315 (Lots 1 and 2 and Proposed Lot 301) Oxford Street, Leederville - <i>Owner has applied for withdrawal of existing caveat on Nos 313-315 (Lots 1 and 2) Oxford Street, Leederville, requiring amalgamation of Lots 1 and 2, so that the registration of the new title of the new lot can proceed.</i>
18/07/08	Lease	3	Town of Vincent and Floreat Athena Junior Soccer Club, 41 Britannia Road, Mount Hawthorn WA 6016 re: a portion of Britannia Road Reserve for Five (5) Years, commencing on 1 July 2005 and terminating 30 June 2010
21/07/08	Deed of Licence	2	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and The Frontier Touring Co. Pty Ltd of 135 Forbes Street Woolloomooloo, NSW 2011 re: Billy Joel - 23 November 2008 (Stadium)
28/07/08	Local Law - Amendment	1	Town of Vincent Parking and Parking Facilities Local Law 2008 - Amendment to Schedule 6 - <i>Ticket Machines Zones, Period and Fees</i>
28/07/08	Notification Under Section 70A	2	Town of Vincent and Daktiki Holdings Pty Ltd of 10 Ferrar Street, Mt Lawley WA 6050 re: No. 81 (Lot: 246 D/P;2334) Auckland Street, North Perth - Additional Two-Storey Grouped Dwelling to Existing Dwelling

Date	Document	No of copies	Details
28/07/08	Notification Under Section 70A	2	Town of Vincent and Esteem Pty Ltd, Boldchase Pty Ltd and Daniel Joseph Condidorio all of Unit 3, 9 Gibberd Road, Balcatta WA 6021 re: No. 26 (Lot: 1 D/P; 4759) Carr Street, West Perth - Demolition of Existing Single House - Eight (8) Two-Storey Single Bedroom Grouped Dwellings in accordance with Planning Approval issued on 9/10/06
31/07/08	Deed in Relation to Conservation of Existing Dwelling and Amalgamation of Lots 90 Redfern Street,, North Perth	2	Town of Vincent and Ian Douglas Robson and Theresia Verbeek both of 90 Redfern Street, North Perth re: 90 Redfern Street, North Perth
31/07/08	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Western Power Meeting - 20 August 2008, 2 September 2008 and 3 December 2008 (Gareth Naven Room)
31/07/08	Deed of Licence	1	Town of Vincent and Allia Venue Management Pty Ltd of Unit 25, 257 Balcatta Road, Balcatta WA 6021 and Spotless Services Ltd of Gate 7, Subiaco Oval, Subiaco Road, Subiaco WA 6008 re: Independent Education Unions Meeting - 7 November 2008 (Gareth Naven Room and MEB Lounge)

10.4.2 Audit Committee held on 31 July 2008 – Receiving of Unconfirmed Minutes and Amendment to the Investment Policy

Ward:	-	Date:	5 August 2008
Precinct:	-	File Ref:	FIN0106
Attachments:	001		
Reporting Officer(s):	M. Rootsey, John Giorgi		
Checked/Endorsed by:		Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) **RECEIVES** the Audit Committee Unconfirmed Minutes dated 31 July 2008, as shown in Appendix 10.4.2A;
- (ii) **ACCEPTS** the recommendation of the Town's Audit Committee to **AMEND** its Investment Policy 1.2.4 Guidelines and Policy Procedures, as in Appendix 10.4.2B; and
- (iii) **NOT ADVERTISE** the amendment to the Investment Policy 1.2.4 Guidelines and Policy Procedures, as these relate to internal working procedures and do not affect the community.

COUNCIL DECISION ITEM 10.4.2

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED “EN BLOC” (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

PURPOSE OF REPORT:

The purpose of this report is for the Council to receive the unconfirmed minutes of the Audit Committee held on 31 July 2008 and amend the Town's Investment Policy 1.2.4.

BACKGROUND:

At the Ordinary Meeting of Council held on 26 August 2003, the Council considered the matter of its Audit Committee and resolved inter alia as follows;

"That the Council;

- (i) **APPROVES** of amending the Audit Committee Terms of Reference to be as follows;
 - (a) *the process of selecting the Auditor;*
 - (b) *recommending to Council on the Auditor;*
 - (c) *managing the Audit Process;*

- (d) monitoring Administrations actions on, and responses to, any significant matters raised by the Auditor;*
- (e) submitting an Annual Report on the audit function to the Council and the Department of Local Government; and*
- (f) consideration of the completed Statutory Compliance Return and monitoring administrations corrective action on matters on non-compliance;*
- (g) to oversee Risk Management and Accountability considerations; and*
- (h) to oversee Internal Audit/Accountability functions;"*

CONSULTATION/ADVERTISING:

N/A.

LEGAL/POLICY:

The Local Government Act (Financial Management) Regulations 1996, Regulations 5 and 6 prescribe the duties of the CEO in respect to financial management and independent performance reviews (including internal and external Audits).

STRATEGIC IMPLICATIONS:

The Town's Strategic Plan 2006-2011 lists the following objectives;

"4.1.2 Manage the organisation in a responsible, efficient and accountable manner"; and

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

SUSTAINABILITY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Nil.

COMMENT:

The reporting of the Town's internal Audit Committee minutes to the Council Meeting is considered "best practice" and in keeping with the Audit Charter.

10.4.3 Loftus Centre Redevelopment, 99 Loftus Street, Leederville - Progress Report No. 28

Ward:	South	Date:	6 August 2008
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. 28 as at 6 August 2008, relating to the Loftus Centre Redevelopment, 99 Loftus Street, Leederville.

COUNCIL DECISION ITEM 10.4.3

Moved Cr Ker, Seconded Cr Youngman

That the recommendation be adopted.

CARRIED "EN BLOC" (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

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 6 August 2008.

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.

3. Loftus Community Centre Lease

On 23 April 2008, a lease was provided to the Loftus Centre Community Centre. This is still awaiting signing by the Community Centre.

Lease - General

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. Revised plans have been prepared for the approval of State Land Services.

The Chief Executive Officer and Director Development Services met with State Land Services on 31 March 2008 to progress the matter. State Land Services have advised that they do not have any objection to the revised Lot shapes. It is anticipated that this will be finalised in mid 2008.

The Chief Executive Officer and Director Corporate Services met with the President and two Committee Members of the Loftus Community Centre Board to discuss variations to the Lease. All requests to vary the lease requests considered and satisfactorily addressed and at the time of writing this report the Lease was being amended, for re-issue to the Loftus Community Centre.

Program and Progress

Regular site meetings between the Builder, Consultants, Architect and Town are still 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 verbally advised that they anticipate all works to be completed by mid-June 2008.

Construction - (See Photographs attached)

Loftus Car Park

The Town's Technical Services are currently completing the remaining works. The new car park lights are being wired up and installed. Trees are to be planted in mid August 2008. These have been delayed to inclement weather and a lack of asphalt, due to the gas crisis. Car park works are expected to be completed by mid-late August.

RECREATION CENTRE - all works completed by 30 June 2008

Toilet Upgrade / Universal Access Toilet

The toilet upgrade was completed by 30 June 2008.

Kiosk Upgrade

The kiosk upgrade was completed by 30 June 2008.

Additional Works

1. Internal Painting - colour scheme being prepared - quotes being obtained.
2. Indoor Soccer Court - repairs to wall cladding - quotations currently being obtained.

STATE GYMNASTICS CENTRE (STAGE 2 WORKS) - all works completed by 30 June 2008

LOFTUS CENTRE

1. Refuse Receptacle enclosure - completed.
2. Street Signage - design options currently being prepared.
3. External Painting of existing Centre - colour schedule prepared and quotes being obtained.
4. External signage to the Loftus Centre - upgraded and completed.

Opening Ceremonies / "Open Days"

The opening of the Library and Local History Centre was held on 30 July 2008. The Town is awaiting a date from the Minister of Sports and Recreation for the opening of the State Gymnastics Centre and Loftus Recreation Centre.

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. The investigation of the light fittings has been completed.
- 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 slowly 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....*"

SUSTAINABILITY IMPLICATIONS:

Not applicable at this stage - as the project is completed.

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). This does not include the approved variations.

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
No. 6	17/09/07	\$1,080,029.70	\$1,080,029.70	25/09/07
No. 7	30/09/07	\$1,345,370.12	\$1,345,370.12	10/10/07
No. 8	14/11/07	\$1,042,313.27	\$1,042,313.27	28/11/07
No. 9	20/12/07	\$1,173,472.88	\$1,173,472.88	30/12/07
No. 10	17/01/08	\$848,772.81	\$848,772.81	22/01/08
No. 11	15/02/08	\$607,033.21	\$607,033.21	20/02/08
No. 12	19/03/08	\$532,401.63	\$532,401.63	25/03/08
No. 13	15/04/08	\$533,949.78	\$533,949.78	30/04/08
No. 14	15/05/08	\$406,197.84	\$406,197.84	28/05/08
No. 15	02/07/08	187,585.11	\$187,585.11	17/07/08
No. 16	28/07/08	\$267,938.63	\$267,938.63	09/08/08

Total Paid **\$12,628,252.67**

Cost Variations/Additional Scope of Works

As expected, a number of cost variations have been received from the Builder for works outside the Project Brief. These mainly relate to unforeseen items relating to Stage 2 works.

The final cost is currently being prepared - a number of final invoices are still being received.

COMMENTS:

It is pleasing to report that project has now been completed (except for minor "snag list items" and minor additional e.g. external painting - to be carried out in late Spring).

As the project is now completed, a final report to the Council will be submitted in September/October 2008.

10.1.5 No. 28 (Lot: 90 D/P: 3002, Lot: Y91 D/P: 3002) Ruby Street, North Perth - Proposed Demolition of Existing Single House and Construction of Two-Storey Single House

Ward:	North	Date:	5 August 2008
Precinct:	North Perth, P08	File Ref:	PRO4276; 5.2008.33.1
Attachments:	001_002		
Reporting Officer(s):	M Lane, K Jackson		
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 Trendsetter Homes on behalf of the owner B H & D J Lamers for proposed Demolition of Existing Single House and Construction of a Two-Storey Single House, at No. 28 (Lot: 90 D/P: 3002) Ruby Street, North Perth, and as shown on plans stamp-dated 29 July 2008, 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) *first obtaining the consent of the owners of No 30 Ruby Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of boundary (parapet) wall facing No. 30 Ruby Street in a good and clean condition;*
- (iii) *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);*
- (iv) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *the crossover for the proposed driveway being a minimum distance of 1.0 metre from the eastern most verge tree; and*
 - (b) *the western side of the upper floor Balcony being screened with a permanent obscure material and be non-openable to a minimum height of 1.6 metres above the finished upper floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. Alternatively, prior to the issue of a Building Licence, the screening will not be required if the Town receives the written consent from the owners of No. 30 Ruby Street, stating no objections to the proposed privacy encroachment.*

The revised plans shall not result in any further variations to the Residential Design Codes of Western Australia and the Town's Policies;

- (v) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (vi) *an archival documented record of the place (including photographs, floor plans and elevations) for the Town's Historical Archive collection shall be submitted and approved prior to the issue of a Demolition Licence;*
- (vii) *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); and*
- (viii) *any new street/front wall, fence and gate between the Ruby Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) *the maximum height being 1.8 metres above the adjacent footpath level;*
 - (b) *the maximum height of piers with decorative capping being 2.0 metres above the adjacent footpath level;*
 - (c) *the piers having a maximum width of 355 millimetres and a maximum diameter of 500 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and a minimum of fifty percent visually permeable above 1.2 metres;*
 - (e) *the distance between piers should not be less than the height of the piers except where pedestrian gates are proposed; and*
 - (f) *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.*

COUNCIL DECISION ITEM 10.1.5

Moved Cr Messina, Seconded Cr Burns

That the recommendation be adopted.

Debate ensued.

PROCEDURAL MOTION

Moved Cr Messina, Seconded Cr Lake

That the item be DEFERRED for further consideration

PROCEDURAL MOTION PUT AND CARRIED (5-2)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Burns
Cr Ker	Cr Youngman
Cr Lake	
Cr Maier	
Cr Messina	

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Landowner:	B H & D J Lamers
Applicant:	Trendsetter Homes
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R30/40
Existing Land Use:	Single House
Use Class:	Single House
Use Classification:	"P"
Lot Area:	735 square metres
Access to Right of Way	Not applicable

BACKGROUND:

No specific background directly relates to this proposal.

DETAILS:

The proposal involves the demolition of an existing dwelling and the construction of a two-storey single house on the subject property. The initial design has been substantially altered by the applicant in response to comments by the Town's Officers and a summary of the objectors' comments.

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

ASSESSMENT:

As this application was submitted on 19 December 2007 and the applicant has demonstrated that the design process had commenced well before this date, the application has not been assessed against the Town's Residential Design Elements Policy (RDE's Policy). It has been assessed against the Residential Design Codes (R Codes) and the objectives of the previous Policy requirements.

Non-Compliant Requirements			
Requirements	Required	Proposed	Officer Comments Pursuant to Clause 38(5) of TPS 1
Plot Ratio	N/A	N/A	Noted
Building Height – External wall height	6 metres to all four facades	6.3 metres to East façade and 6.4 metres to West and North facades.	Supported – the lots slope gently from front to back and the design cuts the dwelling into the block at the front to minimise its bulk to the street. The rear 5 metres of the dwelling has a height which is 300 millimetres to 400 millimetres above 6 metres. The roof pitch, however, has a maximum height of 7.8 metres whereas 9 metres would be permissible, supporting the variation to the Acceptable Development provisions of the R Codes.
Driveway	Avoid removal of street trees	Impacts on retained street tree	Not supported – refer to ‘Comments’ and the crossover of the driveway will be conditioned to be setback 1.0 metre from the eastern street tree, which must be retained.
Privacy Setback - front balcony to West	7.5 metres	3.4 metres	Not supported – the balcony will have an undue impact on the neighbour’s privacy, and will be conditioned to include a privacy screen along its western side.
Consultation Submissions			
Support	Nil		Noted
Objection (8) and a petition with (24) signatories	<p>Object to demolition of existing dwelling</p> <p>Object to design of a narrow two storey house with assumption of future subdivision</p> <p>House does not comply with the Town’s Residential Design Guidelines</p> <p>Assuming a future subdivision, the house will exceed the allowed plot ratio under the R codes</p> <p>Subdivision would be inconsistent with the Town’s Residential Subdivisions Policy 3.4.6</p>		<p>Not supported - the house has never been listed on any of the Town’s Heritage Lists. The house has been assessed as being of little significance and not meeting the threshold for addition to the Municipal Heritage Inventory. The streetscape is quite eclectic.</p> <p>Not supported - consideration of a future subdivision is not relevant at this time; however, the design and potential lot configuration is consistent with the Knutsford Locality Statement.</p> <p>Not supported - the application was submitted prior to the adoption of the RDEs Policy, the applicant was advised that in accordance with the Town’s practice at the time, the RDEs Policy would not apply.</p> <p>Not supported - plot ratio is not relevant to the assessment of single houses. The amended plans show that the house meets the open space requirement for R30 even if it was proposed to be subdivided into a smaller lot.</p> <p>Not supported – the Town’s current Residential Subdivisions Policy was adopted after the submission of this application.</p>

Scale and bulk of building is not consistent with existing streetscape	Supported – however, the dwelling is setback a considerable distance from the street and uses roof pitch, tiling and rendering in sympathy with the streetscape.
Loss of privacy	Supported in part– consequently, a privacy screen to the western side of the balcony will be a condition of consent.
Loss of solar access to west	Not supported – overshadowing of up to 35 percent is permissible and has been assessed to be nil overshadowing of the property to the west due to the lots perfect North/South orientation. The applicant’s overshadowing diagram is attached.
Reduced side setbacks to the west	Not supported - setbacks have been significantly increased in redesign and are compliant.
Object to height of western wall	Not supported – this is the only R Code variation being sought in this application. The variation of 300 millimetres to this wall for a length of 5 metres is considered supportable considering the increased setbacks incorporated into the redesign and the nature of the slope of the property.
A battle axe subdivision would be more preferable than two houses sides by side	Not supported – the Town’s Residential Subdivisions Policy was adopted after the submission of the application and the proposed layout is consistent with the Knutsford Locality Statement.

Other Implications

Legal/Policy	TPS 1 and associated Policies and residential Design Codes (R Codes).
Strategic Implications	Nil
Financial/Budget Implications	Nil
Sustainability 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:

Demolition

The Heritage Assessment prepared by the Town’s Heritage Officer forms an attachment to this report. Its summary conclusion is that:-

“The place at No. 28 Ruby Street, North Perth, is a brick and tile Federation Bungalow with red face-brick walls with horizontal stucco banding, and a hipped and gable roof. The place was built circa 1915, and was one of the first residences in Ruby Street. It was initially occupied by several short-term residents, until the mid 1920s when the Wise Post Office Directory indicates that Mr Charles Cutts occupied the place for approximately ten years, followed by Mr Roland Slee until at least 1949.

A full heritage assessment was undertaken which indicates that the subject place is not rare; it has little scientific, aesthetic or social value and no specific links of historic significance have been identified. The place is not considered to meet the threshold for consideration of entry onto the Town's Municipal Heritage Inventory in accordance with the Town's Policy No. 3.6.2 relating to Heritage Management - Assessment. In light of this, it is considered reasonable that the proposed demolition be approved."

Parks Services Comments

An assessment by the Town's Parks Services confirmed that there were no trees of significance on the site. There are two small street trees in front of the property. The western tree is a Eucalypt of unknown species and the tree to the east is a Chinese Elm. Parks Services support the removal of the western tree at the applicant's expense and the retention of the eastern tree. This can be easily achieved by conditioning the proposed crossover to be at least 1.0 metre clear of the street tree.

Location of Single House

The application proposes the construction of a two storey single house sitting on the western half of the lot. The applicant has indicated no immediate plans to subdivide, but will consider this option at some time in the future. The dwelling is setback at 9.5 metres with the garage setback at 6.3 metres from the Ruby Street boundary. Most dwellings along Ruby Street are setback at approximately 6 metres; however, of the 30 dwellings in the street, 11 have garages or carports within the front setback area.

Conclusion

The applicant has demonstrated a genuine attempt to respond to design issues raised by the Town and relevant submissions by objectors. The result is a dwelling with setbacks to its western neighbour which are greater than the R Codes requirements, and a house that is setback further than the Town would require to minimise its perceived impact on the streetscape.

