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(18 November 2003)

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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 18 November 2003, commencing at 6.03pm.

1. DECLARATION OF OPENING

The Presiding Member, Mayor Nick Catania JP, declared the meeting open at 6.03pm.

2. APOLOGIES/MEMBERS ON APPROVED LEAVE OF ABSENCE

(a) Apologies:

Nil.

(b) Present:

Mayor Nick Catania, JP	Presiding Member
Cr Simon Chester	North Ward
Cr Caroline Cohen	South Ward
Cr Helen Doran-Wu	North Ward
Cr Steed Farrell	North Ward
Cr Basil Franchina	North Ward
Cr Sally Lake	South Ward
Cr Maddalena Torre	South Ward
John Giorgi, JP	Chief Executive Officer
Mr Rob Boardman	Executive Manager, Environmental and Development Services
Mike Rootsey	Executive Manager, Corporate Services
Rick Lotznicher	Executive Manager, Technical Services
Annie Smith	Executive Assistant (Minutes Secretary)
Dale Morrissy	Acting Manager Beatty Park Leisure Centre (until 6.32pm) - Award Recipient
Yolanda Scheidegger	Senior Planning Officer - Strategic (until 6.32pm) - Award Recipient
Matt Zis	Journalist – Guardian Express
Mark Fletcher	Journalist – Voice News

Approximately 26 Members of the Public

(c) Members on Leave of Absence:

Cr Ian Ker (Deputy Mayor) South Ward

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

1. Mr Lee Dewberry of 2 Waugh Street, North Perth - Item 10.1.5 - Submitted a letter to the Elected Members. Stated that the neighbours retract their original submission and no longer have any objections to the proposal as it stands. Have ensured that the proposal complies with all the requirements of the TPS and R-Codes in relation to the adjoining owners. Stated the only variation relates to street setbacks. Stated that there has been no objection to the proposed street setbacks.

2. Mr Beven McInerney of 342 Grand Promenade, Dianella representing the Rotary Club of North Perth - Item 10.3.5 - Stated that the Rotary Club has conducted the Hyde Park Fair since 1988 and has been successful in doing so. Advised that all of the money raised from the Fair has been returned to the community. Mentioned all the causes that Rotary support. Stated that Rotary are a responsible group and has agreed to abide by all the requirements of the Town, in particular food regulations, prevention of illegal parking in the Park and any other matter that the Council may impose.

Stated that the Fair offers the residents of the Town an excellent two days of non-stop entertainment, festival rides, family entertainment and arts and crafts. Sought the permission of the Town for the Club to conduct the Community Fair on the grounds of Hyde Park on the two days mentioned and sufficient time to set-up on the Friday. Stated that the Rotary Club appreciates the support give to the Club by the Town and made an offer for the Town to participate as a major sponsor to the Fair.

3. Mr Jamie Hutcheson of 139 Matlock Street, Mt Hawthorn - Item 10.1.10 - Submitted a set of photographs on the property and an approved demolition report relating to the property at 143 Matlock Street. Stated that prior to purchasing the property he contacted the Town to see if it had any heritage value as he would want to demolish it and build his family home. Stated he was advised at the time that it was not listed on the heritage register. Referred to two other cottages in the same street that have been demolished. Believed that these two cottages were of a superior standard and more aesthetically pleasing than his property. Stated that since he purchased the property there has be subsidence in the floor, ceiling beams and rafters sagging, dry rot, walls out of alignment and evidence of termite damage. Believes that the demolition and building of a new home will improve the area.
4. Ms Lucia Dedear of 98 Buxton Street, Mt Hawthorn - Item 11.1 and Item 10.1.8 of the Council Meeting held on 4 November 2003 - Referred to Item 10.1.8 of the previous meeting regarding the 'loft'. Questioned whether there is a definition for a 'loft' or not.

Asked the following question:

The drawings before Council on 4 November 2003 for 190 Scarborough Beach Road showed large dormer windows protruding above the third storey roofline. Requested that it be confirmed that these protrusions are still considered to be "within the roof spaces of the third storey" as noted in the report?

Believes if the answer is "yes" then there is a definition of a 'loft' - 'areas within the roof space with some protrusions from the roofline to allow habitation'. If the answer is 'no', then believes that 190 Scarborough Beach Road does not fully comply.

Stated that the CEO's time should not be wasted on producing a 'loft' report but rather there be a more accurate way to control height by stipulating building envelope limits, ignoring lofts altogether.

5. Ms Lena Di Iorio of 22 Venn Street, North Perth - Item 10.1.9 - Believes that if the application is refused on grounds that it is interim heritage listed that this decision is flawed and is not consistent. Stated that there are other properties in the Town that have the same structure as her property and are not listed. Believes that the proposed development will greatly improve the value of the area and streetscape and benefit the community by bringing more professionals and families to the area. Stated the building has been altered many times which has lowered its originality. Requested that the application be assessed properly.
6. Mr Len Natalotto of 27 Vincent Street, Mt Lawley - Item 10.1.4 - Stated that he does not have a problem with the conditions imposed with the exception of (xi)(b) which states the top storey setbacks are to be a minimum of 6 metres. Stated that they have tried to readjust the design to accommodate the setback but will change the complete outlook of the federation style house that is proposed. Requested the Council reconsider this condition and allow a setback of 3 metres.
7. Mr Dudley Maier of 51 Chatsworth Road, Highgate - Item 10.3.3 - Referred to financial outcome for Beatty Park Leisure Centre. Referred to the reasons for the loss in the previous year. Believes that these reasons do not necessarily apply this year. Stated that is not about whether Beatty Park should make a profit or a loss but about sound financial management. Stated that with such a variance that a report would be presented to Council detailing actions that have been taken to avoid this happening again.

Also mentioned HQ. Referred to Council's decision to defer taking over ownership of HQ until various reports were presented to Council in particular about the financial viability of taking it over. Referred to the items in the Capital Works. Believes the Town has taken over the defacto running of the HQ.

Asked the following question:

Q1. When will the reports presented to Council that were requested in June 2003?

There being no further questions from the public, Public Question Time was closed at 6.25pm.

(b) RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

5. THE RECEIVING OF PETITIONS, DEPUTATIONS AND MEMORIALS

Nil.

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Ordinary Meeting of Council held on 4 November 2003.

Moved Cr Lake, Seconded Cr Cohen

That the Minutes of the Ordinary Meeting of Council held on 4 November 2003 be confirmed as a true and correct record subject to the mover and seconder for Deferral of Item 10.1.5 being amended to read as follows:

Moved Cr Doran-Wu, Seconded Cr Lake

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

7.1 Western Australian Local Government Association - Best Practice Awards 2003

I am very pleased to announce that the Town has been successful in receiving two Best Practice Awards in these Awards. These are for the following categories;

Innovation Category

This category demonstrates sustainable application, new technology or processes or a leap in creativity.

The Town has retrofitted its staffrooms and ground floor, of the Administration and Civic Building and Depot as well as the shed at the Depot with energy efficient measures, including a lighting retrofit, lighting sensors, timers on the boilers/lights and drinks/snack machines, window tinting and promotional signage.

A presentation was also given by the Town at the Western Australian Sustainable Industry Group seminar on "Illuminating the Savings: Energy Efficient Lighting which was held at Murdoch University on Friday 22 August 2003.

Senior Officers from the Department of Agriculture have toured the Town's Energy Showcase Rooms and were so impressed that they are now in the process of implementing similar energy efficiency actions within their own organisation.

The Town has been recognised as a leader in the field of energy efficiency and has proved that minimal effort and a little money can result in tremendous financial savings, raise staff awareness of energy efficiency and reduce Carbon Dioxide emissions.

Tonight our Senior Strategic Planning Officer, Yolanda Scheidegger is here to receive the Certificate. Congratulations to all on a job well done!

Received with acclamation.

Communication Category

This category examines the objectives of the publication, the manner in which it is produced, ease of access and its demonstrated effectiveness.

Beatty Park Leisure Centre's "PoolWatch" program which was launched in October 2002 was a finalist in this category and received a Best Practice Award.

I have previously advised that this program won the 2003 National Awards for Local Government – Information Services category.

PoolWatch is an educational communication strategy aimed at promoting safety and security at public swimming pools. The program encourages all users and staff of public swimming pools to make the safety and security of others a number one priority. All of the existing safety messages promoted throughout the Centre have been incorporated into PoolWatch, further strengthening the message.

An expanded range of in house training programs have also been brought under the PoolWatch banner, further enhancing Beatty Park staff's ability to respond to emergencies. PoolWatch does not negate the responsibility of the Lifeguards: similar to the concept of Neighbourhood Watch, it simply reinforces the message that a hundred pairs of eyes are after all better than one.

Tonight we have Acting Centre Manager, Dale Morrissy to accept the Award. Congratulations to you and your team, Dale.

Received with acclamation.

7.2 Sport and Recreation Industry Awards

I am also pleased to advise that Beatty Park Leisure Centre was a finalist in the category for Facility Management in the category - "greater than \$1 million turnover".

This Award is held every two years and Beatty Park Leisure Centre previously was a winner in this category.

The receiving of the above Awards acknowledges the Town's performance in these areas.

Received with acclamation.

8. DECLARATION OF INTERESTS

- 8.1 Mayor Catania declared a Financial Interest in Item 10.3.1 - Investment Report. His interest being that he is the Chairperson of the North Perth Community Bank.
- 8.2 Cr Doran-Wu declared a Financial Interest in Item 10.3.2 - Cultural Development Seeding Grant Application. Her interest being that she is Vice President of the Mt Hawthorn P & C Association.

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

Nil.

10. REPORTS

The Agenda Items were categorised as follows:

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

Items 10.1.5, 10.3.5, 10.1.10, 11.1, 10.1.9, 10.1.4 and 10.3.3

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

Items 10.4.4

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

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

Cr Lake	10.1.12, 10.1.13 and 10.2.2
Cr Chester	10.1.1, 10.1.2 and 10.2.1
Cr Torre	Nil
Cr Doran-Wu	Nil
Cr Farrell	Nil
Cr Cohen	10.1.8 and 10.2.3
Cr Franchina	Nil
Mayor Catania	Nil

Presiding Member, Mayor Nick Catania JP, requested the Chief Executive Officer to advise the Meeting of:

10.4 Items which members/officers have declared a financial or proximity interest but which have not been subject to a public question/comment, require an absolute special majority or have been identified by elected members for discussion:

Items 10.3.1 and 10.3.2

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

Items 10.1.3, 10.1.6, 10.1.7, 10.1.11, 10.1.14, 10.3.4, 10.4.1, 10.4.2, 10.4.3 and 10.4.5

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

Nil.

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

(a) Unopposed items moved en bloc;

Items 10.1.3, 10.1.6, 10.1.7, 10.1.11, 10.1.14, 10.3.4, 10.4.1, 10.4.2, 10.4.3 and 10.4.5

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

Items 10.1.5, 10.3.5, 10.1.10, 11.1, 10.1.9, 10.1.4 and 10.3.3

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

Moved Cr Torre, Seconded Cr Lake

That the following unopposed items be moved en bloc;

Items 10.1.3, 10.1.6, 10.1.7, 10.1.11, 10.1.14, 10.3.4, 10.4.1, 10.4.2, 10.4.3 and 10.4.5

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

10.1.3 No. 11 (Lot 56) Wilberforce Street, Mount Hawthorn- Proposed Partial Demolition of and Alterations and Additions to the Existing Single House

Ward:	North	Date:	10 November 2003
Precinct:	Leederville, P3	File Ref:	PRO2349; 00/33/1627
Reporting Officer(s):	J Barton		
Attachments	001		
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 R Goddard on behalf of the owners R L and T M Goddard for the proposed partial demolition of and alterations and additions to the existing single house at No. 11 (Lot 56) Wilberforce Street, Mount Hawthorn, as shown on the plans stamp-dated 17 October 2003, subject to:

- (i) to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development, the windows to the upper floor bedrooms on the southern elevation shall be screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole windows can be top hinged and the obscure portion of the windows openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject walls, so that they are not considered to be major openings as defined in the Residential Design Codes 2002;*
- (ii) standard visual truncations, in accordance with the Town's Policies and to the satisfaction of the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised;*
- (iii) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Wilberforce Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the new front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (iv) the construction of crossovers shall be in accordance with the Town's specifications;*
- (v) prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*

- (vi) *a right of way security bond and/or bank guarantee for \$880 shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for an standard 2 wheel drive vehicle) as a consequence of the works the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division;*
- (vii) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (viii) *a road and verge security bond or bank guarantee of \$550 shall be lodged with the Town prior to the issue of a Building Licence and be held until all building / development works have been completed and/or any disturbance of, or damage to, the Town's infrastructure, including street verge trees, has been repaired / reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security bond or bank guarantee must be made in writing;*
- (ix) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (x) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (xi) *compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (xii) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating that the sitting room has been provided with sufficient light and ventilation in accordance with the requirements of the Building Code of Australia. The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies; and*
- (xiii) *a maximum of one (1) car bay, with a maximum width of 2.4 metres, can be provided within the front setback area;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.3

Moved Cr Torre, Seconded Cr Lake

That the recommendation be adopted.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

LANDOWNER: R L and T M Goddard
APPLICANT: R L Goddard
ZONING: Metropolitan Region Scheme: Urban
 Town Planning Scheme No.1: Residential R30
EXISTING LAND USE: Single House

COMPLIANCE:

Use Class	Single House
Use Classification	"P"
Lot Area	445 square metres

Requirements	Required	Proposed
Setbacks:		
Ground Floor - Eastern Side	1.5 metres	1.1 metres
Ground Floor - Western side	1.5 metres	1.1 metres
Upper Floor - Eastern Side	1.5 metres	1.1 metres

SITE HISTORY:

At the Ordinary Meeting of Council held on 8 July 2003, the Council approved a similar proposal, subject to the upper and ground floor being setback 1.5 metres from the eastern side boundary.

DETAILS:

The applicants have submitted a new application, which is basically the same as the previous proposal, however, the applicants still wish to bring a small portion of the upper and ground floor to 1.1 metres off the eastern side, in order to make the proposed development viable. However, the portion of the building at 1.1 metres has been reduced in order to address the adjoining neighbour's concerns.

Approval is sought for the partial demolition of, and alterations and additions to, the existing single residence, with existing vehicle access being from both the right of way and Wilberforce Street.

The right of way is Town-owned, unsealed and 5 metres wide.

CONSULTATION/ADVERTISING:

The owner sought and obtained signatures of consent from the owner of No. 13 Wilberforce Street within the last twelve months for the previous application, which is similar to the proposed development.

The application was advertised to the adjoining eastern neighbour from 3 June 2003 to 17 June 2003. Given that the proposal is similar to the previous application, and that the previous application was advertised within the last 12 months, further re-advertising is not considered necessary.

One objection was received during the previous advertising period.

The main concerns raised in the letter of objection have been summarised below:

- *"...The proposed eastern wall...would affect the westward aspect of our backyard. It would have a negative visual impact..."*

- *The proposed eastern wall would be 1.1 metres from the boundary, thus the eaves would nearly reach the boundary.*
- *"..We feel the bulk of the proposed wall and roof structure would dominate our backyard and give it a claustrophobic feel..."*
- The proposed wall does not assist in ameliorating the impacts of building bulk on adjoining properties, as per Clause 3.3.1 of the Residential Design Codes.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies, and Residential Design Codes.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/ BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Significant Tree

There is a significant tree (Eucalyptus) located on the front of the lot. However, no works are proposed to the front of the property, thus the significant tree is not affected.

Light and Ventilation

The window to the sitting room on the upper floor, eastern side, does not provide sufficient light and ventilation to the habitable room in accordance with the Building Code of Australia. However, this can be addressed by increasing the size of the window to 1.84 square metres, which is 10 percent of the sitting rooms total floor area. Alternatively, a skylight can be provided in the roof area to provide 10 percent light and ventilation to the room. Accordingly, a condition has been recommended on the approval to this effect.

Vehicle Manoeuvring

The Town's Engineering Services advised that a minimum of 1 metre setback is normally required from the right of way to the car parking bay. However, this is not considered necessary in this instance as the parking provisions are existing.

Partial Demolition

The Town's Heritage Officer has advised that the property is not listed on the Town of Vincent Municipal Heritage Inventory or Interim Heritage Database. As such, this application is just subject to general provisions of the Town Planning Scheme and associated Policies.

Side Setbacks

Side setback variations are proposed to the eastern and western sides of 1.1 metres, and 1.15 metres, respectively, in lieu of 1.5 metres. The neighbour on the western side previously raised no objections to the proposal, however, the eastern neighbour previously predominantly objected to the proposal due to the bulk of the building, and the negative visual impact the setback variation will have on their property.

Notwithstanding the above concerns, the proposal is considered to address the majority of the relevant performance criteria under Clause 3.3.1 of the Residential Design Codes 2002 (R-Codes), as the proposal does not overlook or overshadow the adjoining eastern neighbour. Additionally, the proposal complies with all other requirements of the R-Codes, and the proposal is not considered to be out of character with existing buildings in the area, as the adjoining western neighbour's (No. 9 Wilberforce Street) dwelling has been designed and setback in a similar fashion to the proposed development.

Furthermore, the applicants and landowners have set most of the ground floor addition back to 1.5 metres (meals and family) and only a small portion of the proposed addition (approximately 2.6 metres wide) actually protrudes forward to 1.1 metres on the ground floor. Also, although the upper floor setback should be 1.5 metres, only the stairs (2.2 metres wide) will actually protrude forward to 1.1 metres.

In light of the above, the amended plans are not considered to create an undue impact on the adjoining neighbours, or the area generally, and the variation is therefore supported.

Upper Floor Windows

The proposed plans depict highlight windows to the bedrooms on the upper floor, southern elevation. These windows should be conditioned to comply with the privacy requirements of the R-Codes, due to the lack of dimension details shown for these windows.

Conclusion

In light of the above, and given the minor nature of the variation sought and the narrowness of the subject land (12.19 metres), it is recommended that the proposal be approved, subject to standard and appropriate conditions to address the above matters.

10.1.6 No. 271 (Lot 2) Walcott Street, North Perth – Proposed Demolition of Existing Dwelling and Construction of Three (3) Two-Storey Grouped Dwellings

Ward:	North	Date:	3 November 2003
Precinct:	North Perth, P8	File Ref:	PRO 2471; 00/33/1786
Attachments:	001		
Reporting Officer(s):	M Bonini		
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 the owner P De Gois for proposed demolition of existing dwelling and construction of three two-storey grouped dwellings at No. 271 (Lot 2) Walcott Street, North Perth, and as shown on amended plans stamp-dated 23 September 2003 (units 1, 2 and 3, ground floor plans, units 1 and 2 first floor plan, site survey plan), 28 October 2003 (unit 3 first floor plan) 16 October 2003 (site plan), 3 November 2003 (elevations plans), subject to:

- (i) standard visual truncations, in accordance with the Town's Policies and to the satisfaction to the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised; and*
- (ii) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (iii) compliance with all Building, Environmental Health and Engineering requirements;*
- (iv) a road and verge security bond or bank guarantee of \$550 shall be lodged with the Town prior to the issue of a Building Licence and be held until all building / development works have been completed and/or any disturbance of, or damage to, the Town's infrastructure, including street verge trees, has been repaired / reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security bond or bank guarantee must be made in writing.*
- (v) no front fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Walcott Street, shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the new front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (vi) the construction of crossovers shall be in accordance with the Town's specifications;*
- (vii) prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*

- (viii) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (ix) *a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Walcott Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (x) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
- (a) *the minimum vehicular entrance width from Walcott Street being 4 metres;*
 - (b) *the crossover being perpendicular to Walcott Street with 1 metre radius "wings"; and*
 - (c) *landscaping on southern boundary adjacent to driveway being removed to facilitate maneuvering.*

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

- (xi) *a Demolition Licence shall be obtained from the Town prior to commencement of any demolition works on site;*
- (xii) *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; and*
- (xiii) *to protect the reasonable privacy of the adjacent residents to the north west, prior to the first occupation of the development the window to bedroom 3 on the north elevation on the first floor of unit 2, shall be screened with a permanent obscure material and be non openable to a minimum of 1.6 metres above the finished first floor level. A permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject window not exceeding one square metre in aggregate in the respective subject walls, so it is not considered to be a major opening as defined in the Residential Design Codes 2002;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.6

Moved Cr Torre, Seconded Cr Lake

That the recommendation be adopted.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

LANDOWNER: P De Gois
APPLICANT: As above
ZONING: Metropolitan Region Scheme - Urban
Town Planning Scheme No. 1 - Residential R60
EXISTING LAND USE: Grouped Dwellings

COMPLIANCE:

Requirements	Required	Proposed
Setbacks - Unit 1		
East Front First Floor	6 metres	5.9 metres to 5.2 metres
Privacy Assessment		
Unit 2 - Bedroom 3 window	4.5 metres	3.4 metres to west boundary

Use Class	Grouped Dwellings
Use Classification	"p"
Lot Area	685 square metres

SITE HISTORY:

No.271 Walcott Street is occupied by an existing single storey single house.

DETAILS:

The applicant seeks approval for three two-storey grouped dwellings and involves the demolition of the existing house. The proposal generally complies with the Residential Design Codes (R Codes) and the Town's Town Planning Scheme No. 1 and Policies with the exception of the above non-compliances.

CONSULTATION/ADVERTISING:

The proposal has been advertised and no written submissions have been received by the Town.

The proposal occurs along Walcott Street, which is classified as an Other Regional Road (ORR) reservation. The application was referred to the Department for Planning and Infrastructure (DPI). In letter dated 5 August 2003, the DPI states that "*this application as presented is not acceptable to DPI. However, it would be if the development plan was modified so that the wrought iron fencing, high brick feature fence and the courtyard of proposed unit 1 and all other associated developments are located entirely on the portion of land that is reserved for ORR.*"

The applicants have modified their plans to reflect the requirements of DPI.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies, and the Residential Design Codes.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Demolition

The detailed heritage assessment is contained in the Appendix 10.1.6.

The 1935 single storey cement rendered brick and tile dwelling at No. 271 Walcott Street, North Perth, represents a part of the building stock built along Walcott Street during the Interwar period of 1919 and 1939. The hipped roof with two front gables, features decorative vents above two sets of wooden sash windows. The central front verandah is recessed and covered with a flat roof, supported by concrete columns.

The original floor plan includes a master bedroom, formal dining and lounge room all addressing Walcott Street, with kitchen, bathroom, and laundry to the rear. Wooden floorboards feature throughout the dwelling and other consistent features include picture rails, air vents, decorative architraves, wood panelled doors, splayed skirting boards and plaster ceiling roses of varying styles. Additions and alterations to the original form of the dwelling have occurred under the rear skillion and side verandah, which have both been enclosed and converted. Similarly, the laundry has been relocated under the rear skillion additions and the former laundry has been converted into a small bedroom. The rear additions are not considered to diminish the overall aesthetic of the dwelling; however the original intent of the original floor plan has been compromised.

While original features such as wooden sash windows and ceiling roses are of interest, it is not considered that these features alone justify the retention of the house or qualify the place for consideration for entry on the Town's Municipal Heritage Inventory. The place is not rare and is considered to be of little aesthetic, historic, scientific and social value. The subject dwelling contributes to the streetscape in terms of traditional setbacks and building style.

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

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

Overshadowing

An overshadowing assessment was conducted to establish the extent of overshadowing the development would impose onto the adjoining affected property being No. 269 Walcott Street. The outcome of this assessment established that a total of 49.85 square metres of the adjoining property will be overshadowed. This equates to 6 percent. This is considered to be within the requirements as per the Residential Design Codes (R Codes). The R Codes stipulate that the shadow cast onto the adjoining property must not exceed 50 percent. The overshadowing is therefore in full compliance with the requirements of the R Codes and considered acceptable.

East Side Setback

The first floor setback is generally required to be 6 metres from the primary street boundary. In this instance, the upper storey of unit 1 protrudes into the setback area by a maximum of 0.8 metre. The upper floor area that does not comply relates to the balcony, which is accessible from bedroom 3. The incursion of the balcony is considered to be an acceptable form of development in the Residential Design Codes (R Codes) as it is considered a minor incursion. The R Codes state the following:

"A porch, balcony, verandah, chimney, or the equivalent may project not more than one metre into the building setback area, provided that the total of such projections does not exceed 20 per cent of the frontage at any level".

The balcony meets the above requirements of the R Codes and is therefore considered to be acceptable to this development.

Overlooking

The window to Bedroom 3 on the first floor of Unit 2 should be screened in accordance with the privacy requirements of the R Codes, to provide reasonable privacy to the western/rear neighbouring property.