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

10.1.4 No. 25 (Lot: 5 D/P: 1308) Violet Street, West Perth - Proposed Two (2) Three-Storey Single Bedroom Grouped Dwellings

Ward:	South	Date:	4 August 2008
Precinct:	Hyde Park; P12	File Ref:	PRO4189; 5.2007.428.1
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 B Ladyman on behalf of the owner Promeq Pty Ltd & Molouky Pty Ltd for proposed Two (2) Three-Storey Single Bedroom Grouped Dwellings, at No. 25 (Lot: 5 D/P: 1308) Violet Street, West Perth, and as shown on plans stamp-dated 31 July 2008, subject to the following conditions:

- (i) *all external fixtures, such as television antennas (of a non-standard type), radio and other antennas, satellite dishes, solar panels, external hot water heaters, air conditioners, and the like, shall not be visible from the street(s), are designed integrally with the building, and be located so as not to be visually obtrusive;*
- (ii) *any new street/front wall, fence and gate between the Violet Street boundary and the main building, including along the side boundaries within this front setback area, shall comply with the following:*
 - (a) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (b) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (c) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (d) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*
 - (e) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;*
- (iii) *first obtaining the consent of the owners of Nos. 21 and 27 Violet Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 21 and 27 Violet Street in a good and clean condition;*

- (iv) *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);*
- (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 dwellings that:*
- (a) *a maximum of one (1) bedroom and two (2) occupants are permitted in each single bedroom dwelling at any one time;*
 - (b) *the floor plan layout of each 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/dwellings. This is because at the time the planning application for the development was submitted to the Town, the developer claimed that the on-site parking provided would adequately meet the current and future parking demands of the development.*

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

- (vi) *a detailed landscaping plan, including a list of plants and the landscaping of the Violet 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) *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 the driveway and footpath;*
 - (b) *the garage door opening being increased to a minimum width of 2.8 metres;*
 - (c) *the building wall height of the pitch roof section being reduced to a maximum of 6 metres above the natural ground level; and*
 - (d) *the building wall height of the concealed roof section being reduced to a maximum of 7 metres above the natural ground level.*

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

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

- (a) *the windows to the lounge room on the northern elevation of unit 1;*
- (b) *the windows to the bedroom on the northern elevation of unit 1;*
- (c) *the alfresco on the northern and eastern elevations of unit 1;*
- (d) *the balcony on the eastern and northern elevation of unit 1;*
- (e) *the windows to the lounge room on the southern elevation of unit 2;*
- (f) *the windows to the bedroom on the southern elevation of unit 2;*
- (g) *the alfresco on the southern and eastern elevations of unit 2; and*
- (h) *the balcony on the eastern and southern elevation of unit 2;*

being screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the respective finished floor levels. 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 2008. 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 Nos. 21 and 27 Violet Street and Nos. 45 and 47 Victoria Street stating no objection to the respective proposed privacy encroachments.

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

COUNCIL DECISION ITEM 10.1.4

Moved Cr Messina, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Landowner:	Promeq Pty Ltd & Molouky Pty Ltd
Applicant:	B Ladyman
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
Existing Land Use:	Vacant Land
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	270 square metres
Access to Right of Way	Not applicable.

BACKGROUND:

No specific background directly relates to the proposal.

DETAILS:

The proposal involves the construction of two three-storey single bedroom grouped 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:	2.25 single bedroom dwellings at R60 (density bonus for single bedroom dwellings).	2 single bedroom dwellings.	Noted – no variation.
Plot Ratio:	N/A	N/A	Noted – the adoption of the 2008 R Codes illustrates that plot ratio is now not applicable for grouped dwellings in any Residential zoning.
Single Bedroom Dwelling Plot Ratio:	60 square metres	81 square metres for each single bedroom dwelling	Supported – see “Comments”
Building Setbacks: Ground Floor -North (Unit 1)	1.5 metres	Nil – 1.5 metres	Supported – not considered to have an undue impact on the neighbouring property.
-South (Unit 2)	1.5 metres	Nil – 1.5 metres	Supported – not considered to have an undue impact on the neighbouring property.

<p>First Floor -West (Violet Street)</p>	<p>6 metres</p>	<p>4.5 metres – 5.5 metres</p>	<p>Supported – the reduced setback is not considered to have an undue impact on the streetscape as the adjoining properties all have upper floor setbacks close to the street. No. 21 Violet Street was approved by Council at its Ordinary Meeting held on 13 August 2002 with an upper floor setback of 2.5 metres from the Violet Street boundary. Further to the above, the proposal demonstrates a reasonable amount of articulation that provides interest in the elevation and reduces the bulk and scale of the development.</p>
<p>-North (Unit 1)</p>	<p>1.5 metres</p>	<p>Nil – 2.2 metres</p>	<p>Supported – not considered to have an undue impact on the neighbouring property.</p>
<p>-South (Unit 2)</p>	<p>1.5 metres</p>	<p>Nil – 2.2 metres</p>	<p>Supported – not considered to have an undue impact on the neighbouring property.</p>
<p>Second Floor -West (Violet Street)</p>	<p>6 metres</p>	<p>4.5 metres – 5.5 metres</p>	<p>Supported – the reduced setback is not considered to have an undue impact on the streetscape as the adjoining properties all have upper floor setbacks close to the street. No. 21 Violet Street was approved by Council at its Ordinary Meeting held on 13 August 2002 with an upper floor setback of 2.5 metres from the Violet Street boundary. Further to the above, the proposal demonstrates a reasonable amount of articulation that provides interest in the elevation and reduces the bulk and scale of the development.</p>
<p>-North (Unit 1)</p>	<p>4.1 metres</p>	<p>1.5 metres – 2.2 metres</p>	<p>Supported – the proposed setback is not considered to have an undue impact on the neighbouring property as articulation is incorporated into the northern elevation to further reduce the impact on the neighbouring property.</p>

-South (Unit 2)	4.1 metres	1.5 metres – 2.2 metres	Supported – the proposed setback is not considered to have an undue impact on the neighbouring property as articulation is incorporated into the southern elevation to further reduce the impact on the neighbouring property.
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 boundary behind the front setback, to one side boundary.	2 boundary walls proposed. The height and length of the proposed boundary walls are compliant with the requirements of the R Codes.	Supported – not considered to have an undue impact on the neighbouring property.
Building Wall Height:	Pitch Roof Form – Maximum of 6 metres to the top of the eaves and 9 metres to the top of the pitch. Concealed Roof Form – Maximum of 7 metres overall.	On the south side the highest point proposed is 6.4 metres to the top of the wall. The pitch height for the development is compliant. On the south side the highest point proposed is 7.2 metres	Not supported – considered to have an undue impact on the neighbouring properties. Condition applied to reduce the height of the building to comply with the requirements of the R Codes.
Number of Storeys	A general height limit of two storeys (including loft) can be considered.	Three-storeys proposed.	Supported – as a condition has been applied for the proposal to comply with the height requirements for a two-storey development.
Single Bedroom Dwelling Policy:	A single bedroom dwelling is not to incorporate any void areas.	Void area proposed on the second floor overlooking the dining area on the first floor.	Supported – the subject application was submitted to the Town on 10 October 2007 and the Single Bedroom Dwelling Policy was adopted on 22 April 2008. Due to this, it is considered unreasonable to apply the Single Bedroom Dwellings Policy and not support the proposed void area.

Consultation Submissions		
Support	Nil.	Noted.
Objection (5)	<ul style="list-style-type: none"> • Side setbacks. • Boundary walls. • Building height. • Plot ratio. • Privacy. • Pitch roof style. • Rear setbacks. • Damages caused by excavation. • Not appropriate for two dwellings. 	<ul style="list-style-type: none"> • Not supported in part – the proposed building setbacks are not considered to have an undue impact on the amenity of the streetscape and the surrounding properties. The applicant has since submitted amended plans that indicate increased side setbacks. • Not supported in part – the applicant has since submitted amended plans that are compliant with the boundary wall height and length requirements of the R Codes. • Supported – a condition has been applied to reduce the building wall height to comply with the requirements of the R Codes. • Not supported – plot ratio is now non-applicable for grouped dwellings as indicated in the 2008 R Codes. The applicant has reduced the plot ratio from 122 square metres to 81 square metres. It should also be noted that if the previous 0.65 plot ratio was applicable, the proposal would be compliant. • Not supported – all proposed habitable room windows and balconies are compliant with the privacy requirements of the R Codes, and a condition has also been applied to ensure compliance. • Not supported – the pitch roof style complements the existing streetscape and is less dominant than a contemporary concealed roof style. • Not supported – the rear setbacks are compliant with the requirements of the R Codes. • Noted – this is a civil matter between the subject and affected property owners. • Not supported – the proposed density for two single bedroom dwellings is compliant with the requirements of the R Codes.

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

The subject planning application was not assessed in accordance to the Residential Design Elements Policy and the Single Bedroom Dwellings Policy as it was initially received were before the adoption of these Policies. The application has been assessed in accordance with the previous Policy requirements.

The proposed variation in the single bedroom dwelling plot ratio is not considered to have an undue impact on the amenity of the area. The applicant intended to propose a development that is consistent with the existing terrace house style streetscape, by proposing two dwellings. As two multi-bedroom dwellings can not be considered on the site, due to the density requirements, two single bedroom dwellings are proposed. Due to the wide width of the subject lot in comparison to the narrow width of a majority of the lots along Violet Street, it is considered that one large single dwelling, will look out of place along the streetscape of Violet Street, and hence the support for the terrace style housing that will ultimately result in a variation to the single bedroom dwelling plot ratio requirements. Further to this, the proposal is compliant with the previous overall plot ratio requirement of 0.65. A section 70A condition has been placed in the Officer Recommendation to ensure that there is only one bedroom and two occupants per dwelling, the floor layout does not alter and no residential or visitor parking permit is issued.

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

10.1.8 No. 61 (Lots 21 and 22 D/P: 527) Glendower Street, Dual Frontage to Primrose Street, Perth - Proposed Demolition of Existing Place of Public Worship and Construction of Four (4) Two-Storey Grouped Dwellings with Roof Top Deck

Ward:	South	Date:	4 August 2008
Precinct:	Hyde Park; P12	File Ref:	PRO3515; 5.2007.353.1
Attachments:	001		
Reporting Officer(s):	S Kendall		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

CORRECTED 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 Perrine Architecture Pty Ltd on behalf of the owner Interwest Pty Ltd for proposed Demolition of Existing Place of Public Worship and Construction of Four (4) Two-Storey Grouped Dwellings with Roof Top Deck, at No. 61 (Lots 21 and 22 D/P: 527) Glendower Street, Dual Frontage to Primrose Street, Perth, and as shown on plans stamp-dated 29 July 2008, subject to the following conditions:

- (i) a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (ii) an archival documented record of the place (including photographs, 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) 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;*
- (iv) first obtaining the consent of the owners of Nos. 59 and 75 Glendower Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 59 and 75 Glendower Street in a good and clean condition;*
- (v) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) the terraces above the garage/outbuildings on the eastern and western elevations for units 1 and 4;*
 - (b) the first floor windows to bedroom 3 on the northern elevation of units 1 and 4 (Glendower Street) within the 4.5 metre cone of vision to the eastern and western boundaries; and*
 - (c) the rear balconies on the southern elevation for units 1 and 4 within the 7.5 metre cone of vision to the eastern and western boundaries;*

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 2008; OR prior to the issue of a Building Licence, these revised plans are not required if the Town receives written consent from the owners of Nos. 59 and 75 Glendower Street stating no objection to the respective proposed privacy encroachments.

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

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

- (a) *an enclosed lockable storage areas with minimum dimensions of 1.5 metres and a minimum area of 4 square metres being provided for each dwelling;*
- (b) *the height of the boundary walls and common walls between each dwelling being reduced so that they are no higher than 1.8 metres above the natural ground level;*
- (c) *the tandem garages having a minimum internal dimension of 10 metres by 3 metres, with a minimum headroom of 2.2 metres;*
- (d) *the total height of the garage/outbuildings being reduced so that they are no higher than 4 metres above the natural ground level for each dwelling;*
- (e) *the total height of the main building (excluding the stair wells and canopies) being reduced so that they it is no higher than 7 metres above the natural ground level for each dwelling; and*
- (f) *any new street/front wall, fence and gate between the Glendower Street boundary and the Primrose Street boundary, and the main building, including along the side boundaries within this front setback area, complying with the following:*
 - (1) *the maximum height of posts and piers being 1.8 metres above the adjacent footpath level;*
 - (2) *decorative capping on top of posts and piers may extend the total maximum height of the posts and piers to 2.0 metres above the adjacent footpath level;*
 - (3) *the maximum width, depth and diameter of posts and piers being 350 millimetres;*
 - (4) *the maximum height of the solid portion being 1.2 metres above the adjacent footpath level, and the section above this solid portion being visually permeable, with a minimum 50 per cent transparency; and*

- (5) *the provision of a minimum 1.5 metres by 1.5 metres truncation where walls, fences and gates adjoin vehicle access points, or where a driveway meets a public street or right of way; and a minimum 3.0 metres by 3.0 metres truncation where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level.*

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

- (vii) *a detailed landscaping plan, including a list of plants and the landscaping of the Glendower 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); and*
- (viii) *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).*

***Note: The above Officer Recommendation was corrected and distributed prior to the meeting. Changes are indicated by strike through and underline.**

COUNCIL DECISION ITEM 10.1.8

Moved Cr Messina, Seconded Cr Youngman

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND LOST (3-4)

<u>For</u>	<u>Against</u>
Cr Burns	Mayor Catania
Cr Maier	Cr Ker
Cr Youngman	Cr Lake
	Cr Messina

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Reasons:

1. **Impact of the boundary walls.**
2. **Impact on Primrose streetscape.**
3. **Four garages on Primrose Street is considered inappropriate.**

Landowner:	Interwest
Applicant:	Perrine Architecture
Zoning:	Metropolitan Region Scheme: Urban Town Planning Scheme No.1 (TPS 1): Residential R80
Existing Land Use:	Place of Public Worship (Church)
Use Class:	Grouped Dwelling
Use Classification:	"P"
Lot Area:	827 square metres
Access to Right of Way	N/A

BACKGROUND:

23 May 2006 The Council at its Ordinary Meeting approved the demolition of the existing Place of Public Worship subject to standard and appropriate conditions. The Planning Approval for the demolition expired on 23 May 2008.

DETAILS:

The proposal involves the demolition of the existing place of public worship and construction of four grouped dwellings.

The subject application was received prior to the adoption of the Residential Design Elements Policy (RDE) and, therefore, an assessment has been made against the previous Policy requirements.

ASSESSMENT:

Non-Compliant Requirements			
Requirements	Required	Proposed *	Officer Comments Pursuant to Clause 38(5) of TPS 1
Density	4.6 dwellings	4 dwellings	Noted - no variation
Plot Ratio	N/A	N/A	Noted
Building Setbacks: Main Building Ground Floor -			
To western boundary	1.5 metres	Nil	Supported - as the ground floor nil setback complies with the R Codes' Building on Boundary requirements.
To eastern boundary	1.5 metres	Nil	Supported - as above.

Main Building First Floor -			
To western boundary	2.3 metres	Nil	Supported - refer to 'Comments' section below.
To eastern boundary	2.2 metres	Nil	Supported - refer to 'Comments' section below.
Garage/Outbuilding			
To western boundary.	2.8 metres	1.4 - 2.09 metres	Supported - as the variation is not considered to have an undue impact on adjacent affected neighbours or Primrose Street streetscape.
To eastern boundary	2.8 metres	1.4 - 2.09 metres	Supported - as above.
To southern boundary	1 metre	1 metre to garage Nil to terrace above garage	Supported - as the balcony provides causal surveillance and interaction to Primrose Street.
Building on Boundary			
First floor - Units 1 to east boundary	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 (24.28 metres).	Length - Ground floor - 15.85 metres First floor - 11.2 metres Maximum height - 5.3 metres Average height - 4 metres	Supported - refer to 'Comments' section below.
Unit 4 to west boundary	As above.	Length - Ground floor - 15.85 metres First floor - 11.2 metres Maximum height - 5.6 metres Average height - 4.2 metres	Supported - refer to 'Comments' section below.

Driveways	Minimum width of 3 metres and maximum of 40 per cent	Units 1 and 4 – 3 metres and 58 per cent Units 2 and 3 – 3 metres and 59 per cent	Supported - as the driveway widths have been reduced to the minimum 3 metre requirement and the variation is not considered to impact on the amenity of the area.
Garages	Setback 1.5 metres from a secondary street.	1 metre	Supported - as the proposal complies with the R Codes requirements for secondary street setbacks, the proposal complies with the Town's visual truncation requirements and as an additional 0.5 metre setback will not result in any further benefit to Primrose Street streetscape.
Front Fences	Walls and fences within front setback area visually permeable above 1.2 metres.	Solid fence to side (western and eastern boundaries) to 1.8 metres.	Not supported - as undue impact on adjacent affected neighbors and streetscape and has been conditioned to comply.
Fencing Local Law 2008	A dividing fence or boundary fence shall not exceed 1800 millimetres in height	A portion of the Unit 4's dividing fence is 2 metres	Not supported - as undue impact on adjacent affected neighbors and streetscape and has been conditioned to comply.
Building Height: Number of Storeys	2 storeys	3 storeys	Supported - the third storey comprises a stairwell structure only, which provides access to the roof top deck. The stair well has a significant street setback of 11.5 metres and will not dominate or unduly impact on the Glendower Street streetscape.
Units 1 to 4	Concealed roof 7 metres	Main building maximum height - 7.4 to unit 4	Not supported - as undue impact on adjacent affected neighbours and streetscape and has been conditioned to comply.

		<p>Stairwell maximum height - 7.8 metres to unit 4</p> <p>Canopy maximum height- 8 metres to unit 4</p>	<p>Supported - as the stairwell structures is a minor building component and as it has been centrally located to reduce its visual impact on the Glendower Street streetscape and adjacent neighbours.</p> <p>Supported - the canopy is a design feature, which balances the subject building with the adjacent three storey multiple dwelling structure. It is setback approximately 9.5 metres from Glendower Street and will not dominate or unduly impact on the Glendower Street streetscape.</p>
Outbuildings	<p>Collectively do not exceed 60 metres square in area or 10 percent of site area, whichever is the lesser.</p> <p>Do not exceed a wall height of 2.4 metres</p>	<p>Total area per unit - 34.5 metres square.</p> <p>Units 1 and 4 - 16 per cent</p> <p>Units 2 and 3 - 16 per cent</p> <p>Maximum wall height - 4.2 metres</p>	<p>Supported - as the variation is minor and as per the performance criteria of the R Codes, the tandem garage structures do not detract from the streetscape or amenity of nearby residents.</p> <p>Not supported - as undue impact on adjacent affected neighbours and streetscape and has been conditioned to comply.</p>
Privacy Setbacks:			
Front balconies of Units 1 and 4 to eastern and western boundaries (northern elevation)	7.5 metres or screening in accordance with the R Codes	1.4 metres	Supported - as the eastern and western sides of the balconies have been screened to prevent direct views from the balconies to the adjacent affected neighbours and as there is a lesser need to prevent overlooking of front gardens or areas visible from the street.

Rear balconies of Units 1 and 4 to eastern and western boundaries (southern elevation)	As above.	0.2 metre	Not supported - as undue impact on adjacent affected neighbours and conditioned to comply.
Bedroom 3 of Units 1 and 4 to eastern and western boundaries (northern elevation)	4.5 metres or screening in accordance with the R Codes	0.2 metre	Not supported - as undue impact on adjacent affected neighbours and conditioned to comply.
Terrace above rear garage/outbuildings to Units 1 and 4 to eastern and western boundaries (eastern and western elevations)	7.5 metres or screening in accordance with the R Codes	1.4 metres	Not supported - as undue impact on adjacent affected neighbours and conditioned to comply.
Main building roof deck of Units 1 and 4 to eastern and western boundaries	As above.	1.8 metres	Supported - as the eastern and western sides of the decks have been screened to prevent direct views from the deck to the adjacent affected neighbours and as there is a lesser need to prevent overlooking of front gardens or areas visible from the street.
Store	An enclosed lockable storage area with minimum dimension of 1.5 metres and a minimum area of 4 metres square.	1.8 by 1.5 metres Total area = 2.34 metres square	Not supported - as the development is starting with a vacant site and it is not supportable under the Town's Non-Variation of Specific Development Standards and Requirements Policy. Conditioned to comply.
Design of car parking spaces.	Tandem car parking bays minimum dimension of 10 metres by 3 metres.	2.8 metres by 9.8 metres	Not supported - non-compliance with the Australian Standards and therefore the variation has been conditioned to comply.

Consultation Submissions		
Support	Nil	Noted.
Objection	<ul style="list-style-type: none"> • The roof top of adjacent properties will impact on the privacy of adjacent properties. • The Building height is excessive. • The development will exceed the plot ratio requirements. • The development will obscure all views to Hyde Park from Primrose Street. 	<p>Not supported - the development is required to comply with privacy requirements of the Residential Design Codes and, therefore, almost all of the privacy variations have been conditioned to comply.</p> <p>Supported in part - the main building form has been conditioned to comply with the 7 metre height requirement. However, the stairwell structures and canopies are considered acceptable as they are minor components, provide articulation and have been centrally located to reduce their visual impact on the Glendower Street streetscape and adjacent neighbours.</p> <p>Not supported - there is no plot ratio requirement for grouped dwellings.</p> <p>Not supported - as views are not a significant planning consideration.</p> <p>Not supported - existing two lots have the right to a double crossover each, which they have not acted upon. The proposed development proposes four single crossovers at a minimum width. Therefore, any future proposed development will result in the loss of the two on-street car parking bays.</p>

	<ul style="list-style-type: none"> • Loss of two existing car parking bays in the street will cause problems for residential and visitors to the area. • The Town should insist on a proposed development whereby two dwellings front Glendower Street and two dwellings front Primrose Street, to ensure greater interaction and articulation to Primrose Street. • The proposed development will overshadow the adjacent properties. • The nil setbacks will give an impression of confinement to the western multiple dwelling building. • The proposal will increase traffic along Primrose Street. 	<p>Not supported - as the application was received prior to the adoption of the Town's Residential Design Elements Policy and the Residential Subdivision Policy, Furthermore, the Town could consider the proposed side by side arrangement and it complies with the R Codes minimum lot area requirements. In response to this concern, the applicant presented a further design response after the cessation of the period of community consultation for this interface, which reflects the setbacks of the existing garages and entrance points to the dwellings which front Primrose Street.</p> <p>Not supported - the proposal complies with the R Codes' overshadowing requirements.</p> <p>Not supported - the applicant has significantly reduced maximum height and length of the building on boundary component since the cessation of the period of community consultation.</p> <p>Not supported - whilst a recent traffic count has not been undertaken, the acceptable limit, which is 1000 vehicles per day, would not be undermined by the proposed development.</p>
--	--	---

	<ul style="list-style-type: none"> Noise is likely to be a problem if all the houses are in a line as opposed to being more spread out. There is no cultural value of the existing building that would enable the relaxation of the standards as proposed. 	<p>Not supported - Health Services have requirements that are specific to noise, including the location and installation of air conditioners and other noisy equipment. These requirements are addressed at the Building Licence stage.</p> <p>Not supported - as many of the variations have been conditioned to comply to ensure the amenity of the streetscape and affected neighbours are not impacted upon.</p>
General Comments	<ul style="list-style-type: none"> The western boundary wall will result in a loss of light and amenity. This could be migrated by painting it in a light colour or by growing vegetation on the wall. 	<p>Supported in part - a standard condition of approval in relation to building on boundary requires the owners of the subject land to finish and maintain the surface of the boundary (parapet) walls in a good and clean condition. The choice of colour and the installation of vegetation is a civil matter.</p>
Other Implications		
Legal/Policy		TPS 1 and associated Policies, and Residential Design Codes (R Codes).
Strategic Implications		Nil
Financial/Budget Implications		Nil
Sustainability Implications		Nil

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

COMMENTS:

Demolition

The Planning Approval for the demolition of the subject place expired on 23 May 2008. The demolition application was re-advertised and appropriate conditions have been imposed in the Officer Recommendation that reflect the approval for the demolition of the place in 2006.

Proposed Boundary Walls

The proposal for the subject property includes two, two-storey boundary walls, which is a significant variation to the Residential Design Codes. However, the applicant has significantly reduced the height and length of the proposed building boundary walls since the period of community consultation in an attempt to reduce the development's impact on the adjacent affected neighbours and streetscape.

The issue of two-storey building boundary walls along Glendower Street has recently been the subject of a review by the State Administrative Tribunal (SAT) in terms of a proposed development at No. 19 Glendower Street. In considering the two-storey building boundary walls component, the SAT stated that it considers that the *"conservation of the amenities of the locality requires a setback from the side boundaries at the street façade"*. The two-storey building boundary walls of the subject development has a significant 10.8 metre setback from the Glendower Street streetscape and is setback 4 metres behind the front main building line. The setbacks of the two-storey building boundary walls assist in maintaining acceptable side setbacks at the street facade.

Furthermore, the subject portion of Glendower Street comprises a diverse range of housing stock including ten terrace houses, one three-storey multiple dwelling building and four single houses-one in a contemporary style with a two-storey building boundary wall component. In light of the diverse immediate streetscape, the proposed building boundary walls would not unduly impact on the streetscape.

Summary

In light of the above, it is recommended that the Council conditionally approve the application as per the Officer Recommendation.

10.1.1 Further Report - Amendment No. 50 to Planning and Building Policies – Draft Policy Relating to Appendix No.18 - Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth

Ward:	South	Date:	4 August 2008
Precinct:	Beaufort, P13	File Ref:	PLA0196
Attachments:	001		
Reporting Officer(s):	S O'Loughlin		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

CORRECTED FURTHER OFFICER RECOMMENDATION:

That the Council;

(i) ***RECEIVES the amended version of the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, as attached at Appendix 10.1.1, subject to the Draft Policy being further amended as follows:***

(a) ***Site Planning iii) Height and Massing, Newcastle Street to Brisbane Street be amended to read as follows:***

‘...’

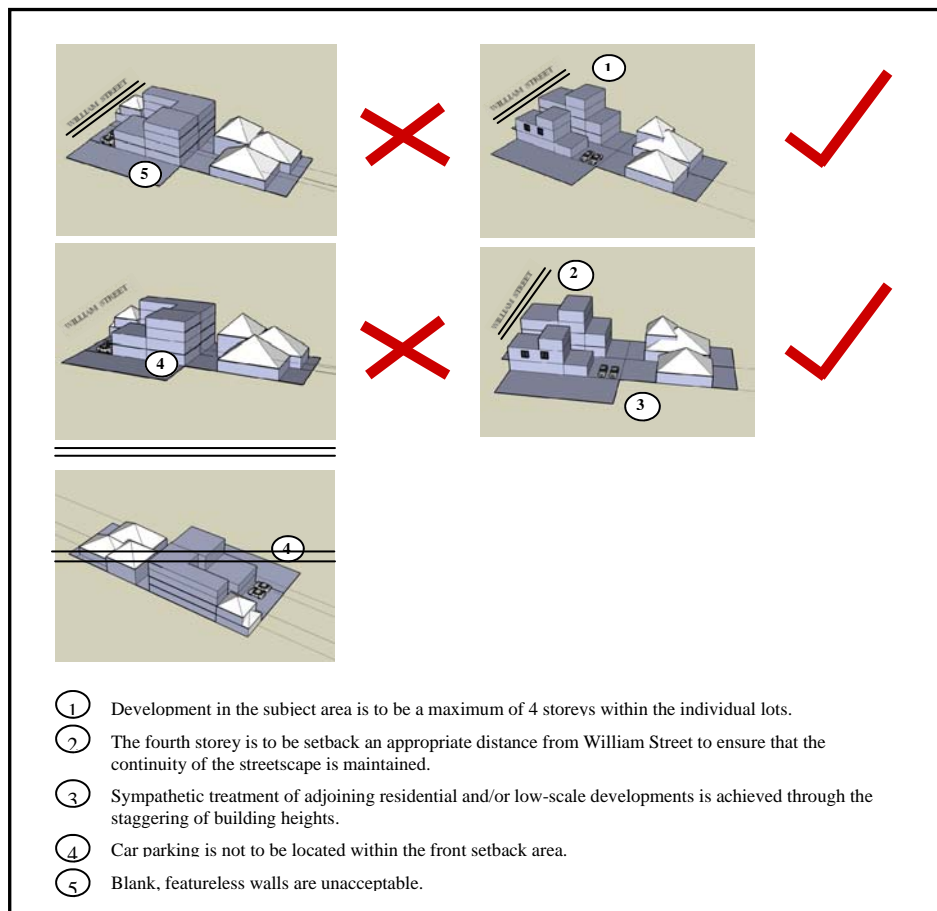
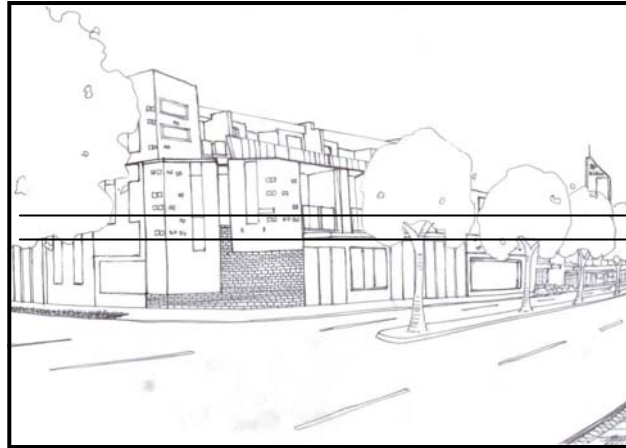


Figure 2: Examples of Appropriate Building Envelopes’

...

The opportunity to create landmarks on corner sites will be encouraged and promoted, with development at greater heights being considered in these instances (see Figure 1 3, 4 and 7).

...



~~Figure 2 3: Example of Corner Treatment~~

...

Figure 3 4 3: Potential ~~Corner~~ Height Treatment for Corner Lots Only;

- (b) *the remaining Figures be renumbered;*
- (c) *Site Planning iv) Architectural Style b) Roof Forms be amended to read as follows:*

‘...’



~~No. 342-344 William Street, Perth~~
~~No.434-438 William Street, Perth~~
and

~~No.434-438 William Street, Perth~~
~~No. 342-344 William Street, Perth~~;

(d) *Site Planning x) Affordability be amended to read as follows:*

'....

The Town of Vincent may consider additional density bonuses over and above Residential ~~R160~~ R100 where affordable housing is proposed and complies with the Town of Vincent Policy and Strategy relating to Affordable Housing.'

(ii) *ADVERTISES the amended version of the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, 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*

(iii) *after the expiry of the period for submissions:*

(a) *reviews the amended version of the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, having regard to any written submissions; and*

(b) *determines the amended version of the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, 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 strike through and underline.**

Moved Cr Burns, Seconded Cr Ker

That the recommendation be adopted.

Cr Youngman departed the Chamber at 6.51pm.

Debate ensued.

Cr Youngman returned to the Chamber at 6.55pm.

AMENDMENT NO. 1

Moved Cr Burns, Seconded Cr Ker

That page 6 of the Guidelines be amended by deleting the following paragraph:

"SITE PLANNING i) – Density and Mix – Brisbane Street to Bulwer Street

'All existing non-conforming uses on the corner blocks north of Bulwer Street should revert to the Residential zoning as per the Town of Vincent Town Planning Scheme No. 1.'

Debate ensued.

AMENDMENT NO. 1 PUT AND CARRIED (4-3)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Lake
Cr Burns	Cr Maier
Cr Ker	Cr Messina
Cr Youngman	

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

AMENDMENT NO. 2

Moved Cr Maier, Seconded Cr Ker

That clause (i)(a) be deleted and a new clause (i)(a) be inserted as follows and the existing subclauses be renumbered:

(i) *RECEIVES the amended version of the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, as attached at Appendix 10.1.1, subject to the Draft Policy being further amended as follows:*

(a) *The following clauses be amended as follows:*

1. *Site Planning - clause i) Density and Mix*

- *Newcastle Street to Brisbane Street – the following new paragraph be inserted after the first paragraph (before Figure 1) as follows:*

An increase in density will only be considered where the applicant has demonstrated that transit-oriented design, affordable housing and/or sustainable design have been incorporated into the proposal. As a general guide the increase in density for the area subject to these Guidelines is as follows:

<u>Design Response</u>	<u>Density Bonus</u>	<u>Resultant Density</u>
<u>Affordable Housing</u>	<u>10 per cent</u>	<u>R110</u>
<u>Sustainable Design</u>	<u>10 per cent</u>	<u>R110</u>
<u>Total Maximum Density Increase</u>	<u>20 per cent</u>	<u>R120</u>

- *Brisbane Street to Bulwer Street – be amended by deleting the following paragraph:*

~~'All existing non-conforming uses on the corner blocks north of Bulwer Street should revert to the Residential zoning as per the Town of Vincent Town Planning Scheme No. 1.'~~

2. **Site Planning - clause iii) Height and Massing – Newcastle Street to Brisbane Street be amended to read as follows:**

- *the first paragraph be amended to read as follows:*

‘The wide reserve of William Street, the area’s direct link to the Central Business District and the accommodating topography allowing vistas to Perth, support building height rising to a maximum of 3 storeys adjacent to the primary streets and up to 4 storeys within the site. It is considered appropriate for the fourth storey of all developments to be setback a minimum of 5 metres from the primary street.’

- ...’

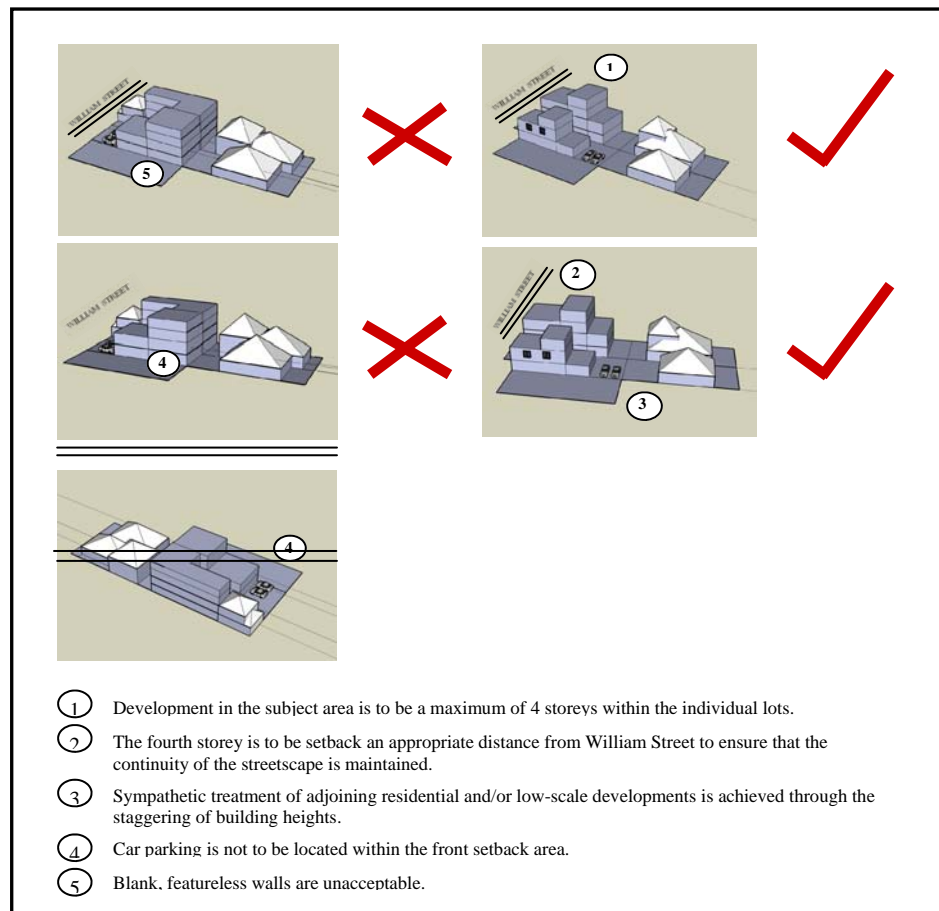


Figure 2: Examples of Appropriate Building Envelopes’

The opportunity to create landmarks on corner sites will be encouraged and promoted, with development at greater heights being considered in these instances (see ~~Figure 1 3, 4 and 7~~).