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

10.1.7 No. 273 (Lot 210) Lord Street, Perth - Proposed Demolition of Married Quarters Building and the Construction of Five (5) Two-Storey Multiple Dwellings with Part Undercroft Carparking

Ward:	South	Date:	11 November 2003
Precinct:	Forrest Precinct, P14	File Ref:	PRO2310; 00/33/1569
Attachments:	001		
Reporting Officer(s):	R Rasiah		
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 Labyrinth Design and Development on behalf of the owner M.P.M Nominees P/Ltd for the proposed demolition of the married quarters building and the construction of five (5) two-storey multiple dwellings and part undercroft carparking at No. 273 (Lot 210) Lord Street, Perth and as shown on plans stamp dated 9 October 2003, subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements, including access and carparking;*
- (ii) detailed plans of site works, including identification of pavement type, drainage and parking shall be submitted with the Building Licence application;*
- (iii) a detailed schedule of external finishes (including materials and colour schemes and details) shall be submitted and approved prior to the issue of a Building Licence. The schedule shall also address complementary colour for application to the southern boundary wall facing Dilhorn House and this colour shall be supported by the owner of the adjacent property at No.2 Bulwer Street (Dilhorn House), Perth;*
- (iv) subject to first obtaining the consent of the owners of No 2 (Lot 211) Bulwer Street for entry onto their land the owners of the subject land shall finish and maintain the surface of the boundary (parapet) wall facing No 2 (Lot 211) Bulwer Street in a good and clean condition in accordance with condition (vi) above;*
- (v) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Lord Street shall be a maximum height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (vi) no street trees shall be removed, cut back, pruned or interfered with in any way, without the prior approval of the Town's Parks Services Section;*
- (vii) all car parking bays shall be dimensioned on the Building Licence application working drawings and shall comply with the minimum specifications and dimensions specified in the Town's Policy relating to Parking and Access and Australian Standards AS2890.1 – "Off Street Parking;*
- (viii) prior to the first occupation of the development, two (2) visitors bays, shall be clearly marked and signposted for the exclusive use of visitors to the development;*

- (ix) *the car parking area(s) on the subject land shall be sealed, drained, paved and line marked in accordance with the approved plans prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s) to the satisfaction of the Town;*
- (x) *all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division. No further consideration will be given to the disposal of stormwater without the submission of a geotechnical report from a qualified consultant;*
- (xi) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (xii) *a standard visual truncations, in accordance with the Town's Policies and to the satisfaction to the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised;*
- (xiii) *a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*
- (xiv) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expenses;*
- (xv) *a road and verge security bond or bank guarantee of \$550 shall be lodged with the Town prior to the issue of a Building Licence and be held until all building / development works have been completed and/or any disturbance of, or damage to, the Town's infrastructure, including street verge trees, has been repaired / reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security bond or bank guarantee must be made in writing;*
- (xvi) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development; the balconies to the units 3 and 4 on the first floor level on the south-west and north east sides, respectively, shall be 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;*
- (xvii) *prior to the issue of the Building Licence, revised plans shall be submitted and approved demonstrating a minimum of 60 percent of the site area being provided as open space.*
The revised plans shall not result in any greater variation to the requirements of the Residential Design Codes and the Town's Policies; and
- (xviii) *prior to the issue of a Building Licence, an archaeological report of the site shall be submitted to and approved by the Town. The recommendations of the archaeological report shall be undertaken at the applicant's/owner's full expense in accordance with a timeframe/programme approved by the Town;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.7

Moved Cr Torre, Seconded Cr Lake

That the recommendation be adopted.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

LANDOWNER: Labyrinth Design and Development
APPLICANT: M.P.M Nominees P/Ltd
ZONING: Metropolitan Region Scheme: Urban
 Town Planning Scheme No.1: Residential R 80
EXISTING LAND USE: Former Married Quarters Building

COMPLIANCE:

Requirements	Required	Proposed
Setbacks		
Front-ground floor(North-east)	4 metres	2.076 metres
First floor (North-east)	6 metres	5.5 metres
First floor (North)	2.8 metres	1.9 to 2.036 metres
First floor (South-west)	1.8 metres	1.3 to 1.899 metres
Open space	60 per cent (430 square metres)	58.1 per cent (423 square metres)

Use Class	Multiple dwelling
Use Classification	"P"
Lot Area	717 square metres

SITE HISTORY:

26 February 2002: At its Ordinary Meeting, the Council conditionally approved the demolition of the married quarters building and the construction of five (5) multiple dwellings at the above site.

DETAILS:

The applicant seeks demolition of the existing married quarters building and approval for five (5) two-storey multiple dwellings, and associated part undercroft carparking. A new crossover access is proposed onto Lord Street. All vehicles will exit the site in forward gear.

CONSULTATION/ADVERTISING:

The proposal was referred to the Western Australian Planning Commission (WAPC), as a new crossover is proposed onto Lord Street, which is classified as Other Regional Road reservation under the Metropolitan Region Scheme.

The proposal was also referred to the Heritage Council of Western Australia, and advertised in accordance with the Town's Community Consultation Policy. At the end of the submission period, two written and one verbal submission were received.

The concerns raised in the submissions are as follows:

- Height of parapet wall along south west boundary is considered too high.
- Wall facing Dilhorn House should be painted to fit in with the colour scheme of Dilhorn House.
- Possible retention of existing tree on-site.

The applicant has submitted the following additional information dated 9 October 2003 (attached) summarised including revised plans, in support of the proposal and also addressing issues raised by Town's Officers and those who made submissions:

- Boundary wall on south west side facing Dilhorn House has been reduced in height.
- Provision of 1.6 metres high fixed obscure glazing to comply with privacy requirements of the Residential Design Codes (R Codes).
- Open style fencing along Lord Street frontage.

FINANCIAL/ BUDGET IMPLICATIONS:

Nil.

STRATEGIC IMPLICATIONS:

Nil.

LEGAL/POLICY:

Town of Vincent Town Planning Scheme No. 1 and associated Policies, and the Residential Design Codes.

COMMENTS:

The site falls within the Forrest Precinct. The Policy relating to the Forrest Precinct for the Residential zoned areas states that new contemporary development are encouraged, where setback variations consistent with established development will be considered. Priority is given to higher density development provided there is no undue loss of privacy or amenity of existing residents.

The applicant has taken on board the concerns raised about the excessive height of the boundary wall, and has reduced the wall to 2 metres at the highest point, with the rest of the wall being 1.8 metres in height, which is considered acceptable. The applicants have also agreed to paint the wall facing Dilhorn House to a colour acceptable to the Town and the adjoining land owner of Dilhorn House.

The tree on-site is not listed in the Town's Significant Tree Inventory or Interim Significant Tree Data Bases. The layout of the development does not permit the tree to be retained. There is no objection to the removal of the tree.

Car Parking

The proposal requires 8 carbays, which is inclusive of 2 visitor carbays, which have been provided. It is considered appropriate that a minimum of 2 visitor carbays are made available exclusively for visitor use, which are to be marked and sign posted on-site accordingly.

Height and Privacy

The balconies for unit 3 on the south-west side and for unit 4 on the north-east side are required to be screened to a minimum of 1.6 metres above the finished floor levels with fixed obscure glass, so as to comply with the screening requirements of the R Codes.

For all the other major openings, the applicant has included visual screening in the form of fixed obscure glass to a height of 1.6 metres above the first floor finished floor levels, thereby complying with the privacy requirements of the R Codes.

Plot Ratio

Under the R80 applying to the site for residential development, the plot ratio is 1.0. The total plot ratio proposed for the development is 0.567.

Heritage

The amended plans show a reduction in the height of the parapet wall along the side boundary wall adjacent to the Dilhorn House site. This was also a requirement specified by the Heritage Council of W.A (HCWA) in their correspondence to the Town received on 18 August 2003.

Previous advice from the HCWA dated 13 February 2001 states that the site is a zone of potential archaeological interest. An appropriate archaeological investigation during construction was imposed as a previous condition of Planning Approval.

In light of the comments submitted by the owners of the adjacent property at No. 2 Bulwer Street (Dilhorn House) and the significance of this site in terms of its aesthetic and historic heritage values, it is recommended that a condition relating to complementary colour for application to the boundary wall facing Dilhorn House and that this colour be supported by the Town's Officer's and owner of the adjacent property at No.2 Bulwer Street, Perth, be placed as a condition of Planning Approval.

Overshadowing

The proposal complies with the solar access requirements of the R Codes.

Setbacks

The proposed front setback variation for the ground floor is for the enclosed bin area. An on-site inspection has revealed that the adjoining property to the north-east has been built with a three (3) metres setback to the front boundary, which includes a brick screen wall of approximately 1.8 metres in height. The front setback variation in this instance is considered acceptable as it will not unduly affect the streetscape of the immediate area.

The first floor front setback variation is also considered acceptable as it is for an "open" balcony structure.

The side setbacks are considered minor and acceptable and have been adequately screened as per the privacy requirements of the R Codes. There has been no objection received in relation to the setback variations requested.

Open Space

The proposed open space is 58.991 percent (423 square metres) in lieu of 60 percent (430 square metres). The applicant has opportunity to remove one of the covered carbays to achieve the open space requirements. An appropriate condition is recommended to this effect.

Traffic and Access

The Town's Technical Services have advised that the parking layout and access comply with the Town's standards.

The WAPC have advised that the proposed new vehicular crossover access onto Lord Street is acceptable and supported.

Health and Building

The Town's Health Services have advised that it is satisfied with the location of the residential bin storage area as shown on the submitted plans.

The development will also be required to comply with the relevant Building Code of Australia requirements in terms of opening to boundaries, which the applicant has addressed in the attached submission.

Summary

The applicant has revised the proposal to comply with relevant requirements except those as stated in the Compliance Table, which are generally considered minor in nature. It is considered that the proposal will not generally have an adverse impact on the amenity of the area. It is therefore recommended that the application be approved, subject to standard and appropriate conditions to address the above matters.

10.1.11 No. 190 (Lots 1 and 2) Vincent Street, North Perth (Redemptorist Monastery and Church) - Proposed Entry on the State Register of Heritage Places

Ward:	South	Date:	12 November 2003
Precinct:	Smith's Lake, P6	File Ref:	PRO2218
Attachments	001		
Reporting Officer(s):	H Eames		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council advises the Heritage Council of Western Australia that it:

- (i) **SUPPORTS** the proposed entry of the Redemptorist Monastery and Church, at No.190 (Lots 1 and 2) Vincent Street, North Perth, in the State Register of Heritage Places; and
- (ii) **NOMINATES** the Executive Manager Environmental and Development Services to attend the meeting of the Heritage Council when the proposed registration of the above place will be considered.

COUNCIL DECISION ITEM 10.1.11

Moved Cr Torre, Seconded Cr Lake

That the recommendation be adopted.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

SITE HISTORY:

The subject site at No.190 (Lots 1 and 2) Vincent Street, North Perth contains a monastery and church, which has occupied the site since it was first developed in 1903. It continues to be used by the Catholic community for religious and spiritual activities.

DETAILS:

On 8 November 2003, the Town received correspondence from the Heritage Council of Western Australia advising that the Redemptorist Monastery and Church, at No.190 Vincent Street, North Perth, is being considered for entry in the State Register of Heritage Places. The documentation concerning the place is scheduled for presentation to a meeting of the Register Committee of the Heritage Council in the near future, with a recommendation that the places are of sufficient cultural heritage significance to warrant consideration for entry in the Register.

A copy of the accompanying documentation is included as Appendix 10.1.11 to this report. The Statement of Significance is stated as follows:

"Redemptorist Monastery and Church, comprising a three storey Cottesloe limestone construction monastery and church complex completed in stages, with a tiled roof designed in the Federation Gothic style, together with a retreat constructed in clinker bricks, off form concrete with a clay tiled roof in Late Twentieth Century Perth Regional style, located in a park-like setting, has cultural heritage significance for the following reasons:

the place is one of a small number of monasteries remaining in operation in Western Australia, one of only three purpose built Redemptorist monasteries in Australia and one of only three in use for its intended purpose;

the place is a well-used Church, highly valued by Western Australia's Catholic community for its religious and spiritual associations, and for the site's long association with the Redemptorist Order;

the place is a landmark as a large and imposing structure in an open setting, which, together with its mature trees, may be seen from a number of vantage points in the area and Perth;

the place is an excellent example of the work of architects Michael and Hames Cavanagh;

the place is an excellent and intact example of Federation Gothic style complex, located in a park-like setting, with elegant interiors, well detailed features, and is very well constructed;

the place contributes to the community's sense of place as a well-known religious complex;

the retreat, built of clinker bricks and off form concrete, is a good example of Late Twentieth Century Perth Regional style.

The B.F Prindiville Village Knights of the Southern Cross Independent Living development is located on the separate piece of land that was once part of the site. The land was formerly part of the Redemptorist Monastery grounds, but was excised for the development, has no connection with the monastery, and is not part of this assessment."

CONSULTATION/ADVERTISING:

The Town has until 24 November 2003 to provide comments to the Heritage Council of Western Australia on the proposed entry of the place in the State Register of Heritage Places.

LEGAL POLICY:

Town Planning Scheme No.1 and associated Policies, and Heritage of Western Australia Act.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The Town has had the opportunity to consider the assessment of cultural heritage significance for the Redemptorist Monastery and Church at No.190 Vincent Street, North Perth and concurs with the statement of significance for the place. If the place is included on the Register, the Town would be required to refer any development proposals to the Heritage Council of Western Australia for consideration.

It is recommended that the Council advises the Heritage Council of Western Australia that it supports the proposed entry of the Redemptorist Monastery and Church in the State Register of Heritage Places. It is also recommended that the Town's Executive Manager Environmental and Development Services attend the meeting of the Heritage Council when the proposed registration of the place will be considered.

10.1.14 Tender for the Supply of Ticket Issuing Machines

Ward:	Both	Date:	12 November 2003
Precinct:	All	File Ref:	TEN 0279
Attachments:	-		
Reporting Officer(s):	J MacLean		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council;

- (i) *ACCEPTS the tender submitted by Smart Edge Technologies as being the most acceptable to the Town for the supply of twenty (20) ticket issuing machines for a price of \$111,260;*
- (ii) *APPROVES of the contract being amended to reduce the "Payment and Retention" amount from 10% to 2½% of the total value of the contract, and*
- (iii) *AUTHORISES the signing and affixing of the Council Common Seal to the contract between the Town and Smart Edge Technologies.*

COUNCIL DECISION ITEM 10.1.14

Moved Cr Torre, Seconded Cr Lake

That the recommendation be adopted.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

BACKGROUND:

On 12 August 2003, the Council approved a recommendation authorising the Chief Executive Officer to call tenders for the supply of twenty (20) ticket issuing machines.

The Tender was advertised on 15 October 2003, with a closing date of 29 October 2003, when a total of four (4) tenders were received. Present at the tender opening were David Paull, Purchasing/Contacts Officer, and Jim MacLean, Manager Law and Order Services.

Tenders were received from;

1. CHS Parking Equipment Australia, Silverwater, NSW.
2. Smart Edge Technologies, Malaga, WA.
3. Wilson Parking, Perth, WA.
4. Advanced Time and Traffic, Carlingford, NSW.

TENDER EVALUATION:

The Town specified how the Tenders would be evaluated and attributed weighting factors to each of the criteria. The following table shows these criteria:

Criteria	%	Weighting
1 Price		
Include in the lump sum price all fees and other costs and disbursements to provide the required service and appropriate level of Goods and Services Tax (GST)	50	50%
2. Professional expertise and relevant experience in similar projects		
<ul style="list-style-type: none"> • Demonstrated knowledge and experience in projects of a similar nature. • Demonstrate capacity to achieve the proposed project. • Provide evidence of successful results in relevant previous projects. • Provide suitable written references and referees 	5 5 5 5	20%
3. Financial History and Evidence of Stability		
<ul style="list-style-type: none"> • Demonstrate financial history of organisation to carry out works for this project. • Demonstrate evidence of stability and experience 	5	5%
4. Materials and Labour		
<ul style="list-style-type: none"> • Demonstrate content of Australian Made material and/or labour 	5	5%
5. Overall compliance with Tender Specification and Requirements	20	20%
		100%

Tender Evaluation Panel

The Tender Evaluation Panel comprised Manager Law and Order Services, Jim MacLean, Executive Manager Technical Services, Rick Lotznicher and Executive Manager Environmental Services, Rob Boardman.

Tender Sum

Company	20 Mains Powered Machines	20 Solar Powered Machines	Price Per Mains Machine	Price Per Solar Machine
CHS #	\$80,300.00	\$77,000.00	\$4,015.00	\$3,850.00
Smart Edge	\$95,700.00	\$106,590.00	\$4,785.00	\$5,329.50
Wilson	\$119,658.00	\$144,818.00	\$5,982.90	\$7,240.90
Advanced	\$129,010.20	\$129,010.20	\$6,450.51	\$6,450.51

Reconditioned ticket machines

Tender Assessment

Criteria	%	Smart Edge	CHS	Wilson	Advanced
Price	50	45	50	35	31
Professional Expertise	20	20	20	20	20
Financial History	5	5	5	5	5
Materials and labour	5	4	0	0	0
Compliance	20	20	17	15	20
	100	94	92	75	76

Tender Evaluation Panel Comments:

The tendered prices for the ticket issuing machines varied substantially, with the lowest price being approximately 60% of the most expensive price.

All Tenders were compliant, within the scope of the specifications and all met the Town's requirements. CHS Parking Equipment Australia, whose tender was assessed as being the lowest price, tendered for reconditioned ticket issuing machines, while the other tenderers were for new machines. The Town's tender specifications did not make any reference to whether the Town was calling for a tender for new machines. However, like two of the remaining three tenderers, CHS Parking Equipment Australia is prepared to give a two (2) year warranty on the machines, which is twice the tender-specified warranty period. It should be noted that the tender from Advanced Time and Traffic Pty Ltd complied with the requirement for a minimum of twelve (12) months warranty.

CHS Parking Equipment Australia was contacted regarding the tender for reconditioned machines. The Director of the Company suggested that, if there was any doubt about the integrity of the machines, the CHS warranty would have been limited to the specified twelve (12) months warranty. He indicated that there would be no problems with the EZIPark Classic ticket issuing machines.

The Town currently has five (5) PSA 2000 (provided by Smart Edge), five (5) Cale 101 and seven (7) Cale 102 Ticket Issuing Machines (both of which are previous versions of those tendered by Advanced Time and Traffic), installed and all perform well. The City of Perth, who undertake repairs, maintenance and re-programming functions, on behalf of the Town of Vincent, already hold a substantial number of spare parts for these existing ticket issuing machines. It has been confirmed that many of the components used in the EZIPark ticket issuing machines are common to many other machines, such as Cale and PSA 2000 and that the City of Perth retain a stock of such items.

Requested Variation In Payment And Retention Amount:

Smart Edge Technologies have requested that the Town consider amending the "Payment and Retention" Section of the Tender Document. They will accept the Council decision on the matter, but submit the following comments:

"Retention of 10% (for the security deposit) is stipulated. This (10%) represents a major portion of the profit margin in this contract and is double that of retention monies required by other Australian Council since 1983. We ask therefore that the retention is capped at 5%, with a 50% of the retention monies held be returned after completion of delivery and the balance at the end of the normal (12 months) warranty period."

Given the fact that the company has its main office and factory in Malaga, Western Australia and that the Town is already satisfied with the operation of the PSA 2000 machines, it is considered that a total retention of 2½% of the total cost – around \$2,650 – would be a sufficient retention in this case.

Ezipark – Supplied By Chs Parking Equipment Australia:

While there are currently no EZIPark ticket issuing machines (tendered for by CHS) in Western Australia, there are substantial numbers of these machines in use in Auckland, New Zealand and in Melbourne, Sydney, Darwin and many other cities in Australia. The tenderers have asserted that the City of Perth already hold a stock of spares for EZIPark machines and that, if successful, they would provide instruction to the City of Perth technicians in the repair, maintenance and programming of these machines. It has been confirmed that some of the components used in the EZIPark ticket issuing machines are common to many other machines, such as Cale and PSA 2000 and that the City of Perth retain a stock of such items.

CHS do not manufacture a Solar Powered Ticket Issuing Machine, because they have developed a system whereby a heavy-duty, long-life battery will continue to operate the machine for periods of between five (5) and nine (9) months, without the need for recharging. After this period, a recharged battery can easily be installed.

The method of collecting and storing the cash within the ticket issuing machine is different to the other machines, insofar as the EZIPark system uses a strengthened cloth cash bag system, as opposed to stainless steel cashboxes. The locking mechanisms are different to those already installed in the Town's existing machines, so it will not be possible to key the cash bags locks to KABA locks.

Psa2000 – Supplied By Smart Edge Technologies:

The Town has previously purchased PSA2000 ticket issuing machines and all perform satisfactorily.

It should be noted that a number of the PSA 2000 Ticket Issuing Machines, in use by the City of Perth, City of Fremantle and City of Subiaco, have been broken into over the past few months. The method of theft to these machines is very similar and suggests that the thieves have a good knowledge of their construction. It has been suggested that this knowledge may have been gained from a ticket issuing machine that was stolen, in its entirety, and was systematically taken apart to identify potential weak-spots.

This matter is currently being addressed and suggested strategies to improve the security of this type of machine, are currently being evaluated. As an interim measure, the Town has introduced modified cash collection methods on a daily basis.

Smart Edge has indicated that all machines in this tender will have an improved service door and treasury door locking mechanisms and that additional “drill-deflecting plates” will be installed on the inside of the treasury compartment. These “drill-deflecting plates” will assist in preventing a drilled access to the locking mechanisms. The company will also provide special fixing bolts that require specific tools to install and remove, thereby making it extremely difficult to remove the whole machine from the ground.

Hectronics – Supplied By Wilson Equipment:

While the Town of Vincent does not currently have any Hectronics machines installed, the City of Perth purchased two hundred (200) some time ago. Information from the City of Perth technicians suggest that, while they have experienced some difficulties with the machines, the problems have been primarily related to communication interfaces, rather than to the operation of the equipment.

Wilson Equipment do not use similar locks to those already installed in the Town's ticket issuing machines and suggest that, if the Town wishes to change the locks, the cost should be borne by the Town.

Cale Mp104 – Supplied By Advanced Time & Traffic Pty Ltd:

While the Town does not currently have CALE MP104 machines installed, there are five (5) CALE MP101 machines installed in Frame Court Car Park and Brisbane Street Car Park, with a further seven (7) CALE MP102 machines installed in The Avenue, Raglan Road and Chelmsford Road Car Parks.

Indications from the City of Perth technicians suggest that, while the machines tend to be more expensive, the configuration and the "ease of maintenance" provides a value for the cost. However, they acknowledge that, from a customer perspective, the operation of the CALE Machines is not substantially better or easier than their counterparts.

1 Price

The following table shows the tendered prices for each Tenderer:

Company	20 Mains Powered Machines	20 Solar Powered Machines	Price Per Mains Machine	Price Per Solar Machine
CHS #	\$80,300.00	\$77,000.00	\$4,015.00	\$3,850.00
Smart Edge	\$95,700.00	\$106,590.00	\$4,785.00	\$5,329.50
Wilson	\$119,658.00	\$144,818.00	\$5,982.90	\$7,240.90
Advanced	\$129,010.20	\$129,010.20	\$6,450.51	\$6,450.51

Reconditioned ticket machines

** Both Smart Edge and Wilson parking have an additional charge for Solar Panels and their costs are therefore higher than for the corresponding Mains Powered ticket issuing machines

2. Professional expertise and relevant experience in similar projects

- Demonstrated knowledge and experience in projects of a similar nature.
- Demonstrate capacity to achieve the proposed project.
- Provide evidence of successful results in relevant previous projects.
- Provide suitable written references and referees.

All four (4) Companies that submitted Tenders have similar knowledge and experience in the field and have the capacity to achieve the proposed project. All have provided evidence of their successes in various locations and all have provided suitable references and referees. Referees were randomly contacted and all were happy with the respective companies.

3. Financial History and Evidence of Stability

- Demonstrate financial history of organisation to carry out works for this project.
- Demonstrate evidence of stability and experience.

All Tenderers provided evidence of their financial history to carry out the works and all used their length of experience in the industry to support their assertions of financial stability.

4. Materials and Labour

- Demonstrate content of Australian Made material and/or labour.

Smart Edge is the only tenderer that can demonstrate that many of the components, used in the PSA 2000 machines, originate in Australia and in fact, some originate in Western Australia. Some of the components used in the PSA 2000 machine are supplied from Germany and Japan. In the assessment, a figure of 4, from a maximum of 5, has been allocated to Smart Edge, while nothing has been allocated to any of the other tenderers.

5. Overall compliance with Tender Specification and Requirements

In assessing the Tender, areas where the Tenderer was Non-Compliant with, or did not address a specification, were identified and recorded.

CONSULTATION/ADVERTISING:

Not applicable

LEGAL/POLICY:

The tender has been advertised in accordance with the Local Government Act 1995, tender regulations.

STRATEGIC IMPLICATIONS:

Key Result Area 1.4(p), in the Strategic Plan 2003 - 2008, states "*Develop a strategy for parking management in business, residential and mixed use precincts, that includes parking facilities that are appropriate to public needs*", and this proposal would support this concept.

FINANCIAL/BUDGET IMPLICATIONS:

An amount of \$154,000 has been included in the current Budget for the purchase and installation of parking ticket issuing machines in Pier, Brewer, Edward, Stirling and Stuart Streets and Oxford Street carpark. The budget for this project is:

Machine supply	\$111,260
Signage	12,000
Installation	12,000
Cabling	10,000
Contingency	<u>3,000</u>
Total	<u>\$148,260</u>

COMMENTS:

From the tender information provided, CHS Parking Equipment Australia appears to be the lowest priced, but have tendered for reconditioned machines and the cash bag locks can not be changed to make them the same as existing cashbox locks. Since Smart Edge Technologies can also demonstrate that many components are of Australian manufacture and that they will be providing new machines, assembled in Western Australia, it is therefore recommended that Smart Edge Technologies be the Preferred Tenderer.

10.3.4 Authorisation of Expenditure for the Period 01 - 31 October 2003

Ward:	Both	Date:	11 November 2003
Precinct:	All	File Ref:	FIN0005
Attachments:	001		
Reporting Officer(s):	P Forte		
Checked/Endorsed by:	N Russell	Amended by:	

OFFICER RECOMMENDATION:

That the Council CONFIRMS the;

- (i) Schedule of Accounts for the period 1 October – 31 October 2003 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 10.3.4

Moved Cr Torre, Seconded Cr Lake

That the recommendation be adopted.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

DECLARATION OF INTEREST

Members/ Officers	Voucher	Extent of Interest
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Nil.