...



~~Figure 2 3: Example of Corner Treatment~~

~~Figure 3 4 3: Potential Corner Height Treatment for Corner Lots Only.;~~

...

- *The remaining Figures be renumbered.*
3. *Site Planning - clause xiv) Sound Attenuation be amended to read as follows:*

~~'A development objective is to facilitate good quality and well-designed buildings for residential, commercial and mixed-use purposes. Future mixed-use and commercial developments are not to have an undue impact on surrounding residential developments. In doing so, it is acknowledged that It is considered appropriate for certain measures may need to be taken to minimise any undue effect on the amenity particularly of any nearby residential developments. In this respect, the Town of Vincent's Sound Attenuation Policy is to be referred to.'~~

The Presiding Member, Mayor Nick Catania ruled that he would consider and vote on each amendment to clause (i)(a), (1), (2) and (3) separately.

Debate ensued.

AMENDMENT NO. 2 CLAUSE (i)(a)(1) PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Debate ensued.

AMENDMENT NO. 2 CLAUSE (i)(a)(2) PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Debate ensued.

AMENDMENT NO. 2 CLAUSE (i)(a)(3) PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

AMENDMENT NO. 3

Moved Cr Maier, Seconded Cr Messina

That clause (iv) be inserted to read as follows:

- (iv) *AUTHORISES the Chief Executive Officer to prepare an amendment to the Town Planning Scheme No. 1 for the purpose of determining development applications within the area covered by the draft Policy.*

AMENDMENT NO. 3 PUT AND CARRIED (4-3)

<u>For</u>	<u>Against</u>
Cr Lake	Mayor Catania
Cr Maier	Cr Burns
Cr Messina	Cr Ker
Cr Youngman	

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

AMENDMENT NO. 4

Moved Cr Lake, Seconded Cr Maier

That the following changes be made as follows:

- “(i) (d) *clause 1) Introduction - the second paragraph be deleted as follows:*

‘...’

~~*In addition, the area between Bulwer and Brisbane Streets (including the corner lots to the north of Bulwer Street) is a transitional area containing blighted, underdeveloped properties ...’;*~~

- (e) *clause 2) Context be amended to read as follows:*

‘...’

~~*With the exception of a few landmark historic buildings. The majority of buildings lack any architectural style and contribute little to the streetscape...’;*~~

- (f) *clause 3) Key Characteristics be amended to read as follows:*

‘...’

- *Proximity to the Perth Central Business District (CBD).*
- *Distinctive topography providing views to the CBD.*
- *Landmark buildings with cultural and heritage value.*

- *Inconsistent architectural styles.*
- *Degraded and neglected streetscape.*
- *Varied street setbacks.*
- ~~*Buildings with cultural and heritage value.*~~
- *One-way traffic across a wide road reserve.*
- *Low density, single and two storey commercial development.;*

(g) *Site Planning i) Density and Mix, Brisbane Street to Bulwer Street be amended to read as follows:*

‘...

~~*Although the are currently The subject area contains a diversity of activities and although its the primary use should be residential is to be commercial, residential development is highly encouraged. variety of commercial uses and mixed-use development incorporating residential development is strongly encouraged.*~~

...

Compatible land uses such as ~~restaurants,~~ shops, offices and other interactive uses are encouraged to be located on the ground floor to assist in creating a bustling and vibrant street environment...’.

The Presiding Member, Mayor Nick Catania ruled that he would consider and vote on each amendment separately.

Debate ensued.

AMENDMENT NO. 4 CLAUSE (i)(d) PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Debate ensued.

AMENDMENT NO. 4 CLAUSE (i)(e) PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Debate ensued.

AMENDMENT NO. 4 CLAUSE (i)(f) PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Debate ensued.

AMENDMENT NO. 4 CLAUSE (i)(g) PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Debate ensued.

AMENDMENT NO. 5

Moved Cr Ker, Seconded Cr Maier

That the following new subclause (i)(h) be inserted as follows:

- (i) (h) *That any reference to "Transit Oriented Design" be deleted wherever it occurs in the draft Policy.*

AMENDMENT NO. 5 PUT AND CARRIED (6-1)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Lake
Cr Burns	
Cr Ker	
Cr Maier	
Cr Messina	
Cr Youngman	

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

MOTION AS AMENDED PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

COUNCIL DECISION ITEM 10.1.1

That the Council;

- (i) *RECEIVES the amended version of the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, as attached at Appendix 10.1.1, subject to the Draft Policy being further amended as follows:*

- (a) *The following clauses be amended as follows:*

1. *Site Planning - clause i) Density and Mix*

- Newcastle Street to Brisbane Street – the following new paragraph be inserted after the first paragraph (before Figure 1) as follows:*

An increase in density will only be considered where the applicant has demonstrated that transit-oriented design, affordable housing and/or sustainable design have been incorporated into the proposal. As a general guide the increase in density for the area subject to these Guidelines is as follows:

<u>Design Response</u>	<u>Density Bonus</u>	<u>Resultant Density</u>
<u>Affordable Housing</u>	<u>10 per cent</u>	<u>R110</u>
<u>Sustainable Design</u>	<u>10 per cent</u>	<u>R110</u>
<u>Total Maximum Density Increase</u>	<u>20 per cent</u>	<u>R120</u>

- **Brisbane Street to Bulwer Street – be amended by deleting the following paragraph:**

~~'All existing non-conforming uses on the corner blocks north of Bulwer Street should revert to the Residential zoning as per the Town of Vincent Town Planning Scheme No. 1.'~~

2. **Site Planning - clause iii) Height and Massing – Newcastle Street to Brisbane Street be amended to read as follows:**

- **the first paragraph be amended to read as follows:**

'The wide reserve of William Street, the area's direct link to the Central Business District and the accommodating topography allowing vistas to Perth, support building height rising to a maximum of 3 storeys adjacent to the primary streets and up to 4 storeys within the site. It is considered appropriate for the fourth storey of all developments to be setback a minimum of 5 metres from the primary street.

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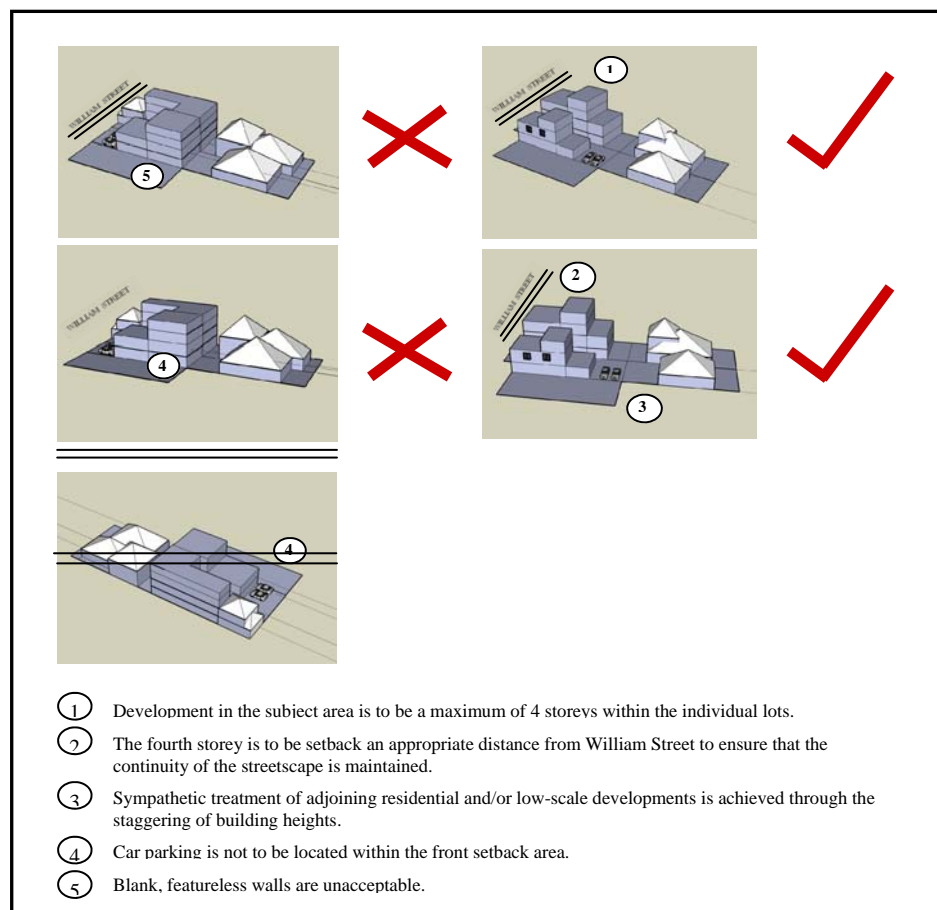


Figure 2: Examples of Appropriate Building Envelopes'

The opportunity to create landmarks on corner sites will be encouraged and promoted, with development at greater heights being considered in these instances (see Figure 1 3, 4 and 7).

...



~~Figure 2 3: Example of Corner Treatment~~

~~Figure 3 4 3: Potential Corner-Height Treatment for Corner Lots Only;~~

...

- *The remaining Figures be renumbered.*
3. *Site Planning - clause xiv) Sound Attenuation be amended to read as follows:*

'A development objective is to facilitate good quality and well-designed buildings for residential, commercial and mixed-use purposes. Future mixed-use and commercial developments are not to have an undue impact on surrounding residential developments. In doing so, it is acknowledged that It is considered appropriate for certain measures may need to be taken to minimise any undue effect on the amenity particularly of any nearby residential developments. In this respect, the Town of Vincent's Sound Attenuation Policy is to be referred to.'

- (b) *Site Planning iv) Architectural Style b) Roof Forms be amended to read as follows:*

'...



~~No. 342-344 William Street, Perth~~
~~No.434-438 William Street, Perth~~
and

~~No.434-438 William Street, Perth~~
~~No. 342-344 William Street, Perth';~~

(c) *Site Planning x) Affordability be amended to read as follows:*

'....

The Town of Vincent may consider additional density bonuses over and above Residential ~~R160~~ R100 where affordable housing is proposed and complies with the Town of Vincent Policy and Strategy relating to Affordable Housing.'

(d) *clause 1) Introduction - the second paragraph be deleted as follows:*

'...

~~*In addition, the area between Bulwer and Brisbane Streets (including the corner lots to the north of Bulwer Street) is a transitional area containing blighted, underdeveloped properties ...'*~~

(e) *clause 2) Context be amended to read as follows:*

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(f) *clause 3) Key Characteristics be amended to read as follows:*

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- *Distinctive topography providing views to the CBD.*
- ~~*Landmark buildings with cultural and heritage value.*~~
- *Inconsistent architectural styles.*

- *Degraded and neglected streetscape.*
- *Varied street setbacks.*
- ~~*Buildings with cultural and heritage value.*~~
- *One-way traffic across a wide road reserve.*
- *Low density, single and two storey commercial development.;*

- (g) *Site Planning i) Density and Mix, Brisbane Street to Bulwer Street be amended to read as follows:*

‘...

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...

Compatible land uses such as ~~restaurants,~~ shops, offices and other interactive uses are encouraged to be located on the ground floor to assist in creating a bustling and vibrant street environment...’.

- (h) *That any reference to "Transit Oriented Design" be deleted wherever it occurs in the draft Policy.*

- (ii) *ADVERTISES the amended version of the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, 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*
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- (iii) *after the expiry of the period for submissions:*

- (a) *reviews the amended version of the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, having regard to any written submissions; and*
- (b) *determines the amended version of the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, with or without amendment, to or not to proceed with them; and*

- (iv) *AUTHORISES the Chief Executive Officer to prepare an amendment to the Town Planning Scheme No. 1 for the purpose of determining development applications within the area covered by the draft Policy.*

FURTHER REPORT:

The Council considered the subject matter at its Ordinary Meeting held on 27 May 2008, and resolved as follows:

“That the item be DEFERRED to a Forum for further consideration and discussions”.

The Town’s Officers delivered a PowerPoint presentation to the Council Members Forum held on 15 July 2008. The presentation outlined how the Guidelines were prepared in view of the initial Notice of Motion, the Scoping Report presented to the Ordinary Meeting of Council on 8 April 2008 and how the objectives of the Guidelines have been addressed throughout the Policy.

The major issues raised at the Forum are as follows:

- the ‘staggering down’ of developments is to be encouraged to ensure that there is no undue impact on neighbouring properties;
- specific building envelopes need to be defined;
- consider specifying building setbacks;
- consider a ‘trade-off’ in terms of density only being increased when affordable housing and/or sustainable design has been demonstrated in designs;
- investigate as to whether a density of R160 is realistic given the average lot sizes within the area are relatively small;
- the area between Brisbane and Bulwer Streets should be mixed-use rather than primarily residential use as the zoning of the area is commercial rather than residential;
- consider restricting commercial to occupy the ground floor only and any storeys above to be occupied by residential within the area between Brisbane and Bulwer Streets;
- investigate how the treatment of heritage buildings can be further addressed; and
- various grammar errors were also identified.

The amendments carried by the Council at its Ordinary Meeting held on 27 May 2008 have been incorporated into the amended version of this Draft Policy. The above issues were also further investigated and the proposed amendments and Officer Comments are outlined below. Amendments are outlined in the attached amended version of the Draft Policy, and illustrated using strikethrough and underline.

Density and Mix

The proposed density of development within the subject area has been reduced to address the concerns raised at the Council Members Forum. The proposed amended density provisions are considered acceptable in this instance.

Clause i) Density and Mix is proposed to be amended to read as follows:

“Any residential development will be commensurate with ~~R160~~ R100 density of the Residential Design Codes, however the Council may consider an increase in density of development provided acceptable levels of amenity can be maintained at adjacent lots. An increase in density will only be considered where the applicant has demonstrated that transit-oriented design, affordable housing and/or sustainable design have been incorporated into the proposal.”

Brisbane Street to Bulwer Street

Although the are currently The subject area contains a diversity of activities and although ~~its~~ the primary use ~~should be residential~~ is to be commercial, residential development is highly encouraged...

...Residential development will be commensurate with ~~R160~~ R100 density and should be strategically integrated and well positioned. Affordable housing is strongly encouraged, in particular, the provision of multiple dwellings above commercial uses; and the Council may consider an increase in density of development where such housing is achieved. In addition, an increase in density of development may also be considered by the Council where the applicant has demonstrated that transit-oriented design and/or sustainable design have been incorporated into the proposal. Density bonuses will only be considered where acceptable levels of amenity can be maintained at adjacent lots."

Height and Massing

Amendments have been made to the Guidelines to demonstrate how staggered setbacks of building envelopes can be advantageous and how maximum building height can be achieved without having a detrimental impact on the adjoining properties. This is clearly identified in new Figure 2 of the Design Guidelines.

Clause iii) Height and Massing is proposed to be amended to read as follows:

"The staggering of storeys of development is encouraged at all times to ensure that there is no undue impact on adjacent properties".

Setbacks

Specifying exact building setbacks is not considered necessary in this instance, as the Guidelines (specifically Figure 2) adequately demonstrate acceptable and unacceptable building setbacks and building envelopes for individual lots.

Heritage

Clause vii) Heritage is proposed to be amended to read as follows:

"If a heritage listed building is the subject of alterations, additions or redevelopment, developers are to seek advice from the Heritage Council of WA where the place is on the State Register and the Town of Vincent where the place is on the Town of Vincent's Municipal Heritage Inventory/Heritage List. Engaging recognised heritage professionals is highly recommended for works involving heritage listed properties".

Environmental Sustainability

Clause (ix) Environmental Sustainability is proposed to be amended to read as follows:

New office buildings ~~should~~ will have a minimum Green Star rating of 4 Stars.

Amalgamation of lots

A new clause (xiii) Amalgamation is proposed to be added as follows:

"xiii) Amalgamation

The subdivisional pattern of the area bounded by the Guidelines is characterised by regular lot widths with majority of the lots having an average lot size of 480 square metres. The Town of Vincent encourages the amalgamation of lots to facilitate effective, rational and optimised development".

In addition, a new clause (xiv) Sound Attenuation is proposed to be added as follows:

“xiv) Sound Attenuation

A development objective is to facilitate good quality and well-designed buildings for residential, commercial and mixed-use purposes. In doing so, it is acknowledged that certain measures may need to be taken to minimise any undue effect on amenity, particularly residential. In this respect, the Town of Vincent's Sound Attenuation Policy is to be referred to”.

In light of the above, it is recommended that the Council adopts the amended version of the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, and advertises the Draft Policy in accordance with Clause 47 of the Town's Town Planning Scheme No. 1.

The following is a verbatim copy of the Minutes of the Item placed before the Council at its Ordinary Meeting held on 27 May 2008.

“OFFICER RECOMMENDATION:

That the Council;

(i) RECEIVES the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, as shown in Attachment 10.1.19; subject to the Draft Policy being amended as follows:

(a) Site Planning i) Density and Mix Brisbane Street to Bulwer Street be amended to read as follows:

‘...'

Although the area currently ~~The subject area~~ contains a diversity of activities and although ~~its~~ the primary use ~~should be residential~~ is to be commercial, residential development is highly encouraged.

...'

Mixed-use developments proposing the integration of (or close relationship between) work place and residence are to be favoured where acceptable levels of residential amenity can be maintained.

All existing non-conforming uses on the corner blocks north of Bulwer Street should revert to the Residential zoning as per the Town of Vincent Town Planning Scheme No. 1.';

(b) Site Planning iv) Architectural Style a) Colours and Materials be amended to read as follows:

‘...'

Existing styles within the area include, but are not limited to ~~Neo-Tuscan~~ Inter-War Art Deco and Federation Art ~~Bouveau~~ Nouveau.'; and

(c) Site Planning xii) Safer Design be amended to read as follows:

'The key principles of Crime Prevention through Environmental Design (CPTED) including the Office of Crime Prevention's 'Designing Out Crime' are to be employed in all new developments to reduce the opportunity for crime and to improve the ~~public's perception of safety in~~ within the area.'

- (ii) *ADVERTISES the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, 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*
- (iii) *after the expiry of the period for submissions:*
- (a) *reviews the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, having regard to any written submissions; and*
 - (b) *determines the Draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, 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 and underline.*

COUNCIL DECISION ITEM 10.1.19

Moved Cr Farrell, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

Cr Burns departed the Chamber at 8.42pm.

AMENDMENT

Moved Cr Maier, Seconded Cr Youngman

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

- “(i) RECEIVES the Draft Policy relating to Design Guidelines for William Street, as shown in Attachment 10.1.19; subject to the Draft Policy being amended as follows:*
- (a) *clause 2) Context be amended to read as follows:*
 - ‘... In recent times development along this section of William Street has largely been ‘second placed’ to properties within the City of Perth south of Newcastle Street ~~which do not require ear parking provision.~~’;*
 - (b) *Site Planning iii) Height and Massing Newcastle Street to Bulwer Street be amended to read as follows:*
 - ‘... The opportunity to create landmarks on corner sites will be encouraged and promoted, with development at greater heights being considered in these instances (see Figure 1 and 7). ~~Necessary~~’;*

(c) *Site Planning iv) b) Roof Forms be amended to read as follows:*

'...Any buildings that have an existing façade that is deemed worthy of retention by the Town of Vincent are to be retained where possible and incorporated into redevelopment proposals. Such properties include:

- *No.323 William Street (corner Newcastle Street) Northbridge;*
- *Nos.342 – 344 William Street, Perth;*
- *No.397 William Street, Perth;*
- *Nos.427-429 William Street, Perth;*
- *Nos.434 – 438 William Street, Perth; and*
- *~~Nos.452 – 460 William Street, Perth; and~~*
- *Nos.464-466 William Street, Perth.'; and*

(d) *Figure 7 Examples of Development Pattern Along William Street be amended to show Nos. 452- 460 William Street, as 3rd storey and not 4th storey."*

Debate ensued.

Cr Burns returned to the Chamber and Cr Farrell departed the Chamber at 8.43pm.

Cr Farrell returned to the Chamber at 8.45pm.

AMENDMENT PUT AND CARRIED (7-0)

(Cr Ker on approved leave of absence and Cr Doran-Wu was an apology for the remainder of the meeting as she was unwell.)

PROCEDURAL MOTION

Moved Cr Lake, Seconded Cr Messina

That the item be DEFERRED to a Forum for further consideration and discussions.

PROCEDURAL MOTION PUT AND CARRIED (5-2)

For

Cr Farrell

Cr Lake

Cr Maier

Cr Messina

Cr Youngman

Against

Mayor Catania

Cr Burns

(Cr Ker on approved leave of absence and Cr Doran-Wu was an apology for the remainder of the meeting as she was unwell.)

PURPOSE OF REPORT:

The purpose of this report is to present the draft new Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth and to seek the Council's approval to advertise the draft Policy.

BACKGROUND:

20 December 1999

The Council at its Ordinary Meeting approved in principle the upgrading of William Street with an 'Asian' theme.

22 February 2005

The Council at its Ordinary Meeting approved various streetscape improvements to William Street with financial assistance from the State Government, including undergrounding power, brick paving footpaths, resurfacing the road and the planting of street trees.

11 March 2008

The Council at its Ordinary Meeting resolved the following in relation to a Notice of Motion for Proposed Design Guidelines for William Street, Perth:

"That the COUNCIL develop design guidelines for William Street, Perth between Brisbane and Newcastle Streets and receives a report on how this would be most effectively done (including timelines) at the first Ordinary Council Meeting, in April 2008."

The Council cited the following background information in this regard:

"The development approval for 440-444 William Street at the OMC of 26 February 2008 highlighted the lack of specific development guidance for William Street south of Brisbane Street

There are four substantial vacant sites without development approvals in this section of William Street (plus two that are under the development control of EPRA) and many other properties that are underdeveloped for the value of the land.

The Town has invested a large amount of money in the streetscape and public realm, including trees, paving and lighting, in this section of William Street.

It is considered that the Town needs to provide clear guidelines to potential developers and, at the same time, establish clear expectations in the community of what will be expected of future development in this prestigious street."

8 April 2008

The Council at its Ordinary Meeting considered a report relating to the scope, objectives and indicative timeline for the proposed Design Guidelines for William Street, between Brisbane and Newcastle Streets, Perth, and resolved as follows:

“That the Council;

- (i) RECEIVES the report in relation to the scope of the proposed Design Guidelines for William Street, between Brisbane and Newcastle Streets, Perth;*
- (ii) APPROVES of the Scope, Objectives and Indicative Timeline for the proposed Design Guidelines for William Street, between Brisbane and Newcastle Streets, Perth, as detailed in the report, subject to the following objective being added:*
 - To ensure the provision of awnings, along William Street in any new or redeveloped property; and*
- (iii) extends the area to include up to Bulwer Street, including the north-east and west-corners of Bulwer Street”.*

DETAILS:

William Street provides primary access to the Northbridge entertainment area, the Perth Cultural Precinct and the Central Business District.

To date, this section of William Street has largely been ‘second place’ to properties within the central area south of Newcastle Street, which do not require car parking provision. As a result, development of this area has been frustrated, resulting in low scale uses, minimal investment and activity. William Street comprises single and two-storey buildings which are unassuming and largely unkempt. With the exception of buildings with cultural heritage significance, the majority of buildings lack architectural detail and contribute little to the streetscape. Those recently constructed have been setback in accordance with the former General Commercial C3 requirements imposed by the Perth City Council which, as a consequence, interrupt the rhythm and continuity of the street.

William Street is an Other Regional Road under the Metropolitan Region Scheme. With the exception of road widening to allow truncations at the intersection of William and Brisbane Streets, the current alignment of the road is not proposed to change.

The draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth has been prepared to provide applicants and developers with a set of concise guidelines and requirements for redevelopment within the subject area.

The draft Policy aims to achieve the following objectives:

- (i) To maximise the opportunities afforded by the area's proximity to the Perth Central Business District, major public transport routes, road networks and gateway to the Town of Vincent;*
- (ii) To provide clear guidance to landowners and developers with respect to development requirements for William Street;*
- (iii) To provide car parking requirements which are cognisant of the unique nature and range of uses existing and those attracted to the area;*

- (iv) *To give consideration to maximum building heights along William Street in view of the unique topography and uninterrupted vista to the Perth Central Business District;*
- (v) *To provide design responses to those places which have been identified as having cultural heritage value and are listed on the Town of Vincent Municipal Heritage Inventory/ Heritage List and the State Register of Heritage Places;*
- (vi) *To provide detailed building responses for those lots currently vacant along William Street;*
- (vii) *To maximise opportunities for redevelopment of undercapitalised/underdeveloped properties;*
- (viii) *To have regard to the Town's Affordable Housing Strategy;*
- (ix) *To encourage the principles of transit-oriented development (TOD), sustainability and 'green building' techniques;*
- (x) *To create premier examples of robust building forms of good quality and design, catering to a variety of uses within a unique inner-urban environment;*
- (xi) *To build on the sense of place evidenced by the area's history and cultural diversity; and*
- (xii) *To ensure the provision of awnings, along William Street in any new or redeveloped property.*

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 states:

"Natural and Built Environment

1.1 Improve and maintain environment and infrastructure...

1.1.2 Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision.

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

1.1.4 Minimise negative impacts on the community and environment."

FINANCIAL/BUDGET IMPLICATIONS:

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

COMMENTS:

In light of the above, it is recommended that the Council adopts the draft Policy relating to Design Guidelines for William Street, between Bulwer and Newcastle Streets, Perth, and advertises the draft Policy in accordance with Clause 47 of the Town's Town Planning Scheme No. 1."

The Presiding Member, Mayor Nick Catania advised that Cr Lake and Cr Maier had declared a proximity interest in Item 10.2.1. They departed the Chamber at 7.25pm and did not speak or vote on this matter.

10.2.1 Traffic Management Matter 'Chatsworth Road – Highgate' - Local Area Traffic Management Advisory Group Considerations

Ward:	Both	Date:	4 August 2008
Precinct:	Hyde Park P12	File Ref:	TES0213
Attachments:	001		
Reporting Officer(s):	R Lotznicker		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on Traffic Management Matter 'Chatsworth Road – Highgate' considered by the Local Area Traffic Management Advisory Group;*
- (ii) *APPROVES IN PRINCIPLE the concept plan for the proposed improvements to Chatsworth Road as outlined on attached Plan No. 2600-CP-01 at an estimated cost of \$59,613;*
- (iii) *CONSULTS with residents/businesses in Chatsworth Road affected by the proposal for a period of 21 days; and*
- (iv) *NOTES that a further report on the matter will be submitted to the Council at the conclusion of the 21day period.*

COUNCIL DECISION ITEM 10.2.1

Moved Cr Ker, Seconded Cr Burns

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (5-0)

(Cr Lake and Cr Maier were absent from the Chamber and did vote on this matter.)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Cr Lake and Cr Maier returned to the Chamber at 7.26pm. The Presiding Member, Mayor Nick Catania advised them that the item was carried.

PURPOSE OF REPORT:

The purpose of this report is to present a concept proposal for Chatsworth Road Traffic Management Proposal and seek Council's approval in principle for the proposal and for the concept plan to be advertised for 21 days.

BACKGROUND:

The LATM Advisory Group meets monthly to consider requests received by the Town relating to Traffic and related safety issues. The Group considers these requests and, where warranted, the Group's recommendations are reported to the Council.

DETAILS:

Chatsworth Road is a local access road which runs east west between William Street and Beaufort Street. It services mainly residential properties with a small commercial property at the Beaufort Street end.

In terms of both speed and volume, Chatsworth Road and surrounding local access roads fully comply with their classification in accordance with the metropolitan functional road hierarchy.

Chatsworth Street has a volume of 1093 vehicles per day at its western end and 927 vehicles per day at its eastern end. The 85% speed was less than 40 kph. This can be attributed to vehicles parked on the street assist in keeping traffic speeds down.

LATM Advisory Group Discussions:

In October 2007, the LATM Advisory Group met to discuss several matters, one of which was Chatsworth Road traffic. Several members of the public also attended the meeting.

At the meeting, general discussion ensued regarding some of the issues, and various suggestions to improve Chatsworth Road were made including the installation of roundabouts, planting palm trees a single lane slow point, etc. Verge parking was also discussed.

The group concluded that the objective was to reinforce the residential nature of the street. It was decided, given that statistically the street complied with its classification, that some improvements be undertaken to reinforce the status of the street as follows (refer detail attached Plan No. 2600-CP-01):

- Entry Statements: Commercial end and William Street end
- Look at the parking at the eastern end of the street
- Road improvements (resurfacing)
- Encourage residents to park on the road and not on the verge

It was suggested that this could be implemented as part of a future road upgrade.

Eastern end (Beaufort Street end) Chatsworth Road:

In the late 1990s the eastern end of the street was modified to provide some additional angle parking. This was undertaken in response to requests from the businesses at this location.

It is considered that the current road layout could be improved to:

- Better delineate the residential/commercial area
- Increase the parking numbers (angle parking)
- Better align the intersection (safety improvements)
- Reduce the incidence of illegal parking
- Provide an entry statement (red road feature/landscaped nibs)

Western end (William Street end) Chatsworth Road:

The Chatsworth Road carriageway is 8.0m wide. To better reinforce the residential nature of the street it is proposed to construct landscaped nibs with a red road treatment as detailed on attached Plan No. 2600-CP-01.

Overall Improvements:

Funds have been allocated in the 2008/2009 budget to resurface Chatsworth Road (as part of the Town's Roads to Recovery program). The works will also comprise kerb improvement works and associated linemarking (demarcation lines at crossovers etc).

The kerbing improvements will encourage residents (and others) to park on the road (not the verge) and the associated linemarking will assist in better managing traffic flow along the street.

CONSULTATION/ADVERTISING:

Consultation with residents/businesses in Chatsworth Road will be undertaken

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. *“(o) Investigate and implement traffic management improvements in liaison with the Local Area Traffic Management (LATM) Advisory Group.”*

SUSTAINABILITY IMPLICATIONS:

The Council adopted a long term program to ensure its road infrastructure is maintained to an acceptable level of service. Funds are allocated annually to ensure this program is sustainable. The majority of the proposed works in Chatsworth Road will form part of this program

FINANCIAL/BUDGET IMPLICATIONS:

Funds for road resurfacing/kerb improvements have been allocated in the 2008/2009 Roads to Recovery Program and additional funds have been included in the Traffic Management budget. The 2008/09 Budget contains an amount of \$59,613.

COMMENTS:

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

Funds have been listed in the 2008/2009 budget for infrastructure improvements in Chatsworth Road and for traffic management and it is recommended that these improvement works be undertaken concurrently to improve the level of service of this street, subject to a favourable outcome being received from the proposed community consultation.

**10.2.2 Town of Cambridge - Draft Lake Monger Reserve Management Plan
2008-2018**

Ward:	-	Date:	31 July 2008
Precinct:	-	File Ref:	ORG0016
Attachments:	001		
Reporting Officer(s):	R Lotznicker, R Marie, T Woodhouse, S Teymant, J Van Den Bok,		
Checked/Endorsed by:	-	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the Town of Cambridge Draft Lake Monger Reserve Management Plan 2008-2018;*
- (ii) *SUPPORTS the provision of ongoing financial support to the Town of Cambridge, in partnership with Main Roads WA, for its management of the vegetated channel that filters stormwater discharging in Lake Monger via a number of stormwater drains from the Mitchell Freeway and from the western portion of the Town of Vincent; and*
- (iii) *ADVISES the Town of Cambridge that it SUPPORTS the intent and content of the Draft Lake Monger Reserve Management Plan, as "Laid on the Table", and requests that the following comments be taken into account when adopting the final plan;*
 - (a) *under the heading of "Lake and Stormwater Priorities", the plan should include long term options for intercepting/ the groundwater entering the Lake from the north east;*
 - (b) *under the heading of "Cultural Heritage", the plan should contain the words "incorporate Aboriginal and colonial history and contemporary heritage of Lake Monger in interpretative material including signs, sculptures, paintings etc."; and*
 - (c) *an action plan be included detailing remedies that may be implemented to control acute nuisance episodes such as midge and/or mosquito outbreaks, and odour problems, when such episodes arise, in addition to appropriate procedures to be followed in relation to the management of complaints received by the Town of Cambridge from residents of the Town of Vincent.*

Moved Cr Messina, Seconded Cr Maier

That the recommendation be adopted.

Debate ensued.

Cr Messina departed the Chamber at 7.27pm.

Debate ensued.

Cr Messina returned to the Chamber at 7.29pm.

Debate ensued.

AMENDMENT

Moved Cr Ker, Seconded Cr Lake

That a new clause (iv) be inserted as follows:

"(iv) *ENCOURAGES the Town of Cambridge to consider more specific measures to address the impact of nutrients entering Lake Monger from groundwater flowing through former landfill, which has a significant impact on water quality within the Lake, and requests that the following comments be taken into account when adopting the final plan.*"

AMENDMENT PUT AND CARRIED (5-2)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Messina
Cr Burns	Cr Youngman
Cr Ker	
Cr Lake	
Cr Maier	

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

MOTION AS AMENDED PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

COUNCIL DECISION ITEM 10.2.2

That the Council;

- (i) *RECEIVES the report on the Town of Cambridge Draft Lake Monger Reserve Management Plan 2008-2018;*
- (ii) *SUPPORTS the provision of ongoing financial support to the Town of Cambridge, in partnership with Main Roads WA, for its management of the vegetated channel that filters stormwater discharging in Lake Monger via a number of stormwater drains from the Mitchell Freeway and from the western portion of the Town of Vincent;*
- (iii) *ADVISES the Town of Cambridge that it SUPPORTS the intent and content of the Draft Lake Monger Reserve Management Plan, as "Laid on the Table", and requests that the following comments be taken into account when adopting the final plan;*
 - (a) *under the heading of "Lake and Stormwater Priorities", the plan should include long term options for intercepting/treating the groundwater entering the Lake from the north east;*

- (b) *under the heading of "Cultural Heritage", the plan should contain the words "incorporate Aboriginal and colonial history and contemporary heritage of Lake Monger in interpretative material including signs, sculptures, paintings etc.";*
- (c) *an action plan be included detailing remedies that may be implemented to control acute nuisance episodes such as midge and/or mosquito outbreaks, and odour problems, when such episodes arise, in addition to appropriate procedures to be followed in relation to the management of complaints received by the Town of Cambridge from residents of the Town of Vincent; and*
- (iv) *ENCOURAGES the Town of Cambridge to consider more specific measures to address the impact of nutrients entering Lake Monger from groundwater flowing through former landfill, which has a significant impact on water quality within the Lake, and requests that the following comments be taken into account when adopting the final plan.*

PURPOSE OF REPORT:

The purpose of this report is to inform the Council of the Town of Cambridge Draft Lake Monger Reserve Management Plan 2008-2018.

BACKGROUND:

Ordinary Meeting of Council 21 November 2000:

The Council was advised that the Director Technical Services had recently attended a workshop with Officers/ Council Members from the Town of Cambridge and representatives from Main Roads WA, CSIRO, Water Corporation, Waters and Rivers Commission and the Centre of Water Research at Lake Monger.

The purpose of the workshop was to discuss and inspect rehabilitation works carried out by the Town of Cambridge at Lake Monger and to discuss possible future improvements at the Lake. The Council, after considering the report, decided as follows (in part):

"That the Council;

- (ii) *lists \$80,000 for consideration in the 2001-2002 draft capital works budget for the installation of a continuous deflective separation (CDS) or similar unit to filter storm water entering Lake Monger via the Town of Vincent drainage systems."*

Ordinary Meeting of Council 6 May 2006:

The Town was subsequently advised by the Town of Cambridge that the installation of Gross Pollutant Traps was not the preferred option. It was considered that 1/3 contribution by Main Roads WA (MRWA)/ the Towns of Vincent and Cambridge towards the maintenance of the open vegetated channel or biological filters would be the most effective way of contributing to the health of the Lake.

The Council subsequently listed an amount of \$6,700 in the drainage budget titled "Lake Monger Stormwater Management" in 2002/2003. This amount was increased to \$10,000 in 2003/2004 following completion of further works around the eastern edge of Lake Monger. The Council, after considering the report, decided as follows (in part):

That the Council;

- (ii) *APPROVES the ongoing support to the Town of Cambridge, in partnership with Main Roads WA, for its management of the vegetated channel that filters stormwater discharging in Lake Monger via a number of stormwater drains from the Mitchell Freeway and from the western portion of the Town of Vincent;*
- (iii) *NOTES the Town of Cambridge proposed operating budget estimate for the "channel management" in 2006/2007 is \$40,025 (refer appendix 10.2.2) and that this Town has been providing an annual contribution to the Town of Cambridge since 2003/2004;*
- (iv) *LISTS for consideration an amount of \$13,300 in the 2006/07 draft "operating budget" and subsequent budgets as the Town's ongoing contribution towards the management of the vegetated channel at Lake Monger; and*

DETAILS:

History:

Lake Monger forms a permanent wetland located approximately five (5) kilometres to the northwest of the Perth CBD within the Town of Cambridge. The Lake originally comprised a large irregular wetland with extensive reed beds and seasonally inundated areas.