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	\$1,000,000.00
	EFT	\$810,662.89
	EFT	\$693,866.73
Total Municipal Account		\$5,504,529.62
Advance Account		
Automatic Cheques	44835-44994, 44996-45038, 45040-45138, 45139-45141, 45143-45198, 45200-45241, 45243-45287	\$1,093,790.90
Manual Cheques		\$0.00
Transfer of Creditors by EFT Batch 149-152, 156-158, 160-161		\$3,742,021.50
Transfer of PAYG Tax by EFT	October 2003	\$131,537.80
Transfer of Child Support by EFT	October 2003	\$491.54
Transfer of Superannuation by EFT City of Perth	October 2003	\$27,825.18
Local Government	October 2003	\$63,177.24
Total Advance Account		\$5,058,844.16
Transfer of Payroll by EFT	October 2003	\$443,401.04
Bank Charges & Other Minor Debits		
Bank Charges – CBA		\$27,848.56
Lease Fees		\$1,540.10
Corporate MasterCards		\$3,708.19
Australia Post Lease Equipment		\$3,229.60
2 Way Rental		\$311.77
Total Bank Charges & Other Minor Debits		\$36,638.22
Less GST effect on Advance Account		\$2.50
Total Payments		\$11,043,415.54

STRATEGIC IMPLICATIONS:

Strategic Plan 2003-2008 – Key Result Area 4.2 – Governance and Management

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

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.

10.4.1 Use of Common Seal

Ward:	-	Date:	11 November 2003
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 Common Seal on the documents listed in the report.

COUNCIL DECISION ITEM 10.4.1

Moved Cr Torre, Seconded Cr Lake

That the recommendation be adopted.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

DETAILS:

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

Date	Document	No of copies	Details
25/9/03	Withdrawal of Caveats	3	Nos 110, 112, 116 & 118 Richmond Street, Leederville
3/11/03	Deed to bind subsequent mortgagee to previous subdivision deed	3	Town of Vincent and J.J. Harper and J.R. Rolson (Proprietors) of PO Box 89, Fremantle and Challenge Bank, St George's Terrace, Perth re: Nos. 110, 112, 116 and 118 Richmond Street
3/11/03	Deed to bind subsequent mortgagee to previous subdivision deed	3	Town of Vincent and G J Hanson & Co Pty Ltd (Proprietor) of Alexandra Road, East Fremantle and Home Building Society, Adelaide Terrace, Perth re: Nos. 110, 112, 116 and 118 Richmond Street
3/11/03	Deed to bind subsequent mortgagee to previous subdivision deed	3	Town of Vincent and M Ho (Proprietor) of Gildercliffe Street, Scarborough and St George Bank, St George's Terrace, Perth re: Nos. 110, 112, 116 and 118 Richmond Street
3/11/03	Deed to bind subsequent mortgagee to previous subdivision deed	3	Town of Vincent and A J Jack and B M Adeleke (Proprietors) of Bolton Place, Fremantle and Commonwealth Bank of Australia, St George's Terrace, Perth re: Nos. 110, 112, 116 and 118 Richmond Street
3/11/03	Deed to bind subsequent mortgagee to previous subdivision deed	3	Town of Vincent and P Olsen (Proprietor) of Barlow Place, Carine and Challenge Bank, St George's Terrace, Perth re: Nos. 110, 112, 116 and 118 Richmond Street

10.4.2 Council Meeting Dates and Times for 2004

Ward:	-	Date:	11 November 2003
Precinct:	-	File Ref:	ADM0016
Attachments:	001		
Reporting Officer(s):	Manuela McKahey		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That

- (i) *the Council;*
 - (a) *meets on the second and fourth Tuesday of each month (except December) in 2004, as detailed in Appendix 10.4.2 attached to this report;*
 - (b) *not meet in January 2004;*
 - (c) *meetings be held at 6.00pm on the dates as detailed in Appendix 10.4.2.*
- (ii) *the Council NOTES that the meeting process will be reviewed as part of the implementation of the Independent Organisational Review recommendations.*

COUNCIL DECISION ITEM 10.4.2

Moved Cr Torre, Seconded Cr Lake

That the recommendation be adopted.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

BACKGROUND:

The Local Government Act 1995 (Section 5.3) and the Local Government (Administration) Regulations 1996, Regulation 12, requires the Council to determine meeting dates and times and for these to be published on a local basis throughout the Town.

The Council did not meet in January 2003 and the CEO was given delegated authority for the period late December 2002 to the first meeting in February 2003 to deal with matters of urgency. A report summarising the urgent items of business dealt with, including the reason for urgency, under delegated authority was submitted for information to the Council at its meeting held on 11 March 2003. However, matters requiring an "Absolute Majority" cannot be approved under delegated authority. This procedure worked satisfactorily.

The Council has not held an Ordinary meeting in January for the previous 2 years and this has worked satisfactorily. Accordingly it is recommended that no meeting be scheduled for this month.

The Independent Organisational Review (April 2003) made a number of recommendations. Recommendation No. 5 referred to the Council Meetings. This recommendation stated;

"(a) Council introduce a 12 month trial of three week cycles to Council decision making comprised of:

- ***Week 1** Council briefing session on matters of a long term nature or are otherwise strategic in their nature and are in the early stages of development. Attendance at those meetings is by invitation. No decisions are to be made at those meetings. Matters requiring decision are to be referred to the Council Committee included in week 2 of the meetings cycle.*
- ***Week 2** Council meeting in Committee whereby members of the public and parties associated with matters before Council are directly and publicly invited to attend and address the Committee. It is essential Managers of staff who author reports together with Executive Managers attend these meetings to respond to Council questions.*
- ***Week 3** Ordinary Council meeting whereby the Council considers recommendations submitted from the Council Committee meeting and makes final determination on all matters."*

At the Ordinary Meeting of Council held on 19 August 2003, the Council resolved that this matter would be further investigated. Until this has been carried out, it is appropriate to continue with the current Meeting cycle.

COMMENTS:

It is recommended that the Council continue to meet on the second and fourth Tuesday of each month in 2004, with the exception of December, and that no meeting be held in January 2004.

10.4.3 Review of Policies - Adoption

Ward:	-	Date:	11 November 2003
Precinct:	-	File Ref:	ORG0023
Attachments:	001		
Reporting Officer(s):	A Smith, John Giorgi		
Checked/Endorsed by:	-	Amended by:	-

OFFICER RECOMMENDATION:

That the Council APPROVES of the following new Policies;

- (i) 4.2.2 - Employee Uniforms and Protective Clothing and Footwear;*
- (ii) 4.2.15 - Equal Employment Opportunity; and*
- (iii) 4.2.16 - Workplace Bullying.*

COUNCIL DECISION ITEM 10.4.3

Moved Cr Torre, Seconded Cr Lake

That the recommendation be adopted.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

BACKGROUND:

The Council's Policy Manual contains various policies which provide guidance to the Town's Administration for day to day management issues and also to Elected Members for decision making.

The policies are amended from time to time as the need arises. It is "best practice" to review policies at a regular interval and the Town undertakes this every five years. As the policy manual contains a large number of policies a program of review has been prepared for the matter to be considered between July and December 2003. The Town's Administration has commenced the process and has provided the comments as outlined in this report. A number of policies which relate to the "Human Resources/Employees" are required for statutory purposes.

1. Policy 4.2.2 - Employee Uniforms and Protective Clothing and Footwear

The Town has legal obligations under the Occupational Safety and Health Act. This policy will formalise the Town's administrative work practices relating to their employees. This policy will replace existing Policy 4.2.2 *"Issue of Protective Footwear for Employees"*.

2. Policy 4.2.15 - Equal Employment Opportunity

The Town has legal obligations under the Equal Employment Act of 1984. This policy will formalise the Town's administrative work practices relating to their employees.

3. Policy 4.2.16 - Workplace Bullying

The Town has legal obligations under the Occupational Safety and Health Act. This policy will formalise the Town's current practices and has been adopted from information provided by WorkSafe WA.

CONSULTATION/ADVERTISING:

As these policies relate to the Town's employees and do not involve the community, it is considered not necessary to advertise these policies for public comment.

LEGAL/POLICY:

Policies are not legally enforceable, they provide guidance to the Town's Administration and Elected Members when considering various matters. The Independent Organisational Review identified the need for the Town's Policy Manual to be reviewed (Recommendation Number 11).

STRATEGIC IMPLICATIONS:

These policies are in keeping with the Town's Strategic Plan 2003-2008 - Key Result Area 4. "*Governance and Management*", in particular, 4.4 - "*Maintain a positive work environment that encourages employees to give their best and work in safety.*"

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The Town's Policy Manual Review is almost completed with only several current policies yet to be reviewed and finalised. This task is well on target to be completed by December 2003. In addition, a number of Human Resource policies which affect the Town's employees will need to be reviewed. Also, new policies which formalise the Town's current practices will be prepared.

10.4.5 Information Bulletin

Ward:	-	Date:	12 November 2003
Precinct:	-	File Ref:	
Attachments:	001		
Reporting Officer(s):	L Sarich		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That the Information Bulletin dated 18 November 2003, as distributed with the Agenda, be received.

COUNCIL DECISION ITEM 10.4.5

Moved Cr Torre, Seconded Cr Lake

That the recommendation be adopted.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

DETAILS:

The items included in the Information Bulletin dated 18 November 2003 are as follows:

ITEM	DESCRIPTION
IB01	Western Australian Municipal Association Info Page dated 7 November 2003 - Local Government Win on State Records Act
IB02	Progress Report and Elected Members Briefing - Amendment No. 9 to the Planning and Building Policies Relating to Appendix No. 12 - Design Guidelines for Elven on the Park
IB03	Letter from East Perth Redevelopment Authority - Extension of the Redevelopment Area - <i>The Village Northbridge</i>
IB04	Letter to Mr G Budrikis, 108 Chelmsford Road, Mount Lawley – Response to Questions Taken on Notice asked at the Ordinary Meeting of Council – 4 November 2003

10.1.5 No. 2 (Lot 2) Waugh Street, Corner Norham Street, North Perth – Proposed Minor Renovations to the Existing Single House, Demolition of Outbuildings, Garage and Pergola, and the Construction of an Additional Two-Storey with Loft Single House

Ward:	North	Date:	11 November 2003
Precinct:	Hyde Park, P12	File Ref:	PRO 1691; 00/33/1768
Attachments:	001		
Reporting Officer(s):	S Turner		
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 Birch Architecture and Design on behalf of the landowner T Dewberry for the proposed minor renovations to the existing single house, demolition of outbuildings, garage and pergola, and the construction of an additional two-storey with loft single house, at No.2 (Lot 2) Waugh Street, corner Norham Street, North Perth, and as shown on plans dated 6 August 2003 (DEW.001.001 CD) and amended plans dated 5 September 2003 (DEW.001.003.CD) and 17 October 2003, subject to:

- (i) standard visual truncations, in accordance with the Town's Policies and to the satisfaction to the Town's Technical Services Division, shall be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised;*
- (ii) no fence shall exceed a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Waugh Street and Norham Street, shall be a maximum height of 1.2 metres above the adjacent foot path level, with the upper portion of the front fence and gate being visually permeable, with a minimum 50 per cent transparency;*
- (iii) the construction of crossovers shall be in accordance with the Town's specifications;*
- (iv) all stormwater produced on the subject land shall be retained on site to the satisfaction of the Town's Technical Services Division;*
- (v) a road and verge security bond or bank guarantee of \$1100 shall be lodged with the Town prior to the issue of a Building Licence and be held until all building / development works have been completed and/or any disturbance of, or damage to, the Town's infrastructure, including street verge trees, has been repaired / reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security bond or bank guarantee must be made in writing;*

- (vi) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (vii) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (viii) *compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ix) *a detailed landscaping plan, including a schedule of plant species and the landscaping and reticulation of the Norham Street verge adjacent to the subject property, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development, and maintained thereafter by the owner(s)/occupier(s);*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.5

Moved Cr Torre, Seconded Cr Cohen

That the recommendation be adopted.

Debate ensued.

Cr Torre departed the Chamber at 6.40pm.

Cr Torre returned to the Chamber at 6.43pm.

LOST (2-6)

<u>For</u>	<u>Against</u>
Cr Lake	Mayor Catania
Cr Torre	Cr Chester
	Cr Cohen
	Cr Doran-Wu
	Cr Farrell
	Cr Franchina

(Cr Ker on approved leave of absence.)

Reasons:

1. Non compliance.
 2. Ambiguity between the two reports that have been submitted to the Elected Members.
 3. The same reasons the application was previously recommended for refusal.
 4. Setback of garages not consistent with Town's Street Policy.
-

LANDOWNER: T Dewberry
APPLICANT: Birch Architecture & Design
ZONING: Metropolitan Region Scheme - Urban
 Town Planning Scheme No. 1 - Residential R30/40
EXISTING LAND USE: Single House

COMPLIANCE:

Requirement	Required	Proposed
Setbacks - Proposed Lot 2		
Ground level - southern elevation	1.0 metre	Nil - internal to development
Ground level - front	2.5 metres	2.5 metres to main dwelling 1.52 metres to garage located forward of dwelling
Upper level - front	6.0 metres	Minimum 2.5 metres to main dwelling

Use Class	Single House
Use Classification	"P"
Lot Area	490 square metres

SITE HISTORY:

The subject site has two street frontages. An existing single storey house fronts onto Waugh Street, with an existing garage off of Norham Street. The proposed two storey house with loft has frontage to Norham Street. The total site is only 12.15 metres wide and 40.25 metres long. However, the proposed lot where the new dwelling is proposed is only 12.15 metres deep and 16.86 metres wide, to the Norham Street frontage.

The owner of the property has applied for subdivision of the property into two allotments. The Town on 22 September 2003 responded to Western Australian Planning Commission (WAPC) (reference number 122979) in relation to the proposed subdivision where it recommended conditional approval. The WAPC decision is pending the approval of this development application, as the WAPC requires development approval on properties that have a dual coding to ensure that the existing house is retained.

The proposal was the subject of an Agenda Report (Item 10.1.12) at the Ordinary Meeting of Council held on 4 November 2003. The item was not considered by Council as it was withdrawn by the Applicant.

The dwelling is not listed on the Town's Heritage Inventory and there are no significant trees on site.

DETAILS:

The applicant seeks approval for the construction of a new two storey with loft dwelling fronting onto Norham Street, minor renovations to the existing house and demolition of the existing outbuildings, garage and pergola. The proposal includes the provision of two parking bays for the existing dwelling accessed off Norham Street. The new two-storey dwelling with loft includes the development of a double garage, two bedrooms, a study, kitchen, dining and living room, a rear courtyard area and a balcony off the upper level master bedroom.

On 17 October 2003, the applicant lodged a final set of amended drawings reducing the number of requested variations. The variations now sought relate to reduced setbacks to Norham Street and side setbacks for the ground floor. These variations include an upper level setback variation from 6.0 metres to 2.5 metres, a reduced setback of the garage from 2.5 metres to 1.52 metres, a balcony setback of 1.52 metres (situated on top of the garage), and a ground floor setback reduction from 1.0 metre to nil.

The variations sought generally do not comply with the acceptable development standards of Residential Design Codes (R Codes) and the Town's Town Planning Scheme No. 1 and Policies.

CONSULTATION/ADVERTISING:

The proposal was advertised to neighbouring property owners for comment. Two submissions were received during the advertising period and are summarised as follows:

Submission one:

- The proposed parapet on the northern boundary should not be higher than the existing adjoining parapet wall.
- No objection to the reduced front setback.
- Concern with overlooking from the stairwell window facing north.
- Upper level north facing windows to be setback 4.5 metres or 1.6 metres sill height.
- Truncation to be provided in the proposed fence on Norham Street boundary adjacent to the neighbour's garage/driveway.

Submission two:

- Concern that a two storey development will eliminate natural light and invade privacy.
- The property value of the objector's property will decrease, as the property will be "boxed" in by two storey development on both sides.

The technical issues raised above have been addressed by the applicant in the form of amended plans submitted on 17 October 2003. Other issues raised above are addressed below within the comment section of the report.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies, and the Residential Design Codes.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Side Setbacks

The acceptable development standards of the Residential Design Codes (R Codes) allow for the construction of parapet walls to one side boundary. The proposal includes a parapet wall adjacent to the northern boundary which abuts an existing parapet wall, which meets acceptable development standards and a parapet wall to the new lot's southern boundary. The parapet walls are considered supportable as the southern parapet is an internal boundary to the development.

Street Setbacks

The Town's Street Setbacks Policy states: *"In the case of new dwellings at the rear of original corner lots, with frontage to the secondary street, setbacks which match the adjoining dwellings fronting the street (if any) otherwise a minimum of 1.5 metres to a verandah, porch, portico and the like, excluding balconies, and/ or 2.5 metres to the main building"*.

The garage is proposed to be setback 1.5 metres in lieu of the required 2.5 metres setback. In this particular situation, given the 1.5 metres setback of adjacent dwellings and a similar setback to a garage abutting the development to the north, it would be reasonable to support the reduced setback of the garage, as it is not considered to dominate the streetscape.

The proposed reduction in the upper level setback from 6.0 metres to 2.5 metres to Norham Street is supportable given the depth of the property and the existing streetscape. The proposed design of the dwelling removes the building bulk adjacent to side boundaries that could otherwise have more impact on neighbouring properties. An existing architectural feature of existing houses along Norham Street is high roofs. The neighbouring property to the north has a side setback of 1.5 metres to Norham Street and has a high roof with a loft feature on the southern elevation.

Two storey development therefore does not impact as much on the streetscape as the upper level is only marginally higher than existing buildings. The proposal includes staggering of the upper level setback with a section being setback 3.34 metres from the front boundary. The proposal also includes an upper level "open" balcony (with no roof cover), which is situated on top of the garage and is proposed to have a 1.5 metres setback to Norham Street.

The proposed variation in the upper level setback from 6.0 metres to 2.5 metres to the main building and from 6.0 metres to 1.5 metres to the balcony is supportable, as it is not considered to create an undue impact on the amenity of the streetscape, or the adjoining neighbours.

Furthermore, it is noted that if one single, two-storey dwelling was constructed on the site, the whole building, including the upper floor and the lower floor, could be setback 1.5 metres from Norham Street, which would be considered as acceptable development. Therefore, a single house could result in a greater impact on the streetscape than the proposed development.

There are no other setback variations proposed as the proposal complies with acceptable development standards in relation to privacy setbacks and/or 1.6 metres sill heights to prevent overlooking into adjoining properties. There is also no undue overshadowing onto any of the adjoining neighbouring properties.

The applicant submitted the following justification in support of the proposed variations:

- The Town of Vincent has exercised discretion to approve similar developments with reduced front setbacks previously.
- A reduction in the front setback ensures that the upper floor is setback effectively from adjoining boundaries to reduce the impact of the development on adjoining properties.
- The proposal complies with the performance criteria of the Street Setbacks Policy which states that *"the setting back of buildings which: contributes to the desired character of the streetscape encourages social interaction and surveillance between dwellings and the street and vice versa; and provides adequate privacy for dwellings."*
- The setbacks proposed are staggered, create interest, encourage interaction of the dwelling and the street and provide adequate privacy.

- The configuration of the car parking spaces as proposed is optimum for the amenity of the streetscape. The proposed location and design of the car bays is such that it has minimal impact on the existing dwelling and ensures the best use of the site.
- The proposal has been designed in a manner that carefully considers the site configuration and is fully considerate of the adjoining neighbours and the general streetscape. The existing building has been maintained and upgraded to ensure its character continues to feature within the streetscape of Waugh Street and therefore meets the R40 requirement. The new dwelling brings a vibrant mix to Norham Street encouraging greater interaction in the street and meets the performance criteria set out within the R-Codes and the Town of Vincent Planning Scheme and associated Policies.
- The proposal enhances the streetscape of Waugh Street and Norham Streets, while sympathetically adding a new dimension and is an example of the successful way old and new styles bond within the Town of Vincent to give the Town its own identity.

Property Devaluation

An issue raised within one of the submissions related to the concern that the new development will reduce property values. This is not a major planning consideration.

Fence

The design of the proposed fence on Norham Street has been amended to include a 1.5 metres by 1.5 metres visual truncation adjacent to the neighbouring property's garage and driveway. This modification to the design of the fence has addressed the concern raised in one of the submission.

Conclusion

In light of the above, and given the nature of the surrounding developments and the sense of openness afforded by the two street frontages, the application is considered to represent a reasonable redevelopment of the subject land.

In this instance, the proposed variations to the R-Codes and the Town's Policies are considered supportable, and it is therefore recommended that the application be approved, subject to standard and appropriate conditions to address the above matters.

10.3.5 Hyde Park Rotary Community Fair 2004

Ward:	North Perth	Date:	11 November 2003
Precinct:	Hyde Park Precinct P12	File Ref:	RES0031
Attachments:	-		
Reporting Officer(s):	J Anthony		
Checked/Endorsed by:	M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That;

(i) *the Council PERMITS the Rotary Club of North Perth to hold the Hyde Park Community Fair on 29 February and 1 March 2004, subject to;*

- (a) *event application fees for the fair at Hyde Park being waived;*
- (b) *a bond of \$2,000 being lodged by applicant as security for any damage to or clean-up of the park;*
- (c) *full compliance with conditions of use being imposed including Environmental Health and other conditions as listed in the report; and*
- (d) *acknowledgement of the Town of Vincent as a major sponsor of the events on all publications and advertising materials subject to the conditions listed in the report*

to the satisfaction of the Chief Executive Officer; and

(ii) *the Council APPROVES a sponsorship contribution of \$10,000 to assist with the costs of the event as listed in the 2003/2004 Budget.*

Moved Cr Lake, Seconded Cr Torre

That the recommendation be adopted subject to the existing clause (ii) being deleted and a new clause (ii) and (iii) be added as follows:

- "(ii) the Council APPROVES a sponsorship contribution of \$10,000 to assist with the costs of the fair to be funded from the line items "Rotary Fair (\$3,000)" and "Unallocated Festivals (\$7,000)" as listed in the 2003/04 Annual Budget; and*
- (iii) as soon as practicable after the 2004 Fair, the Town seeks comments from the local community about the Fair. The comments to be sought by letter to households within 200 metres of Hyde Park, from local precinct groups and through an advertisement in the local paper."*

Debate ensued.

Moved Cr Chester, Seconded Cr Cohen

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

- "(e) an improved parking management plan that reduces significantly the impact and number of vehicles parking on Hyde Park over the period of the Fair;"*

AMENDMENT CARRIED (8-0)

(Cr Ker on approved leave of absence.)

Debate ensued.

MOTION AS AMENDED CARRIED (8-0)

(Cr Ker on approved leave of absence.)

COUNCIL DECISION ITEM 10.3.5

That;

- (i) *the Council PERMITS the Rotary Club of North Perth to hold the Hyde Park Community Fair on 29 February and 1 March 2004, subject to;*
 - (a) *event application fees for the fair at Hyde Park being waived;*
 - (b) *a bond of \$2,000 being lodged by applicant as security for any damage to or clean-up of the park;*
 - (c) *full compliance with conditions of use being imposed including Environmental Health and other conditions as listed in the report;*
 - (d) *acknowledgement of the Town of Vincent as a major sponsor of the events on all publications and advertising materials subject to the conditions listed in the report; and*
 - (e) *an improved parking management plan that reduces significantly the impact and number of vehicles parking on Hyde Park over the period of the Fair;*

to the satisfaction of the Chief Executive Officer; and
 - (ii) *the Council APPROVES a sponsorship contribution of \$10,000 to assist with the costs of the fair to be funded from the line items "Rotary Fair (\$3,000)" and "Unallocated Festivals (\$7,000)" as listed in the 2003/04 Annual Budget; and*
 - (iii) *as soon as practicable after the 2004 Fair, the Town seeks comments from the local community about the Fair. The comments to be sought by letter to households within 200 metres of Hyde Park, from local precinct groups and through an advertisement in the local paper.*
-

DETAILS:

The Rotary Club of North Perth has submitted a proposal to hold the Hyde Park Community Fair on the Labour Day long weekend of 29th of February and 1st of March 2004.

The Club has organised the fair since 1988 and runs the event in order to raise funds to meet perceived needs in the community which have a vocational, youth and international focus.

The Rotary Club of North Perth considered the 2003 Hyde Park Fair to be successful, with larger attendance figures than previous years. This was mainly due to increased stall holders and entertainment.

Funds raised were allocated to the following causes:

- a) The Life Education Centre, for the drug awareness education programme for primary schools;

- b) The Bali eye clinic, for assistance with cataract surgery;
- c) Rotary Health Research Foundation, which provided funds to Princess Margaret Hospital for research assistance into Sudden Infant Death Syndrome (SIDS); and
- d) The Rotary Community Chest.

An internal working group has been established to determine a management plan and coordinate the Fair from the perspective of the Town with the following representatives:

- ◆ Manager Community Development & Administrative Services (Chairperson)
- ◆ Manager Parks Services
- ◆ Manager Law & Order Services
- ◆ Manager Health Services
- ◆ Public Events Section, WA Police Service
- ◆ plus representatives from the organising committee.

In previous years, the Working Group has met regularly and discussed the conditions as stipulated plus coordinated a management plan for the smooth running of the fair.