Alterations to the wetland commenced around 1904, when the reeds were cleared and channels were cut for boating access. Subsequent activities at the wetland included waste disposal/sanitary landfilling of significant areas along the north, east and south sides of the existing Lake and dredging for reclamation works.

Today the Lake is about half its original size and almost all of its original vegetation has been removed. It is surrounded by residential lots and a heavily used road network including the Mitchell Freeway to the east.

As a result of the various activities within the Lake Monger catchment area, the water and sediment quality in the wetland became severely degraded. Nutrients and heavy metals are entering the wetland via surface water inflows (including sediment inflows), groundwater inflows and the feeding of water birds.

Sources of Contamination:

The Town of Cambridge commissioned Environmental Consultants to carry out a study of the sources of contamination into the water, in particular from stormwater outlets into the Lake.

Twenty six (26) drains were identified as flowing into the Lake and one outlet pipe flowing from the Lake. The majority of the drains flowing into the Lake are minor urban drains (local stormwater drains) which are controlled by the Town of Vincent and the Town of Cambridge. The other drains are controlled by MRWA and the Water Corporation. The Water Corporation also controls an out flowing drain which is used to maintain the water level of the wetland during summer to prevent the Lake from drying up and in the winter to prevent inundation of the surrounding area.

Rehabilitation:

As part of the rehabilitation of Lake Monger, stormwater outlets into the Lake were redesigned as meandering, vegetated channels running parallel to the Lake shore on the eastern side (Freeway side of the Lake). The rehabilitation program also involved the removal of exotic trees, bamboo and introduced grasses. These have been replaced with local native wetland trees and shrubs.

The completed works included the redirection of MRWA/ Town of Vincent stormwater drains into a single vegetated open drain. The purpose of the open drain was to collect and trap rubbish and sediment, including the uptake of nutrients by native plants, from stormwater runoff prior to it entering the Lake.

The open drain currently caters for four (4) of the Town of Vincent stormwater drains which discharge into Lake Monger.

Draft Lake Monger Reserve Management Plan 2008-2018:

The Town received a letter from the Town of Cambridge dated 11 July 2008, advising of the Draft Lake Monger Reserve Management Plan 2008-2018 'the Plan'.

The 'plan' has resulted from a review of the following:

- Lake Monger Management Plan 1993-1998, released in 1992 by the City of Perth
- the Lake Monger Rehabilitation Plan 1995; and
- Council documents and community consultation

The 'plan' identifies the remaining works from previous plans as well as highlighting major initiatives to be undertaken over the next ten years and was prepared after extensive consultation with users, nearby residents and indigenous people (for whom the reserve is culturally significant).

Vision

The 'plan' outlines the following vision:

For Lake Monger Reserve to be recognised as a Conservation Wetland and a significant recreational facility enjoyed and managed with the community.

Long Term Goal

The long-term goal for Lake Monger Reserve has been defined as:

"To establish an ecologically sustainable system within Lake Monger Reserve, ensuring its long term viability; and to continue the Reserve's positive contribution to the quality of life of those who live in and are visitors to the area."

Principle Management Objective

The principal management object for Lake Monger Reserve is:

"Biodiversity conservation and restoration of Lake Monger Reserve to achieve a more diverse and self sustaining ecosystem that provides a variety of fauna habitats, improves water quality, enhances and protects the natural and historical value and allows for passive recreation, education and community involvement."

Plan Works

The following works have been outlined with their objective, progress over the last ten years, future direction and strategies, and priorities (years 1 to 5 and 6 to 10)

- Lake and Stormwater
- Fauna Habitat
- Ecological Restoration
- Trees and Turf
- Risk Management

- Visitation and Recreation
- Planning and Community Liaison
- Information, Interpretation, and
- Education and Cultural Heritage

Each of the above outlines the objective, the progress over the last ten (10) years, the future directions and strategies, the priorities for years 1 to 5 and the priorities for years 6 to 10.

Implementation Program

The 'plan' contains a detailed Implementation Program (refer attached) which outlines the numerous project details and specifies in which year the project will be undertaken. A total of 58 priorities (recommendations) have been identified, of which 26 are for on ground works. These have been prioritised and are included in the following ten (10) year program.

This program will assist in carrying out the works by including the projects shown in each year in the Town's budget development process annually.

Although a ten (10) year program has been planned for all the works, the completion will depend on appropriate funds being allocated annually. The implementation program will require updating annually.

Review

It is noted that minor amendments to the plan may be required during its ten (10) year term to allow for adaptive management. Any major changes proposed will require public review and comment, Aboriginal Heritage consultation, Council endorsement and Ministerial approval. The plan is due for formal review in 2018.

Note: A copy of the Draft Lake Monger Reserve Management Plan 2008-2018 is laid on the table.

Officer Comments:

Lake Monger is not in the Town of Vincent, however, as mentioned, the stormwater/groundwater from Vincent discharges into the Lake and therefore the Town has an 'interest' in the water quality of the Lake. In addition, the Town received a significant number of complaints between March and May 2006 in relation to a midge outbreak. The outbreak resulted in the infestation with midges of properties east of the Mitchell Freeway to Matlock Street, Mount Hawthorn, during the late afternoon and evening.

The midges outbreak resulted in many residents advising that they were unable to use outdoor areas of their properties for a period of approximately eight (8) weeks during the outbreak.

This outbreak provided a clear reminder that the Town of Vincent needs to maintain an active interest in the management of the Lake Monger Reserve.

Environmental Context:

In 2007 representatives from the Claise Brook Catchment Group (CBCG) / Town of Vincent and Town of Cambridge, including a number of Environmental / Engineering students, met at Lake Monger. The Engineering students subsequently undertook a project to examine options for intercepting / treating the groundwater entering the Lake from the north east (*Town of Vincent*). This groundwater had previously been identified as containing high levels of nutrients which were adversely affecting the water quality in the Lake.

The students prepared a report – “Environmental Design and Management ENVE3602-Final Design” which contains a number of recommendations.

There appears to be no reference to the long term further investigation and possible solution to the identified ground water issues in the ‘plan’.

Officer Comments

That the ‘Plan’ under the heading of *Lake & Stormwater Priorities*, should include long term options for intercepting / treating the groundwater entering the Lake from the north east.

Economic Context

A vast majority of the stormwater from the Town of Vincent north east area enters Lake Monger, therefore the Council previously approved a 1/3 contribution (together with Main Roads WA and the Town of Cambridge) towards the maintenance of the nutrient stripping zones located between the Mitchell Freeway and the Lake itself.

Officer Comments

That the Council supports the provision of ongoing financial support to the Town of Cambridge, in partnership with MRWA, for its management of the vegetated channel that filters stormwater discharging into Lake Monger via a number of stormwater drains from the Mitchell Freeway and from the western portion of the Town of Vincent;

Cultural Context

Whilst the document recognises Lake Monger as having a dual history, both Aboriginal and European, it is considered important that any interpretation strategy proposed for the site recognises this dual history equally to provide a broad appreciation of the cultural heritage of the site.

Officer Comments

That the ‘Plan’ under the heading of *Cultural Heritage* should add the words "incorporate Aboriginal and colonial history and contemporary heritage of Lake Monger in interpretative material including signs, sculptures, paintings, etc."

CONSULTATION/ADVERTISING:

The consultation period, for comments on the Town of Cambridge’s Draft Management Plan, closes on 22 August 2008.

LEGAL/POLICY:

Nil

STRATEGIC IMPLICATIONS:

Town of Vincent Strategic Plan 2006-2011 1. Natural and Built Environment “1.1.4 Minimise negative impacts on the community and environment” “1.1.5 Enhance and maintain parks and community facilities”

SUSTAINABILITY IMPLICATIONS

The Town of Cambridge Draft Management Plan illustrates its commitment to the conservation of the wetlands, from both an environmental context and a cultural context. The long-term goal for Lake Monger’s Management Plan considers the importance of sustainability.

The Town of Vincent also has a stake in the sustainability management of the Lake due to groundwater and stormwater runoff and the affect on the nutrient levels within Lake Monger.

To ensure that the water within the Lake remains at a healthy level for now and in the future, the Town needs to ensure that it endeavours to provide support for the maintenance of the Lake's water quality as poor water quality can have devastating effects on the wetland fauna and flora in the area.

FINANCIAL/BUDGET IMPLICATIONS:

The 2008- 2009 Technical Services Budget contains an amount of \$15,000 for the Town's 1/3 contribution to the Lake Monger Stormwater Treatment.

COMMENTS:

As previously mentioned, Lake Monger is not located within the Town of Vincent, however, the stormwater/groundwater from Vincent discharges into the Lake and therefore the Town has an 'interest' in ensuring the water quality of the Lake is maintained to an acceptable level.

In light of the above information, it is recommended that the Council support the Officers' recommendations and advises the Town of Cambridge of its decision.

10.2.3 Further Report - Swan River Regional Recreational Path / Banks Reserve to Bardon Park

Ward:	South	Date:	5 August 2008
Precinct:	Banks P15	File Ref:	TES0172 & RES0008
Attachments:	-		
Reporting Officer(s):	J van den Bok		
Checked/Endorsed by:	R Lotznicker	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report in relation to Swan River Regional Recreational Path project from Banks Reserve to Bardon Park;*
- (ii) *NOTES that the;*
 - (a) *Department of Planning and Infrastructure (DPI) have completed the Swan River Regional Recreational Path project and on several previous occasions have requested that the Town take on the care, control and management of the area;*
 - (b) *proposed structural screening on the western side of the southern boardwalk did not proceed due to the conflicting views of adjacent residents, however, this issue has now been resolved to the satisfaction of all parties by using suitable native plants to provide a “soft” but effective long-term screen along the western side of the southern most boardwalk;*
- (iii) *ADVISES the Western Australian Planning Association (WAPC) that;*
 - (a) *the Town is not prepared to accept responsibility for the Swan River Regional Recreational Path project area (within the Town) until all aspects of the project have been completed to the full satisfaction of the Town; and*
 - (b) *a minimum of twelve months notice is required, in order to allow the Town to allocate funds in the Budget for maintenance purposes; and*
- (iv) *RECEIVES a further report/s on this matter when additional information is received and/or further progress has been made with regard to the Swan River Regional Recreational Path project area within the Town.*

Moved Cr Maier, Seconded Cr Messina

That the recommendation be adopted.

Debate ensued.

AMENDMENT

Moved Cr Maier, Seconded Cr Messina

1. Amends existing Clause (ii) as follows:

(ii) NOTES that the;

- (a) Department for Planning and Infrastructure (DPI) have completed the construction of the Swan River Regional Recreational Path but have not completed the landscaping component of the project to the Town's satisfaction and on several previous occasions have requested that the Town take on the care, control and management of the area;**

2. Corrects Clause (iii) as follows:

- (iii) ADVISES the Western Australian Planning ~~Association~~ Commission (WAPC) that the Town is not prepared to accept responsibility for the Swan River Regional Recreational Path project area (within the Town) until all aspects of the project have been completed to the full satisfaction of the Town and at the earliest not until 2009/2010; and**

AMENDMENT PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

MOTION AS AMENDED PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

COUNCIL DECISION ITEM 10.2.3

That the Council;

- (i) RECEIVES the report in relation to Swan River Regional Recreational Path project from Banks Reserve to Bardon Park;**

(ii) NOTES that the;

- (a) Department for Planning and Infrastructure (DPI) have completed the construction of the Swan River Regional Recreational Path but have not completed the landscaping component of the project to the Town's satisfaction and on several previous occasions have requested that the Town take on the care, control and management of the area;**

- (b) proposed structural screening on the western side of the southern boardwalk did not proceed due to the conflicting views of adjacent residents, however, this issue has now been resolved to the satisfaction of all parties by using suitable native plants to provide a "soft" but effective long-term screen along the western side of the southern most boardwalk;**

-
- (iii) **ADVISES the Western Australian Planning Commission (WAPC) that;**
- (a) *the Town is not prepared to accept responsibility for the Swan River Regional Recreational Path project area (within the Town) until all aspects of the project have been completed to the full satisfaction of the Town and at the earliest not until 2009/2010; and*
 - (b) *a minimum of twelve months notice is required, in order to allow the Town to allocate funds in the Budget for maintenance purposes; and*
- (iv) **RECEIVES a further report/s on this matter when additional information is received and/or further progress has been made with regard to the Swan River Regional Recreational Path project area within the Town.**
-

PURPOSE OF REPORT:

The purpose of this report is to advise the Council of the progress of the Swan River Regional Recreational Path project and repeated requests from the DPI for the Town to take over the care, control and management of the area including the infrastructure and landscaping.

BACKGROUND:

At the Ordinary Meeting of Council held on 13 June 2006, a report was presented in relation to the Swan River Regional Recreational Path project where it was decided (in part):

"That the Council;

- (ii) *APPROVES in principle the proposed landscape concept plan as shown on the attached plan at appendix 10.2.1 for the section of the path between Banks Reserve and Mitchell Street, Mount Lawley;*
- (iii) **ADVISES the Department for Planning and Infrastructure (DPI) that;**
 - (a) *the Town's preference is for DPI to undertake the landscaping works along the River Foreshore;*
 - (b) *the Town's preference is for DPI to administer the consultation process regarding the proposed landscaping component of the project which is to include the local community and the Banks Precinct Action Group;*
 - (c) *if required the Town could assist in providing staff at an information session at Banks Reserve, to provide advice and answer any questions regarding the proposal in conjunction with DPI;*
 - (d) *upon completion of the landscaping works, the Town is to receive a management plan and maintenance program prior to the new area being formally handed over to the Town for ongoing maintenance;*
 - (e) *local community groups have expressed an interest in being involved in the planting of the area and are able to assist through liaison with the Town; and*
 - (f) *the Town will negotiate an annual grant with the Western Australian Planning Commission to subsidise the cost of ongoing maintenance of the foreshore reserve area prior to the Town formally accepting responsibility for the ongoing maintenance of this area;*

- (iv) *RECEIVES a further report on the progress of the landscaping works following the conclusion of the consultation period and proposed works schedule being prepared by DPI;*
- (v) *ADVISES the Banks Precinct Action Group and the Claise Brook Catchment Group of its decision;*
- (vi) *NOTES the information contained in the further report, namely that due to the presence of a High Pressure gas main and unsuitable soil conditions the screen wall as originally proposed, and previously supported by the Town, cannot be constructed on the western side of the southern boardwalk; and*
- (vii) *REQUESTS*
 - (a) *the Department for Planning and Infrastructure to proceed with the installation of an alternative structure, to provide appropriate screening or other approved structure to address the affected residents concerns to the satisfaction of the affected residents and the Town; and*
 - (b) *that no works on the proposed screening/structure be carried out until the Town and the residents approval has been obtained."*

On 19 June 2006, a letter was sent to Tim Hillyard, Manager Land Asset Management from the WAPC to advise of the Council's Decision.

DETAILS:

Major Construction Works

The contractor (Works Infrastructure) commenced on site works in August 2005 and the project, including the construction of path, bridges, stone pitching and lighting, was completed by mid June 2006. The Swan River Regional Recreational Path section between Banks Reserve and Bardon Park was officially opened on 25 June 2006.

During the construction phase many delays were experienced due to the production of the bridge spans and the supply of asphalt. Also concerns were raised by the Town's staff regarding several areas of the path which appeared to be closer to the river than initially proposed.

Within six (6) months (December 2006) from the completion and opening of the path, DPI officers contacted the Town requesting a meeting on site with a view to the Town taking on the responsibility of maintaining the path and associated infrastructure items.

Officer's Comments

The Town's officers advised DPI that they expected at least a twelve (12) month maintenance period (to December 2007) as is normally the case with such projects. It was also advised that this matter would have to be presented to the Council for approval.

Given the unknowns in terms of what damage the river may cause during the winter storm period and the potential expense of such damage, it was suggested that a 24 month period elapse prior to the Town considering any takeover of the path and associated infrastructure.

In addition, at the time the landscaping had only just commenced and there were still various issues such as the path lighting and erosion problems that required resolution.

It was suggested that DPI again approach the Town when the entire project (including landscaping) had been satisfactorily completed. However, since this time there has been no further formal approach from DPI. Several of their officers, however, have approached the Town's officers with regard to taking on aspects of the maintenance such as lawn mowing, path and lighting maintenance.

Landscaping Works

DPI engaged environmental consultants, Ecoscape, in early 2006 to produce a landscape concept plan for the river foreshore abutting the Swan River Regional Recreational Path.

In April 2006 the Town's Officers advised DPI they were satisfied with the progress of the concept plan and provided the following comments:

- The use of local native plants to achieve the species diversity that the area would have originally supported
- Species types to relate to localised soil conditions (i.e. boggy/dryland areas)
- To maintain species diversity along the saltwater/freshwater interface
- The removal of any vegetation undertaken around existing water bodies to be completed carefully
- DPI to provide management plan /maintenance program to the Town
- DPI to provide schedule of works (as the planting is proposed to be staged over a number of years)
- The existing jetties are to be retained upon confirmation of their structural integrity

Landscape works commenced on site in late August 2006 with vast volumes of soil being imported from Karrakatta cemetery to raise and mound the site to the required levels. By May 2007 the entire area had been mulched, the grassed areas planted and a substantial number of reeds/sedges planted along the foreshore.

Just prior to the end of July 2007 DPI advised that the planting of all areas was now completed.

Officer's Comments

Consultation

The community consultation by DPI was not undertaken in association with the Town and appeared to be progressed in an ad-hoc manner. At the opening of the path on 25 June 2006, the plans were displayed by DPI, however, Town of Vincent staff were not requested to attend.

The Town was advised by DPI on 10 August 2006 that the plans were referred to the Swan River Trust (SRT), local community and catchment groups for comment and that the SRT, despite numerous requests, had still not given the go ahead. The DPI also advised that no further consultation was proposed.