The plan included the following aspects:

1. Parking allocations and permits
2. Coordination of the Town of Vincent display
3. Allocation of sites and vetting events
4. Risk Management Plan
5. Food stall permits and inspections
6. Site inspections

The Fair will have community stalls, carnival rides, stage entertainment and other community attractions. This year, fair organisers are committed to encouraging the involvement of local community groups. The calibre of entertainment will also be improved.

The Hyde Park Community Fair has in previous years been monitored by Council officers from various service areas. All officers involved reported satisfaction with the proceedings of the Fair with no major problems. All parties agree that the conditions stipulated for this year's Fair, should be applied to future fairs. Additional conditions pertaining to noise control, litter control and additional temporary toilet facilities (including disabled facilities) will also be implemented.

The Fair organisers are requesting extra funding due to increased costs in advertising, entertainment, holding more fair attractions and public liability insurance costs. The capacity to obtain sponsorship is reduced due to competition with other events and festivals. The Fair also have less volunteers and would like to recruit more security including parking control in order to meet the demands of increased fair patronage.

STRATEGIC IMPLICATIONS:

Strategic Plan 2003 – 2007

Key Result Area 2.1 - Celebrate and acknowledge the Town's social diversity.

FINANCIAL/BUDGET IMPLICATIONS:

The Rotary Club of North Perth has received a sponsorship of \$3,000 (three thousand dollars) in 2002 and 2003 for this event. An amount of \$10,000 (ten thousand dollars) has been listed in the 2003/2004 Budget under the line items of Rotary Fair (\$3,000) and Unallocated Festivals Item (\$7,000) for the event in 2004.

CONDITIONS/POLICY:

The standard conditions for sponsorship would apply to this event:

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

COMMENTS:

This is one of the most heavily patronised events organised in the Town apart from the Oxford Street Festival which also receives sponsorship funds from the Town. The sponsorship by the Town will provide the opportunity for the Town to be featured in advertisements in the West Australian and community newspapers.

It is considered that the Rotary Club of North Perth has managed the Fair in accordance with the recommendations outlined by officers, if conducted in the same manner with minor improvements, would be well supported by the Town and the community.

10.1.10 No. 139 (Lot 101) Matlock Street, Mount Hawthorn - Proposed Demolition of Existing Single Dwelling

Ward:	North	Date:	10 November 2003
Precinct:	Hyde Park, P12	File Ref:	PRO2304; 00/33/1864
Attachments:	001 002		
Reporting Officer(s):	H Eames		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

(i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme and having regard to the matters it is required to consider generally, and in particular:*

(a) *is not consistent with the orderly and proper planning and the preservation of the amenities of the locality with respect to the visual amenity of the locality by virtue of the demolition of the existing dwelling; and*

(b) *the existing place has cultural heritage significance in terms of its historic and rarity values;*

the Council REFUSES the application submitted by the owners J and G Hutcheson for the proposed demolition of the existing single dwelling at No.139 (Lot 101) Matlock Street, Mount Hawthorn, and as shown on the plans stamp-dated 31 March 2003; and

(ii) *the place at No. 139 (Lot101) Matlock Street, Mount Hawthorn be considered as part of the District Survey and Town of Vincent Municipal Heritage Inventory Review.*

COUNCIL DECISION ITEM 10.1.10

Moved Cr Torre, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

LANDOWNER: J and G Hutcheson
APPLICANT: As above
ZONING: Metropolitan Region Scheme - Urban
Town Planning Scheme No. 1 - Residential R30
EXISTING LAND USE: Single House

SITE HISTORY:

The site is occupied by a single storey dwelling.

DETAILS:

The applicant proposes demolition of the existing dwelling.

CONSULTATION/ADVERTISING:

Applications involving demolition only are not required to be advertised.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies, and the Residential Design Codes.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

A Heritage Assessment of the existing dwelling is attached as Appendix 10.1.10.

The place is a weatherboard and iron dwelling, situated on Lot 101 (now Lot 35), Swan Location 739 which is bounded by Scarborough Beach Road (formerly North Beach Road), Bondi Street and Matlock Street (previously Derby Street) This area was established as the Randwick estate in 1888. As an example of early twentieth century timber and iron dwelling, developed in Mount Hawthorn, the place has *little to some rarity and historic value* as it represents the use of a building material and style that is no longer widely practiced in Perth residential buildings.

Therefore, in accordance with the Town's Policy relating to Heritage Management - Municipal Heritage Inventory, the place meets the threshold for consideration for inclusion on the Town's Municipal Heritage Inventory. It is therefore recommended that the proposed demolition of the existing dwelling be refused.

11.1 Notice of Motion – Councillor Helen Doran-Wu - Definition of "Lofts"

That;

- (i) the Council AUTHORISES the Chief Executive Officer to write a report regarding;*
 - (a) defining the word "loft"; and*
 - (b) incorporating the definition into the Town of Vincent Policy Manual; and*
- (ii) the Chief Executive Officer prepares a report to Council on this matter to be submitted to the first Meeting in February 2004.*

Moved Cr Doran-Wu, Seconded Cr Farrell

That the motion be adopted.

Cr Torre departed the Chamber at 7.23pm.

Debate ensued.

Cr Torre returned to the Chamber at 7.24pm.

Moved Cr Chester, Seconded Cr Doran-Wu

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

"(iii) the Notice of Motion 11.2 - Councillor Chester - Town of Vincent Town Planning and Building Policy Manual of the Ordinary Meeting of Council held on 22 July 2003 be also incorporated in this report."

AMENDMENT CARRIED (8-0)

(Cr Ker on approved leave of absence.)

MOTION AS AMENDED CARRIED (8-0)

(Cr Ker on approved leave of absence.)

COUNCIL DECISION ITEM 11.1

That;

- (i) the Council AUTHORISES the Chief Executive Officer to write a report regarding;*
 - (a) defining the word "loft"; and*
 - (b) incorporating the definition into the Town of Vincent Policy Manual;*
- (ii) the Chief Executive Officer prepares a report to Council on this matter to be submitted to the first Meeting in February 2004; and*
- (iii) the Notice of Motion 11.2 - Councillor Chester - Town of Vincent Town Planning and Building Policy Manual of the Ordinary Meeting of Council held on 22 July 2003 be also incorporated in this report.*

10.1.9 No. 5 (Lot 22) Eden Street, West Perth - Proposed Demolition of Existing Single House

Ward:	South	Date:	11 November 2003
Precinct:	Hyde Park, P12	File Ref:	PRO2410; 00/33/1831
Attachments:	001 002		
Reporting Officer(s):	H Eames		
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 and having regard to the matters it is required to consider generally, and in particular:

- (i) is not consistent with the orderly and proper planning and the preservation of the amenities of the locality by virtue of the demolition of the existing dwelling; and*
- (ii) the existing place has cultural heritage significance in terms of its rarity value;*

the Council REFUSES the application submitted by the owner L Di Iorio for the proposed demolition of the existing single house and construction of two, two-storey single houses at No. 5 (Lot 22) Eden Street, West Perth, and as shown on the plans stamp-dated 3 July 2003.

Moved Cr Torre, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

Moved Cr Torre, Seconded Cr Lake

That all of the words following the words "existing single house" in line two of the last paragraph of the recommendation be deleted.

Debate ensued.

AMENDMENT CARRIED (8-0)

(Cr Ker on approved leave of absence.)

MOTION AS AMENDED CARRIED (7-1)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Franchina
Cr Chester	
Cr Cohen	
Cr Doran-Wu	
Cr Farrell	
Cr Lake	
Cr Torre	

COUNCIL DECISION ITEM 10.1.9

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme and having regard to the matters it is required to consider generally, and in particular:

- (i) is not consistent with the orderly and proper planning and the preservation of the amenities of the locality by virtue of the demolition of the existing dwelling; and*
- (ii) the existing place has cultural heritage significance in terms of its rarity value;*

the Council REFUSES the application submitted by the owner L Di Iorio for the proposed demolition of the existing single house.

FURTHER REPORT:

Agenda Item 10.1.9 states the following:

"The applicant previously sought to demolish the existing residence and construct two, two-storey single houses; one dwelling to have direct street frontage to Eden Street and the rear dwelling accessed off the rear right of way with gazetted road frontage via a pedestrian access way. The application was refused by Council at the Ordinary Meeting held on 23 September 2003."

The previous application was not actually refused by the Council at its Ordinary Meeting held on 23 September 2003, but rather the Council resolved that *"this item be DEFERRED as requested by the applicant to consider alleged discrepancies"*.

The applicant now wishes to address in the interim whether the Council would approve the demolition of the existing dwelling, and address the proposed redevelopment of the property at a later date.

It is considered that the proposed redevelopment is dependent on the demolition of the existing dwelling. However, the proposed demolition is not dependent on the redevelopment proposal, as there is no obligation for the applicant/owner to proceed with the redevelopment.

The above comments do not alter the Officer Recommendation for refusal of the proposed demolition of the existing single house.

LANDOWNER:	L Di Iorio
APPLICANT:	As above
ZONING:	Metropolitan Region Scheme - Urban Town Planning Scheme No. 1 - Residential R80 (R60 applies for single houses)
EXISTING LAND USE:	Single House

SITE HISTORY:

The site is occupied by a single storey dwelling.

DETAILS:

The applicant previously sought to demolish the existing residence and construct two, two-storey single houses; one dwelling to have direct street frontage to Eden Street and the rear dwelling accessed off the rear right of way with gazetted road frontage via a pedestrian access way. The application was ~~refused~~ DEFERRED by Council at the Ordinary Meeting held on 23 September 2003.

The applicant now wishes to address the proposed demolition of the existing dwelling and the redevelopment as separate matters.

CONSULTATION/ADVERTISING:

Applications involving demolition only are not required to be advertised.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies, and the Residential Design Codes.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

A Heritage Assessment of the existing dwelling is attached as Appendix 10.1.9.

The place is a simple timber, asbestos and iron dwelling build during the Gold Boom in circa 1900 and is located between Vincent, Bulwer and Fitzgerald Streets, facing south-west. It has undergone some unsympathetic alterations to the exterior, namely replacement of the north-eastern wall asbestos sheeting, while the fenestration remains intact. The place, as part of the weatherboard housing stock within the Town of Vincent, is considered to be rare as a consequence of its restricted use as a building material and a vernacular style, which is no longer practiced. Due to the moderate level of authenticity, the place has *little to some rarity value*.

Therefore, in accordance with the Town's Policy relating to Heritage Management - Municipal Heritage Inventory, the place meets the threshold for consideration for inclusion on the Town's Municipal Heritage Inventory. It is therefore recommended that the proposed demolition of the existing dwelling be refused.

10.1.4 No. 27 (Lot 21) Vincent Street, North Perth—Proposed Partial Demolition of and Alterations, Two-Storey Additions and Garage to Existing Single House

Ward:	South	Date:	11 November 2003
Precinct:	Hyde Park, P12	File Ref:	PRO 0067; 00/33/1813
Attachments:	001		
Reporting Officer(s):	J Barton		
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 Y L Horng on behalf of the owners L Natalotto and Y L Horng for the proposed partial demolition of and alterations, two-storey additions and garage to existing single house at No. 27 (Lot 21) Vincent Street, North Perth, as shown on the plans stamp-dated 3 September 2003 (Nos. A33, A34, A35 and A36), and amended plans stamp-dated 17 October 2003 (A01 and A02), subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) all stormwater produced on the subject land shall be retained on-site to the satisfaction of the Town's Technical Services Division;*
- (iii) a road and verge security bond or bank guarantee of \$1100 shall be lodged with the Town prior to the issue of a Building Licence and be held until all building / development works have been completed and/or any disturbance of, or damage to, the Town's infrastructure, including street verge trees, has been repaired / reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security bond or bank guarantee must be made in writing.*
- (iv) the construction of crossovers shall be in accordance with the Town's specifications;*
- (v) prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (vi) street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (vii) no fence exceeding a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Vincent Street and Harold Street, being a maximum being height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*

(viii) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development:*

(a) *the eastern side of the balcony on the upper floor;*

(b) *the western facing window to the study on the upper floor; and*

(c) *the eastern and southern facing windows to bedroom one on the upper floor;*

shall be screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject wall, so that they are not considered to be a major opening as defined in the Residential Design Codes 2002;

(ix) *subject to first obtaining the consent of the owners of No. 29 Vincent 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. 29 Vincent Street, in a good and clean condition;*

(x) *standard visual truncations, in accordance with the Town's Policies and to the satisfaction of the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised; and*

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

(a) *the garage being setback at least 1.5 metres from the secondary street; or the garage being converted to a carport and being one hundred (100) per cent open on all sides and at all times (open type gates/ panels are permitted), except where it abuts the rear/ northern main building wall and the carport width being less than 50 per cent of the secondary street frontage; and*

(b) *the upper floor being setback at least 6 metres from the primary street.*

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

to the satisfaction of the Chief Executive Officer.

Moved Cr Torre, Seconded Cr Cohen

That the recommendation be adopted.

Cr Farrell departed the Chamber at 7.45pm

Moved Cr Torre, Seconded Cr Franchina

That clause (xi)(b) be deleted

Debate ensued.

Cr Farrell returned to the chamber at 7.46pm.

AMENDMENT CARRIED
ON THE CASTING VOTE OF THE MAYOR (5-4)

<u>For</u>	<u>Against</u>
Mayor Catania (2 votes)	Cr Cohen
Cr Chester	Cr Doran-Wu
Cr Franchina	Cr Farrell
Cr Torre	Cr Lake

(Cr Ker on approved leave of absence.)

MOTION AS AMENDED CARRIED (7-1)

<u>For</u>	<u>Against</u>
Mayor Catania	Cr Lake
Cr Chester	
Cr Cohen	
Cr Doran-Wu	
Cr Farrell	
Cr Franchina	
Cr Torre	

COUNCIL DECISION ITEM 10.1.4

That;

in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Metropolitan Region Scheme, the Council APPROVES the application submitted by Y L Horng on behalf of the owners L Natalotto and Y L Horng for the proposed partial demolition of and alterations, two-storey additions and garage to existing single house at No. 27 (Lot 21) Vincent Street, North Perth, as shown on the plans stamp-dated 3 September 2003 (Nos. A33, A34, A35 and A36), and amended plans stamp-dated 17 October 2003 (A01 and A02), subject to:

- (i) compliance with all relevant Environmental Health, Engineering and Building requirements;*
- (ii) all stormwater produced on the subject land shall be retained on-site to the satisfaction of the Town's Technical Services Division;*
- (iii) a road and verge security bond or bank guarantee of \$1100 shall be lodged with the Town prior to the issue of a Building Licence and be held until all building / development works have been completed and/or any disturbance of, or damage to, the Town's infrastructure, including street verge trees, has been repaired / reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security bond or bank guarantee must be made in writing.*

- (iv) *the construction of crossovers shall be in accordance with the Town's specifications;*
- (v) *prior to the first occupation of the development, redundant or 'blind' crossovers shall be removed and the verge and kerb made good to the satisfaction of the Town's Technical Services Division, at the applicant's/owner(s)' full expense;*
- (vi) *street trees will only be removed with the written consent of the Town's Parks Services Section. All removal and replacement costs shall be borne by the applicant/owner(s);*
- (vii) *no fence exceeding a maximum of 1.8 metres above the ground level. Decorative capping on top of posts and piers may extend up to a maximum height of 2.0 metres. The solid portion of any new front fences and gates adjacent to Vincent Street and Harold Street, being a maximum being height of 1.2 metres above the adjacent footpath level, with the upper portion of the front fences and gates being visually permeable, with a minimum 50 per cent transparency;*
- (viii) *to protect the reasonable privacy of the adjacent residents, prior to the first occupation of the development:*
 - (a) *the eastern side of the balcony on the upper floor;*
 - (b) *the western facing window to the study on the upper floor; and*
 - (c) *the eastern and southern facing windows to bedroom one on the upper floor;*

shall be screened with a permanent obscure material and be non-openable to a minimum of 1.6 metres above the finished floor level. A permanent obscure material does not include a self adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject windows not exceeding one square metre in aggregate in the respective subject wall, so that they are not considered to be a major opening as defined in the Residential Design Codes 2002;
- (ix) *subject to first obtaining the consent of the owners of No. 29 Vincent 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. 29 Vincent Street, in a good and clean condition;*
- (x) *standard visual truncations, in accordance with the Town's Policies and to the satisfaction of the Town's Technical Services Division, are to be provided at the intersection of the road reserve boundary and all internal vehicular accessways to ensure that the safety of pedestrians and other road users is not compromised; and*
- (xi) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating that:*
 - (a) *the garage being setback at least 1.5 metres from the secondary street; or the garage being converted to a carport and being one hundred (100) per cent open on all sides and at all times (open type gates/ panels are permitted), except where it abuts the rear/ northern main building wall and the carport width being less than 50 per cent of the secondary street frontage;*

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

to the satisfaction of the Chief Executive Officer.

LANDOWNER: L Natalotto & Y L Horng
APPLICANT: Y L Horng
ZONING: Metropolitan Region Scheme: Urban
 Town Planning Scheme No.1: Residential R80
EXISTING LAND USE: Single House

COMPLIANCE:

Use Class	Single House
Use Classification	"P"
Lot Area	443 square metres

Requirements	Required	Proposed
Setbacks:		
<u>Ground Floor</u> Rear- secondary street	1.5 metres	Nil
<u>Upper Floor</u> Front	6 metres	3 metres at closest point to 7 metres
Cone of Vision Encroachments:		
Balcony (Upper Floor- Eastern Side)	7.5 metres	3.2 metres
Street Walls and Fences	In the front setback area, walls should be solid to 1.2 metres, and visually permeable to 1.8 metres	Refurbishment of existing solid wall to 1.8 metres in the front setback area, no new fence.
Boundary Walls	One boundary wall is permitted with an average height of 3 metres and a maximum height of 3.5 metres, for 2/3 length of boundary.	3.2 metres to 5.5 metres maximum height for western boundary wall.
Building Height	6 metres to eaves and 9 metres to ridge	6.6 metres to eaves, and 9.2 metres to ridge on eastern side.

SITE HISTORY:

The site currently supports a single storey, single house.

The applicant provided amended plans on 17 October 2003, addressing some of the Town's concerns regarding the variations to the R-Codes (Residential Design Codes), and the Town's Policies.

DETAILS:

The applicant seeks approval for the partial demolition of and alterations, two-storey additions and garage to existing single house.

Amended plans were received on 17 October 2003, reducing the height of the parapet wall on the western side, and bringing the total maximum height of the building down to 9.2 metres. Also, the amended plans generally addressed the privacy issues by depicting screening to the upper storey windows and the balcony.

The applicant provided the attached justification and photographs in support of the proposed variations.

CONSULTATION/ADVERTISING:

The proposal was advertised from 24 September 2003 to 8 October 2003.

Two submissions were received during the advertising period, being one objection and one letter of non-objection, subject to compliance with the R-Codes. Both submissions have been summarised below:

- The adjoining western neighbour advised that, *"we have no objection to the above proposal as long as the development approval requirements meet the acceptable residential design guidelines. However, we strongly object to any design guideline infringements"*.
- The neighbour at No. 188 Harold Street (two houses down to the east), objects to the proposed development for the following reasons:
 - *"1. Is outside council requirements as per your letter"*
 - *"2. Will interfere with the amount of natural light available to the house next door (25 Vincent Street)"*
 - *"3. Will interfere with the streetscape area. All the other neighbouring houses are single storey"*

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies, and Residential Design Codes.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Partial Demolition

The place forms part of an area known as The Tramway Estate, developed circa 1910. The Estate was developed to provide worker's housing in a variety of styles. The majority of this Tramway Estate streetscape, to the east end of Vincent Street, is considered to be intact.

The proposed nature of the second storey addition will substantially alter the original form and appearance of the dwelling. The existing dwelling is listed on the Interim Heritage Database, however, it is not listed on the Town of Vincent Municipal Heritage Inventory. As such, this application is just subject to general Town Planning Scheme provisions and Policies.

Rear Setback Variation to Garage- Secondary Street

The applicants are seeking a setback variation of nil, in lieu of 1.5 metres, to the garage at the rear along the secondary street (Harold Street). The applicant advised the adjoining properties, at No. 29 and No. 31 Vincent Street, both have garages at nil setbacks from Harold Street. However, it is noted that the garage addition at No. 29 Vincent Street was conditioned at the Ordinary Meeting of Council held on 27 May 2003 to one hundred (100) per cent open on three sides, to allow for sufficient sightlines.

In light of the above, and given that the garage does not provided sufficient sightlines, the setback variation is not considered appropriate in this instance. It is therefore recommended that the garage be setback 1.5 metres from Harold Street, or that the garage be 100 per cent open on three sides at all times, in order to provide sufficient sightlines to the Harold Street.

Furthermore, the garage occupies more than 50 per cent of the boundary line at the rear, which is not in accordance with the existing streetscape. Given this, the width of the garage is considered to dominate the street, creating an undue impact on the streetscape and the area generally.

In light of the above, a condition has been imposed to reduce the width of the garage (to be carport) to less than 50 per cent of the secondary street frontage.

Building Height

The applicants are also proposing to vary the acceptable height requirements, as the proposed height of the second storey addition is 6.6 metres to the eaves, and 9.2 metres to the ridge.

Notwithstanding the above, only a small portion of the building on the eastern side is 9.2 metres in height, and the majority of the building complies with the overall 9 metres height requirement. Also, the minor height exceedence is predominantly due to the floor to ceiling height of the existing single storey dwelling, and the applicants have significantly reduced the height of the building, as they previously proposed 7 metres to the eaves, and 10.7 metres to the ridge.

Given that the proposal almost complies with the overall 9 metres height requirement, that there are some three-storey developments and high rise flats in the Albans Locality, and that the proposal does not overshadow the adjoining properties by more than 50 per cent, the height exceedence is considered supportable in this instance.

Front Setback Variation- Upper Floor

The applicants are seeking a front setback variation of 3 to 4 metres, in lieu of 6 metres, to the upper floor along the primary street.

The applicants provided a lengthy justification (attached) in support of the above mentioned variation.

The applicant's justification has been summarised and addressed in the table below:

Applicant's Justification	Officer's Comment
<p><u>Reason for requesting dispensation on front setback of second storey</u></p> <ul style="list-style-type: none">• Accommodate growing family.• Limited size of the block.• Maintain integrity of the dwelling.• Cost.	<p>Personal reasons are not valid planning considerations.</p>

Applicant's Justification	Officer's Comment
<p><u>Dispensation</u></p> <ul style="list-style-type: none"> • Front setbacks comply with the R-Codes, although not the Town's Policy. • The proposed front setbacks to the upper floor average 4.6 metres, and 5.8 metres when the open verandah is excluded. • The variations are minor encroachments and should be considered sufficient reason for granting dispensation. 	<p>The Town does not use setback averaging, as per the R-Codes, as the Town has its own streetscape Policy which overrides the R-Codes.</p> <p>The variation to the upper floor is not considered minor, and it will create an undue impact on the amenity of the street.</p>
<p><u>Impact on Streetscape</u></p> <ul style="list-style-type: none"> • No. 27 Vincent Street is 400mm from Beaufort Street • Vincent Street is wider than normal streets. • A large 3 storey building apartment block is located at No. 7 Vincent Street (Peppermint Gardens). • The remainder of the street is a mixture of different sized dwellings. • The streetscape is therefore not an intact street. • Scared Heart Church and Primary School buildings along Harold Street dominate the skyline behind No. 27 to No. 33 Vincent Street. • Due to the slope of the street, the highest part of the extension will remain lower than the ridge of the house at No. 31 Vincent Street, and only slightly higher than the roofs on the adjacent houses at No. 25 and 29 Vincent Street. • The extension will complement the heritage aspects of the area and enhance the streetscape. 	<p>See comments below.</p>
<p><u>Precedents</u></p> <ul style="list-style-type: none"> • No. 124 Grosvenor Road • No. 14 Raglan Road • No. 114 & 116 Alma Road • No. 46 to No. 52 Clarence Street • Corner Norfolk and Forrest Street 	<ul style="list-style-type: none"> • Correct Address is No. 126 Grosvenor - Upheld through an appeal. • Incorrect Address. No record. • 4 metres upper floor setback approved by Council on 10/10/2000. • Development upheld through an appeal. • Correct address is No. 33 Norfolk Street. Subdivision of original corner lot, therefore, setback variations are generally more relaxed for such lots.

Applicant's Justification	Officer's Comment
<ul style="list-style-type: none"> No. 9 Curtis Street 	<ul style="list-style-type: none"> Corner Curtis and Clarence Streets. Subdivision of original corner lot, therefore, setback variations are generally more relaxed for such lots.

As advised above by the Town's Senior Heritage Officer *"the Place forms part of an area known as The Tramway Estate, developed circa 1910. The Estate was developed to provide worker's housing in a variety of styles. The majority of this Tramway Estate streetscape, to the east end of Vincent Street, is considered to be intact"*.

Given the above comment, and that there are no front setback variations to the first floor of other buildings in the immediate streetscape, the proposal will dominate the streetscape and create an undue impact on the amenity of the intact streetscape, and the neighbouring properties. It should also be noted that there are only two properties in the immediate area that contain two-storey residential dwellings, all of which are sufficiently setback from the primary street, screened by trees, and located on the lower side of the subject land, thus they are hardly visible from Vincent Street.

Additionally, Sacred Heart Church and Primary School buildings along Harold Street are not highly visible from the far east end of Vincent Street, therefore, these buildings are not considered to dominate the skyline.

Furthermore, many of the points mentioned in the applicant's justification are not considered to be valid planning concerns, and the majority of the examples provided of other dwellings in the Town that have reduced setbacks to the upper floor are either corner lots, or they were refused by the Town and upheld on through an appeal to the Town Planning Appeal Tribunal.

The proposed upper floor setbacks are therefore considered to create an undue impact on the amenity of the streetscape, and the neighbouring properties, and the variation is therefore not supported. Accordingly, a condition has been recommended to ensure that the front setback to the upper floor comply with the 6 metres setback requirement.

Boundary Wall

The applicants are proposing to vary the R-Codes acceptable development requirements relating to boundary walls, as the proposed parapet wall on the western side is a maximum height of 5.5 metres, in lieu of the acceptable 3.5 metres maximum height requirements.

Notwithstanding the above variation, the majority of the parapet wall abuts the western neighbours boundary wall, as depicted on the attached elevations plans. Therefore, this portion of the proposal is considered to be acceptable development under Clause 3.3.2 A2 of the R-Codes.

The rest of the two-storey portion of the parapet wall sits approximately 640 millimetres above the neighbouring parapet wall. However, given that the western neighbours have not specifically objected to the height of the boundary wall, and that the proposal will not create any undue impact on the neighbours, in terms of overshadowing or overlooking, the proposal is therefore considered acceptable in this instance.

Front Walls and Fences

The front fence is existing and the applicants are not proposing any structural changes to the fence, only minor rendering.

Cone of Vision Encroachment

A cone of vision encroachment is proposed from the front of the balcony over the eastern neighbours property. However, the cone of vision encroachment is considered minor, as it mainly falls within the front setback area of the adjoining property, and it does not overlook any areas of active habitable space.

In light of the above, and in the absence of any objections from the eastern neighbours, screening along the front of the balcony is not considered appropriate.

Notwithstanding the fact that the applicants have depicted obscure glazing to windows to habitable space on the upper floor, it is considered appropriate to impose a standard screening condition to ensure that the windows are appropriately screened (obscure and fixed) to the Town's satisfaction.

Conclusion

Given that conditions have been recommended to address the relevant concerns, and that the proposal complies with the R-Codes overshadowing requirements, it is considered that the proposal will generally have no unreasonable, detrimental impact on the amenity of the area, or adjoining neighbours.

Accordingly, the proposal is recommended for approval, subject to appropriate conditions to address the above matters.

10.3.3 Financial Statements as at 30 June 2003

Ward:	Both	Date:	4 November 2003
Precinct:	All	File Ref:	FIN0026
Attachments:	001		
Reporting Officer(s):	N Forsyth		
Checked/Endorsed by:	M Rootsey	Amended by:	

OFFICER RECOMMENDATION:

That the Council RECEIVES the Financial Reports for the year ended 30 June 2003 as detailed in Appendix 10.3.3.

Moved Cr Lake, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

Moved Cr Lake, Seconded Cr Farrell

That the Council DEFER the receipt of the Financial Reports for the year ended 30 June 2003 to allow for the inclusion of detailed comments on any items where the variance between actual and budget is greater than 10%.

CARRIED (6-2)

<u>For</u>	<u>Against</u>
Cr Chester	Mayor Catania
Cr Doran-Wu	Cr Cohen
Cr Farrell	
Cr Franchina	
Cr Lake	
Cr Torre	

(Cr Ker on approved leave of absence.)

Moved Cr Lake, Seconded Farrell

That a new clause (ii) be added as follows:

"(ii) future monthly financial statements contain a statement that explains any significant variances."

Debate ensued.

AMENDMENT CARRIED (8-0)

(Cr Ker on approved leave of absence.)

MOTION AS AMENDED CARRIED (8-0)

(Cr Ker on approved leave of absence.)

COUNCIL DECISION ITEM 10.3.3

That;

- (i) the Council DEFER the receipt of the Financial Reports for the year ended 30 June 2003 to allow for the inclusion of detailed comments on any items where the variance between actual and budget is greater than 10%; and*
 - (ii) future monthly financial statements contain a statement that explains any significant variances.*
-

BACKGROUND:

The Local Government Act and Local Government (Financial Management) Regulations 1996 require monthly reports and quarterly financial reports to be submitted to Council. The Financial Statements attached at Appendix 10.3.3 are for the month ended 30 June 2003.

The detailed Financial Statements for the year ended 30 June 2003 have this year been presented following the completion of the annual audit.

In previous years preliminary reports have been presented subject to year-end adjustments and the completion of the audit. This has led in the past reconciliation queries between the two sets of figures.

DETAILS:

The Financial Statements comprise:

- Operating Statement
- Summary of Programmes/Activities
- Capital Works Schedule
- Statement of Financial Position and Changes in Equity
- Reserve Schedule
- Debtor Report
- Rate 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 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.

The overall operating result for the year ended 30 June 2003 has seen a net profit/(loss) result of \$1,145,674.

The operating revenues for the year have matched budgeted expectations, whereas the operating expenditure has slightly exceeded estimates (4%). These increases have incurred notably in the Recreation and Culture, Economic Services and Other Property Services programme.

It is noted that operating expenditure was at 92% of budget at the end of May 2003 and at that time it was projected that the budget would be matched.

The Contribution/Grants for the Development of Assets were lower than expected due to later than anticipated commencement dates for Perth Oval. DSR building and Veterans Tennis clubhouse extensions projects which were all included in the 2002/03 budget.

The disposal of assets is higher than budgeted due to the receipt of funds from the sale of the Bottleyard and higher than anticipated trade-ins for major plant, whilst the planned sale of the Elven Street sub-division was deferred.

Operating Revenue

Operating revenue is currently showing 100% of the Budget received to date.

General Purpose Funding (Page 2)

General Purpose Funding is showing 99% of the budget received for the financial year. 4.36% of rates were outstanding at the 30th June 2003.

Law, Order & Public Safety (Page 3)

The budget for Law, Order and Public Safety was exceeded and the result was 138%. This was due to animal control performing better than budget.

Health (Page 4)

Health is showing 99% of the budget received to date. This is due to Health Licences being in accordance with budgeted figures.

Education & Welfare (Page 5)

Budget was not achieved in this programme as there was no surplus to be distributed from Leederville Gardens Retirement Village from the 2001/02 financial year.

Community Amenities (Page 6)

Community Amenities is showing 170% of the budget received for the year. This is due to the distribution from the Mindarie Regional Council and the Municipal Recycling Services Grant being greater than budget.

Transport (Page 11)

Transport is showing 101% of the budget received.

Economic Services (Page 12)

Economic Services is showing 93% of the budget received and this is due to building revenue being less than anticipated.

Other Property and Services (Page 13)

Other Property and Services in this report is 132% of budget. Higher than anticipated recoup of workers compensation and general insurance claims have occurred.

Operating Expenditure

Operating expenditure for the month is slightly higher than Budget (104%).

Recreation & Culture (Page 7)

Budget performance was 108% for the year.

The increase from budgeted expenditure can be attributed to several different areas.

Higher than budgeted salaries costs at Beatty Park for the swimming pool area and café due to increased hours. In addition higher than anticipated stock purchases were incurred in the operation of the café and retail shop. Operating costs for some of the reserves exceeded estimates, the major ones included Perth Oval and Hyde Park.

Economic Services (Page 11)

Economic Services is showing 114% of the budget received.

The increase in costs is due to Building Control programme expenditure, which in the main related to increased salary costs.

Other Property & Services (Page 13)

Plant operating costs and general insurance costs were greater than budget contributing to the increased expenditure.

Capital Expenditure Summary (Pages 15 to 25)

The Capital Expenditure summary details projects included in the 2002/03 budget and reports the original budget and compares actual expenditure to date against these. Capital works show total expenditure for the year to date of \$7,596,020, which is 56% of the budget.

Statement of Financial Position and Changes in Equity (Pages 26 and 27)

This statement is in essence the Balance Sheet of the Town as at 30 June 2003 and shows current assets of \$11,570,166 less current liabilities of \$2,903,385, for a current position of \$8,666,781. Total non-current assets amount to \$98,241,319 for total net assets of \$106,665,971.

Restricted Cash Reserves (Page 28)

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

Transfers of interest occurs as it is earned and investments mature. The amounts funded for the Municipal Fund are transferred on a monthly basis. Contributions received, which are transferred to Reserves occur at the end of month during which the cash contribution is received. To the 30th June 2003, interest of \$342,772 was transferred. Transfers to Reserves totalled \$3,070,253 and transfers from Reserves amounted to \$2,710,100. Restricted cash reserves total \$7,233,417 at the end of June 2003.

Debtors and Rates Financial Summary

General Debtors (Page 29)

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

Sundry Debtors of \$534,607 are outstanding at the end of June. Of this \$40,444 (8%) relates to debts outstanding for over 60 days. The Debtor Report identifies significant balances that are well overdue.

The balance of the significant Debtors are either current or 1- 30 Days.

Rate Debtors (Page 30)

The notices for rates and charges levied for 2002/03 were issued on the 12 August 2002.

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

First Instalment	16 September 2002
Second Instalment	18 November 2002
Third Instalment	15 January 2003
Fourth Instalment	19 March 2003

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

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

Pensioners registered with the Town for rate concessions do not incur the above interest or charge.

10.4.4 Town of Vincent Local Law Relating to Parking Facilities - Gazettal

Ward:	Both	Date:	12 November 2003
Precinct:	All	File Ref:	LEG0047
Attachments:	-		
Reporting Officer(s):	A Smith, J McLean		
Checked/Endorsed by:	John Giorgi	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *the Council APPROVES BY A SPECIAL MAJORITY an amendment to the Town of Vincent Local Law Relating to Parking Facilities, by amending the existing First Schedule relating to Ticket Machine Zones - Periods and Fees, the existing Second Schedule relating to Parking Stations and the existing Sixth Schedule relating to Modified Penalties as follows:*

**LOCAL GOVERNMENT ACT 1995 (as amended)
TOWN OF VINCENT PARKING FACILITIES LOCAL LAW
AMENDMENT**

In pursuance of the powers conferred upon it by the Local Government Act 1995, the above-mentioned Local Law and all other powers enabling it, the Council of the Town of Vincent HEREBY RECORDS having resolved on 12 August and 9 September 2003 to make the following amendments to the Town of Vincent Parking Facilities Local Law published in the Government Gazette on 23 May 2000;

- (a) *Amending the existing First Schedule relating to Ticket Machine Zones – Periods and Fees, as follows:*
- (1) *by inserting in column 1 “East and west sides of Pier Street, Perth”;*
 - (2) *by inserting in column 2 “Between Parry Street and Brisbane Street”;*
 - (3) *by inserting in column 3 “8.00am to 10.00pm Monday to Sunday”;*
 - (4) *by inserting in column 1 “North side of Brewer Street, Perth”;*
 - (5) *by inserting in column 2 “Between Lord Street and Stirling Street”;*
 - (6) *by inserting in column 3 “8.00am to 10.00pm Monday to Sunday”;*
 - (7) *by inserting in column 1 “Median Parking in Stirling Street, Perth”;*
 - (8) *by inserting in column 2 “Between Parry Street and Brisbane Street”;*
 - (9) *by inserting in column 3 “8.00am to 10.00pm Monday to Sunday”;*
 - (10) *by inserting in column 1 “north side of Stuart Street, Perth”;*
 - (11) *by inserting in column 2 “Between Palmerston Street and Fitzgerald Street”; and*
 - (12) *by inserting in column 3 “8.00am to 8.00pm Monday to Friday and 8.00am to 12 noon Saturday”; and*
- (b) *Amending the existing the Second Schedule relating to Parking Stations, as follows:*
- (1) *by inserting in column 1 “Oxford Street Car Park situated between Oxford Street and Faraday Street, Mount Hawthorn”;*
 - (2) *by inserting in column 2 “Monday to Sunday, 8.00am to 8.00pm inclusive”;*
 - (3) *by inserting in column 3 “Not Applicable”*
 - (4) *by inserting in column 4 “Not Applicable”*
 - (5) *by inserting in column 1 “Oxford Street Car Park situated between Oxford Street and Faraday Street, Mount Hawthorn”;*

- (6) *by inserting in column 2 "Monday to Sunday, 8.00pm to 8.00am inclusive";*
 - (7) *by inserting in column 3 "Not Applicable";*
 - (8) *by inserting in column 4 "Not Applicable"*
 - (9) *by inserting in column 1 "Stadium Car Park situated within Perth Oval Reserve, Pier Street, Perth, between the eastern side of Pier Street, eastward to the delineating fence-line of the leased area of the proposed Multi-Purpose Rectangular Sports Stadium";*
 - (10) *by inserting in column 2 "Monday to Sunday, 8.00am to 10.00pm inclusive";*
 - (11) *by inserting in column 3 "Not Applicable"*
 - (12) *by inserting in column 4 "Not Applicable"."*
- (c) *That the existing Sixth Schedule relating to "Modified Penalties" be amended as follows:*
- (1) *In column 3, opposite Item No. 1, by replacing the words "\$100.00" with the words "\$105.00";*
 - (2) *In Column 3, opposite Item No. 2, by replacing the words "\$80.00" with the words "\$85.00";*
 - (3) *In column 3, opposite Item No. 3, by replacing the words "\$50.00" with the words "\$55.00";*
 - (4) *In Column 3, opposite Item No. 4, by replacing the words "\$30.00" with the words "\$35.00";*
 - (5) *In column 3, opposite Item No. 5, by replacing the words "thirty dollars (\$30.00)" with the words "thirty five dollars (\$35.00)" wherever it appears; and*
 - (6) *In column 3, opposite Item No 6, by replacing the words "thirty dollars (\$30.00)" with the words "thirty five dollars (\$35.00)" wherever it appears.*

(ii) *the amendment be published in the Government Gazette.*

COUNCIL DECISION ITEM 10.4.4

Moved Cr Torre, Seconded Cr Doran-Wu

That the recommendation be adopted.

Debate ensued.

Cr Chester departed the Chamber at 8.14pm.

Cr Chester returned to the Chamber at 8.15pm.

Cr Franchina departed the Chamber at 8.15pm.

CARRIED BY A SPECIAL MAJORITY (7-0)

(Cr Franchina was absent from the Chamber and did not vote. Cr Ker on approved leave of absence.)

BACKGROUND:

At the Ordinary Meetings of Council held on 12 August and 9 September 2003 the Council resolved to advertise the proposed amendments to the existing First Schedule relating to Ticket Machine Zones - Periods and Fees, the existing Second Schedule relating to Parking Stations and the Sixth Schedule relating to Modified Penalties. The purpose of the proposed amendments is to:

- Amend the First Schedule to include the following streets within the Town of Vincent;
 - (a) the eastern and western sides of Pier Street between Brewer Street and Brisbane Street, Perth;
 - (b) the northern side of Brewer Street, between Lord Street and Pier Street, Perth;
 - (c) in the median angled parking in Stirling Street between Parry Street and Brisbane Street, Perth; and
 - (d) North side of Stuart Street, between Fitzgerald Street and Palmerston Street, Perth;
- Amend the Second Schedule to include the proposed new Stadium Car Park and the Oxford Street Car Park as designated car parks within the Town of Vincent;
- Increase the fees in the Sixth Schedule relating to “Modified Penalties”, to offset the substantial additional costs being applied by the Department of Planning and Infrastructure;

DETAILS:

At the close of submissions on 3 November 2003, no submissions were received.

ADVERTISING/CONSULTATION:

The proposed amendment was advertised in The West Australian newspaper on 3 and 12 September 2003, in a local paper on 6 and 20 September 2003 and on the Town's Notice Board and Website.

LEGAL/POLICY IMPLICATIONS:

This Local Law amendment is in accordance with Local Government Act 1995 section 3.12.

STRATEGIC IMPLICATIONS:

Key Result Area Item 1.4(i) of the Strategic Plan 2003/2008 *"Traffic and Parking Management"* indicates a need to develop a strategy for parking management in business, residential and mixed-use precincts. The above proposal would be in keeping with this strategy.

FINANCIAL/BUDGET IMPLICATIONS:

Other than the costs associated with advertising the proposed amendment, there will be no costs to the Town.

COMMENT:

The above proposal is consistent with the current operating procedures of the Town and it should not adversely affect ratepayers and residents. The amendments above are recommended for approval and submitted for gazettal.

Mayor Catania advised that he had declared a financial interest in this item. He departed the Chamber at 8.16pm. He did not speak or vote on the matter.

10.3.1 Investment Report

Ward:	Both	Date:	05 November 2003
Precinct:	All	File Ref:	FIN0005
Attachments:	001		
Reporting Officer(s):	C Liddelow		
Checked/Endorsed by:	N Russell	Amended by:	

OFFICER RECOMMENDATION:

That the Council RECEIVES the Investment Report for the month ended 31 October 2003 as detailed in Appendix 10.3.1.

Moved Cr Torre, Seconded Cr Farrell

That Cr Chester be nominated to act as Presiding Member.

CARRIED (6-0)

(Mayor Catania and Cr Franchina were absent from the Chamber and did not vote. Cr Ker on approved leave of absence.)

Cr Chester assumed the Chair.

COUNCIL DECISION ITEM 10.3.1

Moved Cr Torre, Seconded Cr Cohen

That the recommendation be adopted.

CARRIED (6-0)

(Mayor Catania and Cr Franchina were absent from the Chamber and did not vote. Cr Ker on approved leave of absence.)

Mayor Catania returned to the Chamber at 8.17pm and resumed the Chair.

BACKGROUND:

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. Details are attached at Appendix 10.3.1. 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.

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 October 2003 were \$8,855,825 compared with \$8,855,825 at 30 September 2003. At 31 October 2002, \$14,244,078 was invested.

Total accrued interest earned on Investments as at 31 October 2003:

	Budget	Actual	%
	\$	\$	
Municipal	300,000	46,167	15.39
Reserve	342,000	114,686	33.53

COMMENT:

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

Mayor Catania advised that Cr Doran-Wu declared a financial interest in this item. She departed the Chamber at 8.18pm. She did not speak or vote on the matter.

10.3.2 Cultural Development Seeding Grant Application

Ward:	Both	Date:	4 November 2003
Precinct:	All	File Ref:	CMS 0008
Attachments:	N/A		
Reporting Officer(s):	D Spurgeon		
Checked/Endorsed by:	M Rootsey	Amended by:	J Anthony

OFFICER RECOMMENDATION:

That Council APPROVES the application of Mount Hawthorn Primary P & C Association Inc for a Cultural Development Seeding Grant of \$460.

COUNCIL DECISION ITEM 10.3.2

Moved Cr Torre, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

CARRIED (6-0)

(Crs Doran-Wu and Franchina were absent from the Chamber and did not vote. Cr Ker on approved leave of absence.)

DETAILS:

The Mount Hawthorn Primary P & C Association plan to hold a community fair on 8 November 2003 from 10am to 2pm. The fair will incorporate a range of cultural activities including dance, photography, martial arts, music as well as a number of stalls and rides.

In particular the P & C Association is requesting funding to go towards an animal farm that will be accessible to children and parents of all ages. The fair will be open to all people within the community and is designed to generate a sense of community and celebration.

All activities and the planned layout for the fair are fully accessible to all members of the community including people with a disability.

STRATEGIC IMPLICATIONS:

The Cultural Development Seeding Grants and the submitted application address the following section of the Town's Strategic Plan 2003-08:

2.1 Celebrate and acknowledge the Town's cultural diversity.

Action Plans to implement this strategy include:

- a) *Where appropriate, financially support and promote community initiated events.*

FINANCIAL/BUDGET IMPLICATIONS:

Of the \$10,000 budgeted for this item, \$10,000 remains unallocated.

COMMENTS:

Mt Hawthorn Primary P & C Association will acknowledge the Towns support on the day with Town of Vincent signs or banners.

10.1.1 No.190 (Lot 302) Grosvenor Road, Corner Leake Street, North Perth - Proposed Three-Storey Dwelling - Further Consideration of Conditions

Ward:	South	Date:	11 November 2003
Precinct:	Smith's Lake, P6	File Ref:	PRO 1861; 00/33/0865
Attachments:	001		
Reporting Officer(s):	D Abel		
Checked/Endorsed by:	R Boardman, R Lotznicher	Amended by:	-

OFFICER RECOMMENDATION:

That;

in light of the Town Planning Appeal Tribunal decision to uphold an appeal and approve the application submitted by R Voulon on behalf of the owner Temple of Bel Pty Ltd for the proposed three-storey dwelling at No.190 (Lot 302) Grosvenor Road, corner Leake Street, North Perth as shown on the amended plans stamp-dated 30 January 2002, the Council applies the following conditions to this proposed development:

- (i) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) the louvers to the terrace and timber slats to the void, on the first floor on the front/western elevation, incorporating a gap with a minimum width as the louvre and slats battens respectively, in between each louvre and slat batten; OR the louvers to the terrace and timber slats to the void, on the first floor on the front/western elevation being deleted;*
 - (b) the proposed footpath/pedestrian access to/from the proposed dwelling must be located entirely within the 1.99 metres wide portion of the Leake Street road reserve adjacent to the existing sealed right of way driveway access, and must be designed and constructed in accordance with the Town's specifications; and*
 - (c) the existing and proposed dwellings each being provided with a store, not visible from the adjacent streets, of a minimum area of 4 square metres and a minimum dimension of 1.5 metres, and in accordance with the Residential Design Codes.*

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

- (ii) a detailed schedule of external finishes (including materials and colour schemes and details), with particular attention to reducing the visual impact of the development on the streetscape and adjacent properties, shall be submitted and approved prior to the issue of a Building Licence;*
- (iii) prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use and undertake works on the right of way, to the satisfaction of the Town;*

- (iv) *a right of way security bond and/or bank guarantee for \$880 shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for a standard 2 wheel drive vehicle) as a consequence of the works the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division;*
- (v) *a footpath security deposit bond and/or bank guarantee of \$220 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (vi) *prior to the issue of a Building Licence, permission is required to be obtained from the Town's Technical Services Division to construct a footpath/pedestrian access to the proposed dwelling;*
- (vii) *a detailed landscaping plan prepared in consultation with the Town's Parks Services Section, including a schedule of plant species and the planting of at least two mature trees on the Leake Street verge adjacent to the subject property with the height, location and species being specified by the Town's Parks Services Section, shall be submitted and approved prior to the issue of a Building Licence. All such works shall be undertaken prior to the first occupation of the development and maintained thereafter by the owner(s)/occupier(s);*
- (viii) *to protect the privacy of adjacent residents, prior to the first occupation of the development, the window to the dining room on the northern elevation on the first floor shall be screened with a permanent obscure material and be non-openable to a minimum height of 1.6 metres above the finished first floor level. The permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject window either being deleted or not exceeding one square metre in aggregate in the respective subject wall, so that it is not considered to be a major opening as defined in the Residential Design Codes 2002;*
- (ix) *to protect the privacy of adjacent residents, prior to the first occupation of the development, the windows to the study on the first floor and bedroom 2 on the second floor, and the terrace on the first floor and balcony on the second floor, on the southern elevation, shall be screened with a permanent obscure material and be non-openable to a minimum height of 1.6 metres above the respective finished floor level. The 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 a major opening as defined in the Residential Design Codes 2002;*

- (x) *compliance with all relevant Environmental Health, Building and Engineering requirements; and*
- (xi) *no building materials, scaffolding, site fencing and the like shall be placed on the Leake Street road reserve;*

to the satisfaction of the Chief Executive Officer.

Crs Doran-Wu and Franchina returned to the Chamber at 8.23pm.

Cr Torre departed the Chamber at 8.23pm.

Moved Cr Chester, Seconded Cr Cohen

That the recommendation be adopted subject to the existing clause (i) being amended as follows:

- "(i) *prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) *the louvers to the terrace and timber slats to the void, on the first floor on the front/western elevation, incorporating a gap with a minimum width as the louvre and slats battens respectively, in between each louvre and slat batten; OR the louvers to the terrace and timber slats to the void, on the first floor on the front/western elevation being deleted;*
 - ~~(b) *the proposed footpath/pedestrian access to/from the proposed dwelling must be located entirely within the 1.99 metres wide portion of the Leake Street road reserve adjacent to the existing sealed right of way driveway access, and must be designed and constructed in accordance with the Town's specifications; and*~~
 - (b) *the footpath/pedestrian access to/from the proposed dwelling not being located on the adjacent proposed road closure and public open space portion of Leake Street;*
 - (c) *the existing and proposed dwellings each being provided with a store, not visible from the adjacent streets, of a minimum area of 4 square metres and a minimum dimension of 1.5 metres, and in accordance with the Residential Design Codes; and*
 - (d) *a pedestrian access way of a minimum width of 1.5 metres being provided entirely on the subject lot to/ from Grosvenor Road to the proposed dwelling*

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

Debate ensued.

Cr Torre returned to the Chamber at 8.26pm.

Moved Cr Chester, Seconded Cr Lake

That;

- (i) the original clause (i)(b) indicated above in strikethrough be reinstated;*
- (ii) the proposed new clause (i)(b) be renumbered to (i)(c) and the words "proposed road closure and" be deleted;*
- (iii) the existing clause (i)(c) be renumbered to (i)(d); and*
- (iv) the proposed new clause (i)(d) be deleted.*

AMENDMENT CARRIED (8-0)

(Cr Ker on approved leave of absence.)

MOTION AS AMENDED CARRIED (8-0)

(Cr Ker on approved leave of absence.)