As advised above, the landscaping works commenced in late August 2006 and proceeded without any further formal consultation with the Town. From time to time the Town's staff met with the Field Management Officer supervising the works on site and spoke to the Landscape Architect to enquire on the progress of the project or where required due to issues being raised by the Town's residents.

No formal schedule of works was ever presented to the Town by the DPI, nor has a management or maintenance plan been prepared and presented to the Town upon the completion of the works.

Landscaping Works

The landscaping now twelve (12) months from final completion is looking sparse, somewhat unkept and has not been completed in accordance with what was discussed or formally presented to the DPI when the Town was requested to provide comments on the landscape concept plan.

For example, in view that the Town would eventually take on the maintenance of the area, a mowing strip or garden kerb was requested to be installed to restrict the invasion of perennial turf grasses from taking over the planted areas. In addition, several natural springs that run through this area were to be enhanced by removing adjoining turf and planted up with suitable local native sedges and plants.

Various other potential "wet areas" were simply filled in or still remain a soggy weeded area that is of no benefit. In general the planted areas all require substantial bulking up as many of the plants have died or were not planted in sufficient numbers.

There have also been a number of issues raised with regard to the existing natural pools of water, now being somewhat stagnant, having algae outbreaks and smelling due to the lack of flushing since the works have been completed.

All of the above issues have been forwarded to the DPI, however, no action has been taken nor has a response been received advising that the matters will be further investigated.

The SRT have advised that the project was conditionally approved by their officers and they would be undertaking an inspection of the site in due course to ascertain whether all of their conditions have been met.

Whilst the Town was informed several months ago that the SRT would advise the Town of any further works required by the DPI following their inspection, to date, following numerous phone calls, still no response has been forthcoming.

CONSULTATION/ADVERTISING:

Nil.

LEGAL/POLICY:

This project has been required to comply with various State and Federal Acts, however, the Town has had little involvement as these issues and subsequent approvals have been handled by DPI.

STRATEGIC IMPLICATIONS:

In accordance with Objective One of the Strategic Plan 2006-2011 – 1.1.4 Minimise negative impacts on the community and environment "*f) Enhance and protect our natural environment and where practicable promote the use of native local vegetation.*"

SUSTAINABILITY IMPLICATIONS:

As previously mentioned a formal schedule of works has never been presented to the Town by the DPI, nor has a management or maintenance plan been prepared and presented to the Town upon completion of the works.

The landscaping is looking sparse and has not been completed in accordance with what was discussed or formally presented to the DPI when the Town was requested to provide comments on the landscape concept plan. Several potential "wet areas" have been filled in or still remain a soggy weeded area that is of no benefit.

For the ecological balance of the area to be maintained and maintenance costs minimised further work is required before the Town will consider taking over this area.

FINANCIAL/BUDGET IMPLICATIONS:

As advised previously, following the completion of the works and subsequent handing over to the Town (following the conclusion of an agreed maintenance period), funds to maintain the Public Open Space will need to be included in the Town's annual operating budget in the future.

No funding has been allocated in the 2008/2009 budget for this purpose and should the Town eventually accept responsibility of this area, it is estimated that an additional \$45,000 will be required to cover all operating expenses.

COMMENTS:

As indicated in previous reports, this section of the Swan River Regional Recreational Path provides a more direct and aesthetically pleasing route for cyclists and other recreational users from Maylands through Banks Reserve and into the City of Perth.

The new path is very well utilised and the general area has been vastly improved, however, several natural features should be upgraded as originally proposed. In addition, the existing native planting is very sparse and maintenance of the area is not being undertaken to the level required.

10.2.4 Revised Right of Way Upgrade and Acquisition Program 2008/2009 to 2014/2015

Ward:	Both	Date:	6 August 2008
Precinct:	All	File Ref:	TES0451
Attachments:	001		
Reporting Officer(s):	A Munnyard, R Lotznicker		
Checked/Endorsed by:	-	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *RECEIVES the report on the revised Right of Way Upgrade and Acquisition Program 2008/2009 to 2014/2015;*
- (ii) *APPROVES;*
 - (a) *the amendment to the 2008/2009 Right of Way Upgrade and Acquisition Program as outlined in the report and included in appendix 10.2.4; and*
 - (b) *the Right of Way Upgrade and Acquisition Program schedule for the remaining privately owned ROWs within the Town as outlined in appendix 10.2.4;*
- (iii) *ACKNOWLEDGES that there may be a necessity to vary the new schedule for operational reasons or to exercise good governance as outlined in the report; and*
- (iv) *RECEIVES an annual 'progress' report on the Right of Way Upgrade and Acquisition Program.*

Moved Cr Messina, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

AMENDMENT NO. 1

Moved Cr Maier, Seconded Cr Youngman

That a new clause (v) be inserted as follows:

- "(v) *PLACES the amended 2008/2009 Right of Way Upgrade and Acquisition Program, as outlined in appendix 10.2.4, on the Town's web site, along with a document that explains the use of the scoring system, with a footnote that the program may be subject to change.*"

AMENDMENT NO. 1 PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

AMENDMENT NO. 2

Moved Cr Maier, Seconded Cr Ker

That a new clause (vi) be inserted as follows:

"(vi) REQUESTS that every endeavour be made by the beginning of each year to acquire the ROWs that are scheduled for upgrade in that year and the following year."

Debate ensued.

AMENDMENT NO. 2 PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

MOTION AS AMENDED PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

COUNCIL DECISION ITEM 10.2.4

That the Council;

- (i) *RECEIVES the report on the revised Right of Way Upgrade and Acquisition Program 2008/2009 to 2014/2015;*
 - (ii) *APPROVES;*
 - (a) *the amendment to the 2008/2009 Right of Way Upgrade and Acquisition Program as outlined in the report and included in appendix 10.2.4; and*
 - (b) *the Right of Way Upgrade and Acquisition Program schedule for the remaining privately owned ROWs within the Town as outlined in appendix 10.2.4;*
 - (iii) *ACKNOWLEDGES that there may be a necessity to vary the new schedule for operational reasons or to exercise good governance as outlined in the report;*
 - (iv) *RECEIVES an annual 'progress' report on the Right of Way Upgrade and Acquisition Program;*
 - (v) *PLACES the amended 2008/2009 Right of Way Upgrade and Acquisition Program, as outlined in appendix 10.2.4, on the Town's web site, along with a document that explains the use of the scoring system, with a footnote that the program may be subject to change; and*
 - (vi) *REQUESTS that every endeavour be made by the beginning of each year to acquire the ROWs that are scheduled for upgrade in that year and the following year.*
-

PURPOSE OF REPORT:

The purpose of this report is to seek the Council's approval for a revised Right of Way (ROW) Acquisition and Upgrade program, based on current usage and conditions.

BACKGROUND:

At its Ordinary meeting held on 27 February 2007, the Council received a report on the method used for "scoring" unmade ROWs to enable a review of the schedule under which they were to be acquired and upgraded, where the following decision (in part) was made:

"That the Council;

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

DETAILS:

Development of the Revised Program

There are approximately 550 ROWs in the Town and 102 remain unsealed with all but a couple of these being privately owned, and therefore acquisition is necessary prior to any works being undertaken.

Following the Council's decision, all unmade ROWs have been re-assessed for prioritizing of acquisition and then upgrade. On-site inspections have been completed and up to date data recorded.

The ROWs have been allocated a "score" in accordance with the following criteria.

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

Using the scores achieved by application of the above "weights", an upgrade schedule table has been prepared (refer appendix 10.2.4).

Additional Factors to be Considered

Aside from scheduling the ROWs in accordance with their "raw" scores, other factors may come into play. These considerations are generated by operational expediency, acquisition offers, resolution of access rights, application of the Town's policy in regard to development off ROWs, and other Planning and Development matters.

Note: Inevitably these additional factors will necessitate annual review and adjustment to the adopted program.

Operational Expediency

The Town's Officers have been in consultation with the Manager Engineering Operations in order to ensure that any proposed works are practical and efficient in their execution. He has recommended that linked ROWs be upgraded simultaneously, to eliminate unnecessary mobilisation costs and facilitate the implementation of a total drainage strategy for the network. Furthermore, scheduling the works in this way would minimise disruption for residents and eliminate damage to the upgraded sector at transition points.

It is recommended that application of the operational expediency factor be implemented in the following manner. Those ROWs which have achieved the highest scores should, of course, remain at the forefront of the new schedule. Where these ROWs are physically linked to form a ROW network, the associated legs should be brought forward to be upgraded at the same time. The effect of the introduction of the operational expediency factor is illustrated by the example below:

Linked ROWs by raw score (Simplified Table)

North	West	Leg	Cost	Year	Flood	Usage	Cond	Geo	Retain	Score
Lincoln St	Knebworth Ave	B	\$71,031	2010	20	8	5	4	1	38
Lincoln St	Knebworth Ave	C	\$11,325	2010	20	8	5	4	1	38
Lincoln St	Knebworth Ave	D	\$3,990	2015	0	4	5	4	1	14

Linked ROWs adjusted for synchronization (simplified Table)

North	West	Leg	Estimated cost	Year	Flood	Usage	Cond	Geo	Retain	Score	Adjusted Score
Lincoln St	Knebworth Ave	B	\$71,031	2010	20	8	5	4	1	38	38
Lincoln St	Knebworth Ave	C	\$11,325		20	8	5	4	1	38	
Lincoln St	Knebworth Ave	D	\$3,990		0	4	5	4	1	14	

In the above example, two ROW legs achieved a score of "38", which would place them for upgrade in 2010. The third leg, with a score of "14" would not be scheduled for upgrade until 2015. When taking into account practical considerations (operational expediency), all three legs would be listed for acquisition and upgrade in 2010.

Other Factors which May Generate Revision of the Program

Unsolicited Acquisition

The Town is from time to time requested to accept ownership of private ROWs. In this manner, the Town has accepted transfer of ownership of all ROWs known previously to be held by the Roman Catholic Church, the Anglican Church, and Austbrokers (a private company). These holdings can be anything from a single ROW leg, to dozens of legs distributed across the Town.

Obtaining ownership of ROWs in this manner is very cost and time effective. The parties who have already come forward requesting the Town accept ownership of their ROWs have conditioned their offer that ALL ROWs are accepted.

Once acquired, the onus is on the Town to ensure they are in good, trafficable condition, and the Town may be liable for any claims that may come about which may be attributable to poor maintenance of the ROW. Therefore, unsolicited acquisitions will also be a factor which, from time to time, will necessitate revision of the adopted Acquisition and Upgrade Program.

Currently, the Town is negotiating with Perpetual Trustees, over its request that the Town accept ownership of its ROWs. As the process may take some time to complete, it has not been factored into the proposed program at this stage, however, it is likely that this will be necessary prior to implementing the program for 2009/2010.

Resolution of Access Rights

Occasionally, the Town receives development applications which are reliant on vehicular access from a ROW, where no legal access is in place. Currently we are in receipt of at least two sub-division applications, a garage addition, and the major redevelopment of a Newcastle Street site, which have been conditioned such that a right of access must be obtained prior to approval being granted, or a building licence issued.

Obtaining an "expressed" access right can be achieved by the property owner making application to the owner of the ROW. Frequently, the ROW owner is deceased, and the executor of the estate cannot be traced. It is also possible that the owner of the ROW will not be co-operative and may refuse to grant a right of access.

Where obstacles present which will cause undue difficulty in securing an access right, resulting in hardship for property owners and precluding optimum development within the Town, "Taking" (formerly known as "resumption") may be required. On some occasions, dedication as a public road may be a more appropriate action.

In either case, these acquisitions will affect the program. If the Town's policies do not require the developer to upgrade the ROW as a condition of approval (and the ROW then being removed from the upgrade program), the Town must list the ROW for upgrade as expediently as can be executed (and the ROW "bumped" to the head of the schedule).

Planning Policy Factors

In the majority of cases where development is reliant on vehicular access from a ROW, the developer is required to upgrade the ROW to an acceptable condition (sealed and drained) as a condition of development approval. This condition will most certainly be applied to ROWs which are now listed within the new schedule. Subsequently, these ROWs must be removed from the program, and the schedule adjusted accordingly.

2008/2009 program:

The 2008/2009 ROW Upgrade program was adopted at the Ordinary Meeting of Council held on 8 July 2008 as follows:

Project	North	West	L (m)	W (m)	Estimated Cost
1	<i>Gardiner St</i>	<i>Zebina St</i>	194	4	55,000.00
2	<i>Ebsworth St</i>	<i>Pakenham St</i>	150	4	42,000.00
3	Mitchell St	Stanley St	174	4	49,000.00
4	Westralia St	East St	120	4	37,000.00
5	Brammal St	East Parade	40	4	11,500.00
6	Green St	Shakespeare St	257	5	74,000.00
7	Woodstock St	Shakespeare St	111	5	31,500.00
	TOTAL				300,000.00

Two (2) of the ROWs listed on the adopted program (*projects 1 & 2*) were in fact upgraded in 2007/2008. This was an oversight when preparing the 2008/2009 program as the ROW officer was on leave at the time. A section of the Bramall/East Parade ROW (*project 3*) was also sealed in 2007/2008 associated with development.

It is recommended that a total of \$108,500 of the 2008/2009 ROW upgrade program be applied to ROWs which are already owned by the Town as follows:

The ROW Green/Flinders (recently acquired from Austbrokers), and Vincent/Bulwer (recently purchased from the executor of a private estate to resolve a ROW access which precluded development), be added to the 2008/2009 program (refer appendix 10.2.4).

CONSULTATION/ADVERTISING:

The assessments are carried out by Design staff and the Town's Manager Engineering Operations. No advertising or other consultation is conducted at this time.

LEGAL/POLICY:

There are no legal implications apart from the Town meeting its obligation to maintain those ROWs within its ownership in a satisfactory condition.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of Strategic Plan 2005-2010 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. “c) *Review options for a Right of Way management and upgrade strategy*”.

SUSTAINABILITY IMPLICATIONS:

To improve the amenity for residents and to maintain the Town owned infrastructure in a sustainable manner at minimum operational cost.

FINANCIAL/BUDGET IMPLICATIONS:

The Town's annual budget allocates \$300,000 for the implementation of the program.

COMMENTS:

Many of the factors used to grade the Town's ROWs for placement within the Acquisition and Upgrade Program are no longer reliable indicators of their current condition and usage.

Having completed the upgrade of the Town owned ROWs, a new program based on revised data is now required. The Council approved the new assessment table and scoring criteria at its Ordinary Meeting held on 5 December 2006, and this has now been applied to formulate a schedule which reflects current conditions and priorities.

The revised schedule is now presented for the Council's approval. The Council is advised that the schedule must be considered a reliable guide only, and that future circumstances will almost certainly necessitate reviews and in most cases, minor amendments. The Council will be advised of any proposed amendments which are not of a minor nature.

10.3.2 Investment Report as at 31 July 2008

Ward:	Both	Date:	4 August 2008
Precinct:	All	File Ref:	FIN0033
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 July 2008 as detailed in Appendix 10.3.3.

COUNCIL DECISION ITEM 10.3.2

PROCEDURAL MOTION

Moved Cr Ker, Seconded Cr Youngman

That the item be DEFERRED to the next meeting due to a lack of quorum when Mayor Catania and Crs Burns and Cr Messina depart the Chamber.

PROCEDURAL MOTION PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

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 10.3.3.

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 July 2008 were \$9,632,734 compared with \$10,282,320 at 30 June 2008. At 31 July 2007, \$13,838,406 was invested.

Total accrued interest earned on Investments as at 31 July 2008:

	Budget	Actual	%
	\$	\$	
Municipal	650,000	17,708	2.72
Reserve	485,710	52,363	10.78

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.

Note that the investment previously held with Home Building Society has changed name to the Bank of Queensland following a take over of the building society.

The significant difference between the balance of investments at 31 July 2008 and 31 July 2007 is due to the fact that at this time last year the Town was holding loans funds for the construction of the Loftus Centre redevelopment.

10.4.4 Information Bulletin

Ward:	-	Date:	6 August 2008
Precinct:	-	File Ref:	-
Attachments:	001		
Reporting Officer(s):	A Radici		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Information Bulletin dated 12 August 2008, as distributed with the Agenda, be received.

COUNCIL DECISION ITEM 10.4.4

Moved Cr Messina, Seconded Cr Ker

That the recommendation be adopted.

Debate ensued.

MOTION PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

DETAILS:

The items included in the Information Bulletin dated 12 August 2008 are as follows:

ITEM	DESCRIPTION
IB01	Letter from Department of Health regarding Food Unit Notices in relation to the successful implementation of the <i>Food Act 2008</i> (the Act)
IB02	Letter from State Administrative Tribunal (SAT) regarding Matter No. DR/56 of 2008 - North Perth Developments v Town of Vincent (No. 152-158 Fitzgerald St, North Perth)
IB03	Prosecution - Chef Hans Cafe, Nos. 140-144 Oxford Street, Leederville
IB04	Local History Services - Progress Report January to July 2008
IB05	Letter from Minister for Local Government regarding Advisory and Support Services to Local Governments - Dedicated Hotline Number and Email Information Address
IB06	Minutes of Hyde Park Lakes Restoration Working Group Held at Town of Vincent Administration Centre Thursday 17 July 2008
IB07	Register of Petitions - Progress Report - August 2008
IB08	Register of Notices of Motion - Progress Report - August 2008
IB09	Register of Reports to be Actioned - Progress Report - August 2008
IB10	Register of Legal Action - Progress Report - August 2008
IB11	Register of State Administrative Tribunal Appeals - Progress Report - August 2008
IB12	Forum Notes - 15 July 2008
IB13	Notice of Forum - 19 August 2008

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

12.1 WALGA Nominations – Local Government and Community Road Safety Committee

Ward:	-	Date:	4 August 2008
Precinct:	-	File Ref:	ORG0045
Attachments:	001		
Reporting Officer(s):	M McKahey		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) _____ and _____ *be nominated as WALGA Metropolitan Member - Fluoridation of Public Water Supplies Advisory Committee (Ministerial Appointment - Panel of 3 requested);*
- (ii) _____ and _____ *be nominated as WALGA Metropolitan Member (2) - Local Health Authorities Analytical Committee (Ministerial Approval - Panel of 6 Names);*
- (iii) _____ and _____ *be nominated as WALGA Metropolitan Member - WA Environmental Health Officers Professional Review Board;*
- (iv) _____ and _____ *be nominated as WALGA Metropolitan Member - Rural and Remote Education Advisory Council (Ministerial Approval - Panel of 3 names requested);*
- (v) _____ and _____ *be nominated as WALGA Metropolitan Member - Aquatic Facilities Working Group; and*
- (vi) _____ and _____ *be nominated as WALGA Metropolitan Deputy Member - Aquatic Facilities Working Group.*

The Presiding Member called for nominations and Mr Rob Boardman, Director Development Services nominated for;

- (i) the WALGA Metropolitan Member (2) - Local Health Authorities Analytical Committee.