SUBSEQUENT MOTION

Moved Cr Chester, Seconded Cr Franchina

That the Chief Executive Officer be requested to write a letter of protest to the Western Australian Planning Commission stating the Town's:

- (i) concerns on the way the Commission receives Green Titles;*
- (ii) opposition to the way the Town is being treated in this application completely not only in the Green Title subdivision but also in the application and the appeal being granted to the applicant.*

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

COUNCIL DECISION ITEM 10.1.1

That;

in light of the Town Planning Appeal Tribunal decision to uphold an appeal and approve the application submitted by R Voulon on behalf of the owner Temple of Bel Pty Ltd for the proposed three-storey dwelling at No.190 (Lot 302) Grosvenor Road, corner Leake Street, North Perth as shown on the amended plans stamp-dated 30 January 2002, the Council applies the following conditions to this proposed development:

- (i) prior to the issue of a Building Licence, revised plans shall be submitted and approved demonstrating the following:*
 - (a) the louvers to the terrace and timber slats to the void, on the first floor on the front/western elevation, incorporating a gap with a minimum width as the louvre and slats battens respectively, in between each louvre and slat batten; OR the louvers to the terrace and timber slats to the void, on the first floor on the front/western elevation being deleted;*

- (b) *the proposed footpath/pedestrian access to/from the proposed dwelling must be located entirely within the 1.99 metres wide portion of the Leake Street road reserve adjacent to the existing sealed right of way driveway access, and must be designed and constructed in accordance with the Town's specifications;*
- (c) *the footpath/pedestrian access to/from the proposed dwelling not being located on the adjacent public open space portion of Leake Street; and*
- (d) *the existing and proposed dwellings each being provided with a store, not visible from the adjacent streets, of a minimum area of 4 square metres and a minimum dimension of 1.5 metres, and in accordance with the Residential Design Codes;*

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

- (ii) *a detailed schedule of external finishes (including materials and colour schemes and details), with particular attention to reducing the visual impact of the development on the streetscape and adjacent properties, shall be submitted and approved prior to the issue of a Building Licence;*
- (iii) *prior to the issue of a Building Licence, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title and Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use and undertake works on the right of way, to the satisfaction of the Town;*
- (iv) *a right of way security bond and/or bank guarantee for \$880 shall be lodged prior to the issue of a Building Licence and be held until all building works have been completed. The right of way shall remain open at all times and not be used to store building materials or obstructed in anyway. The right of way surface (sealed or unsealed) shall be maintained in a trafficable condition for the duration of the works. If at the completion of the development the right of way surface has deteriorated, or become impassable (for a standard 2 wheel drive vehicle) as a consequence of the works the applicant/developer/builder/owner is to make good the surface to the satisfaction of the Town's Technical Services Division;*
- (v) *a footpath security deposit bond and/or bank guarantee of \$220 shall be lodged prior to the issue of a Building Licence and be held until all works have been completed and/or any damage to the existing footpath have been reinstated to the satisfaction of the Town's Technical Services Division. An application for the refund of the security deposit must be made in writing;*
- (vi) *prior to the issue of a Building Licence, permission is required to be obtained from the Town's Technical Services Division to construct a footpath/pedestrian access to the proposed dwelling;*
- (vii) *a detailed landscaping plan prepared in consultation with the Town's Parks Services Section, including a schedule of plant species and the planting of at least two mature trees on the Leake Street verge adjacent to the subject property with the height, location and species being specified by the Town's Parks Services Section, shall be submitted and approved prior to the issue of a Building Licence. All such*

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

- (viii) to protect the privacy of adjacent residents, prior to the first occupation of the development, the window to the dining room on the northern elevation on the first floor shall be screened with a permanent obscure material and be non-openable to a minimum height of 1.6 metres above the finished first floor level. The permanent obscure material does not include a self-adhesive material or other material that is easily removed. The whole window can be top hinged and the obscure portion of the window openable to a maximum of 20 degrees; OR prior to the issue of a Building Licence revised plans shall be submitted and approved demonstrating the subject window either being deleted or not exceeding one square metre in aggregate in the respective subject wall, so that it is not considered to be a major opening as defined in the Residential Design Codes 2002;*
- (ix) to protect the privacy of adjacent residents, prior to the first occupation of the development, the windows to the study on the first floor and bedroom 2 on the second floor, and the terrace on the first floor and balcony on the second floor, on the southern elevation, shall be screened with a permanent obscure material and be non-openable to a minimum height of 1.6 metres above the respective finished floor level. The 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 a major opening as defined in the Residential Design Codes 2002;*
- (x) compliance with all relevant Environmental Health, Building and Engineering requirements; and*
- (xi) no building materials, scaffolding, site fencing and the like shall be placed on the Leake Street road reserve;*

to the satisfaction of the Chief Executive Officer.

LANDOWNER: Temple of Bel Pty Ltd
APPLICANT: R Voulon
ZONING: Metropolitan Region Scheme: Urban
Town Planning Scheme No.1: Residential R40
EXISTING LAND USE: Single House

COMPLIANCE:

Use Class	Single House
Use Classification	"P"
Lot Area	Existing Lot 302 - 577 square metres

SITE HISTORY

20 November 2001 The Council at its Ordinary Meeting refused an application for a three storey single house.

- 18 December 2001 The Council at its Ordinary Meeting deferred its consideration of an application for a three storey single house at the request of the applicant in order for the applicant to modify the plans.
- 12 February 2002 The Council at its Ordinary Meeting refused an application for a three storey single house as shown on amended plans stamp dated 30 January 2002.
- 11 April 2002 The applicant/owner lodged an appeal with the Town Planning Appeal Tribunal (TPAT) against the Council's refusal of 12 February 2002.
- 15 May 2002 TPAT first sitting on the appeal.
- 19 June 2002 TPAT mediation session on the appeal.
- 29 July 2002 TPAT directions hearing on the appeal.
- 13 August 2002 The Council at its Ordinary Meeting considered a Confidential Report on the appeal and resolved to receive advice from the Town's solicitors, Minter Ellison, and authorise the Executive Manager Environmental and Development Services to represent the Town at the TPAT hearing to be held on 23 September 2002.
- 23 September 2002 TPAT hearing on the appeal. The Town was represented by Minter Ellison.
- 7 November 2002 Handing down of TPAT determination on the appeal. Attended by the Town's solicitors, Minter Ellison on behalf of the Town.
- 8 April 2003 The Council at its Ordinary Meeting were advised of the TPAT decision to uphold the appeal and applied conditions to the proposal.
- 17 April 2003 The applicant and objectors were advised of the Ordinary Meeting of Council outcome as well as the conditions applied.
- 17 October 2003 TPAT directions hearing was held regarding three (3) conditions applied by the Council disputed by the appellant/owner. Matter adjourned to mediation to be held on 13 November 2003.
- 30 October 2003 Meeting held between the appellant/owner, and the Town's Executive Manager Environmental and Development Services, Executive Manager Technical Services and Manager Planning and Building Services to discuss the subject conditions being disputed.
- 5 November 2003 TPAT advised that mediation has been rescheduled to 19 November 2003 to enable further consideration of the disputed conditions by the Council at its Ordinary Meeting to be held on 18 November 2003.

DETAILS:

The Council at its Ordinary Meeting held on 8 April 2003 considered the Town Planning Appeal Tribunal decision to uphold an appeal and approve the application for the proposed three-storey dwelling at No.190 (Lot 302) Grosvenor Road, corner Leake Street, North Perth. The Council resolved to apply several conditions to this proposed development, including the following conditions which are being disputed by the appellant/owner:

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

- (a) *the louvers to the terrace and timber slats to the void, on the first floor on the front/western elevation, incorporating a gap with a minimum width as the louvre and slats battens respectively, in between each louvre and slat batten;*
- (b) *the footpath/pedestrian access to/from the proposed dwelling not being located on the adjacent proposed road closure and public open space portion of Leake Street; ...*
- (d) *a pedestrian access way of a minimum width of 1.5 metres being provided entirely on the subject lot to/from Grosvenor Road to the proposed dwelling.*

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

CONSULTATION/ADVERTISING:

The subject matter does not require any consultation/advertising in accordance with the Town's Community Consultation Policy.

LEGAL/POLICY:

Town Planning Scheme No. 1 and associated Policies, and Residential Design Codes.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

Condition (i)(a) - Louvers to Terrace and Timber Slats to Void

In order to further reduce the bulk and scale of the proposal to an acceptable standard, the louvers to the terrace and timber slats to the void, on the first floor on the front/western elevation, was previously conditioned to incorporate gaps with a minimum width as the louvers and slats battens respectively, in between each louver and slat batten.

On 11 November 2003, the appellant/owner advised the Town's Manager Planning and Building Services that he will not dispute this condition further; and either comply with the condition or have no louvers to the terrace and timber slats to the void, on the first floor on the front/western elevation.

Condition (i)(b) - Footpath/Pedestrian Access

The Western Australian Planning Commission (WAPC) granted conditional subdivision approval for the subdivision of the lot into two freehold lots, one lot being 361 square metres at the corner of Grosvenor Road and Leake Street and accommodating the existing dwelling, and the other being 216 square metres fronting Leake Street and will accommodate the subject proposed dwelling, as shown on the attached plan.

The Council at its Ordinary Meeting held on 17 December 2002, considered the revised proposed closure of portion of Leake Street road reserve as determined by the WAPC in letter dated 28 November 2002. The WAPC did not support the road closure as initially proposed by the Council, however was prepared to support a modified proposal where the portion of the Leake Street road reserve proposed to connect with the rights of way being widened to 8 metres so as to afford the abutting lots frontage to Leake Street and access to services, as shown on the attached plan. On 17 December 2002, the Council resolved to approve the revised proposed closure of portion of the Leake Street road reserve, and formally requested the Minister for Land to vest the closed portion of the road reserve in the Town for the purpose of public open space.

The above revised proposed closure of portion of the Leake Street road reserve will result in the subject property having a 1.99 metres wide frontage onto Leake Street. It is considered reasonable to allow a footpath/pedestrian access to/from the proposed dwelling to be constructed on this 1.99 metres wide portion of Leake Street, as it was the intent of the WAPC requirement to modify the proposed road closure to accommodate such pedestrian access, and the visual impact of the path would be minimal as the narrow path will be located along the adjacent sealed right of way.

Condition (i)(d) - Pedestrian Access

The above resultant 1.99 metres wide frontage onto Leake Street will allow the adequate provision of services and mail delivery to and rubbish collection from the proposed dwelling/lot, therefore the 1.5 metres wide pedestrian access way to/from Grosvenor Road is not required any longer.

In light of the above, it is recommended that the Council amend previously applied conditions (i) (a) and (i) (b), and delete condition (i) (d), accordingly. The remaining conditions previously applied by the Council should be unchanged and retained.

10.1.2 No. 2 (Lot 81) The Boulevarde (Corner Britannia Road), Mount Hawthorn - Proposed Subdivision

Ward:	North	Date:	9 November 2003
Precinct:	Mount Hawthorn, P1	File Ref:	123435
Attachments:	001		
Reporting Officer(s):	S Crawford		
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 Residential Design Codes, the Council RECOMMENDS APPROVAL to the Western Australian Planning Commission for the subdivision of No. 2 (Lot 81) The Boulevarde (corner Britannia Road), Mount Hawthorn, and as shown on the plan stamp- dated 1 October 2003 (subdivision 123435), subject to:

- (i) all buildings and effluent disposal systems, having the necessary clearance from the new boundaries as required under the relevant legislation;*
- (ii) support of the subdivision is not to be construed as support of the demolition of the existing building(s) and/or any development on the proposed lots;*
- (iii) if any portion of the existing building(s) is to be demolished to facilitate the proposed subdivision, a separate Planning Approval and/or Demolition Licence is to be obtained from the Town for the demolition of the existing building(s) prior to the clearance of the Diagram or Plan of Survey by the Town;*
- (iv) all buildings and structures on proposed Lot 2 and those that have been granted Planning Approval and/or Demolition Licence for demolition being demolished and materials removed from the site and the site made good. A separate Planning Approval and/or Demolition Licence is required from the Town prior to the commencement of any demolition works;*
- (v) the land being filled and/or drained at the subdivider's cost to the satisfaction of the Town and any easements and/or reserves necessary for the implementation thereof, being provided free of cost;*
- (vi) the street verge tree(s) on The Boulevarde adjacent to the subject land being retained and measures being taken to ensure their identification and protection to the satisfaction of the Town prior to commencement of site works;*
- (vii) the applicant obtaining Planning Approval and/or Building Licence for the development of a house(s) on the lots less than 350 square metres in accordance with Clause 2.3.3 of the Residential Design Codes;*
- (viii) two (2) on site car parking bays and associated driveway and crossover for the existing dwelling being provided and constructed to the satisfaction of the Town; and*

- (ix) *prior to the clearance of the Diagram or Plan of Survey by the Town, where vehicular access to the property is via a right of way and the right of way is not a public road, the applicant/owner(s) shall demonstrate (by submission of copies of the Certificate(s) of Title or Original Plan or Diagram of Survey or other documentation) that the owner(s) and occupier(s) of the property have a legal right to use the right of way, to the satisfaction of the Town;*

to the satisfaction of the Chief Executive Officer.

COUNCIL DECISION ITEM 10.1.2

Moved Cr Chester, Seconded Cr Farrell

That the recommendation be adopted.

Debate ensued.

LOST (0-8)

(Cr Ker on approved leave of absence.)

Reasons:

- The proposed subdivisions do not comply with the average or minimum area per dwelling lot size requirements of 300m² as per the residential R30 design code.**
- Approval for the proposed subdivision would create an undesirable precedent for subdivision of lots with similar sizes within the area.**

LANDOWNERS: T Di Prinzio
APPLICANT: K Di Prinzio
ZONING: Metropolitan Region Scheme: Urban
Town Planning Scheme No 1: Residential 30
EXISTING LAND USE: Single house

COMPLIANCE:

Requirements	Required	Proposed
Lot size	Minimum 270 square metres and an average of 300 square metres	Lot 1 - 313 square metres Lot 2 - 257 square metres Average - 285 square metres

Use Class	Single House
Use Classification	"P"
Lot Area	570 square metres

SITE HISTORY:

The site is occupied by a single storey dwelling and has two street frontages, being The Boulevard and Britannia Road. There is also a 5.0 metres wide, sealed, Town owned right of way, located to the rear of the site, being the eastern boundary.

DETAILS:

The applicant seeks to subdivide the property to create an additional lot. The new lot will have its own street frontage, including right of way frontage. The existing dwelling will be retained on the existing house lot.

The applicant has submitted correspondence in support of the application addressing the variations being sought. In summary, the submission raised the following points;

1. the variation to the minimum and average lot size requirements is in accordance with Section 3.1.3 of the Residential Design Codes (R Codes) and Section 3.2.3(a) of Policy DC 2.2;
2. only proposed Lot 2 does not meet the minimum lot size requirement of the R Codes being 270 square metres. The lot is proposed to be 257 square metres in size which is 4.81 per cent below the requirement;
3. the average lot size in the subdivision amounts to 285 square metres rather than the required 300 square metres of the R Codes, this represents a variation of 5 per cent below the requirement;
4. under the Policies cited above, the applicant considers the following performance criteria have been met to warrant approval of the application:
 - 4.1 the variation only applies to one lot within the proposed subdivision;
 - 4.2 a maximum 5 per cent variation is sought to the minimum and average lot size requirements;
 - 4.3 the applicant considers that three beneficial outcomes to the community result from the subdivision, being::
 - 4.3.1 facilitation of the development of lots with separate and sufficient frontage to more than one public street (being a corner lot that abuts a right of way);
 - 4.3.2 allows land to be developed with housing of the same type and form as land in the vicinity, which would otherwise not be able to be developed, with surrounding examples being No. 1 (Lot 1) The Boulevarde and No. 56 (Lot 2) Britannia Road; and
 - 4.3.3 achieves specific objectives of the Town Planning Scheme and the Anzac Locality Policy, which encourages infill development in the form of splitting larger lots, particularly where the retention of existing houses which contribute to the overall character of the locality can be retained and new contemporary developments are also encouraged; and
 - 4.4 the R Code Advice Notes (FAQ) Volume 1, Issue 5 May 2003, Question 42 addresses similar subdivision scenarios.

CONSULTATION/ADVERTISING:

The proposal was not required to be advertised.

COMMENTS:

The Residential Design Codes (R Codes) allow for consideration of a variation to the minimum lot size requirement under the performance criteria. The applicant seeks a 313 square metres existing house lot and a vacant lot of 257 square metres. These proposed lot sizes comply with the 5 per cent variation provision within the R Codes. Each lot has its own street frontage, is of a suitable size and shape to support adequate development in accordance with the R Codes and is not considered to form an undesirable precedent for the area. Due to the proposal's compliance with the variation provisions and no undue effect being caused to the amenity of the area as a result of subdivision and future development, the subject subdivision is supported subject to suitable conditions.

10.1.8 No. 35 (Lot 36) Fairfield Street, Mount Hawthorn - Proposed Subdivision

Ward:	North	Date:	11 November 2003
Precinct:	Mount Hawthorn, P1	File Ref:	123374
Attachments:	001		
Reporting Officer(s):	S Crawford		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *in accordance with the provisions of the Town of Vincent Town Planning Scheme No.1 and the Residential Design Codes, the Council RECOMMENDS REFUSAL to the Western Australian Planning Commission for the proposed subdivision of No. 35 (Lot 36) Fairfield Street, Mount Hawthorn, and as shown on the plan stamp- dated 24 September 2003 (subdivision 123374), for the following reasons:*
- (a) *the proposed subdivision does not comply with the average site area per dwelling/lot size requirement of 300 square metres as per the Residential R30 density code;*
 - (b) *the proposed green title subdivision cannot benefit from consideration of the performance criteria provision and would therefore result in the development being inconsistent with the orderly and proper planning and the preservation of the amenities of the locality;*
 - (c) *proposed Lot 2 is not provided with gazetted road frontage; and*
 - (d) *approval of the proposed subdivision would create an undesirable precedent for subdivision of lots with similar sizes within the area; and*
- (ii) *the Council REQUESTS the Western Australian Planning Commission that if the Commission is inclined to approve the proposed subdivision the Town is further consulted to obtain the appropriate conditions of the Town that should apply to the proposed subdivision.*

COUNCIL DECISION ITEM 10.1.8

Moved Cr Cohen, Seconded Cr Doran-Wu

That the recommendation be adopted.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

LANDOWNERS:	M and T McDade
APPLICANT:	Property People Surveying
ZONING:	Metropolitan Region Scheme: Urban Town Planning Scheme No 1: Residential 30
EXISTING LAND USE:	Single house

COMPLIANCE:

Requirements	Required	Proposed
Lot size	Minimum 270 square metres and an average of 300 square metres	Lot 1 - 324 square metres Lot 2 - 270 square metres Average - 297 square metres
Gazetted road frontage	All lots to be provided with gazetted road frontage	Proposed Lot 2 (rear) has sole access off the existing right of way

Use Class	Single House
Use Classification	"P"
Lot Area	594 square metres

SITE HISTORY:

The site is occupied by a single storey dwelling.

DETAILS:

The applicant seeks to subdivide the property to create an additional lot. The new lot is located behind the existing house lot and is proposed with sole access to an existing 4.2 metres wide sealed Town owned right of way.

CONSULTATION/ADVERTISING:

The proposal was not required to be advertised.

COMMENTS:

The Residential Design Codes (R Codes) allow for consideration of a variation to the minimum lot size requirement under the performance criteria. However, in this instance the applicant seeks green title subdivision of the lots, and as such the variations permissible are not directly relevant to this application.

The R30 density code requires an average lot size of 300 square metres being achieved, whereas the applicant seeks an average of 297 square metres. There is no justifiable reason to consider a departure from the standards in this instance in order to achieve green title subdivision. Approval to such a proposal would set an undesirable precedent for future subdivision of surrounding lots.

On the basis of the above, it is considered that the application should be refused.

10.1.12 Robertson Park and Archaeological Sites- Proposed Entry on the State Register of Heritage Places

Ward:	South	Date:	11 November 2003
Precinct:	Hyde Park, P12	File Ref:	PRO0692
Attachments:	001		
Reporting Officer(s):	H Eames		
Checked/Endorsed by:	D Abel, R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That the Council advises the Heritage Council of Western Australia that it:

- (i) *SUPPORTS the proposed entry of Robertson Park and Archaeological Sites on the State Register of Heritage Places, subject to seeking further clarification by the Heritage Council in relation to the significance of the fabric of Halvorsen Hall; and*
- (ii) *NOMINATES the Executive Manager Environmental and Development Services to attend the meeting of the Heritage Council when the proposed registration of the above place will be considered.*

Moved Cr Lake, Seconded Cr Chester

That the recommendation be adopted subject clause (i) being amended as follows:

- "(i) *SUPPORTS the proposed entry of Robertson Park and Archaeological Sites on the State Register of Heritage Places, subject to seeking further clarification by the Heritage Council in relation to the following:*
 - (a) significance of the fabric of Halvorsen Hall; and*
 - (b) significance of the fabric of the AIDS Memorial;*
 - (c) historic significance of former Little Schule;*
 - (d) condition description of the Port Jackson Figs;*
 - (e) incorrect description of the Hyde Park Precinct Group;*
 - (f) possible incorrect Indigenous description and name of the Park;*
 - (g) date description for photographs identified as 2483P and 21448P;*
 - (h) exclusion of reference to the report Lee Hops Garden Archaeological Investigations by G. Nayton (June 2000);*
 - (i) significance of the tennis sheds; and*
 - (j) inconsistency of footnotes contained on pages 24 and 25 of the Heritage Assessment documentation;"*

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

COUNCIL DECISION ITEM 10.1.12

That the Council advises the Heritage Council of Western Australia that it:

- (i) ***SUPPORTS the proposed entry of Robertson Park and Archaeological Sites on the State Register of Heritage Places, subject to seeking further clarification by the Heritage Council in relation to the following:***
- (a) *significance of the fabric of Halvorsen Hall;*
 - (b) *significance of the fabric of the AIDS Memorial;*
 - (c) *historic significance of former Little Schule;*
 - (d) *condition description of the Port Jackson Figs;*
 - (e) *incorrect description of the Hyde Park Precinct Group;*
 - (f) *possible incorrect Indigenous description and name of the Park;*
 - (g) *date description for photographs identified as 2483P and 21448P;*
 - (h) *exclusion of reference to the report Lee Hops Garden Archaeological Investigations by G. Nayton (June 2000);*
 - (i) *significance of the tennis sheds; and*
 - (j) *inconsistency of footnotes contained on pages 24 and 25 of the Heritage Assessment documentation; and*
- (ii) ***NOMINATES the Executive Manager Environmental and Development Services to attend the meeting of the Heritage Council when the proposed registration of the above place will be considered.***

FURTHER REPORT:

1. There are no direct implications for the Town if the former Bottleyard, now in private ownership, is included on the State Register. Should the former Bottleyard be included in a future registration by the Heritage Council of WA, then any Development Applications for the site would be referred to the Heritage Council of WA for its determination. The Town's Officers usually facilitate this process on behalf of the applicant. Although ownership details are different, the place as a whole is considered to be significant. Multiple ownership details of a registered place would require the Heritage Council to consult with all owners when matters affecting the place are being considered.
2. Clause (ii) of the Officer Recommendation requires the Town to seek further explanation relating to the assessment of Halvorsen Hall to clarify the degree of significance and scope for future management. This matter can be raised with the Heritage Council of WA prior to the registration consideration.
3. Further information can be sought from the Heritage Council of WA regarding the degree of significance and scope for future management of the AIDS Memorial. This matter can be raised with the Heritage Council of WA prior to the registration consideration.

4. Further information can be sought from the Heritage Council of WA regarding the significance of Little Schule Lane. This matter can be raised with the Heritage Council of WA prior to the registration consideration.
5. Section 12.3 relating to the condition description of the Port Jackson Figs can be forwarded to the Heritage Council of WA for amendment. This matter can be raised with the Heritage Council of WA prior to the registration consideration.
6. The incorrect description the Hyde Park Precinct Group can be forwarded to the Heritage Council of WA for amendment. This matter can be raised with the Heritage Council of WA prior to the registration consideration.
7. The possible incorrect Indigenous description and name of the Park can be clarified with the Heritage Council of WA with reference to the Town's various archaeological, ethnographic and bibliographic commissioned sources. This matter can be raised with the Heritage Council of WA and the Department of Indigenous Affairs prior to the registration consideration.
8. The date description for photographs 2483P and 21448P as being 1886 is most likely an editorial spelling and should read 1868. This correction can be forwarded to the Heritage Council of WA for correction. This matter can be raised with the Heritage Council of WA prior to the registration consideration.
9. The incorrect description of the Hyde Park Precinct Group can be forwarded to the Heritage Council of WA for amendment. This matter can be raised with the Heritage Council of WA prior to the registration consideration.
10. The exclusion of reference to the report Lee Hops Garden Archaeological Investigations (Gaye Nayton, June 2000) can be investigated and raised with the Heritage Council of WA prior to the registration consideration. All documents commissioned by the Town in respect to Robertson Park were provided to the consultants commissioned to undertake the Heritage Assessment.
11. The absence of reference to the construction dates of the tennis sheds can be investigated and raised with the Heritage Council of WA prior to registration consideration.
12. The apparent social significance of Halvorsen Hall and the possible intrusive nature of the physical structure of Halvorsen Hall can be investigated and clarified with the Heritage Council of WA. This matter can be raised with the Heritage Council of WA prior to the registration consideration.
13. The inconsistency of the footnotes contained on pages 24 and 25 of the Heritage Assessment can be forwarded to the Heritage Council of WA for correction. The Town has recommended seeking further explanation relating to the assessment of Halvorsen Hall to clarify the degree of significance and scope for future management. This matter can be raised with the Heritage Council of WA prior to the registration consideration.

SITE HISTORY:

The place, being Robertson Park and associated Archaeological Sites, bounded by Fitzgerald, Randell, Palmerston and Stuart Streets, Perth is currently a recreational reserve containing a number of buildings including Halvorsen Hall, Lee Hops Cottage and Tennis Courts. It has had a wide range of previous uses.

DETAILS:

On 7 November 2003, the Town received correspondence from the Heritage Council of Western Australia advising that Robertson Park and Archaeological Sites, Perth, are being considered for entry in the State Register of Heritage Places. The documentation concerning the place is scheduled for presentation to a meeting of the Register Committee of the Heritage Council in the near future, with a recommendation that the places are of sufficient cultural heritage significance to warrant consideration for entry in the Register.

A copy of the accompanying documentation is included as Appendix 10.1.12 to this report. The Statement of Significance states as follows:

"Robertson Park and Archaeological Sites, a public park laid out in part in the Inter-War City Beautiful style, tennis club, Halvorsen Hall, Lee Hop's Cottage, and series of archaeological sites containing material from pre-settlement to the present, has cultural heritage significance for the following reasons:

the place is recognized as a site likely to contain archaeological evidence relating to a complex and diverse range of activities including Indigenous occupation prior to European settlement, construction of a convict-built drain in the 1870s, and British and later Chinese farming and market gardening from the 1870s to the 1920s;

the place has importance for the density and diversity of its cultural features, illustrating the human occupation and evolution of the area from its Nyungar people pre 1829 settlement through to the present;

the place is valued by the Perth community as a recreation area and community asset, including the tennis courts and A.I.D.S Memorial, the first such memorial in Perth;

the place is a good example of a visually attractive urban park laid out mainly in the Inter-War Beautiful style, with fine mature and adolescent trees scattered over most of the park's area; and,

mature Norfolk Island Pines and to a lesser extent, the Port Jackson Fig Trees and Moreton Bay Fig Trees, at the place are notable in the urban context and are a local landmark.

The fabric of the tennis club and the current materials used for fencing and the like are of little significance. The fabric of Halvorsen Hall is of little significance. The present state of the Bottle Depot site is intrusive. Car parking within the park is intrusive."

CONSULTATION/ADVERTISING:

The Town has until 25 November 2003 to provide comments to the Heritage Council of Western Australia on the proposed entry of the place in the State Register of Heritage Places.

LEGAL POLICY:

Town Planning Scheme No.1 and associated Policies, and Heritage of Western Australia Act 1990.

STRATEGIC IMPLICATIONS:

Nil.

FINANCIAL/BUDGET IMPLICATIONS:

Nil.

COMMENTS:

The Town has had the opportunity to consider the assessment of cultural heritage significance for Robertson Park and concurs with the statement of significance for the place, with the exception of the final paragraph in the Statement of Significance, relating to the fabric of Halvorsen Hall being of little significance. It is considered that this statement requires further clarification in light of the comments made in the body of the heritage assessment.

If the place is included on the Register, the Town would be required to refer any development proposals to the Heritage Council of Western Australia for consideration. It is possible to make arrangements with the Heritage Council of Western Australia whereby smaller items affecting the fabric (maintenance and the like) do not require a referral, but larger works do. This will be assessed in terms of the impact on the elements considered to be significant about the place. Listing on the State Register also qualifies the Town for eligibility for financial grants to undertake certain works and projects, which protect or enhance the significance of the place. The Town has already consulted with the Heritage Council in relation to the Robertson Park Improvement Plan, which was presented to Council at the Ordinary Meeting held on 4 November 2003.

It is recommended that the Council advises the Heritage Council of Western Australia that it supports the proposed entry of Robertson Park in the State Register of Heritage Places. It is also recommended that the Town's Executive Manager Environmental and Development Services attend the meeting of the Heritage Council when the proposed registration of the place will be considered.

10.1.13 Continuation of Free All-Day Parking from 6.00am to 6.00pm Monday to Sunday with the Retention of Paid Parking from 6.00pm to 6.00am Every Night, in Barlee Street Car Park, Mount Lawley

Ward:	South	Date:	12 November 2003
Precinct:	Mount Lawley - P11	File Ref:	PKG0120
Attachments:	-		
Reporting Officer(s):	J MacLean		
Checked/Endorsed by:	R Boardman	Amended by:	-

OFFICER RECOMMENDATION:

That;

- (i) *the Council APPROVES;*
 - (a) *the continuation of the temporary free day-time parking in the Barlee Street Car Park, 590-596 Beaufort Street, Mount Lawley, from 6.00am to 6.00pm, Monday to Sunday, until 30 June 2004; and*
 - (b) *the continuation of the temporary times, during which the current night-time parking fees, in the Barlee Street Car Park, Mount Lawley, are in operation, from 6.00pm to 6.00am, Monday to Sunday, until 30 June 2004; and*
- (ii) *the Chief Executive Officer submit a further report to the Council in relation to this matter at the conclusion of the further trial period.*

Cr Doran-Wu departed the Chamber at 9.03pm.

Moved Cr Lake, Seconded Cr Farrell

That the recommendation be adopted subject to clause (i) being amended as follows:

- "(i) *the Council APPROVES;*
- (a) *the continuation of the temporary free day-time parking in the Barlee Street Car Park, Nos. 590-596 Beaufort Street, Mount Lawley, from 6.00am to 6.00pm, Monday to Sunday, until 30 June 2004; and*
 - (b) *the continuation of the temporary times, during which the current night-time parking fees, in the Barlee Street Car Park, Mount Lawley, are in operation, from 6.00pm to 6.00am, Monday to Sunday, until 30 June 2004;*
- until the Council considers the recommendations resulting from the Local Area Traffic Management Advisory Group Meeting, on parking in the Mount Lawley and Highgate areas; and"*

Debate ensued.

Cr Doran-Wu returned to the Chamber at 9.06pm.

Moved Cr Lake, Seconded Cr Farrell

That the words "a further report and including" be added after the word "considers" in line one of the final paragraph of clause (i).

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

COUNCIL DECISION ITEM 10.1.13

That;

"(i) the Council APPROVES;

(a) the continuation of the temporary free day-time parking in the Barlee Street Car Park, Nos. 590-596 Beaufort Street, Mount Lawley, from 6.00am to 6.00pm, Monday to Sunday; and

(b) the continuation of the temporary times, during which the current night-time parking fees, in the Barlee Street Car Park, Mount Lawley, are in operation, from 6.00pm to 6.00am, Monday to Sunday;

until the Council considers a further report and including the recommendations resulting from the Local Area Traffic Management Advisory Group Meeting, on parking in the Mount Lawley and Highgate areas; and

(ii) the Chief Executive Officer submit a further report to the Council in relation to this matter at the conclusion of the further trial period.

DETAILS:

On 22 May 2001, the Council approved the introduction of day-time and night-time parking fees at the Barlee Street Car Park. At that time, based on information provided by traders in the Beaufort Street area, it was anticipated that there would be a high usage rate and that the annual operating cost of approximately \$36,500 would be recouped through parking fees.

In reality, the day-time usage rate of Barlee Street Car Park was extremely low, although it was moderately used each evening. The car park was operating at a loss of around \$18,000 per annum and, while it was not considered appropriate to promote this trend, since the car park rarely accommodated any more than 2 or 3 vehicles on any day, during day-light hours, to offer a temporary period of free parking was introduced. It was thought that this would help to promote the benefits of local staff and visitors making use of the all-day facility. The Beaufort Traders Association suggested that customers and staff were unlikely to pay for their parking, especially if there were available free parking facilities in close proximity. Surveys confirmed that a substantial number of vehicles were parking in surrounding streets, with the drivers simply moving them a short distance, where parking restrictions were in place.

On 14 January 2003, under Delegated Authority, the Acting Chief Executive Officer approved a trial period of six (6) months, when parking would be free of charge, from 6.00am to 6.00pm, in Barlee Street Car Park. The car park, while substantially better used than previously, is still only partly full during the day, although it is often close to full in the evenings.

The Council convened a public meeting, to discuss the general parking situation in the Beaufort Street area, in February 2003 and one of the outcomes from this meeting indicated that the Town needed to adopt a holistic approach to parking strategies. The matter of parking restrictions in the Beaufort Street area was discussed at length in the Local Area Traffic Management Meeting, held on Monday 6 October 2003 and it was decided that consideration should be given to methods to encourage local staff and customers to continue to use the Barlee Street Car Park. Among other initiatives, one of the outcomes of the amended parking restrictions in the Beaufort Street area, will be the development of an appropriate fee structure for the future use of Barlee Street Car Park.

However, in a separate report to the current Ordinary Meeting of Council, parking time restrictions are recommended for a substantial number of streets in the Mount Lawley and Highgate areas and this may further encourage use of Barlee Street Car Park. To enable a progressive introduction of the new restrictions, it is suggested that the current "Free Day-time Parking" status in the Barlee Street Car Park should be retained until 30 June 2004 and the matter be further reviewed at this time.

CONSULTATION/ADVERTISING:

An extensive public consultation process has been undertaken, over the past eighteen (18) months, including the public meeting during February 2003, the LATM Meeting on 6 October 2003 and a number of discussions with local stakeholders. The consultation process is ongoing and the public will continue to be kept informed of developments.

LEGAL/POLICY:

Since the proposal is for the temporary introduction of free parking, until 30 June 2004, there are no adverse legal implications associated with this proposal.

STRATEGIC IMPLICATIONS:

Key Result Area 1.4(p), in the Strategic Plan 2003 - 2008, states "*Develop a strategy for parking management in business, residential and mixed use precincts, that includes parking facilities that are appropriate to public needs*", and this proposal would support this concept.

FINANCIAL/BUDGET IMPLICATIONS:

There are no notable financial implications in the implementation of the proposal, because the car park is mainly unused during the day.

COMMENTS:

The above proposal will continue to provide free all-day parking facilities to local businesses, between 6.00am and 6.00pm, to assist in encouraging customers to shop in the Beaufort Street area. The proposal should provide evidence of the benefits of retaining kerbside parking, immediately outside the shops in the area and, it is hoped that it will encourage business proprietors to have their staff use Barlee Street Car Park. It is suggested that, even when the temporary free-parking period has ended, the car park patrons may decide to continue to use the car park and to pay the requisite fee.

This proposal complements the introduction of parking time restrictions in the Beaufort Street area and it is therefore recommended for approval.

10.2.1 Hyde Park - Proposed Remedial Works on Access Paths

Ward:	South	Date:	11 November 2003
Precinct:	Hyde Park, P12	File Ref:	RES0042
Attachments:	-001		
Reporting Officer(s):	J van den Bok		
Checked/Endorsed by:	R Lotznicher	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *receives the report on the proposed remedial works on access paths in Hyde Park;*
- (ii) *NOTES that the proposed installation of timber boardwalks in Hyde Park is not considered appropriate; and*
- (iii) *APPROVES the treatment of cleanly severing/grinding out tree roots to a depth of 300 millimetres, reconstruction of the paths and surfacing of the paths with asphalt as outlined in part of the attached Arboricultural report and at the locations indicated on attached Plan A.*

Moved Cr Chester, Seconded Cr Lake

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

"(iv) refers the proposal to the Heritage Council of Western Australia for their assessment and recommendations prior to any works being implemented."

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

COUNCIL DECISION ITEM 10.2.1

That the Council;

- (i) *receives the report on the proposed remedial works on access paths in Hyde Park;*
- (ii) *NOTES that the proposed installation of timber boardwalks in Hyde Park is not considered appropriate;*
- (iii) *APPROVES the treatment of cleanly severing/grinding out tree roots to a depth of 300 millimetres, reconstruction of the paths and surfacing of the paths with asphalt as outlined in part of the attached Arboricultural report and at the locations indicated on attached Plan A; and*
- (iv) *refers the proposal to the Heritage Council of Western Australia for their assessment and recommendations prior to any works being implemented.*

BACKGROUND:

Elected members have previously raised concerns with the Town's officers with regards the poor condition and restricted access along various paths adjacent to large trees in Hyde Park. It was suggested at the time, that timber boardwalks could possibly be installed over the areas where tree roots were lifting the path and restricting safe access for pedestrians and cyclists.

Subsequently, an amount of \$40,000 was included in the 2003/2004 budget to undertake investigations and implement works to rectify the situation.

DETAILS:

Since preparing the Parks budget in early 2003, the Town's officers have investigated the various options available in over-coming the issue of invasive tree roots affecting access paths.

Four (4) areas in the park have been identified as requiring urgent attention as the risk of injury to patrons is very high (refer attached Plan A).

Remedial Options

The two (2) options available to improve safety for users of Hyde Park include the installation of boardwalks or the severing/grinding of roots and reinstating with a suitable pavement.

Boardwalks

In earlier 2003, officers assisted with the preparation of the "Draft Hyde Park Conservation Plan". While this document has not been finalised nor presented to Council for adoption, the draft report contains several issues which have been identified to preserve the original design concepts which contribute to the cultural significance of Hyde Park

One of the issues identified in relation to the paving/paths is that no major changes to the layout and form of the existing bitumen path system should occur and that timber boardwalks should not be considered.

Therefore in light of the above, and given the following reasons, the installation of boardwalks at Hyde Park has been reconsidered.

- Impact on the existing landscape
- High cost of installation
- Development referral requirement and likely negative response to works from Heritage Council (WA)
- Draft recommendations/policies as outlined in the "Draft Hyde Park Conservation Plan"

Treating Tree Roots

The alternative option of severing/grinding tree roots, is considered more practical, is cheaper would have less impact in accordance with the Arboricultural advice received and would result in no long term adverse health affects on the adjacent trees.

Tree Works/Root Treatment

As a result of the above, it was decided to engage an Arboriculturalist, to prepare a report on the trees currently causing physical damage to the pedestrian footpaths.

The report recommended that the problem roots be severed and ground out. This work has been undertaken previously in Hyde Park however, the surface roots were not severed totally and hence have regrown and have lifted the pavement.

Further discussions with the Arboriculturalist indicated that roots can be severed on one side to a total depth of 300mm and “ground out” on mature trees of the Ficus species.

Path Reinstatement

In relation to the reinstatement of the path network, it is recommended that once the roots have been treated, the path is to be reconstructed and surfaced in asphalt to maintain the required aesthetics of the park.

While rubber surfacing has been trialled by other Local Governments, this is expensive, provides very little resistance to “feeder roots”, is used for aesthetic purposes only and for these reasons it is not recommended in this instance.

CONSULTATION/ADVERTISING:

Nil

LEGAL/POLICY:

Nil

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of the Plan 2003-2008 - 1.4 Maintain and enhance the Town’s infrastructure to provide a safe, healthy, sustainable and functional environment. “c) *Continue to design and implement infrastructure improvements for public open space.*”

FINANCIAL/BUDGET IMPLICATIONS:

It is estimated that each of the four main areas identified where treatment is required, will cost \$4,000 - \$5,000 each. The design/construction of a timber boardwalk in each location is likely to be in the vicinity of \$20,000 - \$25,000 per location.

An amount of \$40,000 has been included in the 2003/04 Capital Works Budget. Any remaining funds can be used to reinstate other path sections within Hyde Park.

COMMENTS:

It is therefore recommended that the installation of boardwalks at Hyde Park be reconsidered for the reasons outlined in the report.

Furthermore, it is recommended that the treatment of severing/grinding of the tree roots be implemented as recommended by the Arboriculturalist.

The path network and tree plantings at Hyde Park are extensive and the Council may have to consider an annual budget allocation for regular maintenance, given its high level of use and significance of mature trees.

10.2.2 Introduction of Time Restrictions In Streets in the Proximity of Proposed Ticket Machines

Ward:	Both	Date:	10 November 2003
Precinct:	Forrest Precinct (P14) Beaufort Precinct (P13) Hyde Park Precinct (P12) Leederville Precinct (P3) Mt Hawthorn Precinct (P1) Mt Hawthorn Centre Precinct (P2)	File Ref:	LEG0047, PKG0027 PKG0069,PKG0015 TES0508,PKG0131, PKG0057PKG0126, PKG0087PKG0029, TES0027PKG0098, PKG0067PKG0147, PKG0050PKG0148
Attachments:	001		
Reporting Officer(s):	A Munyard		
Checked/Endorsed by:	R Lotznicher	Amended by:	

RECOMMENDATION:

That the Council;

- (i) *receives the report on the Introduction of Time Restrictions in streets in the proximity of proposed ticket machines;*
- (ii) **APPROVES** *the introduction of the following time restrictions:*
 - (a) *a two (2) hour parking restriction at all times in sections of Bulwer Street, as shown on Plan 2223-PP-1 and Edward Street, as shown on Plan 2224-PP-1;*
 - (b) *the introduction of a “NO STOPPING” restriction on the West side of Lord Street, north of the “bus zone” between Edward and Brewer Streets and both sides of the “bus zone” between Brewer and Bulwer Streets, as shown on Plan 2225-PP-1;*
 - (c) *the introduction of a two (2) hour parking restriction from 8am until 5.30pm from Monday to Friday in Cowle Street, as shown on Plan 2226-PP-1, Fitzroy Street as shown on Plan 2227-PP-1, the South side of Randall Street as shown on Plan 2228-PP-1, the West side of Palmerston Street between Stuart and Randall Streets, as shown on Plan 2229-PP-1;*
 - (d) *the introduction of a two hour time restriction on the West side of Fitzgerald Street between Stuart and Lawley Streets, from 8 am until 4.15pm, Monday until Friday, and the East side between Stuart and Randall Streets from 9am until 5.30pm, Monday to Friday, as shown on Plan 2230-PP-1;*
- (iii) **DOES NOT PROCEED** *with the introduction of time restrictions:*
 - (a) *on the South side of Carr Street between Charles and Fitzgerald Streets;*
 - (b) *both sides of Dalmeny Street;*
 - (c) *in Anzac Road between Oxford and Flinders Streets, and between Harrow and Shakespeare Streets;*

- (d) *the West Side of Oxford Street between Anzac and Britannia Roads;*
- (e) *Shakespeare Street between Anzac Road and Scarborough Beach Road;*
- (iv) *following the installation of the ticket machines, monitors the locations outlined in clause (iii) over a period of time, to determine whether there has been an increase in all day parkers; and*
- (v) *advises all respondents of the Council's resolution.*

Moved Cr Lake, Seconded Cr Farrell

That the recommendation be adopted subject to additional clauses (iii)(f) and (g) being added as follows:

- "(f) in Smith Street, between Bulwer and Lincoln Streets; and*
- (g) in Wright Street, between Bulwer and Lincoln Streets.*

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

COUNCIL DECISION ITEM 10.2.2

That the Council;

- (i) *receives the report on the Introduction of Time Restrictions in streets in the proximity of proposed ticket machines;*
- (ii) **APPROVES** *the introduction of the following time restrictions:*
 - (a) *a two (2) hour parking restriction at all times in sections of Bulwer Street, as shown on Plan 2223-PP-1 and Edward Street, as shown on Plan 2224-PP-1;*
 - (b) *the introduction of a "NO STOPPING" restriction on the West side of Lord Street, north of the "bus zone" between Edward and Brewer Streets and both sides of the "bus zone" between Brewer and Bulwer Streets, as shown on Plan 2225-PP-1;*
 - (c) *the introduction of a two (2) hour parking restriction from 8am until 5.30pm from Monday to Friday in Cowle Street, as shown on Plan 2226-PP-1, Fitzroy Street as shown on Plan 2227-PP-1, the South side of Randall Street as shown on Plan 2228-PP-1, the West side of Palmerston Street between Stuart and Randall Streets, as shown on Plan 2229-PP-1;*
 - (d) *the introduction of a two hour time restriction on the West side of Fitzgerald Street between Stuart and Lawley Streets, from 8 am until 4.15pm, Monday until Friday, and the East side between Stuart and Randall Streets from 9am until 5.30pm, Monday to Friday, as shown on Plan 2230-PP-1;*

- (iii) ***DOES NOT PROCEED with the introduction of time restrictions:***
- (a) *on the South side of Carr Street between Charles and Fitzgerald Streets;*
 - (b) *both sides of Dalmeny Street;*
 - (c) *in Anzac Road between Oxford and Flinders Streets, and between Harrow and Shakespeare Streets;*
 - (d) *the West Side of Oxford Street between Anzac and Britannia Roads;*
 - (e) *Shakespeare Street between Anzac Road and Scarborough Beach Road;*
 - (f) *in Smith Street, between Bulwer and Lincoln Streets; and*
 - (g) *in Wright Street, between Bulwer and Lincoln Streets;*
- (iv) *following the installation of the ticket machines, monitors the locations outlined in clause (iii) over a period of time, to determine whether there has been an increase in all day parkers; and*
- (v) *advises all respondents of the Council's resolution.*
-

BACKGROUND:

At the Ordinary Meeting of Council held on 12 August and 9 September 2003, the Council resolved to introduce paid parking at the following locations:

- Pier, Brewer and Stirling Streets.
- The proposed Stadium Car Park of Pier Street.
- The Oxford Street car park
- The existing angle parking on the North side of Stuart Street.

The Council resolution, in part, was as follows:

- (iii) *APPROVES the extension of on-road parking restrictions, as indicated, at the following locations outlined in (a), (b) and (c), as shown on attached Plan Nos. 2188-PP-1, 2189-PP-1 and 2190-PP-1, consults with all adjoining householders/businesses for 21 days, and receives a further report on the matter at the conclusion of the consultation period;*
- (a) *2 hour parking 8.00 am to 8.00pm Monday to Sunday;*
 - *Edward Street - (north side) Pier Street to Lord Street*
 - *Delawney Street - Lord Street to end*
 - *Bulwer Street – Brisbane Street to Lord Street*
 - *Stirling Street - Parry Street to Brisbane Street*
 - *Smith Street - Bulwer Street to Lincoln Street*
 - *Wright Street - Bulwer Street to Lincoln Street*
 - (b) *2 hour parking 8.00am to 5.30pm Monday to Friday and 8.00am to 12noon Saturday;*
 - *Randell Street - (south side) Palmerston Street to Fitzgerald Street*
 - *Fitzgerald Street - Stuart Street to Lawley Street*
 - *Carr Street - (south side) Charles Street to Fitzgerald Street*

- *Cowle Street - Charles Street to Fitzgerald Street*
 - *Fitzroy Street - Fitzgerald Street to end*
 - *Palmerston Street west side - Stuart to Randell Street*
- (c) *1 hour parking 8.00am to 5.30pm Monday to Friday and 8am to 12noon Saturday;*
- *Anzac Road - Oxford Street to Flinders Street*
 - *Oxford Street - (west side) Anzac Road to Britannia Road*
 - *Shakespeare Street - Anzac Road to Scarborough Beach Road*
 - *Anzac Road - Harrow Street to Shakespeare Street;*

DETAILS:

In accordance with the Council's resolution residents and business proprietors from the affected streets were notified of the relevant proposals and were invited to comment. A summary of the submissions and recommended action is provided below:

Proposed Ticket Machines - Pier, Brewer and Stirling Streets

Concurrent with the introduction of ticket parking in Pier, Brewer and Stirling Streets (angle parking) it was recommended that a two (2) hour parking restriction "at all times" be imposed at the following locations as outlined on attached Plan No 2188-PP-2.

- Bulwer Street (between Brisbane St and Lord St).
- Smith Street (between Bulwer St and Lincoln St).
- Wright Street (between Bulwer Street and Lincoln Street)
- Stirling Street (between Parry St and Lincoln St).
- Edward Street north side (between Pier St and Lord St)
- Dalmeny Street

The results of the community consultation for each of the above locations and the respective officer recommendations are outlined below:

Bulwer Street (between Brisbane St and Lord St).

Seventy nine (79) consultation forms were distributed, and seven (7) responses received. The response rate was 8%.

In favour

Four (4) positive responses were received, however each respondent would like the proposal modified. The points made are listed below:

- 8 am until 6 pm would be more appropriate
- The restrictions should also include Pier Street from Newcastle St to Brisbane Street.
- Perhaps it should be on the oval side only.
- The tennis club is concerned that the time limit is not sufficient on Saturdays and Sundays when members are playing.
- Maintenance and gardening work takes longer than two hours.

Against

Three (3) negative responses were received. The main points are reproduced below:

- This is a three (3) car household, with many visitors and therefore the permits will be insufficient.
- 8 pm is much too late for a restriction on weekends.
- Residents are aware that most vehicles belong to people using the tennis club and have no objection.
- Parking should be free and unlimited.
- The resident has no objection to commuters parking in the street and applauds people's efforts to have more exercise.

Officer Recommendation

The Town should proceed with the proposed two (2) hour time restriction as described above in Bulwer Street between Brisbane and Lord Streets, and the current exemptions being enjoyed by the Tennis Club maintained.

Smith Street (between Bulwer St and Lincoln St).

Thirty four (34) consultation forms were distributed and eight (8) responses received representing a 23% response rate.

In favour

Three (3) positive responses were received and one (1) of the positive responses is in agreement but would like a slight modification. The details are as follows:

- The restriction should end at five pm or six pm.