Moved Cr Ker, Seconded Cr Youngman

That the nomination as received be approved as follows, that:

- (i) *Mr Rob Boardman, Director Development Services, be nominated as WALGA Metropolitan Member (2) - Local Health Authorities Analytical Committee.*

MOTION PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

The Presiding Member called for any further nominations and Mr John Giorgi, Chief Executive Officer nominated for;

- (i) the WALGA Metropolitan Member - Fluoridation of Public Water Supplies Advisory Committee.

Moved Cr Ker, Seconded Cr Burns

That the nomination as received be approved as follows, that:

- (i) *Mr John Giorgi, Chief Executive Officer, be nominated as WALGA Metropolitan Member - Fluoridation of Public Water Supplies Advisory Committee.*

MOTION PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

COUNCIL DECISION ITEM 12.1

That the following nominations be approved:

- (i) *Mr John Giorgi, Chief Executive Officer, be nominated as WALGA Metropolitan Member - Fluoridation of Public Water Supplies Advisory Committee.*
 - (ii) *Mr Rob Boardman, Director Development Services, be nominated as WALGA Metropolitan Member (2) - Local Health Authorities Analytical Committee.*
-

DETAILS:

Please see Appendix 12.1 for further details of this Committee.

N.B.:

NOMINATIONS CLOSE 4PM MONDAY 8 SEPTEMBER 2008.

13. URGENT BUSINESS

Nil.

PROCEDURAL MOTION

At 7.43pm Moved Cr Ker, Seconded Cr Messina

That Council proceed "behind closed doors" to consider confidential items 14.1, 14.2, 14.3 and 14.4 as these matter relate to the personal affairs of a person, contain legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting and potential financial and legal implications to the Town.

PROCEDURAL MOTION PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

There were no media or public present.

14. CONFIDENTIAL REPORTS (Behind Closed Doors)

14.1 CONFIDENTIAL REPORT – No. 29 (Lot 139 D/P: 7489) Barnet Street, North Perth - Proposed Construction of Two (2) Two-Storey Grouped Dwellings - State Administrative Tribunal (SAT) Review Matter No. DR 260 of 2008

COUNCIL DECISION ITEM 14.1

Moved Cr Burns, Seconded Cr Ker

That the Council;

- (i) *RECEIVES the report relating to No. 29 (Lot 139 D/P: 7489) Barnet Street, North Perth - Proposed Demolition of Existing Single House and Construction of Two (2) Two-Storey Grouped Dwellings - State Administrative Tribunal (SAT) Review Matter No. DR 260 of 2008; and*
- (ii) *FILES and SERVES the following draft "without prejudice" conditions to SAT when required in relation to State Administrative Tribunal (SAT) Review Matter No. DR 260 of 2008:*
 - (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) *any new street/front wall, fence and gate within the Barnet Street setback area including along the side boundaries within this street setback area, shall comply with the following:*
 - (1) *the maximum height being 1.8 metres above the adjacent footpath level;*
 - (2) *the maximum height of piers with decorative capping being 2 metres above the adjacent footpath level;*

- (3) *the maximum height of the solid portion of the wall being 1.2 metres above the adjacent footpath level, and a minimum of fifty percent visually permeable above 1.2 metres;*
 - (4) *the posts and piers having a maximum width of 355 millimetres and a maximum diameter of 500 millimetres;*
 - (5) *the distance between piers should not be less than the height of the piers except where pedestrian gates are proposed; and*
 - (6) *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;*
- (c) *first obtaining the consent of the owners of Nos. 27 and 31 Barnet Street for entry onto their land, the owners of the subject land shall finish and maintain the surface of the boundary (parapet) walls facing Nos. 27 and 31 Barnet Street in a good and clean condition;*
- (d) *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);*
- (e) *prior to the issue of Building Licence revised plans and details shall be submitted and approved demonstrating the following:*
- (1) *the southern elevation of the balcony to House 2, within the 7.5 metre cone of vision to the southern boundary 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. 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. 27 Barnet Street, stating no objection to the respective proposed privacy encroachment;*
 - (2) *the width of the driveway for House 1 and House 2 each being a maximum of 40 per cent (6.6 metres) of the property frontage;*
 - (3) *the building height of House 1 being reduced to a maximum height of seven (7) metres to the top of the concealed roof; and*
 - (4) *the existing Paper Bark (*Melaleuca linarifolia*) verge tree being retained and the proposed new crossovers for House 1 and House 2 each being a minimum distance of 1 metre from the base of the verge tree.*

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

- (f) *a detailed landscaping plan, including a list of plants and the landscaping and reticulation of the Barnet 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); and*
- (iii) *INVITES COUNCILLOR Ker subject to availability and COUNCILLOR Maier as deputy, to submit a written submission (witness statement) on behalf of the Council on the Review (appeal), which is to be determined by way of a "Final Hearing".*

MOTION PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

DETAILS:

The Chief Executive Officer is of the opinion that this report is of a confidential nature it relates to the Town's position regarding a review application to the State Administrative Tribunal, contains legal advice obtained, or which may be obtained by the local government and which relate to matters to be discussed at this Meeting.

In accordance with the relevant legislation, the report is to be kept confidential until determined by the Council to be released for public information.

LEGAL:

The Town of Vincent Local Law Relating to Standing Orders states the following:

"2.15 Confidential business

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is –*
- (i) *to be treated as strictly confidential; and*
 - (ii) *not, without the authority of Council, to be disclosed to any person other than–*
 - (a) *the Members; and*
 - (b) *Officers of the Council but only to the extent necessary for the purpose of carrying out their duties;*

prior to the discussion of that matter at a meeting of the council held with open doors.
- (2) *Any report, document or correspondence which is to be placed before the Council or any committee and which is in the opinion of the Chief Executive Officer of a confidential nature, may at his or her discretion be marked as such and –*
- (i) *then to be treated as strictly confidential; and*

- (ii) *is not without the authority of the Council to be disclosed to any person other than the Mayor, Councillors or the Officers of the Council referred to in sub-clause (1)."*

The confidential report and relevant attachments are provided separately to Council Members, the Chief Executive Officer and Directors.

At the conclusion of this matter, the Council may wish to make some details available to the public.

14.2 CONFIDENTIAL REPORT: No. 2A (Lot 156) Sholl Lane, North Perth - Non-compliance with the Town of Vincent Town Planning Scheme No. 1 – Alterations and Additions to Approved Two-Storey Single House (Application for Retrospective Approval) – State Administrative Tribunal (SAT) Review Matter DR 368 of 2007

COUNCIL DECISION ITEM 14.2

Moved Cr Messina, Seconded Cr Ker

That the Council AUTHORISES the Chief Executive Officer:

- (i) *to proceed with prosecution proceedings relating to penalties against the owner of No. 2A (Lot 156) Sholl Lane, North Perth under Section 214 (7) of the Planning and Development Act 2005 for failing to comply with the requirements of the Written Direction issued under Section 214 (3) of the Planning and Development Act 2005, within the time specified in relation to the non-compliant street/front wall;*
- (ii) *in accordance with Section 215 (1) of the Planning and Development Act 2005, to remove, pull down, or alter the non-compliant street/front wall, and restore the property as nearly as practicable to comply with the following condition of Planning Approval granted by the State Administrative Tribunal on 27 February 2008:*
 - “(i) *any new street/front wall, fence and gate between the Sholl Lane 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, or where two streets intersect. Walls, fences and gates may be located within this truncation area where the maximum height of the solid portion is 0.65 metre above the adjacent footpath level;” and*
- (iii) *to recover any expenses incurred in (ii) above from the owner of No. 2A (Lot 156) Sholl Lane, North Perth from a court of competent jurisdiction, in accordance with Section 215 (2) of the Planning and Development Act 2005.*

MOTION PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

DETAILS:

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it relates to the Town's position regarding a review application to the State Administrative Tribunal, contains legal advice obtained, or which may be obtained by the local government and which relate to matters to be discussed at this Meeting.

In accordance with the relevant legislation, the report is to be kept confidential until determined by the Council to be released for public information.

LEGAL:

The Town of Vincent Local Law Relating to Standing Orders states the following:

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- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is –*
- (i) *to be treated as strictly confidential; and*
 - (ii) *not, without the authority of Council, to be disclosed to any person other than–*
 - (a) *the Members; and*
 - (b) *Officers of the Council but only to the extent necessary for the purpose of carrying out their duties;*

prior to the discussion of that matter at a meeting of the council held with open doors.
- (2) *Any report, document or correspondence which is to be placed before the Council or any committee and which is in the opinion of the Chief Executive Officer of a confidential nature, may at his or her discretion be marked as such and –*
- (i) *then to be treated as strictly confidential; and*
 - (ii) *is not without the authority of the Council to be disclosed to any person other than the Mayor, Councillors or the Officers of the Council referred to in sub-clause (1)."*

The confidential report and relevant attachments are provided separately to Council Members, the Chief Executive Officer and Directors.

At the conclusion of this matter, the Council may wish to make some details available to the public.

14.3 CONFIDENTIAL REPORT - Leederville Oval - Medibank Stadium - Possible West Coast Eagles Headquarters - Progress Report No. 1

COUNCIL DECISION ITEM 14.3

Moved Cr Youngman, Seconded Cr Ker

That the Council;

- (i) *RECEIVES the information concerning the possibility of the West Coast Eagles (WCE) relocating to part of Leederville Oval and Technical and Further Education (TAFE) land fronting Oxford Street, as shown in Appendix 14.3;*
- (ii) *AUTHORISES the Mayor and Chief Executive Officer to enter into negotiations with the WCE, Minister for Sports and Recreation, Department of Sports and Recreation, Department of Technical and Further Education and other interested persons/parties concerning the WCE proposal; and*
- (iii) *NOTES that in the event that the WCE progress their further interest in Leederville Oval, a further report will be submitted to the Council.*

MOTION PUT AND CARRIED (6-1)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Lake
Cr Burns	
Cr Ker	
Cr Maier	
Cr Messina	
Cr Youngman	

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

Chief Executive Officer's Comment:

The Chief Executive Officer has made public the Officer's Report, as the Council has now made a decision in the matter.

PURPOSE OF REPORT:

The purpose of this report is to update the Council on the recent discussions with the WCE concerning their possible future accommodation within part of Leederville Oval, obtain "Support in Principle" and if required, authorise the Chief Executive Officer and Mayor to enter into discussions to progress the matter.

BACKGROUND:

In early 2008 the State Government announced the major stadium to be built on Kitchener Park in Subiaco. In the lead up to the announcement, the Major Stadia Task Force made a number of recommendations concerning this matter. One recommendation included the State Government providing "the best of breed facilities" for the WCE and Fremantle Dockers.

In 2008, the WCE commenced investigating options for their future accommodation needs, as they will not be able to be located in the new stadium at Subiaco.

The WCE as part of their due diligence process are investigating a number of sites and have contacted a number of other Local Governments, including;

- Town of Claremont - possible redevelopment of Claremont Oval.
- Town of Claremont - DPI - possible redevelopment of Showgrounds.
- Town of Cambridge - possible redevelopment of Matthews Netball Centre.
- Town of Bassendean - possible redevelopment of Swan Districts Oval.
- City of Stirling - possible redevelopment of vacant land adjacent to their administration building.

Discussions with WCE

The WCE initially approached the Town about Leederville Oval and meetings have been held on two occasions (21 April 2008 and 25 June 2008). The WCE have advised that Leederville Oval has many benefits, satisfies a number of their essential criteria and is one of their "*preferred sites*".

No firm details have been discussed. In addition, no financial details have been discussed, as concept plans are still in their infancy.

The Mayor and Chief Executive Officer have requested the WCE to make a formal submission to the Town, once they have developed their concept plans and business case-if they wish to progress Leederville Oval.

On 5 August 2008, the Town's Chief Executive Officer spoke with the WCE Chief Executive Officer who advised "*Leederville Oval is definitely one of their preferred options*".

WCE PROPOSED BUILDING

The WCE require a building comprising up of up to 10,000m² in total. It would comprise of a basement with car parking storage, pool, fitness rooms, two -three(2-3) levels of office accommodation, player support facilities and member facilities. Access and member viewing to a training ground is highly desirable.

An area of approximately 3,000m² of Leederville Oval land, just north of the Subiaco Football Club offices, together with TAFE land fronting Oxford Street has been identified.(Refer Appendix 14.3)

Both Subiaco and East Perth Football Clubs are supportive of the WCE proposal.

It is understood that TAFE is also supportive of the WCE proposal, although no contact has been made with TAFE.

LEGAL/POLICY IMPLICATIONS:

The proposed redevelopment will need to be advertised in accordance with the Local Government Act Major Land Transaction requirements, at the appropriate time - if the project proceeds.

ADVERTISING/COMMUNITY CONSULTATION:

Not applicable at this stage. Articles have appeared in *The West Australian* on 15 May 2008 and 27 July 2008. An article also appeared in a local newspaper on 29 July 2008.

FINANCIAL/BUDGET IMPLICATIONS:

The Town has been advised that the State Government of WA will be financially responsible for the WCE headquarters, as part of their relocation from Subiaco Oval. Whilst specific funding has not been identified, it is further understood that funds are available in the overall stadium budget of \$1.1 million.

An amount of \$30-\$40 million has been indicated for the project, although no precise costings have been carried out.

SUSTAINABILITY IMPLICATIONS:

The relocation of WCE to Leederville Oval will provide positive financial, social and environmental benefits.

STRATEGIC IMPLICATIONS:

This matter is in keeping with the Town's Strategic Plan 2006/2011, Key Objective 2.1 - "*Progress economic development with adequate financial resources*", in particular:

2.1.1 Promote the Town as a place for investment, appropriate to the vision for the Town.

2.1.3 Promote business development.

2.1.7 Implement the Leederville Masterplan."

COMMENT:

The possible location of the WCE headquarters in Leederville is in keeping with the Town's Plan for the Future and Leederville Masterplan objectives. It will bring considerable economic spend to the Vincent Business Community and significant exposure to the Town, as the WCE have a high profile with the WA public. Accordingly it is appropriate that the Town "support in principle", the relocation of the WCE to Leederville Oval. The Council's endorsement of the Officer Recommendation is therefore requested.

14.4 CONFIDENTIAL REPORT - Request for Reconsideration of the Financial Terms of Conditions for the Local Government House Trust (Western Australian Local Government (WALGA)) Office Building, 244A Vincent Street, Leederville

COUNCIL DECISION ITEM 14.4

Moved Cr Burns, Seconded Cr Ker

That the Council;

- (i) *RECEIVES the progress report concerning the Local Government House Trust's (Western Australian Local Government Association (WALGA)) future accommodation needs as at 6 August 2008;*
- (ii) *AUTHORISES the Chief Executive Officer to enter into negotiations with State Land Services, Department of Planning and Infrastructure, Department of Treasury and other relevant State Government Departments and prepare a case (if required) to pursue the acquisition of the land currently occupied by Leederville Early Childcare Centre;*
- (iii) *APPROVES the amended financial Terms and Conditions as shown in Confidential Appendix 14.4; and*
- (iv) *ADVISES WALGA of its decision.*

MOTION PUT AND CARRIED (5-2)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Lake
Cr Burns	Cr Maier
Cr Ker	
Cr Messina	
Cr Youngman	

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

DETAILS:

The Chief Executive Officer is of the opinion that this report is of a confidential nature as it relates to matters that if disclosed, would reveal information that has a commercial value to a person and a Contract entered into, or which may be entered into, be the Local Government and which relates to a matter to be discussed at the meeting.

In accordance with the relevant legislation, the report is to be kept confidential until determined by the Council to be released for public information.

LEGAL:

The Town of Vincent Local Law Relating to Standing Orders states the following:

"2.15 Confidential business

- (1) *All business conducted by the Council at meetings (or any part of it) which are closed to members of the public is –*
 - (i) *to be treated as strictly confidential; and*

- (ii) *not, without the authority of Council, to be disclosed to any person other than—*
 - (a) *the Members; and*
 - (b) *Officers of the Council but only to the extent necessary for the purpose of carrying out their duties;*

prior to the discussion of that matter at a meeting of the council held with open doors.
- (2) *Any report, document or correspondence which is to be placed before the Council or any committee and which is in the opinion of the Chief Executive Officer of a confidential nature, may at his or her discretion be marked as such and –*
 - (i) *then to be treated as strictly confidential; and*
 - (ii) *is not without the authority of the Council to be disclosed to any person other than the Mayor, Councillors or the Officers of the Council referred to in sub-clause (1).”*

The confidential report and relevant attachments are provided separately to Council Members, the Chief Executive Officer and Directors.

At the conclusion of this matter, the Council may wish to make some details available to the public.

PROCEDURAL MOTION

At 8.15pm Moved Cr Ker, Seconded Cr Burns

That an “open meeting” be resumed.

PROCEDURAL MOTION PUT AND CARRIED (7-0)

(Cr Farrell on approved leave of absence. Cr Doran-Wu was an apology for the meeting.)

15. CLOSURE

The Presiding Member, Mayor Nick Catania, declared the meeting closed at 8.15pm with the following persons present:

Mayor Nick Catania, JP	Presiding Member
Cr Anka Burns	South Ward
Cr Ian Ker	South Ward
Cr Sally Lake	South Ward
Cr Dudley Maier	North Ward
Cr Izzi Messina	South Ward
Cr Noel Youngman	North Ward
John Giorgi, JP	Chief Executive Officer
Rob Boardman	Director Development Services
Rick Lotznicker	Director Technical Services
Mike Rootsey	Director Corporate Services
Anita Radici	Executive Assistant (Minutes Secretary)

No Members of the Public.

These Minutes were confirmed by the Council as a true and accurate record of the Ordinary Meeting of the Council held on 26 August 2008.

Signed:Presiding Member
Mayor Nick Catania, JP

Dated this day of 2008