Against

Five (5) negative responses were received with the main points raised outlined as follows:

- The Salvation Army has a Women's Centre housing twenty five women with intellectual disabilities and families escaping domestic violence in the street, and this facility operates twenty four hours per day. They have special needs for parking by staff, residents of the facility and other medical providers.
- Some time restriction would be helpful, but only if enough permits were made available.
- The restriction should be on one side only.
- The restriction should be Monday to Friday.
- Residents don't object to commuters parking and walking
- Residents do not want the inconvenience of having to use permits.
- Two visitors permits are not adequate
- There is inadequate parking at the units, so residents must park in the street and are not eligible for permits.
- The restrictions should only be until 4 pm
- No restrictions should apply on weekends or public holidays

Officer Recommendation

As respondents showed considerable resistance to the introduction of parking restrictions and there are special circumstances in the street with regard to welfare agencies who may be detrimentally affected by a change to the current status of parking, it is recommended that no restrictions be implemented at this time, with further review undertaken following the introduction of the paid parking.

Wright Street between (Bulwer Street and Lincoln Street)

Fifty Six (56) consultation forms were distributed and eight (8) responses received representing a response rate of 14%.

In favour

Four (4) positive responses were received. Two (2) respondents commented as follows:

- As this resident lives on the corner of Wright and Lincoln Streets, he is concerned that Lincoln Street will be affected by restrictions in Wright Street.
- The restrictions should be reduced to eight am until eight pm Monday to Friday and 8am until 4pm weekends and public holidays.

Against

Four (4) negative responses were received with the comments received as follows:

- Silver Chain are based in Wright Street and have thirty nurses, sixty care aides, ninety home helpers, fifteen administrators and allied health staff attending their centre each week. Although they provide some parking on site they depend on kerb side parking as well, and can not predict how long each visit may be.
- Silver Chain also has cottage homes in Wright Street which houses forty six residents and between eight and fifteen staff. The centre also attracts a lot of visitors, and all will be inconvenienced by the introduction of parking restrictions.
- Two visitor's permits are inadequate.
- Residents have no complaint about Silver Chain using the parking during the day.
- Residents are concerned that the Salvation Army staff will be badly affected by restrictions.

Officer Recommendation:

It is recommended that Wright Street be treated similarly to Smith Street, and no restriction be implemented at this time. A further review should be undertaken once the impact of the ticket parking can be assessed.

Stirling Street (between Parry St and Lincoln St).

Thirty (36) six consultation forms were distributed and nine (9) responses received representing a 25% response rate.

In Favour

Of the two responses received only one (1) respondent included comments, as follows:

- Businesses and a new shelter cause a lot of parking congestion.
- Tradesmen have no where to park.

Against

Seven (7) negative responses were received and six (6) of the seven (7) responses identified themselves as business proprietors and provided the following comments:

- Business proprietors are concerned that their customers will be turned away by having to pay a fee.
- Would accept a two hour restriction, but not fee for parking
- Neither fees nor time restrictions should apply on weekends
- The introduction of a parking restriction would force this business proprietor to move.

- Because staff are on call, they have no idea how long they will be parking and therefore can't decide how long to pay for.
- This is only revenue raising
- As tax payers businesses should be entitled to permits
- Rangers ignore parking over stayers at the moment and if they issued infringements the Town would have the revenue it is looking for from ticket parking.
- This is a waste of rate payer's money.

Officer Recommendation

Removal of the existing two hour restriction in Stirling Street between Parry Street and Brisbane Street (adjacent to the Ticket Parking Zone), would be counter productive at the time of introducing paid parking and it is recommended that this remain. However it is recommended that no restriction be introduced in Stirling Street between Bulwer and Lincoln Streets until the impact of the paid parking has been assessed.

Edward Street, North side (between Pier St and Lord St)

Forty (40) consultation forms were distributed and four (4) responses received.

In Favour

Three (3) positive responses were received and two (2) of the responses had comments, as follows:

- Pier Street and Parry Street should be included.
- About time!

Against

One (1) response was received with the following comments:

- This is a cash business requiring staff to carry cash to and from their vehicle and the premises, and therefore it is imperative that they access parking close to the building.
- Staff and volunteers need parking within close proximity of the business.

Officer Recommendation:

It is recommended that the Town proceed with the introduction of the two (2) hour parking restriction in Edward Street.

Dalmeny Street

Fifteen (15) consultation sheets were distributed and three (3) responses were received representing is a 20% response rate.

In Favour

No responses in favour were received

Against

Three (3) responses were received with the following comments:

- There are no residents in the street and therefore no need for parking restrictions.
- Employees need all day parking
- Public transport is not an option for some employees

- The Council car park in Parry Street is no longer available and so there is no convenient long term parking near by.
- This business relocated here from the city because there was parking available
- There is no reason for a restriction on weekends

Officer Recommendation

As there are no resident's interests to protect in Dalmeny Street and the respondents are strongly opposed, it is proposed that the Town not proceed with the introduction of restricted parking.

Proposed Ticket Machines - Stuart Street

Concurrent with the introduction of Ticket parking in Stuart Street, between Fitzgerald Street and Palmerston Street it was recommended that a two (2) hour parking restriction from 8am until 5.30pm Monday to Friday and 8am until 12noon Saturday be imposed at the following locations as outlined on attached Plan No 2190-PP-1.

- Fitzgerald Street (between Stuart St and Lawley St).
- Cowle Street (between Charles Street and Fitzgerald Street)
- Carr Street (south side between Charles Street and Fitzgerald Street).
- Fitzroy Street
- Palmerston Street (west side between Stuart Street and Randall Street).
- Randall Street (between Palmerston Street and Fitzgerald Street).

The results of the community consultation for each of the above locations and the respective officer recommendations are outlined below:

Fitzgerald Street (between Stuart St and Lawley St).

Nineteen (19) consultation forms were distributed resulting in two (2) responses representing a 10% response.

In Favour

No favourable responses were received

Against

Two (2) responses were received with the following comments:

- Many of those who visit the Italo-Australian Welfare & Cultural Centre or the WA Italian Club are seniors and for convenience and safety prefer to drive their own vehicles and park close to the club.
- Many of those attending these premises are there for longer than two hours, particularly for volunteer meetings, or education or health workshops.
- The Italian Club feel that the restriction will overload their car park.
- If people are unable to park on Fitzgerald Street, they will park adjacent to residences in nearby streets.
- Patrons of the tennis club will also be detrimentally affected.
- No one is being inconvenienced by long term parking adjacent to the Italian Club or the Centre.

Officer Recommendation

It is considered that those attending the Italian Club and the Italo-Australian Welfare Association who seek long term parking are adequately catered for by the large car park at the rear of these premises and that a two (2) hour restriction in Fitzgerald Street may be of some benefit to those who seek parking for a shorter duration. It is therefore recommended that the two hour restriction be implemented in Fitzgerald Street, however the hours should be amended to accommodate the morning Clearway restriction on the east side of Fitzgerald street, the afternoon Clearway restriction on the west side of the street and the deletion of a restriction on Saturday mornings.

Cowle Street (between Charles Street and Fitzgerald Street)

Fifty six (56) consultation forms were distributed, with fourteen (14) responses received representing a 25% response.

In favour

Eight (8) positive responses were received and the following comments were made:

- Park and ride people take up parking space in the street
- Visitors to the units in Charles Street are parking in Cowle Street
- Spectators going to the soccer in Dorien Gardens are parking in the street.
- We find it difficult to find parking close to our house.
- I have been forced to adapt my backyard to park my car.

Against

Six (6) negative responses were received and the following comments were made:

- I would not like restrictions on public holidays.
- This proposal will create a lot of problems for residents.
- There is no problem with parking in the street at the moment.
- The vast majority of the cars in the street belong to residents.
- This proposal is a withdrawal of the freedom of the residents
- I do not support either the ticket parking or timed parking.
- This is a ridiculous proposal.
- This is simply revenue raising.

Officer Recommendation:

There seemed to be some confusion with some of the respondents who incorrectly thought that paid parking was proposed for the street. As the majority of respondents were in favour of the time restriction in Cowle Street it is recommended that the Town proceed with its implementation, however there should be no restriction on Saturday morning.

Carr Street (south side between Charles Street and Fitzgerald Street).

Forty six (46) consultation forms were distributed and six (6) responses received representing a 13% response.

In favour

Two (2) positive responses were received where the following comments were made:

- This should prevent all day parkers from monopolising a limited resource.

Against

Four (4) negative responses were received where the following comments were made:

- The manager of Comgroup, a business located in Carr Street for more than twenty (20) years says his fifty (50) staff need somewhere to park-the business runs twenty four (24) hours per day for six (6) days per week.
- Staff commence at 5am in the morning, and can't take public transport.
- Businesses in the street should be exempted from a time restriction.
- The manager of Cecil Bros (Betts and Betts) state distribution centre which has been in Carr St for about thirty (30) years, says at least twelve (12) staff are required to find parking nearby as not all can be accommodated on site.
- This resident has several cars belonging to the household and does not want restrictions.

Officer Recommendation:

It is considered the introduction of time restrictions on the South side of Carr Street would be an unreasonable impost on businesses that have been located there for a considerable period of time, and the long term ticket parking in Stuart Street is inadequate to accommodate all who would be required to use the facility if unable to park in Carr Street. Therefore it is recommended that no restriction be implemented in Carr Street at this time.

Fitzroy Street

Ten (10) consultation forms were distributed and three (3) responses received, representing a 30% response.

In favour

All three (3) responses were positive with the following comments:

- The sooner the better.
- There must be more enforcement than is evident for existing restrictions in the area.

Officer Recommendation:

As all respondents were in favour of the restriction it is proposed that the Town proceed with its implementation, however no restriction should apply on Saturday mornings.

Palmerston Street (west side between Stuart Street and Randall Street).

Thirty eight (38) consultation forms were distributed, drawing seven (7) responses representing an 18% response.

In favour

All seven (7) responses were positive with the following comments:

- We support the proposal, however we are a business with a large number of volunteers and would seek an exemption for them to park in the street.
- We don't believe it is necessary to include a restriction on Saturdays.
- I support the introduction of a time restriction but oppose ticket parking north of Newcastle Street.
- Could you consider parking restrictions in the Robinson Park parking area, as employees from Stuart Street fill the car park before 9am, preventing those wanting to use the facilities there from parking.
- City workers take up much of the parking in Palmerston Street.

Officer Recommendation:

As all respondents were in favour of the restriction it is recommended that the Town proceed, however there should be no restriction on Saturday morning.

Randall Street (between Palmerston Street and Fitzgerald Street).

Thirty three (33) consultation forms were distributed and five (5) responses were received representing a 15% response.

In favour

Four (4) positive responses were received where the following comments were made:

- Restrictions should be on both south and north sides of the street
- City workers park on the south side of the street
- We support the restriction but admit that there is no problem to find suitable parking at present.
- The tennis court side of Randall Street is always full of commuter's cars.

Against

One (1) negative response was received where the following comments were made:

- Parking restrictions recently put in place have solved problems and no further action is necessary.

Officer Recommendation:

The majority of respondents are in favour and therefore the Town should proceed with the restriction, amended by the omission of a restriction on Saturday mornings.

Proposed Ticket Machines - Oxford Street Car park

Concurrent with the introduction of Ticket parking in Oxford Street Car Park it was recommended that a one (1) hour parking restriction from 8am until 5.30pm Monday to Friday and 8am until 12 noon Saturday be imposed at the following locations as outlined on attached Plan No 2189-PP-1.

- Anzac Road (between Oxford Street and Flinders Street).
- Anzac Road (between Harrow Street and Shakespeare Street)
- Oxford Street (West side between Anzac Road and Britannia Road)
- Shakespeare Street (between Anzac Road and Scarborough Beach Road)

Anzac Road (between Oxford Street and Flinders Street).

Thirty five (35) consultation forms were delivered, drawing eight (8) responses representing a 23% response.

In Favour

Three (3) received with two (2) of these strongly in favour, and one (1) fairly neutral about the proposal, but would accept a restriction. The main points raised were as follows:

- Restrictions should be extended to Friday and Saturday night
- The restriction should be two hours, rather than one
- The Taxi workers are the source of the parking problem

Against

Five (5) were against with the following comments:

- The restrictions will cause inconvenience for residents and visitors
- Public Transport facilities in the area are inadequate to provide a viable alternative to car travel.
- Parking is already an issue with some residents following the installation of islands which reduce kerb side parking near their homes.
- Oxford Hotel and other businesses attract customers who compete with residents for parking spaces.
- The short time restriction will create more activity in the street and this is unwelcome.
- Rangers will be expected to police the restrictions regularly.
- Ranger activity will add to the parking demand.

Officer Recommendation:

The Town not should not proceed with the proposal in Anzac Rd.

Anzac Road (between Harrow Street and Shakespeare Street)

Twenty (20) consultation forms were delivered, drawing nine (9) responses on the form provided, together with a petition with twenty three (23) signatories, some of whom had sent in forms as well. This amounted to duplicated responses from eighteen (18) of the twenty (20) houses where letters were dropped, or a 90% response.

In Favour

None were in favour of the proposal

Against

All respondents were against the proposal and provided the following comments:

- Many residents were elderly and required the services of carers and there was concern that it would be more difficult for them to find parking.
- The one hour restriction may result in an increase in traffic movement.
- There is no perception that there are parking related problems at present.
- The time restriction may result in more vehicles parking on the verge which is not wide enough to accommodate cars safely.
- It would be preferable to wait until the ticket parking has been introduced and then assess the impact.
- Signage is unattractive and imparts a commercial look to residential areas.
- Paid parking must not be introduced at night time, as this will have a very detrimental effect in residential streets in the vicinity of the Oxford Hotel.
- The Town, together with the hotel management, should advertise the availability of parking at the Oxford Street car park.
- Angle parking in Oxford Street would be beneficial in providing more parking close to the hotel.
- There is concern that ticket parking will be introduced in all commercial centres and all residential streets will be time restricted, which would be very unattractive.
- Time restrictions will be very inconvenient for visitors.
- This is only a revenue raising exercise.
- No less than six (6) permits would be required by each household.
- It is a mistake to introduce ticket parking in the Oxford Street car park.

Officer Recommendation:

The Town should not proceed with the proposal.

Oxford Street (West side between Anzac Road and Britannia Road)

Fourteen (14) consultation forms were distributed, drawing two (2) responses, or a 14% Response.

In favour

One (1) positive response was received, making the following point:

- Time limits only- no ticket parking should be introduced in Oxford Street.

Against

The one (1) response, the Manager of the Oxford Hotel, was strongly opposed to the proposal and he provided the following comments:

- Time restricted parking will kill his lunchtime trade.
- Currently during business hours the surrounding streets are virtually vacant
- The Oxford Hotel is a heavily capitalised business which will be very badly affected by imposing a time restriction to the surrounding streets.
- The respondent insists on being consulted further prior to any decision being made.

Officer Recommendation:

The Town should not proceed with the proposal in Oxford St.

Shakespeare Street (between Anzac Road and Scarborough Beach Road)

Thirty eight (38) consultation forms were distributed, and seven (7) responses received representing an 18% response.

In Favour

One (1) positive response was received, however there were no comments.

Against

Six (6) respondents were strongly opposed to the restriction being introduced for the following reasons:

- This is just a revenue raising exercise.
- Public transport is not convenient enough to replace the use of private cars.
- Residents don't want their visitors time restricted.
- This street should not be treated like a business zone.
- It is an unwelcome restriction on resident's freedom.
- The installation of parking signage will attract more parkers than presently using the street.
- Constant turnover necessitated by a one (1) hour restriction will be more disruptive than all day parkers.
- Residents and their visitors should be allowed to park where ever and when ever they wish.
- The Town should wait to see if a problem develops rather than pre-empting it.
- More vehicles will be parked on verges.
- If the restriction is introduced "No Parking on verge" should also be introduced.
- Residents should expect some problems with parking in an inner city location.

Officer Recommendation:

The Town should not proceed with the proposal in Shakespeare St.

Summary

A summary of the results and proposal is outline below. These outcomes are reflected in Plan No 2231-PP-1 for the Stirling, Pier, and Brewer Street area, Plan No 2232-PP-1 for the Oxford Car Park area, and Plan No 2233-PP-1 for the Stuart Street area.

STREET	LETTERS DISTRIBUTED	IN FAVOUR	AGAINST	PROCEED
Bulwer Street (between Brisbane St and Lord St).	79	4	3	YES
Smith Street (between Bulwer St and Lincoln St).	34	3	5	NO
Wright Street (between Bulwer Street and Lincoln Street)	56	4	4	NO
Stirling Street (between Bulwer St and Lincoln St).	36	2	7	NO
Edward Street north side (between Pier St and Lord St)	40	3	1	YES
Dalmeny Street	15	0	3	NO
Fitzgerald Street (between Stuart St and Lawley St).	19	0	2	YES
Cowle Street (between Charles Street and Fitzgerald Street)	56	8	6	YES
Carr Street (south side between Charles Street and Fitzgerald Street).	46	2	4	NO
Fitzroy Street	10	3	0	YES
Palmerston Street (west side between Stuart Street and Randall Street).	38	7	0	YES
Randall Street (between Palmerston Street and Fitzgerald Street).	33	4	1	YES
Anzac Road (between Oxford Street and Flinders Street).	35	3	5	NO
Anzac Road (between Harrow Street and Shakespeare Street)	20	0	18	NO
Oxford Street (West side between Anzac Road and Britannia Road)	14	1	1	NO
Shakespeare Street (between Anzac Road and Scarborough Beach Road)	38	1	6	NO

LEGAL AND POLICY:

There are no legal impediments associated with this proposal and Rangers would enforce the new time-restricted Parking Zones in the same way as they do for all similar areas.

The above recommendations do not require an amendment to the Parking facilities Local Law, so the new restrictions would come into force as soon as the appropriate signage is installed. It has been the normal practice to allow a two-week period, where Cautions are issued to offending vehicles, on one occasion only and this is considered to be of assistance, in the event that a driver decides to have the matter heard in a Court of Law.

CONSULTATION/ADVERTISING:

Consultation was carried out in accordance with the Town's policy.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of the Strategic Plan 2003-2008 – 1.4 Maintain and enhance the Town's infrastructure to provide a safe, healthy, sustainable and functional environment. *“p) Develop a strategy for parking management in business, residential and mixed use precincts”.*

FINANCIAL/BUDGET IMPLICATIONS:

The installation of the new signs and associated infrastructure will be funded from the 2003/2004 ticket machines budget allocation and is estimated to cost in the order of \$10,000 to \$12,000.

COMMENTS:

The proposed restrictions are to be implemented in accordance with the Town's Car Parking Strategy and are recommended following due consideration of all submissions received from residents and business proprietors in the affected streets. The restrictions are supported by the Manager, Law and Order Services, who will ensure that the Town's Rangers patrol the streets and enforce the new restrictions.

10.2.3 Watering Restrictions - Impact on the Town's Parks & Gardens

Ward:	Both	Date:	10 November 2003
Precinct:	All	File Ref:	ORG0050
Attachments:	-		
Reporting Officer(s):	J van den Bok		
Checked/Endorsed by:	R Lotznicher	Amended by:	

OFFICER RECOMMENDATION:

That the Council;

- (i) *receives the report in relation to the impact of watering restrictions on the Town's Parks and Gardens; and*
- (ii) *advertises the Town's nominated scheme watering days and other relevant parks watering program information to residents.*

COUNCIL DECISION ITEM 10.2.3

Moved Cr Cohen, Seconded Cr Lake

That the recommendation be adopted.

Debate ensued.

CARRIED (8-0)

(Cr Ker on approved leave of absence.)

BACKGROUND:

As previously reported to the Council at its Ordinary Meeting held on 25 September 2001, the State Government, under section 34 (1) of the Water Agencies (Powers) Act 1984, formulated the Water Agencies (Water Restrictions) Amendment By-law 2001.

Schedule 1 of the By-laws, "*Restrictions on Watering Lawns and Gardens*", includes seven (7) stages of water restrictions, with Stage 7 being the most restrictive, ie *a person must not fill a swimming pool, a person must not water a lawn or garden except by a hand held watering can, etc.*

At the Ordinary Meeting held on 25 September 2003, it was resolved:

"That the Council;

- (i) *receives the report in relation to the impact of the recently introduced "Stage 4" water restrictions on the Town of Vincent's Parks and Gardens as outlined in the attached Government Gazette, as laid on the table;*
- (ii) *authorises the Chief Executive Officer to write to the Water Corporation, requesting approval to irrigate all of the Town's properties and road reserves on a Tuesday and Friday of each week, and*

- (iii) *on receiving approval from the Water Corporation, advertises the Town's nominated watering days and other relevant information pertaining to water conservation to the Town's residents."*

DETAILS:

In accordance with the bylaws, the Water Corporation has resolved to continue with "Stage 4" water restrictions during 2003/04, due to the lack of sufficient winter rains over a number of years, resulting in low damage storage levels.

The current restrictions apply to all scheme watered properties, ie from the mains water supply, and watering can only be undertaken with sprinkler operated systems two (2) days per week, between 6.00pm and 9.00am.

There are now also restrictions on the use of unlicensed bores, restricting their use between the hours of 9.00am and 6.00pm each day.

Subsequently, approval was received from the Water Corporation to water the Town's scheme watered parks and gardens on a Tuesday and Friday of each week.

Designation of two (2) specific days was required as the majority of public open space areas within the Town do not have a house or lot number.

Since 2001 the Town has implemented the installation of domestic bore/pumps in many of its smaller reserves. In addition, where practical, bore watered services have been extended to incorporate road reserve areas and water meters have been removed.

The Town had fifty-two (52) locations in 2001 where scheme water was used for irrigating lawns and gardens. Thirty-four (34) scheme watered sites are now approved to be irrigated on a Tuesday and Friday of each week as follows: -

1. Administration/Civic Centre	18. Lincoln/Smith Roundabout
2. Anzac/Sasse Roundabout	19. Loftus Centre Carpark
3. Banks Reserve Pavilion	20. Loftus Community Centre
4. Barlee Street Carpark	21. Loftus Recreation Centre
5. Beaufort Street Landscape	22. Monmouth Street Reserve
6. Brisbane Street Streetscape	23. Norfolk/Forrest Roundabout
7. Britannia/Brentham Street Roundabout	24. Palmerston/Glendower Roundabout
8. Broome/Smith Street Roundabout	25. Raglan Road Carpark
9. Bulwer/Brisbane/Smith Roundabout	26. Scarborough Bch Rd Streetscape
10. Carr/Cleaver Roundabout	27. Shalom Dental Clinic
11. Ellesmere/Matlock Reserve	28. Town of Vincent Library
12. Farmer Street Verge	29. 245 Vincent Street - house
13. Fitzgerald Street Streetscape	30. Vincent/Bulwer Verge
14. Flinders/Woodstock Roundabout	31. Wasley Street - Partial closure
15. Forrest Park Shrubbery	32. Wasley Street Carpark
16. Harold/Curtis Roundabout	33. West Parade Streetscape
17. Hyde Street Playground	34. Zebina St cul-de-sac & East Pde

Impact of Watering Restrictions on the Town's Parks and Gardens

The "Stage 4" restrictions in place are not likely to significantly impact on the Town's Parks and Gardens. Scheme watered areas have previously only been watered two (2) times per week and should be able to survive with some additional hand watering during the summer.

Only two (2) areas under the care, control and management of the Town are currently manually watered are:

- Robertson Park
- Shalom Dental Clinic

Funds have been allocated with the 2003/2004 budget for the installation of automatic reticulation at both the above locations.

Robertson Park will be undertaken with the next few months and the Shalom Dental Clinic works are on hold subject to additional works being undertaken.

Robertson Park Tennis Club is leased to the Veterans Tennis Association and maintenance and all watering programs are their responsibility.

CONSULTATION/ADVERTISING:

Advertise the Town's nominated scheme watering days and other relevant parks watering regime information to residents.

LEGAL/POLICY:

The Town currently complies with the Water Agencies (Water Restrictions) Amendment By - Laws 2001.

STRATEGIC IMPLICATIONS:

In accordance with Key Result Area One of the Plan 2003-2008 - 1.1 Protect and enhance the environment and biodiversity. *"h) Implementation of water conservation initiatives."*

FINANCIAL/BUDGET IMPLICATIONS:

Should further restrictions be implemented over the summer, there will be significant financial implications that will require a further report to Council.

COMMENTS:

It should be noted that the majority of all bore watered areas within the Town are currently watered three (3) times per week.

Other Local Governments are known to water every night of the week which results in the creation of a shallow root system and results in turf areas being, in particular, more susceptible to wear and tear, disease and water stress.

Local Government has at times been singled out and ridiculed for wasting water. At a recent Parks & Leisure Conference, the Water Corporation indicated that while Local Governments are in the spotlight, the focus is now being directed towards industry, the heaviest user of both scheme and bore water supplies.

12. REPRESENTATION ON STATUTORY AUTHORITIES AND PUBLIC BODIES

Nil.

13. URGENT BUSINESS

Nil.

14. CLOSURE

The Presiding Member, Mayor Catania JP, declared the meeting closed at 9.16pm with the following persons present:

- | | |
|--------------------|---|
| Cr Simon Chester | North Ward |
| Cr Caroline Cohen | South Ward |
| Cr Helen Doran-Wu | North Ward |
| Cr Steed Farrell | North Ward |
| Cr Basil Franchina | North Ward |
| Cr Sally Lake | South Ward |
| Cr Maddalena Torre | South Ward |
| John Giorgi, JP | Chief Executive Officer |
| Mr Rob Boardman | Executive Manager, Environmental and Development Services |
| Mike Rootsey | Executive Manager, Corporate Services |
| Rick Lotznicher | Executive Manager, Technical Services |
| Annie Smith | Executive Assistant (Minute Secretary) |
| Matt Zis | Journalist – Guardian Express |
| Mark Fletcher | Journalist - Voice News |
- 2 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 18 November 2003.

Signed:Presiding Member
Mayor Nick Catania, JP

Dated this day of 2003